



**Environmental
Planning
Commission**

**Agenda Number: 7
Project Number: 1006972
Case #: 12EPC 40076
February 14, 2013**

Staff Report

Agent	City of Albuquerque Planning Department
Applicant	City of Albuquerque
Request	Text Amendment to the Nob Hill Highland Sector Development Plan
Current Zoning	Various; including All Nob Hill Highland Sector Plan Specific Zones
Proposed Zoning	same

Staff Recommendation

That a recommendation of APPROVAL of 12EPC 40076 be forwarded to the City Council, based on the Findings on page 14, and subject to the Conditions of Approval on page 17.

Staff Planner

Christopher Hyer, Senior Planner

Summary of Analysis

The purpose of this request is to allow freestanding pole-mounted signs as an allowable signage type in the Nob Hill Highland Sector Development Plan (NHSDP) area – currently they are not allowed. This text amendment is intended to allow business owners the option of a sign that can be freestanding and pole-mounted, no other type of freestanding sign is permissive. These freestanding signs would be regulated by the O-1 zone sign regulations, which allow a maximum sign size of 75 square feet and a height of 26 feet, or the height of the tallest building on the site, whichever is lower. Staff has suggested additional language to this amendment to limit the freestanding pole-mounted signs along the Central Avenue corridor and where warranted.

There are two other companion text amendments related to this request: creating the Central Avenue Neon Sign Design Overlay Zone (CAN DOZ); a waiver of sign fees for qualifying neon signs in the CAN DOZ.

The modified text amendment furthers a preponderance of goals and policies of the Comprehensive Plan and the NHSDP. Staff has heard from one of the affected neighborhood associations and they are in support of the staff modified text amendment.

Staff recommends that a recommendation of approval be forwarded to the City Council.

I. INTRODUCTION

Request

This is a request for a text amendment to the Nob Hill Highland Sector Development Plan (NHSDP). The request proposes to add freestanding pole-mounted signs as an allowable signage type in the General Regulations of the NHSDP on page 103 of the Plan. This proposed text amendment is intended to allow business owners the option of a sign that can be freestanding and pole-mounted; no other freestanding sign will be permissive. These freestanding signs would be regulated by the O-1 zone sign regulations which limit the size of the sign to 75 square feet and to a height of 26 feet or the height of the tallest building on the site, whichever is lower.

Purpose/Intent

This request is a Planning Department led initiative and is a companion to two other requests that will create the Central Avenue Neon Sign Design Overlay Zone (CAN DOZ) with City sponsored incentives. The Mayor began an initiative to make Central Avenue a more desirable place to be in November, 2011. Several ideas were listed from having special signage along the entire Central Avenue corridor to creating different types of “districts” along the corridor. These ideas were melded into the creation of a specific corridor or “zone” that incentivizes neon signage. Hence, the CAN DOZ will be a unique corridor within the City that will attract a different form of visual art.

Currently, the NHSDP does allow neon signs, just not freestanding and/or pole-mounted signs. This text amendment will add freestanding pole-mounted signs as an allowable signage type to the NHSDP area. This will allow the entire Central Avenue corridor to be a design overlay zone for a specific type of sign. Even though this amendment would allow freestanding pole-mounted signs in the entire NHSDP area, the overlay only applies to properties fronting Central Avenue.

The CAN DOZ only applies to applicants requesting to rehabilitate an existing neon sign or develop a sign with at least 50% of the sign face using neon. One incentive the City will provide will be an allowance of a 50% increase in the sign face; since sign faces are permitted to be 75 square feet in the O-1 zone, the CAN DOZ regulations would allow the sign face to be up to 112.5 square feet in the NHSDP area. Another incentive will be a provision in the Zoning Code that allows a waiver of the permitting fees for such a sign in the CAN DOZ.

The request is consistent with the Guiding Principles of the NHSDP: to *Preserve and Enhance Streetscapes*, but is not consistent with the prohibition of freestanding pole-mounted signs in the Nob Hill Highland area.

EPC Role

For text amendments to sector development plans, the Zoning Code requires the same notification and other procedures as it does for changes to the text of the Zoning Code (§14-16-4-3 (A) (5), which refers to §14-16-4-1(D)). Legal Department Staff were consulted about the nature of the request and they believe that the proposed text amendment is legislative in nature.

The EPC is a recommending body with review authority and is therefore, charged with evaluating the request and forwarding a recommendation to the City Council. The City Council is the City’s Zoning Authority and will make the final decision.

Background

The Nob Hill Highland Sector Development Plan (NHSDP) area is within the Established Urban Area of the Comprehensive Plan and is generally bounded by Girard Boulevard, Lomas Boulevard, San Mateo Boulevard, Zuni Road, and Garfield Avenue. The Nob Hill Highland area is one of Albuquerque's most vibrant economic centers, with activity primarily focused around Central Avenue. Nob Hill and Highland have become a popular area for business establishments, including retail services and office.

The text amendment will apply to property within the boundaries of the NHSDP, however, the incentives for a freestanding pole-mounted neon sign only exist within the CAN DOZ, and only for signs that meet the Qualifying Sign Design Criteria.

Overview of the NHSDP

The Highland/Central Metropolitan Redevelopment Plan (MRA Plan) was adopted in May 2003 and later amended in November 2005 (R-02-72 and R-05-377 respectively). The boundaries of the plan area are Girard on the west, San Mateo on the east, Copper on the north and generally Zuni on the south. The MRA Plan recommended actions for changes in zoning, design guidelines, historic preservation, community centers, social services linkages, housing, and funding sources for redevelopment. A 2005 amendment also established a Tax-Increment Financing District (TIF).

In September 2007, the City Council adopted the Nob Hill Highland Sector Development Plan to update and rescind the previously adopted MRA Plan, as well as to provide consistency between the Nob Hill and Highland areas (R-07-185). The plan adopted two new zones, Community Commercial/Residential (CCR) and Office/Residential (OR) to increase the residential density in the Plan area, primarily within the greater Central Avenue corridor. Design standards were also developed to promote a quality environment by incorporating design elements that improved the pedestrian realm and streetscape.

The residential neighborhood areas of the Plan area are mostly north of Copper Avenue (the north side of Central) and/or south of Silver Avenue (the south side of Central). Thus, Central Avenue is lined with commercial retail or commercial service properties that have an allowance of residential use, but are primarily used for non-residential uses, within the NHSDP area. Beyond the Community Commercial/Residential zones to the north and south of Central Ave., there is some Office/Residential and Mixed-Use Residential Historic District (MRHD) that transitions to primarily single-family residential uses.

Portions of the NHSDP are designated as a Community Activity Centers and are centered on Central Avenue. The Nob Hill Community Activity Center is roughly located between Wellesley Drive and Aliso Drive and between Copper Avenue and Silver Avenue. This activity center is zoned both CCR-1 and CCR-2. The Hiland Community Activity Center is located further east, between Jefferson Street and Alvarado Drive, and is zoned CCR-3. The boundaries of the Hiland Community Activity Center extend past San Mateo Boulevard (the eastern boundary of the NHSDP).

II. ANALYSIS OF PROPOSED TEXT AMENDMENT

Policy Citations are in Regular Text; Additions are [+ underlined +]; Deletions are [- ~~stricken~~ -]
Staff Analysis is in Bold Italics

The Planning Department in its role as applicant submitted a text amendment and memo dated 11/29/2012, which is summarized below and analyzed in the policy section of this staff report.

Text Amendment

The proposal consists of the following changes to the regulatory section of the Plan (new text is underlined):

General Regulations, 1. Signage, D.:

Allowable types of signage: (these are listed for clarity)

- 3-dimensional, blade, or projecting signs, wall-mounted signs w/recessed or raised letters;
- letters [individual] of metal or light box construction;
- masonry or metal plaques;
- street address numbers;
- awning signage – cloth, metal, or glass, shall be open at sides & bottom [no boxed or ¼ round shapes];
- neon;
- window paint – names or logos may be painted on the street level windows.

Signage details:

1. Individual letters shall not exceed 18 inches in height or width and 3 inches in relief.
2. Painted window signs shall fit in 8 sq. ft. area or less.
3. Masonry or bronze plaques shall fit in an 18 sq. ft. area or less.

[+ 4. Freestanding pole-mounted signs, as per the O-1 zone. +]

This text amendment as written allows freestanding pole-mounted signs everywhere in the NHHSDP area. It also is not specific to neon signs or has any mention of the Central Avenue corridor or the CAN DOZ. The NHHSDP has intentionally left freestanding signs out of the list of allowable types of signage – this includes pole-mounted, pylon, structure and monument type signs. Thus, staff will offer a modification to the proposed text amendment intending to allow freestanding pole-mounted signs restricted to the CAN DOZ that qualify as a neon only type of sign and are not to be placed in the public right-of-way or on a walkway surface.

The text amendment is to add an allowable signage detail to part D. in the General Regulations - Signage section of the Plan. That language is:

[+ 4. Freestanding pole-mounted signs, as per the O-1 zone. +]

Making the use and placement of freestanding pole-mounted signs very specific will preserve the intent of the NHHSDP and thus, staff suggests modifying the language:

4. **Free-standing pole-mounted signs [- as per the O-1 zone -] [+ are allowed as regulated by the O-1 zone, if all of the following are met: +]**

- a) **Property must front Central Avenue and be within the boundaries of the CAN DOZ.**
- b) **Signage must meet the CAN DOZ Qualifying Sign Design Criteria.**
- c) **The support system used for the signage cannot inhibit pedestrian or vehicular circulation and must be a single pole that is exposed. No other type of freestanding sign is allowed.**
- d) **Mounting of signs on buildings, instead of freestanding signs, is strongly encouraged.+]**

III. ANALYSIS OF APPLICABLE ORDINANCES, PLANS AND POLICIES

Note: Policy citations are in regular text; *Staff analysis is in bold italics.*

A. Charter of the City of Albuquerque

The citizens of Albuquerque adopted the City Charter in 1971. Applicable articles include:

ARTICLE I, INCORPORATION AND POWERS

“The municipal corporation now existing and known as the City of Albuquerque shall remain and continue to be a body corporate and may exercise all legislative powers and perform all functions not expressly denied by general law or charter. Unless otherwise provided in this Charter, the power of the city to legislate is permissive and not mandatory. If the city does not legislate, it may nevertheless act in the manner provided by law. *The purpose of this Charter is to provide for maximum local self government.* A liberal construction shall be given to the powers granted by this Charter.” (emphasis added)

ARTICLE IX, ENVIRONMENTAL PROTECTION

“The Council (City Commission) in the interest of the public in general shall protect and preserve environmental features such as water, air and other natural endowments, ensure the proper use and development of land, and promote and maintain an aesthetic and humane urban environment. To affect these ends the Council shall take whatever action is necessary and shall enact ordinances and shall establish appropriate Commissions, Boards or Committees with jurisdiction, authority and staff sufficient to effectively administer city policy in this area.”

Clarification of a sector development plan is an exercise in local self-government and falls within the City’s powers (City Charter, Article I). Allowing freestanding pole-mounted signs within the sector plan area provides for a continuous design of the neon sign overlay along Central from 106th Street to the eastern I-40 interchange (City Charter, Article IX).

Staff finds that the request is consistent with the City Charter.

B. Albuquerque Comprehensive Zoning Code

The Preface of the Zoning Code includes the following applicable paragraphs:

Authority and Purpose, page v (summarized): The Zoning Code is Article 16 within Chapter 14 of the Revised Code of Ordinances of Albuquerque, New Mexico, 1994 (often cited as ROA

1994). The administration and enforcement of the Zoning Code is within the City's general police power authority for the purposes of promoting the health, safety, and general welfare of the public. As such, the Zoning Code is a regulatory instrument for controlling land use activities for general public benefit.

Role of Land Use Boards, page viii (summarized): The City Council is the zoning authority for the City of Albuquerque and has sole authority to amend the Zoning Code. Through the City Charter, the City Council has delegated broad planning and zoning authorities to the Environmental Planning Commission (EPC). The EPC is advisory to the City Council regarding proposed text amendments to the Zoning Code.

The Nob Hill Highland Sector Development Plan is an extension of the Zoning Code through the SU-2 zone. Therefore, amendments made to a sector plan's zoning are an amendment made to the zoning regulations and is reflected as an amendment to the zoning ordinance. The zoning ordinance is codified in the Zoning Code with extensions of modified regulations for unique areas in sector plans. Thus, this text amendment to the NHSDP is an amendment to the zoning ordinance.

The proposed text amendment generally furthers the intent of the Zoning Code to promote the health, safety and general welfare of the public because it would promote the Guiding Principles of the NHSDP - specifically, the enhancement of streetscapes. However, as the zoning authority for the City of Albuquerque, the City Council will make the final determination.

C. Albuquerque/Bernalillo County Comprehensive Plan

The Comprehensive Plan, the Rank I planning document for the City, contains goals and policies that provide a framework for development and service provision. The Plan's goals and policies serve as a means to evaluate development proposals and requests for text amendments such as this.

As the entire Nob Hill Highland Sector Development Plan is in the Established Urban Area, the Land Use Goal and Policies for this designation will be used. Applicable goals and policies include:

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.

Policy II.B.5.d: The location, intensity, and design of new development shall respect existing neighborhood values, natural environmental conditions and carrying capacities, scenic resources, and resources of other social, cultural, recreational concern.

The CAN DOZ allows for nostalgic relief of a historic era to be continued along the Central Avenue corridor. As there are other historic developments within the NHSDP area, incentives offered by the City to encourage use of these signs, will add to the historic character surrounding Central Avenue. That is, neighborhoods that are a part of this sector plan will have another element to add to the already established/historic nature of the area. Therefore,

this text amendment respects neighborhood values as long as care is taken in locating each of the signs in a thoughtful manner.

Traditionally, neon signs have been freestanding, mounted on poles and placed along the right-of-way. The NHSDP does not currently allow for these types of fixtures for signs; language will be offered to this text amendment to restrict the location of these freestanding pole-mounted signs and encourage their placement on the sides of buildings. This additional language is in response to neighborhood concerns for the existing pedestrian environment.

Policy II.B.5.l: Quality and innovation in design shall be encouraged in all new development; design shall be encouraged which is appropriate to the Plan area.

Neon signs are of higher quality than standard contemporary box signs; each one is unique as they are usually made by hand. This implies that neon signs are of an older school of thought and thus, bring an older/historic feel to an area. As Central Avenue is one of the oldest roadways in the City, a neon sign overlay is appropriate along its alignment. Also, even though this policy asks for innovation in new development, the CAN DOZ allows the rehabilitation of existing neon signs. Thus, certain uniqueness is brought in existence to Central Avenue by these types of signs and help to add a historic flair.

Policy II.B.5.m: Urban and site design which maintains and enhances unique vistas and improves the quality of the visual environment shall be encouraged.

Neon signs will improve the quality of the visual environment along Central Avenue by the fact that each sign is itself, unique. The CAN DOZ will provide an additional layer of uniqueness along Central Avenue as it traverses the City. Having these signs mounted on poles brings the historic character of these unique signs to the forefront. However, allowing freestanding pole-mounted signs in the entire NHSDP area will go against the intent of the sector plan. Even allowing freestanding pole-mounted signs as a general entitlement to the properties that front Central Avenue may not conform directly to the sector plan's intent. Thus, staff will suggest that language be inserted to the text amendment that allows these signs only on properties fronting Central Avenue, not interfering with the pedestrian circulation, logical to the site's layout and not anywhere else in the NHSDP area.

Policy II.B.5.o: Redevelopment and rehabilitation of older neighborhoods in the Established Urban Area shall be continued and strengthened.

The NHSDP area encompasses older, established neighborhoods and older buildings and developments. The redevelopment and rehabilitation of these older areas will be strengthened by allowing a neon sign overlay along Central Avenue and incentivized by the City. However, careful attention needs to be paid as to the intent of the NHSDP. This intent is to "Improve the pedestrian environment" while "stimulating commercial revitalization". This intent shall be inherent in the suggested modifications to this text amendment.

Policy II.B.5.p: Cost-effective redevelopment techniques shall be developed and utilized.

The CAN DOZ provides incentives for property owners to utilize neon signs for advertising their place of business. This overlay will be all along Central Avenue from 106th Street to the eastern junction of I-40 and will bisect various parts of the City. Unique areas such as Nob Hill will need special attention paid to the way these signs are permitted, yet all properties

fronting Central Avenue should be allowed to have them. Thus, staff will offer some modifications to the suggested text amendment that pays particular attention to the uniqueness of the Nob Hill area when allowing these signs to be free standing and pole-mounted.

Activity Centers

The Goal is to expand and strengthen concentrations of moderate and high density mixed land use and social/economic activities which reduce urban sprawl, auto travel needs, and service costs, and which enhance the identity of Albuquerque and its communities.

This request will have a beneficial impact on social and economic activities along Central Avenue as a whole, but more-so in the two Activity Centers within the NHSDP area because of the concentration of commercial activity. Shoppers are generally more excited about frequenting a commercial establishment the more unique it is and neon signs add an additional element of that uniqueness. The addition of these signs will occur on non-residential properties, which will intensify in the activity centers because of the denser development.

C. ENVIRONMENTAL PROTECTION AND HERITAGE CONSERVATION

5. Historic Resources

The Goal is to protect, reuse, or enhance significant historic districts and buildings.

The CAN DOZ is not an historic district, but is the creation of a corridor that provides incentives for neon signs that are considered of historic significance. The amendment to the NHSDP to allow freestanding pole-mounted signs will enable this corridor to be realized as long as certain site aspects exist. These aspects are further discussed below.

8. Developed Landscape

The Goal is to maintain and improve the natural and the developed landscapes' quality.

Creating mechanisms to allow the realization of the CAN DOZ in the Nob Hill area will enhance the quality and visual impact of the developed landscape around Central Avenue.

9. Community Identity and Urban Design

The Goal is to preserve and enhance the natural and built characteristics, social, cultural and historical features that identify Albuquerque and Bernalillo County sub-areas as distinct communities and collections of neighborhoods.

Encouraging neon signs to line Central Avenue enhances' the built environment. The CAN DOZ will create an identity within the City that doesn't exist today: a place that businesses can utilize neon signs as a way of signifying that they belong to a special district. This district will line the Central Avenue corridor and Central Avenue runs through Nob Hill.

Currently, the NHSDP does not allow freestanding pole-mounted signs. It doesn't allow freestanding monument signs either. The NHSDP encourages buildings to be built up to the sidewalk with the parking behind the buildings. Since the buildings are to be brought up to the sidewalks, freestanding pole-mounted signs are not allowed in the NHSDP area, and the sector plan encourages building mounted signs. Additional language will be added to this text amendment to allow free standing signs only when circumstances warrant it.

Policy II.C.9.b: In each Community Area, strategic planning, neighborhood planning, development and redevelopment shall be evaluated in light of its relationship to and effect upon the following:

2) Built environment

- Height and massing of buildings
- Setbacks from the street
- Placement of entrances and windows
- Walls and fences
- Parking areas design and relationship to buildings
- Road widths, sidewalks, curb cuts, medians
- Grain of streets/size of parcels
- Patterns of movement (e.g. pedestrian connections, access to transportation/transit)
- Street furniture (e.g. bus stops, street lights, signs)
- Landscaping materials, both planting and hardscape
- Public infrastructure (e.g. drainage facilities, bridges)
- Social interaction opportunities
- Relationship between built and natural environment

As mentioned above in the response to the Goal, free standing pole-mounted neon signs should be evaluated for each individual property as each property is unique to the type of building, proximity to Central Avenue, location of parking, its use, etc. The NHSDP has as part of its main objective to “Improve the pedestrian environment” and “Identify and preserve the existing character or residential and commercial areas”.

While neon signs add a retrospective look and feel to the area, the use of the pole to mount the sign and free standing signs in general may inhibit the pedestrian environment by creating obstacles within the pedestrian’s path. As mentioned, the use of neon signs has never been prohibited in the Nob Hill area; it’s only their placement on the site and the proximity and relationship to Central Avenue that involves further consideration.

Policy II.C.9.e: Roadway corridors (collectors, arterials, Enhanced Transit and Major Transit) within each community and that connect the community’s Activity Centers shall be designed and developed to reinforce the community’s unique identity; streetscape improvements to these roadways shall be designed to:

- create useful and attractive signage and building facades
- facilitate walking safety and convenience

The creation of the CAN DOZ is a unique way to connect Activity Centers along the Central Avenue corridor. Special considerations should be made for each community as to how the neon signs will relate to the already built environment and how pedestrian and vehicular circulation will be effected by their placements. Certainly the Nob Hill district has a unique identity that should be maintained while creating such a useful and attractive neon sign design overlay zone. Language shall be offered to be added to the suggested text amendment to facilitate walking safety and convenience, while preserving the unique Nob Hill character.

D. COMMUNITY RESOURCE MANAGEMENT

4. Transportation and Transit

The Goal is 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.

The request is to enhance the streetscape by providing incentives for businesses to utilize neon signage along the Central Avenue corridor. The current form of the text amendment is straightforward: allow freestanding pole-mounted signs in the NHHSDP area. However, the guiding principles of the Plan are to find ways to improve pedestrian and vehicular circulation and encourage more pedestrianism and transit ridership throughout the Plan area.

Freestanding pole-mounted signs may or may not help to increase pedestrian circulation, though the objective is to increase neon sign usage. Thus, staff is offering modifications to the suggested text amendment that will take into consideration all elements on the site, especially building proximity to Central Avenue and parking, when considering a free standing and/or pole-mounted sign in the Nob Hill area.

In conclusion, staff finds that the modified proposed text amendment furthers applicable goals and policies of the Comprehensive Plan.

D. Nob Hill Highland Sector Development Plan

The Nob Hill Highland Sector Development Plan was adopted by the City Council in August 2007 (R-07-185). The Plan replaced the 1987 Nob Hill Sector Development Plan and expanded the Plan area to include the Highland Metropolitan Redevelopment Plan area. The Plan generally encompasses properties between Girard Boulevard to the west, Lomas Boulevard to the north, San Mateo Boulevard to the east, and Zuni Road and Garfield Street to the south. Specific boundaries are shown in Figure 2 (page 3 of the Plan). The main goals of the Plan are to protect the established character of the neighborhood, its walkability, its successful business community and its historic structures. It will also act as a guide to manage future residential density levels along Central Avenue, as transit service continues to grow.

Guiding Principles

The Introduction of the NHHSDP contains a list of guiding principles that informed the creation of the Plan (pages 3-4). This request will affect many of them. The Conditions of Approval suggest that new language be added to the text amendment so that the intention of the guiding principles of the Plan is still upheld. Staff will analyze how these principles are met with the modifications to the text amendment. The modifications to the text amendment will limit the proliferation of freestanding pole-mounted signs in the NHHSDP area by making the use and placement of these signs very specific; this will preserve the intent of the NHHSDP as shown below:

- a. Improve the pedestrian environment

The modified amendment will still allow neon sign usage as intended by the CAN DOZ, but puts a limit to the use of freestanding signs that may be placed on pedestrian walkways and sidewalks.

- b. Identify and preserve the existing character of residential and commercial areas

Currently, freestanding and/or pole-mounted signs are not allowed in the NHSDP area. This text amendment as written would allow this type of sign to be permissive everywhere in the NHSDP area. The modified text amendment limits where and when these types of signs may be used.

- d. Preserve and enhance streetscapes

The modified text amendment allows the CAN DOZ to encourage more neon signage along Central Avenue, which will enhance the streetscape.

- g. Stimulate commercial revitalization

The modified text amendment will encourage a unique type of signage (with help of the CAN DOZ) along the Central Avenue corridor, which will make the businesses utilizing neon signs, unique. This will help stimulate commercial activity and revitalization.

- i. Stimulate economic development

Having the CAN DOZ along Central Avenue, which traverses the entire City, will add an incentive for businesses to be located as a part of this overlay. This will stimulate economic development in the Nob Hill/Highland area as well as along Central Avenue.

- m. Establish zoning regulations appropriate to areas of distinctive character and which address smooth transitions between commercial and residential areas

The modified text amendment may allow freestanding pole-mounted signs only along Central Avenue and not anywhere else in the Nob Hill Highland area. This will provide a distinctive character to the Central Avenue corridor will preserving the character of the residential areas.

- n. Establish design guidelines to encourage development that is in keeping with areas of notable architectural character

The modified text amendment establishes design guidelines for a design overlay zone to the Central Avenue corridor that will maintain signs not to be freestanding pole-mounted signs in the NHSDP area (except along Central), which helps to preserve the architectural character of the area.

Goals and Policies

In Section IV, the Plan sets forth goals and policies regarding land use that are grouped into themes. The following are applicable to the request:

- A. Movement Systems (page 27) – Goal: “Identify areas for improvement and enhancement, establishing the area as exemplary with regards to transportation—a place of truly great streets.” There are specific goals for pedestrian, bicycle, vehicular and transit circulation, and for parking.

A.1. Pedestrian Circulation, page 28

Goal: Create an environment that facilitates a high-quality, pedestrian-oriented experience.

A high quality pedestrian oriented experience includes an environment where the pedestrian feels safe and is not required to find a path around obstacles that may impair walkways.

Policy A.1.3: The City shall improve sidewalks and enhance pedestrian mobility

The improvement of sidewalks includes not placing poles or signs in them that would impede pedestrian flow – especially those that are using a wheelchair.

Policy A.1.5: The City shall address aesthetics and amenities to improve streetscapes and create opportunities to relax, gather and socialize.

The CAN DOZ will aesthetically enhance the streetscape along Central Avenue, including the portion that bisects the Nob Hill Highland area. The neon signs will create a unique atmosphere that will make being along Central Avenue that much more pleasurable for pedestrians and make gathering and socializing more desirable.

- B. Community Form (page 54) – Goal: “Reinforce the Nob Hill Highland district as a vibrant, high quality, pedestrian-oriented urban community and a destination for greater Albuquerque.” Individual commercial and residential districts are identified within the plan area, and policies specific to each one are set out in the Plan.

B.1. Pedestrian Circulation, page 54

Goal: The Nob Hill Highland area is envisioned by the community to continue as an urban village alive with people and activity.

The CAN DOZ is only relevant in a commercial district –specifically, only properties fronting Central Avenue. The desired result is that along Central, pedestrians will walk easily and comfortably to experience true urban street life.

Policy B.1.4: The City shall support well maintained and high quality streetscapes.

The CAN DOZ is an example of the City supporting such streetscapes and demonstrates this by offering incentives for neon signs.

Policy B.1.6: The City shall support the display of attractive signs that reflect the style and scale characteristic of historic Route 66.

The Can DOZ is an example of the City directly meeting this policy. The City envisions neon signs are a part of style characteristic of historic Route 66 and desires all locations along Central Avenue to be able to display these signs freely.

B.2. Commercial Districts, page 55

Goal: To create regulations and guidelines that stimulate commercial growth and intensification in a manner that respects and enhances the quality of life in neighboring residential areas.

The CAN DOZ is an attempt to fulfill this policy by offering incentives for the use of neon signage.

Policy B.2.8: The City shall support the preservation of historic landmarks and streetscapes.

Regulations within the CAN DOZ encourage rehabilitation and creation of neon signs.

Policy B.2.9: The City shall emphasize pedestrian-oriented design in the area.

Pedestrian mobility and circulation will be assured with the modified text amendment in allowing freestanding pole-mounted neon signs in the Central Avenue corridor.

- D. Economic Vitality (page 74) – Goal: “Create an environment where businesses, and particularly small, locally owned businesses, can thrive.”

The CAN DOZ promotes neon signage, which will bring another facet of an interesting streetscape and will encourage more pedestrian activity. This should help promote a greater economic vitality along Central Avenue.

IV. CONCERNS OF REVIEWING AGENCIES / PRE-HEARING DISCUSSION

The Code Enforcement Division of the Planning Department provided a comment that the language in regards to the type of support was of concern. The difference between a pole-mount and a pylon sign are the number of poles used to support the sign. The traditional neon sign is mounted on a single pole and that is the intention of this text amendment. Other freestanding signs are not allowed.

At the pre-hearing discussion meeting, Code Enforcement added that the proposed text amendment be further tightened to only allow signs that are freestanding and pole-mounted that meet the CAN DOZ regulations. The language offered by staff creates such a limitation.

V. NEIGHBORHOOD/PUBLIC CONCERNS

Neighborhood Associations with the NHHSDP area were notified and an article has been included in the December 2012 Neighborhood News Newsletter distributed to all relevant neighborhood representatives – December 18, 2012. Notification will be posted on ONC’s homepage for the newsletter.

Staff has received a letter from the Nob Hill Neighborhood Association (December 19, 2012) that is opposed to the text amendment as written. The letter states that they are in support of the CAN DOZ “in spirit and objective”, but want the proposed text amendment language tightened as to only allow freestanding pole-mounted signs as intended by the CAN DOZ and not anywhere else in the sector plan area. The modified language as presented by staff should satisfy their concerns.

Staff has not received any other communications supporting or denying this request.

VI. CONCLUSION

This is a request to amend the text in the Nob Hill Highland Sector Development Plan (NHHSDP). The request proposes to add freestanding pole-mounted signs as an allowable signage type in the General Regulations of the NHHSDP found on page 103 for the Plan. This proposed text amendment is intended to allow business owners the option of a sign that can be freestanding and pole-mounted. These freestanding signs would be regulated by the O-1 zone which limits the size of the sign to 75 square feet and to a height of 26 feet or the height of the tallest building on the site, whichever is lower. However, one of the incentives of the CAN DOZ is that the sign face can be 50% larger, which would add another 37.5 square feet to the sign face for signs in the CAN DOZ – this would mean that a sign face could be 112.5 square feet.

Staff is recommending that the proposed text amendment be narrowed in scope: the allowance of freestanding pole-mounted signs shall be limited to only the properties that front Central Avenue. Further language should be added that encourages these signs be building mounted, even though they are in the CAN DOZ. This last modification will preserve the intent of the NHHSDP and help maintain a pedestrian friendly atmosphere by reducing the number of possible impediments along walkways and sidewalks. This modification would discourage the provision of unnecessary streetscape clutter that would detract from the pedestrian-oriented, mixed use development that the Plan seeks to encourage along Central Avenue area.

The amendment does not conflict with the City Charter and furthers a preponderance of applicable goals and policies in the Comprehensive Plan and the Nob Hill Highland Sector Development Plan.

The affected neighborhood organizations were notified and there is no known opposition to the request.

Staff recommends that the EPC forward a recommendation of approval of the attached text amendment ordinance to the City Council based on the following findings and subject to conditions of approval.

FINDINGS – 12EPC 40076 (February 14, 2013) – Text Amendment to the Nob Hill Highland Sector Development Plan

1. The City of Albuquerque Planning Department is proposing a text amendment to the Nob Hill Highland Sector Development Plan (NHSDP) in order to allow freestanding pole-mounted signs. This text amendment is to facilitate the implementation of the Central Avenue Neon Sign Design Overlay Zone (CAN DOZ).
2. The NHSDP currently does not allow freestanding or pole-mounted signs.
3. The intent of the Sector Plan is to create a pedestrian friendly environment. This characterization does not include impediments in walkways or sidewalks that may be created by freestanding or pole-mounted signs. Staff has suggested language to this text amendment that encourages building placement, but would still qualify for the incentives offered by the CAN DOZ.
4. The Charter of the City of Albuquerque, the Albuquerque Comprehensive Plan, the Nob Hill Highland Sector Development Plan (NHSDP) and the City of Albuquerque Zoning Code are incorporated herein by reference and made part of the record for all purposes.
5. The Zoning Code requires the same notification and other procedures for text amendments to sector development plans, as it does for changes to the text of the Zoning Code (§14-16-4-3 (A) (5), which refers to §14-16-4-1(D)). The EPC is charged with evaluating the request and forwarding a recommendation to the City Council.
6. The request meets the intent of the City Charter: Amending the text of an adopted sector development plan falls within the City's powers (Article I). Allowing freestanding pole-mounted signs within the sector plan area provides for a continuous design of the neon sign overlay along Central from 106th Street to the eastern I-40 interchange and promotes and maintains an aesthetic and humane urban environment (Article IX).
7. The proposed text amendment generally furthers the intent of the Zoning Code to promote the health, safety and general welfare of the public because it would support improvements to the pedestrian environment in the NHSDP area. As the zoning authority for the City of Albuquerque, the City Council will make the final determination.
8. The request is not in significant conflict with adopted elements of the Comprehensive Plan, the Nob Hill Highland Sector Development Plan or other city master plans including the following:
 - 1) COMPREHENSIVE PLAN ESTABLISHED URBAN AREA POLICIES
 - a) The location, intensity, and design of neon signs in the Nob Hill Highland area adds to the historic character along Central Avenue, which respects existing neighborhood values.

Also, additional neon signs will enhance the urban visual environment as well. The CAN DOZ offers a level of innovation that is unique and appropriate to the area in a cost-effective manner that encourages the redevelopment of older neighborhoods. (Comprehensive Plan Policies II.B.5.d, l, m, o and p)

- b) This request will have a beneficial impact on social and economic activities along Central Avenue as a whole, but more-so in the two Activity Centers within the NHHSDP area because of the concentration of commercial activity. (Comprehensive Plan Goal for Activity Centers)

C. Environmental Protection and Heritage Conservation

5. Historic Resources

The CAN DOZ is not an historic district, but is the creation of a corridor that provides incentives for neon signs that are considered of historic significance. The amendment to the NHHSDP to allow freestanding pole-mounted signs will enable this corridor to be realized as long as certain criteria are met. (Comprehensive Plan Goal for Historic Resources)

8. Developed Landscape

Creating mechanisms to allow the realization of the CAN DOZ in the Nob Hill area will enhance the quality and visual impact of the developed landscape around Central Avenue. (Comprehensive Plan Goal for Historic Resources)

9. Community Identity

Encouraging neon signs to line Central Avenue enhances the built environment. The CAN DOZ will create an identity within the City that doesn't exist today: a place that businesses can utilize neon signs as a way of signifying that they belong to a special district. The CAN DOZ is also a unique way to connect Activity Centers along Major Transit Corridor. However, free standing pole-mounted neon signs should be evaluated for each individual property as each property is unique to the type of building, proximity to Central Avenue, location of parking, its use, etc. This will facilitate walking safety and convenience while improving the streetscape. (Comprehensive Plan Goal for Community Identity and Policy II.C.9.b and e)

D. Community Resource Management

4. Transportation and Transit

Since the guiding principles of the Plan are to find ways to improve pedestrian and vehicular circulation and encourage more pedestrianism and transit ridership throughout the Plan area, staff suggested modifications to the text amendment will help to achieve this goal while finding ways to improve pedestrian and vehicular circulation in the Plan area. (Comprehensive Plan Goal for Transportation and Transit)

B) Nob Hill Highland Sector Development Plan:

- a) The CAN DOZ helps to identify and preserve the existing character of the Central Avenue corridor, enhance the streetscape and stimulate commercial activity and revitalization within the NHHSDP area. (Guiding Principle b, d and g)

-
- b) Since the CAN DOZ traverses the entire City, it will add an incentive for businesses to be located as a part of this overlay. This will stimulate economic development in the Nob Hill Highland area as well as along Central Avenue. (Guiding Principle i)
 - c) The modified text amendment will maintain pedestrian mobility while addressing aesthetics to improving the streetscape. (Policies A.1.3 and A.1.5)
 - d) The modified text amendment supports high quality streetscapes, maintains a comfortable experience of true urban street life, while supporting an incentives for neon signage that are a part of the style characteristic of historic Route 66. (Policies B.1.4 and B.1.6).
 - e) The modified text amendment supports the City in the preservation of historic landmarks and streetscapes, while emphasizing pedestrian-oriented design in the Nob Hill Highland area. (Policy B.2.8 and B.2.9)
 - f) The CAN DOZ promotes neon signage, which will bring another facet of an interesting streetscape and will encourage more pedestrian activity. This should help promote a greater economic vitality along Central Avenue. (Economic Vitality Goal)
9. Additional language to the text amendment in the resolution addresses the City's desire to keep this design overlay zone only abutting Central Avenue. The new language is offered as a Condition for recommending approval to the City Council.
 10. The Neighborhood Associations within the NHHSDP area were notified and an article has been included in the December 2012 Neighborhood News Newsletter distributed to all neighborhood representatives – December 18, 2012. Notification will be posted on ONC's homepage for the newsletter.
 11. Staff has received a letter from the Nob Hill Neighborhood Association that is opposed to the text amendment as written. The letter states that they are in support of the CAN DOZ "in spirit and objective", but want the proposed text amendment language tightened as to only allow freestanding pole-mounted signs as intended by the CAN DOZ and not anywhere else in the sector plan area. The modified language as presented by staff should satisfy their concerns.
 12. Staff has not received any other communications supporting or denying this request.

RECOMMENDATION - 12EPC-40076 - Text Amendment to the Nob Hill Highland Sector Development Plan

That a Recommendation of APPROVAL of 12EPC-40076, a Text Amendment to the Nob Hill Highland Sector Development Plan, be forwarded to the City Council, based on the preceding Findings and subject to the following Conditions.

**RECOMMENDED CONDITIONS OF APPROVAL - 12EPC-40076, February 14, 2013, Text
Amendment to Nob Hill Highland Sector
Development Plan**

1. The following addition language should be added to the NHHSDP, General Regulations, 1. Signage, D.:

- [+4. Free-standing pole-mounted signs [- as per the O-1 zone -] [+ are allowed as regulated by the O-1 zone, if all of the following are met: +]
- a) Property must front Central Avenue and be within the boundaries of the CAN DOZ.
 - b) Signage must meet the CAN DOZ Qualifying Sign Design Criteria.
 - c) The support system used for the signage cannot inhibit pedestrian or vehicular circulation and must be a single pole that is exposed. No other type of freestanding sign is allowed.
 - d) Mounting of signs on buildings, instead of freestanding signs, is strongly encouraged. +]
-
-

*Christopher Hyer
Senior Planner*

Notice of Decision cc list:

Denise Hammer, Altura Addition NA, 1735 Aliso Drive NE, Albuquerque, NM, 87110
Jeanne Adams, Altura Addition NA, 1405 Solana Drive NE, Albuquerque, NM, 87110
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Roy Ricci, Altura Park NA, 1508 Washington NE, Albuquerque, NM, 87110
Dori Miller, Alvarado Park NA, 5819 Aspen NE, Albuquerque, NM, 87110
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Jeffery Brooks, Pueblo Alto NA, 808 Manzano NE, Albuquerque, NM, 87110
Gordon Reiselt, Silver Hill NA, 1515 Silver SE, Albuquerque, NM, 87106
Elizabeth Doak, Silver Hill NA, 1606 Silver SE, Albuquerque, NM, 87106
Reynaluz Juarez, S. San Pedro NA, 816 San Pedro SE, Albuquerque, NM, 87108
Donna Orozco, S. San Pedro NA, 933 San Pedro SE, Albuquerque, NM, 87108
John Pate, SE Heights NA, 1007 Idlewilde Lane SE, Albuquerque, NM, 87108
Richard MacPherson, SE Heights NA, 601 Carlisle SE, Albuquerque, NM, 87106
Valerie St. John, Spruce Park NA, 441 Ash NE, Albuquerque, NM, 87106
Ann Cloud, Spruce Park NA, 431 Sycamore NE, Albuquerque, NM, 87106
Judy Jennings, Summit Park NA, 916 Dartmouth NE, Albuquerque, NM, 87106
Fran A'Hern, Summit Park NA, 1332 Wellesley NE, , Albuquerque, NM, 87106
Peter Schillke, Sycamore NA, 1217 Coal SE, Albuquerque, NM, 87106
Mardon Gardella, Sycamore NA, 411 Maple NE, Albuquerque, NM, 87106
Jennifer Simpson, Univ. Heights NA, 491 Cornell SE, Albuquerque, NM, 87106
Dan Hancock, Univ. Heights NA, 105 Stanford SE, Albuquerque, NM, 87106
Raymond Ortiz, Victory Hills NA, 1809 Princeton SE, Albuquerque, NM, 87106
Patty Wilson, Victory Hills NA, 505 Dartmouth SE, Albuquerque, NM, 87106
Nancy Bearce, District 6 Coalition, 600 San Pablo NE, Albuquerque, NM, 87108
Marian Jordan, District 6 Coalition, 816 Arizona SE, Albuquerque, NM, 87108
Bill Hoch, District 7 Coalition, 813 Calle del Corte NE, Albuquerque, NM, 87110
Lynne Martin, District 7 Coalition, 1531 Espejo NE, Albuquerque, NM, 87112
Mardon Gardella, Fed of Univ. Nbhds, 411 Maple NE, Albuquerque, NM, 87106
Laurel Schillke, Fed of Univ. Nbhds, 1217 Coal SE, Albuquerque, NM, 87106

CITY OF ALBUQUERQUE AGENCY COMMENTS

PLANNING DEPARTMENT

Zoning Enforcement

Are "pole" mounted signs the only type of free-standing sign allowed under this amendment to the NHHSDP? What about pylon signs, monument signs, and other types of free-standing signs?

Office of Neighborhood Coordination

Altura Addition NA (R), Altura Park NA (R), Alvarado Park NA (R), Campus NA (R), Clayton Heights/Lomas Del Cielo NA (R), Fair Heights NA (R), Fair West NA (R), Highland Business & NA (R), Kirtland Comm. Assoc. (R), Mark Twain NA (R), Nob Hill NA (R), North Campus NA (R), Parkland Hills NA (R), Pueblo Alto NA (R), Silver Hill NA (R), South San Pedro NA (R), Southeast Heights NA (R), Spruce Park NA (R), Summit Park NA (R), Sycamore NA (R), University Heights NA (R), Victory Hills NA (R), District 6 Coalition of NA's, District 7 Coalition of NA's, The Federation of University Neighborhoods

12/3/12 – Article to be in the Dec12/Jan13 “Neighborhood News” Newsletter - siw

Long Range Planning

No comments received.

Metropolitan Redevelopment Section

The subject area is within the Nob Hill/Highland Redevelopment Area, and therefore Metropolitan Redevelopment Section staff have an interest in the proposed legislation. The proposed sign standards are comparable to those already allowed in certain commercial zones. MR staff has no position on this proposed amendment.

CITY ENGINEER

Transportation Development (City Engineer/Planning Department):

- Reviewed, no comment.

Hydrology Development (City Engineer/Planning Department):

- Reviewed, no objection.

Transportation Planning (Department of Municipal Development):

- Reviewed, and no comments regarding on-street bikeways or roadway system facilities.

Traffic Engineering Operations (Department of Municipal Development):

- No comments received.

Street Maintenance (Department of Municipal Development):

- No comments received.

New Mexico Department of Transportation (NMDOT):

-
- No comments received.

RECOMMENDED CONDITIONS FROM CITY ENGINEER, MUNICIPAL DEVELOPMENT and NMDOT:

None.

WATER UTILITY AUTHORITY

Utility Services

No comments received.

ENVIRONMENTAL HEALTH DEPARTMENT

Air Quality Division

No comments received.

Environmental Services Division

No comments received.

PARKS AND RECREATION

Planning and Design

No comments received.

Open Space Division

Reviewed and has no adverse comments.

City Forester

No comments received.

POLICE DEPARTMENT/PLANNING

This project is in the Southeast Area Command

No Crime Prevention or CPTED comments concerning the proposed Nob Hill/Highland Sector Development Plan - free-standing, pole-mounted - amendment request at this time.

SOLID WASTE MANAGEMENT DEPARTMENT

Refuse Division

Approved as long as they comply with SWMD Ordinance.

FIRE DEPARTMENT/PLANNING

No comments received.

TRANSIT DEPARTMENT

Adjacent and nearby routes	None.
Adjacent bus stops	None
Site plan requirements	None.
Large site TDM suggestions	None.
Other information	None

COMMENTS FROM OTHER AGENCIES

BERNALILLO COUNTY

No comments received.

ALBUQUERQUE METROPOLITAN ARROYO FLOOD CONTROL AUTHORITY

Reviewed, no comment.

ALBUQUERQUE PUBLIC SCHOOLS

The City of Albuquerque proposes a text amendment to the Nob Hill/Highland Sector Development Plan which would add free-standing pole-mounted signs as an allowable signage type in the General Regulations of the Nob Hill/Highland Sector Development Plan. APS does not oppose this proposal.

MID-REGION COUNCIL OF GOVERNMENTS

No comments received.

MIDDLE RIO GRANDE CONSERVANCY DISTRICT

No comments received.

PUBLIC SERVICE COMPANY OF NEW MEXICO

PNM supports the City's efforts to revitalize Central Avenue with the proposed Central Avenue Neon Design Overlay Zone. PNM is currently working with City staff to convey specific public and employee safety concerns and adequate safety clearances regarding potential locational conflicts with existing overhead electric facilities that parallel or cross Central Avenue. Additional comments will be forthcoming prior to the EPC January 10, 2013 hearing after further discussions with City staff.