

CITY OF ALBUQUERQUE



PLANNING DEPARTMENT
URBAN DESIGN & DEVELOPMENT DIVISION
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OFFICIAL NOTIFICATION OF DECISION

May 12, 2017

Pulte Group
7601 Jefferson NE
ABQ, NM 87109

Project# 1006864
17EPC-40004 Site Development Plan for Subdivision
Amendment

LEGAL DESCRIPTION:

The above action for all or a portion of Tract M, proposed Lots 63, 64, 66, 67, 108, 109, 116, Watershed Subdivision. To request Exceptions to the Height Restrictions per the Northwest Mesa Escarpment Plan, containing approximately 47.05 acres. (H-08-Z & H-09-Z)

Staff Planner: Maggie Gould

PO Box 1293

Albuquerque On May 11, 2017 the Environmental Planning Commission (EPC) voted to APPROVE Project 1006864, 17EPC-40004 a Site Development Plan for Subdivision Amendment, based on the following findings and subject to the following conditions:

NM 87103 FINDINGS:

1. This is a request for an amendment to a Site Development Plan for Subdivision for all or a portion of Lots 63, 66, and 67 of Del Webb @ Mirehaven Phase 2A subdivision and future Lots 108 and 109 of Del Webb@ Mirehaven Phase 2B subdivision (currently a portion of Tract M1, Watershed Subdivision) to request Exceptions to the Height Restrictions per the Northwest Mesa Escarpment Plan, containing approximately 47.05 acres.
2. The subject site is zoned SU-2 for PDA (Planned Development Area) pursuant to the Westland Sector Development Plan and Westland Master Plan. The SU-2 for PDA zone is intended to provide for "a mix of residential uses" that are "special because of the relationship of this property to Petroglyph National Monument." The proposed residential and open space uses are allowed under the existing zoning.
3. The subject is part of a larger Site Development Plan for Subdivision (SPS) approved by the EPC in 2013 (13EPC-40115). This SPS contains design standards, street and trail sections and illustrative renderings of home types. Future development on the subject tracts is subject to the requirements of the SPS (13EPC-40115).

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4. The Albuquerque/Bernalillo County Comprehensive Plan, West Side Strategic Plan, Northwest Mesa Escarpment Plan and the City of Albuquerque Zoning Code are incorporated herein by reference and made part of the record for all purposes.
5. The subject site is within the Developing Urban Area of the Comprehensive Plan; the following policies are applicable to this request:

Policy II.B.5d: The location, intensity, and design of new development shall respect existing neighborhood values, natural environmental conditions and carrying capacities, scenic resources, and resources of other social, cultural, recreational concern.

The proposed development will be similar in scale, layout and use to the existing nearby development. The streets adjacent to the Petroglyph National Monument are primarily single loaded so that housing is only developed on the side opposite the Monument; this adds a buffer for both the residents and the monument. The additional height allowed by the request will result in structures that are a comparable height to adjacent structures and to other nearby development. Public access to the Monument will not be altered by this request. The request furthers Policy II.B.5d.

Policy II.B.5e: New growth shall be accommodated through development in areas where vacant land is contiguous to existing or programmed urban facilities and services and where the integrity of existing neighborhoods can be ensured.

Urban infrastructure and services exist in the area, including roads and utilities. The request furthers Policy II.B.5e.

6. The site is within the boundaries of the West Side Strategic Plan. The following policies are relevant:

Policy 3.81: The City of Albuquerque and Bernalillo County shall, through their land use and design decisions, minimize negative impacts upon the National Monument. The Park Service shall, through their actions, attempt to minimize their negative impacts on the City, County, and adjacent neighborhoods and landowners.

The EPC, acting for the City, will make land use and design decisions that will affect the Petroglyph National Monument (PNM). The proposed additional height shows will not have a negative impact on the monument, because views will still be protected. The request does not alter the access to the PNM or move drainage on to the PNM. The request furthers policy 3.81

7. The site is within the boundaries of the Northwest Mesa Escarpment Plan-. The following policies are relevant:

Policy 7: For property within the City of Albuquerque and Bernalillo County, a design overlay zone is established which covers the Conservation Area, the Impact Area and the View Area as shown on Map 10. All development within the Design Overlay Zone shall comply with the design regulations of this chapter. ~~Variations other than those specifically allowed constitute plan amendments and must follow the standard plan amendment procedure. A request for amendment to the Plan may be processed simultaneously with a request for site plan approval. Site plan approval by either the City~~

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or County Planning Commission shall be conditional on Plan amendment approval by the City Council.

The request complies with Policy 7. The amendment request includes a request for a height between 15 feet and 19 feet for seven lots, within the Impact Area. The process laid out within the NWMEP for the height increase request is that it is reviewed by the EPC as part of a site plan review, as with the process for the requested height increases.

Policy 12.2(paraphrased): Heights shall not exceed 19' from natural grade, unless adherence policy makes the lot undevelopable. Applications for exceptions to the 19' height limit shall be reviewed and approved by the EPC and shall demonstrate both hardship and visual impact.;

The application includes a Grading and Drainage Plan that has been approved by the City Engineer as required by the exception process in the Northwest Mesa Escarpment Plan. The view analysis diagrams in the application show that the impact of the additional height on views to the escarpment will not be significant, except for lots 66 and 67 where staff recommends that heights be limited to 17 feet from finished grade, to protect the views.

The hardship criteria are satisfied as follows: drainage and engineering constraints in the form of the changes needed to allow the service road for the PNM, the topography of the site and the need to accommodate the storm water drainage in the street to prevent erosion and protect the stability if the retaining walls.

Policy 13: Sites which cannot be set aside as open space, including recreational facilities, and sites adjacent to open space, shall have minimum visual impact.

The heights of buildings area limited to 19 feet or lower within the Impact Area of NWMEP. The request does not change the previously approved open space areas. Sheet 4 of 6, Exception Justification shows that the structures will generally be below the escarpment face and will not block the views to the escarpment. The condition that lots 66 and 67 have limited height addresses additional view protection. The request furthers policy 13.

Policy 15.7: Natural contours of the land shall be taken into account in determining the placement of roads and utilities. Grading and filling of existing contours shall be kept to a minimum. It is recognized that retaining walls will be necessary in some cases, but facility designs shall minimize their height and insure that they blend visually with their surroundings. The maximum height allowed for a retaining wall designed to limit the width of a road corridor is 8'. Retaining walls must meet all other requirements in the design overlay zone with regard to color and materials.

Although there will be grading (cut and fill) throughout the site; the result will be to lessen the visible profile of the new buildings in views of the Escarpment. Retaining walls will be utilized in some locations, with wall heights a maximum of eight feet, the walls will be required to meet the design standards in the approved overall SPS(13 EPC 40115). Graded slopes will be less 5%. The request complies with Policy-15.7.

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8. The Tres Volcanes NA and Westside Coalition of Neighborhood Associations were notified. A facilitated meeting was not requested or recommended. Property owners within 100 feet of the site were notified.
9. The Superintendent of the PNM submitted a letter stating that the PNM is not opposed to the request and does not believe the requested building heights will block the views to the escarpment.
10. This request was deferred from the April 13, 2017 hearing to allow time for the applicant to meet with concerned neighbors. A meeting occurred on April 18, 2017, but was not a facilitated meeting. A facilitated meeting was offered but was declined by the concerned neighbors. Staff has not received any additional comments as of this writing.

CONDITIONS:

1. The EPC delegates final sign-off authority of this site development plan to the Development Review Board (DRB). The DRB is responsible for ensuring that all EPC Conditions have been satisfied and that other applicable City requirements have been met. A letter shall accompany the submittal, specifying all modifications that have been made to the site plan since the EPC hearing, including how the site plan has been modified to meet each of the EPC conditions. Unauthorized changes to this site plan, including before or after DRB final sign-off, may result in forfeiture of approvals.
2. Prior to application submittal to the DRB, the applicant shall meet with the staff planner to ensure that all conditions of approval are met.
3. Height on lot 67 shall be limited to 17.8 feet from finished grade.

APPEAL: If you wish to appeal this decision, you must do so within 15 days of the EPC's decision or by **MAY 26, 2017**. 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 14-16-4-4 of the Zoning Code. 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).

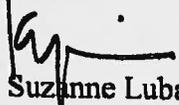
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Sincerely,


for Suzanne Lubar
Planning Director

SL/MG

cc: Pulte Group, 7601 Jefferson NE, ABQ, NM 87109
Consensus Planning, 302 8th Street NW, ABQ, NM 87102
Tres Volcanes NA, Donna Swanson, 8620 Animas Pl. NW, ABQ, NM 87120
Tres Volcanes NA, Sally Breeden, 8619 Animas Pl. NW, ABQ, NM 87120
Westside Coalition of NA's, Harry Hendriksen, 10592 Rio Del Sole Ct, NW, ABQ, NM 87114-2701
Westside Coaliton of NA'a, Rene Horvath, 5515 Palomino Dr. NW, ABQ, NM 87120
Charles Ofelt, 2227 Cebolla Creek Way, ABQ, NM 87120