

# Martineztown-Santa Barbara Sector Development Plan

## Comment Matrix of Conditions

	Comment	No Change (plus explanation)	Change	Page / Section	Condition Language
	<b>Comment/Oppose HM to M-1</b>				
1	1601 Commercial SW – Southwest Wine & Spirits warehouse for many years - oppose down-zoning		Uses that become nonconforming upon adoption of this Plan become APPROVED CONDITIONAL USES. If this use is not used for 2 years, the use expires. (Expiration doubled from 1 to 2 years.) For zoning discussion, see line 2.	83 / 6.4.3 89 / 7.3.3 90 / 7.4.1 95 / 7.5.1 97 / 7.7.1 99 / 7.9.1 104 / 7.10.1 109 / 7.11.1 110 / 7.12.1 22 / 2.3.6(ix)	On page 83, amend section 6.4.3 as follows: "Existing legal uses that become non-conforming upon adoption of the plan shall be treated as APPROVED CONDITIONAL USES per the requirements in the City Zoning Code except, with respect to Section 14-16-4-2(D)(3), an approved conditional use shall be void if it ceases on the approved site for a continuous period of two years or more. Upon expiration of the approved conditional use, the property owner is required to comply with the with the regulations of this zone." In each zone, replace the language in the "Existing Uses" section with the revised language above. On page 22, replace subsection 2.3.6(ix) with the language above.
2	1325-1707 Broadway NE – Springer properties – 66 investor/owners - 10 tenants – 6 buildings, 360,400 square feet – 17.265 acres - many employees - much economic revenue - proposed zoning would strip uses that would have economic impact. Though we'd have our existing uses unless they ceased for 1 year, sometimes it takes more than a year to lease. I recommend terminating this SDP, and adopting something more along the North I-25 SDP's elective zoning.		Revising proposed zoning - change from HM to C/I (Commercial/Industrial). Zone will reference certain M-1 uses currently in use and compatible with residential plus IP uses plus C-2 uses as regulated by the zoning code (i.e. exchanging certain current uses not compatible with nearby residential areas for addition of C-2 plus R-3). (Plan will reference R-3 permissive in C-1/C-2 along a transit corridor or in an Activity Center or a Metropolitan Redevelopment Area.)	102 / 7.11	On page 102, replace section 7.11 SU-2/MTSB M-1 (Light Manufacturing Zone) with a new zone called SU-2/MTSB C/I (Commerical / Industrial Zone). See redline for proposed language.

## Martineztown-Santa Barbara Sector Development Plan

### Comment Matrix of Conditions

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3	(HM to M1)Terry Johnson: Johnson Commercial Real Estate. Represented buyers, sellers, landlords, and tenants in the plan area for 35 years. Many have found this a very attractive business area because of location, facilities that are in place, infrastructure, etc. Business properties generate a good tax base. Once we remove the appeal and potential for business locations, we're going to lose the businesses in the area and associated tax revenue. Properties will become vacant, which will result in activities that are not beneficial. Removing any existing permissive uses deprives a property owner of value. That is essentially taking property rights without compensation.		See line 2 above.	102 / 7.11	See line 2.

# Martineztown-Santa Barbara Sector Development Plan

## Comment Matrix of Conditions

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	Comment/Oppose M-1 to C-2 North of Mountain				
4	<p>Commercial Warehouse Company is located at 1320 – 1340 Broadway NE and the building is owned by New Mexico Warehouse Company, LLC, which is jointly owned by Jack L. Stahl and James P. Morris. Founded in 1950, CWC has served NM and the southwest region, providing warehousing and distribution services. We have operated from 1320 – 1340 Broadway for 34 years with trucks and tractor-trailer units moving in and out on a daily basis.</p> <p>We are a family owned and operated business committed to outstanding service through three generations. Through our 62 years of operation several hundred people have benefited from employment by our company, including some from Martineztown.</p> <p>The proposed change of zoning will essentially close our operation down. In addition, the widening of Broadway by 3 to 16 feet will make operations of large semi-trailers virtually impossible.</p> <p>We ask your due diligence in review of these proposed changes as we hope to continue our operation in serving Albuquerque, NM and the adjacent states.</p>	<p>This Plan does not propose widening Broadway Blvd. The 3-16 feet mentioned by the Plan is unused ROW that could be used for streetscape improvements. Any existing private uses in this ROW are encroachments.</p>	<p>Change to Commercial/Light Industrial with C-2 plus C-3 uses in an enclosed building. Where a premise is adjacent to a single-family use or residential zone, permissive uses are restricted to C-2, and C-3 permissive AND conditional uses are conditional. Staff believes current use of property corresponds more to C-3 than M-1. C-3 additionally allows residential uses permissively that are prohibited under M-1, further adding flexibility for redevelopment in the future.</p>	101 / New 7.11	<p>After page 101, insert a new zone as section 7.11 SU-2/MTSB C/LI (Commercial / Light Industrial Zone). See redline for proposed language.</p>

## Martineztown-Santa Barbara Sector Development Plan

### Comment Matrix of Conditions

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5	<p>I am the managing member of NMWC, LLC which is a NM limited liability company that owns the property at 1340 Broadway NE ABQ, NM.</p> <p>I have co-owned this property since May 3, 1978. The property is leased to Commercial Warehouse Company which operates a truck terminal business. This property is currently zoned M-1 which is the required zoning for our use of the property.</p> <p>The proposed downzoning of our property will have a disastrous effect on the marketability and value of the property.</p> <p>We have a mortgage on the property which is due and payable next year. It is a difficult market for financing Commercial Property and a downzoning will undoubtedly impact our ability to obtain new financing.</p>		<p>See line 4. Staff believes the current truck terminal use is conditional under C-3. All existing legal uses that become prohibited as a result of this Plan become APPROVED CONDITIONAL USES upon adoption of this Plan. If not used for a 2 year period, these uses are no longer allowed.</p>		<p>See line 1 for discussion of approved conditional uses. See line 4 for revised zoning proposal.</p>
6	<p>My family owns property on Broadway and Odelia. My family has owned the piece of land for the last fifteen years and is a source of our income. No matter who we talk to or the meetings we go to it seems the city is going to take away the zoning that we paid good money for and it seems like there is nothing we can do about it. The earlier maps said it would go to C3 and that would be fine. But now they want no C3 and want it to go to C2. My family can not afford to change the type of business we have there. With the way property has already gone down in value the city is going to take away a big chunk of that value. This is really NOT a good time to change zoning. I can see making the neighborhood better but jobs are going to suffer. Can the city do that? Take away three quarters of your land value and not compensate you?</p>		<p>See line 4.</p>		<p>See line 4.</p>

## Martineztown-Santa Barbara Sector Development Plan

### Comment Matrix of Conditions

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7	<p>We are the owners of the property located at 1620 Broadway Boulevard NE in Albuquerque, New Mexico.</p> <p>This property was purchased in October of 2000 by Apodaca Brothers Inc. Apodaca Brothers has been a highly regarded transport business in Albuquerque and New Mexico since 1987. The decision to purchase this property came down to two reasons. The first is because it had the room that we needed: a yard, a garage and an office; and it was zoned as M-1 commercial property which allowed us to run our transport company without problems. The second was because of the location and the resale value that M-1 zoning has to offer.</p> <p>We have invested a lot of money into beautifying, improving and making our property a safe location when we moved in. We brought respectability to the neighborhood and can boast that our security has always been top notch. We have been good neighbors to the surrounding businesses and homes. We have also continually kept the property up-dated, clean and presentable at all times. We have never had any complaints from our neighbors stating they did</p>		<p>See lines 4 and 5. Staff believes the current contractors plant use is a permissive C-3 use, and trucking is a conditional C-3 use, which becomes an APPROVED CONDITIONAL USE upon adoption of this Plan. All existing legal uses that become prohibited as a result of this Plan become APPROVED CONDITIONAL USES upon adoption of this Plan. If not used for a 2 year period, these uses are no longer allowed.</p>	83 / 6.4.3	See line 1.

## Martineztown-Santa Barbara Sector Development Plan

### Comment Matrix of Conditions

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	<p>continued... not want our business here or that the noise level was too loud because of the M-1 zoning.</p> <p>We have been informed that our property is to be re-zoned. As a small business, this would be detrimental to our company and to our well-beings. This business is each of our family's primary sources of income; and any interruption to our way of life can be traumatic in this economy.</p> <p>I would like to give you an example of how this can affect our future. We currently are open as a trucking business; however, what if one of my brothers is in an accident and can no longer operate a truck. We might have to change course and operate another type of business from this location. And then in the future, my brother gets better; but because the type of business has changed and we are no longer zoned M-1, then we may not be allowed to go back to the trucking business at that location.</p> <p>We are requesting that you re-evaluate the decision to change the zoning. The businesses across the street from us will continue to have</p>	<p>Uses follow the property, not the ownership. Uses can be changed to other permissive uses under C-3, or conditional uses through the typical conditional use process.</p>	<p>See line 4.</p>	<p>101 / New 7.11</p>	<p>See line 4.</p>

## Martineztown-Santa Barbara Sector Development Plan

### Comment Matrix of Conditions

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	<p>continued... their property zoned as M-1 commercial property. There is no benefit to only changing our property and yet locations close to us are left intact. By changing the zoning classification, it would decrease our property value drastically; again another negative impact to our livelihoods.</p> <p>If our location is re-zoned C-2 or SU-2, I firmly believe this is a huge mistake. The City of Albuquerque has allowed businesses and condos to be built very close to us that are zoned C-2. Many of these locations have been vacant for the last couple years. So I question why you would want to re-zone our block and sentence us to the same fate. Our property has been zoned M-1 and has been occupied for at least 12 years since 2000. Even if we don't move out, the property value will decrease.</p> <p>Please note that we plan to continue being a successful and respectful business in our neighborhood and community and would appreciate you allowing us to do so.</p> <p>.</p>	See above	See line 4.	101 / New 7.11	See line 4.
8	<p>424 Kinley Ave., NE – business address. Miller's Insulation. Purchased property about 15 years ago. Have made substantial improvements to our property. We have 37 employees. After hearing some of the folks from the neighborhood, I don't want any part of this. I want you to say "no" tonight – we can't reach a compromise. We're on opposite extremes. If we have to sell or lease our property, we're put at risk that our property values will not be there. My business is my 401(k). I just oppose this. After hearing the neighborhood association and wanting to change so many businesses to a different classification, I'm seeing that we maybe can't come to a compromise.</p>		North of Mountain. See line 4.	101 / New 7.11	See line 4.

## Martineztown-Santa Barbara Sector Development Plan

### Comment Matrix of Conditions

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9	1614 Broadway NE. I'm a light manufacturer. I'd like to maintain my M-1 status. Rezoning would devalue my property. We're right on just north of Odelia.		North of Mountain. See line 4.	101 / New 7.11	See line 4.
10	500 Kinley Ave., NE. We believe we are an asset to the neighborhood. We come and go 24 hours a day. Have been there 30 years. Currently we're M-1 and the SDP plans to zone us down to C-2. Bought the land when it was M-1. Elective zoning like North I-25 sounds like the way to go. The effects of Downzoning have been gone over already – gross receipts. C-2 doesn't provide what M-1 does. I was on Arno and Central in 1975, and they condemned that land. I moved to this land – I have underground storage tanks for fuels and a high antenna. For me to just get up and move, that doesn't work.	At the March EPC hearing, a number of speakers requested that an "Elective Zoning" approach be taken rather than the proposed re-zonings. Speakers mentioned the North I-25 Sector Development Plan as a model. The North I-25 area is completely different in character and circumstances than Martineztown/Santa Barbara. Using an "elective" or overlay approach in an area as diverse, built out, and constrained as Martineztown/Santa Barbara would result in a dangerous level of unpredictability and is unwarranted. Staff is working to develop predictable zones that balance the interest of property owners to retain the uses they need while removing uses that are incompatible with and pose potential negative impacts on nearby residential areas.	See line 4. Staff believes the existing antennae and taxi uses (general office + retail use/service, auto repair) are permissive under C-3, and fuel storage and auto dismantling uses are conditional use under C-3. All existing legal uses that become conditional as a result of this Plan become APPROVED CONDITIONAL USES upon adoption of this Plan. If not used for a 2-year period, these uses can be sought again through the typical conditional use process.	83 / 6.4.3 and 101 / New section 7.11	See line 1 for discussion of approved conditional uses. See line 4 for revised zoning proposal.



# Martineztown-Santa Barbara Sector Development Plan

## Comment Matrix of Conditions

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	<b>Comment/Oppose M-1 to C-2 South of Mountain</b>				
11	1015 Arno NE and 1000 Broadway NE These two lots totaling 0.7 acres are vacant land between Broadway and Arno. My intention is to develop this property with commercial uses permitted in the current M-1 zoning. The properties to the south are developed with iron working and fabrication of architectural products. West of Broadway is the main post office distribution center which for all purposes is a truck terminal with a high traffic retail storefront. I wish the current zoning to remain in place.	AGIS shows parcels as separate, with separate lot and parcel numbers. Staff believes the 1015 Arno property should be zoned NR because it is currently zoned NRC, is on a residential street, is adjacent to other NR uses, and the lot size is comparable to abutting NR properties. South of Mountain: For 1000 Broadway property, existing area land uses are conditional in C-2, and, therefore, proposed C-2 zoning is appropriate. Commercial uses are not allowed in the M-1 zone.	None.		None.
12	912 Broadway – Modulus Design. I purchased the building 7 years ago. I run a design/build/fabrication business. I also own residential real estate further up Broadway, commercial business on Rosemont (Albuquerque Baths). I find that that neighborhood is very diverse. There is a lot of commercial, a lot of residential. People like myself are trying to protect our investment. I'm M-1 now, proposed to be C-2. I don't think property values are going to change for commercial or residential in the near future, even with the proposed changes in the SDP. It's a unique neighborhood, and we've got to embrace what's there. There have to be two organizations that meet in the middle.	The Plan intends to protect the investments of both commercial and residential property owners while protecting public health, safety and welfare through zoning regulations that are tailored to respect the unique character of the neighborhood, in furtherance of goals and policies of the Comprehensive Plan. Staff agrees that meeting in the middle is necessary to achieve these goals. Your business will be allowed as an approved conditional use. Staff believes that because the uses along Broadway south of Mountain are in such proximity to the core single-family residences in the proposed NR zone, C-2 is more appropriate for future redevelopment than zones that allow more intense uses.	None.		None.

# Martineztown-Santa Barbara Sector Development Plan

## Comment Matrix of Conditions

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12B	912 Broadway – Modulus Design, a design, general contracting, and fabrication company. The current zoning is M-1, which is appropriate for this business and the facility. There are offices toward the front of the building, as well as a 4500 SF metal building where the light manufacturing is done. My company is successful, and I do not plan to move. I have no desire to downzone my property. It would only devalue the property, and in the event that I choose to sell the property, C-2 Zoning would render much of the building useless. I believe than an M-1 Zone allows for more opportunity and flexibility, which is what the neighborhood needs.	See above. In addition, Staff's research into property values indicates that C-2 or R-3, both allowed under the proposed zoning, would generally have higher property values than M-1, particularly in locations with such proximity to residential uses. Property values cannot be the primary consideration for proposed zone changes, but the City is certainly sensitive to this important issue and wants to see everyone succeed.	None.		None.
	<b>Comment/Oppose C-3 to C-2</b>				
13	The MTSB Sector Plan attempts to eliminate some of the existing permissive uses within my client's C-3 zoned property and render them "approved non-conforming uses in perpetuity." This approach fails to provide the kind of zoning flexibility that is required for my client, and similarly situated property owners, to rent/sell/obtain financing for their properties and businesses. My client purchased their property in 2005 and spent considerable sums of money (in reliance on the zoning) to renovate and rehabilitate the property, and earned the 2006 NAIOP Award for Best Renovation. My client employs 28 staff with an average salary of \$45,000 per person. The down zoning proposed on this property will not affect their CURRENT use of the property (remains permissive), but it does damage their ability to obtain lending against the property because of the reduction in property values and would preclude their ability to lease it or sell it in the event they were going to change locations.		See line 4.	101 / New 7.11	See line 4 for reference to new proposed zoning.

## Martineztown-Santa Barbara Sector Development Plan

### Comment Matrix of Conditions

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14	<p>Page 101 of the MTSB Proposed Zones refers to MTSB-C-2 Community Commercial as "Intent: To correctly label the zoning for C-3 properties to reflect allowable land uses within the plan boundaries." It is blatantly misleading to characterize the down zoning of C-3 property to C-2 ("with some additional uses permitted within an existing building") as "correctly labeling" their zoning designation. The SBM Sector Plan needs to be honest with the landowners in this area by indicating clearly within the proposed zoning districts that the current permissive uses will be eliminated if this SBM Sector Plan is adopted. Additionally, the SBM Sector Plan calls for onerous and unbalanced design guidelines, building heights, setbacks, etc. that are not necessary in a community that is struggling to pull itself out of a recession.</p> <p>The City's attempt to strip some of the permissive uses from my client's C-3 zoned property is governed by the following case law in the State of New Mexico:</p>		<p>Language will be changed to better reflect the intent of SU-2/MTSB C-2. This property is proposed to be rezoned to C/LI - see lines 4 and 13.</p>	101 / 7.10	<p>On page 101, section 7.10, revise the first sentence as follows: "The SU-2/MTSB C-2 (Community Commercial) zone is intended to provide opportunities for community-serving commercial development along major corridors in the southern-most portion of the Plan area. This zone is tailored to acknowledge the existing built environment and mix of uses along the corridors and the need for area employment, services, and retail."</p>

# Martineztown-Santa Barbara Sector Development Plan

## Comment Matrix of Conditions

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	Continued...Governmental entities have unquestionably have the power to control land use by zoning. NMSA 1978, Section 3-20-1 et seq. (1995); Village of Euclid v. Ambler Realty Co., 272 U.S. 365 (1926). The power to zone is not, however, unlimited or unchecked. Id.; City of New Orleans v. Dukes, 427 U.S. 297 (1976). A governmental authority is not empowered to terminate a lawful, existing use of property by enacting new zoning legislation that prohibits such use. The lawful, existing uses that cannot be terminated by a newly adopted zoning ordinance are called "non-conforming uses." Thus, a landowner's protection under the doctrine of non-conforming uses is the right to continue a non-confirming use despite newly adopted zoning legislation. See generally, 7 Rohan, Zoning and Land Use Controls, § 41.01 [1], pg.41-3, §41.2 [4], pg. 41-46 thru 41-59 (1996) (cited herein as "Rohan"). The Court of Appeals decision in KOB-TV, LLC v. City of Albuquerque 15addresses the relationship of these concepts, as follows: A nonconforming use is a use that lawfully existed prior		See line 13.	101 / New 7.11	See line 4 for reference to new proposed zoning.
	Continued...enactment of a zoning ordinance prohibiting such a use. See City of Las Cruces v. Huerta, 102 N.M. 182, 184-85, 692 P.2d 1331, 1333-34 (Ct.App.1984). The use must be an actual rather than contemplated use of the property. Id. at 184-85, 692 P.2d at 1333-34. If the property is actually lawfully being used before the enactment of the ordinance restricting the use, the government may not immediately terminate the use. Rhod-A-Zalea & 35th, Inc. v. Snohomish County, 136 Wash.2d 1, 959 P.2d 1024, 1027 (1998) (en banc).		See line 13.	101 / New 7.11	See line 4 for reference to new proposed zoning.

## Martineztown-Santa Barbara Sector Development Plan

### Comment Matrix of Conditions

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15	<p>I have reviewed the differences in the allowed uses for properties zoned C-3 versus C-2 and have concluded that if the city proceeds with their plan to rezone my property (2101-2117 Commercial St. NE, 87102) that we would incur a loss of annual rents of 241,875. This is obviously not acceptable to us. My tenants and their respective annual rents are as follows:</p> <table><tr><td>Century Sign Builders</td><td>(Interior &amp; Exterior Signage)</td></tr><tr><td>\$106,875</td><td></td></tr><tr><td>Intercity Truck</td><td>(Repair of Truck Panels &amp; Body)</td></tr><tr><td>\$67,500</td><td></td></tr><tr><td>General Manufacturing</td><td>(Metal Fabricator, Welding)</td></tr><tr><td><del>\$67,500</del></td><td></td></tr><tr><td>241,875</td><td></td></tr></table> <p>I have owned Century Sign Builders since 1998 and have built the business from gross sales of 500,000 to 4,800,000. We purchased this building in 2005 and put considerable money into a renovation for a portion of the building that houses Century Signs Builders. When we renovated the building we made a considerable investment into the neighborhood. We won the 2006 NAIOP award for Best Renovation. I</p>	Century Sign Builders	(Interior & Exterior Signage)	\$106,875		Intercity Truck	(Repair of Truck Panels & Body)	\$67,500		General Manufacturing	(Metal Fabricator, Welding)	<del>\$67,500</del>		241,875			See line 13.	101 / New 7.11	See line 4 for reference to new proposed zoning.
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## Martineztown-Santa Barbara Sector Development Plan

### Comment Matrix of Conditions

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	<p>Continued...employ 28 people and our average salary is approximately \$45,000 per person. If the city rezones this property pursuant to the Sector Development Plan my property would be singled out and down zoned which would be compassable through the Albuquerque Commons Partnership case. In addition the city would put my business at risk since this our headquarters and fabrication/installation facility.</p> <p>If the city continues to pursue the down zoning of our property pursuant to this Sector Development Plan, we will have to take legal action in order to protect our zoning and property rights. I have a list of all the property owners in the area who will be negatively impacted from this proposed down zoning and I will discuss this Sector Development Plan with them.</p>		See line 13.	101 / New 7.11	See line 4 for reference to new proposed zoning.

## Martineztown-Santa Barbara Sector Development Plan

### Comment Matrix of Conditions

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16	<p>Developed Properties – in the block bounded by Lomas, Marble, Edith and Arno. All of these uses are heavy commercial C-3. We need the existing zoning to remain in place as is. Designation as C-2, Community Commercial is not an acceptable zoning.</p> <p>413 Lomas Blvd NE – Jeff's Paint &amp; Body (Automotive Body Shop)  427 Lomas Blvd NE – Durango Auto Repair (Auto Repair and Engine Rebuilding)  810 Arno NE – Loree Motorsports (Auto body, engine and race car building)  828 Arno NE – Straight Line Auto Body (Auto body/sheet metal manufacturing)</p> <p>All of these properties were acquired by Lomas Arno, LLC between 1986 and 1990. Some were purchased as existing buildings with commercial use and some we purchased property and then constructed new commercial buildings. When the warehouses were built at 810 Arno and 828 Arno, and business established in the late 1980's the block was dominated by a large truck repair garage. This approximately 2 acre commercial site occupied the center of the block and had operated for decades. There was no consideration to develop as a residential</p>	<p>For 828 Arno NE, staff needs to confirm that you're not <i>manufacturing</i> sheet metal, which would not be allowed permissively under SU-2 C-2. If you are only <i>working</i> with sheet metal, then that would be allowed permissively in C-2. For 810 Arno NE, staff believes the current use is permissive in SU-2 C-2. Outdoor storage would be allowed with a conditional use permit under SU-2 C-2. The other uses listed appear to be permissive or conditional uses in SU-2 C-2.</p>	<p>828 Arno in the current draft is proposed as NR, but this is proposed to change to C-2.</p>	<p>86 / Exhibit 7.1</p>	<p>In Exhibit 7.1 on page 86, change the zoning of 828 Arno NE from NR to C-2.</p>

## Martineztown-Santa Barbara Sector Development Plan

### Comment Matrix of Conditions

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	<p>Continued...because of the ongoing use that dominated the block.</p> <p>Around the year 2002 the commercial property was rezoned SU for residential use. At the time, the property at 828 Arno was operating successfully with permits from the City as a dog kennel. The neighbor's complaints caused the tenant to eventually relocate. The building is now occupied by an Auto Body Garage and Sheet Metal Manufacturing so we have very first hand experience of intrusion of a residential use into a block developed with Heavy Commercial C-3 uses and then the residents objection to the commercial use.</p> <p>All are rental properties and over the years the businesses and uses have changed. Our intention is to continue to lease these properties to businesses that are permitted to operate within the current C-3 zoning regulations. I wish the current zoning to remain in place. To re-zone to C-2 is not acceptable because painting and major automotive repair must be located 20 feet from a residential zone. The property adjacent to 828 Arno has been zoned residential and homes built on the lots.</p>	See above	See above		See above
	Continued...A C-3 Heavy Commercial is the historic (since 1959) land use for the major portion of this block.	See above	See above		See above



## Martineztown-Santa Barbara Sector Development Plan

### Comment Matrix of Conditions

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17	<p>523 Lomas Blvd. NE, Alb. NM 87102. We use the property for my law firm. As a commercial property owner, my concern is the general health and safety issues affecting the neighborhood (sewage, lighting, etc), as well as investment value.</p> <p>I am very excited about the redevelopment opportunities opening up for the Martineztown Santa Barbara area, and believe that addressing the health and safety issues for the area, as well as economic development/service provision to the area should be the priority. Very little of the major issues affecting this plan area require significant changes to the existing sector plan -- most of the critical issues involve economic development and re-development that has been ignored in the area for over 30 years. If there is a zoning issue for this area, it is an enforcement issue.</p> <p>I would recommend against any zoning changes. The plan proposes to down-zone my parcel from C-3 to C-2. There do not appear to be any changed circumstances to justify this change, or any of the other zone changes proposed.</p>	<p>We concur with health and safety concerns, thus the need for certain adjustments to the zoning to maximize compatibility of uses. The justification here is more advantageous to the community as articulated in the City Comprehensive Plan. C-3 uses typically need parcels larger than exist along Lomas and Broadway in the area currently being proposed for C-2. Properties in this area tend to abut residential uses as opposed to being separated by right-of-way, as exists in the areas that are proposed to keep their C-3 uses elsewhere in the Plan area. Existing uses along Lomas and Broadway in this area are C-2 uses.</p>	None.		None.
18	<p>Kiewit New Mexico Co. owns a 16.7 acre property lying in the extreme northeast corner of the Martineztown/Santa Barbara Sector. Our property is bounded by Menaul Boulevard on the north and the Interstate 25 frontage road on the east.</p> <p>Kiewit New Mexico Co. does not want to pursue any rezoning. That is, we are expressly asking that any and all future maps, discussions, and correspondence of any kind retain the existing zoning on both parcels. We have no reason to request or no reason to change the zoning on our ownership.</p>		Propose to change the zone to Commercial/Industrial zone. See line 2.	86 / Exhibit 7.1	In Exhibit 7.1 on page 86, change the "C2" on Menaul east of Edith to "C/I"

## Martineztown-Santa Barbara Sector Development Plan

### Comment Matrix of Conditions

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19	Employee of Century Sign Buildings. 2117 Commercial St. I could lose my job if we're downzoned.		See line 13.		See line 4 for reference to new proposed zoning.
20	Ryan Loplin: 2117 Commercial St. - Century Sign Builders employee. Roxanna was nice enough to take me back this year. We fabricate and install signs that help people get around. It's a great place to work.		See line 13.		See line 4 for reference to new proposed zoning.
21	Bill Dolan: Banker in Albuquerque for 35 years. Banking landscape has changed over the past few years. Note and amortization periods have decreased. Downzoning can cause bankers to look harder at properties. I have known Roxanna for many years, but I do not represent Century Sign Builders. I think Elective Zoning in this case would be more appropriate.	See line 10.	See line 13.		See line 4 for reference to new proposed zoning.
22	Own 2107-2117 Commercial with my wife. As a business owner, I am concerned about the downzoning. We are facing imminent financial decline in our properties. As far as a working relationship with the neighborhood association, we're in the neighborhood. You've got to take the gun away from our head. The downzoning is a non-starter. The SDP does not meet the test of what it's required to do based on the Commissioner's finding. We need to have certainty. We have an empty space that we're trying to lease out.		See line 13.		See line 4 for reference to new proposed zoning.
23	Henry Morrison: 2227 Commercial – I run Conveyers - service work and sales. 4 years ago, we invested in the property hoping to grow and acquire new property. If I needed to sell my property, the number of people who might be interested in it would be reduced based on the downzoning.		See line 13.		See line 4 for reference to new proposed zoning.

## Martineztown-Santa Barbara Sector Development Plan

### Comment Matrix of Conditions

	Comment	No Change (plus explanation)	Change	Page / Section	Condition Language
24	1202 Walter NE. I am opposed to the zoning of the property across the street from my house as C-2. The property is bounded by Walter Street on the east, Mountain Road on the south, and Edith Boulevard on the west, and by the Santa Barbara Park on the north. All of these properties are currently zoned C-3, which is highly inappropriate for a residential neighborhood. The property should be zoned NR, or SU-2 R-1.		Mountain Road is a collector street that carries higher volumes of traffic. At the intersection of Mountain and Edith, will propose that Village Center extend to encompass the properties at all four corners of the intersection to make a more cohesive center and remove C-2 from the interior of the residential area. A proposed change to Village Center zone would be to include permissive C-2 uses as conditional, which would include a public approval process.	86 / Exhibit 7.1	In Exhibit 7.1 on page 86, change "C2" on the east side of Edith at Mountain to "VC."
24B	Property owner south of Mountain, west of Edith with existing C-3 zoning wants to retain auto repair and painting for future use. Proposed zoning in Draft Plan is Village Center (VC).	The proposed Village Center goes from Broadway to Edith (to Walter, per proposed revision) in order to create the opportunity to develop a neighborhood-serving commercial/residential area. Auto repair and painting are incompatible with the envisioned Village Center and abutting residential uses.	None.		None.
	<b>Comment/Oppose C-3 to C-2 - in former plan to VC</b>				
25	Sunwest Silver at Mountain & Edith. Currently zoned SU-2/C-3 and will be designated something different under the new plan. Staff and consultants have gone to great lengths to not downzone those properties and to add incentives to see redevelopment. We are not objecting to the adoption of this Plan.		See line 24.	86 / Exhibit 7.1	In Exhibit 7.1 on page 86, change "C2" on the east side of Edith at Mountain to "VC."

## Martineztown-Santa Barbara Sector Development Plan

### Comment Matrix of Conditions

	Comment	No Change (plus explanation)	Change	Page / Section	Condition Language
25B	<p>I have re-invested tens of thousands of dollars to construct a 1450 square foot building on my property located at 412 Mountain Rd. N.E. under commercial building codes with the intention of possibly using the property for commercial purposes in the future. The only reason I re-invested this money is because of the current zoning. The proposed downzoning from C-3 to C-1 would result in a loss of property value and a loss of potential income in the future if myself or my children were to use the property for commercial purposes.</p> <p>I have taken into consideration that several properties located on both sides of Mountain Rd between Edith and Broadway are currently operating businesses and co-existing with the neighborhood without disrupting the integrity of the neighborhood.</p> <p>My son and I have hobbies such as restoring classic cars. C-1 and C-2 zoning would not allow this type of business. C-3 zoning is the only zoning that would allow this use.</p> <p>I hope that my comments to you are helpful and are seriously considered. I am also a proud member of the sixth generation of the original Martinez family and</p>	<p>Mountain Road east of Broadway contains a range of existing uses, everything from single-family residential to office/institutional. The VC zone and its permissive uses seek to position the area to transition, over time, into a more neighborhood-oriented place with neighborhood-serving uses. The uses allowed by the current C-3 zoning on Mountain have historically not been utilized; any that have been will be allowed to remain as approved conditional uses. It should be noted that some residents have requested that all of Mountain Road be zoned R-1 (single family). Staff believes that the proposed VC zone represents an appropriate compromise between the existing zoning (C-3), which is too intense, and what some have requested as their ideal for creating a "low-density, single-family neighborhood" (R-1), which fails to recognize that Mountain is a collector road that currently contains a mixed-use character.</p>	None.		None.

# Martineztown-Santa Barbara Sector Development Plan

## Comment Matrix of Conditions

	Comment	No Change (plus explanation)	Change	Page / Section	Condition Language
26	1310 Broadway NE. I agree with the concept of a pedestrian-friendly, neighborhood-style commercial area, but believe the proposed location was not adequately considered. Broadway has heavy truck traffic owing to the proximity of industrial warehouses; it's a major route for downtown workers, many of whom exceed the posted speed limits; and it's a common route for emergency vehicles, many traveling at high rates of speed. To introduce pedestrian traffic into this traffic pattern would, in my opinion, invite disastrous results regarding the City's public image, as well as its increased exposure to the liability issues likely to arise in any legal action relating to a vehicle/pedestrian incident. The Mountain/Edith intersection seems to be better suited to the Village Center concept: Both Mountain and Edith have truck restrictions in place, the speed limits are lower, and emergency traffic is infrequent. The many residences near this location, and the proximity of the high school, could provide a steady supply of customers for any neighborhood-type business.	Staff believes this zone change can help to encourage traffic calming over time as the area redevelops. The current condition of Broadway as an unfriendly and visually unpleasant environment also reflects a negative image for the City. Introducing street trees and better pedestrian facilities and encouraging quality redevelopment of properties along Broadway, which is the intent of the proposed zoning, can lead to an improved environment for all users. Pedestrians have an equal right to the right-of-way as motorists, who are breaking the law when they "exceed the posted speed limits." The real potential liability lies in doing nothing and letting a dangerous roadway continue to exist in its current condition.	Proposing to move the Village Center eastward to center at Mountain and Edith.	86 / Exhibit 7.1	In Exhibit 7.1 on page 86, change the northwest corner of Broadway and Mountain from "VC" to "MX."
	Continued...In my opinion, a vocal minority should not be allowed to reshape a long-standing business area that contributes many jobs (and, therefore, tax dollars) to the community. Purchasing property in an area commonly known to contain operating industrial and commercial businesses, and then complaining about the existence of those businesses, is akin to buying a house next to the railroad tracks, and then complaining about the noise from the passing trains.	The area's history includes many years of mixed use. This is a Plan for future redevelopment. The Plan seeks to find a balance in the interest and to the benefit of all residents and businesses.	See line 26.		See line 26.

## Martineztown-Santa Barbara Sector Development Plan

### Comment Matrix of Conditions

	Comment	No Change (plus explanation)	Change	Page / Section	Condition Language
27	I am a resident of and property owner in Martineztown. My address is 326 Mountain RD NE. Martineztown/Santa Barbara residents want a low-density, single-family, family-friendly residential neighborhood. My street is very busy and to make it more busy would endanger the quality of life of my family.	Mountain is a collector intended to carry traffic from local streets to arterial streets. Historically, Mountain has been an active street connecting Downtown and Old Town to outlying areas. The Plan includes recommendations for improvements to make Mountain more livable for nearby residents and continue to reflect its historic purpose and character. The properties that are proposed to change from C-3 to VC are expected to be less intense in use and generate less traffic, while still allowing uses ranging from R-1 to C-1.	None.		None.
28	507 Rosemont. Have dealt with mechanic next-door to my house for the past three years. We smell gas fumes. I have pictures of the property. EMS can't get onto Rosemont because of auto mechanic business. They have abandoned vehicles in their lot. Want R-1.	Staff believes the current incompatibility between your property and the auto mechanic business is a code enforcement issue, as the business should only be conducting repairs within a fully enclosed building. The proposed VC zoning includes R-1 uses up to C-1 uses, which would still include auto repair, but no body work or gas station sales.	None.		None.

## Martineztown-Santa Barbara Sector Development Plan

### Comment Matrix of Conditions

	Comment	No Change (plus explanation)	Change	Page / Section	Condition Language
	<b>Comment/Oppose C-3 to MX</b>				
29	Originally bought property in 1978 on Indian School between Broadway and Edith. Had M-1 zoning at the time. In 1990, property was changed to NRC. Wanted to keep my zoning, so I filed a suit against CABQ. I have a stipulated agreement signed by Bob White that keeps my zoning M-1. I noticed tonight that they want to change my property to MX. That property would be pretty much worthless as MX. 2009 meeting was a very heated meeting. 65% of residents at that meeting opposed zoning changes back in 2009, because a lot of them have a commercial use on their property.	Property owner subsequently informed Staff that he has C-3 zoning. Staff tried to contact the owner to see if the uses allowed under MX compared to C-3 are acceptable but have not received a response.	None.		None.
	<b>Comment/Oppose C-3 to NR</b>				
30	Developed Multi-family Residential/ Manufacturing south of Marble between Arno and Franciscan - 901 & 903 Franciscan NE - These are two residential houses and an apartment adjacent to a commercial manufacturing building that is owned by Lomas Arno, LLC. The commercial building has been used as a woodworking shop for the past 20 years. I wish to understand how the plan, by establishing a new zoning designation, will protect the continuing commercial use of this property.		Will propose to change 901 and 903 Franciscan from C-3 to C-2, rather than C-3 to NR. These properties abut other properties that are proposed to change to C-2. Staff believes the current uses are permissive under C-2.	86 / Exhibit 7.1	In Exhibit 7.1 on page 86, change the zoning of 901 and 903 Franciscan NE from NR to C-2.
31	First warranty deed dated OCTOBER 12, 1892. Mr. Fabian Naranjo (family related) purchased this land by trading 16 cows and 50 goats. Around March 1907, (I have also found early 1900 artifacts on property). The house located at this property, has not been properly zoned for years. This is a single family dwelling unit, and not anything else, along with 9-10 other houses located on Walter NE. I want to keep MARTINEZ TOWN / AND THIS HOUSE located @ 1128 Walter NE Albuquerque, NM 87012---A RESIDENTIAL ZONE R-1	This property, and others on Walter St, is proposed as a residential zone that corresponds to R-1 uses called Neighborhood Residential (NR). NR tailors R-1 to acknowledge the existing development, including lot sizes and setbacks that would make most of these properties nonconforming if zoned straight R-1.	None.		None.

## Martineztown-Santa Barbara Sector Development Plan

### Comment Matrix of Conditions

	Comment	No Change (plus explanation)	Change	Page / Section	Condition Language
32	My mother, Brigida Griego, owns a home at 824 Mountain Road N. E. I, Mary Duneman, am her POA. We would like our comment to be taken into consideration by the committee making the suggestions for the plans. First, we would like the area to be low-density residential because our property is a rental. We would also like a deferrel on the plan so that we have more time to study the long volume that has been written.	See line 30.	None.		None.
33	1127 Walter NE. I'm here representing Martineztown Work Group. I am 6th generation resident of Martineztown. I own the house that my dad was born in. Albuquerque Interfaith – nonprofit social justice organization. What we're dealing with today is a social justice issue. MWG requests a deferral of at least 90 days. Have not had sufficient time to review SDP, especially proposed zone changes. Proposed zoning conflicts with Zoning Code, vision for low-density neighborhood. Proposed zoning will turn neighborhood into a regional center. Proposed SDP zoning will provide uses that are harmful to neighborhood. City proposed two options. MWG proposes option 3 – all residential, no commercial.	See line 30.	None.		None.
34	1127 Walter NE and 1128 Walter. I don't agree with the NR zone. I'd like it to be R-1. Also want to talk about MX zoning. There was a project on 915 Edith – 2-story triplex apartment – violated solar rights.	See line 30. 14-16-3-3(A)(7) protects solar access within residential zones. 915 Edith was zoned NRC, a mixed-use zone not subject to this regulation. The Draft Plan identifies NR as a residential zone, which would trigger the solar access protections.	None.		None.
	<b>Comment/Oppose SU1 for Church and C-3 to NR</b>				
35	612 Page would like to have low density residential zoning in Martineztown/Santa Barbara Plan	See line 30.	None.		None.



## Martineztown-Santa Barbara Sector Development Plan

### Comment Matrix of Conditions

	Comment	No Change (plus explanation)	Change	Page / Section	Condition Language
	<b>Comment/Oppose NRC to NR</b>				
36	1113 Edith NE. (Granite/Edith) Loretta's clan is exceedingly passionate. I am the landscaper who was referenced earlier. I picked this location because I am from Chile and this neighborhood reminded me of many of the neighborhoods I've lived in. I got the bad end of the stick – Loretta was asking my business to move in a polite way. There are a number of businesses on my street. I ended up in court twice and was cleared twice. What I heard here tonight was the people who represent me, but I did not hear that there is one voice.	The proposed zoning would allow your business to continue and acknowledges some opportunities on Edith Boulevard for some neighborhood-scale commercial activity.	None.		None.
36B	I would like to recommend that the homes along the north side of Slate Avenue between the church and New Heart be zoned RC rather than NR. This street is cut off from the rest of the Martineztown neighborhood as it opens up primarily toward Lomas Blvd. and not toward the neighborhood itself. This zoning would allow the current residents to maintain residential zoning but also allow future flexibility of use as it has commercial neighbors and is sort of a front line property. This zoning would certainly provide flexibility of use for the properties on the opposite side of the street, sandwiched between Lomas.	Staff received this comment at the public meeting on 7/19/12 and is considering this request.	[Pending consideration]		[Pending consideration]

## Martineztown-Santa Barbara Sector Development Plan

### Comment Matrix of Conditions

	Comment	No Change (plus explanation)	Change	Page / Section	Condition Language
	<b>General Comments - Zoning and Code Enforcement</b>				
37	NAIOP does not take positions on specific developments; we do take positions on issues that impact the development industries as a whole. Two concerns about recent spate of SDPs, including the one being heard today. What we've been seeing lately is "spot sector plans." Addition of DOZs and "triggers" for new requirements – this practice introduces _____. Concerned about property owners losing their zoning and property rights. Businesses are built based on existing zoning. Replacement of C-3 with C-2; addition of landscaping that will impact properties. Some C-3 uses are not compatible with residential; some are. Arbitrary zone changes / enhanced design criteria. SDPs should strengthen residential and commercial areas of neighborhoods.	The August 2012 red-line draft proposes significant changes with respect to zoning. The red-line draft contains new zones that have been developed in response to concerns raised by property/business owners at the March 2012 EPC hearing. The new zones are proposed to be applied in a way that seeks to reliably and predictably protect existing uses and balance the concerns of business owners and residents in order to better position Martineztown/Santa Barbara for redevelopment and reinvestment. C/LI in particular takes a more nuanced approach to balancing C-3 uses with nearby residential areas, making those uses conditional where they abut residential zones. The landscaping regulations have been overhauled to provide more flexibility and options for compliance. It should be noted that the 1990 MTSB SDP contained landscaping requirements from the standard Zoning Code for all properties, including those that were already developed and even those that had developed prior to 1976. The "buffering" requirements proposed in the red-line draft are reduced from those required by Zoning	None.		None

## Martineztown-Santa Barbara Sector Development Plan

### Comment Matrix of Conditions

	Comment	No Change (plus explanation)	Change	Page / Section	Condition Language
38	<p>The SBM Sector Plan is considered by City of Albuquerque Staff to be a “quasi-judicial” zoning action that attempts to “down zone” some of the permissive uses contained within the existing zoning designations within some properties located within the jurisdiction of the SBM Sector Plan.</p> <p>Unfortunately, the SBM Sector Plan does not provide a sound justification for the “down zoning” pursuant to City Law which requires all zone map amendments to be considered pursuant to Resolution 270-1980. Instead, the SBM Sector Plan attempts broad justifications of the SBM Sector Plan changes in zoning without specifically making the case that “a change in zoning is more advantageous as articulated in the comprehensive plan...” As such, the quasi-judicial standard of review for the SBM Sector Plan requires a denial of the adoption of the SBM Sector Plan for failure to follow City zone map amendment law.</p>	<p>The March 2012 and August 2012 staff reports contain extensive discussions of the justifications of the proposed zone changes in accordance with the requirements of R-270-1980. Numerous policies from the City’s Rank 1 and applicable Rank 2 Plans are cited and discussed with respect to how the proposed zone changes are more advantageous to the community.</p>	None.		None.

## Martineztown-Santa Barbara Sector Development Plan

### Comment Matrix of Conditions

	Comment	No Change (plus explanation)	Change	Page / Section	Condition Language
39	The SBM Sector Plan should stay away from the stripping of permissive uses from hard-working commercial property owners that are creating jobs and gross receipts tax revenue for this community. Additionally, the mere threat of a Sector Development Plan adoption acts as a moratorium on property sales and development. The threat of a regulatory and zoning change to property shies away investment in equipment, property sales, and in some cases the hiring of employees for fear that your permissive use will be eliminated in the future.	The red-line draft contains a revised zoning strategy that actually adds more uses than it proposes to remove. For example, in areas currently zoned HM, properties cannot have community commercial (C-2) or residential uses. The proposed new C/I (Commercial/Industrial) zone proposes to allow the majority of existing M-1 uses to remain and adds C-2 and R-3 uses permissively. See red-line for details. Regarding sector plans being a deterrent for investment, a historic residential neighborhood being threatened by incompatible uses has led to decades of disinvestment in the Martineztown/Santa Barbara neighborhood. This Plan seeks to better position all of Martineztown/Santa Barbara – both the residential and business areas – for much-needed revitalization. To seek to only protect and support businesses at the expense of area residents is inconsistent with City policies and the intent of the Zoning Code, which provides that the “health, safety, convenience, and general welfare of the citizens of the city” are the primary values to be promoted by zoning.	None.		None.

## Martineztown-Santa Barbara Sector Development Plan

### Comment Matrix of Conditions

	Comment	No Change (plus explanation)	Change	Page / Section	Condition Language
40	The City of Albuquerque passed the North I-25 Sector Development Plan that calls for in Section 1.5 the following: "This Plan does NOT change the existing zoning for properties within the plan area boundaries. All properties will have the SU-2 prefix to show that they are within this sector plan's boundaries and control. The Plan expands upon the uses allowed under current zoning through the use of a Land Use District Overlay, described in Chapter 3. When developing your property, you will have the choice of either developing in accordance to the uses allowed under your existing zoning or developing in accordance to the uses allowed in the Land Use District Overlay."	The North I-25 area and Martineztown/Santa Barbara share little, if anything, in common. North I-25 contains large tracts of undeveloped land. There are few residential areas in close proximity to manufacturing and industrial areas. Those that do exist are generally on the periphery and are not historic in character. The overlay approach used in the North I-25 area has no applicability in this historic neighborhood. Generally speaking, "overlay" or "elective" zoning fails to provide enough predictability so as to be able to ensure "orderly, harmonious" development, which is the intent of the Zoning Code. In the case of Martineztown/Santa Barbara – where much of the platting and existing development predate zoning and where small changes can result in large impacts because of the tightly-knit character of the urban environment – this is particularly true. See also line 10.	None.		None.
41	Also want to talk about MX zoning. There was a project on 915 Edith – 2-story triplex apartment – violated solar rights.	See line 34.	None.		None.

## Martineztown-Santa Barbara Sector Development Plan

### Comment Matrix of Conditions

	Comment	No Change (plus explanation)	Change	Page / Section	Condition Language
42	The Unser area is now home to a number of warehouses that can accommodate large truck traffic. These warehouses are temperature controlled with high tech dock doors, computerized warehouse management systems, etc. I think no matter how much we try to adjust, the large facilities on Broadway are not going to be able to compete with those high volume logistics facilities. I am not opposed to having the industrial facilities west of Broadway but we have to consider factors that will require the neighborhood to adjust to the differing needs based on time/technology and truck size. [Comment from property owner outside the Plan area]	Staff requires more detail about the requested change from the commenter.	The proposed "C/I" (Commercial / Industrial) zone would add C-2 and R-3 uses, which are not allowed under existing zoning, in order to add flexibility for future redevelopment west of Broadway. East of Broadway, the proposed C/LI zone adds R-3 uses to former C-3 properties and R-3 and C-2 uses to former M-1 properties to add flexibility for future redevelopment, as well as an additional protection for nearby homes making C-3 uses conditional where C/LI properties abut residential zones.		See line 2 for C/I and line 4 for C/LI.
43	I like the mix of zones on the periphery, where traffic is furious and therefore not conducive to simply residential. I do prefer that the commercial places within that zone maintain a discrete appearance and maintain control of parking and signage.	No response needed.	None.		None.
44	I am glad that a particular auto repair person put up a covering around the fence so we don't have to look at cars in various stages of repair (on Edith). I appreciate the businesses such as the air conditioning/heating company with their neat appearance and clean grounds.	No response needed.	None.		None.
45	I live across from Air Pro and I couldn't ask for a better neighbor. I can list a number of other companies that make good neighbors including Starbucks and Reyes Ornamental Iron.	No response needed.	None.		None.
46	Code Enforcement does need to address some of the businesses that do not value the fact that their business is next door to someone's home. If they can't keep their business looking nice because it is the right thing to do, they need to be fined.	Staff agrees that if businesses don't follow existing zoning regulations and required landscaping and buffering, code enforcement action should be taken to bring those properties into compliance.	None.		None.

## Martineztown-Santa Barbara Sector Development Plan

### Comment Matrix of Conditions

	Comment	No Change (plus explanation)	Change	Page / Section	Condition Language
47	1405 Edith Blvd., NE. Cab company two doors from my house has this gas/oil thing on the property. There is a ditch by this property – what if gas is leaking into that acequia. Tractors making noise all the time. I'm a school teacher at AHS. I am concerned for the school if we continue to get in businesses – where are the children going to be if houses are no longer there? If we continue to add commercial and they take over our land, what is going to happen to the school? There are not going to be any children from the neighborhood anymore.	Plan does not propose to add commercial uses but better balance the character of commercial activity in relationship to residential areas. The Plan seeks to stabilize the single-family areas of the neighborhood and provides opportunities for additional residential development, which could increase the number of students in the area. The companion Metropolitan Redevelopment Plan also supports increasing residential opportunities. The Environmental Protection Agency regulates underground fuel storage tanks, which this property is allowed to have.	None.		None.
<b>General Comments - Mountain and Edith</b>					
48	As far as a "village" I do hope that something can be done to that corner on Mountain and Edith as currently it is an eyesore and it is difficult to see oncoming traffic.	The Plan includes recommendations for capital improvement projects for a plazuela and streetscape improvements for traffic calming at this intersection.	See line 24.		See line 24.
49	I like the residential designation on all streets connecting to Edith and Mountain. It makes sense that Edith and Mountain remain a mix of residential and business. I can see that this strategy generally works on Mountain, west of the railroad tracks.	No response needed.	None.		None.
50	Edith and Mountain have never been a high or industrial traffic area. With a one block exception, the streets are narrow and can't accommodate high traffic volume. I will agree that where Broadway turns into Edith, Edith becomes a high traffic arterial.	No response needed.	None.		None.

# Martineztown-Santa Barbara Sector Development Plan

## Comment Matrix of Conditions

	Comment	No Change (plus explanation)	Change	Page / Section	Condition Language
	<b>General Comments - Broadway Blvd</b>				
51	Widening of Broadway Blvd: My understanding is that the City will have the right to appropriate up to 16 feet of frontage along Broadway to accommodate the proposed widening. In principle, the acquisition of only 16 feet seems both appropriate and fiscally responsible. The reality of the situation is that many of the properties on either side of Broadway (both commercial and residential) contain buildings that already abut the existing right of way, specifically those immediately north of Mountain on both sides, as well as those on the east side of Broadway, north and south of Idalia. Right of way acquisition would necessitate the purchase, and subsequent razing, of entire homes and businesses. If proposed acquisition costs have not taken this into account, the project budget will surely suffer. And to what end? The widening can only be extended to the I-40 overpass, which is already at its maximum roadway width.	See line 4. The area with 16-feet of existing excess ROW is north of Odelia and does not extend as far south as Mountain Rd.	None.		None.
	<b>General Comments - Pedestrian Concerns</b>				
52	One of my biggest concerns is for pedestrians. I used to walk to the post office but now hesitate to do so due to the poor crossing opportunities as well as speed limits. That area on Broadway needs to be slowed down, and more attention needs to be paid to pedestrian safety in the area. The same with Mountain and with Lomas. Crossing Lomas is treacherous because autos barrel down that hill after exiting from the freeway.	The new Village Center zoning is intended to create a new pedestrian-friendly realm near Broadway and Mountain. Existing unused ROW on Broadway is proposed to be used for pedestrian amenities. The Plan does not address the Lomas intersection, because technically the Plan ends in the center of zoning. See recommendations in Table 5.1 for pedestrian safety improvements for Lomas/Broadway intersection.	None.		None.



## Martineztown-Santa Barbara Sector Development Plan

### Comment Matrix of Conditions

	Comment	No Change (plus explanation)	Change	Page / Section	Condition Language
	<b>General Comments - Grocery Store</b>				
53	Another concern is that we need another good grocery store. I have heard that this hasn't occurred because of "population," however most stores are in the middle of town: Sunflower, Whole Foods, several Smiths and a Trader Joe's. We have a small mom/pop store in Martineztown which is lovely for small purchases (and tamales) however only one store where we can get other purchase and Lowe's on 12th street does not have a good selection of foods. With all of the land and warehouse property (much of it empty) I see no reason why we cannot have a grocery store which will serve our more comprehensive shopping needs. A basic store such as Smith's or Safeway or Albertson's.	The companion MR plan is looking for opportunity sites. The Metropolitan Redevelopment Agency is also looking at providing incentives for locating a grocery store within downtown, which would help serve Martineztown. The newly proposed zoning west of Broadway would allow commercial uses like a grocery store where they aren't currently permitted.	None.		None.

## Martineztown-Santa Barbara Sector Development Plan

### Comment Matrix of Conditions

	Comment	No Change (plus explanation)	Change	Page / Section	Condition Language
	<b>General Comments - General Infrastructure</b>				
54	I would like to see some investment in the neighborhood in the form of improved infrastructure. The project plan listed our requests for neighborhood amenities along with the justifications for not providing for any of them. I want some financial resources dedicated to our neighborhood. I know the city needs to consider the extraordinary growth and development on the west side requires additional infrastructure. In the future, I think that developers should be required to make infrastructure considerations rather than have us foot the bill then get denied amenities in our neighborhood. NOTE: The Project Plan Document stated that there are amenities close to our neighborhood. Do you realize how many of us walk and take the bus? I think you are assuming we are more mobile and can get to the places noted.	The City's investments in storm drainage improvements in the past 5 years shows commitment to improving infrastructure. The project list is there to guide future funding and investments as budget allows. Developers are required to provide on-site and some off-site improvements. The types of amenities and facilities that the neighborhood has expressed a desire to have in Martineztown are not located in every neighborhood in the City. The plan emphasizes improving access to facilities in relatively close proximity to Martineztown. The City will continue to improve connections to these amenities by foot or transit (for example, sidewalk improvements to Wells Park Community Center).	None.		None.

## Martineztown-Santa Barbara Sector Development Plan

### Comment Matrix of Conditions

	Comment	No Change (plus explanation)	Change	Page / Section	Condition Language
	<b>General Comments - Applicability and Design</b>				
55	p.81 6.3.1: Within one year of plan adoption ALL commercial properties must: conform with landscape and buffer requirements. This means that even where my parcel makes it impossible to comply -- I will be required to apply for a variance. Again -- that is a forced cost for me, to except my property from conditions already known to staff (the property is too narrow to comply with the buffer standards, and unlikely neighborhood will want a solid fence to create canyon). I understand from this provision that all properties will have to upgrade/bring into compliance, their landscaping, even if there is no improvement planned on the property. If this is not the intent -- ie., if compliance with current landscaping standards is only needed when improvements initiated, then that needs to be clarified.		This regulation was originally carried over from the 1990 Plan, which gave property owners 2 years to comply. Property owners have had over 20 years to comply with this regulation. Staff is recommending that this requirement be removed from the "Applicability" section of the Plan and that a modified, more flexible "Buffering" requirement be included in the non-residential zones and the non-residential uses allowed in NR only along Edith and Mountain.	81 - delete section 6.3. Add to NR, VC, MX, C-2, C/LI, C/I zones	On page 81, delete section 6.3 in its entirety and renumber subsequent sections accordingly. In the NR, VC, MX, C-2, C/LI and C/I zones, add "Buffering" requirement - see attachment for general language, which is tailored for each zone in the redline. Delete reference to 6.3 Code Enforcement.

## Martineztown-Santa Barbara Sector Development Plan

### Comment Matrix of Conditions

	Comment	No Change (plus explanation)	Change	Page / Section	Condition Language
56	p. 81 6.4.2: The submittal requirements for site development plan review, in ADDITION to the SU-2 zone requirements, make notification of the neighborhood association plus drawings of surrounding properties mandatory for all properties. There is arguably a conflict between what the table 6.2 states (properties less than 2 acres do not require public notice, it states. However, it appears from the language used that even the small properties are required to submit plans to the neighborhood association and obtain (that means pay a professional for) drawings of surrounding properties. Staff needs to make clear in the text of 6.4.2 that small parcels DO NOT have to submit drawings of surrounding properties per the table. If the intent is that development of small parcels require notice to neighborhood associations and submission of drawings of surrounding parcels -- the properties are then far more costly to improve that the terms under which I purchased the land.	This language is taken from the 1990 Plan and applied to the latest proposed zones. The 1990 Plan required drawings and public notification for all properties. This plan distinguishes development sizes to exempt some properties from the public notification requirement, partly for the reason you specify (i.e. so that smaller parcels are not required to prepare landscaping and site development plans and go through the public process).	Plan will reference Zoning Code regulations for Public Notification. The Plan will add language to 6.4.2 referencing the size limits in Table 6.2. Table 6.2 will be updated to say that where no public notification is required, developments can go straight to building permit.	82 / Table 6.2	On page 82, replace Table 6.2 with a revised Table 6.2. See attachment.
57	p. 101, discussing the SU-2 for C-2 zone, states that Site Development Plan approval SHALL BE REQUIRED. Again, this needs to be clarified -- is neighborhood association notification and surrounding development elevations required for ALL improvements in the SU-2 for C-2 zone? If so, that is too high a burden for small parcels.		Language will be updated to refer to Table 6.2.	82 / Table 6.2	See line 56.
58	p. 105 At least one design standard is not well conceived, and would cause me to challenge any changes:		See line 59.		See line 59.

## Martineztown-Santa Barbara Sector Development Plan

### Comment Matrix of Conditions

	Comment	No Change (plus explanation)	Change	Page / Section	Condition Language
59	8.7.2. Except for buildings used only for manufacturing, assembling, treating, repairing, or rebuilding products, or for warehousing, not less than 50% of a building façade facing a public right-of-way shall be windows. The requirement that all new development would require 50% of any building facade facing a right of way to be made of glass/windows is not acceptable. My parcel is very, very narrow, and abuts right of way (streets) on three of the four sides of the property. It is simply unreasonable, and unsafe, for three sides of a small office building on my property to be designed and built -- much less worked in -- with 50% of the facade on three sides made of windows. This needs to be re-worked, so that only one facade has the 50% windows requirement -- perhaps a second facade can have the residential 25% window requirement. The design criteria regarding windows in 50% of all building facades that face a street right of way is an unreasonable burden on commercial land owners. Perhaps one facade facing the "major" right of way, or the front of the building -- but not all building side		Language will be changed to require 50% of the ground floor on the "main façade with the primary entrance" with frontage on a public right-of-way. Upper floors of the main facade will have a requirement of 30%. Other facades with frontage on public right-of-way (not just the façade facing the public right-of-way) will have the 25% requirement you suggest. Will also adjust language to indicate that doors are also included in this calculation.	105 / 8.7.2	On page 105, section 8.7.2, delete everything after "not less than 50%" and replace with "of the main façade with the primary entrance with frontage on a public right-of-way shall be windows, display cases, and/or doors. Not less than 30% of the façade of upper floors of the primary facade shall be windows. Not less than 25% of all other facades shall be windows, display cases, and/or doors."
60	The buffering criteria will bring in almost every commercial property for an exception. My guess is that the neighborhood would prefer that the fence along the residential right of way remain chain link, else there will be an 8 foot high solid wall -- creating a bit of a canyon. The landscaping requirements, under the standard ordinance, would grandfather in what is present -- so it is not clear, but seems implied, that all parcels will have to meet current commercial landscaping requirements within one year.		Will delete section 8.5 Landscaping General Standard and replace with Buffering regulation in non-residential zones. [See Line 55 for new buffering regulation to apply between non-residential and residential uses.]	104 / 8.5	On page 104, delete section 8.5. See line 55 for replacement with a buffering requirement between residential and non-residential uses.

# Martineztown-Santa Barbara Sector Development Plan

## Comment Matrix of Conditions

	Comment	No Change (plus explanation)	Change	Page / Section	Condition Language
	<b>General Comments</b>				
61	523 Marble NE. I also own other lots. I support the proposed Santa Barbara Martineztown Sector Development Plan. I ask that the Environmental Planning Commission move forward with the plan. I do not want any further delays or deferrals. The community has had opportunities to view and discuss the changes through the planning group. This plan has been in the works for the last four years or so. It is my opinion that too much time and excessive dollars have been spent. This money could be used to enhance the neighborhood.	Staff appreciates your support of the Plan. We hope the delays are contributing to the strength and acceptance of the Plan by as many property owners and residents as possible.	None.		None.
	<b>Commissioner Comments</b>				
62	<p>Page 89 7.3.2 Conditional Uses: Per City Zoning Code R-1 with the addition of a secondary dwelling unit. A secondary dwelling unit is defined as a subordinate dwelling unit containing its own kitchen created within, added to, or detached from a single-family dwelling. Secondary dwelling units may not be subdivided from or otherwise segregated in ownership from the primary residential structure:</p> <p>a. The first sentence flies in direct opposition to the Zoning Code for R-1 at page 2-26 under (B) Conditional Uses (1) Accessory Living Quarters. The ZBOA, LUHO and City Council have held that accessory living quarters must adhere to the definition as seen a P 1-10 of the Zoning Code and that such a unit may not be considered as a second residence, which this conditional use definition seems to imply. This then takes us directly to the second sentence.</p>		<p>Move allowance with size limit for "secondary dwelling unit" to Permitted Uses in the R-1 and NR zones. The neighborhood has expressed interest in adding secondary dwelling units in R-1 and NR to support multigenerational and affordable housing opportunities. Many recent sector plans have included secondary dwelling units as a permissive use in the lower-density residential zones. Sector plans are intended to tailor the straight zones from the Zoning Code for unique areas to achieve neighborhood goals and needs. Per 14-16-1-5: SECTOR DEVELOPMENT PLAN. A plan, at a scale of 1 inch to 200 feet, or 1 inch to 400 feet, which covers a large area satisfactory to the Planning Commission, and specifies standards for the area's and sub-area's character, allowed uses, structure height, and dwellings per acre...</p> <p>Furthermore, in 2007 the New Mexico legislature amended Section 3-21-1 NMSA 1978 to provide: "F. Zoning authorities, including zoning authorities of home rule municipalities, shall accommodate multigenerational housing by creating a mechanism to allow up to two kitchens within a single-family zoning</p>	89 / 7.3	<p>On page 89, Section 7.3, revise the first sentence as follows: "The SU-2/MTSB R-1 (Single Family Residential) zone is intended for areas with single-family, low-density residential development. This zone corresponds to the R-1 zone in the City Zoning Code 14-16-2-6 with the following additions and exception."</p> <p>Also, change 7.3.2 from "Conditional Uses" to "Permissive Uses."</p>

# Martineztown-Santa Barbara Sector Development Plan

## Comment Matrix of Conditions

	Comment	No Change (plus explanation)	Change	Page / Section	Condition Language
	Continued... The second sentence hold that that ownership must be with the primary residence, thus the implication is that this secondary dwelling unit must be a rental unit:  b. This may be the intent of the February 21, 2012 letter from Loretta Lopez of the Martineztown Work Group Page 1 Paragraph 4.	The language is intended to disallow both the main residence and the accessory dwelling unit from being rentals. There is no enforcement mechanism to require owner-occupied units.	None.		None.
63	The overall nature of the Plan by downzoning in multiple instances is not consistent with the Goals and Policies of an Established Urban Area since it decreases choice and variety of commercial and residential opportunities. Downzoning decreases permissible uses.	See staff report for full discussion of Comprehensive Plan policies and compliance with R-270-1980. Downzoning does not necessarily mean a decrease in variety of uses. The zones are generally intended to remove uses that are not currently in use and may not be feasible given lot sizes and market conditions.	Certain zones are being reworked to remove some more intense uses not compatible with nearby residential uses and add significant number of commercial and residential uses where they were not permitted before.		See lines 2 and 4.
64	The Plan does not adequately address the spirit and intent of R-270-1980. The city has the burden to provide adequate justification for zone changes and this has not been achieved:  a. Specifically, Criteria 1B – regarding the stability of zoning – downzoning may actually work in opposition to this criterion.  b. Criteria 1E – downzoning, as noted previously, reduces land use options. Commercial stakeholders have argued that this will potentially reduce their ability to sell their interests in the future. This may result in properties remaining vacant and in an uncertain economy this is undesirable as it may be “harmful to adjacent property, the neighborhood or the community”.	Criteria 1B is about the stability of both zoning AND land use. The plan attempts to improve the stability for both non-residential and residential zones and improve compatibility between both zones and uses that are adjacent or in close proximity to each other. See line 63 for discussion of land uses added to some commercial zones.	None.		None.

# Martineztown-Santa Barbara Sector Development Plan

## Comment Matrix of Conditions

	Comment	No Change (plus explanation)	Change	Page / Section	Condition Language
65	What is the authority to use R-270-1980 in a way to change multiple zones all considered as one change – does not each change need to be considered separately as the immediate surroundings to each proposed change may be very different?	Zoning Code 14-16-1-5 in its definition of Sector Development Plan calls for specific standards for the areas' and sub-areas' character, allowed uses, and other development regulations. 14-16-4-3 describes where the official Zone map may be set by a Sector Development Plan. Because the Sector Plan can change zoning on multiple properties, Staff has provided comprehensive justification for the Sector Plan under R-270-1980 instead of a repetitive discussion of the justification for each change of zone.	None.		None.
66	While there were numerous attempts to provide community and commercial input prior to the Plan being written, it has become clear that there remains substantial opposition to the Plan in its current form. There is little to show that there is a real willingness on the part of the various stakeholders to come to enough agreement on the overall issues that the Plan attempts to address to consider continuing with the Plan.	The business association, neighborhood association, and Albuquerque Interfaith Martineztown Working Group have shown willingness to meet and come to agreement about the Plan. Many residents and property owners have expressed support for an update of the Plan in general. Staff feels consensus is growing, and the Plan will be strengthened by discussions throughout the adoption process.	None.		None.
67	General: establish consistent naming of maps & exhibits		Staff concurs.		See lines 244-256.
68	Pg 5, exh 1.1: Add street names for I-40, Odelia, Indian School. Rotate Broadway so that it is like Commercial		Staff concurs.	5 / Exhibit 1.1	In Exhibit 1.1 on page 5, add street names for I-40, Odelia, Indian School, and add a label for Broadway oriented north-south.



## Martineztown-Santa Barbara Sector Development Plan

### Comment Matrix of Conditions

	Comment	No Change (plus explanation)	Change	Page / Section	Condition Language
69	<p>Pg 11: Request that Historic structures should be listed &amp; mapped including formally listed, eligible, and contributing.</p> <p>Request narrative explanatory paragraphs from appropriate planning staff on importance of this district in the development of the City; what it “means” to the City, why historic feel and configuration of streets and structures exists and what it might mean to our future. (see also 3.1, 3.2.2.i, p44)</p>		Add reference to Appendix B. Narrative will be added.	12 / new 2.1	On page 12, add a new section 2.1 that discusses general neighborhood history, including historic structures and a corresponding map. Include a reference to Appendix B. Renumber subsequent sections accordingly.
70	Pg 15, exh 2.2: should map simply be titled “Existing Zoning”?		Change map title to "1990 Zoning"	15 / Exhibit 2.2	Change the title of the map in Exhibit 2.2 from "Pre-Existing Zoning" to "1990 Zoning"
71	Pg 44, 3.2.2(iv): Plazuela is a “big idea” and should be fully developed as a permissive and viable land use and regs imposed, or dropped. It seems timidly proposed in this plan. Would the open space of such an element be City owned? Where? This could be terrific – a localized version of Old Town Plaza, but it would need “buy in” by City and local stakeholders.	Because it is within the public right-of-way, the Plazuela would be City-owned. The Plan proposes the idea and allows the use. This idea would need to be more fully developed through a separate, standalone process that engages appropriate City departments and the public at such time as funding is made available. Identification and inclusion in the Sector Plan is the first step in establishing "buy-in." The project will be further explored in the companion MR Plan.	None.		None.

# Martineztown-Santa Barbara Sector Development Plan

## Comment Matrix of Conditions

	Comment	No Change (plus explanation)	Change	Page / Section	Condition Language
72	<p>Pg 51 &amp; 108, 4.2.4: Mountain Road: "updates pending": the modification of the ROW is expensive, worthwhile in a holistic vision of the length of Mountain.</p> <p>Suggest dropping the interference of the plaza at Broadway in deference to heavy Commercial and Manufacturing uses; initiate this east of Broadway</p>	<p>Semi-trucks to serve these uses are not permitted on Mountain Road. Heavy Commercial and Manufacturing uses will be north of Mountain Rd. Not only does the Plan intend to improve the pedestrian amenities along Mountain Road to locations outside the Plan area, but also encourages a further improvement and future growth of small, mixed use shopping area at Mountain and Broadway now.</p>	<p>The Plan will move the Village Center zone east of Broadway to center on Edith and Mountain. The new proposed zone west of the intersection of Broadway and Mountain will be Mixed Use.</p>	86 / Exhibit 7.1	<p>In Exhibit 7.1 on page 86, change the northwest corner of Broadway and Mountain from "VC" to "MX."</p>
73	<p>Pg 52, Map 5: Extend landscape up Mountain continuously / coordinate this with street section illustrations at p 108.</p>	<p>Exhibit 4.1 (Map 5) shows existing street and sidewalk conditions and does not reference landscape.</p>	<p>Exhibit 4.1 (Map 5) will be deleted from Plan, as it is out-of-date and no longer needed. Cross sections on page 108 will also be deleted. Specific cross sections will be replaced with a general requirement to follow standards from the ITE Walkable Urban Thoroughfares manual.</p>	52 & 106-109 / Exhibits 4.1, 8.1-8.6	<p>On page 52, delete Exhibit 4.1. On page 106, delete Exhibit 8.1. On page 107, delete Exhibits 8.2 and 8.3. On page 108, delete Exhibit 8.4. On page 109, delete Exhibits 8.5 and 8.6. Renumber subsequent exhibits accordingly. On page 105, in Section 8.9, remove references to Exhibits 8.1-8.6. Replace sections 8.9.1-8.9.6 with language to read, "Street improvements to Broadway Boulevard, Odelia Road, Edith Boulevard, and Mountain Road shall follow the standards in the ITE Walkable Urban Thoroughfares manual and use minimum widths for travel lanes in order to minimize roadway widths and best balance multiple modes of travel."</p>
74	<p>Pg 53, 4.3: Applaud the City for reaching for LID ; try to be exemplary in new technologies; go beyond bigger storm sewers and giant retention ponds when possible.</p> <p>Investigate whether (ix) can be used to enhance landscape improvements indicated at Indian School E &amp; W of Broadway (offset) and on Mountain – as well as possible micro-instances of retention and beneficial use on smaller streets</p>	<p>The location-specific application of this policy goes beyond the scope of this Plan.</p>	None.		None.

# Martineztown-Santa Barbara Sector Development Plan

## Comment Matrix of Conditions

	Comment	No Change (plus explanation)	Change	Page / Section	Condition Language
75	Pg 81, 6.3.1: One – year time frame is unrealistically fast for property owners (and would inundate City permit process); Staff should investigate, perhaps 5 - 7 year is feasible. Most of the problems are long-standing.		See line 55.		See line 55.
76	Pg 82, T 6.2: Suggest Add R-1 to top row and delete R-1 from second row		See line 56.	82 / Table 6.2	See line 56.
77	Pg 83, 6.5.1(iv): Suggest replace 15% with 10% consistent with many definitions in the Zone Code and department practice	15% is more restrictive than what the Zoning Code (14-16-3-18) requires and seems appropriate given the character of this area, where every change poses potential impacts to surrounding properties given the small lot sizes, limited access, and lack of buffering.	None.		None.
78	<p>Pg 86, exh 7.1: Show Plazuela</p> <p>NR district is too much change for this tightly-knit community at this time; suggest restore to existing zoning and eliminate the zone @ this time</p> <p>Broadly suggest do not “down-zone” most properties in the entire plan area. (see also Exhibit 2.2). Instead, where necessary, downzone - with perpetuated uses allowed to continue – a very few selected properties which are C-3 or M zoned in close adjacency to R uses. This should amount to no more than 5-10 in the entire plan area. Per testimony at the hearing March 1, 2012, it would not be enough to leave just the properties west of Broadway as they are, and slowly or gently downzone the others. It is easy to see on the map of 7.1 the line of an old acequia and the zoning &amp; land-use patterns that shifted along that seam. Respect for the stakeholders is crucial to success of the Plan. cf N 4th St. process with residents and commercial / mfgr landowners.</p>	Plazuela is not a zone. It's in the public right-of-way. NR is based on existing zoning and is intended to better reflect existing and historic land uses. The 1990 specifically identified NRC as a transition zone that should be re-examined based on conditions at that time.	New zoning proposals will make a distinction between non-residential properties abutting residential zones, which would address the substance of this comment. Staff is working on zoning proposals that would increase the uses permitted in certain non-residential zones, while prohibiting incompatible uses. Staff agrees that stakeholder buy-in is critical and believes consensus is growing and will continue to strengthen throughout the adoption process.		See line 4.

## Martineztown-Santa Barbara Sector Development Plan

### Comment Matrix of Conditions

	Comment	No Change (plus explanation)	Change	Page / Section	Condition Language
79	Pg 87, 7.2.1(i): Question height modifications, 4th line.	Height limits are added to ensure solar access protections. See line 184.	None.		None. See line 184.
80	Pg 87, 7.2.1(ii): Protection of neighborhood character in this instance is questionable, especially in light of public testimony at the EPC hearing of March 1, 2012. Possible neighborhood commercial uses perhaps envisioned at a Plazuela (would be in VC zone) or elsewhere in the NR district are apparently not wanted by the stakeholders; they are seemingly a planning imposition on an unwilling and stable neighborhood.	Some residents have expressed the desire to keep non-residential uses currently allowed under NRC and MNR zones. The proposed change to NR zone is intended to protect the stability of internal neighborhood areas while allowing the non-residential uses along Edith and Mountain, where they better match existing character.	None.		None.
81	Pg 89, 7.3.4: Remainder of R-1? Sides? Rear?	Where not noted, the zone reverts to straight R-1 requirements.	None.		None.
82	Pg 89, 7.3.5: Suggest add a clause at the end of this regulation to read: "or as currently exists, even if 1 owner, without limits to time."	These zone regulations pertain to new development or redevelopment.	None.		None.
83	Pg 90, 7.4.2: This idea is hard on the scale & fabric of the existing community	The NR zone is intended to transition the area currently zoned NRC (Neighborhood Residential Commercial), which allows a number of commercial uses permissively, to a more residential zone with very limited commercial opportunities in appropriate locations.	None.		None.
84	Pg 90, exh 7.2 & 7.4.5: 18' two story is not realistic structurally or spatially; if you really want to pinch the 26' reg, suggest push to 22'	Recent development has been accomplished within 18 feet. This regulation is intended to keep new development within NR in scale with existing single-family development	A new zone that allows higher-density residential development will be applied to undeveloped parcels within the area formerly proposed for NR that will allow buildings up to 22 feet in height based on lot size. This zone is intended to provide some incentive for redevelopment that can add rooftops, and hence a market for nearby services, in locations where development has not yet occurred.	93 / New 7.6	On page 93, in a new Section 7.6, insert a new zone, SU-2/MTSB RI (Residential Infill) with language per the attachment. Renumber subsequent sections accordingly.

# Martineztown-Santa Barbara Sector Development Plan

## Comment Matrix of Conditions

	Comment	No Change (plus explanation)	Change	Page / Section	Condition Language
85	Pg 91, 7.4.5(ii)a: Why is the one-year (or modified?) time frame attached to this height reg? – are there structures which need to be chopped down? Clarify or delete this reg.	7.4.5(ii)a references section 14-16-3-19 of the Zoning Code, which is General Height and Design Regulations for Walls, Fences and Retaining Walls. This regulation is not intended to apply to buildings.	This regulation is proposed to be replaced with a modified buffer requirement between residential and non-residential uses along Edith and Mountain in NR. See line 55.	91 / 7.4.5(ii)a	On page 91, delete subsection 7.4.4(ii)a. See line 55 for buffer replacement.
86	Pg 91, 7.4.6: Suggest off street parking be waived for properties with existing uses as long as they exist	This regulation is intended to bring non-compliant properties into compliance with the requirements of the Zoning Code and reduce the impact of on-street parking on local residents.	This regulation cited an incorrect zone reference. Should have been 14-16-3-19 General Height and Design Regulations for Walls, Fences, and Retaining Walls. This regulation is proposed to be replaced. See line 85.	91 / 7.4.6 (iv)	On page 91, delete subsection 7.4.6(iv) in its entirety. See line 55 for buffer replacement.
87	Pg 92, 7.5: (strange to have a zone for one teeny spot.)	Staff agrees. However, the 1990 Plan allowed this single property to be zoned R-T, and the property developed with townhouses within the past few years.	Clarify map in Exhibit 7.1 to identify which parcel is zoned R-T.	86 / Exhibit 7.1	In Exhibit 7.1 on page 86, add R-T to the legend, add a label for R-T to the map and clearly identify the parcel that is zoned R-T on the east side of Broadway, south of Menaul (2406 Broadway NE)
88	Pg 94, exh 7.3 & 7.7.4(ii): Suggest add a bit; 15' even 20' for this courtyard situation to permit a pleasant sense of space to occur		Will change to an additional 20 feet.	94 / 7.7.4(ii) and Exhibit 7.3	On page 94, section 7.7.4(ii), replace "10 feet" with "20 feet." On page 94, Exhibit 7.3, change dimension from 10 feet to 20 feet and change the corresponding note.
89	Pg 95, 7.7.5(ii): One year seems too fast. perhaps 5 - 7 year is feasible.		Language will be deleted.	95 / 7.7.5(ii) & 98 / 7.8.6(iii)	On page 95, delete section 7.7.5(ii) in its entirety. On page 98, delete section 7.8.6(iii) in its entirety.
90	Pg 95, 7.7.6(v) : 10' too high. Building code would be 7'. Suggest 8'; this is a matter of scale. Planning staff should consider doing a brief case-study of portals at Old Town for height, depth (front-to-back), column spacing; also note whether this "height" means to deck or to supporting beams.	Form-based code minimum is 10'. The regulation cites "vertical clearance," referring to the lowest point. Code enforcement confirmed standard understanding.	None.		None.
91	Pg 96, 7.7.8(ii): Consider whether this off street parking permission could be at a rate of 100% of street on the block, not the 50% of spaces usually offered by transportation staff	Staff disagrees. The Plan as written provides for 100% credit for on-street spaces abutting a site.	Clarify 7.7.8(ii) and 7.8.9(ii)	96 / 7.7.8(ii) 99 / 7.8.9(ii)	On page 96, in section 7.7.8(ii), add "credit" after "On-street parking." On page 99, in section 7.8.9(ii), add "credit" after "On-street parking."

## Martineztown-Santa Barbara Sector Development Plan

### Comment Matrix of Conditions

	Comment	No Change (plus explanation)	Change	Page / Section	Condition Language
92	Pg 96, 7.7.9(iii): One year requirement too short a time frame?		See line 55.		See line 55.
93	Pg 96, 7.7.12: Suggest no LED signage be permitted in the SDP area, or if this is a big issue, permit it only on Lomas, and perhaps on Broadway.	To date, no specific feedback regarding electronic signage, including a desire to prohibit LED signs, has been received as part of this planning process. Staff is hesitant to suggest a change of this nature at this point since such a change is really a policy decision.	None.		None.
94	Pg 97, exh 7.3 & 7.8.5(iii): Suggest add a bit; 15' even 20' for this courtyard situation to permit a pleasant sense of space to occur		Will change to an additional 20 feet.	97 / 7.8.5(iii) and Exhibit 7.5	On page 97, section 7.8.8(iii), replace "10 feet" with "20 feet." On page 97, Exhibit 7.5, change dimension from 10 feet to 20 feet and change the corresponding note.
95	Pg 98, 7.8.6(i)a: Delete "abutting" and insert "west of"	At the major intersection of Broadway and Mountain, taller buildings are appropriate. Height and higher density can also help promote the kinds of services and redevelopment envisioned by the Plan and desired by area residents.	None.		None.
96	Pg 98, exh 7.6: Consider permitting 35' west of Broadway tapering down to 26' at the east end of properties lining Broadway, and thereafter 26' max.	Staff believes 26' is sufficient and conforms with existing conditions on the affected sites.	The zoning for the vacant parcel has been proposed to change to C/I, which would allow higher building heights.		See line 2.
97	Pg 99, 7.8.11: Note that buffering is not required between mixed uses on a single premises	Staff feels that this regulation is clear and that no additional notations are needed.	None.		None.
98	Pg 100, 7.9: Consider deleting & re-zoning to preferred use so that if APS sells, the land reverts to what is wanted.	This planning process did not contemplate a potential future use for the AHS site in the unlikely case that APS would sell this property. Perhaps this issue could be revisited in a future update of the Sector Plan if there is any indication that APS is interested in selling the site.	None.		None.

## Martineztown-Santa Barbara Sector Development Plan

### Comment Matrix of Conditions

	Comment	No Change (plus explanation)	Change	Page / Section	Condition Language
99	Pg 101, 7.10: Consider blanket prohibition of LRFs as the scale of these would be incompatible with the neighborhood.	There are few, if any, parcels within the Sector Plan area that are large enough to accommodate a large retail facility. Also, given the constrained roadway network, it seems unlikely that a large retail facility would even be feasible in this area. Staff does not see a need to introduce a blanket prohibition at this point in the planning process since this issue has never been raised.	None.		None.
100	Pg 102, 7.11: Interesting place for an LRF; planning staff should carefully evaluate and add to prohibited uses at 7.11.2 or express support of the LRF possibility.	LRFs are not a permissive use in the M-1 zone. The area proposed as M-1 in the draft plan is now going to be proposed to be "C/I" (Commerical/Industrial), which <i>would</i> allow C-2 uses, including LRFs. See line 99 for discussion regarding prohibition of LRFs.	None.		None.
101	Pg 104, 8.3: Consider adding: "on-street parking may be counted towards requirements at 1:1 rate on the same block as premises is located"	Staff does not agree with this recommendation. The Plan allows a 100% on-street parking credit in the VC (Village Center) and MX (Mixed Use) zones. Allowing a 1:1 on-street credit in all of the Plan's zones would not adequately provide for parking needs and protect developed areas.	None.		None.
102	Pg 104, 8.4: Consider adding: "no electronic signage is permitted except on Broadway and Lomas"	See line 93.	None.		None.
103	Pg 104, 8.6.1: Suggest total deletion. This standard is weak, the area is eclectic. If you really want to push for design standards, perhaps do so in residential zone only.		Will delete.	104 / 8.6.1	On page 104, delete language from 8.6.1 and renumber subsequent sections accordingly.

## Martineztown-Santa Barbara Sector Development Plan

### Comment Matrix of Conditions

	Comment	No Change (plus explanation)	Change	Page / Section	Condition Language
104	Pg 104, 8.6.2: Last line, prior to "buildings" insert "...over 30% of any elevation or façade of any (building)."	Staff does not agree with this recommendation. The intent of this regulation is to ensure quality development.	None.		None.
105	Pg 104, 8.6.3: Add "No garage door may exceed 9' in width."	Staff is unclear as to the intent of and need for this recommendation.	None.		None.
106	Pg 104, 8.6.5: At end of first line, add "or onto a porch facing the street."		Change per commenter's recommendation.	104 / 8.6.5	In section 8.6.5 on page 104, add "or onto a porch facing the street" at the end of the first sentence.
107	Pg 104, 8.6.6: Third line, after "doors" add: "to an occupied space". At end of paragraph add "windows on garages or garage doors do not count toward this requirement."	Staff feels that this regulation is adequate as written and that the recommended additions are unnecessarily restrictive.	None.		None.
108	Pg 105, 8.7.2: Line 4 50% seems high; what is comparable best practice in other cities? – also do request that a certain percentage be at pedestrian height; perhaps between 3' & 7' above adjacent grade.		See line 59.		See line 59.
<b>Agency Comments - Planning</b>					
109	Pg 41: MRCOG of governments should have data that is more current than 2007		Will change.	40-41 / 2.5.7	Prior to adoption, update this section with more current information.
110	Pg 50: Can the policies be broken up into a main policy and then supporting information?		Policy section will be revised so that statements read more clearly as policies.	50-56	In Chapter II, Section 4, reformat policies so that the policy statement is more easily discernable. See red-line.
111	Pg 53, 4.3 Drainage: Is the language in this policy purposely not mandatory?	Policies are not regulatory; thus the term "should" is used instead of "shall."	None.		None.
112	Pg 58: Are the Capital Projects prioritized?	Table 5.1 will eventually be revised to identify projects as near-, mid-, and long-term. This change could not be accommodated at this time.		66-73	Before Plan adoption, revise Table 5.1 to include a column for "Timeframe" with each item categorized as Short-term, Medium-term, or Long-term.
113	Pg 66, 67: Is it possible to add a glossary? Terms such as Plazuela, may be unfamiliar to people without a background in New Mexico history.	A glossary will eventually be added to the Plan. This change could not be accommodated at this time.		TBD	Before Plan adoption, add a glossary to the Plan.



## Martineztown-Santa Barbara Sector Development Plan

### Comment Matrix of Conditions

	Comment	No Change (plus explanation)	Change	Page / Section	Condition Language
114	Pg 75, P-25: Would there be legal issues with a Community Based Code Compliance group?		Revise to clarify that community-based group would work in collaborate with the City's Code Enforcement Division.	75 / P-25	Table 5.2, line P-25, revise as follows: "Establish a community-based group to work with the City's Code Compliance Division to identify nonconforming properties and assist owners in bringing their properties up to code." Under the "Lead Agency" column, list "Planning - Code Enforcement" before "Neighborhood Association".
115	Pg 82: The NR zone is not listed in the Development Review Process Matrix.		Table 6.2 will be revised.		See line 56.
116	Pg 87: Height is only addressed in some zones, is this correct or am I missing something?	Where the Plan is silent, the regulations default to Zoning Code standards.	Changes will be made to certain zones in respect to height. Section 7.2.1 will be revised to reflect changes in heights proposed.	87 / 7.2.1	On page 87, section 7.2.1, revise residential zone descriptions to reflect changes in heights proposed. See redline for proposed language.
117	Pg 90: The height in the NR Zone is limited 18 feet. This seems low. The lots in the area are narrow and it seems that being able to have a two story building maximizes the lots. Also, there are many existing two story buildings. If there is a specific reason for this it should be explained	See line 84.	See line 84.		See line 84.
118	Pg 95: public ways, clear height, please define Balconies and Portals- from where is the 10 feet measured?	See line 90.	None.		None.
120	Pg 97: Why are private schools conditional and public schools are permissive?	Public schools are permissive in any zone because APS is not subject to City jurisdiction or zoning. Private schools are conditional in order to ensure their compatibility with surrounding uses.	None.		None.

# Martineztown-Santa Barbara Sector Development Plan

## Comment Matrix of Conditions

	Comment	No Change (plus explanation)	Change	Page / Section	Condition Language
121	Pg 104: It might be useful to add the variance process on this page.		Will add to Section 6.4.	81 / 6.4	On page 81, section 6.4.2 replace existing language with the following: "6.4.2. In addition to the standard application materials required based on the applicable procedure that must be followed (see Table 6.2), applicants shall submit, with their application, a written explanation describing how the proposed development complies with the zoning requirements, particularly usable open space and buffering, where applicable, and General Standards (see Section 8.0)." Delete subsections (i)-(iii). On page 83, add a new subsection 6.4.4 with the new language as shown in the redline and delete section 6.5.3 in its entirety.
122	Pg 104, 8.6.3: Many of the lots in the area are small. This limits the space for back yards.	This language is standard to R-1 to ensure enough space for off-street parking. These lots are small but narrow, not shallow.	None.		None.
123	Pg 104, 8.6.5: Does this apply to buildings on Lomas and Broadway?	Yes.	Language will be clarified to note requirements for common entrances.	104 / 8.6.5	On page 104, revise 8.6.5 as follows: "Primary entrances shall face the street. In townhouse and <del>multiple dwelling unit</del> developments, the dwelling unit(s) adjacent to the public right-of-way shall have its (their) front door(s) oriented toward the street or have a street fronting porch. <u><b>In multiple dwelling unit developments, there shall be at least once common entrance that shall be oriented toward the street.</b></u>
<b>Agency Comments - DMD Transportation Planning</b>					
124	The author does not utilize the 2035 traffic volume projections. The words "current capacity" is used. Some of the funding has State and Federal funding suggested. If any federal funding will be requested, it must comply with this planning horizon for consideration. Further, any modifications made that are not consistent with that projection may make the roadway ineligible for future funding.	Need additional information from commenting agency in order to be able to respond.	None.		None.

## Martineztown-Santa Barbara Sector Development Plan

### Comment Matrix of Conditions

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125	It was our understanding that Sector Plans were to deal with land use and private property zoning issues. Utilizing a planning document for transportation planning without the input of a knowledgeable traffic engineer during development of the plan is not recommended. Waiting until a review cycle for input is late and makes the final version more expensive to finish.	Transportation planning is intimately connected to land use planning; the two should not be considered mutually exclusive. Per 14-16-5-1, the definition of "Sector Development Plan" provides that "the plan may specify...provisions for transportation..." This Plan provides policies and specific criteria to guide future transportation and other public facility improvements that are needed in order to complement new zoning regulations and achieve a built environment that is consistent with the community's vision and adopted City policies.	Staff agrees that the detailed cross sections included in Section 8.0 have not been adequately vetted and are, therefore, proposed to be removed and replaced with more general standards that address appropriate roadway design. See line 73.		See line 73.
126	If a change decreases roadway capacity or moves traffic to another street, the impact extends beyond the immediate street and the impact on the adjacent streets will need to be addressed. The author can not assume the other streets have the additional capacity.	The plan recommends a traffic study prior to changes in roadways.	None.		None.
127	There are references to landscaping or art installations. There are no details/dimensions of the type or profile of this landscaping or art, so we are unable to review the impact. Our concern is that we must maintain a line of sight triangle for vehicles approaching an intersection to be able to see oncoming traffic.	Where the Plan is silent, the regulations default to City standards and procedures. No reference to sight triangle is needed here so that any installation by default will have to comply with established City policy.	None.		None.

## Martineztown-Santa Barbara Sector Development Plan

### Comment Matrix of Conditions

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128	Related to additional crosswalks. The City of Albuquerque supports only marked crosswalks at controlled intersections. There are numerous publications that detail the research and impact of having marked crossings at uncontrolled intersections. In summary, they say that a marked crosswalk is less safe than an unmarked crosswalk at uncontrolled crossings. The marked crosswalk does not change driver behavior, and it provides a false sense of security for pedestrians. Controlled intersections, for the sake of this discussion, are those with a traffic signal or the legs of an intersection with stop signs.	Need additional information from commenting agency in order to be able to respond. Please provide specific section references. The existing references to crosswalks that staff found are all at signalized intersections (e.g., 5.1.2(iv), 5.1.3(i), 5.1.12(xi)), or call for a pedestrian refuge where an existing crosswalk already exists (5.1.3(iii)). While it may be the position of the commenting agency that marked crossings are only appropriate at signalized intersections, this does not necessarily reflect the position of the some policymakers and their efforts to provide adequate pedestrian facilities and improve overall community safety. Staff is open to recommendations that would be more acceptable to DMD that would still meet the intent of these proposals.	None.		None
129	The current streetlight policy is for vehicle navigation and has PNM street lights at intersections and 500' intervals. Security, pedestrian, and decorative street lighting is currently the responsibility of the adjacent property owner. Should additional lighting be installed in the right of way, it becomes an unfunded mandate and the operation and maintenance falls on the Traffic Engineering Division. PNM operates and maintains conforming lighting only. We currently have no budget, staff, equipment or parts to maintain non-PNM supported lighting.	Response pending.	Response pending.		[Pending consideration]

## Martineztown-Santa Barbara Sector Development Plan

### Comment Matrix of Conditions

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130	Residential and Historic signs have been shown to not change driver behavior. Once installed they are a target for vandalism. With limited budgets and staffing, maintenance of specialty signs is difficult to accommodate and they become obsolete.	The historic sign proposed in 5.1.5(i) is not intended to be a traffic-calming measure. The community specifically requested the proposed residential signs in order to signal the transition to a residential area.	Language will be clarified with respect to location and will remove the reference to the signs functioning to calm traffic.	58 / 5.1.2(i) 59 / 5.1.3(ii) 59 / 5.1.4(v) 59 / 5.1.5(i) 61 / 5.1.10(iii) )	Language pending. [LPQ, KSR]
131	Recommending a future NTMP is not prudent and should have been part of this plan if traffic is included in the scope (see comments in General #2). Any traffic calming impacts need to be coordinated with the balance of the recommended improvements and with the associated funding. The recommendations for medians and lane width narrowing are in fact traffic calming measures and were included.	As has been the practice with other recent Sector Plan efforts (e.g., South Yale, DNA), at the Rank 3 planning level, it is more appropriate to recommend the study and future development of a comprehensive transportation plan for an area than to actually undertake that study as part of the SDP process. This Plan's recommendations for improvements such as medians, pedestrian refuges, and other features that are intended to improve overall safety are consistent with the types of recommendations made in other adopted SDPs. Oftentimes, these types of improvements are requested by the community outside of SDP processes but never evaluated or implemented until they are elevated to the level of adopted policy within a SDP.	None.		None.
	<b>Agency Comments - Planning/Transportation Development</b>				

## Martineztown-Santa Barbara Sector Development Plan

### Comment Matrix of Conditions

	Comment	No Change (plus explanation)	Change	Page / Section	Condition Language
132	Section 8.9 Transportation (Cross Section Exhibits 8.1-8.6; pages 106-108): Per Development Process Manual (DPM, Chapter 23), please reflect appropriate widths and locations in accordance with this current/updated manual (ROW permitting). <ul style="list-style-type: none"> <li>• Driving lane width: 12 feet.</li> <li>• Parking lane width: 8 feet.</li> <li>• Bike lane width: 6 feet.</li> <li>• Sidewalk location should be at property line instead of back of curb and should be 6 feet width on collector and arterial roadways, and 4 feet width on normal local streets.</li> </ul>	See line 73.	See line 73.		See line 73.
	<b>Agency Comments - Planning/Hydrology Development</b>				
133	• Paragraph 4.3.4 states that LID impacts on the overall system will be negligible. In the near-term this is correct, however in the long-term there will be an impact on the overall system.			53 / 4.3.4	On page 53, section 4.3.5, add "short-term" prior to "impact" in the final sentence. Add the following sentence: "However, as the installation of LID features divert sufficient discharge, the necessity for extensive drainage system infrastructure may be reduced in the long-term."
134	• Please replace paragraph 4.3.5 (iii) with "For existing sites, the amount of runoff after development should be the same as before development." I do not believe there are negative downstream water rights implications.		Will change language.	53 / 4.3.5(iii)	On page 53, section 4.3.5(iii), replace language with the following: "For existing sites, the amount of runoff after development should be the same as before development."
135	Page 55 shows street side rain gardens, stormwater planters and vegetated swales. These are excellent LID strategies, however how does it get accomplished in the development process? Most of the streets in this sector plan are built.	These strategies are intended for redevelopment. They are included in the policy section to provide guidance without being mandatory.	None.		None.
136	Hydrology recommends removing "unused or rarely used..." from item number 8 in table 4.1.		Will revise per comment.	55 / Table 4.1	Revise # 8 under "Micro" to read: "Parking lots, including unused or rarely used areas"
137	Please add "Multi-family parking lots;" to paragraph 4.3.7.		Will add language.	56 / 4.3.7(iv)	On page 56, section 4.3.7, add "parking lots and" between "Multifamily" and "green space areas."
	<b>Agency Comments - Transit</b>				

## Martineztown-Santa Barbara Sector Development Plan

### Comment Matrix of Conditions

	Comment	No Change (plus explanation)	Change	Page / Section	Condition Language
138	Adjacent and nearby routes: Route #1618, Broadway University-Gibson route, Route #6, Indian School commuter route access the Broadway and Odelia. Route #5, Montgomery-Carlisle route, Route #7, Candelaria commuter route, Route #13, Comanche commuter route access the Broadway and Mountain roads.		Language will be updated with this information.	32 / 2.3.17	Prior to adoption, update Section 2.3.17 with the information provided, including adjustments to the map in Exhibit 2.6
139	Adjacent bus stops: 8 bus stops on Broadway between Lomas Blvd. and Odelia, distributed evenly on either side of the road. 4 bus stops on Odelia, between Broadway and I-25, Distributed evenly on either side of the road. 7 bus stops on Mountain between BNSF Rail road track and I-25 . All the stops serve the above-mentioned routes.		See above.		See line 138.
140	Site plan requirements Chapter III: Regulations 8.0 General Design Standards Section 8.9 Transportation should address the Transit needs in their cross sections. The Broadway Cross Sections on page 106 Exhibit 8.1 are all suitable for Transit needs. The Odelia Road Cross Sections Exhibit 8.2 on Page 107 show a driving lane width of 10.5', in both directions, is not wide enough to accommodate Transit busses which will end up encroaching into the bike lanes. A 12' wide Travel lane would be acceptable for Transit needs.		See line 73.		See line 73.
141	The Mountain Road Cross Sections on page 108, Exhibit 8.4 would also need a Travel lane width of 12' to prevent buses from encroaching into the bike lanes. Between Woodward and Edith the bus stop located on the northwest corner of Albuquerque High School, serving routes westbound, is a site for ARRA bus shelter. Between Broadway and Edith the westbound stop located adjacent Albuquerque Work Force Development is a site for ARRA bus shelter.		See line 73 and 140.		See line 73.

## Martineztown-Santa Barbara Sector Development Plan

### Comment Matrix of Conditions

	Comment	No Change (plus explanation)	Change	Page / Section	Condition Language
142	The intersection design does not address the Odelia/Broadway intersection. Future General Design Standards to address the Transit requirements by providing adequate right turn lanes and left turn lanes for the busses.		See line 73 for the removal of this diagram. Will add language addressing adequate right turn lanes and left-turn lanes for future intersection improvements.	105 / new 8.9.3	On page 105, in Section 8.9, add a new section 8.9.3 that shall read, "In order to accommodate transit needs and encourage transit use in this area, intersection improvements at Mountain/Broadway, Odelia/Broadway, and Lomas/Broadway shall be coordinated with ABQRide to incorporate right turn lanes and left-turn lanes adequate for buses where space permits."
<b>Agency Comments - Parks and Recreation</b>					
143	Chapter 1: Section 2.3.6, lighting should be added under the I-40 bridge at Edith for safety of pedestrians and bicylists.	[This suggestion is more appropriately located in Section 5.1.5(v) as a policy recommendation]	None.		None.
144	Chapter 1, Page 29, Section 2.3.9 refers to Table 2.2 which should be referred to as Table 2.1		Will change reference.	29 / 2.3.9	On page 29, section 2.3.9, in paragraph 2 after (i) and (ii), replace "Table 2.2" with correct Table number cross reference.
145	Chapter 1, Section 2.3.13, please change Bicycle Trails to Multi-Use trails throughout this section and add pedestrians to the users. The next sentence should read, "Multi-use Trails shall accommodate bicycles, pedestrians and other non-motorized users. In Section 2.3.13.ii, the MRCOG map is named the Bikeways System Map. In (b) of this section, please change to state "A trail connection from 6th Street to University is programmed and funds need to be allocated in the T.I.P. for design in 2018 for construction in 2019. Please add this connection from 6th Street to University Blvd. to Exhibit 2.5 that shows proposed trails.	As this section is not regulatory, "shall" is not appropriate. The first sentence explains the primary users. The third sentence explains that trails may accommodate other non-motorized users.	Will change language.	30, 32 / 2.3.13 / Exhibit 2.5	On pages 30 and 32, replace "bicycle trail" with "multi-use trail" wherever it appears. In the first sentence, add "and pedestrians" to the end of the sentence. In the third sentence, delete "pedestrian or." In section 2.3.13(ii), replace "Middle" with "Mid-" and replace "Long Range Bike Map" with "Bikeways System Map." In section 2.3.13 (ii)b, replace existing language with the following: "A trail connection from 6th Street to University Boulevard along I-40 and I-25 to connect to the existing trail at Odelia Road and Indian School Road is programmed. Funds need to be allocated in the Transportation Improvement Program for design in 2018 and construction in 2019."



## Martineztown-Santa Barbara Sector Development Plan

### Comment Matrix of Conditions

	Comment	No Change (plus explanation)	Change	Page / Section	Condition Language
146	Parks & Recreation Department requests clarification and correction regarding Chapter 1: Section 2.0 "2012 Mid Valley Drainage Masterplan" recommendation 1. The correct name of the park referred to is the Martineztown-Santa Barbara Park which is the larger of the three parks referenced in the document. It is our understanding that the park may not be suitable for the drainage solution sought after and further study is necessary.	These recommendations are part of the existing 2012 Mid Valley Drainage Masterplan.	Will change reference to Martineztown-Santa Barbara Park for clarity and consistency with the rest of the SDP.	37 / Inset 4.2	On page 37, in Recommendation 1, add "Martineztown-" prior to "Santa Barbara Park."
159	Chapter 1: Section 2.5.2 ii, could be reworded to state that "Council funding could possibly fund an upgrade of the park..."		Will change language.	39 / 2.5.2(ii)	On page 39, section 2.5.2(ii), replace the last sentence with the following: "Council funding could be appropriated to upgrade the park with new playground equipment."
160	Chapter 1: Section 2.5.2 v, As the Albuquerque High School does not allow public access to the recreation amenities on their site, it does not function as a City park and should therefore be removed from this parks section for clarity.	Section 2.5 includes both publicly owned facilities (i.e. City parks) and Community Services. The community has requested access to AHS resources. While this Plan does not have jurisdiction over APS, it is an appropriate place to note this request from the community. Santa Barbara park, owned by San Ignacio Church, is also included in the section, which staff believes helps set the context that not all bulleted items are City facilities.	None.		None.
161	Chapter 1: Section 2.3.1 (vii) Chapter 1: Section 3.2.2 Chapter II, Section 5.1.4(ix) Chapter II, Section 5.1.8 Chapter II, Section 5.0 Table 5.1 T-13, T-14, T-26 Coordination with Parks Management is needed prior to design and implementation of a proposed Plazuela at Mountain and Edith to determine maintenance responsibilities and maintenance issues.	2.3.1(vii) only notes the community request. It is not yet a recommendation. T-13, T-14, and T-26 in Table 5.1 already note Parks as a lead agency involved in the design and implementation.	Will add language to Section 3.2.2, 5.1.4(ix), and 5.1.8.	44 / 3.2.2(iv) & 59 / 5.1.4(ix) & 60 / 5.1.8(i)	On page 44, section 3.3.3(iv), add a new sentence at the end: "Coordinate with City Parks prior to design and implementation to determine maintenance responsibilities and maintenance issues." On page 59, section 5.1.4(ix), add the sentence noted above between the first and second sentence. On page 60, section 5.1.8(i), add the sentence noted above before the last sentence.

## Martineztown-Santa Barbara Sector Development Plan

### Comment Matrix of Conditions

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162	Chapter II, Section 5.1.11, iii, Please add MUTCD (Manual on Uniform Traffic Control Devices) after AASHTO.	The City already defaults to MUTCD. This Plan adds AASHTO because it is not commonly used by the City.	None.		None.
163	Chapter II, Table 5.1 Implementation Matrix, T-2 Parks and Recreation is not clear on why they are listed as having some Lead Agency responsibility for the Monument Signage.	[Pending consideration]	[Pending consideration]		[Pending consideration]
164	Chapter II, Table D-4, regarding storm drainage improvements with Martineztown-Santa Barbara Park, Parks and Recreation should be identified as Lead Agency with DMD. Please note also that the Park may not be suitable for the action identified here and further study is necessary.		Will add Parks as a Lead Agency along with DMD.	71 / Table 5.1 / D-4	On page 71, Table 5.1, item D-4, include "/Parks" to "DMD" in the Lead Agency category.
165	Additional streetscape improvements can improve the safety of pedestrians and bicyclists in the plan area. Landscaping, street trees, lighting and signage are excellent additions to the neighborhood enhancing the overall appearance and safety. That said, Parks and Recreation has concerns about the potential resulting additional maintenance responsibilities for the Department and the budget implications thereof. Whenever possible, the responsibility for maintenance of streetscapes and landscaping should be the responsibility of the adjacent property owner in addition to any existing landscape requirements of the zoning code.		Add a new section 5.1.1 that explains that features that are installed by the City that require ongoing maintenance (e.g., parkway landscaping) are the responsibility of the adjacent property owner.	58 / new 5.1.1	On page 58, insert the following new section 5.1.1 and renumber subsequent sections accordingly: "5.1.1 Maintenance Responsibility: Features that are installed by the City that require ongoing maintenance (e.g., parkway landscaping) are the responsibility of the abutting property owner."
<b>Agency Comments - PNM</b>					
166	Please consider adding the following language to the utility section, section 8.8.2  (v) Design of landscape with consideration for safety clearances in regards to overhead facilities, both distribution and transmission.		Will add language per commenter's suggestion.	105 / 8.8.2 new (v)	On page 105, in section 8.8.2, add a new (v) with the following language: "Design of landscape with consideration for safety clearances in regard to overhead facilities, both distribution and transmission."

## Martineztown-Santa Barbara Sector Development Plan

### Comment Matrix of Conditions

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167	<p>New section following Section 2.5.3, Public facilities in the Plan:</p> <p>2.5.4 Private Utilities Public Service Company of New Mexico (PNM) provides electric service to the City of Albuquerque. PNM is an investor-owned electric/energy services utility regulated by the New Mexico Public Regulation Commission (NMPRC). As a regulated utility, PNM is charged with furnishing adequate, efficient, and reliable service to customers within its service territory.</p>	The suggested location is not appropriate, as it would be in the Public Facilities and Community Services section.	Will add new section 2.6 Electric Utilities per commenter's suggestion.	41 / new 2.6	On page 41, add a new section 2.6 with the new language as shown in the redline.
	<p>Continued... 2.5.5.1 Electric Service Safe, reliable electric power is a cornerstone of community growth and development. It is important to the health, welfare, and safety of its citizens. PNM responds to City growth by adding or expanding the capacity of its electric transmission and distribution facilities. As one of the early communities in Albuquerque, The Martineztown/Santa Barbara Development Plan area has components of the electric system that may require upgrading in the future due to the age of the existing electrical system and to meet the growing electric service requirements of the City of Albuquerque and Bernalillo County. PNM continuously monitors the electric transmission and distribution system and plans improvements bases in system demands.</p>		See above		See above

## Martineztown-Santa Barbara Sector Development Plan

### Comment Matrix of Conditions

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	Continued... The electric transmission system that serves the Plan area consists of four 46kV transmission lines. The facilities are shown in Figure 1. These facilities are an important part of the existing infrastructure system in the area and are identified as protected transmission corridors in the Rank II Facility Plan for Electric Service. The higher transmission voltage is "stepped down" to lower voltages fed through distribution lines called feeders that deliver electric service to business and residential customers. Like local streets that provide access to every residence, distribution lines provide service to every customer. When new residential, commercial and industrial development occurs, new infrastructure including new local streets and new distribution lines are also required.		See above		See above

## Martineztown-Santa Barbara Sector Development Plan

### Comment Matrix of Conditions

	Comment	No Change (plus explanation)	Change	Page / Section	Condition Language
	<p>Continued... Distribution lines are typically located within public utility easements or PUEs either constructed overhead or underground. They are compatible with other “dry” utilities such as cable, telephone and fiber optic facilities. The width of the PUE is typically 10 feet in order to provide necessary clearances for safety purposes. Water lines, sewer lines and storm water drainage or “wet” utilities are not compatible with “dry” utilities and do not share the same trench.</p> <p>Utility easements are given by property owners, which allow other entities the permission to use a property for a specific purpose. The right of utility companies to place their lines across other’s property public utility easements (PUE)/private easement. The landowner who grants an easement usually cannot build structures within an easement area or use fencing that would hinder access, and there may be limitations on the types of landscaping allowed. Other activities within the PUE/private easements throughout the City of Albuquerque and within the Plan area.</p>		See above		See above
	<p>Continued... Placement of landscaping should be carefully located to avoid interference with the existing PNM facilities. PNM’s preference is for trees and shrubs to be planted outside the PNM easement; however, if within the easement, it is preferred that trees and shrubs be planted in an offset location to minimize effects during maintenance and repair.</p> <p>As redevelopment occurs within the Santa Barabara-Martineztown Sector development Plan area, it will be necessary to coordinate with all utility companies to allow for adequate width, clearance and appropriate location for PUEs and utility rights-of-way.</p>		See above		See above

## Martineztown-Santa Barbara Sector Development Plan

### Comment Matrix of Conditions

	Comment	No Change (plus explanation)	Change	Page / Section	Condition Language
	Continued... Coordination is necessary to address: -the extension of public utility facilities and to ensure the safety of the public and utility crews who maintain and repair such facilities; -projections such as canopies, portals, stoops, balconies, shop fronts and awnings in PUEs to be compatible with existing utility infrastructure; and -parking areas and alleys to allow for adequate utility access.  Physical constraints of right-of-way widths and building and utility locations may require some standards to be adjusted for exceptions.		See above		See above
	<b>STAFF CHANGES</b>				
168	NR - add lot size/width standard to allow properties between Lomas/Mountain to develop		Will add language.	91 / 7.4.4 new	On page 91, section 7.4.4, add a new subsection "Minimum Lot Size and Width," with the following language: "If platted prior to the adoption of this Plan, lots less than 5000 SF and/or less than 50 feet wide may develop as long as they meet setback and usable open space requirements. Lots may be measured by plat lines, metes and bounds, or ownership lines per the definition of lot in City Zoning Code 14-16-1-5."
169	Revise zoning proposal for properties currently zoned HM or M-1 on the west side of Broadway to address concerns expressed by property owners.		The proposed "C/I" (Commercial / Industrial) zone will add C-2 and R-3 uses, which are not allowed under existing zoning, and remove a limited number of never-been-used uses that are incompatible with nearby residential areas.	86 / Exhibit 7.1	In Exhibit 7.1 on page 86, change "M1" and "HM" to "C/I"

## Martineztown-Santa Barbara Sector Development Plan

### Comment Matrix of Conditions

	Comment	No Change (plus explanation)	Change	Page / Section	Condition Language
170	Revise zoning proposal for properties on the east side of Broadway that are currently zoned M-1 or C-3 (north of Odelia, south of the park) and properties currently zoned C-3 north of I-40 and west of Edith to address concerns expressed by property owners.		For those properties currently zoned C-3, the proposed "C/LI" (Commercial / Light Industrial) zone retains uses allowed per the 1990 Plan C-3 zone and adds certain uses that were prohibited in the 1990 Plan. For those properties currently zoned M-1, the proposed C/LI zone limits permitted uses to those compatible with abutting residential uses and provides an opportunity for certain uses to be obtained conditionally through a public hearing process. For properties that abut a residential zone, C-3 uses are conditional rather than permissive. Historically, properties in this area zoned M-1 have only contained C-3 uses.	86 / Exhibit 7.1	In Exhibit 7.1 on page 86, change all "C2" north of Mountain and West of Edith to "C/LI" See also line 2 for C/I and line 4 for C/LI.
171	Add NRC to plan for SU-1 NRC [Moose Lodge]			87 / 7.2, 7.2.1(v) new & 94 / New	On page 87, Section 7.2, add the following sentence after the sentence inside the brackets: "As of 2012, there is only 1 SU-2/SU-1 for MTSB NRC property in the Plan area. The following information is included here for the singular purpose of referring to regulations on that property, which is controlled primarily by site plan." On page 94 in a new Section 7.7, include zoning description of NRC as it appears in the 1990 plan to accommodate the SU-1 NRC property that will retain its zoning upon adoption of this Plan. Renumber subsequent sections accordingly.
172	Add SU-2/MTSB to the "Zoning Established" map in order to identify properties as being regulated by this Sector Development Plan.		Revise Exhibit 7.1	86 / Exhibit 7.1	In Exhibit 7.1 on page 86, revise the legend by adding "SU-2/MTSB" before each zone descriptor and adding the full zone name after the descriptor.
173	Clarify the explanation of the issue regarding zone names in the 1990 Plan.		Revise section 2.2.2(ii)	17 / 2.2.2 (ii)	On page 17, in section 2.2.2 (ii), delete the sixth bullet that begins "Misleading zone category name..." and insert in lieu thereof the following: "The zone names in the 1990 Sector Development Plan did not accurately reflect the allowed and conditional uses or the desired character of each zone."
174	Clarify "Residential Zones" descriptions in Section 7.0 Zoning, page 87.		Delete "Martineztown" to reflect proper zone name.	87 / 7.2.1 (ii)	On page 87, section 7.2.1(ii), delete "Martineztown" on the first line.

## Martineztown-Santa Barbara Sector Development Plan

### Comment Matrix of Conditions

	Comment	No Change (plus explanation)	Change	Page / Section	Condition Language
175	Clarify "Residential Zones" descriptions in Section 7.0 Zoning, page 87.		Revise description of SU-2/MTSB R-T zone.	87 / 7.2.1 (iii)	On page 87, section 7.2.1(iii), in the first sentence, delete everything after "R-T zone." In the second sentence, add "In order to respect and preserve the neighborhood's unique character and traditional development patterns," before "All new development..."
176	Clarify that height maximum applies to buildings, not structures (e.g., walls, fences)		Revise SU-2/MTSB-NR height regulation to be consistent with zoning code standard, where heights apply to buildings.	91 / 7.4.5(i)	On page 91, section 7.4.5(i), delete "Structure."
177	Clarify that height maximum applies to buildings, not structures (e.g., walls, fences)		Revise SU-2/MTSB-VC height regulation	98 / 7.8.6(i)b and (ii)	On page 98, section 7.8.6(i)b and (ii) change "Structure" to "Building"
178	Add solar access protection language in MTSB R-1.		Add "Height" section to specify compliance with solar access requirement.	89 / 7.3.3 new	On page 89, insert a new section 7.3.3 as follows and renumber subsequent sections accordingly: "7.3.3 Height: Buildings shall comply with the Building Height Limitations to Preserve Solar Access, § 14-16-3-3(A)(7) of the Zoning Code. The additional height limitations of this section shall apply to any lot regardless of the age of the building, except that structures existing as of the date of adoption of the Plan are allowed, subject to Zoning Code regulations for buildings that are nonconforming as to height."
179	Switch MX and VC so that VC comes before MX since it is a less intense zone.		In Chapter III, section 7, switch MX and VC so that VC comes before MX since it is a less intense zone.	94-99 / 7.7 & 7.8	Switch the order of MX and VC so that VC comes first, as it is a less intense zone.
180	Disallow ZHE variances. Add requirement for applicant letter about how met General Design Standards.		See line 121.	81 / 6.4	See line 121.



# Martineztown-Santa Barbara Sector Development Plan

## Comment Matrix of Conditions

	Comment	No Change (plus explanation)	Change	Page / Section	Condition Language
181	In all applicable zones, add adopting resolution language that says no new commercial surface parking lot is allowed. Prohibit "parking lot" from all zones.		Per F/S R-01-289, add a prohibition on parking lots to all non-residential zones that would have otherwise allowed them.	94 / 7.7.2(ii) "a" new 97 / 7.8.2 new (iv) 100 / new 7.9.2 101 / new 7.10.2	On page 94 in the MX zone, section 7.7.2(ii), add the following new section "a" and re-letter subsequent sections accordingly: "a. Parking lot, including commercial surface parking lot." On page 97 in the VC zone, revise section 7.8.2 by renaming the section "Permissive/Prohibited Uses," and adding a new subsection (iv) as follows: "(iv) The following use is prohibited: Parking lot, including commercial surface parking lot." On page 100, add a new section 7.9.2 as follows and renumber subsequent sections accordingly: "7.9.2 Prohibited Use: Parking lot, including commercial surface parking lot." On page 101, add a new section 7.10.2 as follows and renumber subsequent sections accordingly: "7.10.2 Prohibited Use: Parking lot, including commercial surface parking lot."
182	Change Usable OS to match language in new C/I, C/LI		Will change	96 / 7.7.7(i)	On page 96, Section 7.7.7(i), add "stoops" before "patios." After "courtyards," add "in addition to the features defined in § 14-16-1-5."
183	Add language about Sector Plan prevails when conflicts with City regs/standards, unless otherwise noted. Where silent, City regs prevail.		Will change	80 / 6.1	On page 80, section 6.1, add the following language as a new paragraph: "The regulations and standards of this plan prevail where they conflict with applicable City regulations and standards (i.e. City Zoning Code, DPM, etc.), unless otherwise noted in this Plan. Where this Plan is silent, applicable City regulations and standards prevail."
184	Remove reference to hydrants.		Staff confirmed that hydrants are sufficient in the Plan area.	38	On page 38, delete 2.5.1(iii)f.
185	Insert graphic/map to illustrate recommended transportation actions.		Will change.	61 / Exhibit 5.1 new	On page 61, prior to section 5.1.11, insert Exhibit 5.1 illustrating recommended transportation actions.
186	Revise Table 7.1 to add NRC, RI, C/I, and C/LI and remove M-1.		Will change.	87 / Table 7.1	On page 87, Table 7.1, revise per attachment.

## Martineztown-Santa Barbara Sector Development Plan

### Comment Matrix of Conditions

	Comment	No Change (plus explanation)	Change	Page / Section	Condition Language
187	Label shading on the perspective plans.		Will change.	90 / Exhibit 7.2	On page 90, Exhibit 7.2, add labels for shaded areas.
188	Revise perspective plans to label shaded areas. Label property line.		Will change	94 / Exhibit 7.3	On page 94, revise Exhibit 7.3 to label shaded areas and property line.
189	Revise Exhibit 7.4 to illustrate building envelope allowed and label property line.		Will change	95 / Exhibit 7.4	On page 95, revise Exhibit 7.4 to illustrate building envelope allowed and label property line.
190	MTSB C-2: revise intent statement and explicitly add R-3 uses and remove density cap for R-3.		Will change	101	On page 101, insert a new section 7.10.2 as follows and renumber subsequent sections accordingly: "7.10.2 Permissive/Prohibited Uses: (i) R-3 permissive uses, with the following exceptions and addition: a. New single-family houses are not allowed. b. The number of dwelling units per acre is not limited to 30. c. Apartment development shall comply with the requirements of 14-16-2-17(A)(8)(e)8. (ii) C-2 permissive uses with the following exception: a. Parking lots, including commercial surface parking lots, are prohibited."
191	Update zoning overview from the 1990 SDP		Will change	22 / 2.3.6	On page 22, revise section 2.3.6 to reflect zoning changes, including the addition of RI, C/I, and C/LI. See redline.
192	Revise perspective plans to label shaded areas. Label property line.		Will change	97	On page 97, revise Exhibit 7.5 to label shaded areas and property line.
193	Need to add 1976 Plan and any other plans/documents referenced in the document.		Will change.	A-2	On page A-2, add a reference to the 1976 MTSB SDP and the Mid-Valley Drainage Master Plan.
194	Delete Appendix C-2		Will delete Appendix C-2. Information was generated for a previous draft and is too general to be useful.	C-2	On page C-1, delete Appendix. Renumber subsequent Appendix items.
195	Add or replace reference in each zone to development review process.		Will change	89-102 / 7.3-7.11	Add a new subsection at the end of each zone, or replace "Site Development Plan" language with the following language: "Development Review Process: See Section 6.4 and Table 6.2."

## Martineztown-Santa Barbara Sector Development Plan

### Comment Matrix of Conditions

	Comment	No Change (plus explanation)	Change	Page / Section	Condition Language
196	Fill in blanks in Table 5.2		Will change	74-75 / Table 5.2	On pages 74-75, fill in blank fields with information. See redline.
197	Revise open space standards in VC to match C/LI.		Will change.	99 / 7.88	On page 99, section 7.8.8(i), add the following sentence at the end of the existing language: "Of this 10% usable open space, a minimum of 75% shall be a landscaped area in the form of living plant materials or hardscaped areas, such as those listed above." Add a new section 7.8.8(ii) with the following language: "Living materials shall defined as trees, grasses, vines, spreading shrubs, or flowers, over at least 75% of the required landscape area. Coverage will be calculated from the mature spread of the trees or plants. To minimize water consumption, the use of vegetative ground cover other than turf grass is encouraged. Any non-living ground cover areas not intended as mulch around spreading plants must be clearly delineated on the landscaping plan." Renumber subsequent sections accordingly.

# Martineztown-Santa Barbara Sector Development Plan

## Comment Matrix of Conditions

	Comment	No Change (plus explanation)	Change	Page / Section	Condition Language
198	Add C/I and C/LI to list of Non-residential Zones. Remove M-1.		Will add to Section 7.2.3	88 / 7.2.3	On page 88, section 7.2.4, delete language from (iii) and replace with the following new (iii) and (iv): "(iii) SU-2/MTSB C/LI Commercial/Light Industrial Zone: This new zone provides opportunities for multifamily residential (R-3), community commercial (C-2), and limited light industrial uses (C-3) in appropriate locations with adequate buffering from existing single-family residential areas. (iv) SU-2/MTSB C/I Commercial/Industrial Zone: This new zone provides opportunities for multifamily residential (R-3), community commercial (C-2), and limited light industrial uses (C-3, IP, and M-1) and acknowledges the existing built environment and mix of uses in the neighborhood as well as the need for area employment while ensuring the health, safety, and general welfare of residents."
199	Delete exception to height abutting residential zone for MX, as there are no abutting residential zones where MX is proposed.		Will change	95 / 7.7.5 and Exhibit 7.4	On page 95, section 7.7.5, delete exception to 60 feet height limit and delete corresponding Exhibit 7.4
200	Add limit of 1 structure per lot to NR with multifamily.		Will add language.	90 / 7.4.2(ii)	On page 90, section 7.4.2(ii), add "one structure with up to" prior to "four dwelling units" and delete "per structure" following "(4du)".
201	Change Section 8 title to remove "Design"		Will change.	103-109 / 8.0	On pages 103-109, remove "Design" where it appears in the section heading. Replace cross references to section 8 with "8.0 General Standards."

# Martineztown-Santa Barbara Sector Development Plan

## Comment Matrix of Conditions

	Comment	No Change (plus explanation)	Change	Page / Section	Condition Language
202	Revise open space standards in MX to match C/LI.		Will change.	96 / 7.7.7	On page 96, section 7.7.7(i), add the following sentence at the end of the existing language: "Of this 10% usable open space, a minimum of 75% shall be a landscaped area in the form of living plant materials or hardscaped areas, such as those listed above." Add a new section 7.7.7(ii) with the following language: "Living materials shall defined as trees, grasses, vines, spreading shrubs, or flowers, over at least 75% of the required landscape area. Coverage will be calculated from the mature spread of the trees or plants. To minimize water consumption, the use of vegetative ground cover other than turf grass is encouraged. Any non-living ground cover areas not intended as mulch around spreading plants must be clearly delineated on the landscaping plan." Renumber subsequent sections accordingly.
203	Delete letter to survey participants.		Will delete.	E-2 & E-3	On pages E-2 and E-3, delete letter to survey participants.
	<b>MAPS / EXHIBITS / TABLES</b>				
204	Add I-40, Broadway labels		Will change.	5 / Exhibit 1.1	See line 68.
205	Add Railrunner, Broadway, Lomas, I-40 labels.		Will change.	6 / Exhibit 1.2	On page 6, Exhibit 1.2, add labels for NMRX, Broadway, and Lomas.
206	In R-T, delete "existing uses" provision, as there is only one property and it complies.		Will change.	92 / 7.5.1	Delete text from 7.5.1 and renumber subsequent sections accordingly.
207	Delete BNSF labels, reorder zones, add zone descriptions, make consistent with Exhibit 7.1 where zones are the same.		Will change.	15 / Exhibit 2.2	On page 15, Exhibit 2.2, Replace "BSNF" labels with NMRX. Add zoning descriptions. Reorder zones from least to most intense. Use symbols and/or colors consistent with Exhibit 7.1 where zones are the same.
208	Change title to EXISTING LAND USE, delete BNSF labels, send PDF to MRW		Will change.	16 / Exhibit 2.3	On page 16, Exhibit 2.3, change the map title to "Existing Land Use." Replace "BSNF" labels with NMRX.
209	Illustrate the extent of each section referenced [i.e. bracket each section to connect to label] to ensure black and white readability.		Will change.	25 / Exhibit 2.4	Prior to adoption, on page 25, Exhibit 2.4, revise graphic for readability in black and white.

## Martineztown-Santa Barbara Sector Development Plan

### Comment Matrix of Conditions

	Comment	No Change (plus explanation)	Change	Page / Section	Condition Language
210	Change title to EXISTING AND PROPOSED BIKEWAYS, delete BSNF labels, check for 2035 MRCOG information, make Interstate labels or symbols consistent.		Will change.	31 / Exhibit 2.5	On page 31, Exhibit 2.5, change map title to "Existing and Proposed Bikeways." Update data with information from the MTP 2035. Insert symbols for I-25 and I-40.
211	Change title to TRANSIT ROUTES, remove BSNF, make Interstate labels or symbols consistent, send PDF to MRW		Will change.	33 / Exhibit 2.6	On page 33, Exhibit 2.6, change map title to "Transit Routes." Replace "BSNF" label with NMRX. Add symbols for I-25 and I-40. Make "Martineztown" one word and add "/Santa Barbara."
212	Delete exhibit.		Exhibit 4.2 will be deleted, as it came from a previous draft and is out-of-date and not needed.	54 / Exhibit 4.2	On page 54, delete Exhibit 4.2.
213	Replace Exhibit 4.3 with updated graphics.		Will change.	55 / Exhibit 4.3	On page 55, update graphics in Exhibit 4.3.
214	Since all zones are SU-2, remove from "SU-2" designation from map and add to legend. Replace "BSNF" labels with NMRX.		Will change.	86 / Exhibit 7.1	On page 86, Exhibit 7.1, replace "BSNF" labels with "NMRX." Add "SU-2 MTSB" and zone descriptions to all zones in the legend.
215	Revise Exhibit 7.2 to show building height measured from the midline of the pitch, not the ridgeline.		Will change.	90 / Exhibit 7.2	On page 90, Exhibit 7.2, revise the graphic to show maximum building height as measured to the midline of the pitch, not the ridgeline.
216	Revise Section 2.2.5 on page 21 to reflect new changes.		Will change.	21 / 2.2.5	On page 21, section 2.2.5, revise language to reflect recent changes. See redline for language.