

CITY OF ALBUQUERQUE

PLANNING DEPARTMENT
URBAN DESIGN & DEVELOPMENT DIVISION
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OFFICIAL NOTIFICATION OF DECISION

November 13, 2015

Pulte Homes of NM, Inc
9601 Jefferson Blvd NE, Suite 180
ABQ, NM 87109

Project# 1006864
15EPC-40049 Site Development Plan for
Subdivision

LEGAL DESCRIPTION:

For all or a portion of Tracts M and N-2-A-1, Watershed Subdivision, zoned SU-2 for PDA, located on Tierra Pintada Blvd. between Mirehaven Parkway and West Creek Place, containing approximately 72.9 acres. (H-8 & 9)

Staff Planner: Maggie Gould

On November 12, 2015, the Environmental Planning Commission (EPC) voted to APPROVE Project #1006864/15EPC-40049 a Site Development Plan for Subdivision and 15EPC-40050 an Amendment to Site Development Plan for Subdivision, based on the following findings and conditions:

FINDINGS:

Albuquerque

New Mexico 87103

www.cabq.gov

1. This request is for a site development plan for subdivision for Tracts M and N-2-A-1 Watershed at Estrella subdivision, an approximately 72.9 acre area located north and west of Tierra Pintada Boulevard NW, and south and east of the Petroglyph National Monument (the "subject site") to contain 183 residential lots and the Mirehaven Arroyo private open space.
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).
4. The subject site lies within the boundaries of the Developing Urban area of the Comprehensive Plan. Additional applicable plans include the Westside Strategic Plan, the Facilities Plan for Arroyos, the Trails & Bikeways Facilities Plan, the Westland Sector Development Plan, the Westland Master Plan and the Northwest Mesa Escarpment Plan (NWMEP). Part of the site is also within the boundaries of the Impact Area of the NWMEP Design Overlay Zone and is subject to applicable design regulations.

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5. The Albuquerque/Bernalillo County Comprehensive Plan, Westside Strategic Plan, the Facilities Plan for Arroyos, the Trails & Bikeways Facilities Plan, the Westland Sector Plan, the Westland Master Plan and the Northwest Mesa Escarpment Plan (NWMEP) and the City of Albuquerque Zoning Code are incorporated herein by reference and made part of the record for all purposes.
6. The subject site is within the Developing Urban Area of the comprehensive Plan; the following polices are applicable to this request:

Land Use

- A. **Open Space Goal:** Provide visual relief from urbanization and to offer opportunities for education, recreation, cultural activities, and conservation of natural resources by setting aside Major Public Open Space, parks, trail corridors, and open areas throughout the Comprehensive Plan area.

The request furthers the Open Space Goal. The site plan includes perimeter open space abutting the Petroglyph National Monument boundary, open space area within the Mirehaven Arroyo and open space within the residential portion of the development. A trail system will connect these areas. Landscaping will be largely native plant species including many from the WMP Design Guidelines Plant List.

- B. **Policy II.B.1f:** A multi-purpose network of open areas and trail corridors along arroyos and appropriate ditches shall be created. Trail corridors shall be acquired, regulated, or appropriately managed to protect natural features, views, drainage and other functions or to link to other areas within the Open Space network.

Multi-use trails are proposed along the Mirehaven Arroyo. Treatment of the arroyo will preserve natural features where grading is not required, and will preserve views into the Monument from the trails within the Arroyo and to the east. Trail connections are shown from the public street, West Creek Pl, through the northeast corner of the development to the Petroglyph National Monument. The request furthers Policy II.B.1f.

- C. **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 SPS shows that the Mirehaven arroyo remains open, preserving views and providing a natural area within the 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. Public access to the Monument will be maintained through an access point in the the northeast corner of the development.

- D. **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.

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Urban infrastructure and services exist in the area, including roads and utilities. A water serviceability statement was issued by ABCWUA in 2012 and a development agreement exists for all development within the Albuquerque Land Holdings Sector Plan. A water availability statement for this site will be required before construction begins. The request furthers Policy II.B.5e.

7. The site is within the boundaries of the Westside Strategic Plan, the following policies are applicable to the request:

A. Policy 1.1: Thirteen distinct communities, as shown on the Community Plan Map and described individually in this Plan, shall constitute the existing and future urban form of the West Side. Communities shall develop with areas of higher density (in Community and Neighborhood Centers), surrounded by areas of lower density. Bernalillo County and the City of Albuquerque Planning Commissions shall require that high density and non-residential development occur within Community and Neighborhood Centers. Low density residential development (typical 3-5 du/acre subdivisions, or large lot rural subdivisions) shall not be approved within the Centers.

The subject site is located within the Westland North Community but is not within a designated activity center. Density for the proposed residential project would be 2.8 du/acre, which is moderately low and therefore appropriate outside of designated activity centers. The request furthers WSSP Policy 1.1.

B. 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 National Monument. The proposed SPS shows special landscaping and fencing along the National Monument boundary and the building heights are restricted to preserve views to the monument. The request furthers policy 3.81

C. Policy 4.6.c: Gated and/or walled communities and cul-de-sacs are strongly discouraged on the West Side. In rare instances when these design features are permitted, openings through perimeter walls and cul-de-sacs shall be provided every 600 feet so that pedestrians and bicyclists are provided direct access to transit service and other destinations.

The proposed development will be gated, contrary to the intent of this policy. The SPS shows pedestrian access to the Petroglyph National Monument and West Creek Pl in the northeast corner of tract M and a full access point along West Creek Pl between Tierra Pintada Blvd. and the northern boundary of the site. There will be additional full access from Roadway A, south of the Arroyo. The subject site is surrounded on two sides by the Petroglyph National Monument making it impossible to have a road grid to the north or east. The request partially furthers Policy 4.6.c.

8. The Facility Plan for Arroyos is applicable to the site:

Urban Recreational Arroyos Policies:

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- A. Policy 1: The City shall encourage the development of parks adjacent to the drainage channels of designated Urban Recreational Arroyos, and along segments of arroyos connecting significant activity areas.**

The area around the channel of the Mirehaven Arroyo will be developed with recreational amenities provided for residents of the Del Webb development. The landscape treatment within the arroyo 'zone' will leave the arroyo banks with generally native plantings. The request furthers Policy 1.

- B. Policy 2: A minimum fifteen foot easement on one side of the drainage channel is recommended to allow for trail development.**

A proposed trail is shown along both the north and south sides of the Mirehaven Arroyo, within landscaped areas of at least 20 feet in width between residential lot boundaries and the arroyo channel improvements zone. The request furthers Policy 2.

- C. Policy 4: The location of crossing structures shall be determined on a case-by-case basis according to the specific channel characteristics, the distance between the access points crossing the channel, and the identification of potential pedestrian desire-lines during the park design process.**

One street crossing of the Mirehaven Arroyo is proposed. The crossing would allow residents to access the existing development on the south side of the arroyo, including the amenity center and trails connecting to the public streets. The crossing will contain pedestrian and bike facilities, as well as auto access. Access to the arroyo will be restricted to Del Webb residents. The request furthers Policy 4

- 9. The site is subject to provisions of the Bike and Trails Plan :**

- A. Goal 1. Improve and enhance cycling and pedestrian opportunities.**

Goal 1, Principle a. Develop a legible and predictable trail and bikeway system through planning, design and implementation of physical improvements.

The SPS shows a trail network throughout the subdivision connecting to the public sidewalk and the Petroglyph National Monument. These connections may encourage residents to bike or walk beyond the boundaries of the subdivision. The request is consistent with the Goal 1, and Goal 1, principle a.

- B. Goal 2. Develop a continuous, interconnected, and comprehensive system of bikeways and trails.**

Goal 2, Principle c. Provide access to destinations, such as activity centers, schools, parks, Major Public Open Space, shopping areas, and employment areas, for pedestrians and cyclists as part of a multi-modal approach.

Goal 2, Principle d. Consider connections between transit and bicycle and pedestrian facilities and reduce barriers where possible.

The SPS shows a series of trails throughout the development that will connect to the open space and local roads. There is not an existing transit route adjacent to the site, but transit is planned in the future and the Transit Department is requesting a bus stop to serve the site. The request furthers Goal 2, principles c and d.

- 10. Northwest Mesa Escarpment Plan:**

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- A. Policy 9: Development at the edge of public or private open space shall be designed to complement and enhance the open space.

The SPS shows special designs for treatment of the edge of the National Monument and Arroyo open space through grading, landscaping and building design. The proposed designs of perimeter fencing and monument edge treatments use native or naturalized plants and are terraced to address drainage, the treatment will provide a visual and physical transition from the open space to the development that compliments both spaces. The request complies with Policy 9.

- B. Policy 9.1: On-site open areas shall be designed to connect with adjacent public or private open space and to be visually integrated with the open space system. Orientation of the on-site open areas to the larger open space system is required. In mixed-use developments, lower densities and less intense uses shall border the open space and higher densities and more intense uses shall be placed away from the open space. Site plans shall allow for shifting excessive density to a part of the premises outside of the Conservation Area boundary, whenever flexible.

The site contains a small pocket park, open areas adjacent to the Petroglyph National Monument and the Mirehaven Arroyo, the arroyo connects to the large open space of the Petroglyph National Monument, the pocket park is adjacent to the arroyo and open space along the edge of the monument provides a transition from the development to the Monument. Request furthers policy 9.1

- C. 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 and the Mirehaven Arroyo will be designated as private open space. The request furthers policy 13.

- D. Policy 13.2.a: Plants selected for landscaping on privately or publicly owned land shall be selected from the Plant Species List (Appendix D). Landscaping plans shall indicate a pattern that does not obscure major public views of the escarpment as defined in this document.

The request complies with Policy 13.2.a. The SPS landscape plan, for perimeter common areas and individual front yards, specifies that plants shall be chosen from the WMP Design Guidelines, or from the Water Utility Authority Xeriscaping Plant List. These plantings will appear to be natural to the location.

- E. 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 and filling throughout the site; the result will be to lessen the visible profile of the new buildings in views of the Escarpment. Retaining

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walls will be utilized in some locations, with wall heights a maximum of eight feet. Graded slopes will be less 5%. The request complies with Policy 15.7.

- F. Policy 15.8: Where the road surface cannot be at grade with the prevailing adjacent contours, the exposed embankment must be stabilized. The covering of that stabilization shall be with a combination of basalt, earth, and vegetation that is in similar proportion to the surrounding portions of the escarpment.

The approved 2013 SPS shows street designs and landscaping treatments that will provide stabilization for the areas around the proposed streets. The Monument edge treatments shown in this submittal also show landscaping adjacent to the roadways that will stabilize these areas. The request complies with Policy 15.8.

- G. The request is generally consistent with the applicable design requirements of the NWMEP.
11. The request is consistent with the design guidelines and zoning of the Westland Master Plan.
 12. The request is consistent with the process and land use identified in the Westland Sector Plan.
 13. This SPS approval includes a maximum building height of nineteen feet above natural grade for Lots 35-38, 64-66, 68-72, 88-97, 11-116, 128-134 and 142 – 167; a maximum building height above natural grade of 18.61 feet for Lot 63; a maximum building height above natural grade of 15.58 feet for Lot 67; a maximum building height above natural grade of 16.93 feet for Lot 109; a maximum building height above natural grade of 18.30 feet for Lot 110; a maximum building height above natural grade of 18.51 feet for Lot 117 and a maximum building height above natural grade of 18.96 for lot 135 .
 14. The approved SPS (13 EPC-40115) identified the 'casita' as an option available to homebuyers, and the 'casita' will therefore be allowed as accessory living quarters within the proposed development.
 15. The trail proposed along the northern boundary of the site in the 2013 SPS (13-EPC 400-115) will be removed because the National Park Service has not granted access to the Petroglyph National Monument at the proposed location.
 16. The Tres Volcanes Neighborhood and Westside Coalition of Neighborhoods were notified of this request, as were property owners within 100 feet of the site. Staff has not received any public comment as of this writing. A facilitated meeting was not recommended or requested.
 17. The Parks and Recreation Department and the Open Space Division have requested that the trail along the northern boundary of the site remain.
 18. The applicant's project engineer coordinated with the City Traffic Engineer regarding the proposed subdivision layout, circulation, and block lengths. The layout, circulation, and block lengths were found to be acceptable by the City Traffic Engineer.
 19. The entry drive (Lake Isabella Way), stub street (Wind Caves Way), and the road running parallel and adjacent to the Petroglyph National Monument (Granite Mountain Loop) have

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been proposed to have sidewalk on one side of the street only. This is appropriate due to the short length and location of these streets.

20. The Superintendent of the Petroglyph National Monument gave testimony that the northeast access shown on the Site Development Plan for Subdivision is the preferred access and is acceptable.

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. The Site Development Plan shall comply with the General Regulations of the Zoning Code, the Subdivision Ordinance, and all other applicable design regulations, except as specifically approved by the EPC.
4. The overall Site Development Plan for Subdivision (13-EPC-40015) will be amended to show the changes to the trail along the northern boundary of the site.
5. A design variance request for block lengths shall be required at the DRB at the time of preliminary subdivision plat. A sidewalk variance to request a waiver shall be required at the DRB for the entry drive (Lake Isabella Way), stub street (Wind Caves Way), and the road running parallel and adjacent to the Petroglyph National Monument (Granite Mountain Loop).
6. A note shall be added to the Site Plan that states: Vehicular access for the National Park Service shall be provided for maintenance and law enforcement to the existing Petroglyph National Monument gate at the northeast corner of the project.

APPEAL: If you wish to appeal this decision, you must do so within 15 days of the EPC's decision or by **NOVEMBER 30, 2015**. 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.

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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 decision.

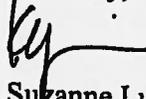
You will receive notification if any person files an appeal. If there is no appeal, you can receive Building Permits at any time after the appeal deadline quoted above, provided all conditions imposed at the time of approval have been met. Successful applicants are reminded that other regulations of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

ZONE MAP AMENDMENTS: Pursuant to Zoning Code Section 14-16-4-1(C)(16), a change to the zone map does not become official until the Certification of Zoning (CZ) is sent to the applicant and any other person who requests it. Such certification shall be signed by the Planning Director after appeal possibilities have been concluded and after all requirements prerequisite to this certification are met. If such requirements are not met within six months after the date of final City approval, the approval is void. The Planning Director may extend this time limit up to an additional six months.

SITE DEVELOPMENT PLANS: Pursuant to Zoning Code Section 14-16-3-11(C)(1), if less than one-half of the approved square footage of a site development plan has been built or less than one-half of the site has been developed, the plan for the undeveloped areas shall terminate automatically seven years after adoption or major amendment of the plan: within six months prior to the seven-year deadline, the property owners shall request in writing through the Planning Director that the Planning Commission extend the plan's life an additional five years. Additional design details will be required as a project proceeds through the Development Review Board and through the plan check of Building Permit submittals for construction. Planning staff may consider minor, reasonable changes that are consistent with an approved Site Development Plan so long as they can be shown to be in conformance with the original, approved intent.

DEFERRAL FEES: Pursuant to Zoning Code Section 14-16-4-1(B), deferral at the request of the applicant is subject to a \$110.00 fee per case.

Sincerely,


For Suzanne Lubar
Planning Director

SL/MG

cc: Pulte Homes of NM, Inc. 9601 Jefferson Blvd NE, Suite 180, ABQ, NM 87109
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