

COMMENTS

COMMENTS

received after January 19, 2021 and
provided to the EPC with the February 18, 2021 Staff Report

Barkhurst, Kathryn Carrie

From: Arthur Melendres <amelendres@modrall.com>
Sent: Wednesday, January 20, 2021 4:00 PM
To: Barkhurst, Kathryn Carrie
Subject: Objection to 5 foot setback for garages

External

K. Carrie Barkhurst, Senior Planner January 20, 2021

City of Albuquerque,

I object to adding a setback standard of 5 feet for garages facing a street or which are accessed from an alley. The reason is that this set back will give those unauthorized individuals who want to camp out on private property additional space to do so. Currently there is a serious problem in the Downtown Neighborhood area with vagrants and others who insist on camping out, and destroying private property. I have personal experiences involving thousands of dollars of damage caused by these individuals. The City and City Police have done nothing to assist with control, or to assist private property owners. Should you need specific examples of reports to the city and city police, I can provide that to you.

I ask that the proposed setback standard not be permitted at this time.

Property owner - 706 12 ST. NW



amelendres@modrall.com

C: 505.321-5498

This e-mail may be a confidential attorney-client communication. If you received it in error, please delete it without forwarding it to others and notify the sender of the error.

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This message has been analyzed by Deep Discovery Email Inspector.

Barkhurst, Kathryn Carrie

From: Paul Melendres <paul@melendreslaw.com>
Sent: Wednesday, January 20, 2021 5:48 PM
To: Barkhurst, Kathryn Carrie
Subject: Garage issue--Melendres 1017 5th Street NW

Follow Up Flag: Follow up
Flag Status: Flagged

External

I oppose the change. My garage is a 1940 adobe structure on the alley of 5th Street. We need more parking downtown. In addition, garages are safe from the crime.

Paul Melendres
Melendres & Melendres P.C.
1017 5th Street NW
Albuquerque, NM 87102
(505) 243-8310
fax (505) 243-9271
Melendreslaw.com
Melendres & Melendres, P.C.

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This message has been analyzed by Deep Discovery Email Inspector.

Renz-Whitmore, Mikaela J.

From: CDILL4 <Craig@CraigDill.Com>
Sent: Thursday, January 21, 2021 8:48 AM
To: City of Albuquerque Planning Department
Subject: Re: IDO Annual Update 2020

Hello,

I object to the proposed zoning change for my property.

The proposed change is to force my unique neighborhood to conform to what another neighborhood looks like. My neighbors and I don't live in a victorian or craftsman era home and requiring us to conform to their style is very inappropriate. This same sort of requirement would never be imposed on to homes in the North East or Westside part of the city because every home would violate the standard. Forcing our neighborhood to conform to this garage setback standard will create the same problem, every existing home with a garage will violate the standard.

If there will be further hearings I would like to attend or comment.

Craig Dill, CFE
Craig Dill & Associates
PO Box 7855
Albuquerque, NM 87194
(505) 459-3030
(866) 354-7028 Fax
Craig@CraigDill.Com



On Jan 7, 2021, at 10:40 AM, City of Albuquerque Planning Department <abcto@cabq.gov> wrote:

Good morning,

Of course! You can send comments directly to this email and they'll become part of the record. If you have any questions about the proposed changes, we can also answer them through this email.

Thank you,

<image001.jpg>

LONG RANGE PLANNING TEAM
o 505.924.3860
e abcto@cabq.gov
cabq.gov/planning

From: Craig Dill <Craig@CraigDill.Com>
Sent: Thursday, January 7, 2021 10:23 AM
To: City of Albuquerque Planning Department <abcto@cabq.gov>
Subject: IDO Annual Update 2020

Hello Planning,

I would like to object in writing to the proposed changes to the zoning of my property near Old Town. Can you please tell me how to do that?

Thanks,
Craig Dill, CFE
Craig Dill & Associates
PO Box 7855
Albuquerque, NM 87194
(505) 459-3030
(866) 354-7028 Fax
Craig@CraigDill.Com

<image002.jpg>

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This message has been analyzed by Deep Discovery Email Inspector.

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Barkhurst, Kathryn Carrie

From: Diana Melendres <poppirentals@gmail.com>
Sent: Thursday, January 21, 2021 8:39 AM
To: Barkhurst, Kathryn Carrie
Subject: Re: Zoom meeting 1/21/21

Follow Up Flag: Follow up
Flag Status: Flagged

External

Dear Ms Barkhurst,

I am not able to access the meeting this morning. One character in the address is unclear: is it a "i" or "j". Therefore I am sending you my written comment here.

"Sadly the changes in the environment in Downtown Albuquerque in the last 5 years make the current sector plan all but unusable for present day Albuquerque.

Instead of adding more easements, which will make it more difficult for property owners to protect their property, the Planning Department should be investigating the removal of current easements that exist.

The challenges that face property owners who would have easements removed from their property are difficult and expensive making removing easements for property owners all but prohibitive.

The Planning Department, however, has the expertise and responsibility to study and recommend the removal of easements that make it difficult for property owners to protect their property and easements that increase the burden on our Police Officers who seek to keep the residents of Downtown Albuquerque safe.

I am against initiating these setback easement requirements."

Thank you for your consideration.
Diana Melendres

On Wed, Jan 20, 2021 at 3:59 PM Barkhurst, Kathryn Carrie <kcbarkhurst@cabq.gov> wrote:

Hello Diana,

Yes, you may speak at the hearing and/or submit written comments. Whichever is more comfortable for you (or both!)

When it comes time to take public comment for the relevant agenda item, they will ask you to "raise your hand" to speak. If you are interested in commenting on the small area text amendments (that is what we sent the letter about), it is first on the agenda. There is a staff introduction, then public comments.

You can use the Zoom control to do that digitally or just wave your hand if you are on camera.

If you join by phone, press *9 to “raise your hand” or you can press *6 to mute/unmute yourself and ask to speak.

Thanks,



K. CARRIE BARKHURST, MCRP

long range senior planner

o 505.924.3879

m 505.362.1372

e kcbarkhurst@cabq.gov

cabq.gov/planning

From: Diana Melendres <poppirentals@gmail.com>

Sent: Wednesday, January 20, 2021 3:08 PM

To: Barkhurst, Kathryn Carrie <kcbarkhurst@cabq.gov>

Subject: Zoom meeting 1/21/21

External

Dear Ms. Barkhurst,

Will there be an opportunity to speak at the Zoom meeting in the morning or does our objection need to be in writing? I was not clear from the letter we received about the meeting.

Thank you,

Diana Melendres

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This message has been analyzed by Deep Discovery Email Inspector.

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Barkhurst, Kathryn Carrie

From: Paul Melendres <paul@melendreslaw.com>
Sent: Thursday, January 21, 2021 11:51 AM
To: Barkhurst, Kathryn Carrie
Subject: RE: Garage issue--Melendres 1017 5th Street NW

Follow Up Flag: Follow up
Flag Status: Completed

External

I had to leave the meeting. The real issue is 5 feet set back with encroach on the small lots. Again, the homeless camp out on the property. I had to enclose my porch because they would sleep on it. We need garages because of the limited parking. I assume my garage will be grandfathered in. I am happy to discuss with you or staff further.

Paul Melendres
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From: Paul Melendres
Sent: Wednesday, January 20, 2021 7:36 PM
To: Barkhurst, Kathryn Carrie <kcbarkhurst@cabq.gov>
Subject: RE: Garage issue--Melendres 1017 5th Street NW

So sorry you are working so late. How do I sign up

Sent from my Verizon, Samsung Galaxy smartphone

----- Original message -----

From: "Barkhurst, Kathryn Carrie" <kcbarkhurst@cabq.gov>
Date: 1/20/21 7:31 PM (GMT-07:00)
To: Paul Melendres <paul@melendreslaw.com>
Subject: RE: Garage issue--Melendres 1017 5th Street NW

Hello Paul,

I've received your email and will add it to the public record for this request.

Unfortunately, we can only provide written comments to the EPC if they are received 48 hours before the hearing, according to the EPC Rules of Procedure and standard practice.

However, people with late comments are encouraged to attend the hearing, sign up for public comment, and read their comment into the record. Or, if you prefer, we will save your comment and attach it to any supplemental Staff report and/or transmit it in the Council package. I will mention that there is opposition to this change, and your comment will be included in the record for future hearings.

Best,
Carrie



K. CARRIE BARKHURST, MCRP

long range senior planner

o 505.924.3879

m 505.362.1372

e kcbarkhurst@cabq.gov

cabq.gov/planning

From: Paul Melendres <paul@melendreslaw.com>

Sent: Wednesday, January 20, 2021 5:48 PM

To: Barkhurst, Kathryn Carrie <kcbarkhurst@cabq.gov>

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External

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Barkhurst, Kathryn Carrie

From: Morris, Petra
Sent: Friday, January 29, 2021 3:42 PM
To: Renz-Whitmore, Mikaela J.; Barkhurst, Kathryn Carrie
Cc: Schultz, Shanna M.
Subject: Re: IDO Annual Update at EPC

Follow Up Flag: Follow up
Flag Status: Completed

Hello,

Carrie and I chatted a bit after our call Thursday and I committed to taking a stab at better explaining my concerns with the use of the term Urban Residential and coming up with a solution. So here goes!

Using form based terms in CPOs: I think we need to keep the terminology separate to avoid confusion

- “Urban residential” shows up in the IDO in 7 places in reference:
 - Form based:
 - Building Frontages
 - Table 2-4-12
 - Shading
 - Ground floor windows
 - Structured and Wrapped Parking
 - Definitions: in two places, the definition plus a cross reference
- “Storefront” shows up in the IDO in 13 places in reference:
 - Form based:
 - Building Frontages
 - Table 2-4-12
 - Ground floor window and doors
 - Structured and wrapped parking
 - Edo CPO:
 - Façade design
 - Nob Hill CPO:
 - Vehicular access,
 - Façade design
 - Definitions: in two places, the definition plus a cross reference

In the Edo CPO and Nob Hill CPO where they reference a storefront today, there are accompanying regulations about the design requirements, for example the amount of window percentages. The term “residential façade” only appears in the Nob Hill CPO. The Nob Hill CPO (and previously the Nob Hill SDP) doesn’t have any different design regulations for a residential façade. I think Nob Hill probably needs to revisit it’s window percentages, 60% is high for commercial and it should add a different percentage for residential, but I think the CPA that is beginning now is the place to have that conversation. If the CPA makes a recommendation before this annual update leaves Council we could add it at Council.

Recommended changes:

- Add to the Building Frontage Types definition a note that these all apply in conjunction with the Form Based Zones only.
- Add a definition in Development Definitions for Residential façade: the façade of a structure where the primary ground floor use is residential.
- Add a definition in Development Definitions for Commercial frontage: the façade of a structure where the primary ground floor use(s) is non-residential.
- In the Edo CPO and Nob Hill CPO replace “storefront” with “commercial frontage”. Note: I chose commercial frontage rather than commercial façade as it didn’t read as well in the context of the two CPO sections.

Barkhurst, Kathryn Carrie

From: David Colbert <chinabike@aol.com>
Sent: Tuesday, January 26, 2021 3:37 PM
To: Barkhurst, Kathryn Carrie
Subject: City application to amend zoning regulations for small areas

Follow Up Flag: Follow up
Flag Status: Flagged

External

Dear K. Carrie Barkhurst,

My name is David Colbert and I own residential property in Wells Park near 8th and Kinley. I received a letter from the city titled Re: City application to amend zoning regulations for small areas, November 25, 2020. I did not attend the zoom hearing on January 21 at 8:30 am. I would like to submit my vote to you to submit to the file for that application request. I do not know the specifics that the request pertains to, but I vote:

More Old Town Style Single Story Quality Residences in Wells Park

Less west side style two story cheap quality residences in Wells Park.

Thank you for submitting my vote.

Sincerely,

David Colbert

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This message has been analyzed by Deep Discovery Email Inspector.

Renz-Whitmore, Mikaela J.

From: Yohanna Wiuff <yohanna@unm.edu>
Sent: Thursday, January 21, 2021 5:15 PM
To: City of Albuquerque Planning Department
Cc: Morris, Petra; Schultz, Shanna M.
Subject: Zoning Regulations

Good Afternoon.

I apologize for the late response to the letter sent out. My sister and I live in Petroglyph Estates within the Volcano Mesa. I hope to ensure that our investment in this area is not decreased by changes to the building massing standards that we abided by when choosing this area for our new home, because that is precisely why we chose Petroglyph Estates.

Specifically I am referring to **3-4(N) Volcano Mesa – CPO-13** that states proposed changes as follows:

Add a building massing standard that allows cluster development to have a second story on 75% of the building footprint, which is supposedly consistent with the Volcano Cliffs Sector Plan. (3-4(M)(4)(b)).

And

Revise the garage standards to apply to 3-car garages that are street-facing. (3-4(N)(5)(d)2).

We responded to the notice that was sent to us by our Neighborhood Association informing us of the request to RELAX the current standards in Petroglyph Estates to allow homes to be built which would then change the views and concentration in this area, late last year, for a City Council Meeting. We were ecstatic to hear that the request was not approved. However now we see that it has been resurrected.

Specifically we oppose allowing the 75% second story because it will limit views for those people who built in the area knowing that their views would only be restricted by the 50% second story and most likely revised their building plans to maximize their view given these specifications.

Now it is being proposed to add viewing restriction that will compromise those who have already built under the current rules. This is **UNFAIR** and **UNNECESSARY**. All builders and owners in this development must and should abide by the same rules to ensure fairness.

Limiting the garage area facing the street enhances the beauty of the neighborhood and adds to the overall non-crowded, overly-paved, community we enjoy. It would be a shame to have to drive by homes where all you see is garage. I presume this would decrease our values in Petroglyph Estates and this must be considered when making such sweeping changes to a plan that took many years to develop.

Thank you for your consideration of our concerns for this proposed change.

I propose that you remove Petroglyph Estates community from this mass proposed change.

Yohanna Wiuff and Charlene Wiuff

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This message has been analyzed by Deep Discovery Email Inspector.

Renz-Whitmore, Mikaela J.

From: Morris, Petra
Sent: Thursday, January 21, 2021 6:14 PM
To: Yohanna Wiuff; City of Albuquerque Planning Department
Cc: Schultz, Shanna M.
Subject: Re: Zoning Regulations

Good evening,

The amendment that you mention in your email below was not ultimately included in the 2020 annual update. It was included in the materials that were mailed out to property owners, but due to a glitch of timing, after the information was mailed out Planning removed that amendment from the application. The amendment was removed in response to comment from the public at the pre- application neighborhood meeting.

Here is a link to the ABC to Z website:

<https://abc-zone.com/ido-annual-update-small-area-text-amendments>

And the section on that page that lists the amendments submitted:

<https://abc-zone.com/sites/abc-zone.com/files/media/04-ListofAmendments.pdf>

Please let me know if you have any further questions.

Kind regards,

Petra Morris, AICP

Council Planning Manager

Albuquerque City Council

505.768.3161

pmorris@cabq.gov



From: Yohanna Wiuff <yohanna@unm.edu>

Date: Thursday, January 21, 2021 at 5:14 PM

To: City of Albuquerque Planning Department <abcto@cabq.gov>

Cc: "Morris, Petra" <pmorris@cabq.gov>, Shanna Schultz <smschultz@cabq.gov>

Subject: Zoning Regulations

External

Good Afternoon.

I apologize for the late response to the letter sent out. My sister and I live in Petroglyph Estates within the Volcano Mesa. I hope to ensure that our investment in this area is not decreased by changes to the building massing standards that we abided by when choosing this area for our new home, because that is precisely why we chose Petroglyph Estates.

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Specifically we oppose allowing the 75% second story because it will limit views for those people who built in the area knowing that their views would only be restricted by the 50% second story and most likely revised their building plans to maximize their view given these specifications.

Now it is being proposed to add viewing restriction that will compromise those who have already built under the current rules. This is **UNFAIR** and **UNNECESSARY**. All builders and owners in this development must and should abide by the same rules to ensure fairness.

Limiting the garage area facing the street enhances the beauty of the neighborhood and adds to the overall non-crowded, overly-paved, community we enjoy. It would be a shame to have to drive by homes where all you see is garage. I presume this would decrease our values in Petroglyph Estates and this must be considered when making such sweeping changes to a plan that took many years to develop.

Thank you for your consideration of our concerns for this proposed change.

I propose that you remove Petroglyph Estates community from this mass proposed change.

Yohanna Wiuff and Charlene Wiuff

=====
This message has been analyzed by Deep Discovery Email Inspector.

Barkhurst, Kathryn Carrie

From: Patgllgr <patgllgr@aol.com>
Sent: Thursday, February 4, 2021 7:20 PM
To: Barkhurst, Kathryn Carrie
Subject: Sight Lines

External

Carrie,
Mulling this idea over, I am somewhat amazed at the effects the focused sightline (looking only at the crest) would have on view preservation. I hope we agree that the grandchild of the Coors Corridor Plan on View Preservation, the VPO-1 must work as well as the original.

Focusing on the crest means the sightlines must no longer cross the building. Sometimes they will coincide but not necessarily. So then we must ask how do we determine the sides of the view frame. Is the top of the view frame always the top of the crest? If the view frame is undefinable, the percentages for massing can be severely distorted.

This change would mean the death of the Bulk and Massing code. And it assumes the demise of the Ridgeline Test. One left, the 1/3-2/3 rule; how will it be killed?

The 45 degree part of the code was ingenious. It made sure that the mountain was not chopped up into special parts and parts you could block. It's about the mountain. It's about the view of the mountain, not the crest.

This idea is a very bad idea. It will ruin a good code. We must keep all three tests intact. Please!

Thanks,

Pat

=====
This message has been analyzed by Deep Discovery Email Inspector.



LA LUZ LANDOWNERS ASSOCIATION

1A Loop One N.W.
Albuquerque, New Mexico 87120
(505) 897-3030

February 8, 2021

To:

Environmental Planning Commission

Mr. Dan Serrano - Chair

Mr. Richard Meadows

Mr. Joseph Cruz

Mr. Robert Stetson

Mr. Gary Eyster

Mr. David Shaffer

Mr. Timothy J. MacEachen

Mr. Jonathan R. Hollinger

Planning Department

Ms. Carrie Barkhurst

Ms. Catalina Lehner

Re: Integrated Development Ordinance, 2020 Small Area Amendments, VPO-1

It was suggested at the last EPC meeting that VPO-1 should be modified in a very fundamental way. This modification will completely dismantle the successful view protections first created in the Coors Corridor Plan and carried forward into the IDO.

To make the view protections work, a **Sight Line (3-6(D)(3)(a))** is established in the code, which looks in a direction 45° to Coors toward the mountain. As the road deviates from a purely northern direction, the sight lines look at different parts of the mountain. It was suggested that all sight lines instead target only the Sandia Crest, the highest point. Because the viewpoint and the sight line are crucial foundational elements of the VPO-1, this change would scrap the entire VPO-1 as we know it.

There are still several large undeveloped sites along Coors where the road veers in a northeasterly direction. Along these segments a sightline pointed at the crest would miss any proposed building entirely. This would allow buildings built close to Coors to completely obscure the mountain as seen from a car on Coors.

Looking closer at the regulation:

1. By allowing the Crest-only sightline, the **View Frame (3-6(D)(3)(b))** is no longer definable. The top of the view frame would always be the height of the Crest and the sides of the view frame may or may not include the subject building. Therefore, the **Bulk and Massing tests (3-6(D)(5))** are rendered meaningless.
2. If the sightline does not pass through the subject building, the **1/3-2/3 rule (3-6(D)(5)(b))** cannot reference any feature of the building to calculate the height above the **View Plane (3-6(D)(3)(c))**.
3. The **Ridgeline Test (3-6(D)(5)(c))**, put back into the code in the last round, becomes meaningless except in the vicinity of the Crest. No Ridgeline = No Mountain.

Conclusion: By the suggested revision of the definition of a Sight Line, VPO-1 could be completely scrambled, with arbitrary terms, permissive loopholes and ambiguous proof of compliance. The View Protection that has evolved over the last 37 years **works**. Modified by this very bad idea, the regulation would be gutted and views lost forever. There is no need to do that. The developers just need to push their buildings as far from Coors on the site as possible. All the IDO view violations of late come from putting buildings too close to Coors.

The Crest-only Sightline is **not** an idea that improves the code, preserves views or furthers the intent of the IDO and specifically the VPO-1.

The 45 degree Sight Line part of the code was ingenious. It made sure that the mountain was not chopped up into special parts and parts you could block. It's about the whole view of the mountain, not just the crest.

Please reject the suggestion that all sight lines must target the Crest, and keep the Ridgeline test intact.

Respectfully,

Pat Gallagher
Chair-External Affairs
La Luz Landowners Association

Date: February 1, 2021

To: EPC
ABQ Planning Department Staff

From: Jane Baechle
Santa Fe Village Neighborhood Association

Re: Follow-up Comments to the January 21, 2021 EPC Meeting
Small Area Amendment E, Northwest Mesa Escarpment VPO-2

The following comments are submitted in response to objections offered to the proposed Small Area Amendments to the Northwest Mesa Escarpment VPO at the EPC meeting held on January 21, 2021. I attended the meeting for the duration of the discussion of Project #2018-001843 / RZ-2020-00048 and most of the discussion of city-wide amendments. My public comments represented the opinion of the Santa Fe Village Neighborhood Association Board; Santa Fe Village lies within the NW Mesa Escarpment VPO-2.

Northwest Mesa Escarpment VPO-2

As I indicated in my public comments at this meeting, the Santa Fe Village Neighborhood Association Board has reviewed and discussed the proposed small area amendments for the Northwest Mesa Escarpment VPO-2. We strongly support all proposed amendments for the entire area covered by VPO-2.

The staff document outlining the proposed amendments and the relevant goals and policies of the IDO is clear and unequivocal regarding the benefits to the sense of place and this sensitive natural and cultural landscape along the Northwest Mesa Escarpment. Further, in the introduction to the presentation of the proposed amendments, planning staff clearly cite the IDO goals and policies that inform their planning and to which they are required to adhere. Some proposed amendments were seemingly criticized as an effort to impose prior "sector plans" on future development despite the stated intention of the IDO to integrate sector plan considerations into the protective overlays for historic or sensitive areas.

Multiple objections were voiced to VPO-2 suggesting they would disadvantage "my client" or "have unforeseen consequences." These appear to object to the transition zone which includes height restrictions, Section 3-6 (E), and use specific standards in Section 4-3. Neither of these proposed amendments disenfranchise existing land owners or prevent development of the affected areas. They would limit potential types and design of development in an effort to protect the Petroglyph National Monument, the escarpment and adjacent neighborhoods. Even with the height restriction, a structure can be as much as 30' in height, so typical of single story commercial buildings. There are 12 restricted uses represent commercial and manufacturing activities

which are both inconsistent with sensitive natural and cultural landscapes and also with residential neighborhoods.

As I indicated in my public comments on January 21, 2021, Santa Fe Village homeowners are specifically concerned about the damaging effects of runoff and erosion. (See attached photo) I cannot say that the damage to homes in our neighborhood is the result of development. Nonetheless, significant damage has been sustained and every effort to minimize runoff should be undertaken. The cost of repair and mitigation efforts to minimize damage from runoff are huge and should be included in any consideration of planning, development and construction. Therefore, our strong support for increased landscaping in an effort to slow runoff remains unchanged. In summary, we continue to support the creation of the Height Sub-area 2, the requirement of landscaping of 25% of development within this area and adoption of the use specific standards cited for this area.

In addition to responding to comments regarding the Northwest Mesa Escarpment VPO-2, I would like to add my individual comments on other items.

Near Petroglyph National Monument

I strongly support the early notification of the Petroglyph National Monument and Albuquerque Open Space of proposed development near the park boundary, especially development within the 660' transition zone as outlined in Section 6-4 (J)(5). The NPS is charged with being stewards of a profoundly sensitive cultural and natural landscape. They clearly deserve and should have advance notice of any activity which may impact this area and their responsibility to protect it for all of us. Similarly, the ABQ Open Space staff are charged with protecting major public open space for the benefit and enjoyment of all Albuquerque residents.

Coors Boulevard VPO-1

First, I strongly support Section 3-6(D) and disagree with objections voiced to the proposed changes outlined. The view of the Sandia Crest is not the only element of the view which has value and should not be the point used to determine site lines for view preservation. The entire ridge line of the Sandia mountains and of the bosque below represents the unique view from Coors Boulevard which deserves preservation. It is disingenuous, at best, to suggest that preserving this view and using the site lines outlined to plan new structures will prevent development along Coors Boulevard. There are already multiple examples of attractive commercial and residential development which, with the exception of the facades in Andalucia Plaza, have been built while preserving this unique view.

Secondly, I support the request to prevent parking reductions in development along Coors Boulevard. While Coors Boulevard may be designated a Major Transit corridor, as a practical matter, it does not provide major public transit service. Neither the number of routes or the number of individual buses on those routes, including the Blue Line Express #790, provide sufficient

transit access for a person to rely on public transit to reliably reach anyplace but downtown and the University area and those areas only have adequate service on weekdays. In the 20+ years I worked at UNM HSC, I was never able to rely solely on public transportation to get to and from work.

Appendix A

Photo of Property Wall in Santa Fe Village at Base of Escarpment





Memorandum

To: City of Albuquerque Planning Department and City Council Services

From: Jacqueline Fishman, AICP; Jim Strozier, FAICP; and Michael Vos, AICP

Date: February 9, 2021

Re: IDO - Northwest Mesa Escarpment VPO-2 Small Area Amendments

The purpose of this memo is to expand upon our concerns expressed at the Environmental Planning Commission (EPC) hearing on January 21, 2021 regarding the proposal for a Small Area amendment to the Northwest Mesa Escarpment VPO-2, which generally does the following three things:

1. Adds a new height restriction sub-area 660 feet beyond the existing height restriction sub-area and limits building heights to 30 feet from natural grade.
2. Adds the VPO-2 height restrictions sub-areas as locations with additional use restrictions within the Use-specific Standards Section 4-3.
3. Requires 25% of the net lot area for landscaping, an increase from the long standing, City-wide standard of 15%.

While VPO-2 covers a very large “Small Area”, these proposed amendments affect just a fraction of the properties within the VPO boundary and disproportionately affect a small subset of property owners since many of the sites where this new sub-area applies are already developed. It is concerning that the proposed amendment exempts properties within the Volcano Heights Urban Center because it is *“designated as being an area where more intense development is appropriate.”* We believe the proposed restrictions are being unfairly applied and serve to pick “winners and losers” in the development process.

This unfair application of the rules ignores that there are other locations where the Comprehensive Plan supports more intense growth and development, including areas within this new sub-area that are designated as “Areas of Change” just as the Urban Center is. Golf Course Road is a Major Transit Corridor and Paseo del Norte is a future Premium Transit Corridor and are appropriate for more dense, walkable, urban, and transit-oriented development, as determined by the Comprehensive Plan. The proposed amendments to the VPO-2 are harmful to the future development or redevelopment of these “Areas of Change” with little to no benefits to any other “Areas of Consistency” within the rest of the VPO.

30-Foot Height Limit – The proposed 30-foot height limit functions as a limitation to two-story buildings, eliminating three-story buildings within significant portions of the R-ML and MX-L zones (38 feet maximum height) near the intersection of Unser and Rainbow Boulevards and along the south side of Paseo del Norte adjacent to the Urban Center. This has an even greater, punitive impact on the property at the intersection of Paseo del Norte and Kimmick where the Environmental Planning Commission (EPC) recently approved a zone change to MX-M (48 feet maximum height), which was subsequently appealed, and the City Council upheld the EPC’s approval of the zoning. By excluding the Urban Center from the new height restriction, this single

MX-M property is the only undeveloped property in the entire overlay with more than an 8-foot height reduction.¹ Limiting development to two-stories, particularly when considering the cost of excavation and trenching in the basalt, will make development of multi-family residential unfeasible in this MX-M zone and other commercial projects more difficult.

On top of the general concern about further limiting building heights in an area that has struggled to attract multi-family and non-residential development, the proposed language keeps the height limitation tied to the “natural grade”, but it does not appear that there is a plan to allow for variances for additional height based on the grading considerations of individual sites needing cut or fill to create level buildable areas.

The 1987 Northwest Mesa Escarpment Plan, which governed building heights along the escarpment for 30 years prior to adoption of the IDO, allowed 40 feet of building height within the “View” area outside of the height restrictions sub-area. While we strongly believe the 30-foot height limitation serves no purpose and is bad legislation due to how limited and unfairly applied it is in scope, 40 feet would at least continue to allow three-story construction in those zones that currently allow it.

Use Limitations - The proposed additional use limitations within the height sub-areas of VPO-2 is an extension of policies that already exist to protect all Major Public Open Space (MPOS) areas in the City. There is no rationale or explanation as to why the VPO Height sub-areas need these additional restrictions that are significantly greater than other MPOS areas – including the Rio Grande Bosque. Arbitrarily adding what amounts to a buffer to the buffer is not warranted and not being fairly applied to this area. This change imposes new use restrictions on an additional 660 feet of buffer without any rational nexus.

The proposed changes to uses are the equivalent of a Zoning Map Amendment and will function to change the entitlements on specific properties. This is the only Small Area amendment that significantly changes the allowable uses on a specific subset of properties. Per the decision-making criteria for Amendment to IDO Text – Small Area in Section 14-16-6-7(E)(3), such decisions must be made by the same justification and level of scrutiny as Zoning Map Amendments. We do not believe that this amendment has been adequately justified.

The proposed amendments deliver an outsized impact to a few properties while allowing the Urban Center to proceed with similar development as close or closer to the MPOS even though nearly all these locations are considered “Areas of Change” along Comprehensive Plan designated Corridors. If the purpose of the amendments is to provide protections to the open space and views along the Escarpment, the changes to the use standards should be applied City-wide via the MPOS buffer standards rather than targeting a small area and just a subset of properties within that small area. No neighborhood or community conditions have changed that justify this change to just this small area.

Landscape - The proposed increase in landscape area (from 15% to 25%) may be feasible on some sites and for some projects, but in conjunction with further building height restrictions, it compounds the issue of being able to designate enough usable square footage on sites to

1 Note: there is at least one vacant NR-BP tract adjacent to the Walmart Neighborhood Market at Paseo del Norte and Golf Course, but that lot is already limited by the IDO Neighborhood Edge requirements.

financially work for development projects. This requirement would also make several developed sites along Golf Course Road non-conforming and may create issues in the future for owners of those properties.

Conclusion - We believe this Small Area amendment to the Northwest Mesa Escarpment VPO-2 is bad policy, unfairly applied, and should be rejected. There is no evidence that sufficient rationale has been given to provide an additional buffer area to the existing buffer area without more planning and investigation, and no projects have been designed or built in this area to show why the existing rules are insufficient.

While we oppose any additional height restriction, there is precedent for limiting height to 40 feet or the height of the underlying zoning, consistent with the pre-IDO regulations of the Northwest Mesa Escarpment Plan. Thirty (30) feet is an arbitrary limit except for where these properties are already limited to that height by Neighborhood Edge requirements, making it redundant and unnecessary.

The proposed use limitations only expand on MPOS standards already in place nearby. The proposed amendment adds limitations to specific properties within the Volcano Mesa area without considering if that limitation is necessary or would be better served as a City-wide standard. The exemption of the Urban Center where more intense development can occur in closer proximity to MPOS than properties affected by this amendment is patently unfair to properties outside the Urban Center where the underlying zoning has already been deemed appropriate and the Comprehensive Plan designates as fitting locations to *“Direct growth and more intense development”*.

The landscaping changes are somewhat redundant to other IDO amendments proposed for multi-family development and again appear to be “putting the cart before the horse” regarding impacts on surrounding properties considering existing MPOS buffer requirements, use and development standards, and Neighborhood Edge provisions that already require additional landscape buffer areas.

In closing, we respectfully request that the proposed VPO-2 amendments be rejected until sufficient justification can be made for them, including an objective analysis of why it would apply to some properties and not others that have equal or more intense zoning.

COMMENTS

received prior to January 19, 2021

and provided to the EPC for the January 21, 2021 Hearing



January 18, 2021

Ms. Kathryn Carrie Barkhurst
kcbarhurst@cabq.gov
Senior Planner
City of Albuquerque – Planning Department
600 2nd St NW, 3rd Floor
Albuquerque, NM 87102

Re: Proposed 2021 IDO Amendments

Dear Ms. Barkhurst, Planning Department Staff, and City Council Staff:

I write this letter to urge the EPC to revisit proposed changes to the Sawmill CPO. Over the past decade, Heritage Hotels have helped to transform the Sawmill area from an underutilized and blighted industrial area into a premier destination for residents and tourists. The development of Hotel Chaco and the Sawmill Market, with an investment of over \$100,000,000 to date, have together changed the identity of the area for the better, bringing new visitors and generating substantial economic activity. But these types of projects would not have been possible under the proposed small area amendment to the IDO. In particular, the proposed changes to: Sawmill/Wells Park - CPO-12:

"Street-facing façades over 35 feet long ~~on residential buildings~~ must be designed to appear as a collection of smaller buildings".

"Street-facing facades on buildings in non-residential development on Mountain Road or adjacent to a Residential zone district must be designed to appear as a collection of smaller buildings by incorporating variations in massing, building height, or building materials at least every 35 feet of façade length."

The underlying premise of creating the appearance of an assemblage of small buildings does not lend itself to creating distinctive, enduring architecture that expresses a coherent identity through careful consideration of the entire site and structure. The imposition of this attempt to legislate design will result in a contrived style of architecture and detract from the identity of the Sawmill area. The buildings located on Mountain Boulevard, between Rio Grande and Old Town Road Northwest, which includes our beautiful museum district, does not comply with the proposed

amendments, and to require future development to do so would conflict with the existing scale and character of the area. **I urge you to reject these amendments, or at the very least, to drop the inclusion of NR-LM in the zones to which these amendments would apply.** The NR-LM districts in the Sawmill area are prime sites for future development and have little to no impact on existing residential areas.

Heritage is in the planning stages for further development in the Sawmill District and intends to invest hundreds of millions of more dollars in this area, creating more jobs and gross receipts taxes, all of which are desperately needed in our community. Unfortunately, the limitations imposed by the small area amendments to the IDO will restrict our ability to move forward. I hope that you understand our concerns about the impact of these amendments on the future development of the Sawmill District.

Please feel free to contact me or Mr. Jim Long with any questions about this. I know that we are all focused on improving the built environment in Albuquerque. Let's make sure that the amendments work towards that goal. My contact information is slubar@heritagerec.com or (505)-239-1006, and Jim Long's contact information is jlong@heritagerec.com or (505) 505-998-5450.

Thank you for your consideration of our request.

Best regards,



Suzanne Lubar
President

cc: Mr. Jim Long
Mikaela Renz-Whitmore, Planning Department
Petra Morris, City Council
Shanna Schultz, City Council

Barkhurst, Kathryn Carrie

From: John Black <JBlack@wwrealty.com>
Sent: Sunday, January 3, 2021 4:34 PM
To: Barkhurst, Kathryn Carrie
Cc: Pat Buck; trb607ca@hotmail.com
Subject: Changes proposed by City for North Coors View plane.
Attachments: 2020 Nov COA Proposed IDO Changes Exhibit-3-6D-CoorsBoulevard-VPO-2.pdf

External

Please do not change the existing View Plane Ordinance on all the remaining vacant commercial lots in the Black Ranch subdivision on the east side of Coors between Irving Blvd. and the AMAFCA regional drainage pond at Paseo del Norte and Coors. All these lots (Lots 3F, 3G, 3H, and 3 I). The final grades are set in this existing subdivisions and cannot be lowered. Our streets, and underground storm drains, water and wastewater lines, and dry utilities are in this 1990's approved city subdivision. Most of lots in this subdivision are already built on and their elevations and view plane approvals cannot be altered.

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This message has been analyzed by Deep Discovery Email Inspector.

Barkhurst, Kathryn Carrie

From: Tim Borrer <trb607ca@hotmail.com>
Sent: Monday, January 4, 2021 12:14 PM
To: Barkhurst, Kathryn Carrie
Cc: Pat Buck; John Black; Treveston Elliott
Subject: Re: Changes proposed by City for North Coors View plane.

External

Please do not change the existing View Plane Ordinance on all the remaining vacant commercial lots in the Black Ranch subdivision on the east side of Coors between Irving Blvd. and the AMAFCA regional drainage pond at Paseo del Norte and Coors. All these lots (Lots 3F, 3G, 3H, and 3 I). The final grades are set in this existing subdivisions and cannot be lowered. Our streets, and underground storm drains, water and wastewater lines, and dry utilities are in this 1990's approved city subdivision. Most of lots in this subdivision are already built on and their elevations and view plane approvals cannot be altered.

I am an owner of one of the lots, through TB Consultants LLC, and have NOT received notice of proposed changes. I received the notice through another property owner

**Tim Borrer, MBA
President
Sierra Hacienda Builders LLC
505-220-1525**

From: John Black <JBlack@wwrealty.com>
Sent: Sunday, January 3, 2021 4:33 PM
To: Barkhurst, Kathryn Carrie <kcbarkhurst@cabq.gov>
Cc: Pat Buck <ziamgmt@gmail.com>; trb607ca@hotmail.com <trb607ca@hotmail.com>
Subject: Changes proposed by City for North Coors View plane.

Please do not change the existing View Plane Ordinance on all the remaining vacant commercial lots in the Black Ranch subdivision on the east side of Coors between Irving Blvd. and the AMAFCA regional drainage pond at Paseo del Norte and Coors. All these lots (Lots 3F, 3G, 3H, and 3 I). The final grades are set in this existing subdivisions and cannot be lowered. Our streets, and underground storm drains, water and wastewater lines, and dry utilities are in this 1990's approved city subdivision. Most of lots in this subdivision are already built on and their elevations and view plane approvals cannot be altered.

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CITY OF ALBUQUERQUE

City Council

P.O. Box 1293
Albuquerque, NM 87103
Tel: (505) 768-3100
Fax: (505) 768-3227
www.cabq.gov/council

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District 6

Vice President Diane G. Gibson
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Stephanie M. Yara
Council Director

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Brook Bassan
District 4

Cynthia D. Borrego
District 5

Trudy E. Jones
District 8

Don Harris
District 9

December 30, 2020

Dear Mrs. Jane Carlton,

Thank you for your call on December 18, 2020 requesting clarification on the zoning for your property at 918 Tijeras NW. This letter covers a short summary of the zoning for the property prior to the adoption of the Integrated Development Ordinance (IDO), and the zoning for the property today under the IDO. Here is a screen shot from the City GIS website. This shows your property circled, the R-ML Zone District, and that the Fourth Ward Historic Overlay Zone does not include your property:



Prior to the adoption of the IDO your property was zoned SU-2 DNA MR (Mixed Residential) per the Downtown Neighborhood Area Sector Development Plan. This zone district allowed the following:

- Height: 40 feet.
- Setbacks:
 - Front up to 15 feet,
 - Side 5 feet or 10 feet if adjacent to SU-2 DNA SF or SU-2 DNA TH,
 - Rear 15 feet.
- Uses: Single Family residential, townhouse, multifamily, and non-residential uses:

- “For properties that do not abut properties zoned SU-2/DNA-SF, nonresidential uses permitted in the SU-2/DNA-MUL zone, provided they do not exceed 10% of the gross floor area of the business.”

Today your property is zoned R-ML and is located within the Downtown Neighborhood Area (DNA) CPO (Character Protection Overlay). Please note that the sector plans were converted into Character Protection Overlays to carry over the special provisions of those plans. The zoning for your property today allows the following:

- Height: 40 feet per the DNA CPO
- Setback:
 - Front 15 feet per IDO
 - Side 5 feet; 10 feet if adjacent to an R-1A, R-1B or R-T zone district per the DNA CPO
 - Rear 15 feet per the DNA CPO
- Uses: Single Family residential, townhouse, multifamily, and some Civic and Institutional Uses.

Attached for your reference to this letter are copies of the Downtown Neighborhood Area Sector Development Plan SU-2 DNA MR zone district and SU-2 DNA MUL zone district, and the IDO sections for the DNA CPO and the IDO Use Table.

All of the materials provided in this letter are also available online:

- AGIS Mapping: <https://www.cabq.gov/gis/advanced-map-viewer>
- Downtown Sector Development Area Plan: <http://documents.cabq.gov/planning/UDD/CompPlan2017/SectorPlans/DowntownNeighborhoodAreaSDP-REPEALED.pdf>
- Integrated Development Ordinance: <https://www.cabq.gov/planning/codes-policies-regulations/integrated-development-ordinance>

Kind regards,

Petra Morris, AICP
Council Planning Manager
Albuquerque City Council
505.768.3161
pmorris@cabq.gov

Barkhurst, Kathryn Carrie

From: Bolen, Rebecca A.
Sent: Tuesday, December 22, 2020 12:10 PM
To: Barkhurst, Kathryn Carrie
Subject: RE: Message from ELEANOR CARLTON (+15054504989)

Yes, she's in the Downtown Neighborhood Area CPO-3

From: Barkhurst, Kathryn Carrie
Sent: Tuesday, December 22, 2020 12:09 PM
To: Bolen, Rebecca A. <rbolen@cabq.gov>
Subject: RE: Message from ELEANOR CARLTON (+15054504989)

Do you have her address/CPO off hand? So I can document this comment.

From: Bolen, Rebecca A.
Sent: Tuesday, December 22, 2020 11:37 AM
To: Barkhurst, Kathryn Carrie <kcbarkhurst@cabq.gov>
Subject: RE: Message from ELEANOR CARLTON (+15054504989)

Ms. Carlton would like to formally state that they are not in favor of any changes that impact their zoning. After our conversation, she is feeling a lot better about it. They've been hoping to build a particular project for awhile, so it does seem likely that the changes aren't going to adversely impact that project.

From: Barkhurst, Kathryn Carrie
Sent: Tuesday, December 22, 2020 10:12 AM
To: Bolen, Rebecca A. <rbolen@cabq.gov>
Subject: FW: Message from ELEANOR CARLTON (+15054504989)

From: Trujillo, Concetta M.
Sent: Wednesday, December 16, 2020 2:11 PM
To: Barkhurst, Kathryn Carrie <kcbarkhurst@cabq.gov>
Subject: FW: Message from ELEANOR CARLTON (+15054504989)

Please call



CONCETTA TRUJILLO
zoning plan examiner
o 505.924.3833
e cmtrujillo@cabq.gov

From: Cisco Unity Connection Messaging System [<mailto:unityconnection@coa-ch-cuc-pub.cabq.gov>]

Sent: Friday, December 11, 2020 9:24 AM

To: bldcmt@coa-ch-cuc-pub.cabq.gov

Subject: Message from ELEANOR CARLTON (+15054504989)

From: Hoffman, Jim
To: [Renz-Whitmore, Mikaela J.](#)
Subject: IDO CPO-13 page 345
Date: Thursday, December 17, 2020 5:47:26 PM
Attachments: [image001.png](#)

External

Hi Mikaela,
Thank you for the great discussions today. The one item that caught me off guard was the CPO-13 change on page 345 regarding prohibiting electronic signs. My concerns are:
1) This change was not included in the mailing notifications I received which is why it caught me off guard.
2) It is not clear to me that adding an omission from Volcano Cliffs (largely residential) to extend to Volcano Heights (largely commercial) is appropriate. There was a lot of discussion for the VHSDP regarding signs, including the Unser Overlay Zone, that should have already carried over into the IDO.

In the breakout room I asked if Staff could prepare a side by side comparison of the Volcano Cliffs electronic sign provision vs. the Volcano Heights sign restrictions that should have carried over to the IDO. It would be best for Staff to do this as this will provide a common basis for discussion vs. individual landowners doing their own comparison, especially since this change was not included in the mailing notification.

Page	Section	Change / Discussion	Explanation
345	5-12(H)(2)(f)	Volcano Mesa CPO-13 Add a new Subsection 5 to prohibit electronic signs in Volcano Mesa CPO-13.	Carries forward an electronic sign prohibition from Volcano Cliffs Sector Plan that was inadvertently omitted and extends it to the entire Volcano Mesa CPO area.

Thank you for your consideration

James A. Hoffman
T +1 817 551-4335 | M +1 817 689-4897
jim.hoffman@alcon365.com

=====
This message has been analyzed by Deep Discovery Email Inspector.

Rahim Kassam
Nob Hill NBRHD, LLC
Albuquerque, NM

Carrie Barkhurst - kcbarkhurst@cabq.gov
City of Albuquerque Planning Department - abcto@cabq.gov

Cc: Jim Strozier & Michael Vos, Consensus Planning
Cc: Jim Clark, Masterworks Architects

Dear Carrie Barkhurst & The Planning Department,

I'm writing in regard to the proposed IDO amendment:

3-4(l)(5)(b) Façade Design

The following articulation standards apply to all properties within the sub-area of Nob Hill/Highland – CPO-8 mapped below.

Effective IDO Text

4. On streets that intersect Central Avenue, each ground floor street-facing façade within 150 feet of or to the first alley or street from Central Avenue, whichever occurs first, shall do all of the following:
 - a. Have at least 1 entrance within 40 feet of Central Avenue.
 - b. Be built to function as or appear as storefronts or **urban residential building frontage type**.

I believe that this change to allow urban residential building frontage types instead of storefronts is a step in the right direction. However, the percentage of glazing required in urban areas needs to be addressed. Although I am writing this in response to the amendment in Nob Hill, I feel that this should apply wherever there is a minimum glazing requirement in the UC-MS-PT areas.

The following Exhibit 5-11(D) shows the proposed amendment for multifamily glazing outside of UC-MS-PT areas:

Exhibit 5-11(D)

5-11(D) MULTI-FAMILY RESIDENTIAL DEVELOPMENT

All multi-family residential development outside UC-MS-PT areas containing more than 25 dwelling units shall comply with all of the standards in this Subsection 14-16-5-11(D).

Standalone parking structures and the above-ground portion of parking structures incorporated into a building with multi-family residential uses shall comply with the design standards in Subsection 14-16-5-5(G) (Parking Structure Design).

5-11(D)(1) Building Entrances

Primary pedestrian entrances to each primary building shall be emphasized and provide weather protection through variations in the façade, porticos, roof variations, recesses or projections, or other integral building forms.

5-11(D)(2) Façade Design

Façades shall be designed to provide a sense of human scale. Building façades shall meet all of the following requirements or provide justification that the intent of this section is achieved by an alternative design approach.

5-11(D)(2)(a) Windows

A façade shall have windows as a prominent feature.

1. The ground floor of each street-facing façade shall contain a minimum of 20 percent of its surfaces in transparent display windows and/or doors.
2. Windows on the ground floor for portions of the building that are not residential dwellings, i.e., halls and common spaces, must have interior space visible to a depth of 2 feet from the façade.
3. Windows on the upper floors shall be recessed not less than 2 inches and/or shall be surrounded by a window casing not less than 2 inches wide except for portions of the façade that are curtain walls.
4. Windows facing west shall use sun blocking features.

5-11(D)(2)(b) Articulation

Facades shall change in massing and form as specified below to visually break up the building. Each front and side façade shall meet all of the following requirements or provide justification that the intent of this section is achieved by an alternative design approach.

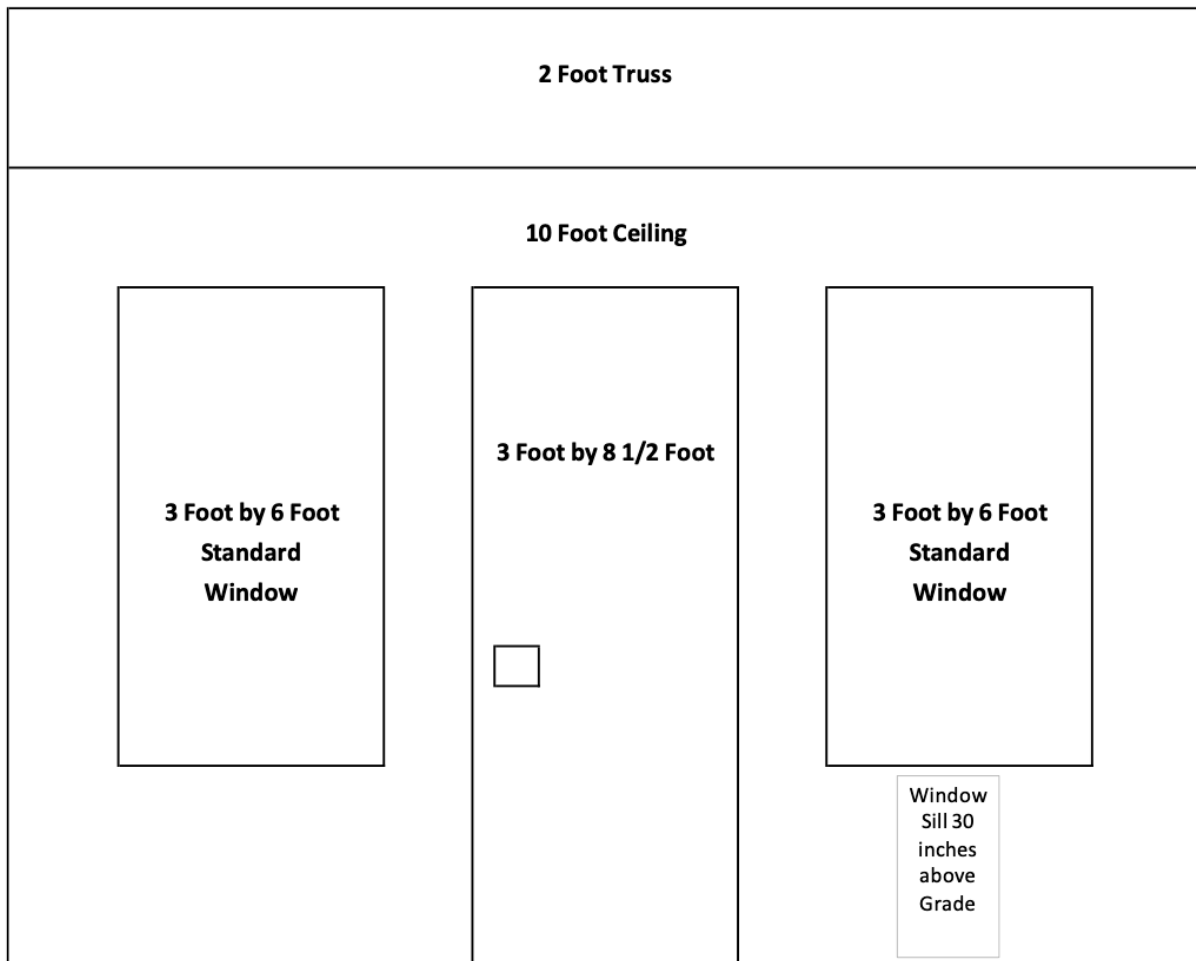
1. The façade shall have at least one recessed or projecting element of 2 feet in dimension for every 30 feet of facade length.

This amendment proposes a 20% glazing requirement in non-UC-MS-PT areas. I believe that the 20% glazing requirement should apply to residential developments of all sizes in UC-MS-PT areas that have minimum glazing requirements. Below are some commonsense reasons why:

For example, in the Nob Hill Overlay Section of the IDO, the glazing requirement states that the ground floor “contain a minimum of 60 percent of its surfaces in clear, transparent windows and/or doors, as measured to include the first 12 feet of building height above the sidewalk, with the lower edge of windowsills no higher than 30 inches above the finished floor.”

The following two diagrams represent actual residential townhomes under development:

This first diagram shows what a 20% ground floor residential glazing requirement would look like. This residential unit is 13.5 feet wide. It has a 10-foot ceiling and a 2-foot truss for a total of 12 feet on the ground floor. The windowsill begins 30 inches above the finished floor. The windows are of an urban residential character in that they are twice as tall as they are wide.



Residential Glazing at 20% Requirement

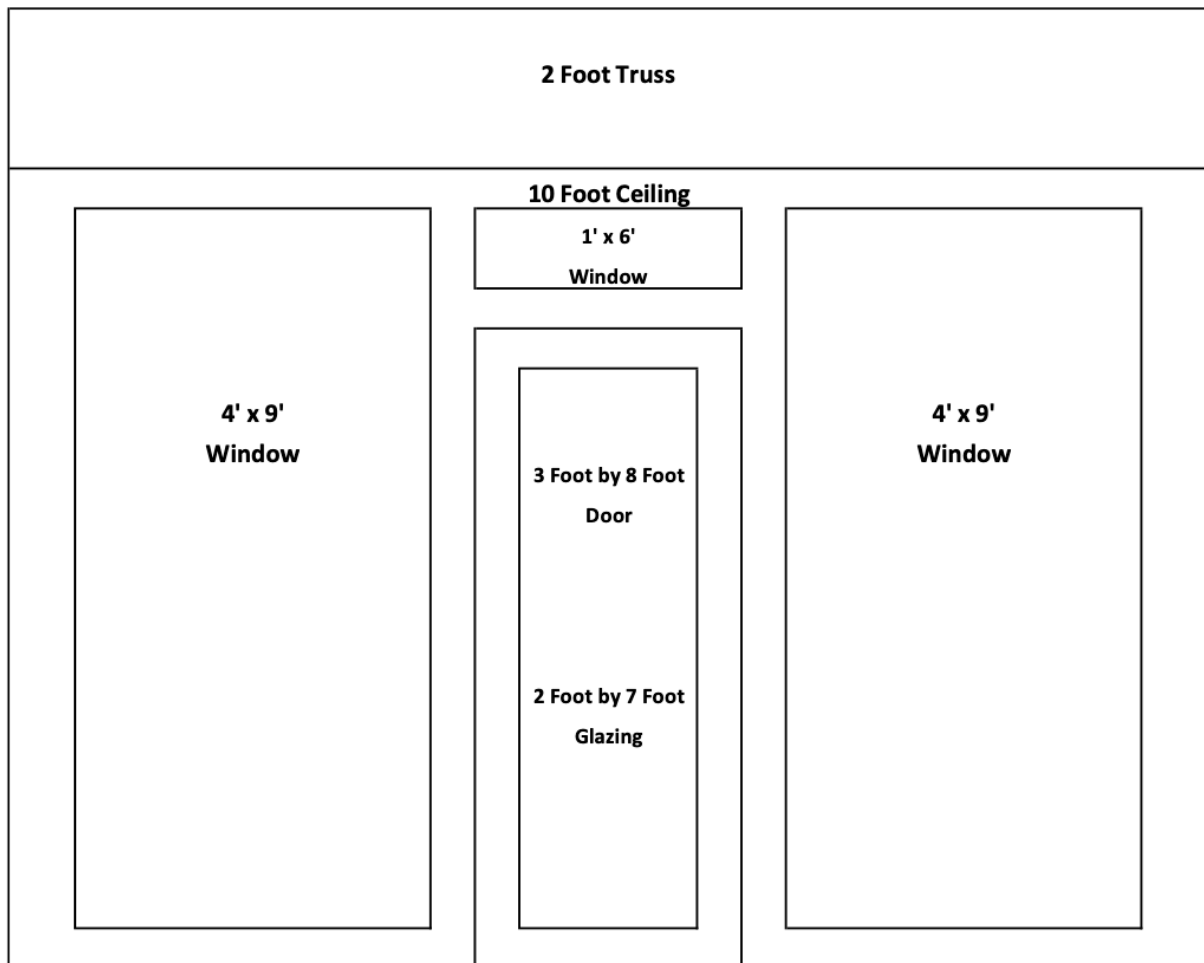
13.5' Width x 12' Height = 162 Sqft Front

32 Sqft Required Glazing

18 sqft + 18 sqft = 36 Sqft Glazing as Shown

Even for this relatively narrow unit, the two large windows shown on the ground floor provide ample light, eyes on the street, an attractive design, and some privacy and safety.

In contrast, here is an example of a 60% residential glazing requirement on the ground floor:



Residential Glazing at 60% Requirement

13.5' Width x 12' Height = 162 Sqft Front

97.2 Sqft Required Glazing

36 Sqft + 36 Sqft + 6 Sqft + 14 Sqft = 92 Sqft Glazing as Shown

Even with glazing throughout the ground floor frontage and a glass front door, only 56.7% of the front is effectively glazed. This also only leaves 6-9 inches of border around clear areas, scarcely enough for structural support.

This type of frontage in an urban area would be undesirable because of security and privacy concerns. Urban residences are closer to major streets than residential developments but still have higher glazing requirements. How many individuals would want to live in a home with this much exposure?

In urban parts of Albuquerque, you can see the consequence of having too much glazing on buildings. Here is an example of one of the many storefront windows which were destroyed and then had to be boarded up. Six months later, many of the buildings are still boarded up. Even without civil unrest, crime and vandalism on large windows is an ongoing concern.



Albuquerque Journal – July 2020

Similarly, some buildings including the Kimo Theater (which is owned by the City of Albuquerque) chose to stop repairing repeatedly broken windows. Instead, they put metal roll down gates over the windows which is not desirable and aesthetically unpleasing. Unlike a business, residences can't just be closed; they are occupied at night when safety is even more important.



Kimo Theater in Downtown with metal gates over windows

When onerous glazing requirements are pushed onto residential buildings, you often see false storefronts added to meet these requirements. This “Disneyfication” of buildings is inauthentic and does not provide eyes on the street nor business activities on the ground floor.

Some may feel that glazing requirements help promote mixed use development. In the right areas, mixed use development could be beneficial. However, especially for the smaller lot sizes, that is not the case. All developments are based on need and have to be financially feasible. Mixed use developments require additional parking, structural support, waste management, etc. They are much harder to finance and bring up the cost of the included residential units.

Homes are in short supply and occupancy levels in Albuquerque continue to remain high. New residential units are also essential because they make overall housing costs more affordable. When new units are built, downward pressure is applied to older units which helps with affordability and homelessness issues. In contrast, commercial and retail buildings remain unoccupied and that trend is expected to accelerate. Constructing empty storefronts make areas appear even more deserted. In contrast, urban residential developments such as townhomes could include ground floor uses such as the now essential home office as well as home-based businesses.

For the reasons above, I am asking the Planning Department and the City of Albuquerque to consider requiring residential buildings in the UC-MS-PT areas where minimum glazing requirements apply to institute a minimum 20% glazing requirement on the ground floor. This would certainly be a way to balance the safety and security of residences with the need for appealing urban spaces.

Sincerely,

A handwritten signature in black ink, appearing to read 'Rahim Kassam', followed by a period.

Rahim Kassam
Managing Partner
Nob Hill NBRHD, LLC

From: [Peggy Neff](#)
To: [Schultz, Shanna M.](#); [Renz-Whitmore, Mikaela J.](#)
Cc: [Dan Regan](#); [Rene" Horvath](#); [Michael Pridham](#); [Emillio, Dawn Marie](#); [Bassan, Brook](#)
Subject: Fw: Proposed amendment to reinstate building height restrictions in North I-25 CPO-10
Date: Monday, November 23, 2020 5:03:00 PM

External

Hi there,

I'm forwarding this draft of a proposed amendment for the North I-25 CPO 10. Please can you tell me what the process is to get the Planning Department to sponsor an amendment? This, I hope, was an oversight, and in that, it should be simple to get one of you all to carry it through to EPC, even if Brook decides not to..

Please can I know how you all determine which issues you pick and choose to put forward? What are the measures used to test if an amendment is going to protect a community?

Also, another protection that was placed in design standards surrounding the balloon fiesta area was the restriction of fence posts that had sharp points on them. Is there a way to get this back into the IDO's CPO 10?

Thank you,

Peggy

Peggy Neff Other Path LLC 505-977-8903

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

From: Rene' Horvath <aboard111@gmail.com>
To: Peggy Neff <peggyd333@yahoo.com>
Sent: Monday, November 23, 2020, 03:06:13 PM MST
Subject: Re: Proposed amendment to reinstate building height restrictions in North I-25 CPO-10

Very Good Peggy!

Thank you for sharing it with me.

Rene'

On Mon, Nov 23, 2020 at 2:25 PM Peggy Neff <peggyd333@yahoo.com> wrote:

Hi Brook,

Participating in the small Area NA Meeting this morning, I had a chance to review the North I-25 CPO - 10. When the IDO was first shared with my community, I met with Planning Staff to make a personal effort to save some of the protections that we had established in the North I-25 Sector Plan. We were told that building heights as agreed to in the sector plan would be saved in the CPO that was created to cover the balloon fiesta area. Unfortunately without oversight, we see that this has been tweaked to allow 10 stories in an area that should not have this exemption.

Perhaps you might be willing to help rebuild one of those protections?

If you compare the sector plan and the new map of the North I-25 CPO building heights. The most northern sub area zone that is overlaid at I-25 and San Diego as #4, should have been limited to 65ft, without the exemption. In a sincere translation of the sector plan this would not have been given the exception of "for hotel motel uses, which are limited to 120 feet".

You can read the exception defined under 4.3 Height Overlay in the North I-25 Sector Plan. The exception exists at commercial nodes of I-25, building heights of 10 stories are allowed for hospitality uses located within 600 ft of the Interstate. In that there are no commercial interstate nodes north of Alameda, this 10 stories exemption should not be allowed.

I would suggest, to make things clear, strike the exception as noted below and add a reference to the exception as 4* AND relabel the map so that the asterisk is applied at other areas labeled as #4, but not the one at San Diego.

This protects one area and reinforces area of consistency concept. Not sure who crafted this new sub-area map, but it did not take the directions from the Sector Plan nor in collaboration with Dist. 4. NA's.

So here is a stab at a new amendment:

Amend the IDO as follows: (Strike = ~~strike, text that has a strike through it~~ and Add = **Add, text that is in red**)

3-4(K)(3)(b) Maximum Building Height Maximum building height for each sub-area within the North I-25 – CPO-10 is pursuant to this Subsection 14-16-3-4(K)(3)(b).

1. In sub-area 1: 26 feet.
2. In sub-area 2: 39 feet.
3. In sub-area 3: 52 feet.
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I'm working on others, hoping that you will be able to carry some forward. Please let me have your thoughts on this one.

Whatever we can do to rebuild the protections that Sector Plans provided, gives hope to others who have lost their protections.

I very much would like to craft a View Overlay Protection for Paseo and Alameda going forward - is there any will on your side to walk through this work? I look forward to hearing from you.

Kind regards,

Peggy

Peggy Neff Other Path LLC 505-977-8903

=====

This message has been analyzed by Deep Discovery Email Inspector.

From: [Renz-Whitmore, Mikaela J.](#)
To: [Peggy Neff](#); [Schultz, Shanna M.](#)
Cc: [Dan Regan](#); [Rene" Horvath](#); [Michael Pridham](#); [Emillio, Dawn Marie](#); [Bassan, Brook](#)
Subject: RE: Proposed amendment to reinstate building height restrictions in North I-25 CPO-10
Date: Wednesday, November 25, 2020 5:07:00 PM

Hi Peggy,

Thanks for your question. The Planning Department doesn't sponsor amendments, in the way that City Councilors do. Planning gathers requests for changes from residents, property owners, and staff. We then work through proposals for changes with Council staff and Planning staff to ensure consistency with the IDO and policy intent in the Comprehensive Plan.

The small area changes that are proposed to be part of the submittal for the IDO Annual Update 2020 were items that were identified as inadvertent omissions when we carried over provisions from the Sector Development Plans (SDP) into the IDO or items that needed clarification to meet the original policy intent.

Councilors have also forwarded requests for new regulations with new policy intent.

In the case of the North I-25 CPO, that overlay was added to the IDO late in the adoption process following a discussion with you about the need to carry over provisions from the North I-25 SDP. Councilor Winter revised the Overlay to only apply west of I-25 and to address the items that now make up the CPO. From what I understand, this was a carefully considered decision that took into account development projects that were already underway east of I-25 while acknowledging the policy intent to limit the height of development west of the Balloon Fiesta Park. As the CPO content represents the content negotiated by the Councilor at the time, we did not identify any omissions that needed to be added in 2020.

There are 2 main ways that proposed changes based on new policy intent will be included in the IDO Annual Update. One is to be proposed/sponsored by a City Councilor. The other is to be recommended through the Community Planning Area assessment process, which is intended to be a forum for discussions among community members about what's working, what's not working, and what is needed in the future.

The Text Amendment IDO for Small Areas requires notice to each property owner in the small area + property owners within 100 feet. As you might imagine, this is a very large logistical undertaking that takes some time. There's no way to do that mailing by this Monday, when we intend to submit the 2020 Annual Update.

If Councilor Bassan would like to propose the changes you would like to see in the North I-25 CPO, she can certainly do so at any time by submitting an application for an IDO Text Amendment – Small Area, following the full process required by the IDO in Table 6-1-1 and Subsection 14-16- 6-7(E). The proposed change to prohibit pointy fence posts seems appropriate to add to the CPO.

You asked what are the measures for protecting the community. While that is now a purpose of the

IDO, the review decision criteria in Subsection 14-16- 6-7(E)(3) is what decision-makers must use in considering whether to adopt a change to IDO text for small areas. Generally, that criteria is the health, safety, and general welfare of the city as shown by the vision, goals, and policies in the ABC Comp Plan. Testimony and comments from the public are very helpful to decision-makers in these discretionary policy decisions about new regulations.

Best,



MIKAELA RENZ-WHITMORE

(she/hers)

o 505.924.3932

e mrenz@cabq.gov

From: Peggy Neff <peggyd333@yahoo.com>

Sent: Monday, November 23, 2020 5:03 PM

To: Schultz, Shanna M. <smschultz@cabq.gov>; Renz-Whitmore, Mikaela J. <mrenz-whitmore@cabq.gov>

Cc: Dan Regan <dreganabq@gmail.com>; Rene' Horvath <aboard111@gmail.com>; Michael Pridham <michael@drpridham.com>; Emillio, Dawn Marie <dawnmarie@cabq.gov>; Bassan, Brook <bbassan@cabq.gov>

Subject: Fw: Proposed amendment to reinstate building height restrictions in North I-25 CPO-10

External

Hi there,

I'm forwarding this draft of a proposed amendment for the North I-25 CPO 10. Please can you tell me what the process is to get the Planning Department to sponsor an amendment? This, I hope, was an oversight, and in that, it should be simple to get one of you all to carry it through to EPC, even if Brook decides not to..

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Peggy Neff Other Path LLC 505-977-8903

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To: Peggy Neff <peggyd333@yahoo.com>

Sent: Monday, November 23, 2020, 03:06:13 PM MST

Subject: Re: Proposed amendment to reinstate building height restrictions in North I-25 CPO-10

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Kind regards,

Peggy

Peggy Neff Other Path LLC 505-977-8903

=====
This message has been analyzed by Deep Discovery Email Inspector.

From: [Wendy Grover Rebmann](#)
To: [Renz-Whitmore, Mikaela J.](#)
Subject: Registration of complain to amend small areas near my property
Date: Saturday, November 28, 2020 4:40:39 PM

External

Dear Mikaela:

I am a property owner at 7909 Tiburon Hills Drive NW and I am writing to lodge a formal complaint against the city application to amend zoning regulations for small areas.

I am highly opposed to changing zoning restrictions under which I purchased my property. These changes would obstruct my view and I do not support these changes. I am opposed to changing to planning for the neighborhood to facilitate developer interests at the exclusion of existing property owners.

I am in full support and alignment with the Petroglyph neighborhood association opposition to this proposal and would like my complaint registered in formal public comments.

Wendy Rebmann
wendyrebmann@icloud.com

Also since the spreadsheet link doesn't work and the maps unreadable what properties near my property specifically are you attempting to change the zoning on. Our properties were bought with the understanding that with current zoning views would not be blocked so you would be damaging the value of my property and I would have to consider class action litigation against the city for these actions if these efforts are approved without prior property owner consent.

=====
This message has been analyzed by Deep Discovery Email Inspector.

From: noreply@engagingplans.org
To: [Renz-Whitmore, Mikaela J.](#)
Subject: Form submission from: Contact Us
Date: Saturday, November 28, 2020 4:36:26 PM

External

Submitted on Saturday, November 28, 2020 - 4:35pm
Submitted by anonymous user: 73.242.228.158
Submitted values are:

First Name: Wendy Grover

Last Name: Rebmann

Your Email Address: wendyrebbmann@icloud.com

Your Phone Number: 9254343161

Your Message: The spreadsheet does not download. What are the specific changes impacting my property 7909 Tiburon Hills Dr NW, ABQ 87120. I received a notice in the mail but the spreadsheet link does not work and the map is unintelligible. Are any adjoining properties near me now being zoned for 2 story? I do strenuously object to those changes that could obstruct our views and that were part of the purchase of this property. I would like my complaint registered as a property in opposition to this proposal.

The results of this submission may be viewed at:

<https://abc-zone.com/node/5/submission/4388>

=====

This message has been analyzed by Deep Discovery Email Inspector.

Barkhurst, Kathryn Carrie

From: Renz-Whitmore, Mikaela J.
Sent: Monday, December 7, 2020 4:23 PM
To: Barkhurst, Kathryn Carrie
Subject: FW: Registration of complain to amend small areas near my property

Follow Up Flag: Follow up
Flag Status: Flagged

FYI for your filing.



MIKAELA RENZ-WHITMORE

(she/hers)

o 505.924.3932

e mrenz@cabq.gov

From: Renz-Whitmore, Mikaela J.
Sent: Saturday, November 28, 2020 5:44 PM
To: Wendy Grover Rebmann <wendyrebmann@icloud.com>
Subject: RE: Registration of complain to amend small areas near my property

Ms. Rebmann,

I'm sorry you're having issues downloading the spreadsheet.

There are no changes proposed that would allow taller houses. In fact, the proposals would limit building heights for an additional 660 feet from the existing building height restriction area.

Here's the link to the spreadsheet again, just in case it works from email better than from the website:

<https://abc-zone.com/sites/abc-zone.com/files/media/04-ListofAmendments.pdf>

It opens and downloads for me using the Chrome browser.

I'm cutting and pasting the items included for the Volcano Mesa CPO and Northwest Mesa VPO for your convenience.

Volcano Mesa Character Protection Overlay (CPO) zone

111	3-4(N)(4)	Revise the first sentence to read as follows: "Standards in this Subsection 14-16-3-4(N)(4) apply only outside of the sub-areas indicated in Subsection 14-16-3-6(E)(2) as the Northwest Mesa VPO-2 Height Restrictions Sub-area 1 and Sub-area 2.	Editorial addition related to proposed Restriction Sub-area 2. See related Escarpment VPO-2 in Subsection 3- in Council Services Memo - Small A
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112	3-4(N)(5)(c)	Revise to read as follows: "On streets designated as a local or collector, residential garages on corner lots shall be accessed from <u>the side or rear lot line</u> or alley."	Clarifies the intent of the garage se Cliffs Sector Development Plan to r lots to be from the side of the lot, n
112	3-4(N)(5)(c) [new]	Create a new subsection 3-4(N)(5)(c) Landscaping with text as follows and renumber subsequent subsections accordingly: " <u>Within VPO-2 Sub-areas 1 and 2, a minimum of 25 percent of the net lot area of each multi-family, mixed-use, or non-residential development shall contain landscaping.</u> "	Requires more landscaping in the e sub-area to reduce the scale and in use, or non-residential developmen property with an impermeable sur Petroglyph National Monument. Se Council Services Memo - Small Area
114	3-4(N)(5)(d)2	Revise to read: "Three-car garages are only allowed on lots over 55 feet wide, and the third garage shall be set back a minimum of 2 feet from the façade of the other garages <u>for any front-access garage.</u> "	Clarifies the intent of the garage se the street. Garages that are turned alley would not have to set back th

Northwest Mesa Escarpment View Protection Overlay (VPO) zone

111	3-4(N)(4)	Revise the first sentence to read as follows: "Standards in this Subsection 14-16-3-4(N)(4) apply only outside of the sub-areas indicated in Subsection 14-16-3-6(E)(2) as the Northwest Mesa VPO-2 Height Restrictions Sub-area 1 and Sub-area 2.	Editorial addition related to propos Restriction Sub-area 2. See related Escarpment VPO-2 in Subsection 3- in Council Services Memo - Small A
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The page numbers and section references are to the IDO, available for viewing online here:

<https://ido.abc-zone.com/>

Or downloaded as a PDF here:

<http://documents.cabq.gov/planning/IDO/IDO-2019-Effective-2020-11-02.pdf>

A memo describing the small area changes proposed by Councilor Borrego (and others), is available here:

<https://abc-zone.com/sites/abc-zone.com/files/media/CouncilMemo-SmallAreaExhibitA.pdf>

Best,



MIKAELA RENZ-WHITMORE

(she/hers)

o 505.924.3932

e mrenz@cabq.gov

From: Wendy Grover Rebmann <wendyrebmann@icloud.com>

Sent: Saturday, November 28, 2020 4:41 PM

To: Renz-Whitmore, Mikaela J. <mrenz-whitmore@cabq.gov>

Subject: Registration of complain to amend small areas near my property

External

Dear Mikaela:

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I am highly opposed to changing zoning restrictions under which I purchased my property. These changes would obstruct my view and I do not support these changes. I am opposed to changing to planning for the neighborhood to facilitate developer interests at the exclusion of existing property owners.

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=====
This message has been analyzed by Deep Discovery Email Inspector.

Barkhurst, Kathryn Carrie

From: Stephen Snider <snsnider423@yahoo.com>
Sent: Monday, December 7, 2020 5:04 PM
To: Barkhurst, Kathryn Carrie
Subject: Re: City Application to Amend Zoning Regulations for Small Areas

Follow Up Flag: Follow up
Flag Status: Completed

External

Hi Kathryn. Thanks for your reply and your information. Yes, that's my garage with the solar panels on the roof. Hmmmm....a 25 ft. setback that the City really wants.....I guess I'll have to abandon my thoughts about building that third stall. It would have been much safer for my vehicle, and the space between the garage and the adobe fence isn't going to be used for anything other than parking a vehicle. But I guess that's the way it goes! Thanks again.....Steve Snider

On Monday, December 7, 2020, 04:08:08 PM MST, Barkhurst, Kathryn Carrie <kcbarhurst@cabq.gov> wrote:

Hello Stephen,

The City is proposing to amend the setback rules that apply to your property to make them more consistent with how they were applied in the Rio Grande Blvd. Corridor Plan. This plan required a 25 foot setback from Rio Grande Blvd. in the RA-2 zone and 20 feet in all other zones. This setback was required even if the side of your lot or rear of a lot was abutting Rio Grande. This rule was made to keep the sense of open space and rural character along the road. Without the rule (and in some subdivisions before this rule was adopted), the side or rear setback could be much smaller. This development form was changing the character of Rio Grande Blvd.

When the City replaced the Rio Grande Blvd. Corridor Plan with the new zoning code – the Integrated Development Ordinance (IDO) – the language of the rule changed slightly. And unintentionally.

The result is that that 25 foot setback would be required for all your property lines, not just the one abutting Rio Grande Blvd. The proposed change you received notice about makes it clear that you only have to do the large setback from Rio Grande.

- See page 24 of this [presentation](#) for more information about this change.
- See Section 3-4(L)(3) of the [IDO](#) for the rule as it's currently written.

Since you have an existing home, it would be considered nonconforming, AKA “grandfathered,” if it doesn’t meet any rules that were adopted/changed after construction of your home. This means that even if the City changes the rules, your existing property does not need to change to comply with the new rules. If you would like to review the Nonconforming rules to confirm this, click on this link: [Nonconforming Regulations](#).

This means that the current rules and the proposed change only apply to your property if you demolish the dwelling and rebuild again later. The proposed change would allow you to build something similar to the way your site is laid out now.

Now shifting to your question, if that is your garage with the solar panels on the roof, it does not look like it could be built out any closer to Rio Grande. It looks close to 20 feet from the edge of your property, and the required setback is 25 feet. You could request a variance, which it sounds like you tried several years ago. To obtain a variance, you have to show no harm is being done to the surrounding area. Because there is a specific rule about setbacks from Rio Grande, that indicates the City has an interest in maintaining the larger setbacks.

Best regards,

Carrie



K. CARRIE BARKHURST, MCRP

long range senior planner

o 505.924.3879

m 505.362.1372

e kcbarkhurst@cabq.gov

cabq.gov/planning

From: Stephen Snider <slsnider423@yahoo.com>
Sent: Friday, December 4, 2020 2:33 PM
To: Barkhurst, Kathryn Carrie <kcbarkhurst@cabq.gov>
Subject: City Application to Amend Zoning Regulations for Small Areas

External

Hi Carrie. I'm Stephen Snider, the owner of the property at 2401 Kestrel Ct. NW, right off of Rio Grande south of Candelaria. I received the application notice today and have a question. The notice states the text amendment for 3-4(L) Rio Grande Blvd. - CPO-11 is "Revise the setback standard to be consistent with the Rio Grande Corridor Plan to apply only to the setback from Rio Grande (not side streets) and makes the structure parallel with the Coors Blvd. CPO-2."

What does this mean? What is the current setback requirement (in feet) and what would the above change it to?

The reason I'm asking.....a couple of years ago, I attempted to get a setback variance to enable me to build a 3rd stall for my garage. I attended the hearing, but met resistance from the "North Rio Grande Planning Association," an organization I had never heard of. But I would still like to build that 3rd stall. Would the above amendment allow me to do so? Thanks much.....Steve Snider

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This message has been analyzed by Deep Discovery Email Inspector.

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This message has been analyzed by Deep Discovery Email Inspector.

Barkhurst, Kathryn Carrie

From: Mike Voorhees <mike@cyonic.com>
Sent: Monday, November 23, 2020 3:53 PM
To: Barkhurst, Kathryn Carrie; City of Albuquerque Planning Department; Renz-Whitmore, Mikaela J.
Cc: Morris, Petra; Vigil, Susan P.
Subject: Opposition to Small Area Zoning Changes

External

Carrie,

I appreciate the Zoom briefing today, and the opportunity for the limited Q & A session. With so many proposed changes at once, it is hard to know what other changes may be of concern. However, based upon the Volcano Mesa breakout session, I can say I and many neighbors are ardently opposed to the proposed change to the building massing standard.

The inclusion of a developer-submitted request in the Planning Department's proposed changes to the IDO—which are clearly designed to overcome existing protections that the developer unsuccessfully attempted to skirt via improper variance requests and against which the ZHE definitively ruled—is troubling. That the changes were characterized in the announcement as ***"consistent with the Volcano Cliffs Sector Plan"*** is also troubling, as this is in error. As I pointed out, and was further clarified out by Council Staff, the Volcano Cliffs Sector Development Plan (The last amended and in force version of 7-9-2015) clearly limits second story building to 50% of the building footprint in 4 of the 5 zones described in the Plan. Only for the VCRR zone, and ***only*** for Private Commons Development (PCD)/Cluster Development per City Zoning Code Section 14-16-3-16, is a 75% standard applicable.

In both versions of the IDO (IDO-Effective-2018-05-17.pdf and the Interactive IDO online) there is no reference to cluster development within the Volcano Mesa Character Protection Overlay Zone (Designated as CPO-12 in the former and CPO-13 in the latter).

In no way is applying a CPO-wide change to the building massing standard consistent with the VCSDP. For your convenience I have provided below the specific wording from the VCSDP for each of the areas where the standard remains 50%.

SU-2/Volcano Cliffs Village Center (VCVC)

Height

1. Building height limits as follows:
 - c. Square footage above 26 feet is limited to 50% of the building footprint. (Page 65. VCSDP, Amended 7-9-15)

SU-2/Volcano Cliffs Mixed-use (VCMX)

Height

1. Building height limits as follows:
 - c. Square footage above 26 feet is limited to 50% of the building footprint. (Page 68. VCSDP, Amended 7-9-15)

SU-2/Volcano Cliffs Urban Residential (VCUR)

Height

1. Building height limits are as follows:
 - e. Square footage above 26 feet is limited to 50% of the building footprint. (Page 70. VCSDP, Amended 7-9-15)

SU-2/Volcano Cliffs Large Lot (VCLL)

Height

1. Building height limits are as follows:
 - b. Maximum: 18 feet; however, height can be increased to 26 feet on a maximum of 50% of the building footprint. (Page 71. VCSDP, Amended 7-9-15)

ONLY SU-2/Volcano Cliffs Rural Residential (VCRR) has different language.

Height

1. Building height limits are as follows:
 - b. Maximum: 18 feet; however, height can be increased to 26 feet on a maximum of 50% of the building footprint.
 - c. If developed as Private Commons Development (PCD)/Cluster Development per City Zoning Code Section 14-16-3-16, height can be increased to 26 feet on a maximum of 75% of the building footprint. [Amended November 5, 2014]
(Page 74. VCSDP, Amended 7-9-15)

This proposed change is inconsistent with the intent of the VCSDP, is detrimental to the character of the neighborhoods in the Volcano Mesa CPO zone, will potentially degrade the view corridors, and is unnecessary. If it is included in the proposal going forward, you may anticipate significant opposition from Petroglyph Estates residents and property owners specifically, and probably others within the CPO as well. Due to the large sums paid by each of the property owners within Special Assessment District 228—sums which were paid in part in consideration for the building standards adopted in the VCSDP—any such changes could be considered an uncompensated taking by the City and present an actionable cause of action. We hope it need not get to that point.

I urge you to remove this item from the IDO amendment proposal, and to avoid including developer-requested language without first applying greater scrutiny in the future.

Respectfully,
Mike T. Voorhees

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This message has been analyzed by Deep Discovery Email Inspector.