

48-HOUR MATERIAL

UNIVERSITY HEIGHTS ASSOCIATION

105 Stanford, SE
Albuquerque, NM 87106

February 11, 2019

Dan Serrano, Chair
Environmental Planning Commission
City of Albuquerque



via email to: csomerfeldt@cabq.gov

RE: 123 Girard, SE Zone Change Request, Project # 2018-001840

Dear Chair Serrano and Commissioners:

The strong opposition of the University Heights Association (“UHA”) to the zone change request is noted in the Staff Report (“SR”) on pages 8 and 19, and the full letter of opposition is on pages 101-104. However, numerous substantive bases of the opposition are not adequately considered and applied in the Staff Report. This letter will briefly discuss some of those matters.

The zone change request can be approved only if the applicant demonstrates that it:

- “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” IDO Part 14-16-6-7(F)(3)(a), and
- “is more advantageous to the community.” IDO Part 14-16-6-7(F)(3)(c).

Regarding Policy 4.1.1, the Staff Report states that the policy is furthered because “[t]he request would permit rehabilitation of the existing historic home, thereby consistent with the distinct character of University Heights.” Page 6. **No.** The home is not historic, as it is not on the State or National Registries, nor is it in a Historic Protection Overlay Zone. Further, rehabilitation of the existing home could be done without a zone change. Moreover, the applicant has made no promises to rehabilitate any of the five remaining residential dwelling units, nor can the zone change require such rehabilitation. Policy 4.1.1 **is not furthered**.

Regarding Policy 4.1.2.1 related to Circulation patterns for all transportation modes, Streetscape elements and amenities, Parking for vehicles and bicycles, UHA’s letter on page 3 (SR 103) noted that the policy was not addressed by the applicant. The zone change is contrary to the policy by being inconsistent with the Silver Bike Boulevard, which seeks to limit motorized vehicles, and by creating increased traffic and likelihood of accidents near the Girard and Silver intersection. Further, the zone change increases the historic actual parking deficiency, which frequently includes cars from the property being parked on the sidewalk, blocking pedestrian traffic. (See also attached photos). Policy 4.1.2 **is not furthered**.

Regarding Policy 4.1.4, the pedestrian orientation of the neighborhood and the Silver Bike Boulevard are not enhanced by maintaining a curb cut on the north side of Silver, which is used only for illegally parked cars that block the sidewalk, and by encouraging more motorized vehicle traffic on Silver. Policy 4.1.4 **is not furthered**.

Regarding Policy 4.2.2, the SR states that the applicant “went door-to-door to gauge the opinions of the immediately surrounding neighbors and did not find concern.” SR 8. Given that UHA represents nearby neighbors that did express concern to the applicant, and that there is no documented support for the zone change except by the applicant, the SR conclusion is not justified. Policy 4.2.2 ***is not furthered***.

Regarding Policy 5.1.9 regarding promoting main streets, the SR states “will enhance the existing walkability of the area, including Central Avenue. Page 8. Again, this statement ignores the documented existing walkability problems at the property. Increased vehicular traffic accessing the commercial uses from Girard and Silver actually reduce walkability by adding more vehicles crossing the sidewalks. Further, there is no basis to say that the proposed businesses which are a block from Central promote walkability any more than the existing residential uses on Girard. Policy 5.1.9 ***is not furthered***.

Therefore, UHA believes that the applicant has not met the burden to show that the zone change meets the preponderance of the applicable goals and is more advantageous to the community. Thus, UHA again states its opposition and requests that the zone change be denied.

Thank you very much for your consideration.

Sincerely,



Don Hancock
Secretary/Treasurer
Phone: 262-1862

cc: Jeannett Martinez <nmspiritofwellness@gmail.com>



