

Support for the NOBIS Albuquerque Rehab Hospital

Julia Duncan <jul.duncan@tlcplumbing.com>

Mon 7/15/2024 1:49 PM

To: Planning EPC <PlanningEPC@cabq.gov>

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

Jonathan R. Hollinger
Chair, Environmental Planning Commission
City of Albuquerque
600 Second Street NW
Albuquerque, NM 87102

July 2024

RE: SUPPORT FOR THE NOBIS ALBUQUERQUE REHABILITATION HOSPITAL

EPC Project and Case Numbers: PR-2024-009765, SI-2024-00468, PR-2022-007999
1100 Woodward PI NE

Hello EPC Commissioners:

I am a member of Generation Elevate New Mexico (“GENM”). GENM is a coalition of young leaders committed to positively shaping the future of New Mexico by championing smart, sustainable, and resilient growth development projects and governmental policies.

I am writing to voice my **support** for the NOBIS Albuquerque Rehabilitation Hospital and the requests being brought forward to the Environmental Planning Commission on June 20th. This development is important for the health and wellbeing of our community, families, and friends, and will help New Mexicans in the following ways:

1. **Addressing Healthcare Needs:** Our state lacks sufficient hospital care, leaving many without necessary support. A specialized intensive care rehabilitation hospital will free up beds in our hospital system for other high-needs patients.
2. **Social Infrastructure:** Healthcare is more than treatment—it's social infrastructure. By investing in this project, we're investing in the well-being of our community as a whole. This is especially important as our communities, families, and neighbors age.
3. **Job Creation:** Approximately 100 healthcare jobs will be created—60 during the day and 40 at night—boosting our local economy and providing essential services.
4. **Strategic Location:** Situated in our greater downtown area, this project will build on an infill site adjacent to other medical uses, and will add a buffer between residential neighborhoods and the freeway.
5. **Convenience for Families:** Adjacent to a hotel, family members traveling from across the state will have a comfortable place to stay, supporting their loved ones during rehabilitation.
6. **Specialized Care:** This hospital will bring a specialized rehabilitation facility to New Mexico for complex issues like stroke, spinal cord injury, brain injury, and other medical and neurological disorders.

In closing, I want to express my wholehearted support for this project. Together, we can make a difference in the lives of countless individuals and build a stronger, healthier community for generations to come.

Thank you,
Julia Duncan

www.letselevatenm.org

Julia Duncan

 [TLC-Plumbing-Utility](#)

5000 Edith Blvd NE
Albuquerque, NM 87107

Phone: 505-944-9538

Fax: 505-761-9875

Support for Rehab Hospital Facility

Jordan M <jbmccconnell26@gmail.com>

Sun 7/14/2024 10:51 AM

To: Planning EPC <PlanningEPC@cabq.gov>

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

RE: SUPPORT FOR THE NOBIS ALBUQUERQUE REHABILITATION HOSPITAL
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1100 Woodward PI NE

Hello EPC Commissioners:

I am an employee of UNMH-Project ECHO, a member of Strong Towns ABQ, and a former employee of Albuquerque Health Care for the Homeless. I am also a nearby resident to the proposed facility, a cyclist, and public transit user.

I am writing to voice my support for the NOBIS Albuquerque Rehabilitation Hospital and the requests being brought forward to the Environmental Planning Commission on July 18th. This development is important for the health and wellbeing of our community, families, and friends, and will help New Mexicans in the following ways:

1. **Addressing Healthcare Needs:** Our state faces a profound shortage of hospital beds and healthcare professionals, leaving many residents without the necessary support. Despite the completion of the UNM Hospital, the need for specialized care remains high.
2. **Social Infrastructure:** Healthcare is more than treatment—it's social infrastructure, encompassing the spaces and services that support community well-being. Investing in this project means enhancing our overall social infrastructure.
3. **Job Creation:** Approximately 100 healthcare jobs will be created—60 during the day and 40 at night—boosting our local economy and providing essential services.
4. **Strategic Location:** Situated in our greater downtown area, this project will build on an infill site adjacent to other medical uses, and will add a buffer between residential neighborhoods and the freeway.
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Some neighborhood members are concerned that the area cannot support this project and that it will lead to congestion. However, traffic data shows that not a single roadway in the area is even close to capacity. The 100 jobs and limited number of patients will create traffic in staggered intervals throughout the day, minimizing any impact on the neighborhood. Furthermore, being centrally located and accessible to several major bus lines and bike facilities helps create more opportunities for employees to commute in ways other than the automobile, which further addresses neighbor concerns. Additionally, this project will revitalize an empty lot, and opposing developments in this way actually encourages the neighborhood to stagnate and could lead to displacement and lack of investment. By supporting this development, we can drive economic growth and community stability while ensuring our healthcare infrastructure meets the needs of all residents.

Having worked at Albuquerque Health Care for the Homeless, I've witnessed firsthand how the continued lack of investment in medical care and social infrastructure aggravates issues like homelessness, which persistently grow in our city. Getting patients into needed, specialized care can often make the critical difference between connecting someone to resources and eventually reintegrating them into housing and the community. We cannot claim to be a humane society if we ignore the needs of all our citizens. While neighborhood concerns are valid, they must be balanced against the greater community need, which is urgent. Failing to improve our infrastructure and healthcare services only perpetuates the cycle of homelessness and exacerbates social inequalities.

In closing, I want to express my wholehearted support for this project. Together, we can make a difference in the lives of countless individuals and build a stronger, healthier community for generations to come.

Thank you,
Jordan McConnell
www.strongtownsabq.org



Jonathan R. Hollinger
Chair, Environmental Planning Commission
City of Albuquerque
600 Second Street NW
Albuquerque, NM 87102

June 2024

RE: SUPPORT FOR THE NOBIS ALBUQUERQUE REHABILITATION HOSPITAL

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I am writing to voice my **support** for the NOBIS Albuquerque Rehabilitation Hospital and the requests being brought forward to the Environmental Planning Commission on June 20th. This development is important for the health and wellbeing of our community, families, and friends, and will help New Mexicans.

I live downtown and we need this kind of infrastructure. There are many areas around the state that are essentially healthcare deserts, the more resources we can add, the better. According to the US Census Bureau, 8.2% of New Mexicans are without healthcare coverage and 19.2% of our population is over 65 years old, above the national average of 17.3%. These stats underscore the importance of increasing our health resources.

This project is a no-brainer for our community and will have a tremendous long-term benefit.

In closing, I want to express my wholehearted support for this project. Together, we can make a difference in the lives of countless individuals and build a stronger, healthier community for generations to come.

Thank you,
JT Mitchell
www.letselevatenm.org



Jonathan R. Hollinger
Chair, Environmental Planning Commission
City of Albuquerque
600 Second Street NW
Albuquerque, NM 87102

July 2024

RE: SUPPORT FOR THE NOBIS ALBUQUERQUE REHABILITATION HOSPITAL

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In closing, I want to express my wholehearted support for this project. Together, we can make a difference in the lives of countless individuals and build a stronger, healthier community for generations to come.

Thank you,

Nicole Wilson, MPH

Albuquerque Resident and healthcare researcher

www.letselevatenm.org

**SANTA BARBARA MARTINEZTOWN NEIGHBORHOOD
ASSOCIATION
EPC PR-2024-00976/AC-24-11 REMAND**

EXHIBITS

1. JULY 7, 2009 EMAIL FROM ISAAC BENTON FORMER CITY COUNCILOR TO CARMEN MARRONE STAFF PLANNER
2. PETITIONS TO OPPOSE THE ZONE MAP AMENDMENT TO MX-H
3. PICTURE OF DIESEL TRUCK
4. Buffer Map with attachments sent through email

The Martineztown Santa Barbara Neighborhood residents oppose the proposed PR-24-009765, RZ-2024-00001, Zone Map Amendment from MX- M to MX-H for 1100 Woodward Place NE. The proposal is a spot zone and is not in character of the neighborhood. The application does not satisfy the IDO and legal requirements for changing the subject property's existing zoning. It also does not satisfy the day to day needs of the residents. This proposed zone map amendment from MX-M to MX-H is detrimental to the health, safety and welfare of the neighborhood. The neighborhood residents are already dealing with the health impact from the vehicle emissions at dangerously high levels from the interstate, and the heavy commercial uses surrounding the neighborhood, including over 2000 students and staff at Albuquerque High School and CEC School. This use will only increase the vehicles emissions with the City of Albuquerque recognizing is at unsafe levels.

Name Address Phone Number

Name	Address	Phone Number
Dalricia Duran	1300 Walter NE	X
MARIE RUTER	1300 Walter	
Nora Diaz	1300 Walter NE	
Mary Duran	920 Arno NE	
Macaela Montano	724 Corbero Rd NE	
Delores ^{Josefa} Frey	919 Arno NE	
Jabres Ayala	507 Rosemont NE 87102	
Bernadette A. Delgado	2428 Waller Dr. NE	
John Duran	5519 W. ST NE	
Julie Channon	1130 Waller St NE	505 507 2844
DAVID Astorga	1024 Edith NE	505 803 2615
Amanda Escobedo	1024 Edith NE	505 492 1998
ESTHER ESCOBEDO	1024 1/4 Edith NE	505 243 1950
JESSE LOPEZ	1127 Walter St. NE	
Patrick Arguelles	807 Mountain Rd NE	505-252-0225
Angelita M. Vigil	2714 Santa Clara SE	(505) 440-7514
Julio Pineda	706 Mt. Rd. NE	505-243-2634
John Duran	614 Page Ave	(505) 720-2130
JOSUE DODD	513 MARTINEZ	505 252 4079
Rachael Adams	City Hall - Office	DSA
El Duran	2324 Broadway NE	-

From: "Benton, Isaac" <ibenton@cabq.gov>
Date: July 7, 2009 at 3:35:19 PM MDT
To: "Marrone, Carmen M." <CMarrone@cabq.gov>, Barbara Herrington <bherrington@sites-sw.com>, Phyllis Taylor <ptaylor@sites-sw.com>, "Patten-Quintana, Lorena" <lpatten-quintana@cabq.gov>
Cc: "Shair-Rosenfield, Kara" <karasr@cabq.gov>, "Dineen, Richard W." <rdineen@cabq.gov>, "Westmoreland, Bill" <wwestmoreland@cabq.gov>, "Hern, Phillip L." <PHern@abcwua.org>, cmariehern@aol.com, mom2301br@aol.com, waxamus@hotmail.com, lnjalopez@msn.com
Subject: RE: Mountain Road Update

Carmen, et al,

There are no "new proposals/solutions" for Mountain Road other than dealing with the UNM master plan and the I-40 ramp access, which the sector plan draft did not address and which I will remain very involved with. I am responding and will continue to respond to my constituents, as likely will the Mayor. Such responses become necessary when things drag on for too long, and not all the right players are brought to the table. The update of the plan has taken an eternity and is more contentious than it should be.

My efforts have been entirely in support of the Sector Plan, and I asked Mr. Westmoreland to help us with a few key questions. There is no duplication of work here; our meeting, which I thought was very productive, was not to plan for Mountain Road - it was to DO something in the near term about the dangerous and undesirable conditions that have existed on Mountain for years that have yet to be addressed.

Why don't we stop being so territorial, get down to business, and get things done. This is a community effort, not a work of art, and the more involvement

and support the better. I, for one, welcome the Mayor's involvement in this effort and hope that it will result in something actually getting done for the people on Mountain Road and in Martineztown/Santa Barbara.

Isaac Benton

-----Original Message-----

From: Marrone, Carmen M.

Sent: Mon 7/6/2009 3:41 PM

To: 'Barbara Herrington'; Phyllis Taylor; Patten-Quintana, Lorena

Cc: Benton, Isaac; Shair-Rosenfield, Kara; Dineen, Richard W.; Westmoreland, Bill

Subject: RE: Mountain Road Update

Barbara and others,

It seems that there is a lot of interest in fixing the traffic problems along Mt. Rd. While this is a good thing, I am concerned that we have too many cooks in the kitchen. As part of the Martineztown/Santa Barbara Sector Plan Update, Lorena has been working with property owners along Broadway, including the Post Office to address traffic on Mt. Rd and she has recently met with DMD and Wilson & Company to decide on temporary solutions along Mountain Road during the construction of the storm drain project. UNM is working on updating their Master Plan and is coordinating with us on the redesign of the intersection of Mountain Road & the west frontage road. Elected officials, representing the community, are holding separate meetings with the community and discussing possible solutions, and the consultant is attending meetings separate from the Planning Department who hired them to complete the sector plan update. On top of all this, we now have the Mayor's Office involved.

With so many different entities involved in the planning of Mt. Rd, there needs to be better communication and coordination in order to avoid duplication of work. The Planning Department is trying to complete the update of the Martineztown/Santa Barbara Sector Plan by next month which includes proposals for improving Mt. Rd. In order to complete the updated Plan, we need to be kept in the loop on any new proposals for Mt. Rd. Please coordinate with Lorena Patten-Quintana, Project Manager of the Sector Plan update regarding any new proposals for Mt. Rd. She has knowledge of the issues and constraints as well as the realistic solutions along this stretch of road. This knowledge could be helpful to those who are researching new

solutions.

Thank you for your cooperation,

Carmen Marrone
Manager, Long Range Planning
Planning Department

From: Barbara Herrington [<mailto:bherrington@sites-sw.com>]

Sent: Thursday, July 02, 2009 6:00 PM

To: Phyllis Taylor; Marrone, Carmen M.; Patten-Quintana, Lorena

Cc: Eric Wrage

Subject: Mountain Road Update

Loretta asked me to come to a neighborhood meeting this afternoon with Councilor Benton on Mountain Road to explain our recommendations for Mountain Road.

The Councilor has involved Bill Westmoreland from Mayor Chavez's office specifically to deal with this issue. The neighborhood residents reiterated their problems with Mountain Road. I explained our proposals and answered some questions.

1) Councilor Benton said he had met with both the UNM planners and the private property owners along Broadway (NAIOP reps).

His position is that the trucks going to businesses along Broadway can use Lomas or Odelia and don't need to use Mountain; he said the property owners really couldn't justify why they needed to use Mountain. He said he had been told by UNM planners (as were Lorena and I) that our proposed changes to Mountain Rd. will not affect them.

2) Apparently Rep. Heinrich has spoken with the Post Office and told them their trucks also needed to use Lomas, not Mountain. They are working on other entrances to the facility from Broadway, closer to Lomas. Neighbors have noticed the difference on Mountain Road.

3) Councilor Benton and Bill Westmoreland are exploring an option to block right turn access onto Mountain from the frontage road and to restrict eastbound traffic on Mountain to a right-turn-only onto the frontage road. UNM is only interested in traffic being able to get to and from their new facility from the interstate. They are going to discuss this option with others, such as Embassy Suites, Tri-Core

and others in the neighborhood.

4) Bill is going to investigate the collector status and prohibition on truck restrictions, as well as what happened to the original I-25 plans viewed by the Interstate Committee that did block access to Mountain Road.

5) The Councilor is planning to add funding to the storm drain project for the City to get started on implementing the Mountain Road changes while they are digging up the street, such as the restriping and adding the bicycle lanes. The rest of the project may have to be funded through the next bond cycle (2012). He is looking at transportation tax funds. This all depends on voter approval of both the bonds and the tax.

That's it. I will see you next Thursday. Are there any compiled neighborhood comments on the zoning that I could review before we meet?

Barbara

BARBARA S. HERRINGTON
PROJECT MANAGER

sites southwest

ALBUQUERQUE EL PASO

EMAIL: bherrington@sites-sw.com <<mailto:B@sites-sw.com>>

WEB: www.sites-sw.com <<http://www.sites-sw.com/>>

ABQ PH: 505.822.8200



SANTA BARBARA MARTINEZTOWN

EXHIBITS

FOR

Project #: PR-2024-009765 Case #: RZ-2024-00001

1. Exhibit 1 – Fairway Village Neighborhood Council Inc vs. Board of Commissioners of Dona Ana County and Picacho Hills Development.
2. Exhibit 2 – Impacts of High-Density Developments on Traffic and Health Report (HIA Report)
3. Exhibit 3 – Martineztown Santa Barbara Sector Development Plan Draft – August 2010
4. Exhibit 4 – R-20-75
5. Exhibit 5 – Technical Memorandum – Martineztown Santa Barbara Traffic Study
6. Exhibit 6 – AC-20-9 – Conditional Use for Construction Yard
7. Exhibit 7 – Martineztown Santa Barbara Traffic Study
8. Exhibit 8 – Albuquerque New Mexico Heat Watch Report 11/11/21
9. Exhibit 9 - Petition Signatures

July 15, 2024

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

RE: 1100 Woodward NE, 3-acre parcel, Project #: PR-2024-009765, AC-24-11 Remand Hearing on Zone Map Amendment Application

Dear Chair Jonathan R. Hollinger,

Santa Barbara Martineztown Neighborhood Association (SBMTNA) submits this letter for the scheduled July 18, 2024, EPC hearing, to request again denial or deferral of the zone map amendment in the remand hearing ordered by the LUHO for AC-24-11, at this time based on the following:

1. SBMTNA restates and incorporates all prior evidence and arguments from AC-24-11 against the proposed zone map amendment.
2. The latest Staff Report was released on the morning of July 12, 2024. SBMTNA has not had adequate time to review and respond completely to the amended Staff report which appears to be based on a revised application negotiated between the Planning Department and the applicant. The applicant and the Planning Department appear to be under tremendous pressure to obtain approval for this project as soon as possible. The EPC should resist pressure to rush the review of this project. The neighborhood deserves thorough, fair review of the proposal.
3. The EPC should maintain, but does not maintain, a website docket of what has been filed for this case, for reference by the public and to maintain a paginated record of the submissions. The latest Staff Report is an advocacy submission, not a paginated record for public review and perhaps appellate review based on what has been submitted over time. The record should include all records relating to communications and negotiations between the Planning Department and the applicant concerning the zone map amendment application and the related site plan amendment application.
4. SBMTNA would like to emphasize the importance of the "CPO-7" character protection overlay area restrictions for the neighborhood. A hospital, within established limits, is contemplated within CPO-7. The hospital proposed by the applicant violates the height limitations of CPO-7. CPO-7 does not contemplate MX-H uses. The Staff/applicant analysis of the application of CPO-7 to the subject site is in error, as discussed below.
5. It is not clear whether the 1997 Plat of Subdivision (Page H to the latest Staff Report) which Staff/applicant misleadingly labels a "Site Development Plan" (apparently DRB-466) is currently in effect or has expired as to the subject site as to site development. The Planning Department should introduce into evidence all applicable prior approvals or enactments that are

relevant to the zone map amendment request. The site currently is vacant (although there is irregular parking and overflow use) and apparently without any pre-IDO approved site development plan or post IDO approved site plan for a hospital or any other use.

6. The applicant does not have vested rights in the prior “site plan” for hospital use because the prior site appears to contemplate only some future office use. Further the 2018 MX-M zoning placed explicit limitations on hospital use.

7. The applicant does not have vested rights under New Mexico law in any prior site development plan for this site.

8. If the applicant has vested rights to its proposed hospital use from the 1997 site plan for subdivision, then enacting the zone map amendment is unnecessary. The applicant’s justification is based on its proposed hospital use which would be allowed if the 1997 site plan for subdivision somehow authorizes hospital use and prevails over the 2018 MX-M zoning. Other MX-H uses and heights are not appropriate or justified. The zone map amendment would open the site to more intense MX-L uses including much higher buildings than are permitted under the existing MX-M zoning with CPO-7 (in case the applicant was not to proceed with its current hospital plan). It appears that the EPC lacks authority to limit the uses allowed by the zone map amendment to the applicant’s current hospital proposal.

9. The applicant has not demonstrated that the applicable IDO criteria and state law criteria for a zone map amendment have been satisfied. There have been no substantial changes in the area since imposition of the MX-M zoning in 2018 (although there has been a continued decline in traffic safety); and the applicant has failed to satisfy the “more advantageous to the community” criteria.

10. The zone map amendment constitutes a spot zone and MX-H zoning is not a “transition” zone for the area. Upon information and belief, the City Council recently amended the IDO definition of “adjacent” to state: “Properties that are on opposite of an intersection diagonally (e.g. “kitty-corner” or “catty corner” or “caddy corner”) are not considered”.

11. The EPC should require a traffic study, subject to reasonable public review and comment, for this application. The draft traffic report submitted by the applicant, and apparently acceptable to Staff, describes improvements that should have been made as requested by the neighborhood over the last years. To require approval of the applicant’s intense development as a condition of making needed traffic safety improvements is extortionate to the neighborhood. The City should be making the improvements with or without the applicant’s promises.

12. In SBMTNA’s view, the proposed development would be highly destructive to the SBMTNA neighborhood by worsening the already dangerous and overcrowded traffic situation. Approving the zone change will encourage urban blight by placing an intense hospital use within 330 ft. of residences. SBMTNA disputes that the IDO calls for “much needed high density, infill development” at the subject location (p. 6 of the applicant’s June 4, 2024, application) or that the community needs the intense hospital development at the subject location. The applicant and the City have not considered other possible locations for the new intense hospital use.

13. In SBMTNA's view, the process for this project reveals the bias and inadequacy of the City's development process as to fairly protecting neighborhood interests. SBMTNA disputes that the EPC under the influence of the Planning Department can provide an unbiased quasi-judicial hearing on this application. The Planning Department and the EPC ignored basic requirements of the IDO and rushed to approve the applicant's proposed zone map amendment for the subject site which was appealed in AC-24-11.

14. In SBMTNA's view, the LUHO erred in remanding AC-24-11 for a de novo hearing. The applicant failed to establish its case for the zone map amendment and a re-do for the applicant was not justified under the circumstances.

Please place this letter with enclosures in the record for the EPC hearing. SBMTNA may have other objections after complete review of the updated Staff report. SBMTNA requests the opportunity to cross-examine witnesses for the applicant and the Planning Department.

Sincerely,

Loretta Naranjo Lopez, President
Ronald Vallegos, Vice President
Andrew Tafoya Leverett, Secretary
Jesse Lopez, Treasurer
Rosalie Martinez
Olivia Ayon
Gilbert Speakman
Melissa Naranjo
David Naranjo
Frank Garcia

July 15, 2024

SBMTNA SUPPLEMENTAL REVIEW OF THE REQUEST FOR A ZONE MAP
AMENDMENT FROM MX-M TO MX-H FOR 1100 WOODWARD NE

Steve Chavez, Land Use Hearing Officer states that after reviewing the record, listening to arguments and cross examination testimony, he found that the application that the EPC relied on material inaccurate and conflicting evidence that was submitted by the City of Albuquerque Staff Planner. As a result, LUHO remanded the case back to EPC.

LUHO made it clear that the Gateway site plan for subdivision is material to the zone amendment. LUHO further states the staff planner failed to advise the EPC that *CPO-7 overlay regulations are or could be supplanted by the design standards incorporated in and with the 1994 site plan for subdivision and that the MX-H transition recommended by staff is erroneous.*

The Hearing Officer further states that the proposed *zone creates a spot zone.* Because the existing zoning at the site is MX-M not C-3, EPC finding 12.C is erroneous. He further states that there is insufficient evidence that the proposed MX-H zone is different from surrounding zone districts and that it can function as a transition between adjacent zone districts. *SBMTNA supports the LUHO's statement.*

The applicant for PR-2024-009765, RZ-2024- 00001 is Cross Development, the property owner is on record John Q. Hammons, LLC. The agent is Tierra West LLC. The legal description is all or a portion of Tract A Plat of Gateway Subdivision, the location is 1100 Woodward Place NE, between Mountain Road and Lomas Boulevard, the size is approximately 3.0 acres. The existing zoning is MX-M and the proposed zoning is MX-H.

The applicant has not adequately justified the request pursuant to IDO Review and Decision Criteria 14-16-6 7(G)(3) based upon the proposed zoning is not more advantageous to the community than the current zoning because it would not facilitate a preponderance of applicable Goals and policies, 4.1 to preserve and protect the historical residential neighborhood.

The subject site is vacant and surrounded by the frontage road that has the highest fatalities in all of Albuquerque including, two high schools to the north that has approximately 4000 students a day, and the 2 Steps Ahead Learning Center with up to 100 children, to the west is the historical residential Martineztown single family dwellings, and TRICOR to the southwest is New Heart Cardiac Rehabilitation and Prevention Program, southeast is Embassy Suites (owner John Q. Hammons, applicant), and further south at 505 Elm Street NE is the Lovelace UNM Rehabilitation Hospital, Medical Arts UNMH outpatient Rehab Service, 1025 Medical Arts Avenue NE, Odelia Healthcare, Rehabilitation Center and Physical Therapy, 1509 University Blvd N, Kindred Hospital 700 High Street NE, Albuquerque is for treatment and rehabilitation. The subject site directly abuts I-25 and Frontage Rd S. to the east.

The subject site has been used for special events and over flow of parking by Embassy Suites. The old “site plan” was not complete. The site plan is not readable on some parts, the site development plan does not follow the requirements on Lot 3, the Embassy Suites is on two of the lots that required different development than the current hotel, and the subject property on the “site development plan” states it is for general offices.

The subject site is located in an Area of Change as designated by the Comprehensive Plan and is side by side in an Area of Consistency which requires the City of Albuquerque to protect and preserve the neighborhood. **It is not located within a designated Center.**

The subject site is also located within the Santa Barbara Martineztown Character Protection Overlay Zone (CPO-7), and thus must adhere to the standards associated with this Overlay Zone. CPO-7. (See LUHO Remand, July 3, 2024)

The subject site is included in the Central Albuquerque Community Planning Assessment (CPA) area. The Central ABQ Community Planning Area (CPA) is currently being updated and the Historic Neighborhood Alliance has asked to have input in the plan and is waiting for a scheduled meeting to address our concerns.

ANALYSIS of APPLICABLE ORDINANCES, PLANS, AND POLICIES

The subject site is zoned MX-M [Mixed-use – Medium Intensity Zone District, IDO 14-16-2-4(C)], which was assigned upon adoption of the IDO as a conversion from the former SU-2 (C-3) Heavy Commercial zone corresponds to the C-3 Zone with the following exceptions A. Permissive Uses 1. Uses permissive and regulated in the C-2 zone. E. Height Structures shall not exceed 26 feet in height...

CHAPTER 4: COMMUNITY IDENTITY

GOAL 4.1 - CHARACTER: Enhance, protect, and preserve distinct communities

It is clear that the request would not protect and preserve distinct communities, higher intensity uses are not permissive in the existing residentially zoned portions of the SB/MT neighborhood. The HNDEF Plan 2022 states it will displace the residents that live in the neighborhood. The MX-M zone is detrimental to the neighborhood which is already causing cultural genocide. **The request does not clearly facilitate Goal 4.1 – Character.**

POLICY 4.1.1 – DISTINCT COMMUNITIES: Encourage quality development that is consistent with the distinct character of communities.

The request is detrimental to the residential area. The existing varying intensity of uses are contributing to the neighborhood children’s learning abilities and causing many health issues. The City of Albuquerque continues to perpetuate racial inequities in the Santa Barbara Martineztown Neighborhood by allowing industrial, manufacturing next to the existing historical residential neighborhood. The request locates a hospital use within 330 feet of existing residential zoned parcels. The old site development plan for the subject site provides a specific use for the subject site (General Office), the requested zone map amendment (if approved) would

change the intent of future development of the site to a proposed hospital use. The office use is an accepted transition than a 24 hours hospital. The request does not facilitate Policy 4.1.1. Distinct Communities.

POLICY 4.1.2 – IDENTITY AND DESIGN: Protect the identity and cohesiveness of neighborhoods by ensuring the appropriate scale and location of development, mix of uses, and character of building design.

The request will not protect the identity and cohesiveness of the surrounding neighborhood because the height of these uses over shadow the neighborhood and bring uses that are detrimental to the health, safety and welfare of the residents. residentially zoned parcels as articulated by the controlling Gateway Center Site Development Plan. The request is not consistent Policy 4.1.2 Identity and Design.

POLICY 4.1.4 – Neighborhoods would be violated by not enforcing the historical protection to enhance, protect and preserve the historical residential neighborhood and traditional communities as key to our long term. Based on this Goal, the more restrictive zoning is required to be applied.

THE ABQ COMP PLAN PART 14-16-1 GENERAL PROVISION PURPOSE 1-3 (A-L) – The proposed use will bring increased large diesel trucks and other traffic to an already congested area, having a detrimental effect on health, safety and welfare, particularly given the location of the subject property next to the freeway, frontage road, and congested Mountain Road NE.

ABQ COM PLAN INTRODUCTION ON ENVIRONMENTAL JUSTICE – The negative effects are unfairly focused on a vulnerable population in an historic residential neighborhood.

According to **5-9(A) PURPOSE** This Section 14-16-5-9 is intended to preserve the residential neighborhood character of established low-density residential development in any Residential zone district on lots adjacent to any Mixed-use or Non-residential zone district.

PART 1.4 LEGAL PURPOSE OF THE COMP PLAN – The Comp Plan purpose in the NMSA 1978, Section 3-19-9(A) is “to guide and accomplish a coordinated, adjusted and harmonious development of the City of Albuquerque ..., Promote health, safety, morals, This proposed hospital will be out of harmony with existing and future needs of the neighborhood, because of the negative impacts on environment, health, safety and welfare. (See Health Impact Study Report)

5-9(B) APPLICABILITY 5-9(B)(1) Protected Lots the Neighborhood Edges provisions in this Section 14-16-5-9 are intended to protect lots in any R-A, R-1, R-MC, or R-T zone district that contains low-density residential development. The general requirement **5-9(C) Building Height 5-9(C)(2) General Requirement** on Regulated Lots, any portion of a primary or accessory building within 100 feet of the nearest Protected Lot property line shall step down to a maximum height of 30 feet. (See figure below.)

Generally, the permissive uses allowed in the MX-H zone district are more more detrimental to those allowed in the MX-M zone district and are *detrimental to any residential neighborhood including Martineztown Santa Barbara Neighborhood.*

POLICY 5.1.1(C)

It is important to protect the public health and safety by separating residents, children and youth from high intense land uses. Policy 5.6.3(a-j)Areas of Consistency – Protect and enhance the character of existing single-family neighborhoods. The request will result in an incompatible use that should be located in the westside of the city of Albuquerque next to the hospitals were jobs are needed. The area is already over developed and has sufficient physical therapy hospitals. The use will be next to an old historical roadway that cannot carry any more traffic and will eradicate the historical area over time. The request is better served on the westside where there is a larger population and a greater need. The request is not consistent with Sub-Policy 5.1.1(c).

POLICY 5.1.2 DEVELOPMENT AREAS: Direct the physical therapy in the westside to more intense growth to centers and corridors and use development areas to establish and maintain appropriate density and scale of development within or side by side Areas of Consistency. The request is not consistent with this policy.

Policy 5.1.10 Major Transit Corridors: Foster corridors that prioritize high frequency transit service with pedestrian-oriented development.

The proposed use is for patients that need rehabilitation. The transit service will not be utilized by these patients or the people that visit them.

Goal 5.2 Complete Communities: Foster communities where residents can live, work, lean, shop, and play together.

The request is for an MX-H zone district which allows a broader mix of higher-intensity land uses that are not compatible to a historical residential area. The subject site is currently vacant and surrounded by a two high schools and another children's school to the north, to the west single-family dwellings and Tri Core, and directly south is New Heart Physical Therapy facility and Embassy Suites. This development would not add to these types of land uses. The current site is used by Embassy Suites for over flow of parking and special events. There is nothing at this location that the residents would use. The youth may go to the high schools, but nothing at Gateway would foster communities where residents can live, work, lean shop and play. The requests do not facilitate this policy.

Policy 5.2.1 Land Uses: Create healthy, sustainable, and distinct communities with a mix of uses that are conveniently accessible from surrounding neighborhoods.

The request does not create a healthy, sustainable, and distinct community with a mix of uses that are conveniently accessible from surrounding neighborhoods. There is nothing the residents would need at this location. The transit system has minimal usage along Mountain Road. The request does not facilitate Policy 5.2.1 Land Uses.

Policy 5.2.1 a): Encourage development and redevelopment that brings goods, services, and amenities within walking and biking distance of neighborhoods and promotes good access for all residents.

The request does not encourage development that brings goods, services, and amenities within walking and biking distance of neighborhoods and does not promote good access for all residents.

The MX-H zone is detrimental to any neighborhood. The office uses in the old site plan is an 8 am to 5 pm office use. This would be better than a 24-hour service with traffic all night long. The request does not facilitate Policy 5.2.1 a.

Policy 5.2.1 e): Create healthy, sustainable communities with a mix of uses that are conveniently accessible from surrounding neighborhoods.

The request would not create a healthy, sustainable community. There is already a mix of uses. The hospital would not be a conveniently accessible use for the surrounding neighborhoods because the MX-H zone district would allow higher-intensity land uses on the subject site, which is incompatible to neighborhoods. The neighborhood does not need another rehabilitation hospital. The request does not facilitate Policy 5.2.1 e).

Policy 5.2.1 h): Encourage infill development that adds complementary uses and is compatible in form and scale to the immediately surrounding development.

The request does encourage infill development. The hospital is not a complementary use and is not compatible in form and scale to the immediately surrounding area. The uses and standards allowed in the MX-H zone district are not similar to the surrounding properties zoned MX-M. The request does not facilitate Policy 5.2.1 h).

Policy 5.2.1 n): Encourage more productive use of vacant lots and under-utilized lots, including surface parking.

The request does not encourage more productive use of vacant lots and under-utilized lots. Development can be made possible under the MX-M zone with more compatible use such as general offices. The current vacant lot has been used for many special events and over flow of parking for Embassy Suites. The request does not facilitate Policy 5.2.1 n).

Goal 5.3 Efficient Development Patterns: Promote development patterns that maximize the utility of existing infrastructure and public facilities and the efficient use of land to support the public good.

Future development on the subject site featuring uses allowed in the MX-M Zone District supports the public good by building a swimming pool for AHS and Open Space to protect the residents from the environmental impacts of the freeway. This type of use would keep the existing traffic which is already over capacity. The request for MX-H zone does not facilitate Goal 5.3 Efficient Development Patterns.

Policy 5.3.1 Infill Development: Support additional growth in areas with existing infrastructure and public facilities.

The subject site is a vacant infill site located in an area already served by existing infrastructure and public facilities. The request is for an incompatible use for the subject site. The site is now utilized by Embassy Suites for over flow of cars and special events. The current MX-M allows for future growth. The City of Albuquerque should require a use that will protect and preserve the residential area in order to be consistent Policy 5.3.1 Infill Development.

Policy 5.3.2 Leapfrog Development: Discourage growth in areas without existing infrastructure and public facilities.

The subject site is zoned MX-M and is located in an area already served by existing infrastructure and public facilities. Any development made possible by the current zoning could result in infill development of the currently subject site. This request does not facilitate Policy 5.3.2 Leapfrog Development since the current zone allows development. The issue is the overcapacity of traffic in an area that is over developed and the detriments of this traffic to nearby residents and students. The westside has existing infrastructure where this development is more suited to be built.

POLICY 5.3.7 – Locally Unwanted Uses: Ensure that land uses that are objectionable to immediate neighbors but may be useful to society are located carefully and equitably to ensure that social assets are distributed evenly and social responsibilities are borne fairly across the Albuquerque area.

The applicant is proposing a use that is already available to the nearby community. The proposed use would be better served on the westside in a large community for healthcare. The westside is in desperate need of jobs. **The request does not facilitate Policy 5.3.7 Locally Unwanted Land Uses.**

POLICY 5.3.7(b) – Ensure appropriate setbacks, buffers, and/or design standards to minimize offsite impacts.

The site plan will not ensure appropriate setbacks, buffer, and or design standards to minimize offsite impacts. The proposal does not meet the CP0-7 of 26 feet in height. The 55 feet is out of character for the neighborhood, but more importantly the added traffic from this facility will be detrimental to the neighborhood. **The request is not consistent with Sub Policy 5.3.7(b).**

Goal 5.6 City of Albuquerque of Albuquerque Development Areas: Encourage and direct growth to Areas of Change where it is expected and desired and ensure that development in and near Areas of Consistency reinforces the character and intensity of the surrounding area.

The subject site is located in an Area of Change and side by side in an Area of Consistency, where growth is not expected nor desired. Any future development on the subject site, which has been regularly used by Embassy Suites for overflow of parking and Special events, will increase an already environmentally impact area for residents and children and youth and create more traffic problems including increase in fatalities.

Due to the standards established by the CPO-7 Overlay Zone, including site standards, setback standards, and building height standards, any future development needs to adhere to CPO-7 standards in order to be compatible in form and scale to the immediately surrounding area, where CPO-7 standards also apply. The future development would not reinforce the character and intensity of the surrounding area residential area. The request does not facilitate this goal because it is out of character and will be developed in an area that has over built with medical facilities. The intensity and density are out of character with the residential area. General Offices is much preferred.

Policy 5.6.2 Areas of Change: Direct growth and more intense development to Centers, Corridors, industrial and business parks, and Metropolitan Redevelopment Areas where change is encouraged.

The request should be located in Centers and Corridors area where change is encouraged. The City of Albuquerque of Albuquerque of Albuquerque over built this area. Mountain Road cannot accommodate any more traffic. There are accidents on the frontage road, Lomas, Mountain Road NE every day.

The allowable uses and development standards associated with the MX-M zone support transit and commercial and retail uses. The request clearly does not facilitate Policy 5.6.2 d. The MX-M is already detrimental to nearby residents and MX-H will be more detrimental. The patrons of the hospital will not be using the transit system and neither will the employees or visitors.

Chapter 8: Economic Development

Policy 8.1.1 Diverse Places: Foster a range of interesting places and contexts with different development intensities, densities, uses, and building scales to encourage economic development opportunities.

The current MX-M fosters a range of interesting places and contexts with different development intensities, densities, uses, and building scales. The MX-H zone district allows higher- intensity land use than the MX-M zone district, which will be detrimental to the neighborhood. Economic development opportunities should never be a factor for a zone map amendment. However, according to the Housing and Neighborhood Economic Development Fund (HNEDF) Plan states "Higher rents, lower vacancies, and increasing demand for new real estate development characterize the office, industrial, retail, and multi-family rental markets since 2002 and suggest that while the real estate market in the Pocket is growing, these conditions have not improved local residents' economic prospects." The HNEDF further states these economic prospects will create inhospitable economic conditions, displacement of

residents, and overall gentrification. This type of development would not improve economic conditions for local residents.

The request does not facilitate Policy 8.1.1., The subject site is currently vacant and being used as surface parking and for special events.

CHAPTER 8: ECONOMIC DEVELOPMENT

GOAL 8.1 – PLACEMAKING: Create places where businesses and talent will stay and thrive.

City of Albuquerque of Albuquerque staff states, “It is unclear from the applicant’s response how the requested zone map amendment will lead to a place where businesses and talent will stay and thrive. No studies or statistical data has been provided by the applicant to demonstrate or confirm that this will be the case.” SBMTNA agrees, but also understand that economics should not be a part of the decision of a zone map amendment. **The request does not facilitate Goal 8.1 Placemaking.**

POLICY 8.1.1 DIVERSE PLACES: Foster a range of interesting places and contexts with different development intensities, densities, uses, and building scales to encourage economic development opportunities.

The request is not an interesting place since it is available in the surrounding area. The area is over developed with medical facilities. The proposal is located within the Gateway Site Development Plan for Subdivision which has already created a traffic problem in this area and brings unwanted traffic into the neighborhood. **The request does not facilitate Policy 8.1.1. – Diverse Places already exist.**

POLICY 8.1.1(a) – Invest in Centers and Corridors to concentrate a variety of employment opportunities for a range of occupational skills and salary levels.

The request is required in the westside where employment is needed. **The request is doe not facilitate Sub Policy 8.1.1(a) to concentrate in an area with Centers and Corridors.**

POLICY 8.1.1.(c) – Prioritize local job creation, employer recruitment, and support for development projects that hire local residents.

Staff states, “The request could prioritize local job creation and recruitment during the construction phase of the proposed development; however, staff notes that the applicant’s (Nobis Rehabilitation Partners) headquarters is located in Allen, Texas. It is therefore unclear how the proposed use will continue to prioritize local job creation and hire local residents.” SBMTNA agrees. **The request does not facilitate Policy 8.1.1(c).**

POLICY 8.1.2. RESILIENT ECONOMY: Encourage economic development efforts that improve quality of life for new and existing residents and foster a robust, resilient, and diverse economy.

The HNDEF Plan 2022 states it will be detrimental to the neighborhood. The neighborhood will be displaced. A use that is more compatible to the school and neighborhood needs to be developed on this lot. **The request does not facilitate Policy 8.1.2 – Resilient Economy when reports state that there is a greater need of economic development in the westside where there is a larger concentration of people.**

GOAL 8.2 – ENTREPRENEURSHIP: Foster a culture of creativity and entrepreneurship and encourage private businesses to grow.

Staff states, “While the request may result in encouraging a private business to grow on the subject site, it is unclear from the applicant’s response how this would foster a culture of creativity and entrepreneurship given the permissive uses under the MX-H zone district.” SBMTNA agrees. **The request does not facilitate Goal 8.2 – Entrepreneurship since the jobs at the hospital are for educated and trained physical therapist, nurse and doctors who work for the hospital.**

Integrated Development Ordinance (IDO) 14-16-6-7(G)(3)-Review and Decision Criteria for Zone Map Amendments

The review and decision criteria outline policies and requirements for deciding zone change applications. The applicant must provide sound justification for the proposed change and demonstrate that several tests have been met. The burden is on the applicant to show why a change should be made.

The applicant must demonstrate that the existing zoning is inappropriate because of one of three findings: 1) there was an error when the existing zone district was applied to the property; or 2) there has been a significant change in neighborhood or community conditions affecting the site; or 3) a different zone district is more advantageous to the community as articulated by the Comprehensive Plan or other, applicable City of Albuquerque of Albuquerque plans.

The subject site is currently zoned MX-M (Mixed-use Medium Intensity). The requested zoning is MX-H (Mixed-use High Intensity). The reason for the request is to facilitate the development of an Inpatient Rehabilitation Facility (IRF).

The Santa Barbara Martineztown Neighborhood Association understands that the proposed zone change does not meet the zone change decision criteria in IDO §14-16-6-7(G)(3). **The request is an illegal spot zone. The existing MX-M is detrimental to the neighborhood and neighborhood has asked for years for the City of Albuquerque of Albuquerque to stop the environmental impacts and preserve and protect the neighborhood. The HNDEF Plan 2022 and the Health Impact Study clearly defends the neighborhoods repetitive requests to protect the health, safety and welfare of the residents and repeatedly the request has been on deaf ears. (See**

A. A proposed zone change must be found to be consistent with the health, safety, and general welfare of the City of Albuquerque of Albuquerque as shown by furthering (and not being in conflict with) a preponderance of applicable Goals and Policies in the ABC Comp Plan, as amended, and other applicable plans adopted by the City of Albuquerque of Albuquerque.

This request is a spot zone, the applicant must “clearly facilitate” implementation of the ABC Comp Plan (see Criterion H). ***The request is not consistent with the City of Albuquerque of Albuquerque’s health, safety, morals and general welfare. The response by the applicant is not sufficient to Criterion A. The traffic impact will be detrimental and the hospital will cause displacement of residents and gentrification.***

B. The proposed amendment is not located in just an Area of Change (as shown in the ABC Comp Plan, as amended), it is side by side to an Area of Consistency next to a narrow historical road and in area that has the highest fatalities in all of Albuquerque. The applicant has demonstrated that the new zone would destroy the established character of the surrounding Area of Consistency and would permit development that is significantly different from the historical low density single-family dwellings. The City of Albuquerque of Albuquerque of Albuquerque has perpetuated racial inequities in our area and continues to allow uses that are not compatible to residential area. The applicant must also demonstrate that the existing zoning is inappropriate because it meets any of the following criteria:

1. There was no typographical error when the Zoning was applied. There was not a typographical or clerical error. ***The MX-M was approved during the initial approval of the IDO and then staff provided another chance for property owners to apply for a Zoning Conversion. The property owner was not allowed to go to a higher intense use, but could recommend a down zone.***
2. There have not been significant changes in the neighborhood. ***The historical single-family dwellings existed since 1850. What has been a detriment to the neighborhood is Gateway. The uses are not compatible and are detrimental to neighborhood. The MX-H is not compatible and will not complement the neighborhood. (See the Health Impact Study and HNEDF Plan 2022, page 16)***
3. ***A MX-H district will not be advantageous to the community as articulated by the ABC Com Plan, policy 4.1 to protect and preserve the neighborhood. As stated in the HNEDF Plan the proposal will be economical disastrous. The City of Albuquerque of Albuquerque has failed to protect the neighborhood from gentrification and cultural genocide. (See HNEDF Plan 2022 Plant) There are sufficient Rehabilitation Hospitals nearby. The City of Albuquerque of Albuquerque over developed the area with uses that are not compatible and detrimental to the neighborhood.***

The subject site is in an Area of Change and side by side in an Area of Consistency.

C. If the proposed amendment is located in an Area of Change and side by side an Area of Consistency (as shown in the ABC Comp Plan, as amended) and the applicant has demonstrated that the existing zoning is inappropriate because it does not meet any of the following criteria:

1. There was typographical or clerical error when the existing zone district was applied to the property.
2. There has been a significant change in neighborhood or community conditions affecting the site that justifies this request.
3. A different zone district is more advantageous to the community as articulated by the ABC Comp Plan, as amended (including implementation of patterns of land use, development density and intensity, and connectivity), and other applicable adopted City of Albuquerque of Albuquerque plan(s).

The subject property is within an Area of Change and next to Area of Consistency. There was no typographical error when the zoning was applied. There have not been significant changes in the neighborhood. The residential area still exists. The high schools still exist. Along with the adoption of the IDO the zoning designation of the subject site was changed from C-2 (Heavy Commercial Permissive Uses) to MX-M. The MX-H is a high intense use that will not benefit the surrounding neighborhood and will not facilitate the implementation of the applicable Goals and Policies in the ABC Comp Plan to protect and enhance the historical neighborhood. These Goals and policies are not supported because the request will not protect the health safety and welfare of the residents and is not compatible to a historical residential neighborhood.

D. The zone change does not include permissive uses that are harmful to adjacent property, the neighborhood, or the community, unless the Use-specific Standards in Section 16-16-4-3 associated with that use will adequately mitigate those harmful impacts.

The uses in the MX-M are already harmful to the neighborhood. The high intense use of the MX-H will only exacerbate the situation. The HIA report states that the government should alleviate the traffic. The report indicates it is not trying to alleviate the traffic situation it is increasing the traffic. The report further states the environment the neighborhood is living in that the government created is impacting the children's ability to learn and impacts their health. The permissive use and proposed uses are harmful to adjacent property, neighborhood and community.

E. The City of Albuquerque of Albuquerque's existing infrastructure and public improvements, including but not limited to its street, trail, and sidewalk systems meet 1 of the following requirements:

1. Have adequate capacity of Albuquerque of Albuquerque to serve the development made possible by the change of zone. **There is adequate capacity of Albuquerque under the current zone. The rehabilitation hospital service is already provided through the community.**

2. Will have adequate capacity of Albuquerque based on improvements for which the City of Albuquerque has already approved and budgeted capital funds during the next calendar year. There is no budget to try to alleviate the current issues with traffic. The State needs to go back to the drawing board and build the south frontage road to only exit at Lomas.

3. Will have adequate capacity of Albuquerque when the applicant fulfills its obligations under the IDO, the DPM, and/or an Infrastructure Improvements Agreement. ***There will be no adequate capacity.***

4. Will have adequate capacity when the City of Albuquerque and the applicant have fulfilled their respective obligations under a City of Albuquerque - approved Development Agreement between the City of Albuquerque and the applicant.

The request does not meet the criteria. The City of Albuquerque has done nothing to alleviate the existing problems with traffic. The proposed increase of traffic exasperates the situation.

F. The applicant's justification for the requested zone change is not completely based on the property's location on a major street.

The location of the subject site is not appropriate for the requested Zone Map Amendment based on the ABC Comp Plan and the studies done in the area demonstrate that this request will be detrimental to the neighborhood residents and youth at the high schools

G. The applicant's justification is not based completely or predominantly on the cost of land or economic considerations.

The zone map amendment from MX-M to MX-H will not benefit the surrounding neighborhood because it does not meet the ABC Comp Plan goals to preserve and protect the neighborhood. The applicant's justification based upon economic considerations should never be considered. The HNEDF Plan 2022 states this request for zone map amendment is to allow a hospital which will create inhospitable economic conditions.

H. The zone change does apply a zone district different from surrounding zone districts to one small area or one premises (i.e., create a "spot zone") or to a strip of land along a street (i.e., create a "strip zone") unless the change will clearly facilitate implementation of the ABC Comp Plan, as amended, **and** at least one of the following applies. 1.2.3.

According to the LUHO, the request is a spot zone because it would apply a zone different from surrounding zone districts. The proposed zoning MX-H will not function as a transition between adjacent zones. The zones are MX-T to the north, R-1 to the east and Mx-M and Mx-M to the south. The proposed zone will not facilitate implementation of the Comprehensive Plan. The applicant has not demonstrated that subject site could function as a transition between the MX- M and MX-T zones. The east side of the property is the frontage road and freeway. The subject site is located within the CPO-7 Overlay Zone and the standards associated with this Overlay Zone require only 2 story 26 feet.

As required, the applicant has shown that the request will not clearly facilitate implementation of the ABC Comp Plan by preserving and protecting the residential neighborhood. The proposed use is already available in the surrounding area.

CONCLUSION

The applicant is requesting a zone change from MX-M zoning to MX-H zoning, which would **result in a spot zone**. The request could facilitate a pool for the High Schools and Open Space to protect the residents from the air pollution associated with the frontage roads and freeway. The proposed future development of a hospital use can be built today with only 26 feet in height and 20 beds. This will clearly bring more traffic that Mountain Road cannot accommodate, but the City of Albuquerque failed to vision the over built environment in this area and allowed incompatible uses that are detrimental to the neighborhood

The applicant does not adequately justify the request based upon the proposed zoning is not more advantageous to the community than the current zoning because it would not facilitate a preponderance of applicable Goals and policies. The applicant's responses to the Review and Decision Criteria for Zone Map Amendments established in 14-16-6-7(G)(3) of the IDO are not sufficient.

The applicant is still proposing a 3-story building which originally was designed for 60 beds. I find this deceiving to say the least when the proposal all along has been for 60 beds. **The old site plan required general offices which SBMTNA understands to be more compatible – 8 am to 5 pm service and not a 24-hour service.**

The proposed amendment to MX-H does not align with the City of Albuquerque ABC Comprehensive Plan. The neighborhood does not need more traffic, air and noise pollution. The City of Albuquerque has over developed in this area with healthcare services and the hospital does not meet the needs of the longtime residents in the neighborhood.

The site is located within the Central ABQ Community Planning Area which is designated as Area of Consistency. It is next to a historical single family residential neighborhood, a low-density development and next 4000 students that attend the two high schools as well as a day care center with 100 children. The commercial uses do not provide the day to day needs of the neighborhood. The buses that go down Mountain Road are rarely used.

Santa Barbara Martineztown Neighborhood Association met with the applicant. **The concerns SBMTNA had is regarding the Higher Intensity use of the MX-M, is the spot zone**, the increase in traffic, the current traffic congestion, safety, the environmental impacts from the freeway and frontage road, as well as the highest fatality rate of accidents in all of Albuquerque. The neighborhood association recommended the hospital to be built in westside near the hospitals since the roadways can accommodate this type of traffic and the need is much greater. The neighborhood area is saturated with rehabilitation hospitals.

The amendment does not facilitate the ABC Comp Plan's goals. Economics are not to be a factor in a zone map amendment. Due to the historical area, and the establishment of MX-M zone the is allowed to develop a 20-bed hospital. The proposed MX-H zone and the proposed hospital will interfere in the quality of life of the residents. The 48-bed hospital is detrimental to the residents. A facility which allows up to 60 beds would be more than adequate to address the needs of Albuquerque in the westside near the hospitals where there is a larger population.

The request is a spot zone. To the north is MX-T to the west is MX-M and R-1, to the south is MX-M and to the east is the frontage roads and the Interstate. The Albuquerque's Comprehensive Plan goals advocates for infill development that meets the needs of the residents. The efficient land use would be a swimming pool for the high schools and open space to protect the residents from the environmental impacts of the freeway. The City of Albuquerque already over developed south of Lomas.

SBMTNA understands that the City of Albuquerque has continued to perpetuate racial inequities in this neighborhood. In 2017, SBMTNA was involved in the discussion with the City of Albuquerque regarding the Traffic Impact Study for the neighborhood.

For the last two years, the City of Albuquerque has submitted the roundabout for Edith and Mountain to the Legislature and no money has been provided to get this project moving. Why now that this illegal request of a spot zone proposed hospital us are these recommendations made in this Crash Analysis. Why not in 2017 did the City of Albuquerque and State request funding for the roundabout at Edith and Mountain, cross walk with light for the youth at CEC and AHS, cross walk with median to prevent five-ton trucks from turning down at Mountain and South Frontage, a left turn only at the South Frontage and Mountain?

I find the inactions by the City of Albuquerque and State Officials to be criminal in nature due to the high volume of accidents at this location. The neighborhood association has waited for nine years after the discussion in 2017 on the Traffic Analysis for measures to be taken to protect the citizens of Albuquerque, the residents of Martineztown/Santa Barbara Neighborhood and the youth at the high schools etc. Yet, now because Cross Development an outside developer comes in represented by Tierra West you want to consider a zone map amendment to MX-H zone, an incompatible use, an illegal spot zone, next to a historical residential neighborhood and further commit culture genocide (deliberately targeting and taking out all aspects of the historical Martineztown Santa Barbara Neighborhood residents, culture, religious and ethnic group). The City of Albuquerque continues to inflict on the Santa Barbara Martineztown Neighborhood with zone categories and land uses that are detrimental to the health safety and welfare of the residents.

SBMTNA respectfully request that the Environmental Planning Commission to deny the Zoning Map Amendment from MX-M to MX- H for the subject site, facilitating the development of a healthcare facility which already exists in the surrounding area. The request is an illegal spot zone. This request does not support the City of Albuquerque Comprehensive Plan goals Goal 4.1 Character Enhance, protect, and preserve distinct communities. According to the HNDEF Plan 2022, the hospital will destroy the historical neighborhood of Martineztown Santa Barbara Neighborhood. The comments from NMDOT traffic report and Environmental Impact Study needs to be provided before any development happens on this site. This area has been over developed with medical facilities. The proposed physical therapy hospital is already available in the neighborhood. The neighborhood is environmentally impacted with the proposed MX-H zone.

**MOUNTAIN ROAD REHABILITATION HOSPITAL MOUNTAIN
ROAD/WOODWARD PLACE NE, CRASH ANALYSIS JUNE 3, 2024 DRAFT
REVIEWED BY SBMTNA**

This Crash Analysis was prepared in conjunction with the development of a 48-bed rehabilitation center and provides a comprehensive analysis of crash data at three key intersections near Mountain Rd and the south frontage road of Interstate 25... \ *The person that wrote the report deceives the public by stating there will only be 48 beds, when the applicant still proposes from the initial application a three-story building which accommodates 60 beds. This report is not sufficient because it did not review for 60 beds. The Impacts on High Density Developments on Traffic and Health, Health Impact Assessment on Martineztown states that Mountain Road is one of the top ten having crash rates involving pedestrians and bicycles. Diesel trucks come down Mountain Road and they are most dangerous for the neighborhood. The hospital will bring more diesel trucks to provide supplies for the hospital which is detrimental to the residents' health. Diesel trucks cause cancer. The conclusion of the HIA states how the increase traffic will affect the resident. SBMTNA pleads with the City of Albuquerque to utilize this land with what is existing there now. The existing traffic from freeway, frontage road impacts the residents and the children' health.*

Intersection #1 – Mountain Rd. / Edith Blvd.: *SBMTNA has learned over the years that the City of Albuquerque does not provide the correct record for the accidents that occur at this location. The neighbors state there is an accident every week in this location with the limited improvements.*

Intersection #2 – Mountain Rd. / Woodward Pl.: *The analysis is based on limited information.*

Intersection #3 – Mountain Rd. / I-25 W. Frontage Rd.: *The crashes are due to the fact that there is a hill with no visibility before you enter the intersection of Mountain and the South Frontage Road NE. My neighborhood who lived on High Street near this intersection stated there was an accident every week. From his account of traffic accidents, the record is not complete. The City of Albuquerque Buses do not follow the required speed limit and have had several crashes at this location, but this is not recorded.*

NMDOT performed an internal Crash Safety Analysis and subsequently installed mitigation measures in 2018. NMDOT recommended the following:

To address the identified crash trends at the Mountain Rd. / I-25 W. Frontage Rd. intersection, several recommendations are made:

1. Mask the green signal indicator at the E. Frontage Rd. to prevent confusion for drivers at the W. Frontage Rd.
2. Install lane configuration signage on the signal mast arm to clearly indicate the lane purposes for southbound traffic.
3. Implement bright yellow backplates on signal heads to enhance their visibility.

The recommendations in the Crash Analysis should have been done when we met with the City of Albuquerque in 2017. The Martineztown Santa Barbara Traffic Study February 2018 states "There were several comments regarding the intersection of Mountain Road and the I-25 Frontage Road. The comments received from the public were both for and against closing the intersection. This intersection is actually outside the scope of this project and is an ongoing project of the NMDOT. The NMDOT is currently doing improvements to the Frontage Road to try to reduce speeds and prevent accidents at the intersection."

There is no evidence that any of the recommendations made in the NMDOT study in 2018 or the Martineztown Santa Barbara Traffic Study that they were taken seriously to obtain the funding to improve the area.

These Crash Analysis accommodations are not sufficient. The City of Albuquerque Buses continue to crash at this corner and all 5-ton trucks continue to come down Mountain Road. I find this Crash Analysis to be extortion by the government to benefit the applicant.

Crash Analysis recommends to reduce crashes at the signalized intersection of Mountain Rd. / I-25 W. Frontage Rd.:

1. 1) Mask the green signal indicator at the E. Frontage Rd. so that it is not visible from the W. Frontage Rd.
2. 2) Construct lane configuration signage on the signal mast arm for the southbound approach on the W. Frontage Rd. to inform drivers that the far-left lane is a thru / left turn lane and the second from inside lane is a thru lane ONLY.
3. 3) Construct the bright yellow backplates on the signal heads at the intersection to improve visibility of the signals.

As I understand, the Crash Analysis the table is inaccurate and the recommendations by the neighborhood association are not included. The Analysis does not take into account that the South Frontage was an afterthought when the Interstate was being redeveloped. Jesse Lopez, SBMTNA Board Member was on the Interstate Committee and according to him Mountain Road was not an exit it was only Lomas. Drivers are coming up the hill on the south Frontage Road and are unable to see the light at the intersection. According to witnesses, more accidents have happened since the State Transportation made some small changes in or around 2018 such as cuts on the roadway and signal stating the light is red.

**SANTA BARBARA MARTINEZTOWN NEIGHBORHOOD
ASSOCIATION
EPC PR-2024-00976/AC-24-11 REMAND**

EXHIBITS

1. JULY 7, 2009 EMAIL FROM ISAAC BENTON FORMER CITY COUNCILOR TO CARMEN MARRONE STAFF PLANNER
2. PETITIONS TO OPPOSE THE ZONE MAP AMENDMENT TO MX-H
3. PICTURE OF DIESEL TRUCK

The Martineztown Santa Barbara Neighborhood residents oppose the proposed PR-24-009765, RZ-2024-00001, Zone Map Amendment from MX-M to MX-H for 1100 Woodward Place NE. The proposal is a spot zone and is not in character of the neighborhood. The application does not satisfy the IDO and legal requirements for changing the subject property's existing zoning. It also does not satisfy the day to day needs of the residents. This proposed zone map amendment from MX-M to MX-H is detrimental to the health, safety and welfare of the neighborhood. The neighborhood residents are already dealing with the health impact from the vehicle emissions at dangerously high levels from the interstate, and the heavy commercial uses surrounding the neighborhood, including over 2000 students and staff at Albuquerque High School and CEC School. This use will only increase the vehicles emissions with the City of Albuquerque recognizing is at unsafe levels.

Name Address Phone Number

Name	Address	Phone Number
Dalricia Duran	1300 Water NE	X
MARIE RITTER	1300 Water	
Nora Diaz	1300 Water NE	
Mary Duran	920 Armo NE	
Maciela Montano	724 Corbero Rd NE	
Polina ^{Josefa} Pizarro	919 Armo NE	
Adres Ayon	507 Rosemont NE 87102	
Benjamin A. (D) Pizarro	2428 Woodhill Dr. NE	
Julie Pizarro	556 W. 1st St NE	
Julie Chapman	1130 Waller St NE	505 507 2844
DAVID Astorga	1024 Edith NE	505 803 2615
Amanda Escobedo	1024 Edith NE	505 492 1998
ESTHER ESCOBEDO	1024 1/4 Edith NE	505 243 1950
JESSE LOPEZ	1127 Walter St. NE	
Patrick Arguelles	807 Mountain Rd NE	505-252-0225
Angeles M. Vigil	2714 Santa Clara SE	(505) 440-1514
Alonso Pizarro	706 Mt. Rd. W. E	505-243-2634
Ann Pizarro	614 Page Ave	(505) 720-2130
JOSUE APONTE	513 MARTINEZ	505-252-4179
Rachael Adams	City Hall - Albuquerque	888
El Pizarro	2324 Broadway NE	-

From: "Benton, Isaac" <ibenton@cabq.gov>
Date: July 7, 2009 at 3:35:19 PM MDT
To: "Marrone, Carmen M." <CMarrone@cabq.gov>, Barbara Herrington <bherrington@sites-sw.com>, Phyllis Taylor <ptaylor@sites-sw.com>, "Patten-Quintana, Lorena" <lpatten-quintana@cabq.gov>
Cc: "Shair-Rosenfield, Kara" <karasr@cabq.gov>, "Dineen, Richard W." <rdineen@cabq.gov>, "Westmoreland, Bill" <wwestmoreland@cabq.gov>, "Hern, Phillip L." <PHern@abcwua.org>, cmariehern@aol.com, mom2301br@aol.com, waxamus@hotmail.com, lnjalopez@msn.com
Subject: RE: Mountain Road Update

Carmen, et al,

There are no "new proposals/solutions" for Mountain Road other than dealing with the UNM master plan and the I-40 ramp access, which the sector plan draft did not address and which I will remain very involved with. I am responding and will continue to respond to my constituents, as likely will the Mayor. Such responses become necessary when things drag on for too long, and not all the right players are brought to the table. The update of the plan has taken an eternity and is more contentious than it should be.

My efforts have been entirely in support of the Sector Plan, and I asked Mr. Westmoreland to help us with a few key questions. There is no duplication of work here; our meeting, which I thought was very productive, was not to plan for Mountain Road - it was to DO something in the near term about the dangerous and undesirable conditions that have existed on Mountain for years that have yet to be addressed.

Why don't we stop being so territorial, get down to business, and get things done. This is a community effort, not a work of art, and the more involvement

and support the better. I, for one, welcome the Mayor's involvement in this effort and hope that it will result in something actually getting done for the people on Mountain Road and in Martineztown/Santa Barbara.

Isaac Benton

-----Original Message-----

From: Marrone, Carmen M.
Sent: Mon 7/6/2009 3:41 PM
To: 'Barbara Herrington'; Phyllis Taylor; Patten-Quintana, Lorena
Cc: Benton, Isaac; Shair-Rosenfield, Kara; Dineen, Richard W.; Westmoreland, Bill
Subject: RE: Mountain Road Update

Barbara and others,

It seems that there is a lot of interest in fixing the traffic problems along Mt. Rd. While this is a good thing, I am concerned that we have too many cooks in the kitchen. As part of the Martineztown/Santa Barbara Sector Plan Update, Lorena has been working with property owners along Broadway, including the Post Office to address traffic on Mt. Rd and she has recently met with DMD and Wilson & Company to decide on temporary solutions along Mountain Road during the construction of the storm drain project. UNM is working on updating their Master Plan and is coordinating with us on the redesign of the intersection of Mountain Road & the west frontage road. Elected officials, representing the community, are holding separate meetings with the community and discussing possible solutions, and the consultant is attending meetings separate from the Planning Department who hired them to complete the sector plan update. On top of all this, we now have the Mayor's Office involved.

With so many different entities involved in the planning of Mt. Rd, there needs to be better communication and coordination in order to avoid duplication of work. The Planning Department is trying to complete the update of the Martineztown/Santa Barbara Sector Plan by next month which includes proposals for improving Mt. Rd. In order to complete the updated Plan, we need to be kept in the loop on any new proposals for Mt. Rd. Please coordinate with Lorena Patten-Quintana, Project Manager of the Sector Plan update regarding any new proposals for Mt. Rd. She has knowledge of the issues and constraints as well as the realistic solutions along this stretch of road. This knowledge could be helpful to those who are researching new

solutions.

Thank you for your cooperation,

Carmen Marrone
Manager, Long Range Planning
Planning Department

From: Barbara Herrington [<mailto:bherrington@sites-sw.com>]

Sent: Thursday, July 02, 2009 6:00 PM

To: Phyllis Taylor; Marrone, Carmen M.; Patten-Quintana, Lorena

Cc: Eric Wrage

Subject: Mountain Road Update

Loretta asked me to come to a neighborhood meeting this afternoon with Councilor Benton on Mountain Road to explain our recommendations for Mountain Road.

The Councilor has involved Bill Westmoreland from Mayor Chavez's office specifically to deal with this issue. The neighborhood residents reiterated their problems with Mountain Road. I explained our proposals and answered some questions.

1) Councilor Benton said he had met with both the UNM planners and the private property owners along Broadway (NAIOP reps).

His position is that the trucks going to businesses along Broadway can use Lomas or Odelia and don't need to use Mountain; he said the property owners really couldn't justify why they needed to use Mountain. He said he had been told by UNM planners (as were Lorena and I) that our proposed changes to Mountain Rd. will not affect them.

2) Apparently Rep. Heinrich has spoken with the Post Office and told them their trucks also needed to use Lomas, not Mountain. They are working on other entrances to the facility from Broadway, closer to Lomas. Neighbors have noticed the difference on Mountain Road.

3) Councilor Benton and Bill Westmoreland are exploring an option to block right turn access onto Mountain from the frontage road and to restrict eastbound traffic on Mountain to a right-turn-only onto the frontage road. UNM is only interested in traffic being able to get to and from their new facility from the interstate. They are going to discuss this option with others, such as Embassy Suites, Tri-Core

and others in the neighborhood.

- 4) Bill is going to investigate the collector status and prohibition on truck restrictions, as well as what happened to the original I-25 plans viewed by the Interstate Committee that did block access to Mountain Road.
- 5) The Councilor is planning to add funding to the storm drain project for the City to get started on implementing the Mountain Road changes while they are digging up the street, such as the restriping and adding the bicycle lanes. The rest of the project may have to be funded through the next bond cycle (2012). He is looking at transportation tax funds. This all depends on voter approval of both the bonds and the tax.

That's it. I will see you next Thursday. Are there any compiled neighborhood comments on the zoning that I could review before we meet?

Barbara

BARBARA S. HERRINGTON
PROJECT MANAGER

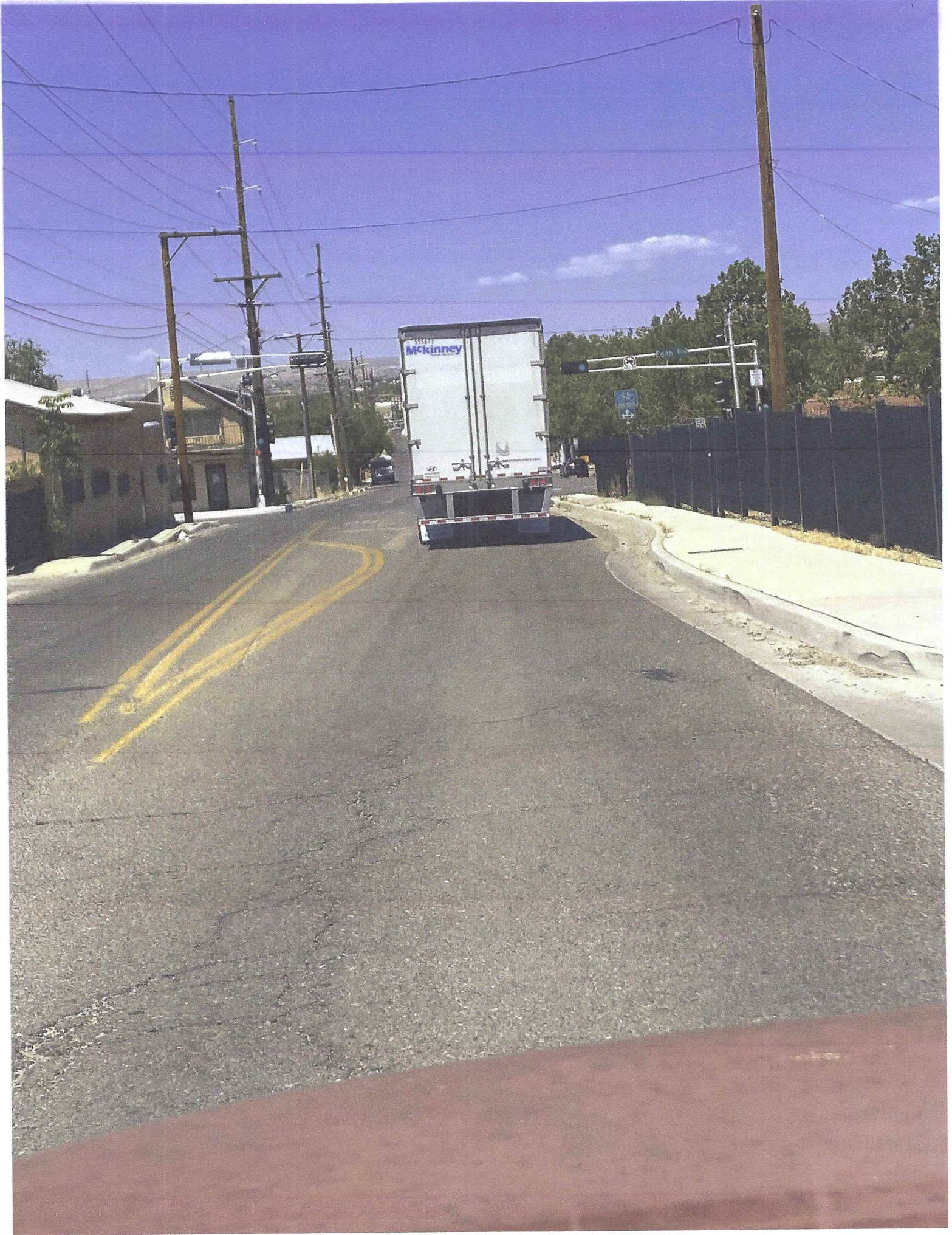
sites southwest

ALBUQUERQUE EL PASO

EMAIL: bherrington@sites-sw.com <<mailto:B@sites-sw.com>>

WEB: www.sites-sw.com <<http://www.sites-sw.com/>>

ABQ PH: 505.822.8200



SANTA BARBARA MARTINEZTOWN

EXHIBITS

FOR

Project #: PR-2024-009765 Case #: RZ-2024-00001

1. Exhibit 1 – Fairway Village Neighborhood Council Inc vs. Board of Commissioners of Dona Ana County and Picacho Hills Development.
2. Exhibit 2 – Impacts of High-Density Developments on Traffic and Health Report (HIA Report)
3. Exhibit 3 – Martineztown Santa Barbara Sector Development Plan Draft – August 2010
4. Exhibit 4 – R-20-75
5. Exhibit 5 – Technical Memorandum – Martineztown Santa Barbara Traffic Study
6. Exhibit 6 – AC-20-9 – Conditional Use for Construction Yard
7. Exhibit 7 – Martineztown Santa Barbara Traffic Study
8. Exhibit 8 – Albuquerque New Mexico Heat Watch Report
11/11/21
9. Exhibit 9 - Petition Signatures

July 15, 2024

SBMTNA SUPPLEMENTAL REVIEW OF THE REQUEST FOR A ZONE MAP AMENDMENT FROM MX-M TO MX-H FOR 1100 WOODWARD NE

Steve Chavez, Land Use Hearing Officer states that after reviewing the record, listening to arguments and cross examination testimony, he found that the application that the EPC relied on material inaccurate and conflicting evidence that was submitted by the City of Albuquerque Staff Planner. As a result, LUHO remanded the case back to EPC.

LUHO made it clear that the Gateway site plan for subdivision is material to the zone amendment. LUHO further states the staff planner failed to advise the EPC that ***CPO-7 overlay regulations are or could be supplanted by the design standards incorporated in and with the 1994 site plan for subdivision and that the MX-H transition recommended by staff is erroneous.***

The Hearing Officer further states that the proposed ***zone creates a spot zone.*** Because the existing zoning at the site is MX-M not C-3, EPC finding 12.C is erroneous. He further states that there is insufficient evidence that the proposed MX-H zone is different from surrounding zone districts and that it can function as a transition between adjacent zone districts. ***SBMTNA supports the LUHO's statement.***

The applicant for PR-2024-009765, RZ-2024- 00001 is Cross Development, the property owner is on record John Q. Hammons, LLC. The agent is Tierra West LLC. The legal description is all or a portion of Tract A Plat of Gateway Subdivision, the location is 1100 Woodward Place NE, between Mountain Road and Lomas Boulevard, the size is approximately 3.0 acres. The existing zoning is MX-M and the proposed zoning is MX-H.

The applicant has not adequately justified the request pursuant to IDO Review and Decision Criteria 14-16-6 7(G)(3) based upon the proposed zoning is **not** more advantageous to the community than the current zoning because it would not facilitate a preponderance of applicable Goals and policies, 4.1 to preserve and protect the historical residential neighborhood.

The subject site is vacant and surrounded by the frontage road that has the highest fatalities in all of Albuquerque including, two high schools to the north that has approximately 4000 students a day, and the 2 Steps Ahead Learning Center with up to 100 children, to the west is the historical residential Martineztown single family dwellings, and TRICOR to the southwest is New Heart Cardiac Rehabilitation and Prevention Program, southeast is Embassy Suites (owner John Q. Hammons, applicant), and further south at 505 Elm Street NE is the Lovelace UNM Rehabilitation Hospital, Medical Arts UNMH outpatient Rehab Service, 1025 Medical Arts Avenue NE, Odelia Healthcare, Rehabilitation Center and Physical Therapy, 1509 University Blvd N, Kindred Hospital 700 High Street NE, Albuquerque is for treatment and rehabilitation. The subject site directly abuts I-25 and Frontage Rd S. to the east.

The subject site has been used for special events and over flow of parking by Embassy Suites. The old “site plan” was not complete. The site plan is not readable on some parts, the site development plan does not follow the requirements on Lot 3, the Embassy Suites is on two of the lots that required different development than the current hotel, and the subject property on the “site development plan” states it is for general offices.

The subject site is located in an Area of Change as designated by the Comprehensive Plan and is side by side in an Area of Consistency which requires the City of Albuquerque to protect and preserve the neighborhood. **It is not located within a designated Center.**

The subject site is also located within the Santa Barbara Martineztown Character Protection Overlay Zone (CPO-7), and thus must adhere to the standards associated with this Overlay Zone. CPO-7. (See LUHO Remand, July 3, 2024)

The subject site is included in the Central Albuquerque Community Planning Assessment (CPA) area. The Central ABQ Community Planning Area (CPA) is currently being updated and the Historic Neighborhood Alliance has asked to have input in the plan and is waiting for a scheduled meeting to address our concerns.

ANALYSIS of APPLICABLE ORDINANCES, PLANS, AND POLICIES

The subject site is zoned MX-M [Mixed-use – Medium Intensity Zone District, IDO 14-16-2-4(C)], which was assigned upon adoption of the IDO as a conversion from the former SU-2 (C-3) Heavy Commercial zone corresponds to the C-3 Zone with the following exceptions A. Permissive Uses 1. Uses permissive and regulated in the C-2 zone. E. Height Structures shall not exceed 26 feet in height...

CHAPTER 4: COMMUNITY IDENTITY

GOAL 4.1 - CHARACTER: Enhance, protect, and preserve distinct communities

It is clear that the request would not protect and preserve distinct communities, higher intensity uses are not permissive in the existing residentially zoned portions of the SB/MT neighborhood. The HNDEF Plan 2022 states it will displace the residents that live in the neighborhood. The MX-M zone is detrimental to the neighborhood which is already causing cultural genocide. **The request does not clearly facilitate Goal 4.1 – Character.**

POLICY 4.1.1 – DISTINCT COMMUNITIES: Encourage quality development that is consistent with the distinct character of communities.

The request is detrimental to the residential area. The existing varying intensity of uses are contributing to the neighborhood children’s learning abilities and causing many health issues. The City of Albuquerque continues to perpetuate racial inequities in the Santa Barbara Martineztown Neighborhood by allowing industrial, manufacturing next to the existing historical residential neighborhood. The request locates a hospital use within 330 feet of existing residential zoned parcels. The old site development plan for the subject site provides a specific use for the subject site (General Office), the requested zone map amendment (if approved) would

change the intent of future development of the site to a proposed hospital use. The office use is an accepted transition than a 24 hours hospital. The request does not facilitate Policy 4.1.1. Distinct Communities.

POLICY 4.1.2 – IDENTITY AND DESIGN: Protect the identity and cohesiveness of neighborhoods by ensuring the appropriate scale and location of development, mix of uses, and character of building design.

The request will not protect the identity and cohesiveness of the surrounding neighborhood because the height of these uses over shadow the neighborhood and bring uses that are detrimental to the health, safety and welfare of the residents. residentially zoned parcels as articulated by the controlling Gateway Center Site Development Plan. The request is not consistent Policy 4.1.2 Identity and Design.

POLICY 4.1.4 – Neighborhoods would be violated by not enforcing the historical protection to enhance, protect and preserve the historical residential neighborhood and traditional communities as key to our long term. Based on this Goal, the more restrictive zoning is required to be applied.

THE ABQ COMP PLAN PART 14-16-1 GENERAL PROVISION PURPOSE 1-3 (A-L) – The proposed use will bring increased large diesel trucks and other traffic to an already congested area, having a detrimental effect on health, safety and welfare, particularly given the location of the subject property next to the freeway, frontage road, and congested Mountain Road NE.

ABQ COM PLAN INTRODUCTION ON ENVIRONMENTAL JUSTICE – The negative effects are unfairly focused on a vulnerable population in an historic residential neighborhood.

According to **5-9(A) PURPOSE** This Section 14-16-5-9 is intended to preserve the residential neighborhood character of established low-density residential development in any Residential zone district on lots adjacent to any Mixed-use or Non-residential zone district.

PART 1.4 LEGAL PURPOSE OF THE COMP PLAN – The Comp Plan purpose in the NMSA 1978, Section 3-19-9(A) is “to guide and accomplish a coordinated, adjusted and harmonious development of the City of Albuquerque ..., Promote health, safety, morals, This proposed hospital will be out of harmony with existing and future needs of the neighborhood, because of the negative impacts on environment, health, safety and welfare. (See Health Impact Study Report)

5-9(B) APPLICABILITY 5-9(B)(1) Protected Lots the Neighborhood Edges provisions in this Section 14-16-5-9 are intended to protect lots in any R-A, R-1, R-MC, or R-T zone district that contains low-density residential development. The general requirement 5-9(C) Building Height **5-9(C)(2) General Requirement** on Regulated Lots, any portion of a primary or accessory building within 100 feet of the nearest Protected Lot property line shall step down to a maximum height of 30 feet. (See figure below.)

Generally, the permissive uses allowed in the MX-H zone district are more more detrimental to those allowed in the MX-M zone district and are ***detrimental to any residential neighborhood including Martineztown Santa Barbara Neighborhood.***

POLICY 5.1.1(C)

It is important to protect the public health and safety by separating residents, children and youth from high intense land uses. Policy 5.6.3(a-j)Areas of Consistency – Protect and enhance the character of existing single-family neighborhoods. The request will result in an incompatible use that should be located in the westside of the city of Albuquerque next to the hospitals were jobs are needed. The area is already over developed and has sufficient physical therapy hospitals. The use will be next to an old historical roadway that cannot carry any more traffic and will eradicate the historical area over time. The request is better served on the westside where there is a larger population and a greater need. The request is not consistent with Sub-Policy 5.1.1(c).

POLICY 5.1.2 DEVELOPMENT AREAS: Direct the physical therapy in the westside to more intense growth to centers and corridors and use development areas to establish and maintain appropriate density and scale of development within or side by side Areas of Consistency. The request is not consistent with this policy.

Policy 5.1.10 Major Transit Corridors: Foster corridors that prioritize high frequency transit service with pedestrian-oriented development.

The proposed use is for patients that need rehabilitation. The transit service will not be utilized by these patients or the people that visit them.

Goal 5.2 Complete Communities: Foster communities where residents can live, work, lean, shop, and play together.

The request is for an MX-H zone district which allows a broader mix of higher-intensity land uses that are not compatible to a historical residential area. The subject site is currently vacant and surrounded by a two high schools and another children’s school to the north, to the west single-family dwellings and Tri Core, and directly south is New Heart Physical Therapy facility and Embassy Suites. This development would not add to these types of land uses. The current site is used by Embassy Suites for over flow of parking and special events. There is nothing at this location that the residents would use. The youth may go to the high schools, but nothing at Gateway would foster communities where residents can live, work, lean shop and play. The requests do not facilitate this policy.

Policy 5.2.1 Land Uses: Create healthy, sustainable, and distinct communities with a mix of uses that are conveniently accessible from surrounding neighborhoods.

The request does not create a healthy, sustainable, and distinct community with a mix of uses that are conveniently accessible from surrounding neighborhoods. There is nothing the residents would need at this location. The transit system has minimal usage along Mountain Road. The request does not facilitate Policy 5.2.1 Land Uses.

Policy 5.2.1 a): Encourage development and redevelopment that brings goods, services, and amenities within walking and biking distance of neighborhoods and promotes good access for all residents.

The request does not encourage development that brings goods, services, and amenities within walking and biking distance of neighborhoods and does not promote good access for all residents.

The MX-H zone is detrimental to any neighborhood. The office uses in the old site plan is an 8 am to 5 pm office use. This would be better than a 24-hour service with traffic all night long. The request does not facilitate Policy 5.2.1 a.

Policy 5.2.1 e): Create healthy, sustainable communities with a mix of uses that are conveniently accessible from surrounding neighborhoods.

The request would not create a healthy, sustainable community. There is already a mix of uses. The hospital would not be a conveniently accessible use for the surrounding neighborhoods because the MX-H zone district would allow higher-intensity land uses on the subject site, which is incompatible to neighborhoods. The neighborhood does not need another rehabilitation hospital. The request does not facilitate Policy 5.2.1 e).

Policy 5.2.1 h): Encourage infill development that adds complementary uses and is compatible in form and scale to the immediately surrounding development.

The request does encourage infill development. The hospital is not a complementary use and is not compatible in form and scale to the immediately surrounding area. The uses and standards allowed in the MX-H zone district are not similar to the surrounding properties zoned MX-M. The request does not facilitate Policy 5.2.1 h).

Policy 5.2.1 n): Encourage more productive use of vacant lots and under-utilized lots, including surface parking.

The request does not encourage more productive use of vacant lots and under-utilized lots Development can be made possible under the MX-M zone with more compatible use such as general offices. The current vacant lot has been used for many special events and over flow of parking for Embassy Suites. The request does not facilitate Policy 5.2.1 n).

Goal 5.3 Efficient Development Patterns: Promote development patterns that maximize the utility of existing infrastructure and public facilities and the efficient use of land to support the public good.

Future development on the subject site featuring uses allowed in the MX-M Zone District supports the public good by building a swimming pool for AHS and Open Space to protect the residents from the environmental impacts of the freeway. This type of use would keep the existing traffic which is already over capacity. The request for MX-H zone does not facilitate Goal 5.3 Efficient Development Patterns.

Policy 5.3.1 Infill Development: Support additional growth in areas with existing infrastructure and public facilities.

The subject site is a vacant infill site located in an area already served by existing infrastructure and public facilities. The request is for an incompatible use for the subject site. The site is now utilized by Embassy Suites for over flow of cars and special events. The current MX-M allows for future growth. The City of Albuquerque should require a use that will protect and preserve the residential area in order to be consistent Policy 5.3.1 Infill Development.

Policy 5.3.2 Leapfrog Development: Discourage growth in areas without existing infrastructure and public facilities.

The subject site is zoned MX-M and is located in an area already served by existing infrastructure and public facilities. Any development made possible by the current zoning could result in infill development of the currently subject site. This request does not facilitate Policy 5.3.2 Leapfrog Development since the current zone allows development. The issue is the overcapacity of traffic in an area that is over developed and the detriments of this traffic to nearby residents and students. The westside has existing infrastructure where this development is more suited to be built.

POLICY 5.3.7 – Locally Unwanted Uses: Ensure that land uses that are objectionable to immediate neighbors but may be useful to society are located carefully and equitably to ensure that social assets are distributed evenly and social responsibilities are borne fairly across the Albuquerque area.

The applicant is proposing a use that is already available to the nearby community. The proposed use would be better served on the westside in a large community for healthcare. The westside is in desperate need of jobs. **The request does not facilitate Policy 5.3.7 Locally Unwanted Land Uses.**

POLICY 5.3.7(b) – Ensure appropriate setbacks, buffers, and/or design standards to minimize offsite impacts.

The site plan will not ensure appropriate setbacks, buffer, and or design standards to minimize offsite impacts. The proposal does not meet the CP0-7 of 26 feet in height. The 55 feet is out of character for the neighborhood, but more importantly the added traffic from this facility will be detrimental to the neighborhood. **The request is not consistent with Sub Policy 5.3.7(b).**

Goal 5.6 City of Albuquerque of Albuquerque Development Areas: Encourage and direct growth to Areas of Change where it is expected and desired and ensure that development in and near Areas of Consistency reinforces the character and intensity of the surrounding area.

The subject site is located in an Area of Change and side by side in an Area of Consistency, where growth is not expected nor desired. Any future development on the subject site, which has been regularly used by Embassy Suites for overflow of parking and Special events, will increase an already environmentally impact area for residents and children and youth and create more traffic problems including increase in fatalities.

Due to the standards established by the CPO-7 Overlay Zone, including site standards, setback standards, and building height standards, any future development needs to adhere to CPO-7 standards in order to be compatible in form and scale to the immediately surrounding area, where CPO-7 standards also apply. The future development would not reinforce the character and intensity of the surrounding area residential area. The request does not facilitate this goal because it is out of character and will be developed in an area that has over built with medical facilities. The intensity and density are out of character with the residential area. General Offices is much preferred.

Policy 5.6.2 Areas of Change: Direct growth and more intense development to Centers, Corridors, industrial and business parks, and Metropolitan Redevelopment Areas where change is encouraged.

The request should be located in Centers and Corridors area where change is encouraged. The City of Albuquerque of Albuquerque of Albuquerque over built this area. Mountain Road cannot accommodate any more traffic. There are accidents on the frontage road, Lomas, Mountain Road NE every day.

The allowable uses and development standards associated with the MX-M zone support transit and commercial and retail uses. The request clearly does not facilitate Policy 5.6.2 d. The MX-M is already detrimental to nearby residents and MX-H will be more detrimental. The patrons of the hospital will not be using the transit system and neither will the employees or visitors.

Chapter 8: Economic Development

Policy 8.1.1 Diverse Places: Foster a range of interesting places and contexts with different development intensities, densities, uses, and building scales to encourage economic development opportunities.

The current MX-M fosters a range of interesting places and contexts with different development intensities, densities, uses, and building scales. The MX-H zone district allows higher- intensity land use than the MX-M zone district, which will be detrimental to the neighborhood. Economic development opportunities should never be a factor for a zone map amendment. However, according to the Housing and Neighborhood Economic Development Fund (HNEDF) Plan states “Higher rents, lower vacancies, and increasing demand for new real estate development characterize the office, industrial, retail, and multi-family rental markets since 2002 and suggest that while the real estate market in the Pocket is growing, these conditions have not improved local residents’ economic prospects.” The HNEDF further states these economic prospects will create inhospitable economic conditions, displacement of

residents, and overall gentrification. This type of development would not improve economic conditions for local residents.

The request does not facilitate Policy 8.1.1., The subject site is currently vacant and being used as surface parking and for special events.

CHAPTER 8: ECONOMIC DEVELOPMENT

GOAL 8.1 – PLACEMAKING: Create places where businesses and talent will stay and thrive.

City of Albuquerque of Albuquerque staff states, “It is unclear from the applicant’s response how the requested zone map amendment will lead to a place where businesses and talent will stay and thrive. No studies or statistical data has been provided by the applicant to demonstrate or confirm that this will be the case.” SBMTNA agrees, but also understand that economics should not be a part of the decision of a zone map amendment. **The request does not facilitate Goal 8.1 Placemaking.**

POLICY 8.1.1 DIVERSE PLACES: Foster a range of interesting places and contexts with different development intensities, densities, uses, and building scales to encourage economic development opportunities.

The request is not an interesting place since it is available in the surrounding area. The area is over developed with medical facilities. The proposal is located within the Gateway Site Development Plan for Subdivision which has already created a traffic problem in this area and brings unwanted traffic into the neighborhood. **The request does not facilitate Policy 8.1.1. – Diverse Places already exist.**

POLICY 8.1.1(a) – Invest in Centers and Corridors to concentrate a variety of employment opportunities for a range of occupational skills and salary levels.

The request is required in the westside where employment is needed. **The request is doe not facilitate Sub Policy 8.1.1(a) to concentrate in an area with Centers and Corridors.**

POLICY 8.1.1.(c) – Prioritize local job creation, employer recruitment, and support for development projects that hire local residents.

Staff states, “The request could prioritize local job creation and recruitment during the construction phase of the proposed development; however, staff notes that the applicant’s (Nobis Rehabilitation Partners) headquarters is located in Allen, Texas. It is therefore unclear how the proposed use will continue to prioritize local job creation and hire local residents.” SBMTNA agrees. **The request does not facilitate Policy 8.1.1(c).**

POLICY 8.1.2. RESILIENT ECONOMY: Encourage economic development efforts that improve quality of life for new and existing residents and foster a robust, resilient, and diverse economy.

The HNDEF Plan 2022 states it will be detrimental to the neighborhood. The neighborhood will be displaced. A use that is more compatible to the school and neighborhood needs to be developed on this lot. . **The request does not facilitate Policy 8.1.2 – Resilient Economy when reports state that there is a greater need of economic development in the westside where there is a larger concentration of people.**

GOAL 8.2 – ENTREPRENEURSHIP: Foster a culture of creativity and entrepreneurship and encourage private businesses to grow.

Staff states, “While the request may result in encouraging a private business to grow on the subject site, it is unclear from the applicant’s response how this would foster a culture of creativity and entrepreneurship given the permissive uses under the MX-H zone district.” SBMTNA agrees. **The request does not facilitate Goal 8.2 – Entrepreneurship since the jobs at the hospital are for educated and trained physical therapist, nurse and doctors who work for the hospital.**

Integrated Development Ordinance (IDO) 14-16-6-7(G)(3)-Review and Decision Criteria for Zone Map Amendments

The review and decision criteria outline policies and requirements for deciding zone change applications. The applicant must provide sound justification for the proposed change and demonstrate that several tests have been met. The burden is on the applicant to show why a change should be made.

The applicant must demonstrate that the existing zoning is inappropriate because of one of three findings: 1) there was an error when the existing zone district was applied to the property; or 2) there has been a significant change in neighborhood or community conditions affecting the site; or 3) a different zone district is more advantageous to the community as articulated by the Comprehensive Plan or other, applicable City of Albuquerque of Albuquerque plans.

The subject site is currently zoned MX-M (Mixed-use Medium Intensity). The requested zoning is MX-H (Mixed-use High Intensity). The reason for the request is to facilitate the development of an Inpatient Rehabilitation Facility (IRF).

The Santa Barbara Martineztown Neighborhood Association understands that the proposed zone change does not meet the zone change decision criteria in IDO §14-16-6-7(G)(3). **The request is an illegal spot zone. The existing MX-M is detrimental to the neighborhood and neighborhood has asked for years for the City of Albuquerque of Albuquerque to stop the environmental impacts and preserve and protect the neighborhood. The HNDEF Plan 2022 and the Health Impact Study clearly defends the neighborhoods repetitive requests to protect the health, safety and welfare of the residents and repeatedly the request has been on deaf ears. (See**

A. A proposed zone change must be found to be consistent with the health, safety, and general welfare of the City of Albuquerque of Albuquerque as shown by furthering (and not being in conflict with) a preponderance of applicable Goals and Policies in the ABC Comp Plan, as amended, and other applicable plans adopted by the City of Albuquerque of Albuquerque.

This request is a spot zone, the applicant must “clearly facilitate” implementation of the ABC Comp Plan (see Criterion H). ***The request is not consistent with the City of Albuquerque of Albuquerque’s health, safety, morals and general welfare. The response by the applicant is not sufficient to Criterion A. The traffic impact will be detrimental and the hospital will cause displacement of residents and gentrification.***

B. The proposed amendment is not located in just an Area of Change (as shown in the ABC Comp Plan, as amended), it is side by side to an Area of Consistency next to a narrow historical road and in area that has the highest fatalities in all of Albuquerque. The applicant has demonstrated that the new zone would destroy the established character of the surrounding Area of Consistency and would permit development that is significantly different from the historical low density single-family dwellings. The City of Albuquerque of Albuquerque of Albuquerque has perpetuated racial inequities in our area and continues to allow uses that are not compatible to residential area. The applicant must also demonstrate that the existing zoning is inappropriate because it meets any of the following criteria:

1. There was no typographical error when the Zoning was applied. There was not a typographical or clerical error. ***The MX-M was approved during the initial approval of the IDO and then staff provided another chance for property owners to apply for a Zoning Conversion. The property owner was not allowed to go to a higher intense use, but could recommend a down zone.***
2. There have not been significant changes in the neighborhood. ***The historical single-family dwellings existed since 1850. What has been a detriment to the neighborhood is Gateway. The uses are not compatible and are detrimental to neighborhood. The MX-H is not compatible and will not complement the neighborhood. (See the Health Impact Study and HNEDF Plan 2022, page 16)***
3. ***A MX-H district will not be advantageous to the community as articulated by the ABC Com Plan, policy 4.1 to protect and preserve the neighborhood. As stated in the HNEDF Plan the proposal will be economical disastrous. The City of Albuquerque of Albuquerque has failed to protect the neighborhood from gentrification and cultural genocide. (See HNEDF Plan 2022 Plant) There are sufficient Rehabilitation Hospitals nearby. The City of Albuquerque of Albuquerque over developed the area with uses that are not compatible and detrimental to the neighborhood.***

The subject site is in an Area of Change and side by side in an Area of Consistency.

C. If the proposed amendment is located in an Area of Change and side by side an Area of Consistency (as shown in the ABC Comp Plan, as amended) and the applicant has demonstrated that the existing zoning is inappropriate because it does not meet any of the following criteria:

1. There was typographical or clerical error when the existing zone district was applied to the property.
2. There has been a significant change in neighborhood or community conditions affecting the site that justifies this request.
3. A different zone district is more advantageous to the community as articulated by the ABC Comp Plan, as amended (including implementation of patterns of land use, development density and intensity, and connectivity), and other applicable adopted City of Albuquerque of Albuquerque plan(s).

The subject property is within an Area of Change and next to Area of Consistency. There was no typo graphical error when the zoning was applied. There have not been significant changes in the neighborhood. The residential area still exists. The high schools still exist. Along with the adoption of the IDO the zoning designation of the subject site was changed from C-2 (Heavy Commercial Permissive Uses) to MX-M. The MX-H is a high intense use that will not benefit the surrounding neighborhood and will not facilitate the implementation of the applicable Goals and Policies in the ABC Comp Plan to protect and enhance the historical neighborhood. These Goals and policies are not supported because the request will not protect the health safety and welfare of the residents and is not compatible to a historical residential neighborhood.

D. The zone change does not include permissive uses that are harmful to adjacent property, the neighborhood, or the community, unless the Use-specific Standards in Section 16-16-4-3 associated with that use will adequately mitigate those harmful impacts.

The uses in the MX-M are already harmful to the neighborhood. The high intense use of the MX-H will only exacerbate the situation. The HIA report states that the government should alleviate the traffic. The report indicates it is not trying to alleviate the traffic situation it is increasing the traffic. The report further states the environment the neighborhood is living in that the government created is impacting the children's ability to learn and impacts their health. The permissive use and proposed uses are harmful to adjacent property, neighborhood and community.

E. The City of Albuquerque of Albuquerque's existing infrastructure and public improvements, including but not limited to its street, trail, and sidewalk systems meet 1 of the following requirements:

1. Have adequate capacity of Albuquerque of Albuquerque to serve the development made possible by the change of zone. **There is adequate capacity of Albuquerque under the current zone. The rehabilitation hospital service is already provided through the community.**

2. Will have adequate capacity of Albuquerque based on improvements for which the City of Albuquerque has already approved and budgeted capital funds during the next calendar year. There is no budget to try to alleviate the current issues with traffic. The State needs to go back to the drawing board and build the south frontage road to only exit at Lomas.

3. Will have adequate capacity of Albuquerque when the applicant fulfills its obligations under the IDO, the DPM, and/or an Infrastructure Improvements Agreement. ***There will be no adequate capacity.***

4. Will have adequate capacity when the City of Albuquerque and the applicant have fulfilled their respective obligations under a City of Albuquerque - approved Development Agreement between the City of Albuquerque and the applicant.

The request does not meet the criteria. The City of Albuquerque has done nothing to alleviate the existing problems with traffic. The proposed increase of traffic exasperates the situation.

F. The applicant's justification for the requested zone change is not completely based on the property's location on a major street.

The location of the subject site is not appropriate for the requested Zone Map Amendment based on the ABC Comp Plan and the studies done in the area demonstrate that this request will be detrimental to the neighborhood residents and youth at the high schools

G. The applicant's justification is not based completely or predominantly on the cost of land or economic considerations.

The zone map amendment from MX-M to MX-H will not benefit the surrounding neighborhood because it does not meet the ABC Comp Plan goals to preserve and protect the neighborhood. The applicant's justification based upon economic considerations should never be considered. The HNEDF Plan 2022 states this request for zone map amendment is to allow a hospital which will create inhospitable economic conditions.

H. The zone change does apply a zone district different from surrounding zone districts to one small area or one premises (i.e., create a "spot zone") or to a strip of land along a street (i.e., create a "strip zone") unless the change will clearly facilitate implementation of the ABC Comp Plan, as amended, **and** at least one of the following applies. 1.2.3.

According to the LUHO, the request is a spot zone because it would apply a zone different from surrounding zone districts. The proposed zoning MX-H will not function as a transition between adjacent zones. The zones are MX-T to the north, R-1 to the east and Mx-M and Mx-M to the south. The proposed zone will not facilitate implementation of the Comprehensive Plan. The applicant has not demonstrated that subject site could function as a transition between the MX- M and MX-T zones. The east side of the property is the frontage road and freeway. The subject site is located within the CPO-7 Overlay Zone and the standards associated with this Overlay Zone require only 2 story 26 feet.

As required, the applicant has shown that the request will not clearly facilitate implementation of the ABC Comp Plan by preserving and protecting the residential neighborhood. The proposed use is already available in the surrounding area.

CONCLUSION

The applicant is requesting a zone change from MX-M zoning to MX-H zoning, which would **result in a spot zone**. The request could facilitate a pool for the High Schools and Open Space to protect the residents from the air pollution associated with the frontage roads and freeway. The proposed future development of a hospital use can be built today with only 26 feet in height and 20 beds. This will clearly bring more traffic that Mountain Road cannot accommodate, but the City of Albuquerque failed to vision the over built environment in this area and allowed incompatible uses that are detrimental to the neighborhood

The applicant does not adequately justify the request based upon the proposed zoning is not more advantageous to the community than the current zoning because it would not facilitate a preponderance of applicable Goals and policies. The applicant's responses to the Review and Decision Criteria for Zone Map Amendments established in 14-16-6-7(G)(3) of the IDO are not sufficient.

The applicant is still proposing a 3-story building which originally was designed for 60 beds. I find this deceiving to say the least when the proposal all along has been for 60 beds. **The old site plan required general offices which SBMTNA understands to be more compatible – 8 am to 5 pm service and not a 24-hour service.**

The proposed amendment to MX-H does not align with the City of Albuquerque ABC Comprehensive Plan. The neighborhood does not need more traffic, air and noise pollution. The City of Albuquerque has over developed in this area with healthcare services and the hospital does not meet the needs of the longtime residents in the neighborhood.

The site is located within the Central ABQ Community Planning Area which is designated as Area of Consistency. It is next to a historical single family residential neighborhood, a low-density development and next 4000 students that attend the two high schools as well as a day care center with 100 children. The commercial uses do not provide the day to day needs of the neighborhood. The buses that go down Mountain Road are rarely used.

Santa Barbara Martineztown Neighborhood Association met with the applicant. **The concerns SBMTNA had is regarding the Higher Intensity use of the MX-M, is the spot zone**, the increase in traffic, the current traffic congestion, safety, the environmental impacts from the freeway and frontage road, as well as the highest fatality rate of accidents in all of Albuquerque. The neighborhood association recommended the hospital to be built in westside near the hospitals since the roadways can accommodate this type of traffic and the need is much greater. The neighborhood area is saturated with rehabilitation hospitals.

The amendment does not facilitate the ABC Comp Plan's goals. Economics are not to be a factor in a zone map amendment. Due to the historical area, and the establishment of MX-M zone the is allowed to develop a 20-bed hospital. The proposed MX-H zone and the proposed hospital will interfere in the quality of life of the residents. The 48-bed hospital is detrimental to the residents. A facility which allows up to 60 beds would be more than adequate to address the needs of Albuquerque in the westside near the hospitals where there is a larger population.

The request is a spot zone. To the north is MX-T to the west is MX-M and R-1, to the south is MX-M and to the east is the frontage roads and the Interstate. The Albuquerque's Comprehensive Plan goals advocates for infill development that meets the needs of the residents. The efficient land use would be a swimming pool for the high schools and open space to protect the residents from the environmental impacts of the freeway. The City of Albuquerque already over developed south of Lomas.

SBMTNA understands that the City of Albuquerque has continued to perpetuate racial inequities in this neighborhood. In 2017, SBMTNA was involved in the discussion with the City of Albuquerque regarding the Traffic Impact Study for the neighborhood.

For the last two years, the City of Albuquerque has submitted the roundabout for Edith and Mountain to the Legislature and no money has been provided to get this project moving. Why now that this illegal request of a spot zone proposed hospital us are these recommendations made in this Crash Analysis. Why not in 2017 did the City of Albuquerque and State request funding for the roundabout at Edith and Mountain, cross walk with light for the youth at CEC and AHS, cross walk with median to prevent five-ton trucks from turning down at Mountain and South Frontage, a left turn only at the South Frontage and Mountain?

I find the inactions by the City of Albuquerque and State Officials to be criminal in nature due to the high volume of accidents at this location. The neighborhood association has waited for nine years after the discussion in 2017 on the Traffic Analysis for measures to be taken to protect the citizens of Albuquerque, the residents of Martineztown/Santa Barbara Neighborhood and the youth at the high schools etc. Yet, now because Cross Development an outside developer comes in represented by Tierra West you want to consider a zone map amendment to MX-H zone, an incompatible use, an illegal spot zone, next to a historical residential neighborhood and further commit culture genocide (deliberately targeting and taking out all aspects of the historical Martineztown Santa Barbara Neighborhood residents, culture, religious and ethnic group). The City of Albuquerque continues to inflict on the Santa Barbara Martineztown Neighborhood with zone categories and land uses that are detrimental to the health safety and welfare of the residents.

SBMTNA respectfully request that the Environmental Planning Commission to deny the Zoning Map Amendment from MX-M to MX- H for the subject site, facilitating the development of a healthcare facility which already exists in the surrounding area. The request is an illegal spot zone. This request does not support the City of Albuquerque Comprehensive Plan goals Goal 4.1 Character Enhance, protect, and preserve distinct communities. According to the HNDEF Plan 2022, the hospital will destroy the historical neighborhood of Martineztown Santa Barbara Neighborhood. The comments from NMDOT traffic report and Environmental Impact Study needs to be provided before any development happens on this site. This area has been over developed with medical facilities. The proposed physical therapy hospital is already available in the neighborhood. The neighborhood is environmentally impacted with the proposed MX-H zone.

**MOUNTAIN ROAD REHABILITATION HOSPITAL MOUNTAIN
ROAD/WOODWARD PLACE NE, CRASH ANALYSIS JUNE 3, 2024 DRAFT
REVIEWED BY SBMTNA**

This Crash Analysis was prepared in conjunction with the development of a 48-bed rehabilitation center and provides a comprehensive analysis of crash data at three key intersections near Mountain Rd and the south frontage road of Interstate 25...
The person that wrote the report deceives the public by stating there will only be 48 beds, when the applicant still proposes from the initial application a three-story building which accommodates 60 beds. This report is not sufficient because it did not review for 60 beds. The Impacts on High Density Developments on Traffic and Health, Health Impact Assessment on Martineztown states that Mountain Road is one of the top ten having crash rates involving pedestrians and bicycles. Diesel trucks come down Mountain Road and they are most dangerous for the neighborhood. The hospital will bring more diesel trucks to provide supplies for the hospital which is detrimental to the residents' health. Diesel trucks cause cancer. The conclusion of the HIA states how the increase traffic will affect the resident. SBMTNA pleads with the City of Albuquerque to utilize this land with what is existing there now. The existing traffic from freeway, frontage road impacts the residents and the children' health.

Intersection #1 – Mountain Rd. / Edith Blvd.: *SBMTNA has learned over the years that the City of Albuquerque does not provide the correct record for the accidents that occur at this location. The neighbors state there is an accident every week in this location with the limited improvements.*

Intersection #2 – Mountain Rd. / Woodward Pl.: *The analysis is based on limited information.*

Intersection #3 – Mountain Rd. / I-25 W. Frontage Rd.: *The crashes are due to the fact that there is a hill with no visibility before you enter the intersection of Mountain and the South Frontage Road NE. My neighborhood who lived on High Street near this intersection stated there was an accident every week. From his account of traffic accidents, the record is not complete. The City of Albuquerque Buses do not follow the required speed limit and have had several crashes at this location, but this is not recorded.*

NMDOT performed an internal Crash Safety Analysis and subsequently installed mitigation measures in 2018. NMDOT recommended the following:

To address the identified crash trends at the Mountain Rd. / I-25 W. Frontage Rd. intersection, several recommendations are made:

1. Mask the green signal indicator at the E. Frontage Rd. to prevent confusion for drivers at the W. Frontage Rd.
2. Install lane configuration signage on the signal mast arm to clearly indicate the lane purposes for southbound traffic.
3. Implement bright yellow backplates on signal heads to enhance their visibility.

The recommendations in the Crash Analysis should have been done when we met with the City of Albuquerque in 2017. The Martineztown Santa Barbara Traffic Study February 2018 states “There were several comments regarding the intersection of Mountain Road and the I-25 Frontage Road. The comments received from the public were both for and against closing the intersection. This intersection is actually outside the scope of this project and is an ongoing project of the NMDOT. The NMDOT is currently doing improvements to the Frontage Road to try to reduce speeds and prevent accidents at the intersection.”

There is no evidence that any of the recommendations made in the NMDOT study in 2018 or the Martineztown Santa Barbara Traffic Study that they were taken seriously to obtain the funding to improve the area.

These Crash Analysis accommodations are not sufficient. The City of Albuquerque Buses continue to crash at this corner and all 5-ton trucks continue to come down Mountain Road. I find this Crash Analysis to be extortion by the government to benefit the applicant.

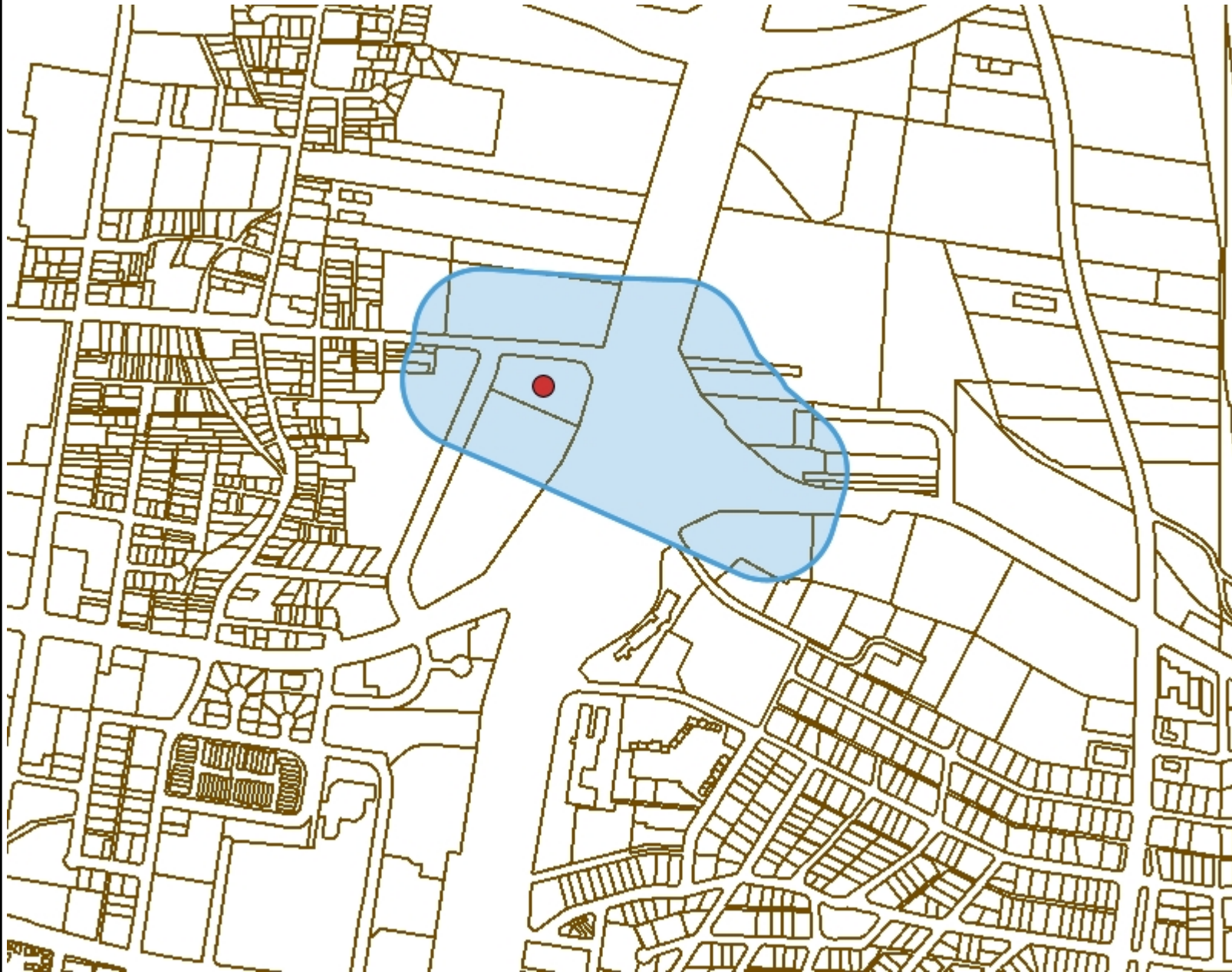
Crash Analysis recommends to reduce crashes at the signalized intersection of Mountain Rd. / I-25 W. Frontage Rd.:

1. 1) Mask the green signal indicator at the E. Frontage Rd. so that it is not visible from the W. Frontage Rd.
2. 2) Construct lane configuration signage on the signal mast arm for the southbound approach on the W. Frontage Rd. to inform drivers that the far-left lane is a thru / left turn lane and the second from inside lane is a thru lane ONLY.
3. 3) Construct the bright yellow backplates on the signal heads at the intersection to improve visibility of the signals.

As I understand, the Crash Analysis the table is inaccurate and the recommendations by the neighborhood association are not included. The Analysis does not take into account that the South Frontage was an afterthought when the Interstate was being redeveloped. Jesse Lopez, SBMTNA Board Member was on the Interstate Committee and according to him Mountain Road was not an exit it was only Lomas. Drivers are coming up the hill on the south Frontage Road and are unable to see the light at the intersection. According to witnesses, more accidents have happened since the State Transportation made some small changes in or around 2018 such as cuts on the roadway and signal stating the light is red.



1100 Woodward NE

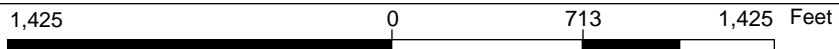


Legend

□ Bernalillo County Parcels

Notes

Buffer: 330 Ft.
ROW: I-25, Lomas Blvd NE, Mountain RD NE, Woodward Pl NE



WGS_1984_Web_Mercator_Auxiliary_Sphere
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1: 8,553

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THIS MAP IS NOT TO BE USED FOR NAVIGATION

AMERICAN LEGION DEPT OF NM &
AMERICAN LEGION AUXILIARY DEPT OF
NM
1215 MOUNTAIN RD NE
ALBUQUERQUE NM 87102

BOARD OF EDUCATION C/O PROPERTY
MANAGER
PO BOX 25704
ALBUQUERQUE NM 87125-0704

ENDEAVOR HOSPITALITY LLC
12105 SIGNAL AVE NE
ALBUQUERQUE NM 87122-1514

JDHQ LAND HOLDING LLC C/O ATRIUM
HOLDING COMPANY
12735 MORRIS RD SUITE 400 EXT
ALPHARETTA GA 30004-8904

REGENTS OF UNM ATTN: DIRECTOR
REAL ESTATE DEPT
1 UNIVERSITY OF NM MSC06 3595
ALBUQUERQUE NM 87131-0001

REGENTS OF UNM REAL ESTATE DEPT
MSC06-3595-1 UNIVERSITY OF NM
ALBUQUERQUE NM 87131-0001

SANDIA FOUNDATION
6211 SAN MATEO BLVD NE SUITE 100
ALBUQUERQUE NM 87109

SANDIA FOUNDATION C/O PARADIGM
TAX GROUP - ESS #0116 6890 S 2300 E
PO BOX 71870
SALT LAKE CITY UT 84171-0870

ARCHDIOCESE OF SANTA FE REAL
ESTATE CORPORATION
4000 ST JOSEPHS PL NW
ALBUQUERQUE NM 87120-1714

CHAVEZ VALENTINO REYES
1117 HIGH ST NE
ALBUQUERQUE NM 87102-2425

HUGH A CARLISLE POST 13 DEPT OF
NEW MEXICO
1201 MOUNTAIN RD NE
ALBUQUERQUE NM 87102-2716

MOFFETT DOLORES & ALESHA MYRA
DILLANDER
103 E ARAGON RD
BELEN NM 87002-4601

REGENTS OF UNM C/O REAL ESTATE
DEPT
1 UNIVERSITY OF NM MSC06 3595
ALBUQUERQUE NM 87131-0001

SANDIA FOUNDATION
6211 SAN MATEO BLVD NE SUITE 100
ALBUQUERQUE NM 87109-3533

SANDIA FOUNDATION
6211 SAN MATEO BLVD NE SUITE 100
ALBUQUERQUE NM 87109

TRICORE REFERENCE LABORATORIES
1001 WOODWARD PL NE
ALBUQUERQUE NM 87102

BOARD OF EDUCATION C/O PROPERTY
MANAGER
PO BOX 25704
ALBUQUERQUE NM 87125-0704

DUNEMAN CHRISTOPHER S & JAYMIE A
919 GRECIAN AVE NW
ALBUQUERQUE NM 87107-5732

JDHQ HOTELS LLC ATTN: ATRIUM
HOSPITALITY
12735 MORRIS RD SUITE 400 EXT
ALPHARETTA GA 30004-8904

MOFFETT DOLORES & ALESHA MYRA
DILLANDER
103 E ARAGON RD
BELEN NM 87002-4601

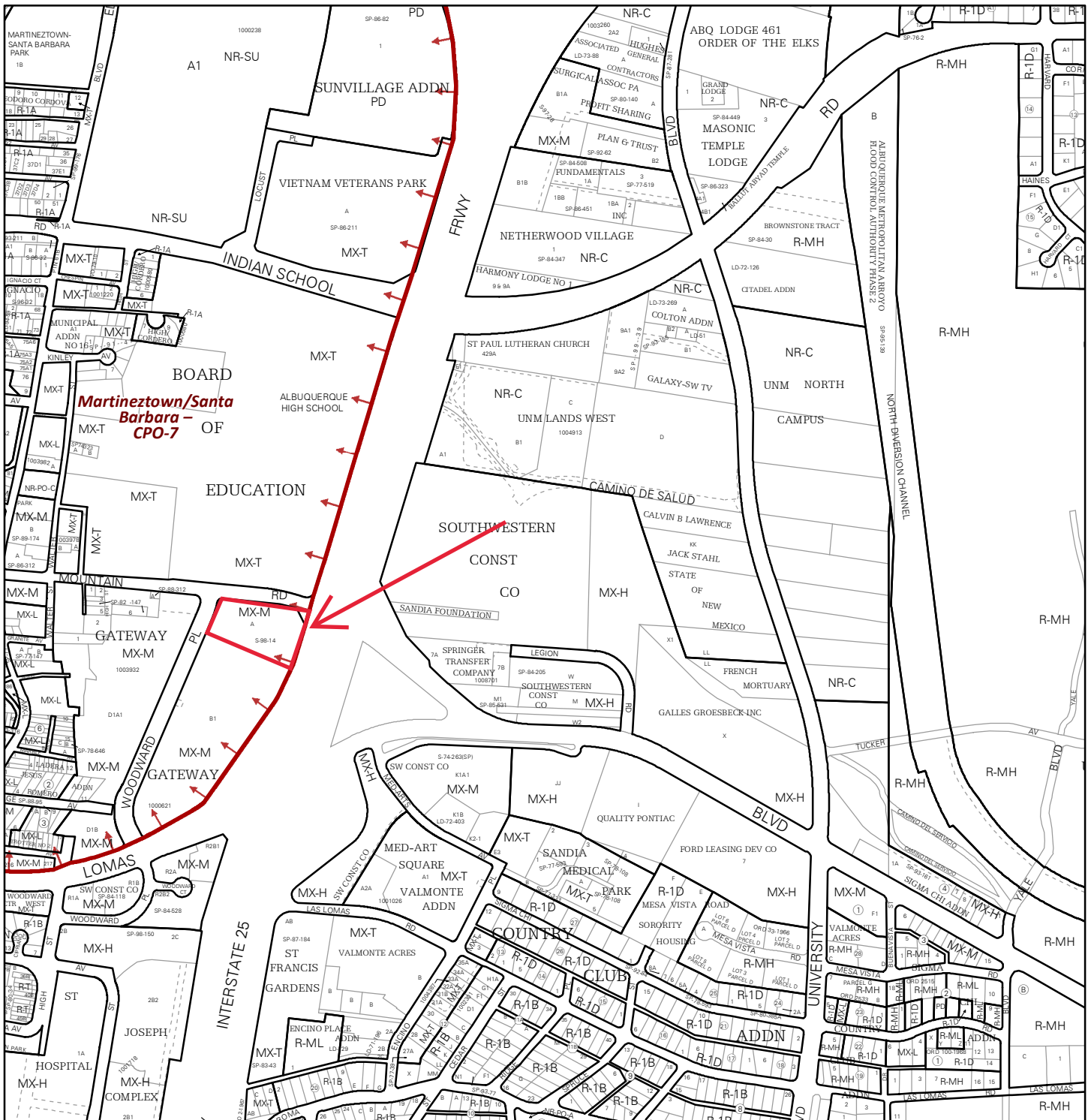
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1 UNIVERSITY OF NM MSC06 3595
ALBUQUERQUE NM 87131-0001

SANDIA FOUNDATION
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ALBUQUERQUE NM 87109

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PO BOX 71870
SALT LAKE CITY UT 84171-0870


VIGIL FRIEDA & GEORGE WYLER & LOUIE
WYLER & ELIZABETH GRIEGO ETAL
2733 GRACELAND DR NE
ALBUQUERQUE NM 87110-2959

UPC	Owner	Owner Address	Owner Address 2	SITUS Address	SITUS Add	Tax D	Legal Description	Pr	Deeded	Calculate
1.02E+17	AMERICAN LEGION DEPT OF NM & AMERICAN LEGION AUXILIARY DEPT OF NM	1215 MOUNTAIN RD NE	ALBUQUERQUE NM 87102	LEGION RD	ALBUQUE	A1A	TR 7-B PLAT OF TRS 7-A & 7-B SPRINGE	C	0.3535	0.35487
1.02E+17	ARCHDIOCESE OF SANTA FE REAL ESTATE CORPORATION	4000 ST JOSEPHS PL NW	ALBUQUERQUE NM 87120-1714	1212 STONE ST NE	ALBUQUE	A1A	W'LY PORT OF TR 6 PLAT OF SPRINGER	C	2.76	2.7558
1.02E+17	BOARD OF EDUCATION C/O PROPERTY MANAGER	PO BOX 25704	ALBUQUERQUE NM 87125-0704		ALBUQUE	A1A	E'LY PORT TR WEST OF FREEWAY BEIN	C	2.746	2.07711
1.02E+17	BOARD OF EDUCATION C/O PROPERTY MANAGER	PO BOX 25704	ALBUQUERQUE NM 87125-0704	807 MOUNTAIN RD NE	ALBUQUE	A1A	E'LY PORT OF TR 6 PLAT OF SPRINGER T	C	5.565	6.09533
1.02E+17	CHAVEZ VALENTINO REYES	1117 HIGH ST NE	ALBUQUERQUE NM 87102-2425	1118 HIGH ST NE	ALBUQUE	A1A	LT 6 SUMMARY PLAT LANDS OF ISAAC	R	0.2257	0.24526
1.02E+17	DUNEMAN CHRISTOPHER S & JAYMIE A	919 GRECIAN AVE NW	ALBUQUERQUE NM 87107-5732	824 MOUNTAIN RD NE	ALBUQUE	A1A	TR A SUMMARY PLAT TR A LANDS OF B	R	0.0421	0.05014
101505818	ENDEAVOR HOSPITALITY LLC	12105 SIGNAL AVE NE	ALBUQUERQUE NM 87122-1514	900 MEDICAL ARTS NE	ALBUQUE	A1A	TR LRMA W MED ARTS CENTER LAND C	C	2.8	2.92544
1.02E+17	HUGH A CARLISLE POST 13 DEPT OF NEW MEXICO	1201 MOUNTAIN RD NE	ALBUQUERQUE NM 87102-2716	1201 LEGION	ALBUQUE	A1A	TR 7-A PLAT OF TRS 7-A & 7-B SPRINGE	C	1.869	1.87897
1.02E+17	JDHQ HOTELS LLC ATTN: ATRIUM HOSPITALITY	12735 MORRIS RD SUITE 400 EXT	ALPHARETTA GA 30004-8904	1000 WOODWARD PL NE	ALBUQUE	A1A	TR B-1 PLAT OF TRACT B-1 GATEWAY S	C	9.3316	9.1881
1.02E+17	JDHQ LAND HOLDING LLC C/O ATRIUM HOLDING COMPANY	12735 MORRIS RD SUITE 400 EXT	ALPHARETTA GA 30004-8904	1100 WOODWARD PL NE	ALBUQUE	A1A	TRACT A PLAT OF GATEWAY SUBDIVISI	V	2.7845	2.54761
1.02E+17	MOFFETT DOLORES & ALESHA MYRA DILLANDER	103 E ARAGON RD	BELEN NM 87002-4601	914 MOUNTAIN RD NE	ALBUQUE	A1A	50X100FT NAWYLER E ENTRANC SEMA	R	0.1756	0.21136
1.02E+17	MOFFETT DOLORES & ALESHA MYRA DILLANDER	103 E ARAGON RD	BELEN NM 87002-4601	MOUNTAIN RD NE	ALBUQUE	A1A	25X100 N MARTINEZ S MARTINEZ E AL	V	0.0574	0.05689
1.02E+17	REGENTS OF UNM ATTN: DIRECTOR REAL ESTATE DEPT	1 UNIVERSITY OF NM MSC06 3595	ALBUQUERQUE NM 87131-0001	1001 MEDICAL ARTS AVE NE	ALBUQUE	A1A	TRACT K-1B LANDS OF SOUTHWESTERN	C	0.99	1.03032
1.02E+17	REGENTS OF UNM C/O REAL ESTATE DEPT	1 UNIVERSITY OF NM MSC06 3595	ALBUQUERQUE NM 87131-0001		ALBUQUE	A1A	TR Z SOUTHWESTERN CONST CO EXC T	V	17.839	17.7325
1.02E+17	REGENTS OF UNM C/O REAL ESTATE DEPT	1 UNIVERSITY OF NM MSC06 3595	ALBUQUERQUE NM 87131-0001	UNIVERSITY BLVD NE	ALBUQUE	A1A	TRACT IN S D 12 IN NE1/4 SW1/4 CON	V	0.596	0.58933
1.02E+17	REGENTS OF UNM REAL ESTATE DEPT	MSC06-3595-1 UNIVERSITY OF NM	ALBUQUERQUE NM 87131-0001	1000 LOMAS NE	ALBUQUE	A1A	TR K-1A1 PLAT SUBD OF TR K-2 & PORT	V	3.79	3.89222
1.02E+17	SANDIA FOUNDATION	6211 SAN MATEO BLVD NE SUITE 100	ALBUQUERQUE NM 87109-3533	LOMAS BLVD NE	ALBUQUE	A1A	34X34X646 S16 IN 3E D 512 P 421EXCE	V	0.43	0.5388
1.02E+17	SANDIA FOUNDATION	6211 SAN MATEO BLVD NE SUITE 100	ALBUQUERQUE NM 87109	LOMAS BLVD NE	ALBUQUE	A1A	TRACT M2 SOUTHWESTERN CONST CO	V	0.36	0.41648
1.02E+17	SANDIA FOUNDATION	6211 SAN MATEO BLVD NE SUITE 100	ALBUQUERQUE NM 87109	1200 LOMAS BLVD NE	ALBUQUE	A1A	T10N SEC16 R3E CON 3.73421APARCEL	C	3.21	3.77169
1.02E+17	SANDIA FOUNDATION	6211 SAN MATEO BLVD NE SUITE 100	ALBUQUERQUE NM 87109	LOMAS BLVD NE	ALBUQUE	A1A	TRACT M SOUTHWESTERN CONST CO	V	1.182	1.20741
1.02E+17	SANDIA FOUNDATION C/O PARADIGM TAX GROUP - ESS #0116 6890 S 2300 E	PO BOX 71870	SALT LAKE CITY UT 84171-0870	1200 LEGION RD NE	ALBUQUE	A1A	TR W LANDS OF SOUTHWESTERN CON	C	2.046	2.17232
1.02E+17	SANDIA FOUNDATION C/O PARADIGM TAX GROUP - ESS #0116 6890 S 2300 E	PO BOX 71870	SALT LAKE CITY UT 84171-0870	1200 LEGION RD NE	ALBUQUE	A1A	TR M-1 SOUTHWESTERN CONSTRUCTI	C	0.8531	0.97629
1.02E+17	TRICORE REFERENCE LABORATORIES	1001 WOODWARD PL NE	ALBUQUERQUE NM 87102	1001 WOODWARD PL NE	ALBUQUE	A1A	TR D-1-A-1 PLAT FOR LOTS 1 & 2 TR D-1	C	8.3708	8.49583
1.02E+17	VIGIL FRIEDA & GEORGE WYLER & LOUIE WYLER & ELIZABETH GRIEGO ETAL	2733 GRACELAND DR NE	ALBUQUERQUE NM 87110-2959	822 MOUNTAIN RD NE	ALBUQUE	A1A	D 17 P 464 50 BY 100BD	R	0.1374	0.06447

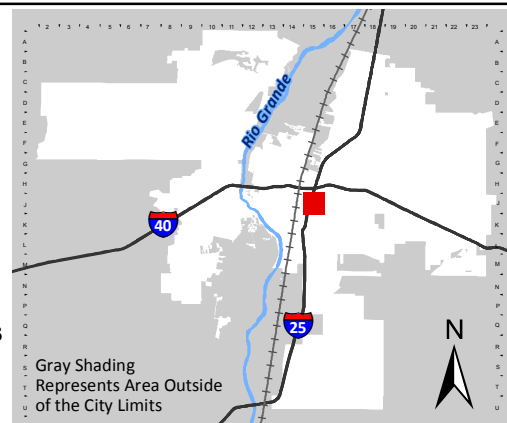


For more details about the Integrated Development Ordinance visit: <http://www.cabq.gov/planning/codes-policies-regulations/integrated-development-ordinance>

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).



Gray Shading
Represents Area Outside
of the City Limits

Zone Atlas Page:
J-15-Z

- Easement
- Escarpment
- Petroglyph National Monument
- Areas Outside of City Limits
- Airport Protection Overlay (APO) Zone
- Character Protection Overlay (CPO) Zone
- Historic Protection Overlay (HPO) Zone
- View Protection Overlay (VPO) Zone

0 250 500 1,000 Feet