

CITY OF ALBUQUERQUE LAND USE FACILITATION PROGRAM PROJECT MEETING REPORT

Project #:	1007484/08ZHE-80364 & 08ZHE-80365	1007485/08ZHE-80366
Property Description/Address:	Lot(s) 6, Block(s) 1A, Monte Vista Addition, zoned P-R, located on 108 Wellesley Drive NE (K-16)	All or a portion of Lot(s) 16A, Block(s) 6, MONTE VISTA ADDN zoned P-R, located at 107 TULANE DR NE (K-16)

Date Submitted: October 17, 2008

Submitted By: Kathleen Oweegon

Meeting Date/Time: October 15, 2008 / 6:00 pm

Meeting Location: Immanuel Presbyterian Church 114 Carlisle SE, Alb, NM

Facilitator: Kathleen Oweegon

Co-facilitator: Tracie O'Geary

Parties:

- **Agent:** Consensus Planning [Jim Strozier, Jackie Fishman, Justin Montgomery] representing:
- **Applicant:** Daskalos Nob Hill, LLC New Mexico Co.
- **Neighborhood Associations/Interested Parties:** Nob Hill NA (detailed list of attendees below)

Background/Meeting Summary: (details provided in *Meeting Specifics* on page3)

This meeting covered 2 projects, 1 of which encompasses 2 applications. Because all 3 applications pertained to the same building site, the facilitator chose, in the interest of time and money conservation, to combine the discussions into one meeting.

There is a history of disagreement, hearings, and appeals concerning this construction site. The central building at this site (referred to as "Building 1" in the site plan) has already been erected. This meeting was regarding the conditional use applications for parking garages named as "Building 2 & Building 3," and the trash compactor location and enclosure. Current zoning is PR (parking reserve).

Parking garages:

- ◆ 2 separate buildings
- ◆ single-story
- ◆ 2-car tandem parking (one car in front of the other) for each residential unit
- ◆ Exterior treatment aesthetically compatible with Building 1

Concerns:

- Light bleed from any exterior security lighting on garages.
 - Congestion in the alley caused by logistical challenges of tandem parking when inner parking space needs to be accessed and outer parking space is occupied.
- Insufficient number of handicap spaces
- Overflow parking into surrounding neighborhoods

Trash compactor location and enclosure:

- ◆ Located at the intersection of Wellesley & the alley
- ◆ 500 sq. ft
- ◆ Plumbing drain system
- ◆ Cold water system
- ◆ Electricity
- ◆ Fenced and gated
- ◆ Solid Waste Dept. reviewed and approved location

Concerns:

- Where the drain will drain to – no sewer lines below
- Proximity to existing neighborhoods
 - Permeation of unpleasant smells into surrounding neighborhoods and homes
 - Noise from compactor

Outcome:

Parking garages:

- *Areas of Agreement*
 - ◆ Neighbors appeared to be satisfied with the response to the light-bleed concern.
 - ◆ The agent agreed to seek the City's collaboration and approval for signage in the area that would be designed to mitigate the overflow parking concerns.

- *Unresolved Issues and Concerns*
 - Congestion in the alley caused by logistical challenges of tandem parking when inner parking space needs to be accessed and outer parking space is occupied.
 - Number of handicap spaces
 - Overflow parking into surrounding neighborhoods

- *Key Points*
 - ◆ One neighbor expressed the desire for a deferral to allow time for "serious negotiations."

Trash compactor location and enclosure:

- *Areas of Agreement*
 - ◆ The agent agreed to explore the possibility of putting a roof on the enclosure to mitigate the smell and noise concerns.

- *Unresolved Issues & Concerns*
 - ◆ Requests to relocate the trash compactor enclosure closer to Building 1 were not agreed to.

Meeting Specifics:

Jim Strozier of Consensus Planning clarified for the assemblage that he is also a member of the Nob Hill NA Board of Directors, but was in the role of agent for the applicant during this meeting. Similarly, Mike Hontas clarified that he is a Nob Hill resident as well as a member of the applicant's team.

There is a history of disagreement, hearings, and appeals surrounding this construction. The central building at this site (referred to as "Building 1" in the site plan) has already been erected. Although unresolved concerns still exist about aspects of Building 1, the facilitator limited conversation in this meeting to the aspects of the site that are pertinent to the conditional use requests contained in the projects named above – parking enclosures named as "Building 2 & Building 3" and the trash compactor location and enclosure.

Parking garages:

- ◆ For residents' private use
- ◆ 2 separate buildings
- ◆ Single-story
- ◆ 2-car tandem parking
- ◆ Exterior treatment aesthetically compatible with Building 1 – split-face block and brick.
- ◆ Use for parking is not in question – if not within parking structure, will be open lot (disagreement exists about whether the number of spaces would reduce if it were an open lot versus the enclosed tandem parking)

Concerns, Responses & Outcomes:

- **Concern:** Light bleed from any exterior security lighting on garages.
 - **Response:** Alley has lighting. Do not have information on specific lighting at this meeting. Garage would diminish light-bleed from alley.
 - **Outcome:** Although the facilitator did not survey them, the neighbors appeared to be satisfied with this response.
- **Concern:** Congestion in the alley caused by logistical challenges of tandem parking when inner parking space needs to be accessed and outer parking space is occupied.
 - **Response:** This will be no different than multiple cars parking in the driveway of a single-family dwelling.
 - **Neighbor response:** The difference is that the street affords temporary parking options while the cars are being rotated. The narrowness of the alley does not.
 - **Agent Response:** Street parking spaces, which are very close-by, might be used to rotate the cars.
 - **Neighbor response:** If you redesign the structure to make the outer parking space of the tandem parking open (or carport), one could have access to a neighbor's space for temporary use while rotating cars.
 - **Outcome:** No agreement reached

- **Concern:** If tandem parking and subsequent juggling of cars becomes too inconvenient, residents will park 1 of their cars on the street, exacerbating an already overcrowded parking situation.
 - **Response:** Credits exist for ½ of the available parking on Wellesley, Central, and Tulane. Assume parking would be metered, and would be along the first block on the side streets.
 - **Neighbor response:** Still won't solve parking problem.
 - **Agent response:** Those spaces would not solve the problem of where the people would park long term.
 - **Neighbor response:** They'll park in neighborhood.
 - **Outcome:** No agreement reached
- **Concern:** Number of handicap spaces
 - **Response:** None in these structures, but there are in the underground garage in Building 1.
 - **Neighbor response:** Site plan actually shows 2 spaces in proposed garage structures that are for handicap parking, but in order for them to comply with handicap space size requirements, 2-car tandem parking won't fit.
 - **Outcome:** No request made. No agreement expressed.
- **Concern:** Overflow parking into surrounding neighborhoods - Large project brought into a historical area / residential environment. (Note: requested 2 years ago to make the project smaller). Would like some effort to mitigate impact to neighborhood.
 - **Response:** Agent could propose signage 'Commercial traffic, south only' or similar. While signage is nice, have found that building management talking to suppliers and vendors – where to park or how traffic should flow – makes a difference.
 - **Neighbor response:** Is signage real or something that is being deferred?
 - **Agent response:** No problem agreeing to come up with signage directing commercial traffic back to Central. That is part of the solution, but cannot really be managed until people are in building to manage.
 - **Outcome:** Open to multiple solutions: signage, building managements.
- **Concern:** Customers from existing commercial business already parking in neighborhoods. Now a high-density residential unit is brought into an urban-suburban area.
- **Request:** Route overflow traffic by painting arrows to route traffic back to Central.
 - **Response:** Yes, we can support having signage, but need city approval. Very willing to work with City for these types of suggestions (painting arrows, signage).
 - **Outcome:** Agreement from the agent to pursue this signage with the City.
- **Concern:** If open parking lot, there will be insufficient parking spaces to be in compliance.
 - **Response:** None noted
- **Concern:** If open parking lot, the view is unattractive to the neighbors in bordering properties.
 - **Response:** There will still be a 6 ft. wall and a 10-foot landscape buffer, which was added due to other litigation.
 - **Outcome:** No request made. No agreement expressed.

In response to a question asked by one of the neighbors, the facilitator took an informal survey of the meeting participants, asking them if they had a preference between the parking structure, as proposed, and an open parking lot. The answers were proportioned as follows:

- ~ Proposed enclosure – 4 (1 said “or at least a wall”)
- ~ Revised enclosure (as described near the bottom of page 3) – 2
- ~ Open lot – 0
- ~ No preference – 1
- ~ Don’t know – 2

A neighbor (Ken Robey) referenced a portion of a letter that he wanted noted in this report. He provided a copy of that letter for the facilitator. The letter, dated July 31, 2006 was from Bob Williams, Chief Building Inspector, and addressed to Mr. Daskalos, the applicant. The portion of the letter that Mr. Robey read to the assemblage was as follows:

“Please be advised that in the event it is determined that the building permit was issued in error or based on incorrect information or in violation of any ordinance or regulation, it will be necessary to revoke the building permit approval and cease all construction activity.

In view of the foregoing, please proceed at your own risk.”

Mr. Robey noted that he issued his first challenge before letter was issued.

Trash compactor enclosure:

- ◆ Access at the intersection of Wellesley & the alley
- ◆ 500 sq. ft
- ◆ Plumbing drain system
- ◆ Cold water system
- ◆ Electricity
- ◆ Fenced and gated
- ◆ Solid Waste Dept. reviewed and approved location

Concerns, Responses & Outcomes:

- **Concern:** Where the drain will drain to – no sewer lines below
 - **Response:** I don’t know the answer to that.
- **Concern:** Proximity to existing neighborhoods & permeation of unpleasant smells into surrounding neighborhoods and homes
- **Concern:** Proximity to existing neighborhoods & noise from compactor
- **Request:** Place compactor on south side of alley near building of residents – as it’s not convenient for residents to cross alley to dump trash.
 - **Response:** Trash areas, regardless of size, must provide a space and access for trucks. No space on north side of main building for trash. Trash receptor location is convenient for city. A resident of the main building would not want trash up against their building. Also believe there is a sufficient buffer between trash enclosure and residential area.
 - **Neighbor response:** What is the buffer?
 - **Agent response:** 10 foot landscape buffer
 - **Another neighbor response:** Right now, it’s a tree.
 - **Agent response:** Screen wall surrounds compactor with a gate.

- **Request:** Consider making trash compactor enclosure a roofed structure to mitigate the smell, sound and sight concerns.
 - **Response:** Would consider.

At the end of the meeting, Ken Robey stated that he would like to have a serious negotiation with developer. He stated that he would prefer these proposals be deferred, because if they are rejected, they cannot be revisited for 12 months. It was noted as a concern by another neighbor earlier in the meeting that “2 key players are not present – the City and the developer.” Negotiations seemed futile to many in the absence of these two.

Other:

- Although off-topic, conversation briefly turned to landscaping. The neighbors and agent agreed that it would be good to have landscaping on East and West side of garage between sidewalk and structure to address the need for something in between the building and where pedestrian walks so they are not looking at a blank wall and to help with the transition from urban buildings to historic neighborhood.

ZHE Application Hearing Details

- 1) Hearing Scheduled for Tuesday, October 21, 2008
- 2) Hearing Details:
 - a) The Office of the Zoning Hearing Examiner conducts monthly quasi-judicial PUBLIC HEARINGS regarding Special Exceptions to the Zoning Code (Please refer to Section 14.16.4.2 of the Comprehensive City Zoning Code)
 - b) There are certain criteria that applicants must meet in order to obtain an approval of decision for their special exception request.
- 3) Hearing Process:
 - a) Comments from facilitated meetings will go into a report which goes to the Hearing Examiner
 - b) All interested parties may appear at the hearing and voice their opinions or submit written comments prior to the day of public hearing.
 - c) The Zoning Hearing Examiner will render a determination of approval, approval with conditions or denial within 15 days after the close of the public hearing
 - d) The determination can be appealed to the Board of Appeals

Any further questions or comments can be referred to:

Lucinda Montoya
924-3918
Lucindamontoya@cabq.gov

Comments:

- Procedural concerns regarding notification were expressed. Confusion exists as to how, when, and by whom, neighbors and neighboring businesses are notified of these facilitated meetings.

Attendees:

- Nob Hill NA
Steve Elkins
Bob Reeback
Signe Rich
Martha Baldez
Chris Smith

- Consensus Planning
Jim Strozier (also NHNA resident)
Jackie Fishman
Justin Montgomery

- La Sierra Construction (affiliate of applicant)
Mike Hontas (also NHNA resident)

- City of Albuquerque
Shannon Watson - ADR