



***Environmental
Planning
Commission***

***Agenda Number: 07
Project Number: 1008570
Case Number: 10EPC-40063
March 10, 2011***

Supplemental Staff Report

<i>Agent</i>	COA, Planning Department
<i>Applicant</i>	City of Albuquerque
<i>Request(s)</i>	Recommend Adoption of the Downtown Neighborhood Area Sector Development Plan
<i>Legal Description</i>	See attached map
<i>Location</i>	Area boundaries are Mountain Road to the north, Central Avenue to the south, 19 th Street to the west and 4 th , 5 th , 7 th and 8 th to the east
<i>Size</i>	Approximately 280 acres
<i>Existing Zoning</i>	SU2 SU1, SU2 RT, SU2 MR/O, SU2 CC, SU2 HDA, SU2 MDA, SU2 NC, SU2 O, SU2 Office, SU2 Park, SU2 R/C, SU2 SF, SU2 TH, SU3 Housing Focus, SU3 Mixed-Use Corridor
<i>Proposed Zoning</i>	SU2 SU1, SU2 SF, SU2 TH, SU2 MR, SU2 OR, SU2 MUL, SU2 MUM, SU2 CC, SU2 NC, SU2 Park

Staff Recommendation

That a RECOMMENDATION OF APPROVAL be forwarded to the City Council for 10EPC-40063 (#1008570), based on the Findings beginning on Page 4 and the Conditions on Page 11.

Staff Planner

Petra Morris, Planner

Summary of Analysis

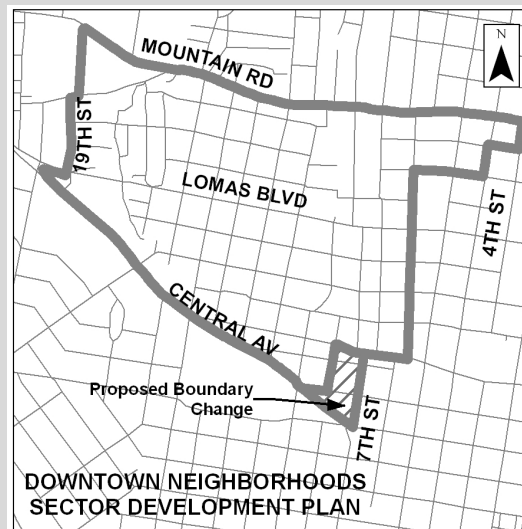
This second EPC Hearing for the Downtown Neighborhood Area Sector Development Plan (DNA SDP) is a continuance from December 2, 2010 and a deferral from February 10, 2011.

The DNA SDP provides policies and regulations to guide development and redevelopment within the Downtown neighborhood area. The plan adopts zoning and policies which address land use, historic preservation, and transportation. The draft plan proposes to change the plan's boundary to include Robinson Park. The DNA SDP celebrates the history of the neighborhood and the diversity of residents and architectural styles and seeks to preserve what is best about the neighborhood, while continuing to make improvements to ensure that the residents' long term vision for the neighborhood is achieved.

Since the December 2, 2010 hearing Planning staff has received additional public comments, agency comments and staff has met with legal staff and agency staff. A spreadsheet has been created of all the comments received to date, with an accompanying response. Based on all the input received prior to, at and since the previous hearing, this staff report offers proposed amendments to the DNA SDP in the form of Recommended Conditions of Approval.

The Planning Department requests that the Environmental Planning Commission (EPC) recommend to City Council approval of the Downtown Neighborhood Area Sector Development Plan (DNA SDP).

This supplemental staff report should be read in conjunction with the December 2, 2010 staff report.



City Departments and other interested agencies reviewed this application from 11/01/2010 to 11/12/2010. Agency comments received from Zoning, Transit, Parks and Recreation and the Department of Municipal Development Transportation (DMD) after the December 2, 2010 hearing were used in the preparation of this report and are found in the spreadsheet attached.

I. BACKGROUND

On December 2nd 2010 the EPC heard the Downtown Neighborhood Area Sector Development Plan (DNA SDP). The EPC voted to continue the hearing 70 days, to February 10th 2011. This hearing was deferred 30 days on February 10 to March 10, 2011, for reasons of staff ill health. At the December hearing the consultant, Consensus Planning, presented information about the plan and the EPC heard public comment. The EPC commissioners also expressed some initial concerns and comments. Planning staff requested a continuance in order to continue to receive and respond to comments concerning the DNA SDP land use and transportation recommendations and to allow the Planning Team to address agency and public comments and recommendations that were received. The previous staff report covered analysis of Resolution 270-1980 and applicable plans and policies in relation to the proposed DNA SDP, and included all comments received to date (in December). This staff report will address the comments and recommendations received to date through proposed conditions.

Since the December hearing Planning staff has received additional public comments, agency comments and staff has met legal staff and agency staff. Planning staff also spoke with an EPC commissioner and comments were emailed to staff from EPC commissioners. All comments and letters received subsequent to the December 2, 2010 hearing (and received prior to the issuance of this staff report) are attached to this supplemental staff report as Attachment 2. A spreadsheet was created, each comment was entered into the table and addressed, please see Attachment 1. The table includes every letter received to date and additional comments or issues raised at the first EPC hearing, December 2, 2010. The responses to each comment have generated the recommended conditions of approval found on page 4 of the supplemental staff report. Staff has as Attachment 4 a copy of the National Trust preservation law publication "Protecting Potential Landmarks through Demolition Review" to help inform Commissioners and address the concerns that were raised at the previous hearing with regards to the proposed Demolition Review in the DNA SDP.

II. AGENCY & NEIGHBORHOOD CONCERNS

Reviewing Agencies/Pre-Hearing Discussion

The Department of Municipal Development's Transportation Planning, Parks and Recreation, Transit and the Zoning Enforcement Division of the Planning Department have all submitted comments. These comments are found in the spreadsheet with accompanying analysis and conditions.

Neighborhood/Public

Since the December 2, 2010 hearing staff has received several letters from the public, including a letter of general support from the Board of the Downtown Neighborhood Association. All of the letters have been entered into the spreadsheet. Issues raised include, but are not limited to, opposition to the left turn lane from 12th (northbound) on to Lomas, the proposed MUM zoning on Tijeras, Bail Bonds (both in support of and in opposition to the language proposed in the

plan), and the regulations for the proposed MR zone. The term “down zone” has been raised and the spread sheet also includes a response to this.

Jane Carlton and her lawyer, Stephanie Landry, request that the hearing be deferred until April. When the hearing was deferred 30 days in February Ms. Carlton assumed that the plan would be heard in April as there are not 30 days in February. Ms. Carlton will not be able attend the hearing in March, however staff believes that Ms. Landry will be in attendance at the hearing to represent Ms. Carlton. Both Ms. Carlton and Ms. Landry spoke at the December hearing. When the hearing was deferred on February 10th, the hearing was deferred 30 days, however the date was set at that time for March 10th. Ms. Landry is also requesting a 30 day deferral for her client Mr. Bloom, whose property contains two zones, she requests more time for Mr. Bloom to consider his zoning.

VI. CONCLUSION

The DNA SDP provides policies and regulations to guide development and redevelopment within the Downtown neighborhood area. The plan adopts zoning and policies which address land use, historic preservation, and transportation. The draft plan proposes to change the plan’s boundary to include Robinson Park. The DNA SDP celebrates the history of the neighborhood and the diversity of residents and architectural styles and seeks to preserve what is best about the neighborhood, while continuing to make improvements to ensure that the residents’ long term vision for the neighborhood is achieved.

Since the December EPC hearing, all comments have been reviewed and analyzed. Staff proposes revisions and changes to address the concerns and comments received from the public, agencies and the Commissioners. The changes are detailed in the attached spreadsheet (Attachment 1) and are reflected in the recommended conditions.

The Planning Department requests an Environmental Planning Commission (EPC) recommendation to City Council to approve the Downtown Neighborhood Area Sector Development Plan.

FINDINGS – 10EPC- 40063, March 3, 2011. Recommendation of adoption of the Downtown Neighborhood Area Sector Development Plan.

1. The Downtown Neighborhood Area Sector Development Plan covers an area of approximately 280 acres. The plan boundaries are Mountain Road to the North, 19th Street to the West, Central Avenue to the South and 4th/ 5th/ 7th and 8th Street to the East.
2. The Downtown Neighborhood Area Sector Development Plan currently contains currently contains the following zones: SU2 SU1, SU2 RT, SU2 MR/O, SU2 CC, SU2 HDA, SU2 MDA, SU2 NC, SU2 O, SU2 Office, SU2 Park, SU2 R/C, SU2 SF, SU2 TH, SU3 Housing Focus, SU3 Mixed-Use Corridor. The DNA SDP proposes the following zones: SU2 SU1, SU2 SF, SU2 TH, SU2 MR, SU2 OR, SU2 MUL, SU2 MUM, SU2 CC, SU2 NC, SU2 Park.
3. The Downtown Neighborhood Area Sector Development Plan proposes a change to the boundary to include Robinson Park within the DNA SDP boundaries. This will result in the removal of Robinson Park from the Downtown 2010 SDP.
4. The Downtown Neighborhood Area Sector Development Plan supports Albuquerque/Bernalillo County Comprehensive Plan, Policy II.B.6 Central Urban Goal, and policy b₂. The specific policies related to Central Urban area discuss enhancing the character of the residential neighborhoods, recognizing the importance of the historic center of the city and increasing intensities in the area. The DNA SDP proposes to achieve this through proposed zoning that will increase compatibility and consistency between the existing land use, and zoning, and between properties that are covered by a Historic Overlay Zone and properties that are not.
5. The Downtown Neighborhood Area Sector Development Plan supports the Albuquerque/Bernalillo County Comprehensive Plan, Policy II.B.5. Developing and Established Urban Areas policies d, e, h, i, j, l and o. The DNA SDP supports the Downtown Neighborhood Area as an identifiable and varied neighborhood that has a visually pleasing environment through the proposed Implementation policies and the accompanying proposed zoning.
6. The Downtown Neighborhood Area Sector Development Plan supports the Albuquerque/Bernalillo County Comprehensive Plan, Policy II.C.5. Historic Resources policies a, b, and c. The DNA SDP boundaries contain thirty four Registered Historic Properties, five Registered Historic Districts and two Historic Overlay Districts. Historic preservation is at the forefront of the DNA SDP. The DNA SDP does not propose any changes to the boundaries or design regulations of the Historic Overlay Zones. However, the DNA SDP proposes changes to the zoning in the area to ensure that development and redevelopment in the surrounding areas are compatible with the two HOZs. The DNA SDP proposes to remove much of the Townhouse

zoning as this does not reflect the existing single family nature of the neighborhood. The DNA SDP also proposes a Demolition Review process to allow time for review of properties that are slated for demolition but aren't covered by the HOZ. The DNA SDP supports the HOZs through increased consistency and compatibility between areas within an HOZ and those without.

7. The Downtown Neighborhood Area Sector Development Plan supports the Albuquerque/Bernalillo County Comprehensive Plan, Policy II.C. 9. Community Identity and Urban Design policies a, and b. The zoning and policies proposed in the DNA SDP are written to achieve certain goals: to better match the existing land use with the zoning, to allow for appropriately scaled and designed infill development, to preserve and celebrate the historic character and to reinforce the area as primarily residential with mixed use corridors.
8. The Downtown Neighborhood Area Sector Development Plan supports the Albuquerque/Bernalillo County Comprehensive Plan, Policy II.D.4. Transportation and Transit policies b, c, g and i. The DNA SDP proposes policies to address transportation and the zoning for Central and Lomas that reflect their designations as a Major Transit Corridor and a Enhanced Transit Corridor respectively.
9. The Downtown Neighborhood Area Sector Development Plan supports the Proposed Trails Map on page 22 and the intent of the Rank II Trails and Bikeways Facility Plan through increasing the network and facilities for cyclists in the area.
10. The Downtown Neighborhood Area Sector Development Plan supports the Rank II Facility Plan for Electric Service Transmission and Subtransmission Facilities, through the addition of language provided by PNM to address the address utility easements, landscaping and access to public utility facilities.
11. The Downtown Neighborhood Area Sector Development Plan supports the Sawmill Wells Park Sector Plan (Rank 3), 1996, 2000, 2003 because it proposes to use similar zoning and criteria to the SU2 MRN zone in the SU2 MUL zone. This will provide some consistency between the two sides of Mountain Road.
12. The Downtown Neighborhood Area Sector Development Plan supports the Huning Castle Raynolds Addition Sector Development Plan (Rank 3), 1981, 1993, because in allowing residential and commercial uses on the north side of Central and restricting the height to 40 feet (and 52 feet conditionally) through the SU2 CC zone, the DNA SDP proposes to provide some consistency between the north and south side of Central Avenue.
13. The Downtown Neighborhood Area Sector Development Plan supports the Downtown 2010 (Rank 3), 2000, through the creation of an appropriate transition from the downtown core to the residential neighborhood to the west.

14. The Downtown Neighborhood Area Sector Development Plan supports the McClellan Park Sector Development Plan, 1984, through the proposed zoning in the area adjacent to McClellan Park that allows a range of uses, SU2 MUM and SU2 MUL, which reflect the variety of uses in the area and removes the percentage requirements in the existing zoning, while restricting certain uses that are not as compatible with the neighborhood. This will make the zones more compatible.

15. The Downtown Neighborhood Area Sector Development Plan supports the Fourth Ward Historic Overlay Zone, 1991 and the Eighth and Forrester Historic Overlay Zone, 1991, through increased consistency and compatibility between areas within an HOZ and those without.

16. The Downtown Neighborhood Area Sector Development Plan is justified per Resolution 270-1980. The proposed zoning is more advantageous to the community because it furthers applicable goals and policies in the Comprehensive Plan, and through changed conditions. The proposed zoning meets R270-1980 criteria as follows:
 - A. The zone changes proposed by the DNA SDP are consistent with furthering the health, safety, morals and general welfare of the city. The purpose of the zone map amendments contained in the SDP is to ensure that development and redevelopment within the Downtown Neighborhood Area is compatible with the residential and historic nature of the neighborhood. The SDP proposes regulations to ensure that development furthers the goals and policies of the Comprehensive Plan.

 - B. The proposed zoning changes will provide the area with stability by better reflecting the existing land use and built form of the neighborhood and to ensure that redevelopment and infill development within the neighborhood are appropriate given the historic nature, residential character, and density of the area. The proposed zoning is designed to reinforce the primarily residential character of the neighborhood, while encouraging a mix of uses along the major corridors that will serve the neighborhood and surrounding areas. Permissive and conditional uses have been carefully crafted in each of the proposed zone categories to ensure compatibility with existing uses and community values, and to avoid future conflicts. Criteria is proposed for certain land uses (e.g., bail bond offices) and building forms (e.g. height) to allow greater community input and City oversight when new development is proposed. The SDP also proposes to include and zone a small area at the southeast corner of the Plan area in order to bring a key neighborhood asset, Robinson Park, into the Plan boundary.

The disconnect between the existing land uses and the existing zoning, the Plan boundary, and changed neighborhood conditions are documented on pages 30-36 of the SDP. The conclusion of the SDP's analysis is that maintaining the existing zoning could allow new development that destabilizes the neighborhood.

C. The proposed DNA SDP supports applicable goals and policies in the Comprehensive Plan, Facility Plan for Electric Service Transmission and Subtransmission Facilities and the Trails and Bikeways Facility Plan. The DNA SDP complements the adjacent Sector Plans: Sawmill Wells Park SDP, Huning Castle Raynolds Addition SDP, Downtown 2010 SDP and McClellan Park SDP. The plan does not propose any changes to the Fourth Ward or Eighth and Forrester Historic Overlay Zones boundaries or regulations. Please see the analysis above.

D. The City has adopted Resolution 270-1980, which was based on a court case (Miller v. City of Albuquerque). This resolution provides the basis by which a zone change – up or down – can be justified. While there are a number of criteria that are listed, the key one is “D” which lists three options that can be used to determine that the existing zoning is inappropriate.

There was no error that justifies the proposed zone changes. Changed conditions are noted on pages 34-36 of the SDP. The proposed zone changes rely squarely on them being more advantageous to the community by helping to further the applicable goals and policies in the Comprehensive Plan and reflect the community's vision for the future (R-270 1980 D.3.). Prior to adoption of the original 1976 Sector Plan, the area was predominantly zoned for office. The 1976 land use categories reflected the desire for community redevelopment, thereby encouraging demolition of structures and the development of higher density residential including large areas of townhouse zoning and R-3 and R-4 zoning. The neighborhood has evolved since that time to more highly value its historic structures, and property owners have worked hard to improve their homes. High density residential development was never realized in the neighborhood and few existing buildings are taller than 2-stories.

The residential zones, SU-2/SF and SU-2/TH, are intended to allow for new development that responds to its immediate context within the neighborhood. Setbacks are determined by the existing structures on the subject block. Requirements for building articulation, windows and doors, entries and porches will help ensure compatibility between new and existing development. Access to and placement of garages is carefully articulated so that they do not dominate the street view.

In relation to the proposed SU2 CC, SU2 MUM and SU2 MUL zones, the proposed zoning is designed to create mixed use zones along the main corridors- Central, Lomas and Mountain- that would support services and businesses to serve the neighborhood and the wider community. These mixed use zones would also provide an opportunity for higher density housing in the appropriate locations. The Comprehensive Plan contains recent amendments (2002), which are commonly referred to as “Centers and Corridors”. These policies clearly point to promoting infill and redevelopment of underutilized properties, increasing density in the corridors in order to support transit, increasing intensity (height) in the corridors, and promoting mixed uses along the corridor.

The current zoning along Central Avenue, Lomas Boulevard, and Mountain Road is inappropriate because the current zoning allows uses that are in conflict with the Comprehensive Plan’s Centers and Corridors as follows:

- a. Mixed Use is not permitted along Central Avenue. The mixed use provisions in the zoning along Lomas Boulevard and Mountain Road (RC and MRO) are unnecessarily burdened by restrictions on the amount of residential versus non-residential uses and the process in which they have to abide by to allow 100% non-residential use. This has created a problem with zoning enforcement,
- b. Allows auto oriented uses that are in conflict with the creation of pedestrian friendly, transit oriented corridors,
- c. Does not have design standards that promote the creation of pedestrian friendly, transit oriented corridors,
- d. Does not include adequate setback provisions to protect the adjacent residential neighborhoods,
- e. Does not have setback or parking restrictions adjacent to Central Avenue to ensure a pedestrian friendly street edge, and
- f. Building heights that are determined by angle planes (Central Avenue) allow very tall structures regardless of adjacent uses or structures.

The proposed SU2 CC, SU2 MUM and SU2 MUL zones address and propose to remedy all of the above points.

Section 3, page 34-36, of the draft DNA SDP, discusses the changed conditions in the area in relation to R270-1980. In relation to the proposed SU2 MR, SU2 OR, SU2 SF and SU2 TH zones, the proposed zoning is in response to changed neighborhood conditions (R270 1980 D.2). The following discusses the changed conditions in the neighborhood, page 34. "As previously noted, the primary intent of the Sector Plan [1976] was to address the blighting issues within the neighborhood and provide incentives for redevelopment. Zoning districts contained in the Sector Plan were specifically crafted to encourage redevelopment and increase the affordable housing stock. In large part, the blighting condition that was present in the neighborhood no longer exists. Broad-scale redevelopment never occurred in the neighborhood; instead, property owners have more commonly rehabilitated their buildings. The zoning districts were never utilized to their intended or fullest potential and, as a result, there is a significant disconnect between existing zoning and existing land use in the Downtown Neighborhood Area. The existing zoning for many portions of the Downtown Neighborhood Area are contrary to the goals and objectives of the neighborhood."

SU2 MR is proposed to replace the SU2 HDA and the SU2 MDA, which allow for high density residential and some limited non-residential uses. There are no apartment developments taller than 3 stories in the area. The proposed SU2 MR, which relates to the R2 zone would still allow

a mix of residential uses but includes regulations to guide the form of development and proposes development that is less dense.

SU2 MRO and SU2 RC allow for a mix of uses, however, if the residential use is greater than 50% a conditional use is required. These zones have been difficult to enforce and this difficulty has engendered some ill will between the neighborhood and property owners. The draft plan proposes to recognize that there are areas where office uses exist and are appropriate. The SU2 MRO and RC have been replaced by SU2 OR, SU2 MUM and SU2 MUL, each zone removes the percentage of non-residential allowed and instead proposes a list of uses that are permissive and conditional. The zones are written to reflect the area in which they are located, what uses and what form is appropriate.

SU2 TH is located throughout the neighborhood. This zone corresponds to the RT in the zone code. This zone was originally proposed to encourage redevelopment in the plan area. It does not reflect the single family character of the area, nor does it encourage the rehabilitation of the existing housing stock- which is seen by many as historic. Some of the areas currently zoned SU2 TH are within the two Historic Overlay Zones, others are not in officially recognized historic areas. The draft DNA SDP proposes to replace much of the SU2 TH zoning with SU2 SF to reflect the existing land use. Where the SU2 TH zoning is kept, regulations on the form and of new development and the locations of garages are proposed to ensure more compatible design.

E. The proposed zoning does not contain uses that would be harmful to adjacent properties, neighbors or the community. Where residential and commercial properties are adjacent, the proposed zones contain requirements to ensure appropriate transitions and buffers. For example, in the SU2 CC zone, the rear setback is 25 feet when abutting SU2 SF and SU2 TH. The SU2 MUM zone is proposed for most of Lomas Blvd., because the platting means that these lots are often quite shallow, with a residential lot abutting, the SU2 MUM has a rear setback of 20 feet when adjacent to SU2 SF and SU2 TH, heights are limits between 26 feet and 40 feet are conditional. In both the SU2 MUL and SU2 MUM the retail of food and drink, on or off premise consumption is conditional due to the sensitivity of such a use with residential in close proximity. The SU2 MR is designed to act as a transition from the core of downtown Albuquerque to the residential neighborhood.

F. None of the Plan's zone changes require major capital expenditures.

G. The cost of land is not discussed in the Plan.

H. The location of mixed use and higher density residential zoning is related to the vision proposed for the whole downtown area. The mixed use zones along Mountain, Lomas, and Central are intended to provide more activity in these areas by integrating residential use with neighborhood scaled commercial services for the area residents. Central Avenue is a Enhanced Transit Corridor, but is currently dominated by vacant and/or underutilized buildings and land. The intention is to provide incentives for redevelopment and reuse of structures and properties.

I. The proposed zone changes will create spot zones that are justified as follows:

1. The proposed zoning clearly facilitates realization of the Comprehensive Plan goals and policies as detailed above in the response to R-270-1980, Section 1.C.; and
2. The proposed zoning and their individual, component regulations within the plan area and the plan area itself are different from surrounding land. The proposed locations of zone boundaries create differences between adjacent lands and zones as well as differences between zones within the plan area. The proposed zoning categories establish and facilitate transitions between adjacent zones within the plan area and where adjacent to existing zoning. Even where residential and non-residential zoning abut or are adjacent, there are specific requirements within the more intense zone category so as to maximize compatibility with the less intense zone category.

J. The proposed zone changes will create strip zones that are justified as follows:

1. The proposed zoning clearly facilitates realization of the Comprehensive Plan goals and policies as detailed above in the response to R-270-1980, Section 1.C.; and
2. The proposed zoning and their individual, component regulations within the plan area and the plan area itself are different from surrounding land. The proposed locations of zone boundaries along the major corridors (Central Avenue, Mountain Road, and Lomas Boulevard) function as a transition between the roadway and the primarily single family development in the neighborhood core. Each of these zones correspond to existing development, overall lot size and depth, the desire for commercial development to serve the neighborhood residents, and the amount of vehicular traffic that each of these corridors carry. The zones contain specific requirements that are intended to maximize compatibility with adjacent development and less intense zoning districts. The proposed locations of zone boundaries create differences between adjacent lands and zones as well as differences between zones within the plan area. The proposed zoning categories establish and facilitate transitions between adjacent zones within the plan area and where adjacent to existing zoning. Even where residential and non-residential zoning abut or are adjacent, there are specific requirements within the more intense zone category so as to maximize compatibility with the less intense zone category. Furthermore, the location of many of the “strip zones” is in response to traffic potentials on established corridors, Central Avenue, Lomas Boulevard and Mountain Road.

RECOMMENDATION – 10EPC- 40063 March 10, 2011

That a RECOMMENDATION OF APPROVAL BE FORWARDED TO CITY COUNCIL for 10EPC 40063, the Downtown Neighborhood Area Sector Development Plan, based on the preceding Findings and subject to the following Conditions.

CONDITIONS FOR RECOMMENDATION OF APPROVAL- Project # 1008570 Case# 10EPC 40063 March 10, 2011

1. Page 93, 3 shall read "In addition, to the building separation requirement, the following minimum setbacks from the property line shall apply:"
2. On page 92, 95, 100, 105, 111, 117 switch the two dimensioned structures to the right of the subject lot.
3. Change D3b on page 93, D5b on p 101, C4b on P.101 to read Rear: 0 feet minimum.
4. The following sentence shall be added to section I1b. The parking standards in the zone code cited above shall be the maximum.
5. H1 "and shall be the predominant façade feature" shall be struck through.
6. P.97 I4 revise garage door width to 9'
7. P. 97 J1a shall include the following sentence "The maximum number of off street parking spaces allowed is 2 per dwelling unit.
8. P99, L.1 and P.113 L.1 and P.119 L.1 Shall read as follows" The usable open space requirement is 360 square feet per dwelling unit, except where there is no alley access for the garages the usable open space requirement is 500 square feet per dwelling unit. "
9. P.100 Add "A1. D The building on the subject property was originally built for commercial uses."
10. P.101 F1 shall read 30% instead of 50%. Add the following sentence "Garage doors shall not be counted towards this requirement."
11. P.102 K add to b "and electronic display panels are not permitted in this zone."
12. P.105 D.4 and P.121 C.5 the sentence shall end " is 10 feet from the property line where it fronts a public street, 5 feet from an alley."
13. P.106 G1 and P.112 G1 and P.117 G.1 shall read the underlined titles as "Non- residential development" and "Apartments and Townhouses".
14. P.107 I1 Strike through "and shall be the predominant façade feature".
15. P.109 A.4. Add 4.A.J Office machines, equipment, sales and repair. And Add 4.A.K Musical instruments and supplies.

16. P.112 D.3 Shall include the following sentence "The minimum rear yard setback adjacent to an alley is 5 feet."
17. P.112 H.1 strike through "and shall be the predominant facade feature."
18. P.115 A Permissive uses shall include Professional Office.
19. P.104 A.3a and P.115 A.3a Change 60% to 50%. P.115 A. remove reference to Mountain Road and have the language read per A.3.a on P.104.
20. P.121 D.3 strike "abutting 1-story buildings"
21. P.123 I.3 strike through "for non-residential development only." and "are approved by the Traffic Engineer, in conjunction with a site plan approval for off-street parking."
22. P.123 J.1.d shall read "EXCEPT neon signs (building mounted and marquee, perpendicular to traffic) are permitted along Central Avenue only.
23. P.125 E.1 strike through "and shall be the predominant facade feature."
24. P.127 Change 919 Copper to SU2 MUM
25. P.127 Change 915 Copper to SU2 MUM
26. P.127 Change 917 Copper to SU2 MUM
27. P. 125 add to Permissive uses A.2 Retail sale of alcoholic drink for consumption off-premises, provided that such use is associated with a full service grocery store be added to the permissive uses.
28. P.127 Change 317 and 319 16th Street from SU1 for Bed and Breakfast to SU2 MUM.
29. P.127 Two blocks on Tijeras/Kent that are proposed to be zoned SU2 MUM, shall be zoned SU2 MUL.
30. P.127 Change 715 Marquette from SU2 MR and SU2 OR.
31. P.127 Change 727 Tijeras NW from SU2 OR to SU2 MUL.
32. P.102 J. a and b parking for Townhouse and Apartment shall read 1 space per unit, 2 spaces per unit maximum. P.103 and P.124 Add new section Useable Open Space. The useable open space requirement is 150 sqft per efficiency/one bedroom or 200sqft per two bedroom or more.

33. P.127 Change 1201 Lomas from SU2 MUM to SU2 NC.
34. Throughout the plan change references to reflective glass to mirrored or opaque glass. Add "at the ground floor"
35. P.79 Strategy 2.b. 12th Street/Lomas Boulevard, strike this strategy and any reference earlier in the strategy on p.78.
36. P.104 Remove Bail Bonds from Conditional Uses. P.110, and P.125 Move BB from Conditional to Permissive Uses. P.111C.9 delete except Bail Bonds. P.110, P.116, P.120 and P.125 Under Bail Bond Criteria, C. shall now read "Shall not be located further 1,000 feet from the Metropolitan Court, the Bernalillo County Court or Federal County buildings. Please see map Appendix D." Add map to Appendix D.
37. P.60 add Land Use Goal Objective 2: Objective 2.4 shall now read "Encourage public/private partnerships and provide incentives for redevelopment of distressed properties and opportunity sites, and adaptive reuse of buildings. "Add the following to the Off Street Parking in every zone: "Buildings constructed before October 22, 1965 need supply such parking only to the extent on-premise ground space is available, including occasions where there is a change in use. If there is a building addition, and the addition is equal to or less than 400 square feet then no additional parking is required; if the addition is greater than 400 square feet, parking shall be provided for the additional square footage only."
38. P 61: Community Character, a) Objective 1.1: line 2, strike "and"; insert "reinforce". b) Objective 2.2 last line, after size, add in "scale, cadence"
39. P 62 Goal 5, Objective 5.3, insert the word "only" after vacate. Consider striking entirely. See also P 86
40. P 74 Implementation Policy 8: Add ahead of existing sentence: "The City shall enlarge upon the excellent examples of the friendly and attractive streetscapes in place in the Plan area."
41. P 78 Strategy 1: last line, add after operations "transit, bicycle,"
42. P 86 Implementation Policy 16: add "No alleys should be abandoned."
43. P 131: 8.a. add (ahead of 5): The structure's contribution to the fabric of the district, and in particular to the wholeness and continuity of the street.
44. Conditional use is defined in the Glossary. Add Non-conforming use to Appendix A: Glossary.
45. When the DRAFT DNA SDP moves to City Council for adoption there should be accompanying legislation to amend the Downtown 2010 SDP boundaries.
46. P.144 strike number of occupants from definition.

47. P.92 C, and P.95 C, strike second sentence of the opening paragraph, beginning "The following uses..." and add sentence "Carports and walls shall be as regulated by the SU2 SF zone. P.144 Secondary Dwelling Unit, add the following sentence "There shall be no more than one Secondary Dwelling Unit or Accesory Living quarters per premise."
48. P.93 add D.3.c. and P.96 D.5.c and P.101 C.4.c. On corner lots the street side setback shall be 10feet minimum.
49. P.93 E.1 a. P.96 E.1.a clarify sentence to read if there is a front porch.
50. P.93 H. Garages – 3. Add the word “front” before the words “building face.”
51. P.94 K.2 and P.99 M.2 and P.103 M.4 and P.108 N.1.c and P.113 M.c. and P.119 M.1.c and P.124.L.1.c P.126.H.1.c Street Trees The word “area” should be removed from this sentence.
52. P.93 D.2 and 97 D.4 Add to garage setback off alley, for detached and attached.
53. P.95. A1 and P.100 A.1.d. and P.104 A.1 and P.109 A.1. and P.115 A.1 and P.120 A.1 and 125A.1 Single family homes shall be as regulated in the SU2 SF zone.
54. P.101 C.5. and P.112.D.4 and P.121 C.5 and P.125.C.1 Add 10 feet from the property line along a public street.
55. P.102 H.2 and P.112 H.2 and P.118 H.2. and P.123.G.2 Building Entries – Add the word “wide” after 6 foot.
56. P. 103 Staff to clarify references in M.1
57. P.104 A. and P.109 A.3. P.115.A. Permissive Uses – 2. c. The word “professional” needs to be removed.
58. P.109 A. and P.115.A. Permissive Uses – 4. b. The word “adult book store” is no longer a defined term and recommend using the revised terms related to this activity.
59. P.109A. and P.115 A. and P.120 A. Permissive Uses – 5. Should the word activity be added to this sentence so that it reads “... no outdoor storage or activity, except parking.
60. P.109 A. and P.115. A Permissive Uses – 5. f. The word “adult photo studio” is no longer a defined term and recommend using the revised terms related to this activity.
61. P.112 I. Off-street Parking Standards – b. the words “per unit” should be added after the word “maximum.”

62. P. 113 M Staff to clarify references in M.1
63. Add language as located on Lomas, staff to put in appropriate reference 6-6-2-1 ETSEQ.
64. P.121 C3 add "corner" after word minimum. Add period after 5 feet. Remove except. Begin as new sentence.
65. Add language as located on Central, staff to put in appropriate reference 6-6-2-1 ETSEQ.
66. P.125 D. Windows and Doors – 2. This second sentence should be added to a separate section regarding signage.
67. Staff to clarify references for Street Trees, p. 124
68. P.129 There should be some language added indicating that all existing and proposed SU-1 sites need to comply with Section 14-16-3-30, of the Comprehensive City Zoning Code.
69. P.130 The word assent should be replaced with consent.
70. Add section: SU2 Park. Permissive Use, Public Park.
71. P.144 The following sentence shall be added to the Senior Housing definition. "The property shall be operated only as "Housing for Older Persons" as defined in the Federal Housing for Older Persons Act (42U.S.S., §3607(b) (2)) and uses will include related facilities.
72. P.113 I.3 and P.123 I.3 remove non-residential in first line.
73. P.120 A.1.b. and to the end of the sentence "and maximum dwelling units per acre."
74. Add Conditional use B(17) from the C2 zone to the permissive uses zone on P.120.
75. P.124 Add L.1.d The landscape design should reflect the more urban character of this area in its programming, detailing, and planting intensity.
76. P.45 Correct map to match with the Long Range Roadway System map adopted by the Mid-Region Council of Governments.
77. P.127 Change 712 Marquette from MR and OR to only OR.

Planner

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Attachments

Attachment 1: Spreadsheet of comments received to date, responses and conditions generated.

Attachment 2: Letters received after the December 2nd 2010 hearing and prior to the issuance of the Staff report.

Attachment 3: Map of distances from the Court Houses for Bail Bonds and their current locations.

Attachment 4: Protecting Potential Landmarks through Demolition Review, Julia H. Miller. National Trust for Historic Preservation, Washington DC: 2006.