

YNTEMA LAW FIRM P.A.

ATTORNEY AT LAW

May 10, 2022

HESSEL E. YNTEMA, III

BY ELECTRONIC MAIL

Isaac Benton, President
Albuquerque City Council
One Civic Plaza
9th Floor
Albuquerque, NM 87102

Objections/Comments for O-22-10 (IDO
Amendment B13) for May 16, 2022 City
Council Meeting

Dear President Benton and Councilors:

This firm represents Appellants in AC-22-1, which involves a remand order ("Remand Order") from the Bernalillo County District Court in No. D-202-CV-2020-03644 requiring the City to conduct a quasi-judicial hearing for a site plan approval. This letter is to provide objections and comments on behalf of Appellants for proposed amendment B13 ("B13") to the City's Integrated Development Ordinance ("IDO") via O-22-10. B13 proposes "Replacement of the Development Review Board" and elimination of a quasi-judicial hearing for many site plan approvals possibly including the site plan approval which is the subject of the Remand Order. Please advise if this letter is in order for consideration by the City Council for the May 16, 2022 meeting. Please place a copy of this letter in the O-22-10 record.

Appellants object to B13 on various grounds: B13 appears to be intended to interfere with an existing case (AC-22-1 and the Remand Order); consideration of B13 by the City Council is proceeding on a rush basis without any text amendment application, Planning Department review or Environmental Planning Commission hearing as required by the IDO for text amendments; and B13 appears to purport to eliminate quasi-judicial hearings for many discretionary IDO site plan approvals, contrary to state law and even the basic language of the IDO.

Appellants reserve their rights to express other objections or comments upon further review and consideration of B13.

Very truly yours,

YNTEMA LAW FIRM P.A.

By


Hessel E. Yntema III

215 Gold Ave. SW
Suite 201
Albuquerque, NM 87102
Phone (505) 843-9565
Fax (505) 242-2879
firm@yntema-law.com
hess@yntema-law.com