



MainStreet Futures Committee

Background for 2/16 Discussion with County Council

Introduction

The MainStreet Futures Committee is a key advisory committee to the Los Alamos MainStreet program of LACDC. Los Alamos MainStreet is an accredited program affiliated with NM Mainstreet and the National Historic Preservation Trust (NHPT). Within the framework of the NHPT, LA Mainstreet works on issues of economic restructuring and design. In particular, the following kinds of topics are what we are work on:

- identifying and promoting new & varied uses for underutilized commercial buildings,
- identifying new market opportunities for the downtown.
- identifying and promoting initiatives that enhance the prospects of success for new and existing businesses as well as prospects for development/redevelopment consistent with the approved downtown plan.
- identifying and promoting opportunities to physically improve public areas, buildings, and businesses in the downtown
- participating in shaping intelligent regulation that supports implementation of the approved downtown plan.
- providing input and advice to promotional activities of the MainStreet program.

Participants/Members of the MSF are:

Fran Berting	Former County Councilor & P&Z Commissioner
Rick Bohn	Community Development Director
Nona Bowman	County Councilor
Fred Brueggeman	Former Community Development Director; retired
Bill Enloe	Los Alamos National Bank Chairman, downtown business
Dave Fox	CB FOX, downtown business
Jim Hall	Former County Councilor
Kendra Henning	Owner, RE/MAX of Los Alamos, downtown business
Kevin Holsapple	Executive Director, LACDC & Chamber, downtown business, former P&Z Commissioner
Denise Lane	Hill Diner; former County Councilor and former P&Z Commissioner
Steve Laurent	Attorney, LA Mesa Law Firm, P.C., downtown business
Tony Mortillaro	County Administrator, Los Alamos County
Kent Pegg	Los Alamos Fitness Center, downtown business
Sharon Stover	County Councilor
Patrick Sullivan	UNM-LA Small Business Development Center Director; Business Development Director, LACDC, P&Z Commissioner

Suzette Fox	MainStreet Manager, LACDC
Roger Waterman	TRK Management; downtown property owner, former County Councilor
Eugene Schmidt	Superintendent, Los Alamos Public Schools

Vision

MainStreet Futures Committee (MSF) fully endorses the County's adopted vision statement for our downtown and we would like to help that vision to be achieved:

“We will create a vibrant, buzzing, pedestrian-friendly downtown that includes a central gathering place, nighttime entertainment, movie theaters and more retail stores and restaurants. A mixture of retail, office space and housing, an aesthetic face lift and the redevelopment of parking will help to create a compact and appealing downtown that people will use. A performing arts center can also serve as a convention center.”

“Downtown Los Alamos includes a mixture of housing, retail, entertainment, office space, and services that draw residents, visitors, and commuters to downtown during weekday and weekend daytime and evening hours.”

The Question

Last year, the MSF held a retreat the focused on the question, *“What is standing in the way of achieving the vision of the County and committee?”* As an outcome of this retreat, we identified three key policy issue areas that we believe are important to future success in improving our downtown as well as several potential catalytic projects that could aid progress. Sub-committees worked on refining recommendations for each of these that we are providing the results of our work for consideration by the County Council.

County Policy Recommendations for Discussion

We are not sure where consideration of such policies matches with the County's hierarchy of plans and policies, but we want to share this work, discuss the ideas with the Council, and we request Council consideration of these ideas in establishing policy.

Policy Issue Areas – There are three interlocking, key policy issues to address to improve prospects for Downtown Plan implementation. We believe that these issues are equally important for progress in White Rock and other areas of the County:

- *Public/Private Partnership*
- *Decision Timelines/Time Limits*
- *Land Assembly*

Proposed Policy – Public/Private Partnership Framework

Downtown Plan implementation depends on effective engagement of private interests. This policy establishing a framework and clear process for this engagement will improve the prospects for success. The County's Public/Private Partnership framework shall be applied when requested by any private entity seeking to undertake a project to implement the Downtown Plan and will consist of the following stages:

- Preparation Stage
 - Verify shared vision for the project based on Downtown Plan goals
 - Define who the partners will be and the expected role to be played by each
 - Clearly identify the risks and targeted rewards for each partner
 - Determine the known information needs of each partner in order to pursue the project and agree on assignments and timeframes for doing the homework
- Acceptance Stage – Based on the preparation work, the private partner(s) may request that the County engage in the project. The County would, on a timely basis, make a clear decision about engaging, including any conditions or contingencies.
- Implementation Stage
 - The County will establish a project leader for fulfilling their agreed upon role. This project leader will be empowered by and be accountable to the County Administrator for assuring alignment throughout the County departments and staff in fulfilling the County role in the partnership.
 - Negotiate a fair deal structure to govern the partnership.
 - A project plan will be established and maintained to track major work activities, decision points, timeframes, and corresponding responsibilities
 - Periodic review and feedback will be a part of the project plan. The purpose is to minimize misunderstandings and to identify and mitigate roadblocks to timely progress.

Rationale

Building and rebuilding our community is a complex and challenging endeavor. Among other things, success requires merging public and private interests and resources. However, the traditional process of development can be inherently confrontational—an arm-wrestling contest between the local government and the developer to see which will “win” in the process. True partnerships replace potential confrontation with collaboration and cooperation to achieve shared goals and objectives. This process requires applying far more effort and skill to weighing, and then balancing, public and private interests and minimizing conflicts.

Examples, References, Possible Actions, etc. (if any)

ULI handbook on Successful Public/Private Partnership

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Proposed Policy – Decision Timelines/Time Limits

County should adopt a “look once, decide once” policy with respect to development projects. In order to comfortably do this, it should reexamine and refine its process for review and approval of projects to strengthen: (a) buy-in to project proposals by staff (b) early vetting of possible roadblocks (c) a spirit of partnership between applicants and the County and (d) education of the public, so that by the time projects come to Council their implications are well understood by all participants and affected parties and a fully informed decision can be made at the appropriate time.

Rationale

People and organizations wishing to invest in our community must necessarily do so at the pace of business, which typically affords only a short window of time for project development and execution. The municipal approval process must therefore be both predictable and definite. In the past, certain projects have been delayed or reconsidered on account of unaddressed unknowns, lack of confidence in the vetting process, and/or being unduly influenced at the eleventh hour by public opinion. If the County’s approval processes and timeframes are not tight, closed, and definite, opportunities will be lost and a “business-unfriendly” reputation could persist to the detriment of our community.

Examples, References, Possible Actions, etc. (if any)

General goal: provide for those who wish to invest a clearly defined process and up-front education regarding the unique nature of LA County. For projects of exceptional merit and/or impact, foster cooperation between developer and staff, educate the public and vet the issues early. Give P&Z Commission and County Councilors a sound footing on which to make decisions and help them avoid having to deal excessively with a public that is not well informed.

Suggestions:

1. Strengthen the role of existing planning documents so that all who use them are confident they accurately reflect community goals such that (a) investors can use them to rely on a (reasonably) predictable outcome, (b) staff has a clear framework for determining what proposals warrant special consideration/attention/championing, and (c) decision-makers can comfortably “hang their hats” on them when making decisions.
2. Through pre-development meetings, once it is determined that a proposed project is consistent with planning goals, staff should begin vetting process in cooperation with the applicant to determine potential controversies/issues. Steps should be taken to build a true sense of partnership between staff and the applicant that is based on facts and a thorough evaluation, and which results in open advocacy by County staff (does this require a policy change?). Consider developing a special and/or streamlined approval track for projects of high priority.
3. For potentially controversial projects, consider building in a public education component early in process to thwart last minute “smokescreen” attempts to derail.
4. Evaluate and implement lessons learned from recent CIP and muni-building selection processes.

Proposed Policy – Land Assembly

A mechanism will be implemented to facilitate the assembly and disposition of downtown real estate using public financing assistance.

Rationale

Background

Los Alamos County did not start, grow, and develop in the same manner as most other communities, and this is particularly evident in the downtown area. The consequence of this growth “anomaly” is reflected in the manner the singular Federal property was subdivided for disposition, in the unusual shared ownership of commercial and parking facilities, in the impact the timing of release of various Federal properties had on the growth and development of downtown Los Alamos, and on the way military base land use patterns were transferred to private sector land use patterns. If there is a positive note, it is that the community is landlocked by Federal land so as to generally preclude “urban sprawl” and the development of multiple commercial centers outside of the downtown area.

The Problem

As a result of those Federal decisions, subsequent private property owners have become increasingly restricted in order to respond to long-term and short-term market conditions. Owners have had to further subdivide commercial properties to finance improvements. In order to meet an increasing dependence on auto usage and resulting zoning requirements, an interlocking system of access and parking agreements among property owners emerged. The lack of vacant land for commercial development has led many downtown property owners to become fixed in places that are no longer the “highest and best use” of their property. The low-intensity land use pattern has precluded the development of synergistic uses and made pedestrian interconnections quite difficult.

Examples, References, Possible Actions, etc. (if any)

The conditions described above have resulted in conditions that restrict the ability of interested owners/developers to assemble sites for development suitable for contemporary urban development. The Central Park Square development is the only relatively large property remaining intact, and the Trinity Place development has finally been assembled after years of discussions between relatively friendly landowners. Past private sector efforts to assemble large development sites have included offers of land prices well above what the market could justify. Only a few such offers have been accepted because the owner found that they would not be able to relocate at any price. As a result, citizens of Los Alamos have lost access to many of the goods and services necessary for contemporary living, and the County government has lost millions in dollars of gross receipts tax revenue to surrounding communities.

It is doubtful that any private sector enterprise could have the time or money needed to assemble property for feasible redevelopment. But, the principal of using a special-purpose public sector entity to enable downtown redevelopment is a tried and tested tool throughout the U.S. and in New Mexico, and State law contains several options for the County to create and fund such as organization.