

September 25, 2014

RE: Coors Corridor Plan

Mr. Peter Nicholls
EPC Chair
c/o Albuquerque Planning Department, 3rd Floor
P.O. Box 1293
Albuquerque, NM 87103

Dear Mr. Nicholls,

The New Mexico Department of Transportation District Three appreciates the opportunity to submit this opinion regarding the Coors Corridor Plan, herein known as “The Plan”. The District views The Plan as a great tool which can be used by the City, County, State, businesses, and residents for identifying current issues and planning future use.

For the benefit of those reading this document, the NMDOT Location Study Procedures as it relates to major infrastructure projects are fairly extensive, with all phases including Public Involvement. The phases include:

- Phase A – Initial Evaluation of Alternatives. The primary objectives of this phase are: (1) verification of the need for an action, (2) development of a range of potential alternatives to achieve the need, and (3) the elimination of alternatives that are clearly not feasible. Other important elements of Phase A are the development and implementation of an agency coordination and public involvement program.
- Phase B – Detailed Evaluation of Alternatives. This phase is intended to further evaluate and refine the alternatives advanced from Phase A. This phase involves the development of additional information such as conceptual engineering plans, right-of-way requirements, costs, performance data, environmental and social effects.
- Phase C – Environmental Documentation and Processing. This phase includes the preparation of either an environmental impact statement, an environmental assessment or a categorical exclusion depending on the impact of the preferred alternative. Phase C also includes the circulation of the document for review and comment by affected and interested agencies, stakeholders, and the general public.

Susana Martinez
Governor

Tom Church
Cabinet Secretary

Commissioners

Pete K. Rahn
Chairman
District 3

Ronald Schmeits
Vice Chairman
District 4

Dr. Kenneth White
Secretary
District 1

David Sepich
Commissioner
District 2

Butch Mathews
Commissioner
District 5

Jackson Gibson
Commissioner
District 6

- In an effort to be a multi-modal agency, the NMDOT strives to include ADA / sidewalk improvements and enhance roadway features to accommodate pedestrian/bicycles in all applicable roadway projects.

The proposed concepts shown in The Plan for the locations listed below are meant to identify the need for innovative concepts to address the expected traffic volumes for the Coors Corridor. The public needs a sense of comfort to know that the NMDOT process is extensive and decisions will not be made without public involvement. The Location Study Process usually takes 2-3 years and any type of roadway modification would be identified in the long range roadway plan and the State Transportation Improvement Program (STIP/TIP).

Other considerations that District Three feels are important for readers of The Plan include:

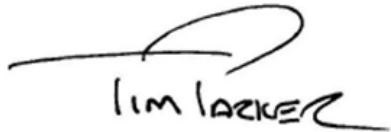
- Coors Blvd. and Coors Bypass are state highways under the NMDOT's jurisdiction. There is a 2010 agreement between NMDOT and City of Albuquerque which addresses this.
- Direct access to Coors Blvd. and Coors Bypass from adjacent properties is at District Three's , not the City of Albuquerque's, discretion.
- NMDOT follows specific processes when pursuing major roadway projects, such as the potential interchanges and elevated roadway segment that are illustrated in the draft Coors Corridor Plan. As with most major infrastructure projects the following are addressed: noise abatement and compensation to property-owners for any necessary ROW widening in addition to the typical location and engineering studies, impact assessments, funding sources / constraints, and timeframes.
- District Three currently holds regular coordination meetings with the local governments we serve. As such, District Three coordinates transportation projects with other agencies, including the City of Albuquerque or Bernalillo County, when jurisdictions overlap or cross.
- It is important to mention that multi-modal aspects to projects District Three is associated with generally evaluate the use of ADA improvements, Bus Rapid Transit in urban areas, and pedestrian / bicycle facilities including multi-use trails as applicable.

Regarding funding of the wide array of projects within The Plan:

- Due to funding constraints and a flat budget over the past several years, NMDOT and District Three are transitioning to a state wide priority system of funding. This initially means projects will be ranked and funded accordingly from a state wide perspective based on condition and capacity needs.
- The NMDOT receives on average 80% of our funding from the Federal Highway Administration (FHWA) with the remaining amount a state or local government match.
- The priority of NMDOT roadways are ranked as the following:
 1. Priority 1 routes are the Interstate Highway System.
 2. Priority 2 routes are the US / NHS road network.
 3. Priority 3 routes are the NM road network.

Thank you for the opportunity to include this letter as part of the Coors Corridor Plan.

Sincerely,

A handwritten signature in black ink, appearing to read "Tim Parker". The signature is stylized with a large, sweeping initial "T" and a cursive "Parker".

Timothy Parker, MS, PE
District Engineer
NMDOT ABQ Metro – District Three

CITY OF ALBUQUERQUE



Exhibit C.

Legal Department

P.O. Box 2248 Albuquerque, NM 87103

David Tourek, City Attorney
(505) 768-4500 ♦♦ Fax (505) 768-4525

September 23, 2014

Colby M. May
P.O. Box 15473
Washington, D.C. 20003

Re: 2014 Coors Corridor Plan; Comments of Trinity Broadcasting Network

Dear Mr. May:

Thank you for your letter of May 28, 2014. This letter was entered into the record for the evaluation of the Coors Corridor Plan, and you are welcome to make additional comments as the Plan is further developed through our planning process. While the City planners read each comment submitted by the public, and incorporate changes to plans as appropriate in their judgment, the City does not typically prepare a written response to each commenter. However, you have indicated that you believe a response is necessary to your letter. Thus, the Planning Department has asked me to address your concerns.

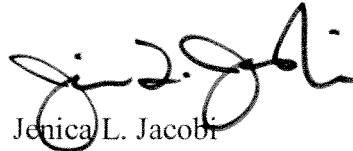
It is unclear to me from your letter which aspects of the Plan concern you. The staff planner understands that your concern stems mainly from a potential widening of Coors Blvd., which could result in an acquisition of your client's property either by purchase or by condemnation. This widening may impact important policy concerns for the Environmental Planning Commission and City Council to consider, but I do not perceive any legal concerns with a potential widening of the road. While I understand that this may impact your client's business, a purchase or condemnation proceeding, if necessary, would provide fair compensation to your client. This section of the Plan is also only advisory, and therefore does not constitute a taking of any real property. It is unclear when, if ever, the New Mexico Department of Transportation or another entity would widen the road in this area. Finally, I do not see how Section 253(a) of the Telecommunications Act of 1996 applies to this case. On the contrary, Section 253(c) expressly reserves the State's and local government's control over rights of way such as Coors Blvd.

If there are other aspects of the Plan that concern you, please specify them so that we may review those as well. The staff planner understands your policy concerns with respect to the road widening, and has included those in her staff report. I can concur that this policy decision may represent considerable expense to the City or other

responsible agency through not just the road project, but also numerous condemnations of properties and/or businesses that may be necessary to widen the road. However, I cannot state that this policy is prohibited by the Telecommunications Act of 1996 or other applicable law.

If you have further comments or concerns about the Plan, please send them directly to the staff planner, Carol Toffaleti. You are welcome to copy me if it needs my attention, but I want to make sure Ms. Toffaleti receives it to place in the official record. Thank you.

Sincerely,

A handwritten signature in black ink, appearing to read "J. L. Jacobi". The signature is fluid and cursive, with a large initial "J" and "L".

Jenica L. Jacobi
Assistant City Attorney

cc: Carol Toffaleti

104146

Exhibit D. COMMENTS

Response to COA Planning's Aug. 14, 2014 Draft VP Regs. - Pat Gallagher, La Luz Landowners Assoc.

Coors Corridor Plan Draft Regulation Revisions

August 5, 2014

Response by Pat Gallagher to the newest draft.

A new revision of the draft Coors Corridor Plan, dated August 14, 2014, related specifically to view preservation has been analyzed. It appears that all our previous objections have been ignored and new language has been inserted.

Cutting to the chase, the current draft regulation appears to have the following objectives:

Create numerous exceptions

Treat each property in isolation

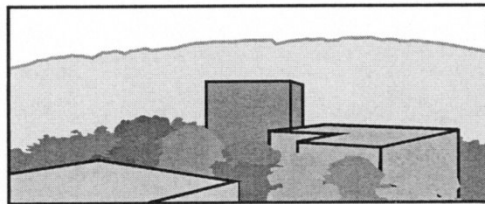
Limit scrutiny of the site

Increase the allowable height of all structures

Allow buildings to penetrate the ridgeline of the Sandias

Creates a minimum height to which the regulations apply. Slightly shorter buildings are exempt from all restrictions on height obscuring the mountain, and massing.

All graphics in the section of the draft need to be revised or replaced for outright errors, omissions and contradictory information. That is, all except one:

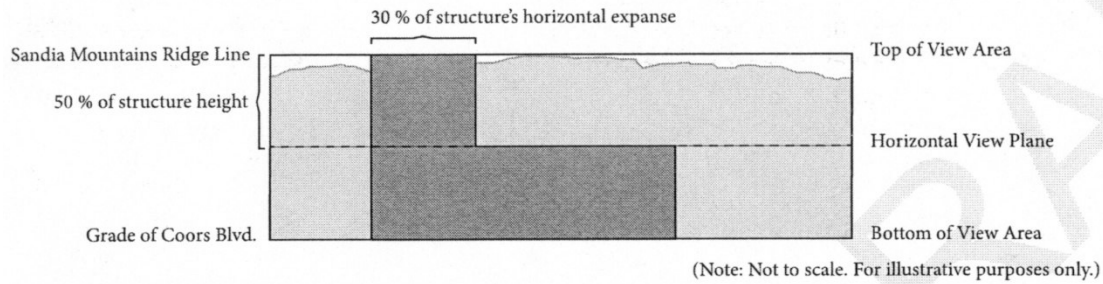


NEW

This is a good picture.

The following is a synopsis of what the proposed regulation does to view preservation.

Figure D-10 on page 108 (below) shows how this regulation intends to be applied:

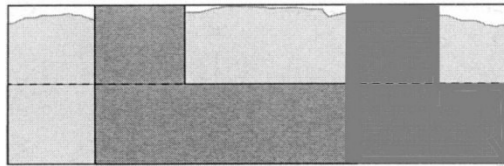


REVISED & MOVED

Figure D-10: Structure Mass in VP sub-area

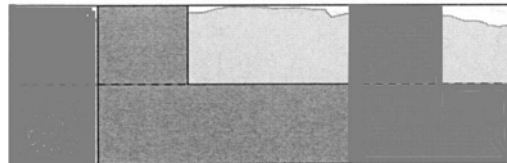
At the upper left it says Sandia Mountains Ridge Line. This is actually the top of the given view frame. Clearly the ridge line has been obscured.

Since each property will be considered in isolation, neighbor Bob decides to build a similar building to the SW of the first building. Here is what you get:



Two buildings, both allowed by the draft regulation.

Then along comes the property owner to the NE. He builds an allowable building that looks like this:



With the new language that sets a minimum height (could be called the short building loophole), a different owner of the property next to Coors decides to try it out. He builds up the elevation of the property to Coors grade and puts a string of 19.5' tall commercial buildings at the edge of the setback. Here is what the allowable view frame would look like:

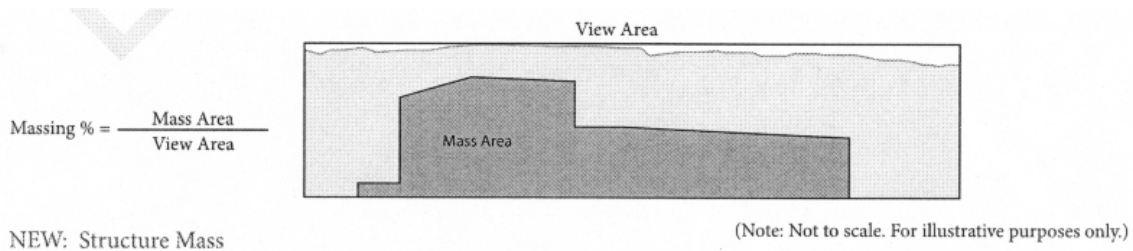


This appears to be the end of view preservation.

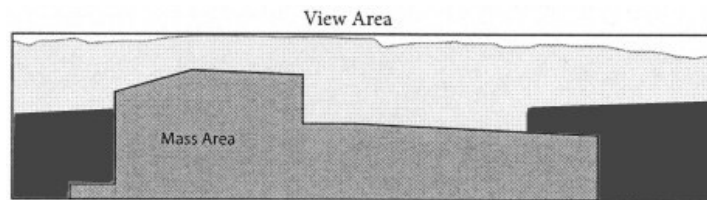
Treating Each Property in Isolation

September 5, 2014

It is simpler to analyze a property for view compliance if it is all by itself. When looking at *massing* it becomes particularly important whether other buildings in the view frame are part of the developed mass. The intent of the regulation is to insure a reasonable proportion between the total view and the total mass of buildings in the view. On page 105 the figure correctly shows the proportions:



If a developer wanted to put a building in front of some older buildings, the massing analysis does not have to consider the original buildings. Below is the same picture with the background buildings shown.



The top picture would pass and the lower picture would not. In the spirit of the regulation, it is clear that the isolation approach does not protect and preserve views. Massing analysis should be done in the true context of the site. This point needs to be clarified in the regulation.

Sight Lines in Isolation

The draft regulation conspicuously avoids placing a sight line onto the subject property that does not pass through the property frontage. This error has been addressed at each meeting but never corrected. It leaves a giant loophole. There has never been a question that sight lines will emanate from 4' above the edge of Coors at 45° to anywhere on the property that is relevant. Perhaps this is another way of attempting to evaluate each property in isolation. The purpose and function of a sight line has nothing to do with frontage property lines.

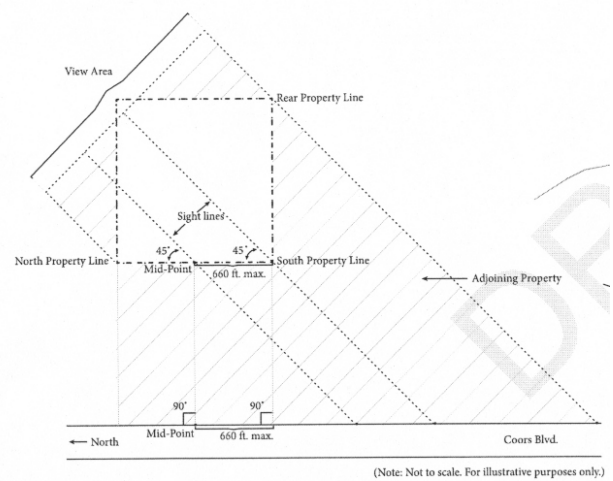
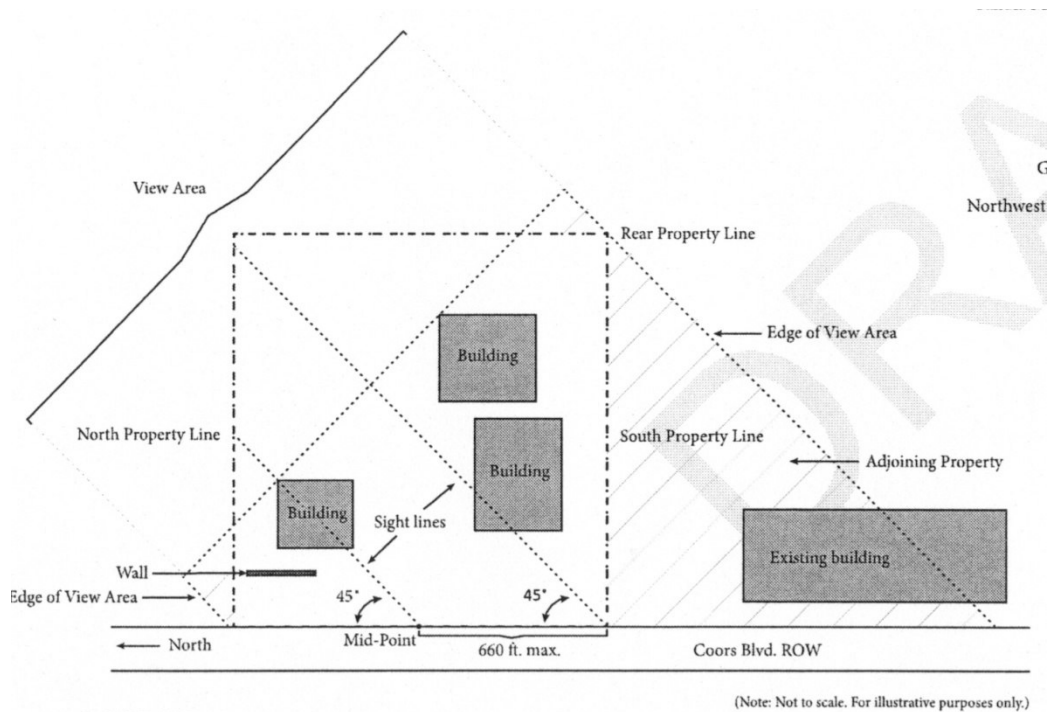


Figure D-3: View Frames and Sight Lines and View Area for a Site off Coors Blvd. – Plan View

Sight lines are selected to study relevant features of a building. Typically the highest points are selected. The draft revision always shows the first sight line passing through the frontage intersection with the south property line. Someone trying to decipher the regulation would assume that the first sight line always passed through the frontage south corner. This leaves the upper right half of the property out of being scrutinized. It should be made clear that sight lines can be anywhere on the site and as many or few should be used to address the building's features. Usually one or two sight lines are needed to characterize a building. Long sites like residential neighborhoods require a series of sight lines.



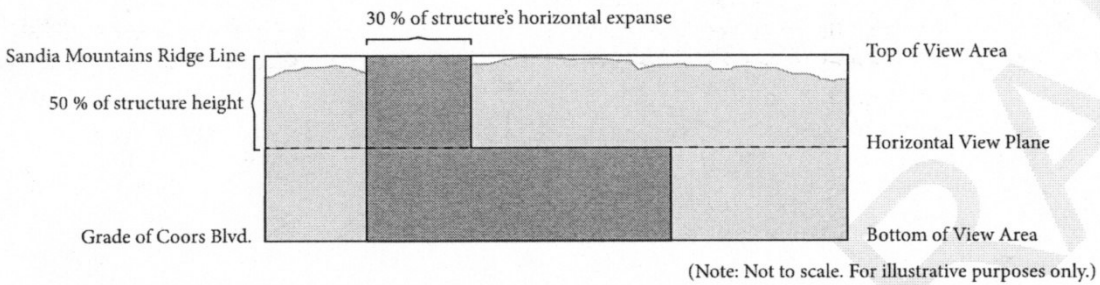
REVISED

Figure D-4: ~~View Frames and View Area with Structures~~ (Site Development for Building Permit) – Plan View

Sight lines are simple and easy to define and understand. The draft needs to correct and simplify these illustrations, remove the midpoint and 660 ft reference and show that sight lines can apply to any part of the property. Also it is confusing to call the above Figure D-4 “View Area” because the view area as previously defined does not appear in the Plan View.

Allowing Buildings to Penetrate the Ridge Line

It is clear in the figure below that the draft intends to allow penetration of the ridge line.

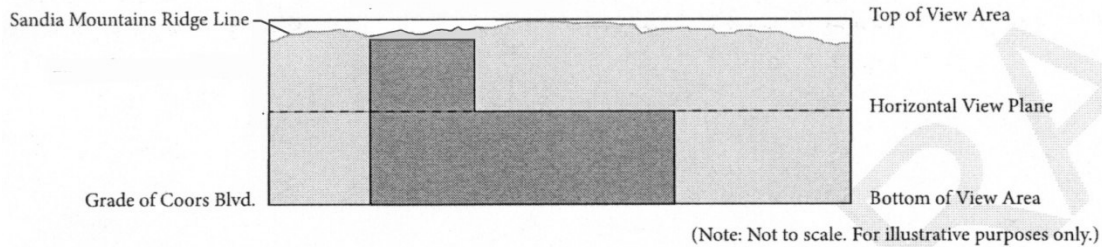


REVISED & MOVED

Figure D-10: Structure Mass in VP sub-area

Taken to the extreme, this will allow complete obscuration of the mountain.

It has been the interpretation of the Coors Corridor Plan that the buildings will not block the view of the ridge line as shown below.



Taken to the limit, nothing stops buildings from blocking all of the visible mountain **except** the ridge line even in the 1984 version. All language which allows obscuring the ridgeline should be removed.

The Short Building Loophole

September 4, 2011

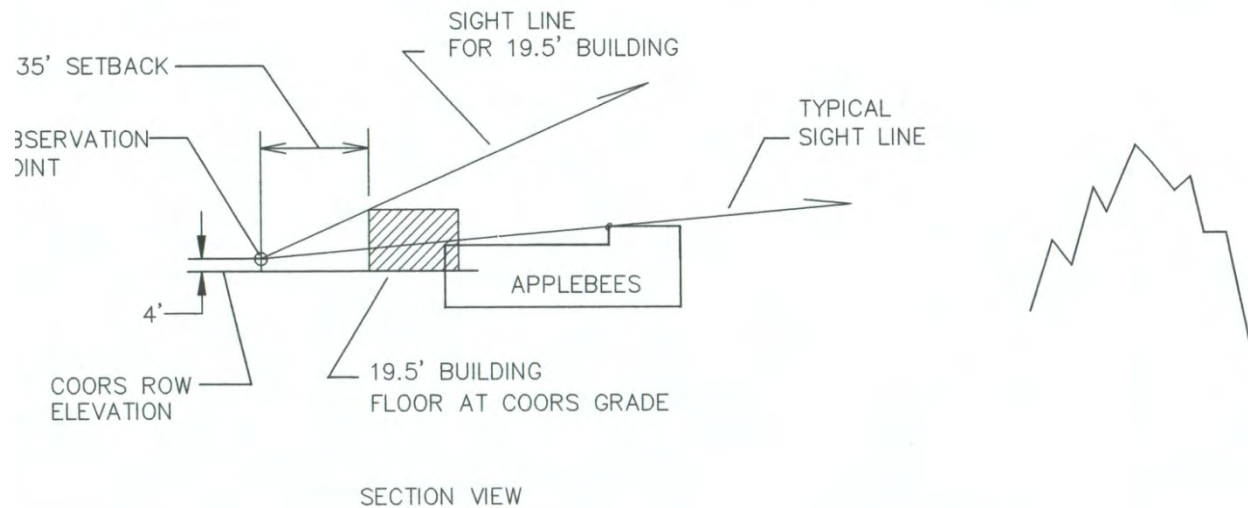
Perhaps the most disastrous of all the new revisions to the Coors Corridor Plan is the exemption of buildings that are less than 20' tall for commercial applications and 16' for residential.

The exemption is a response to the current Coors Corridor Plan making some properties arguably undevelopable. Properties south of Paseo are typically below the grade of Coors. If the shape of the land made some properties close to Coors at a grade similar to Coors, then the property is going to be difficult to develop without blocking the view of the Sandias.

To fix this, the city is proposing a cut-off, a minimum building height, below which an exemption is granted. The draft plan does not say it this way, but that is the outcome. Commercial buildings below 20' can be built anywhere and are exempt from the view preservation requirements. Similarly, residential buildings below 16' are exempt.

Intuitively, this seems backwards. A short building should be better for view preservation; however, if the property is adjacent to Coors, building heights are much more critical.

The figure below is a section view in the plane of the sight lines. It shows a short (19.5') building in correctly scaled context at the minimum setback. This building would completely obscure a view of the mountains, (distance to the mountain is not to scale).



The figure above shows the impact of allowing a height exemption for buildings under a given height. This particular exemption would obscure all views of the mountain where buildings are built close to Coors.

The short building exemption (16 and 20' base heights) should be removed from the proposed revisions.

Comments re Coors Corridor Plan by a Resident of Andalusia

(Located east of Coors south of Montano)

1. ***This is a transportation plan that cannot stand on its own.*** It should be integrated with a comprehensive plan for the East-West river crossing roads. You cannot change Coors without major changes/upgrades to those thoroughfares at the same time. At the first open house for the CCP at TRCC, the MRCOG Transportation Engineer stated “no matter what you do to Coors you will not solve the traffic issues at Coors and Montano.”

2. The plan needs to incorporate specific ideas to reduce north-south traffic on Coors and improve flow on the east-west routes such as Montano. Potential ideas include:

a) ***Congestion Pricing...*** by 2035 we will have vehicles that incorporate communication capabilities on a national basis that will make it possible to charge for crossing at peak traffic periods to reduce usage at those times.

b) ***Implement BRT routes east-west as proposed for Coors.*** Montano to the Journal Center has been proposed, but Central was chosen instead.

c) ***CABQ should be acquiring land for additional Park and Ride sites now.*** One is needed at Coors and Montano. The city lacks practical long range planning initiatives that need implementation now, not 2035.

d) ***Lane reversals during peak traffic periods need to be explored for east-west roads traversing the river.*** This is commonly done in large cities.

Noise Issues and Noise Walls

The comments below are based on reviewing Technical Papers/Studies done by an International Working Group relating to noise/noise walls in USA and Europe and information from the Federal Highway Administration.

Based on that information I would discourage and object to the use of noise walls as suggested in the CCP. Elevated grade separations as proposed and a Diamond interchange at Coors/Montano should not be used.

- **The higher traffic is elevated the further noise will travel before significantly attenuated.** Elevated flyways at Coors/Montano and elevated grade separations will increase neighborhood noise.

- **Noise walls** – studies show that noise walls are only partially effective in reducing noise, as insertion devices, within 200 feet of the noise source.
 - Noise walls reflect sound (no cost effective sound absorbers currently exist) so unintended consequences can result, especially when sound walls are placed on both sides of the road. The far wall can direct sound over the near wall.
 - Studies have shown that noise walls must be 20 feet or higher to be effective.
 - Noise wall placement is critical including the vertical angle thus requiring additional ROW.
 - Use of noise walls can actually increase noise levels due to reverberation if not correctly placed.

The Real Negatives of Noise Walls

- ❖ They are ugly looking, no matter how much you try to make them look like artwork
- ❖ Creates a canyon effect
- ❖ They limit access for public safety, accidents, breakdowns
- ❖ Simply do not fit the “**Albuquerque Style**”... think the concrete canyons of Chicago and other big cities
- ❖ Reduce adjacent property values/invite crime/litter/graffiti

Respectively submitted,

Art Retberg

5319 Sacate Ave NW 87120



Dear Environmental Planning Commission,

September 23, 2014

The Taylor Ranch Neighborhood Association **finds the 2014 Coors Corridor Plan does not improve on the 1984 Plan. We support retaining the 1984 plan at this point.** If the 2014 Plan were to move forward, there are **substantial unresolved issues.**

While we have participated in many meetings and submitted written comments, our **substantial concerns about the 2014 Plan have not been addressed** in updates to the Plan.

Below are major concerns with the 2014 Plan:

1. **The 1984 Coors Plan has a vision with community buy-in.** Integral to that vision is protection of significant views and development compatible with the river environment.

The 2014 plan has no clear vision and mostly emphasizes Coors to carry the region's traffic. Many essential sections of the 1984 plan have been eliminated.

2. **The 1984 view regulations are simple and understandable.** The 1984 Plan includes an avenue for hardship and criteria for hardship analysis.

The 2014 view regulations have become a mass of confusion with loopholes that allow blocked views. In trying to accommodate exceptions, staff has created many diagrams and tables with caveats. **'At right' guarantees of building height (16' residential and 20' commercial) without site analysis is a major threat to the view preservation.** A better approach is to retain the current view regulations, improve the technical components of the view analysis, and clarify the hardship provisions.

3. Any major change to Coors and Montano should maintain the **intersection at current grade with the Coors through lanes going under Montano.** Language on congestion pricing needs to be added to the list of remedies for dealing with traffic demand.
4. Winterhaven was reviewed at public hearings and then built according to the decision to terminate it in a cul-de-sac so that it was compatible with adjacent neighborhoods. **The 2014 Plan provisions to make Winterhaven connect to La Orilla should be removed.**

Thank you for considering these matters,

Jolene Wolfley, President TRNA

Summary of the History and Intent of all three Coors Corridor Plans

Ref: The adopted 1984 CCP, 2014 CCP draft, and the 2007 CCP draft.

Note: I pulled the following information from the respective plans. My comments are *italicized* and the **yellow highlights** emphasize the intent of the paragraph.

1984 Coors Corridor Plan

(The Planning Director provided the intent of the CCP in his Foreword.)

1984 Planning Director's Commentary (pg. ix):

“Through this Plan, the **decision makers of the City, County and Paradise Hills** areas share the opportunity to shape future developments of the Coors Corridor area. There is perhaps no greater challenge facing local government planning than **to achieve harmony among individually developed properties,** between such development **and the natural environment...** particularly when effectiveness depends upon coordination among several local entities.

Each policy recommendation has been written for the benefit of someone in the plan area twenty or thirty years from now. It is this future yardstick which is the true test of our policy recommendations. It is, after all, those largely unrepresented future individuals **who ultimately will enjoy the benefit or bear the real cost of those decisions we make today.** “**Jack E. Leaman, Planning Director**

Coors Corridor Plan – Enactment # 72-1984: Rank 3 Sector and Neighborhood Development Plan (pg. iv):

City Council - Adopting the Coors Corridor Plan as a Rank 3 Sector and Neighborhood Development Plan.... and Adopting Design Overlay Zone Guidelines all as specified in the Coors Corridor Plan....

Whereas the Council recognizes the need to implement the provision of the **Northwest Mesa Area Plan** setting forth goals establishing Coors Boulevard as a **limited access parkway** and major carrier for the Northwest Mesa.

Whereas the Council recognizes the need for design guidelines for development of lands adjacent to Coors Boulevard and recognizes the need for environmental and view regulation policies and guidelines.....

Be it resolved by the Council....The Coors Corridor Plan is hereby adopted as a Rank 3 Sector and Neighborhood Plan. All development and improvement activities within the plan area shall be guided by this plan.....

Signed by: Thomas Hoover - City Council President, April 30th, 1984

Harry E. Kinney – Albuquerque Mayor, May 16, 1984

Purpose, Boundaries and Issues (1984 pg.1): The Coors Corridor Plan provides policy and guidelines for the design of Coors Blvd. as a limited access roadway to function efficiently as a major north- south arterial for the Northwest Mesa area. The plan provides policy and design guidelines for development within the corridor area which will integrate natural resources with development activities in order to achieve a balance between the built and natural environments. The plan recommends that a design overlay zone be place on the entire area.

Plan Area (pg.3): Extends 10 miles from Central to NM528 and divided into 4 segments – (1) Central to I-40. (2) I-40 to Western Trails. (3) Western Trails to Calabacillas (4) Calabacillas to NM 528. Each of these segments shares the traffic, environmental, land use, and visual concerns of the corridor. Yet each segment has specific characteristics with special problems and opportunities for which policies and design guidelines are offered.

Summary of 1984 Issues (pg. 4):

(The Four “Major Issues” is the back bone of the 1984 CCP.)

Each of the issues is of equal importance. Development decisions in the Coors Corridor must integrate and collectively consider these goals and objectives of the Comprehensive Plan and the Northwest Mesa Area Plan. (pg.9)

(The summary of the 4 Major Issues of the Coors Corridor Plan are listed below. - 1984 plan. Please see below.)

Issue 1: Traffic movement – (a) 156ft. ROW to provide 8 traffic lanes when traffic volumes warrant it. (b) Full intersections with traffic signals as far apart as possible: approximately ½ mile minimum. (c) Limited intersections for right turn off / right turn on: approximately ¼ mile minimum spacing. (d) Limited access – atypical road section should have no more than three driveways per side per ¼ mile.

Issue 2: Environmental Concerns and related improvements – (a) Preserve and enhance the natural landscape features of the corridor, such as the bosque, the Oxbow Marsh and the arroyos. (b) Provide for adequate storm drainage, and water and sewer facilities. (c) Protect the archeological sites from encroachment from development before valuable information contained within the sites is lost.

Issue 3: Land use and intensity of development: (a) Encourage development in accordance with the Albuquerque/ Bernalillo Comp Plan and NW Mesa Area Plan. (b) Encourage residential, commercial and industrial cluster development. (c) Encourage annexation to the City in a timely and appropriate manner.

Issue 4: Visual Impressions and design overlay zone: (a) Protect and enhance views within the Coors Corridor. (b) Protect and enhance views beyond the Coors Corridor. (c) Ensure compliance with design guidelines as new development occurs. (d) Encourage existing development to comply with the design guidelines.

(“Visual Impressions” in the 1984 plan is a primary goal of the Coors Corridor Plan and referred to by the Community a great deal. It is not in the 2014 Plan)

(The information below gives a history of how the 1984 CCP was created.)

1984 Related Plan and Policies

(pg. 5) “Background”: In December 1980, the City Council and in May 1981 the County Commissioners adopted the Northwest Mesa Area Plan (NWMAP) as a means to carry out the Albuquerque/Bernalillo Comp plan. In the NWMAP **elected officials** recognized the constraints and opportunities of the Coors Corridor.... The **Northwest Mesa Area Plan** established the direct basis for the Coors Corridor Plan: The Coors Corridor will be a **limited access parkway** and a major traffic arterial for the North West Mesa. A detailed study of the Corridor was proposed.... to develop guidelines for: (1) The design of Coors road as a

limited access parkway. (**Parkway means park-like landscaped arterial**) (pg 5): (2) The Development in the Corridor including intensities of use and height, is regulated through the review process which may include an overlay zone. (3) An implementation strategy could include a Design Review Board.

This study may not concern itself as much about the exact land uses and densities as about how they relate to each other and how they will look....**design guidelines should be implemented through a design review process** which may include a Design Review Board advisory to the EPC and the CPC - (County Planning Commission).

This Coors Corridor Plan **responds to the citizens and public officials who have requested guidelines and procedures to preserve the unique features and to encourage the appropriate development of the Coors Corridor.**

(on pages 6-8 the 1984 CCP lists other regulatory Planning documents -the Comp Plan, NW Mesa Area Plan, Zone Code, etc. that pertain to the Corridor. The remaining 1984 CCP goes into detail of the "Major Issues" as summarized above.)

2014 Coors Corridor Plan draft

(The 2014 CCP draft has an Executive summary at the beginning. Here is how it reads :)

2014 draft Executive Summary (pg. 1):

The Coors Plan aims to **improve the transportation function** of the Coors Blvd. and Coors Bypass and to **protect the scenic resources** of the Corridor as it continues to develop **with a mix of uses that better serve residents** of the Westside.

Coors Blvd. and Bypass forms the primary north south thoroughfare on the city's West side. It intersects seven east west roads that cross the river and connect the West side to other parts of the Metropolitan area. **A key purpose of the plan is to improve conditions for all modes of transport in the coming years.**

This plan replaces the Coors Corridor plan adopted in 1984. While much urban development has occurred within the Coors Corridor since ... 1984, vacant land remains to be developed and opportunities for redevelopment are expected to increase over time. The Plan is the City's most detailed planning and regulatory document for addressing and guiding future transportation and urban development within this important corridor.

Two specialized studies were completed to inform the Plan. The 1st addressed the scenic assets of the northern stretch of Coors Blvd. and the 2nd the transportation function of the Corridor. More information on these studies can be found in the Appendix (see Chapter F sections 1.3 and 1.4)

The transportation component of the Plan provides policies, regulations and project recommendations for the ROW of Coors Blvd. and Bypass which affects some adjacent properties. The Plan also includes policies and regulations that apply to site and building design on properties under City jurisdiction. These constitute a Design Overlay Zone (DOZ) but do not establish land uses or change the underlying zoning on any property within the plan area. In addition to general standards, more specific regulations help preserve views of the Sandia Mountains and bosque. Projects are also recommended to improve the appearance and walkability of the Corridor and the public's enjoyment of views to the east.

(On pg.1 the 2014 draft provides a nice description of the Natural Setting of the west side. Much of this description comes from the 2007 draft (pg.27) – Natural Environment and History.)

Natural Setting (pg1 -2014 draft): The Coors Corridor is located on the west side, of the Rio Grande, and Coors Blvd. and the Coors Bypass are elevated above the historic flood plain. South of Western Trail/ Namaste the roadway is located on the mesa top, while north of this divide lies on a bench along the flood plain edge. In this area, the drop in elevation east of Coors and its north/ north east orientation contribute to the dramatic views of the bosque and the Sandia Mountains.

The formation of the Rio Grande rift left behind a volcanic escarpment and dormant volcanic cones to the west, a verdant river valley., and the Sandia Mtns. to the east. These features are way- finding elements within Albuquerque and create the views appreciated by the residents on the West side and everyone, including commuters and visitors, traveling along the Coors Corridor.

Arroyos drain the upland through the volcanic escarpment and mesa, and down into the valley to Rio Grande. The diversion of water into constructed acequias or canals for the irrigations of fields dates from early historic times. Today the ditches and the land inside the levees along the Rio Grande support the remaining mosaic of flood plain vegetation and many ditches have become informal recreational trails.

City Open Space areas preserve important natural and cultural resources within the Corridor and provide access points and interpretation opportunities including Open Space visitor Center and Pueblo Montano Picnic Area.

(Note: The Plan area in the 2014 draft is smaller than the 1984 plan. See Map on (page 154) of the 2014 draft. It excludes the County lands and includes only City land adjacent to Coors. Ex. The Design Overlay Zone includes only properties adjacent to Coors. It does not include areas further out from Coors like it did in the 1984 Plan, except in the view area. See next paragraph.)

3.0 Plan Area (pg 3): The Corridor will extend 11 miles from Bridge Street to Alameda, and includes Coors Bypass. ... The width of the Plan is generally limited to properties along Coors Blvd. and Bypass. However, it expands to the edge of the Corrales Riverside Drain north of the alignment of Western Trail and Namaste Rd. in order to insure that development and redevelopment maintain a portion of the views to the Sandia Mountains and bosque. *(It only says a portion of the views)*

3.1 Table A-1 (pg. 3).... The criteria used for determining the plan area - are properties within the city limits, that are fronting, contiguous to or accessing Coors Blvd.

(Note: The County will not be adopting the 2014 draft- July 10th EPC hearing. There are only a few undeveloped plots of County land left along Coors Blvd. The County will continue to use the current 1984 Coors Corridor Plan.) (I liked the larger Plan area in the 1984 plan, because when the design standards are good you want them to apply over a large area. ex. signage regulations can cover more territory.)

3.2 The total of the Plan is divided into three regulatory sub-areas (pg.3) See maps (pgs.4-6): (i) Transportation sub area (blue)– extends from Bridge to NM 528 – Coors and Coors Bypass, the Design Overlay Zone (DOZ) sub area (red)- extends north of Central to NM528- Coors Blvd. only, View Preservation sub area – (green) -extends from Western Trails/ Namaste to Alameda from eastside of Coors to Corrales Riverside drain. This is where the view regulations apply.

6.0 The 2014 Plan Goals (pg. 15): The following 2014 goals were derived from 1984 CCP and updated with input received from advisory committees, in public meetings and smaller group discussions. (See Chapter F 1.0) They also reflect policies in higher ranked plans.

6.1 Traffic Movement, Access Management, Roadway design:

- i) Preserve function and traffic performance of Coors... **critical to regional mobility.**
- ii) Design and manage as **multimodal** facility....
- iii) Provide **reasonable access** for properties adjacent to Coors....
- iv) Design **streetscapes** in public ROW of Coors....

6.2 Environmental and Recreational Resource

- i) **Protect the natural and rural features** of the plan area, including arroyos, ditches, and riparian vegetation that support wildlife. (*Note: Oxbow Marsh and Archeological sites are not mentioned as they were in the 1984 plan.*)
- ii) Help **complete a system of multi- use trails** across the Corridor that connect the Bosque with the West Mesa.
- iii) **Provide public access to existing trails and Open Space areas within and adjoining the plan area.** (*Note: The 2014 draft (page 111) - shows a map of the existing bikeways and trails. Much of those trails are in the bosque. Should trails in the bosque be considered "bikeways?" My concern is overuse of bicycles inside the bosque if the trails are labeled "bikeways" and existing trails.)*)

6.3 Urban Design

- i) **Integrate natural features and scenic qualities of the Coors Corridor into site and building design to achieve a balance between development and conservation.**
 - ii) Design development to **reflect natural topography** of sites.
-

- iii) **Protect views** of the Sandia Mtns. and bosque **as seen from Coors Blvd.**
- iv) **Encourage higher density** at appropriate locations along the Corridor, including Activity Centers, in order **to support transit use.**
- v) **Connect developments with the multi-use trail system** to support local trips by non- motorized modes.

(Note: The 1984 CCP had 4 Major issues. The 2014 draft has 3 major goals. The 1984 “Visual Impressions” was left out of the 2014 draft. Visual Impressions focuses on protecting “views within and beyond the corridor,” and encourages compliance with design guidelines, etc. The 2014 draft says protect views as “as seen from Coors Blvd”. Therefore the language is not as strong as the 1984 plan.)

*The 2014 draft does not mention **cluster development, archeological sites, or Oxbow Marsh** as it did in the 1984 plan. According to the staff matrix, on the City’s web site, the policies for archeological sites are covered in the “archeological ordinance,” therefore it is not mentioned in the 2014 draft.*

The staff matrix also states that the 1984 policies for river lands, bosque, and Oxbow marsh are also left out of the draft because according to the staff matrix - “significant amounts of open space between Coors and the river have already been acquired”and that the “Open Space Plan and Bosque Action Plan now govern these areas. Cited policy focuses on buffering these lands from abutting development.”

Also, Farmlands which were mentioned in the 1984 plan are not mentioned in the 2014 plan. The staff matrix says they are now either Public Open Space or located in the County, therefore farmlands are not mentioned in the 2014 draft.

In Staff matrix - Flood Plains are now under FEMA, therefore not mentioned in the draft.

*In Staff matrix -Cluster development is not included in 2014 draft – because the focus is on specific regulations regarding residential development. **“Cluster development is a good development feature that helps to preserve open space.** La Luz town homes are famous being a cluster design. Why should this be eliminated?”*

Based on the 2014 Plan Goals mentioned above the focus now is more on higher density, a multi-modal road system, regional traffic mobility, and multi use trails.

The farmlands, river lands, archeological sites, Oxbow marsh, flood plains, open space , cluster development, are still very important to Taylor Ranch, and should not be eliminated from the plan.

2007 Coors Corridor Plan draft

(I also looked at the 2007 draft since the Coors update process began in 2005 – 2007.)

May 2007 CCP Draft - Executive Summary (Pg. 5):

In late 2005, the City of Albuquerque Planning Dept. began an update of 1984 CCP. to guide development along Coors between Central and Alameda, which consisted of 4 elements: 1) Environmental concerns and related improvements, 2) Traffic movement/ Access and Roadway design 3) Land use and intensity of Development 4) Visual impressions and urban DOZ (*Same as the 1984 plan*)

Significant changes along the Corridor, and ongoing difficulties in interpreting the original plan led to a new Coors Corridor Plan. *(I don't think the 1984 plan is that difficult to interpret. In many ways the 1984 plan is fairly simple to read and understand. In the last decade there have been many cases where the development was not adhering to the 1984 plan. At first it seemed that the 1984 plan was deficient in some way. In my opinion it was an enforcement issue. Luckily the 2007 CCP draft had very similar goals as the 1984 plan.)*

The (2007) Plan area remains the same. 10 miles, Central to Alameda, 4 segments used to analyze conditions and tailor recommendations and design guidelines.

Funding for the Corridor Plan was authorized by Council resolution R-05-234. Based on this legislation and the intent of the Planning Department, the Corridor plan focuses on preserving visual qualities through a design Overlay Zone, view preservation strategies, the design of Coors as a Parkway, and identification of new pedestrian facilities in the Plan area north of Western Trails. Other elements from original plan were updated and amended to reflect changes in the planning and regulatory framework.

The Corridor Plan implements portions of Comp Plan, WSSP, with policy recommendations, design guidelines, and standards, a comprehensive pedestrian facility plan, and capital improvement matrix that identifies specific projects and costs.

The Coors Corridor planning effort included extensive public input process featuring a kick off meeting, a community workshop, a feedback forum, and 2 open house meetings. The plan presented to EPC for review in Spring 2007 and to City Council for adoption in summer 2007.

Introduction (2007 draft Pg. 9 - 10): Coors Blvd. is one of Albuquerque's most significant streets relative to traffic volume, and location. Situated between two geographical features – the mesa slope and the Rio Grande valley....

Changes to broader planning goals and policies that apply to the corridor have occurred particularly the Comp Plan (1988), and WSSP (1997).

The purpose of these amendments as directed by R-2005-054 is to update 1984 plan, address changes in planning policies, provide street designs, provide updates to view preservation, and site design regulations. Area changes and new policy issues require different strategies, however, the 1984 Plan objectives remains: “To Develop the corridor along Coors Blvd. as a distinct place that preserves visual access to scenic features and is served by an arterial street with improved safety, efficiency and architectural character”

The following objectives were identified in the 2006 public process and planning framework (pg.10):

- 1) Improve design standards to achieve better spatial relationships.
- 2) Improve visual harmony between new and existing buildings and between the built and natural setting.
- 3) Improve the site planning standards; balance and integrate the natural setting with building development; preserve unique natural features.
- 4) Improve the site and building design standards and the Design Overlay Zone that helps maintain views of the Bosque and Sandia Mountains.
- 5) Develop a Corridor Plan that conforms to current planning policies.
- 6) Develop transit linkages.

- 7) Respect the Bosque as it abuts Rio Grande Valley State Park
 - 8) Recognize Coors Blvd. as a commuter route, with limited access.
 - 9) Create safer pedestrian facilities and streetscapes, including new crossings.
 - 10) Create a plan that is easy to follow and apply.
-

Summary of the previous two plans contained in the Appendix of the 2014 Plan

(In the 2014 draft plan on pg.117 Appendix F. the draft gives an explanation of why the 2007 draft was not finalized. Please see below.

2014 draft Appendix pg. 117

Background/ Sector Development Plan Process: The update of the 1984 plan occurred over a number of years and in three phases. In late 2005 the City launched an update with support from a private planning consulting firm. As directed by Council R-2005-054. Focused primarily on revisions to design standards for development adjacent to Coors Blvd. and a view analysis was commissioned as part of that effort. The Planning Dept.'s work was put on hold in 2009 to allow for a transportation study to be undertaken led by the City's Department of Municipal Development – DMD. In 2013 the DOZ and transportation components were integrated into a working draft plan for public input, before the start of the official City review and approval process.

Planning Process 2005/2006 (pg.117): The 2006 draft CCP Reflected community input from 80 stake holders – landowners, developers and Neighborhood Associations representatives, by means of a written survey and various meetings over 12 month period beginning in late 2005. A common theme - from community was to protect views to the east, specifically of the Sandia Mountains and the Rio Grande Bosque and to protect the natural environment.

View analysis and Visual Resource Preservation 2007-2009: (pg.117)

In 2007 a draft was submitted to the EPC for review and approval. One outcome was the EPC's request for a visual analysis of the eastside of the plan area north of Namaste. The Planning dept. contracted the work with a consulting firm.

JF Sato Study (2008)

August 2008, JF Sato & Company, a planning and engineering firm, was hired by the City to do a visual study of the Coors Corridor. The firm assessed current views in segments 3 and 4, and how those views had changed since 1984. The study focused primarily on the view of the Sandia Mountains from viewpoints located at increments of 1/10 of a mile along Coors. At these viewpoints the study analyzed the size and placement of existing buildings related to the view of the natural surroundings and the view of the Sandia Mountains and bosque. The study analyzed developed and undeveloped parcels on east side of Coors ... including residential and commercial land uses. Vacant parcels were identified.

Photographs taken at one-tenth mile intervals were used in determining a view plane towards the Sandia Mountains.

The 1984 CCP – required not more than 50% of the view area shall be obscured by the bulk of the buildings on the parcel. The JF Sato study recommended that this requirement be raised to preserve 70 % of the view area. Property owners felt that this was too restrictive. JF Sato study can be viewed from the public file at the City Planning dept.

Planning Dept. Alternative (Pg 118 draft 2014): It was determined that a 70 % view preservation requirement would render several properties adjacent to Coors undevelopable and would severely restrict development on other parcels located along Coors or behind properties that front the Blvd.

In response, City Staff formulated an alternative approach to balance view preservation with property owner's rights to enjoy a reasonable level of enjoyment from, and/ or financial return on their land. The approach provided 2 options: view area or view corridor (view window in this plan) for protection. Essentially, where a view plane to the Sandia Mountains cannot be reasonably obtained from a given parcel along the east side of Coors, a view corridor (window) to the bosque can be retained in its place.

Over the course of 2009, City staff worked on alternative view preservation regulations with an advisory group consisting of residents, property –owners and developers. (I not sure if statement is referring to meetings we had with planning staff years ago. The statement sounds as if the residents agreed to a revision of the view regulations; which we did not.

Final Comments

What should our future vision be for Coors Blvd.? One of the biggest reasons, for creating the Coors Corridor Plan in 1984, was to design a roadway with quality development that would complement the unique geological landscape, created by the Rio Grande Rift. That is why City Council adopted the Coors Corridor Plan and designated Coors Blvd a Parkway. It is similar to Tramway road on the eastside which is also considered a parkway due to its close proximity to the Sandia Mountains, with its spectacular views.

In 2005, City Council authorized updating the 1984 plan with current plans and to determine what improvements were needed to maintain and enhance the appearance along Coors Blvd. This resulted in the 2007 draft. There was lots of community involvement, as the 2007 Coors Corridor was drafted. The goals were very similar to the 1984 goals, with the intent of “preserving the visual qualities along the roadway.

The Planning Department, in 2009, held off approving the 2007 draft, to allow time to do a transportation study for Coors Blvd. and to redo the 2007 view regulation proposal because they thought it was too restrictive to development.

Now that the 2014 CCP draft is ready for public review and EPC approval, the public has decide if the proposed 2014 Coors Corridor draft will work for their community, but it does not.

The 2014 draft plan introduces several new transportation concepts like the BRT system and the multi modal roadway system for all modes of travel – vehicle, transit, bicycle, and pedestrian. But in many ways, Coors Blvd. is already multimodal, and more so compared to the 2014 draft’s transportation proposals

with elevated roadways, grade separation, noise walls and flyover ramps. What kind of roadway are we looking at? Even though the BRT lanes are better than traffic lanes, it is still unclear where the additional required ROW is going to come from.

*The 2014 draft plan gives the impression that the 1984 plan is unclear, too restrictive to development, and needs to be updated. The 2014 draft plan **will eliminate the parkway designation** which has higher expectations for quality development. I am concerned that by trying to solve the “regional traffic congestion problem” the 2014 draft will be used to justify sacrificing our communities along Coors who already feel the effects of all the traffic. Why would a Community want to replacement the 1984 plan that has promoted quality of life for their community?*

The 1984 plan has served the Communities well, with good intentions in regards to the Transportation, Land use, Environmental concerns and Visual Impressions. We don't want to lose the focus of building a quality corridor with views.

If anything, more effort should be put into updating the 1984 plan so that it ensures the quality of life for the communities who will endure all the traffic. The Communities need a plan with the right goals, policies and strong design standards to compensate for all the traffic impacts that they will be facing, and to preserve the things they care about. The 2007's goal was to improve the 1984 plan to make better not weaken it. We should not rush into replacing the 1984 plan; it is still the right plan for the Corridor.

Rene' Horvath

*Land Use Director for TRNA
September 23, 2014*

Additional Comments pertaining to the Coors Corridor Plan:

Signage:

1984 Coors Corridor Plan: *The signage regulations are found in the **Visual Impression** section of the 1984 plan.*

*(The language below is the **1984 policy 1**- It gives the reasons for restricting the signage in the 1984 Plan, -to improve the looks of the roadway. The message below demonstrates the purpose of the 1984 signage regulations. It should be included)*

d. Signage (pg. 112) - policy 1: Signs should complement the appearance and function of the roadway and the corridor while protecting the unique views beyond the corridor.

Rationale: Additional signage controls will provide added safety and less distraction and confusion for the motorist on this high capacity arterial roadway. The goal of a safe increased traffic movement coupled with protection of the corridor views are achieved through additional signage regulations, resulting in more appropriate and compatible sign design and placement.

“Incidental structures shall be designed for minimal distraction. Signage shall be limited to the minimum size and number necessary for identification purposes.

The purpose of signage regulations related to the Coors Corridor is to promote signage designs which are:

1. Compatible with surrounding, expressive of the identity of individual properties and sensitive to the goals for the design and character of the Coors Corridor area.
2. Orderly and appropriate to the activity to which they pertain: related to the place where the activity represented is located.
3. Non-distracting to motorists.
4. Aesthetically pleasing.

(Any changes to the sign regulations should not be more permissive than what already exists. We do not want to loosen any signage rules, when businesses have been complying with the 1984 regulations.

Please see 2014 below.

On page 95 the 2014 draft reads:

2014 Draft pg. 95: 3.16 The sign regulations of the underlying zones and relevant general regulations of the zoning code, including shopping centers (14-16-3-2) and signs (14-16-3-5), shall apply with the following exceptions:

i) Type and location

a. Free standing signs:

- One free standing sign shall be allowed for each street frontage of each premises, or joint sign premises, provided the street frontage is at least 100 ft.
- Premises or an area governed by a site development plan that is 5 acres or larger shall be allowed a second free-standing sign on each street frontage longer than 600 ft.

- a. The area for each sign face of a freestanding or projecting sign shall be limited to 75 sq. ft. except multi-tenant and joint- premise signs on shopping center sites may be increased by 15 ft. per tenant or additional premise, up to a maximum of 105 sq. ft.

(What is the reason for increasing the maximum height of signs in the signage regulations? The maximum height is currently 75 sq. ft.? Please see below 1984 Council Bill regarding signage):

Council Bill R-457 sponsored by Pat Baca, 1989 (beginning pages of 1984 CCP) says: "Where free standing signs are allowed, maximum sign size shall be 75 sq. ft. Also Where there are over 12 acres in a development (meaning a premises or an area controlled by a shopping center plan or site development plan - which ever is larger if more than one applies) a second free- standing sign is permitted on any street frontage longer than 1,500 lineal feet". "This amendment will provide incentive to develop larger tracts of land rather than encourage subdivision of property to secure additional free standing signage."

(Please follow language in Council bill # R-457 for the signage regulations. Many businesses have followed the rules of 75 sq. ft. maximum. We don't want to change the rules when businesses have already been following the rules. We also don't want a clutter of unnecessary, distracting signs along Coors Blvd.,)

iv) Prohibited Signs (pg. 95) 2014 Draft

a. Electronic display /board panel, as defined in Zone code 14-16-1-5 (We support this!)

(Please include "Prohibit signs with flashing lights" found in -1984 pg.112) to the prohibited sign list.

Rene' Horvath

*Land Use Director for TRNA
September 23, 2014*

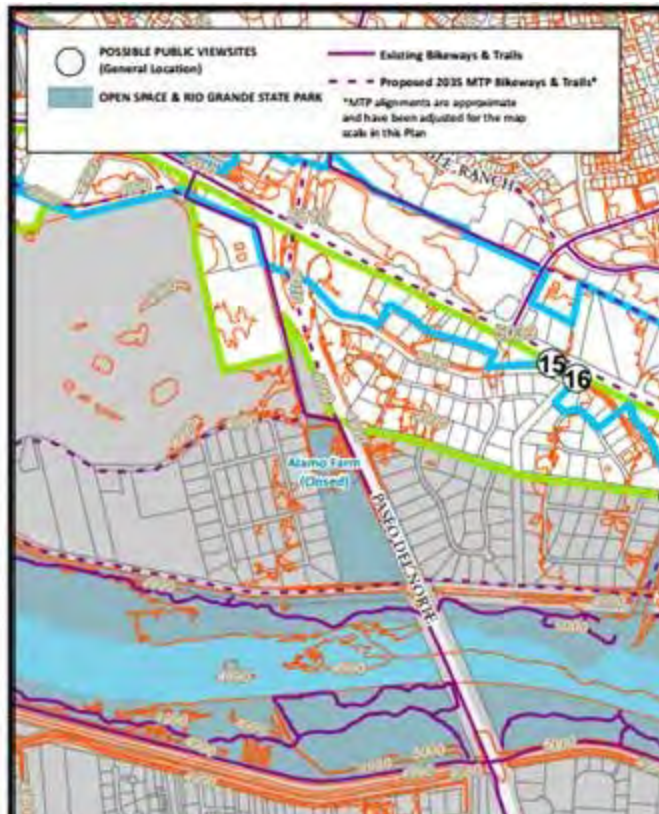
From: [Barkhurst, Kathryn Carrie](#)
To: [Toffaleti, Carol G.](#)
Cc: aboard10@juno.com
Subject: CCP Map comment related to trails
Date: Thursday, September 25, 2014 11:59:31 AM

Carol,

I just got off the phone with Rene'. She mentioned her concern about identifying the Open Space Trails in the bosque as "Existing Bikeways & Trails" being that it might encourage more cyclists to use these trails, or give them some standing if Open Space decides to restrict the users on some of their trails in the future.

I explained to her the challenges you have struggled with in all the different line types and the need for clear maps – that it is more of a practical matter to lump bikeways and trails into one line type. One solution to add clarity is perhaps to have a second note in the legend that states: "Refer to B&TFP for more information about the specific type of bikeway or trail." This could make it clear that purple lines may designate existing or proposed routes, bike lanes, paved multi-use trails, or open space trails.

Just a suggestion.



Carrie Barkhurst, MCRP
Urban Design & Development Planner
City of Albuquerque, Planning Department

Present:

Mike McKinney, Las Casitas del Rio II
Larry Foor, LCDR II
Hugh Floyd **HF**, Floyd Development Services
Rene & Joe Horvath **RH JH**, Taylor Ranch NA
Jolene Wolfley **JW**, TRNA
Sharon Miles **SM**, TRNA
Marian Pendleton? TRNA
Patsy Nelson, Alban Hills NA

Rae & Stephen Perls **RP**, La Luz Landowners Assn
Pat Gallagher **PG**, LLLA
Jim Strozier **JS**, Consensus Planning
Jackie Fishman **JF**, CP
Brito, Russell **RB**, COA Planning
Johnson, Jessica, COA Planning
Toffaleti, Carol **CT**, COA Planning

1
2 **CT:** Went through Planning staff's latest proposals for the View Preservation section (Sept 11, 2014 Stakeholder
3 Meeting Draft). The definition section is re-organized and expanded to incorporate several suggestions from Pat
4 Gallagher, LLLA. The regulation section sets out 3 options for height and mass that an applicant can select to
5 comply with the plan:

- 6 1. Base height, suggested by Hugh Floyd at August EPC hearing. 16 ft for residential or 20 ft for non-
7 residential are current typical minimums for flat-roofed buildings per COA Building & Safety Officer. It's
8 an easier option and addresses situations where properties are at a similar grade to Coors and would
9 not be developable without a variance
- 10 2. Height is limited to 50% above horizontal view plane & horizontal expanse to 30%.
- 11 3. View Window, which is a vertical view between structures. This option only applies north of Paseo.

12
13 **Neighborhood Reps:**

- 14 - The new plan should not dilute the 1984 regulations.
- 15 - View protection is built into the value of property in the View Preservation area.

16
17 **HF:** Having served on the EPC and reviewed several projects on Coors, thinks the 1984 plan is problematic,
18 because it requires variances in many cases, and is difficult to interpret. This makes any plan lose credence.

19
20 **JW:** The plan should only include options to handle hardship situations. It should not present them as
21 alternatives.

22
23 **HF:** Represents the owner of the vacant lots located between Valley View Dr and the Corrales Canal (north of
24 Paseo and parallel to Coors). They are part of a commercial subdivision that fronts Coors. The vacant lots are
25 only 2 ft lower than Coors; so the 1984 plan limits height to 6 ft for single story and 8 ft for multi-story, i.e.
26 variances are required. A base height is a potential solution for these lots and it would generally avoid fights
27 over building heights. The view window option is not feasible on these lots, because the 1st tier of buildings to
28 the west are not oriented to provide a view window that could extend across the 2nd tier lots. In general, view
29 windows are constrained by development on surrounding lots.

30
31 **JW:** Why was this layout chosen for the subdivision [years ago]?

32
33 **JS:** Was the agent for the applicant. Recalls that Valley View Dr. was created to provide access since there is
34 limited access on Coors. The width of the lots was dictated by the owners. At the time the development
35 proposals came through EPC, planners wanted the buildings brought closer to the street to create a presence on
36 Coors, but it didn't help protect views. The interpretation of the 1984 plan was also that the 1/3 limit on height
37 above the horizontal view plane only applied to multi-story buildings. These are 1-story retail.

Coors Corridor Plan Update
09/11/2014 Stakeholder Meeting re.View Preservation
Don Newton/Taylor Ranch Community Ctr – 6 – 7:30 p.m.

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HF: The 2nd tier lots were always intended to be for office or other use that doesn't depend on visibility from Coors like retail does.

JH: Why wasn't the land cut to lower the grade?

JS: Grading of land has to factor in how it is drained, and you can't cut next to the Canal.

JH: What is the setback on Valley View Dr.? Depending on the underlying zoning, a 45° angle plane would also limit building height.

CT: Planning will need to check the language in the draft about the relationship between angle plane in any underlying zoning and the View Preservation regulations, to be clearer and avoid unintended consequences.

JW: The plan goal should be to maintain view windows that still exist. We should identify "building envelopes" on vacant lots, where future buildings could be sited without obstructing view windows.

CT: The guidelines in the plan are there to make applicants think about view protection at the outset, including when they are subdividing land but not ready to build.

PG: (Circulated and presented highlights of his critique of the August 14, 2014 EPC staff proposals)

- The most important requirement from an applicant is a 3D model of the proposed development.

[Participants agreed]. It shows the overall height and mass. LLLA may consider compromise on the 1/3 vs 1/2 height above the horizontal view plane.

- The maximum height of a building must be the ridge line of the Sandias that is visible along the sightline and within the view frame.

CT: The draft plan proposes that the highest point of the ridge line *within a given view area* establishes the maximum. The LLLA proposal would not be workable for a site development plan for subdivision, where only the buildable area is known, not the location of each building. The Sept 11, 2014 draft does propose different ways of establishing sightlines depending on the type of application. An application for building permit or site development plan for building permit would show sightlines intersecting the highest parts of buildings as proposed by LLLA.

PG: A building must be considered within its context. If each property is considered in isolation, buildings along Coors will eventually block the entire view. This would be allowed by the height and mass regulations and the "minimum" height in the August 14, 2014 EPC draft regs.

JS & JF: Agree that context is important. However it's difficult to write regulations addressing context that City Zoning staff will enforce.

CT: Planning's position is that a property-owner can only be made responsible for development on his own property, for fairness and legal reasons. Under the City's "base allowable height" option (#1 in September 11, 2014 draft regs), a development would continue to be subject to the massing regulation, i.e. maximum obstruction of 50% of the view area.

Coors Corridor Plan Update
09/11/2014 Stakeholder Meeting re.View Preservation
Don Newton/Taylor Ranch Community Ctr – 6 – 7:30 p.m.

84 [Unidentified]: Under the LLLA proposal, the last property-owner to develop along a stretch of Coors would be
85 penalized.

86
87 **RP:** The draft plan provides too much flexibility. The draft plan should specify criteria for deviations.
88

89 **RB:** The draft plan aims to minimize the subjective and provide predictability so that everyone is clear about the
90 rules and they are applied consistently. That hasn't always been the case with the 1984 plan.

91
92 **JS & JF:** We prefer more predictability.
93

94 **JS & JF:**

95 - The height of buildings in the foreground ("1st tier" along Coors) is critical, but the height of buildings in the
96 middle- and background has less of an impact on views from Coors. This perspective effect is reinforced when
97 the grade of the properties located further from Coors is lower than the roadway. [see graphic of Andalucia
98 North showing credit union, apartments and Bosque School.] But under the 1984 plan and the draft plan, the
99 horizontal view plan doesn't fall off to reflect this effect.

100 - There should be incentives to protect views of the Bosque as well as of the Sandias.
101

102 **JF & JS** (at JW's request, discussed the vacant property on either side of Sevilla, i.e. Andalucia Phase 4): The land
103 is very close to the grade of Coors. The current concept is all one-story homes and the number of units reduced
104 from 59 to between 43-45. A variance for hardship is required under the 1984 plan—for the past proposal and
105 the current concept. However, it would meet a 16 ft base height.
106

107 **JW:** Can the development be set back more, by putting open space or the (internal) access street next to Coors?
108

109 **JF & JS:** The buildable area is setback 35 ft for landscaping and is set by the required drainage outfall to the San
110 Antonio arroyo. We are exploring different designs, including a single-loaded access street. Open space is
111 already provided further down along the arroyo.
112

113 **JS:** I think Andalucia Phase 3 (the residential neighborhood east of Coors and north of Namaste) is one of the
114 nicer sections along Coors—with the views, landscaped setback and wall design. Almost all the units are one-
115 story and restricted to 16 ft. It also required variances.
116

117 **RH:** The design of developments on Coors has been improved because Neighborhoods have weighed in.
118

119 **SM:** When developers bought land in the Corridor, they knew or should have known what the rules are and
120 whether it could be developed. The 1984 regulations should stay.
121

122 [Meeting ended at 8:15 p.m., although some participants continued the discussion.]

Red = August 14, 2014 EPC Additions
Struck-out = August 14, 2014 EPC Deletions
Blue/Struck-out = September 11, 2014 Stakeholder Meeting

D. Design Overlay Zone

4.0 View Preservation Regulations

Located north of Namaste Rd. and east of Coors Blvd., ~~this~~ the **View Preservation** sub-area of the Plan has a very scenic natural setting to the northeast, with the bosque forming the middle ground and the Sandia Mountains visible in the distance. Higher ranked City plans recognize visual quality, in particular views of the Bosque and Sandia Mountains, as a valuable community asset that adds to the City's livability and attractiveness. The intent of the View Preservation regulations is to keep a critical portion of this setting visible over the long-term, for the benefit of the many people who travel in the Coors Corridor including residents, commuters and visitors. This section also includes regulations to **help** protect the Night Sky.

The regulations in this section apply to development on sites in the city in the View Preservation sub-area. **To demonstrate compliance with the regulations, applicants are expected to provide a view analysis of the site and proposed development, i.e. graphic exhibits that show Sight Lines, the View Area, Horizontal View Plane, etc. as defined in Section 4.1.**

The protected views are based on the perspective of motorists (passengers in particular) heading northbound on Coors Blvd., for substantive and practical reasons: the views to the northeast are the most special; the number of people in cars is expected to continue forming the largest proportion of the travelling public; and if the views are maintained for people sitting in cars, they will also be maintained for truck passengers, cyclists, pedestrians, and transit riders in the Corridor all of whose sight lines begin at an equivalent or higher elevation above the pavement.

The regulations were informed by a comprehensive view analysis of the Corridor completed in 2008, with input from the Coors Corridor Plan advisory group that met through 2009 and from residential and commercial stakeholders in late 2013 and early 2014 (see Chapter F Sections 1.3 and 1.5). Changes in conditions and City policies and regulations since 2008 have also informed the regulations. The aim of the Plan is to strike an appropriate balance between protecting individual owners' rights to

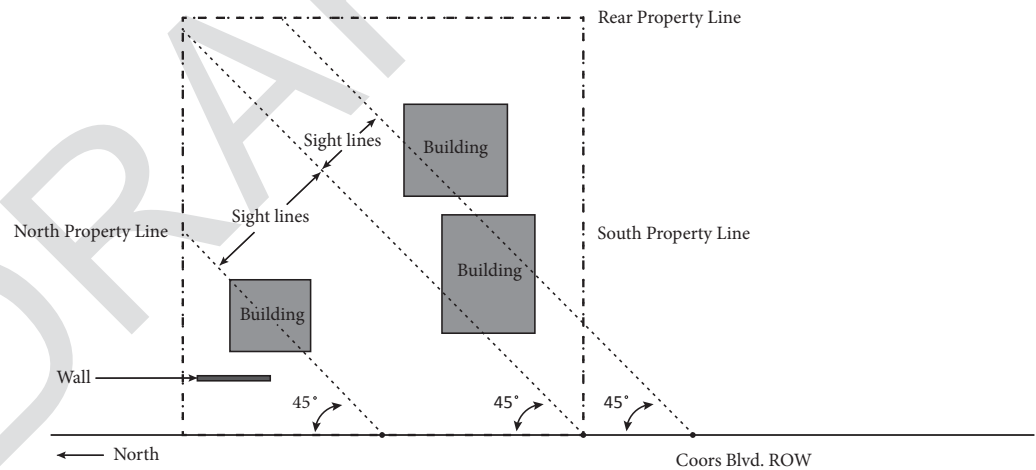
develop their property and protecting a public good that is highly valued by the West Side community and the community-at-large as reflected in adopted City policy. For example, a distinction between land north and south of Paseo del Norte is reflected in some of the regulations. North of Paseo del Norte, properties adjacent to Coors are at a similar grade to the pavement, tend to be smaller, and most are one lot deep, at the edge of a slope that drop significantly to the Corrales Riverside drain and the valley floor. The lowlands are mostly zoned for single family homes and are already developed.

D. Design Overlay Zone

14.1 Definitions

These definitions explain the measures for demonstrating compliance with the structure height and mass regulations that follow. They enable a comprehensive analysis of a development proposal's impact on views to the Sandias, in plan, section and elevation view. They are listed in the order an applicant would typically use to develop a view analysis and are illustrated with diagrams. They also address different types of applications: applications for a building permit or for a site development plan for building permit, where the footprint and size of structures are specified; and applications for a site development plan for subdivision where only the buildable area and the maximum envelope (height and mass) of structures are specified.

- i) **Sight Lines.** Sight lines establish the observation points and viewing angle across the site to be developed. They begin at the east edge of the Coors Blvd. right-of-way (ROW) and follow a 45° angle from the ROW alignment in approximately a northeasterly direction. The observation or beginning points of the sight lines are as follows:
 - a. **Building Permits or Site Development Plans (SDPs) for Building Permit:** Sight Lines are chosen to intersect with the highest features of each structure and connect to the east edge of the Coors Blvd. ROW. As many sight lines shall be established as necessary to capture all of the highest features of structures on the site.



(Note: Not to scale. For illustrative purposes only.)

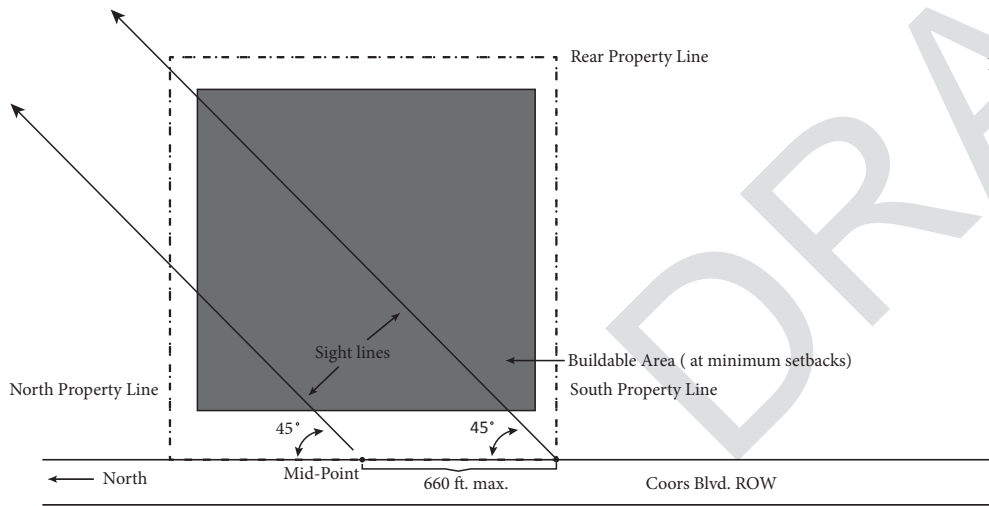
NEW: Sight Lines for a Building Permit or SDP for Building Permit

Red = August 14, 2014 EPC Additions
 Struck-out = August 14, 2014 EPC Deletions
 Blue/Struck-out = September 11, 2014 Stakeholder Meeting

D. Design Overlay Zone

b. SDPs for Subdivision:

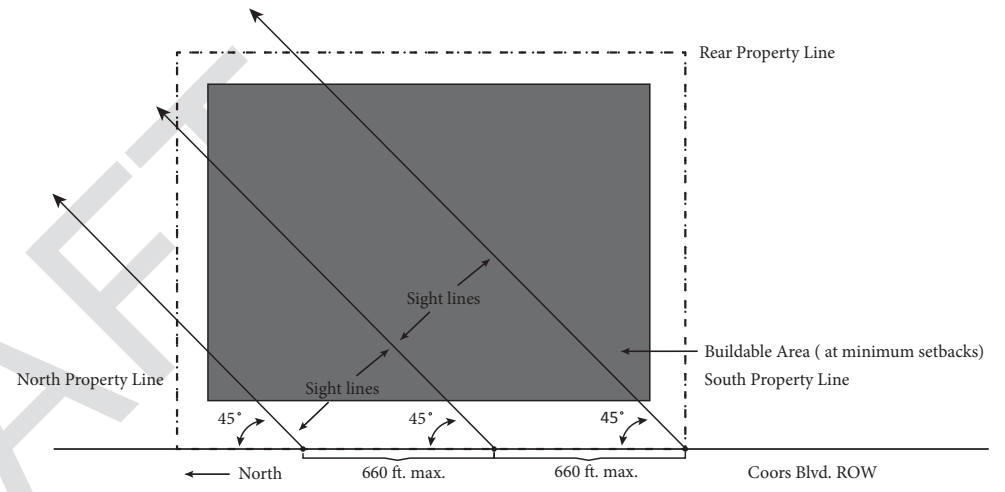
1. Development sites of less than 5 acres ±- Sightlines begin the point at the south~~west~~ corner of the site; and at the mid-point of the property line along Coors Blvd. or at a distance of 660 ft. from the southwest corner, whichever distance is less.



(Note: Not to scale. For illustrative purposes only.)

REVISED to show building area instead of buildings
 SDP for Subdivision: Sight Lines on Sites < 5 acres

2. Sites of 5 acres or greater ±- Sightlines begin the point at the south~~west~~ corner of the site; and points at 660 ft intervals along the property line, up to the north~~west~~ corner of the site.



(Note: Not to scale. For illustrative purposes only.)

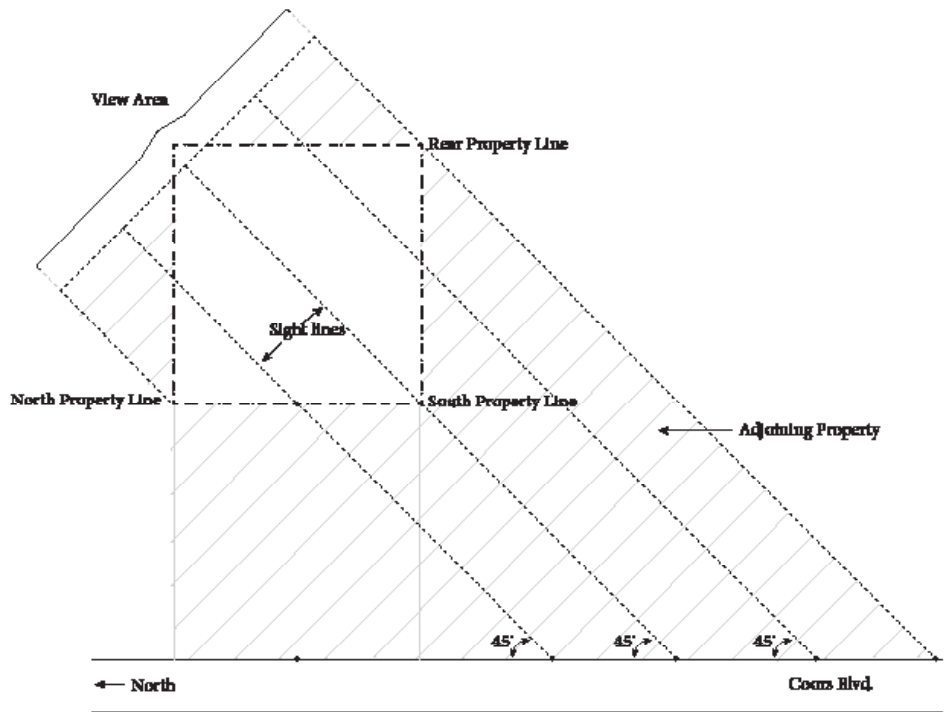
REVISED to show building area instead of buildings
 SDP for Subdivision: Sight Lines on Sites ≥ 5 acres

- Sight lines shall be added as necessary to incorporate all proposed structures on the site or to show the area between setbacks if the location of structures has not been determined e.g. in a site development plan for subdivision.

The direction of the sight lines follows a horizontal 45° angle from the alignment of Coors Blvd., i.e. in approximately a northeasterly direction.

D. Design Overlay Zone

*Note: For sites that are separated from the Coors Blvd. ROW by a platted strip of land forming the landscape setback or that are located further east, the sight lines also connect the site with Coors Blvd. at a 45° and their number and location correspond to the application type. ~~of the view frames begin at points on Coors Blvd. that correspond to the southwest corner mid-point as drawn at a 90° angle from the nearest property line of the site to the Coors Blvd. ROW. (See Figure Xref.)~~

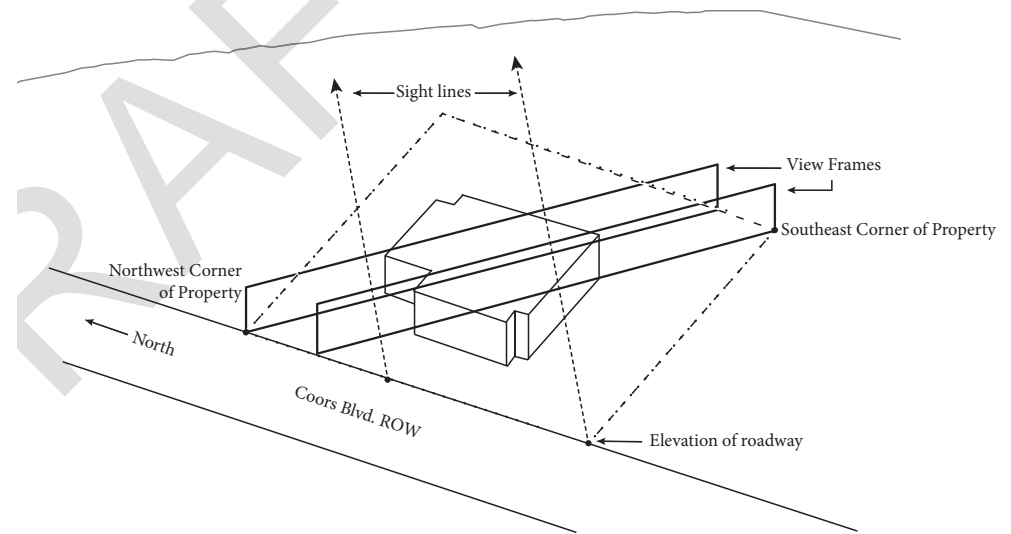


(Note: Not to scale. For illustrative purposes only.)

REVISED to show sightline at 45° from Coors ROW

Figure D-1: View Frames and Sight Lines and View Area for a Site off Coors Blvd. – Plan View

ii) *View Frame*. A vertical rectangle established at the east edge of the Coors Blvd. ROW, looking toward the Sandia Mountains drawn at 90° to a given sight line. The top of the view frame is established by the highest point of the Sandia ridge-line in the view frame. The bottom of the view frame is the elevation of the Coors ROW at the point where the sight line begins. The left and right edges of the view frame are an upward projection of the property lines that form the perimeter of the site, where the view frame touches the property lines. Together, the view frames must capture the entire horizontal expanse of the site, i.e. from the northwest to the southeast corners.

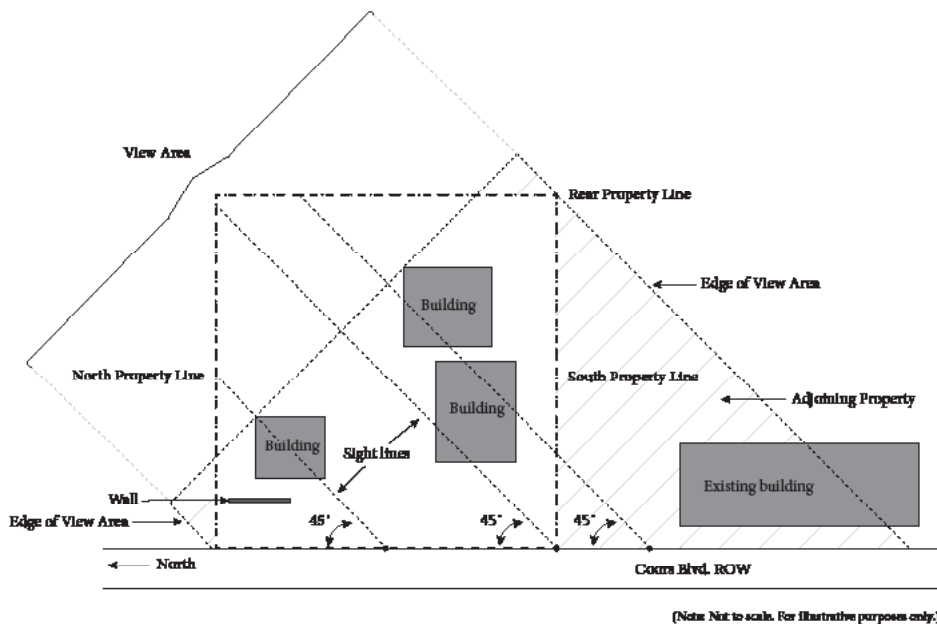


NEW: View Frames in “3D”

Red = August 14, 2014 EPC Additions
 Struck-out = August 14, 2014 EPC Deletions
 Blue/Struck-out = September 11, 2014 Stakeholder Meeting

D. Design Overlay Zone

iii) *View Area.* The view area consists of two or more view frames for each site, depending on the size and shape of the site. The view area must encompass the entire horizontal expanse of the site, i.e. from the northwest to the southeast corners. Two situations are shown in the following diagrams: 1) a development proposal where the footprint and size of the buildings are identified, such as in a building permit or site development plan for building permit; 2) a development proposal that sets the buildable area of the site and the potential size of future buildings, such as in a site development plan for subdivision.



REVISED to show sightlines intersecting all buildings

Figure D-2: *View Frames and View Area with Structures (Building Permit or Site Development for Building Permit) – Plan View*

The bottom of the view area is formed by the elevation of Coors Blvd. The left and right edges of the view area are created by vertical extensions from the north and south boundaries of the site. The highest point of the ridgeline of the Sandia Mountains visible between the left and right edges of the view area forms the top of the view area.

View Frame. A vertical rectangle established at the east edge of the Coors Blvd. ROW, looking toward the Sandia Mountains.

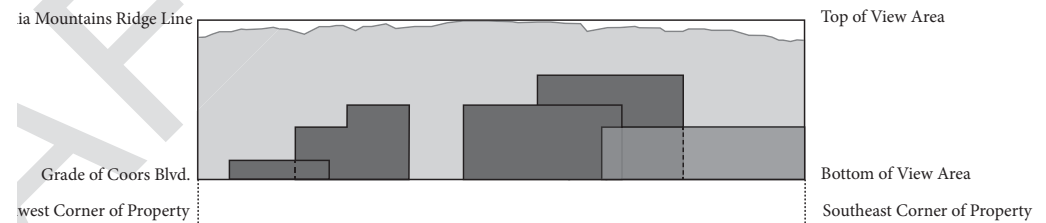
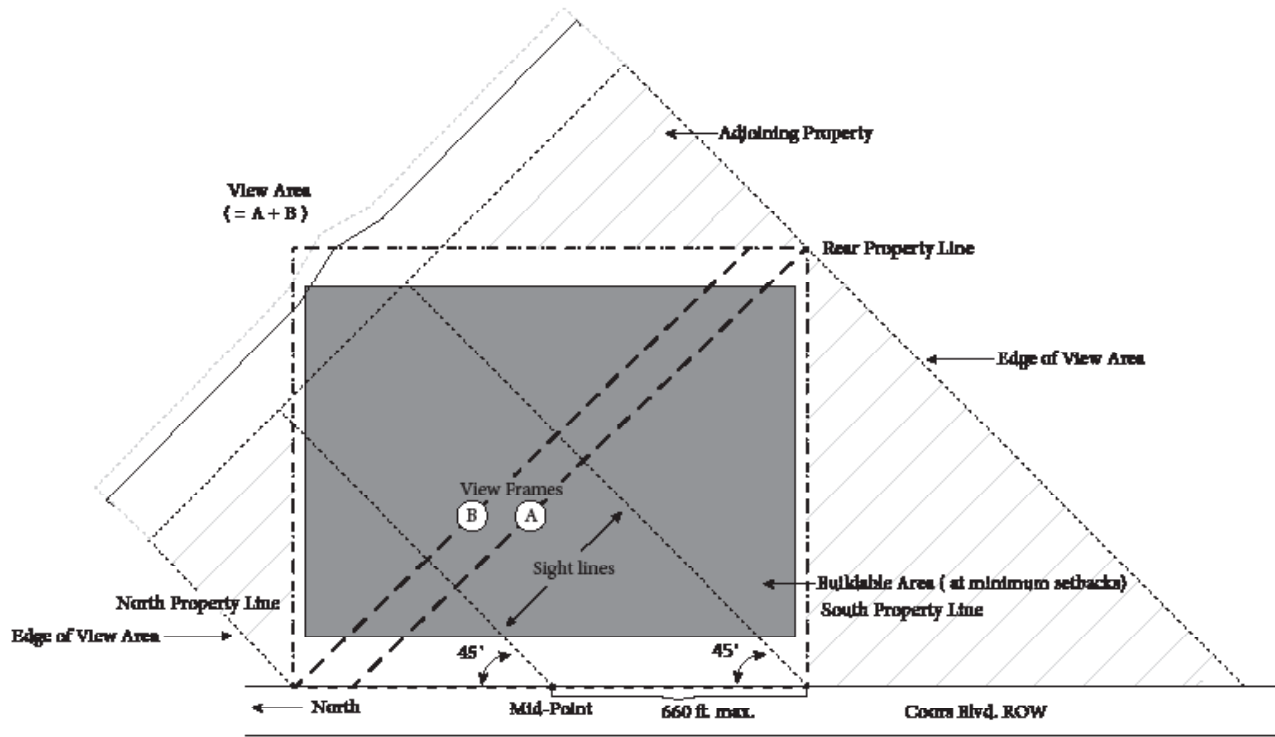


Figure D-3: *View Area with Structures (Building Permit or Site Development for Building Permit) – Elevation View*

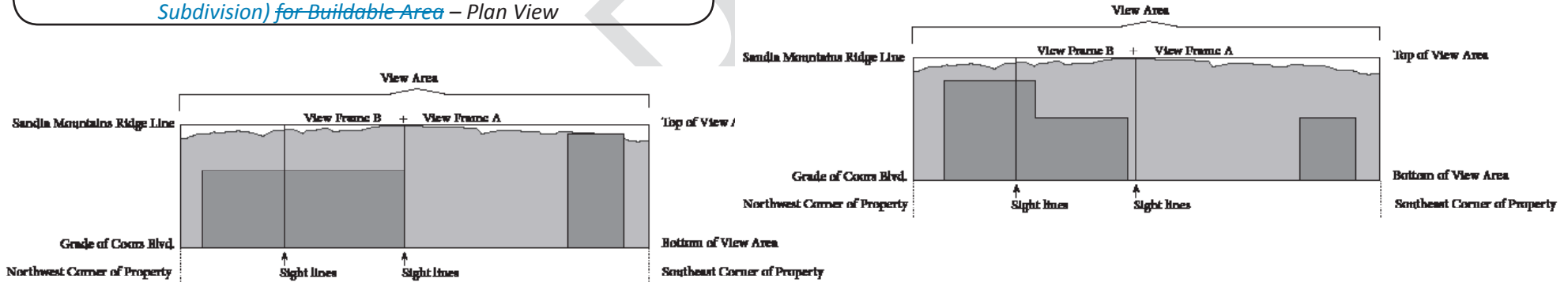
Red = August 14, 2014 EPC Additions
 Struck-out = August 14, 2014 EPC Deletions
 Blue/Struck-out = September 11, 2014 Stakeholder Meeting



(Note: Not to scale. For illustrative purposes only.)

REVISED

Figure D-4: View Frames and View Area (Site Development Plan for Subdivision) for Buildable Area – Plan View



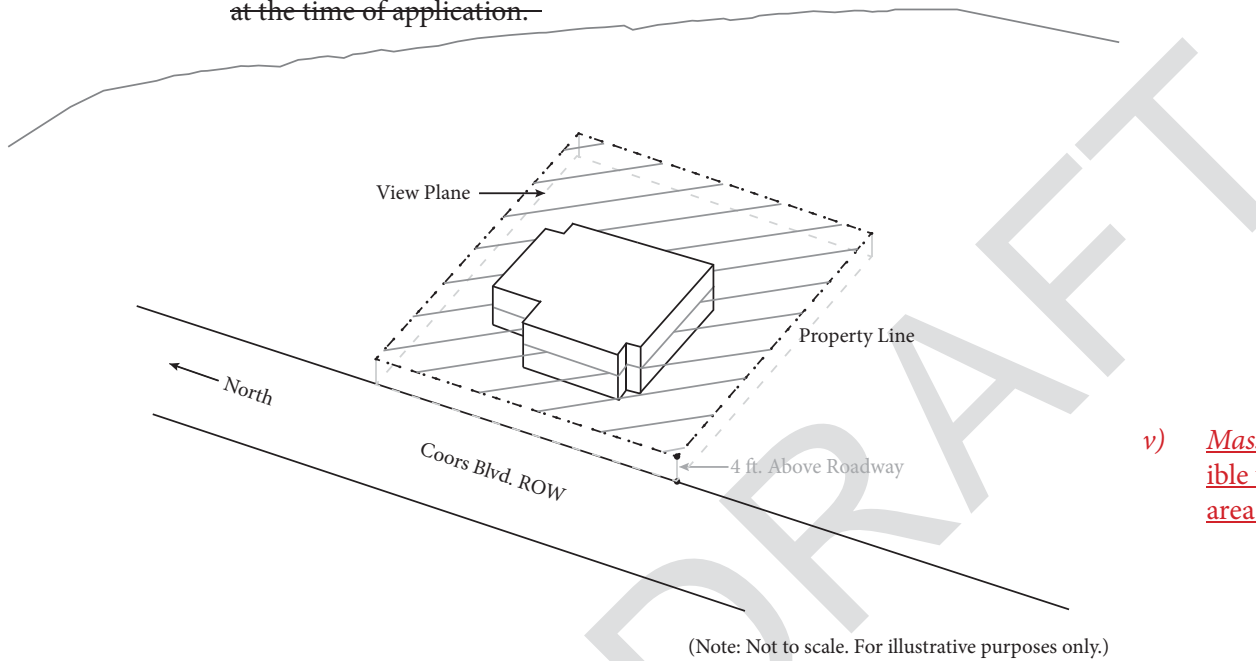
REVISED

Figure D-5: View Area (Site Development Plan for Subdivision) for Buildable Area - Two Concepts with Structures – Elevation View

Red = August 14, 2014 EPC Additions
 Struck-out = August 14, 2014 EPC Deletions
 Blue/Struck-out = September 11, 2014 Stakeholder Meeting

D. Design Overlay Zone

iv) *Horizontal View Plane.* A horizontal plane established at 4 ft. above the east edge of the **existing** pavement of Coors Blvd., **i.e. at the time of application**, that ~~begins at the edge of the Coors ROW and~~ extends across the site to its eastern boundary. ~~The grade of the pavement reflects the existing condition at the time of application.~~



(Note: Not to scale. For illustrative purposes only.)

NEW: Horizontal View Plane

v) *Mass.* The mass or bulk of the structure(s) on a site that is visible within the view area. This visual mass is measured as an area in proportion to the total view area.

$$\text{Massing \%} = \frac{\text{Mass Area}}{\text{View Area}}$$

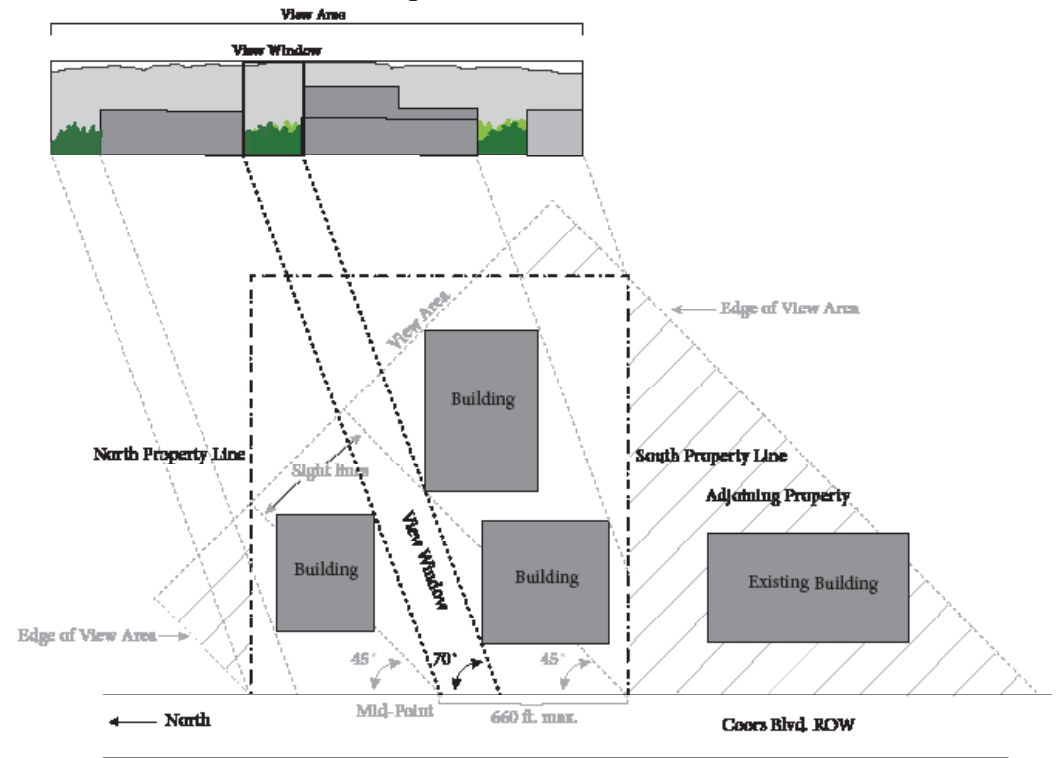
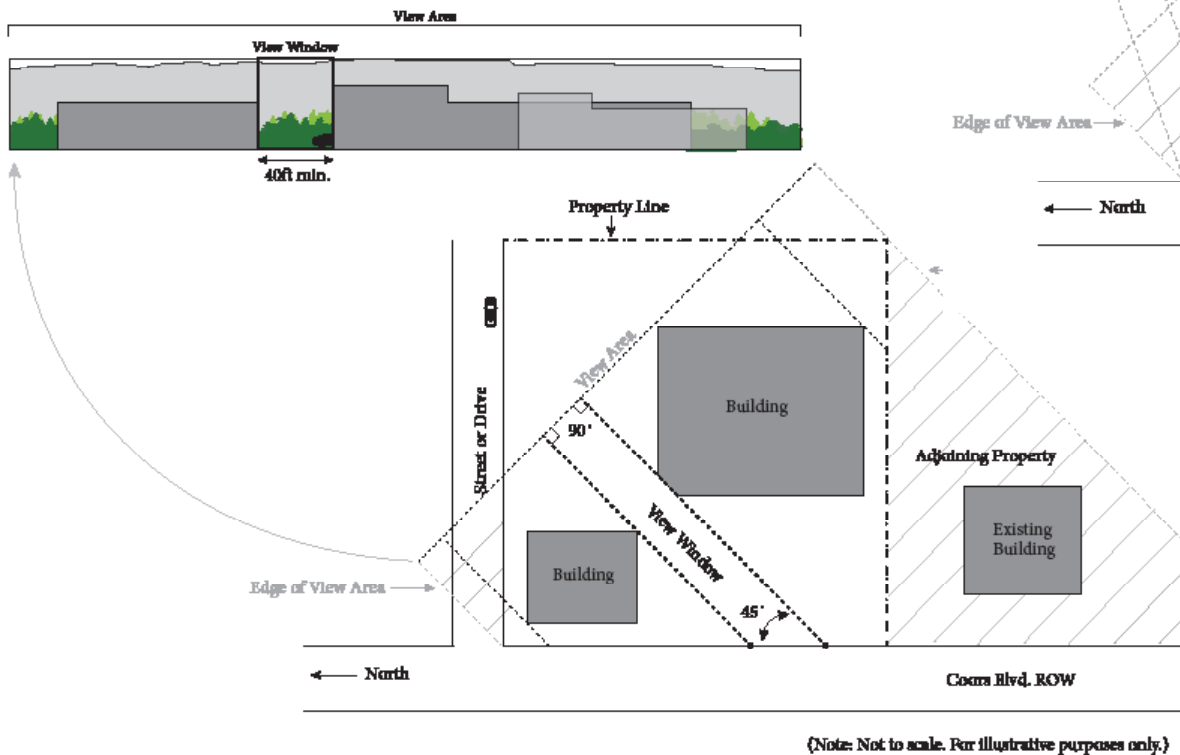


(Note: Not to scale. For illustrative purposes only.)

NEW: Structure Mass

D. Design Overlay Zone

vi) *View Window*. Consists of a vertical portion of a view area that provides an unobstructed view of the Sandia Mountains, and provides a view of the bosque to the extent possible. The direction of a view window may be at an angle between 45° and 90° (inclusive) from the alignment of Coors Blvd. View windows apply only to properties north of Paseo del Norte.



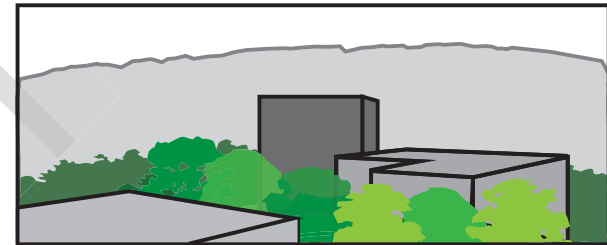
REVISED

Figure D-6: View Windows - Two Concepts

D. Design Overlay Zone

14.2 Building and Site Design Guidelines

- i) Developments with several buildings should provide a variety of building size and massing. A transition from lower building elevations on the Coors Blvd. frontage or adjoining Major Public Open Space to taller structures and larger buildings at the interior of the site is encouraged.



NEW

- ii) In designing the site layout, the following should be considered to maintain visual open-ness where it helps preserve the public's view of the bosque and Sandia mountains from Coors Blvd., including:
 - a. Cluster buildings or, alternatively, maintain an adequate distance between buildings to provide a view window;
 - b. Where it is allowed by the underlying zone, design a residential development as a Private Commons Development with a private commons area;
 - c. Through the alignment of public rights-of-way and drives, e.g. in a northeasterly direction.
 - d. Through the placement and shape of off-street parking, aggregate open space (e.g. plazas and playgrounds), and landscape and ponding area(s).

D. Design Overlay Zone

Regulation/Location	Option 1: Base Height *	Option 2: Horizontal View Plane	Option 3: View Window
	All locations in VP sub-area	All locations in VP sub-area	North of Paseo del Norte only
Height			
i) a. Towers, etc.	Yes	Yes	Yes
i) b. Parapets	Yes	Yes	Yes
i) c. Base height *	Yes	No	No
i) d. 50% above horizontal view plane	No	Yes	No, but minimize penetration above view plane
i) e. Top of view area	No	Yes	Yes
Mass			
ii) a. 30% of horizontal expanse	No	Yes	No
ii) b. 50% of view area	Yes	Yes	No
View Window			
iii) a. through d	No	No	Yes
(General)			
iv) Underlying zoning	Yes	Yes	Yes

* **Note:** No deviation to height is allowed with Option 1.

Table D-1: Options in the View Preservation sub-area and Applicable Height and Mass Regulations

Red = August 14, 2014 EPC Additions
 Struck-out = August 14, 2014 EPC Deletions
 Blue/Struck-out = September 11, 2014 Stakeholder Meeting

D. Design Overlay Zone

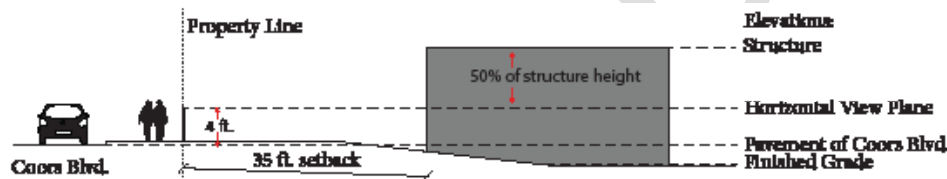
14.3 Structure Height and Mass

There are three options, which include a “package” of the following regulations and depend on the location of the development site. The applicant shall choose one option (see Table D-1).

- i) Height
 - a. Exceptions to height standards shall not apply to spires, ornamental towers, flag poles, etc. listed in the supplementary height regulations in §14-16-3-3(A)(1) of the Zoning Code. For cell towers, see §14-16-3-17 Wireless Telecommunication Regulations in the Zoning Code.
 - b. Structure height includes parapet or other allowed screening for roof-top equipment.

On sites south of Paseo del Norte:

- c. Structure height up to 16 ft. (inclusive) for residential structures or 20 ft. (inclusive) for non-residential structures is permitted at any legal location, provided it complies with other applicable regulations
- d. No more than 50% of the total height of residential structures over 16 ft. and commercial structures over 20 ft. shall may penetrate above the horizontal view plane, provided the structure's height complies with the underlying zone and its mass complies with Section 4.3.ii)b.

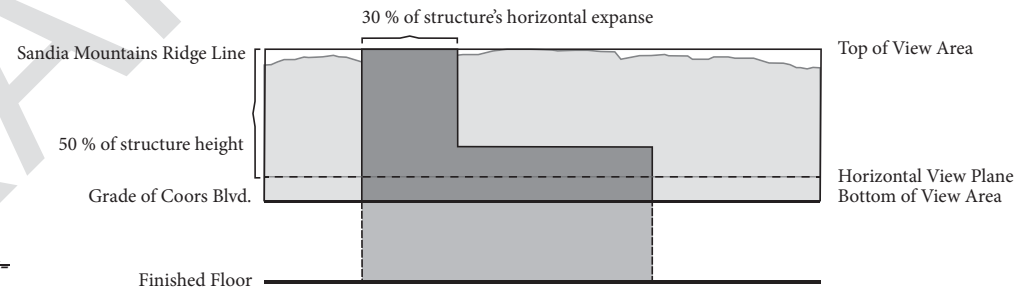


(Note: Not to scale. For illustrative purposes only.)

REVISED

Figure D-7: Horizontal View Plane

- e. No portion of a structure, including but not limited to parapet, building-mounted sign and rooftop equipment, shall may extend-above the top of the view area.
- ii) Mass
 - a. No more than 30% of an individual structure's width horizontal expanse, as seen in the view area, shall penetrate above the horizontal view plane as seen in the view area. This only applies to structures greater than the base allowable height of 16 ft (residential) or 20 ft. (commercial).
 - b. The visual mass of All the structure(s) on the development site shall obscure no more than 50% of the view area.



(Note: Not to scale. For illustrative purposes only.)

REVISED to show that the base of a structure can be below the bottom of the view area

Figure D-8: Structure Mass in VP sub-area

D. Design Overlay Zone

On sites north of Paseo del Norte:

The height and mass of structures shall comply with Section 4.3.i) and ii) or

- iii) **View Windows.** Structures shall be placed on the site to provide a *view window* or *windows* of a minimum width according to the site area, as follows:

<3 acres	40 ft or 40% of the length of the lot facing Coors Blvd. whichever is larger
3 to <5 acres	80 ft.
5 to <8 acres	100 ft.
8 to <10 acres	125 ft.
10 to <12 acres	150 ft.
≥12 acres	175 ft.

- a. On sites where more than one *view window* is provided, the minimum width of a *view window* shall be 40 ft.
 - b. To guarantee that the *view window(s)* will remain unobstructed, the *view window(s)* shall be defined and ~~permanently established~~ shown on the site development plan. Through the use of rights-of-way, easements, or other legal instrument acceptable to the City Attorney, but the land is not required to be owned by the City of Albuquerque.
 - c. Outside the *view windows*, no portion of a structure shall ~~may~~ extend above the top of the *view area* and structures shall be designed to minimize penetration of the *horizontal view plane*.
 - d. Maximum structure height shall be established on the site development plan and/or other official document as part of the City approval.
- iv) **Structure height and mass shall comply with underlying zoning if it is more restrictive than the regulations in this section.**

14.4 Landscaping

- i) Only deciduous species are allowed as street trees and as shade trees in parking areas. Evergreen trees may be used to screen outdoor storage, service and loading areas.
- ii) Tree species shall be selected and placed so that, at maturity, they do not block protected views of the bosque and Sandia Mountains.
- iii) Trees may be planted singly or in groups to achieve these ends.

14.5 Lighting

Maximum height of lightpoles shall be 20 ft.

14.6 Signage

- i) Illuminated signs shall not be mounted on the 30% portion of a building that may extend above the *horizontal view plane* as seen in the *view area* (see Figure D-10).
- ii) A religious sign that extends above the roof line of the building to which it is mounted shall not be illuminated.

14.7 Application Requirements

- i) All applications for development in the View Preservation sub-area shall provide a view analysis that contains sufficient data and graphic information to demonstrate compliance at the time of application for a site development plan for subdivision or building permit, or a site plan for building permit. Applications for development that do not show building footprints, i.e. for development that is phased and/or includes pad sites, shall demonstrate that the lot configuration will allow future structures to be sited to comply with the height and mass regulations.














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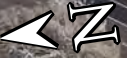
D. Design Overlay Zone

- ii) The view analysis documentation shall indicate the existing condition and proposed development of the site in plan, section and elevation formats, based at minimum on the following data and graphic elements:
 - a. The existing location of the pavement edge of Coors Blvd., and its proposed location if the public ROW will be widened to meet the corridor segment recommendations in the Plan (see Chapter C Section 13.0).
 - b. Existing spot elevations of Coors Blvd. along the site frontage beginning at the south corner of the site.
 - c. Proposed spot elevations at locations of structures (e.g. buildings, walls and fences, signs), including at the base of their highest elements, and of trees.
 - d. Finished floor grades of buildings.
 - e. Minimum setbacks for structures, and location of structures.
 - f. Photographs of the *view area* in its current condition, one of which will be used as a backdrop for the renderings and elevations of the proposed development.

Valley View Area

Legend

-  Burger King
-  Chevron
-  Coors @ Irving
-  Enterprise Car Sales
-  Feature 1
-  Feature 2
-  Grandma's Music & Sound
-  Jiffy Lube
-  Natural Grocers by Vitamin Cottage
-  Paseo Del Norte Bicycle Trail (Facing East)
-  Taco Bell
-  Target Pharmacy
-  Wells Fargo Bank



Valley View Area- 45 Degree example

Legend



Google earth

© 2014 INEGI
© 2014 Google



9.08 ft

Coors Corridor Plan Draft Regulation Revisions

August 5, 2014

Response by Pat Gallagher to the newest draft.

A new revision of the draft Coors Corridor Plan, dated August 14, 2014, related specifically to view preservation has been analyzed. It appears that all our previous objections have been ignored and new language has been inserted.

Cutting to the chase, the current draft regulation appears to have the following objectives:

Create numerous exceptions

Treat each property in isolation

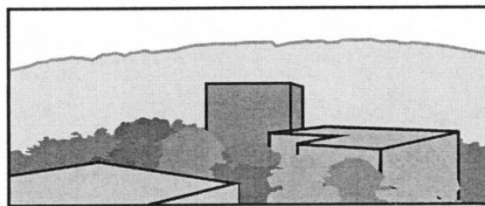
Limit scrutiny of the site

Increase the allowable height of all structures

Allow buildings to penetrate the ridgeline of the Sandias

Creates a minimum height to which the regulations apply. Slightly shorter buildings are exempt from all restrictions on height obscuring the mountain, and massing.

All graphics in the section of the draft need to be revised or replaced for outright errors, omissions and contradictory information. That is, all except one:



NEW

This is a good picture.

The following is a synopsis of what the proposed regulation does to view preservation.



Example: Andalucia North
Existing structures and their actual heights

COORS CORRIDOR PLAN

View Preservation Regulations



View Preservation Sub-Area - Namaste to La Orilla

COORS CORRIDOR PLAN

View Preservation Regulations



Date: 9/11/2014

View Preservation Sub-Area - La Orilla to Paseo del Norte

COORS CORRIDOR PLAN

View Preservation Regulations



View Preservation Sub-Area - Paseo del Norte to Alameda



City of Albuquerque

P.O. Box 1293 Albuquerque, New Mexico, 87103

Department of Municipal Development

Richard J. Berry, Mayor
Interoffice Memorandum

September 24, 2014

To: Carol Toffaleti, Senior Planner, City of Albuquerque Planning Department

From: John MacKenzie, PE, Engineering Division, DMD

Subject: ROADWAY EXCHANGE AGREEMENTS BETWEEN THE NEW MEXICO DEPARTMENT OF TRANSPORTATION AND THE CITY OF ALBUQUERQUE

From time to time, the NMDOT and the City of Albuquerque have found it necessary to entry into various Roadway Exchange Agreements, as the City has expanded and as adjoining property ingress/egress requirements have changed with time. Bernalillo County and the NMDOT have also recently engaged in several agreements (e.g., 2nd Street and Dennis Chavez Blvd.). The City and the NMDOT typically prefer to agree on a balanced exchange whereby the magnitude of maintenance responsibility remains relatively equal so that budgets and personnel will not be inequitably shifted. In general, the NMDOT has recently preferred not to own and maintain facilities that are expected to have a multitude of new access requests from developers of adjoining property, compared to facilities that already possess a relatively stable access condition.

Contract No. D13339

Vendor No. 54306

ROAD EXCHANGE AGREEMENT

This **Road Exchange Agreement** ("**Agreement**") is made and entered into this 29th day of November, 2010, by and between the **NEW MEXICO DEPARTMENT OF TRANSPORTATION**, ("**Department**"), the **STATE TRANSPORTATION COMMISSION**, and the **CITY OF ALBUQUERQUE** ("**CITY**").

RECITALS

Whereas, the **Department**, the **State Transportation Commission**, and **City** desire to implement a comprehensive public road and street administration policy in the City of Albuquerque, and,

Whereas, the parties agree that by making an agreement to better define each party's responsibility for improving and maintaining public roads and streets in the **City** areas, users of both the **State** and **City** road and street system will experience a higher level of service, and,

Whereas, the parties agree that certain public road and street exchanges need to occur to better align the jurisdictional responsibilities of the parties regarding the public roads and streets in the **City**, and,

Whereas, the **City** finds in its judgment that the road exchange, transfer and conveyance best subserves the interest of the general public, and will best serve the traffic needs and develop the resources of the **City**, and,

Whereas, the **State Transportation Commission**, and the **Department**, looking to the construction and maintenance of a complete system of highways in the state, finds in its judgment that the road exchange, transfer, and conveyance best subserves the interest of the general public, and will best serve the traffic needs and develop the resources of the state, and,

Whereas, the parties have the right and power to enter into this **Agreement**;

Whereas, there is a current roadway exchange agreement in place dated 1989 Contract Number D04034), in which the **Department** is to take over all of Unser Boulevard within the City of Albuquerque in exchange for the **City** taking over all of

Coors Boulevard within the **City** limits once Unser Boulevard is completely constructed within the **City** limits (See Exhibit 1).

In consideration of the promises and mutual covenants contained in this **Agreement**, the **Department**, **State Transportation Commission**, and **City** agree as follows:

1. ROAD AND STREET SYSTEM EXCHANGES:

1.1 Road Transfer from Department: The Parties agree that the following sections of road shall be deleted from both the **State** highway system and **State** highway maintenance system and will be the sole jurisdiction of and title shall vest in the **City**:

1.1.1 NM345 (Unser Boulevard), from Central Avenue to St. Joseph's Drive, a distance of approximately 3.7 miles, as shown in Exhibit 2 (area excludes that described in section 1.1.3 below).

1.1.2 The **City** shall assume all maintenance responsibilities associated with Unser Boulevard between Central Avenue and St. Joseph's Drive, excluding the portion of roadway on Unser Boulevard between Ladera Drive and the proposed public city roadway on the east side of Unser Boulevard approximately 1600 feet south of the eastbound Interstate 40 on/off ramps at the I-40/Unser Boulevard interchange. This will include, but not be limited to: roadway pavement, curb and gutter, drainage facilities/system (over-ground and underground), sidewalk/trails, lighting, traffic signalization, landscaping, signing, striping, and any other features within the roadway right-of-way.

1.1.3 The **City** shall continue to provide snow-removal for the entire length of Unser Boulevard, including the area within the access-controlled area within the I-40 and Unser interchange (Ladera Boulevard south to the Los Volcanes intersection).

1.2 Road Transfer from City: The Parties agree that the following sections of road or street shall be deleted from the **City** road and street system and **City** maintenance system and will be the sole jurisdiction of and title shall vest in the **Department**.

1.2.1 The **Department** shall take over roadway ownership of NM 448 (Coors Boulevard) between Bridge Boulevard and St. Joseph's Drive intersections with the exception of the area on Coors Boulevard within the vicinity of the Coors Boulevard and Quail Road intersection (between I-40 to 1,000 feet north of the Coors Boulevard and Redlands intersection). The City shall complete the Coors Corridor Plan and implement any intersection improvements at Coors Boulevard and Quail intersection recommended by the plan. If federal funding is available for the construction of the intersection improvements prior to 12/31/2017, the City shall be the lead agency to design, and construct the project. At the

completion of the mutually agreed to intersection improvements and or 12/31/2017, the **Department** shall accept responsibility of the remaining segment of Coors as outlined in this paragraph.

- 1.2.2 Total estimated mileage is 4.2 miles in length.
- 1.2.3 The **Department** shall assume roadway maintenance responsibilities associated with Coors Boulevard (NM 448) between Bridge Boulevard and St. Joseph's Drive. This will include, but not limited to: roadway pavement, curb and gutter, drainage (over-ground only), sidewalk, signing, and striping.
- 1.2.4 The **City** shall continue roadway ownership and maintenance responsibilities at the Coors Boulevard and Quail Road intersection until construction of proposed improvements that address capacity, geometric, and access concerns are implemented by the CITY. The project limits for the current CITY-sponsored intersection project are from I-40 to 1,000 feet north of Quail Road. The proposed improvements must be approved by the **Department** prior to construction.
- 1.2.5 The **City** shall continue to maintain and pay for all utilities associated with roadway lighting, traffic signals, bus stops, underground drainage, and landscaping for Coors Boulevard between Bridge Boulevard and St. Joseph's Drive.
- 1.2.6 The **City** shall provide the **Department** with any property owner access, utility, and drainage agreements, and as-built construction plans regarding Coors Boulevard between Bridge Boulevard and St. Joseph's Drive

2. **AUTHORIZATION FOR ROAD EXCHANGE**

- 2.1 Each individual signing this **Agreement** warrants that he or she has the requisite authority and approval to execute this **Agreement** on behalf of the party appearing above his or her name.
- 2.2 The road and street exchange, transfer and conveyance provided for herein is being undertaken in conformity with State Transportation Commission Policy CP-62.
- 2.3 The **State Transportation Commission** and the **Department** have approved this **Agreement**, pursuant to and consistent with NMSA 1978, § 67-2-6, § 67-3-2(D), § 67-3-14, § 67-3-16, § 67-3-26, and § 67-3-40, and 23 CFR § 470, as applicable, and found that that the road exchange, transfer and conveyance, and the addition to and deletion of roads from the **State** highway system, best subserves the interest of the general public, and will best serve the traffic needs and develop the resources of the **State**.

2.4 The exchange adds a road to the **State** highway system of the same or higher functional classification as the road being deleted from the system and transferred to the **City**.

3. **FUTURE ROAD AND STREET SYSTEM EXCHANGES:**

3.1 All parties agree that the public road and street systems in both the **City** and **State** are dynamic systems and that the functional character of a road may change over time. It is agreed that should any party determine that a significant change has taken place, that party shall notify the other party of its desire to commence negotiations to effect the jurisdictional transfer of said road. The parties agree that they each will undertake said negotiations in good faith.

4. **CONVEYANCE OF TITLE:**

4.1 The Parties agree that the documents conveying title by quitclaim deed for all public roads and streets described in Sections 1, 2, and 3, herein, shall be prepared and executed by the appropriate party and delivered to the other party as soon as practical after execution of this **Agreement**, but no longer than two (2) years from the date of execution of this **Agreement**. The **Department** agrees to provide the **City** with any legal description of the right-of-way easements that the **Department** may have associated with NM 345 and NM 448 within two (2) years from date of transfer and completion of any condition precedents to the conveyance of title.

5. **PERIODIC REVIEW OF AGREEMENT:**

5.1 The parties agree that this **Agreement** shall be reviewed in its entirety annually from the date of execution to determine if any modifications to the **Agreement** are necessary.

6. **DUTIES SUBJECT TO APPROPRIATION:**

6.1 The Parties recognize and understand that this **Agreement** contemplates indirectly the expenditure of funds, which must be appropriated and allocated by their respective legislative bodies. All parties agree that this **Agreement** and the terms hereof are subordinate to the rights of these legislative bodies and not binding on them. Therefore, both parties agree that the duties and responsibilities imposed on each of them herein are to be performed pursuant to their respective fiscal allocations. Although the parties shall be required to request the necessary appropriations hereunder, a good faith effort to secure funding is sufficient and it shall not constitute a breach of this **Agreement** if such duties are performed to whatever level is possible within the funds actually appropriated and allocated to both parties by their respective legislative bodies.

7. **LEGALITY AND INVALIDITY OF PROVISIONS:**

7.1 The parties agree that in the event any covenant, condition or provision contained in this **Agreement** is held to be invalid by any court of competent jurisdiction, the validity of any such covenant, condition or provision shall not affect the balance of this **Agreement**.

8. **GOVERNMENTAL INTENT:**

8.1 The parties agree that this **Agreement** expresses the intent of the government entities hereto; however, this **Agreement** shall not bind or contract away the discretion of the governmental entities, nor shall this **Agreement** prohibit the entities from acting within the public interest contrary to terms of this **Agreement** and in said event, the parties shall have the right to re-negotiate the terms of this **Agreement**.

9. **NEW MEXICO TORT CLAIMS ACT:**

9.1 Neither of the parties shall be responsible for liability incurred as a result of the other party's acts or omissions in connection with this Agreement. Any liability incurred in connection with this Agreement is subject to the immunities and limitations of the New Mexico Tort Claims Act, NMSA 1978, § 41-4-1, et seq., as amended. This paragraph is intended only to define the liabilities between the Parties hereto and it is not intended to modify, in any way, the parties' liabilities as governed by common law or the New Mexico Tort Claims Act.

9.2 By entering into this **Agreement**, the **City**, and its "employees" as defined in the New Mexico Tort Claims Act, and the **Department** and its "public employees" as defined in the New Mexico Tort Claims Act, do not waive sovereign immunity, do not waive any defense and/or do not waive any limitation of liability pursuant to law. No provision in this **Agreement** modifies or waives any provision of the New Mexico Tort Claims Act.

10. **TITLE VI COMPLIANCE:**

10.1 The **Department and City** shall comply with all federal, state, and local laws and ordinances applicable to the work called for herein. The **City** further agrees to operate under and be controlled by the Civil Rights Act of 1964, Title VI, and Executive Order No. 11246 entitled "Equal Employment Opportunity," as amended by Executive Order 11375, and as supplemented by the Department of Labor regulations (41 CFR Part 60). Accordingly, 49 CFR through Part 21 is applicable to this Agreement.

11. **EQUAL OPPORTUNITY COMPLIANCE:**

11.1 The **Department and City** agree to abide by all Federal and State Laws and rules and regulations, and executive orders of the Governor of the State of New Mexico, pertaining to equal employment opportunity. In accordance with all such

laws and rules and regulations, and executive orders of the Governor of the State of New Mexico, the **Department** and **City** agree that no person in the United States shall, on the grounds of race, religion, color, national origin, sex, sexual preference, age or handicap, be excluded from employment with or participation in, be denied the benefits of, or be otherwise subjected to discrimination under, any program or activity performed under this contract. If the **Department** or **City** is found to be not in compliance with these requirements during the life of this contract, the Parties agrees to take appropriate steps to correct these deficiencies.

12. **THIRD PARTY BENEFICIARY CLAUSE:**

12.1 This **Agreement** is not intended by any of the provisions of any part of the **Agreement** to create in the public, or any member thereof, a third party beneficiary or to authorize anyone not a party to the **Agreement** to maintain a suit for wrongful death, bodily and personal injury to person, damage to property, or any other claim(s) whatsoever pursuant to the provisions of this **Agreement**.


13. **AMENDMENTS:**

13.1 The parties agree that any and all amendments to this **Agreement**, in order to be valid, must be in writing and must be executed by the parties.

The Parties execute this Agreement and agree to be bound by its terms and conditions.

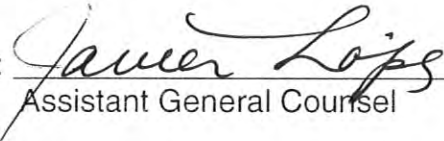
Approved:

NEW MEXICO DEPARTMENT OF TRANSPORTATION

By: 
Deputy Secretary

Date: 10/29/10

APPROVED AS TO LEGAL FORM AND SUFFICIENCY BY THE OFFICE OF GENERAL COUNSEL

By: 
Assistant General Counsel

Date: 9-21-2010

NEW MEXICO STATE TRANSPORTATION COMMISSION

By: 
Chairman


Date: 10-21-10

CITY OF ALBUQUERQUE

By: 
Chief Administrative Officer

Date: 11/23/10

APPROVED AS TO LEGAL FORM BY THE CITY ATTORNEY'S OFFICE

By: 
City Attorney

Date: 11/10/10



Exhibit 1

Contract No. D04034
Vendor No. 50125

MEMORANDUM OF AGREEMENT

*File
Agreement
Road exchange
A*

This Agreement, made and entered into this 2nd day of February, 1989 by and between the New Mexico State Highway and Transportation Department, hereinafter referred to as "Department", and the City of Albuquerque, hereinafter referred to as "City".

Whereas, the parties to this Agreement wish to implement a Comprehensive Road Administration policy in the City of Albuquerque, and

Whereas, it is agreed to by all parties that certain jurisdictional changes need to be accomplished in regard to the road system in the City of Albuquerque, the parties agree to the following:

1. It is agreed that the Department will assist the City for the design of Unser Boulevard. The Department further agrees to place Unser Boulevard on the State Highway System and State Highway Maintenance System upon the completed construction of logical segments of the route as defined in this agreement. The City agrees to place Coors Road on its road and maintenance system when Unser Boulevard is placed on the State Highway Maintenance System. See paragraph 15 for implementation.
2. It is agreed that the Department will be the lead agency for implementing and funding improvements to Alameda Boulevard within the Albuquerque city limits west of I-25.
3. It is agreed that the Department will assist the City in implementing, designing, and securing funding for Paseo del Norte between Unser Boulevard and Tramway Boulevard. The Department further agrees to place Paseo del Norte on the State Highway System and State Highway Maintenance System upon completed construction of logical segments of this route as determined by the Department.
4. It is agreed that the Department will place Tramway Boulevard from I-25 to NM333 (Central Avenue) on the State Highway System and the State Highway Maintenance System upon the completed logical segments of this route, as determined by the Department, with the following exception. The Department agrees to place the portion of Tramway Boulevard from Montgomery Boulevard south to Central Avenue on the State Highway System and State Highway Maintenance System upon execution of this agreement.

5. It is agreed that the Department will place on the State Highway System a continuous section of roadway consisting of:
 - A. Broadway from the south city limits north to Candelaria Road,
 - B. Candelaria Road from Broadway west to Second Street, and
 - C. Second street from Candelaria Road north to the north City limits.

The Department agrees to assist the City in securing funding for the design of necessary improvements to this route within the City limits.

6. It is agreed that the Department will place on the State Highway System and State Highway Maintenance System the portion of Unser Boulevard from Central Avenue to Ouray Street, upon execution of this agreement.
7. It is agreed that the Department will assist the City in implementing, designing and securing funding for the loop road for the Southeast Quadrant of Albuquerque, within the City limits, from I-40 to I-25. The Department further agrees to place this route on the State Highway System and State Highway Maintenance System, when the route is constructed and open to traffic.
8. It is agreed that the Department will keep the Federal Aid Primary designation on Gibson Boulevard and San Mateo Boulevard. The State will be the lead agency on developing Federal Aid Primary Projects.
9. The Department's obligation, for the purpose of this Agreement, to "assist in implementing, designing and securing funding for" is limited to:
 - A. providing a Technical Services Engineer to participate, as a team member, in the location and design phases of project development,
 - B. providing timely reviews on all engineering submittals to comply project design and schedules as provided by the City,
 - C. providing an environmentalist to participate, as a team member, in the location phase of the project,

- D. reviewing environmental documents and approving them for circulation,
 - E. providing assistance, in an advisory capacity, in the public involvement procedures,
 - F. providing assistance on right of way acquisition procedures, and
 - G. providing funding assistance for the roads addressed in this Agreement as indicated in the Department's Five Year Plan. State funding commitments are however contingent on the availability of funding to the Department and are subject to any unforeseen decreases in State or Federal funds. Construction projects identified within this Agreement requiring state funding assistance will be added to the Five Year Plan by request from the City and concurrence by the Department.
10. It is agreed that the City will be the lead agency for project development and construction for Unser Boulevard and the portions of Paseo Del Norte that are within the City Limits of Albuquerque.
11. It is agreed that the City will be the lead agency on any improvements of the Broadway, Candelaria Road, and Second Street route described in item 12 of this agreement.
12. It is agreed that the City will perform routine maintenance on the following:
- A. Broadway from the south City limits, north to Candelaria road,
 - B. Candelaria Road from Broadway, west to Second Street, and
 - C. Second street from Candelaria Road, north to the north City limits.
13. It is agreed that the following highways shall be deleted from the State Highway System and the State Highway Maintenance System and placed under the City's sole jurisdiction immediately upon execution of this Agreement:
- A. NM194, Rio Grande Boulevard, from Central Avenue north to the north City limits,

- B. Old US85, Fourth street, from Bridge Boulevard north to the north City limits,
 - C. NM352, Lomas Boulevard,
 - D. NM367, Gibson Boulevard, from I-25 east to Louisiana Boulevard and San Mateo Boulevard from Gibson Boulevard north to I-25,
 - E. NM98, Edith Boulevard from Candelaria Road north to the north City limits,
 - F. Old US66, Central Avenue, within the City limits, and
 - G. NM45, Coors Boulevard from Central Avenue north to St. Joseph Drive, and the portion from Central Avenue south to the north/south Coors Road/Coors Boulevard connection, and the old portion of Coors Boulevard from Central Avenue south to the north/south Coors Road/Coors Boulevard connection.
14. It is agreed that NM303, Second Street, from the south City limits north to Candelaria Road shall be deleted from the State Highway System and the State Highway Maintenance System and placed under the City's sole jurisdiction when the logical portion of Alameda Road from the west City limits, east of Edith Boulevard, to I-25 is completed and placed on the State Highway System and the State Highway Maintenance System.
15. Logical portions for route exchanges between Unser Boulevard and Coors Road are as follows:
- A. When construction of Unser Boulevard is completed from Ouray Street to the Paseo Del Norte terminus, the Department will place the route on the State Highway System and the State Highway Maintenance System and the City will assume sole responsibility for and place Coors road on the City Street System from St. Joseph Drive to Paseo Del Norte.
 - B. When construction of Unser Boulevard is completed from the Paseo Del Norte Terminus to the Bernalillo/Sandoval County line, the Department will place the route on the State Highway System and the State Highway Maintenance System and the City will assume sole responsibility for and place Coors Road on the City Street System from Paseo Del Norte to Corrales Road (NM528).

16. The City agrees to plan, develop, and design projects on routes to be placed on the State Highway System and the State Highway Maintenance System following the department's Standard Project Development Procedures and utilizing the Department's then current Standard Specifications for Road and Bridge Construction. Modifications can be made when agreed to by both the City and the Department. The City's Public Works Department Specifications will apply when utility relocation is within the City limits. -
17. Unless otherwise agreed to by the City and the Department, the party designated as lead agency will be the entity primarily responsible for implementing, designing, and securing funding for the projects outlined in this Agreement.
18. When and if the Albuquerque City limits expand to include any portions of roads subject to the route exchange agreement between the County of Bernalillo and the Department, The City agrees to assume all of the responsibilities and commitments that were agreed to by Bernalillo County.
19. It is agreed that any alterations or revisions to this Agreement must have the written approval of both parties.
20. It is agreed that there shall be strict accountability for any and all funds expended pursuant to this Agreement.
21. It is agreed that the terms of this agreement are believed to be lawful; that performance of all duties and obligations herein are intended to conform with and not contravene any State or Federal Statutes and regulations.
22. The Department, with the approval of the State Highway Commission, will be solely responsible for determining the following matters under this Agreement:
 - A. When a route has been built to meet required standards, and
 - B. When a route will be formally and officially added to the State Highway System and the State Highway Maintenance System.

23. All parties agree that the conveying right-of-way documents including but not limited to plats, easements, deeds, grants of right-of-way, dedications, and recorded documents for all routes in this Agreement will be finalized as soon as possible, but no longer than two years from the date of transfer.

IN WITNESS WHEREOF the parties have set their hands and seals the day and year first above written.

NEW MEXICO STATE HIGHWAY AND
TRANSPORTATION DEPARTMENT

BY: *Sharon A. Nelson acting for Ronald A. Font*
Secretary

Approved as to form only by the
Department's Office of General Counsel
the 23 day of June, 1989

By: Administrative Memo 161-88 (OGC)
Staff Counsel

CITY OF ALBUQUERQUE - "CITY"

APPROVED BY:

James E. G. [Signature]
Chief Administrative Officer

Date: 11/17/89

[Signature]
Director of Public Works Department

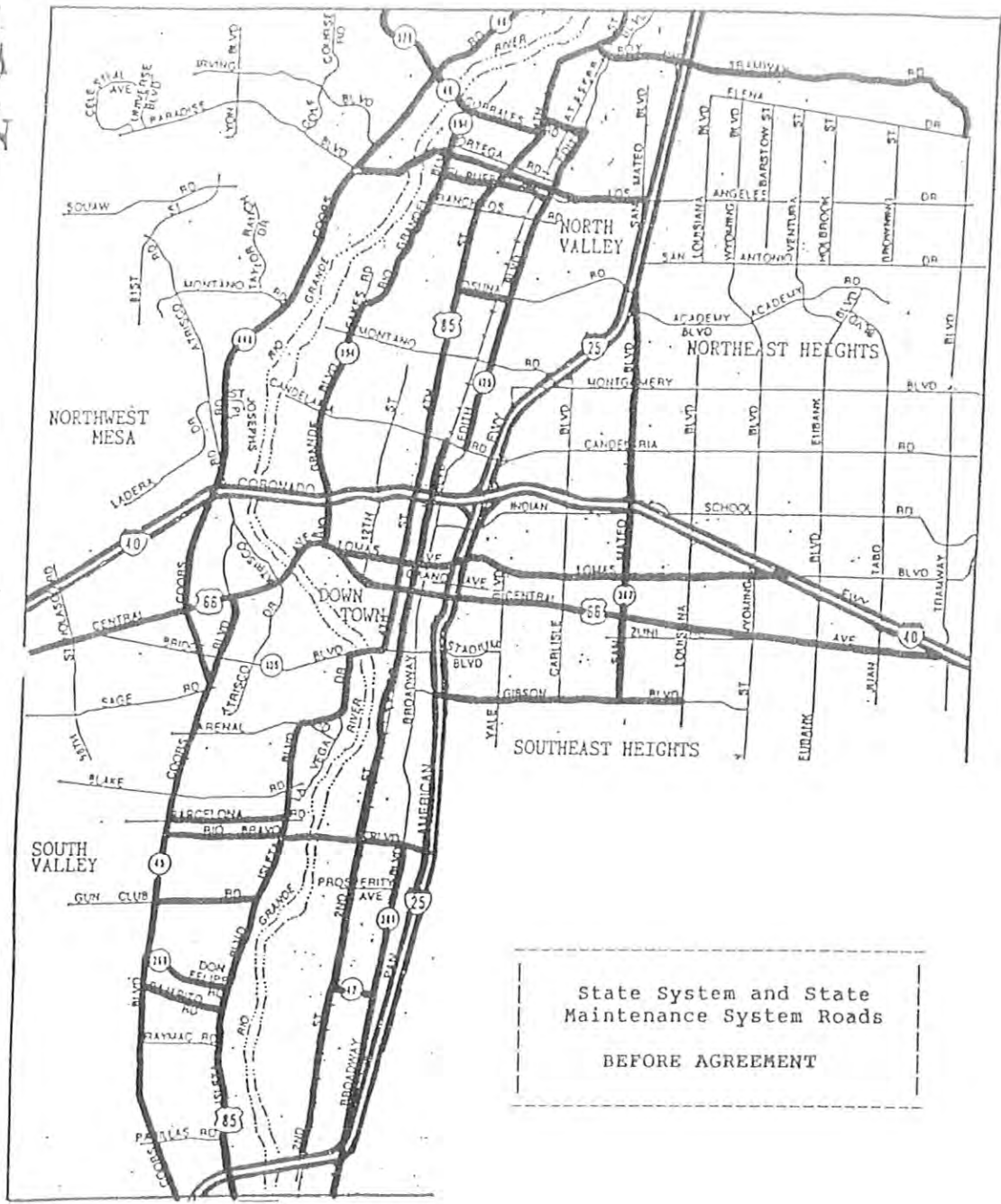
Approved:

New Mexico State Highway Commission

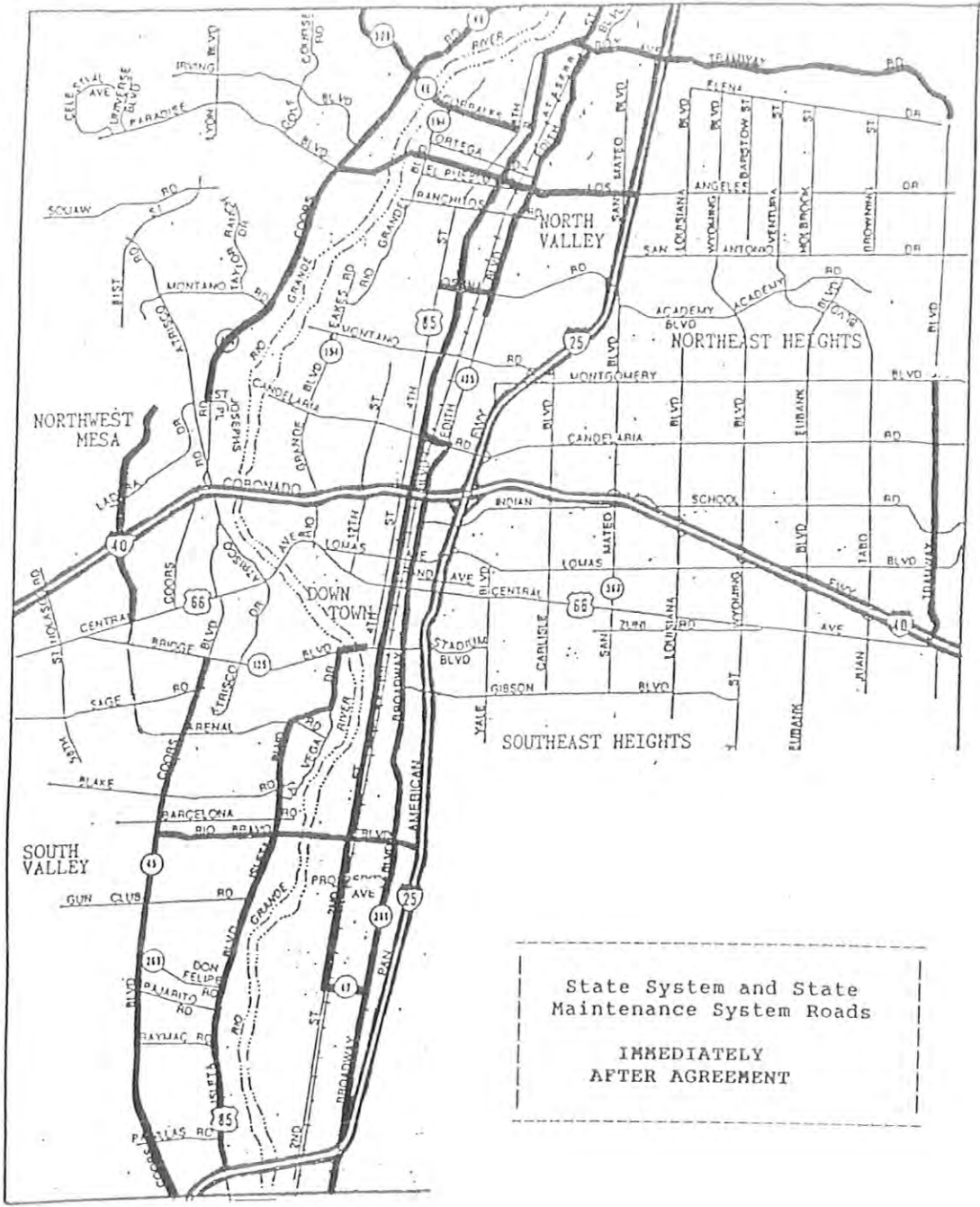
By: Walter N. Ortiz
Chairman

2-7-89
Date

Z. 4



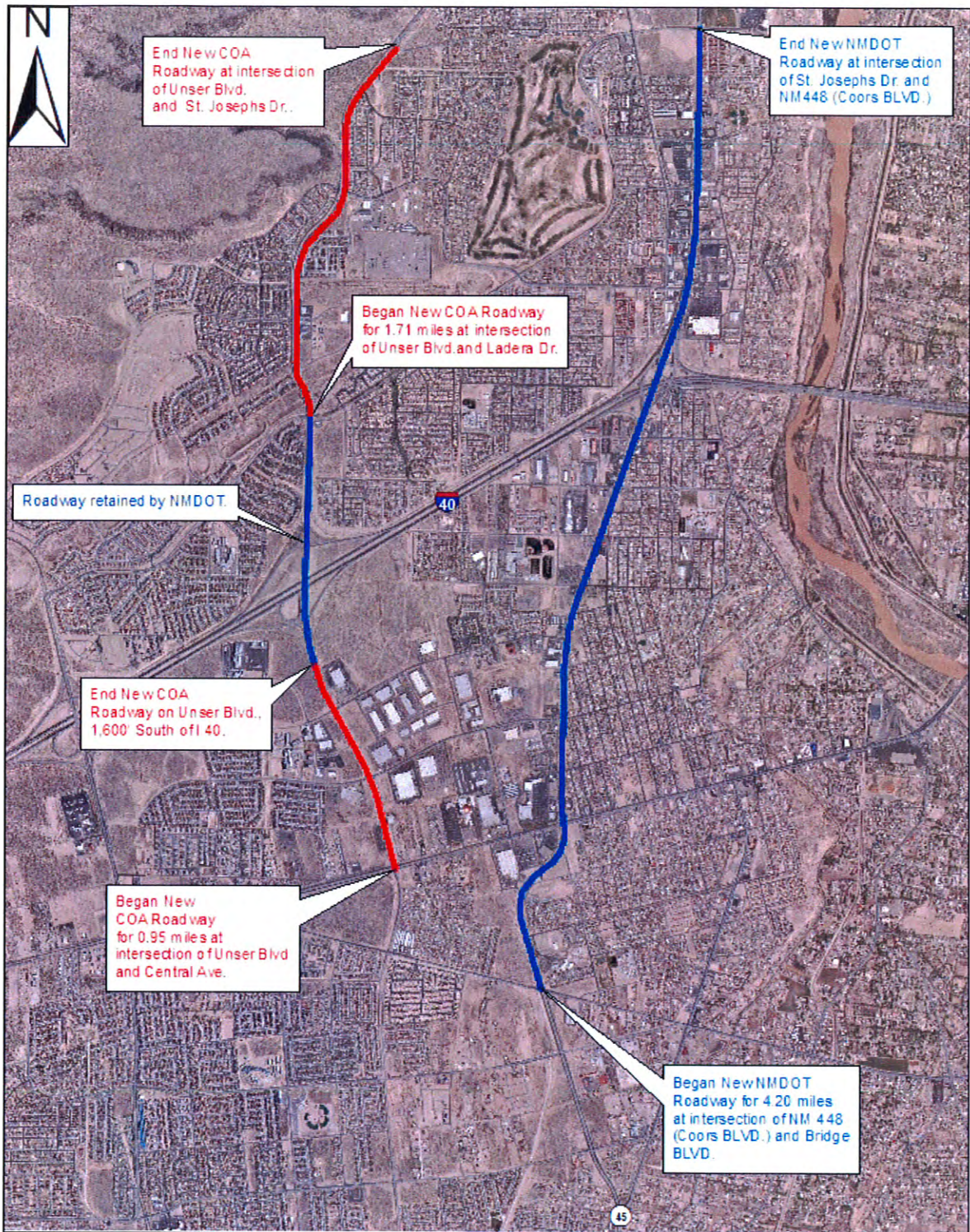
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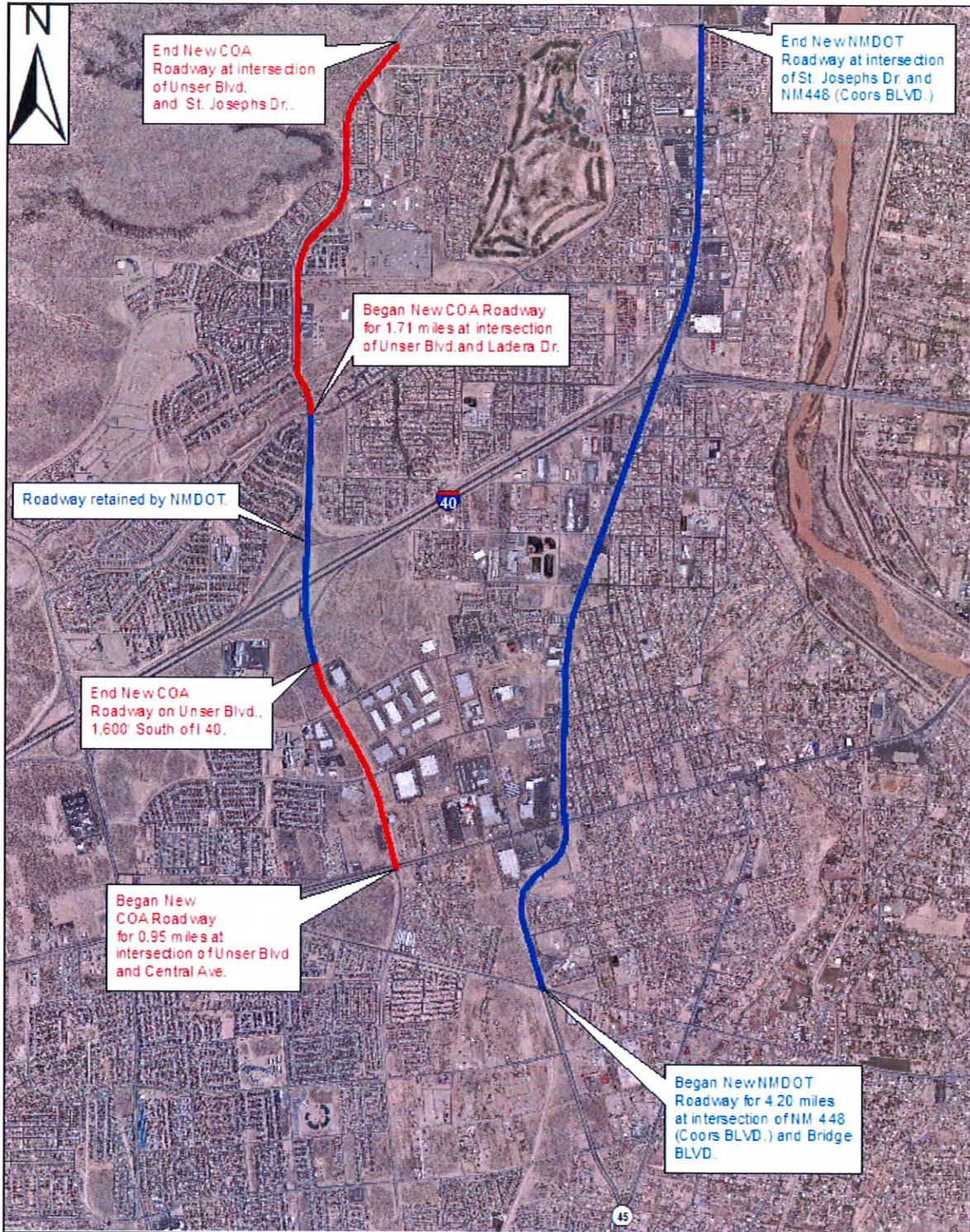
State System and State
Maintenance System Roads

IMMEDIATELY
AFTER AGREEMENT

Exhibit 2



- New CITY OF ALBUQUERQUE Roadway
- New NMDOT Roadway



- New CITY OF ALBUQUERQUE Roadway
- New NMDOT Roadway

CITY of ALBUQUERQUE

SIXTEENTH COUNCIL

COUNCIL BILL NO. R-05-234 ENACTMENT NO. _____

SPONSORED BY: Michael Cadigan

1 RESOLUTION

2 AUTHORIZING AN UPDATE OF THE COORS CORRIDOR PLAN; PROVIDING
3 FOR COORS/MONTANO DESIGN OVERLAY ZONE AND APPROPRIATING
4 FUNDS TO THE PLANNING DEPARTMENT.

5 WHEREAS, the community recognizes the need for design guidelines for
6 development of lands surrounding the intersection of Coors Boulevard and
7 Montano Boulevard and recognizes the need for enhanced environmental and
8 view preservation policies and guidelines; and

9 WHEREAS, the Coors Corridor Plan, as adopted by the Albuquerque City
10 Council and Bernalillo County Board of Commissioners in 1984, recommends
11 the enactment of a Design Overlay Zone, which will reflect and implement the
12 policies of the Albuquerque/Bernalillo County Comprehensive Plan and the
13 Northwest Mesa Escarpment Plan; and

14 WHEREAS, the West Side Strategic Plan, as adopted by the Albuquerque
15 City Council in 1997, recommends creating a detailed set of design guidelines
16 specific to the West Side that have the force of ordinance and that are
17 attached to the Unified Development Code for the West Side; and

18 WHEREAS, the West Side Strategic Plan outlines a need to preserve some
19 degree of Bosque and mountain views through an update of the Coors
20 Corridor Plan by applying a design overlay zone; and

21 WHEREAS, it is recognized that the most significant Bosque views east of
22 Coors Boulevard within the Plan area are those which occur north of Western
23 Trail NW; and

24 WHEREAS, the West Side Strategic Plan recommends setting policies for
25 guiding view preservation of the views from the volcanic escarpment, along
26 major arroyos, of the Bosque, of the Sandias, of the volcanoes and of the

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1 “ceja” through creating limitations of setback, height and building massing;
2 and

3 WHEREAS, the West Side Strategic Plan recommends careful design to
4 prevent unnecessary “light pollution” which still allows safety for citizens and
5 viability for businesses; and

6 WHEREAS, the City of Albuquerque’s Comprehensive Zoning Code allows
7 for a Design Overlay Zone which meet at least two of the following three
8 conditions:

9 1. Contain highly scenic natural features or physical setting, or have
10 highly significant views.

11 2. Have development potential which is likely to require unusually
12 complex coordination of flood control, transportation, open space, and urban
13 land uses.

14 3. Have a strong role in the development of the form of the
15 metropolitan, arterial street corridors or critical areas near urban centers or
16 historic zones.

17 BE IT RESOLVED BY THE COUNCIL, THE GOVERNING BODY OF THE CITY OF
18 ALBUQUERQUE:

19 Section 1. That it is the intent of the City that the Coors Corridor Plan be
20 updated with the involvement and participation of affected area residents,
21 property owners, business and civic associations including but not limited to
22 impacted Neighborhood Associations.

23 Section 2. That the scope of services for the updated Coors Corridor Plan
24 shall include design standards to accomplish the following:

25 A. Establish quality design standards that will address and
26 improve the integrity of adjacent existing or potential development, open
27 spaces, and other public areas.

28 B. Increase visual harmony between new and existing buildings
29 and between the built environment and the natural scene by enhancing
30 guidelines that affect buffer zones, landscaping, parkway design, signage,
31 appropriate lighting and most importantly, the Coors Corridor viewshed.

32 C. Encourage development within the Coors Corridor which
33 integrates the natural landscape with development activities, achieves a

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1 balanced built environment, and preserves the unique natural features of the
2 area.

3 D. Create high quality façade, building, and land use design
4 standards along the Coors Corridor and within Centers in and adjacent to the
5 Corridor.

6 Section 3. That funds in the amount of One Hundred Fifty Thousand
7 Dollars (\$150,000) are hereby appropriated from the Unreserved Fund Balance
8 of the General Fund (110) to the Transfer to the Capital Acquisition Fund (305)
9 in the General Fund (110) in the Planning Department, Goal 4 – Sustainable
10 Community Development.

11 Section 4. That One Hundred Fifty Thousand Dollars (\$150,000) be
12 appropriated in the Capital Acquisition Fund (305) for the purpose of hiring a
13 consultant to work with the community in coordinating a community-based
14 process to produce an Update of the Coors Corridor Plan. The contract for
15 development of the updated Plan shall be jointly managed by the Planning
16 Department and the Office of Council Services.

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