

CITY OF ALBUQUERQUE LAND USE FACILITATION PROGRAM PROJECT MEETING REPORT

Project #: DRB2018-001346 (1000682)

Property Description/Address: Mixed Use Development, SE corner of Alameda & San Pedro NE

Date Submitted: 8 September 2018

Submitted By: Philip Crump

Meeting Date/Time: Thursday 6 September 2018 6:30-9:00 pm

Meeting Location: La Cueva High School Performing Arts Center

Facilitator: Philip Crump

Co-facilitator: Kathleen Oweegon

- **Applicant** – Ray Solomon
- **Agent** – Joe Slagle - Architect
- **Neighborhood Associations/Interested Parties:** West La Cueva NA, Nor Este NA, Vineyard Estates NA, North Domingo Baca NA, North Albuquerque Acres NA, La Cueva Early College Academy, District 4 Coalition of NAs, West Side Coalition of NAs.

Background/Meeting Summary:

This meeting was for an application to the Development Review Board [DRB] for site plan approval—a mixed use development of four businesses on a 5.24 acre parcel, pending purchase of the parcel and division into separate parcels among four owners. Following PowerPoint and verbal presentations of the proposed development, questions from attending neighbors focused on potential future uses of the properties, protection of adjacent residential areas, as well as concern that the new IDO decreases the role of citizens by expanding the purview of the DRB.

Russell Brito of the Planning Department gave a detailed review of the new pertinent IDO regulations and responded to further questions. One of the development business owners pointed out that the sales of the property must be finalized before the end of September; otherwise, the seller can offer the property to other buyers. SE corner of San Pedro & Alameda.

The current zoning under IDO is NR-BP – Non-residential Business Park. The project area is 5.24 acres, to encompass four separate businesses: a restaurant of 3,000 square feet, with an 18’ height; a container development of 10,000 square feet with a 20’ height; a climbing gym of 25,000 square feet, with a 55’ height; and an as-yet undesignated building of 4,000 square feet, with an 18’ height.

Outcome:

By the end of the meeting, those in attendance were generally in favor of the project, for bringing needed services and amenities to the area, as evidenced by spontaneous applause.

Meeting Specifics:

1) Applicant/Agent Presentation:

- a) **Team members:** The applicant is Roy Solomon, who has been in Albuquerque for 24 years, is a UNM graduate and restaurateur for many years. Bryan Pletta and Cristina Radu are owners of a climbing gym which will relocate to the property. These proposed business neighbors in project—including Erin Wade of the restaurant Vinaigrette—and the architect, Joe Slagle, have been in Albuquerque for many years. Fred Hills, the construction company on San Pedro & SF – local folks (didn’t catch name of company)
- b) **Prospective tenants:**
 - i) Vinaigrette, at the west end of project, was depicted in a PowerPoint with Erin Wade, the owner.
 - (1) The restaurant uses its own produce grown on a 3 acre farm and composts waste back out to farm.

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- (2) Vinaigrette's core idea is that one can eat healthy without sacrifice. The goal is for people to feel better when they walk out than when they walk in.
- ii) Tin Can Alley, for which Green Jeans is the model and predecessor, will be a similar configuration of containers and structures housing a variety of eateries and services, with the intention of creating a community atmosphere, with all businesses locally owned and operated.
- iii) Stone Age Climbing Gym. The PowerPoint was all visual, showing people using the climbing walls and other gym equipment.
- iv) Commercial Building. The fourth building's uses are as yet undetermined.
- c) **Overall Development PowerPoint:**
 - i) Location: The parcel mostly fronts along Alameda, with two access points on Alameda (right in, right out) and one each on San Pedro (right in, right out) and Signal.
 - (1) All properties will be individually owned, but share landscape and parking facilities and expenses.
 - ii) Landscaping plan: The development will be heavily landscaped
 - iii) Parking: Per City encouragement, all parking will be behind the businesses.
 - iv) Tin Can Alley:
 - (1) There will be a food hall on one side and Santa Fe Brewing on the other side.
 - (a) The food hall will be more international
 - (b) The Tin Can Alley entrance is on South side, away from Alameda.
 - (2) It includes two rooftop patios—a family patio with no alcohol sales and one for Santa Fe Brewing. The center will include the food court, open 12 months per year.
 - v) Stone Age Climbing Gym
 - (1) This will be a fairly tall building because climbing will soon be an Olympic event, so regulation height of 30 feet was desired.
 - (a) There will be a rooftop patio on east side of building.
 - (b) Since the building is tall, the owners wanted to make the architecture a fun and interesting addition to the area.
 - (c) Between the gym and Tin Can Alley there is to be a greenbelt area and common courtyard,
 - (2) One concern has been previously expressed: What happens if gym goes out of business? What other user in such large space?
 - (a) A picture of warehouse conversion into office space.
 - (i) This is seen as the next best use for this space, because lots of parking supports office use, with good access to arteries for traffic. A warehouse use would not pay enough rent.
- d) **Concerns brought up in a previous neighborhood meeting:**
 - i) Traffic:
 - (1) There will be a fourth lane on Alameda, which will make it all work. City cannot do it, so the developers will.
 - (2) They heard that San Pedro is a mess and a lake in rain. Now there will be eleven businesses who want to do business and can be the advocate.
 - ii) Design:
 - (1) The tower in the middle, a part of the gym, was not clearly defined. It has an elevator for handicapped persons to get to 2nd floor.
 - (2) There may be several exciting things to do with it – not just a protruding tower--something cool, with business names on it.

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- iii) Color:
 - (1) There was some concern expressed about the camouflage color. The owners want it to be different and interesting – want to be creative and at the same time respectful—and do not want to do something that doesn't appeal to the community.
- iv) Views:
 - (1) The apartments on the north side of Alameda have great mountain and sunset views. This won't affect them at all
 - (2) On west side are all businesses going down I-25. The lowest building is on the west side; the developers have given a lot of consideration to positioning: "we want views and want you to enjoy them too."
- v) Permissive use for the fourth property:
 - (1) It is .75 acres and as yet the uses have not been determined.
- vi) Parking:
 - (1) The developers are sensitive to parking needs--
 - (a) The restaurant is required to have 24 spots, and will have 70.
 - (b) Tin Can Alley is required to have 87, and will have 121
 - (c) The Climbing gym is required to have 66, and will have 134.
 - (d) Building #4 on the east is project to require 36 , and will have 51
 - (e) For the total required of 213, there will be 396 spaces.
 - (i) There will be 8 electric car charging stations, 8 handicap spaces, 8 motorcycle spaces, and racks for 30 bicycle
- vii) What people said they like about the proposal:
 - (1) All local businesses
 - (2) Cool climbing gym
 - (3) Food options – international
 - (4) The developers work with community on buildings
- viii) Fac: Concern about 2 regulatory items
 - (1) IDO includes some changes from previous code
 - (2) Not everybody is familiar with how DRB works and its constraints
- 2) **The DRB development process:**
 - a) A presentation by Russell Brito, Division Manager for Urban Design & Development for the Planning Department.
 - i) The IDO was adopted in November 2017 and went into effect 5/17/18.
 - (1) This development is too large to qualify for administrative review and so is required to go to public meeting at the DRB.
 - (2) All applicants must adhere to the regulations and processes in the IDO.
 - (3) Upon request, there can be a Pre-application neighborhood meeting, with mandatory notice to Neighbors.
 - (4) The DRB is technical, including two engineers (transportation and hydrology), a planner, Code Enforcement, and a representative from Parks & Recreation.
 - (a) The DRB can address offsite infrastructure improvements that may be necessary; these would be attached to their approval. These might be an infrastructure improvement agreement, impact fee payments at permit level, dedication of private right of way for public use, etc.

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- (b) There is very limited discretion on what they can approve; applications must meet all IDO regulations, parking requirements, landscaping, setback, access, height.
- (c) The DRB is a public meeting and welcomes public comment, but can only address technical issues--not design issues--unless there are overlay controls.
 - (i) In this location, there are no view protection, historic or character protection overlays. Overall, the IDO has raised the bar for design and neighborhood protections from previous zoning code. (The N-I-25 character overlay is west of I-25.)
- (d) Q: What is the difference between EPC and DRB?
 - (i) A: for this site, EPC has no role, since there is no zone change, it is not a “PD” (planned development zone), nor a “PC” (planned community), which EPC has authority over.
 - 1. This changed with the IDO. The IDO clarifies and firms up requirements.
 - 2. The EPC still reviews zone change requests, text amendments to administrative documents, etc.
 - a. They will do more planning, especially long range, adjusting to their new role.
 - b. They will also be reviewing community area assessments; long-range planners will spend at least 4 months in each of 12 Community Planning Areas talking to neighbors, businesses, and other stakeholders, with charrettes, roundtables, etc.
 - c. They will hear staff’s assessments and analyses, listen to neighbors on these areas;
 - i. The EPC will make changes or suggestions to Council about what the community needs and will do this regularly every 5 years in all parts of the City. This is big difference in the IDO.
- (e) Q: Other than these meetings, do we have any recourse with the DRB? Is that our only outlet? What if we oppose certain elements of the plan? Do we tell DRB since they’re so limited?
 - (i) A: You can express opinions, but DRB cannot do anything about it unless it conflicts with the IDO.
- (f) Q: If there is a technical issue that we don’t agree to, can it be deferred if issues aren’t resolved prior to meeting?
 - (i) A: Yes if there is a negative effect on neighbors, like drainage that flows into neighbor's yard. Applications have to meet all standards including that off-site impacts are mitigated to the greatest degree possible.
- (g) Neighbor: I see online that there is also a protest period.
 - (i) A: Yes, any decision by CABQ deciding bodies are appealable, going to City Council directly via the Land Use Hearing Officer, then going back to Council for a final decision.
- (h) Facilitator: If the DRB approves, what steps are there between DRB the onset of the development?
 - (i) A: The Applicant can take the site plan that is approved and ask for building permit as long as the site plan and construction drawings match.

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- (i) Q: The property to the East of this planned development is currently zoned the same as the developed property in IDO--NR-BP (Non-residential Business Park). Before the IDO, that property submitted a site plan for single-family residences east of the subject site. Is it going to be granted a neighborhood edge protection?
 - (i) A: IDO regulations say if you are a regulated lot (non-residential or mixed-use) and are within 100' of a protected lot (residential zoning), there IDO's Neighborhood Edge protections are applicable: Height step-down to 30 feet, No drive-up service widow or loading dock, increased landscape buffer between lots.
 - 1. The site to the east had its North I-25 SDP business park zoning converted to NR-BP because there were not building permits pulled prior to 5/17/2018.
 - 2. These vacant lots are not eligible for the Neighborhood Edge protections unless they come in to the City's Phase II conversion process to be down-zoned to residential.
 - a. The Planning Department will submit conversions via the legislative process to CC in two batches in 2018 and 2019.
- (j) Q: Would Mr. Sullivan be willing to honor neighborhood edge standard even though it is not required?
 - (i) A: This is a good time to ask; they are not required to, but they can.
- (k) Q: Re: 5 year re-evaluation of IDO--can we request an overlay zone?
 - (i) A: Yes, there are specific requirements you have to follow for character or historic overlay zones.
 - 1. Contact Planning for us to come visit your Neighborhood Association and meet with us to learn the criteria.
- (l) Neighbor: I talked to Planning about a facilitated meeting, was told to go to ONC, and then told to go elsewhere. The IDO is a large document. Where do we start in understanding it?
 - (i) A: A requirement in IDO is to provide training via a Citizens Academy. The first one this spring.
 - 1. If you don't want to wait, initiate contact with Planning; we are happy to meet and inform folks on IDO.
- (m)Q: When DRB looks at infrastructure, if it is inadequate, do they also have option or requirement to advise City Council or Planning if infrastructure is too heavily impacted?
 - (i) A: DRB can require off-site requirements for development. It may not be enough to handle all impacts on infrastructure, as applicants are only responsible for their own impact.
 - (ii) Contact your Councilor so he or she knows of infrastructure needs to add to the Department of Municipal Development's budget or the General Obligation bond cycle list of projects; also, call the Mayor to clarify exact locations and what the needs are.

3) **Neighbors' Questions and the Responses:**

- a) Neighbor:

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- i) Petition to Applicant--Please address the residential area and put in covenants that you will recognize that neighbors are single-family homes and give the neighboring property the same considerations as if it were zoned residential.
 - (1) Applicant: We can't answer that now, but we are buying this commercial property [the western, shaded portion of the property depicted in a slide]. The East side we're not purchasing.
 - (2) The City asked us to pay for additional road, sidewalk, landscaping, etc., for 600' of road. We lost that in our purchase, so now we have to get a return on that mandatory investment. We're a small group of small local business. We don't know if we can do that.
- ii) Neighbor: We need you to do this to set precedents for others.
 - (1) Applicant: A neighbor asked us to do double landscaping at current Green Jeans; the point is that when we bought this property it was half of a full property that was for sale.
 - (2) We have to submit this site plan to DRB. It has a plan for what this [#4] building is going to look like. If down the road we wanted to put something much different there, we have to go back to DRB for re-approval.
 - (3) The DRB comments submittal says that each of 4 lots will have to go under DRB submittal plan separate from larger project.
- iii) Q: In regard to neighborhood edge restrictions, what is most important to us is permissible uses. Please add covenants to use the neighborhood commercial permissive uses documented in the I-25 plan which was our character overlay
 - (1) A: One point we have to make—we totally understand that you're trying to get protections you've lost. We don't know what old overlay says. I won't say I won't, but I don't think I have the ability to do that. I don't know enough about it to commit to what you're asking.
 - (2) The property was originally one big site. The whole site is 9.5 acres that are split up; the east side is Pulte, a residential development. That zoning only applies to that specific piece, not whole site.
 - (3) Russell Brito: The applicants can agree to anything they're comfortable with. The restrictions kick in within 100' of a restricted site.
 - (4) Applicant: We believe the kinds of things we want will be compatible with neighborhood – not industrial, storage, etc. Those are not compatible uses with our development or your neighborhood.
- iv) Neighbor: I live off Oakland. A lot of industrial sites around here are not nice looking. This neighborhood is developing. We are losing open space--fields, etc. The preschool off Louisiana was once open field. This is exciting and sounds like a beautiful addition.
- v) Seller's Agent: Another user is interested in purchasing this property, for a gas station, in-line retail storage, etc.
 - (1) The current owners can get more proceeds from a national gas station—or bring farm fresh products and a climbing gym.
 - (2) The sellers turned down other uses that I believe would have upset you and others more. That might happen if this project does not make it.
- vi) Q: Has Pulte acquired those lots?
 - (1) A: The deal has closed.
- vii) Q: The perhaps we can ask Pulte.
 - (1) A: I don't know how the four acres will be subdivided, so it is hard to say.
 - (2) Neighbor: The NA has obligation to protect neighbors from issues.
- viii) Neighbor: I can appreciate you guys can't answer the Neighborhood Edge request. Were I living just north of this project, it would be: Don't put a strip club in, etc. I don't want crazy, loud,

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hot rods and idiots. I appreciate your staying away from big box, but make # 4 in line with everything else you have going on.

(1) A: That's our intent.

- ix) Neighbor: I have watched neighborhood development like a hawk. If you don't build here, I am concerned about what will go in here. We have an opportunity for great family restaurants, etc. This is a positive environment. We are glad to get these kinds of restaurants. We don't want another car lot, etc. All the things we are worried about going in on the edge, would drive their business down. I am glad I can walk here.
- x) Neighbor: Sometimes the facilitated meeting report isn't timely in advance of the DRB hearing.
 - (1) Facilitator: We have 48 hours after the meeting to get the report out. If there are errors of omission or commission, you have the chance to propose amendments. It can be done by DRB hearing on 9/12. The request for this meeting came shortly before this meeting.
- xi) District 4 Coalition president: Neighborhood Association boards put in thousands of hours on the IDO comprehensive plan, etc. The concerns in neighborhood are because IDO was enacted just before the new mayor was elected and could have voted against it.

4) **Traffic:**

- a) Neighbor: Right out only onto Alameda will back up traffic into Louisiana and the entrance onto I-25. I think a traffic study is mandated, as the one being used is highly incorrect.
 - i) Perhaps a signal necessary. No parking signs requested on San Pedro, Alameda and Wilshire are a must. Please advocate for them with us.
 - ii) A: We have gone out of our way to have 5 different ways to come into of go out of this facility. Come in on Signal, San Pedro, and Louisiana. If coming from the east, take Louisiana, right on Paseo--or right on San Pedro—and come in on Signal. We will have double the parking that we need, so there is comfortable in and out, not like Paseo and Holly.
 - iii) Neighbor: Not sure I agree with the neighbor's assessment of traffic. If try to cut across the island and go left, it would create worse problem.
 - (1) A: We won't be impacting Alameda traffic. Anybody going to I-25 is going to go east on Alameda unless they make a mistake.
 - iv) Q: Foot traffic--I envision a lot of people from the nearby apartments are going to walk to this facility. Will there be a crosswalk other than at Alameda and San Pedro?
 - (1) Applicant: Is concern about jaywalking? Great idea – there might be some pedestrian traffic from the north crossing to the property, if it is possible to get a crosswalk along the property somewhere. To Russell Brito: Do we apply to traffic engineering?
 - (a) Russell Brito: If it is proposed to the DRB, they would have to do a warrant study to see if warranted. Traffic engineering doesn't like mid-block signals. Right now the safest crossing is at signalized intersections.
 - (i) It will cost money to do a mid-block crossing. The DRB may say, "Sure, but you have to pay for it if it's not considered warranted".
 - v) Neighbor: It would be unwise to put in a traffic light on Alameda. It would exacerbate traffic. The idea is to move traffic and a light won't help that.
 - (1) Applicant: The project plan will spread traffic flow from this project because there are four different ways to get in and out.

5) **Other comments and questions:**

- a) Neighbor: We want this project, for good projects to come in – not gas stations. A survey asked where we'd like this project and many of us want it here. People would not be just coming in off Alameda. This will appeal to our Neighborhood, not bring others from around City.

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- b) Neighbor: We were informed that Councilor Brad Winter applied for another project to slide onto Paseo, a couple of years before relief on San Pedro.
 - i) There are no major issues with the design per se, but if you've driven south to north on San Pedro toward Alameda, there is a major choke point right in front of Empire Engine (on the corner).
 - ii) Bryan will have to deal with City to see what will happen to his business. This is example of big picture impacts here. We have to deal with lot of increased traffic.
- c) Q: What is the timeline for this project?
 - i) A: It is going to take us a year. Since we have to bring sewer line & other infra structure improvements you have time. Traffic issues will go away in 3 years or so.
 - ii) Purchase must be made by 28 September.
 - (1) If the applicants are not ready with approval by then, the sale won't go through. If they lose this contract, they will probably look elsewhere because seller likely won't extend.
 - (2) As for construction, the applicants are already working with the architect and contractor, expecting to start building by October and want and hope to be open in 8-10 months
- d) Owner: Please have a little faith that since we've put 3 good businesses together, we plan to do the same with the 4th. If we do close on the land and you insist on something else, we can't change these businesses. We're small business people and can't do that. We're going to love you and you'll love having us there.
- e) Q: What about covenants for individual owners, regarding turnover, sublease, etc.?
 - i) A: This is a clean sale; as four owners, we'll have irrevocable cross easements, utilities, parking, landscaping – all pro rata – per square foot. It is all one development, but the businesses are separate and listed in the re-plat for convenience.
- f) Q: Will covenants dictate what could replace business that leaves?
 - i) A: No – we can't control that if it's permissible with the City.
- g) Q: Can you put “local owners only” in covenants?
 - i) A: I can't tell folks what to do with their property.
 - ii) Christina – ABQ landlocked in many ways – hard to say what things will be like in 20 years.
- h) Q: Is there any way to change emergency stairway on the west side of Tin Can Alley from camouflage to rock?
 - i) A: There are many differing opinions; we will try to bring elements together. The architect will try to blend them, so it all feels like a good environment.
- i) Q: Did parking include employees—and will employees have designated parking?
 - i) A: We will have well-lit places for them to park. The number of spaces we provided includes them too.
- j) Q: How many new jobs will be created?
 - i) A: 200 plus, and all local. [Applause]

Application Hearing Details:

1. Hearing Time: Development Review Board meetings, a portion of which are public hearings, are held each Wednesday beginning at 9 a.m. in the Plaza del Sol Hearing Room at 600 2nd NW.
2. The Hearing is scheduled for Wednesday 12 September 2018
3. Hearing Process:
 - a. Comments from facilitated meetings will go into a report which goes to the DRB.
 - b. The DRB will make a decision and parties have 15 days to appeal the decision.
4. Resident Participation at Hearing:
 - a. Comments in advance of the DRB meeting should be sent to

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KYM E DICOME
Development Review Board Chair
505.924.3880 kdicome@cabq.gov

Names & Affiliations of Attendees:

Roy Solomon	Applicant
Joe Slagle	Architect/Agent
Brett Hills	Vinaigrette representative
Bryan Pletta	Stone Age Climbing Gym
Cristina Radu	Stone Age Climbing Gym
Jim Hakeem	Seller's Agent
Zack Snyder	Contractor

George Chen	
Alex Himes	
Sarah Teris Townes	Oakland Estates
Bryan Sedillo	
Carol Shamburger	
Christine Kreitzinger	
Tim Krier	NENA
Elizabeth Meek	VENA
Dan Regan	D4C
Don Hardy	NAA
Erica Vasquez	
Fenton Lee Bowers	
Rick L...	
Jackie McDowell	LCECA
Jim Griffie	NorEste
JoAnn Briggs	
Dr J L Valles	WSONA
Jason Young	
Judie Pellegrino	NDBNA
Vaino Kudas	NAA
Kristopher Klingler	Stonebridge Estates HOA
Lucy Baca	VENA
Michael Pridham	D4C
Peggy Neff	WLCNA
Peter Dickens	
Rebecca Kreitinger	LCECA
Todd Fowler	
James K...	
Kim Slagle	
Mike McDowell	LCECA
Mildred Griffie	
RA L...	
T.C. Bauch	