



**Environmental  
Planning  
Commission**

**Agenda Number: 2  
Project Number: 1005238  
Case #s: 14EPC-40032, 14EPC-40033  
July 10, 2014**

**Supplementary Staff Report**

<b>Agent</b>	City of Albuquerque Planning Department
<b>Applicant</b>	City of Albuquerque
<b>Request</b>	<b>Amendment to Map of Coors Corridor Plan Adoption of Rank 3 Coors Corridor Plan</b> The Rights-of-way of Coors Blvd. and Coors Blvd. Bypass and all lots generally located on and/or near Coors Blvd. and Coors Bypass between Bridge Blvd. and Alameda Blvd., containing approximately 2,200 acres.
<b>Legal Desc.</b>	
<b>Current Zoning</b>	Various
<b>Proposed Zoning</b>	No change

**Staff Recommendation**

**CONTINUANCE of Case #s 14EPC-40032 (Amendment to Corridor Plan Map) and 14EPC-40033 (Adoption of Rank 3 Corridor Plan) for 30 days to August 7, 2014.**

**Staff Planner  
Carol Toffaleti, Senior Planner**

**Summary of Analysis**

This staff report should be read in conjunction with the staff report dated June 5, 2014. (The project was not heard on June 5th due to the lack of a quorum and was rescheduled for July 10, 2014.) The June report contains an overview of the April 2014 EPC Draft Coors Corridor Plan (the Plan) and the planning process, an analysis of the plan in relation to applicable ordinances and policies, and the justification for the proposed changes to the 1984 design regulations per Resolution 270-1980.

Over the past month, staff has continued to field questions and discuss the draft Plan with residential and commercial property-owners and the development community. Staff has compiled most of the written comments received from the public and agencies in a matrix and begun drafting responses, including potential revisions to the Plan (see Matrix and Comments att.). Revisions to maps and figures are also underway. A range of views are expressed, from support to opposition, and on a variety of elements in the Plan. Staff believes some issues merit further investigation and consultation with the public and/or agencies.

Written comments that were received recently are attached to the staff report, but have not been entered into the matrix (see "Additional Comments not included in Matrix" att.). Staff is expecting more will be submitted within 48 hours of the hearing as well as in verbal testimony at the hearing.

Staff recommends a 30-day continuance to allow a comprehensive review and response to all public and agency comments received. Recommended findings and conditions will be drafted accordingly for the EPC's consideration.

Additional agency comments used in the preparation are at the end of the report

### ***I. CONCERNS OF REVIEWING AGENCIES***

Comments from departments and agencies are addressed in the matrix and additional ones are at the end of the report or attached...

### ***II. NEIGHBORHOOD/PUBLIC CONCERNS***

Comments from residential and commercial property-owners in the plan area are addressed in the matrix and additional ones are attached to the report. They range from support to opposition. Several include suggestions for improvements to the draft Plan. The most significant concerns center on:

- Difficult access onto Coors Blvd. from the Bosque Meadows residential subdivision and Open Space Visitor Center
- Impact of road widening to accommodate future Bus Rapid Transit (BRT) lanes and stations, elevated roadway and interchanges
  - Hanover-Iliff area
  - North of I-40
  - North of Sequoia
  - Eagle Ranch/Coors intersection
  - Coors/Montano area
  - On access to business (Irving/Coors area)
  - And locations adjacent to individual homes
- View Preservation Regulations

### ***III. CONCLUSION***

The proposed Plan furthers a preponderance of applicable City goals and policies and the changes to the Design Overlay Zone are justified per R-270-1980. There are numerous comments for staff to analyze and respond to, some in consultation with departments, agencies and stakeholders. Staff believes that areas of disagreement among stakeholders can be narrowed and some resolved. Recommended Findings and Conditions would be prepared accordingly for the EPC's consideration. Staff therefore respectfully requests a 30-day continuance to August 7, 2014.

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***FINDINGS - 14EPC-40032, July 10, 2014, Amendment to Map of Coors Corridor Plan***

1. The request is for an amendment to the existing map of the Coors Corridor Plan, accompanied by a request for adoption of the proposed Rank 3 Coors Corridor Plan to replace the 1984 plan.
2. The Charter of the City of Albuquerque, Albuquerque / Bernalillo County Comprehensive Plan, West Side Strategic Plan, Major Public Open Space Facility Plan, Bosque Action Plan, Facility Plan for Arroyos, Facility Plan: Electric System Transmission & Generation 2010-2020, Trails and Bikeways Facility Plan, Albuquerque On-Street Comprehensive Bike Plan, Coors Corridor Plan (1984, amended), §1-13 of the City of Albuquerque Code of Resolutions, the City of Albuquerque Zoning Code and 2035 Metropolitan Transportation Plan are incorporated herein by reference and made part of the record for all purposes.
3. The proposed Plan area extends approximately 11 miles from Bridge Blvd. in the south to Alameda Blvd. in the north along Coors Blvd. and Coors Blvd. Bypass (the Bypass). In addition to the rights-of-way of Coors Blvd. and the Bypass, it encompasses adjacent properties in the City with a total area of approximately 2,200 acres.
4. The proposed Plan area contains three regulatory sub- areas, which overlap to some degree: a Transportation sub-area along all of Coors Blvd. and Coors Blvd. Bypass, where the transportation policies and requirements apply; a Design Overlay Zone (DOZ) along Coors Blvd. beginning north of Central Ave., where the general development regulations apply; and a View Preservation sub-area within the DOZ that covers the area east of Coors Blvd. and north of Namaste Trail, where the view preservation regulations apply.
5. The proposed Plan aims to protect natural endowments of the Coors Corridor and to promote an aesthetic and humane urban environment with multi-modal transportation strategies and design standards. Updating the Plan, including the geographic area to which it applies, is a reasonable exercise in local self-government consistent with the City Charter.
6. The proposed Plan, including its Plan area, is consistent with and furthers several goals and policies of the Comprehensive Plan:
  - The proposed buffers of Open Space lands and the requirements for trail connections in the DOZ further the Open Space Network Goal and policies II.B.1.c & f.
  - The policies and regulations in the DOZ aim to enhance the quality of the built environment of the Coors Corridor. The View Preservation regulations will help maintain its unique vistas. The site design guidelines encourage respect for any natural and scenic resources adjacent to development sites as well as the existing topography within sites. Mitigation of traffic noise along Coors Blvd. and the Bypass will be

- considered in relation to future transportation projects, per Chapter C in the Plan, while the landscape strip required by the DOZ all along these arterials provide additional buffering for users of adjacent properties. The View Preservation regulations contain additional architectural standards to ensure developments are designed to complement the backdrop created by the bosque and other Open Space lands. (Developing And Established Urban Areas Goal, Policies II.B.5.d, g, k & m)
- The Plan aims to balance furthering the Activity Center Goal and Policy II.B.7.c for transit-supportive, higher-density development on the one hand, and other Goals (Developing And Established Urban Areas, Developed Landscape) by allowing deviations to the View Preservation regulations within specific parameters and subject to EPC review (see B.4.3)
  - The Plan calls for a multi-modal transportation strategy for the future of Coors Blvd. and the Bypass, including Bus Rapid Transit, walking and cycling, based on a thorough analysis of a range of alternatives (Air Quality Goal, policies II.C.1.d & g)
  - Several policies and regulations in the DOZ help maintain the quality of the natural and developed landscapes in the Corridor, including: buffers for Open Space lands; consideration of natural features within and adjacent to development sites at the site design stage; structure height and mass regulations, particularly in the View Preservation sub-area. (Developed Landscape Goal, Policies II.C.8.a & e)
  - The alternatives analysis completed for the Coors Corridor fulfills the Goal and Policy II.D.4.a. The multi-modal transportation strategy and individual policies in Chapter C of the Plan, supported by regulations in the DOZ, help implement the remaining policies of this section to balance the mobility needs of all roadway users and improve connectivity in the Plan area. (Transportation and Transit Goal, Policies II.D.4.a, g, h, i & q)
7. The proposed Plan, including its Plan area, is consistent with and furthers several goals and policies of the West Side Strategic Plan:
- The transportation and DOZ elements of the Plan are geared specifically to the Coors Corridor, a critical thoroughfare and prominent area on the West Side. They are formulated to strike a balance between addressing the increase in traffic that is forecast for the West Side with preserving its unique scenic resources. (Objectives 2 & 3)
  - The proposed update to the DOZ includes View Preservation regulations and guidelines for properties east of Coors and north of Namaste Rd.. They call for site layout and building height and mass that retain a portion of the views to the Sandia Mountains, and to the bosque where possible. They have been calibrated to allow development, and deviations to regulations in certain circumstances, subject to meeting specific criteria and to public review and approval through the EPC hearing process. Sections C.11 and E.3 of the Plan are coordinated to help implement public viewsites as part of roadway projects and on other public land in the Corridor, where they can capitalize on grade differences

- and proximity to trails and Open Space. Public viewsites are also encouraged in private non-residential developments where public amenities are already required by general regulations in the Zoning Code (§ 14-16-3-18). (4. DEVELOPMENT PROCESS ISSUES – Views East of Coors Blvd.)
- The proposed DOZ furthers the policies and addresses most of the elements of a development that are identified by the WSSP under “Other Views” and “Visual Quality” including: Height; Lighting; Vegetation; Overhead Utilities; Signs; Fences and Walls; Standards for multi-modal access in residential and commercial developments (4. DEVELOPMENT PROCESS ISSUES, Policies 4.6, 4.6 c, e, g & h)
  - Chapter C of the Plan partially furthers the intent by recommending dedicated transit lanes and providing facilities for pedestrians and cyclists on Coors Blvd. and the Bypass. The DOZ also calls for segments and connections to multi-use trails to be provided through the development process. (6. TRANSPORTATION SYSTEM)
  - The DOZ requires a landscape setback/buffer along the San Antonio and Calabacillas Arroyos and other public surface drainage facilities (D.3.3). It also calls for trail segments and aggregate common space to be provided through the development process, along arroyos designated in the Facility Plan for Arroyos. (7. NATURAL AND CULTURAL RESOURCES, RECREATION AND SPECIAL AREAS, Policy 7.6.)
8. Segments of and connections to existing trails along arroyos are required within the proposed Design Overlay Zone by DOZ regulation D.3.7, and landscape setback/buffers are required to retain existing vegetation by D.3.3 iv). These furthers General Policy 6 and Major Open Space Arroyo Policy 4 of the Facility Plan for Arroyos.
  9. DOZ regulation D.3.11 applicable to the proposed Design Overlay Zone refers to the Facility Plan: Electric System Transmission & Generation 2010-2020, which meets the goal and objective 5 of this Rank 2 plan.
  10. Transportation and DOZ policies and regulations, and the public project recommendations for the Plan area further the goals, objectives and policies of the Trails & Bikeways Facility Plan (TBFP) and the Albuquerque Comprehensive On-street Bicycle Plan, by requiring on-street bicycle facilities, and segments of and connections to the trail network designated in the TBFP.
  11. Chapter C of the Plan furthers the themes of the 2035 Metropolitan Transportation Plan through its multi-modal strategy and policies that call for dedicated transit lanes and facilities for pedestrians and cyclists within the rights-of-way of Coors Blvd. and the Bypass.
  12. The proposed Design Overlay Zone (DOZ) in the Coors Corridor Plan meets the criteria for DOZ’s in the Zoning Code because: the size exceeds 320 acres and it is part of Rank 3 sector

development plan (in this case the “sector” follows the Coors Blvd./Bypass corridor); and it meets at least two of the conditions. In reference to (a) the DOZ includes the View Preservation sub-area, which has highly significant views of the Sandia Mountains and, to some extent, of the bosque. In reference to (c) the DOZ encompasses properties adjacent to a 10-mile stretch of Coors Blvd. and the Bypass, which are principal arterials of local and regional significance for north-south as well as east-west mobility, since they connect to five river crossings that provide access to major employment, educational and health centers.

13. The proposed changes to the DOZ, which applies to the majority of the Plan area, are justified per R-270-1980 because the existing DOZ boundary and regulations are no longer appropriate due to changed conditions in the Coors Corridor area. The boundary has been adjusted to only encompass properties where future development and redevelopment needs to be controlled to fully realize the City’s current goals and policies. The proposed additions and amendments to the regulations in the DOZ are also justified because they better further the City’s current goals and policies:

- A. A proposed zone change must be found to be consistent with the health, safety, morals, and general welfare of the city.

*The proposed changes to the DOZ are consistent with the health, safety and general welfare of the many citizens who frequent the Coors Corridor, including requirements to provide pedestrian and bicycle connections that make walking and cycling more convenient and safer, which in turn promote active, healthful travel (D.3.6 and D.3.); and requirement to control fugitive dust per the Albuquerque and Bernalillo County Fugitive Dust Ordinance in the NM Administrative Code (D.3.10 a. and c.). The DOZ does not affect the morals of the city since no land use change is involved.*

- B. Stability of land use and zoning is desirable; therefore the applicant must provide a sound justification for the change. The burden is on the applicant to show why the change should be made, not on the city to show why the change should not be made.

*Thirty years have now elapsed since adoption, along with increased urbanization of the corridor. Although a few of the DOZ regulations in the existing plan have been amended since 1984, the changes that are currently proposed are more comprehensive and would bring the DOZ in conformance with current, higher-ranked City plans and policies.*

- C. A proposed change shall not be in significant conflict with adopted elements of the Comprehensive Plan or other city master plans and amendments thereto, including privately developed area plans which have been adopted by the city.

*The proposed changes to the DOZ are not in significant conflict with the Comprehensive Plan or other applicable plans:*

1. *The 1984 DOZ boundary was amended to exclude areas where development is already governed by design regulations in the Tower/Unser and West Route 66 sector development plans. This is to avoid conflict between overlapping sets of regulations that is often unproductive and confusing for all interested parties. The proposed DOZ continues to overlap with other sector development plans (SDPs)—East Atrisco, University of Albuquerque, Riverview and Seven-Bar Ranch SDPs, because these have either no design regulations or only guidelines.*
2. *The new DOZ is updated and furthers a preponderance of elements in the Albuquerque/Bernalillo County Comprehensive Plan (CP), the West Side Strategic Plan (WSSP, the Facility Plan for Arroyos (FPA), and Trails & Bikeways Facility Plan (TBFP) References to regulations in the DOZ are in [brackets] at the end of each citation. These include:*
  - a. *(CP) Open Space Network Policy II.B.1.c, by protecting Major Public Open Space areas from adjacent development through setbacks landscaped with native vegetation [D.3.3 ii) - iv)].*
  - b. *(CP) Open Space Network Policy II.B.1.f., (FPA) General Policy 1 - Encouraging Multiple Use, (FPA) General Policy 6 - Appropriate Access, by providing segments of multi-use trails and connections to trails along arroyos and ditches through the development process [D.3.7].*
  - c. *(WSSP) Arroyos Policy 7.6, by buffering and enhancing arroyos that are designated in the FPA for their value as open space and recreational corridors [D.3.3 ii), D.3.18 ii) e.]*
  - d. *(TBFP) Multi-Use Trail policy – Access Standards, by requiring pedestrian access to the trail system at the time of platting or site development plan approval where appropriate [D.3.7 ii)]*
  - e. *(CP) Developing And Established Urban Areas Policy II.B.5.d and II.B.5.m, by controlling the design of new development through View Preservation regulations so that development respects unique vistas and scenic resources valued by area residents and the wider community [D.4.0].*
  - f. *(CP) Developed Landscape Policy II.C.8.e, (FPA) Major Open Space Arroyo Policy 4 - Preserving Topsoil And Existing Vegetation, by providing guidelines and regulations to ensure that buildings are sited to minimize alteration of existing vegetation and topography and visibility of structures in scenic vista areas [D.3.2 i), D.3.3. iv) c., D.3.9 iii), D.4.0]*
  - g. *(CP) Transportation and Transit Policy II.D.4.g, by integrating pedestrian opportunities into development to create safe and pleasant non-motorized travel conditions [D.3.6, D.3.7].*



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- h. (WSSP) Visual Quality Policy 4.6, by formulating regulations for the Coors Corridor that control several aspects of development: site design to preserve some degree of bosque and mountain views and other views; signs that enhance development and protect views; building height and massing; lighting that protects the "night sky"; the retention of existing vegetation; and openings in walls to allow access for pedestrians and cyclists. [D.4.0, D.3.16 & 4.6, D.3.12 & 4.3, D.3.15 & 4.5, [D.3.2 i), D.3.3. iv) c., D.3.9 iii)*
- i. (WSSP) Residential Development Policy 4.6.c, by limiting the size of gated communities and requiring openings in their perimeter walls for pedestrians and cyclists [D.3.18 i) b.]*
- j. (WSSP) Commercial Development Policy 4.6.h, by limiting the maximum number of parking spaces to 10% above Zoning Code requirements in developments and requiring a multi-modal circulation plan that provides routes to neighboring properties, adjacent streets, and transit service, as well as convenient internal access [D.3.8, D.3.2 iii)]*
- D. The applicant must demonstrate that the existing zoning is inappropriate because:
1. There was an error when the existing zone map pattern was created; or
  2. Changed neighborhood or community conditions justify the change; or
  3. A different use category is more advantageous to the community, as articulated in the Comprehensive Plan or other city master plan, even though (D)(1) or (D)(2) above do not apply.

*The changes to the boundary and regulations of the DOZ are justified per D.2. D.1 and D.3 do not apply; D.3, because the Plan does not establish land use categories.*

*The proposed DOZ boundary is more appropriate because it reflects changed conditions along the Corridor since 1984 and excludes properties that the City believes no longer warrant an additional layer of design control over and above their underlying zoning and the general regulations of the Zoning Code, including:*

- *Bernalillo County has chosen not to adopt an updated DOZ given the small area of undeveloped land that remains under their jurisdiction in the Corridor, and therefore land under county jurisdiction is removed from the DOZ.*
- *The east edge of the new DOZ ends at the Corrales Riverside Drain instead of the center line of the Rio Grande, because the Rio Grande Valley State Park and City Open Space are now continuous along the river and are controlled by other policies, laws and regulations.*
- *The boundary follows current property lines and encompasses sites with multiple lots that are governed by approved site development plans throughout the Corridor.*

- *Land that is zoned and already developed for single-family residential use and that is not contiguous to or directly accessed from Coors Blvd. The City considers it unnecessary to continue including properties that: are not immediately adjacent to the Coors ROW; whose zoning is inherently stable; and are unlikely to be redeveloped within the time horizon of the Plan (10 to 20 years). The exception is the View Preservation sub-area.*

*The design regulations for development in the Coors Corridor area (referenced in brackets under C. above) are more appropriate because they have been updated to realize City goals and objectives in higher-ranking plans that are more current than the existing DOZ, including:*

- *(CP) Open Space Network Goal: “to provide visual relief from urbanization and to offer opportunities for education, recreation, cultural activities, and conservation of natural resources by setting aside Major Public Open Space, parks, trail corridors, and open areas throughout the Comprehensive Plan area”*
- *(CP) Transportation and Transit Goal: “to develop corridors, both streets and adjacent land uses, that provide a balanced circulation system through efficient placement of employment and services, and encouragement of bicycling, walking, and use of transit/paratransit as alternatives to automobile travel, while providing sufficient roadway capacity to meet mobility and access needs.”*
- *(CP) Developing And Established Urban Areas Goal: “to create a quality urban environment, which perpetuates the tradition of identifiable, individual but integrated communities within the metropolitan area and which offers variety and maximum choice in housing, transportation, work areas, and life styles, while creating a visually pleasing built environment.”*
- *(WSSP) Objective 2 - “Provide the opportunity for creative and innovative solutions to housing, utility, and transportation problems. Improve upon methodologies employed elsewhere in the region in order to eliminate repetition of previous mistakes. Provide incentives for "good" development, not just deterrents for "bad" development, through design requirements specifically geared toward the West Side environment.”*
- *(WSSP) Objective 3 - “Plan for the ability to manage and preserve unique West Side resources (scenic, natural, cultural, historical, and spiritual) within the context of a growing metropolitan area.*

E. A change of zone shall not be approved where some of the permissive uses in the zone would be harmful to adjacent property, the neighborhood, or the community.

*Not applicable because the change to the DOZ does not affect land uses.*

F. A proposed zone change which, to be utilized through land development, requires major and unprogrammed capital expenditures by the city may be:

1. Denied due to lack of capital funds; or
2. Granted with the implicit understanding that the city is not bound to provide the capital improvements on any special schedule.

***Not applicable because the change to the DOZ is not related to a specific development and does not require any capital expenditure by the city.***

- G. The cost of land or other economic considerations pertaining to the applicant shall not be the determining factor for a change of zone.

***Not applicable because the cost of any specific piece of land or other economic considerations pertaining to the city are not the determining factor for the request to update the DOZ.***

- H. Location on a collector or major street is not in itself sufficient justification for apartment, office, or commercial zoning.

***Not applicable because the change does not affect land uses types in the DOZ area.***

- I. A zone change request which would give a zone different from surrounding zoning to one small area, especially when only one premise is involved, is generally called a "spot zone." Such a change of zone may be approved only when:

1. The change will clearly facilitate realization of the Comprehensive Plan and any applicable adopted sector development plan or area development plan; or
2. The area of the proposed zone change is different from surrounding land because it could function as a transition between adjacent zones; because the site is not suitable for the uses allowed in any adjacent zone due to topography, traffic, or special adverse land uses nearby; or because the nature of structures already on the premises makes the site unsuitable for the uses allowed in any adjacent zone.

***The change to the DOZ does not affect one small area.***

- J. A zone change request, which would give a zone different from surrounding zoning to a strip of land along a street is generally called "strip zoning." Strip commercial zoning will be approved only where:

1. The change will clearly facilitate realization of the Comprehensive Plan and any adopted sector development plan or area development plan; and
2. The area of the proposed zone change is different from surrounding land because it could function as a transition between adjacent zones or because the site is not suitable for the uses allowed in any adjacent zone due to traffic or special adverse land uses nearby.

***The existing and proposed DOZ generally affect land along a street, i.e. Coors Blvd., but neither affect the type of land uses in the Corridor. The change does not call for strip commercial zoning.***

14. Comments and suggested changes to the April 2014 EPC draft Coors Corridor Plan have been received from departments, agencies, neighborhood associations, residents, property- and business-owners. There is both support and opposition to certain transportation and DOZ-related policies, regulations and recommended projects, but no objection to the proposed Plan area. However, a recommendation by the Environmental Planning Commission on the two cases in the application should be made at the same hearing, as they are interdependent.

***RECOMMENDATION - 14EPC-40032, June 5, 2014***

**A Continuance for 30 days, to August 7, 2014, of case 14EPC-40032, to amend the map of the Coors Corridor Plan, based on the preceding Findings.**

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***FINDINGS - 14EPC-40033, June 5, 2014, Adoption of Rank 3 Coors Corridor Plan***

1. The request is for adoption of the proposed Rank 3 Coors Corridor Plan to replace the 1984 plan, accompanied by an amendment to the existing map (Plan area) of the Coors Corridor Plan.
2. The Charter of the City of Albuquerque, Albuquerque / Bernalillo County Comprehensive Plan, West Side Strategic Plan, Major Public Open Space Facility Plan, Bosque Action Plan, Facility Plan for Arroyos, Facility Plan: Electric System Transmission & Generation 2010-2020, Trails and Bikeways Facility Plan, Albuquerque On-Street Comprehensive Bike Plan, Coors Corridor Plan (1984, amended), City of Albuquerque Code of Resolutions (§1-13), City of Albuquerque Zoning Code and the 2035 Metropolitan Transportation Plan are incorporated herein by reference and made part of the record for all purposes.
3. The proposed Plan area extends 11 miles from Bridge Blvd. in the south to Alameda Blvd. in the north along Coors Blvd. and Coors Blvd. Bypass. In addition to the rights-of-way of Coors Blvd. and Coors Bypass, it encompasses adjacent properties in the City with a total area of approximately 2,200 acres.
4. The proposed Plan aims to protect natural endowments of the Coors Corridor and to promote an aesthetic and humane urban environment with multi-modal transportation strategies and design standards. Updating the Plan is a reasonable exercise in local self-government consistent with the City Charter.
5. The proposed Plan is consistent with and furthers several goals and policies of the Comprehensive Plan:
  - The proposed buffers of Open Space lands and the requirements for trail connections in the DOZ further the Open Space Network Goal and policies II.B.1.c & f.

- The policies and regulations in the DOZ aim to enhance the quality of the built environment of the Coors Corridor. The View Preservation regulations will help maintain its unique vistas. The site design guidelines encourage respect for any natural and scenic resources adjacent to development sites as well as the existing topography within sites. Mitigation of traffic noise along Coors Blvd. and the Bypass will be considered in relation to future transportation projects, per Chapter C in the Plan, while the landscape strip required by the DOZ all along these arterials provide additional buffering for users of adjacent properties. The View Preservation regulations contain additional architectural standards to ensure developments are designed to complement the backdrop created by the bosque and other Open Space lands. (Developing And Established Urban Areas Goal, Policies II.B.5.d, g, k & m)
  - The Plan aims to balance furthering the Activity Center Goal and Policy II.B.7.c for transit-supportive, higher-density development on the one hand, and other Goals (Developing And Established Urban Areas, Developed Landscape) by allowing deviations to the View Preservation regulations within specific parameters and subject to EPC review (see B.4.3)
  - The Plan calls for a multi-modal transportation strategy for the future of Coors Blvd. and the Bypass, including Bus Rapid Transit, walking and cycling, based on a thorough analysis of a range of alternatives (Air Quality Goal, policies II.C.1.d & g)
  - Several policies and regulations in the DOZ help maintain the quality of the natural and developed landscapes in the Corridor, including: buffers for Open Space lands; consideration of natural features within and adjacent to development sites at the site design stage; structure height and mass regulations, particularly in the View Preservation sub-area. (Developed Landscape Goal, Policies II.C.8.a & e)
  - The alternatives analysis completed for the Coors Corridor fulfills the Goal and Policy II.D.4.a. The multi-modal transportation strategy and individual policies in Chapter C of the Plan, supported by regulations in the DOZ, help implement the remaining policies of this section to balance the mobility needs of all roadway users and improve connectivity in the Plan area. (Transportation and Transit Goal, Policies II.D.4.a, g, h, i & q)
6. The proposed Plan is consistent with and furthers several goals and policies of the West Side Strategic Plan:
- The transportation and DOZ elements of the Plan are geared specifically to the Coors Corridor, a critical thoroughfare and prominent area on the West Side. They are formulated to strike a balance between addressing the increase in traffic that is forecast for the West Side with preserving its unique scenic resources. (Objectives 2 & 3)
  - The proposed update to the DOZ includes View Preservation regulations and guidelines for properties east of Coors and north of Namaste Rd.. They call for site layout and building height and mass that retain a portion of the views to the Sandia Mountains, and

to the bosque where possible. They have been calibrated to allow development, and deviations to regulations in certain circumstances, subject to meeting specific criteria and to public review and approval through the EPC hearing process. Sections C.11 and E.3 of the Plan are coordinated to help implement public viewsites as part of roadway projects and on other public land in the Corridor, where they can capitalize on grade differences and proximity to trails and Open Space. Public viewsites are also encouraged in private non-residential developments where public amenities are already required by general regulations in the Zoning Code (§ 14-16-3-18). (4. DEVELOPMENT PROCESS ISSUES – Views East of Coors Blvd.)

- The proposed DOZ furthers the policies and addresses most of the elements of a development that are identified by the WSSP under “Other Views” and “Visual Quality” including: Height; Lighting; Vegetation; Overhead Utilities; Signs; Fences and Walls; Standards for multi-modal access in residential and commercial developments (4. DEVELOPMENT PROCESS ISSUES, Policies 4.6, 4.6 c, e, g & h)
  - Chapter C of the Plan partially furthers the intent by recommending dedicated transit lanes and providing facilities for pedestrians and cyclists on Coors Blvd. and the Bypass. The DOZ also calls for segments and connections to multi-use trails to be provided through the development process. (6. TRANSPORTATION SYSTEM)
  - The DOZ requires a landscape setback/buffer along the San Antonio and Calabacillas Arroyos and other public surface drainage facilities (D.3.3). It also calls for trail segments and aggregate common space to be provided through the development process, along arroyos designated in the Facility Plan for Arroyos. (7. NATURAL AND CULTURAL RESOURCES, RECREATION AND SPECIAL AREAS, Policy 7.6.)
7. Segments of and connections to existing trails along arroyos are required by DOZ regulation D.3.7 and landscape setback/buffers are required to retain existing vegetation by D.3.3 iv), which furthers General Policy 6 and Major Open Space Arroyo Policy 4 of the Facility Plan for Arroyos.
  8. DOZ regulation D.3.11 refers to the Facility Plan: Electric System Transmission & Generation 2010-2020, which meets the goal and objective 5 of this Rank 2 plan.
  9. Transportation and DOZ policies and regulations, and the public project recommendations in the Plan further the goals, objectives and policies of the Trails & Bikeways Facility Plan (TBFP) and the Albuquerque Comprehensive On-street Bicycle Plan, by requiring on-street bicycle facilities, and segments of and connections to the trail network designated in the TBFP.

10. Chapter C of the Plan furthers the themes of the 2035 Metropolitan Transportation Plan through its multi-modal strategy and policies that call for dedicated transit lanes and facilities for pedestrians and cyclists within the rights-of-way of Coors Blvd. and the Bypass.
  
11. The proposed Design Overlay Zone (DOZ) in the Coors Corridor Plan meets the criteria for DOZ's in the Zoning Code because: the size exceeds 320 acres and is part of Rank 3 sector development plan (in this case the "sector" follows the Coors Blvd./Bypass corridor); and it meets at least two of the conditions. In reference to (a) The DOZ includes the View Preservation sub-area, which has highly significant views of the Sandia Mountains and, to some extent, of the bosque (a). In reference to (c) the DOZ encompasses properties adjacent to a 10-mile stretch of Coors Blvd. and the Bypass, which are principal arterials of local and regional significance for north-south as well as east-west mobility, since they connect to five river crossings that provide access to major employment, educational and health centers.
  
12. The proposed changes to the DOZ are justified per R-270-1980 because the existing DOZ boundary and regulations are no longer appropriate due to changed conditions in the Coors Corridor area. The boundary has been adjusted to only encompass properties where future development and redevelopment needs to be controlled to fully realize the City's up-to-date goals and policies. The proposed additions and amendments to the regulations in the DOZ are also justified because they better further the City's current goals and policies:
  - K. A proposed zone change must be found to be consistent with the health, safety, morals, and general welfare of the city.

*The proposed changes to the DOZ are consistent with the health, safety and general welfare of the many citizens who frequent the Coors Corridor, including requirements to provide pedestrian and bicycle connections that make walking and cycling more convenient and safer, which in turn promote active, healthful travel (D.3.6 and D.3.); and requirement to control fugitive dust per the Albuquerque and Bernalillo County Fugitive Dust Ordinance in the NM Administrative Code (D.3.10 a. and c.). The DOZ does not affect the morals of the city since no land use change is involved.*

- L. Stability of land use and zoning is desirable; therefore the applicant must provide a sound justification for the change. The burden is on the applicant to show why the change should be made, not on the city to show why the change should not be made.

*Thirty years have now elapsed since adoption, along with increased urbanization of the corridor. Although a few of the DOZ regulations in the existing plan have been amended since 1984, the changes that are currently proposed are more comprehensive and would bring the DOZ in conformance with current, higher-ranked City plans and policies.*

M. A proposed change shall not be in significant conflict with adopted elements of the Comprehensive Plan or other city master plans and amendments thereto, including privately developed area plans which have been adopted by the city.

*The proposed changes to the DOZ are not in significant conflict with the Comprehensive Plan or other applicable plans:*

3. *The 1984 DOZ boundary was amended to exclude areas where development is already governed by design regulations in the Tower/Unser and West Route 66 sector development plans. This is to avoid conflict between overlapping sets of regulations that is often unproductive and confusing for all interested parties. The proposed DOZ continues to overlap with other sector development plans (SDPs)—East Atrisco, University of Albuquerque, Riverview and Seven-Bar Ranch SDPs, because these have either no design regulations or only guidelines.*
4. *The new DOZ is updated and furthers a preponderance of elements in the Albuquerque/Bernalillo County Comprehensive Plan (CP), the West Side Strategic Plan (WSSP, the Facility Plan for Arroyos (FPA), and Trails & Bikeways Facility Plan (TBFP) References to regulations in the DOZ are in [brackets] at the end of each citation. These include:*
  - a. *(CP) Open Space Network Policy II.B.1.c, by protecting Major Public Open Space areas from adjacent development through setbacks landscaped with native vegetation [D.3.3 ii) - iv)].*
  - b. *(CP) Open Space Network Policy II.B.1.f., (FPA) General Policy 1 - Encouraging Multiple Use, (FPA) General Policy 6 - Appropriate Access, by providing segments of multi-use trails and connections to trails along arroyos and ditches through the development process [D.3.7].*
  - c. *(WSSP) Arroyos Policy 7.6, by buffering and enhancing arroyos that are designated in the FPA for their value as open space and recreational corridors [D.3.3 ii), D.3.18 ii) e.]*
  - d. *(TBFP) Multi-Use Trail policy – Access Standards, by requiring pedestrian access to the trail system at the time of platting or site development plan approval where appropriate [D.3.7 ii)]*
  - e. *(CP) Developing And Established Urban Areas Policy II.B.5.d and II.B.5.m, by controlling the design of new development through View Preservation regulations so that development respects unique vistas and scenic resources valued by area residents and the wider community [D.4.0].*
  - f. *(CP) Developed Landscape Policy II.C.8.e, (FPA) Major Open Space Arroyo Policy 4 - Preserving Topsoil And Existing Vegetation, by providing guidelines and regulations to*



*ensure that buildings are sited to minimize alteration of existing vegetation and topography and visibility of structures in scenic vista areas [D.3.2 i), D.3.3. iv) c., D.3.9 iii), D.4.0]*

*g. (CP) Transportation and Transit Policy II.D.4.g, by integrating pedestrian opportunities into development to create safe and pleasant non-motorized travel conditions [D.3.6, D.3.7].*

*h. (WSSP) Visual Quality Policy 4.6, by formulating regulations for the Coors Corridor that control several aspects of development: site design to preserve some degree of bosque and mountain views and other views; signs that enhance development and protect views; building height and massing; lighting that protects the "night sky"; the retention of existing vegetation; and openings in walls to allow access for pedestrians and cyclists. [D.4.0, D.3.16 & 4.6, D.3.12 & 4.3, D.3.15 & 4.5, [D.3.2 i), D.3.3. iv) c., D.3.9 iii)]*

*i. (WSSP) Residential Development Policy 4.6.c, by limiting the size of gated communities and requiring openings in their perimeter walls for pedestrians and cyclists [D.3.18 i) b.]*

*j. (WSSP) Commercial Development Policy 4.6.h, by limiting the maximum number of parking spaces to 10% above Zoning Code requirements in developments and requiring a multi-modal circulation plan that provides routes to neighboring properties, adjacent streets, and transit service, as well as convenient internal access [D.3.8, D.3.2 iii)]*

N. The applicant must demonstrate that the existing zoning is inappropriate because:

4. There was an error when the existing zone map pattern was created; or
5. Changed neighborhood or community conditions justify the change; or
6. A different use category is more advantageous to the community, as articulated in the Comprehensive Plan or other city master plan, even though (D)(1) or (D)(2) above do not apply.

*The changes to the boundary and regulations of the DOZ are justified per D.2. D.1 and D.3 do not apply; D.3, because the Plan does not establish land use categories.*

*The proposed DOZ boundary is more appropriate because it reflects changed conditions along the Corridor since 1984 and excludes properties that the City believes no longer warrant an additional layer of design control over and above their underlying zoning and the general regulations of the Zoning Code, including:*

- *Bernalillo County has chosen not to adopt an updated DOZ given the small area of undeveloped land that remains under their jurisdiction in the Corridor, and therefore land under county jurisdiction is removed from the DOZ.*

- *The east edge of the new DOZ ends at the Corrales Riverside Drain instead of the center line of the Rio Grande, because the Rio Grande Valley State Park and City Open Space are now continuous along the river and are controlled by other policies, laws and regulations.*
- *The boundary follows current property lines and encompasses sites with multiple lots that are governed by approved site development plans throughout the Corridor.*
- *Land that is zoned and already developed for single-family residential use and that is not contiguous to or directly accessed from Coors Blvd. The City considers it unnecessary to continue including properties that: are not immediately adjacent to the Coors ROW; whose zoning is inherently stable; and are unlikely to be redeveloped within the time horizon of the Plan (10 to 20 years). The exception is the View Preservation sub-area.*

*The design regulations for development in the Coors Corridor area (referenced in brackets under C. above) are more appropriate because they have been updated to realize City goals and objectives in higher-ranking plans that are more current than the existing DOZ, including:*

- *(CP) Open Space Network Goal: “to provide visual relief from urbanization and to offer opportunities for education, recreation, cultural activities, and conservation of natural resources by setting aside Major Public Open Space, parks, trail corridors, and open areas throughout the Comprehensive Plan area”*
- *(CP) Transportation and Transit Goal: “to develop corridors, both streets and adjacent land uses, that provide a balanced circulation system through efficient placement of employment and services, and encouragement of bicycling, walking, and use of transit/paratransit as alternatives to automobile travel, while providing sufficient roadway capacity to meet mobility and access needs.”*
- *(CP) Developing And Established Urban Areas Goal: “to create a quality urban environment, which perpetuates the tradition of identifiable, individual but integrated communities within the metropolitan area and which offers variety and maximum choice in housing, transportation, work areas, and life styles, while creating a visually pleasing built environment.”*
- *(WSSP) Objective 2 - “Provide the opportunity for creative and innovative solutions to housing, utility, and transportation problems. Improve upon methodologies employed elsewhere in the region in order to eliminate repetition of previous mistakes. Provide incentives for "good" development, not just deterrents for "bad" development, through design requirements specifically geared toward the West Side environment.”*
- *(WSSP) Objective 3 - “Plan for the ability to manage and preserve unique West Side resources (scenic, natural, cultural, historical, and spiritual) within the context of a growing metropolitan area.*

- O. A change of zone shall not be approved where some of the permissive uses in the zone would be harmful to adjacent property, the neighborhood, or the community.

*Not applicable because the change to the DOZ does not affect land uses.*

- P. A proposed zone change which, to be utilized through land development, requires major and unprogrammed capital expenditures by the city may be:

3. Denied due to lack of capital funds; or
4. Granted with the implicit understanding that the city is not bound to provide the capital improvements on any special schedule.

*Not applicable because the change to the DOZ is not related to a specific development and does not require any capital expenditure by the city.*

- Q. The cost of land or other economic considerations pertaining to the applicant shall not be the determining factor for a change of zone.

*Not applicable because the cost of any specific piece of land or other economic considerations pertaining to the city are not the determining factor for the request to update the DOZ.*

- R. Location on a collector or major street is not in itself sufficient justification for apartment, office, or commercial zoning.

*Not applicable because the change does not affect land uses types in the DOZ area.*

- S. A zone change request which would give a zone different from surrounding zoning to one small area, especially when only one premise is involved, is generally called a "spot zone." Such a change of zone may be approved only when:

3. The change will clearly facilitate realization of the Comprehensive Plan and any applicable adopted sector development plan or area development plan; or
4. The area of the proposed zone change is different from surrounding land because it could function as a transition between adjacent zones; because the site is not suitable for the uses allowed in any adjacent zone due to topography, traffic, or special adverse land uses nearby; or because the nature of structures already on the premises makes the site unsuitable for the uses allowed in any adjacent zone.

*The change to the DOZ does not affect one small area.*

- T. A zone change request, which would give a zone different from surrounding zoning to a strip of land along a street is generally called "strip zoning." Strip commercial zoning will be approved only where:

3. The change will clearly facilitate realization of the Comprehensive Plan and any adopted sector development plan or area development plan; and

4. The area of the proposed zone change is different from surrounding land because it could function as a transition between adjacent zones or because the site is not suitable for the uses allowed in any adjacent zone due to traffic or special adverse land uses nearby.

*The existing and proposed DOZ generally affect land along a street, i.e. Coors Blvd., but neither affect the type of land uses in the Corridor. The change does not call for strip commercial zoning.*

13. Numerous comments on the April 2014 EPC draft Coors Corridor Plan have been received from departments, agencies, neighborhood associations, residents, property- and business-owners. They include suggestions for correcting the Plan, raise issues of local concern, and range from support to opposition for elements of the Plan.
14. Staff believes that many concerns can be addressed and areas of disagreement among stakeholders can be narrowed and some resolved. Recommended Findings and Conditions would be prepared accordingly for the EPC's consideration. .
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***RECOMMENDATION - 14EPC-40032, July 10, 2014***

**A Continuance for 30 days, to August 7, 2014, of case 14EPC-40033, Adoption of Rank 3 Coors Corridor Plan, based on the preceding Findings.**

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*Carol Toffaleti  
Senior Planner*

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***Attachments***

Matrix of Comments and Staff Responses

Comments (included in Matrix)

Additional Comments (not included in Matrix)



## ***CITY OF ALBUQUERQUE AGENCY COMMENTS***

ADDITIONAL COMMENTS RECEIVED SINCE JUNE 5, 2014 STAFF REPORT

### ***TRANSIT DEPARTMENT***

p.51 C.10.1 and p. 89 D. 3.3. iv) b.

Further explanation: The issue we're really after is that bus shelters and associated amenities (e.g. trash cans and benches) are not currently considered "landscaping" under City landscaping requirements. The result is that, if we get an easement or buy right of way to accommodate those items where current right-of-way isn't sufficient, the property owner essentially gets penalized because they may have to make up for that landscaping elsewhere to meet their overall requirement and/or the landscape setback requirements. One developer kindly gave us an easement for a Rapid Ride shelter but then had to go to the ZHE to get a variance on the landscape setback requirement. We're just trying to avoid that, so we thought the simplest, most comprehensive solution would be to start including those amenities in the definition of landscaping.

We request something broader than just "bus shelters", such as "bus shelters and associated amenities", so that, if it's a highly used stop, we could also add some extra benches, trash cans, maybe even leaning bars, ticket vending machines, or bike racks.

## ***COMMENTS FROM OTHER AGENCIES***

### ***MID-REGION COUNCIL OF GOVERNMENTS***

- Mid-Region Metropolitan Planning Organization
- Rio Metro Regional Transit District  
See "Additional Comments not in Matrix" (att.)

### ***MIDDLE RIO GRANDE CONSERVANCY DISTRICT***

1. On page 97 section 3.18 ii)e. MRGCD facilities have very different functions than arroyos and should be discussed and analyzed separately.
2. A 5 foot setback from the right-of-way for MRGCD facilities such as the Corrales Main Canal might be acceptable for a wall or fence but is not recommended for any residential or commercial structures, which might be negatively impacted by maintenance activities that produce, dirt and flying rock, herbicide spraying and recreational use. A minimum 20 foot setback is recommended for buildings. Additionally, the best protection for the community ditches or acequias (if they exist within the planning area) is to have a similar setback from the outer edge of the maintenance roads or trails along them. Otherwise, where the MRGCD holds only a prescriptive easement, a formal easement or setback would have to be negotiated with the landowner to ensure the MRGCD has adequate access to maintain and operate the ditch. If a

landowner does not have to notify the City to install a boundary fence or wall, it's possible he or she might encroach on, or prevent access to, a ditch where the MRGCD has no formal right-of-way. This is not an uncommon occurrence and affects/excludes other users of the ditch.

3. We assume the trails indicated for MRGCD facilities on the maps were derived from the MTP Plan. The feasibility of any trails would be considered by the MRGCD on a case by case basis.