



**Hope+in+the+Desert Episcopal Church
Hope Plaza
8700 Alameda Boulevard NE
Albuquerque, NM 87122-3789**

(505) 830-0572 Phone
(505) 821-3116 Fax
office@hopeepiscopal.org = Email
www.hopeepiscopal.org = Website

December 24, 2019

HAND-DELIVERED

Ms. Jolene Wolfley, Chairwoman
Development Review Board
Planning Department
City of Albuquerque
PO Box 1293
Albuquerque, New Mexico 87102

Reference: DRB Project #PR-2019-002496
Site Plan – Alameda Luxury Apartments Complex

Dear Ms. Wolfley and DRB Members:

I am writing you in my capacity as Senior Warden of the Vestry of Hope-in-the-Desert Episcopal Church. Our vestry is the governing body of our church. Hope is located at 8700 Alameda Blvd. NE in Hope Plaza. The proposed project noted above abuts Hope's property to the west.

It is the church's position that an apartment project on this site would be reasonable given a density consistent with prior zoning (SU-2/C-1) in the Vineyard Estates Sector Plan and that the design of apartment units be appropriate to this neighborhood in terms of building scale and unit size. We contend that the proposal now under consideration is too dense for this site and as such will have significant negative impacts on adjoining properties and the neighborhood. Further, we do not believe that the new MX-L zoning category for this property is an accurate reflection of the former SU-2/C-1 zone within the Vineyard Plan as it allows much greater density than prior zoning along with other impacts. As such, the MX-L zone is an up-zoning of this property and as such was made in error in the new IDO.

When changing this property to a MX-L zone, the new IDO largely ignored existing zone code requirements in general and more specifically requirements of The Vineyard Sector Plan in effect from 1987 to 2018. All of the immediate area surrounding this site has been developed following the Vineyard Plan. With the exception of some single-family residential lots further to the east along Alameda, this is the only remaining underdeveloped property in the vicinity. For that reason, it has long been the expectation of all area property owners that this property would be developed under the requirements of the former SU-2/C-1 zone defined as Neighborhood Commercial. On page 37 of the Vineyard Plan SU-2/C-1 is the following description:

"SU-2/C-1 (neighborhood commercial) zoning is proposed at the southeast corner of Alameda and Barstow to provide neighborhood retail services that provide the day-to-day needs of nearby neighborhoods. Permissive and conditional uses of the C-1 zone as provided by the City Zoning Code are allowed in areas mapped SU-2/C-1 on the zoning map with the following exceptions:

1. The sale of alcoholic drink for consumption off-premises is a permissive use provided that it is an ancillary use within a grocery store.
2. The Design Regulations of the La Cueva Sector Development Plan (Section 5.4.6, page 30) shall apply to all properties zoned SU-2/C-1 in the Vineyard Plan.
3. Sites are subject to Site Development Plan approval by the EPC."

As noted in this description, conditional uses of the C-1 zone are allowed. Multi-family residential is listed as a conditional use so an apartment project on this property is allowed under specific conditions. These conditions include a maximum height of 26' and setbacks same as the O-1 zone. Parking was governed by Off-Street Parking regulations outlined in Section 14-16-3-1 of the Zone Code. Site Development Plan approval was required by the EPC.

The new MX-L zone is very similar to the former SU-2/C-1 zone. The description of this zone, on page 25 of the IDO, reads:

"Mixed Use – Low Density Zone District (MX-L)
2-4(B)(1) Purpose

The purpose of the MX-L zone district is to provide for neighborhood-scale convenience shopping needs, primarily at the corners of collector intersections. Primary land uses include non-destination retail and commercial uses, as well as townhouses, low-density multi-family residential dwellings, and civic and institutional uses to serve the surrounding area, with taller, multi-story buildings encouraged in Centers and Corridors."

These descriptions of zones are quite similar; the new MX-L zone and the former SU-2/C-1 zone seem to be aligned as to intent. Given the great similarities between the old and new descriptions of these zones, the neighborhood could not anticipate that somehow a higher density, three story, apartment project would be allowed. In particular, the new zone specifies that multi-family residential shall be low density. The problem with this description is that IDO does not provide the meaning of "low density" as opposed to medium or high density. In that regard, I posed a direct question to former Chairwoman Dicombe by e-mail on August 1, 2019 as to the meaning of "low density multi-family residential". Her reply was "The IDO does not address density. Must meet all the other requirements like height, buffering, parking, etc." I agree with Ms. Dicombe as I cannot find a description of this term either. Nonetheless the authors of the IDO must have been intended to place a limit on density. It is not logical to define density as "low" as opposed to "medium" or "high" and then conclude that the term has no meaning.

For that reason, I have researched the former zone code for answers. Under the R-G Residential Garden Apartment Zone, a permissive use in the zone is described as "low density apartments". Section F of this zone defines density. It states "for apartments other than townhouses, density of a lot may not exceed 20 dwelling units per acre." Therefore low density was defined as no more than 20 DU/acre. This definition appeared in various iterations of the zone code for decades. Thus we conclude that the limit on low-density apartment development for this property has always been 20 DU/acre.

To further this conclusion, the former R-2 zone allowed "medium density apartments" with a density limit of 30 DU/acre. The distinction between low density at 20/DU/acre and medium density at 30 DU/acre is clear.

As to height limits, the former C-1 zone placed a limit of 26' height on structures. As well, the former R-LT, R-T, and R-G zones all specified a limit of 26', effectively a maximum of two stories. It is only under the R-2 zone, allowing medium density apartments, that a greater height was permitted and then under specific conditions.

To summarize, the MX-L zone as defined in the IDO when compared to the Vineyard Sector Plan is an up-zoning of this property for the following reasons:

1. Height limit raised from 26' to 35', thus allowing 3 story development vs. 2 story
2. Apartment use changed from Conditional to Permissive
3. Review and approval of Conditional Use by EPC eliminated
4. Reduced buffering requirements
5. Definition of density eliminated

Taking a broader view, the Albuquerque Comprehensive Plan listed various policies that guide development and in particular, the impact of different uses on one another. Neighborhoods are to be "enhanced, protected and preserved as key to long-term health and vitality." Neighborhoods should be protected by "ensuring an appropriate scale and location of development, mix of uses, and character of building design." The immediate area surrounding Barstow and Alameda is defined as an Area of Consistency. Policies in such areas should "protect and enhance the character of single-family neighborhoods. Development should reinforce the scale, intensity, and setbacks of the immediately surrounding context. In areas with predominantly single-family residential uses, support zone changes that help align the appropriate zone with existing land uses."

The proposed apartment project does not meet these criteria. More specifically, the MX-L zone was the wrong category in the new IDO for re-zoning this property and in fact was a de-facto up-zoning. We request that the DRB protect this long-established residential neighborhood by rejecting the Site Plan as submitted in favor of a lower density apartment development consistent with former zoning requirements.

Very truly yours,



H. William Fanning, Senior Warden
Hope-in-the-Desert Episcopal Church