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, Case #: SI-2024-00468, Site Plan Amendment Application

Dear Chairperson 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 referenced site plan amendment application at this time based on the following:

- 1. It appears that the Planning Department Staff Report was released on the morning of July 12, 2024. SBMTNA has not had adequate time to review and respond to the updated Staff report which may be based on a revised application negotiated between the Planning Department and the applicant. The Planning Department appears 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 proposals.
- 2. 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.
- 3. It appears that some of the key issues appear at p. 358 of the latest Staff Report. That page shows that "Hospital" is to be added to the 1997 Site Plan for Subdivision," in the "Land Use Scenario" at the upper right, while at the bottom, in red, appears the following:

Major Amendment - Site Plan EPC PR - 2024 - 009765, SI - 2024 - 00468

- 1. Major Amendment for Area 3 of the controlling site plan for "Tract A" Only.
- 2. This amendment would change the allowable use on area 3 "Tract A" to include Hospital.
- 3. Building area and height maximums as described in controlling site plan, remain applicable to area 3 "Tract A".
- 4. Setbacks for Area 3 to be controlled by IDO.
- 5. Per IDO Section 1-10(A)(2): Any use standards or development standards associated with any pre-IDO approval or zoning designation establish rights and limitations and are exclusive of and prevail over any other provision of this IDO. Where those approvals are silent, provisions in the IDO shall apply

- 4. The site plan amendment application is premature with the appeal and remand of the zone map amendment pending in AC-24-11. The LUHO ordered a remand hearing in AC-24-11 which hearing has not taken place yet. Quasi-judicial fairness and efficiency would be best served by not proceeding with the site plan amendment until a final decision on the zone map amendment. NMSA 1978 Section 3-21-8(B) appears to prohibit proceeding with the site plan amendment while an appeal of the zone map amendment is pending. Logically the zone map amendment application should be final beyond appeal before the site plan amendment based on the zone map amendment is considered by the EPC.
- 5. It appears that the site plan amendment application was set for hearing before it was approved as complete. For example, see Memo dated April 25, 2024, from Ms. Jones and undated Memo 2 (starting around p. 80 of the previous Staff report). It appears that the most recent application was filed only on July 3, 2024. Also, as discussed below, IDO Section 6-4(Z) should not be available for the subject application for a "pre-IDO site development plan amendment" because the 1997 "Site Plan for Subdivision" relied upon by the applicant and Staff is not a "Site Development Plan" under the IDO.
- 6. The site plan amendment application should not have been accepted by the Planning Department and should be denied because the 1997 "Site Plan for Subdivision" relied upon by the applicant is not a "Site Development Plan" under the IDO. The IDO defines "Site Development Plan" as:

Site Development Plan

A term used prior to the effective date of the IDO for a scaled plan for development on one or more lots that specifies at minimum the site, proposed use(s), pedestrian and vehicular access, any internal circulation, maximum building height, building setbacks, maximum total dwelling units, and/or nonresidential floor area. A more detailed site development plan would also specify the exact locations of structures, their elevations and dimensions, the parking and loading areas, landscaping, and schedule of development. The equivalent approval in the IDO will be determined based on the level of detail provided in the prior approval.

The 1997 Site Plan for Subdivision (difficult to read) does not appear to identify the proposed hospital use, does not provide a scaled plan nor identify pedestrian or vehicular access, internal circulation, total dwelling units and/or nonresidential building area. Under these circumstances, IDO Section 6-4(Z) should not be available for the subject application.

7. The Staff Report erroneously concludes that "the standards outlined within CPO-7 are not applicable to this site plan request." (p. 16 of the Staff Report). Contrary to the applicant's and Staff's assertions, the 1997 Site Plan for Subdivision does not override the 2018 IDO requirements. The 1997 Site Plan for Subdivision does not authorize or approve hospital use at the site. It authorizes only some future office use. The 2018 MX-M zoning including CPO-7 placed explicit limitations on hospital use. Application of MX-M and CPO-7 standards to this site is compelled by the IDO.

- 8. 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. Staff Reports tend to be advocacy submissions, 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 site plan amendment application.
- 9. The applicant's proposed site plan amendment does not appear to satisfy other requirements of the IDO for pre-IDO site development plan amendments, i.e. IDO Sections 1-10(A) and 6-4(Z). A significant change of use (to a hospital) does not appear to be the type of amendment contemplated by the site development plan amendment sections. A pre-IDO site development plan amendment is not an appropriate vehicle to approve a material substantial change of use, change of height restrictions, or other limitations.
- 10. It is not clear whether the 1997 site plan for subdivision is currently in effect or has expired as to the subject site.
- 11. SBMTNA disputes the Staff's suggestion that compliance with MX-M standards should be granted administratively.
- 12. The applicant does not have vested rights in any prior site plan for this site under the IDO or New Mexico law.
- 13. SBMTNA requests a clearer more readable copy of the site plan being amended to supplement its objections. Any other historical documents available to the Planning Department relevant to this application should be submitted into evidence.
- The proposed site plan amendment appears to be an end-run around the IDO zone amendment, conditional use, pre-IDO site development plan provisions, and possibly subdivision requirements. Correspondence with Planning Department Staff (copy attached) shows that the subject site is within 330 feet of a residential zone and thus a conditional use application is required for the more intense hospital use under MX-M zoning.
- 15. The EPC may lack authority to amend a DRB-approved site plan for subdivision under IDO Section 6-4(Z).
- 16. SBMTNA requests admission of the two "records" submitted in SBMTNA's appeal AC-24-11 of the zone map amendment. SBMTNA incorporates all its objections to the project set out in AC-24-11.
- 17. The EPC should require a final traffic study, subject to reasonable public review, before approving this application.

- 18. In SBMTNA's view, the proposed development would be highly destructive to the SBMTNA neighborhood by worsening the already dangerous and overcrowded traffic situation.
- 19. 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.

Please place this letter with enclosures in the record for the EPC hearing. SBMTNA may have other objections after complete review of any 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

Supplemental Review by SBMTNA on the request for a Major Amendment to the Gateway Center Site Development Plan (SDP)for Subdivision

Santa Barbara Martineztown Neighborhood Association request <u>denial due to</u> the site plan is premature and use is incompatible. The zone map amendment has not been heard and cannot be considered since the current zoning is still MX-M. There are still questions on the original site development plan because it does not meet the requirements of a site development plan and if it does the current plan states it requires general offices. If it doesn't the question is the process correct?

The zone map amendment will be decided by the EPC. The EPC will make a recommendation, but it can be appealed. This hospital is not compatible to the area and is detrimental to the area residents. This request is for a Major Amendment to the Gateway Center Site Development Plan (SDP) for Subdivision for an approximately 3-acre portion (the "subject site") of the larger 23-acre site (the "subject area") to add Hospital as a permissive use and change setbacks to be pursuant to the IDO for Area 3/Tract A. The request is based on old site plan that does not meet the criteria of a site development plan. It is unreadable and has been changed over the years.

The request will be detrimental to the neighborhood and does not facilitate general offices as proposed on the original site plan. The general offices are 8 am to 5 pm and has minor impacts to the historic residential Martineztown Santa Barbara Neighborhood. The subject area is in an Area of Change and is side by side an Area of Consistency located within the I-25 Frontage, Mountain Rd. and Lomas Blvd. Major Transit Corridors that are underutilized. According to the LUHO's statement for Appeal AC-24-11 dated July 3, 2024, it is within CPO-7 which are required. If the zone change request is not approved, the site plan does not comply with MX-M zone district standards and the controlling old SDP and requires sign offs by NMDOT.

The applicant has not adequately justified the request pursuant to IDO Review and Decision Criteria 14-16-6-6(i)(3) for A Site Plan-EPC Major Amendment. The Santa Barbara Martineztown Neighborhood continues to oppose this request due to the existing traffic problems, high fatalities, environmental impacts from the freeway, frontage road, the air permits provided by the City Environmental Health Department, the noise levels from the helicopters and traffic from vehicles and diesel trucks, the overdevelopment of medical facilities in the area.

The Gateway Center SDP design guidelines are not allowed as per the LUHO remand discussion that IDO §14-16-1-10(A) which states that "Any use standards or development standards associated with any pre-IDO approval or zoning designation establish rights and limitations and are exclusive of and prevail over any other provision of this IDO. Where those approvals are silent, provisions in this IDO shall apply..."

The subject site was historically used for grazing animals, riding horses and playground for the Martineztown families. The freeway cut off the neighborhood to a golf course where grandparents and others would go to play golf. It was originally within the Martineztown/Santa

Barbara Sector Development Plan. The Sector Plan required any development on the subject site to provide a site development plan to be reviewed and approved by the EPC.

On 3/24/1994 the EPC voted to approve the Site Development Plan (SDP) for Subdivision for the 23-acre area that the subject site is within (Z-93-46). The site plan is unreadable and does not meet the criteria for site development plan.

The site has been used by Embassy Suites for over flow of parking and for special events. The 3-acre subject site is located in the Gateway Subdivision, which is surrounded by a mix of commercial, educational, and office land uses zoned MX-M and MX-T and R-1. It directly abuts I-25 and Frontage Rd South to the east. The Gateway Center "Site Development Plan" for Subdivision is developed with a hotel that directly abuts the subject site to the south; Tricore is adjacent to the subject site to the west and **historical residential area that is an Area of Consistency**; and New Heart which a physical therapy gym, to the south west of the site at the intersection of Lomas Blvd. and Woodward Pl. NE. The APS Early College Academy/Career Enrichment Center is located north of Mountain Road NE, Albuquerque High School, 2 Steps Ahead Child program, and historical residential single-family dwellings.

The Long-Range Roadway System (LRRS) map, produced by the Mid-Region Metropolitan Region Planning Organization (MRMPO), identifies the functional classifications of roadways. Mountain Rd. is classified as a Major Collector which is a narrow two-way historical residential street which requires 25 mph, Woodward Pl. is classified as a local street, Lomas Blvd. is classified as an urban principal arterial, and I-25 is classified as an interstate.

The subject site is directly served by Bus Route 5 (Montgomery-Carlisle) and Bus Route 11 (Lomas), which runs east to west along Lomas Blvd. The buses are rarely used on Mountain Road NE and have been in several accidents at Mountain and the South Frontage Road.

The subject site is located an area that the 2017 Albuquerque/Bernalillo County Comprehensive Plan has designated an Area of Change and side by side in an Area of Consistency. Areas of Change allow for a mix of uses and development of higher density and intensity in areas where growth is desired and can be supported by multi-modal transportation. The intent is to make sure development in Areas of Change protect the Area of Consistency. The hospital will not provide day to day needs for the residents, the services the hospital proposes are provided in the surrounding area, and the hospital use is detrimental to the neighborhood. The focus of development should be to complement the schools and residents including providing open space to offset the environmental impacts from the freeway and from the designated extreme heat wave in this area due to the mass buildings. The area is overdeveloped with medical facilities. The hospital will not be serving people that will be able to walk and visitors that come will bring more traffic in already traffic congested and dangerous area.

The subject site is included in the Central Albuquerque Community Planning Assessment (CPA) area. The Central ABQ Community Planning Area (CPA) is centrally located in Albuquerque. The plan is currently being updated. SBMTNA has requested a meeting to have input on this plan.

The ABQ Comprehensive Plan Applicable Goals and Policies are as follows

CHAPTER 4: COMMUNITY IDENTITY GOAL 4.1 CHARACTER: Enhance, protect, and preserve distinct communities.

The request would locate a hospital use on the east side of subject property 1100 Woodward NE. This use is incompatible to the neighborhood and detrimental and will not protect or preserve the residential neighborhood. See the HNEDF Plan 2022 which states the City proposed economic plan will displace the residents that live in the neighborhood. According to the Health Impact study, the City of Albuquerque has allowed commercial uses that are detrimental to any neighborhood in this area. MX-H zone next to the historical residential land uses is detrimental to the residents.

Under the ABC Comp Plan "Goal 4-1, the Goal is to enhance, protect and preserve distinct communities – Martineztown Santa Barbara Neighborhood is a historical residential neighborhood. The site plan for a physical therapy hospital with proposed over 60 bed requirement and 3-story height is incompatible with the residential neighborhood and does not enhance, protect and preserve the neighborhood. The request is not consistent with Goal 4.1 Character." (See HNDEF Plan 2022, page 16)

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

The request is detrimental to residential area. The existing varying intensity of uses are contributing to the children's learning abilities and causing many health concerns to the neighborhood. The City of Albuquerque continues to perpetuate racial inequities in the Santa Barbara/Martineztown Neighborhood by allowing industrial, manufacturing next to the existing historical housing. The request would locate a hospital use within 330 feet of existing residentially zoned parcels. The request is <u>not consistent</u> with 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 Santa Barbara/Martineztown 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. The request is not consistent with 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. <u>Based on this Goal, the more restrictive zoning is required to be applied.</u>

THE ABQ COMP PLAN PART 14-16-1 GENERAL PROVISIONS 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. The SBMTNA request an Environmental Impact Study

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, best. 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 HIA Report and the HNDEF Plan 2022)

GOAL 5.1 CENTERS AND CORRIDORS: Grow as a community of strong Centers connected by a multi-modal network of Corridors.

The subject site is located along the I-25 Frontage and Mountain Rd. which includes a transit corridor that has limited passengers in this area. The request would allow a detrimental hospital use on an old historical residential Mountain Road that is over capacity with traffic. The City and MRCOG designated Mountain Road as a Major Corridor knowing that it would be detrimental to the neighborhood and created it to be a use that does not fit in old historical residential roadway. The request is not consistent with Goal 5.1 Centers and Corridors and is not in a centers and corridors

POLICY 5.1.1 DESIRED GROWTH: Capture regional growth in Centers and Corridors to help shape the built environment into a sustainable development pattern.

The subject site is located along and within the Mountain Rd old historical residential roadway, but because of the South Frontage egregious decision to have an exit at Mountain Road is considered a Major Transit Corridor. However, the roadway is an old Historical residential street built before the invention of cars. The designation does not reflect the high fatalities that occur in this location and over capacity of traffic that Mountain Road cannot carry. The request is not consistent with Policy 5.1.1 Desired Growth because the area is already over built and the existing uses are detrimental to the historic residential area.

POLICY 5.1.1(C): Encourage employment density, compact development, redevelopment, and infill in Centers and Corridors as the most appropriate areas to accommodate growth over time and discourage the need for development at the urban edge.

It is important to protect public health and safety by separating residential, 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 next to the hospitals where jobs are needed. The area is already over development and has enough physical therapy hospitals. The use will be next to 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 more intense growth to Centers and Corridors and use Development Areas to establish and maintain appropriate density and scale of development within areas.

The subject site is located within an ABC Comp Plan designated Area of Change and side by side in an Area of Consistency, and is located next to an old Historic residential street made before the invention of cars. The request will result in a hospital use that is detrimental to the health safety and welfare of the residents which is out of character with the residential area. The request is not consistent with Policy 5.1.2 Development Areas.

POLICY 5.1.10 MAJOR TRANSIT CORRIDORS: Foster corridors that prioritize high frequency transit service with pedestrian-oriented development.

The request will *not* foster high frequency transit service with pedestrian-oriented development because the people who will be in the facility have injuries. The use is providing parking for the patrons of this facility and its workers. The people who intend to use this facility will not be using the transit system. The MX- H zone district is to allow higher-density and intensity uses in an area that is already vulnerable due to the environmental impacts, cultural genocide, the highest traffic fatalities, and a spot zone area where the uses are detrimental to the neighborhood. The request is *not* consistent with Policy 5.1.10 Major Transit Corridors.

GOAL 5.2 COMPLETE COMMUNITIES: Foster communities where residents can live, work, learn, shop, and play together.

Tract A (the subject site) is currently vacant and utilized by the Embassy Suites for overflow of parking and special events. The proposed hospital use will not serve local residents of Santa Barbara/Martineztown. The greater Albuquerque Metropolitan area is already served with physical therapy hospitals. The use is better served in the westside where employment is needed for local Albuquerque residents as well. The request is partially consistent with Goal 5.2 Complete Communities.

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 will bring more traffic into the area that is already vulnerable due to traffic problems existing and the environmental impacts from the freeway and frontage road. If the vacant lot is no longer used for the over flow of parking and special events for the

Embassy Suites where will these people park? The area is already over built with medical buildings. The subject hospital should be located in the westside where employment is much needed and where more people live. The request is not consistent with Policy 5.2.1 Land Uses.

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 is not compatible in form and scale to the immediate surrounding/adjacent school and residential area. The request is not consistent with Sub-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 the more productive use of vacant lot that is currently used by the Embassy Suites for over flow of parking and special events. The development of a complimentary use such as a swimming pool and/or open space would be more beneficial to surrounding neighborhoods. The physical therapy hospital is already provided in the surrounding area and better served in the westside where jobs are needed and not in area that already is over built with medical facilities. The request is not consistent with Sub-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.

The subject site is already served by existing infrastructure and public facilities. This area is over developed. The property would be better served with an existing need such as swimming pool or something for APS students attending high schools and/or Open Space to protect the residents in order to have efficient use of land to support the public good.

POLICY 5.3.1 INFILL DEVELOPMENT: Support additional growth in areas with existing infrastructure and public facilities.

The request is an incompatible use for the subject site. The City should require a use that will protect and preserve the residential area in order to be consistent with Policy 5.3.1 Infill Development.

POLICY 5.3.7 LOCALLY UNWANTED LAND 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 that is already available in the surrounding area. The proposed use would be better served in a large community in the westside for healthcare services for people who need physical therapy. The westside is in desperate need of jobs.

These services will be useful to the westside easing pressure on the brand-new westside hospitals by providing an avenue for outpatient care. The request is not consistent with Policy 5.3.7 Locally Unwanted Land Uses are wanted and needed on the westside to ease traffic on the freeways going west.

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 CPO-7 of 26 feet in height. The old Site Plan did not meet the criteria for a site development plan, but it also was specifically for general office use not a hospital. The 55 feet is out of character with the neighborhood, but more importantly the added traffic this facility will bring will be detrimental and is incompatible to the neighborhood. The request is not consistent with Policy 5.3.7(b).

GOAL 5.6 CITY 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 entirely in an ABC Comp Plan designated Area of Change and next door to an Area of Consistency where <u>smart</u> growth is both expected and desired. Developing the hospital use on the subject site will not protect or preserve the residential area of the Santa Barbara/Martineztown community (that are located within an Area of Consistency). The propose use is an incompatible use to this historical neighborhood. The request is not consistent with Goal 5.6 City Development Areas.

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 MX-H zone district is incompatible to this area and is an illegal spot zone. The proposed development will be located along an historical residential street Mountain Road that is already at capacity. The request is not consistent with Policy 5.6.2 Area of Change.

CHAPTER 8: ECONOMIC DEVELOPMENT GOAL 8.1 PLACEMAKING: Create places where businesses and talent will stay and thrive.

The request will create some additional jobs in the area, but the jobs will not benefit the neighborhood. The jobs can be placed on the westside where this detrimental use can better serve Albuquerque. The request is better located in the city of Albuquerque instead of an area where we are surrounded by this hospital use.

POLICY 8.1.1 DIVERSE PLACES:

The request is **not an interesting place** since it is available in the surrounding area. The area is already over built with medical facilities. According to many studies, the economic development

opportunities are needed on the westside. The request is not consistent with Policy 8.1.1 Diverse Places since the use is already provided.

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 on the westside where employment is needed. The request is not consistent with Sub-Policy 8.1(a).

POLICY 8.1.1(C

Staff states, "The request will more than likely prioritize local job creation and recruitment during the construction phase of the proposed development; however, staff notes that 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 concurs with this statement. The request is not consistent with Policy 8.1.1(c) since employment is needed in the westside and the use is an incompatible to this location.

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 this site plan will be detrimental to the neighborhood and will not improve the quality of life for new and existing residents. The neighborhood is already provided with high-quality hospitals accessed by nearby community members and the larger Albuquerque Metropolitan area. The request is not consistent with Policy 8.1.2 Resilient Economy a hospital doesn't fit in this location. The area is over developed with medical facilities that are a detriment to the area. An Environmental Impact Study is required.

Chapter 13, Resilience & Sustainability, Section on Air Quality

The Martineztown Santa Barbara Neighborhood is bounded by Interstate 25 to the east and I 40 to the west. A Health Impact Study done for Martineztown Santa. Barbara Neighborhood indicates that the neighborhood is an already vulnerable area, an area that has been overdeveloped and any more concentrated pollution such a three-story hospital with 60 bed and over hundreds of employees and visitors, including deliveries of supplies will exasperate an already vulnerable environmental impacted area that deals with fatal accidents on a daily basis.

Justification & Analysis

IDO Section 14-16-6-6(I)(3) states that any application for a Site Plan-EPC will be approved if it meets all of the following criteria:

6-6(I)(3)(a) 6-6(I)(3)(b) 6-6(I)(3)(c)

The site plan is not consistent with the ABC Comp Plan, as amended.

The Site Plan is not consistent with any applicable terms and conditions in any previously approved zoning covering the property and any related development agreements and/or regulations.

The subject site is not within any previously approved NR-SU or PD zoned property. No development agreements or regulations on the site are known outside of the standards set forth in the Controlling Site Development plan for Subdivision.

The Site Plan does not comply with all applicable provisions of this IDO, the DPM, other adopted City regulations, and any terms and conditions specifically applied to development of the property in a prior permit or approval affecting the property.

The subject site is within the Gateway Center Site Development Plan (SDP) for Subdivision (EPC Z-93-46_DRB-94-183). The major amendment is not allowed since the previous plan did not follow the criteria for a site development plan. The only allowable use was general office uses. The Site Plan is NOT subject to the allowable maximum heights, setbacks and related standards specified on the controlling site plan.

6-6(I)(3)(d)

CPO-7 Overlay Zone needs to be met including all conditions must be met prior to DFT Final Sign off.

The City's existing infrastructure and public improvements, including but not limited to its street, trail, drainage, and sidewalk systems, do NOT HAVE adequate capacity to serve the proposed development.

The City's existing infrastructure DOES NOT HAVE adequate capacity for the proposed development based on existing roadways AND sewer system. A Safety Study and Traffic Impact Study (TIS) needs to be reviewed before SBMTNA can make any recommendations.

The application mitigates significant adverse impacts on the surrounding area.

The applicant has demonstrated that the request will negatively impact the surrounding area based on responses to applicable Comprehensive Plan Goals and Policies, and demonstrating that the applicant refuses to address that the Gateway Center Site Development Plan requirements were not met. The original site development plan did NOT meet many of the criteria and requires only general offices which are more compatible with the neighborhood

A cumulative impact analysis is required in the Railroad and Spur Area pursuant to Subsections 14-16-5-2(E) (Cumulative Impacts) and 14-16-6-4(H) (Cumulative Impacts Analysis Requirements), the Site Development Plan due to the environmental impacts needs to provide mitigation for the identified cumulative impacts.

6-6(I)(3)(e) 6-6(I)(3)(f) 6-6(I)(3)(g)

The proposed development will create material adverse impacts on water quality or other land in the surrounding area through increases in traffic congestion, parking congestion, noise, vibration, light spillover, and other nuisances without sufficient mitigation or civic or environmental benefits that outweigh the expected impacts.

The site plan is premature and should not be considered in regards to the MX-H zone. Staff is condescending to consider the MX-H zone district. Pursuant IDO section 14-16-4-3(C)(4) Hospital Use Specific Standards in the MX-M zone district, this use is limited to no more than 20 overnight beds and, if located within 330 feet of any Residential zone district, shall require a Conditional Use approval, pursuant to Subsection 14-16-6-6(A). If the EPC decision to approve the request for MX-H zoning is upheld, the hospital may be developed with over 20 beds, but is still required to obtain a conditional use approval.

With the EPC's approval, the Site Plan would go to the DFT for final Sign-off.

Pursuant to IDO Section 14-16-6-4(P), the decision-making body may impose conditions necessary to ensure compliance with the development standards of this IDO via the Site Plan-EPC Review and Decision Criteria of IDO Section 14-16-6-6(I).

Martineztown / Santa Barbara Character Protection Overlay Zone (CPO-7) Standards

The subject site is within CPO-7, therefore staff has provided an analysis of IDO §14-16-3-4(H) overlay zone standards. Since the site is within the boundaries of the controlling SDP, most standards do not apply pursuant to IDO §14-16-2-10(A).

- 3-4(H)(2)(A) & (B) SITE STANDARDS: Not applicable 3-4(H)(4)(A) & (B) BUILDING HEIGHT:
- (a) Residential and Mixed-use zone districts on project sites less than 5 acres, Maximum building height is 26 feet -N/A, controlling site development plan for subdivision allows a maximum building height of 180 feet, but the old site development plan does not meet the old site plan criteria. LUHO states the applicant must follow CPO-7 standard of 26 feet in height.
- 3-4(H)(5)(A) & (B) SIGNS:
- (a) MX-L Zone District N/A, subject site is not zoned MX-L.
- (b) MX-M Zone District If the EPC approved zone change to MX-H is reversed on appeal back to MX-M, the applicant would be allowed to place signs on the subject site since it does abut arterial or collector streets pursuant to IDO Subsection 14-16-5-12 (Signs) for the MX-M zone district. The signs are intrusive to the neighborhood and should only be allowed on the building

The applicant proposes to develop an approximately 3-acre (2.7454) vacant portion of the Gateway Center Site Development Plan for Subdivision known as Area 3, or Tract A. The subject site would be comprised of a 55,098 SF Rehabilitation Hospital at the center of the Tract with access form Woodward Pl. SE and Mountain Rd. SE. The main pedestrian entrance faces Mountain Rd. or north-east. There is a dumpster enclosure and generator in a walled-off courtyard on the western side of the building, which also contains a pedestrian exit/entrance. This site plan if approved will contribute to the heat wave that is already causing problems in the neighborhood and environmentally impacts the neighborhood.

Pedestrian, Bicycle and Transit Access

The proposed development standards for access and connectivity are pursuant to IDO section 14-16-5-3.

The nearest Bus stop directly abuts the subject site's northern boundary. There is existing sidewalk infrastructure along the perimeter of the site on Woodward Pl. and Mountain Rd. SE. The SBMTNA has recommended safe cross walks on Mountain at the south Frontage Road and Woodward since 2009 or earlier and nothing has been done. It is unsafe to cross Mountain Road or ride a bike in this location.

Bicyclists can access the site via an existing bike lane along Mountain Rd., which merges into a Bike Route west of the subject site on Mountain Rd.

The Site Plan includes new ADA ramps, curb ramps and crosswalks at the vehicular access points.

The applicant has provided a Safety Study/Crash Analysis for the proposed development. This site plan is premature. The City of Albuquerque should not be accepting this site plan due NMDOT stating access onto Mountain is not recommended. The Crash analysis is incomplete and further analysis is needed.

Access Points

The Site Plan proposes three new access points in response to the traffic safety study which will serve as the entrance/exits for staff vehicles and official vehicles as well as hospital visitors.:

The only access should be on Woodward NE from Lomas NE.

Parking requirements

According to the staff report, Parking complies with the Hospital use in the IDO as noted on the site plan. The total amount of parking will not be enough due to the overflow parking from Embassy Suites and limited amount proposed.

Landscaping, Buffering and Screening

The Site Plan proposes Landscaping Buffering and Screening pursuant to IDO 14-16-5-6 Standards. The Landscape Plan will not be enough to deal with the heatwave in this area. The amount vehicles coming and out of this location 24 hours a day will be detrimental to the health safety and welfare of the residents. The standards are minimal and should be increased.

Walls/Fences and Lighting

Minimum Lighting should be allowed in this area. The mass building lighting is already intrusive.

Signage

Sign Standards: Only one sign should be allowed near frontage road. The illuminating signage is intrusive to the neighborhood.

Building Design/Architecture

The building is out of character with the neighborhood and should not be allowed.

Conceptual Grading & Drainage Plan

The drainage is already not sufficient. A careful review should be required due to the intrusive drainage into the neighborhood from all of Gateway Subdivision. The drainage system is not sufficient.

Conceptual Utility Plan

The applicant provided a Utility Plan showing new and existing utilities, sanitary sewer lines, water, meter lines, and storm sewer lines. The City of Albuquerque does nothing to deal with smells coming from the sewage lines. This smell is detrimental to the neighborhood another 60 bed facilitate will only exasperate the situation. An Environmental Impact Study needs to be done. The runoff from the rain leaves the streets full of debris and floods the area due to the fact that the City fails to require the Gateway property owners to deal with their own rain water runoff.

Given NMDOT will not approve access off of Mountain Rd. without mitigation efforts or a full Traffic study the EPC is required deny this site plan. SBMTNA approves of NMDOT recommendations that access of Mountain Road should not be allowed.

Two meetings were held between the applicant and the Santa Barbara Martineztown Neighborhood Association for the zoning and the meeting held in person at the SBMTNA board meeting. The board called the facilitator to facilitate the site plan meeting through the phone line. The neighborhood concerns are the existing uses in the area currently exceed traffic infrastructure capacity on Mountain Rd., there are excessive 5-ton commercial vehicle uses in

the area, the proximity to the two high schools exacerbates the existing traffic impacts, the large building will create a larger heat wave in the area.

The members of the board stated this was an illegal spot zone and they wanted the traffic to only be allowed to make a left hand turn to go east to the north Frontage Road, a median so pedestrians can cross safely at the intersection of Mountain and the South Frontage Road, a light at Woodward for the students to cross safely. The SBMTNA also requested a comprehensive environmental impact study.

The applicant notes that while the neighborhood association is opposed to the request, there was no discussion by the applicant to discuss the requirements of the site plan and how the applicant would meet the requirements. The board recommended that the building be next to the frontage road. The board objected to the site development plan request.

The requested major amendment is still questioned since the original site development plan did not meet the definition of a site plan and requires only general offices. The applicant request add hospital as a permissive use to the Gateway Area 3 of the controlling Site Development Plan which already is permissive in the MX-M zone and has to meet the IDO Site Development Plan requirements. The request for site plan approval will need to wait until zone map amendment is done with all appeal processes.

Staff states it has reviewed the proposed Site Plan pursuant to development standards listed on the controlling SDP and the MX-H zone district which is premature since the zone map amendment for MX-H will not approved this week and there are questions about the original site development plan. The applicant cannot adequately justify the request pursuant to IDO review and decision criteria in section 14-16-6-7(I)(3) because the zone map amendment has not been approved and the MX-M requires a conditional use before the site plan can be approved. This process is illegal.

A. 6-6(I)(3)(a) The site plan is not consistent with the ABC Comp Plan, as amended.

As of July 2, 2024, NMDOT provided an update that the Traffic Study is under review, but has not been completed. For this reason, SBMTNA recommends the site development plan should be denied.

The City staff conditions of approval are premature. The zone map amendment has not been heard. If the applicant follows the MX-M requirements it first has to go for a condition use for over 20 beds. An Environmental Impact Study and Traffic Approval by NMDOT should be required before anything is approved. The questions regarding the old site plan also need to be addressed.

SBMTNA recommends denial of the site development plan for 1100 Woodward NE for the reasons stated above.

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.

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Name Shirley E. Polisar	Address (714) 496-9535 Phone Number 1117 High St. N.E. A.B. SY.M. 87102

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Name	Address	Phone Number
MARCIANO GARCIA	Address 707 Mountain ROME.	505, 207,070
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sandre Ylletteris	1/28/2 Walter	505 903-3326
ARTHUR NALANTO	1128 WHIRR NEAPTA	805-270-2716

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

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

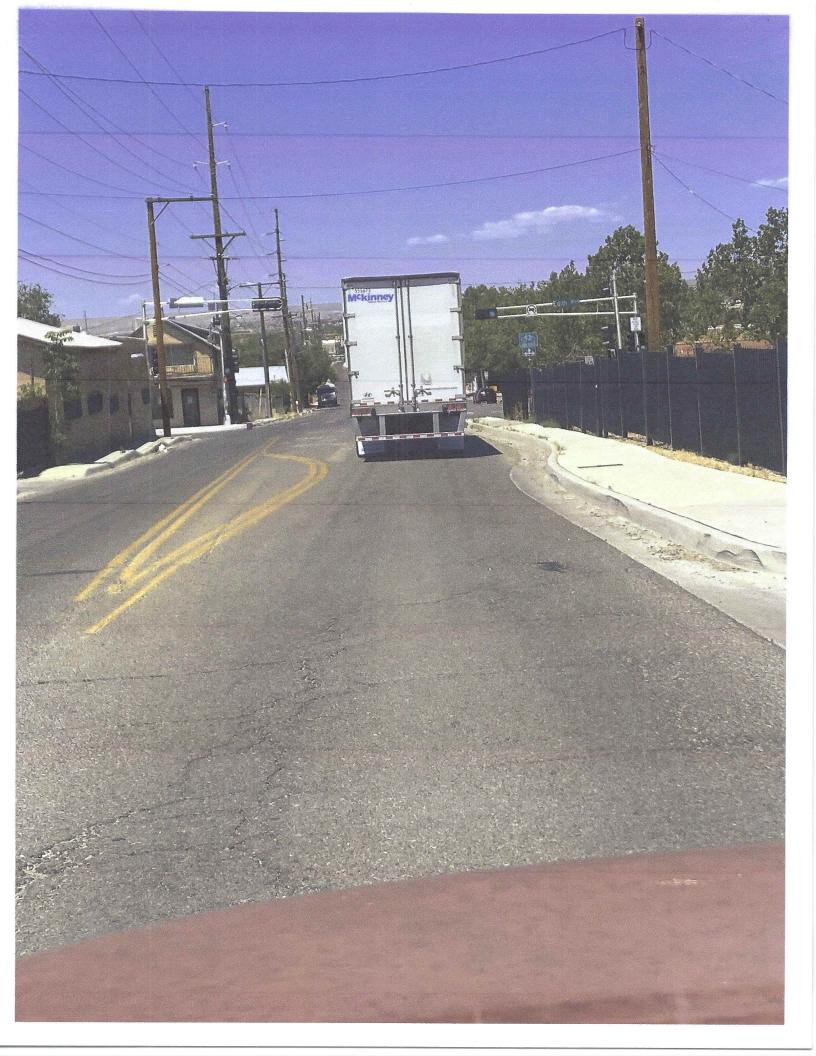
sites southwest

ALBUQUERQUE EL PASO

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

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



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

May 10, 2024

RE: SUPPORT FOR THE NOBIS ALBUQUERQUE REHABILITATION HOSPITAL

EPC Project and Case Numbers: PR-2024-009765, SI-2024-00468, Gateway Center/1100 Woodward PI NE Site Plan-EPC, Major Amendment.

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 <u>support</u> for the NOBIS Albuquerque Rehabilitation Hospital and the requests being brought forward to the Environmental Planning Commission on May 16th. This development is important for the health and wellbeing of our community, families, and friends, and will help New Mexicans in the following ways:

- 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.
- 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.
- 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,

Sal Perdomo

Sal Perdomo 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

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

Hello FPC 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 <u>support</u> 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:

- 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.
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www.letselevatenm.org

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	