

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

February 16, 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 February 16, 2023 the Environmental Planning Commission (EPC) voted to APPROVE Project # PR-2018-001560/SI-2022-02318 - Site Plan - Major Amendment and SI-2022-02414 – Site Plan - EPC, based on the following Findings and subject to the following Conditions of Approval:

FINDINGS – SI-2022-02318, 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 setbacks 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.

A 100-foot drainage easement exists along the subject site's southern boundary where the South Pino Arroyo is located. An additional twenty-foot easement for trail development is not proposed in addition to the existing easement.

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.

FINDINGS – SI-2022-02414 – 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.

A 100-foot drainage easement exists along the subject site's southern boundary where the South Pino Arroyo is located. An additional twenty-foot easement for trail development is not proposed in addition to the existing easement.

- 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 site. 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 identified. 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.

OFFICIAL NOTICE OF DECISION

Project # PR-2018-001560

February 16, 2023

Page 11 of 14

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.

CONDITIONS – 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.

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

OFFICIAL NOTICE OF DECISION

Project # PR-2018-001560

February 16, 2023

Page 14 of 14

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