

4-6-17  
Received  
Jolene Wolfley

Existing policy and zoning has the EPC review site plans proximate to the Bosque.

Amend the IDO to maintain this policy:

1. Create an SU-1 Zone for land proximate to Bosque
2. Amend the Coors VPO guidelines to require EPC site plan review
3. Amend Major Public Open Space requirements to include within 300 feet of Bosque for EPC review.

**DO NOT** convert this SU-1 Zoning to straight zoning.

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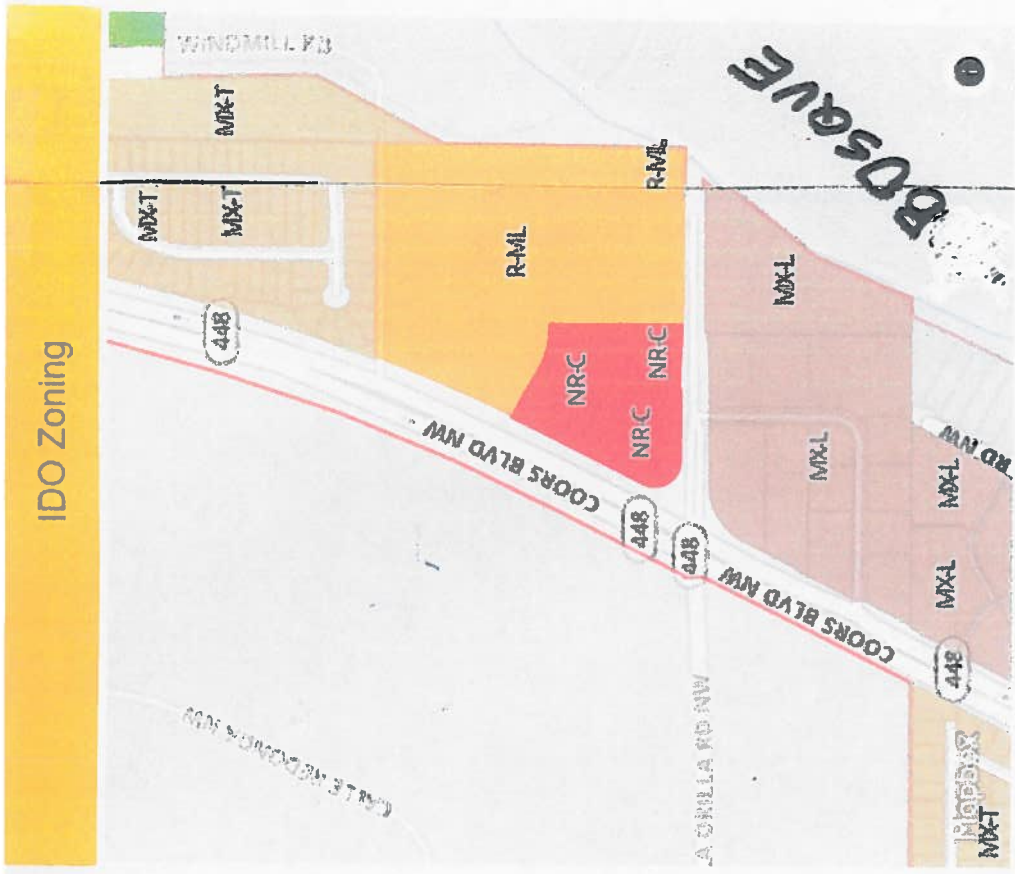
**Administrative review of site plans  
is huge loss of authority  
of the EPC**

**EPC should be shown this analysis:**

- **Over the past 2 years of EPC cases**
- **List of commercial site plans that were less than 100,000 s.f.**
- **List of multifamily site plans that were for less than 50 dwelling units**
- **List of mixed use projects of less 75 dwelling units and 50,000 s.f. commercial**

**Those are the projects the EPC would no longer review.**

4-6-17  
Revised  
Jolene Wolfley



Likely Admin Site Plan Review

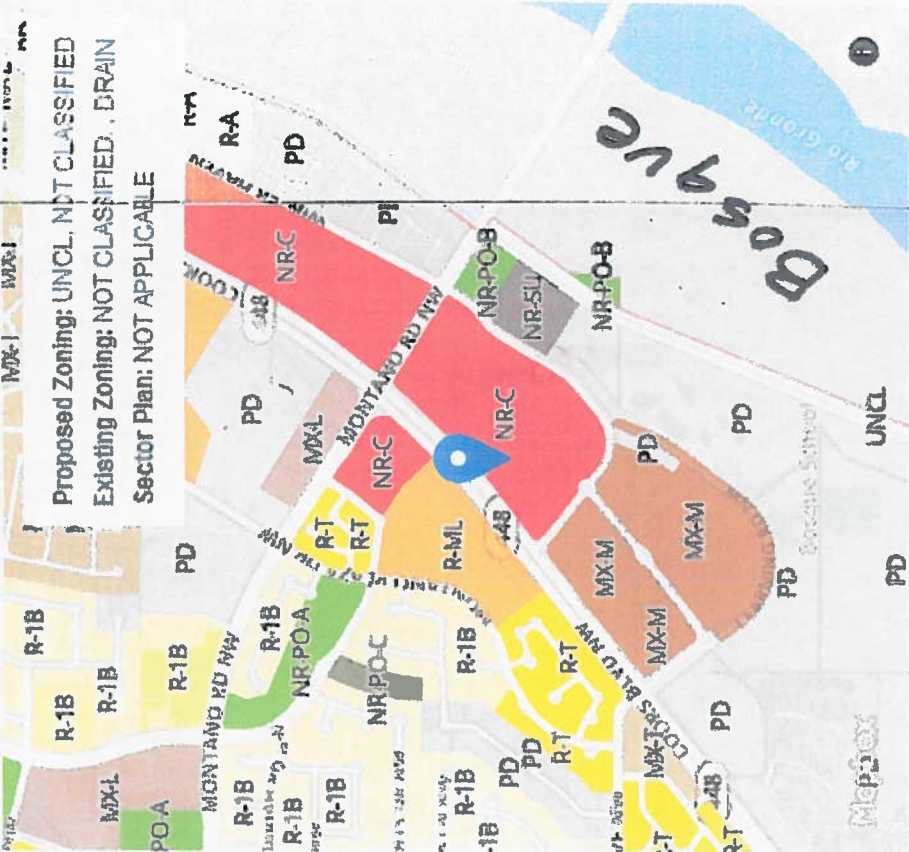


- EPC Site Plan Review

4-6-17  
Records

**IDO Zoning**

Proposed Zoning: UNCL, NOT CLASSIFIED  
 Existing Zoning: NOT CLASSIFIED, DRAIN  
 Sector Plan: NOT APPLICABLE



**Likely Admin site Plan Review**

**Existing Zoning**

Existing Zoning: SU-1, FOR C-2, O-1 USES & PRD  
 (20 DU/A)  
 Generalized Category: COMMERCIAL  
 Sector Plan: NOT APPLICABLE



**- EPC site Plan Review**

4-6-17  
Received  
Rob Dixon

**Michelle Allison**  
Zoning analysis  
April 3, 2017 at 5:55 PM  
David W. Blanc, Robert H. Dickson Jr.,  
Reilly, Brian

Hi David and Rob,

As promised, here is my overview of the EDO zoning. Please feel free to share with others. The attached excel sheet shows side by side comparisons of overall zoning requirements. At this time, I did not get into building articulation comparisons, but I will as we have more time.

As you know, written comments for the first two hearings are due tomorrow by 1pm to the planning department:

### EPC Hearing

The Environmental Planning Commission (EPC) is scheduled to hold the first and second hearings on the Integrated Development Ordinance from 1-8 p.m. on the following dates:

- [Thursday, April 6](#) - Vincent E. Griego Chambers, City Hall
- [Monday, April 10](#) - Plaza del Sol, 600 2nd Street NW, Basement Hearing Room (Note the location change!)

You are encouraged to attend and give verbal testimony. Public comment will be taken throughout the afternoon and evening, so come when you can!

Written comments will be taken throughout the review and approval process, expected to take at least six months.

To be considered at the first two hearings, submit written comments by 1 p.m. Tuesday, April 4, 2017.

Send written comments to [abcioz@cabq.gov](mailto:abcioz@cabq.gov)

Overall, I see the following as changes to existing development entitlements:

There are now side and rear setback requirements which are greater than existing.

It is not clear if these requirements apply in an alley condition.

It also does not seem necessary to have a 5' side setback unless adjacent to an existing building with windows (there is language protecting this condition in the current SDP).

The 10' setback from the is new to the Corridor Preservation and Corridor General Zones and addition to the 5' in the Street General Zone.

In general, heights have been reduced on properties fronting Central by approximately. Properties along Central in general are reduced 17', except within 660' of the transit stop, where buildings are allowed an addition 3'.

Other language which is of concern regarding heights is the language regulating buildings adjacent to historically significant or contributing structures. Currently the language reads "portion of structure" within 15' of significant or contributing structures is limited to 3 stories more than the historic building or the limit of the code. Now the language is more vague and could be interpreted as the whole structure. This language would only apply to historic buildings in the 660' station area, as the height is limited to 35' except within 660' station area and that precludes three stories anyway.

Neighborhood edge height limits for properties which are adjacent to residential have increased from 24' to 30' within the 35' setback area from an R-1 property.

At this time, I have not found any language which permits the porch and arcade encroachments currently allowed.

In addition, the building types and frontages which generate predictable outcomes have been removed.

I will look deeper into these regulations as required. At this time, I encourage you to submit a letter to the EPC by 1pm tomorrow if any of these changes are a concern to you and your development proposal.

Please feel free to call me with any questions.

Thank you.

Michelle Negrette  
Strata Design, LLC  
505 710 4221



EDO.DENSITYA  
NAL.ap...017.pdf

East Downtown - Existing vs proposed zoning comparison for properties within 1 block of Central Avenue				
Current zoning per Sector Development Plan			Proposed IDO	
Corridor Preservation	Corridor Preservation	Central	Corridor General	Street General
Broadway	Central	Central	Central	MX-L +CPO-3
Setbacks				
Front	0'	0'-12"	5'	0'min/5'max
Side street	0'	0'	5'	10' min
side	0'	0'	0'	5' min
near	5' min	5'	4'	15' min
Historic Building	side setback is 0' when alongside the party wall of a designated historic building and is 5' minimum when along side a designated historic building with windows	the side setback is 0' when alongside the party wall of a designated historic building and is 5' minimum when along side a designated historic building with windows	the side setback is 0' when alongside the party wall of a designated historic building and is 5' minimum when along side a designated historic building with windows	
Side setback				
Height	4 stories/52'-0"	4 stories/52'-0" or 5 stories/65' as designated on the Height Overlay Plan	3 stories/39' high	35, 55' within 660' of transit area
Neighborhood		Armo to High maximum height of first three floors is 41'		
Edge	within 35' of R-1 lot height limited to 24'	within 35' of R-1 lot height limited to 24'	within 35' of R-1 lot height limited to 24'	within 35' or R-1 height limited to 30'
Historic Building	portion of any structure within 15' feet of a designated historic building is 3 stories more than the historic building or the code designated height limit for that site, whichever is less.	portion of any structure within 15' feet of a designated historic building is 3 stories more than the historic building or the code designated height limit for that site, whichever is less.	portion of any structure within 15' feet of a designated historic building is 3 stories more than the historic building or the code designated height limit for that site, whichever is less.	The height limit of any structure within 15' of a contributing building in the HPO1 or 4 zone is three stories more than the contributing building, or the maximum height allowed by the base zone district, whichever is less.
Stepback				
Setback	allowed for	Arcades may encroach over the Public ROW	Porches, stoops and balconies may encroach into the setback, 8' front, side 8', maximum height 1 story.	
Encroachment	porches/8'max/1 story	may encroach over Public ROW at side streets		
Permitted		Duplex Triplex Quadplex, Courtyard Housing (30 du/acre, Live/work in rowhouse and detached house configurations	Duplex/triplex/quadplex, work/live in detached and rowhouse configurations, courtyard configurations, courtyard (35 du/acre) (up to 45/du acre on Broadway)	
Forms				



April 6, 2017

Page 1 of 2

Received  
4-6-17  
Virginia Kinney

City of Albuquerque (COA)  
Planning Dept -- EPC - IDO  
1 Civic Plaza NW  
Albuquerque, New Mexico 87102-

Re: IDO – EPC meeting. Asking for the EPC to  
Incorporate Site Development Plan, Upheld in Court, into the IDO for the:  
Casa Placida Apartments; 7100 Constitution Ave NE 87110  
Brief Legal = W ½ of Blk 21; E ½ of Blk 25, MESA DEL NOTRE ADD'N

Dear Members:

I am writing this and asking you to incorporate into the IDO the **CRITICAL & IMPORTANT DETAILS CONTAINED IN THE SITE DEVELOPMENT PLAN (SDP)** which was needed to re-zone R-1 property to SU-1 zoning. This SDP, which is a legal document, was two (2) years in the making and was highly contested by the adjacent neighbors and from the general city's negative input. To accommodate the owners, the adjacent neighbors and the COA continually struggled to create a Site Development Plan which was adjacently live-able and still profitable for the owners. Carol, a senior planner with COA, while doing research soon realized from extensive files & records just how highly contested the re-zoning was.

The COA made the issue bearable by creating a SDP, a legal document, and by **PROMISING** through **WRITTEN SU-1 zoning documents** that the re-zone **WOULD BE SU-1 ZONING WHICH IS VERY DETAILED AS TO HOW THE OWNER COULD MAKE ANY CHANGES TO THE SITE DEVELOPMENT PLAN (SDP)**. Mainly, the SDP **COULD NOT BE CHANGED** without the agreement of the adjacent neighbor. The COA essentially promised the adjacent neighbor that they **WILL ALWAYS HAVE A VOICE IN** development of **RE-ZONED PROPERTY NEXT DOOR**.

It must be noted that the COA since then has granted to make the land a part of the Uptown Sector Plan as SU-3 zone, but assured the property owner that the Site Development Plan details would follow into the Uptown Sector Plan, which it did.

COA can **NOT** use general wording in the IDO plan regarding this SDP. The COA has included other highly contested SDP into the IDO, for the same reasoning.

We are asking you to **INCLUDE THE SDP** which has been **TESTED AND UPHELD** in the **COURT SYSTEM**, as being a legal document created for the COA and the home owner.

In court it was documented that this SDP **IS A LEGAL DOCUMENT**, as written, and can not be changed-at-will by the COA or by the Owner.

The following attached notes are for my oral presentation about this issue.

Again, asking for the EPC to **HONOR** the COA written **PROMISES** made mainly to the adjacent neighbor (& to the COA) to

incorporate into the IDO the Site Development Plan for the Case Placida Apartments, which was Upheld in Court, regarding the plan for the re-zoned land.

Yours truly, Virginia Kinney  
P.O. Box 1932; Tijeras, NM 87059-1932  
505-321-5432

Note: I am not on the internet. Please contact me.

See attachment



4-6-2017

EPC IDO saveSitePlan2017-04

4-6-2017 EPC 1 to 8pm for public testimony, comments and questions.

Basement of City/County Bldg = 1 Civic Plaza NW

Park beneath Civic Plaza & ticket will be validated.

Page 2 of 2

SDP = Site Development Plan

**\*\* Concerning SDP for = Casa Placida Apartments 7100 Constitution Ave NE  
Brief Legal = W ½ of Blk 21, E ½ of Blk 25, MESA DEL NORTE ADD'N**

**\*\* Asking EPC board = to Honor = highly contested SDP = took 2 yrs in making.  
Everyone, COA, adjacent neighbor, Owners = did a good job  
& For LAWSUIT proof = in which SDP was the issue = Court UPHELD SDP  
Court case = POINTED OUT = SDP = IS A LEGAL DOCUMENT!!!!  
Carol, COA planning dept, did research = found 2 years worth of highly contested  
files and records for this SU-1 case, which resulted in the SDP.**

**\*\* Asking EPC to add to IDO =**

**Site Development Plan = IS a LEGAL DOCUMENT**

**\*\* By Comparison = Comprehensive Plan adopted on March 20 of this year  
a policy guide for city = NOT LAW = NOT LEGAL DOC  
purpose is to direct actions = is not regulations**

**\*\* IDO 's = intent is to catch and pull-in = features of Sector Plan Policies  
Also IDO's intent = catch and pull-in CONTESTED cases - like this SDP  
To include, just the Uptown Sector Plan = WILL NOT be Enough  
NEED in the IDO this SDP = a Legal Document, to protect agreements made.**

**\*\* The COA MADE PROMISES TO & for :the city areas & adjacent neighbor  
SU-1 = CAME WITH WRITTEN INSTRUCTIONS. & promises &  
can not be changed at will BY CITY or at will by the Owner.  
The Promises stated = To change = MUST BE AGREED-TO by neighbor.**

**\*\* I BELIEVE = heirs of Kenneth Ashcraft own Casa Placida Apartments  
I was one party in the lawsuit and the adjacent owner  
Court-case stressed = SDP is a legal document.**

**\*\* I'm Asking for COA to honor & uphold - their promises in the SU-1 zoning  
Promises were made = to protect the city and adjacent neighbor  
The Owners or City = CAN NOT CHANGE SDP at will.  
To change = adjacent neighbor must agree**

**Again = the Site Development Plan = a legal document = Upheld in Court.  
can not be change by the city at will. = must have neighbor's input,**