

CITY OF ALBUQUERQUE LAND USE FACILITATION PROGRAM PROJECT MEETING REPORT

Project #: 1011472
Property Description/Address: Parcel 5-A1-A Plat of Parcels 5-A1-A & 5-A1-B
Lands of Joel P Taylor
6051 Winter Haven Rd. NW

Date Submitted: February 3, 2018
Submitted By: Jessie Lawrence

Meeting Date/Time: February 1, 2018, 6:00 PM
Meeting Location: Don Newton-Taylor Ranch CC
4900 Kachina St. NW

Facilitator: Jessie Lawrence
Co-facilitator: Kathleen Oweegon

Parties (individual names and affiliations of attendees are listed at the end of the report):

- **Applicant**
 - o Calvary Albuquerque Inc.
- **Agent**
 - o Cannady Architect Studio
- **Affected Neighborhood Associations (per CABQ notification requirements)**
 - o Taylor Ranch NA
 - o Las Casitas del Rio HOA

Background/Meeting Summary:

Applicant requests a special exception to Section 14-16-2-17(B)(3), a conditional use permit to allow for a church in a C-2 zone, for property at Parcel 5-A1-A Plat of Parcels 5-A1-A & 5-A1-B Lands of Joel P Taylor, located at 6051 Winter Haven Rd. NW. Applicant Calvary Albuquerque Inc. intends to locate a satellite campus at the site.

Neighbors expressed many concerns about the request. The availability of parking was a primary concern, with many neighbors doubting whether there would be enough available parking at the time of Sunday morning services, at other times during the week, and during any special events. The agent suggested that the Montano Plaza shopping center has plenty of spaces, with 1,084 total existing spaces, but neighbors still have concerns about Calvary congregation members preventing access to businesses or parking on Winter Haven. Neighbors also have related concerns about potential growth of the church at the site and, if the church grows, where those members would park.

Traffic was also a concern. Many neighbors stated that they think that a traffic impact study and traffic plan need to be done for this site, and expressed concerns about the current

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access in and out of the shopping center and the potential increased congestion with an increase in traffic.

Noise is a concern, with the primary concern related to outside broadcasts of services, sermons, and related noises heard in the nearby neighborhood and at the other businesses in the shopping center.

Other concerns included other uses on the site such as the coffee shop and day-care, the possibility that Calvary could impact the ability of alcohol-selling entities like restaurants to locate in the shopping center, and a desire for more information about Calvary's future plans and whether they would grow larger than stated in the existing application. See the meeting details for a complete summary of the concerns discussed.

The Agent agreed to provide follow up information in response a number of requests from neighbors. He stated that he would respond to as many of the requests as possible by February 8, but may not have responses to all of the requests before the scheduled ZHE hearing. Follow-up items included:

- Calvary expressed agreement to a possible condition that there would be no parking on Winter Haven in perpetuity. (Agent stated agreement with this at the meeting.) There may be additional follow-up to define this.
- The Calvary team will discuss the possibility of limiting the capacity at the site with the Calvary Executive Committee.
- The Calvary team will consider ways to address the traffic concerns about people coming in and out of the shopping center, with possibilities discussed in the meeting including drafting a plan for intended use with information about cars coming into and out of the parking lot, looking into Park & Ride to see if it is feasible, and looking into utilizing the City bus system.
- The Calvary team will look at how to protect pedestrian access, considering improvements such as signs, and will consider how to work with the neighbors and the City as necessary to accomplish this.
- The Calvary team will look at how to work with neighbors to address concerns about outside broadcasts and keep noise at a reasonable level, including a proposal for an appropriate decibel level.
- The Calvary team will consider a position regarding other liquor-selling establishments that might locate in the shopping center, with the intent to not oppose uses that are supported by the neighborhood.
- Agent agreed to provide information about whether a daycare center / preschool on the site would affect the proximity requirements of liquor establishments.
- The Calvary team will look at whether it is feasible to change the routing of the coffee shop drive-thru.
- Agent agreed to provide information on the occupancy of the entire site, including areas in addition to the sanctuary.

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Agent agreed to provide any follow-up information through the meeting facilitator to be shared with meeting participants via email.

Outcome:

- *Areas of Agreement*
 - o None noted among all meeting meeting participants.
- *Unresolved Issues & Concerns*
 - o Meeting participants continue to have concerns about a number of issues, including parking, traffic, and noise. See the meeting summary and list of follow-up items for more information on these.

Meeting Specifics:

- 1) Overview of Project
 - a) Jared Sobczak, the Calvary Albuquerque facilities director, stated that Calvary closed on the purchase of the Hastings property in July and hopes to use the space to serve the west side better.
 - b) Initially, Calvary plans for one service, Sunday at either 9:45 AM or 11:30 AM.
 - i) In the future, they may consider other services to address the needs of their congregation.
 - ii) There will be bible study meetings, concerts that fit into the sanctuary, and other meetings during the week.
 - iii) They will utilize the existing coffee shop space to operate a drive-thru coffee shop, using beans roasted at the main Albuquerque campus.
 - c) Devin Cannady, the project agent, noted that the burden is on the applicant to show that they meet the requirements of a conditional use and the use will not be injurious to the community.
- 2) Questions and Concerns about Parking and Related Questions about Numbers of People
 - a) A meeting participant said that the site was only permitted 187 occupants as the former Hastings site, and expressed concern about more than 700 people planned for this sanctuary. She expressed concern about the number of parking spaces that would be required to meet this need and questioned the applicant's parking calculation.
 - i) Agent stated that the sanctuary would seat 745 occupants, and the city zoning code parking calculations require one parking space per 4 seats in the sanctuary, or 186 spaces.
 - (1) There are also transit reductions because of the location on a major thoroughfare, which adjust the required number of parking spaces to 159.
 - (2) They will meet all parking requirements of City Planning and Zoning.
 - b) A meeting participant noted that the number of parking spaces on the Calvary parcel doesn't park very many people.

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- c) A meeting participant noted that the application says 800 people, although applicant stated that the sanctuary capacity is 745, and noted that it makes neighbors nervous when information doesn't appear to be forthcoming.
 - i) Agent stated that there is no intent to deceive, and that sanctuary capacity is accurate at 745.
 - ii) A meeting participant asked if Applicant would be willing to change the application to reflect that.
 - (1) Agent stated that they would not, and stated that he could not recall how they arrived at the 800 number.
- d) A meeting participant expressed concern about parking lot events and the possible encroachment into parking belonging to other nearby businesses.
 - i) Agent stated that Calvary is very good at traffic and parking control and can work to direct parking.
 - ii) Agent stated that the use times for Calvary will be off-use times for other businesses.
 - (1) Some neighbors disagreed with this statement.
 - iii) Agent stated that they know that Winter Haven is a no-parking zone, and they have no intent to change that.
- e) A meeting participant asked if Applicant would agree to a condition stating that there would be no parking on Winter Haven in perpetuity.
 - i) Agent stated that they would agree to that.
- f) A meeting participant asked why, if Applicant believes extra parking won't be needed, a Calvary representative approached Jack & Rascals and other businesses to ask them to limit their customer parking?
 - i) Agent stated that this is a rumor, and while Crystal Waddin with Calvary did approach businesses to discuss shared parking, she did so to proactively work with businesses and because they assumed that a shared parking agreement would be required.
 - ii) A meeting participant said that Jack & Rascals was asked to limit their parking to three spaces, and asked how that figure was reached and how Calvary could guarantee congregation members wouldn't park in the spaces.
 - (1) Agent stated that he didn't have information about this and would need verification.
- g) A meeting participant asked who would enforce the prohibition against parking on Winter Haven once church members start parking there.
 - i) Jared Sobczak said that on Calvary's other campuses they have taken care to be stewards of the property, care for the environment, and find ways to expand parking as needed.
 - ii) A meeting participant stated that there is no place on this site for Calvary to grow.
 - (1) Agent stated that there are 120 spaces on the Calvary parcel and 1,084 shared spaces in Montano Plaza, and these spaces are available for use.

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- iii) Vince Harrison, head of security and safety at Calvary, said that they would work to address parking concerns and could have someone directing traffic to make sure it's safe.
 - (1) A meeting participant stated that traffic management at Calvary's other sites is different from traffic management in a shopping center.
 - h) A meeting participant said that he lives 50 yards from the shopping center, thinks there is plenty of available parking on Sunday morning, and said he can't think of a better neighbor than Calvary.
 - i) Some other meeting participants said that they are more concerned about parking on the weekdays, when there are weekday services.
 - ii) Some other meeting participants disagreed about the availability of parking on Sundays.
 - i) A meeting participant noted a 2003 EPC decision for the site plan for building permit and subdivision and said that it said that Hastings site would self-park.
 - i) Agent said that the language was "will," not "shall," and there are 1,084 total existing parking spaces in the shopping center per the EPC site plans.
 - j) Katie Gardner, one of the owners of M'tucci's, stated that they have lively business on Sundays, and while they would probably benefit from the Calvary congregation, they need to know that their customers will have places to park.
 - i) Agent said that Crystal Waddin has been in touch with M'tucci's, and Calvary is trying to be proactive.
 - ii) Agent stated that if anything were to affect another business, Calvary would do what it could to rectify it.
 - iii) Agent stated that the sanctuary capacity is limited to 745, and Calvary truly believes there is ample parking available to work together and be good neighbors.
 - k) Jared Sobczak stated that Calvary could ask its congregants to help with respectful parking.
 - l) A meeting participant asked if Calvary would be willing to limit its capacity to 552, which she said would be accommodated by the parking available on the Calvary parcel.
 - i) Agent stated that could be discussed with the Executive Committee, but Calvary has indicated that they would not like to limit themselves to that number.
 - ii) Another meeting participant said that if the capacity could be limited to 350, they would be welcomed with open arms.
 - m) A meeting participant suggested that the parking affected the businesses, and the businesses should work it out.
- 3) Questions and Concerns about Traffic
- a) Agent stated that they believe that the traffic volume will not be a concern, and they are complying with all of the requirements from the City.
 - b) A meeting participant expressed concern that city planners who know the policies do not attend these facilitated meetings, so participants do not always have the information they need.

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- i) The meeting participant asked if Calvary had any discussions with the City before the land was purchased, noting that the area already has problematic traffic.
 - (1) Agent stated that the first meeting with the City was a pre-design meeting after the purchase.
- c) A meeting participant asked if Calvary has a plan for how cars will come into the parking lot, and said that it would be useful to have one and to share it with the congregation.
 - i) Agent stated that he could try to draft a plan of intended use.
- d) Agent stated that the applicant team contacted Logan Patz at the City of Albuquerque regarding the need for a Traffic Impact Study, and a TIS would not be required if the square footage is the same and the request is for a change of use.
 - i) A number of meeting participants emphasized strongly that they want to see a Traffic Impact Study done for this site.
 - (1) A meeting participant said that a TIS would give them a better understanding of the area and traffic flow and would put the applicant and neighbors on the same page regarding traffic.
 - ii) One meeting participant said that a TIS would be a waste of time because there isn't traffic on Sunday morning.
 - (1) Another meeting participant said that there is still a concern about weekdays.
- e) A meeting participant said that trying to go south from the shopping center is very difficult, and while it's easy to get into the parking lot, it's hard to get out at almost any time of day.
 - i) Katie Gardner, with M'tucci's, stated that it is also difficult for people to leave and travel east on Montano, and suggested that the Calvary team will need to figure out better access to the parking lot both coming and going in order to make their use work.
- f) A meeting participant said that Park & Ride had been discussed before and asked if it had been considered.
 - i) Agent said that they were not sure how to make that work.
 - ii) Another meeting participant suggested that it would be good PR and would keep APD officers from needing to direct traffic in the neighborhood.
 - iii) Applicant said that they are open to suggestions about a Park & Ride configuration that works well, but right now they don't see a need for it and don't know that it will work.
- g) Meeting participants discussed the traffic from Sagebrush Church and said that it is a mess.
 - i) Applicant said that their service times are currently staggered to Sagebrush Church, but they could not say that they would always be staggered.
- h) A meeting participant asked if Calvary had considered making this a bicycle and pedestrian campus only, and stated that bicycle and pedestrian access would be easy because of access to main arteries.

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- i) Applicant noted that Montano Plaza is located in an activity center, and high traffic is expected.
 - ii) Applicant stated that they want to be a family-centered campus, and are concerned that being bike/pedestrian only or forcing people to go out of their way could be hard on families.
 - (1) A meeting participant stated that this isn't considering the needs of the neighbors.
 - (2) A meeting participant said that she rides the bus with her kids, and they enjoy it and find it to be an adventure.
 - i) A meeting participant suggested that there is a transit station at the north end of Cottonwood Mall and a facility to the south near I-40 and Central as well, and asked if Calvary would ask the City to expand Rapid Ride or buses on the weekend.
 - i) Agent said that was an idea to look into.
 - ii) A meeting participant asked if Calvary could ask its congregation to use the bus stop.
 - j) A meeting participant expressed concern about pedestrians, bikes, and similar uses conflicting with traffic, especially on the weekends, and said that there isn't enough traffic infrastructure now.
 - i) Applicant said that they put up signs to warn people about pedestrians at the Osuna location.
 - ii) The meeting participant asked if the applicant would agree as a condition for approval to a pedestrian sign, more handicapped parking, and other pedestrian needs like signage and crosswalks.
 - (1) Agent said they would look into this, but it would require an administrative amendment from the City.
 - (2) The meeting participant suggested that Calvary could work with the neighbors and the City, and with agreement, they could get necessary approvals.
 - k) A meeting participant suggested that the applicant will need to look at the timing of the stoplight for the exit onto Coors, as that will be the main exit and traffic could line up through the parking lot.
- 4) Questions and Concerns about Noise
- a) A meeting participant asked if Calvary would agree to not broadcast outside, stating that she wanted to ensure that she didn't hear broadcasts at her house.
 - i) The meeting participant compared to Sagebrush Church's broadcasts, saying that is an example of what the neighbors do not want.
 - ii) Agent said that M'tucci's plays music on their patio, and while they want to have the ability to broadcast outside, especially to the coffee shop area, they intend to keep it at a similar level.
 - b) A meeting participant asked if there would be speakers on the light posts.
 - i) Agent said that there would be no such speakers, but some broadcast for people who want to sit outdoors.

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- c) Agent suggested that they could work with the neighbors to identify a sound level that would be appropriate.
 - i) Agent stated that they have already agreed at the ZHE to meet the City noise ordinance.
 - d) A meeting participant expressed a concern about enforcement of any noise restrictions.
 - i) Agent stated that he believed that if such a concern were brought to Calvary, they would respond.
 - e) A meeting participant expressed a concern that Keller's has customers of all faiths and it would be invasive to require them all to hear Calvary sermons.
 - f) A meeting participant suggested giving people who want to sit outside headphones to listen to the service.
 - i) Applicant said that they wouldn't rule it out, but they couldn't commit to it.
 - ii) Meeting participants suggested other options such as a wi-fi channel, other technology, a livestream on Facebook, or a Calvary app.
 - g) A meeting participant suggested that if the speakers are pointed correctly, they won't be heard by the neighborhood, and there are already lots of noises from trucks and other activities at the shopping center.
 - h) Agent said that Calvary could work with its audio experts to try to address the issue and create a proposal for a decibel level.
 - i) A meeting participant who lives south of the site noted that sound travels in odd ways on the west side and asked that any Calvary audio experts do sound tests in a number of different locations.
 - i) The meeting participant asked if Calvary would respond if she provided a sound study showing the sound at her location was over the decibel level.
 - (1) Agent said that if that information was provided, Calvary would address it.
- 5) Questions and Concerns about Other Applicant Activities
- a) A meeting participant asked about the hours of the coffee shop.
 - i) Applicant said that they would be open every day, not just at times of services, but the hours may fluctuate depending on the use.
 - b) A meeting participant asked if the coffee shop is tax-exempt.
 - i) Applicant said that yes, the coffee shop is tax exempt.
 - ii) The meeting participant asked about the prices and whether they would be competitive with businesses that don't have the tax exemption.
 - iii) Applicant said that they run the coffee shop as a business and as a part of the church.
 - c) A meeting participant asked about the drive-thru for the coffee shop, noting that the application estimates 200 cars/hour.
 - i) Applicant said that estimate was based on coffee sales at the Osuna location, where there is not a drive-thru.
 - ii) Another meeting participant asked if they could redirect the drive-thru.
 - (1) Agent said that would require an EPC approval and would not be necessary, but they are willing to look at it.

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- iii) Another meeting participant said that the drive-thru wasn't a problem when Hastings was there.
 - (1) Other meeting participants disagreed.
 - d) A meeting participant asked if there would be a day-care center.
 - i) Agent said that was being considered.
 - ii) There will be an indoor playground at the site, and it was unknown whether an outdoor playground would need to be added.
 - iii) A meeting participant asked if that day-care center / preschool would affect the proximity requirements of liquor establishments.
 - (1) Agent said that he could find that information and provide it, but he believed that it was different from a school.
 - e) A meeting participant asked if they would agree to a condition to eliminate special events in the parking lot.
 - i) Applicant said that they do not do tent events, and any special event would require special permits from the City.
 - f) A meeting participant asked about Calvary's sleeping bag hand out and whether that might encourage camping in the bosque and the risk of fire.
 - i) Agent said that is an event that occurs once per year and happens around the city, not just at one site.
 - g) A meeting participant asked if there would be 12-step meetings.
 - i) Applicant said that there are classes on recovery at the other campus, and said he didn't know whether those would occur at this location.
- 6) Other Questions and Concerns about the Project
- a) A meeting participant asked if the applicant was aware of the site's C-2 SC zoning.
 - i) Agent said that they are aware of that.
 - b) A meeting participant asked how Calvary would meet the needs of the community as well as the needs of the congregation.
 - i) Jason Mills, on the Calvary pastoral team, said that they would be better able to serve people who live on the west side, they could better be a part of the community located there, and they could offer services like financial freedom classes to serve people.
 - c) A meeting participant asked how many variances in total were being requested.
 - i) Agent stated that this request for a conditional use is currently the only request.
 - d) A meeting participant asked why they had to apply for a conditional use under the ordinance.
 - i) Agent stated that there are some uses that are always allowed, and others, conditional uses, that the City wants to take a harder look at.
 - (1) He provided brewpubs as an example of a use that the City wants to look at closely.
 - e) A meeting participant expressed frustration about the lack of information provided by the applicant.
 - f) A meeting participant asked if community members who were not members of the congregation would be able to use the facility.

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- i) Applicant said yes, in certain cases.
- g) A meeting participant asked why Calvary purchased the building before the conditional use was secured.
 - i) Agent stated that he wouldn't have advised the purchase before the approval, but they did, and they are now pursuing what they see as a positive use.
- h) A meeting participant asked how much land was purchased as part of the purchase of the building.
 - i) Agent stated that he did not have this information available.
 - ii) Another meeting participant said that the 2003 EPC planning decision said that the site was 5.6 acres, and said that the owner was required to maintain that landscaping.
 - (1) Agent stated that he did not believe that number was correct, because the site plan for subdivision split the parcel.
- i) A meeting participant asked if the building could be expanded.
 - i) Agent said that it was possible at some point in the future, but that would require an application through the EPC process, and was not planned at this time.
- j) A meeting participant suggested that Calvary jumped on this sale, and asked if Calvary might be willing to postpone their plans to explore other businesses that might be interested in taking the site.
 - i) Applicant said that they are not interested in that at this time, and if the request for a conditional use is not approved, they will consider that at that time.
 - ii) Another meeting participant asked if Calvary had considered the open property at Coors and Sequoia.
 - (1) Applicant said that they had looked at many sites, had prayed on it, and were happy with this purchase.
- k) A meeting participant asked if Calvary would agree that they would not oppose a liquor-selling establishment that wanted to move into the shopping center.
 - i) Applicant stated that Calvary is not opposed to liquor or bars, but there may be some related uses that they would oppose and they would have difficulty committing to never opposing any liquor license.
- l) A meeting participant asked about Calvary's long-range plans, and whether they include enlarging the church.
 - i) Agent said that the long-range plan is the capacity of the site.
 - ii) The meeting participant asked if they planned to build an expansion on the property.
 - (1) Agent said that would be very expensive and difficult to do.
- m) A meeting participant asked whether Calvary would be willing to defer the application.
 - i) Agent said they wanted to move forward and did not want to defer, but did want to work with neighbors.
- n) A meeting participant asked about the total occupancy for the entire site, including areas in addition to the sanctuary.
 - i) Agent said he could provide this information.

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Application Hearing Details:

- 1) Project hearing currently scheduled for Tuesday, February 20, 2018.
- 2) Hearing Details:
 - a. The Office of the Zoning Hearing Examiner conducts monthly quasi-judicial public hearings regarding Special Exceptions to the Zoning Code. (Please refer to Section 14.16.4.2 of the Comprehensive City Zoning Code.)
 - b. There are certain criteria that applicants must meet in order to obtain an approval of decision for their special exception request.
- 3) Hearing Process:
 - a. Comments from facilitated meetings will go into a report which goes to the Hearing Examiner.
 - b. All interested parties may appear at the hearing and voice their opinions or submit written comments prior to the day of public hearing.
 - c. The Zoning Hearing Examiner will render a determination of approval, approval with conditions or denial within 15 days after the close of the public hearing.
 - d. The determination can be appealed to the Board of Appeals.

Any further questions or comments can be referred to:

Suzie Sanchez
Administrative Assistant to Hearing Officer
505-924-3894
suzannasanchez@cabq.gov

Names & Affiliations of Attendees:

John Stucker	Bosque Montano HOA
Pete Campbell	Bosque Montano HOA
Vince Harrison	Calvary Albuquerque
Devin Cannady	Agent
Mikey Wright	Bosque Montano HOA
Dr. Joe Valles	GHNA/WSCONA
Jason Mills	Calvary Albuquerque
Marissa Crollett	CDR2
Melisa Nicond	CDR2
Jordan Peretti	Laurelwoods
Amanda Peretti	Laurelwoods
Rene Horvath	TRNA
Mary Boom	Bosque Montano HOA
Patsy Nelson	Alban Hills
Jamie Barr	La Luz Landowners
Marian Pendleton	TRNA

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Stan Wilson	KOB-TV
Nita Day	LCDRII
Dr. Una Medina	Bosque Montano HOA
Jared Sobczak	Calvary Albuquerque
Susan Stucker	Bosque Montano HOA
Geraldine Snow	Bosque Montano HOA
Barbara Johnson	Casitas del Rio
Kellie Brito	Bosque Montano HOA
William Boycott	Bosque Montano HOA
Steven Watson	Bosque Montano HOA
Bruce Harrill	Bosque Montano HOA
Marie Alvidrez	Bosque Montano HOA
John Marriott	Bosque Montano HOA
Noble Sinclair	Bosque Montano HOA
Larry Emily	Casitas del Rio
Howie Kaibell	Bosque Montano HOA
Terry Ihnat	Oxbow Village
Danielle Wierengo	LCDRT
George Castellano	Bosque Montano HOA
Nick Jarman	Rinconado
Andrew Abeyta	Bosque Montano HOA
Jim Brown	Calvary Albuquerque
Joanne Orr	Bosque Montano HOA
Brian Nixon	Taylor Ranch
Nick Harrison	Oxbow Village
John Olmsted	Bosque Montano HOA
Nishant Patel	Bosque Montano HOA
Siona Briley	Milne & Ladera
Yolanda Garcia	
Margo McCoy	Taylor Ranch
David Duran	Taylor Ranch
Todd David	Bosque Meadows
Barbara Eberhardt	Bosque Meadows
Stephen Nojek	Bosque Montano HOA
Kathy Adams	La Luz
Michele Rose Barela	Bosque Montano HOA