

Mr. Jonathan R. Hollinger, Chair
Environmental Planning Commission
600 Second NW
Albuquerque, NM 87102

RE: PROJECT #PR-2024-009944
ZONING MAP AMENDMENT – MX-H / NR-GM TO MX-M
TRACT G-1 SOUTH BARELAS INDUSTRIAL PARK UNIT 2 CONT 0.8394 AC
310 AVENIDA CESAR CHAVEZ
IDO ZONE ATLAS PAGE L-14-Z

Dear Commissioners,

The Barelas Neighborhood Association firmly opposes the proposed ZMA/downzone of 310 Avenida Cesar Chavez SW from a mix of MX-H/NR-GM to MX-M. We believe that the correct unified zone is MX-H which already is on this parcel and matches all adjacent parcels fronting the south side of Ave. Cesar Chavez/Ave. Dolores Huerta.

We've taken the opportunity to listen and discuss with the applicant's planners and our local residents. While our residents are open to new restaurant options, they have specific concern about the adverse impacts of a drive-through at this site. Further, this ZMA would enable the specific intended project to evade compliance with MX-H conditional use standards already applied to the frontage of its current lot.

While a remedy of the floating zone line is understandable, the proposal as written will undermine the letter and spirit of the IDO and its conditional use standards. Alternately, MX-H would enable the proposed development to resolve the floating line and advance as a conditional accessory use.

MX-H zoning, with its conditional use mitigation criteria, is the appropriate standard for this parcel. It sits directly on the planned path of the multimodal Rail Trail, Major Transit and 4th and Avenida Main Street Corridors. Each of these aspects highlight the value of a human-scale, engaged streetscape which prioritizes accessible and transit/bike/pedestrian-friendly streets to maximize economic opportunity and equitable development in the neighborhood of Barelas.

Currently, this span of road is already very unsafe with 77 MRCoG tracked injuries (2017-2021) in just 370 feet between 3rd and 4th street on Avenida, and 158 crashes in the same timespan at the intersections of 3rd/Avenida and 4th/Avenida. This span has a Link HFIN (High Fatal and Injury Network) Score of 1069.44, compared to a major regional roadway average of 159.9.

This span already has a 569% higher risk for people traveling in and living in Barelás, with injuries on average every month. As highlighted in the Central CPA Report, our community needs strong review processes and investments which actively prioritize *improving* road safety, not ZMAs which reduce oversight on car-centric conditional uses.

This ZMA claims to meet:

6-7(G)(3)(g): The applicant's justification is not based completely or predominantly on the cost of land or economic considerations.

However, the presented application does not even acknowledge the substantial economic benefit this would grant the developer and proposed project: eliminating the entire conditional use process, and greatly lowering their responsibility to mitigate adverse impacts. Instead, applicants claim the benefit of an "increased variety of commercial and/or retail uses" even though that could be met with greater intensity and density as MX-H, an existing zone on this parcel and the full south side of the road.

Contrary to the ZMA's statement, this downzone does create a non-contiguous spot zone on the south side. This parcel already has a contiguous zone option they can pursue: MX-H. That zoning conforms with *all other* street-facing parcels on the south side of Avenida. from 2nd Street to the Rio Grande. MX-H could support the same project as a conditional use.

Zoning changes are to consider all possible uses, however in this case, these are specific changes which eliminate or shift benefits and control without due process under the IDO. The proposed drive-through would immediately economically advantage the planned project by converting an MX-H conditional use to a by-right development, and should be considered with its intended use in mind.

As the Barelás Neighborhood Association, we remain committed to working collaboratively to support positive urban and economic development which prioritizes our historic neighborhood's right to healthy, safe, and equitable lives and livelihoods.

Sincerely,

A handwritten signature in black ink that reads "George Franco". The signature is written in a cursive, flowing style with a large initial "G".

George Franco
President
Barelás Neighborhood Association