

CITY OF ALBUQUERQUE LAND USE FACILITATION PROGRAM PROJECT MEETING REPORT

Project #: 1007008

Property Description/Address: Candelaria Rd. NE between Arno NE and Commercial St NE being all or a portion of Lots 25 & 27, Block 2, Tract X, Graceland Acres Addition

Date Submitted: August 27, 2008

Submitted By: Diane Grover

Meeting Date/Time: August 26, 2008, 6:30 PM

Meeting Location: Menaul School, corner of Menaul and Broadway

Facilitator: Diane Grover

Co-facilitator: Susan Clair

Parties:

Randy Kaufman, Applicant
Leighton Kaufman, Applicant
Doug Crandall, DAC, Inc, Agent
Robert Romero, Agent
The Ruben Romero Family
Stronghurst Improvement Association, Inc (SIA)

Invited but not in attendance:
North Edith Commercial Corridor Association

Note: Individual names can be found at the end of this report.

Background/Meeting Summary:

Applicants Randy Kaufman and Leighton Kaufman request a Zone Map Amendment from R-1 to SU-1/C-2 for limited C-2 uses, for a car lot. In February, 2008, the EPC approved a zone change on the property from R-1 to C-2. The approval was appealed to the City Council, who remanded the case back to the EPC to consider alternative SU-1 zoning for limited C-2 uses. This current application reflects the Council request.

The project will consist of two phases. In the first phase the car lot and landscaping will be installed. In the second phase there will be buildings on the north side of the property, centrally located, which will house the offices that are currently across the street.

While agent Doug Crandall made it clear to neighbors that the current zoning on the property is R-1 and remains as such until the EPC rules on this current application on September 18, 2008, neighbors felt that there was some vagueness in City documentation which led them to question the true current status. They want clarification from the planner, which will be sent in the email along with the distribution of this report.

Two neighbors in attendance felt that the subject site was across the street from residential areas in a predominantly commercial area, with the exception of the Romero household that abuts the property. As such they supported plans for the car lot and felt the owner would work with the community to address any concerns associated with the lot. These neighbors also stated that the longstanding vacant status of the property attracts vagrants and crime

The SIA does not support the zone change or a car lot on the property. Should the applicant prevail at the EPC hearing, the SIA board requests that permissible use be limited to a car lot, so that any other usage will come back to them for discussion.

Applicant Leighton Kaufman suggested that they are happy to work with neighbors on requests and would like to accommodate and negotiate, but are somewhat put off by demands.

Doug Crandall indicated that they would proceed with their plans as drawn, and let the EPC make their decision.

Outcome:

Areas of Agreement:

- Both the applicant and the neighbors want for the end result to be a deterrent to vagrants
- The applicant agreed that should his application be approved, he would work with the Romeros to make sure his wall did not obstruct the view from their porch.
- Applicant agrees that there will be no auto repair
- Applicant agrees to exclude liquor sales, trucks and cell towers from allowable uses of property

Unresolved Issues, Interests and Concerns:

- Doug Crandall was clear that the current zoning on the property is R-1, until such time as the EPC approves this application, should that be their decision. Neighbors felt that the current status, based on current documentation, was vague and they want clarification on the exact current status of the property. The facilitator agreed to get this clarified by planner Carol Toffaleti, and to pass the information on to attendees in the email that accompanies this report.
- If there is to be a zone change, neighbors want input into the limited uses assigned to the SU-1/C-2 classification.

Key Points:

- Mr. and Mrs. Romero, who filed the original appeal, do not want the zone change approved, and do not want a car lot next door to them

- The SIA board is not in favor of the zone change or the car lot on the property.
- 2 other neighbors in attendance approved of applicant's plans, with one neighbor in agreement that use could be limited to a car lot and one neighbor wanting to afford broader usage allowances.

Meeting Specifics:

- 1) Zoning
 - a) Applicant states zoning is currently R-1
 - i) Some neighbors feel details on current zoning are vague and want current status verified with planner
 - b) Applicant is requesting SU-1 for limited C-2 uses
 - i) Zoning classification would remain with property if subsequently sold
 - ii) Once the zoning with specified limitations is achieved, changes to the special uses would need to be approved by the EPC
 - iii) Applicant agrees to exclude liquor sales, trucks and cell towers from allowable uses of property
 - iv) Goal is to use property as car lot now, and allow for additional future use by owner or by future owners of the property
 - c) History
 - i) Previous zone change request for SU-1 for C-2 uses was approved by EPC
 - ii) Approval was appealed
 - iii) Case went to City Council who thought C-2 was too broad of a classification
 - iv) Case remanded to EPC by Council, for EPC to consider alternative SU-1 zoning for limited C-2 uses.
 - v) Applicant plans to use property for car lot
- 2) 2 phases planned
 - a) 1st phase to include the car lot with landscaping
 - i) 15' setback in back
 - ii) 10' setbacks on Arno and Candelaria
 - iii) Applicant's office to remain across the street during this phase
 - b) 2nd phase at a later date to include buildings on the North side of property (centrally located)
- 3) Wall
 - a) Plans call for a wall at the Romero property
 - i) Current fencing encroaches some on applicant's property
 - ii) Applicant stated and Mr. Romero understood that current fence would be replaced with 8' wall
 - (1) The Romeros request that wall not extend to where it is blocking their view from their porch
 - (2) Applicant agreed to shorten wall accordingly
- 4) Signage
 - a) Planning for 100 sq. ft. sign
 - i) Agent states this is standard for C-2 zoning.

- ii) Neighbors are not in favor of a 100 sq. ft. sign
- 5) Neighbor concerns
 - a) Zone change
 - i) Most neighbors in attendance do not want a zone change from R-1
 - ii) SIA board voted against and goes on record against a zone change
 - (1) Should zone change be approved despite objections, SIA requests that zone change be limited to car lot use only.
 - iii) One neighbor felt R1 is inappropriate for subject property
 - (1) Neighbor owns several lots on Arno
 - (2) Feels zone change specific to car lot only is the way to go
 - (3) Believes property is not appropriate for housing
 - (4) Believes housing on the property would not be marketable
 - b) Property usage
 - i) No auto repair on site
 - (1) Applicant agrees to no auto repair
 - c) Landscaping
 - i) One neighbor requested landscape buffer increased to 30'
 - ii) Many neighbors want attention to aesthetics
 - iii) One neighbor suggested that additional landscaping would attract vagrants
 - d) Aesthetics
 - i) Add stucco wall to screen car lot
 - ii) Neighbors suggest more cheerful colors – suggested earth tones
 - iii) Aesthetics are important to neighbors
 - e) Lighting
 - i) Neighbors want the Romeros' house shielded from lighting
 - (1) Agent states lighting will not bleed onto neighbors' property
 - (2) Lighting will be shielded and down facing
 - f) Signage
 - i) View preservation is concern to neighbors
 - ii) Neighbors prefer monument signage
 - iii) Neighbors request no lit signage after 5 PM
 - iv) Agent states 100 sq. ft. sign is planned
 - g) Ribbons/tinsel
 - i) Neighbors want assurance there will be no unsightly ribbons or tinsel on lot
 - h) Air and noise pollution
 - i) Neighbors want air and noise pollution kept at bay
 - i) Vagrancy and crime
 - i) Property is and has been vacant
 - ii) Attracts vagrancy and crime which is detrimental to neighbors and property values
 - j) Neighbor suggests subject property is located on commercial street with exception of Romero property, and that zone change makes sense
 - i) Believes applicant is responsible businessman
 - ii) Is amenable to limiting use to car lot only
 - k) Car lots
 - i) Existing car lots are temporary
 - ii) Neighbors do not want an abundance of car lots like on Lomas

- iii) Additional C-1 or C-2 properties could turn to car lots
 - (1) Agent feels this is unlikely and that there are no other appropriate commercial properties for this use

Comments:

- Ruben Romero wished to go on record that “We are simply asking the City Council to abide by their own rules. If not, I’m sure the District Court will agree with us” Mr. Romero stated that by this he means that the City already designated the property as R-1 and it should remain as such.

Action Plan:

- Case will proceed to the EPC

Action Items:

- The facilitator agreed to get clarification on current zoning from planner Carol Toffaleti, and to pass the information on to attendees in the email that accompanies this report
- Applicant will look to the EPC for a decision on this matter
- Neighbors will submit comments to planner
- Doug Crandall invites neighbors to contact him to discuss any concerns they have. He can be reached at 294-5243 or email to dacinc2001@aol.com

Application Hearing Details:

1. Hearing scheduled for Thursday, September 18, 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
 - c. The agenda is posted on www.cabq.gov/planning/epc/index on the Friday immediately prior to the EPC Hearing
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 9:00 AM, September 5, 2008, to be included in the Planner’s report. Comments received by no later than Monday, September 15, 2008 will be included as an addendum to the file. Any comments made by email on September 15, should be sent to the planner AND copied to amcandelaria@cabq.gov Comments may be sent to:

Carol Toffaleti
600 2nd St. NW

Albuquerque, NM 87102
(505) 924-3345
cgtoffaleti@cabq.gov

OR

Laurie Moye, EPC Chair
C/o Planning Department
600 2nd St, NW, Third Floor
Albuquerque, NM 87102

Names & Addresses of Attendees:

Maggie Ferrera	no affiliation listed
Randy Kaufman	applicant
Robert E. Romero	agent
Leighton Kaufman	applicant
Bessie Romero	next door neighbor
Ruben Romero	nest door neighbor
Stephanie Kane Demers	SIA Board Member
Doug Crandall	Agent
Stuart McIntosh	Stronghurst Neighbor
Beth Brownell	SIA
Nasser Safaei	SIA
Pam Ashley	SIA
Sharon Gee	SIA
John Kindred	SIA
Steven DeRoma	SIA