

**CITY OF ALBUQUERQUE LAND USE FACILITATION PROGRAM
PROJECT MEETING REPORT**

Project #: 1006950

Property Description/Address: Application for ZONE MAP AMMENDMENT FROM R-1 TO SU-1 FOR C-1 USES WITH RESTRICTIONS. SITE PLAN INCLUDED.

Located on **Wyoming Blvd between I-40 and Mountain Road, NE**, containing approximately 1.2 acres.

Date submitted: August 4, 2008

Submitted by: Joan March, Co-Facilitator

Meeting date/time: July 31, 2008, 6:00 p.m.

Meeting location: Erna Ferguson Library
3700 San Mateo NE
Albuquerque, NM 87110

Facilitator: Angelica Chacon

Co-facilitator: Joan March

Parties: *Individual names & affiliations are located at the end of the report.*

- **Neighborhood Association:** Snow Heights—Laura Heitman, mlheitman@msn.com
- **Planner:** Maggie Gould. Phone #: 924-3910, mgould@cabq.gov
- **Applicant/Agent:** DAC Enterprises
 - Doug Crandall (294-5243)
 - Robert Romero
- **Developer/Applicant:** Gina Schmidt, DBLA—Sierra West, LLC
- **Other residents:** (See list at end of report)

Background/Meeting Summary:

The applicant, Gina Schmidt and DAC Enterprises, is requesting a rezoning of a property previously owned by the Department of Transportation from R-1 to SU-1. Neighbors previously objected to the original C-2 zoning request and the request was changed to SU-1. Another group of neighbors that surround the building site, who are not part of the Snow Heights Neighborhood Association (NA closest to the property), requested a facilitated meeting to voice their concerns.

The developer is proposing to put three buildings on the site, one of which would have two stories. Use would be a combination of service retail and office space. Parking spaces would be provided as well as a landscaped buffer on three sides. According to the agent the space would be both pedestrian- and bicycle-friendly.

The issues of those who attended the meeting with regard to rezoning the property commercial included: security lighting that could shine on the homes closest to the property; increased noise levels from construction traffic, customer activity, and business traffic—including deliveries; and possible increased vagrancy. In addition, assuming the SU-1 rezoning request is approved, neighbors were concerned about what businesses and offices would ultimately become resident on the property.

The agent and developer are interested in creating a business district that will benefit the neighborhood. They envision an aesthetic environment that people would walk to, complete with a family restaurant. Specifically, there would be no bars or cell phone tower on the property. They emphasized to those present that the type of zoning requested enables residents to voice objections to changes on the property. The agent believes that vagrancy and drug dealing, two current problems expressed by the residents, would be curtailed with business activity during the day and security lighting at night.

The agent and developer requested input from the neighbors as to the types of businesses they would like to see on the property. Doug Crandall solicited feedback at the meeting regarding both uses and issues and encouraged neighbors to call him and/or the planner and to attend the EPC hearing on August 21. Mr. Crandall gave numerous examples of types of businesses that would qualify in an SU-1 zone including a family restaurant, drug store, jewelry store and dry cleaners. He invited the neighbors to get a copy of the complete list of C-1 SU-1 uses through Maggie Gould or on the Web.

Outcome:

Areas of Agreement

- The businesses that are built on the proposed tract of land should be of benefit to the neighborhood
- Undesirable businesses (such as bars, tattoo parlors) should not (and will not because of the type of zoning requested) be permitted.
- A family restaurant would be a nice addition to the neighborhood.

Unresolved Issues & Concerns:

- Neighbors have numerous concerns about increased traffic, activity, noise (from both construction and use), and security. Of particular concern was traffic cutting through the neighborhood.
- Neighbors did not want an auto parts store, which could attract undesirable customers.
- Home owners purchased houses initially because the neighborhood and vacant lot (the development site) were zoned R-1. They may not have bought their homes if they knew zoning would change.
- The findings of the traffic impact study and getting to view it are important. The neighbors want to be able to give input to the findings.

Meeting Specifics

1. Applicant/Agent's presentation
 - a. Property currently zoned as R-1; everything from Lomas to Constitution, past the freeway is zoned C-2 on both sides of the street
 - b. His client (Gina Schmidt) wants to develop the property.
 - c. Planning/zoning recommended C-2, but he believes this is not appropriate
 - i. Wants SU-1
 - d. Preliminary zone change--Doesn't have all the details yet such as elevations; hearing set for 8/21; wants change of zoning at that meeting from R-1 to SU-1
 - e. Will have to go back to the EPC for the final plan; may be other changes per EPC recommendations

- f. Preliminary step
 - i. Get ideas of uses for the property (Look online for a list of C-1 uses.)
 - ii. At the hearing neighbors can voice opinions as to what should or should not be constructed.
 - iii. We want neighbors' ideas. Contact the planning department directly with your ideas. And call Gina Schmidt, Developer if you know a good family restaurant owner.
- g. Some that are allowable in the C-1 zoning category
 - i. Retail sales
 - ii. Auto supplies
 - iii. Book store
 - iv. Christmas sales
 - v. Drug store
 - vi. Flowers/plants
 - vii. Food/drink (no drive-in)
 - viii. Hardware
 - ix. Jewelry
 - x. Music instruments and supplies
 - xi. Pet store
 - xii. Dry cleaners
- h. Proposing "Radical Changes" to the site
 - i. Same general footprint
 - ii. Not 3-4 stories
 - iii. Proposed Combination office and retail as follows
 - 1. 3500 sq ft ground floor service retail (with 18 parking spaces)
 - 2. 1000 sq feet of ground office space and 500 sq feet of 2nd floor office space (with 22 parking spaces) –2 stories only at one end, which will be 26 feet tall.
 - 3. 4000 square feet of ground floor service retail (with 20 parking spaces)
 - iv. Large landscaped buffers off freeway, off Wyoming Blvd, and off Mountain Rd.
 - v. One sign off of Wyoming
 - vi. No liquor sales, no bar
 - vii. No cell phone towers
 - viii. Neighborhood restrictions
 - ix. Want to satisfy day-to-day neighborhood needs—what benefits the neighborhood; will not bring people from across town
 - x. Standard uses, e.g., hair salon, coffee shop
 - xi. Traffic study done; maybe people would drive through the neighborhood once, turn around and cut through the gas station or make a U-turn. It won't be high volume
 - xii. Bike and pedestrian friendly
- i. Agent/applicant comments
 - i. This property was zoned R-1 in 1959 because houses were already there.

- ii. Something will be built on that property. If not what they are proposing, it will be something else.
 - iii. The city encourages infill like this, rather than having an empty lot.
- 2. Resident Concerns
 - a. Lighting and security
 - i. Will lights shine on immediate neighbor's home?
 - ii. Lighting will meet state's night sky requirement; it will be adequate to prevent theft
 - b. Hours of business operation
 - i. What kind of hours will the businesses keep?
 - ii. Hours will be normal business hours, primarily; a restaurant may be open later like to 8 or 9 p.m
 - iii. Will also have outside seating; city requires "gathering places"
 - c. Undesirable possible uses
 - i. What about Tattoo parlors? Agent states that they are not permitted
 - ii. Skateboards? SU-1 and C-1 uses do not allow outside activity
 - d. People living in the direct vicinity of the property
 - i. Many have lived there for a long time.
 - ii. The entire area was zoned R-1 when people bought their houses.
 - iii. They may not have bought their home if they knew zoning would change.
 - iv. Agent's reply
 - 1. Developer must prove that the current use is not an appropriate zoning category.
 - 2. Houses had been built there, but were subsequently torn down because the buffer wasn't big enough.
 - 3. The zone change could allow for offices or something else. We're proposing neighborhood use.
 - e. "No Parking" signs
 - i. Residents fought for years to have No Parking signs on south side of Mountain Road. There used to be bars on Mountain Rd.
 - ii. Want these signs to remain.
 - f. Increased traffic
 - i. Residents say the neighborhood is not constructed for high traffic volume; will there be a traffic study?
 - ii. Agent's reply
 - 1. Some people may cut through the neighborhood, but won't do it more than once.
 - 2. The main entrance will be from Jaffa Rd.
 - 3. Hope is for people in the neighborhood to access the businesses.
 - 4. Neighborhood doesn't meet the requirements for high volume of traffic, but there will be some traffic increase.
 - 5. Traffic engineer did not request an Impact Study, but agent suggested one be done in case neighbors had concerns.

- a. Traffic study has been done and will be available from Maggie Gould on Monday (8/4).
 - b. The study makes projections based on proposed uses and other similar projects.
 - c. Traffic engineer will make recommendations. Neighbors can comment at the hearing.
 - g. Noise increase
 - i. There will be a 12 foot landscape buffer to the east of the property.
 - h. Vagrants and drug dealers
 - i. Concerns
 - 1. Right now there are many homeless and transient people who come off the freeway onto the property.
 - 2. Neighbor who has lived there for 47 years and sees drug sales going on. Enlarging the area might increase drug sales.
 - ii. Agent's reply
 - 1. The owners of the commercial properties/prospective occupants will be the ones calling authorities. They will not want to allow vagrants.
 - 2. The uses being suggested are in compliance with the city planning department, which encourages commercial usage.
 - 3. There is not a lot of activity among neighbors currently. When there is activity, it is less likely that there'll be drug activity, given the security lighting. However, after dark it is hard to stop these activities.
 - i. Lot clean up, construction, delivery traffic
 - i. Concerns
 - 1. Will the lot be cleaned up?
 - 2. What about construction traffic and deliveries once there are occupants?
 - ii. Agent's reply
 - 1. As buildings are being construction, the developer can direct traffic routes
 - 2. There will be construction traffic before (grading, etc.) and during construction.
 - 3. None of the proposed uses will have large deliveries. Deliveries will be in the back of the building (where there's an easement);
 - 4. Dumpsters will also be in the back.
 - j. Sidewalks—will there any?
 - i. Yes
- 3. Resident/Neighborhood Needs and Uses
 - a. Developer's requests/desires
 - i. Encouraged people present to talk to their neighbors
 - ii. Want to know what residents need
 - iii. What they can do to have neighbors' support?

- iv. Cares that the businesses that go in will be for the neighborhood's benefit
 - v. Belief that people want businesses they can walk to
 - vi. Would like something with an aesthetic look, like ABQ Uptown;
 - vii. Wants the occupants to be successful.
 - viii. Would like something "timeless" that won't look run down in 10 years.
- b. Suggestions and additional concerns from neighbors
- i. A park
 - ii. A family restaurant.
 - iii. Don't want to attract "punks." Auto parts store isn't desirable.
 - iv. Doctors
 - 1. Agent reminded neighbors that there will be office space.
 - 2. Neighbors don't want doctors to be treating the "criminally insane."
 - a. Zoning does not allow for this.
 - b. Certain uses may be eliminated. Neighbors must make it known at the hearing. Neighbors will have an opportunity to have input and voice their concerns on the building site plan at future hearings if the zoning is approved.
 - v. Apartments—don't want them
 - 1. Residential zoning could create cheap apartments which are noisy
 - vi. Are any businesses signed up yet?
 - 1. Agent indicated they cannot sign up tenants until the property is rezoned.
- c. Agent request
- i. If there are other unforeseen issues, they can be presented at the hearing,
 - ii. Developer and agent would like to know what the issues are ahead of time so they can be prepared to address them at the hearing. Neighbors should call Doug Crandall, the agent, directly (294-5243).
- d. What are the criteria for notifications? A neighbor on Mountain Road did not get notified.
- i. Must be within 100 feet of the site;
 - ii. Yellow sign posted;
 - iii. Neighborhood associations notified [Snow Heights NA (Laura Heitman) sent an email saying they have no opposition to the project and welcome development of the site, assuming liquor will not be sold.];
 - iv. A notice is put in the Albuquerque Journal
 - v. Facilitator sent a notice to the Legal Department and Neighborhood Association for this meeting, and they were to distribute information about the meeting to the appropriate neighbors .

Action Items:

- 1. Neighbors can contact Maggie Gould regarding the traffic impact study beginning Monday, August 4.
- 2. Neighbors can go online to look up the list of C-1 uses (this can be made available from Maggie Gould if preferred.)

Application Hearing Details:

- 1. EPC Hearing scheduled for August 21, 2008
- 2. Hearing Time:
 - a. The Commission will begin hearing applications at 8:30 a.m.
 - b. The actual time this application will be heard by the Commission will depend on the applicant’s position on the Commission’s schedule
- 3. Hearing Process:
 - a. Comments from facilitated meetings will go into a report which goes to the City Planner.
 - b. City Planner includes facilitator report in recommendations.
 - c. The Commission will make a decision and parties have 15 days to appeal the decision.
- 4. Resident Participation at Hearing:
 - a. Written comments must be received by (insert date) and may be sent to: Maggie Gould, mgould@cabq.gov, 505-924-3910, 600 2nd St., 3rd floor, Albuquerque, NM, 87102 OR
 - b. Laurie Moye, EPC Chair, c/o Planning Department, 600 2nd St., 3rd floor, Albuquerque, NM, 87102
- 5. Hearing Location: Plaza del Sol Basement Hearing room, 600 Second Street, NW. Can check web site prior to meeting, to confirm location.
<http://www.cabq.gov/planning/examiner/agenda.html>

Names & Affiliations of Attendees:

Name	Affiliation
Alan Carlson	Neighbor
Gina Schmidt	Developer
John Van Der Geest	Neighbor
Rudolph Brenn	Neighbor
Leroy Reaves	Neighbor
Robert E. Romero	Agent
Doug Crandall	Agent
Sue Thorsen	LUF program
Susan Clair	LUF program

Bolded names received report.