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OFFICIAL NOTIFICATION OF DECISION

August 19, 2021

Homewise Inc.
1301 Siler Road, Bldg. D
Santa Fe, NM, 87507

Project #2021-005685
RZ-2021-00025– Zoning Map Amendment
(Zone Change)

LEGAL DESCRIPTION:

Consensus Planning, agent for Homewise Inc., requests a zone map amendment from R-1A to R-ML for all or a portion of Lot 5, Block 26, Huning Highland Addition, located at 119 High St. SE, between Gold Ave. SE and Central Ave. SE, approximately 0.17 acre (K-14-Z).

Staff Planner: Silvia Bolivar

On August 19, 2021, the Environmental Planning Commission (EPC) voted to APPROVE Project#2021-005685, RZ-2021-00025, Zoning Map Amendment (Zone Change) based on the following Findings:

1. The request is for a Zoning Map Amendment (zone change) for an approximately 0.17-acre site legally described as Lot 5, Block 26, Huning Highland Addition, located at 119 High Street SE, between Gold Avenue SE and Central Avenue SE (the “subject site”).
2. The subject site is zoned R-1A (Residential – Single-Family Zone District) which was converted from the former zoning of SU-2, old zoning category MR (Mixed Residential).
3. The applicant is requesting a zone change to R-ML (Residential – Multi Family Low Density Zone District) in order to facilitate rehabilitation of the existing, historic property, convert it to low density multi-family housing that would allow for the existing uses to be conforming.
4. The subject site is in an Area of Change as designated by the Comprehensive Plan and is in the Central Albuquerque Community Planning Area (CPA).
5. The subject site is within 660 feet of Central Avenue, classified as a Major Transit Corridor as well as a Main Street Corridor as designated by the Comprehensive Plan.
6. The subject site is within the boundaries of the Huning Highland Historic Protection Overlay Zone, HPO-4.
7. The Albuquerque/Bernalillo County Comprehensive Plan and the City of Albuquerque Integrated Development Ordinance (IDO) are incorporated herein by reference and made part of the record for all purposes.

8. The request furthers the following Goals and Policies from Chapter 4: Community Identity:

- A. Policy 4.1.2 – Identity and Design: Protect the identity and cohesiveness of neighborhoods by ensuring the appropriate scale and location of development, mix of uses, and character of building design.

The requested R-ML zone would permit rehabilitation of an existing historic property, thereby protecting the identity and cohesiveness of the Huning Highland neighborhood and ensuring the existing character of the building design. The requested low-density multi-family use is an appropriate scale of development for the area.

- B. Subpolicy 4.1.2(a): Maintain and preserve the unique qualities of historic areas.

The request would facilitate rehabilitation of a historic property that is currently in a substandard condition and would allow for its' new owner, Homewise, to restore the building to its' original historic character and continue its' use as multi-family housing. If approved, all exterior building changes would require the review and approval by the City Landmark's Commission to ensure compliance with City regulations and would ensure the preservation of the unique qualities of the historic area.

- C. Policy 4.1.3 – Placemaking – Protect and enhance special places in the built environment that contribute to distinct identity and sense of place.

The requested R-ML zone would protect and enhance a special place with a long history of varied uses in a historic building in the Huning Highlands neighborhood, which would assist with giving the area a continued sense of place. If the request is approved, the applicant intends to restore the existing building that would contribute to the district identity.

9. The request furthers the following Goals and Policies from Chapter 5: Land Use pertaining to Centers and Corridors:

- A. Goal 5.1 – Centers & Corridors: Grow as a community of strong Centers connected by a multi-modal network of Corridors.

The request would generally contribute to growth near Central Avenue, a Premium Transit Corridor/Main Street Corridor. Moreover, the subject site is located in an Area of Change where policies allow for a mix of uses and development of higher density and intensity in areas where growth is desired and can be supported by multi-modal transportation.

- B. Subpolicy 5.1.1(a): Create walkable places that provide opportunities to live, work, learn, shop, and play.

The request would facilitate in this instance, the continuation of a walkable place as the existing property only needs to be rehabilitated and taken out of its substandard and nonconforming condition in order to provide opportunities to live, work, learn, shop and play as the area is near Central Avenue in the Huning Highland neighborhood.

- C. Subpolicy 5.1.1(c): Encourage employment density, compact development, redevelopment, and infill in Centers and Corridors as the most appropriate areas to accommodate growth over time and discourage the need for development at the urban edge.

The request is partially furthered because only redevelopment and infill in Centers and Corridors would result from the request. If the request is approved, the intent is to return the existing building structure to its' historic multi-family use, rehabilitate the existing structure, and address the substandard building condition that would facilitate redevelopment and infill in a Center/Corridor.

- D. Policy 5.1.2 – Development Areas: Direct more intense growth to Centers and Corridors and use Development Areas to establish and maintain appropriate density and scale of development within areas that should be more stable.

Staff agrees that the request would allow for the multi-unit building to come out of nonconformance while establishing the appropriate density for the historic character of the property that is located within a Premium Transit Corridor and Main Street Corridor.

10. The request furthers the following Goals and Policies from Chapter 5: Land Use, pertaining to Major Transit Corridors.

- A. Policy 5.1.10 – Major Transit Corridors: Foster corridors that prioritize high-frequency transit service with pedestrian-oriented development.

The area has high-frequency transit service along Central Avenue that is serviced by routes 66, 766, and 777 and located in an area that has pedestrian-oriented development.

- B. Subpolicy 5.1.10(a): – Encourage higher-density residential development within ¼ mile of transit stops and stations.

The request would facilitate higher density development that currently exists on the subject site and is within ¼ mile of a transit stop/station located on Central/Edith and Central/Mulberry. The subject site is located in an Area of Change where policies allow for expanded housing options that can be supported by multi-modal transportation.

- C. Policy 5.2.1- Land Uses: Create healthy, sustainable, and distinct communities with a mix of uses that are conveniently accessible from surrounding neighborhoods.

The requested R-ML zoning would maintain many of the uses allowable under R-1A, while adding more residential development options. The request would contribute to the continuation of a healthy, sustainable and distinct community that would be conveniently accessible from surrounding neighborhoods.

- D. Subpolicy 5.2.1(b): Encourage development that offers choice in transportation, work areas, and lifestyles.

The request would allow for the rehabilitation of the subject site and would offer a choice in transportation, work areas, and lifestyles as there are several routes servicing the area nearby.

- E. Subpolicy 5.2.1(d): Encourage development that broadens housing options to meet a range of incomes and lifestyles.

This subpolicy would be furthered by providing opportunities for different types of housing options to accommodate diverse demographic groups. The increased stock of housing options would provide a similar inventory found near the subject site.

- F. Subpolicy 5.2.1(e): Create healthy, sustainable communities with a mix of uses that are conveniently accessible from surrounding neighborhoods.

The request would contribute to the continuation of a healthy, sustainable community that already has a mix of uses and are conveniently accessible from surrounding neighborhoods.

11. The request furthers the following Goals and Policies from Chapter 5: Land Use, pertaining to Efficient Development Patterns and Infill:

- A. Subpolicy 5.2.1(n): Encourage more productive use of vacant lots and under-utilized lots, including surface parking.

The subject site has been in disrepair for many years due to the fire that occurred in January of 2010. The request would facilitate rehabilitation of the subject site and would encourage more productive use of this vacant, under-utilized lot by increasing density by a minimal scale and allowing the property to continue as a multi-family home that would align with its historic use.

- B. Goal 5.3 – Efficient Development Patterns: Promote development patterns that maximize the utility of existing infrastructure and public facilities and the efficient land use of land to support the public good.

Although the subject site has been vacant for over a decade, the surrounding areas are already developed. The area is served by existing infrastructure and public facilities, so the development made possible by the request would generally promote efficient development patterns and use of land.

- C. Policy 5.3.1 – Infill Development: Support additional growth in areas with existing infrastructure and public facilities.

The subject site is located in an area with existing infrastructure and public facilities. The surrounding properties are already developed with a mix of uses and the rehabilitation of the subject site would support additional growth, while maintaining existing infrastructure.

12. The request furthers the following Goals and Policies from Chapter 9: Housing pertaining to Housing Options:

- A. Policy 9.1.1 – Housing Options: Support the development, improvement, and conservation of housing for a variety of income levels and types of residents and households.

The request would support the development, improvement and conservation of housing for a variety of income levels and types of residents and households. The request would allow for this historic property to be brought out of nonconformance while allowing it to continue as a low-density multi-family use. Homewise would ensure that the property is rehabilitated to serve a variety of income levels, types of residents and households as this is the core of their mission.

- B. Subpolicy 9.1.1(a): Increase the supply of housing that is affordable for all income levels.

Similar to Policy 9.1.1. – Housing Options – the request would increase the supply of housing that is affordable for all income levels.

- C. Subpolicy 9.1.1(h): Maintain an affordable housing supply in neighborhoods, in addition to creating market-rate housing, as part of revitalization efforts.

The request would facilitate revitalization efforts while maintaining an affordable housing supply in neighborhoods and would create market-rate housing facilitated by Homewise.

13. The request furthers the following Goals and Policies from Chapter 9: Housing pertaining to Affordability:

- A. Policy 9.1.2 - Affordability: Provide for mixed-income neighborhoods by encouraging high-quality, affordable and mixed income housing options through the area.

The request is for a zone map amendment, not a site plan review therefore Staff is unable to determine if in fact the proposed development would encourage high-quality housing options in the area. However, the core mission of Homewise is to empower people through home ownership so more than likely the request would allow for mixed income housing options throughout the area.

- B. Subpolicy 9.1.2(b): Encourage a diversity of housing types, such as live/work spaces, stacked flats, townhouses, urban apartments, lofts, accessory dwelling units, and condominiums.

The request would encourage a diversity of housing types by allowing for this historic property to continue as a low-density multi-family use.

- C. Subpolicy 9.1.2(c): Encourage housing types that maintain the scale of existing single-family neighborhoods while expanding housing options.

The subject site would maintain the scale of the existing single-family neighborhoods while expanding housing options. If the zone map amendment is approved, the applicant is proposing to repair the exterior stucco, windows, siding, and roof with materials that blend into the historic Huning Highland neighborhood. If approved, all exterior building changes would require the review and approval by the City Landmark's Commission to ensure compliance with City regulations.

- D. Subpolicy 9.1.2(d): Encourage the development of higher density affordable and mixed income housing in Downtown, near job centers, and along transit corridors.

The request would facilitate rehabilitation of the subject site that is near Downtown, near job centers, and along transit corridors while offering higher density and affordable mixed income housing.

14. The request furthers the following Goals and Policies from Chapter 11: Heritage Conservation:

- A. Policy 11.2.2 – Historic Registration: Promote the preservation of historic buildings and districts determined to be of significant local, State, and/or National historical interest.

The subject site contains a historic building that was built in 1904 with an architectural style of a Simplified Queen Anne with Vernacular Additions. The building is of local significance and helps preserve the historic fabric of the Huning Highland neighborhood.

- B. Subpolicy 11.2.2(a): Preserve and maintain historically significant buildings and spaces.

The request would help preserve and maintain historically significant buildings and spaces by allowing for the property to be rehabilitated and brought out of its nonconforming use and state of disrepair.

- C. Subpolicy 11.2.2(b): Recognize historic buildings and districts as vital elements of the community.

The building on the subject site is a historic building in the Huning Highland neighborhood that is a vital element of the community.

- D. Subpolicy 11.2.2(c): Encourage the adaptive reuse of historic structures as a strategy to preserve character and encourage reinvestment.

The request for a zone map amendment would facilitate the adaptive reuse of this historic building that contributes to the fabric of Huning Highland. The adaptive reuse would be a way to save this substandard, neglected building that might otherwise be demolished if it should fall further into disrepair.

15. The applicant has adequately justified the request pursuant to the Integrated Development Ordinance (IDO) Section 14-16-6-7(F)(3) – Review and Decision Criteria for Zoning Map Amendments, as follows:

- A. Criterion A: The applicant's policy-based response adequately demonstrates that the request furthers a preponderance of applicable Goals and policies regarding community identity, land use, infill, efficient development patterns and housing and does not present any significant conflicts with the Comprehensive Plan. Therefore, the request is consistent with the City's health, safety, and morals and general welfare.
- B. Criterion B: The subject site is located wholly in an Area of Change, so this Criterion does not apply.
- C. Criterion C: The subject site is located wholly in an Area of Change and the applicant refers to sub-criterion 3, that a different zone district is more advantageous to the community as articulated by the Comprehensive Plan, including implementation of patterns of land use, development density and intensity, and connectivity. The applicant has adequately justified the request by stating it would provide for an opportunity to develop a similar type of housing and

services in an area that consists predominantly of single-family dwellings. The request would further Comprehensive Plan Goals and policies relating to community identity, land use, infill and housing.

- D. Criterion D: The applicant compared the existing R-1A zoning to the proposed R-ML zoning. Uses that would become permissive under the R-ML zone, which are not currently allowed, are townhouse, multi-family, and community residential facility (small-large).

The applicant discussed each use that would become permissive if the request is approved. Adding multi-family dwelling units (uses not allowed in the R-1A zone) to the area would generally not be considered harmful. The area is mostly characterized by single-family dwellings south of the subject site but there are multi-family low density uses dispersed through the area and it would be more advantageous to the existing residents for the property to be rezoned thereby expanding housing options in the area.

- E. Criterion E: The City's existing infrastructure and public improvements would have adequate capacity to serve the development made possible by the zone change (Criterion 1).

- F. Criterion F: Staff agrees that the Applicant's justification is not completely based on the property's location on a major street. The property is located on High Street SE that is classified as a local urban street.

- G. Criterion G: Economic considerations are always a factor, but the Applicant's justification for the R-ML zone is not based completely or predominantly on the cost of land or economic considerations. Rather, the applicant has demonstrated that the request furthers a preponderance of applicable Comprehensive Plan Goals and policies therefore it would generally be more advantageous to the community than the existing zoning.

- H. Criterion H: The request would create a spot zone because it would apply a zone different from the surrounding zone district. The request for the zone map amendment meets Criterion 3 because the subject property is not suited for single-family use and the rezone would allow for the property to return to the multi-family low density use it had prior to the adoption of the IDO. Moreover, had the property not been vacant and in disrepair due to the fire, at the time of the IDO adoption, the property would have been classified as an R-ML zone.

16. The applicant's policy analysis adequately demonstrates that the request furthers a preponderance of applicable Goals and policies in the Comprehensive Plan and does not significantly conflict with them. Based on this demonstration, the proposed zone category would generally be more advantageous to the community than the current zoning.
17. The affected neighborhood organizations are the EDo Neighborhood Association and the Huning Highland Historic District Association. Property owners within 100 feet of the subject site were also notified as required.
18. A pre-application facilitated meeting was held on June 30, 2021 with members of the East Downtown Neighborhood Association and the Huning Highland Historic District Association. While the neighbors expressed support for the rehabilitation of a long-distressed property and the anticipated sale, rather than rental units, they noted that parking is extremely limited in the area

and hat the anticipated number of units should be limited to five or six, in part to reduce parking demand by unit owners. Given the importance of the street view, neighbors wish to be in communication with the architecture team and designers as they do not want to see parking spaces in front of the property.

19. A post-submittal facilitated meeting was held on July 28, 2021. While the neighbors have expressed support for the rehabilitation of a long-distressed property and the anticipated sale rather than rental of units, they continued to express concern that parking is extremely limited in the area and that the anticipated number of units should be limited to 5 or 6 rather than 8-10. The neighbors would prefer to limit the number of units to 5 or 6 in part to reduce the demand for parking by unit owners. Several expressed appreciation for the commitment of Homewise to keep the neighbors in communication, such as by attending the monthly Neighborhood Association meetings.
20. As of this writing, Staff has not received any comments in support or opposition to the request.
21. The EPC expressed concern regarding future development on the subject site. Specifically, the EPC is concerned about the number of housing units and the parking situation that could result. The EPC recommends that the applicant continue to discuss these matters with the neighbors including, but not limited to, exploring shared parking agreements or other alternatives. The EPC recommends following Huning Highland HPO 14-16-5-5(F)(4).

APPEAL: If you wish to appeal this decision, you must do so within 15 days of the EPC's decision or by **September 3, 2021**. The date of the EPC's decision is not included in the 15-day period for filing an appeal, and if the 15th day falls on a Saturday, Sunday or Holiday, the next working day is considered as the deadline for filing the appeal.

For more information regarding the appeal process, please refer to Section 14-16-6-4(U) of the IDO, Administration and Enforcement. A Non-Refundable filing fee will be calculated at the Land Development Coordination Counter and is required at the time the appeal is filed. It is not possible to appeal EPC Recommendations to City Council; rather, a formal protest of the EPC's Recommendation can be filed within the 15 day period following the EPC's recommendation.

You will receive notification if any person files an appeal. If there is no appeal, you can receive Building Permits at any time after the appeal deadline quoted above, provided all conditions imposed at the time of approval have been met. Successful applicants are reminded that other regulations of the City Zoning Code must be complied with, even after approval of the referenced application(s).

Sincerely,

for Alan M. Varela,
Planning Director

OFFICIAL NOTICE OF DECISION

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