

CITY OF ALBUQUERQUE



PLANNING DEPARTMENT
URBAN DESIGN & DEVELOPMENT DIVISION
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OFFICIAL NOTIFICATION OF DECISION

September 9, 2016

PULTE GROUP
7601 JEFFERSON ST. NE
ABQ, NM 87109

Project# 1010536
16EPC-40038 Text Amendment to Sector Development
Plan

LEGAL DESCRIPTION:

The above action for the Northwest Mesa Escarpment
Plan. Staff Planner: Maggie Gould

PO Box 1293

On September 8, 2016 the Environmental Planning Commission (EPC) voted to **RECOMMENDED APPROVAL** to the City Council for Project #1010536/ 16EPC-40038 Text Amendment to Sector Development Plan, based on the following findings and the following Recommended Condition:

Albuquerque

FINDINGS:

NM 87103

1. This is a request for a request for an Amendment to the North West Mesa Escarpment Plan, an area generally located 350 feet around the perimeter of the Petroglyph National Monument and City Open Space,.
2. The request will allow a process for exceptions to the height restrictions and clarify the body that hears those requests
3. The Northwest Mesa Escarpment Plan (NWMEP) was adopted by City Council on November 30, 1987. The Northwest Mesa Escarpment is a seventeen-mile long face of exposed volcanic basalt and associated soils approximately 50 to 200 feet high, which runs north-south along the northwest mesa of Albuquerque. The NWMEP was created to maintain the volcanic escarpment as open space for public health, welfare and safety reasons, as well as to define urban form and satisfy other open space needs.
4. The Albuquerque/Bernalillo County Comprehensive Plan, Northwest Mesa Escarpment Plan, West Side Strategic Plan and the City of Albuquerque Zoning Code are incorporated herein by reference and made part of the record for all purposes.

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5. The NWMEP is in the Established and Developing Urban areas of the Comprehensive Plan. The following policies are applicable:

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 request furthers Policy II.B.5d, because the exception request requires EPC review. This process will allow public input and review by planning staff to ensure that any height exception is appropriate and will respect the existing neighborhood values, views to the escarpment and cultural resources of the Petroglyph National Monument and City Open Space.

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.

Policy II.B.5e is furthered by this request because most of the area has been developed and now has access to a full range of urban services. The protections in the NWMEP Plan and the requirements of the exception process will ensure that future development in the area will not compromise the integrity of existing neighborhoods.

Policy II.B.5m: Urban and site design which maintains and enhances unique vistas and improves the quality of the visual environment shall be encouraged.

The proposed amendment will require EPC review of exception requests and the applicant will be required to submit site plans, view exhibits and site analysis in order to demonstrate that the view to the escarpment are protected. Policy II.B.5m is furthered by the request.

6. The following policies of the Westside Strategic Plan are applicable to the request:

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 changes require EPC review of all exception requests. These requests must include site plans, site evaluations, analysis of the views, slope and a grading drainage plan. The public process and review by the EPC ensures that exception will not be granted if they negatively impact the monument. The request furthers policy 3.81

7. The following policies of the North West Mesa Escarpment Plan are applicable:

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Policy 1.d (page 41) The black escarpment face is recognized as giving physical order to the community and as acting as a visual reference point. Views to it and from it are recognized as important.

The proposed changes require that views to the escarpment are analyzed and that exceptions to the height restrictions still preserve the views to the escarpment face by requiring view plane exhibits that demonstrate this preservation and by requiring building to exceed the height of abutting compliant buildings. . The request furthers policy 1.d.

Policy 1.g (page 42) The escarpment is not an isolated portion of the community. It is recognized as physically, culturally and economically integral to the rest of the community and as providing physical cultural and economic benefit to the community.

The requested changes will require all exceptions to height to go before the EPC, this allows a public process and full review of the site by the EPC, public and planning staff. This level review ensures that the character of escarpment will be protected, even if an exception the height is granted. Policy 1.g is furthered by the request.

8. Policy 11-7a (page 56): Grading plans shall demonstrate that cut and fill has been kept to a minimum, unless the excavation reduces the profile of construction in a way that materially improves the site plan. Generally, the overall topography of the site is not to be substantially altered.
9. *The exception request required an approved grading and drainage plan and an analysis of the site slopes, setbacks and view corridors. These items will be consistent with the grading plan requirements. The exception request allow for the development of structures that are the same height as the structures that would meet the intent of the policy to allow excavation that reduces the profile of construction.*
10. The Richland Hills Home Owners Association, Las Terrazas Neighborhood Association, Rancho Sereno Neighborhood Association, Ladera Heights Neighborhood Association, Ladera West Neighborhood Association, Tres Volcanes Neighborhood Association, Las Lomas, Molten Rock Neighborhood Association, Story Rock Home Owners Association, The Courtyards Neighborhood Association , Petroglyph Estates Neighborhood Association, Inc., La Cuentista Subdivision Unit 1 Home Owners Association, Inc., Rinconada Point Assoc., Inc., Santa Fe Village Neighborhood Association, Piedras Marcadas Neighborhood Association , Volcano Cliffs Property Owners Assoc., Taylor Ranch Neighborhood Association , Quaker Heights Neighborhood Association , Paradise Hills Civic Assoc., Ladera West NA Neighborhood Association, Westside Coalition of Neighborhood Associations were all notified of the request by the applicant via certified mail.
11. The request is a text amendment to sector development plan and the City Council will be the final decision making authority for this request.
12. Property owners within the boundary of the impact area and with 100 feet of the area were notified, approximately 1,400 property owners.
13. Staff received several phone calls asking about the proposed changes. Most callers were not opposed to request because they did not feel that it impacted their property.

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14. Staff received several e-mails regarding the proposal, several expressed opposition to the request because of concern for protecting the views in that area. Staff sent out the updated changes to all e-mail commenters.
15. A facilitated meeting was held August 31st. Attendees did not state support for or opposition to the request, but stated that they needed more time to understand the amendment. Some concerns were expressed regarding the amount of fill that could be added to a site and the impact on the topography in the area.
16. Staff received an e-mail from the Petroglyph National Monument stating that they will not oppose the updated changes.

RECOMMENDED CONDITION:

1. The following language “no structure shall exceed 19 feet in height from the finished grade, even with an exception” be added at the end of policy 12-2.

APPEAL: If you wish to appeal this decision, you must do so within 15 days of the EPC’s decision or by **SEPTEMBER 23, 2016**. 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 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

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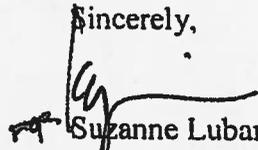
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submittals for construction. Planning staff may consider minor, reasonable changes that are consistent with an approved Site Development Plan so long as they can be shown to be in conformance with the original, approved intent.

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,



Suzanne Lubar
Planning Director

SL/MG

cc: PULTE Group, 7601 Jefferson ST. NE, ABQ, NM 87109
Consensus Planning Inc, 302 8th St. NW, ABQ, NM 87102
Chris Roth, Richland Hills HOA, 8701 Silvercrest Ct NW, ABQ, NM 87114
Sally Lupton, Richland Hills HOA, 8600 Glenridge Pl. NW, ABQ, NM 87114
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Debra Cox, Rancho Sereno NA, 8209 Rancho Paraiso NW, ABQ, NM 87120
Sander A. Rue, Rancho Sereno NA, 7500 Rancho Solano Ct NW, ABQ, NM 87120
Allan & Marie Ludi, Ladera Heights NA, 6216 St. Josephs Ave NW, ABQ, NM 87120
Hope Eckert, Ladera West NA, 3300 Ronda De Lechuses NW, ABQ, NM 87120
Steven Collins, Ladera West NA, 7517 Vista Alegre NW, ABQ, NM 87120
Thomas Borst, Tres Volcanes NA, 1908 Selway Pl. NW, ABQ, NM 87120
Sara A. Breeden, Tres Volcanes NA, 8619 Animas Pl NW, ABQ, NM 87120
Mario Gonzales, Las Lomitas NA, 8104 Corte Del Viento NW, ABQ, NM 87120
David Skowran, Las Lomitas NA, 8116 Corte De Aguila NW, ABQ, NM 87120
Markku Koskelo, Molten Rock NA, 7916 Victoria Dr. NW, ABQ, NM 87120
Lydia Ashanin, Molten Rock NA, 8001 Cliff Rd NW, ABQ, NM 87120
Amanda Armenta, Story Rock HOA, 6005 Sipapu Ave NW, ABQ, NM 87120
Levi Bowman, Story Rock HOA, 6003 Arroyo Point NW, ABQ, NM 87120
Linda Schilz, The Courtyards NA, 2836 Monument Dr. NW, ABQ, NM 87120
Jayne Aubele, The Courtyards NA, 2919 Monument Dr NW, ABQ, NM 87120
Steven J. Metro, Petroglyph Estates NA, 8860 Desert Finch NE, ABQ, NM 87122
Blake Thompson, Petroglyph Estates NA, 3009 Palo Alto DR. NE, ABQ, NM 87111
James Grage, La Cuentista Subdivision Unit 1 HOA, 6427 Camino de Paz NW, ABQ, NM 87120
Michael Martin, La Cuentista Subdivision Unit 1 HOA, 8119 Chicory Dr. NW, ABQ, NM 87120
Connie Gilman, Rinconada Point Assoc., 3212 Schumacher St. NW, ABQ, NM 87120
Sue Brauning, Rinconada Point Assoc., 931 Minge Rd NW, ABQ, NM 87120
Dennis Newton, Santa Fe Village NA, 6815 Lamar Ave. NW, ABQ, NM 87120
Evelyn Kelley, Santa Fe Village NA, 6909 Sweetbrier Ave NW, ABQ, NM 87120
Lawrence Fendall, Piedras Marcadas NA, 8600 Tia Christina Dr. NW, ABQ, NM 87114
Karen Daniel, Piedras Marcadas NA, 4815 Sherry Ann Rd NW, ABQ, NM 87114
Ralph Davis, Volcano Cliffs Property Owners Assoc., 5612 Popo NW, ABQ, NM 87120
Rene Horvath, Taylor Ranch NA, 5515 Palomino Dr. NW, ABQ, NM 87120

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Harry Hendriksen, Westside Coalition of NA's, 10592 Rio Del Sole Ct NW, ABQ, NM 87114-2701
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