### Staff Report

**Agent**  
Self

**Applicant**  
Frank J. and Clarissa J. Gonzales

**Request**  
Variance – EPC

**Legal Description**  
Tract 1 Block 11, Volcano Cliffs Subdivision, Unit 18

**Location**  
7828 Aguila St. NW 87120, between Petirrojo Rd. NW, and Aguila St. NW,

**Size**  
Approximately (≈) 0.38 acre

**Zoning**  
R1-D

### Summary of Analysis

The request for a Variance – EPC for a future dwelling located at 7828 Aguila St. NW (the subject site). The Variance – EPC request is for a proposed structure (single family dwelling) to be built in the Northwest Mesa Escarpment VPO (VPO-2). Pursuant to IDO subsection 14-16-3-6(E)(2). The purpose of this VPO is to protect views looking to and from the Petroglyph National Monument, Volcanic Escarpment, and Volcano Mesa.

The applicant is requesting the height variance for their home, which highest point measures 17.5 feet from natural grade (15 feet is the max structure height in VPO-2). Additional height may be requested through a Variance – EPC pursuant to IDO subsection 14-16-6-6(M). Staff finds that the applicant has satisfied the requirements for a Variance-EPC. As of this writing Staff has received correspondence in support of this request from neighboring property owners.

Staff recommends approval.

### Staff Recommendation

APPROVAL of VA-2020-00375, based on the Findings beginning on p. 20 and subject to the Condition of Approval beginning on p. 23.

Staff Planner  
Sergio Lozoya, Current Planner
Hearing Date:
January 21, 2021

Project Number:
PR-2018-001734

Case Numbers:
VA-2020-000375

Hearing Date:
January 21, 2021
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I. INTRODUCTION

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**Request**

The applicant, Frank J. and Clarissa J. Gonzales are requesting the height variance for their home, which highest point measures 17.5 feet from natural grade. Pursuant to IDO subsection 14-16-3-6(E)(3)(c), additional height may be requested through a Variance – EPC pursuant to IDO subsection 14-16-6-6(M). Pursuant to IDO subsection 14-16-3-6(E)(3)(c)1, no structure shall exceed 19 feet in height from the finished grade, inclusive of any variance granted. The additional requirements for EPC – Variance shall be discussed later in this report.

The requested Variance-EPC is for a home that is currently under building permit review (BP-2020-39365). The building permit is on hold pending the decision made by the Environmental Planning Commission (EPC).

The proposed dwelling is located at 7828 Aguila St. NW, which is in the Northwest Mesa Escarpment VPO (VPO-2). Pursuant to IDO subsection 14-16-3-6(E)(2), the purpose of this VPO is to protect views looking to and from the Petroglyph National Monument, Volcanic Escarpment, and Volcano Mesa. One way in which these views are protected is by limiting building height. Pursuant to IDO subsection 14-16-3-6(E)(3)(a), structure height shall not exceed 15 feet as measured from natural grade.

**EPC Role**

The Environmental Planning Commission (EPC) is hearing this case pursuant to the IDO subsection 14-16-6-6(M) Variance - EPC, which addresses applications for Variances from any development standards in the IDO, including Variances for the 15-foot structure height limit in the Height Restriction Sub-Area of the Northwest Mesa Escarpment – VPO-2. IDO Subsection 14-16-3-6(E)(3)(c) also indicates that any request for height variance will be decided by EPC.

Pursuant to IDO subsection 14-16-6-6(M)(2), staff will review the application and forward a
recommendation to the EPC pursuant to all applicable provisions of Section 14-16-6-4 (General Procedures). The EPC shall conduct a public hearing and decide on the application pursuant to all applicable provisions of Section 14-16-6-4 (General Procedures. This is a quasi-judicial matter.

**History/Background**

The subject site has a case history with the Development Review Board (DRB) and the Zoning Hearing Examiner (ZHE). Project number 2018-0017345 was first reviewed by the ZHE in 2018. The original request was for a variance to allow a larger lot size in the Northwest Mesa Escarpment area. The applicant intended to combine the subject site, Tract 1 Block 11, Volcano Cliffs Subdivision, Unit 18, with the neighboring parcel Tract 2 Block 11, Volcano Cliffs Subdivision, Unit 18. The ZHE recommended approval of the variance to allowable lot size, but the DRB was required to hear the case because it is the body charged with subdivision actions (removal of lot line). However, the DRB did not take final action. As of May 22, 2019, the case for combining the subject site with the neighboring property was indefinitely deferred as the applicant failed to show up to several hearings throughout 2019. The subject site is now under new ownership under Frank and Clarissa Gonzales. The subject site has not previously been before the EPC.

**Context**

The approximately 0.38-acre site is located on the southeast corner of Aguila St NW, and Petirrojo Rd NW. This area is highly residential. The subject site is surrounded in all directions by low density residential land zoned R1-D. The subject site is caddy cornered to the Petroglyph Estates Park. This area is zoned mostly as R1-D with low density development land uses, particularly, single family housing.

**Comprehensive Plan Designations**

The subject site is designated as an Area of Consistency. The subject site is not located in a major activity center. Though the site is not directly adjacent to a Comprehensive Plan Corridor, it is near Unser Blvd. which is designated as a Commuter Corridor. Pursuant to the Comprehensive Plan: “Commuter Corridors are higher-speed and higher-traffic volume with routes for people going across town e.g., limited-access roadways. These Corridors accommodate faster and longer trips for personal vehicles, commuter bus service, and often bicycling”.

The subject site is within a View Protection Overlay (VPO) via IDO subsection 3-6 (E) – Northwest Mesa Escarpment View Protection Overlay (VPO) 2. The intent of this VPO is to protect views looking to and from the Petroglyph National Monument, Volcanic Escarpment, and Volcano Mesa. The subject site is also protected by Character Protection Overlay 12 – Volcano Mesa. However, the height restrictions of VPO-2 supersede the CPO-12 regulations, as such, the focus of this analysis will be on the VPO-2 regulations.

**Roadway System**

The Long Range Roadway System (2040 LRRS) map, produced by the Mid-Region Metropolitan Planning Organization (MRMPO), includes existing roadways and future, proposed roadways.
The LRRS map classifies Unser Blvd as a Regional Principal Arterial. Petirrojo Rd NW, and Aguila Dr NW are both classified as local roads.

**Trails/Bikeways**
The Long-Range Bikeway System (LRBS) map, produced by the Mid-Region Metropolitan Planning Organization (MRMPO), identifies existing and proposed bicycle and trail facilities. There is a small portion of a proposed paved path on a small portion of Petirrojo Rd NW. The proposed trail will serve as a connector from an existing paved path to the bike lane on Unser Blvd.

**Transit**
The nearest routes to the subject site are ABQ Ride Route 162 – C.N.M West Campus – Coors @ Montano Plaza and ABQ Ride Route 94 – Unser Express. Both routes are in operation Monday through Friday and run along Unser Blvd. Both routes are suspended due to the COVID Pandemic.

**Public Facilities/Community Services**
Please refer to the Public Facilities Map (see attachment), which shows public facilities and community services within one mile of the subject site.

### II. ANALYSIS OF APPLICABLE ORDINANCES, PLANS, AND POLICIES

**Integrated Development Ordinance (IDO)**

**Definitions**

**Building Height**
The vertical distance above the grade at each façade of the building, considered separately, to the top of the coping or parapet on a flat roof, whichever is higher, to the deck line of a mansard roof, or to the average height between the plate and the ridge of a hip, gable, shed, or gambrel roof. The height of a stepped or sloped building is the maximum height above grade of any distinct segment of the building that constitutes at least 10 percent of the gross floor area of the building.

**Corner Lot**
A lot located at the intersection of and having frontage on 2 or more streets.

**Escarpment**
Land with 9 percent slope or more and considered sensitive land, where development is discouraged. The Northwest Mesa Escarpment is part of the Petroglyph National Monument, which is also designated as Major Public Open Space.

**Grade**
1. The average of the approved ground levels immediately adjacent to each façade of a building, considered separately; where an earth embankment is placed against the side of a building or a retaining wall supporting a terrace is placed close to a building, grade shall be measured
from the toe, or bottom, of the embankment or retaining wall; building floor level is irrelevant.

2. The elevation of the finished, approved ground level at all points along a wall or fence. Approved grade shall be no higher than the specified elevation on the grading plan approved by the City in conjunction with subdivision or site development plan approval; in the absence of such approved plans, original natural grade applies.

Area of Consistency

An area designated as an Area of Consistency in the Albuquerque/Bernalillo County Comprehensive Plan (ABC Comp Plan), as amended, where development must reinforce the character and intensity of existing development.

Zoning

The subject site is zoned R1-D (Residential – Single-Family Zone District), a zoning designation received upon adoption of IDO in May 2018. The subject site was formerly zoned SU-2 for Volcano Cliffs Large Lot.

The purpose of the R-1 zone district is to provide for neighborhoods of single-family homes on individual lots with a variety of lot sizes and dimensions. When applied in developed areas, an additional purpose is to require that redevelopment reinforce the established character of the existing neighborhood. Primary land uses include single-family detached homes on individual lots, with limited civic and institutional uses to serve the surrounding residential area.

Other allowable uses include: Dwelling, single-family detached, Dwelling, cluster development, Dwelling, cottage development, Dwelling, two-family detached (duplex), Community residential facility, small, Community center, Religious institution, and Community garden.

Albuquerque / Bernalillo County Comprehensive Plan (Rank 1)

The 2017 Albuquerque/Bernalillo County Comprehensive Plan contains overarching Guiding Principles, Goals, and Policies that embody a vision for development and service provision in the City and County.

The subject site is in an Area of Consistency, as designated by the Comprehensive Plan. Areas of Consistency will be protected by policies to limit densities, new usages, and negative impacts from nearby development. While these areas may see some infill development and new uses, new development or redevelopment will need to be compatible in scale and character with the surrounding area. Areas of Consistency include but are not limited to single-family residential zones and parcels with single-family residential uses, Parks, Open Space, and golf courses.

Applicable Goals and policies are listed below, followed by Staff analysis in **bold italic** text. Though IDO 14-16-6-6(M)(3)(c) does not expressly require a Comprehensive Plan Policy Analysis, Staff provides a brief analysis in support of.

**Chapter 4: Community Identity**
Goal 4.1 Character: Enhance, protect, and preserve distinct communities.

The subject site is located within an Area of Consistency, CPO-12 Volcano Mesa, and VPO-2 Northwest Mesa Escarpment. These protections all ensure that this home be built in a way that protects the surrounding properties and general neighborhood. The subject site maintains the general requirements in both CPO-12, and VPO-2. The proposed development is in line with the character and will enhance, protect, and preserve the surrounding community. The analysis of the view impact below indicates that the surrounding public views to and from the escarpment, to the Volcano’s, and to the Sandia Mountains will be maintained. The request is consistent with Goal 4.1-Character.

Policy 4.1.4 - Neighborhoods: Enhance, protect, and preserve neighborhoods and traditional communities as key to our long-term health and vitality.

The proposed project will contribute to this goal by fulfilling the intent of the planned development on the Westside. This proposed project will contribute to the neighborhood. The new home ensures development consistent with Areas of Consistency, which is intended for residential, largely single-family home, development. Since this area is largely undeveloped, it will gain strength and vitality as more homes are built out. The variance in height is done in such a way that maintains major public views, which are key to long-term health and vitality. The request is consistent with Policy 4.1.4 – Neighborhoods.

Chapter 5: Land Use

Policy 5.6.3 Areas of Consistency: Protect and enhance the character of existing single-family neighborhoods, areas outside of Centers of Corridors, parks, and Major Public Open Space.

The proposed housing project will be a welcome addition to the Volcano Mesa CPO. At this moment, this subdivision is largely undeveloped, and this addition will strengthen the neighborhood and will be consistent with the surrounding homes. Several neighbors are in support of this project and are welcoming of the new addition to their neighborhood. The key assets of this neighborhood including the protected views of the Volcanoes, to and from the escarpment, and to the Sandia Mountains will be maintained. The analysis of the view impact later in this report demonstrate that the requested addition in height will maintain these views and cause no more of an impact the allotted 15’ height. The request is consistent with Policy 5.6.3 Areas of Consistency.

Chapter 7: Urban Design

Policy 7.3.2 Community Character: Encourage design strategies that recognize and embrace the character differences that give communities their distinct identities and make them safe and attractive places.

A key asset of this neighborhood are the protected views of the Volcanoes, to and from the escarpment, and to the Sandia Mountains. The analysis of the view impact below indicates that the requested addition in height will maintain these views and cause no more of an impact the allotted 15’ height. The request is consistent with Policy 7.3.2 Community Character.
Variance-EPC Review & Decision Criteria

The EPC shall approve an application for a Variance from the 15-foot structure height limit in the Height Restriction Sub-area in Subsection 14-16-3-6(E)(3) (Northwest Mesa Escarpment – VPO-2) if it meets all of the following criteria:

6-6(M)(3)(c) 1. Hardship

The intent of the view regulations in Section 14-16-3-6(E) (Northwest Mesa Escarpment – VPO-2) must be met. The burden is on the applicant to demonstrate that strict adherence to VPO-2 building height regulations would render the lot undevelopable because of physical and/or engineering constraints (e.g. rock outcroppings, street grades, ADA compliance, utility design, etc.).

The applicant has demonstrated the above required hardship in their application. The applicant provided proof that the City of Albuquerque developed this area with drain paths leading to a storm drain near the intersection Aguila Rd and Petirrojo Dr. (directly in front of the subject site). This design generally lowered the height of Aguila Rd and Petirrojo Dr as compared to the rest of the Volcano Cliffs Subdivision. Considering the conditions, the height of the subject lot was built at the lowest elevation possible to accommodate the nearby storm drains. Any lowering of the lot would rend it unbuildable due to flooding caused by run off stormwater.

2. Visual Impact

The impact of the proposed development on views to and from the escarpment will be the same as, or less than, the impact if the 15-foot height limit were met.

The applicant has provided sufficient evidence that the proposed development will have a visual impact that will be the same as, or less than, the impact if the 15-foot height limit were met. A thorough analysis of visual impact studies including, site sections, site elevations, site plans, and view corridors are provided in section III of this report.

III. VARIANCE-EPC

Request

The requested height variance is for a home that is currently under building permit review (BP-2020-39365). The building permit is on hold pending the decision made by the EPC.

The proposed dwelling is located at 7828 Aguila St. NW 87120, which is in the Northwest Mesa Escarpment VPO (VPO-2). Pursuant to IDO subsection 14-16-3-6(E)(2), the purpose of this VPO
is to protect views looking to and from the Petroglyph National Monument, Volcanic Escarpment, and Volcano Mesa. One way in which these views are protected is by limiting building height. Pursuant to IDO subsection 14-16-3-6(E)(3)(a), structure height shall not exceed 15 feet as measured from natural grade.

The applicant is requesting the height variance for their home, which highest point measures 17.5 feet from natural grade. Pursuant to IDO subsection 3-6(E)(3)(c), additional height may be requested through a Variance – EPC pursuant to IDO subsection 6-6(M). The max additional height requested pursuant to IDO subsection 3-6(E)(3)(c)1, no structure shall exceed 19 feet in height from the finished grade, inclusive of any variance granted. The additional requirements for EPC – Variance are discussed, below.

**Procedure**

Pursuant to IDO section 6-6(M)(2)(e) Requests for a Variance to structure heights in Subsection 14-16-3-6(E) (Northwest Mesa Escarpment – VPO-2) shall at a minimum include all of the following:

1. Site plans, site elevations, and site sections showing the location of the major public views (i.e. views from the site perimeter or nearest public road to the east, west, south, and north property lines and views to the escarpment), 2. View plane exhibits that illustrate the expected impact of structure height on major public views given the relationship of slopes, building heights, setbacks, escarpment height, and view corridors. 3. Analysis and demonstration of at least 1 of the techniques required by Subsection 14-16-3-6(E)(3) (i.e. height/slope, view corridors, or height/slope/setback) to minimize the impact of additional structure height on views to and from the escarpment. 4. A Grading and Drainage Plan that has been approved by the City Engineer.

These documents were provided by the applicant, a thorough review, analysis, and discussion of the provided materials is done in the following paragraphs.

**Site Plans**

The applicant has provided two types of site plans, one showing the subject site and the footprint of the house on the site. It is used to show the position in which the elevation and section views are taken. The house is centered on the site, and there is little room for adjustment of the positioning of the footprint of the house.

The additional site plan labeled “Aerial View” on sheet for of the drawing set, shows where additional view can be taken from the nearby Petroglyph Monument Park. This park has pedestrian pathways and is a likely point of interest where residents of this area will be taking in views to the and from the escarpment edge, the Volcano, and the Sandia Mountains.
Site Elevations

North Elevation

The North Elevation drawing of the subject site demonstrates the visual impact of the views looking south towards the proposed home. One can see that the southern portion of the Sandia Mountains are still visible to the east, though this portion of the Sandia Mountains is significantly lower than the peak. This drawing shows that the visual impact is not greater were the building be at or under the 15-foot height limit. The Boca Negra Canyon is south of the subject site. The distance to the escarpment from the subject site is such that the view of the Boca Negra Canyon is already blocked by the escarpment edge. The structure does not add additional impediment to the view, nor does the additional structure height.
East Elevation

The East Elevation drawing of the proposed structure demonstrates the views looking westward to the eastern face. In this direction, one is looking westward towards the Volcanoes. From this view, the height difference does not create more of an impact to the view to the Volcano. Some Volcanoes are still visible north of the structure. The lower portion of the house is still higher than the volcano that is still visible, thus demonstrating that the additional height does not create additional impact.

South Elevation

The South Elevation drawing of the proposed structure demonstrates the views looking northward to the southern face of the building. There are no major public views in this direction.
West Elevation

The West Elevation drawing of the proposed structure demonstrates the views looking eastward to the western face of the building. It was recommended that the applicant take the western elevation from a viewpoint that is further away from the building as to accurately represent someone looking towards the mountains in this direction. The Northwestern Mesa VPO-2 view plane analysis standards are less developed than the Coors Blvd VPO-1 standards. The applicant and city staff worked together to come to an agreement as to what should be shown in the drawings. The structure does not pierce the ridge line of the Sandia’s from this viewpoint and leaves the view largely unobstructed.

Site Sections

The purpose of the site section drawings is to demonstrate the impact of the structure on views to and from the escarpment, from points of interest at the base of the escarpment, and points of interest near the escarpment edge. This is achieved as it demonstrates relationships between the heights of and distances between the proposed structure, escarpment edge, escarpment base, and nearby viewpoints. The site sections will be reviewed individually after this summary. Upon review, the drawings demonstrate that subject site is typically 900 feet or more away from the escarpment edge. This distance, in addition to the additional distance from the base of the escarpment to the point of interest is shown to mitigate any impact on the view to and from the escarpment, from points of interest nearby.
North Site Section

The North Site Section drawing is looking southward to the northern face of the proposed structure. The section displays the elevations of various points of the site, escarpment, and nearby viewpoints. The finished floor is at roughly 5322.25’ in elevation, the distance from the site to the escarpment edge varies but the drawing is shown at roughly 2,700’ from the escarpment edge. The midpoint from the subject site to the escarpment edge has an elevation of 5342’ (taken at the right of way, Urraca NW), the escarpment edge has an elevation of 5314’. The escarpment base has an elevation of 5220’ and the viewpoint is taken from homes at Painted Pony NW, looking up towards the escarpment edge. The site section clearly demonstrates that the proposed site does not obstruct the view looking up toward the escarpment as it is at such a great distance from the escarpment edge. The subject site dips lower than the average height of the top of the escarpment edge, further lending itself to unobstructed views. The Subject site is roughly 100’ higher than the escarpment base, and at this point is roughly 2,700’ from the escarpment edge, these two elements combined ensure unobstructed views to and from the escarpment. This also clearly demonstrates that the requested additional 2’-5” in height does not increase the impact on the views.

East Site Section

The East Site Section drawing is looking westward to the eastern face of the proposed structure. The section displays the elevations of various points of the site, escarpment, and nearby viewpoints. The finished floor is at roughly 5322.25’ in elevation, the distance from the site to the escarpment edge varies but the drawing is shown at roughly 650’ from the escarpment edge. The escarpment edge has an elevation of 5324’. The escarpment base has an elevation of 5225’ and the viewpoint is taken from walking paths at Open Space, looking up towards the escarpment edge. The site section clearly demonstrates that the proposed site does not obstruct the view looking up toward the escarpment as it is at such a great distance from the escarpment edge. The Subject site is roughly 100’ higher than the escarpment base, and at this point is over 1,225’ from the escarpment edge, the difference in height and distances to and from the escarpment ensure unobstructed views from below.

South Site Section

The South Site Section drawing is looking northward to the southern face of the proposed structure. The section displays the elevations of various points of the site, escarpment, and nearby viewpoints. The finished floor is at roughly 5322.25’ in elevation, the distance from the site to the escarpment edge varies but the drawing is shown at roughly 2,700’ from the escarpment edge. The midpoint from the subject site to the escarpment edge has an elevation of 5342’ (taken at the right of way, Urraca NW), the escarpment edge has an elevation of 5314’. The escarpment base has an elevation of 5220’ and the viewpoint is taken from Painted Pony NW, looking up towards the escarpment edge. The site section clearly demonstrates that the proposed site does not obstruct the view looking up toward the escarpment as it is at such a great distance from the escarpment edge. The subject site dips lower than the average height of the top of the escarpment edge, further lending itself to unobstructed views. The Subject site is roughly 100’ higher than
the escarpment base, and at this point is roughly 2,700’ from the escarpment edge, these two elements combined ensure unobstructed views.

*West Site Section*

The West Site Section drawing is looking eastward to the western face of the proposed structure. The section displays the elevations of various points of the site, escarpment, and nearby viewpoints. The finished floor is at roughly 5322.25’ in elevation, the distance from the site to the escarpment edge varies but the drawing is shown at roughly 900’ from the escarpment edge. The escarpment edge has an elevation of 5320’. The escarpment base has an elevation of 5220’ and the viewpoint is taken from homes on Moon Shadows N.W, looking up towards the escarpment edge. The site section clearly demonstrates that the proposed site does not obstruct the view looking up toward the escarpment as it is at such a great distance from the escarpment edge. The Subject site is roughly 100’ higher than the escarpment base, and at this point is over 900’ from the escarpment edge, the difference in height and distances to and from the escarpment ensure unobstructed views of the escarpment.

*View Corridors*

The applicant has provided a view corridor analysis, taking several viewpoints from around the subject site to major public views. There are three total view corridors taken into consideration, looking towards the Volcano’s, and the Sandia Mountains. The view corridors are looking southeast towards the subject site from Petroglyph Estates Park, looking west from Petirrojo Rd N.W. (nearest public street), and looking east from Compass N.W.
View to Southeast from Park

The view corridor from Petroglyph Estates Park looking southeast toward the subject site clearly demonstrates that the views to the escarpment edge, and to the Sandia Mountain range are still intact. It is likely that those living in this neighborhood would spend time at the park and visit the park to enjoy the many public views available to them. The additional requested height has no additional impact on the views, should it be granted.
View to West from Petirrojo Rd N.W.

This view is taken looking west from Petirrojo Rd N.W. It is from the nearest public right of way and is likely representative of residents driving or walking to and from the Petroglyph Estates Park. It demonstrates that the view of the Volcano’s are largely unobstructed, and the additional height requested makes no more of an impact on the views of the allowed 15’ height.

View to East from Compass N.W.

This view is taken looking east from Compass N.W., also demonstrates little to no impact on the view to the Sandia Mountains. This view would be taken in by those driving or walking to and from Petroglyph Estates Park. This park was taken into consideration as it is the nearest public open space to the subject site, and those who live in this neighborhood would likely visit this park to take in the many views available to them. As shown in the analysis below, the additional height requested makes no greater of an impact on the view than the allotted 15’-0” height in this area.
View Analysis Conclusion

As shown in the images above, the impact of the requested additional 2’-5” in height is no greater than the allotted 15’-0” in this area. The views to the escarpment are preserved, as well as views to the Sandia Mountains and to the Volcano’s. The views were taken from the nearest public open space Petroglyph Estates Park. This park has several trails, and open space for residents of this area to take in the many views available to them. The view corridors show that the proposed variance of additional 2’-5” to the structure (total height of 17’-5”) has no additional impact to the views available to residents of the area.

Considering the site elevations, site sections, and view corridor analysis the applicant has provided sufficient evidence that the impact of the additional height of 2’-5” for a total height of 17’-5” of the proposed structure leave views to and from the escarpment, to the Sandia
Mountains, and to the Volcano’s intact. Therefore, Staff concludes that the requirements for Variance-EPC have been adequately fulfilled.

IV. AGENCY & NEIGHBORHOOD CONCERNS

Reviewing Agencies
Long Range planning staff endorse the variance request as the applicant has justified the Variance-EPC pursuant toIDO section 14-16-6-6(M) with the exception that no view analysis was provided. A view analysis must be provided as quickly as possible. Long Range Planning Staff indicate that the request is below the 19-foot allowance, measured from finished grade, for EPC variances. Long Range also discusses the varied heights in the roof line and indicate that the impact on the view would be minimal, considering the existing road elevation, and the project will conform to surrounding heights and character. Barring an analysis that demonstrates a significant impact on views, Long Range sees no issues with the request.

At the time of review, a view analysis had not been provided by the applicant. The applicant has since provided said view analysis and it has been reviewed by Staff. Staff has found the view analysis to be sufficient.

No other agencies commented on this case.

Neighborhood/Public
Notification requirements are found in 14-16-6, in the Procedures Table 6-1-1 and are further explained in 14-16-6-4(K), Public Notice. The affected, registered neighborhood organization is the Westside Coalition of Neighborhood Associations. The applicant also notified property owners within 100-feet of the subject site’s boundaries as required.

The applicant has posted proper notice for the EPC hearing, at the time of this report, the sign notice has been posted.

One member of Westside Coalition of Neighborhood Associations expressed gratitude for being notified and was not in opposition of the variance request. Several other neighbors expressed support for the variance request, indicating that this “is of minimal impact to our homes and … they should be allowed to proceed in building their home and be given the variance”. Another neighbor wrote, “we feel the variance they are seeking will not affect our lot in a negative way. We hope this email will help in your decision to allow the owners to move forward in their build”. Lastly, another neighbor expressed that they “have no issue with the request”. Overall, the Westside Coalition of Neighborhood Associations and several neighbors have expressed their support for this project.

V. CONCLUSION
The request is for a height variance of an additional 2 feet and 5 inches for a total height of 17’ feet and 5 inches for a proposed home that is currently under building permit review (BP-2020-
The proposed dwelling is located at 7828 Aguila St. NW 87120, which is in the Northwest Mesa Escarpment VPO (VPO-2). Pursuant to IDO subsection 14-16-3-6(E)(2), the purpose of this VPO is to protect views looking to and from the Petroglyph National Monument, Volcanic Escarpment, and Volcano Mesa. One way in which these views are protected is by limiting building height. Pursuant to IDO subsection 14-16-3-6(E)(3)(a), structure height shall not exceed 15 feet as measured from natural grade.

The applicant is requesting the height variance for their home, which highest point measures 17 feet and five inches from natural grade. Pursuant to IDO subsection 14-16-3-6(E)(3)(c), additional height may be requested through a Variance – EPC pursuant to IDO subsection 14-16-6-6(M). Pursuant to IDO subsection 14-16-3-6(E)(3)(c), no structure shall exceed 19 feet in height from the finished grade, inclusive of any variance granted.

Considering the site elevations, site sections, and view corridor analysis the applicant has provided sufficient evidence that the impact of the additional height of 2’-5” for a total height of 17’-5” of the proposed structure leave views to and from the escarpment, to the Sandia Mountains, and to the Volcano’s intact. Therefore, Staff concludes that the requirements for Variance-EPC have been adequately fulfilled and recommends approval.
FINDINGS – VA-2020-00375, January 2021-Variance-EPC

1. This request is for a variance to the 15-foot height limit in the Northwest Mesa Escarpment VPO-2 for a property described as Tract 1 Block 11, Volcano Cliffs Subdivision, Unit 18 owned by Clarissa and Frank Gonzales, located at 7828 Aguila St N.W., at the corner of Petirrojo Rd NW and Aguila St NW, approximately 0.38 acre.

2. The subject site is zoned R1-D (Residential - Single-Family Zone District). The purpose of the R-1 zone district is to provide for neighborhoods of single-family homes on individual lots with a variety of lot sizes and dimensions. An additional purpose is to require that redevelopment reinforce the established character of the existing neighborhood.

3. The applicant is requesting a variance to the 15-foot structure height limit in the Height Restriction Sub-Area of the Northwest Mesa Escarpment – VPO-2. The request is for an additional 2-feet and 5 inches for a total of 17 feet. The maximum height allowed through the Variance-EPC process in the Northwest Mesa Escarpment – VPO-2 is 19 feet.

4. The EPC has the authority to review the Variance – EPC for conformance to applicable IDO height development standards, including variances for the 15-foot structure height limit in the Height Restriction Sub-Area of the Northwest Mesa Escarpment – VPO-2. IDO Subsection 14-16-3-6(E)(3)(c) also indicates that any request for height variance will be decided by EPC, which will make its decision pursuant to 14-16-3-6(E)(3) 1 and 14-16-3-6(E)(3) 2.

5. The applicant is required to provide all the necessary materials, including architectural drawings, described in 14-16-6-6(M)(2)(e) for review.

6. The subject site is in an Area of Consistency and is not located on a corridor or center as designated by the Comprehensive plan.

7. The Albuquerque/Bernalillo County Comprehensive Plan and the Integrated Development Ordinance (IDO) are incorporated herein by reference and made part of the record for all purposes.

8. The request meets the Variance – EPC Review & Decision Criteria in IDO section 14-16-6-6(M)(3)(c) 1 & 2 as follows:

   A. 6-6(M)(3)(c) 1. Hardship: As demonstrated by the review of the grading and drainage plan for the subject site and surrounding area, the applicant has demonstrated that the elevation of the roadway adjacent to the site was built at a lower elevation than the surrounding subdivision. Considering the conditions, the height of the subject lot was built at a low elevation to accommodate the nearby storm drains.
B. 6-6(M)(3)(c) 2 Visual Impact: The applicant has provided sufficient evidence that the proposed structure will have a visual impact that will be the same as, or less than the impact if the 15-foot height limit were met.

9. The request meets the Variance – EPC Procedure requirements pursuant to 14-16-6-6(M)(2)(e) 1 through 14-16-6-6(M)(2)(e) 4 as follows:

A. 14-16-6-6(M)(2)(e) 1: Site plans, site elevations and site sections showing the location of the major public views.
   The applicant has provided all required architectural drawings pursuant to 14-16-6-6(M)(2)(e) 1.

B. 14-16-6-6(M)(2)(e) 2: View plan exhibits that illustrate the expected impact of structure height on major public views given the relationship of slopes, building heights, setbacks, escarpment height, and view corridors.
   The applicant has provided such exhibits pursuant to IDO subsection 6-6(M)(2(e) 1, the view plan is shown on the site elevations and demonstrates the relationships of slopes, building heights, setbacks, escarpment height, and view corridors.

C. Analysis and demonstration of at least 1 of the techniques required by Subsection 14-16-3-6(E)(3) (i.e. height/slope, view corridors, or height/slope/setback) to minimize the impact of additional structure height on views to and from the escarpment.
   The applicant has demonstrated that a naturally occurring height and slope technique is occurring on site as the subject site is lower than the surrounding properties and the streets Petirrojo Dr and Aguila St slopes downward toward the site. This combined with a lower elevation of the sight create a Height/Slope scenario. Also, the drawings provided demonstrate that several view corridors remain intact and that the structure will have minimal impact on existing major public views.

D. A Grading and Drainage Plan that has been approved by the City Engineer.
   The applicant has provided a Grading and Drainage Plan that has been approved by the City Engineer.

10. The request is consistent with the following Comprehensive Plan policy from Chapter 4: Community Identity

   A. **Goal 4.1 Character:** Enhance, protect, and preserve distinct communities.
      The subject site maintains the general requirements in both CPO-12, and VPO-2 which are regulatory standards in place to protect communities. The proposed development is consistent with the character of the area and will enhance, protect, and preserve the surrounding community by maintain the public views to and from the escarpment, to the Volcano’s, and to the Sandia Mountains. The request is consistent with Policy 4.1 Character.
B. Policy 4.1.4 - Neighborhoods: Enhance, protect, and preserve neighborhoods and traditional communities as key to our long-term health and vitality.
   The proposed project will contribute to this goal by fulfilling the intent of the planned development on the Westside. This proposed project will contribute to the neighborhood. The new home ensures development consistent with Areas of Consistency. The public views will be maintained, and the neighborhood will be strengthened with the addition of this proposed home. The request is consistent with policy 4.1.4 Neighborhoods.

11. The request is consistent with the following Comprehensive Plan policy from chapter 5: Land Use:

A. Policy 5.6.3 Areas of Consistency: Protect and enhance the character of existing single-family neighborhoods, areas outside of Centers of Corridors, parks, and Major Public Open Space.
   The proposed single-family home will be a welcome addition to the Volcano Mesa CPO. It maintains the intent of this area by adding a single-family home to the neighborhood. The addition of a new home will strengthen the integrity of the community by developing pursuant to an Area of Consistency. As demonstrated in the View Analysis, the major public views will be maintained, and the character of this neighborhood will be enhanced. The request is consistent with Policy 5.6.3 Areas of Consistency.

12. The request is consistent with the following Comprehensive Plan policy from Chapter 7: Urban Design:

A. Policy 7.3.2 Community Character: Encourage design strategies that recognize and embrace the character differences that give communities their distinct identities and make them safe and attractive places.

   A key asset of this neighborhood are the protected views of the Volcanoes, to and from the escarpment, and to the Sandia Mountains. The analysis of the view impact below indicates that the requested addition in height will maintain these views and cause no more of an impact the allotted 15’ height. The request is consistent with Policy 7.3.2 Community Character.

13. The Long-Range Planning team has expressed support for approval of the Variance-EPC, pending view analysis. As demonstrated in the view analysis portion of this report, the applicant has provided sufficient evidence that the proposed structure will not have a greater impact on views than if it were built at the 15-foot height limit.

14. Commenting agencies declared that they had “no adverse comment”, or “no comment”.

15. The affected, registered neighborhood organization is the Westside Coalition of Neighborhood Associations. The applicant notified the neighborhood association and property owners within 100-feet. Both the neighborhood association and the property owners expressed support for this request.
16. Three different property owners within the Volcano Cliffs subdivision expressed support for this request. There were no requests for a neighborhood meeting concerning this project.

APPROVAL of project #2018-001734, Case # VA-2020-00375, a variance request to the 15-foot height limit in the Northwest Mesa Escarpment VPO-2 for a property zoned R1-D described as Tract 1 Block 11, Volcano Cliffs Subdivision, Unit 18 owned by Clarissa and Frank Gonzales, located at 7828 Aguila St N.W., at the corner of Petirrojo Rd NW and Aguila St NW, approximately 0.38 acre.

CONDITIONS OF APPROVAL - VA-2020-00375, January 21, 2021

1. Building Permit that is currently under review and future construction shall adhere to all requirements in IDO subsection 14-16-3-6(E) Northwest Mesa Escarpment – VPO-2 and requirements in IDO subsection 14-16-3-4(M) Volcano Mesa – CPO -12.

Sergio Lozoya
Current Planner

Notice of Decision CC list:
Frank & Clarissa Gonzales, fgonzal2@outlook.com
Westside Coalition of Neighborhood Associations, Rene Horvath, aboard111@gmail.com
Westside Coalition of Neighborhood Associations, Elizabeth Haley, ekhaley@comcast.net
EPC file City Legal, aquarela@cabq.gov
CITY OF ALBUQUERQUE AGENCY COMMENTS

PLANNING DEPARTMENT

Zoning / Code Enforcement

Long Range Planning

The site is approximately .38 acres and is located within both the Volcano Mesa CPO-13 and the Northwest Mesa Escarpment – VPO-2 Height Restrictions Sub-area. The request would allow for a 2-foot, 5-inch variance to the View Protection Overlay building height limit for a portion of a single-family home. This request is required due to the elevation of the existing road and the need to grade the site to drain to the road. The proposed site meets all CPO setback, building height, and other development standards (façade design, building design, garage access) requirements.

Although the proposed building does exceed the 15-foot limit, measured from natural grade, the request is below the 19-foot allowance, measured from finished grad, for EPC variances. The applicant has justified the request according to 14-16-6-6(N)(3)(a) and 14-16-6-6(N)(3)(c) with the exception that no view analysis was provided. A view analysis must be provided as quickly as possible.

The varied heights in the roof line indicate that the impact on the view would be minimal, especially in light of the existing road elevation, and it seems the project will conform to surrounding heights and character. Barring an analysis that demonstrates a significant impact on views, Long Range sees no issues with the request.

Metropolitan Redevelopment

CITY ENGINEER

Hydrology

Transportation Development Services

MUNICIPAL DEVELOPMENT DEPARTMENT (DMD) TRANSPORTATION

No comments.

POLICE DEPARTMENT/PLANNING
SOLID WASTE MANAGEMENT DEPARTMENT
TRANSIT DEPARTMENT
ABC WATER UTILITY AUTHORITY (ABCWUA)
ALBUQUERQUE PUBLIC SCHOOLS
ALBUQUERQUE METROPOLITAN ARROYO FLOOD CONTROL (AMAFCA)
No adverse comments.

**COUNTY OF BERNALILLO**

**MID-REGION COUNCIL OF GOVERNMENTS (MRCOG)**

No adverse comments.

**MID-REGION METROPOLITAN PLANNING ORGANIZATION**

No adverse comments.

**PUBLIC SERVICE COMPANY OF NEW MEXICO**

**NEW MEXICO DEPARTMENT OF TRANSPORTATION (NMDOT)**

NMDOT has no comments at this time.

**MIDDLE RIO GRANDE CONSERVANCY DISTRICT**

**PNM GAS COMPANY**

The applicant should contact PNM’s New Service Delivery Department as soon as possible to coordinate electric service regarding any proposed project. Submit a service application at www.pnm.com/erequest for PNM to review.

**PETROGLYPH NATIONAL MONUMENT**

**AVIATION DEPARTMENT**

**KIRTLAND AIR FORCE BASE**
Figure 1: Looking south from Petirrojo Rd NW towards subject site.

Figure 2: Looking east from Aguila St NW toward subject site.
Figure 3: Looking west from subject site toward Aguila St NW, notice the down slope of Aguila St NW.

Figure 4: Looking north from subject site toward Petirrojo Rd, notice the down slope toward subject site and two-story home.
ZONING

Please refer to IDO Section 14-16-2-3(B) for the R1-D Zone District
HISTORY
On the 16th day of April, 2019, property owner James Tafoya ("Applicant") appeared before the Zoning Hearing Examiner ("ZHE") requesting a variance of .3477 acres to allow a lot larger than the allowable contextual standards ("Application") upon the real property located at 6604 Petirrojo Rd NW ("Subject Property"). Below are the ZHE’s findings of fact and decision:

**FINDINGS:**

1. Applicant is requesting a variance of .3477 acres to allow a lot larger than the allowable contextual standards.
2. The City of Albuquerque Integrated Development Ordinance, Section 14-16-6-6(N)(3)(a) (Variance-Review and Decision Criteria) reads: “… an application for a Variance-ZHE shall be approved if it meets all of the following criteria:

   (1) There are special circumstances applicable to the subject property that are not self-imposed and that do not apply generally to other property in the same zone and vicinity such as size, shape, topography, location, surroundings, or physical characteristics created by natural forces or government action for which no compensation was paid. Such special circumstances of the property either create an extraordinary hardship in the form of a substantial and unjustified limitation on the reasonable use or return on the property, or practical difficulties result from strict compliance with the minimum standards.

   (2) The Variance will not be materially contrary to the public safety, health, or welfare.

   (3) The Variance does not cause significant material adverse impacts on surrounding properties or infrastructure improvements in the vicinity.

   (4) The Variance will not materially undermine the intent and purpose of the IDO or the applicable zone district.

   (5) The Variance approved is the minimum necessary to avoid extraordinary hardship or practical difficulties.”

3. The Applicant bears the burden of ensuring there is evidence in the record supporting a finding that the above criteria are met under Section 14-16-6-4(N)(1).
4. Jim Strozier of Consensus Planning, agent for James Tafoya, property owner appeared and gave evidence in support of the application.
5. The subject address is 6604 Petroglyph Rd NW.
6. The subject property is currently zoned R-1D.
7. The subject site consists of lots 1 and 2, Block 11, Volcano Cliffs Subdivision Unit 18.
8. The subject property is located at the corner of Petirrojo Road NW and Aguila Street NW.
9. The subject property is in an Area of Consistency as designated by the ABC Comp. Plan.
10. Contextual Standards for Residential Development from the IDO apply.
11. The Applicant is requesting a Variance of 0.3477 acres to the maximum lot size allowed by the contextual standards of 0.4017 acres to combine the 2 lots.
12. The single lot would be 0.7494 acres in size.
13. Applicant will construct a custom single family residence on the combined lots.
14. There are several other lots and homes in the area that have built on similar combined lots ranging from 0.6197 to 1.115 acres in size.
15. All property owners within 100 feet of the subject property and the affected neighborhood association were notified.
16. Taylor Ranch Neighborhood Association is the affected neighborhood association.
17. An e-mail from Ruth Horvath, TRNA, dated February 23, 2019, indicating the TRNA has “no objection to the request was submitted in support of the Application.
18. No one appeared in opposition to the request.
19. There are special circumstances applicable to the Subject Property that are not self-imposed and that do not apply generally to other property in the same zone and vicinity such as size, shape, topography, location, surroundings, or physical characteristics created by natural forces or government action for which no compensation was paid, as required by Section 14-16-6-6(N)(3)(a)(1).
20. The variance will not be contrary to the public safety, health and welfare of the community as required by Section 14-16-6-6(N)(3)(a)(2).
21. The variance will not cause significant adverse material impacts on surrounding properties or infrastructure improvements in the vicinity as required by Section 14-16-6-6(N)(3)(a)(3).
22. The variance will not materially undermine the intent and purpose of the IDO or applicable zone district as required by Section 14-16-6-6(N)(3)(a)(4).
23. The variance approved is the minimum necessary to avoid extraordinary hardship or practical difficulties as required by Section 14-16-6-6(N)(3)(a)(5).
24. The proper “Notice of Hearing” signage was posted for the required time period as required by Section 14-16-6-4(K)(3).
25. The Applicant has authority to pursue this Application.

DECISION:

APPROVAL of a variance of .3477 acres to allow a lot larger than the allowable contextual standards.

APPEAL:

If you wish to appeal this decision, you must do so by May 16, 2019 pursuant to Section 14-16-6-4(U), of the Integrated Development Ordinance, you must demonstrate that you have legal standing to file an appeal as defined.
Successful applicants are reminded that other regulations of the City must be complied with, even after approval of a special exception is secured. This decision does not constitute approval of plans for a building permit. If your application is approved, bring this decision with you when you apply for any related building permit or occupation tax number. Approval of a conditional use or a variance application is void after one year from date of approval if the rights and privileges are granted, thereby have not been executed or utilized.

Stan Harada, Esq.
Zoning Hearing Examiner

cc: Zoning Enforcement
    ZHE File
    James Tafoya, 2216 Rosendo Garcia RD SW, 87105
    Consensus Planning, 302 8th ST NW, 87102
DEVELOPMENT REVIEW BOARD
Agenda
Plaza del Sol Building Basement Hearing Room

May 22, 2019

Kym Dicome .................................................. DRB Chair
Racquel Michel .......................... Transportation
Kris Cadena .............................................. Water Authority
Doug Hughes .......................................... City Engineer/Hydrology
Ben McIntosh ....................................... Code Enforcement

Angela Gomez ~ Administrative Assistant

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NOTE: INDIVIDUALS WITH DISABILITIES WHO NEED SPECIAL ASSISTANCE TO PARTICIPATE AT THIS MEETING SHOULD CONTACT ANGELA GOMEZ, PLANNING DEPARTMENT, AT 924-3946. HEARING IMPAIRED USERS MAY CONTACT HER VIA THE NEW MEXICO RELAY NETWORK BY CALLING TOLL-FREE:1-800-659-8331.

NOTE: DEFFERRAL OF CASES WILL BE ANNOUCED AT THE BEGINNING OF THE AGENDA.

NOTE: IF THE APPLICANT/AGENT IS NOT PRESENT WHEN THEIR REQUEST IS CALLED, THEN THE REQUEST MAY BE INDEFINITELY DEFERRED ON A NO SHOW. PER THE DRB RULES OF PROCEDURE, AN INDEFINITE DEFERRAL REQUIRES A RE-APPLICATION AND REPAYMENT OF ALL APPLICATION FEES.

A. Call to Order: 9:00 A.M.
B. Changes and/or Additions to the Agenda

MAJOR CASES

1. Project# PR-2019-002358 (1006844)
SD-2019-00079 – EXTENSION OF INFRASTRUCTURE IMPROVEMENTS AGREEMENT (IIA) 📆

MARK GOODWIN AND ASSOCIATES agent(s) for DRAGONFLY DEVELOPMENT INC. request(s) the aforementioned action(s) for all or a portion of Tract A-1-B of PLAT for TRACTS A-1-A & A-1-B, LUTHERAN CHURCH IN AMERICA, zoned R-1C, located at 6901 WYOMING BLVD NE, south of HARPER RD NE, containing approximately 1.9565 acre(s). (E-19)

PROPERTY OWNERS: HOLY CROSS LUTHERAN CHURCH
REQUEST: EXTEND THE IIA FOR ONE YEAR TO ALLOW THE CLOSEOUT OF THE PROJECT

IN THE MATTER OF THE AFOREMENTIONED APPLICATION, BEING IN COMPLIANCE WITH ALL APPLICABLE REQUIREMENTS OF THE DPM AND THE IDO, THE DRB HAS APPROVED A YEAR EXTENSION TO THE INFRASTRUCTURE IMPROVEMENTS AGREEMENT.
2. **Project# PR-2019-002398**  
(1003613)  

**DON BRIGGS PE** agent(s) for **SUNSET VILLAGE LLC**

request(s) the aforementioned action(s) for all or a portion of LOTS 1-70, SUNSET VILLA SUBDIVISION, zoned PD & R1-B, located on SUNSET GARDENS RD SW between ATRISCO DRIVE SW and SUNSET GARDENS RD SW, containing approximately 4.5 acre(s). (K-12)

**PROPERTY OWNERS:** VARIOUS LOT OWNERS/SUNSET VILLAGE LLC  
**REQUEST:** EXTEND THE TEMPORARY DEFERRAL OF S/W FOR ONE YEAR

**IN THE MATTER OF THE AFOREMENTIONED APPLICATION,**  
**BEING IN COMPLIANCE WITH ALL APPLICABLE REQUIREMENTS OF THE DPM AND THE IDO,** THE DRB HAS **APPROVED** THE ONE-YEAR TEMPORARY DEFERRAL OF CONSTRUCTION OF SIDEWALKS ON THE INTERIOR STREETS AS SHOWN ON EXHIBIT IN THE PLANNING FILE.

3. **Project# PR-2019-002046**  
(1010582, 1001515)  
**SI-2019-00032 - SITE PLAN – DRB**  

**WILSON & COMPANY,** agent(s) for **COA SOLID WASTE MANAGEMENT DEPT.,** request(s) the aforementioned action(s) for all or a portion of a northerly portion of TRACT 107B1A1 excluding portions of Right of Way and excluding a northerly portion, TRACT 107B1A2 excluding portion of Right of Way, TRACT in the SW Corner – TRACT 107B1B, TRACT 108A3A1A, TRACT 108A3A1B, and TRACT 108A3B, TRACTS 108A1A1B1B & 108A1A2B2, TRACT 108A1A2B1A, TRACT 107B2A2 excluding Rights of Way, TRACT 107B2A1, excluding portion of Right of Way, MRGCD Map#33, zoned NR-LM, located at 4600 EDITH BLVD NE (SE corner of COMANCHE RD NE AND EDITH BLVD NE), containing approximately 22.0 acre(s). (G-15) [Deferred from 2/27/19, 3/27/19, 5/1/19]

**PROPERTY OWNERS:** CITY OF ALBUQUERQUE  
**REQUEST:** SITE PLAN FOR NEW ADMIN BUILDING, VEHICLE MAINTENANCE BUILDING, BIN REPAIR/WELD SHOP BUILDING AND STORAGE AREA, GUARD SHACK, RECYCLING DROP OFF AREA, PARKING AREAS AND CNG FUELING STATION

**DEFERRED TO JUNE 19TH, 2019.**
4. Project# PR-2018-001759
SD-2018-00129 – PRELIMINARY PLAT
VA-2018-00234 – DESIGN VARIANCE
VA-2019-00025 – SIDEWALK WAIVER
VA-2019-00026 – VARIANCE - TEMP DEFERRAL OF S/W CONSTRUCTION
VA-2019-00027 - DESIGN VARIANCE

BOHANNAN HUSTON INC. agent(s) for WESTERN ALBUQUERQUE LAND HOLDINGS C/O GARRETT REAL ESTATE DEV. request(s) the aforementioned action(s) for all or a portion of TRACT P WATERSHED SUBDIVISION, zoned PC, located on ARROYO VISTA BLVD NW near 118 th/HIGH MESA, containing approximately 88.68 acre(s). (H-07, J-08, J-07) [Deferred from 1/23/19, 2/13/19, 4/3/19, 4/10/19, 4/24/19, 5/8/19]

PROPERTY OWNERS: WESTERN ALBQ LAND HOLDINGS c/o GARRETT DEV CORP
REQUEST: SUBDIVIDE INTO 327 RESIDENTIAL LOTS + 46 TRACTS AND DESIGN VARIANCES TO DPM AND WAIVER/ DEFERRAL OF S/W

DEFERRED TO JUNE 5 th.

5. Project# PR-2018-001525
(1000469)
SI-2019-00086 - SITE PLAN

TIERRA WEST LLC agent(s) for MAVERICK INC. request(s) the aforementioned action(s) for all or a portion of TRACT L-1-A-1 PLAT of TRACTS L-1-A-1 & L-1-B-1-A ATRISCO BUSINESS PARK & LOT 21-A MERIDAN BUSINESS PARK, zoned NR-BP, located at 551 SILVER CREEK RD NW, SEC of UNSER BLVD NW and LOS VOLCANES RD NW, containing approximately 3.077 acre(s). (K-10) [Deferred from 4/17/19, 5/8/19]

PROPERTY OWNERS: GRAYLAND CORP & J2C LLC & CLIFFORD JACK & LEE RVT & ETAL
REQUEST: SITE PLAN FOR CONVENIENCE STORE AND FUELING STATION


MINOR CASES
6. Project# PR-2019-002285  
(1008124 + 1009526)  
SD-2019-00098 – PRELIMINARY/FINAL PLAT  
SD-2019-00091 – VACATION OF PUBLIC EASEMENT (PUE)  
SD-2019-00092 – VACATION OF PUBLIC EASEMENT (OVERHEAD UTILITY)  
SD-2019-00093 – VACATION OF PUBLIC EASEMENT (GAS)  
SD-2019-00094 – VACATION OF PUBLIC EASEMENT (TELEPHONE + TELEGRAPH)  

CSI – CARTESIAN SURVEYS, INC. agent(s) for VISTA ORIENTE LTD. CO. request(s) the aforementioned action(s) for all or a portion of LOT 2 PLAT OF LOTS 1 & 2 AMERICAN SQUARE, zoned MX-M, located at 3535 MENAUL BLVD NE, Albuquerque, NM, containing approximately 10.5095 acre(s). (H-16)  

PROPERTY OWNERS: VISTA ORIENTE LTD. CO. ATTN: JOHN SEDBERRY  
REQUEST: VACATE EASEMENTS & SUBDIVIDE ONE EXISTING LOT INTO 2 LOTS AND GRANT EASEMENTS  

IN THE MATTER OF THE AFOREMENTIONED APPLICATION, BEING IN COMPLIANCE WITH ALL APPLICABLE REQUIREMENTS OF THE DPM AND THE IDO, THE DRB HAS APPROVED THE PRELIMINARY/FINAL PLAT, AND THE VACATIONS AS SHOWN ON EXHIBIT IN THE PLANNING FILE PER SECTION 14-16-6(K) OF THE IDO. FINAL SIGN OFF IS DELEGATED TO: CODE ENFORCEMENT FOR PARKING CALCULATIONS AND TO PLANNING FOR 15 DAY APPEAL PERIOD.

7. Project# PR-2018-001734  
SD-2018-00099 - PRELIMINARY/FINAL PLAT  

ALPHA PRO SURVEYING LLC agent(s) for JAMES TAFOYA request(s) the aforementioned action(s) for all or a portion of LOTS 1 + 2, BLOCK 11, VOLCANO CLIFFS SUBDIVISION UNIT 18, zoned R-1D, located at 6604 + 6600 PETIRROJO RD NW, containing approximately 0.7494 acre(s). (D-10) [Deferred from 11/7/18, 11/14/18, 1/30/19 for a no show, 2/6/19]  

PROPERTY OWNERS: HIGHLANDS JOINT VENTUREC/O TAFOYA JAMES C  
REQUEST: CONSOLIDATION OF 2 LOTS INTO 1 LOT  

INDEFINITELY DEFERRED.  

SKETCH PLAT  

8. Project# PR-2019-002042  
PS-2019-00040 – SKETCH PLAT  

MARK GOODWIN & ASSOCIATES, PA agent(s) for SOLARE COLLEGIATE FOUNDATION request(s) the aforementioned action(s) for all or a portion of TRACT 12-B-1 BULK LAND PLAT FOR EL RANCHO GRANDE 1, zoned PD, located on GIBSON BLVD SW east of 98th STREET SW, containing approximately 10.9992 acre(s). (M-9)  

PROPERTY OWNERS: SOUTHBAY INVESTMENTS LLC  
REQUEST: SUBDIVIDE 1 LOT INTO 2  

THE SKETCH PLAT WAS REVIEWED AND COMMENTS WERE PROVIDED.
9. Other Matters: None

10. ACTION SHEET MINUTES: May 15, 2019
    were approved

    ADJOURNED at: 9:23
APPLICANT INFORMATION
Please check the appropriate box and refer to supplemental forms for submittal requirements. All fees must be paid at the time of application.

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Decisions Requiring a Public Meeting or Hearing

- Conditional Use Approval (Form ZHE) |
- Vacation of Easement or Right-of-way (Form V) |
- Amendment to Zoning Map – Council (Form Z) |
- Demolition Outside of HPO (Form L) |
- Variance – DRB (Form V) |

Appeals

- Decision by EPC, LC, DRB, ZHE, or City Staff (Form A) |

APPLICATION INFORMATION

Applicant: Frank J. & Clarissa J. Gonzales
Address: 7828 Aguilas St NW (Changed from 6604 Petirrojo Rd NW)
City: Albuquerque State: NM Zip: 87120

Professional/Agent (if any):
Address:
City:
State:
Zip:

Proprietary Interest in Site: List all owners:

BRIEF DESCRIPTION OF REQUEST

Height variance request 14-16-6(M)(1)(c)

SITE INFORMATION (Accuracy of the existing legal description is crucial! Attach a separate sheet if necessary.)

Lot or Tract No.: 1
Block: 11
Unit: 18
Subdivision/Addition: Volcano Cliffs Subdivision
MRGCD Map No.: UPC Code: 101006326020041233
Zone Atlas Page(s): Existing Zoning: R-1D
# of Existing Lots: 1 Proposed Zoning:
# of Proposed Lots: 1 Total Area of Site (acres): 0.38

LOCATION OF PROPERTY BY STREETS

Site Address/Street: 7828 Aguilas St NW Between: Petirrojo and: Aguilas

CASE HISTORY (List any current or prior project and case number(s) that may be relevant to your request.)

BP-2020-39365 Residential - Single Family - New Building on hold due to EPC. BP-2020-44348 Residential - Single Family - Foundation approved 10/22

Signature: Date: 22 October 2020
Printed Name: Frank J. Gonzales

APPLICANT or AGENT

FOR OFFICIAL USE ONLY

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<tr>
<th>Case Numbers</th>
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Meeting/Hearing Date: Fee Total: $0.00
Staff Signature: Date: Project #:
IDO Zone Atlas May 2018

IDO Zoning information as of May 17, 2018

The Zone Districts and Overlay Zones are established by the Integrated Development Ordinance (IDO).
October 20, 2020

David Soule, P.E.
Rio Grande Engineering
PO Box 93924
Albuquerque, New Mexico  87199

RE: Lot 1 Block 11 Volcano Cliffs Unit 18 SAD 228
   6404 Petirrojo NW
   Grading and Drainage Plan
   Engineers Stamp Date 6/16/2020 (D10D003H1)
   Pad Certification Date 10/16/2020

Dear Mr. Soule,

Based upon the information provided in your submittal received 10/20/2020, this plan is approved for Building Permit.

Please inform the builder/owner to attach a copy of this approved plan and this letter to the construction sets in the permitting process prior to sign-off by Hydrology.

Reiterate to the Owner/Contractor that a separate permit for a garden/retaining wall must be obtained, with the approved G&D plan dated and Pad Certification.

Prior to Certificate of Occupancy release, Engineer Certification per the DPM checklist of this plan will be required.

If you have any questions, please contact me at 924-3986 or Rudy Rael at 924-3977.

Sincerely,

Ernest Armijo, P.E.
Principal Engineer, Planning Dept.
Development Review Services
October 9, 2020

To whom it may concern:

RE: Grading plan
   7828 Aguila

The purpose of this letter is to introduce and explain the grading plan for the reference lot. The development of this land was done at the direction of the city of Albuquerque with the Special Assessment District 228. The master drainage plan shows general flow paths for all the lots. This lot is required to drain to Aguila street as shown on the attached map. The surrounding roads were raised causing this lot to not be able to drain. The pad elevation was raised the absolute minimum to allow the site to drain per the city of Albuquerque drainage ordinance and the sad 228 master drainage plan. Any lowering of the pad will make the lot unbuildable. The limiting design issue was caused by the construction of the public road higher than the lot.

Should you have any questions regarding this submittal, feel free to contact me.

Sincerely,

David Soule, PE
Rio Grande Engineering
505.321.9099
PRE-APPLICATION REVIEW TEAM (PRT) MEETING NOTES

PA# ___20-201___________ Date: 11/2/20 Time: N/A (sent via email to cmaes20@gmail.com)

Address: 7828 Aguila NW

AGENCY REPRESENTATIVES

Planning: Linda Rumpf (lrumpf@cabq.gov)
Zoning/Code Enforcement: Marcelo Ibarra (marceloibarra@cabq.gov)
Fire Marshal: Bob Nevárez (rnevarez@cabq.gov) or call 505-924-3611 (if needed)
Transportation: Nilo Salgado (nsalgado-fernandez@cabq.gov)
Hydrology: Ernest Armijo, P.E., (earmijo@cabq.gov)

PRT DISCUSSIONS ARE FOR INFORMATIONAL PURPOSES ONLY!
THEY ARE NON-BINDING AND DO NOT CONSTITUTE ANY KIND OF APPROVAL.

Additional research may be necessary to determine the exact type of application and/or process needed.
Factors unknown at this time and/or thought of as minor could become significant as the case progresses.

REQUEST: New home construction with height variance.

SITE INFORMATION:

Zone: R-1D Size: 0.36 acres
Use: Vacant Overlay zone: (CPO) - Character Protection Overlay Zone (3-4)-Volcano Mesa – CPO-13; (VPO) - View Protection Overlay Zone (3-6)- Northwest Mesa Escarpment VPO-2 Height Restrictions Sub-area; (VPO) - View Protection Overlay Zone (3-6)- Northwest Mesa Escarpment – VPO-2
Comp Plan Area of: Consistency Comp Plan Corridor: x
Comp Plan Center: x MPOS or Sensitive Lands: x
Parking: 5-5 MR Area: x
Landscaping: 5-6 Street Trees: 5-6(D)(1)

Use Specific Standards: Allowable Uses, Table 4-2-1
Dimensional Standards: Table 5-1-1: Residential Zone District Dimensional Standards

*Neighborhood Organization/s: Westside Coalition of NAs

*This is preliminary information only. Neighborhood Organization information is only accurate when obtained from the Office of Neighborhood Coordination (ONC) at www.cabq.gov/neighborhoods.resources

PROCESS:

Type of Action: Variance EPC 6-6(M)
Review and Approval Body: EPC Is this a PRT requirement? Yes
NOTES:
See the Integrated Development Ordinance

Records requests
To request a site plan and/or Notice of Decision, please use ABQ Records web page:
https://www.cabq.gov/clerk/public-records
Please include the site’s address and the Case Tracking #s (see Zoning Comments) in your request.

Requests to Inspect Public Records
Any person may submit their request to inspect public records to the Office of the City Clerk by clicking on the following link to request records using our ABQ Records portal. https://cabq.nextrequest.com/
This enables us to respond to requests in the order in which they are received. Plus, it's a better way to share large files.
- Linda Rumpf, lrumpf@cabq.gov

File Submittal
For Administrative Amendments, DRB, EPC, hydrology and traffic submittals, e-mail electronic files to PLNDRS@cabq.gov. For questions about an application submittal or the submittal process itself, please contact Jay Rodenbeck at jrodenbeck@cabq.gov and/or to Maggie Gould at mgould@cabq.gov.

For other questions, please contact the Planning representative at the top of the PRT Notes.

For Building Safety Plan Review, contact Building Safety at 924-3963. Website: https://www.cabq.gov/planning/building-safety-permits

Zoning Comments
Location: 7828 Aguila NW
Lots: 1 Block: 11, Subdivision: Volcano Cliffs UNIT 18

Project – Height Variance Request as per the VPO 2

Current Zoning – R-1D
Area of Consistency

Variance required per section 3-6(E)(3)(c)

Previous Zoning – SU-2 VCLL
As always, if the applicant has specific questions pertaining to zoning and/or the development standards they are encouraged to reach out to the zoning counter at 505-924-3857 option 1.

Transportation Development comments
For additional information contact Nilo Salgado (924-3630) or Jeanne Wolfenbarger (924-3991)

**GENERAL COMMENTS BELOW (if applicable):**

Curb Cuts
- Follow DPM guidelines for residential curb cuts.
- Residential curb cut requirements – (12 feet to 22 feet wide for residential, 30 feet only if there is a 3-car garage or parking for RV)

Clear Sight Triangle at Access Points and Intersections
- Clear sight triangle (See attached hand-outs.) Nothing opaque should be in the triangle.
- Shared access/parking agreement is required if access/parking is shared with parking lot adjacent to site. (This can be established on a plat if submittal of a plat is required or by an agreement.)
- Existing driveways that are not being used are required to be removed and replaced with standard curb and sidewalk to match existing.

1. For any private access easements on plats, all beneficiaries and maintenance responsibilities must be listed.
2. Due to sight distance concerns and to construct sufficient curb ramps, right-of-way dedication is required to add curves to corners of properties at intersections if they are not already developed. See Table 23.3 of the DPM.
3. Any private structures that are located within public right-of-way such as fences and walls shall either be removed or else a revocable permit with the City is required in which an annual fee is paid per year, based on square footage of the encroachment.

If you would have additional questions or would like to schedule a follow-up conference call meeting please contact Linda Rumpf at lrumpf@cabq.gov
Project Title: 7838 Aguilta aka 6604 Petirrojo Gonzales Build

Building Permit #: BP-2020-39365

Hydrology File #: 

Zone Atlas Page: 

EPC#: 

Work Order#: 

DRB#: 

Legal Description: Lot 1 Block 11 Volcano Cliffs Unit 18

Development Street Address: 7838 Aguilta St NW 87120

Applicant: Frank J. & Clarissa J. Gonzales

Contact: 

Address: 9051 Fenton Lake Rd NW 87120

Phone#: 505-908-1170

Fax#: 

E-mail: cmaes20@gmail.com

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Development Information

Build out/Implementation Year: 2020

Current/Proposed Zoning: R-1D

Project Type: New: ( )

Change of Use: ( )

Same Use/Unchanged: ( )

Same Use/Increased Activity: ( )

Proposed Use (mark all that apply): Residential: ( )

Office: ( )

Retail: ( )

Mixed-Use: ( )

Describe development and Uses:

New Residential Build 3018 sq ft

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Days and Hours of Operation (if known): 

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Facility

Building Size (sq. ft.): 3018 sq ft

Number of Residential Units: 1

Number of Commercial Units: 

Traffic Considerations

ITE Trip Generation Land Use Code: #120 Single Family Housing

Expected Number of Daily Visitors/Patrons (if known): * 

Expected Number of Employees (if known): *

Expected Number of Delivery Trucks/Buses per Day (if known): *

Trip Generations during PM/AM Peak Hour (if known): * AM 6 trips, PM 2 trips

Driveway(s) Located on: Street Name: Single car entry located off Petirrojo Rd, 1 double car entry located off Aguilta St.
Adjacent Roadway(s) Posted Speed: Street Name: Aguilas @ Petrojo _______ Street Name: _______ Posted Speed: Residential Speed 25 MPH?

* If these values are not known, assumptions will be made by City staff. Depending on the assumptions, a full TIS may be required

**Roadway Information (adjacent to site)**

Comprehensive Plan Corridor Designation/Functional Classification: Main Street (arterial, collector, local, main street)

Comprehensive Plan Center Designation: N/A (urban center, employment center, activity center)

Jurisdiction of roadway (NMDOT, City, County): Albuquerque, Bernalillo County

Adjacent Roadway(s) Traffic Volume: ___________________ Volume-to-Capacity Ratio (v/c): ___________________

(If applicable)

Adjacent Transit Service(s): Nearest Transit Stop(s): ___________________

Is site within 660 feet of Premium Transit?: ___________________

Current/Proposed Bicycle Infrastructure: ___________________

(bike lanes, trails)

Current/Proposed Sidewalk Infrastructure: ___________________

**Relevant Web-sites for Filling out Roadway Information:**

City GIS Information: [http://www.cabq.gov/gis/advanced-map-viewer](http://www.cabq.gov/gis/advanced-map-viewer)


Road Corridor Classification: [https://www.mrcog-nm.gov/DocumentCenter/View/1920/Long-Range-Roadway-System-LRRS-PDF?bidid]=


**TIS Determination**

**Note:** Changes made to development proposals / assumptions, from the information provided above, will result in a new TIS determination.

Traffic Impact Study (TIS) Required: Yes [ ] No [✓]

Thresholds Met? Yes [ ] No [✓]

Mitigating Reasons for Not Requiring TIS: Previously Studied: [ ]

Notes:

[Signature] P.E. 10/29/2020
Submittal

The Scoping Form must be submitted as part of any building permit application, DRB application, or EPC application. See the Development Process Manual Chapter 7.4 for additional information.

Submit by email to plndrs@cabq.gov and to the City Traffic Engineer mgrush@cabq.gov. Call 924-3362 for information.

Site Plan/Traffic Scoping Checklist

Site plan, building size in sq. ft. (show new, existing, remodel), to include the following items as applicable:

1. Access -- location and width of driveways
2. Sidewalks (Check DPM and IDO for sidewalk requirements. Also, Centers have wider sidewalk requirements.)
3. Bike Lanes (check for designated bike routes, long range bikeway system) (check MRCOG Bikeways and Trails in the 2040 MTP map)
4. Location of nearby multi-use trails, if applicable (check MRCOG Bikeways and Trails in the 2040 MTP map)
5. Location of nearby transit stops, transit stop amenities (eg. bench, shelter). Note if site is within 660 feet of premium transit.
6. Adjacent roadway(s) configuration (number of lanes, lane widths, turn bays, medians, etc.)
7. Distance from access point(s) to nearest adjacent driveways/intersections.
8. Note if site is within a Center and more specifically if it is within an Urban Center.
9. Note if site is adjacent to a Main Street.
10. Identify traffic volumes on adjacent roadway per MRCOG information. If site generates more than 100 vehicles per hour, identify volume to capacity (v/c) ratio on this form.
SIGN POSTING AGREEMENT

REQUIREMENTS

POSTING SIGNS ANNOUNCING PUBLIC HEARINGS

All persons making application to the City under the requirements and procedures established by the City Zoning Code or Subdivision Ordinance are responsible for the posting and maintaining of one or more signs on the property which the application describes. Vacations of public rights-of-way (if the way has been in use) also require signs. Waterproof signs are provided at the time of application. If the application is mailed, you must still stop at the Development Services Front Counter to pick up the sign.

The applicant is responsible for ensuring that the signs remain posted throughout the 15-day period prior to public hearing. Failure to maintain the signs during this entire period may be cause for deferral or denial of the application. Replacement signs for those lost or damaged are available from the Development Services Front Counter at a charge of $3.75 each.

1. LOCATION
   A. The sign shall be conspicuously located. It shall be located within twenty feet of the public sidewalk (or edge of public street). Staff may indicate a specific location.
   B. The face of the sign shall be parallel to the street, and the bottom of the sign shall be at least two feet from the ground.
   C. No barrier shall prevent a person from coming within five feet of the sign to read it.

2. NUMBER
   A. One sign shall be posted on each paved street frontage. Signs may be required on unpaved street frontages.
   B. If the land does not abut a public street, then, in addition to a sign placed on the property, a sign shall be placed on and at the edge of the public right-of-way of the nearest paved City street. Such a sign must direct readers toward the subject property by an arrow and an indication of distance.

3. PHYSICAL POSTING
   A. A heavy stake with two crossbars or a full plywood backing works best to keep the sign in place, especially during high winds.
   B. Large headed nails or staples are best for attaching signs to a post or backing; the sign tears out less easily.

4. TIME
   Signs must be posted from ___________________________To _______________________________

5. REMOVAL
   A. The sign is not to be removed before the initial hearing on the request.
   B. The sign should be removed within five (5) days after the initial hearing.

I have read this sheet and discussed it with the Development Services Front Counter Staff. I understand (A) my obligation to keep the sign(s) posted for (15) days and (B) where the sign(s) are to be located. I am being given a copy of this sheet.

________________________________________ _________________
(Applicant or Agent) (Date)

I issued _____ signs for this application, ________________, __________________________________
(Date) (Staff Member)

PROJECT NUMBER: __________________________

Rev. 1/11/05
SITE PLAN CHECKLIST

Project #: ___________________________ Application #: BP-2020-39365

This checklist will be used to verify the completeness of site plans submitted for review by the Planning Department. Because development proposals vary in type and scale, there may be submittal requirements that are not specified here. Also, there may be additional requirements if a site is located in CPO, HPO, and/or VPO or if located in DT-UC-MS or PT areas. See the IDO or AGIS for boundaries. Nonetheless, applicants are responsible for providing a complete submittal. Certification as specified below is required.

I CERTIFY THAT THE SUBMITTED SITE PLAN IS COMPLETE AND ACCURATE, AND THAT ALL APPLICABLE INFORMATION AS SPECIFIED IN THIS CHECKLIST IS PROVIDED. FURTHER, I UNDERSTAND THAT THIS APPLICATION IS BEING ACCEPTED PROVISIONALLY AND THAT INACCURATE AND/OR INCOMPLETE INFORMATION MAY RESULT IN THE SUBSEQUENT REJECTION OF THE APPLICATION OR IN A DELAY OF ONE MONTH OR MORE IN THE DATE THE APPLICATION IS SCHEDULED FOR PUBLIC HEARING.

Applicant or Agent Signature / Date

Site plan packets shall be composed of the following plan sheets (unless otherwise approved in writing prior to submittal by the Planning Department):

1. Site Plan (including utilities and easements)
2. Landscaping Plan
3. Grading and Drainage Plan
4. Utility Plan
5. Building and Structure Elevations
6. Previously approved Development Plan (if applicable)

The electronic format must be organized in the above manner.

The following checklist describes the minimum information necessary for each plan element. The Applicant must include all checklist items on their site plan drawings and confirm inclusion by checking off the items below. Non-applicable items must be labeled “N/A.” Each non-applicable designation must be explained by notation on the Checklist.

NOTE: There may be additional information required if site is located with a CPO, VPO or HPO and/or any other special areas as defined by the IDO.

NOTE: If there requests for deviations (Section 14-16-6-4(O), they must be clearly labelled on the site plan (Sheet 1) as well as addressed in the application letter made with the submittal.

SHEET #1 - SITE PLAN

A. General Information

1. Date of drawing and/or last revision
2. Scale: 1.0 acre or less 1" = 10'
   1.0 - 5.0 acres 1" = 20'
   Over 5 acres 1" = 50'
   Over 20 acres 1" = 100'
SITE PLAN CHECKLIST

3. Bar scale
4. North arrow
5. Legend
6. Scaled vicinity map
7. Property lines (clearly identify)
8. Existing and proposed easements (identify each)
9. Phases of development, if applicable

B. Proposed Development

1. Structural
   A. Location of existing and proposed structures (distinguish between existing & proposed) and include any accessory structures
   B. Square footage of each structure
   C. Proposed use of each structure
   D. Signs (freestanding) and other improvements
   E. Walls, fences, and screening: indicate height, length, color and materials
   F. Dimensions of all principal site elements or typical dimensions
   G. Loading facilities
   H. Site lighting (indicate height & fixture type)
   I. Indicate structures within 20 feet of site
   J. Elevation drawing of refuse container and enclosure, if applicable.
   K. Existing zoning/land use of all abutting properties

2. Parking, Loading and Internal Circulation
   A. Parking layout with spaces numbered per aisle and totaled.
      1. Location and typical dimensions, including motorcycle spaces, bicycle spaces, ADA accessible spaces, and compact spaces
      2. Calculations: spaces required and proposed (include any reduction calculations) for motorcycle, bicycle, compact and ADA spaces
      3. On street parking spaces
   B. Bicycle parking & facilities
      1. Bicycle racks – location and detail
      2. Other bicycle facilities, if applicable
   C. Vehicular Circulation (Refer to DPM and IDO)
      1. Ingress and egress locations, including width and curve radii dimensions
      2. Drive aisle locations, including width and curve radii dimensions
      3. End aisle locations, including width and curve radii dimensions
      4. Location & orientation of refuse enclosure, with dimensions
      5. Loading, service area, and refuse service locations and dimensions
   D. Pedestrian Circulation
      1. Location and dimensions of all sidewalks and pedestrian paths (including ADA connection from ROW to building and from ADA parking to building)
SITE PLAN CHECKLIST

__ 2. Location and dimension of drive aisle crossings, including paving treatment
__ 3. Location and description of amenities, including patios, benches, tables, etc.

___E. Off-Street Loading
__ 1. Location and dimensions of all off-street loading areas

___F. Vehicle Stacking and Drive-Through or Drive-Up Facilities
__ 1. Location and dimensions of vehicle stacking spaces and queuing lanes
__ 2. Landscaped buffer area if drive-through lanes are adjacent to public R/W
__ 3. Striping and Sign details for one-way drive through facilities

3. Streets and Circulation
___A. Locate and identify adjacent public and private streets and alleys.
   __ 1. Existing and proposed pavement widths, right-of-way widths and curve radii
   __ 2. Identify existing and proposed turn lanes, deceleration lanes and similar features related to the functioning of the proposal, with dimensions
   __ 3. Location of traffic signs and signals related to the functioning of the proposal
   __ 4. Identify existing and proposed medians and median cuts
   __ 5. Sidewalk widths and locations, existing and proposed
   __ 6. Location of street lights
   __ 7. Show and dimension clear sight triangle at each site access point
   __ 8. Show location of all existing driveways fronting and near the subject site.

___B. Identify Alternate transportation facilities within site or adjacent to site
   __ 1. Bikeways and bike-related facilities
   __ 2. Pedestrian trails and linkages
   __ 3. Transit facilities, including routes, bus bays and shelters existing or required

4. Phasing
___ A. Proposed phasing of improvements and provision for interim facilities. Indicate phasing plan, including location and square footage of structures and associated improvements including circulation, parking and landscaping.

SHEET #2 - LANDSCAPING PLAN

__ 1. Scale - must be same as scale on sheet #1 - Site plan
__ 2. Bar Scale
__ 3. North Arrow
__ 4. Property Lines
__ 5 Existing and proposed easements
__ 6. Identify nature of ground cover materials
   ___A. Impervious areas (pavement, sidewalks, slope pavings, curb and gutters, etc.)
   ___B. Pervious areas (planting beds, gravel areas, grass, ground cover vegetation, etc.)
   ___C. Ponding areas either for drainage or landscaping/recreational use
SITE PLAN CHECKLIST

___ 7. Identify type, location and size of plantings (common and/or botanical names).
    ___ A. Existing, indicating whether it is to preserved or removed.
    ___ B. Proposed, to be established for general landscaping.
    ___ C. Proposed, to be established for screening/buffering.

___ 8. Describe irrigation system – Phase I & II . . .
___ 9. Planting Beds, indicating square footage of each bed
___ 10. Turf Area - only 20% of landscaped area can be high water turf; provide square footage and percentage.
___ 11. Responsibility for Maintenance (statement)
___ 12. Landscaped area requirement; square footage and percent (specify clearly on plan)
___ 13. Landscaped buffer areas provided; dimensions, label clearly that it is a landscape buffer, square footage and percent (specify clearly on plan)
___ 14. Planting or tree well detail
___ 15. Street Trees (only trees from the Official Albuquerque Plant Palette and Sizing list or 8 inch caliper or larger will be counted)
___ 16. Parking lot edges and interior – calculations, dimensions and locations including tree requirements
___ 17. Show Edge Buffer Landscaping (14-16-5-6(D)) – location, dimensions and plant material

SHEET #3 –GRADING AND DRAINAGE PLAN
A separate grading and drainage plan (and drainage report) must be submitted to the DRS Hydrology Section prior to the DRB submittal for a site plan (See DRWS Form).

A. General Information
   ___ 1. Scale - must be same as Sheet #1 - Site Plan
   ___ 2. Bar Scale
   ___ 3. North Arrow
   ___ 4. Property Lines
   ___ 5. Existing and proposed easements
   ___ 6. Building footprints
   ___ 7. Location of Retaining walls

B. Grading Information
   ___ 1. On the plan sheet, provide a narrative description of existing site topography, proposed grading improvements and topography within 100 feet of the site.
   ___ 2. Indicate finished floor elevation and provide spot elevations for all corners of the site (existing and proposed) and points of maximum cut or fill exceeding 1 foot.
   ___ 3. Identify ponding areas, erosion and sediment control facilities.
   ___ 4. Cross Sections
      Provide cross section for all perimeter property lines where the grade change is greater than 4 feet at the point of the greatest grade change. Provide one additional cross section in each direction within no more than 100 feet of the reference point.
SITE PLAN CHECKLIST

SHEET #4 - UTILITY PLAN

A. Fire hydrant locations, existing and proposed. (or submit signed off Fire One Plan)
B. Distribution lines
C. Right-of-Way and easements, existing and proposed, on the property and adjacent to the boundaries, with identification of types and dimensions.
D. Existing water, sewer, storm drainage facilities (public and/or private).
E. Proposed water, sewer, storm drainage facilities (public and/or private)
F. Existing electric lines both overhead and underground. Power Poles shown with dimensions to proposed buildings and structures must be clearly shown.

SHEET #5 - BUILDING AND STRUCTURE ELEVATIONS

A. General Information
   A. Scale
   B. Bar Scale
   C. Detailed Building Elevations for each facade
      1. Identify facade orientation
      2. Dimensions of facade elements, including overall height and width
      3. Location, material and colors of windows, doors and framing
      4. Materials and colors of all building elements and structures
      5. Location and dimensions of mechanical equipment (roof and/or ground mounted)

B. Building Mounted Signage
   1. Site location(s)
   2. Sign elevations to scale
   3. Dimensions, including height and width
   4. Sign face area - dimensions and square footage clearly indicated
   5. Lighting
   6. Materials and colors for sign face and structural elements.
   7. List the sign restrictions per the IDO
SUBJECT: Height Variance Request Project Letter 7828 Aguila Rd. NW (AKA. 6604 Petirrojo Rd. NW) 87120, UPC 101006326020041233, Lot 1 Block 11 Volcano Cliffs Subdivision Unit 18

INTRODUCTION

The purpose of this memorandum is to document the applicability of 14-16-6(M)(1)(c) and 6-6(M)(3)(a) of the City of Albuquerque Integrated Development Ordinance (IDO) for a height variance request through Variance – EPC for the subject address.

1. Background/Findings

The IDO revised and updated through May 2018, section 14-16-3: Overlay Zones3-6(E): Northwest Mesa Escarpment – VPO-2 specifically 3-6(E)(3)(c) states: Additional height may be requested through a Variance – EPC pursuant to Subsection 14-16-6-6(M).

1. No structure shall exceed 19 feet in height from the finished grade, inclusive of any Variance granted.

2. When a Variance is requested for structure height, the visual impact of additional structure height on views to and from the escarpment shall be minimized through at least 1 of the following techniques:

   a. Height/Slope
   An increase in height in response to slope to produce a stepped-down effect and a smooth transition in scale. For example, 1 foot of additional structure height may be granted for every 3 feet to 4 feet of drop in ground elevation from a base elevation established at the escarpment face (i.e. where the 9 percent slope line begins). Buildings may also be depressed below the natural grade.

   b. View Corridors
   Two-story construction that is located and designed so that massing maintains views to the escarpment at the perimeter of the site, or at the nearest public road (whichever offers the predominant public views) and views from the escarpment – primarily from public trails and access points. The intent is to preserve the maximum amount of unobstructed lateral views to the base of the escarpment. If the site is located above the escarpment, the views will be to the top of the escarpment.
c. Height/Slope/Setback
Structures set back from major public views (i.e. views from the site perimeter, nearest public road, public trails, or access points along the escarpment; views to the east, west, south, and north property lines; or views to the escarpment) so that building height increases in proportion to the size of the setback and the slope without increasing the visual impact from a particular vantage point.

The subject property utilizes technique (a) Height/Slope as the lowest point of natural grade is at 5,317 feet with an elevation at street edge at 5,322 feet (see approved grading & drainage plan). Naturally, this creates a stepped-down effect and a smooth transition in scale when compared to many of the adjacent properties located both in and out of the Northwest Mesa Escarpment – VPO-2 zone (figure 1 below shows a representation of this.) Furthermore, there are (2) existing storm drains located in front of the property line which cause a significant drop in elevation for drainage purposes.

Figure 1

Adjacent Properties Identified

#1 – 7828 Aguila Rd NW (highlighted subject property), Elevation: 5321.77 Feet.
#2 – 6548 Azor Ln NW (2 story home), Elevation: 5321.77 Feet.
#3 – 7900 Aguila St NW, Elevation: 5324.84 Feet.
#4 – 6500 Petirrhojo Rd NW, Elevation: 5337.98 Feet.
#5 – 7816 Urraca St NW, Elevation: 5334.72 Feet.
Properties Identified

#1 – 6432 Petirrojo Rd NW (highlighted property/base elevation at escarpment face), Elevation: 5341.57 Feet.
#2 – 7828 Aguila Rd NW (subject property/ground elevation), Elevation: 5321.77 Feet.

Figure 1 clearly indicates the subject property sits significantly lower than most of the properties located within the vicinity. In addition, the variance states; an increase in height in response to slope to produce a stepped-down effect and a smooth transition in scale. For example, 1 foot of additional structure height may be granted for every 3 feet to 4 feet of drop in ground elevation from a base elevation established at the escarpment face.

Figure 2 demonstrates Height/Slope as the base elevation utilized is 6432 Petirrojo Rd NW which has an elevation of 5341.57 feet, 19.8 feet higher than the subject address at 7828 Aguila Rd NW, which would allow up to an additional 4.95 feet in structure height if the 4 feet of drop in ground elevation from the base elevation were utilized. Furthermore, 14-16-6-6(M)(3)(c) states:

The EPC shall approve an application for a Variance from the 15-foot structure height limit in the Height Restriction Sub-area in Subsection 14-16-3-6(E)(3) (Northwest Mesa Escarpment – VPO-2) if it meets all of the following criteria.

1. Hardship
   The intent of the view regulations in Section 14-16-3-6(E) (Northwest Mesa Escarpment – VPO-2) must be met. The burden is on the applicant to demonstrate that strict
adherence to VPO-2 building height regulations would render the lot undevelopable because of physical and/or engineering constraints (e.g. rock outcroppings, street grades, ADA compliance, utility design, etc.).

As outlined in the grading and drainage plan letter by Principal Engineer David Soule, the surrounding elevations were raised causing the subject property the inability to drain properly…any lowering of the lot will make it unbuildable.

2. Visual Impact
   The impact of the proposed development on views to and from the escarpment will be the same as, or less than, the impact if the 15-foot height limit were met.

   The data above, along with the provided drawings and attached figures demonstrate the criteria is met for Visual Impact via (views to and from the escarpment will be the same as, or less than, the impact if the 15-foot height limit were met).

Lastly, 6-6(M)(3)(a) Review and Decision Criteria 6-6(M)(3)(a) Except as indicated in Subsections (b) and (c) below, an application for a Variance– EPC shall be approved if it meets all of the following criteria:

1. There are special circumstances applicable to the subject property that are not self-imposed and that do not apply generally to other property in the same zone district and vicinity, including but not limited to size, shape, topography, location, surroundings, and physical characteristics, and such special circumstances were created either by natural forces or by government eminent domain actions for which no compensation was paid. Such special circumstances of the property either create an extraordinary hardship in the form of a substantial and unjustified limitation on the reasonable use or return on the property, or practical difficulties result from strict compliance with the minimum standards.

   As explained above the subject property location, surroundings, grading and topography have created special circumstances and an extraordinary hardship that justify the need for the variance. If an inspector were to visit the property and look east, the major drop in elevation in comparison to the outlying properties is apparent. The driving factor is the two major storm drains that are located directly in front of the property line, these drains require an increased ground elevation of all surrounding properties within unit 18 & 22 in order to properly drain, this is why the subject property has a much lower elevation than the referenced properties in figure 1 & 2 above.

   *Please reference the provided grading and drainage plan letter by Principal Engineer David Soule for a more detailed explanation of the limiting factors of the lot.

2. The Variance will not be materially contrary to the public safety, health, or welfare.

   The minimal request of an additional 2 feet 5 inches in structure height is so negligible that there is no direct impact to public safety, health or welfare. The minor request is to
allow the property owners the opportunity to take advantage of the views to and from the escarpment. Moreover, as mentioned above and outlined in the grading and drainage plan letter by Principal Engineer David Soule, the surrounding elevations were raised causing the subject property the inability to drain properly…any lowering of the lot will make it unbuildable, the limiting design issue is caused by the construction of the public road higher than the lot.

3. The Variance does not cause significant material adverse impacts on surrounding properties or infrastructure improvements in the vicinity.

The overall design of the home took into careful consideration what is stated in the CABQ ABC Comprehensive Plan (Comp Plan) Policy. The 6 principles of the Comp Plan are the guiding principles to urban design goals, policies, and actions. The first guiding principal of “strong neighborhoods” makes mention of appropriate design helps establish and enhance neighborhood character. The overall goal of this variance is not to only take advantage of the beautiful views that SAD 228 offers but also to maintain the character of the neighborhood through a unique design that blends in seamlessly with the homes that have already been constructed. Furthermore, another principal of “economic vitality” states: quality design attracts investment and increases property values. We believe, along with our designer that our home design is an attractive as well as a functional one that will help draw families to the Petroglyph Estates community and continue to help promote development in the area, thus helping to increase values.

4. The Variance will not materially undermine the intent and purpose of this IDO or the applicable zone district.

The variance request adheres to the strict criteria/standards of the IDO, more specifically, the Northwest Mesa Escarpment and zone R-1D, in fact circumstances like the one at the subject property are the very reasons as to why the Variance-EPC request and process were established.

5. The Variance approved is the minimum necessary to avoid extraordinary hardship or practical difficulties.

14-16-6-6(M) states no structure shall exceed 19 feet in height from the finished grade, inclusive of any variance granted. The highest point identified on the plans (entry tower) is approximately 17 feet 5 inches in height from the finished grade, 1 foot 7 inches less than the maximum allowed.

In closing, it is our confidence with the data provided and the due diligence on our part coupled with additional supporting documents will make for a quick and easy variance approval process. Please feel free to contact my wife or me with any questions you may have and thank you for your time and consideration on this matter.

FRANK J. GONZALEZ
STAFF INFORMATION
November 17th, 2020

TO: Frank J. and Clarissa J. Gonzales
FROM: Sergio Lozoya, Associate Planner
City of Albuquerque Planning Department
TEL: (505) 924-3349
RE: Project #2018-001734, VA 2020-00375 – Variance

I’ve completed a first review of this application for Variance-EPC. I have some questions and suggestions. I am available to answer questions about the process and requirements. Please provide the following:

⇒ A revised site plan, elevation drawings (showing building colors and materials), and site sections (electronic format will suffice) by:

   **End of day on Monday November 23, 2020.** If you have difficulty with this deadline, please let me know. The hard deadline for submittal of new documents is **Monday November 30, 2020 at 9:00 am.** There is a drop-off box at the front of Plaza del Sol, or time permitting, I can pick up a set from your office, I will accept electronic versions as well.

   I would like to see an updated project letter as soon as possible, if you are able by Friday November 20, 2020 would be best to allow a proper analysis.

   If the application is not complete and I am unable to make an analysis, I will have to recommend deferral to the January 2021 EPC Hearing.

1) **Introduction:**

   A. Though I’ve done my best for this review, additional items may arise as the case progresses. If so, I will inform you as soon as I can.

2) **Significant Issues:**

   A. This request is a Variance-EPC. Requirements for the Variance-EPC process can be found in IDO Section 6-6(M).

   B. Please read and review IDO Section 3-6(E) Northwest Mesa Escarpment – VPO-2. The views protected include the views to and from the Petroglyph National Monument.

   C. There are requirements specific to height variances in the Northwest Mesa Arroyo Escarpment found in IDO Section 6-6(M)(2)(e). This application is missing all four minimum requirements in this section, as follows:

   6-6(M)(2)(e) Requests for a Variance to structure heights in Subsection 14-16-3-6(E) (Northwest Mesa Escarpment – VPO-2) shall at a minimum include all of the following:

       1. Site plans, site elevations, and site sections showing the location of the major public views (i.e. views from the site perimeter or nearest public road to the east, west, south, and north property lines and views to the escarpment),
2. View plane exhibits that illustrate the expected impact of structure height on major public views given the relationship of slopes, building heights, setbacks, escarpment height, and view corridors. (See figure 1)

![Figure 1: Replace elevation of Coors Blvd. with elevation of nearest public right of way, include all requirements called out in 6-6(Mj(2)/(e)2](image)

3. Analysis and demonstration of at least 1 of the techniques required by Subsection 14-16-3-6(E)(3) (i.e. height/slope, view corridors, or height/slope/setback) to minimize the impact of additional structure height on views to and from the escarpment.

4. A Grading and Drainage Plan that has been approved by the City Engineer.

D. As done in PRT meetings, every project begins with a look at IDO definitions.

**Building Height**
The vertical distance above the grade at each façade of the building, considered separately, to the top of the coping or parapet on a flat roof, whichever is higher; to the deck line of a mansard roof; or to the average height between the plate and the ridge of a hip, gable, shed, or gambrel roof. The height of a stepped or sloped building is the maximum height above grade of any distinct segment of the building that constitutes at least 10 percent of the gross floor area of the building.

**Corner Lot**
A lot located at the intersection of and having frontage on 2 or more streets.

**Escarpment**
Land with 9 percent slope or more and considered sensitive land, where development is discouraged. The Northwest Mesa Escarpment is part of the Petroglyph National Monument, which is also designated as Major Public Open Space.

**Grade**
1. The average of the approved ground levels immediately adjacent to each façade of a building, considered separately; where an earth embankment is placed against the side of a building or a retaining wall supporting a terrace is placed close to a building, grade
shall be measured from the toe, or bottom, of the embankment or retaining wall; building floor level is irrelevant.

2. The elevation of the finished, approved ground level at all points along a wall or fence. Approved grade shall be no higher than the specified elevation on the grading plan approved by the City in conjunction with subdivision or site development plan approval; in the absence of such approved plans, original natural grade applies.

**Natural Grade**
Grade based on the original site contours, prior to any grading.

D. A valid sign posting agreement is required. The sign posting agreement in the file was not signed by Staff and no dates are provided (Sign should be up by November 24, 2020). Also, please pick up the signs, ensure they are posted according to the dates provided, and provide evidence for the record that the signs have been posted. Please contact Maggie Gould to complete the sign posting agreement, she can be reached at MGould@cabq.gov

3) Process:

A. Information regarding the EPC process, including the calendar and current Staff reports, can be found at:


B. Agency Comments are due to me November 21st, 2020. I will put together all the comments I have received and provide them to you by end of day November 21st, 2020.

C. Final deadline for submittal of revised materials to be reviewed in full consideration is November 30, 2020. However, to allow proper time for review I ask for any revised drawings to be submitted by November 23, 2020 and response to Variance EPC criteria letter to be submitted by November 25, 2020. Let me know if you foresee any issues with these timelines.

4) Notification:

I counted 11 properties with 9 unique owners. I only see 8 envelopes in the picture and the quality is such that I cannot determine who the recipients were. Do you have a higher quality picture that clearly demonstrates the names and addresses of the recipients? Can you confirm that you sent letters to all property owners? If you have not sent to all property owners, there is still time to notify the missing parties.

Please include the original e-mail sent to Rene Horvath, the one provided does not clearly show that she was the recipient.

5) Project Letter & Variance-EPC:

A. Please update the project letter to reflect all applicable requirements found in IDO Section 6-6(M)(3)(a) and 6-6(M)(3)(c), as follows:

   **6-6(M)(3) Review and Decision Criteria**
6-6(M)(3)(a) Except as indicated in Subsections (b) and (c) below, an application for a Variance–EPC shall be approved if it meets all of the following criteria:

1. There are special circumstances applicable to the subject property that are not self-imposed and that do not apply generally to other property in the same zone district and vicinity, including but not limited to size, shape, topography, location, surroundings, and physical characteristics, and such special circumstances were created either by natural forces or by government eminent domain actions for which no compensation was paid. Such special circumstances of the property either create an extraordinary hardship in the form of a substantial and unjustified limitation on the reasonable use or return on the property, or practical difficulties result from strict compliance with the minimum standards.

2. The Variance will not be materially contrary to the public safety, health, or welfare.

3. The Variance does not cause significant material adverse impacts on surrounding properties or infrastructure improvements in the vicinity.

4. The Variance will not materially undermine the intent and purpose of this IDO or the applicable zone district.

5. The Variance approved is the minimum necessary to avoid extraordinary hardship or practical difficulties.

6-6(M)(3)(c) The EPC shall approve an application for a Variance from the 15-foot structure height limit in the Height Restriction Sub-area in Subsection 14-16-3-6(E)(3) (Northwest Mesa Escarpment – VPO-2) if it meets all of the following criteria.

1. Hardship
   The intent of the view regulations in Section 14-16-3-6(E) (Northwest Mesa Escarpment – VPO-2) must be met. The burden is on the applicant to demonstrate that strict adherence to VPO-2 building height regulations would render the lot undevelopable because of physical and/or engineering constraints (e.g. rock outcroppings, street grades, ADA compliance, utility design, etc.).

2. Visual Impact
   The impact of the proposed development on views to and from the escarpment will be the same as, or less than, the impact if the 15-foot height limit were met.
I made some additional clarifications below.

Hey Frankie,

A reminder on what is being protected in VPO-2:

3-6(E)(2) Protected Views

Views protected by this VPO-2 are looking to and from the Petroglyph National Monument, Volcanic Escarpment, and Volcano Mesa.

A reminder on the requirements for EPC Variance:

SERGIO LOZOYA
long range associate planner
urban design & development
o 505.924.3349
e slozoya@cabq.gov
cabq.gov/planning
Requests for a Variance to structure heights in Subsection 14-16-3-6(E) (Northwest Mesa Escarpment – VPO-2) shall at a minimum include all of the following:

1. Site plans, site elevations, and site sections showing the location of the major public views (i.e. views from the site perimeter or nearest public road to the east, west, south, and north property lines and views to the escarpment) (both major public views and views to the escarpment), (See slides for example site plan and section drawings)

   Site Elevations: Similar to the drawing you provided but do not show anything below grade. Call out the escarpment edge on the drawings along with any other major public views (Petroglyphs, Volcanoes, Mountains, etc.) Ensure that all sides are shown as called for above (north, east, south, west).

   Site Sections: Similar to the elevations, but showing below grade (see page 5 in the slides I sent you). Must show escarpment edge and the escarpment edge with elevations called out. Ensure that all sides are shown as called for above (north, east, south, west).

   Site Plan: See example on slide 3. Show all impacted major views and show views as described above (from site perimeter or nearest public road to the east south, and north property lines and views to the escarpment)

2. View plane exhibits that illustrate the expected impact of structure height on major public views given the relationship of slopes, building heights, setbacks, escarpment height, and view corridors. (See figure 1)

   (Provide justification as to why you chose that point for the view, and why your diagram satisfies these requirements. Label all major public views and escarpment edge.)

2. Analysis and demonstration of at least 1 of the techniques required by Subsection 3-6(E)(3) (i.e. height/slope, view corridors, or height/slope/setback) to minimize the impact of additional structure height on views to and from the escarpment.

   Discuss how your techniques minimize the impact of additional structure heights on views to and from the escarpment, be very clear in the language. Use one of the site sections to label and demonstrate as shown in page 5 and page 10 (instead of from below as shown, do it from above the escarpment.)
4. A Grading and Drainage Plan that has been approved by the City Engineer. (I have received this).

As stated above, there are several views that are protected under the CPO-2 guidelines, which is why I pointed to them in the project memo provided November 17th. Under these regulations, the drawings provided are insufficient. I am not able to make a case without the complete information needed as described in 6-6(M)(2)(e) (which I have copied and pasted into this email, above). There is potential in this case, but again, I cannot make a recommendation without all of the required drawings.

The diagram provided does have potential to satisfy requirement from IDO Section 6-6(M)(2)(e)(2), but it needs to be from the nearest public right of way, or property line.

At present, your verbal description of the techniques required by IDO Section 6-6(M)(2)(e)(3) is insufficient. This needs to be done in relation to the escarpment. These techniques work best as drawings. An example of these techniques are provided in the slides attached. I also provided an image demonstrating where your property is in relation to the escarpment.

I am available to meet with your designer, however all of the materials are due Monday November 30th, 2020 by 9:00 am or I will have to recommend deferral. Each drawing should be clearly labeled as per the requirement that it is satisfying, please do so when re-submitting.

Given the status of the application, I believe deferral would be in your best interest to allow time to complete the required conditions in a manner in which I can recommend approval. I understand this has been a long and difficult process, therefore, if deferred I will advocate for waiving the fee to do so (my team is in agreement).

I am available this afternoon if you wish to discuss our next steps moving forward.

Thanks,

SERGIO LOZOYA
long range associate planner
urban design & development
o 505.924.3349
e slozoya@cabq.gov
cabq.gov/planning
NOTIFICATION
SIGN POSTING AGREEMENT

REQUIREMENTS

POSTING SIGNS ANNOUNCING PUBLIC HEARINGS

All persons making application to the City under the requirements and procedures established by the City Zoning Code or Subdivision Ordinance are responsible for the posting and maintaining of one or more signs on the property which the application describes. Vacations of public rights-of-way (if the way has been in use) also require signs. Waterproof signs are provided at the time of application. If the application is mailed, you must still stop at the Development Services Front Counter to pick up the sign.

The applicant is responsible for ensuring that the signs remain posted throughout the 15-day period prior to public hearing. Failure to maintain the signs during this entire period may be cause for deferral or denial of the application. Replacement signs for those lost or damaged are available from the Development Services Front Counter at a charge of $3.75 each.

1. LOCATION
   A. The sign shall be conspicuously located. It shall be located within twenty feet of the public sidewalk (or edge of public street). Staff may indicate a specific location.
   B. The face of the sign shall be parallel to the street, and the bottom of the sign shall be at least two feet from the ground.
   C. No barrier shall prevent a person from coming within five feet of the sign to read it.

2. NUMBER
   A. One sign shall be posted on each paved street frontage. Signs may be required on unpaved street frontages.
   B. If the land does not abut a public street, then, in addition to a sign placed on the property, a sign shall be placed on and at the edge of the public right-of-way of the nearest paved City street. Such a sign must direct readers toward the subject property by an arrow and an indication of distance.

3. PHYSICAL POSTING
   A. A heavy stake with two crossbars or a full plywood backing works best to keep the sign in place, especially during high winds.
   B. Large headed nails or staples are best for attaching signs to a post or backing; the sign tears out less easily.

4. TIME

Signs must be posted from ___________________________To _______________________________

5. REMOVAL
   A. The sign is not to be removed before the initial hearing on the request.
   B. The sign should be removed within five (5) days after the initial hearing.

I have read this sheet and discussed it with the Development Services Front Counter Staff. I understand (A) my obligation to keep the sign(s) posted for (15) days and (B) where the sign(s) are to be located. I am being given a copy of this sheet.

________________________________________ _________________
(Applicant or Agent) (Date)

I issued _____ signs for this application, __________________________
________________________________________ _________________
(Date)     (Staff Member)

PROJECT NUMBER: __________________________

Rev. 1/11/05
Gonzales, Frank J.

Sent from my iPhone

Begin forwarded message:

From: Frankie Gonzales <fgonzal2@outlook.com>
Date: October 16, 2020 at 4:22:15 PM MDT
To: "fgonzal2@outlook.com" <fgonzal2@outlook.com>
Subject: 6604 Petirrojo NW Public Notice Inquiry

Dear Applicant,

Please find the neighborhood contact information listed below.

<table>
<thead>
<tr>
<th>Association Name</th>
<th>First Name</th>
<th>Last Name</th>
<th>Email</th>
<th>Address Line 1</th>
<th>City</th>
</tr>
</thead>
<tbody>
<tr>
<td>Westside Coalition of Neighborhood</td>
<td>Rene</td>
<td>Horvath</td>
<td><a href="mailto:aboard111@gmail.com">aboard111@gmail.com</a></td>
<td>5515 Palomino</td>
<td>Alb</td>
</tr>
<tr>
<td>Associations</td>
<td></td>
<td></td>
<td></td>
<td>Drive NW</td>
<td></td>
</tr>
<tr>
<td>Westside Coalition of Neighborhood</td>
<td>Elizabeth</td>
<td>Haley</td>
<td><a href="mailto:ekhaley@comcast.net">ekhaley@comcast.net</a></td>
<td>6005 Chaparral</td>
<td>Alb</td>
</tr>
<tr>
<td>Associations</td>
<td></td>
<td></td>
<td></td>
<td>Circle NW</td>
<td></td>
</tr>
</tbody>
</table>

You will need to e-mail each of the listed contacts and let them know that you are applying for a permit for your project. You can use this online link to find template language if you’re not sure what information you need to include in your e-mail. [https://www.cabq.gov/planning/urban-design-development/public-notice](https://www.cabq.gov/planning/urban-design-development/public-notice)

If your permit application or project requires a neighborhood meeting, you can click on this link to find template language to use in your e-mail notification: [https://www.cabq.gov/planning/urban-design-development/neighborhood-meeting-requirement-in-the-integrated-development-ordinance](https://www.cabq.gov/planning/urban-design-development/neighborhood-meeting-requirement-in-the-integrated-development-ordinance)

If you have questions about what type of notification is required for your particular project, please click on the link below to see a table of different types of projects and what notification is required for each: [http://documents.cabq.gov/planning/IDO/IDO-Effective-2018-05-17-Part6.pdf](http://documents.cabq.gov/planning/IDO/IDO-Effective-2018-05-17-Part6.pdf)
Once you have e-mailed the contact individuals in each neighborhood, you will need to attach a copy of those e-mails AND a copy of this e-mail from the ONC to your permit application and submit it to the Planning Department for approval. **PLEASE NOTE:** The ONC does not have any jurisdiction over any other aspect of your permit application beyond the neighborhood contact information. We can’t answer questions about sign postings, pre-construction meetings, permit status, site plans, or project plans, so we encourage you to contact the Planning Department at: 505-924-3860 or visit: [https://www.cabq.gov/planning/online-planning-permitting-applications](https://www.cabq.gov/planning/online-planning-permitting-applications) with those types of questions.

If your permit or project requires a pre-application or pre-construction meeting, please plan on utilizing virtual platforms to the greatest extent possible and adhere to all current Public Health Orders and recommendations. The health and safety of the community is paramount.

Thanks,

**Dalaina L. Carmona**
Senior Administrative Assistant
Office of Neighborhood Coordination
Council Services Department
1 Civic Plaza NW, Suite 9087, 9th Floor
Albuquerque, NM 87102
505-768-3334
dlcarmona@cabq.gov or ONC@cabq.gov
Website: [www.cabq.gov/neighborhoods](http://www.cabq.gov/neighborhoods)

Confidentiality Notice: This e-mail, including all attachments is for the sole use of the intended recipient(s) and may contain confidential and privileged information. Any unauthorized review, use, disclosure or distribution is prohibited unless specifically provided under the New Mexico Inspection of Public Records Act. If you are not the intended recipient, please contact the sender and destroy all copies of this message.
Physical address of subject site:
   6604 Petirrojo NW 87120
Subject site cross streets:
   Petirrojo and Aguila
Other subject site identifiers:
This site is located on the following zone atlas page:
   D10

This message has been analyzed by Deep Discovery Email Inspector.

******************************************************************************
This message does not originate from a known Department of Energy email system. Use caution if this message contains attachments, links or requests for information.

******************************************************************************
Good Afternoon,

Please see the attachment for the notice we have to send for an EPC hearing. If you have any questions or concerns. Please contact us.

Have a great day.

Thank you,

Clarissa J. Gonzales

***************************************************************************
This message does not originate from a known Department of Energy email system. Use caution if this message contains attachments, links or requests for information.

***************************************************************************
10/27/2020

[Date*]

Frank J. & Clarissa J. Gonzales

[Name* of Property Owner or Neighborhood Association (NA) Representative, Name of NA]

6604 Petirrojo aka 7828 Aguila

[Address* of Property Owner or NA Representative]

RE: Public Notice of Proposed Project

Dear Ms. Horvath [Name* of Property Owner or NA Representative],

In accordance with the procedures of the City of Albuquerque’s Integrated Development Ordinance (IDO) Subsection 14-16-6-4(K)(2) Mailed Public Notice, we are notifying you as a Neighborhood Association Representative [Property Owner or NA Representative] that Frank J. & Clarissa J. Gonzales [Name of Agent/Property Owner/Developer] will be submitting the following application(s): [Application(s) per Table 6-1-1 in the IDO]

Variance – EPC

Variance – EPC
to be reviewed and decided by [Decision-making body per Table 6-1-1]

Environmental Planning Commission

The application(s) is/are for [description of project/request]

Height Variance Requested

<p>| | |</p>
<table>
<thead>
<tr>
<th></th>
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</tr>
</thead>
<tbody>
<tr>
<td>1.</td>
<td>Property Owner* Frank J. and Clarissa J. Gonzales</td>
</tr>
<tr>
<td>2.</td>
<td>Agent* [if applicable] N/A</td>
</tr>
<tr>
<td>3.</td>
<td>Subject Property Address* 6604 Petirrojo aka 7828 Aguila</td>
</tr>
<tr>
<td>4.</td>
<td>Location Description Corner of Petirrojo and Aguila</td>
</tr>
<tr>
<td>6.</td>
<td>Legal Description 01 011 VOLCANO CLIFFS SUBD UNIT 18</td>
</tr>
<tr>
<td>7.</td>
<td>Area of Property [typically in acres]</td>
</tr>
<tr>
<td>8.</td>
<td>IDO Zone District D10</td>
</tr>
</tbody>
</table>
9. Overlay Zone [if applicable] __________________________________________
10. Center or Corridor Area [if applicable] __________________________________________
11. Current Land Use [vacant, if none] __________________________________________
12. Deviations Requested [if applicable] __________________________________________
13. Variances Requested [if applicable] __________________________________________

This application will be decided administratively by staff. No public meeting or hearing is required.

You can ask for more information by contacting Catalina Lehner at CLehner@cabq.gov or 505-924-3935.

NOTE: Anyone may request and the City may require an applicant to attend a City-sponsored facilitated meeting with Neighborhood Associations, based on the complexity and potential impacts of a proposed project [IDO Section 14-16-6-4(D)]. To request a Facilitated Meeting regarding this project, contact the Planning Department at devhelp@cabq.gov or 505-924-3955. To view and download the Facilitated Meetings Criteria, visit http://www.cabq.gov/planning/urban-design-development/facilitated-meetings-for-proposed-development.

Please contact me with any questions or concerns at (505) 908-1918 [phone number*] or via fgonzal2@outlook.com [email*].

More information about the project can be found here: [project webpage*, if applicable]

__________________________________________________________________________________

Useful Links

Integrated Development Ordinance (IDO):
http://www.cabq.gov/planning/codes-policies-regulations/integrated-development-ordinance

IDO Interactive Map
https://tinyurl.com/IDOzoningmap

Sincerely,

Frank J. and Clarissa J. Gonzales [Agent/Property Owner/Developer]

Cc: [Other Neighborhood Associations, if any]

__________________________________________________________________________________
Good Afternoon,

Please see the attachment for the notice we have to send for an EPC hearing. If you have any questions or concerns, please contact us.

Have a great day.

Thank you,

Clarissa J. Gonzales

____________________________________________________________________
This message does not originate from a known Department of Energy email system. Use caution if this message contains attachments, links or requests for information.

____________________________________________________________________
10/27/2020

[Date*]

Frank J. & Clarissa J. Gonzales

[Name* of Property Owner or Neighborhood Association (NA) Representative, Name of NA]

6604 Petirrojo aka 7828 Aguila

[Address* of Property Owner or NA Representative]

RE: Public Notice of Proposed Project

Dear Ms. Haley [Name* of Property Owner or NA Representative],

In accordance with the procedures of the City of Albuquerque’s Integrated Development Ordinance (IDO) Subsection 14-16-6-4(K)(2) Mailed Public Notice, we are notifying you as a Neighborhood Association Representative [Property Owner or NA Representative] that Frank J. & Clarissa J. Gonzales [Name of Agent/Property Owner/Developer] will be submitting the following application(s): [Application(s) per Table 6-1-1 in the IDO]

Variance – EPC

Variance – EPC

to be reviewed and decided by [Decision-making body per Table 6-1-1]

Environmental Planning Commission

The application(s) is/are for [description of project/request]

Height Variance Requested

1. Property Owner* Frank J. and Clarissa J. Gonzales
2. Agent* [if applicable] N/A
3. Subject Property Address* 6604 Petirrojo aka 7828 Aguila
4. Location Description Corner of Petirrojo and Aguila
6. Legal Description 01 011 VOLCANO CLIFFS SUBD UNIT 18
7. Area of Property [typically in acres] _____________________________
8. IDO Zone District D10
[Note: Items with an asterisk (*) are required.]

9. Overlay Zone [if applicable] ______________________________________________________

10. Center or Corridor Area [if applicable] ____________________________________________

11. Current Land Use [vacant, if none] ______________________________________________

12. Deviations Requested [if applicable] _____________________________________________

13. Variances Requested [if applicable] _____________________________________________

This application will be decided administratively by staff. No public meeting or hearing is required.

You can ask for more information by contacting Catalina Lehner at CLehner@cabq.gov or 505-924-3935.

NOTE: Anyone may request and the City may require an applicant to attend a City-sponsored facilitated meeting with Neighborhood Associations, based on the complexity and potential impacts of a proposed project [IDO Section 14-16-6-4(D)]. To request a Facilitated Meeting regarding this project, contact the Planning Department at devhelp@cabq.gov or 505-924-3955. To view and download the Facilitated Meetings Criteria, visit http://www.cabq.gov/planning/urban-design-development/facilitated-meetings-for-proposed-development.

Please contact me with any questions or concerns at (505) 908-1918 [phone number*] or via fgonzal2@outlook.com [email*].

More information about the project can be found here: [project webpage*, if applicable]

__________________________________________________________________________________.

Useful Links

Integrated Development Ordinance (IDO):
http://www.cabq.gov/planning/codes-policies-regulations/integrated-development-ordinance

IDO Interactive Map
https://tinyurl.com/IDOzoningmap

Sincerely,

Frank J. and Clarissa J. Gonzales [Agent/Property Owner/Developer]

Cc: ___________________________________ [Other Neighborhood Associations, if any]
Sent from my iPhone

Begin forwarded message:

**From:** Clarissa Gonzales <cmaes20@gmail.com>
**Date:** October 29, 2020 at 1:36:53 PM MDT
**To:** Babes♥ <fgonzal2@outlook.com>
**Subject:** Fwd: 6604 Petirrojo NW Notice for EPC

Sent from my iPhone

Begin forwarded message:

**From:** Rene' Horvath <aboard111@gmail.com>
**Date:** October 29, 2020 at 1:32:48 PM MDT
**To:** Clarissa Gonzales <cmaes20@gmail.com>
**Subject:** Re: 6604 Petirrojo NW Notice for EPC

Dear Mr. Gonzales,
Thank you for your phone call explaining your variance request for 2 ft. 5 inches for the entry tower of your home.
I'm glad you are aware of the view regulations and respect the height rules. As you explained to me, the entry tower will serve as a small view deck and add an attractive architectural feature to the home. WSCONA will not be requesting a meeting for the variance request.
Thank you, for contacting us.
Rene' Horvath
WSCONA Land Use Director

On Tue, Oct 27, 2020 at 11:30 AM Clarissa Gonzales <cmaes20@gmail.com> wrote:

Good Afternoon,

Please see the attachment for the notice we have to send for an EPC hearing. If you have any questions or concerns. Please contact us.

Have a great day.

Thank you,

Clarissa J. Gonzales

********************************************************************
This message does not originate from a known Department of Energy email system. Use caution if this message contains attachments, links or requests for information.
********************************************************************
HIGHLANDS JOINT VENTURE C/O TAFOYA JAMES C
2216 ROSENDO GARCIA RD SW
ALBUQUERQUE NM 87105-3643

GONZALES MARY ELLEN BURNS
2806 CALLE CAMPEON
SANTA FE NM 87505-6419

HIGHLANDS JOINT VENTURE C/O TAFOYA JAMES C
2216 ROSENDO GARCIA RD SW
ALBUQUERQUE NM 87105-3643

HAJI SHIRAZ & YASMIN
6619 SUERTE PL NE
ALBUQUERQUE NM 87113-1971

GRIEGO AHREN L & MEREDITH K
4843 STAFFORD PL NW
ALBUQUERQUE NM 87120-3232

HAJI SHIRAZ & YASMIN
6619 SUERTE PL NE
ALBUQUERQUE NM 87113-1971

GALLEGOS J MELVIN & KATHLEEN J
4632 ARLINGTON AVE NW
ALBUQUERQUE NM 87114-4337

LAIL CHARLES R & BARBARA A
7831 AGUILA ST NW
ALBUQUERQUE NM 87120-7032

KIA FARBOG
5336 MORNING SAGE WAY
SAN DIEGO CA 92130-5049

LAIL CHARLES R & BARBARA A
7831 AGUILA ST NW
ALBUQUERQUE NM 87120-7032

GONZALES MARY ELLEN BURNS
2806 CALLE CAMPEON
SANTA FE NM 87505-6419

MONTOYA MAURICIO C & RICARDA P
CO-TRUSTEE MONTOYA RVT
PO BOX 5723
SANTA FE NM 87502-5525

LOVE BETTY MAE & DENTON GORDON
E & NANCY J TRUSTEES DENTON LVT & ETAL
7816 HENDRIX RD NE
ALBUQUERQUE NM 87110-1522

MONTOYA MAURICIO C & RICARDA P
CO-TRUSTEE MONTOYA RVT
PO BOX 5723
SANTA FE NM 87502-5525
SITE PLAN/ SITE SECTIONS / ELEVATION/ VIEW ANALYSIS
REDUCTIONS
October 20, 2020

David Soule, P.E.
Rio Grande Engineering
PO Box 93924
Albuquerque, New Mexico  87199

RE:   Lot 1 Block 11 Volcano Cliffs Unit 18 SAD 228
      6404 Petirrojo NW
      Grading and Drainage Plan
      Engineers Stamp Date 6/16/2020 (D10D003H1)
      Pad Certification Date 10/16/2020

Dear Mr. Soule,

Based upon the information provided in your submittal received 10/20/2020, this plan is approved for Building Permit.

Please inform the builder/owner to attach a copy of this approved plan and this letter to the construction sets in the permitting process prior to sign-off by Hydrology.

Reiterate to the Owner/Contractor that a separate permit for a garden/retaining wall must be obtained, with the approved G&D plan dated and Pad Certification.

Prior to Certificate of Occupancy release, Engineer Certification per the DPM checklist of this plan will be required.

If you have any questions, please contact me at 924-3986 or Rudy Rael at 924-3977.

Sincerely,

Ernest Armijo, P.E.
Principal Engineer, Planning Dept.
Development Review Services

Find Hydrology forms and information at: cabq.gov/planning/development-review-services/hydrology-section
October 9, 2020

To whom is may concern

RE: Grading plan
    7828 Aguila

The purpose of this letter is to introduce and explain the grading plan for the reference lot. The development of this land was done at the direction of the city of Albuquerque with the Special Assessment District 228. The master drainage plan show general flow paths for all the lots. This lot is required to drain to Aguila street as shown on the attached map. The surrounding roads were raised causing this lot to not be able to drain. The pad elevation was raised the absolute minimum to allow the site to drain per the city of Albuquerque drainage ordinance and the sad 228 master drainage plan. Any lowering of the pad will make the lot unbuildable. The limiting design issue was caused by the construction of the public road higher than the lot.

Should you have any questions regarding this submittal, feel free to contact me.

Sincerely,

David Soule, PE
Rio Grande Engineering
505.321.9099
GONZALES RESIDENCE
MR. AND MRS. GONZALES
7828 AGUILA ST. NW
ALBUQUERQUE, NM 87120

SITE SECTIONS
WEST AND NORTH

2

SITE KEY PLAN

WEST - SITE SECTION - VIEW LOOKING EAST

NORTH - SITE SECTION - VIEW LOOKING SOUTH

AERIAL VIEW
GONZALES RESIDENCE
MR. AND MRS. GONZALES
7828 AGUILA ST. NW
ALBUQUERQUE, NM 87120

VIEW PLANE EXHIBIT - LOOKING WEST FROM PETIRROJO

VIEW PLANE EXHIBIT - LOOKING SOUTHEAST FROM PARK

VIEW PLANE EXHIBIT - LOOKING EAST FROM COMPASS N.W.