

Exhibit A

Requested amendments to PR-2018-001843 / RZ-2022-00043 to improve the Small Area application's furtherance of CompPlan Goals and Policies (including Chapters 4 - Character and 8 – Economic Development) by protecting existing neighborhood character (CPO-1, CPO-3, CPO-9, CPO-11, CPO-12) and incentivizing private sector investment along the Rail Trail corridor:

Amendment / Discussion	Explanation
<p>Add new subsections to proposed Building Height Stepdown standard:</p> <p>5-2(A)(5) Building Height Stepdown</p> <p>5-2(A)(5)(a) Except within the Downtown Center (DT), a Main Street (MS) corridor, or a Premium Transit (PT) area, any portion of a primary or accessory building within 50 feet in any direction of the Rail Trail shall step down to a maximum height of 48 feet.</p> <p><u>5-2(A)(5)(b) A property is exempt from this building height stepdown if it subject to an applicable CPO-specific building height step down or building design standard that restricts building height in full or from any lot line.</u></p> <p><u>5-2(A)(5)(c) Alternatively, a property is exempt from this building height stepdown if it can provide direct access from the Rail Trail to an adjacent plaza or other usable, open area.</u></p>	<p>These new subsections reflect and respect the existing character of activity nodes, neighborhoods, and communities that are already codified in Character Protection Overlay zones along the Rail Trail corridor.</p> <p>Provides options for property owners to activate the Rail Trail corridor along its alignment beyond a one-size-fits-all standard.</p> <p>Be more inclusive of the character and identities of distinct neighborhoods and areas along the Rail Trail corridor.</p> <p>Incentivizes private sector investment in Rail Trail corridor redevelopment projects.</p> <p>Helps the Rail Trail Small Area standards to more completely further CompPlan Policies and MRA Plans.</p>

Amendment / Discussion	Explanation
<p>Add a new subsection to proposed Building Design standard:</p> <p>5-2(A)(6) Building Design</p> <p>5-2(A)(6)(a) In the NR-LM or NR-GM zone districts, any façade facing the Rail Trail shall meet the requirements in Subsection 14-16-5- 11(E)(2)(a)3.</p> <p>5-2(A)(6)(b) Outdoor seating and gathering required by Subsection 14-16-5- 11(E)(3) shall be located adjacent to the Rail Trail <u>or be located in an adjacent plaza or portal.</u></p>	<p>Provides options for property owners to activate the Rail Trail corridor along its alignment other than a one-size-fits-all standard.</p> <p>Better preserves and protects the character and identities of distinct neighborhoods and areas along the Rail Trail corridor.</p> <p>Incentivizes private sector investment in Rail Trail Corridor redevelopment projects.</p> <p>Helps the Rail Trail Small Area standards to more completely further CompPlan Policies and MRA Plans.</p>



11 December 2023

David Shaffer, Chair
Environmental Planning Commission
c/o City of Albuquerque Planning Department
600 Second Street NW
Albuquerque NM 87102

RE: IDO Annual Update – Rail Trail Small Area Regulations (PR-2018-001843/RZ-2022-00043)

Dear Mr. Chair and EPC Commissioners,

On behalf of Sawmill Bellamah Properties (Sawmill Bellamah), a longtime local business, please accept these comments regarding the Rail Trail Small Area Regulations. The Rail Trail infrastructure project is a positive new amenity for Burqueños and visitors to improve the City’s quality of life and encourage private sector investment in the distinct neighborhoods it will connect. The infrastructure’s alignment includes the Sawmill District, an established hub of activity next to the Museum District and Old Town.

When establishing the Sawmill/Wells Park Metropolitan Redevelopment Area (SWPMRA) designation, the City Council found “that the rehabilitation, conservation, development and redevelopment of and in the Sawmill Redevelopment Area is necessary in the interest of the public health, safety, and welfare of the residents of the City.” (Enactment No. 164-1993) The Sawmill District is uniquely situated to absorb development and redevelopment that is not possible or desired in the Old Town Activity Center south of Mountain Road. Improvements to City infrastructure in conjunction with private/public partnerships and development incentives make desired change possible in all Metropolitan Redevelopment Areas.

Sawmill Bellamah has been steadily implementing redevelopment projects in the Sawmill District, including Hotel Chaco and most recently the Sawmill Market, both located at the intersection of Bellamah Ave and 20th Street. Hotel Chaco and Sawmill Market were designed and built to contribute to the Sawmill District’s distinct character in a synergistic, organic way with other redevelopment projects along Bellamah Ave and 20th Street that began with the iconic, placemaking Hotel Albuquerque.

Recent EPC Zoning Map Amendments and ZHE Variance Decisions

The Environmental Planning Commission (EPC) in 2022 and 2023 unanimously approved three zoning map amendments adjacent to and along the 20th Street corridor from NR-LM and MX-M to MX-H. The EPC approved MX-H zoning along 20th Street with full acknowledgement and understanding that planned redevelopment projects for the properties are designed and intended to achieve this zone district’s 68-foot height allowance (PR-2022-007153/ RZ-2022-00028, PR-2022-007155/ RZ-2022-00029, and PR-2023-008909/ RZ-2023-00019).

The EPC’s decisions detail how each of the requests further several CompPlan policies, including but not limited to CompPlan Chapter 4 Character (Policy 4.1.2 Identity and Design, Policy 4.1.3 Placemaking, Policy 4.1.4 Neighborhoods) and Chapter 8 Economic Development (Goal 8.1 Placemaking, Policy 8.1.1

Diverse Places, Policy 8.1.2 Resilient Economy, Policy 8.1.4 Leveraging Assets, and Policy 8.1.5 Available Land) because the EPC finds in their decisions that MX-H zoning will:

- Protect the identity and cohesiveness of the neighborhood by contributing to the Sawmill District's identity as a growing live, learn, work, shop, and play community, which ensures the appropriate location of development and mixed uses.
- Contribute to the sense of place of the revitalization of the Sawmill District, a designated MRA within the City.
- Protect the identity of the neighborhood by contributing to the Sawmill District's identity as a vibrant mixed-use community.
- Build upon the unique and interesting context of the Sawmill District . . .
- Help to enhance and market the region's unique characteristics, which the Sawmill District contributes to, and would generally maintain sufficient land that is appropriately zoned to accommodate employment growth.

and

- The IDO's development standards and the Sawmill/Wells Park Character Protection Overlay zone (CPO-12) designation would ensure the appropriate location and character of future development.

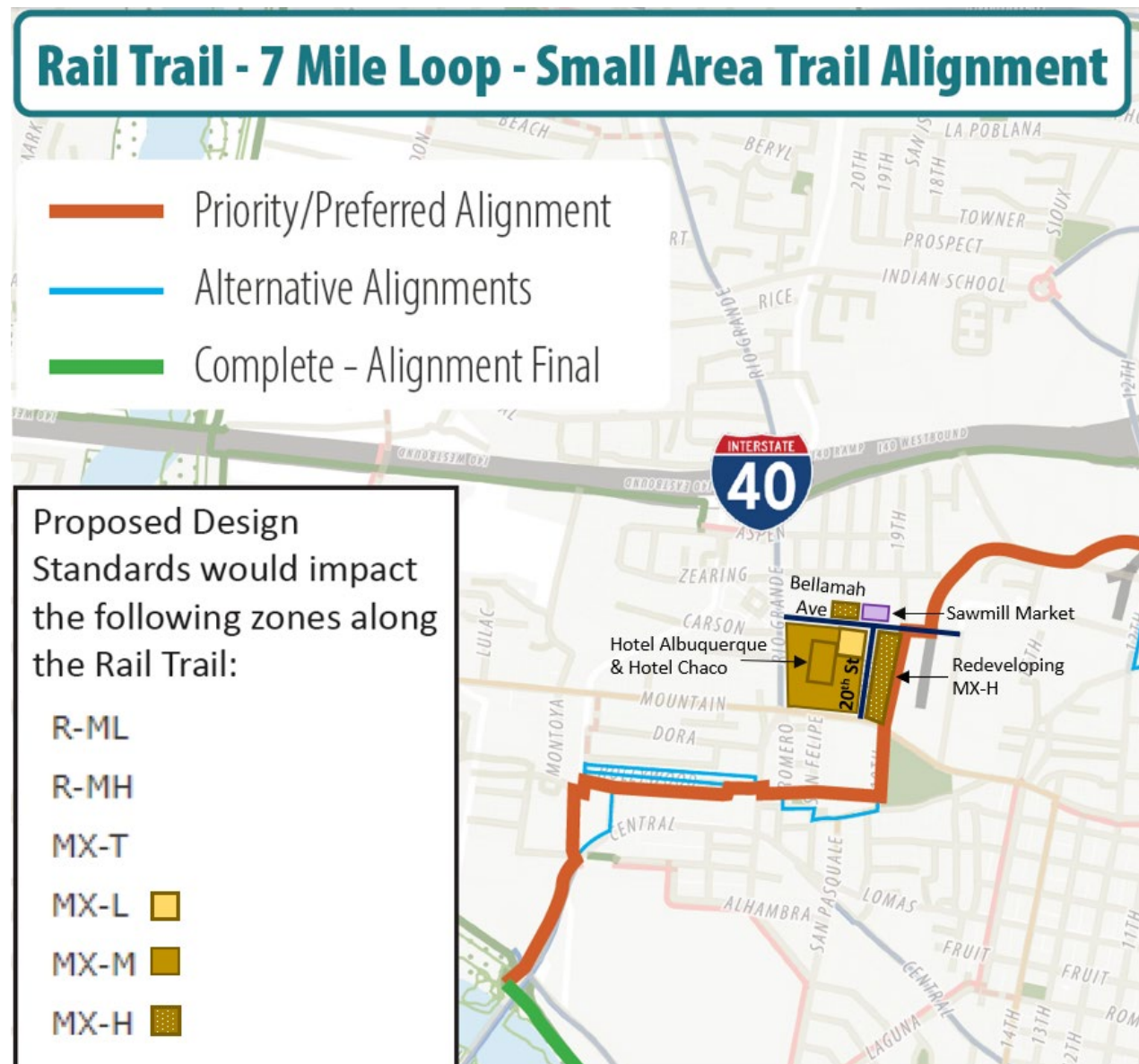
The Sawmill Area Neighborhood Association (SANA), Downtown Neighborhoods Association (DNA), and Historic Old Town Association (HOTA) received notice of the 2022 and 2023 zoning map amendment requests, were informed about the MX-H height allowance, and none were opposed. At a CABQ Facilitated Neighborhood Meeting on 08 April 2022 the SANA and DNA voiced support for the contemplated development and expressed no areas of concern.

MX-H allows planned mixed-use redevelopment along 20th Street that will provide more options for residents to live, work, shop, and play in an established activity center to walk or bike to from nearby neighborhoods. The Sawmill District's character, scale, and context is established by the redevelopment projects of Hotel Albuquerque, Hotel Chaco, Sawmill Market, and additional redevelopment to the east along Bellamah Ave. This existing context currently guides private sector redevelopment plans for activating 20th Street with well designed, walkable, multi-story, mixed-use projects with ground floor businesses and services facing the street as intended and allowed by the MX-H zone district.

The Zoning Hearing Examiner (ZHE) recently approved variances for this block and finds that the shallow depths of the lots along 20th Street from Bellamah Ave to Mountain Road are a special circumstance that creates an extraordinary hardship for redevelopment of these properties (PR-2022-7153/ VA-2023-00092 / VA-2023-00093 / VA-2023-00094 / VA-2023-00095). This narrow east-west dimension is a design challenge when developing per the MX-H zone district's standards in addition to those of Character Protection Overlay CPO-12. As with the EPC zoning map amendments, Neighborhood Association contacts in the area were notified and none opposed the Variance applications.

These efforts to work within the City's IDO framework of standards and processes demonstrates Sawmill Bellamah's commitment to redevelopment projects that further the intent of the CompPlan and the SWPMRA Plan, and the development standards of the MX-H zone and the Sawmill/Wells Park CPO-12.

The below excerpt from the City's Rail Trail map shows ongoing Sawmill District redevelopment along Bellamah Avenue and 20th Street in relation to the proposed Rail Trail alignment, parallel to 20th Street.



Old Town and the Sawmill District

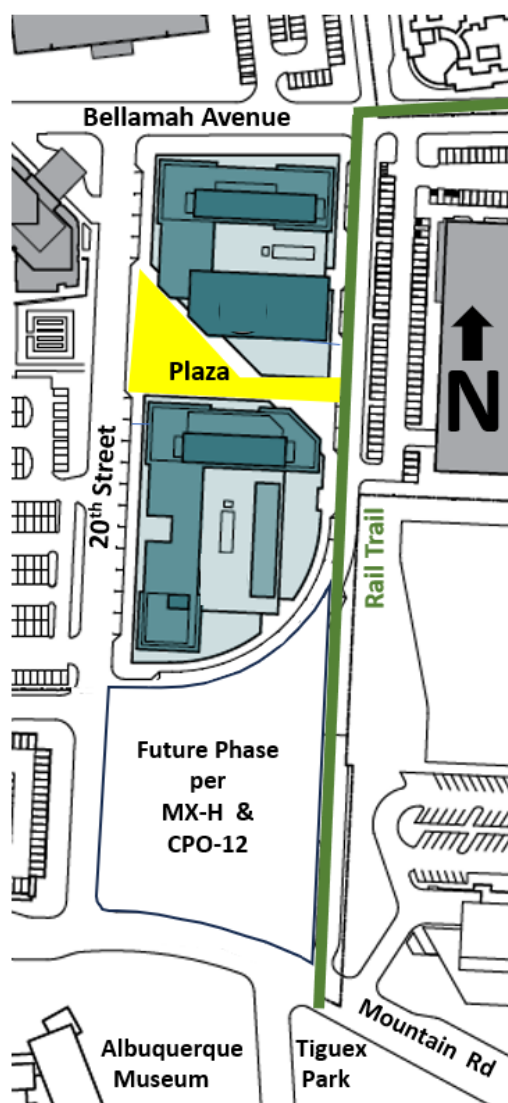
South of Mountain Road the Old Town Activity Center's Historic Preservation Overlay (HPO-6) and the MX-T zone district limit redevelopment to what appropriately reflects the Activity Center's cultural and historic significance and established character.

Since the 1970s, the Sawmill District north of Mountain Road has organically evolved into a walkable and more complete community. The Sawmill District has absorbed the demand for mixed-use development that has established its character along Bellamah Avenue and 20th Street, an activated, direct pedestrian link from the heart of the Sawmill District to the Museum District and Old Town.

The Sawmill District' Character Protection Overlay Zone (CPO-12) building design standards and the SWPMRA designation help define and protect its character and mix of uses, including multi-story buildings. Its proximity to transit on Rio Grande Blvd and Central Avenue, and now the proposed Rail Trail make it appropriate for continued, context-sensitive redevelopment per existing standards.

Sawmill District Scale and Character

Hotel Albuquerque, at Rio Grande Blvd and Bellamah Avenue, is a **139-foot-tall** high-rise building and Hotel Chaco, at 20th Street and Bellamah Avenue, is a **66-foot-tall** mid-rise building that were made non-conforming as to height when their zoning was converted to MX-M and MX-L respectively. Other notable multi-story and multi-use buildings along Bellamah Avenue further establish the area's character, scale, and intensity. The EPC recognized this scale, context, and character during the zoning map amendment approvals to MX-H.



Redevelopment of 20th Street per the MX-H Zone District

Sawmill Bellamah shared plans and designs for redevelopment projects along 20th Street between Bellamah Avenue and Mountain Road with surrounding neighborhoods, the EPC, and ZHE. This planned redevelopment is what the MX-H zone district intends and allows, furthering the policies of the CompPlan and SWPMRA Plan goals.

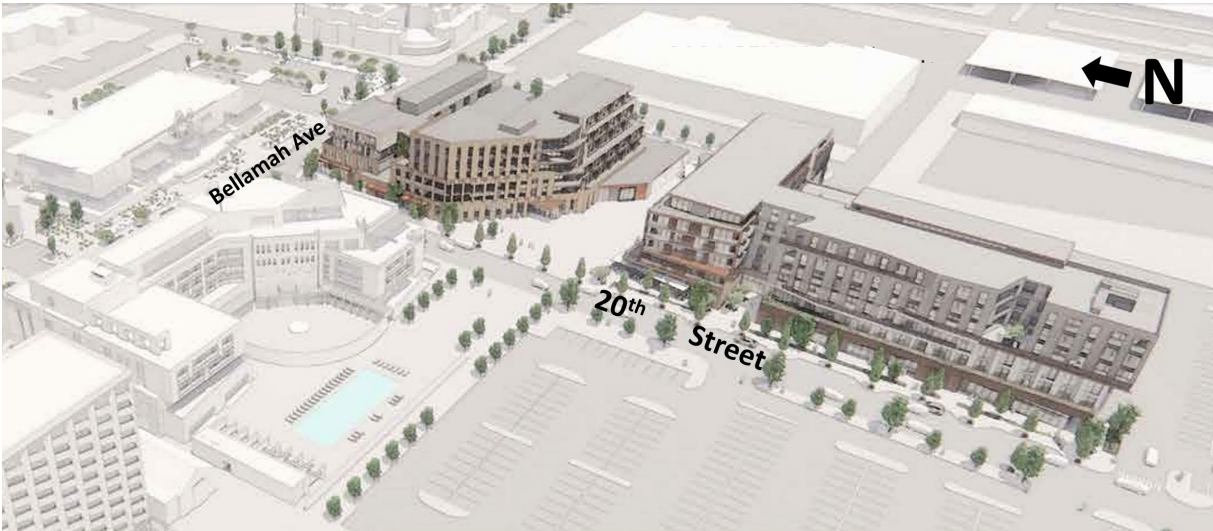
Sawmill Bellamah' Sawmill District Vision is inspired by New Mexico's geologic forms and vistas. The resulting architecture and programming of space is creative, with activated outdoor spaces that relate to Hotel Chaco, Sawmill Market, Bellamah Avenue, the Rail Trail, and 20th Street, the direct pedestrian link to the Museum District, and Old Town.

The site design includes three developments along 20th Street from Bellamah Avenue to Mountain Road. Between the northern building and the central building will be a large, 13,000 square foot plaza space that relates directly to 20th Street, Hotel Chaco, and the proposed Rail Trail. This plaza provides variation of the streetscape for pedestrians along 20th Street and ground-level, and usable open space for cultural, arts, and community events. And it will provide relief from any potential "canyon effect" along the Rail Trail.

The planning and design of these major redevelopment projects began well before the start of the Rail Trail public process in 2021. It is a prime example of how the intent and

vision of the Sawmill/Wells Park MRA is being organically implemented via private sector investment by a local business.

The axon image below looking east shows how the redevelopment project along 20th Street provides visual variety and multiple opportunities for a streetscape activated by ground floor retail and services. The large open Plaza has a direct relation to 20th Street Hotel Chaco, and the Rail Trail alignment.



Now that a replat subdivision of the block into three new parcels is complete, the City recently approved the first building’s administrative Site Plan – DFT at the corner of 20th Street and Bellamah Avenue.

SAWMILL DISTRICT MASTERPLAN VISION | PROPOSED NEW DEVELOPMENT ACTIVATED STREETS

11



VIEW OF PROPOSED HOTEL CHACO RESIDENCES LOOKING SOUTHEAST AT INTERSECTION OF BELLAMAH AVE & 20TH STREET

SAWMILL BELLAMAH PROPERTIES | SAWMILL DISTRICT

MAY 16, 2023



Sawmill Bellamah is now working to obtain City approval of the second administrative Site Plan – DFT for the central building that shares the large plaza with the northern site.



VIEW OF PROPOSED MIXED-USE RESIDENTIAL LOOKING SOUTHEAST ACROSS NEW MAIN PLAZA

SAWMILL BELLAMAH PROPERTIES | SAWMILL DISTRICT

MAY 16, 2023



Designing, engineering, and programming a redevelopment project to obtain site plan entitlements is a long, involved process well before a site plan application can be submitted into the City Planning review processes. Once entitled, redevelopment projects of this magnitude also require this local business to carefully plan for and obtain financing as well as to work with the City to begin construction (interest rates, terms, infrastructure coordination, permits, etc.).

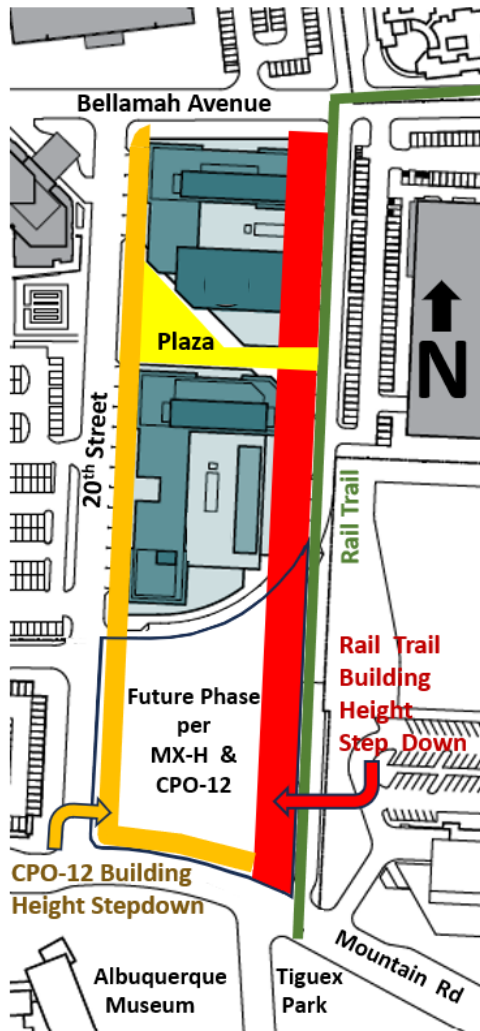
5-2(A) - Rail Trail Design Standards

Predictability and applicability of realistic zoning allowances, rules, and design standards are key for architects, engineers, and contractors to first finalize entitlements and then for this local business to obtain financing. These important private sector processes will be adversely impacted if some of the proposed Rail Trail design standards are applied to these planned, designed, and currently viable private sector redevelopment projects.

The Report of the 20 September 2023 CABQ Facilitated Meeting for the Rail Trail details concerns expressed by attendees about the proposed design standards:

- The proposed 48-foot height limit for any building within 50 feet of the Rail Trail.
- Building design requirements facing the Rail Trail.

DT, MS, and PT (Downtown, Main Street, and Premium Transit) are appropriately addressed in the Small Area standards but the Rail Trail traverses several CPOs. Prioritizing Character Protection Overlay zone standards that reflect and define an area's character, scale, and history that also incentivize private sector investment will add to the overall the intent of the proposed Rail Trail.



Per proposed **5-2(A)(5)**, the 48-foot height limit imposed on MX-H zoned properties is essentially an unjustified downzone to MX-M. This is contrary to the Environmental Planning Commission’s 2022 and 2023 approvals of the MX-H Zone District map amendments.

This proposed height limitation would be in addition to the existing **CPO-12 building design standard** for Mixed-use and Non-residential Development that restricts building height. The Rail Trail building step down does not recognize the community character reflected in CPO-12.

Proposed 5-2(A)(6)(a) requires street-facing façade design standards be applicable to Trail-facing facades and proposed 5-2(A)(6)(b) requires that outdoor seating and gathering be located adjacent to the Rail Trail. These design requirements for allowable height, façade treatment, and outdoor seating are uniform standards that do not reflect the context, scale, character, diversity, culture, history, and identity of the Sawmill District that has developed organically for decades.

Some of the Rail Trail design standards that do not reflect the Sawmill District’s character may detract from the pedestrian environment along 20th Street. If enacted before planned redevelopment along 20th can realistically begin, the proposed standards would require major redesigning and engineering and increased costs by “doubling” façade and outdoor seating

treatments to address both the 20th Street and the Rail Trail frontages. This would be at the expense of appropriately activating 20th Street, the planned large Plaza area, and future phases of development along this narrow block.

Some changes to the proposed Small Area standards would help them to better implement the Purpose of 5-2 Site Design and Sensitive Lands “to minimize the impacts of development on natural and cultural resources, . . . to create more distinct neighborhoods by connecting them to surrounding natural features and amenities, and to improve building performance and occupant wellness.”

The established character and cultural resources of the Sawmill District would be better protected by the design standards if they were recognized with some amendments. Maintaining two “front” facades and multiple seating areas may not always improve building performance and occupant wellness, especially when it comes to property management and security, integrating parking structures (5-5(G)), and the location of off-street loading areas (5-5(H)).

Viable redevelopment projects that reflect an area’s existing character need to “pencil out” and be able to obtain financing when new regulations, intended to create an introduced, uniform appearance and

character of development are introduced and enacted. One-size-fits-all design standards may deter opportunities for economic development and cultural expression within distinct neighborhoods and centers of activity. They may also make it harder to meet MRA goals and intents by disincentivizing private sector investment.

Amendment to IDO Text – Small Area- Review and Decision Criteria (14-16-6-7(E)(3))

The Rail Trail is a commendable infrastructure project that could improve the City's quality of life. Some amendments to the proposed Rail Trail Small Area regulations could positively enhance the impacts the Trail will have by encouraging and incentivizing desired private sector investment along its route.

The Review and Decision Criteria for Amendment to IDO Text – Small Area requires that all criteria in IDO Section 6-7(E)(3) be met by an application, including:

- 6-7(E)(3)(a) The proposed small area amendment is consistent with the health, safety, and general welfare of the city 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.

and

- 6-7(E)(3)(c) If the proposed small area amendment is located wholly in an Area of Change (as shown in the ABC Comp Plan, as amended) and the applicant has demonstrated that the existing zoning regulations are inappropriate because they meet at least 1 of the following criteria.
 1. There has been a significant change in neighborhood or community conditions affecting the small area that justifies this request.
 2. The proposed zoning regulations are 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 plan(s).

Ongoing redevelopment in the Sawmill District per the intent and the Sawmill/Wells Park Metropolitan Redevelopment Area (SWPMRA), as well as redevelopment in other MRAs along the Rail Trail is a significant change in neighborhood conditions that should be reflected by the proposed rules.

This application could be amended to become even more advantageous to the community and more consistent with the health, safety, and general welfare of the City by more inclusively furthering applicable Goals and Policies in the ABC Comp Plan, the goals and strategies of the SWPMRA Plan and all other MRA Plans along the Rail Trail, including but not limited to:

ABC Comprehensive Plan

Goal 4.1 Character: Enhance and preserve 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.

Policy 4.1.3 Placemaking: Protect and enhance special places in the built environment that contribute to distinct identity and sense of place.

Policy 4.1.4 Neighborhoods: Enhance, protect, and preserve neighborhoods and traditional communities as key to our long-term health and vitality.

Goal 8.1 Placemaking: Create places where business and talent will stay and thrive>

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

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.

Policy 8.1.3 Economic Base: Strengthen and diversify the economic base to help reduce reliance on government spending.

Policy 8.1.4 Leveraging Assets: Enhance and market the region's unique characteristics internally and to outside businesses and individuals in order to compete with other regions.

Policy 8.1.5 Available Land: Maintain sufficient land that is appropriately zoned to accommodate projected employment growth in targeted areas.

The Goals and Strategies of these MRA Plans:

- **Sawmill/Wells Park Metropolitan Redevelopment Area**
- **North Corridor Metropolitan Redevelopment Area**
- **Barelas Metropolitan Redevelopment Area**
- **McClellan Park Metropolitan Redevelopment Area**
- **Historic Central Metropolitan Redevelopment Area**

At the Metropolitan Redevelopment Agency's 15 November 2023 Rail Trail Open House, the Project Manager acknowledged that the Rail Trail design standards might affect planned, private sector investment and kindly suggested that property owners submit site plans before the new regulations take effect. And that is now Sawmill Bellamah's intent and focus, but the phased approach planned for redeveloping the entire block along 20th Street will realistically take longer than the time frame allotted by the current IDO Annual Update process.

The shallow properties along 20th Street are within the Sawmill/Wells Park Character Protection Overlay Zone (CPO-12) and are already subject to its existing, character-specific building height stepdown standard, 3-4(M)(5)(c). Adding the Rail Trail building height stepdown to properties already subject to such a standard becomes a double whammy of height reductions to first reflect the CPO design character on one side and then a new, artificially imposed design character on the other. CPO-12 has existing standards that reflect and protect the unique character of Sawmill/Wells Park.

The redevelopment of 20th Street is a real-world, contemporary project that could and will hopefully occur in appropriate locations along the Rail Trail corridor where redevelopment is desired, such as MRA areas. But predictable design standards are necessary to maintain progress and changes that reflect each neighborhood's character. The Sawmill District is not the only Rail Trail node that has CPO standards regulating height. The Barelás (CPO-1), Downtown Neighborhood Area (CPO-3), North Fourth Corridor (CPO-9), Rio Grande Boulevard (CPO-11), and Sawmill/Wells Park (CPO-12) Character Protection Overlay zones all have existing, character-specific standards for height:

Barelás CPO-1

- 3-4(B)(4) Building Height**
- 3-4(B)(4)(a) Maximum Building Height**
1. Maximum building height allowances associated with a Center or Corridor designation do not apply.
 2. Building height bonuses do not apply pursuant to Subsection 14-16-3-1(C).
- 3-4(B)(4)(b) Neighborhood Edges**
1. The General Requirement for Building Height Stepdown in the Neighborhood Edges Subsection 14-16-5-9(C)(1) applies regardless of Center or Corridor designation.
 2. In the MX-H zone district, any portion of a building within 20 feet of any lot line is limited to 35 feet.

Downtown Neighborhood Area CPO-3

- 3-4(D)(4) Building Height**
- 3-4(D)(4)(a) R-1 and R-T Zone Districts**
- A detached accessory dwelling shall not exceed the height of the primary dwelling or 18 feet, whichever is less.
- 3-4(D)(4)(b) R-ML and MX-T Zone Districts**
1. Maximum building height: 40 feet.
 2. Portions of buildings over 30 feet shall incorporate a minimum setback of 6 feet from the front street-facing façade.
- 3-4(D)(4)(c) MX-M Zone District**
1. Additional building height associated with Main Street areas is not applicable.
 2. For lots abutting Central Avenue, building height over 30 feet shall incorporate a minimum setback of 6 feet from the front street-facing façade.
- 3-4(D)(4)(d) Building Height Bonuses**
- Building height bonuses do not apply pursuant to Subsection 14-16-3-1(C).

North Fourth Corridor CPO-9

- 3-4(J)(3) Building Height and Setback**
- 3-4(J)(3)(a) Maximum Building Height**
1. The maximum building height is 55 feet for properties zoned MX-M, MX-H, NR-C, NR-BP, NR-LM, or NR-GM.
 2. Building height bonuses do not apply pursuant to Subsection 14-16-3-1(C).
 3. If more than 165 feet of frontage along 4th Street is being developed or redeveloped, 1/3 of the new development, with any fractions rounded down to the nearest foot, is limited to 45 feet in height.
- 3-4(J)(3)(b) Building Setback**
- Any portion of a building over 30 feet tall shall incorporate a minimum setback of 6 feet from any façade facing 4th Street.

Rio Grande Blvd CPO-11

3-4(L)(4) Building Stepback

Portions of buildings over 1 story in height shall be stepped back a minimum of 6 feet from the façade of the preceding story on sides of the building abutting a street or a lot containing any use in the Household Living category.

Sawmill Wells Park CPO-12

3-4(M)(4) Building Height

3-4(M)(4)(a) R-ML and MX-L zone districts: 26 feet maximum.

3-4(M)(4)(b) NR-BP zone district: 35 feet maximum.

3-4(M)(4)(c) NR-LM zone district: 55 feet maximum.

3-4(M)(4)(d) Building height bonuses do not apply pursuant to Subsection 14-16-3-1(C).

3-4(M)(5)(c) Building Design for Mixed-use and Non-residential Development

In Mixed-use and Non-residential zone districts, all of the following building design regulations apply.

1. No portion of any building within 25 feet of the front lot line shall exceed 15 feet in height.

Suggested Amendments to Rail Trail Small Area Standards

There are design solutions to address desired intents, and they require acknowledgement of an area's established character that are already reflected by a CPO. Overall amendments to the submitted language is possible to provide options and solutions that protect established neighborhood character along the Rail Trail's alignment.

As the proposed building height limitation is intended to avoid creating a canyon effect with only 48 foot tall buildings instead of 68 foot tall buildings and the overall intent of the Rail Trail project is to connect and activate various, and unique neighborhoods and centers along its alignment, please consider these suggested amendments for 5-2(A)(5) and 5-2(A)(6):

5-2(A)(5) Building Height Stepdown

5-2(A)(5)(a) Except within the Downtown Center (DT), a Main Street (MS) corridor, or a Premium Transit (PT) area, any portion of a primary or accessory building within 50 feet in any direction of the Rail Trail shall step down to a maximum height of 48 feet.

5-2(A)(5)(b) A property is exempt from this building height stepdown if it subject to an applicable CPO-specific building height step down or building design standard that restricts building height in full or from any lot line.

5-2(A)(5)(c) Alternatively, a property is exempt from this building height stepdown if it can provide direct access from the Rail Trail to an adjacent plaza or other usable, open area.

5-2(A)(6) Building Design

5-2(A)(6)(a) In the NR-LM or NR-GM zone districts, any façade facing the Rail Trail shall meet the requirements in Subsection 14-16-5-11(E)(2)(a)3.

5-2(A)(6)(b) Outdoor seating and gathering required by Subsection 14-16-5-11(E)(3) shall be located adjacent to the Rail Trail or be located in an adjacent plaza or portal.

Plazas abutting the Trail will provide opportunities for direct access to outdoor seating and gathering required by 14-16-5-11(E)(3), but that is also intended for parallel sidewalk frontage and throughout an abutting plaza area. This is especially applicable to the narrow or shallow blocks and lots that exist all along the Rail Trail corridor, a shared challenge to redevelopment throughout the City's center.

The above changes will help the Rail Trail Small Area regulations to better respect and reflect the unique character, culture, and context of each neighborhood the Rail Trail project will connect. Otherwise, the historical, organically developed characters and identities of distinct neighborhoods, districts and communities may be lost to a one-size-fits-all, uniform appearance along the Rail Trail corridor. These changes will help the Rail Trail Small Area regulations to more completely further applicable CompPlan Goals and Policies.

Sawmill Bellamah Properties respectfully requests that the Environmental Planning Commission recognize the potential effects that some of the proposed Rail Trail Small Area regulations will have on redevelopment projects along its alignment. We also ask that the 48-foot building height limitation contained in 5-2(A)(5) and the building design requirements of 5-2(A)(6) be revisited and adjusted to incentivize rather than discourage private sector investment per a friendly amendment (Exhibit A). This will better further the intent of Metropolitan Redevelopment Area designations, adopted Character Protection Overlay zone standards, and existing IDO zone districts. This in turn will be more advantageous to the community by more inclusively and broadly furthering the policies of the Comprehensive Plan.

Sincerely,

A handwritten signature in black ink, appearing to read 'Russell Brito', is positioned above a faint, light-colored rectangular stamp.

Russell Brito
RBPlanning LLC