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OFFICIAL NOTICE OF DECISION

March 20, 2025

Pulte Group
7601 Jefferson Street NE
Suite 320
Albuquerque, NM, 87102

Project # PR-2025-011387
SI-2025-00040 – Site Plan – EPC

LEGAL DESCRIPTION:

Consensus Planning, Inc., agent for Pulte Group, requests a Site Plan – EPC for an approximately 60 acre portion of Tract N-1, Correction Plat of Tracts N-1 & N-2, Watershed Subdivision (AREPL of Tract N Watershed Subdivision), located at 9601 Tierra Pintada Blvd. NW, at the NW corner of Arroyo Vista Blvd. NW and Tierra Pintada Blvd. NW, approximately 110 acres. (J-7) (J-8)

Staff Planner: William Steele

On March 20, 2025, the Environmental Planning Commission (EPC) voted to **APPROVE** Project # 2025-011387/SI-2025-00040, a Site Plan – EPC based on the following Findings and subject to the following Conditions of Approval.

FINDINGS – SI-2025-00040 – Site Plan – EPC

1. This is a request for a Site Plan – EPC for a 60-acre portion of approximately 110 acres of Tract N-1, Correction Plat of Tracts N-1 & N-2, Watershed Subdivision (AREPL OF TR N WATERSHED SUBD), located at 9601 Tierra Pintada Blvd. NW, at the NW corner of Arroyo Vista Blvd. NW and Tierra Pintada Blvd. NW.
2. The EPC is the reviewing and final decision-making body for the Site Plan due to the proximity to Major Public Open Space (Petroglyph National Monument) and the disturbance of sensitive lands (Steep Slopes greater than 9%). Pursuant to IDO §14-16-5- 2(C)(2)(h), new subdivisions of land and site design shall avoid locating development on steep slopes and escarpments. Pursuant to IDO §14-16-5-2(C)(4), if development cannot avoid sensitive lands pursuant to Subsections (2) and (3) above, the project shall be processed as a Site Plan – EPC pursuant to IDO §14-16-6-6(I), in which case a sensitive lands analysis was required demonstrating mitigation efforts.

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3. The subject site is zoned PC (Planned Community), a zoning designation received upon adoption of the IDO. The subject site was formerly zoned PDA as noted in the Westland Master Plan (Framework Plan).
4. Pursuant to IDO §14-16-2-6(B)(7) Development on Properties with PC Zoning are required to have an approved Framework Plan prior to development. The subject site is within the Westland Master Plan (Framework Plan), which guides development for the area.
5. The applicant wishes to develop a 212 single family residential subdivision, which would be pursuant to uses, site standards, and development guidelines of the Westland Master Plan and PC zone district as determined by the EPC.
6. In April 1999, the EPC voted to recommend approval to the City Council for annexation of 1,732 acres of the Westland property (AX-99-2). The City Council annexed the area in September 1999, which allowed implementation of the Westland Master Plan (SPR-96-2).

The subject site is within the Westland Master Plan (Framework Plan), last amended in 2019 (Bill No. R-18-112, Enactment No. R-2019-013).

In July 2012, the EPC voted to forward a recommendation of approval for an amendment to the Westland Master Plan which responded to future development plans for an education complex, athletic fields and a regional park, the amendments also modified land uses, changed densities, changed acreages and revised certain Plan concepts. The new land use categories of E (Education) and R (Recreation) were introduced. Changes were made to the SU-2/R-LT, SU-2/PDA, SU-2/TCV and SU-2/TC zones. The Council approved the proposal via Council Bill No. R-12-80.

7. The Albuquerque/Bernalillo County Comprehensive Plan, and the Westland Master Plan Framework Plan are incorporated herein by reference and made part of the record for all purposes.
8. The subject site is within an Area of Change and the West Mesa CPA as designated by the Comp Plan.
9. Pursuant to IDO §14-16-6-6(I)(3)(c), “The Site Plan complies with all applicable provisions of this IDO, the DPM, other adopted City regulations, and any terms and conditions specifically applied to development of the property in a prior permit or approval affecting the property.”

The proposed Site Plan-EPC has been evaluated for conformance with applicable goals and policies in the Comprehensive Plan, and other applicable Plans. This request is for a Site Plan EPC is due to the proximity to Major Public Open Space (Petroglyph National Monument) and the disturbance of sensitive lands (Steep Slopes). While the request generally meets review and decision criteria the analysis, it falls short regarding policies related to housing options and preservation.

10. The request is partially consistent with GOAL 4.1 CHARACTER from Comprehensive Plan Chapter 4 regarding Community Identity: Enhance, protect, and preserve distinct communities.

The subject site is within the Westland Master Plan (Framework Plan) and is zoned Planned Community (PC). One of the goals of a Planned Community is to create a distinct neighborhood or

community. The development of a residential subdivision will enhance the planned community by contributing to its growth, although the subject site is designated as an education land use in the Westland Master Plan, not a residential land use. The applicant will be updating the land use designation as a condition of approval with this request. The request generally enhances the distinct community by allowing more single-family residential Dwelling Units on the site, which is still under the maximum threshold allowed in the Westland Master Plan.

11. The request is consistent with POLICY 4.1.2 IDENTITY AND DESIGN from Comprehensive Plan Chapter 4 Community Identity: Protect the identity and cohesiveness of neighborhoods by ensuring the appropriate scale and location of development, mix of uses, and character of building design.

This proposed site plan is within the parameters of the total dwelling units planned for Westland. The applicant provided a Housing Density Analysis With evidence that the addition of 212 lots fits within the threshold of 1,592 DUS. According to the Westland Master Plan amended in 2017, the proposed Land Use for the subject site is designated Education. With the effective date of the IDO in May 2018, the SU-2 for PDA zoning designation with a residential zoning category changed to PC, in which single-family residential is allowed. The location of the proposed development could protect the identity and cohesiveness of surrounding neighborhoods while completing the buildout of this sub-area as delineated in the Westland Master Plan. The development will align with the scale and location of the two single-family residential subdivisions directly to the west and northwest of the subject site.

12. The request is consistent with the following Goals and Policies related to Complete Communities, Land Uses, and Development Patterns from Comprehensive Plan Chapter 5: Land Use.

- A. GOAL 5.2 COMPLETE COMMUNITIES: Foster communities where residents can live, work, learn, shop, and play together.

The proposed single family residential subdivision is within the proposed dwelling unit capacity for residential development in the Westland Master Plan area. The location of the proposed development would contribute to the fostering of a community where residents can live, work, shop and play. The location is directly across from recreation facilities such as a stadium and sports complex. It is adjacent to a K-8 Albuquerque Public School. The I-40 corridor going east provides easy access to shopping destinations and for individuals who work east of the Rio Grande.

- B. POLICY 5.2.1 LAND USES: Create healthy, sustainable, and distinct communities with a mix of uses that are conveniently accessible from surrounding neighborhoods.

The request would contribute to a developing healthy and a distinct community by providing single family residential homes in an area that is planned to have a mix of uses. The residential development will be adjacent to a k-8 Albuquerque Public School which is conveniently accessible and utilized by students from surrounding neighborhoods. The proposed residential subdivision completes development in the PDA zoning designation sub-area within the Westland Framework Plan and will contribute to creating a healthy, sustainable, and distinct community.

- C. SUB-POLICY C): Maintain the characteristics of distinct communities through zoning and design standards that are consistent with long-established residential development patterns.

The proposed subdivision would maintain the characteristics of the surrounding distinct community by adhering to the residential design standards in the Westland Master Plan and the PC zoning standards which have been used in the construction of the adjacent single family residential developments west and northeast of the subject site. The Westland Master Plan provides the concept and guidelines for the location of this subject site and surrounding area to grow and become a distinct community on the westside of Albuquerque.

- D. GOAL 5.3 EFFICIENT DEVELOPMENT PATTERNS: Promote development patterns that maximize the utility of existing infrastructure and public facilities and the efficient use of land to support the public good.

This request would promote development patterns that maximize the utility of existing infrastructure and public facilities surrounding the subject site. The subject site is located on a municipal street with existing public infrastructure and the existing utilities such as water and sewer. The location is convenient for future residents to utilize the adjacent K-8 Albuquerque Public School (APS) and is across the street from a regional sports complex and APS sports stadium. The proposed development will support the public good by providing more housing in an area already supporting single-family residential.

- E. POLICY 5.3.1 INFILL DEVELOPMENT: Support additional growth in areas with existing infrastructure and public facilities.

This request promotes infill development in the Westland Master Plan area, which was planned for and has access to existing infrastructure and public facilities. The subject site is undeveloped land between a residential subdivision and an Albuquerque Public School. The proposed development is planned to utilize existing infrastructure such as roads, electric and water. The adjacent public facilities such as the sports complex and stadium will support the additional growth from residents in the proposed subdivision.

- F. SUB-POLICY B): Ensure that development reinforces the scale, intensity, and setbacks of the immediately surrounding context.

The proposed subdivision is required to follow the scale, intensity and setback requirements within the Westland Master Plan and IDO for the PC zone district. This would ensure that the development reinforces the context of the surrounding neighborhoods that are also within the Westland Master Plan. The proposed subdivision will be similar in scale and intensity to the subdivision adjacent and northeast of the subject site.

13. The request is partially consistent with Goal 9.1 Supply from Comprehensive Plan Chapter 9: Housing: Ensure a sufficient supply and range of high-quality housing types that meet current and future needs at a variety of price levels to ensure more balanced housing options.

The request intends to supply a range of high-quality single-family housing that meet the current and future needs of residents. Although, the proposal is not adding a variety of price

levels within the subdivision, according to a facilitated meeting report from January 30, 2025. The price levels of the homes in the residential subdivision have not been disclosed.

14. The request is consistent with POLICY 9.2.1 COMPATIBILITY from Comprehensive Plan Chapter 9: Housing: Encourage housing development that enhances neighborhood character, maintains compatibility with surrounding land uses, and responds to its development context – i.e., urban, suburban, or rural – with appropriate densities, site design, and relationship to the street.

The request would encourage more single-family residential housing in the Westland Master plan and an urban area on the west side of the City. The Westland Master Plan specifies that residential housing development is allowed in the PC zone district and stipulates the appropriate density. The subdivision will follow the IDO design standards where the Westland Master Plan is silent and where no design standards have been provided by the applicant on the Site Plan- EPC. The development will enhance the neighborhood character and maintain compatibility with the surrounding subdivisions.

15. The request is not consistent with the following Comprehensive Plan Policies regarding Housing Options, Preservation and Petroglyph National Monument.

- A. POLICY 9.1.1 HOUSING OPTIONS: Support the development, improvement, and conservation of housing for a variety of income levels and types of residents and households.

The request generally supports the development of housing for a variety of income levels and types of residents and households because the subdivision includes for 212 single family residential lots. A similar single family residential development is adjacent to the subject site and was developed by the applicant, therefore the subdivision will not provide a new type of housing option for residents. The price range of the future homes in the proposed development has not been disclosed. Only single-family residential homes have been built in the Westland Master Plan area, which do not provide an option for a variety of income levels, therefore, this proposal does not add to the development of variety of housing types for residents. The construction of single-family residential homes in this area will remove any opportunity for the development of various types of dwelling units available.

- B. POLICY 10.3.2 PRESERVATION: Identify and manage sensitive lands within the Open Space network to protect their ecological function.

Sensitive lands have been identified on the subject site, which is also adjacent to the Petroglyph National Monument. Coordination with the City's Open Space Division has occurred. The Petroglyph National Monument is to be protected as outlined in the Comp Plan, the IDO and Westland Master Plan. In accordance with the IDO the applicant conducted a sensitive lands analysis. The sensitive land's analysis shows there are steep slopes greater than 9% on the subject site, which will not be preserved. The applicant is proposing to remove the majority of the steep slopes on the subject property to provide more land and lots for the subdivision. They will rebuild and regrade the slopes that abut the Petroglyph National Monument that have been disturbed by human activity. Therefore, staff

finds that the ecological function on the site will be severely changed and management of the sensitive lands does not protect their ecological function.

- C. POLICY 11.3.4 PETROGLYPH NATIONAL MONUMENT: Regulate adjacent development to protect and preserve the Petroglyph National Monument – its volcanoes, petroglyphs, and Northwest Mesa Escarpment – as a priceless cultural landscape and community resource that provides physical, cultural, and economic benefits.

The proposed subdivision is adjacent to the Petroglyph National Monument and within the Northwest Mesa Escarpment (see Comp Plan Figure 11-3). A sensitive lands analysis has been included with the request because the applicant cannot avoid locating development on steep slopes on the site. The majority of the steep slopes greater than 9% are located on the northern east portion of the proposed subdivision. The majority of these steep slopes are to be removed to allow the development of the subdivision as planned. The IDO and Westland Master Plan do not preclude a property owner's right to develop subject to the land use planning provisions and design overlay zones, but mitigation efforts to preserve the steep slopes within the escarpment area has not been achieved.

16. The request meets the Site Plan-EPC Review & Decision Criteria in IDO §14-16-6-6(I)(3) as follows:

- A. 6-6(I)(3)(a) The Site Plan is consistent with the ABC Comp Plan, as amended.

The applicant has mostly adequately demonstrated, through a policy-based analysis, that the request would be generally consistent with the Comprehensive Plan as required pursuant to IDO §14-16-6-6(I)(3). The applicant's responses are contained in the revised project letter dated February 27, 2024 (see attachment). Staff agrees with the applicant's main arguments that the request would promote development that enhances the following Goals and Policies from Chapters in Comprehensive Plan: Goal 4.1: Character, Policy 4.1.2 Identity and Design; Goal 5.2 Complete Communities, Policy 5.2.1 Land Uses, Sub-policy 5.2.1(C), Goal 5.3 Efficient Development Patterns, Policy 5.3.1 Infill Development, Sub-policy 5.3.1(B); Goal 9.1 Supply, Policy 9.2.1 Compatibility.

The request would not promote development that is consistent with the following Goals and Policies from Chapters in Comprehensive Plan: Policy 9.1.1 Housing Options; Policy 10.3.2 Preservation; Policy 11.3.4 Petroglyph National Monument.

- B. 6-6(I)(3)(b) The Site Plan is consistent with any applicable terms and conditions in any previously approved NR-SU or PD zoning covering the subject property and any related development agreements and/or regulations.

There are no previously approved NR-SU and PD zoning covering the subject property, nor any related development agreements or regulations related to the Site Plan.

- C. 6-6(I)(3)(c) The Site Plan complies with all applicable provisions of this IDO, the DPM, other adopted City regulations, and any terms and conditions specifically applied to development of the property in a prior permit or approval affecting the property.

The Site Plan generally complies with all applicable provisions of the Westland Master Plan, IDO and other City regulations, including any conditions of approval required by the EPC. This Site Plan adheres to any terms and conditions specifically applied to the development of the property in a prior permit or approval affecting the property. The Site Plan will be reviewed by the Development Facilitation Team (DFT) to ensure compliance with applicable provisions of the Development Process Manual (DPM) and to ensure that infrastructure is sufficient.

As noted on the site plan under General Notes, item #15, “For Informational Purposes Only” the applicant anticipates to request approximately six waivers to DPM and IDO waiver requirements based on the approval of the site plan by the EPC. These include pedestrian facilities, a temporary sidewalk deferral, connectivity, centerline radius, rear lot lines adjacent to an arterial street and location of street design. These will need to be requested from the DHO upon approval of the site plan by the EPC, which will be a condition of approval.

Staff doesn’t agree with the anticipated request for the 5 waivers to the DPM and 1 waiver to the IDO as noted on the site plan. The Westland Master Plan calls for pedestrian oriented development which these waivers would be in conflict with. These waivers would hinder pedestrian and other multimodal connectivity for this residential subdivision and the surrounding area.

Pursuant to IDO §14-16-6-4(O), the decision-making body may impose conditions necessary to ensure compliance with the development standards of this IDO via the Site Plan – EPC Review and Decision Criteria in IDO §14-16-6-6(I).

- D. 6-6(I)(3)(d) The City's existing infrastructure and public improvements, including but not limited to its street, trail, drainage, and sidewalk systems, have adequate capacity to serve the proposed development, and any burdens on those systems have been mitigated to the maximum extent practicable.

The existing infrastructure and public improvements have adequate capacity for the proposed development. The development will connect to existing utilities, ensuring that it does not impose a strain on existing City infrastructure. The project site is surrounded by existing paved roads and traffic will not be hindered by this development. There are development standards and guidelines that are not being met in the DPM for streets and sidewalks. Therefore, waivers to DPM and IDO requirements for streets and sidewalks will be requested from the ZHE prior to final sign-off. The waivers apply to pedestrian facilities, a temporary sidewalk deferral, connectivity, centerline radius, rear lot lines adjacent to an arterial street and location of street design.

- E. 6-6(I)(3)(e) The application mitigates any significant adverse impacts on the project site and the surrounding area to the maximum extent practicable.

The applicant is proposing to mitigate burden on the Northwestern Mesa Escarpment by removing the majority of the steep slopes greater than 9% existing on the subject site and rebuilding the slopes that are north and adjacent to the Petroglyphs National Monument. Any such impacts will be mitigated by complying with the Westland Master Plan, DPM, adopted City regulations, PC approved standards and the IDO's use specific standards for low-density residential development. The applicant has proposed to mitigate for sensitive lands (steep slopes) by removing the two northeastern lots from their originally proposed site plan. They coordinated with APS to add pedestrian access at the northeast corner of the property so residents can gain access to the trail head and Petroglyph National Monument (PNM). The applicant has worked with the Westside Coalition of Neighborhood Associations (WSCONA) and the National Park Service (NPS) to reduce visibility of houses from the trail head and PNM by agreeing to eliminate two lots and reduce three homes to one-story on the northeast portion of the subject site. The proposed mitigation does not take in consideration the steep slopes that are to be removed at the location of the section of the proposed development where visibility of the houses from the PNM and open space. Views and access are not taken into consideration with regards to steep slopes pursuant to IDO §14-16-5-2(C)(2)(h).

According to the Westland Master Plan, site development standards which address slope and grading will ensure that the steeper slope and grading are utilized as an integral part of the site planning process. Sensitivity to the natural topography of the Westland Plan area will enhance the value, appearance, and function of the entire property. The mitigation does not take in consideration or show sensitivity to the natural topography of the steep slopes that cover the majority of the northeastern portion of the subject site.

- F. 6-6(I)(3)(f) If the subject property is within an approved Master Development Plan, the Site Plan meets any relevant standards in the Master Development Plan in addition to any standards applicable in the zone district the subject property is in.

The subject site is not within an approved Master Development Plan.

- G. 6-6(I)(3)(g) If a cumulative impact analysis is required in the Railroad and Spur Small Area pursuant to section §14-16-5-2(E) (Cumulative Impacts) and §14-16-6-4(H) (Cumulative Impacts Analysis Requirements), the Site Plan incorporates mitigation for all identified cumulative impacts. The proposed development will not create material adverse impacts on water quality or other land in the surrounding area through increases in traffic congestion, parking congestion, noise, vibration, light spillover, or other nuisances without sufficient mitigation or civic or environmental benefits that outweigh the expected impacts.

A cumulative impact analysis is not required, because the subject site is not in the Railroad and Spur Small Area.

- H. 6-6(I)(3)(h) If an outdoor or site lighting performance analysis is requested, the proposed lighting design must prove it will not adversely affect the lighting requirements of section §14-16-5-2(E) without sufficient mitigation and benefits that outweighs the expected impacts.

An outdoor or site lighting performance analysis has not been requested or required.

17. The Proposed Site Plan generally meets applicable standards within the Westland Master Plan (Framework Plan) and the PC zone district of the IDO for residential subdivisions. Both IDO §14-16-5-2(J)(1) Lots within 330 Feet of Major Public Open Space and IDO §14-16-5-2(J)(2) Lots Adjacent to Major Public Open Space apply, each with specific standards governing development to enhance and protect Major Public Open Space. The Site Plan generally meets these standards. A full analysis is found within the Staff Report.
18. A Sensitive Lands Analysis was required as part of this request for proximity to the Petroglyph National Monument and disturbance of Steep Slopes pursuant to IDO §14-16-5-2(C) Avoidance of Sensitive Lands:

To the maximum extent practicable, site design shall avoid locating development, except for open spaces and areas that would not be disturbed during the development process, in sensitive lands. The following is an analysis of the sensitive lands on the subject site:

A. 5-2(C)(1)(a) Arroyos

The Ladera Dam 9 Diversion drainage area (FEMA Zone AE) located on the west passes north to south across the subject site from the Petroglyphs National Monument under Arroyo Vista Blvd NW to the Mirehaven Arroyo B detention pond.

The applicant states in their sensitive land analysis that no significant arroyos cross the subject property and the Ladera Dam 9 Diversion has been eliminated with the development of the subdivision to the west which was upstream. According to the CABQ Land Use Facilitation Program Project Meeting Report, the applicant stated the diversion dike built to intercept upland flows was constructed prior to the development of the subdivision to the west.

Staff's onsite visit and FEMA's maps show the Ladera Dam 9 Diversion is not stemming from the direction of the subdivision to the west. The Dam 9 Diversion runs from Petroglyph National Monument land and onto the subject site from north to south. There is no detailed description provided by the applicant on how the need for the Ladera Dam 9 Diversion occurred. AMAFCA has provided comments stating the drainage plan must verify the subject site complies with the DPM and all other pertinent drainage criteria. Please see the agency comments section.

B. 5-2(C)(1)(b) Floodplains and Special Flood Hazard Areas

This area has been reviewed by AMAFCA. They have no adverse comments regarding Site Plan EPC. The drainage plan must verify the site is in compliance with the applicable DMP

and other pertinent drainage criteria. The site is currently encumbered by FEMA floodplain. A Conditional Letter of Map Revision (CLOMR) and Letter of Map Revision (LOMR) are required to revise the floodplain to the proposed conditions for the subdivision. No building plan approval will be given until a CLOMR is reviewed and approved by AMAFCA and submitted to FEMA for consideration. No residential building shall occur in the area encumbered by FEMA floodplain until FEMA approves the LOMR which can only be after the required flood control infrastructure is constructed. The site is also currently encumbered by an existing AMAFCA drainage easement for the Ladera Dam 9 Diversion facility. AMAFCA will not release or vacate the existing easement until the CLOMR is approved by FEMA. Similarly, AMAFCA will not sign any plat until the CLOMR is approved by FEMA.

C. 5-2(C)(1)(g) Significant Archaeological Sites

The subject site has had Archaeological studies conducted; specifically, NMCRIS 72095, 120548, and 13219. Significant archeological sites were located and subsequently excavated. The City Archeologist has signed the Albuquerque Archaeological Ordinance – Compliance Documentation and issued a Certificate of No effect pursuant to 6-5(A)(3)(a).

D. 5-2(C)(1)(h) Steep Slopes and Escarpments

The subject site is within the Northeast Mesa Escarpment area and adjacent to the Northwest Mesa Escarpment along the Petroglyph a National Monument. A steep down- slope to the northeast is outside of proposed Site Plan boundary. (See Grading and Drainage Plan.)

There are steep slopes greater than 9% located on the subject site. The IDO definition of Steep Slope comprises of “land with 9 percent slope or more, where development is discouraged.” There are significant grade changes on the site. Slopes of 15% exist on the northern portion of the site which is adjacent to the Petroglyph National Monument. These steep slopes continue to wrap around to the northeastern portion of the subject site in the direction of the ABQ public school. There are a few slopes over 9% on the west side of the subject site, adjacent to the subdivision. The applicant claims that it isn’t practicable to save all the areas impacted by the steep slopes to develop the subject site. They wish to remove the steep slope areas south of the monument boundary along the east edge of the of the property.

The steep slopes cover approximately 15% of the proposed subdivision. The site plan would restore approximately 5.9 acres of the steep slopes adjacent to the Petroglyph National Monument and would remove the remaining approximately 3.1 acres of steep slopes in the northeast portion of the subject site that provide a natural buffer between the subject site and the public school. The applicant intends to restore and preserve the steep slopes to the north that border the Petroglyph National Monument from over-use where practicable and allowing development “appropriate” to the site that would accommodate their proposed subdivision. The applicant proposes to protect and restore the steep slopes that are adjacent to the PNM while grading other steep sloped areas to accommodate their subdivision layout.

City requirements for grading and street design and the adjacent APS property create restrictions that impact the ability to develop the property as imagined by the applicant. The applicant states preservation of the entire property that is impacted by the areas over 9% slope will create a significant hardship for the development. The development will remove steep slopes on the western edge of the parcel and a few near the south eastern portion of the subject site. The special circumstances that prevent the applicant from developing the subdivision are the steep slopes greater than 9% which are identified as sensitive lands and should be avoided in site design pursuant to IDO §14-16-5-2 Site Design to Avoid Sensitive Lands.

Pursuant to the Westland Master Plan, a slope of 3 to 5 percent is ideal for site development and major development constraints do not occur on slopes of less than 15 percent. Site development standards which address slope and grading will ensure that the steeper slope and grading are utilized as an integral part of the site planning process. Sensitivity to the natural topography of the Westland Plan area will enhance the value, appearance, and function of the entire property.

Pursuant to IDO §14-16-2-6(B)(5)(b) the development in Planned Communities shall be organized to protect or enhance to the following types of natural resources and features: Natural or geologic hazard areas or soil conditions, such as unstable or potentially unstable slopes, faulting, landslides, rock falls, or expansive soils; Lands that show evidence of slope instability, landslides, avalanche, flooding, or other natural or manmade hazards shall not be included in platted lots; and significant views of the Sandia Mountains or Petroglyph National Monument from high points or public places. Protection and enhancement of such sensitive lands can be achieved by including such areas in common landscaped areas or dedicated open space or by mitigating the impacts of construction on these features to the maximum extent feasible. Although the applicant's plan of mitigation involves restoring parts of the steep slopes, the overall impact of demolishing the majority of the steep slopes on the subject site, particularly in the northeast quadrant, has not been adequately presented by the applicant.

The applicant is strongly encouraged to preserve the steep slopes in the northeast quadrant of the development, which would result in the elimination of additional lots. The intention of IDO §14-16-5-2 Sensitive lands, is to avoid development on sensitive lands, and there they can't be avoided, therefore, in meeting the intent and clear language of the provision, the applicant shall mitigate impact on the steep slopes to the greatest extent possible.

E. 5-2(C)(1)(i) Wetlands

According to the U.S. Fish and Wildlife Services National Wetlands Inventory the subject site has multiple riverine systems crossing the subject site and has been identified with the classification code R4SBJ and R4SB3J. R4SBJ includes wetlands contained within a channel that may or may not contain flowing water part of the year and when water is not flowing surface water may be absent from the streambed. Sometimes these channels contain gravel and cobble. Years, months or weeks may occur between periods of the streambed channel use and is generally limited to the Western arid areas.

19. City Hydrology has indicated that the City of Albuquerque standard specifications for public works construction (city standard specifications) section 1014 'sensitive lands preservation and construction mitigation' outlines the actions that are required prior to grubbing or grading a site and the additional actions required during the entire span of construction to preserve lands identified for permanent preservation. These requirements shall be consistently applied for the purpose of preserving sensitive land features that are irreplaceable and are essential to the cultural and natural resource heritage of Albuquerque. Sensitive lands preservation location will be determined by the approved EPC site plan per IDO section 5-2(c)(4).
20. The applicant notified the affected Neighborhood Associations, the WSCONA, Tres Volcanes NA, and Del Web Mire haven NA, and property owners within 100-feet of the subject site as required.
21. City staff received letters of support from the WSCONA, which supports the amended Site Plan for a subdivision with 212 lot after eliminating two lots closest to the PNM trail-head and restricts homes on the next three adjacent lots to single story. They also support the agreements between the applicant and the National Parks Service to address the items listed in the letter (02-07-25) by the PNM superintended.
22. A City of Albuquerque Land Use Facilitation Program Meeting was held on January 30, 2025. The agent and applicants were in attendance with representatives from Neighborhood Associations and interested parties. There were questions and concerns regarding the following topics: Elevations, Variance, Drainage, Arroyos, Slopes, Perimeter Wall/Fence, Proximity to Monument, Access to Monument, Construction Dust & Debris, Subdivision Parks.

A concern was regarding the lots located closest to PNM may be visible to people visiting the National Park. The applicant offered to commit to only building single-story homes in the northeastern portion of the site as a way to address the concern of visibility from the petroglyphs. Two of the lots were removed nearest the trail head as an attempt to reduce visibility of the homes from the trail head and PNM.
23. The Open Space Division does not support the request to develop on the steep slopes as it will require significant construction and reconfiguring of the area and undermine the intent of the Sensitive Lands Preservation. The OSD recommends the total sensitive lands be retained.
24. The National Park Service requested fencing be provided along the Monument boundary to prevent illegal access and will work with the developer regarding the design. They also requested an access from the subdivision to the trailhead and this was agreed upon by the developer.

The National Park Service is concerned that the homes on the eastern part of the subdivision are to be constructed very close to the PNM trail head and Monument boundary. They would like a larger buffer in this area and no homes withing the direct viewshed of the trail head to protect the cultural landscape in the area.
25. The National Park Service requests that the EPC put strict stipulations in place to require the developer and all contractors to clean up debris daily, remove it from the construction site, and use covered trash containers (and close the lids). The developer and the city staff should monitor contractors frequently to ensure they are complying with the stipulations.

26. The Site Plan approved by the EPC shows a general layout; however, the DHO shall subsequently consider the subdivision, which could change as a result of future platting actions and/or requirements.
27. Staff has crafted conditions of approval needed to improve compliance with applicable IDO standards and provide clarity for the future.

CONDITIONS OF APPROVAL - Project #: 2025-011387 - Site Plan-EPC

1. Pursuant to IDO §14-16-6-4(O)(4), any Conditions of Approval shall be met within 1 year of the approval, unless stated otherwise in the approval. If any conditions are not met within that time, the approval is void. The Planning Director may extend the time limit up to an additional 1 year.
2. The Applicant shall coordinate with the Staff Planner to ensure that all Conditions of Approval are met and then submit a vetted, final version to the Staff Planner for filing with the Planning Department.
3. After coordinating with the Staff Planner, the applicant shall submit the final version of the Site Plan to the Development Facilitation Team (DFT) for final sign-off. Pursuant to IDO §14-16-6-6(I)(2)(m), Site Plans shall be reviewed administratively for compliance with Conditions of Approval, the DPM, and zoning standards prior to the issuance of a building permit. The reviewer shall ensure that all EPC Conditions have been satisfied and that the IDO, DPM, and all other applicable City requirements have been met.
4. The DHO shall review the associated Bulk Land Platting action (PR-2024-010189) upon final sign off of this request. The location of the eastern property line on the Site Plan EPC shall coincide with the bulk land plat reviewed and decided by the DHO following approval of this Site Plan EPC, as noted on the site plan.
5. The proposed future waivers to the IDO and DPM requirements should be approved prior to final signoff of the Site Plan-EPC.
6. Landscape Plan:
 - A. An updated landscape plan shall be provided which depicts one street tree per lot or a general note shall be provided which states that this requirement will be met.
 - B. The site plan references a pocket park and the landscape plan references a neighborhood park. The sheets shall be updated to match.

7. Walls:

- A. A detail of the fencing adjacent to the open space requested by the National Park Service and the wall adjacent to the ABQ Public School shall be provided that notes: perimeter walls adjacent to the open space and APS to be constructed with a lower CMU portion and view fencing on top. The applicant shall work with the National Parks Service on finalizing fence design details along the Monument boundary.
- B. A solid wall with no view fencing along Arroyo Vista Blvd NW shall also be noted.
- C. For the perimeter wall, a note shall be added that matches the color pallet of the entry gate wall: “overall color palette to be bronze, tan, beige and dark brown with pops of blue and gold accents.”

- 8. A note shall be added to the Site Plan that references Pedestrian walkways and Materials to Alert Motorists, See Table 5-3-1 and IDO §14-16-5-3(D)(3)(c).
- 9. The Site Vicinity Map shall be updated on the site plan to include the full 110-acre site.
- 10. The Site Plan shall comply with the General Regulations of the IDO and all other applicable design regulations, except as specifically approved by the EPC.
- 11. The developer and general contractors shall clean up debris from the construction of the single-family residential lots and homes daily, remove it from the construction site, and use covered trash containers (and close the lids). The developer will provide an on-call contractor for the National Parks Service to contact for debris clean up on the Petroglyph National Monument Property. The developers will monitor contractors frequently to ensure they are complying with these stipulations to protect the Petroglyph National Monument and sensitive lands adjacent to and on the subject site.

APPEAL

If you wish to appeal, you must do so within 15 days of the EPC's decision or by **April 4, 2025**. The date of the EPC's decision is not included in this 15-day period. If the 15th day falls on a Saturday, Sunday, or Holiday, the next working day is considered the deadline for filing an appeal.

For more information regarding the appeal process, please refer to the Integrated Development Ordinance (IDO), §14-16-6-4(U) (Appeals). The IDO is available online here: <https://www.cabq.gov/ido>. A non-refundable fee is required to be paid when the appeal is filed. It is not possible to appeal EPC recommendations to the City Council, because a recommendation is not a final decision.

You will receive notification if anyone files an appeal. If the decision is not appealed, you can receive building permits any time after the appeal deadline, provided all conditions of approval associated with the decision and all other applicable regulations have been met.

Sincerely,



for Alan Varela
Planning Director

AV/WS/MJ

cc: All interested parties

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EPC file