

August 10, 2021

Mr. Robert Lucero, Esq.
City of Albuquerque Zoning Hearing Examiner
% Suzanna A. Sanchez suzannasanchez@cabq.gov

Dear Mr. Lucero:

First, we want to thank President Eyster and the Nob Hill Neighborhood Association Board Members that attended and participated in the two facilitated meeting regarding this request. We also want to express our appreciation for the neighbors that attended as well. We prepared an initial version of this commitment letter and provided that to the neighborhood association following the first two meetings.

In addition to the two facilitated meetings, we also participated in the Nob Hill Board of Director's meeting on August 5, 2021. All of these meetings had robust discussions on the neighborhood concerns and were very productive.

We listened to the comments, reviewed the letter submitted into the record from the Nob Hill NA, and have revised our plans and are offering this updated letter summarizing High and Dry's commitments to the neighborhood for consideration by the Zoning Hearing Examiner. The spirit of these commitments is to ensure that Nob Hill is a vibrant, pedestrian friendly neighborhood for residents and businesses.

Commitments:

- Patio
 - The originally proposed patio area on the east side (Hermosa Street) has been eliminated.
 - Outdoor patio space is limited to the south side of the building along Copper Avenue.
 - Patio will not be extended to Hermosa in the future.

- Access
 - The primary access to the Public House and the Restaurant will be from the south (Copper Avenue). Signage and architectural detailing will help communicate that the south side of the building is the primary entrance. Both access points are conveniently located for customers parking in the existing lot on the west side of the property and the on-street parking on Copper Avenue.
 - A secondary access door is located on Hermosa Street to serve pedestrians travelling from Central Avenue and the neighborhood to the north and east.

- Hours of Operation
 - Business hours will not exceed 10pm.

- Noise
 - High and Dry is committed to following the City's noise ordinance.
 - Additionally, we commit to following:
 - ✓ No amplified music after 9 PM M-Th, 10 PM Fri-Sat, and 8 PM Sun.

- ✓ Outdoor patio speakers will be directed to the south side of the property only and shall be compliant with the City Noise Ordinance.
- Parking
 - Parking provided in the parking lot, on-street parking along Copper Avenue, and the Hermosa parking exceed the City's parking requirements.
 - Even though we meet the City's parking requirements and in addition to the on-site parking, we commit to pursuing an off-site parking agreement with the surrounding businesses.
 - ✓ Currently working on arrangements with University Lodge for an additional 12 parking spaces.
 - Existing spaces on the Hermosa Street side:
 - ✓ We will work with the City and Neighborhood to determine the best use of the existing parking on Hermosa. It is anticipated that this could include a combination of compact car spaces, a motorcycle space, and/or bicycle parking.
- Trash Pickup
 - We will schedule trash pickup for a minimum of two times a week (most likely Friday and Monday) to ensure that trash is always stored in the dumpster and is not a nuisance for the neighborhood.
- Traffic Calming on Hermosa
 - High and Dry will work with the neighbors and support any reasonable traffic calming projects that the neighborhood promotes with the city including speed humps, small round-a-bouts, bump outs, signage, etc.
 - High and Dry will design and install a sign at the Hermosa intersection that states: "Please respect our neighborhood streets – no commercial traffic or parking." This sign could be replicated and installed by the NHNA in other locations that are experiencing commercial parking and cut through traffic.

In addition to these commitments, we respectfully request that the Zoning Hearing Examiner consider the following conditions of approval:

- Outdoor patio areas (as a part of the liquor license premises) shall be limited to the south side of the building away from the neighbors on Hermosa and will not be allowed to expand to the Hermosa side in the future.
- To mitigate potential impacts from noise to the neighborhood to the north and east, the applicant shall:
 - Have no amplified music after 9 PM M-Th, 10 PM Fri-Sat, and 8 PM Sun.
 - Outdoor patio speakers will be directed to the south side of the property only and shall be compliant with the City Noise Ordinance.
 - Business hours shall not exceed 10pm.

- To mitigate any negative impacts from trash, the applicant shall provide trash pickup that will be scheduled a minimum of twice per week, based on operational needs, to ensure that all trash is always stored in the dumpster.

These commitments and proposed conditions address most of the items requested by the Nob Hill NA. We would like to address and offer the following rationale for two items that we have not agreed to including parking and restriction of the Hermosa secondary access door to emergency use only:

- Parking – While we are trying to secure additional parking off-site, it is clear that the IDO parking regulations take into account several critical aspects related to this property including:
 - Being located within an Activity Center;
 - Being located within a Premium Transit Corridor; and
 - Being located within a Main Street Corridor.

The project not only meets the IDO parking requirements for this location, it exceeds them. Our offer to secure additional parking is in recognition of a larger parking concern for Nob Hill and not limited to this project, which is one of the few locations in Nob Hill that has the ability to meet the parking requirements. Based on this information, we do not feel that it is appropriate for the ZHE to consider a condition that requires parking in excess of the code.

- Secondary Access to Hermosa – The primary access has been designed on the south side of the building with convenient access to the parking lot and on-street parking on Copper Avenue. The secondary access onto Hermosa is designed to provide convenient access to pedestrians that will be coming to this location from the neighborhood to the north and east. This is consistent with the goals expressed in the Comprehensive Plan to encourage walkability, especially in those areas within a Main Street and Premium Transit Corridors and within a designated Activity Center. Based on this goal, we respectfully request that this access be open to the public and not restricted to emergency access only.

Sincerely,

Andrew Kalemba

Andrew Kalemba, Owner

Ashley Kalemba

Ashley Lueras, Owner

c: Nob Hill Neighborhood Association Board of Directors