

CITY OF ALBUQUERQUE LAND USE FACILITATION PROGRAM PROJECT MEETING REPORT

Project #: 1004221

Property Description/Address:

Date Submitted: 4/2/08

Submitted By: Diane Grover

Meeting Date/Time: March 31, 2008 1:00 PM to 3:00 PM

Meeting Location: James Joseph Dwyer Memorial Substation, 12700 Montgomery NE

Facilitator: Diane Grover

Co-facilitator: Marsha Kellogg

Parties:

Kenny Hinkes, Applicant

Jim Strozier, Consensus Planning, Agent

Ancala Village H.O.A. (AVH)

John B. Robert N.A. (JBR)

Oso Grande N.A. (OSG)

Background/Meeting Summary:

Applicant Kenny Hinkes has met on numerous occasions with John B Roberts NA in planning this project, and has made modifications to his plans in collaboration with neighbors. JBR neighbors did not know that people were living in homes owned by AVH members, and AVH was not included in any meetings or notifications. AVH members were concerned that, although they lived within 100' of this project, they did not receive the required City notification by mail. Additionally they reported that the posted signs were in place only a few days before being knocked down by workers. The applicant and JBR members regret that AVH was not included in any earlier meetings of planning stages.

Kenny is planning to build a two-story office complex, with individual condos to be owned by occupants. The first story will be 11,000 sq' and the second story will be 9,000 sq'. He plans for an upscale and attractive facility.

Major concerns to neighbors in attendance were the overall massing of the building and the height of towers, with some concern for trees that will block views and require too much water.

The applicant agreed to consider modification of the towers; modification to the landscaping design to include lower, less dense and more draught resistant trees within City requirements and guidelines; and the possibility of lowering the elevation of the land on which the building will sit by 2'.

The applicant requested that if he makes changes to towers, trees and elevation, neighbors agree not to file an appeal in regards to the project. He would prefer to spend his money on making

changes that will be acceptable to the community rather than fighting an appeal, and would like a guaranty that he will not have to do both. Homeowners could not commit without digesting information from meeting and meeting to discuss.

Senior Staff Planner Carmen Marrone requested that someone get back with her on results of subsequent discussions and research.

Outcome:

Areas of Agreement:

- Applicant agreed to research tree choices to find lower growing and less dense trees while keeping in compliance with City regulations
- Applicant agreed to consider modification of towers
- Applicant agreed to research possibility of lowering building site by two feet.

Unresolved Issues, Interests and Concerns:

- Neighbors want a chance to absorb what they heard at the meeting before making decisions about support for the project.

Key Points:

- It was important to one member of JBR to go on record that Kenny Hinkes approached them and worked very closely with them to complete the project taking neighborhood needs into consideration. She indicated that they appreciate his design, his honesty and his collaborative efforts

Meeting Specifics:

- 1) Notification
 - a) Ancala Village HOA is not a recognized Homeowners Association but is working on becoming one
 - b) Neighbors object to the notification inconsistencies relating to AVH
 - i) Neighbors within 100' of subject property reported they did not get required notifications by mail
 - ii) Notification posted at sight was knocked down by workers within days of being posted so was not up for required period
 - iii) Applicant regrets notification break down
 - (1) Had no intent for people to be omitted
 - (2) Wanted everyone to be part of the process
- 2) Ancala Village HOA
 - a) Members would have actively participated in pre-EPC hearing discussions had they known
 - b) Some have been living in their homes for over 1 year
 - c) AVH members feel pushed in the appeal process
 - i) Members first heard of project on March 16

- ii) Appeal is due by April 3
 - iii) Concerned that EPC letter dated March 21 was received by neighbor on March 27
- 3) John B Robert NA
 - a) Member states has had numerous opportunities for discussion with applicant
 - i) Feels that Kenny has worked well with them
 - ii) Appreciates the modifications he's made in response to their concerns
 - b) Were not aware that nearby homes were inhabited
 - c) Would have preferred to get input from near neighbors prior to weighing in on project
 - d) Members were in favor of this project
- 4) Building placement and design
 - a) Moved back 10' in response to neighbors concerns
 - b) Property is raised higher than surrounding buildings
 - i) Land fill has been added to subject property in the past
 - (1) Applicant plans to remove some fill
 - ii) Terrain drops to the West
 - c) Will have only 1 access point from Spain
 - d) Will have one and two story elements
 - i) One story element on ends
 - (1) First floor is 11,000 sq'
 - (2) Second floor is 9,000 sq'
 - e) Design
 - i) Inspired by Everglades Club in Palm Beach Florida
 - ii) Applicant wants design to be special
 - iii) Mission architectural style
 - iv) Upscale and costly to build
 - v) Owners of individual condos contributed to design
 - vi) Authentic tile
 - vii) Curved windows
 - f) Building mass
 - i) 20,450 sq'
 - ii) One factor in size is economic return on investment
 - iii) Some neighbors feel building is too large for area – concern is size and scale
 - iv) Applicant states that if project was town homes, size could be 35,000 sq'
 - g) City goals per agent
 - i) Encourage in-fill
 - ii) Encourage development within transit corridors
 - iii) Balance of land use
 - h) Traffic
 - i) Traffic impact study (TIS) is not required
 - (1) TIS is project specific study
 - (2) Required based on size of project
 - (3) Project falls below threshold
 - ii) Mid-region Council of Governors
 - (1) Does non-project specific traffic studies
 - (2) Looks at large picture
 - (3) Ongoing concern

- iii) Entrance is right in/right out
- i) Parking
 - i) 63 spaces were required
 - ii) City requested 3-4 more and increase in sidewalk width
 - iii) Applicant decreased leasable square footage lowering parking requirements
 - iv) Planning for 65 parking spaces
 - v) In SU zone, parking level is determined by Planning Department
 - vi) Office occupants will have minimal parking needs
 - (1) Businesses have few clients visiting
 - (a) Accountant has 2 or 3 clients/day and often works alone
 - (b) Attorney has 2 or 3 clients/day
 - (c) Real Estate developer generally visits his clients
 - (d) No occupants with high parking needs
- j) Towers
 - i) Some neighbors request removal of towers
 - (1) Look nice
 - (2) Create height concerns
 - ii) Applicant suggested could lower, but doesn't understand what they are blocking
 - (1) Building sits 5' above Juan Tabo
 - (2) Removal is possible but would cost in aesthetics
- k) Building elevation
 - i) Casa Pacifica sits at 47'
 - ii) Subject property is at 56'
 - iii) Could property be lowered by 10'?
 - (1) If building is lowered 10', door is below ground level of Juan Tabo
 - (2) Parking lot would also need to be lowered
 - (3) Drainage needs to go out Juan Tabo
 - (4) ADA considerations – ADA accessible parking lot
 - (5) Driveway cannot be too steep – safety concern
 - (6) Building could possibly be lowered by 2'
 - (a) Sidewalk would require handrails
 - (b) Entrances would be deeper and retaining walls increased
 - (c) Would need to research cost
- l) Drainage
 - i) Casa Pacifica and Nursing home drain to the West & have easements
 - ii) Subject property drains to Juan Tabo
 - iii) Working with nursing home to acquire easement is difficult
 - (1) Nursing home was sold to Casa Pacifica
 - (2) Casa Pacifica owned by 80 individuals
 - (3) Permissions are hard to acquire
 - iv) Rainwater from subject property will drain to Juan Tabo
 - (1) Some harvesting will be done for landscaping
- m) Trees
 - i) Some neighbors oppose trees
 - (1) Blocking views
 - (2) Drought conditions

- ii) Street Tree Ordinance sets requirement
- iii) Applicant will review requirements and choose lower growing trees that are as water tolerant as possible and get back with neighbors by email
- n) Ceiling heights
 - i) 10' tall; 12' floor to floor
 - ii) Feasibility of reduction to 8'
 - (1) Allowed within code
 - (2) Would negatively impact marketability
 - (3) Applicant will not reduce ceilings
- o) Nine offices
 - i) Varying sizes from 1200 sq' to 3000 sq', depending on needs of occupant
- p) Lighting
 - i) No back-lit signage
 - ii) 16' parking lights – on timer or photo cell
 - iii) Will reduce impact of lighting
 - iv) Directory sign will turn off at night
- q) Business Hours: 7AM to 7PM
- r) Timeline
 - i) Assuming agreement is reached with neighbors, applicant would like to be heard by DRB within six to eight weeks.

Next Steps:

- Applicant will investigate appropriate tree choices
- Applicant will look into lowering site by 2'
- Applicant will consider tower modification
- Applicant will communicate with neighbors on above matters by email

Action Plan:

- Applicant will research items described in “Next Steps” above
- Neighbors will consider information discussed in meeting

Action Items:

- Applicant will respond back to neighbors on results of research
- Carmen Marrone, Sr Staff Planner, has requested that she be notified of progress

Please note that subsequent to meeting, neighbors and applicant have continued to work to achieve a signed agreement on how they will proceed, and Carmen Marrone and Randall Falkner have been forwarded emails sent to facilitator as of 2:00 on the afternoon of April 1, 2008. Please keep them apprised as negotiations continue.

Application Hearing DetailsHearing scheduled for (date)

1. Hearing Time:
 - a. No hearing is scheduled at this time
2. Comments pertaining to meeting
 - a. Written comments may be sent to:

Randall Falkner, Staff Planner
600 2nd Street NW, Third Floor
Albuquerque, NM 87102
Rfalkner@cabq.gov
(505) 924-3903

OR

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

Comments:

Names & Addresses of Attendees:

Trish Wolfe	JBR
Jason Hinkes	
Kenny Hinkes	Applicant
Jill Hinkes	
Nick Callas	
Marsha Lichtenstein	Imagine Mediation
Rebecca Rosen	
Robert Pierson	City of Albuquerque
James Lewis	Architect
Phil Lightle	Architect
Mark Goalinn (sp?)	Investor
Sue Hilts	JBR
Jack Ning	Observer
Enrico Embruli	
Jim Strozier	Consensus Planning
Fred Eachus	AVH
Rosemary Eachus	AVH
Carmen Martsh	
John P. Martsh	
Mark Goodwin	
Shannon Watson	City of Albuquerque
Carmen Marrone	City of Albuquerque

Note: there were 2 additional attendees who signed the sign-in sheet, however it was not returned to the facilitator, and they are not reflected in the above listing.

NAMES OF ATTENDEES WHO DID NOT REQUEST A COPY OF THE REPORT ARE HIGHLIGHTED IN YELLOW.