



Environmental Planning Commission

Agenda Number: 5
Project #: PR-2018-001560
Case #s: SI-2022-02318, SI-2022-02414
Hearing Date: February 16, 2023

Supplemental Staff Report

Agent	Consensus Planning
Applicant	Pulte Homes
Request	Site Plan Major Amendment & Site Plan, EPC
Legal Description	Tract A-1 and Tract A-2, Plat of Tracts A-1 and A-2 Hoffmantown Baptist church site (a replat of Tract A Hoffmantown Baptist church site and Tract B-2 (Yorba Linda subdivision))
Location	located at 8888 Harper Dr. NE, at the SW corner of Harper Rd. NE and Ventura St. NE
Size	Approximately 60 acres
Existing Zoning	R-1C

Staff Recommendation

APPROVAL of SI-2022-02318 based on the Findings beginning on p. 8.

APPROVAL of SI-2022-02414 based on the Findings beginning on p. 13 and subject to conditions beginning on p. 19.

STAFF PLANNERS

Leroy Duarte, Current Planner
Megan Jones, Senior Planner

Summary of Analysis

This two-part request is for a Major Amendment to remove Tract A-2 from the controlling Site Development Plan for Subdivision (SDPS) and a new Site Plan-EPC. The request was continued at the January 19, 2023 hearing.

The request would facilitate development of a single-family residential subdivision on Tract A-2. The SDPS would remain valid on Tract A-1.

The subject site is in an Area of Consistency and not in an Activity Center or along a Corridor. The South Pino Arroyo abuts the subject to the south and encroaches onto a portion of it. Therefore, a sensitive lands analysis was required.

The affected neighborhood organizations are the District 4 Coalition and the Cherry Hills Civic Association, which were notified as required. Property owners within 100 feet of the subject site were also notified as required. A facilitated meeting was held on 11-1-22. Staff has received several comments expressing concerns and a letter of opposition.

Staff recommends approval subject to conditions needed to ensure compliance and provide clarity moving forward.



I. OVERVIEW

The request was first heard at the January 19, 2023 EPC hearing and was continued for a month to the February 16, 2023 hearing to additional allow additional time to work on the Findings and Conditions.

This two-part request is for: 1) a Major Amendment to an existing site development plan for subdivision (SDPS) for an approximately 60-acre site (Tract A-1 and Tract A-2, the “subject area”), and 2) a Site Plan- EPC for the approximately 14.5-acre Tract A-1 (the “subject site”).

The applicant proposes to: 1) remove Tract A-2 (the “subject site”) from the existing SDPS, which would facilitate re-platting and development of a 39-lot subdivision of single-family homes, and 2) a new Site Plan EPC on Tract A-2 for the single-family subdivision. Tract A-2 would then be subject to IDO development standards; the SDPS would remain valid on Tract A-1.

The South Pino Arroyo, a Major Open Space Link Arroyo, abuts the subject site to the south. A portion of it encroaches onto the subject site, which is also in a floodplain. Therefore, a Sensitive Land Analysis was required. The applicant received approval of four waivers from the Development Review Board (DRB); however, the waivers are contingent upon the EPC’s review of the future subdivision’s layout, since it has not avoided sensitive lands [(IDO 14-16-6-6(I)(1)(c)(4)].

EPC Role

→ Please refer to p. 2 of the original January 19, 2023 Staff report.

Context

→ Please refer to p. 2 of the original January 19, 2023 Staff report.

History

→ Please refer to p. 2 of the original January 19, 2023 Staff report.

Roadway System, Comprehensive Plan Designations, and Comprehensive Plan Community Planning Area Designation

→ Please refer to p. 2 of the original January 19, 2023 Staff report.

Trails/Bikeways- updated

The Trails and Bikeways Facility Plan (Rank II) shows a proposed secondary trail along the South Pino Arroyo (Trail #343 on the map). The trail along Harper Rd. is also shown as a proposed secondary trail (Trail #310 on the map).

Transit, and Public Facilities/Community Services

→ Please refer to p. 2 of the original January 19, 2023 Staff report.

II. ANALYSIS of APPLICABLE ORDINANCES, PLANS, AND POLICIES

Integrated Development Ordinance (IDO)

→ Please refer to p. 10 of the original January 19, 2023 Staff report.

Zoning & Albuquerque / Bernalillo County Comprehensive Plan (Rank 1)

→ Please refer to p. 11 of the original January 19, 2023 Staff report.

Facility Plan for Arroyos (FPA)- Rank II

→ Please refer to p. 15 of the original January 19, 2023 Staff report.

Integrated Development Ordinance (IDO) 14-16-6-G(J)(3)- Site Plan-EPC Review and Decision Criteria

→ Please refer to p. 17 of the original January 19, 2023 Staff report.

III. SITE PLAN - MAJOR AMENDMENT & SITE PLAN – EPC (UPDATED)

The EPC is hearing this case because Major Amendments are reviewed and decided by the decision-making body that issued the approval being amended, following procedures for the most closely equivalent decision (see IDO section 14-16-6-4(Z)).

Additionally, any Subdivision or Site Plan that has not avoided sensitive lands identified in the sensitive lands analysis required pursuant to Subsection 14-16-5-2(C) must be heard by the EPC (IDO 14-16-6-6(I)(c)(4)). The South Pino Arroyo abuts the subject site to the south and encroaches onto a southeastern portion of it. The proposed subdivision layout does not avoid the floodplain and steep slopes of the Arroyo; therefore, a Sensitive Lands Analysis and review by the EPC are required.

Pursuant to IDO Section 14-16-6-4(Q), 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 process.

Waiver-DRB Contingent upon Subdivision Layout

On December 7, 2022, the DRB reviewed four waivers for technical acceptability for the subdivision layout proposed in the Preliminary Plat and associated with the Site Plan-EPC request. The proposed subdivision layout (see attachments in the January 19, 2023 Staff Report) does not meet minimum technical and/or IDO standards regarding sidewalks (VA-2022-00328), back yards (VA-2022-00329), block length (VA-2022-00330), and minimum center line radius of the roadway (VA-2022-00331). The applicant sought the waivers in order to not be required to meet these standards (see DRB Notice of Decision attached).

The waivers are reflected in the proposed layout, which does not avoid sensitive lands and is before the EPC: sidewalk is provided on one side of the entryway to the subdivision, instead of two; walled rear yards/back yards abut a minor arterial street instead of being separated from it; block lengths exceed the maximum length of 600 feet for a local street; and the centerline turning radius is 90 degrees in four locations, instead of the maximum of 75 degrees, meaning that turns are sharp.

The DRB approved the waivers, but deferred the Preliminary Plat because the final subdivision layout is contingent upon the EPC's discretionary review of IDO 5-2, Site Design and Sensitive Lands, so the layout could change. As noted in the DRB notice of decision (see attachment), the process is as follows: the EPC will first review the issue of building upon the Sensitive Lands and render a decision regarding the subdivision layout. If the waivers remain relevant to that layout, then the EPC should accept them as part of the site plan. The approved waivers do not obligate the EPC to approve the subdivision layout presented to the DRB.

After the EPC's decision of the proposed subdivision, the applicant can resubmit the Plat as indicated in the DRB notice of decision.

Site Plan Layout/Configuration- updated

The applicant proposes a 39-lot residential subdivision. The proposed layout does not avoid sensitive lands (arroyo, floodplain, steep slopes), and therefore is before the EPC as a reviewing body.

The layout shown is inconsistent with certain IDO requirements so the applicant has pursued four waivers at the DRB in order to make the proposed layout possible; however, the waivers are contingent upon the EPC's approval of the proposed layout. The EPC has purview over 5-2, Site Design and Sensitive Lands, which is a key factor affecting the layout.

The applicant proposed a 100-foot buffer, to remain undeveloped, along the subject site's southern side. The buffer area starts at the existing view fencing along the arroyo and runs northward in a strip. This area contains natural vegetation and steep slopes, which the proposed layout does not avoid. If the EPC determines that sensitive land area, in addition to the buffer, should be protected, Staff can craft conditions of approval to achieve this and associated waivers would be modified accordingly.

Pedestrian, Bicycle and Transit Access- updated

The applicant received a waiver to 7-4(E) of the DPM to allow a sidewalk on one side of the street at the private entryways to the subdivision, which is contingent based on the EPC's approval of the proposed layout.

The request would not change any existing infrastructure that would affect pedestrian bicycle or Transit Access and there is adequate sidewalk infrastructure along the boundaries of the subject site.

A new pedestrian accessible gate is located off of Harper Rd. NE along with a 10' wide trail along the subdivision (see attachments in the January 19, 2023 Staff Report).

Vehicular Access, Circulation and Parking- updated

The site can be accessed from one divided gate entrance off of Harper Rd. NE that is comprised of one ingress lane and one egress lane.

Parking complies with the IDO Parking standards 14-16-5-11(C) (residential single-family dwelling). Each dwelling unit shall contain 4 parking spaces: 2 garage and 2 driveway spaces.

A waiver to 7-4(A)(3) of the DPM was approved to allow two blocks within the Hoffmantown Subdivision to exceed 600 feet, the maximum block length for a local street and was justified due to lot constraints (see DRB NOD).

Landscaping, Buffering and Screening- updated

Landscaping is required to comply with IDO Section 14-16-5-6(D) Landscaping, Buffering, and Screening and IDO Subsection 14-16-5-2(I)(4)- Landscaping Adjacent to Arroyos. Pursuant to (b), disturbed areas are required to be reseeded and/or planted with low-water, native and/or naturalized vegetation. Landscaping on lots abutting arroyos shall be pursuant to 14-16-5-6(C)(4)- Required Plant Materials and Site Amenities, which requires the use of native plants that are included on the Albuquerque Plant Palette pursuant to (e).

Walls/Fences – updated

The proposed layout is not consistent with IDO requirements regarding 5-4(F)(2)(b) which states that residential lots shall avoid layouts where the rear lot line and rear yard walls are adjacent to a collector or arterial street. The Site Plan proposes 6-foot rear yard walls adjacent to Harper Rd. NE. The applicant received an approved DRB waiver to 5-4(F)(2)(b) (back yards VA-2022-00329), which contingent upon the EPC's approval of the proposed subdivision layout.

DRB NOD dated December 7, 2022 states any solid wall on along Harper should be limited to 6-feet in height on the street side of the wall, and any additional wall height should be view fencing. The maximum wall height is 8 feet. The proposed site plan complies.

The proposed perimeter wall adjacent to the South Pino Arroyo is pursuant to IDO 5-7(E)(3) Wall Design. The wall detail proposes an overhanging cap and columns/pilasters no greater than 20-feet apart.

Retaining wall standards are pursuant to 5-7(F). The applicant shall provide an updated retaining wall detail to reflect 5-7(F)(2) standards for Terracing and update the detail note to state that height is in accordance with 5-7(F) Retaining Wall Standards. The detail refers to the old City Comprehensive Plan.

Signage

One wall sign is being proposed along the perimeter wall adjacent to Harper Rd. NE, which is following standards pursuant to IDO Table 5-12-1: On-premises Signs in Residential Zone Districts with allows a maximum of two-square feet.

Lighting

No lighting is proposed on the Site Plan.

Building Design

→ Please refer to p. 19 of the original January 19, 2023 Staff report.

Grading & Drainage Plan- updated

The applicant included a Drainage Report with their Site Plan-EPC application, which was preliminarily approved by City Hydrology on November 16, 2022 (see attachments). The plans are conceptual only and more information may be needed and submitted to Hydrology for building permit approval.

The subject site generally drains from northeast to southwest and consist of slopes steeper than 20% in some places, with the majority of the subject site sloping from 2% to 10%.

Based on existing topography, the subject site is divided into four off-site drainage basins and six on-site drainage basins. Existing conditions show the total existing discharge is 16.4 cfs to the South Pino Arroyo and 7.0 cfs to Harper Rd. Pursuant to IDO 5-2(I)(2)(b), development will not be allowed to discharge stormwater runoff into an arroyo, unless an engineering analysis can demonstrate that the discharge will have minimal impact on the treatment called for in the drainage management plan for the arroyo and on existing detention basins.

A lined swale is proposed along the eastern property line within the Hoffmantown Park tract. The swale will follow the existing drainage pattern which results in runoff north towards Harper Rd., and the remaining runoff south towards the South Pino Arroyo.

A private storm drain system will utilize a stormwater quality inlet/manhole to collect debris and discharge into the South Pino Arroyo.

South Pino Arroyo Floodplain

The applicant included an Offsite Analysis Memorandum with the Grading and Drainage Report. The report determined that the proposed grading would impact the South Pino Arroyo, which is delineated as a FEMA Zone AO in the area.

The report states that the South Pino Arroyo floodplain delineation will need to be amended to reflect, changes along the south boundary of the property, which will be accomplished by following FEMA's CLOMR (Conditional Letter of Map Revision) process.

Bank protection is proposed along the subject site's southern boundary, located within the existing public drainage easement along the south side of the subject site. The bank protection will extend from just inside the eastern site boundary to just inside the western site boundary. (See Grading and Drainage Report in attachments). The Grading and Drainage Plan notes that "Ramp and Bank Protection is to be included with Construction Documents.

AMAFCA/FEMA

AMAFCA is requiring the Bank Protection along the Arroyo, which will shall be completed before a building permit is approved. All other stipulations in the CLOMR report are required to be approved and signed off by FEMA before a plat is signed (see additional agency comments attached).

IV. IDO 14-16-5-2 SITE DESIGN & SENSITIVE LANDS- (UPDATED)

The subject site is adjacent to the South Pino Arroyo, which is classified as a Major Open Space Link Arroyo by the Facility Plan for Arroyos (Rank II). The request is subject to IDO Section 14-16-5-2(I)- Major Arroyo Standards.

→ Please refer to the original January 19, 2023 Staff report for the step-by-step analysis of 14-16-5-2(C), in relevant part.

5-2(C) Site Design to Avoid Sensitive Lands

Pursuant to IDO Section 5-2(C)(1), the subdivision and site design process shall begin with an analysis of site constraints related to sensitive lands. The site analysis shall be included with applications for Subdivision or Site Plan.

The applicant provided a response to the Sensitive Lands Criteria (see attachments in the January 19, 2023 Staff Report), which are discussed here in relevant part.

5-2(C)(2)(a) Arroyos

The South Pino Major Open Space Link Arroyo abuts the southern edge of the subject site. Development of the proposed subdivision cannot be avoided. The applicant has stated that the South Pino Arroyo will be preserved within the AMAFCA drainage easement and will also

designate a private no-build open space area. Bank protection treatments would be implemented and consist of reinforced shotcrete bank protection.

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

The subject property is located in the FEMA Flood Zone designated "AO". The AO flood plain encroaches 295' into the subject site from the South Pino Arroyo. Applicant proposes to move the flood plain zone 200' south where the bank protection would be installed. Based on AMAFCA's comments - a Conditional Letter of Map Revision (CLOMR) will need to be approved by FEMA prior to any plat signoff.

5-2(C)(2)(g) Steep slopes and escarpments

Grading is proposed in order to meet DPM sloe requirements. The subject site has significant grade change from east to west mainly along the northern edge at the center of the subject site. Approximately 4.43 acres of grade changes of more than 9% slope account for the subject site. Grading will reduce the slope on the site below 5%. As a result, retention walls would be installed at various locations to provide stability and erosion control.

5-2(I) Major Arroyo Standards

5-2(I)(2) Drainage

5-2(I)(2)(b)- development will not be allowed to discharge stormwater runoff into an arroyo, unless engineering analysis can demonstrate that discharge will have minimal impact on the treatment called for in the drainage management plan for the arroyo and on existing detention basins.

The applicant has provided an engineering analysis that demonstrated that the discharge will have minimal impact on the existing detention basins.

5-2(I)(3) Arroyos and Trails

The applicant has stated that the South Pino Arroyo will be preserved within the AMAFCA drainage easement and will also designate a private no-build open space.

5-2(I)(4) Landscaping Adjacent to Arroyos

No landscaping or reseeding has been proposed by applicant.

5-2(I)(5) Walls and Fences

Walls and fences must comply with applicable standards in subsection 14-16-5-7 and 14-16-5-7(E)(4) Walls adjacent to Major Arroyos or Major Public Open Space, if applicable).

V. AGENCY & NEIGHBORHOOD CONCERNS

Reviewing Agencies- updated

→ Please refer to p. 2 of the original January 19, 2023 Staff report.

On January 19, 2023 AMAFCA provided an additional comment stating that: The building permit for the subdivision development should not be issued until the Conditional Letter of Map Revision (CLOMR) and City Work Order plans for the required flood/scour wall have been reviewed and approved by both the City and AMAFCA and FEMA has accepted the CLOMR.

Staff checked-in with Staff from the Parks and Recreation Department (PRD) to gather information regarding the intentions for a trail near the subject site. Parks staff indicated that the proposed project was reviewed at the DRB last August and November. At that time, PRD staff noted that the Long-Range Bikeway System map shows a Proposed Paved Trail on Harper Rd NE and requested that the asphalt multi-purpose trail be provided [DPM 7-4(F)(6)(ii) Design Standards]. PRD staff also noted that Harper Rd NE requires street trees within 20-ft from the curb, generally spaced 25-ft on-center.

It was also recommended that the height of a solid wall along the trail be limited to 5-6-ft or less (as viewed from Harper Rd NE), and any additional height needed be view-fencing.

Regarding the South Pino Arroyo, PRD staff indicated that they do not believe a trail will be happening anytime soon; AMAFCA would have to come to some kind of agreement with the city to share the R.O.W.

Neighborhood/Public

→ Please refer to p. 22 of the original January 19, 2023 Staff report.

VI. CONCLUSION-

The two-part request was continued for a month at the January 19, 2023 EPC hearing. The request is for: 1) a Major Amendment to remove Tract A-2 from the controlling Site Development Plan for Subdivision (SDPS) for an approximately 60-acre site, and 2) a Site Plan- EPC for an approximately 14.5-acre site to facilitate future development of a single-family detached subdivision.

The affected neighborhood organizations are the District 4 Coalition of Neighborhood Associations, and the Cherry Hills Civic Association, which were notified as required. Property owners within 100 feet of the subject site were also notified as required. Staff has received several comments from members of the community expressing concerns.

Staff recommends approval subject to conditions to ensure compliance and provide clarity moving forward.

FINDINGS – PR-2018-001560, SI-2022-02318, February 16, 2023– Major Amendment

1. The request is for a Major Amendment for a property legally described as Tract A1 and Tract A2, Plat of Tracts A-1 and A-2 Hoffmantown Baptist Church Site, at the SW corner of Harper Rd. NE and Ventura Rd. NE, approximately 60-acres (the “subject area”).
2. Tract A2 is approximately 14.5-acres within the controlling Site Development Plan for Subdivision and is located on the western portion of the subject site. The subject site is vacant.
3. The applicant wishes to remove Tract A2 from the controlling Site Development Plan for Subdivision, which would facilitate a future re-plat of the subject site. Tract A-2 would then be controlled by IDO development standards; the Site Development Plan for Subdivision would remain valid on Tract A1.
4. The subject site is zoned R-1C (Single-Family Large Lot). The requested Major Amendment would facilitate development of a 39-lot single-family residential subdivision, which the controlling site development plan for subdivision would not allow.
5. The subject site is in an Area of Consistency and is not in a designated Center or along a designated Corridor. The Facility Plan for Arroyos also applies because the South Pino Arroyo runs along a portion of the subject site’s southern boundary and encroaches into it.
6. The EPC is hearing this case as required by IDO section 14-16-6-4(Z) Major Amendment-EPC. Major Amendments shall be reviewed and decided by the decision-making body that issued the permit or approval being amended.
7. IDO 14-16-6-6(I)(1)(c)(4) states that any Subdivision or Site Plan application for development that has not avoided sensitive lands is required to be heard by the EPC pursuant to Subsection 14-16-5-2(C)(4). A Sensitive Lands Analysis is required.
8. The Albuquerque/Bernalillo County Comprehensive Plan, the Facility Plan for Arroyos, and the Integrated Development Ordinance (IDO) are incorporated herein by reference and made part of the record for all purposes.
9. The request is consistent with the following Comprehensive Plan Goal and policy from Chapter 4: Community Identity:

A. Goal 4.1 – Character: Enhance, protect, and preserve distinct communities.

The request would enhance, protect, and preserve the surrounding residential neighborhoods, specifically the Cherry Hills neighborhood. A zone change was approved by City Council in 2022 to R-1C, which allows single-family residential uses. The proposed amendment to remove Tract A-2 from the controlling SDP for Subdivision would allow the subject site to be developed pursuant to IDO development standards for R-1C uses and would place stringent standards on the subdivision that would protect the character of the surrounding North Albuquerque community.

The subject site is in an Area of Consistency as designated by the Comp Plan, which is intended to be developed consistent with the established character of the surrounding area in order to reinforce the existing character of established neighborhoods. The proposed Site Plan

for a single-family residential subdivision would enhance the area by facilitating similar development to the surrounding area and protect the neighborhood by providing a new residential development that would enhance and help to preserve the identity of the community.

- B. Policy 4.1.2 – Identity and Design: Protect the identity and cohesiveness of neighborhoods by ensuring the appropriate scale and location of development, mix of uses, and character of building design.

The request to remove Tract A-2 from the controlling SDP for Subdivision which would allow the development of a single-family residential subdivision, included with this request, would help protect the identity and cohesiveness of the surrounding residential neighborhood. The subject site would be controlled by IDO development standards, which the proposed Site Plan-EPC for a 39-lot, low-density residential subdivision is following. The stringent IDO standards will ensure that character of building design on the R-1C zoned site will be consistent with the scale of the low -density land uses in the area. The proposed low-density residential land use will be an appropriate location of development in an Area of Consistency.

10. The request is consistent with the following sub-policies from Comprehensive Plan Chapter 5: Land Use.

- A. Sub-policy(c) 5.2.1 – Land Uses: Maintain the characteristics of distinct communities through zoning and design standards that are consistent with long-established residential development patterns.

The request would allow the development of a low -density, single-family residential subdivision which would be subject to IDO design standards. The proposed use and R-1C zoning on the site would be consistent with the established Cherry Hills Neighborhood to the north, thereby maintaining the character of the surrounding communities long-established residential development patterns.

- B. Sub-policy(h) 5.2.1 – Land Uses: Encourage infill development that adds complementary uses and is compatible in form and scale to the immediately surrounding development.

The requested Major Amendment would facilitate development of the proposed Site Plan for a single-family residential subdivision on an infill site that is compatible to the immediately surrounding residential neighborhoods.

- C. Sub-policy(n) 5.2.1 – Land Uses: Encourage more productive use of vacant lots and under-utilized lots, including surface parking.

The request would facilitate development of a single-family subdivision on the subject site, which has sat vacant for years in an established community. The proposed Site Plan would, would encourage productive use of the underutilized land and discourage surface parking.

11. The request is consistent with the following goal and policies regarding infill and city development areas from Comprehensive Plan Chapter 5: Land Use.

- A. 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.

The request would generally promote efficient use of the land. The proposed Site Plan would promote development patterns that are similar to the Cherry Hills Neighborhood, while also using existing infrastructure that surrounds the site.

- B. Policy 5.3.1 – Infill Development: Support additional growth in areas with existing infrastructure and public facilities.

The subject site is currently surrounded by low-density residential development, parks, open space and religious institutions. The proposed Site Plan would utilize existing infrastructure along Harper Rd. including water and sewer.

- C. Goal 5.6 City Development areas: Encourage and direct growth to Areas of Change where it is expected and desired to ensure that development in and near Areas of Consistency reinforces the character and intensity of the surrounding area.

The subject site is located in an Area of Consistency. The request would reinforce the character and intensity of the surrounding area by creating consistency with the existing residential land uses and keeping the character and intensity the same.

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

The request would generally enhance the character of the existing single-family neighborhoods surrounding the subject area, specifically the Cherry Hills neighborhood to the North. The subject site is outside of Centers and Corridors and a Sensitive Lands Analysis has been provided for the impact of development on the abutting South Pino Arroyo. The proposed Site Plan made possible by the requested amendment would generally protect the character of the surrounding area and amenities.

- E. Sub-policy(b) 5.6.3 Areas of Consistency: Ensure that development reinforces the scale, intensity, and setbacks of the immediately surrounding context.

The proposed Site Plan would follow the development standards of the R-1C zone district and other applicable IDO development standards, which would be consistent with the scale, intensity, and set backs of the surrounding residential community. The large lot parcels are similar to the design and density characteristics of most development in the area.

12. The request is consistent with the following Comprehensive Plan Goal from Chapter 9: Housing:

Goal 9.2.1 –Compatibility: 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 requested Major Amendment would facilitate development of the proposed Site Plan to develop a new low-density, single-family residential neighborhood in an established residential community. The request would reinforce and strengthen the surrounding neighborhood characteristics and maintain appropriate densities and site design by following IDO

development standards for the R-1C zone district. The applicant has provided street sections for Harper Rd. NE which the Site Plan proposes to enhance.

13. The request is consistent with the following Comprehensive Plan Policy and Sub-policy from Chapter 12: Infrastructure, Community Facilities & Services

- A. Policy 12.1.4 Drainage and Flood Control: Reduce or eliminate flooding by improving ponding and drainage capacities in an environmentally sensitive manner through the development process and in coordination with flood control agencies.

The proposed Site Plan includes a Grading and Drainage Plan and Report which aim to eliminate flooding by improving ponding and drainage capacities by following City DPM standards in addition to AMAFCA regulations. The applicant has stated that they will work with FEMA moving forward to ensure proper grading and drainage capacities.

- B. Sub-policy (b): Preserve natural drainage functions of arroyos to the extent possible and use naturalistic design treatment when structural improvements are required for flood control.

The subject site abuts the South Pino Arroyo on the southern edge of the property. The applicant was required to complete a sensitive lands analysis which detailed how negative impacts to the arroyo and its natural drainage functions would be mitigated. The applicant has proposed to provide bank protection that incorporates naturalistic design treatment and encourages the growth of existing native desert plants. Development that encroaches the arroyo cannot be avoided.

14. The request is consistent with the following Policies regarding Major Open Space Link Arroyos from the Facility Plan for Arroyos (FPA)- Rank II:

- A. Policy 4- Right-Of-Way: A minimum twenty-foot easement is recommended for trail development and possible landscaping on at least one side of the channel, outside of the 100-year floodplain. If dedicated to the City, this twenty-foot area shall be eligible for either open space credit in the Developing Urban area or for park dedication credit. The actual amount of land area to be credited as dedicated park land will be determined by the City on a case-by-case basis. Specific right-of-way requirements for each Major Open Space Link will be determined through the arroyo corridor planning process.

An AMAFCA owned drainage right-of-way (access easement) exists along the subject site's southern boundary where the South Pino Arroyo is located. The subject site has also dedicated 100' of easement from within the property line to the lot lines south of the subdivision.

- B. Policy 4- Walls: Continuous perimeter walls should not be located adjacent to the arroyo right-of-way.

Perimeter walls are proposed along the arroyo and do meet the design standards for open space link arroyos.

15. The applicant has adequately justified the request pursuant to the Integrated Development Ordinance (IDO) Section 14-16-6-6(I)(3)-Review and Decision Criteria for Site Plan-EPC, as follows:

A. Criterion A: The applicant's policy-based response demonstrates that the request is consistent with a preponderance of applicable ABC Comprehensive Plan Goals and Policies (and other applicable City Plans), therefore, the request is consistent with the City's health, safety, morals and general welfare.

B. Criterion B: The subject site is zoned R-1C; therefore, criterion B does not apply.

C. Criterion C: The request is for a Major Amendment to the controlling site development plan and for a Site Plan-EPC. The proposed Site Plan is required to comply with all applicable provisions of the IDO, DPM, other adopted City regulations. All conditions must be met prior to building permit approval.

The applicant has stated that the development will comply with all applicable provisions pursuant to the R-1C zone district including lot sizes, setbacks, and parking. Grading and Drainage has been approved by City Hydrology.

D. Criterion D: The subject site is already served by existing infrastructure and public facilities. The applicant has stated that any additional infrastructure improvements necessary to serve the project will be provided by the Applicant through an Infrastructure Improvement Agreement.

E. Criterion E: The applicant was required to provide a sensitive lands analysis due to the bordering South Pino Arroyo on the southern edge of the subject Sit. A detailed analysis was given describing how any significant adverse impacts would be mitigated. The applicant included a memo which provided recommendation from the approved Drainage report on how to best mitigate any impacts identifies. The Site Plan is required to follow all standards of the IDO, DPM and other applicable City standards, which the applicant has agreed to follow.

F. Criterion F: The subject property is not within an approved Master Development Plan; therefore, criterion F does not apply.

G. Criterion G: The subject property is not within the Railroad and Spur Area and no cumulative impact analysis is required. Therefore, criterion G does not apply.

16. The affected, registered neighborhood organizations are the District 4 Coalition of Neighborhood Associations and the Cherry Hills Civic Association, which were notified as required. Property owners within 100 feet of the subject site were also notified as required.
17. A pre-application facilitated neighborhood meeting was held at the Hoffmantown Church on November 1, 2022. The Cherry Hills NA representatives had questions regarding potential traffic congestion, access, and exterior wall design which the applicant responded to.
18. Staff received comments from the District 4 Coalition of Neighborhood Associations (NA) and the Cherry Hills Neighborhood Association (NA) in regards to the concurrent Site Plan-EPC request (SI-2022-02414). District 4 Coalition of NAs is in opposition to the associated Waiver DRB request. The NAs are not opposed to the proposed use, but are opposed to the proposed Site Plan.

RECOMMENDATION – PR-2018-001560, SI-2022-02318 – February 16, 2023

APPROVAL of Project# 2018-001560, Case# SI-2022-02318, a Major Amendment for a property legally described as Tract A1 and Tract A2, Plat of Tracts A-1 and A-2 Hoffmantown Baptist Church Site, at the SW corner of Harper Rd. NE and Ventura Rd. NE, approximately 60-acres based on the preceding Findings.

FINDINGS – PR-2018-001560 SI-2022-02414, February 16, 2023– Site Plan- EPC

1. The request is for a Site Plan-EPC for a property legally described as Tract A2, Plat of Tracts A-1 and A-2 Hoffmantown Baptist Church Site, at the SW corner of Harper Rd. NE and Ventura Rd. NE, approximately 14.5-acres (the “subject site”).
2. The approximately 14.5-acre subject site comprises the western portion of a larger, controlling Site Development Plan for Subdivision that covers approximately 60-acres. The subject site is vacant.
3. A request for a Major Amendment to remove Tract A2 from the controlling Site Development Plan for Subdivision (SI-2022-02318) is associated with this request.
4. The subject site is zoned R-1C (Single-Family Large Lot). The request would facilitate development of a 39-lot single-family residential subdivision.
5. The subject site is in an Area of Consistency and is not in a designated Center or along a designated Corridor. The Facility Plan for Arroyos also applies because the South Pino Arroyo runs along the subject site’s southern boundary and encroaches into it.
6. At its December 7, 2022 hearing, the DRB determined that a Preliminary Plat could not be approved until the EPC, as a discretionary body, reviewed the associated Site Plan-EPC, which is required pursuant to IDO 14-16-5-2, Site Design and Sensitive Lands, because the subject site is adjacent to an arroyo, in a flood plain, and contains slopes greater than 9%.
7. IDO 14-16-6-6(I)(1)(c)(4) states that any Subdivision or Site Plan application for development that has not avoided sensitive lands is required to be heard by the EPC pursuant to Subsection 14-16-5-2(C)(4). A Sensitive Lands Analysis is required.
8. The Albuquerque/Bernalillo County Comprehensive Plan, the Facility Plan for Arroyos, and the Integrated Development Ordinance (IDO) are incorporated herein by reference and made part of the record for all purposes.
9. The request is consistent with the following Comprehensive Plan Goal and policy from Chapter 4: Community Identity
 - A. Goal 4.1 – Character: Enhance, protect, and preserve distinct communities.

The request would enhance, protect, and preserve the surrounding residential neighborhoods, specifically the Cherry Hills neighborhood. A zone change was approved by City Council in

2022 to R-1C, which allows single-family residential uses. The proposed amendment to remove Tract A-2 from the controlling SDP for Subdivision would allow the subject site to be developed pursuant to IDO development standards for R-1C uses and would place stringent standards on the subdivision that would protect the character of the surrounding North Albuquerque community.

The subject site is in an Area of Consistency as designated by the Comp Plan, which is intended to be developed consistent with the established character of the surrounding area in order to reinforce the existing character of established neighborhoods. The proposed Site Plan for a single-family residential subdivision would enhance the area by facilitating similar development to the surrounding area and protect the neighborhood by providing a new residential development that would enhance and help to preserve the identity of the community.

- B. Policy 4.1.2 – Identity and Design: Protect the identity and cohesiveness of neighborhoods by ensuring the appropriate scale and location of development, mix of uses, and character of building design.

The request to remove Tract A-2 from the controlling SDP for Subdivision which would allow the development of a single-family residential subdivision, included with this request, would help protect the identity and cohesiveness of the surrounding residential neighborhood. The subject site would be controlled by IDO development standards, which the proposed Site Plan-EPC for a 39-lot, low-density residential subdivision is following. The stringent IDO standards will ensure that character of building design on the R-1C zoned site will be consistent with the scale of the low -density land uses in the area. The proposed low-density residential land use will be an appropriate location of development in an Area of Consistency.

10. The request is consistent with the following sub-policies from Comprehensive Plan Chapter 5: Land Use.

- A. Sub-policy(c) 5.2.1 – Land Uses: Maintain the characteristics of distinct communities through zoning and design standards that are consistent with long-established residential development patterns.

The request would allow the development of a low -density, single-family residential subdivision which would be subject to IDO design standards. The proposed use and R-1C zoning on the site would be consistent with the established Cherry Hills Neighborhood to the north, thereby maintaining the character of the surrounding communities long-established residential development patterns.

- B. Sub-policy(h) 5.2.1 – Land Uses: Encourage infill development that adds complementary uses and is compatible in form and scale to the immediately surrounding development.

The requested Major Amendment would facilitate development of the proposed Site Plan for a single-family residential subdivision on an infill site that is compatible to the immediately surrounding residential neighborhoods.

- C. Sub-policy(n) 5.2.1 – Land Uses: Encourage more productive use of vacant lots and under-utilized lots, including surface parking.

The request would facilitate development of a single-family subdivision on the subject site, which has sat vacant for years in an established community. The proposed Site Plan would, would encourage productive use of the underutilized land and discourage surface parking.

11. The request is consistent with the following goal and policies regarding infill and city development areas from Comprehensive Plan Chapter 5: Land Use:

- A. 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.

The request would generally promote efficient use of the land. The proposed Site Plan would promote development patterns that are similar to the Cherry Hills Neighborhood, while also using existing infrastructure that surrounds the site.

- B. Policy 5.3.1 – Infill Development: Support additional growth in areas with existing infrastructure and public facilities.

The subject site is currently surrounded by low-density residential development, parks, open space and religious institutions. The proposed Site Plan would utilize existing infrastructure along Harper Rd. including water and sewer.

- C. Goal 5.6 City Development areas: Encourage and direct growth to Areas of Change where it is expected and desired to ensure that development in and near Areas of Consistency reinforces the character and intensity of the surrounding area.

The subject site is located in an Area of Consistency. The request would reinforce the character and intensity of the surrounding area by creating consistency with the existing residential land uses and keeping the character and intensity the same.

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

The request would generally enhance the character of the existing single-family neighborhoods surrounding the subject area, specifically the Cherry Hills neighborhood to the North. The subject site is outside of Centers and Corridors and a Sensitive Lands Analysis has been provided for the impact of development on the abutting South Pino Arroyo. The proposed Site Plan made possible by the requested amendment would generally protect the character of the surrounding area and amenities.

- E. Sub-policy(b) 5.6.3 Areas of Consistency: Ensure that development reinforces the scale, intensity, and setbacks of the immediately surrounding context.

The proposed Site Plan would follow the development standards of the R-1C zone district and other applicable IDO development standards, which would be consistent with the scale, intensity, and set backs of the surrounding residential community. The large lot parcels are similar to the design and density characteristics of most development in the area.

12. The request is consistent with the following Comprehensive Plan Goal from Chapter 9: Housing:

Goal 9.2.1 –Compatibility: 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 facilitate development of the proposed Site Plan to develop a new low-density, single-family residential neighborhood in an established residential community. The request would reinforce and strengthen the surrounding neighborhood characteristics and maintain appropriate densities and site design by following IDO development standards for the R-1C zone district. The applicant has provided street sections for Harper Rd. NE which the Site Plan proposes to enhance.

13. The request is consistent with the following Comprehensive Plan Policy and Sub-policy from Chapter 12: Infrastructure, Community Facilities & Services:

- A. Policy 12.1.4 Drainage and Flood Control: Reduce or eliminate flooding by improving ponding and drainage capacities in an environmentally sensitive manner through the development process and in coordination with flood control agencies.

The proposed Site Plan includes a Grading and Drainage Plan and Report which aim to eliminate flooding by improving ponding and drainage capacities by following City DPM standards in addition to AMAFCA regulations. The applicant has stated that they will work with FEMA moving forward to ensure proper grading and drainage capacities.

- B. Sub-policy (b): Preserve natural drainage functions of arroyos to the extent possible and use naturalistic design treatment when structural improvements are required for flood control.

The subject site abuts the South Pino Arroyo on the southern edge of the property. The applicant was required to complete a sensitive lands analysis which detailed how negative impacts to the arroyo and its natural drainage functions would be mitigated. The applicant has proposed to provide bank protection that incorporates naturalistic design treatment and encourages the growth of existing native desert plants. Development that encroaches the arroyo cannot be avoided.

14. The request is consistent with the following Policies regarding Major Open Space Link Arroyos from the Facility Plan for Arroyos (FPA)- Rank II:

- A. Policy 4- Right-Of-Way: A minimum twenty-foot easement is recommended for trail development and possible landscaping on at least one side of the channel, outside of the 100-year floodplain. If dedicated to the City, this twenty-foot area shall be eligible for either open space credit in the Developing Urban area or for park dedication credit. The actual amount of land area to be credited as dedicated park land will be determined by the City on a case-by-case basis. Specific right-of-way requirements for each Major Open Space Link will be determined through the arroyo corridor planning process.

An AMAFCA owned drainage right-of-way (access easement) exists along the subject site's southern boundary where the South Pino Arroyo is located. The subject site has also

dedicated 100' of easement from within the property line to the lot lines south of the subdivision.

- B. Policy 4- Walls: Continuous perimeter walls should not be located adjacent to the arroyo right-of-way.

Perimeter walls are proposed along the arroyo and do meet the design standards for open space link arroyos.

15. The applicant has adequately justified the request pursuant to the Integrated Development Ordinance (IDO) Section 14-16-6-6(I)(3)-Review and Decision Criteria for Site Plan-EPC, as follows:

- A. Criterion A: The applicant's policy-based response demonstrates that the request is consistent with a preponderance of applicable ABC Comprehensive Plan Goals and Policies (and other applicable City Plans), therefore, the request is consistent with the City's health, safety, morals and general welfare.
- B. Criterion B: The subject site is zoned R-1C; therefore, criterion B does not apply.
- C. Criterion C: The request is for a Major Amendment to the controlling site development plan and for a Site Plan-EPC. The proposed Site Plan is required to comply with all applicable provisions of the IDO, DPM, other adopted City regulations. All conditions must be met prior to building permit approval.

The applicant has stated that the development will comply with all applicable provisions pursuant to the R-1C zone district including lot sizes, setbacks, and parking. Grading and Drainage has been approved by City Hydrology.

- D. Criterion D: The subject site is already served by existing infrastructure and public facilities. The applicant has stated that any additional infrastructure improvements necessary to serve the project will be provided by the Applicant through an Infrastructure Improvement Agreement.
- E. Criterion E: The applicant was required to provide a sensitive lands analysis due to the bordering South Pino Arroyo on the southern edge of the subject Sit. A detailed analysis was given describing how any significant adverse impacts would be mitigated. The applicant included a memo which provided recommendation from the approved Drainage report on how to best mitigate any impacts identifies. The Site Plan is required to follow all standards of the IDO, DPM and other applicable City standards, which the applicant has agreed to follow.
- F. Criterion F: The subject property is not within an approved Master Development Plan; therefore, criterion F does not apply.
- G. Criterion G: The subject property is not within the Railroad and Spur Area and no cumulative impact analysis is required. Therefore, criterion G does not apply.

16. As stated in the DRB Notice of Decision from December 7, 2022, the four waivers are contingent upon the Site Plan layout, as determined by the EPC. See DRB NOD Finding number 1.
17. The DRB reviewed four waivers for technical acceptability for the subdivision layout proposed in the Preliminary Plat. These approvals do not obligate the EPC to approve the subdivision layout presented to the DRB. See NOD dated December 7, 2022.
18. The proposed secondary trail shown along the South Pino Arroyo (Trail #343 in the Trails and Bikeways Facility Plan (Rank II)) is not likely to develop in the near future; AMAFCA and the City do not have an agreement in place at this time regarding the ROW.
19. The affected, registered neighborhood organizations are the District 4 Coalition of Neighborhood Associations and the Cherry Hills Civic Association, which were notified as required. Property owners within 100 feet of the subject site were also notified as required.
20. A pre-application facilitated neighborhood meeting was held at the Hoffmantown Church on November 1, 2022. The Cherry Hills NA representatives had questions regarding potential traffic congestion, access, and exterior wall design which the applicant responded to.
21. A letter was received on January 3, 2023 from the District 4 Coalition of Neighborhood Associations in opposition to the Site Plan request and the associated Waiver DRB requests.
22. Staff received a letter from a representative of the District 4 Coalition of Neighborhood Association's on January 8, 2023. The letter outlined concerns regarding development along the South Pino Arroyo and requests that the developer resubmit the proposed Site Plan with less lots to avoid the floodplain and steep slopes of the Arroyo.
23. Staff received a letter on January 12, 2023 from a representative of the Cherry Hills Neighborhood Association (NA), which outlines their opposition to the development avoiding specific development standards in the IDO. The NA opposes the approved waiver-DRB (VA-2022-00329) which would allow the development of a wall and lots backing up to Harper Rd. NE. The NA is also concerned that the proposed development does not adequately avoid "steep slopes" and the abutting arroyo.
24. The representative of the Cherry Hills NA stated that they are not opposed to the proposed use, but they are opposed to the proposed Site Plan. They request that the EPC review the approved waiver DRB (VA-2022-00329) to 5-4(F)(2)(b)-Residential lots shall avoid layouts where the rear lot line is adjacent to a collector or arterial street, which would allow for the seven lots on the north side of the subdivision with rear yard lot lines adjacent to Harper Rd.
25. The users of the trail along the southern side of Harper Rd. submitted a petition requesting that the EPC deny the site plan as presented because it violates IDO Section 5-2(C) for Sensitive Lands. They are also in opposition to development that would back up to Harper Road.
26. The City Hydrology department preliminarily approved the Grading and Drainage Plan, which is conceptual only; additional information may need to be submitted to Hydrology prior to building permit approval.

RECOMMENDATION – PR-2018-001560, SI-2022-02414- February 16, 2023

APPROVAL of Project# 2018-001560, Case# SI-2022-0414, a Site Plan-EPC for a property legally described as Tract A2, Plat of Tracts A-1 and A-2 Hoffmantown Baptist Church Site, at the SW corner of Harper Rd. NE and Ventura Rd. NE, approximately 14.5-acres based on the preceding Findings and subject to the following Conditions of Approval.

CONDITIONS OF APPROVAL – SI-2022-2414, Site Plan - EPC

1. The EPC delegates final sign-off authority of the site plan to the Development Facilitation Team (DFT), previously known as the DRB. The reviewer will be responsible for ensuring that the EPC Conditions have been satisfied and that other applicable City requirements have been met.
2. The applicant shall coordinate with the Staff planner prior to re-submitting to the DFT, formally known as DRB, as per the 12/7/2022 DRB Notice of Decision (PR # 2018-001560, VA-2022-00328, VA-2022-00329, VA-2022-00330, VA-2022-00331).
3. The request shall be reviewed by the Development Hearing Officer (DHO) for the final platting action(s) and any infrastructure.
4. Any waivers associated with the EPC-approved subdivision layout, and accepted by the EPC, shall be listed on the Site Plan-EPC.
5. The applicant shall comply with applicable provisions of IDO 14-16-5-2 Site Design and Sensitive Lands and the DPM (unless a waiver applies).
6. The site plan shall comply with IDO 14-16-5-2(I)(4) Site Design and Sensitive Lands-Landscaping Adjacent to Arroyos, and the Facility Plan for Arroyos- Landscaping & Open Space:
 - A. Disturbed areas shall be reseeded and/or planted with low-water, low-maintenance, native, or naturalized plant materials [14-16-5-2(I)(4)(b)].
 - B. Landscaping on lots abutting arroyos shall be pursuant to 14-16-5-6(C)(4)- Required Plant Materials and Site Amenities [14-16-5-2(I)(4)(e)].
 - C. A note shall be added to indicate landscaping adjacent to the arroyo.
7. Landscaping Plan details:
 - A. Landscaping adjacent to arroyos shall consist of low-maintenance, native plants included on the Albuquerque Plant palette [IDO 14-16-5-6(C)(4)(e) and in the FPA].
 - B. Juniper shall be “female only” (ref: Pollen Ordinance) and chosen from the Albuquerque Plant Palette.
 - C. Elm species shall be chosen from the Albuquerque Plant Palette or replaced with another tree on this list.
8. Walls/Fences:
 - A. The applicant shall provide an updated retaining wall detail to reflect 5-7(F)(2) standards for Terracing.

-
- B. The retaining wall detail shall be updated note to state that height is in accordance with 5-7(F) Retaining Wall Standards.
 - C. The color and material of the view fencing shall be specified.
9. Signage: The height and materials of the wall sign shall be specified.
10. Elevations: A sample elevation shall be submitted to demonstrate compliance and that development standards are being met [IDO Table 2-3-3: R-1 Zone District Dimensional Standards Summary].
11. A detail sheet shall be provided and contain all the walls, signage, and lighting details.
12. Clarification- the following shall be added to clarify the site plan:
- A. A legend shall be added.
 - B. What the types of shading indicate shall be specified.
 - C. A note shall be added to indicate the intended use(s) of the cross-hatched area(s).
 - D. A scale shall be added to the sheet with the cross sections.
13. CONDITION FROM THE SOLID WASTE MANAGEMENT DEPARTMENT
- The Solid Waste Management Department (SWMD) will require a site plan that shows the dimensions of the proposed curb space and driveways approved for access by SWMD.
14. CONDITIONS FROM PNM:
- A. Any existing and/or new PNM easements and facilities shall be reflected on the Site Plan and any resulting Plat.
 - B. Any on-site transformers shall have a five-foot clear area on the sides and rear and ten-foot in front to allow for access and maintenance.
15. CONDITIONS FROM AMAFCA:
- A. The Conditional Letter of Map Revision (CLOMR) shall be approved by FEMA prior to AMAFCA signature.
 - B. The building permit for the subdivision shall not be issued until the Conditional Letter of Map Revision (CLOMR) and City Work Order plans for the required flood/scour wall have been reviewed and approved by both the City and AMAFCA, and FEMA has accepted the CLOMR.
-


Megan Jones
Senior Planner


Leroy Duarte
Planner

Notice of Decision CC list:

Cherry Hills Civic Association, Rob MacIvor, rmacivor2@comcast.net

Cherry Hills Civic Association, Ellen Dueweke, edueweke@juno.com

District 4 Coalition of Neighborhood Associations, Daniel Regan, dlreganabq@gmail.com

District 4 Coalition of Neighborhood Associations, Mildred Griffiee, mgriffiee@noreste.org

Legal, avarela@cabq.gov

EPC file

ADDITIONAL AGENCY COMMENTS

Received during the continuance period:

- PRD
- AMAFCA
- DRB



ENVIRONMENTAL PLANNING COMMISSION (EPC)

Parks and Recreation Department (PRD)

Project # PR-2018-001560

SI-2022-02318 - Site Plan- Major Amendment

SI-2022-02414 – Site Plan - EPC

Consensus Planning, agent for Pulte Group, requests a Site Plan- Major Amendment and a Site Plan-EPC, for all or a portion of Tract A-1 and Tract A-2, Plat of Tracts A-1 and A-2 Hoffmantown Baptist church site (a replat of Tract A Hoffmantown Baptist church site and Tract B-2 Yorba Linda subdivision), located at 8888 Harper Dr. NE, at the SW corner of Harper Rd. NE and Ventura St. NE, approximately 60 acres. (E-20)
Staff Planners: Megan Jones and Leroy Duarte

PRD Comments:

In advance of the EPC submittal, this project was submitted to the City of Albuquerque's Development Review Board (DRB) for review on August-17-2022 and November 30 2022. The Parks and Recreation Department commented:

- The Long Range Bikeway System map shows a Proposed Paved Trail on Harper Rd NE. Please provide an asphalt multi-purpose trail per DPM 7-4(F)(6)(ii) Design Standards.
- Harper Rd NE requires street trees within 20-ft from the curb, generally spaced 25-ft on-center.
- IDO Section 5-4(F)(2)(b): Residential lots shall avoid layouts where the rear lot line is adjacent to a collector or arterial street.

Subsequently, the applicant provided a 10-ft wide asphalt multi-use trail with buffers per DPM standards along Harper Rd NE, and street trees between the curb and trail; therefore PRD comments were satisfied. It was also recommended that the height of a solid wall along the trail be limited to 5-6-ft or less (as viewed from Harper Rd NE), and any additional height needed be view-fencing.

The DRB is waiting for the EPC decision before proceeding with review.

Jones, Megan D.

From: Jared Romero <jromero@amafca.org>
Sent: Tuesday, January 31, 2023 1:45 PM
To: Jones, Megan D.
Cc: Renz-Whitmore, Mikaela J.; Salas, Alfredo E.; Lehner, Catalina L.; Duarte, Leroy D.; Brissette, Renee C.; Nicole Friedt
Subject: RE: EPC applications January 19, 2023 - Additional AMAFCA Response

Follow Up Flag: Follow up
Flag Status: Flagged

[EXTERNAL] Forward to phishing@cabq.gov and delete if an email causes any concern.

Good Afternoon Megan,

Based on our conversation this morning regarding AMAFCA's comments on Project PR-2018-001560 sent on December 16, 2022, AMAFCA would like to add the following:

The building permit for the subdivision development should not be issued until the Conditional Letter of Map Revision (CLOMR) and City Work Order plans for the required flood/scour wall have been reviewed and approved by both the City and AMAFCA and FEMA has accepted the CLOMR.

Thanks,
Jared

Jared Romero, CFM
Development Review Engineer
Albuquerque Metropolitan Arroyo Flood Control Authority
2600 Prospect Ave. NE
Albuquerque, NM 87107
Phone: (505) 884-2215
jromero@amafca.org

From: Jared Romero
Sent: Friday, December 16, 2022 7:41 AM
To: Salas, Alfredo E. <ASalas@cabq.gov>; Lehner, Catalina L. <CLehner@cabq.gov>; Duarte, Leroy D. <lduarte@cabq.gov>; mdjones@cabq.gov; Renz-Whitmore, Mikaela J. <mrenz-whitmore@cabq.gov>
Subject: RE: EPC applications January 19, 2023 - AMAFCA Response

Good Morning All,

Attached is AMAFCA's response for the EPC cases being heard on January 19, 2023.

Thanks,
Jared

Jared Romero, CFM
Development Review Engineer
Albuquerque Metropolitan Arroyo Flood Control Authority

DEVELOPMENT REVIEW BOARD

Code Enforcement Comments

Disclaimer: Comments provided are based upon information received from applicant/agent. If new or revised information is submitted, additional comments may be provided by Planning staff.

Jeff Palmer-Code Enforcement Supervisor
Planning Department
jppalmer@cabq.gov

DATE: 12/07/2022

AGENDA ITEM NO: 8

DRB PROJECT NUMBER:

PR-2018-001560

SD-2022-00172 – PRELIMINARY PLAT

VA-2022-00328 – IDO WAIVER – (SIDEWALK)

VA-2022-00329 – IDO WAIVER – (BACKYARD)

VA-2022-00330 – IDO WAIVER – (BLOCK LENGTH)

VA-2022-00331 – DPM WAIVER – (MINIMUM CENTER-LINE RADIUS)

VA-2022-00332 – TEMPORARY DEFERRAL OF SIDEWALK

SD-2022-00173 – VACATION OF PUBLIC EASEMENT – (30FT SANITARY SEWER)

SD-2022-00174 – VACATION OF PUBLIC EASEMENT – (10FT WATER, SEWER, PUBLIC UTILITY

SD-2022-00175 – VACATION OF PRIVATE EASEMENT – (CROSS LOT BLANKET DRAINAGE EASEMENT)

SKETCH PLAT 8-17-22

PROJECT NAME:

BOHANNAN HUSTON INC. agent for HOFFMANTOWN CHURCH requests the aforementioned action(s) for all or a portion of: TRACT A-2 PLAT OF TRACT A-1 AND A-2 HOFFMANTOWN BAPTIST CHURCH SITE, HOFFMANTOWN zoned R1-C, located on HARPER RD between VENTURA ST and WYOMING BLVD containing approximately 14.0 acre(s). (E-20) [Deferred from 11/30/22]

PROPERTY OWNERS: PULTE GROUP

REQUEST: PRELIMINARY PLAT APPROVAL, INFRASTRUCTURE LIST, WAIVERS, VACATION OF PUBLIC/PRIVATE EASEMENTS

COMMENTS:

1. Waiver is requested for sections of IDO 5-3 Access & Connectivity and 5-4, Subdivision of Land. IDO sections 5-3(E)(1)(b)(2), 5-4(E)(1)(d), and Table 5-4-1 require that block lengths are designed to DPM standards. Code Enforcement is prepared to accept the argument for the waiver, but is concerned that only one access for 39 homes is insufficient. We would recommend a second access from Harper be considered, but will defer to Transportation on this matter.

DEVELOPMENT REVIEW BOARD

Code Enforcement Comments

Disclaimer: Comments provided are based upon information received from applicant/agent. If new or revised information is submitted, additional comments may be provided by Planning staff.

Jeff Palmer-Code Enforcement Supervisor
Planning Department
jppalmer@cabq.gov

DATE: 12/07/2022

2. Waiver is requested for IDO section 5-4(F)(2)(b): *Residential lots shall avoid layouts where the rear lot line is adjacent to a collector or arterial street.* Code Enforcement is prepared to accept the argument for the waiver, with the proposed 18' ROW, including a sidewalk and trail, between Harper Rd and the backyards adjacent.

3. Property is zoned R-1C. Lots must meet Dimensional Standards as per IDO 5-1(C), Table 5-1-1. No dimensions are given for the proposed lots. We will need to have proposed dimensional standards for complete consideration and approval of the proposed plat.



**Development Review Board (DRB)
Review Comments
Utility Development Section
Reviewer: David G. Gutierrez, P.E.
Phone: 505.289.3381**

DRB Project No: PR-2018-001560	Date: 12/07/22	Item No: #8
Zone Atlas Page: E-20	Legal Description: Lot(s) TRACT A-2 PLAT OF TRACT A-1 AND A-2 HOFFMANTOWN BAPTIST CHURCH SITE, HOFFMANTOWN Location: HARPER ROAD NE between VENTURA STREET NE and WYOMING BLVD NE	
Request For: SD-2022-00172 – PRELIMINARY PLAT VA-2022-00328 – IDO WAIVER – (SIDEWALK) VA-2022-00329 – IDO WAIVER – (BACKYARD) VA-2022-00330 – IDO WAIVER – (BLOCK LENGTH) VA-2022-00331 – DPMWAIVER – (MINIMUM CENTER-LINE RADIUS) VA-2022-00332 – TEMPORARY DEFERRAL OF SIDEWALK SD-2022-00173 – VACATION OF PUBLIC EASEMENT – (30FT SANITARY SEWER) SD-2022-00174 – VACATION OF PUBLIC EASEMENT – (10FT WATER, SEWER, PUBLIC UTILITY) SD-2022-00175 – VACATION OF PRIVATE EASEMENT – (CROSS LOT BLANKET DRAINAGE EASEMENT)		

ABCWUA Comment:

Please provide written description of how the following comments were addressed with the next submittal.

No additional submittals were provided, previous comments still apply:
SD-2022-00172 – PRELIMINARY PLAT

1. Availability Statement #220212 has been issued and provides the conditions for service. Public extensions are required.
2. The proposed sanitary sewer realignment is going through a side-yard easement. This shall be aligned to be within a tract separate from the proposed lot 27 or shall be aligned such that it is within public rights-of-way.
3. The proposed infrastructure will need to be realigned prior to signature of final plat.
4. Please assign separate tracts or public rights-of-way for all new public water and sanitary sewer infrastructure.
5. Please identify the existing easement document number and filing dates for all existing easements.
6. As shown, the public 20' sanitary sewer easement along lots 27 overlaps a 10' PUE which does not meet Water Authority requirements of having an exclusive easement for this infrastructure. Please dedicate exclusive corridors for public water and public sanitary sewer infrastructure.
7. Please update IL to reflect dedicated tracts. Note, location should be clear regarding easements and should state appropriate easement. E.g. Utility Easement is generic and does not match the plat, please be specific.
8. Add a note to the IL and Plat: Capacity of all relocated public sanitary sewer infrastructure shall be sized to match or exceed existing capacity and may need to be larger in size depending on any field findings. Capacity shall be listed on the DRC work order to include existing capacity and new capacity for validation that they proposed development meets this criteria.

VA-2022-00328 – IDO WAIVER – (SIDEWALK)

1. Defer to transportation/City of Albuquerque

VA-2022-00329 – IDO WAIVER – (BACKYARD)

1. Defer to transportation/City of Albuquerque

VA-2022-00330 – IDO WAIVER – (BLOCK LENGTH)

1. Defer to transportation/City of Albuquerque

VA-2022-00331 – DPMWAIVER – (MINIMUM CENTER-LINE RADIUS)

1. Defer to transportation/City of Albuquerque

VA-2022-00332 – TEMPORARY DEFERRAL OF SIDEWALK

1. Defer to transportation/City of Albuquerque

SD-2022-00173 – VACATION OF PUBLIC EASEMENT – (30FT SANITARY SEWER)

1. Public Sanitary Sewer infrastructure must be realigned prior to vacation approval.

SD-2022-00174 – VACATION OF PUBLIC EASEMENT – (10FT WATER, SEWER, PUBLIC UTILITY)

1. The public waterline along this easement must be realigned prior to vacation approval.

SD-2022-00175 – VACATION OF PRIVATE EASEMENT – (CROSS LOT BLANKET DRAINAGE EASEMENT)

1. Defer to Hydrology/City of Albuquerque

DEVELOPMENT REVIEW BOARD
TRANSPORTATION DEVELOPMENT

DRB Project Number: 2018-001560 (1007412)
Hoffmantown Baptist Church

AGENDA ITEM NO: 8

SUBJECT: Preliminary Plat, Waivers, Vacation of Easements

ENGINEERING COMMENTS:

1. The letter included in your application mentions a request to waive sidewalk on one side of the entrance, which is reflected in your section. Please provide an explanation for this waiver of sidewalk.
2. Please provide an explanation of the sidewalk deferral request.
3. Please show intersection clear sight triangles for the entrance off Harper.
4. Please place the private roadway in a private access easement.
5. Transportation has no objection to the Vacations or Waivers for Backyard, Block Length, or Centerline radius.

Disclaimer: The comments provided are based upon the information received from the applicant. If new or revised information is submitted, additional comments may be provided by Transportation Development.

FROM: Ernest Armijo, P.E.
Transportation Development
505-924-3991 or earmijo@cabq.gov

DATE: December 7, 2022

ACTION:

APPROVED __; DENIED __; DEFERRED __; COMMENTS PROVIDED __; WITHDRAWN __

DELEGATED: _____ TO: (TRANS) (HYD) (WUA) (PRKS) (CE) (PLNG)

DEVELOPMENT REVIEW BOARD - **HYDROLOGY SECTION**
Renée Brissette, PE, Senior Engineer | 505-924-3995 rbrissette@cabq.gov

DRB Project Number: 2018-001560 Hearing Date: 12-07-2022
Project: Tract A-2, Hoffmantown Baptist Church Agenda Item No: 8

<input type="checkbox"/> Sketch Plat	<input type="checkbox"/> Minor Preliminary / Final Plat	<input checked="" type="checkbox"/> Preliminary Plat	<input type="checkbox"/> Final Plat
<input type="checkbox"/> Temp Sidewalk Deferral	<input type="checkbox"/> Sidewalk Waiver/Variance	<input type="checkbox"/> Site Plan for Bldg. Permit <input type="checkbox"/> Site Plan for Subdivision	<input type="checkbox"/> Bulk Land Plat
<input type="checkbox"/> SIA Extension	<input type="checkbox"/> DPM Variance	<input type="checkbox"/> Vacation of Public Easement	<input type="checkbox"/> Vacation of Public Right of Way

ENGINEERING COMMENTS:

- Hydrology has approved the Grading Plans and Drainage Report (E20D020B) with Engineer's Stamp Date: 10/14/22.
- Hydrology has no objection to the vacation of the private cross lot drainage easement.
- Hydrology defers to either Transportation or Water Authority for the other vacations or IDO waivers.
- Hydrology has no objection to the Infrastructure List.

Plat –

- The private roadway needs to be a private access easement, private drainage easement, and public water & sanitary easement. This is to be maintained by the HOA.

Comment –

PRIOR TO GRADING PERMIT / WORK ORDER:

The following order of submittals and approvals needs to be done in this order.

1. Submit a CLOMR for approval. Please note that a comment letter was sent on November 16, 2022. Submit approved CLOMR to FEMA.
2. Submit a Grading Plan approved for Grading Permit, Floodplain Permit, and Scour Wall construction. **This cannot be approved till FEMA approves the CLOMR.**
3. Once the scour wall is built and the ground within the current floodplain is backfilled, submit a LOMR for approval by Hydrology and then to FEMA for approval.
4. Once the LOMR is approved by FEMA, construction can be done within the current floodplain area.

☐ APPROVED
☐ DENIED

DELEGATED TO: ☐ TRANS ☐ HYD ☐ WUA ☐ PRKS ☐ PLNG
Delegated For: _____
SIGNED: ☐ I.L. ☐ SPSP ☐ SPBP ☐ FINAL PLAT
DEFERRED TO _____

RESOLUTION/COMMENTS:

Code Enforcement:

Water:

Transportation:

Planning:

☐ APPROVED
☐ DENIED

DELEGATED TO: ☐ TRANS ☐ HYD ☐ WUA ☐ PRKS ☐ PLNG
Delegated For: _____
SIGNED: ☐ I.L. ☐ SPSP ☐ SPBP ☐ FINAL PLAT
DEFERRED TO _____



DEVELOPMENT REVIEW BOARD

Planning - Case Comments

HEARING DATE: 12/7/22 -- **AGENDA ITEM:** #8

Project Number: PR-2018-001560

Application Number: SD-2022-00172

Project Name: Hoffmantown-Harper Rd.

Request:

Preliminary Plat

**These are preliminary Planning comments. Additional reviews and/or revised comments may be needed for any modifications and/or supplemental submittals.*

COMMENTS:

- A thorough Sensitive Lands Analysis has been provided for this application. (It should be noted that the Sensitive Lands Analysis was not provided for the EPC zoning amendment application approved for this site per PR-2018-001560 / RZ-2021-00041.) The site layout presented for the subdivision would build on sensitive lands of steep slopes (9% slope or greater) and the floodplain per the Sensitive Land Analysis. The IDO requires review by the EPC per IDO 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 Subsection 14-16-6-6(J) and may require a Variance – EPC pursuant to Subsection 14-16-6-6(N).’

Updated 12/6/22: DRB must approve waivers related to transportation, not the EPC. DRB will review at the meeting which waivers can be acted upon before the EPC review of Sensitive Lands per IDO 6-6(J)(2). See relevant IDO sections below:

**(See additional comments on next page)*

- 6-6(J)(2)(g) The EPC may grant a Variance to IDO standards (other than to standards in Sections 14-16-5-3, 14-16-5-4, or 14-16-5-5) pursuant to Subsection 14-16-6-6(N) (Variance – EPC).
- 6-6(J)(2)(h) Any request for a Waiver to IDO standards in Sections 14-16-5-3 (Access and Connectivity), 14-16-5-4 (Subdivision of Land), or 14-16-5-5 (Parking and Loading) requires review and approval by the DRB pursuant to Subsection 14-16-6-6(P) (Waiver – DRB).
- 6-6(J)(2)(i) A Site Plan – EPC may not be approved until after any necessary Variances or Waivers are obtained.
- 6-6(J)(2)(j) Any Variances, Waivers, or deviations granted that are associated with a Site Plan shall be noted on the approved Site Plan.

The EPC has the discretionary authority to determine if the sensitive lands could be altered to allow for the development as designed. Therefore, **this project must go to the EPC for a Site Plan for the subdivision, which would include a Variance application with regard to 5-2(C)(4) regarding avoidance of sensitive lands. The portions of the applications VA 2022-00329 IDO Waiver (backyard) and VA 2022-00330 (block length) should also be transferred to the EPC to be reviewed with the Site Plan for the subdivision and need to convert to EPC Variances.** ~~The remainder of the applications (preliminary plat, DRB waivers for sidewalk, DPM Waiver, and vacations) would be placed on hold and considered after the decision of the EPC.~~

Please note that the EPC Site Plan would be the site plan for the homes and they would not have an additional site plan required at building permit.

- All standards within IDO section 5-4-C (Subdivision of Land Compliance) apply to all re-platting actions. Re-plating action cannot increase any existing nonconformity or create a new nonconformity
- Utility and AMAFCA signatures will be required for the Final Plat, and must be obtained and included with the Final Plat application submittal prior to acceptance of the Final Plat and placement on a DRB agenda.
- DXF File approval from AGIS will be required for the Final Plat, and must be obtained and included with the Final Plat application submittal prior to acceptance of the Final Plat and placement on a DRB agenda.
- Final Plat is required within one year of Preliminary Plat approval.
- A recorded IIA based on the Infrastructure List included with the Preliminary Plat submittal will be required with the Final Plat, and must be obtained and included with

the Final Plat application submittal prior to the acceptance of the Final Plat and placement on a DRB agenda.

- Development must meet standards and provisions of IDO (R-1C) and the DPM.
*Plans must demonstrate how standards are being met.

- **Updated 12/7/22. A DRB waiver is required for rear lot lines along a major street. This application for a DRB waiver should be decided by EPC as a variance:** The IDO states that rear lot lines should be avoided along a major street like Harper. The applicant has justified the waiver request for a waiver to this provision for this subdivision layout. This layout, however, is dependent upon the EPC decision regarding building on sensitive lands. The EPC must determine whether or not to accept a DRB waiver related to rear lot lines along a major street for this subdivision.

5-4(F)(2) Access to Public Streets

- 5-4(F)(2)(a) All lots shall have frontage on a street unless deemed impracticable due to topography or other constraints and a Waiver – DRB for an alternative layout and access provisions is approved pursuant to Subsection 14-16-6-6(P).
- 5-4(F)(2)(b) Residential lots shall avoid layouts where the rear lot line is adjacent to a collector or arterial street. Local frontage roads may be used within a subdivision to avoid locating residential rear yard walls along collector and arterial streets.

- **Updated 12/6/22 This application for a DRB waiver should be decided by EPC as a variance:** A DRB waiver for block length is required for a block greater than 600 feet. Lots 1-22 appear to qualify as a block per this IDO definition. The applicant has justified the waiver request for block length per this subdivision layout. This layout, however, is dependent upon the EPC decision regarding building on sensitive lands. The EPC must determine whether or not to accept a DRB waiver related to block length for this subdivision.

Block

“Where used to describe a city block or an area to be platted with lots and streets, an area that is bounded but not crossed by streets, railroad rights-of-way, waterways, unsubdivided areas, or other barriers.”

- Common tracts must identify use, beneficiaries and maintenance responsibilities.

5-4(F)(3)(d) Tracts for open space, drainage, landscaping, or other communal purposes shall have their use, beneficiaries, and maintenance responsibilities clearly noted on the subdivision plat.

- Please reference the following development notes and additional standards from the IDO.
 - 4-2 Allowed Uses, table 4-2-1. Single Family Detached Dwelling is permissive per Use Specific Standards 4-3-B-1.
 - 5-1 Dimension Standards for R-1C. 5-1-G Exceptions and Encroachments.
 - 5-2 Site Design and Sensitive Lands requirements for new subdivisions.
 - 5-3 Access & Connectivity requirements. 5-3(C)(3) Driveways, Drive Aisles, and Access for low density residential.
 - 5-5 Parking & Loading requirements, Table 5-5-1.
 - 5-7 Walls/Fences, table 5-7-1. Development requires separate permits.
 - 5-11-C Building and façade design for low density residential.
 - 7-1 Development, dwelling and use definitions.



Disclaimer: The comments provided are based upon the information received from the applicant/agent. If new or revised information is submitted, additional comments may be provided by Planning.

FROM: Robert Webb/Jolene Wolfley/Jay Rodenbeck
Planning Department

DATE: 12/6/22



DEVELOPMENT REVIEW BOARD

Parks and Recreation Department

PR-2018-001560

PS-2022-00164 – SKETCH PLAT

IDO - 2021

BOHANNAN HUSTON INC. agent for HOFFMANTOWN CHURCH requests the aforementioned action(s) for all or a portion of: TRACT A-2, HOFFMANTOWN zoned MX-L, located on HARPER RD between VENTURA ST and WYOMING BLVD containing approximately 14.0 acre(s). (E-20)

PROPERTY OWNERS: HOFFMANTOWN BAPTIST CHURCH

REQUEST: SKETCH PLAT REVIEW AND COMMENT

MINOR CASES – AFTERNOON SESSION BEGINNING AT 1:30 pm

PR-2018-001560

SD-2022-00172 – PRELIMINARY PLAT

VA-2022-00328 – IDO WAIVER – (SIDEWALK)

VA-2022-00329 – IDO WAIVER – (BACKYARD)

VA-2022-00330 – IDO WAIVER– (BLOCK LENGTH)

VA-2022-00331 – DPM WAIVER– (MINIMUM CENTER-LINE RADIUS)

VA-2022-00332 –TEMPORARY DEFERRAL OF SIDEWALK

SD-2022-00173 – VACATION OF PUBLIC EASEMENT – (30FT SANITARY SEWER)

SD-2022-00174 – VACATION OF PUBLIC EASEMENT – (10FT WATER, SEWER, PUBLIC UTILITY

SD-2022-00175 – VACATION OF PRIVATE EASEMENT – (CROSS LOT BLANKET DRAINAGE EASEMENT)

BOHNNAN HUSTON INC. agent for HOFFMANTOWN CHURCH requests the aforementioned action(s) for all or a portion of: TRACT A-2 PLAT OF TRACT A-1 AND A-2 HOFFMANTOWN BAPTIST CHURCH SITE, HOFFMANTOWN zoned R1-C, located on HARPER RD between VENTURA ST and WYOMING BLVD containing approximately 14.0 acre(s). (E-20)

PROPERTY OWNERS: PULTE GROUP

REQUEST: PRELIMINARY PLAT APPROVAL, INFRASTRUCTURE LIST, WAIVERS, VACATION OF PUBLIC EASEMENTS

08-17-2022

The Long Range Bikeway System map shows a Proposed Paved Trail on Harper Rd NE. Please provide an asphalt multi-purpose trail per DPM 7-4(F)(6)(ii) Design Standards:

“The minimum width required for a trail along a roadway is 18 feet, which includes minimum 10 feet for trail, 5 feet for setback from the curb, and 3 feet setback from any adjacent property



DEVELOPMENT REVIEW BOARD

Parks and Recreation Department

line. The setbacks from the curb and the property line may include shoulders. “

Harper Rd NE would typically require street trees within 20-ft from the curb, which would benefit the street environment if there is a waiver to IDO Section 5-4(F)(2)(b): Residential lots shall avoid layouts where the rear lot line is adjacent to a collector or arterial street.

11-30-2022, 12-07-2022

- On the Preliminary Plat, dedication of ROW is typically to City of Albuquerque Parks and Recreation Department for multi-purpose trail (existing could be confused with DMD).
- On the sidewalk exhibit, please show the asphalt multi-use trail as a different color to show the location and extent rather than sidewalk.
- Can the trail extend along one side of the entry where the sidewalk is deferred (Section B-B)?
- On the Infrastructure List, the multi-use trail may need to specify “asphalt”.

01/19/2023 EPC - NOTICE OF DECISION
- CONTINUANCE

PLANNING DEPARTMENT
URBAN DESIGN & DEVELOPMENT DIVISION
600 2nd Street NW, 3rd Floor, Albuquerque, NM 87102
P.O. Box 1293, Albuquerque, NM 87103
Office (505) 924-3860 Fax (505) 924-3339



OFFICIAL NOTIFICATION OF DECISION

January 19, 2023

Pulte Group
7601 Jefferson St. NE
Suite 320
Albuquerque, NM 87109

Project # PR-2018-001560
SI-2022-02318 - Site Plan- Major Amendment
SI-2022-02414 – Site Plan - EPC

LEGAL DESCRIPTION:

Consensus Planning, agent for Pulte Group, requests a Site Plan- Major Amendment and a Site Plan-EPC, for all or a portion of Tract A-1 and Tract A-2, Plat of Tracts A-1 and A-2 Hoffmantown Baptist church site (a replat of Tract A Hoffmantown Baptist church site and Tract B-2 Yorba Linda subdivision), located at 8888 Harper Dr. NE, at the SW corner of Harper Rd. NE and Ventura St. NE, approximately 60 acres. (E-20)

Staff Planners: Megan Jones and Leroy Duarte

On January 19, 2023 the Environmental Planning Commission (EPC) voted to CONTINUE Project # PR-2018-001560/SI-2022-02318 - Site Plan- Major Amendment and SI-2022-02414 – Site Plan - EPC, to the regular EPC public hearing on February 16, 2023.

APPEAL: If you wish to appeal this decision, you must do so within 15 days of the EPC's decision or by **February 3, 2023**. The date of the EPC's decision is not included in the 15-day period for filing an appeal, and if the 15th day falls on a Saturday, Sunday or Holiday, the next working day is considered as the deadline for filing the appeal.

For more information regarding the appeal process, please refer to Section 14-16-6-4(V) of the Integrated Development Ordinance (IDO), Administration and Enforcement. A Non-Refundable filing fee will be calculated at the Land Development Coordination Counter and is required at the time the appeal is filed. It is not possible to appeal an EPC Recommendation to the City Council since this is not a final decision.

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

Sincerely,

Catalina Lehner

for Alan M. Varela,
Planning Director

AV/CL/LD/MJ

cc: Pulte Group, Kevin.Patton@PulteGroup.com
Jacqueline Fishman, Consensus Planning, fishman@consensusplanning.com
Cherry Hills Civic Association, Hank Happ, hhapp@juno.com
District 4 Coalition of Neighborhood Associations, Mildred Griffiee, mgriffiee@noreste.org
District 4 Coalition of Neighborhood Associations, Mark Reynolds, reynolds@unm.edu
Cherry Hills Civic Association, Ellen Dueweke, edueweke@juno.com
Legal, dking@cabq.gov
EPC File

12/07/2022 DRB - NOTICE OF DECISION
- WAIVERS

PLANNING DEPARTMENT
DEVELOPMENT SERVICES DIVISION
600 2nd Street NW, Ground Floor, 87102
P.O. Box 1293, Albuquerque, NM 87103
Office (505) 924-3946

OFFICIAL NOTIFICATION OF DECISION

Hoffmantown Church
8888 Harper Dr. NE
Albuquerque, NM 87111

Project# PR-2018-001560

Application#

VA-2022-00328 IDO WAIVER – (Sidewalk)

VA-2022-00329 IDO WAIVER – (Backyard)

VA-2022-00330 IDO WAIVER – (Block Length)

VA-2022-00331 IDO WAIVER – (Minimum
Center-line Radius)

LEGAL DESCRIPTION:

For all or a portion of: **TRACT A-2 PLAT OF
TRACT A-1 AND A-2 HOFFMANTOWN
BAPTIST CHURCH SITE, HOFFMANTOWN**
zoned **R1-C**, located on **HARPER RD between
VENTURA ST and WYOMING BLVD**
containing approximately **14.0** acre(s).
(E-20)

On December 7, 2022, the Development Review Board (DRB) held a public meeting concerning the above referenced applications and a Preliminary Plat application. The DRB approved the waiver requests and deferred the Preliminary Plat request (SD-2022-00172) and associated Temporary Deferral of Sidewalk Construction and easement vacation requests (VA-2022-00332, SD-2022-00173, SD-2022-00174, and SD-2022-00175) based on the following Findings:

1. The application for a **Preliminary Plat** was filed with the DRB that included the **four Waivers** listed in this notice of decision. In review of the required Sensitive Lands Analysis submitted with the Preliminary Plat, DRB determined that the Plat could not be approved until the Environmental Planning Commission (EPC) evaluates an application for Site Plan regarding the avoidance of Sensitive Lands per IDO 5-2(C)(4), and then approves a Site Plan-EPC. This would be the site plan for all lots in the subdivision, and the lots would *not* have a subsequent site plan-administrative requirement at building permit.

2. The IDO authorizes only the DRB to approve waivers related to transportation, not the EPC per IDO 6-6(J)(2)(h), and that waivers related to a site plan must be obtained before the EPC can act on the Site Plan per IDO 5-5(J)(2)(j).
3. Therefore, the EPC will first review the issue of building upon the Sensitive Lands on the site and render a decision related to the subdivision layout. If the waivers remain relevant to that layout, then the EPC should accept the DRB approved waivers as part of the site plan. Each of the waivers accepted by the EPC site plan should be listed on the Site Plan-EPC.
4. The applicant can then return to the DRB to resume review of the deferred Preliminary Plat and associated applications for vacations of easement, etc.

The following are the Waivers that the DRB reviewed for technical acceptability for the subdivision layout proposed in the Preliminary Plat. These approvals do not obligate the EPC to approve the subdivision layout presented to the DRB.

VA-2022-00328 IDO WAIVER - Sidewalk

1. The applicant proposes a waiver to 7-4(E) of the DPM to allow a sidewalk on one side of the street at the private entryways to the subdivision.
2. The request is justified per 14-16-6-6(P)(3) of the IDO. The Waiver will allow pedestrian access that promotes public safety, health, and welfare, will not cause significant material adverse impacts on surrounding properties, and will not affect the City's ability to improve the streets or sidewalks in the area.
3. The applicant provided the required notice as outlined in the IDO Table 6-1-1.

VA-2022-00329 IDO WAIVER - Backyard

1. The applicant proposes a waiver to 5-4(F)(2)(b) of the IDO to allow rear yard lot lines to abut Harper Road, an urban minor arterial street.
2. The request is justified per 14-16-6-6(P)(3) of the IDO. The requested Waiver will not be contrary to this area's public safety, health, or welfare with an additional 8-foot ROW, including a 10-foot trail and street trees to be included in the development along this portion of Harper Road as proposed by the applicant.
3. This proposed development is required to go to the EPC as a Site Plan. When the Site Plan is in review by the EPC, any solid wall on along Harper should be limited to 6-feet in height on the streetside of the wall, and any additional wall height should be view fencing. The maximum wall height is 8 feet.
4. The applicant provided the required notice as outlined in the IDO Table 6-1-1.

VA-2022-00330 IDO WAIVER – Block Length

1. The applicant proposes a waiver to 7-4(A)(3) of the DPM to allow two blocks within the Hoffmantown Subdivision to exceed 600 feet, the maximum block length for a local street.
2. The request is justified per 14-16-6-6(P)(3) of the IDO as the subdivision layout is constrained by many features. To the west is a City of Albuquerque-owned property which is encumbered by a drainage easement/swale. To the east is a privately owned and maintained park. There is also a 10-foot to 20-foot grade difference between the subject property and the adjacent park. To the south is a property which is also encumbered by a 200-foot drainage and utility easement in which the South Pino Arroyo resides.
3. The applicant provided the required notice as outlined in the IDO Table 6-1-1.

VA-2022-00331 IDO WAIVER – Minimum Center-line Radius

1. The applicant proposes a waiver to 7-4(I)(2) of the DPM to permit a minimum centerline radius of 75-feet. There are four locations where the road (Akademia Loop) is 90 or near 90-degrees.
2. The request is justified per 14-16-6-6(P)(3) of the IDO. The locations are not public thoroughfares and the vehicular speeds will be low allowing for a tighter turning radius.
3. The applicant provided the required notice as outlined in the IDO Table 6-1-1.

APPEAL: If you wish to appeal this decision, you must do so within 15 days of the DRB's decision or by **DECEMBER 23, 2022**. The date of the DRB's decision is not included in the 15-day period for filing an appeal, and if the 15th day falls on a Saturday, Sunday or Holiday, the next working day is considered as the deadline for filing the appeal.

For more information regarding the appeal process, please refer to Section 14-16-6-4(U) of the Integrated Development Ordinance (IDO). Appeals should be submitted via email to PLNDRS@CABQ.GOV (if files are less than 9MB in size). For files larger than 9 MB in size, please send an email to PLNDRS@cabq.gov and request that staff send you a link via Smartfile to upload the files to. A Non-Refundable filing fee will be calculated and you will receive instructions about paying the fee online.

You will receive notification if any person files an appeal. If there is no appeal, you can receive Building Permits at any time after the appeal deadline quoted above, provided all conditions imposed at the time of approval have been met. Applicants submitting for building permit prior to the completion of the appeal period do so at their own risk. Successful applicants are reminded that there may be other City regulations of the IDO that must be complied with, even after approval of the referenced application(s).

Official Notice of Decision

Project # PR-2018-001560 Applications# VA-2022-00328, VA-2022-00329, VA-2022-00330, VA-2022-00331

Page 4 of 4

Sincerely,

A handwritten signature in black ink, appearing to read "J. Wolfley". The signature is fluid and cursive, with the first letter of the last name being a large, stylized "W".

Jolene Wolfley
DRB Chair

JW/jr

Bohannon Huston, Inc., 7500 Jefferson NE, Albuquerque, NM 87109