
SHARED PARKING AGREEMENT

Agreement No. _____

Date of Agreement: _____

SHARED PARKING AGREEMENT

In conjunction with the development of Sun Center Partners, LLC, located at 7700 Jefferson Street NE, Albuquerque, NM 87109 (the "Property") for which the legal description is attached as *Exhibit A*, the City of Albuquerque has allowed and Sun Center Partners, LLC ("Owner") has elected, to reduce off-street parking requirements based upon IDO Section 14-16-5-5(C)(5)(b)(1) of the City of Albuquerque IDO and currently known proposed tenant uses. The approved site plan, as shown on *Exhibit B*, includes parking and the reduced parking calculations, as shown on *Exhibit C* attached hereto. Under this site plan and using the proposed tenant uses, 9 spaces are required and 9 spaces are provided.

The Owner, and its successors and assigns, agrees that it will not change the tenant uses at the Property in a manner that increases the number of required parking spaces unless additional spaces are provided. In the event that there are changes to the tenant uses, which would increase the number of required parking spaces at the Property, the parking calculations shall be updated by the Owner to reflect such change and presented to the City.

Furthermore, the Owner agrees that the Property shall operate an open/shared parking arrangement whereby, the Owner shall not segregate property access/parking rights or significantly impair access to parking on the Property by users of any portion of the Property.

The Shared Parking area shall be maintained in a serviceable, neat and acceptable manner and in a manner so that the overall appearance of said parking lot shall be uniform. Each of the Grantor's successors in title shall be charged with the repair and maintenance thereof and shall cooperate with each other in the performance of routine and necessary repairs, overlay and sealing of the said parking area. The successor in title to either tract may perform such repairs and maintenance as may be necessary without the consent of the other upon giving written notice of intent to perform such repairs and the estimated cost thereof.

The foregoing shall not, however, impair the right of the Owner or its successors to declare exclusive parking areas for such items as employee parking, handicap spaces, loading, designated timed areas such as "15 minute" temporary parking areas, or any other areas set forth on any site plan of the Property approved by the City, or to take commercially reasonable actions to prevent parking in areas which are



SHARED PARKING AGREEMENT

not designated parking spaces on the site plan.

No sale or transfer of all or any portion of the Property shall be deemed to void or violate this Agreement. The terms of this Agreement shall bind the Owners, successors, and assigns. This Agreement can be amended by the mutual consent of the Owner and the City of Albuquerque. THIS AGREEMENT SHALL BE RECORDED WITH THE BERNALILLO COUNTY CLERK'S OFFICE PRIOR TO ISSUANCE OF A BUILDING PERMIT FOR THE PROPERTY.

SHARED PARKING AGREEMENT

PARKING AGREEMENT

IN WITNESS WHEREOF, the parties have executed this Agreement on the date noted below.



Owner (applicant)

9/22/22

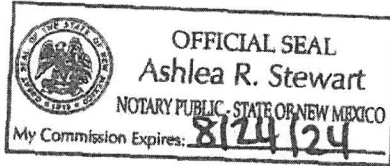
Date

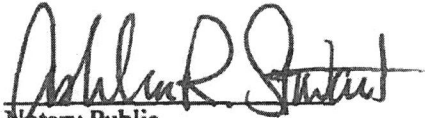
STATE OF NEW MEXICO)
) ss.
County of Bernalillo)

The foregoing instrument was acknowledged before me this 22nd day of September, 2022 by Scott Goodman on behalf of the Owner.

My Commission Expires

8/24/24





Notary Public

IN WITNESS WHEREOF, the parties have executed this Agreement on the date noted below.

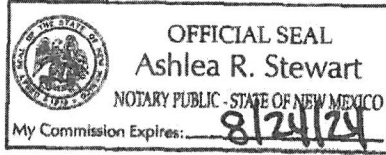
[Signature]
Owner (off-site parking area)

9/22/22
Date

STATE OF NEW MEXICO)
County of Bernalillo) ss.
)

The foregoing instrument was acknowledged before me this 22nd day of September, 2022 by Scott Goodman on behalf of the Owner.

My Commission Expires
8/24/24



[Signature]
Notary Public

[Signature]
City of Albuquerque,
Planning Director

9.27.2022
Date

DocuSigned by:
Nicole A. Sanchez
Approved as to Form - City Attorney

9/27/2022 | 2:17 PM MDT
Date

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EXHIBIT A

Legal Description:

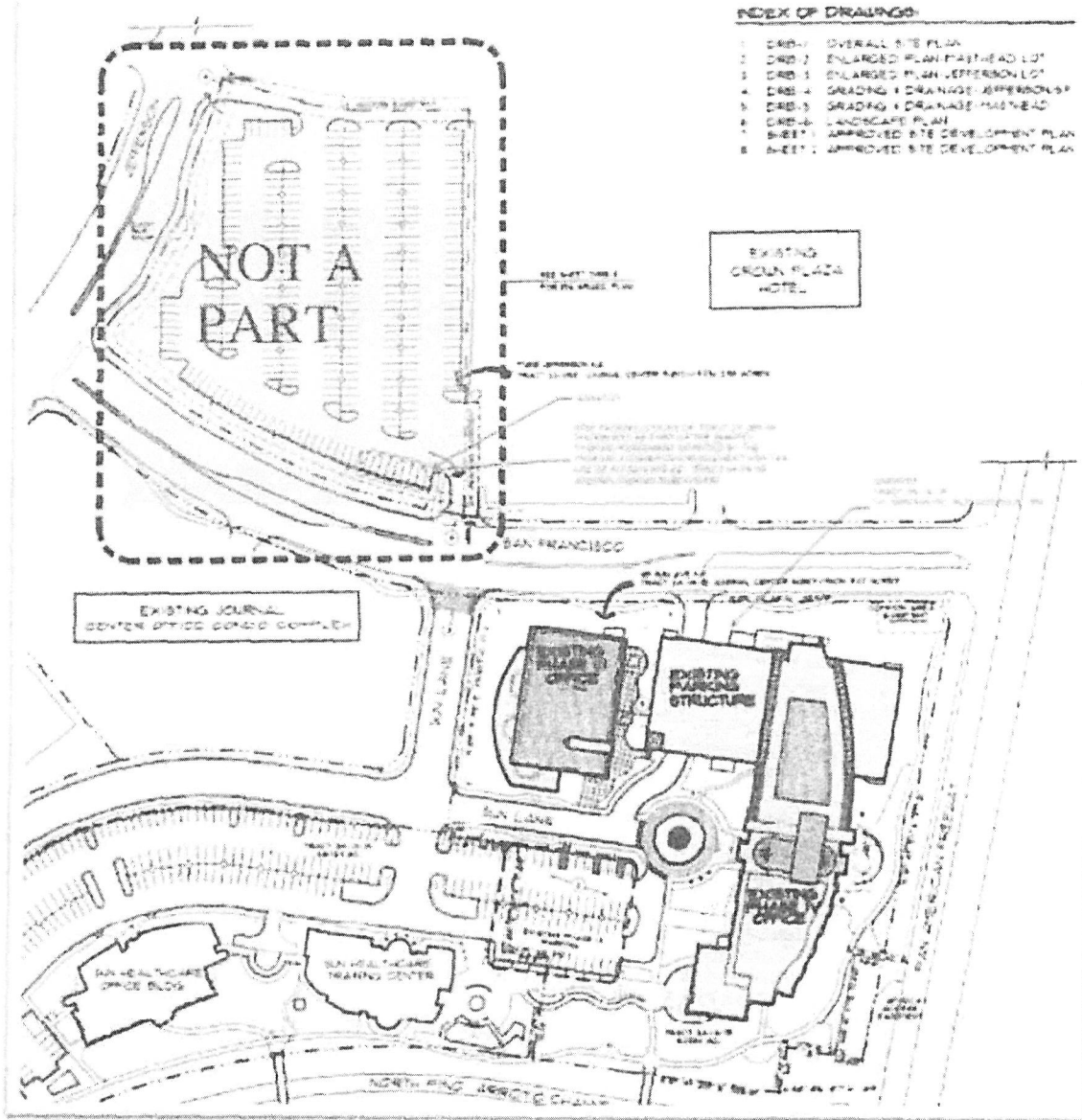
The legal entity identified as "GRANTOR" is for the property legally described as TRACT 2A-2B3 (REPL MAP FOR TR 2A-2BA & 2A-2B2 JOURNAL CENTER and the legal entity for parcel identified as "GRANTEE" benefitting from the Shared Parking Agreement and legally described as TRACT 3A-1A-1B PLAT OF TRACTS 3A-1A-1A & 3A-1A-1B JOURNAL CENTER CONT 5.2234 AC.

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EXHIBIT B

SITE PLAN:



SHARED PARKING AGREEMENT

SHARED PARKING CALCULATIONS

EXHIBIT C

The Planning Director or designee may authorize a reduction in the total number of required parking spaces for two or more uses jointly providing on-site parking subject to the following:

The respective hours of operation of the uses do not overlap, as demonstrated by the application of table a below. If one or all of the land uses proposing to use joint parking facilities do not conform to one of the general land use classifications in table a, the applicant shall submit sufficient data to indicate that there is not substantial conflict in the principal operating hours of the uses. Such data may include information from a professional publication such as those published by the Institute of Transportation Engineers (ITE) or the Urban Land Institute (ULI), or by a professionally prepared parking study.

SUN HEALTH CAMPUS DESIGN DATA/ PARKING CALCULATIONS			
LEGAL DESCRIPTION: TRACT 3A-1A-1B - 5.223 ACRES (100 SUN AVENUE) TRACT 4AA-3B - 1.3 ACRES (5141 MASTHEAD) TRACT 2A-2B3 (PER SHARED PARKING AGREEMENT)			
COA ZONE CODE: NR-8P (BUSINESS PARK) (1P) PRIOR TO IDO			
COMPREHENSIVE PLAN CENTER: JOURNAL CENTER			
COMPREHENSIVE PLAN CENTER TYPE: EMPLOYMENT CENTER			
CITY DEVELOPMENT AREA: AREA OF CHANGE			
TRANSIT DESIGNATION: JEFFERSON/ PREMIUM TRANSIT CORRIDOR			
EXISTING STRUCTURES:	FOUR-STORY OFFICE BUILDING	72,000 SF	
	SIX-STORY OFFICE BUILDING	181,276 SF	
	SINGLE STORY OFFICE BUILDING	10,395 SF	
	TOTAL SQUARE FOOTAGE:	263, 671 SF	
PARKING SPACES PROVIDED:	FOUR STORY OFFICE BUILDING	57	
	SIX STORY OFFICE BUILDING	497	
	SINGLE STORY BUILDING	67	
	SPACES PER SHARED PARKING AGREEMENT 9		
	TOTAL PARKING PROVIDED:	630 PARKING SPACES	
PARKING SPACES REQUIRED:	(3.5 SPACES / 1,000 SQ. FT. GFA (UC-MS-PT))		
	FOUR-STORY OFFICE BUILDING	72,000 SF	252
	SIX-STORY OFFICE BUILDING	181,276 SF	633
	SINGLE STORY OFFICE BUILDING	10,395 SF	35
	TOTAL PARKING REQUIRED:	263, 671 SF	920
Per IDO 5-5(C)(5)(e) Parking Study Reduct (Approved April 25, 2022 by City of Albuquerque)			630

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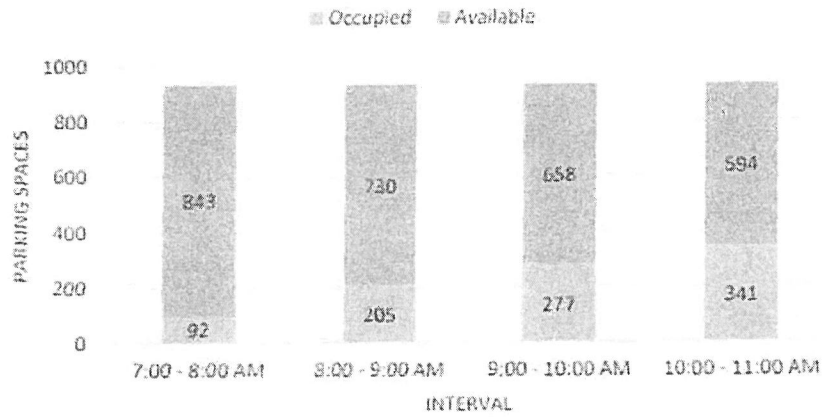
Table A. Schedule of Shared Parking Calculations
DATA PREPARED BY:
LEE ENGINEERING – JONATHON KRUSE, PE ALTERNATIVE PARKING STUDY

Table 3: Existing Parking Demand

	AM	PM
Total Parking Spaces	935/621 ¹	935/621 ¹
Peak Parking Demand	341	316
Peak Parking Occupancy (%)	37%/55%	34%/51%
Peak Period Parking Surplus	594/280	619/305

¹Existing parking capacity / Proposed parking capacity

Tuesday (3/29/22) (7:00 - 11:00 AM)



Tuesday (3/29/22) (3:00 - 6:00 PM)

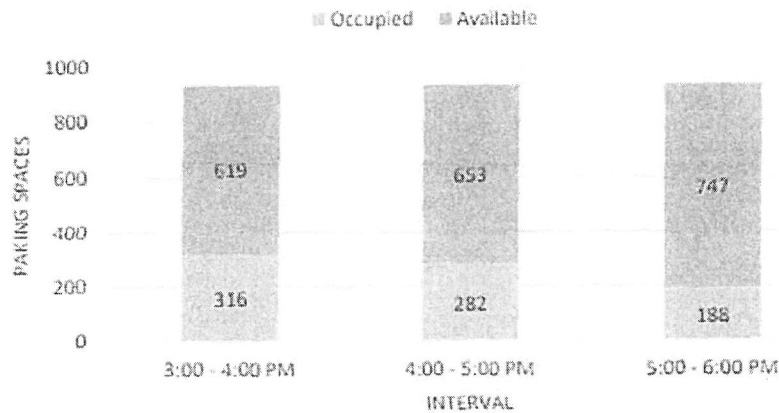


Figure 1: Pan American Building Existing Parking Demand

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Table 5: Parking Demand Using Trip Generation Estimates

Hourly Distribution of Entering and Exiting Vehicle Trips by Land Use								
Source: ITE Trip Generation Manual, 11th Edition								
Land Use Code	710							
Land Use	General Office Building							
Setting	General Urban/Suburban							
Time Period	Weekday							
# Data Sites	11				Daily Vehicles - Pan American Building Complex			
	% of 24-Hour Vehicle Trips			Daily Total	Entering Vehicles	Exiting Vehicles	Spaces Occupied	
Time	Total	Entering	Exiting	2858	1429	1429		
12:00 - 1:00 AM	0.1%	0.2%	0.1%	4	3	1		2
1:00 - 2:00 AM	0.0%	0.0%	0.1%	1	0	1		1
2:00 - 3:00 AM	0.0%	0.0%	0.0%	1	1	0		2
3:00 - 4:00 AM	0.1%	0.0%	0.1%	2	1	1		2
4:00 - 5:00 AM	0.2%	0.2%	0.2%	5	2	3		1
5:00 - 6:00 AM	0.3%	0.4%	0.1%	8	6	2		5
6:00 - 7:00 AM	2.6%	4.8%	0.5%	75	68	7		66
7:00 - 8:00 AM	7.8%	13.6%	2.0%	222	194	28		232
8:00 - 9:00 AM	8.9%	14.3%	3.4%	253	204	49		387
9:00 - 10:00 AM	5.3%	6.3%	4.4%	152	90	62		415
10:00 - 11:00 AM	5.7%	5.5%	6.0%	164	78	86		407
11:00 - 12:00 PM	8.1%	6.0%	10.3%	233	86	147		346
12:00 - 1:00 PM	10.2%	10.2%	10.1%	291	146	145		347
1:00 - 2:00 PM	7.8%	9.0%	6.6%	223	128	95		380
2:00 - 3:00 PM	7.4%	8.3%	6.5%	210	118	92		406
3:00 - 4:00 PM	7.8%	7.3%	8.4%	224	104	120		390
4:00 - 5:00 PM	10.3%	5.4%	15.2%	296	78	218		250
5:00 - 6:00 PM	9.9%	4.0%	15.8%	283	58	225		83
6:00 - 7:00 PM	2.1%	1.7%	2.6%	61	24	37		70
7:00 - 8:00 PM	1.6%	0.9%	2.3%	47	13	34		49
8:00 - 9:00 PM	1.0%	0.7%	1.3%	29	10	19		40
9:00 - 10:00 PM	1.1%	0.5%	1.6%	30	8	22		26
10:00 - 11:00 PM	1.2%	0.3%	2.1%	34	4	30		0
11:00 - 12:00 AM	0.3%	0.4%	0.2%	10	5	5		0

Angela Williamson

From: Varela, Alan M. <avarela@cabq.gov>
Sent: Thursday, May 5, 2022 11:49 AM
To: Angela Williamson; Grush, Matthew P.
Cc: Jonathon Kruse; Biazar, Shahab
Subject: RE: Planning Director Decision per IDO - Sun Health Parking Requirements (Project 1000389)

Angela, good morning,

We have carefully reviewed the reports and additional information provided by your team. Thank you for giving us time to study the waiver request.

I cannot waive the full amount requested; however, as Director, I do agree that a reduction/waiver resulting in 630 parking spaces is allowable for this project.

Very best regards,



ALAN VARELA, J.D.
Planning Department Director
Direct line: 505.924.3454
Email: avarela@cabq.gov
cabq.gov/planning

From: Angela Williamson <awilliamson@modulusarchitects.com>
Sent: Thursday, May 5, 2022 10:24 AM
To: Grush, Matthew P. <mgrush@cabq.gov>; Varela, Alan M. <avarela@cabq.gov>
Cc: Jonathon Kruse <jkruse@lee-eng.com>
Subject: RE: Planning Director Decision per IDO - Sun Health Parking Requirements (Project 1000389)

[EXTERNAL] Forward to phishing@cabq.gov and delete if an email causes any concern.

Thank you Matt, appreciate the confirmation.

Angela



ARIZONA
TEXAS
NEW MEXICO
OKLAHOMA

April 6, 2022

Angela Piarowski
CEO/Principal
Modulus Architects & Land Use Planning, Inc.
100 Sun Ave NE, Suite 600
Albuquerque, New Mexico 87109

Re: *Pan American Building Parking Study*

Dear Ms. Piarowski,

Lee Engineering has completed our parking study for the existing Pan American Building located at 100 Sun Ave NE in Albuquerque, New Mexico. This letter report documents our study procedures and findings.

INTRODUCTION

The existing Pan American Building complex currently contains 263,671 ft² of office space and has a total of 935 parking spaces. Modulus Architects & Land Use Planning, Inc. seeks to redevelop the north parking lot which would result in a reduction of 314 parking spaces for the complex. A total of 621 parking spaces will remain after. A site plan for the Pan American Building and surrounding parking lots is provided in Figure 1 in the attachments.

This report is divided into the following sections:

1. City Parking Calculation with Parking Deductions
2. Parking Accumulation Data Collection
3. Institute of Transportation Engineers – Parking Generation Demand
4. Conclusions

CITY CODE PARKING CALCULATION

The number of parking spaces needed to accommodate the proposed Pan American Building was calculated according to the City of Albuquerque Integrated Development Ordinance (Part 14-15-5 Section 5-5) and are summarized in Table 1.

Table 1: City Code Parking Requirements Summary

Land Use	City Code	Size (ft ²)	Code Requirement (Parking Spaces)
Four-story office building	3.5 / 1,000 ft ² GFA	72,000 SF	252
Six-story office building	3.5 / 1,000 ft ² GFA	181,276 SF	633
Single story office building	3.5 / 1,000 ft ² GFA	10,395 SF	35
Total Parking Spaces Required By Code			920

With 621 parking spaces provided, the amount of parking provided for the Pan American Building will fall below the City code requirement (668) by 47 parking spaces or approximately 7 (seven) percent.

PARKING ACCUMULATION DATA COLLECTION - ALBUQUERQUE

To determine the peak parking demand at the existing Pan American Building, a parking accumulation study was performed for the complex. This study was performed by counting the number of parked vehicles on site during peak AM and PM (commuter) operations, which were identified using trip generation and parking demand data published by the *Institute of Transportation Engineers* and the *Urban Land Institute* and previous parking data provided by Modulus Architects & Land Use Planning, Inc. representatives. This information indicated that a General Office Building land use experiences peak parking demand during the following time periods on the weekday:

- 7:00 – 11:00 AM
- 3:00 – 6:00 PM

Therefore, parking accumulation data for the existing Pan American Building was collected during the times identified above on Tuesday, March 29, 2022. The number of parked vehicles in the parking lot was documented every 60 minutes within each of the study periods.

Occupancy data provided by the building shows that approximately 5% of existing space is un-leased. To analyze "full occupancy" of the building, counts were increased by 5%. The resulting number of parking spaces occupied and available during each observation period is shown in Figure 2. Copies of the data sheets for this study are provided as attachments to this letter.

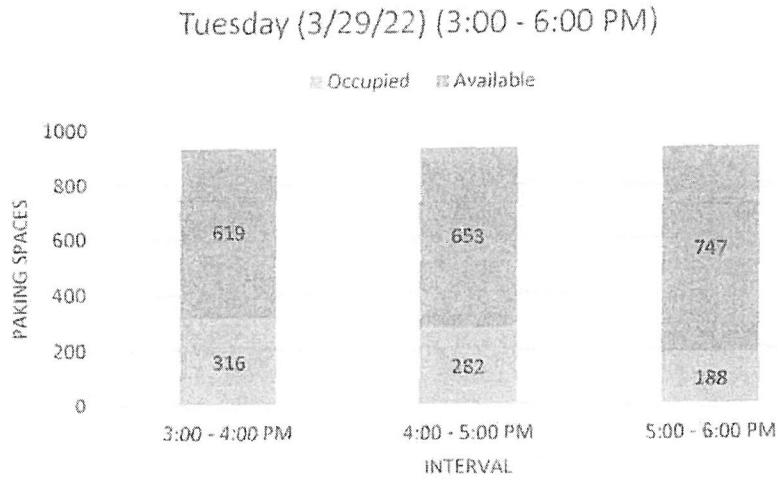
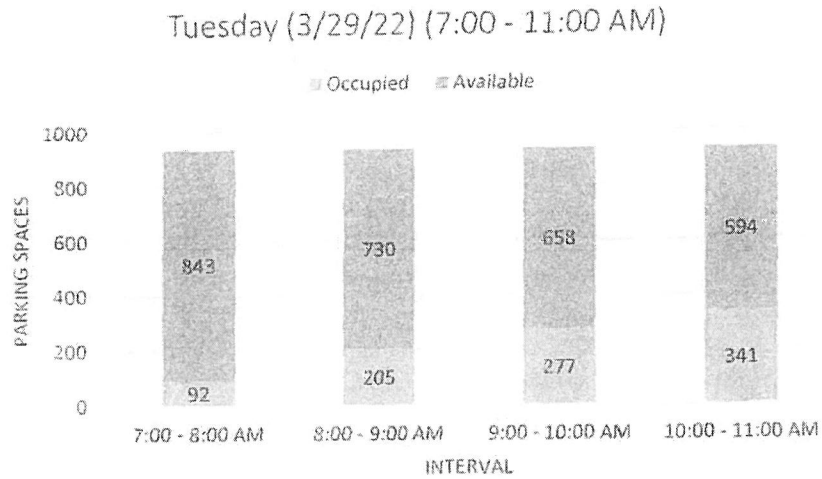


Figure 1: Pan American Building Existing Parking Demand

Table 3 summarizes the existing parking demand and shows that a maximum of 341 and 316 parking spaces were occupied during the AM and PM study periods respectively. Based on the parking accumulation data collected, there is currently a significant surplus of parking spaces on the property. The peak parking ratio (number of parked vehicles /1,000 ft² of building area) for the Tuesday peak is 1.29 and 1.20 for the AM and PM study periods respectively.

Table 3: Existing Parking Demand

	AM	PM
Total Parking Spaces	935/621 ¹	935/621 ¹
Peak Parking Demand	341	316
Peak Parking Occupancy (%)	37%/55%	34%/51%
Peak Period Parking Surplus	594/280	619/305

¹Existing parking capacity / Proposed parking capacity

With the removal of the parking lot on the north side of the Pan American Building, and the reduced parking available, the existing peak parking numbers observed would result in the parking lot being approximately 55% and 51% full under AM and PM peak demand hours respectively, which is also summarized in Table 3.

TRIP GENERATION

An additional method to test the adequacy of the proposed parking for the Pan American Building complex used considered the trips generated on an hourly basis and identifying the highest number of vehicles on site during a weekday period. To conduct this analysis, the number of daily trips generated by the Pan American Building was estimated using information provided in the Institute of Transportation Engineers *Trip Generation Manual* (11th Edition). A Summary of the Daily Trips for a 263.67 ksf "General Office Building" is provided in Table 4.

Table 4: Daily Trip Generation Characteristics for Pan American Building

Land Use (ITE 710 General Office Building)	Variable	Independent Variable	Average Rate (Weekday)
Equation/Rates			
Pan American Building	1,000 ft ² GFA	263.67 ksf	10.84
Trips Generated			
Daily Trips	Entering / Exiting	Daily Entering Trips	Daily Exiting Trips
2858	50% / 50%	1429	1429

These daily trips were then distributed on an hourly basis using hourly variation information for this type of land use provided in the ITE *Trip Generation Manual* (11th Edition), which is provided as an attachment to this letter. The hourly distribution percentages by hour were then applied to the total number of daily trips (Table 4) to obtain the number of vehicles entering and exiting the development of an hourly basis. The resulting difference in inbound and outbound trips were then used to approximate the number of parking spaces occupied, assuming no parking spaces were occupied when the building is opened. Table 5 summarizes the resulting parking spaces occupied using this methodology.

Table 5: Parking Demand Using Trip Generation Estimates

Hourly Distribution of Entering and Exiting Vehicle Trips by Land Use							
Source: ITE Trip Generation Manual, 11th Edition							
Land Use Code	710						
Land Use	General Office Building						
Setting	General Urban/Suburban						
Time Period	Weekday						
# Data Sites	11						
				Daily Vehicles - Pan American Building Complex			
	% of 24-Hour Vehicle Trips			Daily Total	Entering Vehicles	Exiting Vehicles	Spaces Occupied
Time	Total	Entering	Exiting	2858	1429	1429	
12:00 - 1:00 AM	0.1%	0.2%	0.1%	4	3	1	2
1:00 - 2:00 AM	0.0%	0.0%	0.1%	1	0	1	1
2:00 - 3:00 AM	0.0%	0.0%	0.0%	1	1	0	2
3:00 - 4:00 AM	0.1%	0.0%	0.1%	2	1	1	2
4:00 - 5:00 AM	0.2%	0.2%	0.2%	5	2	3	1
5:00 - 6:00 AM	0.3%	0.4%	0.1%	8	6	2	5
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11:00 - 12:00 PM	8.1%	6.0%	10.3%	233	86	147	346
12:00 - 1:00 PM	10.2%	10.2%	10.1%	291	146	145	347
1:00 - 2:00 PM	7.8%	9.0%	6.6%	223	128	95	380
2:00 - 3:00 PM	7.4%	8.3%	6.5%	210	118	92	406
3:00 - 4:00 PM	7.8%	7.3%	8.4%	224	104	120	390
4:00 - 5:00 PM	10.3%	5.4%	15.2%	296	78	218	250
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6:00 - 7:00 PM	2.1%	1.7%	2.6%	61	24	37	70
7:00 - 8:00 PM	1.6%	0.9%	2.3%	47	13	34	49
8:00 - 9:00 PM	1.0%	0.7%	1.3%	29	10	19	40
9:00 - 10:00 PM	1.1%	0.5%	1.6%	30	8	22	26
10:00 - 11:00 PM	1.2%	0.3%	2.1%	34	4	30	0
11:00 - 12:00 AM	0.3%	0.4%	0.2%	10	5	5	0

As seen by the highlighted cell in Table 5, the maximum number of parking spaces occupied is estimated to be 415 during the peak hour on a weekday using this methodology. With a total of 621 future parking spaces provided, approximately 33% of the parking spaces would be unoccupied.

CONCLUSIONS

Based on the results of this parking analysis:

- A total of 621 parking spaces will be provided for the Pan American Building after redevelopment of the north lot.
- While the number of parking spaces proposed to be provided falls below the City of Albuquerque's requirements (668 parking spaces):
 - The number of parking spaces observed under existing conditions would result in the proposed parking lot only being approximately 55% and 51% occupied under AM and PM peak demand hours respectively.
- Using trip generation data to estimate peak parking demand is predicted to result in the proposed parking only being approximately 67% full under peak demand (33% unoccupied).
- Based on the two (2) different methodologies applied in this study, a significant portion of the parking area would remain unoccupied for each of the methods applied.

Therefore, the amount of parking proposed to be provided for the Pan American Building (621 parking spaces) is projected to adequately accommodate the anticipated peak parking demand.

If you have any question regarding this study, please contact me at (505) 545-8459. We appreciate the opportunity to provide these services.

Sincerely,

Jonathon, Kruse,
Project Manager
Lee Engineering, LLC