

PLANNING DEPARTMENT
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OFFICIAL NOTIFICATION OF DECISION

July 15, 2021

Barbra Mueller
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Albuquerque NM, 87117

Project #2020-004457
SI-2021- 00651 - Site Plan-EPC
VA-2021-00145 - Variance-EPC

LEGAL DESCRIPTION:

Rio Grande Engineering, agent for Barbara Mueller, requests the above action for all or a portion of Tract 22, Volcano Cliffs Subdivision Unit 6, zoned R-A, located on Quivira Dr., between Vista Vieja Ave. NW and Retablo Rd. NW, approximately 8.0 acres (D-09-Z)

Staff Planner: Sergio Lozoya

On July 15, 2021, the Environmental Planning Commission (EPC) voted to Withdraw Project # 2020-004457/VA-2021-00145, a Variance – EPC, based on Finding # 5, and to Approve Project # 2020-004457/SI-2021-00651, based on the following findings, and subject to the following Conditions of Approval:

1. The request is for a Site Plan – EPC for a property legally described as described as Tract 22, Volcano Cliffs Subdivision Unit 6, located on Quivira Drive NW, between Vista Vieja Ave NW, and Retablo Rd NW, approximately 8.0-acres.

2. The request consists of the following:

Create a site plan for the undeveloped lot, to include subdivision of the site for 23 lots and one drainage tract. No homes are proposed at this time (Site Plan – EPC). To vary the required 45-foot buffer for properties adjacent to open space pursuant to IDO 14-16-5-2(J) Major Public Open Space Edges (Variance – EPC).

3. The subject site is zoned R-A (Residential - Rural and Agricultural, IDO 14-16-2-4(A)) which was assigned upon the adoption of the Integrated Development Ordinance (IDO) based upon prior zoning and land use designations SU-2 VCRR (Volcano Cliffs Rural Residential). The purpose of the R-A zone is to provide for lower density single-family residential and limited agricultural uses, generally on lots of ¼ acre or larger, as well as

limited civic and institutional uses to serve the surrounding residential area. Allowable uses are shown in Table 4-2-1.

4. The Environmental Planning Commission (EPC) is hearing this case pursuant to the IDO subsection 14-16-6-6(J)(1)(a), a Site Plan – EPC for development on a site 5 acres or greater adjacent to Major Public Open Space, in which case a Site Plan approval is required prior to any platting action.
5. The applicant has requested to withdraw the Variance – EPC request.
6. The subject site is located in an Area of Consistency as designated by the Comprehensive Plan and is not within the boundaries of any designated Corridor or Activity Center.
7. The subject site is part of the Northwest Mesa Community Planning Area (CPA).
8. The Albuquerque/Bernalillo County Comprehensive Plan and the Integrated Development Ordinance (IDO) are incorporated herein by reference and made part of the record for all purposes.
9. The request is generally consistent with the following Comprehensive Plan Goals and Policies from Chapter 4: Community Identity.

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

The subject site is located within an Area of Consistency, the Volcano Mesa Protection Overlay (CPO-13), the Northwest Mesa Escarpment View Protection Overlay (VPO-2), and is regulated by IDO subsection 14-16-5-2(J) Major Public Open Space Edges. These protections ensure that the subdivision would be designed in a way that protects, enhances, and preserves the surrounding properties and general neighborhood.

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

The proposal would enhance the surrounding neighborhood by providing single-family residential development within an Area of Consistency, where it is desired. The surrounding neighborhood would be generally protected as the subject site is developed. The subject site is adjacent to MPOS and provides a design that is context sensitive by providing an appropriate 45-foot landscape buffer.

10. The request is generally consistent with the following Comprehensive Plan Goals and Policies from Chapter 5: Land Use that pertain to communities.
 - A. Policy 5.2.1 – Land Uses: Create healthy, sustainable, and distinct communities with a mix of uses that are conveniently accessible from surrounding neighborhoods.

The request would not contribute to creating a healthy, sustainable and distinct community with a mix of uses because it would reinforce a similar type of housing found east and west of the subject site.

Subpolicy 5.2.1(c): Maintain the characteristics of distinct communities through zoning and design standards that are consistent with long-established residential development patterns.

The request maintains the characteristics of the Volcano Mesa area through zoning and design standards because the subject site is zoned R-A, is located within Volcano Mesa CPO-13, and Northwest Mesa Escarpment VPO-2. These protections would help ensure that the request will be consistent with the long-established residential development patterns existing in the Volcano Mesa CPO.

11. The request is generally consistent with the following Comprehensive Plan Goals and Policies from Chapter 5: Land Use pertaining to efficient development patterns and infill development.

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 subject site is already served by existing infrastructure and public facilities, so the development made possible by the request would generally promote efficient development patterns and use of land.

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

The request will facilitate development of the subject site and is considered infill development as it is surrounded by existing City infrastructure and public facilities. The proposed single-family use would be infill development on a vacant site within an area of existing single-family residential subdivisions, public facilities, Major Public Open Space and would be consistent with the surrounding areas of the subject site.

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 request is consistent with this Goal because the subject site is in an Area of Consistency and the request generally directs single-family residential development where it is expected and desired as well as reinforce the character and intensity of the area.

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 subject site is located outside of designated Centers or Corridors and would protect and enhance the character of the surrounding existing single-family neighborhoods by

reinforcing the scale, intensity, and setbacks of the immediately surrounding context. The request would achieve this because the subject site is located within the Volcano Mesa CPO, and the Northwest Mesa Escarpment VPO, both of which provide context/character sensitive design regulations.

12. The request is generally consistent with the following Comprehensive Plan Goals and Policies from Chapter 7: Urban Design.

A. Goal 7.3 – Sense of Place: Reinforce sense of place through context-sensitive design of development and streetscapes.

The request would reinforce the sense of place through context-sensitive design because it would facilitate the development of single-family homes in an area largely consisting of residential development. The subject site is located within Volcano Mesa CPO-13, and Northwest Mesa Escarpment VPO-2, which provide context-sensitive design regulations. The subject site is abutting Major Public Open Space boundaries and the context-sensitive design provides the appropriate landscape, buffers, lighting, etc. in response to the abutting MPOS.

13. The request is generally consistent with the following Comprehensive Plan Goals and Policies from Chapter 9: Housing.

A. Goal 9.2 – Sustainable Design: Promote housing design that is sustainable and compatible with the natural and built environment.

The request generally promotes housing design that is sustainable and compatible with the natural and built environment by providing the appropriate landscape, buffers, lighting, etc. in response to the abutting MPOS edges. The request minimizes impact on the abutting natural and built environment area by providing an on-site drainage pond for stormwater management, and uses native plants for the landscape design. The request is also compatible with the built environment, which consists mostly of single-family residential development.

B. Policy 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 with the street.

The request would generally encourage the development of single-family dwellings that enhance the existing neighborhoods character by using the appropriate setbacks, building heights, density, and relationship to the street. The request also maintains compatibility with, and responds to the surrounding Major Public Open Space boundaries by providing the appropriate buffers, plant species, and wall design, among other context sensitive design requirements.

14. The request meets the Site Plan-EPC Review & Decision Criteria in IDO Section 14-16-6-6(J)(3) as follows:
 - A. 14-16-6-6(J)(3)(a) As demonstrated by the policy analysis of the site plan, the request is generally consistent with applicable Comprehensive Goals and Policies.
 - B. 14-16-6-6(J)(3)(b) The subject site is zoned R-A; therefore, this criterion does not apply.
 - C. 14-16-6-6(J)(3)(c) With the application of conditions of approval, the site plan will comply with all applicable provisions of the IDO. The request will need to be reviewed by the Development Review Board (DRB) to ensure compliance with applicable provisions of the Development Process Manual (DPM).
 - D. 14-16-6-6(J)(3)(d) The request will be reviewed by the Development Review Board (DRB), which is charged with addressing infrastructure and ensuring that infrastructure such as streets, trails, sidewalks, and drainage systems has sufficient capacity to serve the future development.
 - E. 14-16-6-6(J)(3)(e) The future, proposed development will be required to comply with the decisions made by two bodies- the EPC and the DRB. The EPCs' conditions of approval will improve compliance with the IDO, which contains regulations to mitigate impacts to surrounding areas. The DRB's conditions will ensure infrastructure is adequately addressed so that a proposed development will not burden the surrounding area.
 - F. 14-16-6-6(J)(3)(f) The subject property is not within an approved Master Development Plan; therefore, this criterion does not apply.
 - G. 14-16-6-6(J)(3)(g) The subject property is not within the Railroad and Spur Area and no cumulative impact analysis is required. Therefore, this criterion does not apply.
15. The 45-foot landscape buffer required at the southern portion of the subject site is measured from the public right of way boundary. The exact location of the public right of way boundary will be determined by Transportation Development Staff, based upon their requirements, as part of the DRB process.
16. Specifics regarding the usage of walls, and any encroachments into the buffer areas will be determined through the DRB process, and in conjunction with any subdivision action to create the lots.
17. The affected, registered neighborhood organizations are the Westside Coalition of Neighborhood Associations, and the Montecito West HOA Inc. Property owners within 100 feet were also notified as required.
18. A pre-application meeting was held online with members of the Montecito West HOA during the DRB process, where concerns about drainage, and existing western wall, and construction methods were discussed and addressed. A second meeting was offered to both neighborhood organizations 15-days prior to the upcoming EPC hearing.

19. As of this writing, Staff has not been contacted by members of the community or NA representatives.

CONDITIONS:

1. The EPC delegates final sign-off authority of this site plan to the Development Review Board (DRB) to ensure all technical issues are resolved. The DRB is also responsible for ensuring that the EPC Conditions of Approval have been satisfied and that other applicable City requirements have been met.
2. A letter shall accompany the submittal, specifying all revisions that have been made to the site plan since the EPC hearing, including how the site plan has been modified to meet each of the EPC conditions. Unauthorized changes to this site plan, including before or after DRB final sign-off, may result in forfeiture of approvals.
3. The applicant shall meet with the Staff planner prior to applying to the DRB to ensure that all conditions of approval are addressed and met. Upon receiving sign-off from the DRB, the applicant shall submit a finalized version of the site plan for filing at the Planning Department.
4. Dimensional Standards:
 - A. Lot 22 is shown at 10,378 square feet. The minimum lot size in R-A is 10,890 square feet. The site plan shall be revised to comply with Table 5-1-1 Dimensional Standards.
 - B. The dimension across lot 16 is not placed properly, the site plan shall be revised to show accurate lot length.
 - C. Add "typical" to the lot width dimensions, if not all lots are 85' in width, dimension at least one lot per typical width.
 - D. Dimension both Major Public Open Space buffers to demonstrate that they are 45-feet in length. The buffer at the northwest corner of the lot appears to have a radius of only 40-feet, the site plan shall be dimensioned and/or revised for compliance.
 - E. Provide typical dimensions for building setbacks pursuant to IDO subsection 14-16-3-4(N)3 Setback Standards.
5. Landscaping - General:
 - A. A note shall be added to state: landscaping requirements pursuant to IDO subsection 5-6 Landscaping, Buffering, and Screening only apply to the 45-foot landscape buffer (required by MPOS Edges 5-2(J)).

B. The landscaping plan shall remove all notes referring to the 15% minimum landscape requirement, as it is not required in single-family residential development.

C. The note “Landscape plan shall adhere to IDO subsection 5-6(C)(4) through IDO subsection 5-6(C) (10)” shall be removed.

6. Landscape Buffers [5-2(J)]:

A. A 45-foot landscape buffer shall be added to the southern portion of the subject site as required by Open Space of the Parks and Recreation division, to begin at the location determined by Transportation Development Staff at DRB.

B. The 45-foot landscape buffer shall be shown on the landscape plan, to include proposed landscaping.

C. A note shall be added to indicate that coordination with Open Space regarding plant selection and location is required.

7. Walls:

Detail for perimeter walls abutting MPOS shall be revised to correct conflicting heights. A keyed note reads “6-foot high screen wall”, but the dimension shows a maximum height of 3-feet.

8. Site Plan – Clean Up:

A. The site plan shall be revised to fix spelling errors throughout document.

B. The site plan shall revise general note 13 to change “Volcano Cliffs” to “Volcano Mesa”.

C. The site plan shall be revised to add general note 14: A single loaded street exists at southern boundary of lot adjacent to Major Public Open Space, therefore 45-foot buffer is not required.

D. Keyed note F: One of the keyed notes does not have a leader attached, the site plan shall be revised to show what the keyed note was intended to call out.

E. The site plan shall be revised to identify existing Major Public Open Space Boundaries abutting the subject site.

F. The site plan shall be revised to use a current vicinity map.

9. CONDITIONS FROM THE CITY ENGINEER/TRANSPORTATION:

- A. All proposed new roadway improvements shall be placed onto an infrastructure list; this includes sidewalk along entire frontage of the site.
- B. New sidewalk shall be 5-feet wide per new DPM requirements.

10. CONDITION FROM PNM:

The applicant shall contact PNM's New Service Delivery Department to coordinate electric service regarding the project. Please Submit a service application at www.pnm.com/erequest for PNM to review.

11. CONDITIONS FROM SOLID WASTE MANAGEMENT DEPARTMENT:

- A. The site plan shall provide measurement for curb space for each of the 23 lots.
- B. Clarification shall be provided regarding access to Retablo Dr NW, and Quivira Dr NW.
- C. Clarification shall be provided regarding access to the subdivision west of the proposed development.

APPEAL: If you wish to appeal this decision, you must do so within 15 days of the EPC's decision or by **July 30 2021**. 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 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 EPC Recommendations to City Council; rather, a formal protest of the EPC's Recommendation can be filed within the 15 day period following the EPC's recommendation.

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

Sincerely,

for Brennon Williams
Planning Director

OFFICIAL NOTICE OF DECISION

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BW/SL

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