

# CITY OF ALBUQUERQUE LAND USE FACILITATION PROGRAM PROJECT MEETING REPORT

**Project #:** 1005244

**Property Description/Address:** Coal Ave SW between 14th St SW and Lead Ave SW

**Date Submitted:** 4/2/08

**Submitted By:** Marsha Kellogg

**Meeting Date/Time:** March 31, 2008 6:30 to 8:30 PM

**Meeting Location:** Washington Middle School

**Facilitator:** Marsha Kellogg

**Co-facilitator:** Diane Grover

## **Parties:**

**Applicant:** K & M Development, Michelle Daskalos

**Agent:** Consensus Planning, Jim Strozier

**Neighborhood Associations:** Raynolds Addition NA  
Huning-Castle NA  
Barelas NA

## **Background/Meeting Summary:**

One year ago, this area went through a Sector Plan Amendment and rezoning that established the property in question as SU-2/Multi-Family Residential (MFR). Soon afterward, the applicant had the property re-platted to establish fourteen lots where there were twelve, and to change them from backing up to the alley to facing each other across 14<sup>th</sup> Street. At this time, based on approved plans, infrastructure lists were created for utility and water lines, subdivision improvement agreements were made between the city and the applicant, and these improvements have now all been completed. Qwest, Comcast, PNM and other utility providers have run lines that accommodate the plans for the dwellings as drawn. At the time that the applicant was going through the building permit application process, it was discovered that an MFR zone provision for alley access to the rear of the property had been overlooked. Jim Strozier, acting as agent for the applicant, stated that both the applicant and the City shared responsibility for this oversight. The applicant is now requesting RT zoning (Residential Town Homes), which does not require rear access.

A few concerns dominated the meeting: the parties discussed issues of communication, pedestrian-friendly design, the impact of re-designing the project to meet the MFR zone requirement of alley access, and the precedence this zone-change would create. Other topical points included traffic and continuation of construction before a decision is reached.

The neighbors and applicant/agent recognized difficulties communicating with each other in the past. Neighbors indicated that they wanted more communication throughout the process and were disappointed that the applicant had not met with them as the plan for the property developed. There had been one meeting between the parties early in the process, and neighbors

had expected that the applicant would meet with them again once drawings were completed. Neighbors had agreed, in theory, with the applicant's plans for the development in the first meeting, but expected to see more detail as the project evolved. The applicant said that a facilitated meeting was offered through the City process after that first meeting, and when the neighbors turned down the meeting she interpreted that to mean that neighbors supported her plans. The applicant also felt that she was responding to questions posed by neighbors as they arose and was giving them what they needed as requested.

Upon seeing the drawings of the project presented by the applicant, the neighbors expressed their concern that it does not reflect pedestrian-friendly design or the neighborhood feel they had requested. They felt they had clearly stated that they were not happy with garages on the face of the project, such as was developed a few streets away by the same architect the applicant is using. They expressed concern that the driveways would not discourage cars from parking across sidewalks thus blocking pedestrian traffic. The applicant explained that the project is currently designed with 20 foot driveways, and the sidewalks in front of the driveways are flat.

The applicant is concerned about the potential for long delays and substantial expense if they are required to start over. Applicant and agent have conferred with the city on this problem and found that the only resolution was to request a zone change. Neighbors feel that they should not fall victim to mistakes made by the City or Applicant. They cited another project at 11<sup>th</sup> and Silver where their needs and the zoning requirements were overlooked. They stated that they have been quite progressive in the past, and feel that the outcome of this project along with past experience will cause them to take a harder line in future dealings.

Neighbors are concerned that approval of a zone change will set a precedent for subsequent applicants. They also have concerns that similar mistakes and oversights will happen again. Jim Strozier stated that their request to the City is written in a manner that specified the uniqueness of this situation in order to protect from transferability of any ruling in this matter. He also stated that problems related to this project have been brought to light at the City and should contribute to the mistake not being repeated.

Neighbors request that applicant make every effort to find creative solutions that would accomplish their goals as effectively as possible while respecting neighborhood needs. Jim Strozier promised to meet with architects and be as creative as possible and get back to meeting attendees by the end of the week.

### **Outcome:**

### **Areas of Agreement**

- Applicant agreed to consider options and will speak with architects about feasibility and ramifications of flipping houses, and will report back to neighbors via email.
- Applicant will talk to Chrystal Metro, City traffic engineer, and to DRB
- Applicant will give progress report to neighbors by end of week

## Unresolved Issues, Interests and Concerns

- Feasibility of changing placement or design of homes

### **Meeting Specifics:**

- 1) Pedestrian Friendly Orientation
  - a) Curb cuts and pedestrian friendliness/walkability is very important to neighbors
  - b) Neighbors are disturbed by numerous cars in the area parked across sidewalks blocking pedestrian access
    - i) In some cases due to shorter driveways
    - ii) In some cases numerous cars in 20' driveways
  - c) Applicant plans 20' driveways
  - d) Neighbors are concerned about precedent being set for other builders
  - e) Jim Strozier indicated that application was written to specify uniqueness of this situation due to previous oversights, and to avoid transference to future requests from other applicants.
- 2) Sidewalks – flat sidewalks will be built between street and driveways
- 3) Alley – Existing alley North of project turns North on the West side of 14<sup>th</sup> Street
  - a) There are carports in the alley
  - b) Alley dead ends at dumpster/utility boxes
  - c) Alley is 16' (old Albuquerque standard); current Albuquerque standard is 20'
  - d) Neighbor reports alley is shown on plat behind all 14 units
    - i) Agent indicates that drawing does not show where alley ends
- 4) Project Units
  - a) 10 Units along 14<sup>th</sup> Street face each other
  - b) 4 units on East end of property have access onto Coal
  - c) Neighbors suggested units be flipped
    - i) Applicant states problematic to flip and leave appropriate passageways
    - ii) Making changes to the orientation of homes would require complete re-construction of utility lines and infrastructure
    - iii) Flipping units would require redesign of homes
- 5) Infrastructure
  - a) Construction is complete
  - b) Qwest, PNM, Comcast have all run their lines to each home as depicted in current plans
  - c) Sewer lines are complete
  - d) Placement of many lines are specific to orientation of homes as drawn (i.e. sewer lines need accessibility – can't be under living rooms)
  - e) Change in placement of homes would require reconstruction of infrastructure
- 6) Garages
  - a) Required by City along with driveways
  - b) City wants to avoid on street parking
    - i) Some neighbors would prefer on street parking to garages
  - c) Neighbors do not want garages as main visual from street
    - i) One neighbor suggested compromise, some garages in front; some in back

- 7) Traffic
  - a) Concern for 4 units facing Coal – driveways empty onto Coal
  - b) Coal is one-way heading East at property
  - c) 14<sup>th</sup> and Coal does not address the one-way switch to two-way traffic
  - d) Cars frequently spill over into one way section going wrong way
    - i) Will create hazard for owners of these 4 units
  - e) 2 units back up to carports; 2 units back up to utility boxes; no access to 14<sup>th</sup> St.
- 8) Lot sizes
  - a) 25'x100' to 30'x100'
  - b) Lots running East/West are 100 feet long; lots running North/South are 142 feet.
  - c) End lots are 30' wide
- 9) Suggestions
  - a) Neighbor suggested moving front house closer to sidewalk
    - i) Would not comply with set back
      - (1) Neighbors would prefer set back variance in trade for moving garage to the rear
  - b) Neighbor suggested staggering units with some garages front; some back
  - c) Applicant will bring ideas back to architect
- 10) Current construction status
  - a) Construction is proceeding
  - b) Neighbors concerns
    - i) There is no City ruling but construction is continuing
    - ii) Their efforts feel futile
    - iii) Feel disrespected in this process
  - c) Applicant concerns
    - i) Units are pre-sold and buyers are anxious
    - ii) Contractors are working

**Action Items:**

- Applicant will speak with architects about feasibility of flipping houses
- Applicant will talk to Chrystal Metro, City traffic engineer, and to DRB.
- Applicant will give progress report to neighbors by end of week via email.

**Application Hearing Details** Hearing scheduled for April 17, 2008

1. 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](http://www.cabq.gov/planning/epc/index) on the Friday immediately prior to the EPC Hearing
2. 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.
3. Resident Participation at Hearing:

- a. Written comments must be received by Staff Planner, Carol Toffaleti, by April 2<sup>nd</sup> to be included in the *planner's draft report*. Comments received by April 8<sup>th</sup> will be included in the report as attachments.
- b. EPC will not accept new submissions to the report after 48 hours before the meeting. Information can be emailed to EPC by close of business April 14<sup>th</sup>, however it will not be part of the planner report.

Carol Toffaleti, Staff Planner  
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 Albuquerque, NM 87102  
[cgtoffaleti@cabq.gov](mailto:cgtoffaleti@cabq.gov)  
 (505) 924-3345

OR

Laurie Moyer, EPC Chair  
 CABQ Planning Department  
 600 2<sup>nd</sup> St, NW, Third Floor  
 Albuquerque, NM 87102

**Names & Affiliations/Addresses of Attendees:**

- |                          |   |
|--------------------------|---|
| 1. Christopher Frechette | RANA (Raynolds Addition NA)                         |
| 2. Douglas Kerr          | RANA  |
| 3. Jean A. McCray        | RANA  |
| 4. Barbara Grothus       | RANA  |
| 5. Anne Gonzalez         | RANA  |
| 6. Bob Tilley            | RANA  |
| 7. Shannon Watson        | City of Albuquerque, Alternative Dispute Resolution |
| 8. Jim Strozier          | Consensus Planning                                  |
| 9. Fred Riviera, Jr.     | HCNA (Huning Castle NA)                             |
| 10. Michelle Daskalos    | K&M Development                                     |
| 11. Jim Foley            | 600 Alcalde Place SW                                |
| 12. Bennett A. Hammer    | 600 Alcalde Place SW                                |
| 13. Ruth Koury           | Albuquerque, 87196                                  |