



*Environmental
Planning
Commission*

*Agenda Number: 6
Project #: PR-2023-009178
VA-2023-00246
Hearing Date: November 16, 2023*

Staff Report

Agent	Self-Represented
Applicant	Frank J. and Clarissa J. Gonzales
Request	Variance - EPC
Legal Description	All or a portion of Lot 21, Block 1, Unit 27, Volcano Cliffs
Location	5505 Valiente Rd NW, between Calle Norteña NW and the Piedras Marcadas Major Public Open Space (MPOS)
Size	Approximately 0.4 acres
Existing Zoning	R-1D

Summary of Analysis

The request is for a Variance-EPC to allow additional building height for a future single-family home in the Volcano Cliffs area. The subject site is the height-restriction sub-area of the Northwest Mesa Escarpment View Protection Overlay (VPO-2), and is subject to view protection regulations. Pursuant to IDO 14-16-3-6(E)(2), the purpose of this VPO is to protect views to and from the Petroglyph National Monument, which is Major Public Open Space (MPOS) found in various locations in the area.

Building and/or structure height shall not exceed 15 feet, as measured from natural grade; building height bonuses do not apply. Pursuant to IDO 14-16-3-6(E)(3)(c), additional height up to 19 feet may be requested through a Variance – EPC. An application for a Variance – EPC shall only be approved if it meets all of the criteria in 6-6(N)(3)(a) and 6-6(N)(3)(c).

The variance would allow the future structure to have an average height between the plate and the ridge of a gable roof of 17 feet 8 inches above finished grade for a variance of 3 feet 5.6 inches with the highest point of 18 feet 11 inches.

The affected neighborhood organizations—Paradise Hills Civic Association, Taylor Ranch NA, and Westside Coalition of Neighborhood Associations—were notified as required. Property owners within 100 feet of the subject site were also notified as required. A post-submittal facilitated meeting was requested by an adjacent property owner and held 11/9/2023.

Staff Recommendation

***APPROVAL of VA-2023-00246 subject to
CONDITIONS and based on the Findings
beginning on p. 24.***

***STAFF PLANNER
Catherine Heyne, Planner***

The National Park Service is opposed to the proposed height variance.

Staff finds that a variance of 10 inches to allow for the pad is justifiable, but that structure height should be kept to 15 feet to be consistent with neighbors and because preferred architectural features do not constitute a hardship. Staff recommends conditional APPROVAL.



Table of Contents

	<i>Page</i>
I. Introduction.....	4
II. Analysis of Applicable Ordinances, Plans, and Policies	7
III. Variance - EPC Review & Decision Criteria: Northwest Mesa Escarpment – VPO-2	8
IV. Agency and Neighborhood Concerns	22
V. Conclusion	23
VI. Findings and Recommendation	24
a. Conditions of Approval.....	27
VII. Agency Comments.....	29
<u><i>Attachments</i></u>	
1-Maps	33
2-Photographs – Existing Conditions	38
2-Applicant Information	42-58
3-Staff Information	59-67
4-Notification	68-111
5-Facilitated Meeting Request.....	112-124
6-Letters of Concern.....	125-133
7-Variance Request Materials.....	134-139



I. INTRODUCTION

	Zoning	Comprehensive Plan Area	Land Use
Site	R1-D	Area of Consistency	Vacant, Residential
North	R1-D	Area of Consistency	Vacant, Residential
South	R1-D	Area of Consistency	Single-Family Residential
East	R1-D	Area of Consistency	Vacant, Residential
West	R1-D	Area of Consistency	Vacant, Residential

Request

The requested height variance is for a single-family home, which has not yet been constructed, in the Volcano Cliffs area. The future dwelling would be located at 5505 Valiente Rd NW (the “subject site”), which is within VPO-2, the Northwest Mesa Escarpment View Protection Overlay zone.

Pursuant to IDO 14-16-3-6(E)(2), the purpose of this VPO is to protect views looking to and from the Petroglyph National Monument. One way in which these views are protected is by limiting building height. As per IDO subsection 3-6(E)(4)(a), building and/or structure height shall not exceed 15 feet, as measured from natural grade.

The applicant is requesting a height variance of 3 feet 5.6 inches with an average height between the plate and the ridge of a gable roof of 17 feet 8 inches, with a highest point measuring 18 feet 11 inches from finished grade.

As per IDO subsection 14-16-3-6(E)(3)(c), additional height of up to 19 feet may be requested through a Variance – EPC pursuant to IDO subsection 14-16-6-6(N). The additional requirements for EPC – Variance shall be discussed later in this report.

EPC Role

The Environmental Planning Commission (EPC) is reviewing and deciding this case pursuant to IDO 14-16-6-6(N) VARIANCE - EPC, which addresses applications for Variances from any Development Standard in the IDO, including Variances to the 15-foot structure height limit in the Height Restriction Sub-Area of the Northwest Mesa Escarpment – VPO-2.

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

History/Background

The subject site was originally platted in 1971 as Lot 21, Block 1 of the Volcano Cliffs subdivision, located east of the then mapped Atrisco Road. The northern boundary of the development was aligned with the southern boundary of the Town of Alameda Grant. The subject site was originally zoned SU-2, VCLL, Residential-Single Family (Extra Large Lot). Large Lot sites were specified for single family homes on lots larger than typical single-family development so that structures would complement the natural environment, preserve significant view corridors, and contain visible private open space.

In 2004, the Albuquerque City Council initiated a planning process for the Volcano Cliffs area—the Volcano Heights Sector Development Plan—which was challenged by the Volcano Cliffs Property Owners Association. The plan was subsequently remanded in 2008/9, which resulted in the Rank III Volcano Cliffs Sector Development Plan in 2011. Subsequently, policy and regulatory guidance provided by this document was incorporated into the current Albuquerque Comprehensive plan and Integrated Development Ordinance (IDO) that now direct area development.

The Volcano Cliffs area boasts expansive views, and is surrounded on three sides by nearly 10,000 acres of open space under City, State, and Federal jurisdictions. The unique volcanic features and expansive views of the area are largely protected by Character and View Protection Overlays.

On July 18, 2023, a quitclaim deed was filed for the subject site changing legal ownership of the property from Annette M Gonzales and Frank J Gonzalez to Clarissa J. Gonzales and Frank J Gonzales (see Attachment).

Context

The subject site is located on the Northwest Mesa Escarpment in an area protected by Volcano Mesa Character Protection Overlay Zone (CPO-13), governed by IDO 14-16-3-4(N), and Northwest Mesa Escarpment View Protection Overlay (VPO) 2, IDO subsection 14-16-3-6(E)(2).

The subject site is the middle, vacant lot of three lots along the north side of Valiente Rd NW that dead ends to the east at a cul-de-sac, and lies just east of the north-south running Calle Norteña NW. Three homes have been built along the south side of Valiente Rd NW and to the south of the subject site. Overall the subject site is part of a small enclave of R1-D zoned properties that stretches south then west, most of which remain undeveloped. Directly west of and adjacent to Calle Norteña NW is property zoned MX-L and adjacent to the south are properties are zoned R-ML.

The east-west running Paseo del Norte Blvd bounds the area just north of and within 250 feet of the subject site. The north-south running Piedras Marcadas Major Public Open Space (MPOS) of the Petroglyph National Monument lies within 565 feet of the subject site directly east. This Open Space area is part of a narrow, 17-mile band of escarpment formed by lava flows. The area

preserves in perpetuity the Northwest Mesa Escarpment among other significant natural and cultural resources. The Petroglyph National Monument Open Space is zoned NR-PO-B. Views from the subject site to the escarpment are to the northeast, east, and southeast.

Comprehensive Plan Designations

The subject site is designated as an Area of Consistency. Areas of Consistency are used to apply policies limiting new development to an intensity and scale consistent with places that are highly valued for their existing character.

The subject site is not situated within a Center or along a Corridor but it is located to the southeast of and within 1,320 feet (1/4 mile) of the planned Volcano Heights Urban Center in the Northwest Mesa Community Planning Area.

The subject site is also located within the Northwest Volcano Mesa View Protection Overlay (VPO) Zone, VPO-2, and within the Volcano Mesa Character Protection Overlay (CPO) Zone, CPO-13. The VPO-2 regulations are designed to protect views looking to and from the Petroglyph National Monument. This request is for a height variance and will follow the guidelines for VPO-2, which supersede regulations for CPO-13.

Roadway System

The Long Range Roadway System (LRRS) map, produced by the Mid-Region Metropolitan Planning Organization (MRMPO), identifies the functional classification of roadway. This includes existing roadways and future, proposed roadways.

The LRRS map classifies Paseo del Norte NW as a Regional Principal Arterial. Calle Norteña NW is classified as a Proposed Major Collector roadway.

Trails/Bikeways

The Long-Range Bikeway System (LRBS) map, produced by the Mid-Region Metropolitan Planning Organization (MRMPO), identifies existing and proposed bicycle and trail facilities. There is a proposed Paved Trail as part of the Rosa Parks Bike Route that follows Calle Norteña NW northward past Paseo del Norte NW. There is also a proposed Paved Trail bikeway that follows Paseo del Norte east-west, connecting to the existing Paved Trail along Paseo del Norte that ends just east of Calle Norteña NW.

Bike Routes are shared streets that utilize signage and pavement markings to indicate that bicyclists may be present. Bike Routes are typically designated along local streets with low volumes of vehicle traffic. A Paved Trail may be an off-street biking facility with its own right-of-way that is shared with pedestrians. Yet, the existing bikeway along Paseo del Norte is currently separated from traffic only with pavement markings.

Transit

At this time the area is not serviced by public transit. However, because Paseo del Norte corridor is one of the most heavily utilized river crossings, the Paseo del Norte High Capacity Transit

Study recommends implementing a Bus Rapid Transit (BRT) route along this Boulevard.

Public Facilities/Community Services

The subject site is located within FEMA Flood Zone X: an area with flooding that has a 0.2% Chance of being equaled or exceeded in any given year. Also known as the 500-year flood. This area has a low to moderate chance of flooding.

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

II. ANALYSIS OF APPLICABLE ORDINANCES, PLANS, AND POLICIES

Integrated Development Ordinance (IDO)

Definitions

Adjacent: Those properties that are abutting or separated only by a street, alley, trail, or utility easement, whether public or private.

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

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

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

Finished Grade: (1.) The elevation of the approved ground level at all points along a wall or fence. (2.) The specified elevation on the grading plan approved by the City in conjunction with an approved Subdivision or Site Plan. In the absence of such approved plans, natural grade applies.

Grade: (1.) The average of the ground levels immediately adjacent to each façade of a building, considered separately. (2.) Where an earth embankment is placed against the side of a building or a retaining wall supporting a terrace is placed close to a building, grade shall be measured from the toe, or bottom, of the embankment or retaining wall; the finished floor of the building is not to be considered.

Natural Grade: The average ground level based on the site contours of land that has never been issued a grading permit, prior to any grading or addition or removal of earth.

Zoning

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

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

Other allowable uses include: Dwelling, single-family detached; Dwelling, cluster development; Dwelling, cottage development; Dwelling, two-family detached (duplex); Community residential facility, small; Community center or library; Parks and open space; Religious institution; Community garden; and Residential community amenity, indoor and outdoor.

Albuquerque / Bernalillo County Comprehensive Plan (Rank 1)

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

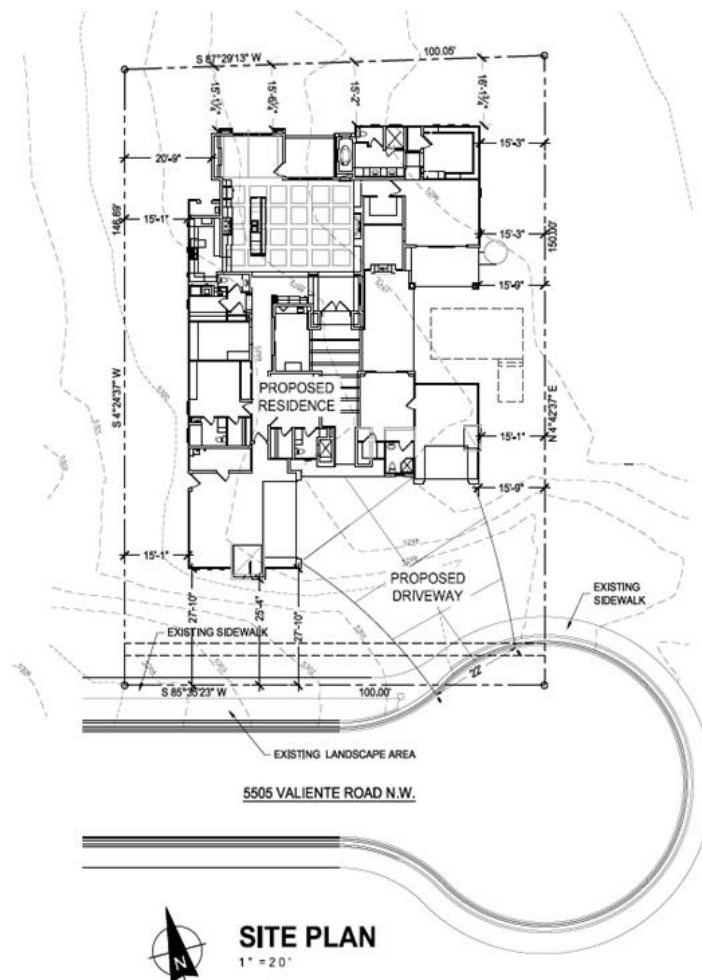
The subject site is in an Area of Consistency, as designated by the Comprehensive Plan. Areas of Consistency will be protected by policies to limit densities, new usages, and negative impacts from nearby development. While these areas may see some infill development and new uses, new development or redevelopment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

The purpose of policy analysis of a height variance is to determine if the proposed site plan is consistent with the Integrated Development Ordinance (IDO) regulations for a View Protection Overlay.

III. VARIANCE - EPC REVIEW & DECISION CRITERIA

Northwest Mesa Escarpment – VPO-2 Request

The applicant is requesting a height variance of 3 feet 5.6 inches for a proposed single-family, residential structure with an average height between ridge and eaves at 17 feet 8 inches above the finished grade; the highest point of the structure is 18 feet 11 inches from final grade. The subject site is located at 5505 Valiente Rd NW 87120 within the Northwest Mesa Escarpment VPO (VPO-2). As per IDO Subsection 14-16-6-6(N)(1)(c), the purpose of the VPO-2 regulations are to protect views looking to and from the Petroglyph National Monument.



The applicant also included an aerial view of the subject site, which includes the Major Public Open Space escarpment to the east, adjacent homes to the south, and location of nearest road below the escarpment, Cumberland Rd.

Aerial View of Subject Site at 5505 Volcano Rd NW



1b. Site Elevations

Site elevations are provided with the subject site and proposed structure placed in the landscape with views of the proposed structure looking to the north (South Elevation), east (West Elevation), south (North Elevation), and west (East Elevation).

South Elevation (looking northward)

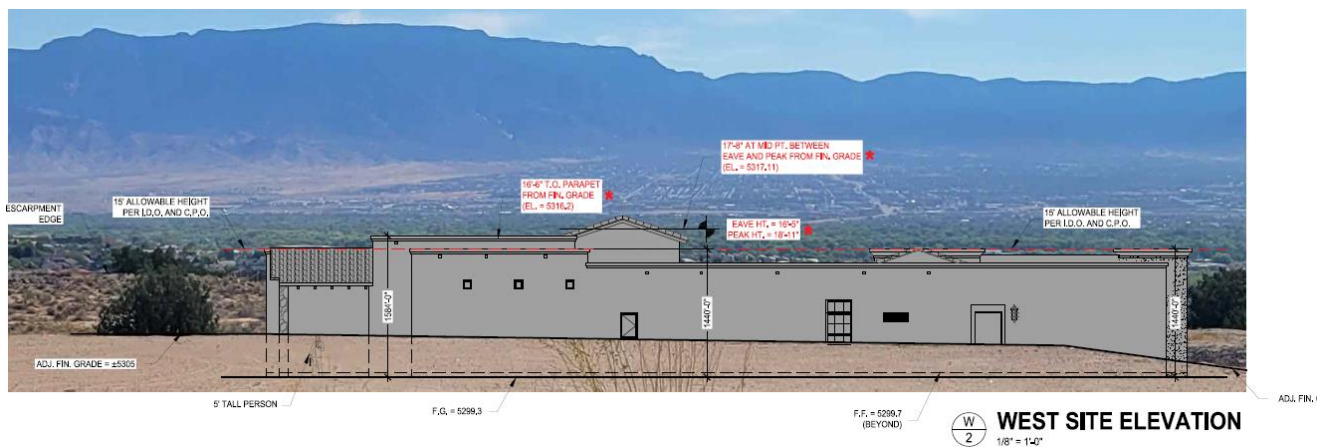


SOUTH SITE ELEVATION

1/8" = 1'-0"

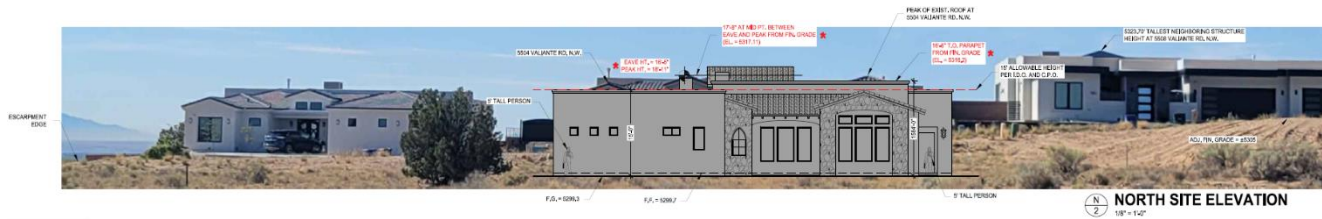
The South Elevation shows the south face of the building with views looking northward toward Paseo del Norte Blvd NW. Currently, the view is the open mesa. The future location of the Volcano Heights Urban Center will be about 0.2 mi (<1050 feet) walking distance to the north-northwest of the subject site and north of Paseo del Norte Blvd NW. The subject site would sit on a pad at an elevation of 5299.3 feet and a final measured structure height of 5316.97 feet. Due to the pad elevated above the natural grade by 9.6 inches, even building built at the 15-foot allowable height per the IDO, the entire structure would sit almost 10 inches higher, nearly a half of the profile would be nearly 2 feet 3 inches higher and almost a quarter of the profile reaching 18 feet 11 inches in height above the finished pad.

West Elevation (looking eastward)



The West Elevation of the proposed structure demonstrates the eastward views and the west face of the building. The Petroglyph Monument Park escarpment edge is visible in the distance to either side of the proposed structure. From this direction, over half of the length of the proposed home is at or below the IDO allowable height of 15-feet tall. The highest point of the structure is 18 feet 11 inches with almost a quarter of its length at 16 feet 5 inches or taller than the finished pad. Since the highest portion (18 feet 11 inches) of the house is oriented east-west, the tallest portion of the structure is a gabled peak that minimally impacts views. The structure outline remains below the ridge line of the Sandia Mountains and leaves the view to this feature relatively unobstructed.

North Elevation (looking southward)



The subject site North Elevation presents the visual impact of the views looking south at the proposed single-family residential home as well as the existing homes along the southside of Valiente Rd NW. The tallest building on any abutting lot located within the Height Restriction sub-area is 5508 Valiente Rd NW. This home is 15-feet tall with a highest point in elevation of 5323.7 feet. The measured height of the proposed structure is 17 feet 8 inches at an elevation of 5316.97, which is the average height between the plate and the ridge of the gable roof. In this profile, the entire structure sits at least 9.6 inches above the 15-foot allowable height per the IDO, with about a quarter of the structure outline reaching 18 feet 11 inches in height above the finished pad, but still within the variance maximum.

East Elevation (looking westward)



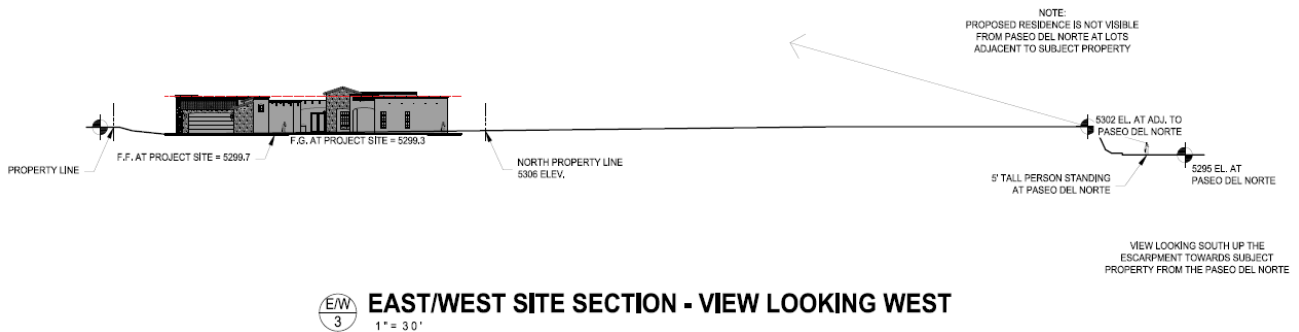
The East Site Elevation illustrates the proposed structure when looking west from offsite. The entire length of the structure rises above the 15-foot allowable height per the IDO but remains below the 19-foot Variance maximum. Given a variance, almost a quarter of the length of the structure would sit at 16 feet 6 inches or taller above the finished pad. Since the highest portion (18 feet 11 inches) of the house is oriented east-west, the tallest peak minimally impacts views. A hill slopes upwards to the west, which can be seen to either side of the proposed structure. There are no major public views in this direction.

1c. Site Sections

The purpose of site section drawings is to demonstrate the impact of the structure on views to and from the escarpment, from points of interest at the base of the escarpment, and points of interest near the escarpment edge. In

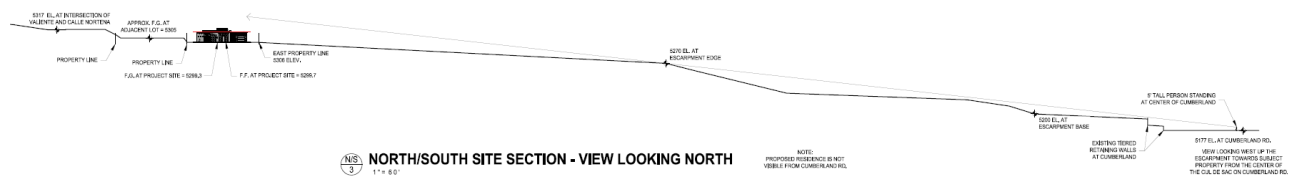
this case, these sections demonstrate the relationship between the topographic elevations, heights of and distances between the proposed structure and the Major Public Open Space escarpment edge, and the escarpment base from the nearest roads—Cumberland Rd NW and Paseo del Norte Blvd NW. The site sections are reviewed individually below.

North-South Site Section (East/West): View to the West



The applicant East/West Site Section shows the subject site cross section in profile south to north across the subject site to Paseo del Norte Blvd NW. The section demonstrates that subject site lies within 250 feet from the Paseo del Norte road edge, although the natural escarpment lies further to the NW.

East-West Site Section (North/South): View to the North



The applicant North/South Site Section cross section shows the subject site in profile, west to east, including the proposed structure, the Petroglyph National Monument Major Public Open Space escarpment, down to Cumberland Pl NW. The subject site lies approximately 565 feet from the escarpment edge plus an additional 670 feet to the nearest road below the escarpment, Cumberland Pl NW. The Monument boundary lies approximately 100 ft to the east of the proposed structure. The cross section of the terrain shows the view from the perspective of a 5-foot-tall individual looking west toward the top of the escarpment toward the proposed structure. The site section indicates that the proposed structure would not be visible from Cumberland Rd NW (See photo below: View of Escarpment and subject site from Cumberland Rd NW cul-de-sac).

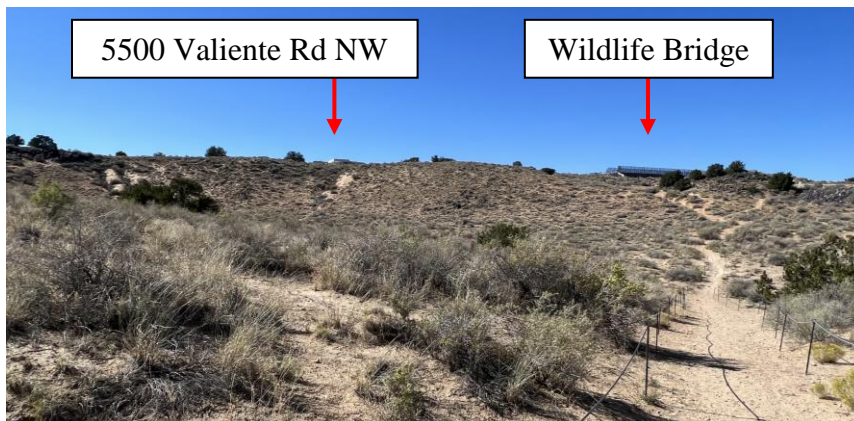
Although the vertical scale is unclear in the provided section, the proposed project should allow typical views east toward the Northwest Mesa Major

Public Open Space escarpment with the presence of a structure. Standing below the escarpment to the east at the Cumberland Rd NW cul-de-sac, the existing home at 5500 is not distinguishable from the trees on the horizon; the wildlife bridge that passes over Paseo del Norte Blvd NW is. The proposed structure would be set further back from the ridge top and would probably remain invisible from below.

View of Escarpment and subject site from Cumberland Rd NW cul-de-sac



View of Escarpment and subject site, looking WNW from walking path near Cumberland Rd NW



The applicant has provided the required drawings.

2. View analysis that illustrates the expected impact of structure height on major public views given the relationship of slopes, building heights, setbacks, escarpment height, and view corridors.

The applicants did not provide a written view analysis, although they presented four separate Site Elevation to the north, east, south, and west which included how the structure would appear in the landscape with

specific attention to views looking east towards the escarpment and Sandia Mountains.

As shown in the provided Site Elevations and Site Sections, the impact of the requested additional 3 feet 5.6 inches in height is minimal when compared to the IDO allowable height of 15 feet above natural grade especially as the distance from the proposed structure increases. The greatest impact is to looking at the proposed structure from the south and north as the highest portion of the house (18 feet 11 inches) stretches east-west nearly a quarter of the length of the house. The views to the Major Open Space escarpment of the Petroglyph National Monument are impacted mostly by the nature of adding a structure to the landscape; the additional height has minimal impact.

Considering the site elevations, site sections, and view corridor analysis the applicant has provided adequate evidence that the impact of the additional height of 3 foot 5.6 inches above the allowable 15-feet above natural grade per the IDO (for a total structure height of 17 feet 8 inches) leaves views to and from the escarpment generally intact.

The request partially meets criterion 6-6(N)(2)(g)(2).

3. Analysis and demonstration of at least 1 of the techniques required by Subsection 14-16-3-6(E)(4) (i.e. height/slope, view corridors, or height/slope/setback) to minimize the impact of additional structure height on views to and from the escarpment.

The applicants indicate that they are minimizing the visual impact of the additional height to and from the escarpment through a Height/Slope technique. However, the response was not clear in how this was to be done.

A Height/Slope technique allows a 1 foot of additional structure height be granted for every 4-foot difference between the ground elevation and a base elevation established at the top of the escarpment (Height/Slope). There is an approximate 35-foot difference from the lowest point on the subject site (5305 feet) to the Major Public Open Space escarpment edge to the east (approximately 5270 feet), which would allow for an additional 8.75-foot rise to maintain current views.

The request partially meets criterion 6-6(N)(2)(g)(3).

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

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

The request meets Criterion 6-6(N)(2)(g)(4).

Procedure

The EPC may grant a Variance to the 15-foot structure height, as measured from the finished grade within the Northwest Mesa Escarpment – View Protection Overlay (VPO-2), if it finds that the applicant has provided sufficient evidence to ensure that the following tests are met (Staff response is in bold-italics):

Test 1: This application for variance must meet the requirements of the VPO pursuant to Section 14-16-3-6(E)(4)(a through c)- Building and Structure Height in VPO-2 Height Restrictions Sub-area, and

Test 2: This request must meet the building requirements found in Section 14-16-6-6(N), Variance – EPC.

Test 1

14-16-3-6(E)(4)(a) As per IDO subsection, building and/or structure height shall not exceed 15 feet, as measured from natural grade without a variance.

Building height is the vertical distance above the average finished grade at each façade of the building, considered separately, to the average height between the plate and the ridge of a gable roof. Natural grade at this site is 2298.5 ft. With a 15-foot structure, the final Building and Structure Height would be 5,313.5.

The proposed building height measured as the average height between the plate and the ridge of a with a gabled roof is 17 feet 8 inches (17.67 feet) above the finished grade (5299.3) for a height of 5316.97. A variance has been requested for 3 feet 5.6 inches (3.47 feet).

<i>Measure</i>	<i>Height (ft)</i>	
VPO-2 max structure ht	15	
Natural Grade	5298.5	
<i>Final elevation</i>	<i>5313.5</i>	
Requested structure ht	17.67	(17 ft 8 in)
Finished Grade	5299.3	
<i>Final elev - Variance ht</i>	<i>5316.97</i>	
<i>Requested Variance</i>	<i>3.47</i>	<i>(3 ft 5.6 in)</i>

This request requires a Variance per Criterion 3-6(E)(4)(a).

14-16-3-6(E)(4)(b) For properties with undulating terrain that would require fill as part of site grading, the resulting building shall not be taller than the tallest building on any abutting lot located within the Height Restriction sub-area and shall not block views to or from the escarpment, as shown in a view analysis per Subsection.

Due to subject site sloping downhill from the southwest corner to the northeast corner, a pad will be constructed at the lowest possible elevation of 5299.3 for proper drainage with a pad set at that elevation.

The tallest adjacent building is 15 feet tall and located to the SW of the subject site on a finished grade of 5308.7. This structure measures to a final elevation of 5323.7 feet.

The subject site pad will sit at 5299.3 with the superstructure proposed at 17 feet 8 inches (17.67 feet) tall for a final height measurement of 5316.97 feet. The proposed dwelling will sit 6.73 feet (6 feet 7.6 inches) below the tallest building of the abutting lot at 5508 Valiente Rd NW.

The requested building would not be taller than the tallest building on any abutting lot, and therefore, meets Criterion 3-6(E)(4)(b).

14-16-3-6(E)(4)(c) Additional height may be requested through a Variance – EPC pursuant to Section 14-16-6-6(N).

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

The proposed dwelling will measure 17 feet 8 inches (17.67') tall; the highest point of the structure will be 18 feet 11 inches from final grade. The structure would not exceed 19 feet in height from the finished grade.

This request meets Criterion 3-6(E)(4)(c)(1).

2. When a Variance is requested for building or structure height, the visual impact of additional height on views to and from the escarpment shall be minimized through at least 1 of the following techniques: (a) Height/Slope, (b) View Corridors, and/or (c) Height/Slope/Setback.

The applicants indicate that they are minimizing the visual impact of the additional height to and from the escarpment through a Height/Slope technique. See review of Subsection 6-6(N)(2)(g)(3) for detail (p. 15).

This request meets partially meets Criterion 3-6(E)(4)(c)(2).

Test 2

14-16-6-6(N)(3)(a) An application for a Variance – EPC shall be approved if it meets all of the following criteria:

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

Applicants indicate that site slope and drainage constrain the usability of the site. The highest point of the subject site is the SW corner at an elevation of 5305 feet which slopes downward to the subject site's northeast corner at approximately 5296 feet. Natural grade is at an elevation of 5298.5 feet. To accommodate the slope and required drainage for the site, the proposed structure pad will be leveled to an elevation of 5299.3 feet, or 0.8 feet (9.6") above the natural grade resulting in an allowable structure height of 14 feet 2.4 inches without the requested variance. For proper drainage of the site, Professional Engineer Luehring, PE included an on-site drainage ponding area to manage stormwater to ensure proper drainage during a storm event (See Attachment).

A typical single-story home in the Albuquerque area stands at 15 feet tall. As such, to build at the allowed IDO maximum 15-foot height above natural grade would create a hardship in the form of a reduction in ceiling height. A 14-foot 2.4-inch-tall structure may cause substantial and unjustified limitation on the reasonable use or economic return on the property, or practical difficulties would result from strict compliance with the minimum standards. The applicants have sufficiently justified a height variance for a final building height above the 15-foot above natural grade but not for a structure taller than the IDO allowed 15 feet.

Although the drainage plan has been approved by the City as is, per a discussion with the City Hydrology Principal Engineer, it is possible to reconfigure the proposed structure to step down across the site so that the garage sits at a higher elevation than the dwelling space. Also, although not typical, it is possible to position the driveway at a grade of up to 25 percent to accommodate for a lower finished grade. It was also suggested that it might be possible to reduce the floor footprint to shift the structure further back on the property to allow for a lower pad and the proposed additional structure height (17 feet 8 inches).

The request does not meet criterion 6-6(N)(3)(a)(1).

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

The subject site is located within 565 feet of the Petroglyph Monument escarpment edge with City owned land adjacent to the north and is approximately 100 feet from the Monument boundary to the east. The subject site is located in very close proximity to a very significant and unique part of Albuquerque that is greatly valued by not only community members but appreciated by visitors from around the world. Although the request for additional structure height is minimal, Staff disagrees with the applicants that there is “no direct impact to public safety, health, or welfare”.

The 15-foot structure height restriction as outlined by the Mesa Vista VPO-2 is set in place to preserve and enhance the natural and cultural characteristics and features that contribute to the distinct identity of communities, neighborhoods, and cultural landscapes per Goal 11.3 Cultural Landscapes (Protect, reuse, and/or enhance significant cultural landscapes as important contributors to our heritage and rich and complex identities) of the Comprehensive Plan. That is, restrictions are implemented to preserve views, reduce visual impact, and minimize the environmental impacts of development, especially within environmentally sensitive areas. Additionally, view conservation offers relief from the built urban environment. Open space constitutes an important resource that demands special landscape and architectural treatments. The presented justification does not adequately show that the Variance – EPC will not be materially contrary to the public safety, health, or welfare.

The request does not meet criterion 6-6(N)(3)(a)(2).

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

The applicants wish to strengthen the area by quality development that is consistent with the distinct character of communities (Comp Plan Policy 4.1.1- Distinct Communities) that will further area development and increase area home values. However, even though height variances are decided on a case by case basis, allowing such variances without a definable need, sets a precedence for increasing structure heights within the Mesa Vista View Protection Overlay (VPO) area. Aggregated through time, these changes can reduce the purpose, intent, and impact of IDO direction, thereby actually having significant material adverse impacts on surrounding properties or infrastructure improvements in the vicinity due to the loss of valuable resources: area views and Open Space (see Comp Plan Policy 4.1.5- Natural Resources, Policy 5.6.1- Community Green

Space, Policy 7.3.1- Natural and Cultural Features, Policy 7.3.5- Development Quality, Policy 7.5.2- Site Design, Goal 9.2- Sustainable Design).

The request partially meets criterion 6-6(N)(3)(a)(3).

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

The height variance request of 3 feet 5.6 inches (pad plus 17-foot 8-inch structure) or 2 feet 8 inches for the additional building height, falls within the height variance criteria maximum of 19 feet. However, allowing a variance for a structure above the original 15-foot allowable structure height reduces the efficacy of the Mesa Vista View Protection Overlay (VPO-2), which, as responded to in Subsection 6-6(N)(3)(a)(3), can through time, reduce the impact of such regulation and materially undermine the intent and purpose of this IDO and applicable Overlay Zone.

The request does not meet criterion 6-6(N)(3)(a)(4).

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

Applicants cite “habitable and economical” reasons for requesting a 3-foot 5.6-inch height variance with the average height of the proposed structure between ridge and eaves reaching 17 feet 8 inches. The tallest structural feature, an entry tower, rises to 18 feet 11 inches, 1 inch below the maximum height allowed of 19 feet. There was no specific extraordinary hardship or practical difficulties presented as to why plans for a 15-foot tall structure were not selected as at least 50 percent of the proposed building is designed for the 15-foot-tall allowance.

The request does not meet criterion 6-6(N)(3)(a)(5).

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

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

There are no special circumstances that apply to the subject site that would render the lot undevelopable to the 15-foot above natural grade with a chosen 15-foot plan because of physical and/or engineering constraints (e.g. rock outcroppings, street grades, drainage requirements, ADA compliance, utility design, etc.). Although the drainage plan has been approved by the City as is, per a discussion with the City Hydrology Principal Engineer, it is possible to reconfigure the proposed structure to step down across the site so that the garage sits at a higher elevation than the dwelling space. Also, although not typical, it is possible to position the driveway at a grade up to 25 percent to accommodate for a lower finished grade towards the back of the lot. It was also suggested that it might be possible to reduce the floor footprint to shift the structure further back on the property to maintain a level grade, which suggests that the site can be safely developed with a pad leveled at natural grade.

The applicant states that “special circumstances of the lot create an extraordinary hardship in the form of a substantial and unjustified limitation on the reasonable use or economic return on the property as building costs would never be recouped nor would the building be able to be sold if built to those standards rendering the lot undevelopable.” However, no specifics were provided. Three adjacent homes along the south side of Valiente Rd NW were built to the 15-foot allowance for the VPO-2 and are currently occupied.

Applicants also included the hardship of “several maps to include the ‘Volcano Mesa Escarpment Map’ as well as the ‘SAD 228 Map’ from the City of Albuquerque website demonstrate the property was outside the height restricted zone”. However, it is the responsibility of the property owner and/or builder to be familiar with City regulation. The Planning Department Staff is available to answer any questions prior to submitting for a permit.

The request does not meet criterion 6-6(N)(3)(c)(1).

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

The impact of the proposed development on views to and from the escarpment would generally be the same as or less than the impact if the 15-foot height limit were met. The applicants oriented the highest portions of the house (18 feet 11 inches) perpendicular to the escarpment to minimize the impact of the proposed development to a height of 17 foot 8 inches above the final pad for about a quarter of the structure’s length when facing east looking toward the Major Public Open Space, Petroglyph National Monument escarpment.

Although the proposed West Elevation does not appear to obscure the the Sandia Mountains, the purpose of the VPO-2 height restrictions is to preserve the views to and from the escarpment. A building, regardless of height will restrict views by the fact that there is a solid mass in place of a previously open space with natural features.

The applicant has provided evidence that the proposed development will have a marginally greater visual impact than if the 15-foot height limit were met. Site plans, site sections, and site elevations are included in Staff analysis and provided in Section III above of this report (see p. 8).

The request generally meets criterion 6-6(N)(3)(c)(2).

IV. AGENCY & NEIGHBORHOOD CONCERNS

Reviewing Agencies

City departments and other agencies reviewed this application. Few Agency Comments were received. ABCWUA, AMAFCA, APS, Bernalillo County Solid Waste, Kirtland Airforce Base, PNM, and the City Transportation Engineer offered standard comments. NPS objected to the proposed height variance (see Attachment).

Neighborhood/Public

Notification requirements are found in Table 6-1-1 (Summary of Development Review Procedures) of Part 14-16-6 Administration and Enforcement, and are further explained in Part 14-16-6-4(K) Public Notice section. The affected, registered neighborhood organizations are the Paradise Hills Civic Association, Taylor Ranch Neighborhood Association, and the Westside Coalition of Neighborhood Associations. Organization representatives were notified by email. Property owners within 100 feet of the subject site were also notified as required (see Attachments).

The applicant posted proper notice for the EPC hearing. The sign notice was been posted for the October 21, 2023 hearing and remained posted through the deferral time period.

One community member made an inquiry regarding the variance request via email and was worried about a second story being added. One community member expressed opposition to the Variance – EPC in written notice and later requested a facilitated meeting on October 31, 2023.

As of this writing, a post-application facilitated virtual meeting via Zoom is scheduled to be held November 9, 2023 from 6 pm to 8 pm via Zoom. Facilitated meeting notes are expected to be available prior to the November 16, 2023 hearing.

One Agency letter of opposition for the subject height variance, submitted November 2, 2023, by the National Park Service (NPS; see Attachment - Letters). The NPS is concerned that an increase in height would result in a substantial visual intrusion on the highly sensitive area

adjacent to the monument that sets a precedent for taller structures near the Petroglyph National Monument/MPOS.

V. CONCLUSION

The request is for a height variance. Applicants are soliciting an additional 2 feet and 8 inches for an average height of 17 feet and 8 inches between the plate and the gabled roof above for a proposed single-family home located at 5505 Valiente Rd NW, 87120 within the Northwest Mesa Escarpment VPO (VPO-2). The approximately 0.4-acre subject site is zoned R-1D (Residential, Single-Family—Extra Large Lot—Zone District) and is in an Area of Consistency. The subject site is not in a designated Activity Center or Corridor as designated by the Comprehensive Plan.

Pursuant to IDO Northwest Mesa Escarpment – VPO-2 Subsection 14-16-3-6(E)(2), the purpose of this VPO is to protect views looking to and from the Petroglyph National Monument. One way in which these views are protected is by limiting building height. As per IDO subsection 3-6(E)(4)(a), structure height shall not exceed 15 feet as measured from natural grade. Pursuant to IDO subsection 3-6(E)(4)(c), additional height may be requested through a Variance – EPC pursuant to IDO subsection 6-6(N)(1)(c), which allows up to a maximum 19 feet above finished grade.

The affected neighborhood organizations are the Paradise Hills Civic Association, Taylor Ranch Neighborhood Association, and the Westside Coalition of Neighborhood Associations, that were notified as required. Property owners within 100 feet of the subject site were also notified as required.

As of this writing, Staff has received one written comment in opposition with a request for a facilitated meeting. A post-application facilitated virtual meeting via Zoom is scheduled for November 9, 2023 from 6 pm to 8 pm via Zoom.

Finding few but significant conflicts with IDO regulation, Staff recommends APPROVAL with CONDITIONS of the requested height variance to a building height of 15-feet above finished pad.

FINDINGS – VA-2023-00246, November 16, 2023 -Variance-EPC

1. The request is for a Variance - EPC for a property legally described as all or a portion of Lot 21, Block 1, Unit 27, Volcano Cliffs located at 5505 Valiente Rd NW, between Calle Norteña NW and the Piedras Marcadas Major Public Open Space (MPOS), approximately 0.4-acres (the “subject site”).
2. The subject site is zoned R-1D (Residential, Single-Family—Extra Large Lot—Zone District) and is in an Area of Consistency. The subject site is not in a designated Activity Center or Corridor as designated by the Comprehensive Plan.
3. The subject site is located within the Northwest Volcano Mesa View Protection Overlay (VPO) Zone, VPO-2, and within the Volcano Mesa Character Protection Overlay (CPO) Zone, CPO-13. The VPO-2 regulations are designed to protect views looking to and from the Petroglyph National Monument. This height variance request will follow the guidelines for VPO-2, which supersede regulations for CPO-13.
4. An application for a Variance – EPC shall be approved if it meets all of the criteria pursuant to 14-16-6-6(N)(3)(a)- Variance – EPC Review and Decision Criteria, which staff finds the applicant does not fully meet.
 - A. 6-6(N)(3)(a) 1. There are special circumstances applicable to a single lot that are not self-imposed and that do not apply generally to other property in the same zone district and vicinity, including but not limited to size, shape, topography, location, surroundings, physical characteristics, natural forces, or by government actions for which no compensation was paid. Such special circumstances of the lot either create an extraordinary hardship in the form of a substantial and unjustified limitation on the reasonable use or economic return on the property, or practical difficulties result from strict compliance with the minimum standards.

Applicants indicate that site slope and drainage constrain the usability of the site. The highest point of the subject site is the SW corner at an elevation of 5305 feet which slopes downward to the subject site’s northeast corner at approximately 5296 feet. Natural grade is at an elevation of 5298.5 feet. To accommodate the slope and required drainage for the site, the proposed structure pad will be leveled to an elevation of 5299.3 feet, or 0.8 feet (9.6”) above the natural grade resulting in an allowable structure height of 14 feet 2.4 inches without the requested variance. For proper drainage of the site, Professional Engineer Luehring, PE included an on-site drainage ponding area to manage stormwater to ensure proper drainage during a storm event (See Attachment).

A typical single-story home in the Albuquerque area stands at 15 feet tall. As such, to build at the allowed IDO maximum 15-foot height above natural grade would create a hardship in the form of a reduction in ceiling height. A 14-foot 2.4-inch-tall structure may cause substantial and unjustified limitation on the reasonable use or economic return on the property, or practical difficulties would result from strict compliance with the minimum standards. The applicants have sufficiently justified a height variance for a final building

height above the 15-foot above natural grade but not for a structure taller than the IDO allowed 15 feet.

Although the drainage plan has been approved by the City as is, per a discussion with the City Hydrology Principal Engineer, it is possible to reconfigure the proposed structure to step down across the site so that the garage sits at a higher elevation than the dwelling space. Also, although not typical, it is possible to position the driveway at a grade of up to 25 percent to accommodate for a lower finished grade. It was also suggested that it might be possible to reduce the floor footprint to shift the structure further back on the property to allow for a lower pad and the proposed additional structure height (17 feet 8 inches).

A typical single-story home in the Albuquerque area stands at 15 feet tall. As such, to build at the allowed IDO maximum 15-foot height above natural grade would create a hardship in the form of a reduction in ceiling height. A 14-foot 2.4-inch-tall structure may cause substantial and unjustified limitation on the reasonable use or economic return on the property, or practical difficulties would result from strict compliance with the minimum standards. The applicants have sufficiently justified a height variance for a final building height above the 15-foot above natural grade but not for a structure taller than the IDO allowed 15 feet.

- B. 6-6(N)(3)(a) 2. The Variance will not be materially contrary to the public safety, health, or welfare.

The subject site is located within 565 feet of the Petroglyph Monument escarpment edge with City owned land adjacent to the north and is approximately 100 feet from the Monument boundary to the east. The subject site is located in very close proximity to a very significant and unique part of Albuquerque that is greatly valued by not only community members but appreciated by visitors from around the world. Although the request for additional structure height is minimal, Staff disagrees with the applicants that there is “no direct impact to public safety, health, or welfare”.

The 15-foot structure height restriction as outlined by the Mesa Vista VPO-2 is set in place to preserve and enhance the natural and cultural characteristics and features that contribute to the distinct identity of communities, neighborhoods, and cultural landscapes per Goal 11.3 Cultural Landscapes (Protect, reuse, and/or enhance significant cultural landscapes as important contributors to our heritage and rich and complex identities) of the Comprehensive Plan. That is, restrictions are implemented to preserve views, reduce visual impact, and minimize the environmental impacts of development, especially within environmentally sensitive areas. Additionally, view conservation offers relief from the built urban environment. Open space constitutes an important resource that demands special landscape and architectural treatments. The presented justification does not adequately show that the Variance – EPC will not be materially contrary to the public safety, health, or welfare.

- C. 6-6(N)(3)(a) 3. The Variance does not cause significant material adverse impacts on surrounding properties or infrastructure improvements in the vicinity.

The applicants wish to strengthen the area by quality development that is consistent with the distinct character of communities (Comp Plan Policy 4.1.1- Distinct Communities) that will further area development and increase area home values. However, even though height variances are decided on a case by case basis, allowing such variances without a definable need, sets a precedence for increasing structure heights within the Mesa Vista View Protection Overlay (VPO) area. Aggregated through time, these changes can reduce the purpose, intent, and impact of IDO direction, thereby actually having significant material adverse impacts on surrounding properties or infrastructure improvements in the vicinity due to the loss of valuable resources: area views and Open Space (see Comp Plan Policy 4.1.5- Natural Resources, Policy 5.6.1- Community Green Space, Policy 7.3.1- Natural and Cultural Features, Policy 7.3.5- Development Quality, Policy 7.5.2- Site Design, Goal 9.2- Sustainable Design).

- D. 6-6(N)(3)(a) 4. The Variance will not materially undermine the intent and purpose of this IDO, the applicable zone district, or any applicable Overlay Zone.

The height variance request of 3 feet 5.6 inches (pad plus 17-foot 8-inch structure) or 2 feet 8 inches for the additional building height, falls within the height variance criteria maximum of 19 feet. However, allowing a variance for a structure above the original 15-foot allowable structure height reduces the efficacy of the Mesa Vista View Protection Overlay (VPO-2), which, as responded to in Subsection 6-6(N)(3)(a)(3), can through time, reduce the impact of such regulation and materially undermine the intent and purpose of this IDO and applicable Overlay Zone.

- E. 6-6(N)(3)(a) 5. The Variance approved is the minimum necessary to avoid extraordinary hardship or practical difficulties.

Applicants cite “habitable and economical” reasons for requesting a 2-foot 8-inch height variance with the average height of the proposed structure between ridge and eaves reaching 17 feet 8 inches. The tallest structural feature, an entry tower, rises to 18 feet 11 inches, 1 inch below the maximum height allowed of 19 feet. There was no specific extraordinary hardship or practical difficulties presented as to why plans for a 15-foot tall structure were not selected as at least 50 percent of the proposed building is designed for the 15-foot-tall allowance.

5. 14-16-6-6(N)(3)(c). Northwest Mesa Escarpment – VPO-2: An application for a Variance from the 15-foot structure height limit in the Height Restriction Sub-area in Subsection 14-16-3-6(E)(3) (Northwest Mesa Escarpment – VPO-2) shall be approved if it meets the criteria all of the following criteria: Hardship and Visual Impact. The Hardship test is not met.
- A. 6-6(N)(3)(c) 1. Hardship: The intent of the view regulations in Section 14-16-3-6(E) (Northwest Mesa Escarpment – VPO-2) must be met. The burden is on the applicant to demonstrate that strict adherence to VPO-2 building height regulations would render the lot undevelopable because of physical and/or engineering constraints (e.g. rock outcroppings, street grades, drainage requirements, ADA compliance, utility design, etc.).

There are no special circumstances that apply to the subject site that would render the lot undevelopable to the 15-foot above natural grade with a chosen 15-foot plan because of physical and/or engineering constraints (e.g. rock outcroppings, street grades, drainage requirements, ADA compliance, utility design, etc.). Although the drainage plan has been approved by the City as is, per a discussion with the City Hydrology Principal Engineer, it is possible to reconfigure the proposed structure to step down across the site so that the garage sits at a higher elevation than the dwelling space. Also, although not typical, it is possible to position the driveway at a grade up to 25 percent to accommodate for a lower finished grade towards the back of the lot. It was also suggested that it might be possible to reduce the floor footprint to shift the structure further back on the property to maintain a level grade, which suggests that the site can be safely developed with a pad leveled at natural grade.

The applicant states that “special circumstances of the lot create an extraordinary hardship in the form of a substantial and unjustified limitation on the reasonable use or economic return on the property as building costs would never be recouped nor would the building be able to be sold if built to those standards rendering the lot undevelopable.” However, no specifics were provided. Three adjacent homes along the south side of Valiente Rd NW were built to the 15-foot allowance for the VPO-2 and are currently occupied.

Applicants also included the hardship of “several maps to include the ‘Volcano Mesa Escarpment Map’ as well as the ‘SAD 228 Map’ from the City of Albuquerque website demonstrate the property was outside the height restricted zone”. However, it is the responsibility of the property owner and/or builder to be familiar with City regulation. The Planning Department Staff is available to answer any questions prior to submitting for a permit.

- B. 6-6(N)(3)(c) 2. Visual Impact: The impact of the proposed development on views to and from the escarpment will be the same as, or less than, the impact if the 15-foot height limit were met.

The impact of the proposed development on views to and from the escarpment would generally be the same as or less than the impact if the 15-foot height limit were met. The applicants oriented the highest portions of the house (18 feet 11 inches) perpendicular to the escarpment to minimize the impact of the proposed development to a height of 17 foot 8 inches above the final pad for about a quarter of the structure’s length when facing east looking toward the Major Public Open Space, Petroglyph National Monument escarpment.

Although the proposed West Elevation does not appear to obscure the the Sandia Mountains, the purpose of the VPO-2 height restrictions is to preserve the views to and from the escarpment. A building, regardless of height will restrict views by the fact that there is a solid mass in place of a previously open space with natural features. The applicant has provided evidence that the proposed development will have a marginally greater visual impact than if the 15-foot height limit were met. Site plans, site

sections, and site elevations are included in Staff analysis and provided in Section III above of this report (see p. 8).

6. The affected, registered neighborhood organizations are the Paradise Hills Civic Association, Taylor Ranch Neighborhood Association, and the Westside Coalition of Neighborhood Associations, that were notified as required. Property owners within 100 feet of the subject site were also notified as required.
7. A Post-Submittal Facilitated Meeting was requested and is scheduled via Zoom for November 9, 2023, from 6 pm to 8 pm.
8. Staff received a letter of opposition from the National Park Service (NPS) as of this writing. The NPS is concerned that an increase in height would result in a substantial visual intrusion on the highly sensitive area adjacent to the monument that sets a precedent for taller structures near the Petroglyph National Monument/MPOS.
9. Staff finds that the application for a variance-EPC in VPO-2 does not meet all requirements pursuant to IDO section 14-16-6-6(N), Variance – EPC. A request for a Variance-EPC shall be approved if it meets all review and decision criteria. The applicant has generally met the requirements pursuant to IDO 14-16-3-6(E)(4) - Building and Structure Height in VPO-2 Height Restrictions Sub-area.
10. Staff finds that A variance of 10 inches to allow for the pad of the structure is justifiable. Conditions of approval are included with this request.

RECOMMENDATION – PR-2023-009178, VA-2023-00246 – November 16, 2023

APPROVAL of Project #: 2023-009178, Case #: VA-2023-00033, a height variance of 10 inches, for an approximately 1.6-acre site, legally described as all or a portion of Lot 21, Block 1, Unit 27, Volcano Cliffs, 5505 Valiente Rd NW, 87120, between Calle Norteña NW and the Piedras Marcadas Major Public Open Space (MPOS) (“the subject site”) based on the preceding Findings.

CONDITIONS OF APPROVAL – VA-2023-00246

1. Future construction shall adhere to all requirements in IDO subsection 14-16-3-6(E) Northwest Mesa Escarpment – VPO-2 (aside from the granted 10-inch variance) and requirements in IDO subsection 14-16-3-4(N) Volcano Mesa – CPO-13.
2. The height of the structure shall be kept to 15 feet to be consistent with surrounding residential structures. A variance of 10 inches is allowed for the pad.

Catherine Heyne
Catherine Heyne, Planner

Notice of Decision CC list:

Paradise Hills Civic Association- Tom Anderson, taa@msn.com

Taylor Ranch Neighborhood Association- Rene Horvath, aboard111@gmail.com

Taylor Ranch Neighborhood Association- Marian Pendleton, mariancp21@gmail.com

Westside Coalition of Neighborhood Associations- Rene Horvath, aboard111@gmail.com

*Westside Coalition of Neighborhood Associations- Elizabeth Haley,
elizabethkayhaley@gmail.com*

*Legal, dking@cabq.gov
EPC file*

CITY OF ALBUQUERQUE AGENCY COMMENTS

PLANNING DEPARTMENT

Zoning / Code Enforcement

Long Range Planning

Metropolitan Redevelopment

Transportation Development Review Services

Transportation has no objection to the requested Variance for this item.

CITY ENGINEER

Hydrology

Transportation Development Services

MUNICIPAL DEVELOPMENT DEPARTMENT (DMD) TRANSPORTATION

POLICE DEPARTMENT/PLANNING

SOLID WASTE MANAGEMENT DEPARTMENT

No comment.

TRANSIT DEPARTMENT

PARKS AND RECREATION

ABC WATER UTILITY AUTHORITY (ABCWUA)

1. No adverse comment to EPC Variance.
2. For information purposes only:
 - 2a. Please make a Request for Availability to obtain conditions for service. For reference see the following link: <https://www.abcwua.org/info-for-builders-availability-statements/>
 - 2b. Property is outside the Established Service Area.
 - 2c. Property will require a Service Connection Agreement to receive a commitment of service from the Water Authority.

ALBUQUERQUE PUBLIC SCHOOLS

Residential development at this location impacts Sunset View Elementary School, Tony Hillerman Middle School, and Volcano Vista High School.

School Capacity

School	2022-2023 (40th Day) Enrollment	Facility Capacity	Space Available
Sunset View Elementary School	482	660	178
Tony Hillerman Middle School	1,038	1,180	142
Volcano Vista High School	2,219	2,300	81

To address overcrowding at schools, APS will explore various alternatives. A combination or all of the following options may be utilized to relieve overcrowded schools.

- Provide new capacity (long-term solution)
 - Construct new schools or additions
 - Add portables
 - Use of non-classroom spaces for temporary classrooms
 - Lease facilities
 - Use other public facilities
- Improve facility efficiency (short-term solution)
 - Schedule Changes
 - Double sessions
 - Multi-track year-round
 - Other
 - Float teachers (flex schedule)
- Shift students to Schools with Capacity (short-term solution)
 - Boundary Adjustments / Busing
 - Grade reconfiguration
- Combination of above strategies

All planned additions to existing educational facilities are contingent upon taxpayer approval.

ALBUQUERQUE METROPOLITAN ARROYO FLOOD CONTROL (AMAFCA)

No adverse comments to the variance.

COUNTY OF BERNALILLO

MID-REGION COUNCIL OF GOVERNMENTS (MRCOG)

MID-REGION METROPOLITAN PLANNING ORGANIZATION (MRMPO)

PUBLIC SERVICE COMPANY OF NEW MEXICO

NEW MEXICO DEPARTMENT OF TRANSPORTATION (NMDOT)

MIDDLE RIO GRANDE CONSERVANCY DISTRICT

PNM COMPANY

There are PNM facilities and/or easements along the Valiente Rd frontage.

It is the applicant's obligation to determine if existing utility easements or rights-of-way are located within the property and to abide by any conditions or terms of those easements.

Any existing easements may have to be revisited and/or new easements may need to be created for any electric facilities as determined by PNM.

Any existing and/or new PNM easements and facilities need to be reflected on any resulting Site Plan and any resulting Plat.

On-site transformers should have a five-foot clear area on the sides and rear and ten-foot in front to allow for access and maintenance.

Structures, especially those made of metal like storage buildings and canopies, should not be within or near PNM easements without close coordination with and agreement from PNM.

Perimeter and interior landscape design should abide by any easement restrictions and not impact PNM facilities.

The applicant should contact PNM's New Service Delivery Department as soon as possible to coordinate electric service regarding any proposed project. Submit a service application at <https://pnmnsd.powerclerk.com/MvcAccount/Login> for PNM to review.

If existing electric lines or facilities need to be moved, then that is at the applicant's expense. Please contact PNM as soon as possible at <https://pnmnsd.powerclerk.com/MvcAccount/Login> for PNM to review.

PETROGLYPH NATIONAL MONUMENT

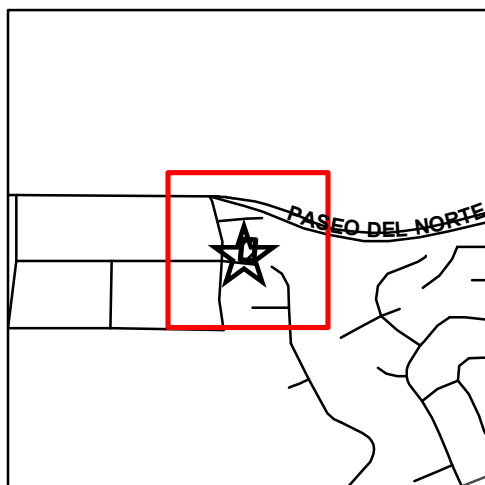
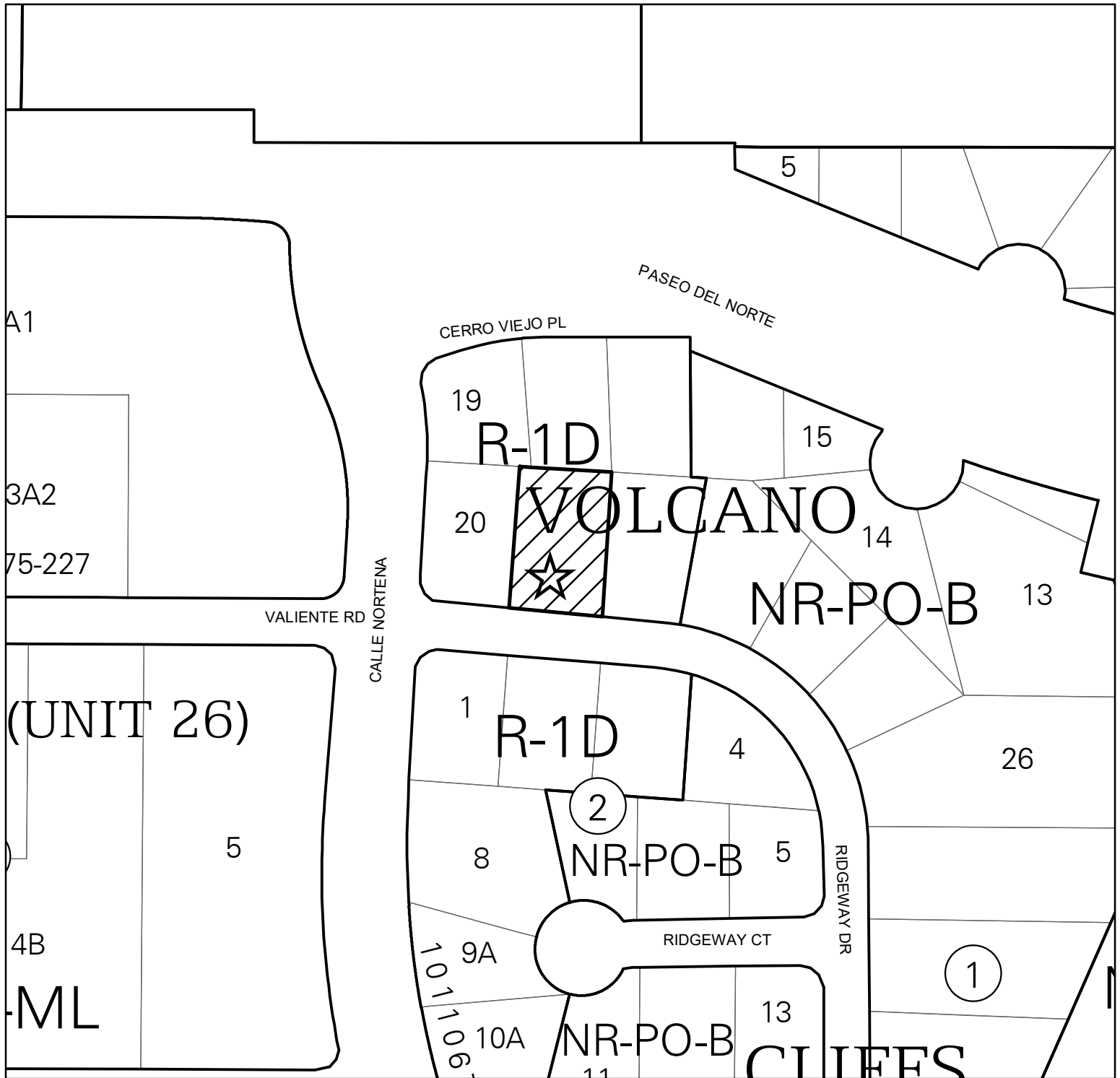
Opposes the Variance – EPC request (see Attachment-Letters)

AVIATION DEPARTMENT

KIRTLAND AIR FORCE BASE

No adverse effect on Kirtland Air Force Base and associated missions.

MAPS



IDO ZONING MAP

Note: Gray shading
indicates County.



1 inch = 150 feet

Hearing Date:

10/19/2023

Project Number:

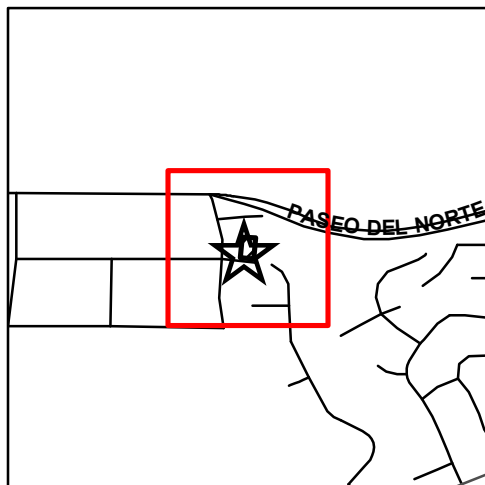
PR-2023-009178

Case Numbers:

VA-2023-00246

Zone Atlas Page:

C-11



LAND USE MAP

Note: Gray shading
indicates County.

Key to Land Use Abbreviations	
LDRES Low-density Residential	APRT Airport
MULT Multi-family	TRANS Transportation
COMM Commercial Retail	AGRI Agriculture
CMSV Commercial Services	PARK Parks and Open Space
OFC Office	DRNG Drainage
IND Industrial	VAC Vacant
INSMED Institutional / Medical	UTIL Utilities
ED Educational	CMTY Community
	KAFB Kirtland Air Force Base



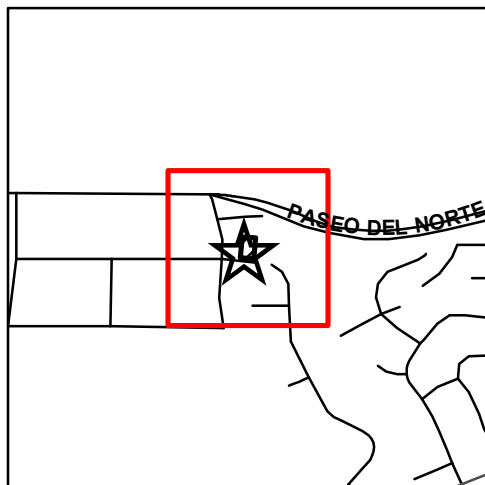
1 inch = 150 feet

Hearing Date:
10/19/2023

Project Number:
PR-2023-009178

Case Numbers:
VA-2023-00246

Zone Atlas Page:
C-11



HISTORY MAP

Note: Gray shading
indicates County.



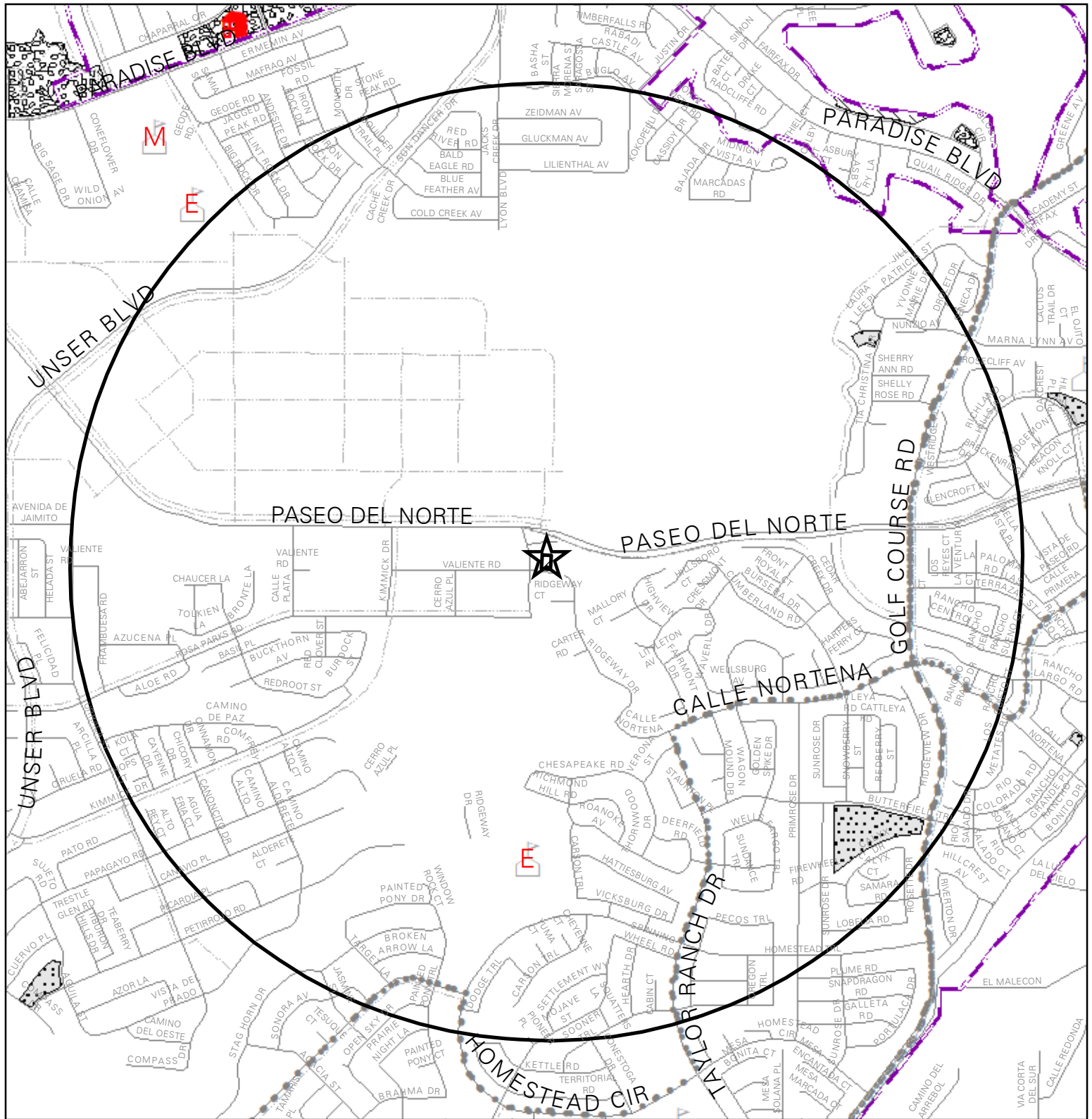
1 inch = 150 feet

Hearing Date:
10/19/2023

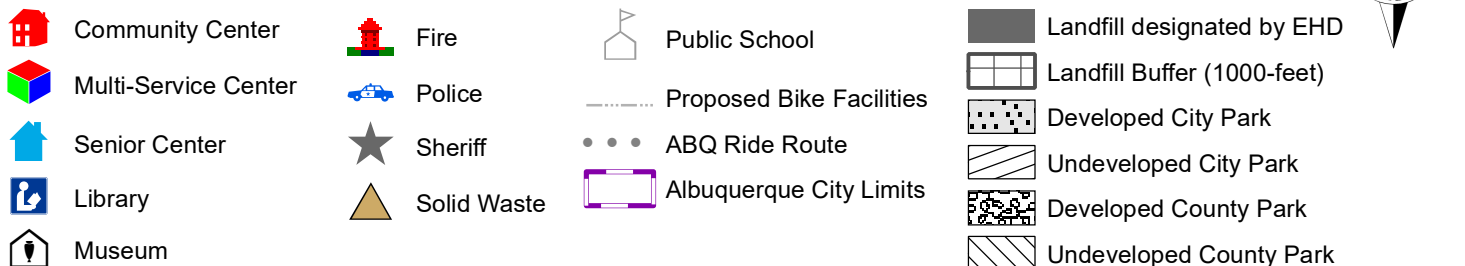
Project Number:
PR-2023-009178

Case Numbers:
VA-2023-00246

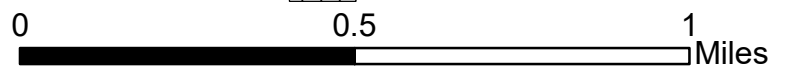
Zone Atlas Page:
C-11



Public Facilities Map with One-Mile Buffer



Project Number: PR-2023-009178



PHOTOGRAPHS

Existing Conditions



Figure 1: Overview of the subject site from Valiente Rd NW, looking north toward Paseo del Norte Blvd NW.



Figure 2: Subject site overview looking east from vacant adjacent, bladed lot.



Figure 3: Overview of the subject site looking west toward Calle Norteña NW; bladed lot is to west of subject site.



Figure 4: Overview of the subject site looking south-southwest.



Figure 5: Overview of the subject site looking west from below the escarpment southwest of Cumberland Pl NW. Left of photo center is 5500 Valiente NW (*); photo right is Wildlife bridge (**).

APPLICANT INFORMATION



Please check the appropriate box and refer to supplemental forms for submittal requirements. All fees must be paid at the time of application.

Administrative Decisions	Decisions Requiring a Public Meeting or Hearing	Policy Decisions
<input type="checkbox"/> Archaeological Certificate (Form P3)	<input checked="" type="checkbox"/> Site Plan – EPC including any Variances – EPC (Form P1)	<input type="checkbox"/> Adoption or Amendment of Comprehensive Plan or Facility Plan (Form Z)
<input type="checkbox"/> Historic Certificate of Appropriateness – Minor (Form L)	<input type="checkbox"/> Master Development Plan (Form P1)	<input type="checkbox"/> Adoption or Amendment of Historic Designation (Form L)
<input type="checkbox"/> Alternative Signage Plan (Form P3)	<input type="checkbox"/> Historic Certificate of Appropriateness – Major (Form L)	<input type="checkbox"/> Amendment of IDO Text (Form Z)
<input type="checkbox"/> Minor Amendment to Site Plan (Form P3)	<input type="checkbox"/> Demolition Outside of HPO (Form L)	<input type="checkbox"/> Annexation of Land (Form Z)
<input type="checkbox"/> WTF Approval (Form W1)	<input type="checkbox"/> Historic Design Standards and Guidelines (Form L)	<input type="checkbox"/> Amendment to Zoning Map – EPC (Form Z)
<input type="checkbox"/> Alternative Landscaping Plan (Form P3)	<input type="checkbox"/> Wireless Telecommunications Facility Waiver (Form W2)	<input type="checkbox"/> Amendment to Zoning Map – Council (Form Z)
		Appeals
		<input type="checkbox"/> Decision by EPC, DHO, LC, ZHE, or City Staff (Form A)

APPLICATION INFORMATION

Applicant: Frank J. & Clarissa J. Gonzales		Phone: 505-908-1918
Address: 5505 Valiente Rd. NW		Email: fgonzal2@outlook.com
City: Albuquerque	State: New Mexico	Zip: 87120
Professional/Agent (if any):		Phone:
Address:		Email:
City:	State:	Zip:
Proprietary Interest in Site:		List <u>all</u> owners:

BRIEF DESCRIPTION OF REQUEST

Height variance request pursuant to subsection 14-16-6-6(N)

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

Lot or Tract No.: 21	Block: 1	Unit: 27
Subdivision/Addition: Volcano Cliffs	MRGCD Map No.:	UPC Code: 101106425915140521
Zone Atlas Page(s): C-11-Z	Existing Zoning: R-1D	Proposed Zoning:
# of Existing Lots: 1	# of Proposed Lots: 1	Total Area of Site (acres): 0.40

LOCATION OF PROPERTY BY STREETS

Site Address/Street: 5505 Valiente Rd NW	Between: Calle Nortena	and: Paseo Del Norte
--	------------------------	----------------------

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

BP-2023-26158 Residential - Single Family - New Building on hold due to EPC Variance request.

Signature:	Date: 22 August 2023
Printed Name: Frank J. Gonzales	<input checked="" type="checkbox"/> Applicant or <input type="checkbox"/> Agent

FOR OFFICIAL USE ONLY

Case Numbers	Action	Fees	Case Numbers	Action	Fees

Meeting/Hearing Date:	Fee Total:
Staff Signature:	Date: Project #

FORM P1: SITE PLAN – EPC

Please refer to the EPC hearing schedule for public hearing dates and deadlines. Your attendance is required.

☒ **SITE PLAN – EPC**

☐ **MASTER DEVELOPMENT PLAN**

☐ **MAJOR AMENDMENT TO SITE PLAN – EPC OR MASTER DEVELOPMENT PLAN**

☐ **EXTENSION OF SITE PLAN – EPC OR MASTER DEVELOPMENT PLAN**

___ Interpreter Needed for Hearing? ___ if yes, indicate language: _____

☒ A Single PDF file of the complete application including all documents being submitted must be emailed to PLNDRS@cabq.gov prior to making a submittal. Zipped files or those over 9 MB cannot be delivered via email, in which case the PDF must be provided to City Staff using other on-line resources such as Dropbox or FTP. PDF shall be organized with the Development Review Application and this Form P1 at the front followed by the remaining documents in the order provided on this form.

☒ Zone Atlas map with the entire site clearly outlined and labeled

___ Letter of authorization from the property owner if application is submitted by an agent

___ Sites 5 acres or greater: Archaeological Certificate in accordance with IDO Section 14-16-6-5(A)

☒ Justification letter describing, explaining, and justifying the request per the criteria in IDO Sections 14-16-6-6(J)(3) or 14-16-6-6(F)(3), as applicable

___ Explanation of requested deviations, if any, in accordance with IDO Section 14-16-6-4(P)

___ Proof of Pre-Application Meeting with City staff per IDO Section 14-16-6-4(B)

___ Proof of Neighborhood Meeting per IDO Section 14-16-6-4(C)

☒ Office of Neighborhood Coordination neighborhood meeting inquiry response

___ Proof of email with read receipt OR Certified Letter offering meeting to applicable associations

___ Completed neighborhood meeting request form(s)

___ If a meeting was requested/held, copy of sign-in sheet and meeting notes

☒ Sign Posting Agreement

☒ Required notices with content per IDO Section 14-16-6-4(K)(1)

___ Required notices with content per IDO Section 14-16-6-4(K)(1) (*not required for extension*)

☒ Office of Neighborhood Coordination notice inquiry response

___ Copy of notification letter, completed notification form(s), proof of additional information provided in accordance with IDO

Section 6-4(K)(1)(b), and proof of first-class mailing to affected Neighborhood Association representatives.

___ Proof of emailed notice to affected Neighborhood Association representatives

☒ Buffer map and list of property owners within 100 feet (excluding public rights-of-way) provided by Planning Department or created by applicant, copy of notifying letter, completed notification forms(s), proof of additional information provided in accordance with IDO Section 6-4(K)(1)(b), and proof of first-class mailing

☒ Completed Site Plan Checklist

☒ Scaled Site Plan or Master Development Plan and related drawings

Master Development Plans should include general building and parking locations, as well as design requirements for buildings, landscaping, lighting, and signage.

___ Copy of the original approved Site Plan or Master Development Plan (for amendments only)

___ Site Plan or Master Development Plan

___ Sensitive Lands Site Analysis for new site design in accordance with IDO Section 5-2(C)

___ Completed Site & Building Design Considerations Form in accordance with IDO Section 5-2(D) for all commercial and multifamily

site plans except if the development is industrial or the multifamily is less than 25 units.

___ Landfill disclosure statement per IDO Section 14-16-5-2(G) if site is within a designated landfill buffer zone

☒ **VARIANCE – EPC**

☒ In addition to the above requirements for the Site Plan – EPC or Master Development Plan the proposed variance request is related to, please describe, explain, and justify the variance per the criteria in IDO Section 14-16-6-6(N)(3).

Note: Any variance request from IDO Standards in Sections 14-16-5-3 (Access and Connectivity), 14-16-5-4 (Subdivision of Land), 14-16-5-5 (Parking and Loading), or DPM standards shall only be granted by the DRB per IDO Section 14-16-6-6(L) See Form V.

Please see attachment letter labeled "5505 Valiente Height Variance Request" for explanation.

QUITCLAIM DEED

ANNETTE M, GONZALES, for consideration paid, quitclaim
to CLARISSA J. GONZALES

whose address is 9051 FENTON LAKE RD NW ABO, NM 87120

the following described real estate in Bernalillo County, New Mexico:

5505 Valiente Rd. NW
Albuquerque, NM 87120
021 001 VOLCANO CLIFFS SUBD UNIT 27

Doc# 2023045165

07/19/2023 11:35 AM Page: 1 of 1
QCD R: \$25.00 Linda Stover, Bernalillo County



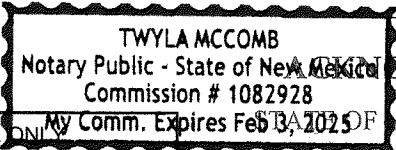
Witness me hand on this 18th day of July, 2023
(Seal) (Seal)
(Seal) (Seal)

ACKNOWLEDGEMENT FOR NATURAL PERSONS

STATE OF NEW MEXICO)
COUNTY OF Bernalillo) ss.

This instrument was acknowledged before me on July 18th, 2023,
by Annette M Gonzales

My commission expires:
(Seal)



[Signature]
NOTARY PUBLIC

ACKNOWLEDGEMENT FOR CORPORATION

FOR RECORDER'S USE ONLY

COUNTY OF _____)
) ss.

This instrument was acknowledged before me on _____, 20____,
by _____ (NAME OF OFFICER)
_____ of _____ (CORPORATION ACKNOWLEDGEMENT)
(TITLE OF OFFICER)
a _____ corporation, on behalf of said corporation.
(STATE OF INCORPORATION)

My commission expires: _____ NOTARY PUBLIC
(Seal)

SUBJECT: Height Variance Request Project Letter 5505 Valiente Rd. NW 87120, UPC 101106425915140521, Lot 21, Block 1, Volcano Cliffs Subdivision Unit 27

INTRODUCTION

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

1. Background/Findings

The IDO amended as of July 2023, section 14-16-3: Overlay Zones 3-6(E): Northwest Mesa Escarpment – VPO-2 specifically 3-6(E)(4)(c) states: “Additional height may be requested through a Variance – EPC pursuant to Subsection 14-16-6-6(N).”

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

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

a. “Height/Slope”

“An increase in height in response to slope to produce a stepped-down effect and a smooth transition in scale. For example, 1 foot of additional structure height may be granted for every 4-foot difference between the ground elevation and a base elevation established at the top of the escarpment for lots on top of the mesa or at the base of the escarpment for lots below the mesa. Buildings may also be depressed below the natural grade.”

b. “View Corridors”

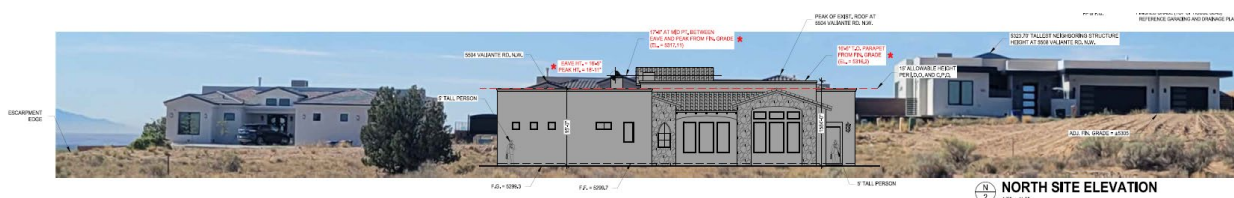
“Buildings and structures that are located and designed so that massing maintains views to the escarpment at the perimeter of the site, or at the nearest public road (whichever offers the predominant public views) and views from the escarpment – primarily from public trails and access points. The intent is to preserve the maximum amount of unobstructed lateral views to the base of the escarpment. If the site is located above the escarpment, the views will be to the top of the escarpment.”

c. “Height/Slope/Setback”

“Buildings and/or structures set back from major public views (i.e., views from the site perimeter, nearest public road, public trails, or access points along the escarpment; views to the east, west, south, and north property lines; or views to the escarpment) so that building height

increases in proportion to the size of the setback and the slope without increasing the visual impact from a particular vantage point.”

The subject property utilizes technique (a) Height/Slope as the lowest point of natural grade is at 5,295 feet at the NE corner of the property line with an elevation at the SW street edge at 5,305 feet (see approved grading & drainage plan). Naturally, this creates a stepped-down effect and a smooth transition in scale (see page 2 of exhibit for height variance and North Site Elevation below) when compared to many of the adjacent properties located both in and out of the Northwest Mesa Escarpment – VPO-2 zone, specifically zone atlas C-11-Z. Additionally, there is a stormwater outfall located in the eastern corner of the cul-de-sac on Valiente Rd which causes a significant drop in elevation for drainage purposes. In fact, within 250 feet west of the property from the intersection of Valiente and Calle Norteña the elevation is 5,317, the elevation drops 14 feet to 5,303 at end of Valiente Rd close to the stormwater outfall. Furthermore, section 14-16-3-6(E)(4)(b) states “For properties with undulating terrain that would require fill as part of site grading, the resulting building shall not be taller than the tallest building on any abutting lot located within the Height Restriction sub-area and shall not block views to or from the escarpment, as shown in a view analysis.”



*See exhibit for height variance for clearer images/information.

The tallest building on any abutting lot located within the Height Restriction sub-area has been identified as 5508 Valiente Rd NW (see figure above). With a verified finished grade of 5,308.70 and a building height of 15’, 5,323.70 combined, the building will still be over 6’-6” taller than the building at 5505 Valiente Rd NW, at 5,317.11 above finished grade inclusive of the variance. Additionally, as added justification the property directly south at 5504 Valiente Rd NW has been verified with a finished grade of 5,302.25 and a building height of 15’, 5,317.25 combined which is still slightly higher than the 5,317.11 at 5505 Valiente Rd NW as seen in the figure above.

Furthermore, 6-6(N)(3) Review and Decision Criteria 6-6(N)(3)(a) General. States “An application for a Variance – EPC shall be approved if it meets all of the following criteria.”

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

AERIAL VIEW
NOT TO SCALE

NOTE:
ALL ELEVATION NUMBERS WERE OBTAINED VIA GOOGLE EARTH

NOTE:
ALL ELEVATION NUMBERS WERE OBTAINED VIA GOOGLE EARTH

WILDLIFE BRIDGE

Paseo Del Norte Blvd NE

PROJECT SITE
5505 VALIENTE RD. N.W.

ADJACENT LOT
F.S.# = S306
F.F.# = S306

F.D.# = S298.3
F.F.# = S298.7

APPROXIMATE 565' TO ESCARPMENT EDGE
(MEASUREMENT VARIES)

ELEVATION POINTS:
+ s5296 AT PASO DEL NORTE
+ s5302 AT LOT ADJ. TO PASO DEL NORTE
+ s5335 AT VALIENTE RD.
+ s5317 AT INTERSECTION OF VALIENTE AND CALLE NORTENA
+ s5303 AT END OF VALIENTE RD.
+ s5270 AT "ESCARPMENT EDGE"
+ s5299 AT ESCARPMENT BASE
+ s5177 AT CUMBERLAND RD.

REFERENCE SECTION "N" IS ON SHEET "I" FOR SITE SECTION AND VIEW LINE FROM PASO DEL NORTE BLVD. UP THE ESCARPMENT TOWARD THE SUBJECT PROPERTY

REFERENCE SECTION "E" IS ON SHEET "I" FOR SITE SECTION AND VIEW LINE FROM CUMBERLAND ROAD UP THE ESCARPMENT TOWARD THE SUBJECT PROPERTY

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

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

3

design that blends in seamlessly with the homes that have already been constructed. Furthermore, another principal of “economic vitality” states: quality design attracts investment and increases property values. We believe, along with our designer that our home design is an attractive as well as a functional one that will help promote development in the area by drawing in prospective homeowners/developers, thus helping to increase values.

4. “The Variance will not materially undermine the intent and purpose of this IDO, the applicable zone district, or any applicable Overlay Zone.”

The variance request adheres to the strict criteria/standards of the IDO, more specifically, the Northwest Mesa Escarpment VPO-2 and zoning R-1D, in fact the limiting factors of the lot have posed special circumstances at the subject property which are the very reasons as to why the Variance-EPC request and process were established. These circumstances are explained in detail in the hardship section below.

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

As mentioned above, the height of the pad at the subject lot will be constructed at the lowest elevation possible to accommodate proper drainage. Also, 3-6(E)(4)(c)(1) states: “No building or structure shall exceed 19 feet in height from the finished grade, inclusive of any Variance granted.” The highest point identified (entry tower) is approximately 17’-8” in height from the finished grade, 1’-4” less than the variance maximum allowed 19’. The minor request is to allow the property owners the opportunity to build a home that is habitable and economical.

Furthermore, section 6-6(N)(3)(c) Northwest Mesa Escarpment – VPO-2 states: “An application for a Variance from the 15-foot structure height limit in the Height Restriction Sub-area in Subsection 14-16-3-6(E)(3) (Northwest Mesa Escarpment – VPO-2) shall be approved if it meets the criteria in Subsection (a) above and all of the following criteria.”

1. “Hardship”

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

Due to special circumstances of the lot that were not self-imposed a request for a variance is necessary. Without the variance the height of the home is measured from natural grade, and as outlined in the grading and drainage plan letter by Professional Engineer Jesse Luehring, in order to meet the requirements, set forth in the SAD 228 Master Drainage Plan and to ensure a habitable dwelling that appropriately mitigates the risk of flooding, water damage, or structural undermining of the foundation, the site requires the finished grade to be elevated with imported fill dirt material. In fact, 4’ of imported dirt material is needed per the grading & drainage plan to allow the property the ability to properly drain. Without the variance this 4’ of fill counts towards the overall 15’ maximum height, thus not allowing the building to be higher than 11’ and with trusses. This would make the interior ceiling heights approximately 6’-4” throughout

the entire dwelling, verified in AutoCAD, which is unrealistic for any home, custom or not, to be habitable and economical. In the aforementioned sentence, these special circumstances of the lot create an extraordinary hardship in the form of a substantial and unjustified limitation on the reasonable use or economic return on the property as building costs would never be recouped nor would the building be able to be sold if built to those standards rendering the lot undevelopable. Additionally, the (3) figures below show when the infrastructure was constructed the construction contractor did not backfill when trenching causing the surrounding road (Valiente) and sidewalk to be raised, in return not allowing the lot to drain properly. The figures below clearly show the special circumstances of the lot were not self-imposed.



2012 Aerial via CABQMaps – Advanced Map Viewer 2.0. Shows the land was flat prior to commencement of infrastructure construction in 2014.



2014 Aerial via CABQMaps – Advanced Map Viewer 2.0. Elevated dirt from trenching for the sidewalk and roadway is clearly visible causing the lot to be lower and the sidewalk and road to be raised, resulting in the inability of the lot to drain property.



2018 Aerial via CABQMaps – Advanced Map Viewer 2.0. The elevated dirt from trenching of the roadway was never backfilled causing the lot to be lower and the sidewalk and road to be raised, resulting in the inability of the lot to drain property.

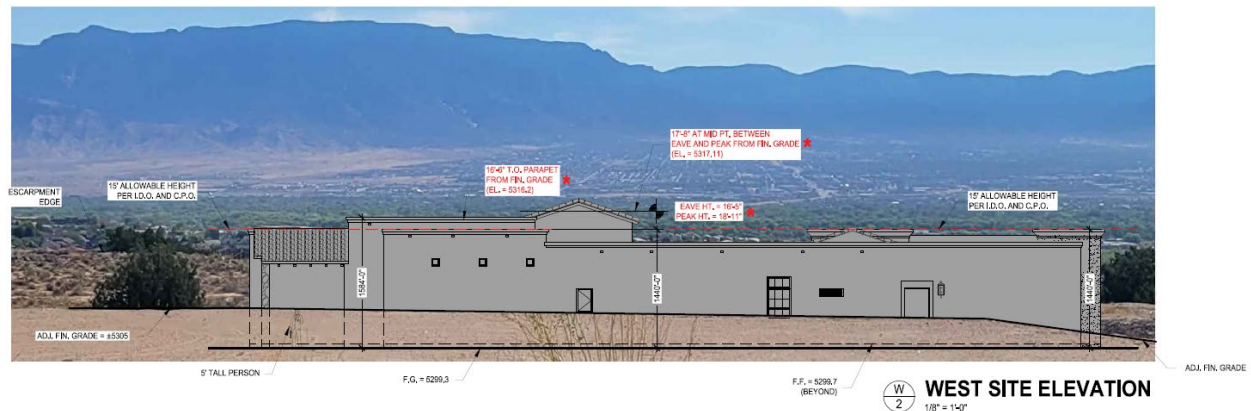
Lastly, when the home design process began in May of 2022, it was understood that the lot at the subject address was not within the VPO-2 Northwest Mesa Escarpment height restricted zone. In fact, several maps to include the “Volcano Mesa Escarpment Map” as well as the “SAD 228 Map” from the City of Albuquerque website demonstrate the property was outside the height restricted zone. It wasn’t until we submitted our plans in July 2023 for permitting that we learned through zoning that the adoption of the IDO in 2018 caused the lot to be absorbed into the height restricted zone resulting in a need for a variance.

2. “Visual Impact”

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

The West Site Elevation drawing of the subject site (below) demonstrates the visual impact of the views looking East towards the proposed home. The viewpoint was taken further away from the building as to accurately represent an individual looking towards the mountains in this direction. The structure does not enter the base line of the Sandia Mountains or pierce the ridge line, nor block the escarpment edge leaving the views completely unobstructed. The East/West/North/South Site Section located on page 3 of the “5505 Valiente Exhibit for Height Variance” also demonstrates the additional height does not create any additional impact. From

these viewpoints the elevation shows the visual impact is the same as, or less than, the impact if the 15-foot height limit were met.



*See exhibit for height variance for clearer images/information.

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

FRANK J. GONZALES

Critical View Engineering

10900 Florence Ave NE
Albuquerque, NM 87122
505-321-5917



July 26, 2023

RE: Explanation of Grading Plan Pad Elevation Design Intent
5505 Valiente Rd
Albuquerque, NM 87120
Lot 21, Block 1, Volcano Cliffs, Unit 27

To Whom It May Concern

This letter is intended to provide the rationale and engineering requirements considered in development of the Grading and Drainage Plan for the property described above. The subject plan was approved for Grading Permit by City of Albuquerque Hydrology Department on 6/22/23. This plan was developed by a licensed Professional Engineer in the state of New Mexico.

The development of this plan was performed in accordance with the City of Albuquerque Development Process Manual (2020 version) and adheres to the drainage intent of the Special Assessment District 228 Master Drainage Plan. In order to meet the requirements set forth in these documents and to ensure a habitable dwelling that appropriately mitigates the risk of flooding, water damage, or structural undermining of the foundation, the site requires the finished grade to be elevated with imported fill dirt material. The finished grade of the building pad was designed at the *lowest possible elevation* to meet the aforementioned requirements and ensure proper drainage during a storm event. If the pad were to be constructed at a lower elevation, stormwater flows from the West adjoining property would have detrimental impacts to the proposed residence.

Please feel free to contact me if there are any questions or concerns regarding the design of this grading and drainage plan.

Sincerely,

Jesse Luehring, PE (License #21684)

President, Critical View Engineering LLC



City of Albuquerque

Planning Department
Development & Building Services Division

DRAINAGE AND TRANSPORTATION INFORMATION SHEET (REV 6/2018)

Project Title: G & D for 5505 Valiente Rd **Building Permit #:** _____ **Hydrology File #:** _____
DRB#: _____ **EPC#:** _____ **Work Order#:** _____
Legal Description: Lot 21, Block 1, Volcano Cliffs, Unit 27
City Address: 5505 Valiente Rd NW, Albuquerque NM, 87120

Applicant: Critical View Engineering **Contact:** Jesse Luehring
Address: 10900 Florence Ave NE, Albuquerque NM 87122
Phone#: 505-321-5917 **Fax#:** _____ **E-mail:** criticalviewabq@gmail.com

Other Contact: Owner **Contact:** Frankie Gonzales
Address: _____
Phone#: _____ **Fax#:** _____ **E-mail:** fgonzal2@outlook.com

TYPE OF DEVELOPMENT: _____ PLAT (# of lots) ☒ RESIDENCE _____ DRB SITE _____ ADMIN SITE

IS THIS A RESUBMITTAL? _____ Yes ☒ No

DEPARTMENT _____ TRANSPORTATION ☒ HYDROLOGY/DRAINAGE

Check all that Apply:

TYPE OF SUBMITTAL:

_____ ENGINEER/ARCHITECT CERTIFICATION
_____ PAD CERTIFICATION
_____ CONCEPTUAL G & D PLAN
☒ GRADING PLAN
_____ DRAINAGE REPORT
_____ DRAINAGE MASTER PLAN
_____ FLOODPLAIN DEVELOPMENT PERMIT APPLIC
_____ ELEVATION CERTIFICATE
_____ CLOMR/LOMR
_____ TRAFFIC CIRCULATION LAYOUT (TCL)
_____ TRAFFIC IMPACT STUDY (TIS)
_____ STREET LIGHT LAYOUT
_____ OTHER (SPECIFY) _____
_____ PRE-DESIGN MEETING?

TYPE OF APPROVAL/ACCEPTANCE SOUGHT:

_____ BUILDING PERMIT APPROVAL
_____ CERTIFICATE OF OCCUPANCY
_____ PRELIMINARY PLAT APPROVAL
_____ SITE PLAN FOR SUB'D APPROVAL
_____ SITE PLAN FOR BLDG. PERMIT APPROVAL
_____ FINAL PLAT APPROVAL
_____ SIA/ RELEASE OF FINANCIAL GUARANTEE
_____ FOUNDATION PERMIT APPROVAL
☒ GRADING PERMIT APPROVAL
_____ SO-19 APPROVAL
_____ PAVING PERMIT APPROVAL
_____ GRADING/ PAD CERTIFICATION
_____ WORK ORDER APPROVAL
_____ CLOMR/LOMR
_____ FLOODPLAIN DEVELOPMENT PERMIT
_____ OTHER (SPECIFY) _____

DATE SUBMITTED: _____ **By:** Jesse Luehring, PE`

COA STAFF:

ELECTRONIC SUBMITTAL RECEIVED: _____

FEE PAID: _____

Lot 21, Block 1, Volume 001, Units 21									
Developed Land Treatment				Abused Conditions				Developed Cuts	
Land Type	Present Area (sq. ft.)	Present Area (%)	Present Area (acres)	Volume Impacts DMP	100% TSS	100% TSS	Peak Discharge (cfs)	100% TSS	Peak Discharge (cfs)
Type A	1400	5%	0.032	21.0	1.20	1.20	27.0	0.81	0.00010
Type B	1442	5%	0.033	21.7	1.27	1.27	28.8	0.88	0.00010
Type C	2000	10%	0.046	30.0	2.17	2.17	21.0	1.10	0.003
Type D	14832	13%	0.34	0.044				1.13	0.047
				Peak Discharge: (Stormwater Quality Volume) (100% TSS Storm Volume Prepared) (100% TSS Storm Volume (Advanced) (100% TSS Storm Detention Volume)				1.13% Cuts 296.2 Cuts Ft. 296.2 Cuts Ft. 588.6 Cuts Ft. 183.3 Cuts Ft.	
Total Drains Basin Area				14832 sq. ft.					

1. All perimeter walls shall be permitted separately
2. No grading shall be allowed on adjacent properties
3. All disturbed areas shall be stabilized with concrete, gravel, asphalt, or native seed mix
4. It is recommended to contract with a licensed geotechnical engineer for all aspects of earthwork and engineered fill material

This is a grading and drainage plan for the construction of the building pad for the Lot at address 5505 Valiente Rd NW (UPC 101106425915140521)

The purpose of this plan is to establish the finished floor elevation, house layout, site concrete layout, wall locations, and general lot drainage of the site. This drainage plan has been prepared in accordance with the 2020 revision to the City of Albuquerque Development Process Manual, and in accordance with the Special Assessment District 228 Master Drainage Plan.

Existing Conditions: This lot is an 0.34 acre vacant land property within the volcano cliffs development. The lot slopes approximately 5% to the Northeast. There are negligible offsite flows entering the property. All onsite flows exit the site to the East and drain to the adjacent open space.

Proposed Conditions: Improvements to the lot include a new residence, concrete driveway, and swimming pool that will add approximately 850 SF of impervious area, or 58% of the property area (Developed conditions of the subdivision allows up to 50%). The lot is designed to drain to the adjacent open space at the NE corner in accordance with the master drainage plan for the site. Due to the increased amount of impervious area, additional detention ponding is required, however stormwater quality pond volume requirements govern.

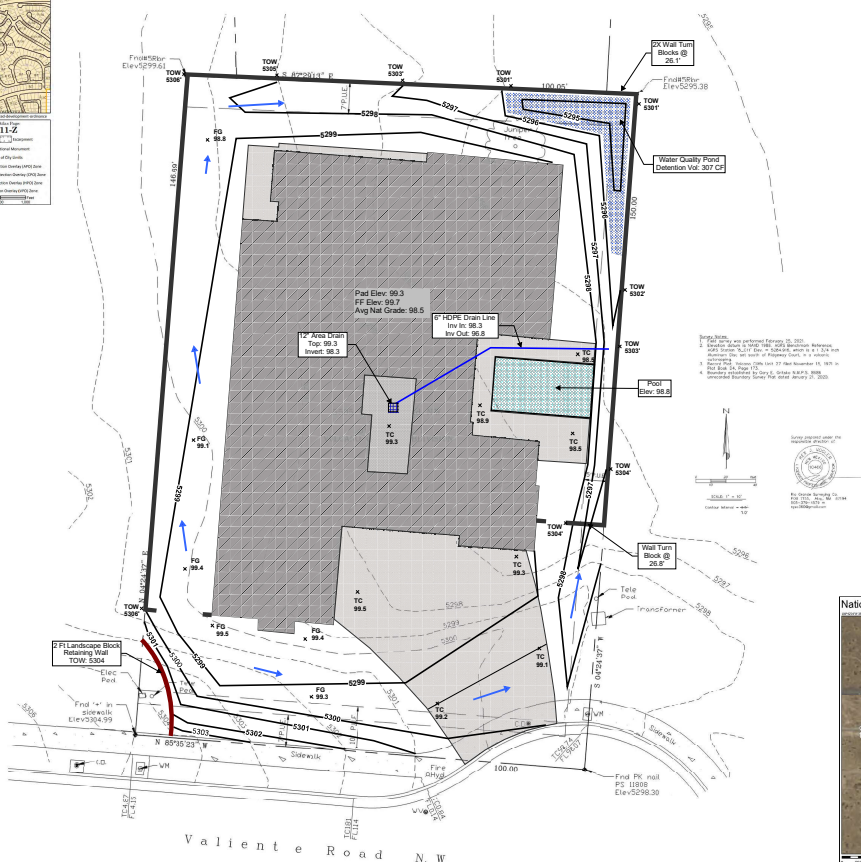
This pond is located at the NE corner of the proposed development. The feature is designed to capture and infiltrate the DPM required stormwater quality volume of approximately 300.7 CF. Storm event flows in excess of this volume will discharge from this water quality detention pond at the NE corner of the property by overflowing the drainblocks to the adjacent open space.

Additional improvements will include the construction of garden walls and gates. Drainage paths will not be impacted by these improvements.

The required Stormwater Quality Volume to be managed on this lot is for a 0.62" storm (new development). After accounting for initial abstraction, this results in a net of 0.42" rainfall on impervious (Type D soils, or 301 cubic feet of detention storage for this property. The initial storage on site will be collected and held in the landscape pond near the street, and the larger pond near the SE outfall of the property as shown on the Plan.

[illegible]

	Earthwork Volumes		
	Net	Factored	Assumed Factors
Cut:	-118.859	-142.631	1.2
Fill:	664.5313	755.1515	0.88



CITY OF ALBUQUERQUE

Planning Department
Alan Varela, Director



Mayor Timothy M. Keller

June 22, 2023

Jesse Luehring, P.E.
Critical View Engineering, LLC
11501 Modesto Ave NE
Albuquerque, New Mexico 87122

RE: **Lot 21 Block 1 Unit 27 SAD 228**
5505 Valiente Rd. NW
Volcano Cliffs Subdivision
Grading and Drainage Plan
Engineers Stamp Date 5/19/2023 (C11D009)

Mr. Luehring,

Based upon the information provided in your submittal received 6/20/2023, this plan is approved for Grading Permit.

PO Box 1293

Prior to Building permit approval a Pad Certification will be required, provided by the Engineer or a registered Land Surveyor.

Albuquerque

Advise the owner contractor not to use dirt as a ramp to climb the curb, use lumber or crusher fines for this purpose. Place this note on the plan.

NM 87103

Reiterate to the Owner/Contractor that a separate permit for a garden/retaining wall must be obtained with the approved G&D plan and Pad Certification. Also, if a swimming pool is to be placed after this approval a new grading and drainage plan will need to be resubmitted showing the changes for the land treatments.

www.cabq.gov

Prior to Certificate of Occupancy release, Engineer Certification per the DPM checklist is required.

If you have any questions, please contact me at 924-3695 or Rudy Rael at 924-3977.

Sincerely,

Tiequan Chen, P.E.
Principal Engineer, Hydrology
Planning Department, Development Review Services

RR/TC
C: File C11D009

STAFF INFORMATION

September 27, 2023

TO: Frankie and Clarissa Gonzales
FROM: Catherine Heyne, Planner
Catalina Lehner, Principal Planner
City of Albuquerque Planning Department
TEL: (505) 924-3310; cheyne@cabq.gov
RE: PR-2023-009178, Volcano Heights VA

I've completed a first review of the proposed height variance amendment and would like to discuss the request. I am available to answer any question about the process and requirements. Please provide the following:

⇒ A revised project letter (one electronic copy)

by 12 pm on October 3, 2023.

Note: If you have difficulty with this deadline, please let me know.

1) Introduction:

- A. Though I've done my best for this review, additional items may arise as the case progresses. If so, I will inform you immediately.
- B. This is what I have for the legal description:
 - All or a portion of Lot 21, Block 1, Volcano Cliffs Unit 27, located at 5505 Valiente Rd NW, between Calle Nortena NW and **Golf Course Rd NW** (please update from Valiente), approximately 0.4 acre (C-11-Z).
- C. It is my understanding that you have submitted a Height Variance amendment request (Site Plan – EPC including any Variances) for new residential construction at 5505 Valiente Rd NW, the subject site to allow for a structure described as 17' 8" in height, for a variance of nearly 3' feet above the 15-foot maximum height allowance.
 - Height of structure is measured to average height between ridge and eaves 17'8" with highest roof peak measuring 18'11" measured above average finished grade.
- D. The variance must meet requirements of VPO-2 (Northwest Mesa Escarpment) and CPO-13 (Volcano Mesa) and development standards.
 - As per IDO subsection 14-16-3-6(E)(2), the purpose of VPO-2 is to protect views looking to and from the Petroglyph National Monument. One way in which these views are protected is by limiting building height. As per IDO subsection 3-

6(E)(4)(c) Additional height may be requested through a Variance – EPC pursuant to Subsection 14-16-6-6(N).

- 3-6(E)(4)(b) For properties with undulating terrain that would require fill as part of site grading, the resulting building shall not be taller than the tallest building on any abutting lot located within the Height Restriction sub-area and shall not block views to or from the escarpment, as shown in a view analysis.

E. The application responses will need to be revised based upon the information located in this memo.

F. The request was submitted in August 29, 2023 which should reference the IDO as of July 2023.

2) Process:

A. Information regarding the EPC process, including the calendar and current Staff reports, can be found at: <http://www.cabq.gov/planning/boards-commissions/environmental-planning-commission>

B. Timelines and EPC calendar: the EPC public hearing for October is on the 19th. Final staff reports will be available about one week prior, on October 12th.

C. You will receive an email with a copy of the agency comments once they are received; any late ones will also be forwarded to you.

3) Application – General

A. Complete Site Information with:

1. Zone Atlas Page(s)
2. Existing Zoning
3. Location of Property by Streets, Between Calle Nortena and N-S running street to east.

4) Public Involvement – Notification & Neighborhood Issues:

Public notification requirements for a height variance request are explained in Section 14-16-6-6(N), Variance - EPC (IDO, p. 498). The required notification consists of: i) an offer of neighborhood meeting, ii) an emailed letter to neighborhood representatives indicated by the ONC, iii) a mailed letter (first-class) to property owners within 100 feet of the subject site, and iv) yellow sign posting.

A. It appears that the subject property does not fall within the boundaries of any neighborhood association. However, according to 6-4(B)(2), “[i]f the project is not located within or adjacent to the boundaries of any Neighborhood Association, the applicant shall offer at least 1 meeting to all Neighborhood Associations whose boundaries include land within

1,320 feet (¼ mile) of the subject property.” Although there are two NA and one neighborhood coalition within 1,320 ft (1/4 mile)—Paradise Hills Civic Association, Taylor Ranch NA, and Westside Coalition of Neighborhood Associations—there is no documentation indicating that these associations were contacted and no documentation of a pre-submittal neighborhood meeting being requested. Please include this material as part of the application.

- B. The applicant has provided notice of the application to all eligible adjacent property owners via certified mail and email as required by the IDO.
- C. The sign posting period is 15 days prior and after the EPC hearing date from Wednesday October 4, 2023 to Friday November 3, 2023.

5) Project Letter:

Major revisions are needed as a reworked justification letter. At this time, we do not have enough information to adequately review the request; further clarification is needed. The specifics of these updates are discussed below:

- A. For Version 2, update the date of justification letter.
- B. Ownership needs clarification for 5505 Valiente Rd. NW. IDO map’s County layer shows owners as Annette and Frank Gonzales; Bernalillo County records show property owners as Clarissa & Frank Gonzalez.
- C. Plans show that 5505 Valiente is on a cul-de-sac; Valiente curves to Ridgeway. Please explain.
- D. If referencing the IDO, please use the exact verbiage from the IDO document; do not omit words.
- E. Please respond to each point separately through the entire document (i.e., clearly separate the criteria from the response).
- F. Purpose and subject of Figures 1-4 (pages 3 and 4) are unclear.
- G. Use Figures including subject property, not the IDO. Figures need to match text.

H. Hardship:

The burden is on the applicant to demonstrate that strict adherence to VPO-2 building height regulations would render the lot undevelopable because of physical and /or engineering constraints. The site grade has been designed at the lowest possible elevation for proper drainage. VPO-2 allows for a 15’ tall structure. The applicant should show how building to this height leads to an extraordinary hardship in the form of a substantial and unjustified limitation on the reasonable use or economic return on the property, or practical difficulties result from strict compliance with the minimum standards since the building design is taller than 15’.

- Must show/ prove that limitations are not self-imposed.

I. Visual Impact:

- This point needs to be referenced to the site plans and then also briefly explained on the site plan(s).
- Add Figure number(s) for reference.

6) Site Plans:

Site Plan revisions are needed. See 14-16-6-6(N)(g) for requirement minimums:

A. Page 1:

1. Fix page numbering.
2. Add Page titles (e.g. Exhibit for Height Variance).
3. Add notes on page 1 about what we are looking at and why.
4. Make Figure title more visible (e.g. larger font, bold, etc).
5. Add figure labels/ legend/ notes (e.g. what is F.P., F.F., what is being shown).
6. Add N arrow to Aerial view.
7. Add topo lines.

B. Page 2:

1. Heights compared to adjacent structures.
2. More clearly mark locations of height variance (e.g. starred - *, bold, etc)
3. Explain why 5' person is not standing at ground level.
4. What is the "Site Plan – Key" and why is this relevant
5. Figure titles should be more prominent.

C. Page 3:

1. Add legend/ notes.
 - Describe relation of page 3 to page 1.
 - What does this page show, e.g., clarify "±560 FT. (VARIES)", etc.
2. Label East/West, North/South.
3. Clarify "Site Plan – Key" figure.
4. Where are property lines.
5. Drawings should be to scale.

October 20, 2023

TO: Frankie and Clarissa Gonzales
FROM: Catherine Heyne, Planner
City of Albuquerque Planning Department
CC: Catalina Lehner, Principal Planner
Megan Jones, Senior Planner
City of Albuquerque Planning Department
TEL: (505) 924-3310; cheyne@cabq.gov
RE: PR-2023-009178, Volcano Heights VA – 5505 Valiente Rd NW

We've completed a second review of the proposed height variance amendment as presented in Version 2 of the request. We are available to answer any question about the process and requirements. Please provide the following:

⇒ Revised project letter (one electronic copy) and a full-sized copy of page 3 with Site Sections
Site sections

by 12 pm on October 27, 2023.

Note: If you have difficulty with this deadline, please let me know.

1) Introduction:

- A. Though we've done my best for this review, additional items may arise as the case progresses. If so, we will inform you immediately.
- B. This is what is listed for the legal description:
 - 1. All or a portion of Lot 21, Block 1, Volcano Cliffs Unit 27, located at 5505 Valiente Rd NW, between Calle Nortena NW and the Piedras Marcadas Major Public Open Space (MPOS), approximately 0.4 acre (C-11-Z).
- C. The submitted Height Variance amendment request (Site Plan – EPC including any Variances) for new residential construction at 5505 Valiente Rd NW consists of the following:
 - 1. An average height between ridge and eaves of 17' 8" in height above the finished grade, for a variance of 2 feet 8 inches above the 15-foot maximum height allowance.
 - 2. The highest roof peak measuring 18'11" measured above average finished grade.

D. The application responses will need to be revised based upon the information located below in this memo.

E. Version 2 of the request was submitted in October 3, 2023.

2) Process:

A. Information regarding the EPC process, including the calendar and current Staff reports, can be found at: <http://www.cabq.gov/planning/boards-commissions/environmental-planning-commission>

B. Timelines and EPC calendar: the EPC public hearing for November is on the 16th. Final staff reports will be available about one week prior, on November 9, 2023.

C. You will receive an email with a copy of the agency comments once they are received; any late ones will also be forwarded to you.

3) Application – General

A. Site Information on the Application has been updated with correct information.

4) Public Involvement – Notification & Neighborhood Issues:

A. The applicant has now provided notice of the application to eligible neighborhood associations by email.

B. The current sign posting is adequate but can be left up from Wednesday November 1, 2023 to Friday, December 1, 2023.

5) Project Letter:

Revisions are needed as a reworked Justification Letter, Site Sections, North Site Elevation, and Adjacent Home Height Exhibit. This variance request needs to be especially clear so that the Commissioners can easily look at the request and understand the necessity for the variance. If the request is not sufficiently strong, this case can be deferred again or outright denied. The specifics of these updates are discussed below:

A. Please update the date of justification letter as Version 3, updating the date of the letter to the day you will be submitting it.

B. The variance must meet requirements of VPO-2 (Northwest Mesa Escarpment); the VPO-2 requirements supersede those of the CPO-13 requirements. We found that the following sections need strengthening:

- As per IDO 3-6(E)(4)(b) For properties with undulating terrain that would require fill as part of site grading, the resulting building shall not be taller than the tallest building on any abutting lot located within the Height Restriction sub-area and shall not block views to or from the escarpment, as shown in a view analysis.

- Add neighboring structure height of tallest structure on North Site Elevation (e.g., 5508 Valiente Rd NW)
- When a Variance is requested for building or structure height, the visual impact of additional height on views to and from the escarpment shall be minimized through at least 1 of the following techniques.
 - Height/Slope
 - View Corridors
 - Height/Slope/Setback

The request is for a Height/Slope visual minimization technique but we recommend a View Corridors Approach which is what is shown in the Site Sections.

C. 6-6(N)(3) Point 1. There are special circumstances applicable... (p 2)

- Remove the reference about the stormwater outfall at the end of Valiente.

D. 6-6(N)(3) Point 2

- There will be questions as to why the height of the house will be taller than 15 feet.

E. 6-6(N)(3) Point 3

- Consider changing or removing the word “unique”.
- What features of the house take advantage of the views/ will draw families in.

F. 6-6(N)(3) Point 4

- Reiterate circumstances.

G. 6-6(N)(3)(c) Hardship: The public is concerned about this project. We have been fielding phone calls and have already received written comment regarding this request. It is important that Hardship is unequivocally demonstrated:

- The burden is on the applicant to demonstrate that strict adherence to VPO-2 building height regulations would render the lot undevelopable because of physical and /or engineering constraints.
- As stated before, VPO-2 allows for a 15’ tall structure above natural grade. At this time, the argument is that there is hardship because of drainage off-site; however, this does not explain why the structure itself is taller than the 15 feet typically allowed above natural grade.
- We spoke to our IDO expert, and in that conversation, we were told that the original intent of this variance was to allow commercial structures necessary rooftop appliances (e.g., vents, coolers, etc.), not for home residences. Our recommendation is to build a 15-foot-tall structure from the finished pad height of 5299.3 (5299 feet

4 inches). The variance would be calculated from the lowest point—5295 feet, which is the depth of the drainage basin, but please double check how permitting measures height of structure with inspections/permitting, so that you have record that you checked in with this and that you have up-to-date information.

- In order for this to be a strong request, it is important that the height limitations are not self-imposed.
- It is difficult to see what you are trying to show in the included photo; maybe have them all on a single page or placed next to each other with arrows to what are showing

H. 6-6-(N)(3)(c) Hardship:

- Maybe include a picture from Cumberland of home site area to show minimal impact compared to neighbors and reference cross-section.

6) Adjacent Home height exhibit

- We recommend removing “appears to be” when referencing adjacent home heights.
- We recommend request building permit information from CABQ (information in ePlan) for the measurements of the tallest structure in the area for accurate measurement reporting (e.g., 5508 Valiente Rd NW). You may want to also compare the actual height of the property directly south (5504 Valiente Rd NW). It is preferable not to approximate.
- Add that this is the view looking south.

7) East/West and North/South Site Sections:

- Site Plan revisions are needed. See 14-16-6-6(N)(g) for requirement minimums:
 - At this time, we are unable to accurately verify view of sight; it is important that the landscape is not removed from the section drawing to get accurate view line. It is ok if the proposed dwelling is small.
 - Please verify height change of 7 feet from Paseo del Norte to the escarpment edge and the approximate 3-foot drop to the site.
 - Please add north and east property line elevations to drawing.

8) Neighborhood Association meeting?

NOTIFICATION

Heyne, Catherine M.

From: Carmona, Dalaina L.
Sent: Friday, September 1, 2023 11:34 AM
To: 'fgonzal2@outlook.com'
Subject: 5505 Valiente Rd NW Neighborhood Meeting Inquiry Sheet Submission
Attachments: 5505 Valiente Zone Atlas Map.pdf.pdf

PLEASE NOTE:

The neighborhood association contact information listed below is valid for 30 calendar days after today's date.

Dear Applicant:

Please find the neighborhood contact information listed below. Please make certain to read the information further down in this e-mail as it will help answer other questions you may have.

Association Name	First Name	Last Name	Email	Address Line 1
Taylor Ranch NA	Marian	Pendleton	mariancp21@gmail.com	5608 Equestrian NW
Taylor Ranch NA	Rene	Horvath	aboard111@gmail.com	5515 Palomino NW
Westside Coalition of Neighborhood Associations	Rene	Horvath	aboard111@gmail.com	5515 Palomino NW
Westside Coalition of Neighborhood Associations	Elizabeth	Haley	elizabethkayhaley@gmail.com	6005 Chaparral NW
Paradise Hills Civic Association	Tom	Anderson		10013 Plunkett NW

The ONC does not have any jurisdiction over any other aspect of your application beyond this neighborhood contact information. We can't answer questions about sign postings, pre-construction meetings, permit status, site plans, buffers, or project plans, so we encourage you to contact the Planning Department at: 505-924-3857 Option #1, e-mail: devhelp@cabq.gov, or visit: <https://www.cabq.gov/planning/online-planning-permitting-applications> with those types of questions.

Please note the following:

- You will need to e-mail each of the listed contacts and let them know that you are applying for an approval from the Planning Department for your project.
- Please use this online link to find the required forms you will need to submit your permit application. <https://www.cabq.gov/planning/urban-design-development/public-notice>.
- The Checklist form you need for notifying neighborhood associations can be found here: https://documents.cabq.gov/planning/online-forms/PublicNotice/CABQ-Official_public_notice_form-2019.pdf.
- The Administrative Decision form you need for notifying neighborhood associations can be found here: <https://documents.cabq.gov/planning/online-forms/PublicNotice/Emailed-Notice-Administrative-Print&Fill.pdf>

- Once you have e-mailed the listed contacts in each neighborhood, you will need to attach a copy of those e-mails AND a copy of this e-mail from the ONC to your application and submit it to the Planning Department for approval.

If your application requires you to offer a neighborhood meeting, you can click on this link to find required forms to use in your e-mail to the neighborhood association(s):

<http://www.cabq.gov/planning/urban-design-development/neighborhood-meeting-requirement-in-the-integrated-development-ordinance>

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

If you have questions about what type of notification is required for your particular project or meetings that might be required, please click on the link below to see a table of different types of projects and what notification is required for each:

<https://ido.abc-zone.com/integrated-development-ordinance-ido?document=1&outline-name=6-1%20Procedures%20Summary%20Table>

Thank you.



Dalaina L. Carmona

Senior Administrative Assistant
Office of Neighborhood Coordination
Council Services Department
1 Civic Plaza NW, Suite 9087, 9th Floor
Albuquerque, NM 87102
505-768-3334

dlcarmona@cabq.gov or ONC@cabq.gov

Website: www.cabq.gov/neighborhoods



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From: webmaster@cabq.gov <webmaster@cabq.gov>
Sent: Friday, September 1, 2023 7:21 AM
To: Office of Neighborhood Coordination <fgonzal2@outlook.com>
Cc: Office of Neighborhood Coordination <onc@cabq.gov>
Subject: Neighborhood Meeting Inquiry Sheet Submission

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

Neighborhood Meeting Inquiry For:

Environmental Planning Commission

If you selected "Other" in the question above, please describe what you are seeking a Neighborhood Meeting Inquiry for below:

Contact Name

Frankie Gonzales

Telephone Number

5059081918

Email Address

fgonzal2@outlook.com

Company Name

Company Address

9051 Fenton Lake Rd NW

City

Albuquerque

State

NM

ZIP

87120

Legal description of the subject site for this project:

Lot 21, Block 1, Volcano Cliffs Unit 27.

Physical address of subject site:

5505 Valiente Rd NW

Subject site cross streets:

Calle Nortena & Valiente

Other subject site identifiers:

This site is located on the following zone atlas page:

C-11-Z

Captcha

x

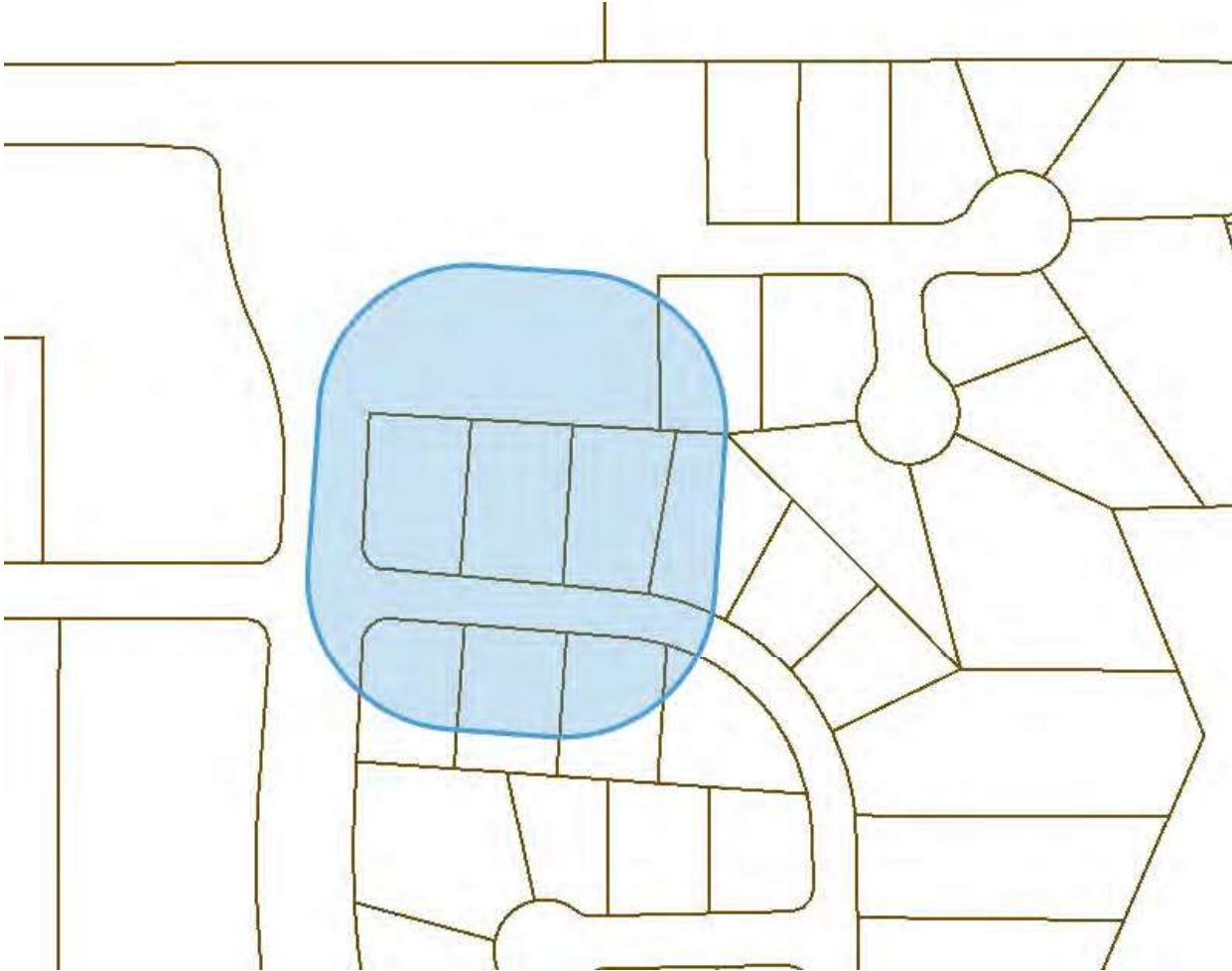


5505 Valiente Rd NW



Legend

□ Bernalillo County Parcels



290 0 145 290 Feet

WGS_1984_Web_Mercator_Auxiliary_Sphere
8/23/2023 © City of Albuquerque

1: 1,740

The City of Albuquerque ("City") provides the data on this website as a service to the public. The City makes no warranty, representation, or guaranty as to the content, accuracy, timeliness, or completeness of any of the data provided at this website. Please visit <http://www.cabq.gov/abq-data/abq-data-disclaimer-1> for more information.
THIS MAP IS NOT TO BE USED FOR NAVIGATION

Notes

Buffer: 150 Ft,
ROW: Valiente Rd NW; 50 Ft.

SANCHEZ GABRIEL & DIANA
6051 MADDUX PL NW
ALBUQUERQUE NM 87114-4636

MILLER CALVIN BENJAMIN &
SHAWNEQUE NICOLE
10409 TALL ROCK CT NW
ALBUQUERQUE NM 87114-6078

CITY OF ALBUQUERQUE
PO BOX 1293
ALBUQUERQUE NM 87103-2248

TAYLOR GREGORY L & DEBRA C A CO-
TRUSTEES TAYLOR LVT
9805 CLEARWATER ST NW
ALBUQUERQUE NM 87114-5382

BEWLEY CAROL
6309 CLIFFBRUSH LN NE
ALBUQUERQUE NM 87111-8299

CITY OF ALBUQUERQUE
PO BOX 1293
ALBUQUERQUE NM 87103-2248

GONZALES ANNETTE M & GONZALEZ
FRANK J
5505 VALIENTE RD NW
ALBUQUERQUE NM 87120-0000

CARLTON JESSE CLAY & SYLVIA MARIE
3407 32ND CIR SE
RIO RANCHO NM 87124-1907

CITY OF ALBUQUERQUE
PO BOX 1293
ALBUQUERQUE NM 87103-2248

FRANK AND CLARISSA GONZALES
9051 FENTON LAKE RD NW
ALBUQUERQUE, NM 87120

BEWLEY CAROL
6309 CLIFFBRUSH LN NE
ALBUQUERQUE NM 87111-8299

FRANK AND CLARISSA GONZALES
9051 FENTON LAKE RD NW
ALBUQUERQUE, NM 87120

MILLER CALVIN BENJAMIN &
SHAWNEQUE NICOLE
10409 TALL ROCK CT NW
ALBUQUERQUE NM 87114-6078

FRANK AND CLARISSA GONZALES
9051 FENTON LAKE RD NW
ALBUQUERQUE, NM 87120

SANCHEZ GABRIEL & DIANA
6051 MADDUX PL NW
ALBUQUERQUE NM 87114-4636

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ALBUQUERQUE, NM 87120

CARLTON JESSE CLAY & SYLVIA MARIE
3407 32ND CIR SE
RIO RANCHO NM 87124-1907

FRANK AND CLARISSA GONZALES
9051 FENTON LAKE RD NW
ALBUQUERQUE, NM 87120

TAYLOR GREGORY L & DEBRA C A CO-
TRUSTEES TAYLOR LVT
9805 CLEARWATER ST NW
ALBUQUERQUE NM 87114-5382

U.S. POSTAL SERVICE	CERTIFICATE OF MAILING
MAY BE USED FOR DOMESTIC AND INTERNATIONAL MAIL, DOES NOT PROVIDE FOR INSURANCE-POSTMASTER	
Received From: Frank & Clarissa Gonzales 9051 Fenton Lake Rd NW 87120	
One piece of ordinary mail addressed to: Beverly Card 10309 Cliffbrush Ln NE Albuquerque NM 87111	

PS Form 3817, January 2001

Affix fee here in stamps or meter postage and post mark. Inquire of Postmaster for current fee.

Affix fee here in stamps or meter postage and post mark. Inquire of Postmaster for current fee.

U.S. POSTAL SERVICE	CERTIFICATE OF MAILING
MAY BE USED FOR DOMESTIC AND INTERNATIONAL MAIL, DOES NOT PROVIDE FOR INSURANCE-POSTMASTER	
Received From: Clarissa & Frank Gonzales 9051 Fenton Lake Rd Albuquerque NM 87120	
One piece of ordinary mail addressed to: City of Albuquerque P.O. Box 1293 Albuquerque NM 87103	

PS Form 3817, January 2001

Affix fee here in stamps or meter postage and post mark. Inquire of Postmaster for current fee.

U.S. POSTAL SERVICE	CERTIFICATE OF MAILING
MAY BE USED FOR DOMESTIC AND INTERNATIONAL MAIL, DOES NOT PROVIDE FOR INSURANCE-POSTMASTER	
Received From: Clarissa & Frank Gonzales 9051 Fenton Lake Rd NW Albuquerque NM 87120	
One piece of ordinary mail addressed to: Miller Calvin Benjamin Shawnee Nicole 10409 Tall Rock Ct NW Albuquerque NM 87114	

PS Form 3817, January 2001

Affix fee here in stamps or meter postage and post mark. Inquire of Postmaster for current fee.

U.S. POSTAL SERVICE	CERTIFICATE OF MAILING
MAY BE USED FOR DOMESTIC AND INTERNATIONAL MAIL, DOES NOT PROVIDE FOR INSURANCE-POSTMASTER	
Received From: Clarissa & Frank Gonzales 9051 Fenton Lake Rd NW Albuquerque NM 87120	
One piece of ordinary mail addressed to: Carlton Jose Clays 3407 32nd Cr SE Rio Rancho NM 87124	

PS Form 3817, January 2001

Affix fee here in stamps or meter postage and post mark. Inquire of Postmaster for current fee.

U.S. POSTAL SERVICE	CERTIFICATE OF MAILING
MAY BE USED FOR DOMESTIC AND INTERNATIONAL MAIL, DOES NOT PROVIDE FOR INSURANCE-POSTMASTER	
Received From: Clarissa & Frank Gonzales 9051 Fenton Lake Rd NW Albuquerque NM 87120	
One piece of ordinary mail addressed to: Gabriel & Diana Sanchez 6051 Maddyx Pl NW Albuquerque NM 87114	

PS Form 3817, January 2001

Affix fee here in stamps or meter postage and post mark. Inquire of Postmaster for current fee.

U.S. POSTAL SERVICE	CERTIFICATE OF MAILING
MAY BE USED FOR DOMESTIC AND INTERNATIONAL MAIL, DOES NOT PROVIDE FOR INSURANCE-POSTMASTER	
Received From: Clarissa & Frank Gonzales 9051 Fenton Lake Rd NW Albuquerque NM 87120	
One piece of ordinary mail addressed to: Taylor & Gregory L. Debra 9805 Clear Water St NW Albuquerque NM 87114	

PS Form 3817, January 2001

Affix fee here in stamps or meter postage and post mark. Inquire of Postmaster for current fee.



RDC 99

U.S. POSTAGE PAID
FCM LETTER
ALBUQUERQUE, NM
87102
AUG 29 23
AMOUNT
\$1.95
R2304W119847-7



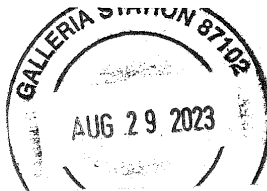
RDC 99

U.S. POSTAGE PAID
FCM LETTER
ALBUQUERQUE, NM
87102
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\$1.95
R2304W119847-7



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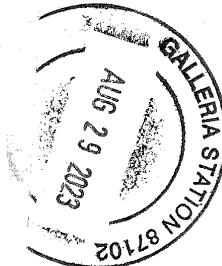
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ALBUQUERQUE, NM
87102
AUG 29 23
AMOUNT
\$1.95
R2304W119847-7

[Note: Items with an asterisk (*) are required.]

**Public Notice of a Proposed Project in the City of Albuquerque
for Decisions Requiring a Meeting or Hearing
Mailed to a Property Owner**

Date of Notice*: 8/28/2023

This notice of an application for a proposed project is provided as required by Integrated Development Ordinance (IDO) [Subsection 14-16-6-4\(K\) Public Notice](#) to:

Property Owner within 100 feet*: City of Albuquerque

Mailing Address*: PO Box 1293, Albuquerque NM 87103

Project Information Required by [IDO Subsection 14-16-6-4\(K\)\(1\)\(a\)](#)

1. Subject Property Address* 5505 Valiente Rd NW Albuquerque, NM 87120
Location Description _____
2. Property Owner* Frank J. & Clarissa J. Gonzales
3. Agent/Applicant* *[if applicable]* Applicant
4. Application(s) Type* per IDO [Table 6-1-1](#) *[mark all that apply]*
 - ☐ Conditional Use Approval
 - ☐ Permit _____ (Carport or Wall/Fence – Major)
 - ☐ Site Plan
 - ☐ Subdivision _____ (Minor or Major)
 - ☐ Vacation _____ (Easement/Private Way or Public Right-of-way)
 - ☒ Variance
 - ☐ Waiver
 - ☐ Other: _____

Summary of project/request¹*:

Height variance request pursuant to subsection 14-16-6-6(N)

5. This application will be decided at a public meeting or hearing by*:
- | | |
|--|---|
| <input type="checkbox"/> Zoning Hearing Examiner (ZHE) | <input type="checkbox"/> Development Review Board (DRB) |
| <input type="checkbox"/> Landmarks Commission (LC) | <input checked="" type="checkbox"/> Environmental Planning Commission (EPC) |

¹ Attach additional information, as needed to explain the project/request.

[Note: Items with an asterisk (*) are required.]

Date/Time*: 10/19/2023/8:40 AM

Location*²: Via ZOOM. See <https://www.cabq.gov/planning/boards-commissions/environmental-planning-commission/epc-agendas-reports-minutes>

Agenda/meeting materials: <http://www.cabq.gov/planning/boards-commissions>

To contact staff, email devhelp@cabq.gov or call the Planning Department at 505-924-3860.

6. Where more information about the project can be found*³:

<https://www.cabq.gov/planning/boards-commissions/environmental-planning-commission/epc-agendas-reports-minutes>

Project Information Required for Mail/Email Notice by [IDO Subsection 6-4\(K\)\(1\)\(b\)](#):

1. Zone Atlas Page(s)*⁴ C-11-Z
2. Architectural drawings, elevations of the proposed building(s) or other illustrations of the proposed application, as relevant*: Attached to notice or provided via website noted above
3. The following exceptions to IDO standards have been requested for this project*:

☐ Deviation(s) ☒ Variance(s) ☐ Waiver(s)

Explanation*:

Height variance request pursuant to subsection 14-16-6-6(N)

4. A Pre-submittal Neighborhood Meeting was required by [Table 6-1-1](#): ☒ Yes ☐ No

Summary of the Pre-submittal Neighborhood Meeting, if one occurred:

Per email dated 8/22/2023 from the Office of Neighborhood Coordination there are NO neighborhood associations to notify for a pre-submittal neighborhood meeting.

5. **For Site Plan Applications only***, attach site plan showing, at a minimum:

- ☐ a. Location of proposed buildings and landscape areas.*
- ☐ b. Access and circulation for vehicles and pedestrians.*
- ☐ c. Maximum height of any proposed structures, with building elevations.*

² Physical address or Zoom link

³ Address (mailing or email), phone number, or website to be provided by the applicant

⁴ Available online here: <http://data.cabq.gov/business/zoneatlas/>

[Note: Items with an asterisk (*) are required.]

- ☐ d. **For residential development***: Maximum number of proposed dwelling units.
- ☐ e. **For non-residential development***:
 - ☐ Total gross floor area of proposed project.
 - ☐ Gross floor area for each proposed use.

Additional Information:

From the IDO Zoning Map⁵:

1. Area of Property [typically in acres] 0.34
 2. IDO Zone District R-1D
 3. Overlay Zone(s) [if applicable] CPO-13/VPO-2
 4. Center or Corridor Area [if applicable] _____
- Current Land Use(s) [vacant, if none] _____
-

NOTE: Pursuant to [IDO Subsection 14-16-6-4\(L\)](#), property owners within 330 feet and Neighborhood Associations within 660 feet may request a post-submittal facilitated meeting. If requested at least 15 calendar days before the public meeting/hearing date noted above, the facilitated meeting will be required. To request a facilitated meeting regarding this project, contact the Planning Department at devhelp@cabq.gov or 505-924-3955.

Useful Links

Integrated Development Ordinance (IDO):

<https://ido.abc-zone.com/>

IDO Interactive Map

<https://tinyurl.com/IDOzoningmap>

⁵ Available here: <https://tinurl.com/idozoningmap>

[Note: Items with an asterisk (*) are required.]

**Public Notice of a Proposed Project in the City of Albuquerque
for Decisions Requiring a Meeting or Hearing
Mailed to a Property Owner**

Date of Notice*: 8/28/2023

This notice of an application for a proposed project is provided as required by Integrated Development Ordinance (IDO) [Subsection 14-16-6-4\(K\) Public Notice](#) to:

Property Owner within 100 feet*: Jesse & Sylvia Carlton

Mailing Address*: 3407 32nd Cir SE, Rio Rancho NM 87124

Project Information Required by [IDO Subsection 14-16-6-4\(K\)\(1\)\(a\)](#)

1. Subject Property Address* 5505 Valiente Rd NW Albuquerque, NM 87120
Location Description _____
2. Property Owner* Frank J. & Clarissa J. Gonzales
3. Agent/Applicant* *[if applicable]* Applicant
4. Application(s) Type* per IDO [Table 6-1-1](#) *[mark all that apply]*
 - ☐ Conditional Use Approval
 - ☐ Permit _____ (Carport or Wall/Fence – Major)
 - ☐ Site Plan
 - ☐ Subdivision _____ (Minor or Major)
 - ☐ Vacation _____ (Easement/Private Way or Public Right-of-way)
 - ☒ Variance
 - ☐ Waiver
 - ☐ Other: _____

Summary of project/request¹*:

Height variance request pursuant to subsection 14-16-6-6(N)

5. This application will be decided at a public meeting or hearing by*:
- | | |
|--|---|
| <input type="checkbox"/> Zoning Hearing Examiner (ZHE) | <input type="checkbox"/> Development Review Board (DRB) |
| <input type="checkbox"/> Landmarks Commission (LC) | <input checked="" type="checkbox"/> Environmental Planning Commission (EPC) |

¹ Attach additional information, as needed to explain the project/request.

[Note: Items with an asterisk (*) are required.]

Date/Time*: 10/19/2023/8:40 AM

Location*²: Via ZOOM. See <https://www.cabq.gov/planning/boards-commissions/environmental-planning-commission/epc-agendas-reports-minutes>

Agenda/meeting materials: <http://www.cabq.gov/planning/boards-commissions>

To contact staff, email devhelp@cabq.gov or call the Planning Department at 505-924-3860.

6. Where more information about the project can be found*³:

<https://www.cabq.gov/planning/boards-commissions/environmental-planning-commission/epc-agendas-reports-minutes>

Project Information Required for Mail/Email Notice by [IDO Subsection 6-4\(K\)\(1\)\(b\)](#):

1. Zone Atlas Page(s)*⁴ C-11-Z
2. Architectural drawings, elevations of the proposed building(s) or other illustrations of the proposed application, as relevant*: Attached to notice or provided via website noted above
3. The following exceptions to IDO standards have been requested for this project*:

☐ Deviation(s) ☒ Variance(s) ☐ Waiver(s)

Explanation*:

Height variance request pursuant to subsection 14-16-6-6(N)

4. A Pre-submittal Neighborhood Meeting was required by [Table 6-1-1](#): ☒ Yes ☐ No

Summary of the Pre-submittal Neighborhood Meeting, if one occurred:

Per email dated 8/22/2023 from the Office of Neighborhood Coordination there are NO neighborhood associations to notify for a pre-submittal neighborhood meeting.

5. **For Site Plan Applications only***, attach site plan showing, at a minimum:

- ☐ a. Location of proposed buildings and landscape areas.*
- ☐ b. Access and circulation for vehicles and pedestrians.*
- ☐ c. Maximum height of any proposed structures, with building elevations.*

² Physical address or Zoom link

³ Address (mailing or email), phone number, or website to be provided by the applicant

⁴ Available online here: <http://data.cabq.gov/business/zoneatlas/>

[Note: Items with an asterisk (*) are required.]

- ☐ d. **For residential development***: Maximum number of proposed dwelling units.
- ☐ e. **For non-residential development***:
 - ☐ Total gross floor area of proposed project.
 - ☐ Gross floor area for each proposed use.

Additional Information:

From the IDO Zoning Map⁵:

1. Area of Property [typically in acres] 0.34
 2. IDO Zone District R-1D
 3. Overlay Zone(s) [if applicable] CPO-13/VPO-2
 4. Center or Corridor Area [if applicable] _____
- Current Land Use(s) [vacant, if none] _____
-

NOTE: Pursuant to [IDO Subsection 14-16-6-4\(L\)](#), property owners within 330 feet and Neighborhood Associations within 660 feet may request a post-submittal facilitated meeting. If requested at least 15 calendar days before the public meeting/hearing date noted above, the facilitated meeting will be required. To request a facilitated meeting regarding this project, contact the Planning Department at devhelp@cabq.gov or 505-924-3955.

Useful Links

Integrated Development Ordinance (IDO):

<https://ido.abc-zone.com/>

IDO Interactive Map

<https://tinyurl.com/IDOzoningmap>

⁵ Available here: <https://tinyurl.com/idozoningmap>

[Note: Items with an asterisk (*) are required.]

**Public Notice of a Proposed Project in the City of Albuquerque
for Decisions Requiring a Meeting or Hearing
Mailed to a Property Owner**

Date of Notice*: 8/28/2023

This notice of an application for a proposed project is provided as required by Integrated Development Ordinance (IDO) [Subsection 14-16-6-4\(K\) Public Notice](#) to:

Property Owner within 100 feet*: Carol Bewley

Mailing Address*: 6309 Cliffbrush Ln NE Albuquerque, NM 87111

Project Information Required by [IDO Subsection 14-16-6-4\(K\)\(1\)\(a\)](#)

1. Subject Property Address* 5505 Valiente Rd NW Albuquerque, NM 87120
Location Description _____
2. Property Owner* Frank J. & Clarissa J. Gonzales
3. Agent/Applicant* *[if applicable]* Applicant
4. Application(s) Type* per IDO [Table 6-1-1](#) *[mark all that apply]*
 - ☐ Conditional Use Approval
 - ☐ Permit _____ (Carport or Wall/Fence – Major)
 - ☐ Site Plan
 - ☐ Subdivision _____ (Minor or Major)
 - ☐ Vacation _____ (Easement/Private Way or Public Right-of-way)
 - ☒ Variance
 - ☐ Waiver
 - ☐ Other: _____

Summary of project/request¹*:

Height variance request pursuant to subsection 14-16-6-6(N)

5. This application will be decided at a public meeting or hearing by*:
 - ☐ Zoning Hearing Examiner (ZHE)
 - ☐ Development Review Board (DRB)
 - ☐ Landmarks Commission (LC)
 - ☒ Environmental Planning Commission (EPC)

¹ Attach additional information, as needed to explain the project/request.

[Note: Items with an asterisk (*) are required.]

Date/Time*: 10/19/2023/8:40 AM

Location*²: Via ZOOM. See <https://www.cabq.gov/planning/boards-commissions/environmental-planning-commission/epc-agendas-reports-minutes>

Agenda/meeting materials: <http://www.cabq.gov/planning/boards-commissions>

To contact staff, email devhelp@cabq.gov or call the Planning Department at 505-924-3860.

6. Where more information about the project can be found*³:

<https://www.cabq.gov/planning/boards-commissions/environmental-planning-commission/epc-agendas-reports-minutes>

Project Information Required for Mail/Email Notice by [IDO Subsection 6-4\(K\)\(1\)\(b\)](#):

1. Zone Atlas Page(s)*⁴ C-11-Z
2. Architectural drawings, elevations of the proposed building(s) or other illustrations of the proposed application, as relevant*: Attached to notice or provided via website noted above
3. The following exceptions to IDO standards have been requested for this project*:

☐ Deviation(s) ☒ Variance(s) ☐ Waiver(s)

Explanation*:

Height variance request pursuant to subsection 14-16-6-6(N)

4. A Pre-submittal Neighborhood Meeting was required by [Table 6-1-1](#): ☒ Yes ☐ No

Summary of the Pre-submittal Neighborhood Meeting, if one occurred:

Per email dated 8/22/2023 from the Office of Neighborhood Coordination there are NO neighborhood associations to notify for a pre-submittal neighborhood meeting.

5. **For Site Plan Applications only***, attach site plan showing, at a minimum:

- ☐ a. Location of proposed buildings and landscape areas.*
- ☐ b. Access and circulation for vehicles and pedestrians.*
- ☐ c. Maximum height of any proposed structures, with building elevations.*

² Physical address or Zoom link

³ Address (mailing or email), phone number, or website to be provided by the applicant

⁴ Available online here: <http://data.cabq.gov/business/zoneatlas/>

[Note: Items with an asterisk (*) are required.]

- ☐ d. **For residential development***: Maximum number of proposed dwelling units.
- ☐ e. **For non-residential development***:
 - ☐ Total gross floor area of proposed project.
 - ☐ Gross floor area for each proposed use.

Additional Information:

From the IDO Zoning Map⁵:

1. Area of Property [typically in acres] 0.34
 2. IDO Zone District R-1D
 3. Overlay Zone(s) [if applicable] CPO-13/VPO-2
 4. Center or Corridor Area [if applicable] _____
- Current Land Use(s) [vacant, if none] _____
-

NOTE: Pursuant to [IDO Subsection 14-16-6-4\(L\)](#), property owners within 330 feet and Neighborhood Associations within 660 feet may request a post-submittal facilitated meeting. If requested at least 15 calendar days before the public meeting/hearing date noted above, the facilitated meeting will be required. To request a facilitated meeting regarding this project, contact the Planning Department at devhelp@cabq.gov or 505-924-3955.

Useful Links

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[Note: Items with an asterisk (*) are required.]

**Public Notice of a Proposed Project in the City of Albuquerque
for Decisions Requiring a Meeting or Hearing
Mailed to a Property Owner**

Date of Notice*: 8/28/2023

This notice of an application for a proposed project is provided as required by Integrated Development Ordinance (IDO) [Subsection 14-16-6-4\(K\) Public Notice](#) to:

Property Owner within 100 feet*: Gregory & Debra Taylor

Mailing Address*: 9805 Clearwater St NW Albuquerque, NM 87114

Project Information Required by [IDO Subsection 14-16-6-4\(K\)\(1\)\(a\)](#)

1. Subject Property Address* 5505 Valiente Rd NW Albuquerque, NM 87120
Location Description _____
2. Property Owner* Frank J. & Clarissa J. Gonzales
3. Agent/Applicant* *[if applicable]* Applicant
4. Application(s) Type* per IDO [Table 6-1-1](#) *[mark all that apply]*
 - ☐ Conditional Use Approval
 - ☐ Permit _____ (Carport or Wall/Fence – Major)
 - ☐ Site Plan
 - ☐ Subdivision _____ (Minor or Major)
 - ☐ Vacation _____ (Easement/Private Way or Public Right-of-way)
 - ☒ Variance
 - ☐ Waiver
 - ☐ Other: _____

Summary of project/request¹*:

Height variance request pursuant to subsection 14-16-6-6(N)

5. This application will be decided at a public meeting or hearing by*:
- | | |
|--|---|
| <input type="checkbox"/> Zoning Hearing Examiner (ZHE) | <input type="checkbox"/> Development Review Board (DRB) |
| <input type="checkbox"/> Landmarks Commission (LC) | <input checked="" type="checkbox"/> Environmental Planning Commission (EPC) |

¹ Attach additional information, as needed to explain the project/request.

[Note: Items with an asterisk (*) are required.]

Date/Time*: 10/19/2023/8:40 AM

Location*²: Via ZOOM. See <https://www.cabq.gov/planning/boards-commissions/environmental-planning-commission/epc-agendas-reports-minutes>

Agenda/meeting materials: <http://www.cabq.gov/planning/boards-commissions>

To contact staff, email devhelp@cabq.gov or call the Planning Department at 505-924-3860.

6. Where more information about the project can be found*³:

<https://www.cabq.gov/planning/boards-commissions/environmental-planning-commission/epc-agendas-reports-minutes>

Project Information Required for Mail/Email Notice by [IDO Subsection 6-4\(K\)\(1\)\(b\)](#):

1. Zone Atlas Page(s)*⁴ C-11-Z
2. Architectural drawings, elevations of the proposed building(s) or other illustrations of the proposed application, as relevant*: Attached to notice or provided via website noted above
3. The following exceptions to IDO standards have been requested for this project*:

☐ Deviation(s) ☒ Variance(s) ☐ Waiver(s)

Explanation*:

Height variance request pursuant to subsection 14-16-6-6(N)

4. A Pre-submittal Neighborhood Meeting was required by [Table 6-1-1](#): ☒ Yes ☐ No

Summary of the Pre-submittal Neighborhood Meeting, if one occurred:

Per email dated 8/22/2023 from the Office of Neighborhood Coordination there are NO neighborhood associations to notify for a pre-submittal neighborhood meeting.

5. **For Site Plan Applications only***, attach site plan showing, at a minimum:

- ☐ a. Location of proposed buildings and landscape areas.*
- ☐ b. Access and circulation for vehicles and pedestrians.*
- ☐ c. Maximum height of any proposed structures, with building elevations.*

² Physical address or Zoom link

³ Address (mailing or email), phone number, or website to be provided by the applicant

⁴ Available online here: <http://data.cabq.gov/business/zoneatlas/>

[Note: Items with an asterisk (*) are required.]

- ☐ d. **For residential development***: Maximum number of proposed dwelling units.
- ☐ e. **For non-residential development***:
 - ☐ Total gross floor area of proposed project.
 - ☐ Gross floor area for each proposed use.

Additional Information:

From the IDO Zoning Map⁵:

1. Area of Property [typically in acres] 0.34
 2. IDO Zone District R-1D
 3. Overlay Zone(s) [if applicable] CPO-13/VPO-2
 4. Center or Corridor Area [if applicable] _____
- Current Land Use(s) [vacant, if none] _____
-

NOTE: Pursuant to [IDO Subsection 14-16-6-4\(L\)](#), property owners within 330 feet and Neighborhood Associations within 660 feet may request a post-submittal facilitated meeting. If requested at least 15 calendar days before the public meeting/hearing date noted above, the facilitated meeting will be required. To request a facilitated meeting regarding this project, contact the Planning Department at devhelp@cabq.gov or 505-924-3955.

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[Note: Items with an asterisk (*) are required.]

**Public Notice of a Proposed Project in the City of Albuquerque
for Decisions Requiring a Meeting or Hearing
Mailed to a Property Owner**

Date of Notice*: 8/28/2023

This notice of an application for a proposed project is provided as required by Integrated Development Ordinance (IDO) [Subsection 14-16-6-4\(K\) Public Notice](#) to:

Property Owner within 100 feet*: Calvin & Shawneque Miller

Mailing Address*: 10409 Tall Rock Ct NW Albuquerque, NM 87114

Project Information Required by [IDO Subsection 14-16-6-4\(K\)\(1\)\(a\)](#)

1. Subject Property Address* 5505 Valiente Rd NW Albuquerque, NM 87120
Location Description _____
2. Property Owner* Frank J. & Clarissa J. Gonzales
3. Agent/Applicant* *[if applicable]* Applicant
4. Application(s) Type* per IDO [Table 6-1-1](#) *[mark all that apply]*
 - ☐ Conditional Use Approval
 - ☐ Permit _____ (Carport or Wall/Fence – Major)
 - ☐ Site Plan
 - ☐ Subdivision _____ (Minor or Major)
 - ☐ Vacation _____ (Easement/Private Way or Public Right-of-way)
 - ☒ Variance
 - ☐ Waiver
 - ☐ Other: _____

Summary of project/request¹*:

Height variance request pursuant to subsection 14-16-6-6(N)

5. This application will be decided at a public meeting or hearing by*:
- | | |
|--|---|
| <input type="checkbox"/> Zoning Hearing Examiner (ZHE) | <input type="checkbox"/> Development Review Board (DRB) |
| <input type="checkbox"/> Landmarks Commission (LC) | <input checked="" type="checkbox"/> Environmental Planning Commission (EPC) |

¹ Attach additional information, as needed to explain the project/request.

[Note: Items with an asterisk (*) are required.]

Date/Time*: 10/19/2023/8:40 AM

Location*²: Via ZOOM. See <https://www.cabq.gov/planning/boards-commissions/environmental-planning-commission/epc-agendas-reports-minutes>

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Project Information Required for Mail/Email Notice by [IDO Subsection 6-4\(K\)\(1\)\(b\)](#):

1. Zone Atlas Page(s)*⁴ C-11-Z
2. Architectural drawings, elevations of the proposed building(s) or other illustrations of the proposed application, as relevant*: Attached to notice or provided via website noted above
3. The following exceptions to IDO standards have been requested for this project*:

☐ Deviation(s) ☒ Variance(s) ☐ Waiver(s)

Explanation*:

Height variance request pursuant to subsection 14-16-6-6(N)

4. A Pre-submittal Neighborhood Meeting was required by [Table 6-1-1](#): ☒ Yes ☐ No

Summary of the Pre-submittal Neighborhood Meeting, if one occurred:

Per email dated 8/22/2023 from the Office of Neighborhood Coordination there are NO neighborhood associations to notify for a pre-submittal neighborhood meeting.

5. **For Site Plan Applications only***, attach site plan showing, at a minimum:

- ☐ a. Location of proposed buildings and landscape areas.*
- ☐ b. Access and circulation for vehicles and pedestrians.*
- ☐ c. Maximum height of any proposed structures, with building elevations.*

² Physical address or Zoom link

³ Address (mailing or email), phone number, or website to be provided by the applicant

⁴ Available online here: <http://data.cabq.gov/business/zoneatlas/>

[Note: Items with an asterisk (*) are required.]

- ☐ d. **For residential development***: Maximum number of proposed dwelling units.
- ☐ e. **For non-residential development***:
 - ☐ Total gross floor area of proposed project.
 - ☐ Gross floor area for each proposed use.

Additional Information:

From the IDO Zoning Map⁵:

1. Area of Property [typically in acres] 0.34
 2. IDO Zone District R-1D
 3. Overlay Zone(s) [if applicable] CPO-13/VPO-2
 4. Center or Corridor Area [if applicable] _____
- Current Land Use(s) [vacant, if none] _____
-

NOTE: Pursuant to [IDO Subsection 14-16-6-4\(L\)](#), property owners within 330 feet and Neighborhood Associations within 660 feet may request a post-submittal facilitated meeting. If requested at least 15 calendar days before the public meeting/hearing date noted above, the facilitated meeting will be required. To request a facilitated meeting regarding this project, contact the Planning Department at devhelp@cabq.gov or 505-924-3955.

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<https://ido.abc-zone.com/>

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⁵ Available here: <https://tinurl.com/idozoningmap>

[Note: Items with an asterisk (*) are required.]

**Public Notice of a Proposed Project in the City of Albuquerque
for Decisions Requiring a Meeting or Hearing
Mailed to a Property Owner**

Date of Notice*: 8/28/2023

This notice of an application for a proposed project is provided as required by Integrated Development Ordinance (IDO) [Subsection 14-16-6-4\(K\) Public Notice](#) to:

Property Owner within 100 feet*: Gabriel & Diana Sanchez

Mailing Address*: 6051 Maddux PL NW Albuquerque, NM 87114

Project Information Required by [IDO Subsection 14-16-6-4\(K\)\(1\)\(a\)](#)

1. Subject Property Address* 5505 Valiente Rd NW Albuquerque, NM 87120
Location Description _____
2. Property Owner* Frank J. & Clarissa J. Gonzales
3. Agent/Applicant* *[if applicable]* Applicant
4. Application(s) Type* per IDO [Table 6-1-1](#) *[mark all that apply]*
 - ☐ Conditional Use Approval
 - ☐ Permit _____ (Carport or Wall/Fence – Major)
 - ☐ Site Plan
 - ☐ Subdivision _____ (Minor or Major)
 - ☐ Vacation _____ (Easement/Private Way or Public Right-of-way)
 - ☒ Variance
 - ☐ Waiver
 - ☐ Other: _____

Summary of project/request¹*:

Height variance request pursuant to subsection 14-16-6-6(N)

5. This application will be decided at a public meeting or hearing by*:
 - ☐ Zoning Hearing Examiner (ZHE)
 - ☐ Development Review Board (DRB)
 - ☐ Landmarks Commission (LC)
 - ☒ Environmental Planning Commission (EPC)

¹ Attach additional information, as needed to explain the project/request.

[Note: Items with an asterisk (*) are required.]

Date/Time*: 10/19/2023/8:40 AM

Location*²: Via ZOOM. See <https://www.cabq.gov/planning/boards-commissions/environmental-planning-commission/epc-agendas-reports-minutes>

Agenda/meeting materials: <http://www.cabq.gov/planning/boards-commissions>

To contact staff, email devhelp@cabq.gov or call the Planning Department at 505-924-3860.

6. Where more information about the project can be found*³:

<https://www.cabq.gov/planning/boards-commissions/environmental-planning-commission/epc-agendas-reports-minutes>

Project Information Required for Mail/Email Notice by [IDO Subsection 6-4\(K\)\(1\)\(b\)](#):

1. Zone Atlas Page(s)*⁴ C-11-Z
2. Architectural drawings, elevations of the proposed building(s) or other illustrations of the proposed application, as relevant*: Attached to notice or provided via website noted above
3. The following exceptions to IDO standards have been requested for this project*:

☐ Deviation(s) ☒ Variance(s) ☐ Waiver(s)

Explanation*:

Height variance request pursuant to subsection 14-16-6-6(N)

4. A Pre-submittal Neighborhood Meeting was required by [Table 6-1-1](#): ☒ Yes ☐ No

Summary of the Pre-submittal Neighborhood Meeting, if one occurred:

Per email dated 8/22/2023 from the Office of Neighborhood Coordination there are NO neighborhood associations to notify for a pre-submittal neighborhood meeting.

5. **For Site Plan Applications only***, attach site plan showing, at a minimum:

- ☐ a. Location of proposed buildings and landscape areas.*
- ☐ b. Access and circulation for vehicles and pedestrians.*
- ☐ c. Maximum height of any proposed structures, with building elevations.*

² Physical address or Zoom link

³ Address (mailing or email), phone number, or website to be provided by the applicant

⁴ Available online here: <http://data.cabq.gov/business/zoneatlas/>

[Note: Items with an asterisk (*) are required.]

- ☐ d. **For residential development***: Maximum number of proposed dwelling units.
- ☐ e. **For non-residential development***:
 - ☐ Total gross floor area of proposed project.
 - ☐ Gross floor area for each proposed use.

Additional Information:

From the IDO Zoning Map⁵:

1. Area of Property [typically in acres] 0.34
 2. IDO Zone District R-1D
 3. Overlay Zone(s) [if applicable] CPO-13/VPO-2
 4. Center or Corridor Area [if applicable] _____
- Current Land Use(s) [vacant, if none] _____
-

NOTE: Pursuant to [IDO Subsection 14-16-6-4\(L\)](#), property owners within 330 feet and Neighborhood Associations within 660 feet may request a post-submittal facilitated meeting. If requested at least 15 calendar days before the public meeting/hearing date noted above, the facilitated meeting will be required. To request a facilitated meeting regarding this project, contact the Planning Department at devhelp@cabq.gov or 505-924-3955.

Useful Links

Integrated Development Ordinance (IDO):

<https://ido.abc-zone.com/>

IDO Interactive Map

<https://tinyurl.com/IDOzoningmap>

⁵ Available here: <https://tinyurl.com/idozoningmap>

From: [Frankie Gonzales](#)
To:
Subject: [EXTERNAL] Fwd: 5505 Vailente NW Notice for EPC
Date: Monday, October 2, 2023 12:12:16 PM

From: **Clarissa Gonzales** <cmaes20@gmail.com>
Date: Wed, Sep 27, 2023 at 4:02 PM
Subject: 5505 Vailente NW Notice for EPC
To: <taa@msn.com>

Good Afternoon,

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

Have a great day.

Thank you,

Clarissa J. Gonzales

<NeighborhoodMeetingRequestPHCAAnderson.pdf>

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

[Note: Items with an asterisk (*) are required.]

Neighborhood Meeting Request for a Proposed Project in the City of Albuquerque

Date of Request*: 27 September 2023

This request for a Neighborhood Meeting for a proposed project is provided as required by Integrated Development Ordinance (IDO) [Subsection 14-16-6-4\(K\) Public Notice](#) to:

Neighborhood Association (NA)*: Paradise Hills Civic Association

Name of NA Representative*: Tom Anderson

Email Address* or Mailing Address* of NA Representative¹: taa@msn.com

The application is not yet submitted. If you would like to have a Neighborhood Meeting about this proposed project, please respond to this request within 15 days.²

Email address to respond yes or no: fgonzal2@outlook.com

The applicant may specify a Neighborhood Meeting date that must be at least 15 days from the Date of Request above, unless you agree to an earlier date.

Meeting Date / Time / Location:

Project Information Required by [IDO Subsection 14-16-6-4\(K\)\(1\)\(a\)](#)

1. Subject Property Address* 5505 Valiente Rd NW Albuquerque, NM 87120
Location Description _____
2. Property Owner* Frank J. & Clarissa J. Gonzales
3. Agent/Applicant* *[if applicable]* Applicant
4. Application(s) Type* per IDO [Table 6-1-1](#) *[mark all that apply]*
 - ☐ Conditional Use Approval
 - ☐ Permit _____ (Carport or Wall/Fence – Major)
 - ☐ Site Plan
 - ☐ Subdivision _____ (Minor or Major)

¹ Pursuant to [IDO Subsection 14-16-6-4\(K\)\(5\)\(a\)](#), email is sufficient if on file with the Office of Neighborhood Coordination. If no email address is on file for a particular NA representative, notice must be mailed to the mailing address on file for that representative.

² If no one replies to this request, the applicant may be submitted to the City to begin the review/decision process.

[Note: Items with an asterisk (*) are required.]

- ☐ Vacation _____ (Easement/Private Way or Public Right-of-way)
- ☒ Variance
- ☐ Waiver
- ☐ Zoning Map Amendment
- ☐ Other: _____

Summary of project/request^{3*}:

Height variance request pursuant to subsection 14-16-6-6(N)

5. This type of application will be decided by^{*}: ☐ City Staff

OR at a public meeting or hearing by:

- ☐ Zoning Hearing Examiner (ZHE) ☐ Development Review Board (DRB)
- ☐ Landmarks Commission (LC) ☒ Environmental Planning Commission (EPC)
- ☐ City Council

6. Where more information about the project can be found^{4*}:

<https://www.cabq.gov/planning/boards-commissions/environmental-planning-commission/epc-agendas-reports-minutes>

Project Information Required for Mail/Email Notice by [IDO Subsection 6-4\(K\)\(1\)\(b\)](#):

1. Zone Atlas Page(s)^{5*} C-11-Z
2. Architectural drawings, elevations of the proposed building(s) or other illustrations of the proposed application, as relevant^{*}: Attached to notice or provided via website noted above
3. The following exceptions to IDO standards will be requested for this project^{*}:

- ☐ Deviation(s) ☒ Variance(s) ☐ Waiver(s)

Explanation:

Height variance request pursuant to subsection 14-16-6-6(N)

4. An offer of a Pre-submittal Neighborhood Meeting is required by [Table 6-1-1](#)^{*}: ☒ Yes ☐ No

³ Attach additional information, as needed to explain the project/request. Note that information provided in this meeting request is conceptual and constitutes a draft intended to provide sufficient information for discussion of concerns and opportunities.

⁴ Address (mailing or email), phone number, or website to be provided by the applicant

⁵ Available online here: <http://data.cabq.gov/business/zoneatlas/>

[Note: Items with an asterisk (*) are required.]

5. **For Site Plan Applications only***, attach site plan showing, at a minimum:

- ☐ a. Location of proposed buildings and landscape areas.*
- ☐ b. Access and circulation for vehicles and pedestrians.*
- ☐ c. Maximum height of any proposed structures, with building elevations.*
- ☐ d. **For residential development***: Maximum number of proposed dwelling units.
- ☐ e. **For non-residential development***:
 - ☐ Total gross floor area of proposed project.
 - ☐ Gross floor area for each proposed use.

Additional Information:

1. From the IDO Zoning Map⁶:

- a. Area of Property [typically in acres] _____
- b. IDO Zone District _____
- c. Overlay Zone(s) [if applicable] _____
- d. Center or Corridor Area [if applicable] _____

2. Current Land Use(s) [vacant, if none] _____

Useful Links

Integrated Development Ordinance (IDO):

<https://ido.abc-zone.com/>

IDO Interactive Map

<https://tinyurl.com/IDOzoningmap>

Cc: _____ [Other Neighborhood Associations, if any]

⁶ Available here: <https://tinurl.com/idozoningmap>

From: [Frankie Gonzales](#)
To:
Subject: [EXTERNAL] Fwd: 5505 Vailente NW Notice for EPC
Date: Monday, October 2, 2023 12:12:26 PM

From: **Clarissa Gonzales** <cmaes20@gmail.com>
Date: Wed, Sep 27, 2023 at 3:57 PM
Subject: 5505 Vailente NW Notice for EPC
To: <aboard111@gmail.com>

Good Afternoon,

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

Have a great day.

Thank you,

Clarissa J. Gonzales

<NeighborhoodMeetingRequestTRNA_WCONAHorvath.pdf>

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

[Note: Items with an asterisk (*) are required.]

Neighborhood Meeting Request for a Proposed Project in the City of Albuquerque

Date of Request*: 27 September 2023

This request for a Neighborhood Meeting for a proposed project is provided as required by Integrated Development Ordinance (IDO) [Subsection 14-16-6-4\(K\) Public Notice](#) to:

Neighborhood Association (NA)*: Taylor Ranch NA

Name of NA Representative*: Marian Pendleton

Email Address* or Mailing Address* of NA Representative¹: mariancp21@gmail.com

The application is not yet submitted. If you would like to have a Neighborhood Meeting about this proposed project, please respond to this request within 15 days.²

Email address to respond yes or no: fgonzal2@outlook.com

The applicant may specify a Neighborhood Meeting date that must be at least 15 days from the Date of Request above, unless you agree to an earlier date.

Meeting Date / Time / Location:

Project Information Required by [IDO Subsection 14-16-6-4\(K\)\(1\)\(a\)](#)

1. Subject Property Address* 5505 Valiente Rd NW Albuquerque, NM 87120
Location Description _____
2. Property Owner* Frank J. & Clarissa J. Gonzales
3. Agent/Applicant* *[if applicable]* Applicant
4. Application(s) Type* per IDO [Table 6-1-1](#) *[mark all that apply]*
 - ☐ Conditional Use Approval
 - ☐ Permit _____ (Carport or Wall/Fence – Major)
 - ☐ Site Plan
 - ☐ Subdivision _____ (Minor or Major)

¹ Pursuant to [IDO Subsection 14-16-6-4\(K\)\(5\)\(a\)](#), email is sufficient if on file with the Office of Neighborhood Coordination. If no email address is on file for a particular NA representative, notice must be mailed to the mailing address on file for that representative.

² If no one replies to this request, the applicant may be submitted to the City to begin the review/decision process.

[Note: Items with an asterisk (*) are required.]

- ☐ Vacation _____ (Easement/Private Way or Public Right-of-way)
- ☒ Variance
- ☐ Waiver
- ☐ Zoning Map Amendment
- ☐ Other: _____

Summary of project/request^{3*}:

Height variance request pursuant to subsection 14-16-6-6(N)

5. This type of application will be decided by^{*}: ☐ City Staff

OR at a public meeting or hearing by:

- ☐ Zoning Hearing Examiner (ZHE) ☐ Development Review Board (DRB)
- ☐ Landmarks Commission (LC) ☒ Environmental Planning Commission (EPC)
- ☐ City Council

6. Where more information about the project can be found^{4*}:

<https://www.cabq.gov/planning/boards-commissions/environmental-planning-commission/epc-agendas-reports-minutes>

Project Information Required for Mail/Email Notice by [IDO Subsection 6-4\(K\)\(1\)\(b\)](#):

1. Zone Atlas Page(s)^{5*} C-11-Z
2. Architectural drawings, elevations of the proposed building(s) or other illustrations of the proposed application, as relevant^{*}: Attached to notice or provided via website noted above
3. The following exceptions to IDO standards will be requested for this project^{*}:

- ☐ Deviation(s) ☒ Variance(s) ☐ Waiver(s)

Explanation:

Height variance request pursuant to subsection 14-16-6-6(N)

4. An offer of a Pre-submittal Neighborhood Meeting is required by [Table 6-1-1](#)^{*}: ☒ Yes ☐ No

³ Attach additional information, as needed to explain the project/request. Note that information provided in this meeting request is conceptual and constitutes a draft intended to provide sufficient information for discussion of concerns and opportunities.

⁴ Address (mailing or email), phone number, or website to be provided by the applicant

⁵ Available online here: <http://data.cabq.gov/business/zoneatlas/>

[Note: Items with an asterisk (*) are required.]

5. **For Site Plan Applications only***, attach site plan showing, at a minimum:

- ☐ a. Location of proposed buildings and landscape areas.*
- ☐ b. Access and circulation for vehicles and pedestrians.*
- ☐ c. Maximum height of any proposed structures, with building elevations.*
- ☐ d. **For residential development***: Maximum number of proposed dwelling units.
- ☐ e. **For non-residential development***:
 - ☐ Total gross floor area of proposed project.
 - ☐ Gross floor area for each proposed use.

Additional Information:

1. From the IDO Zoning Map⁶:

- a. Area of Property [typically in acres] _____
- b. IDO Zone District _____
- c. Overlay Zone(s) [if applicable] _____
- d. Center or Corridor Area [if applicable] _____

2. Current Land Use(s) [vacant, if none] _____

Useful Links

Integrated Development Ordinance (IDO):

<https://ido.abc-zone.com/>

IDO Interactive Map

<https://tinyurl.com/IDOzoningmap>

Cc: _____ [Other Neighborhood Associations, if any]

⁶ Available here: <https://tinurl.com/idozoningmap>

From: [Frankie Gonzales](#)
To:
Subject: [EXTERNAL] Fwd: 5505 Vailente NW Notice for EPC
Date: Monday, October 2, 2023 12:11:51 PM

From: **Clarissa Gonzales** <cmaes20@gmail.com>
Date: Wed, Sep 27, 2023 at 4:01 PM
Subject: 5505 Vailente NW Notice for EPC
To: elizabethkayhaley@gmail.com <elizabethkayhaley@gmail.com>

Good Afternoon,

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

Have a great day.

Thank you,

Clarissa J. Gonzales

<NeighborhoodMeetingRequestWCONAHaley.pdf>

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

[Note: Items with an asterisk (*) are required.]

Neighborhood Meeting Request for a Proposed Project in the City of Albuquerque

Date of Request*: 27 September 2023

This request for a Neighborhood Meeting for a proposed project is provided as required by Integrated Development Ordinance (IDO) [Subsection 14-16-6-4\(K\) Public Notice](#) to:

Neighborhood Association (NA)*: Westside Coalition of Neighborhood Associations

Name of NA Representative*: Elizabeth Haley

Email Address* or Mailing Address* of NA Representative¹: elizabethkayhaley@gmail.com

The application is not yet submitted. If you would like to have a Neighborhood Meeting about this proposed project, please respond to this request within 15 days.²

Email address to respond yes or no: fgonzal2@outlook.com

The applicant may specify a Neighborhood Meeting date that must be at least 15 days from the Date of Request above, unless you agree to an earlier date.

Meeting Date / Time / Location:

Project Information Required by [IDO Subsection 14-16-6-4\(K\)\(1\)\(a\)](#)

1. Subject Property Address* 5505 Valiente Rd NW Albuquerque, NM 87120
Location Description _____
2. Property Owner* Frank J. & Clarissa J. Gonzales
3. Agent/Applicant* *[if applicable]* Applicant
4. Application(s) Type* per IDO [Table 6-1-1](#) *[mark all that apply]*
 - ☐ Conditional Use Approval
 - ☐ Permit _____ (Carport or Wall/Fence – Major)
 - ☐ Site Plan
 - ☐ Subdivision _____ (Minor or Major)

¹ Pursuant to [IDO Subsection 14-16-6-4\(K\)\(5\)\(a\)](#), email is sufficient if on file with the Office of Neighborhood Coordination. If no email address is on file for a particular NA representative, notice must be mailed to the mailing address on file for that representative.

² If no one replies to this request, the applicant may be submitted to the City to begin the review/decision process.

[Note: Items with an asterisk (*) are required.]

- ☐ Vacation _____ (Easement/Private Way or Public Right-of-way)
- ☒ Variance
- ☐ Waiver
- ☐ Zoning Map Amendment
- ☐ Other: _____

Summary of project/request^{3*}:

Height variance request pursuant to subsection 14-16-6-6(N)

5. This type of application will be decided by^{*}: ☐ City Staff
- OR at a public meeting or hearing by:
- ☐ Zoning Hearing Examiner (ZHE) ☐ Development Review Board (DRB)
- ☐ Landmarks Commission (LC) ☒ Environmental Planning Commission (EPC)
- ☐ City Council

6. Where more information about the project can be found^{4*}:

<https://www.cabq.gov/planning/boards-commissions/environmental-planning-commission/epc-agendas-reports-minutes>

Project Information Required for Mail/Email Notice by [IDO Subsection 6-4\(K\)\(1\)\(b\)](#):

1. Zone Atlas Page(s)^{5*} C-11-Z
2. Architectural drawings, elevations of the proposed building(s) or other illustrations of the proposed application, as relevant^{*}: Attached to notice or provided via website noted above
3. The following exceptions to IDO standards will be requested for this project^{*}:
- ☐ Deviation(s) ☒ Variance(s) ☐ Waiver(s)

Explanation:

Height variance request pursuant to subsection 14-16-6-6(N)

4. An offer of a Pre-submittal Neighborhood Meeting is required by [Table 6-1-1](#)^{*}: ☒ Yes ☐ No

³ Attach additional information, as needed to explain the project/request. Note that information provided in this meeting request is conceptual and constitutes a draft intended to provide sufficient information for discussion of concerns and opportunities.

⁴ Address (mailing or email), phone number, or website to be provided by the applicant

⁵ Available online here: <http://data.cabq.gov/business/zoneatlas/>

[Note: Items with an asterisk (*) are required.]

5. **For Site Plan Applications only***, attach site plan showing, at a minimum:

- ☐ a. Location of proposed buildings and landscape areas.*
- ☐ b. Access and circulation for vehicles and pedestrians.*
- ☐ c. Maximum height of any proposed structures, with building elevations.*
- ☐ d. **For residential development***: Maximum number of proposed dwelling units.
- ☐ e. **For non-residential development***:
 - ☐ Total gross floor area of proposed project.
 - ☐ Gross floor area for each proposed use.

Additional Information:

1. From the IDO Zoning Map⁶:

- a. Area of Property [typically in acres] _____
- b. IDO Zone District _____
- c. Overlay Zone(s) [if applicable] _____
- d. Center or Corridor Area [if applicable] _____

2. Current Land Use(s) [vacant, if none] _____

Useful Links

Integrated Development Ordinance (IDO):

<https://ido.abc-zone.com/>

IDO Interactive Map

<https://tinyurl.com/IDOzoningmap>

Cc: _____ [Other Neighborhood Associations, if any]

⁶ Available here: <https://tinurl.com/idozoningmap>



Photo by the City of Albuquerque. The image is for informational purposes only. The City of Albuquerque is not responsible for any errors or omissions in this image. The image is not intended to be used for any other purpose.

FACILITATED MEETING

- Request

- 11/09/2023 Agenda

Heyne, Catherine M.

From: Varela, Alan M.
Sent: Wednesday, November 1, 2023 9:03 AM
To: D San; Planning Department
Cc: Heyne, Catherine M.; Montoya, Lucinda
Subject: RE: Post-submittal meeting - RE: 5505 Valiente Rd NW, height variance - PR-2023-009178 (VA-2023-00246)

Good morning,

Thank you for the emails. We did receive the request. You should hear back from our office no later than tomorrow to arrange the post-submittal meeting.

If you don't hear back by tomorrow afternoon, please let me know.

Best regards,



ALAN VARELA, J.D.
Planning Department Director
Direct line: 505.924.3454
Email: avarela@cabq.gov
cabq.gov/planning

From: D San <disan614@gmail.com>
Sent: Tuesday, October 31, 2023 11:50 PM
To: Planning Department <planningdepartment@cabq.gov>; Varela, Alan M. <avarela@cabq.gov>
Cc: Heyne, Catherine M. <cheyne@cabq.gov>
Subject: Fwd: Post-submittal meeting - RE: 5505 Valiente Rd NW, height variance - PR-2023-009178 (VA-2023-00246)

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

Hello, I am just making sure that the email below reaches Alan Varela.

Please confirm receipt of this email.

Dear Alan Varela,

I would like to request a post-submittal meeting per IDO (6-4(L) POST-SUBMITTAL FACILITATED MEETING):

1. Why a post-submittal facilitated meeting is being requested.
 - a. To understand the outcome of the hearing 11-16-2023 and its effect on my property (rights).
 - b. I am new to this process and want to make sure I understand everything, including what a post-submittal meeting is and its effect on my property.

- c. To voice my concern: Once the memo is received, the applicant will be notified, and then the applicant would work with the Alternative Dispute Resolution (ADR) office to schedule a facilitated public meeting.
 - d. To understand why 5505 Valiente RD NW, needs a variance.
 - e. Other items may come up as I learn more about this process.
- 2. What specific items are requested to be discussed.
 - a. Height Variance/plans/dirt elevation/retaining walls/etc.
 - b. Effect on my property and future build (height variance).
- 3. What outcomes are wanted from the discussion.
 - a. A clear understanding of what plans are approved and how my property and future build will be affected.

Thank you very much, please let me know if anything further is needed from me.

Diana Sanchez
5501 Valiente RD NW
505-492-7154

'Coming together is a beginning; keeping together is progress; working together is success - -Henry Ford

Thank you,
Diana Sanchez

'Coming together is a beginning; keeping together is progress; working together is success - -Henry Ford

----- Forwarded message -----

From: **D San** <disan614@gmail.com>

Date: Tue, Oct 31, 2023 at 11:06 PM

Subject: Fwd: Post-submittal meeting - RE: 5505 Valiente Rd NW, height variance - PR-2023-009178 (VA-2023-00246)

To: <avarela@cabq.gov>

Cc: Heyne, Catherine M. <cheyne@cabq.gov>, Jones, Megan D. <mdjones@cabq.gov>, Lehner, Catalina L. <CLehner@cabq.gov>

Dear Alan Varela,

I would like to request a post-submittal meeting per IDO (6-4(L) POST-SUBMITTAL FACILITATED MEETING):

- 1. Why a post-submittal facilitated meeting is being requested.
 - a. To understand the outcome of the hearing 11-16-2023 and its effect on my property (rights).
 - b. I am new to this process and want to make sure I understand everything, including what a post-submittal meeting is and its effect on my property.
 - c. To voice my concern: Once the memo is received, the applicant will be notified, and then the applicant would work with the Alternative Dispute Resolution (ADR) office to schedule a facilitated public meeting.
 - d. To understand why 5505 Valiente RD NW, needs a variance.
 - e. Other items may come up as I learn more about this process.

2. What specific items are requested to be discussed.
 - a. Height Variance/plans/dirt elevation/retaining walls/etc.
 - b. Effect on my property and future build (height variance).
3. What outcomes are wanted from the discussion.
 - a. A clear understanding of what plans are approved and how my property and future build will be affected.

Thank you very much, please let me know if anything further is needed from me.

Diana Sanchez
 5501 Valiente RD NW
 505-492-7154

'Coming together is a beginning; keeping together is progress; working together is success - -Henry Ford

----- Forwarded message -----

From: **Heyne, Catherine M.** <cheyne@cabq.gov>

Date: Mon, Oct 23, 2023 at 2:52 PM

Subject: Post-submittal meeting - RE: 5505 Valiente Rd NW, height variance - PR-2023-009178 (VA-2023-00246)

To: D San <disan614@gmail.com>

Cc: Jones, Megan D. <mdjones@cabq.gov>, Lehner, Catalina L. <CLEhner@cabq.gov>

Hi Diana,

Here are the requirements and outline to request a post-submittal meeting per the [IDO](#) (6-4(L) POST-SUBMITTAL FACILITATED MEETING):

1. Property owners within 330 feet and Neighborhood Associations within 660 feet in any direction of the subject property may request a post-submittal facilitated meeting.
 1. The required neighborhood associations and coalitions that were contacted with this variance request were: Paradise Hills Civic Association, Taylor Ranch Neighborhood Association, and the Westside Coalition of Neighborhood Associations.
2. **14-16-6-4(L)(1)(b)** Requests for a post-submittal facilitated meeting shall be submitted to the Planning Director in writing and must include, at a minimum, the following:
 1. Why a post-submittal facilitated meeting is being requested.
 2. What specific items are requested to be discussed.
 3. What outcomes are wanted from the discussion.

This request would be addressed to and sent to the Director of Planning, Alan Varela (avarela@cabq.gov), with me as the assigned Planner, cc'd on the email (cheyne@cabq.gov).

Once the memo is received, the applicant will be notified, and then the applicant would work with the Alternative Dispute Resolution (ADR) office to schedule a facilitated public meeting.

Please let me know if you have further questions.

Respectfully,

Catherine

From: D San <disan614@gmail.com>

Sent: Thursday, October 19, 2023 2:01 PM

To: Salas, Alfredo E. <ASalas@cabq.gov>; Heyne, Catherine M. <cheyne@cabq.gov>

Subject: Re: 5505 Valiente Rd NW, height variance - PR-2023-009178 (VA-2023-00246)

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

Dear Catherine,

Thank you again for your time and attention to this matter. Attached below is my response to Agenda Number 2 (October 19, 2023), which was moved to November 16, 2023. I did not attend this morning's EPC meeting due to verifying that this project PR-2023-009178 VA-2023-00246 was not up for discussion due to the deferral request from the property owner and EPC approval.

Please let me know if you or Mr. Salas have any questions or concerns regarding the below attachment. Please also let me know how to schedule a post-submittal facilitated meeting utilizing this email as my 15 calendar days notice. As I mentioned to you earlier this week, I am very new to this process and found it difficult to get a hold of someone regarding the Public Notice.

Sincerely,

Diana Sanchez

'Coming together is a beginning; keeping together is progress; working together is success - -Henry Ford

On Tue, Oct 17, 2023 at 3:33 PM Heyne, Catherine M. <cheyne@cabq.gov> wrote:

Hi Diana,

Thanks for contacting us today. Here is more information regarding how to participate in the Environmental Planning Commission (EPC) cases:

1. For the actual hearing, the public is allowed to speak/ make public comment after the Staff and Applicant have presented during the hearing. Individuals are allowed two minutes to speak, representatives from Neighborhood Associations (NAs) have five minutes to speak, as long as the NA voted to have someone talk on their behalf.
2. The EPC receives case materials the Thursday before the scheduled hearing in electronic format. At the same time, the staff reports and supplemental materials are posted on the website for the public.
3. The EPC will only consider written material if it is submitted at least 48 hours prior to the hearing. The EPC will not accept, nor will staff forward on to the EPC, any material after that deadline (this does not preclude public comment/presentations to be provided at the hearing).
 - Written comment can be submitted as an e-mail to planning staff--in this case, to me (cheyne@cabq.gov) with Ernesto (Alfredo) Salas cc'd (asalas@cabq.gov). Please include the case number.
 - Comments/letters can be addressed to the EPC or Mr Chair and Commissioners.
 - Comments submitted before the 48 hour deadline will be made public and included in the case for consideration.
4. Please see the EPC agenda items and minutes [here](#).
5. More information about the EPC can be found [here](#).

Please let me know if I can answer any additional questions.

All the best,

Catherine



CATHERINE HEYNE

planner

she / her / hers

urban design & development division

o 505-924-3310

e cheyne@cabq.gov

cabq.gov/planning

From: D San <disan614@gmail.com>

Sent: Tuesday, October 17, 2023 3:13 PM

To: Heyne, Catherine M. <cheyne@cabq.gov>

Subject: test

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

Hi,

'Coming together is a beginning; keeping together is progress; working together is success - -Henry Ford

Heyne, Catherine M.

From: Frankie Gonzales <fgonzal2@outlook.com>
Sent: Wednesday, November 1, 2023 12:49 PM
To: Heyne, Catherine M.
Cc: My Wub; Lehner, Catalina L.; Jones, Megan D.
Subject: Re: Facilitated Meeting Request for 5505 Valiente Rd NW, Height Variance - EPC (PR-2023-009178, VA-2023-00246)

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

Hello Catherine,

Received, thank you. We have already reached out to the city ARD department to get this scheduled soonest.

Frankie
Sent from my iPhone

On Nov 1, 2023, at 12:17 PM, Heyne, Catherine M. <cheyne@cabq.gov> wrote:

Dear Frankie and Clarissa,

I am writing to let you know that we received a Post-submittal Facilitated Meeting request regarding your Variance – EPC application for 5505 Valiente RD NW (PR-2023-009178, VA-2023-00246). Please see the attached file for details of this request.

The IDO has a specific outline of procedures for this process. You can find them [here](#) (or with a search on 6-4(L) POST-SUBMITTAL FACILITATED MEETING within the IDO document).

Pursuant to IDO 6-4(L)(3) Timing of a Post-submittal Facilitated Meeting, you are required to contact the Alternate Dispute Resolution (ADR) office to request the post-submittal facilitated meeting within 2 business days.

Pursuant to IDO 6-4(L)(2), the meeting has to happen prior to the hearing. Any facilitated meeting notes shall be provided to us in order for staff to make a recommendation and the commission to make a decision. If a facilitated meeting does not happen and summary notes are not provided, a deferral would be required.

An appropriate time for a meeting will be coordinated between you, the requestor, and applicable neighborhood associations, who shall be notified within 7 days of the scheduled meeting. Here is the [contact information](#) to organize an ADR facilitated meeting. Also, here is the general website for [ADR](#).

Please include me on any correspondence with the ADR facilitator and on the notification so that I can stay up-to-date on the progress. Much appreciated!

Please let me know if you have any questions.

Regards,
Catherine

<Facilitated Meeting request - RE 5505 Valiente Rd NW ht var_PR-2023-009178 VA-2023-00246_103123.pdf>

Heyne, Catherine M.

From: nmlawyer09@comcast.net
Sent: Monday, November 6, 2023 4:46 PM
To: taa@msn.com; aboard111@gmail.com; mariancp21@gmail.com; elizabethkayhaley@gmail.com; 'Frankie Gonzales'; Clarissa Gonzales; Diana Sanchez; Jones, Megan D.; Heyne, Catherine M.; Lehner, Catalina L.
Cc: Hummell, Tyson; Baca, Krista R.
Subject: CABQ Rescheduled Facilitated Meeting via Zoom - 11/9/23 from 6-8 pm
Attachments: Valiente 11 9 2023 Final Agenda JMT.pdf
Importance: High

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

Dear Participants:

Attached is the revised agenda for Thursday evening's CABQ rescheduled facilitated meeting. I ask that the neighborhood association and westside coalition representatives send me supplemental agenda items as of noon this Wednesday, 11/8/23. This was my misunderstanding and I apologize for the mix-up. I've sent those included in this email a separate Zoom invitation, which is also copied below.

Sincerely,

Jocelyn M. Torres
Attorney at Law
505 249-8531

Jocelyn M Torres is inviting you to a scheduled Zoom meeting.

Topic: CABQ Facilitated Meeting regarding 5505 Valiente NW Variance Application
Time: Nov 9, 2023 06:00 PM Mountain Time (US and Canada)

Join Zoom Meeting
<https://us02web.zoom.us/j/82471185907?pwd=VXRPaDhkV3RGc2haM09nYXdEeTlpZz09>

Meeting ID: 824 7118 5907
Passcode: 797609

One tap mobile
+17193594580,,82471185907#,,,,*797609# US
+12532050468,,82471185907#,,,,*797609# US

Dial by your location

- +1 719 359 4580 US
- +1 253 205 0468 US
- +1 253 215 8782 US (Tacoma)
- +1 346 248 7799 US (Houston)
- +1 669 444 9171 US
- +1 669 900 6833 US (San Jose)
- +1 301 715 8592 US (Washington DC)
- +1 305 224 1968 US
- +1 309 205 3325 US
- +1 312 626 6799 US (Chicago)
- +1 360 209 5623 US
- +1 386 347 5053 US
- +1 507 473 4847 US
- +1 564 217 2000 US
- +1 646 931 3860 US
- +1 689 278 1000 US
- +1 929 436 2866 US (New York)

Meeting ID: 824 7118 5907

Passcode: 797609

Find your local number: <https://us02web.zoom.us/j/kf4kpNWGr>

CABQ RESCHEDULED FACILITATED ZOOM MEETING AGENDA

5505 Valiente NW – EPC Variance Application

November 9, 2023, 6:00 pm- 8:00 pm - Jocelyn M. Torres

1. **Introductions:** Facilitator, Jocelyn M. Torres; Applicants, Frank and Clarissa Gonzales; Neighbors Diana Sanchez and spouse. Paradise Hills Civic Association- Tom Anderson, taa@msn.com; Taylor Ranch Neighborhood Association- Rene Horvath, aboard111@gmail.com; Taylor Ranch Neighborhood Association- Marian Pendleton, mariancp21@gmail.com; Westside Coalition of Neighborhood Associations- Rene Horvath, aboard111@gmail.com; and Westside Coalition of Neighborhood Associations- Elizabeth Haley, elizabethkayhaley@gmail.com.
2. **Facilitated Meeting Purpose:** To allow applicants and neighbors to voice their perspectives on the requested variance.
3. **Applicants:**
 - a. **Why the requested variance is necessary.**
 1. Hardship: due to the physical and engineering constraints, a 4 foot infill is necessary for lot drainage. This counts towards the overall 15 foot height. Without a variance, there will be a substantial and unjustified limitation on the reasonable use or economic return on the property. The house pad was developed at the lowest possible point for drainage purposes. Any lowering of the pad would make the lot undevelopable, uninhabitable.
 2. The IDO incorporated the lots into the VPO-2 height restricted sub area. When the lot was purchased, and the home design began, it was understood that 5505 Valiente was outside the height restricted sub area. *See* Volcano Mesa Escarpment Map and SAD 228 Map for verification.
 - b. **Visual Impact.**
 1. House pad was developed at the lowest possible point for drainage purposes to minimize visual impact.
 2. Variance allows up to 19 feet above finished grade: home at single highest point (entryway) is 17 feet 8 inches in height from the finished grade, 1 foot 4 inches less than the variance maximum allowed 19 feet.
 3. The 5505 Valiente height variance exhibit is very comprehensive, showing the views from north, south, east and west elevations; demonstrating that the impact is minimal.

CABQ RESCHEDULED FACILITATED ZOOM MEETING AGENDA

5505 Valiente NW – EPC Variance Application

November 9, 2023, 6:00 pm- 8:00 pm - Jocelyn M. Torres

4. The 5505 Valiente property is lower than both 5504 and 5508 Valiente (across the street), inclusive of the variance. The north site elevation view looking south demonstrates this. The 5508 Valiente property is 6 feet 6 inches taller.
 5. The east site elevation is the view from 5501 Valiente looking west. This elevation demonstrates unobstructed views and no visual impact since the open space (escarpment and mountains) are to the east.
- c. Responses to questions and comments.**
4. **Neighbors:**
 - a. **Purpose of post-submittal facilitated meeting.**
 1. To understand the outcome of the upcoming November 16, 2023 hearing and its effect on our property.
 2. We are new to this process and want to make sure we understand everything, including what a post-submittal meeting is and its effect on our property.
 3. To voice our concerns.
 4. To understand why 5505 Valiente RD NW needs a variance.
 5. To discuss other applicable items.
 - b. **What specific items are to be discussed.**
 1. Height variance/plans/dirt elevation/retaining walls. Height of house from street level; dirt work 4 feet from where; wall height between properties; variance and height impact on current vacant property and future build of 5501 Valiente NW.
 2. We seek a clear understanding of what plans are approved and how our property and future build will be affected.
5. **Next Steps and Timelines:** The hearing is scheduled for November 16, 2023.

Meeting Adjourned

LETTERS OF CONCERN



United States Department of the Interior

NATIONAL PARK SERVICE
Petroglyph National Monument
6001 Unser Blvd NW
Albuquerque, New Mexico 87120



PETR 1.A.1.

November 1, 2023

Re: Project # PR-2023-009178, VA-2023-00246 – Variance - EPC

Dear Ms. Heyne, Ms. Lehner, and the Environmental Planning Commission:

The National Park Service (NPS) does not support the request for a variance to the VPO 2 – Northwest Mesa Escarpment View Protection Overlay Zone, to allow additional building height in the VPO-2 Height Restrictions Sub-area for all or a portion of Lot 21, Block 1, Unit 27, Volcano Cliffs, located at 5505 Valiente Rd. NW, between Calle Nortena NW and Petroglyph National Monument (Monument).

Per the City of Albuquerque's Integrated Development Ordinance, and regarding 5-2(J)(2)(c) Lots Adjacent to Petroglyph National Monument, development on lots of any size adjacent to Petroglyph National Monument shall:

1. Comply with the requirements of Subsections 14-16-5-2(J)(1) (Lots within 330 feet of Major Public Open Space) and 14-16- 5-2(J)(2) (Lots Adjacent to Major Public Open Space) regardless of the applicability of those provisions related to the location or size of the premises.
2. Comply with the applicable standards in Section 14-16-3-6(E) (Northwest Mesa Escarpment – VPO-2).

Per the Northwest Mesa Escarpment – VPO-2 (14-16-3-6(E)), standards apply to protect views to and from Petroglyph National Monument. This includes a 15' maximum allowed height in the VPO-2 Height Restrictions Sub-area. The subject property is less than 100' away from the Monument boundary and allowing for additional height would impact the cultural landscape and viewshed of the area.

Petroglyph National Monument is one of the region's most significant, and large protected areas in Albuquerque. In 1989, community members, Pueblos and Tribes, the City of Albuquerque, and the New Mexico Congressional delegation pushed for the protection of a portion of the West Mesa to forever protect thousands of petroglyphs and the cultural heritage of the area. Shortly thereafter, on June 27, 1990, Petroglyph National Monument was designated by Congress. The community leaders and elected officials at that time committed to protecting this special place as a unit of the NPS "in light of the national significance of the West Mesa Escarpment and the petroglyphs and the urgent need to protect the cultural and natural resources of the area from urbanization and vandalism" Pub. Law 101-313, § 101 (1990).

The stated purpose of Section 14-16-5-2 of the IDO is to "minimize the impacts of development on natural and cultural resources." Petroglyph National Monument is a cultural landscape, and in particular, the 17-mile-long escarpment, which is nearby the subject property, is listed on the National Register of Historic Places as the Las Imagines Archeological District. The escarpment acts as a visual reference point for the city, and contains significant and numerous cultural resources, including a large concentration of petroglyphs and numerous archaeological sites. The entire Monument area is considered sacred to all 19 Pueblos and 10 additional tribes across the Southwest.

We are concerned that allowing for the height variance would result in a substantial visual intrusion on this highly sensitive area and set precedent in other areas adjacent to the Monument that fall under the same requirements, resulting in taller structures built near the Monument. We ask that the Environmental Planning Commission uphold the IDO as written and not grant the variance request.

For more information, please contact Superintendent Nancy Hendricks (nancy_hendricks@nps.gov).

Sincerely,

**ROBIN
MACHADO**

Digitally signed by
ROBIN MACHADO
Date: 2023.11.01
08:29:25 -06'00'

Robin Machado, Acting Superintendent for Nancy Hendricks
Nancy Hendricks
Superintendent

Date: October 19, 2023

EPC: Agenda #2: Variance -EPC

5505 Valiente RD NW, between Calle Norteña NW and the Piedras Marcadas Major Public Open Space (MPOS):

Project #: PR-2023-009178

VA-2023-00246

EPC Hearing date: October 19, 2023, Deferral for 30 days to November 16, 2023 EPC hearing.

ATTN: Ernesto (Alfredo) Salas and Catherine Heyne

Dear EPC Chairman and fellow Commissioners,

I recently learned of the proposed height variance request for 5505 Valiente RD NW from 15 feet to an additional height up to 19 feet. This future single-family home in the Volcano Cliffs area is subject to a height-restriction, sub-area of VPO-2, Northwest Mesa Escarpment and is subject to view protection regulations. Pursuant to IDO 14-16-3-6(E)(2), the purpose of this VPO is to protect views to and from the Petroglyph National Monument, which is a major public open space (MPOS) in various locations in the area.

At this time, I oppose this request. I live in the Petroglyph Estates neighborhood and a massive two-story house was built behind me. This house towers over me and is very uncomfortable and encroaching. The builder was also allowed to build up the dirt (~6ft+) utilizing a two-level terrace which left a ~5ft-by-4ft dirt retaining wall outside of the neighbors' enclosed back and side yards. The dirt blows into my house constantly. The Volcano Cliffs and Petroglyph subdivisions restrictions are in place to protect views to and from the Petroglyph National Monument, which is major public open space (MPOS) in various locations, preserving the beautiful views which are calming and in turn add privacy to many of the residential backyards.

If this Variance is approved then I too request the same variance approval for my property which borders 5505 Valiente to the East (5501 Valiente). I also request that the phone number on page three (505-924-3955) of the notice be updated to reflect the correct department/representative. I had to make several phone calls and emails to track down information regarding the generic notification received from an unknown sender. The envelope did not have any City emblems indicating its importance.

Thank you,

Diana Sanchez

Neighboring Resident to 5505 Valiente.

CC:

Ernesto (Alfredo) Salas cc'd (asalas@cabq.gov)

Catherine Heyne (cheyne@cabq.gov)

Heyne, Catherine M.

From: Heyne, Catherine M.
Sent: Wednesday, October 4, 2023 12:21 PM
To: Gregory Taylor
Cc: Catalina L. Lehner (CLehner@cabq.gov); Salas, Alfredo E.
Subject: RE: Variance Request File VA-2023-00246 - 5505 Valiente Rd. NW 87120

Hi Gregory,

Thanks for reaching out. My name is Catherine Heyne and I am the City Planner assigned to this case (PR-2023-009178/VA-2023-00246). I was forwarded your email message and wanted to reply. I tried the phone number you provided, but the corresponding voicemail was full.

The case you referenced is for a height variance. The maximum height that can be requested is 19' per the Northwest Mesa Escarpment View Protection Overlay (VPO-2). Please see the [IDO](#) Subsection 14-16-6-6(N)(1)(c) page 498 for details.

What you can do:

1. Request a copy of the application.
2. Write a letter in favor/opposition of the proposal, which you can email Mr. Ernesto Salas (ASalas@cabq.gov) and copy me (cheyne@cabq.gov).
3. Review the [Staff Report](#) when posted, October 12, and provide written comment, which you can email Mr. Ernesto Salas (ASalas@cabq.gov) and copy me (cheyne@cabq.gov).
4. Attend the EPC hearing October 19 and give public comment.

Please let me know if you have any additional questions.

Best regards,
Catherine



CATHERINE HEYNE

planner

she / her / hers

urban design & development division

o 505-924-3310

e cheyne@cabq.gov

cabq.gov/planning

From: Salas, Alfredo E. <ASalas@cabq.gov>
Sent: Tuesday, October 3, 2023 4:06 PM
To: 'gltone@comcast.net' <gltone@comcast.net>; 'cowgirldebs@hotmail.com' <cowgirldebs@hotmail.com>
Cc: Sanchez, Suzanna A. <suzannasanchez@cabq.gov>; Heyne, Catherine M. <cheyne@cabq.gov>
Subject: FW: Variance Request File VA-2023-00246 - 5505 Valiente Rd. NW 87120

Good afternoon , the EPC report for Project PR-2023-009178_VA-2023-00246 – Variance – EPC, will be posted to the web (link below) Thursday, October 12, around noon. Please let me know if you have any questions.

<https://www.cabq.gov/planning/boards-commissions/environmental-planning-commission/epc-agendas-reports-minutes>

Thank you,



ERNESTO ALFREDO SALAS

Senior Administrative Assistant

o 505.924-3370

e asalas@cabq.gov

cabq.gov/planning

From: Sanchez, Suzanna A. <suzannasanchez@cabq.gov>

Sent: Tuesday, October 3, 2023 3:50 PM

To: Salas, Alfredo E. <ASalas@cabq.gov>

Subject: FW: Variance Request File VA-2023-00246 - 5505 Valiente Rd. NW 87120

Ernesto,

Can you please forward the EPC file to the recipient below?

Thank you,

Suzie

From: Gregory Taylor <gltone@comcast.net>

Sent: Tuesday, October 3, 2023 2:59 PM

To: Sanchez, Suzanna A. <suzannasanchez@cabq.gov>; Debra Taylor <cowgirldebs@hotmail.com>

Subject: Variance Request File VA-2023-00246 - 5505 Valiente Rd. NW 87120

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

Hello! My name is Gregory Taylor and I live at 5508 Valiente Rd. NW across the street from where the above listed Variance Notice is posted. I am requesting to know the nature of the variance that is being requested. Are they planning to build higher than the 15' we were restricted to when we built our home? Are they planning to build a two story home? We have a direct interest in what is allowed because the reason we bought the lots we did on Valiente was there was height restrictions to preserve the views from our property. I would appreciate it if you would respond to my questions so that we can have a clear understanding of what our new neighbor is trying to do and whether it will affect the enjoyment of our home and possibly the value. I look forward to hearing back from you on this matter. Respectfully, Gregory Taylor 505-730-5900

From: [Frankie Gonzales](#)
To:
Subject: [EXTERNAL] Fwd: 5505 Vailente NW Notice for EPC
Date: Monday, October 2, 2023 12:12:01 PM

From: **Clarissa Gonzales** <cmaes20@gmail.com>
Date: Wed, Sep 27, 2023 at 4:00 PM
Subject: 5505 Vailente NW Notice for EPC
To: mariancp@gmail.com <mariancp@gmail.com>

Good Afternoon,

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

Have a great day.

Thank you,

Clarissa J. Gonzales

<NeighborhoodMeetingRequestTRNAPendleton (1).pdf>

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

SIGN POSTING AGREEMENT

REQUIREMENTS

POSTING SIGNS ANNOUNCING PUBLIC HEARINGS

All persons making application to the City under the requirements and procedures established by the Integrated Development Ordinance are responsible for the posting and maintaining of one or more signs on the property which is subject to the application, as shown in Table 6-1-1. Vacations of public rights-of-way (if the way has been in use) also require signs. Waterproof signs are provided at the time of application for a \$10 fee per sign. If the application is mailed, you must still stop at the Development Services Front Counter to pick up the sign(s).

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

1. LOCATION

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

2. NUMBER

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

3. PHYSICAL POSTING

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

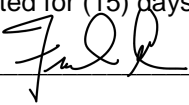
4. TIME

Signs must be posted from 11-1-2023 To 12-03-2023

5. REMOVAL

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

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


(Applicant or Agent)

22 August 2023
(Date)

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

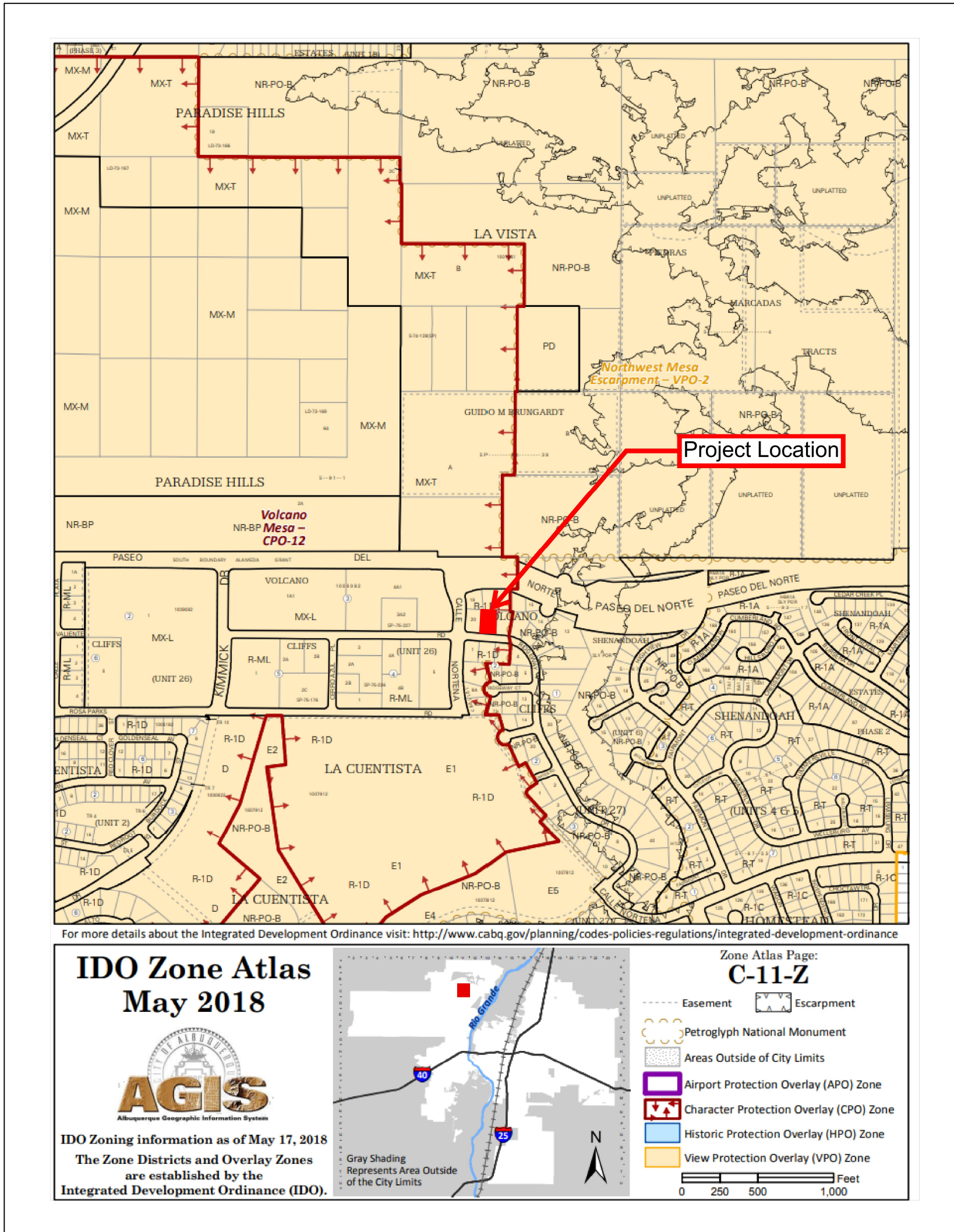
PROJECT NUMBER: _____

VARIANCE REQUEST

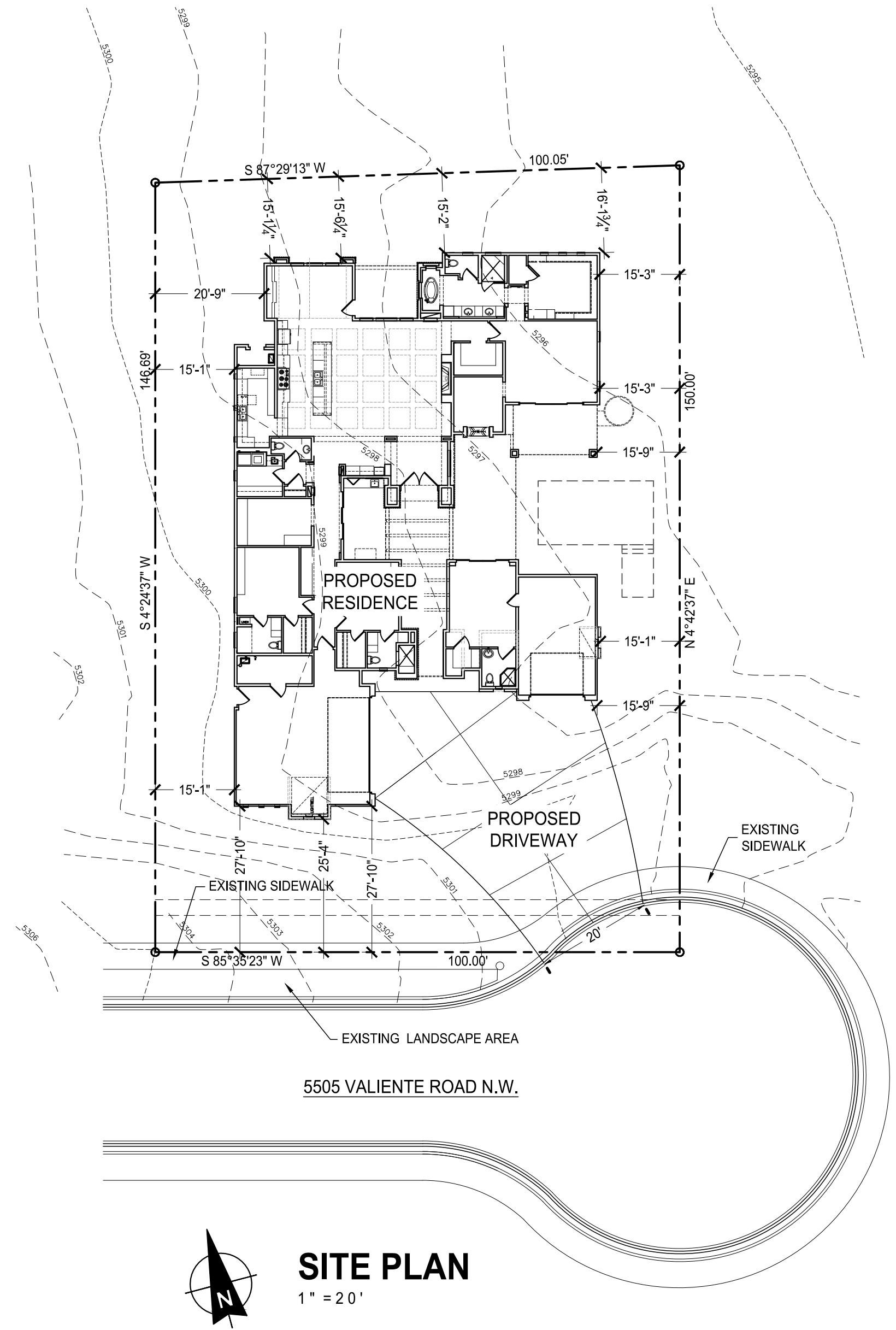
- Site Plan

- Elevations

- Sections/View Plane



ZONE ATLAS PAGE - C-11-Z
NOT TO SCALE



SITE PLAN
1" = 20'

CONTENTS

- 1.....COVER SHEET, ZONE ATLAS PAGE, SITE PLAN & AERIAL VIEW
- 2.....SITE PLAN & SITE PLAN ELEVATIONS
- 3.....SITE SECTIONS, SITE PLAN & ADJ. HOME HEIGHT EXHIBIT

PROJECT DATA

PROJECT ADDRESS: 5505 VALIENTE RD. N.W.
ALBUQUERQUE, NEW MEXICO

LEGAL DESCRIPTION: LOT 21, BLOCK 1
VOLCANO CLIFFS UNIT 27
BERNALILLO COUNTY, NEW MEXICO

PROJECT SCOPE

THE PURPOSE OF THIS SET OF PLANS IS TO DOCUMENT THE APPLICABILITY OF 14-16-6-8(N) AND 6-8(N)(1)(c) OF THE CITY OF ALBUQUERQUE INTEGRATED DEVELOPMENT ORDINANCE (IDO) FOR A HEIGHT VARIANCE REQUEST THROUGH VARIANCE - EPC FOR THE SUBJECT ADDRESS.

THE FOLLOWING DOCUMENTS EXHIBIT THE EXISTING SITE, ESCARPMENT AND ADJACENT ROADS, INCLUDING ELEVATION HEIGHTS AND HOW THEY RELATE TO THE SUBJECT PROPERTY WITH REGARD TO THE FOLLOWING SECTION OF THE IDO:

6-8(N)(3)(c) NORTHWEST MESA ESCARPMENT - VPO-2

2. VISUAL IMPACT
THE IMPACT OF THE PROPOSED DEVELOPMENT ON VIEWS TO AND FROM THE ESCARPMENT WILL BE THE SAME AS, OR LESS THAN, THE IMPACT IF THE 15-FOOT HEIGHT LIMIT WERE MET.

LEGEND

- PROPERTY LINE, TYPICAL
- TOPOGRAPHY LINE, TYPICAL
- ±#### AT ELEVATION TARGET POINT
- FF or F.F. FINISHED FLOOR (TOP OF HOUSE SLAB)
REFERENCE GARAGING AND DRAINAGE PLAN
- FP or F.G. FINISHED GRADE (TOP OF HOUSE SLAB)
REFERENCE GARAGING AND DRAINAGE PLAN



AERIAL VIEW
NOT TO SCALE

NOTE:
ALL ELEVATION NUMBERS WERE
OBTAINED VIA GOOGLE EARTH

REFERENCE SECTION 'E / W'
ON SHEET '3' FOR SITE SECTION
AND VIEW LINE FROM CUMBERLAND
ROAD UP THE ESCARPMENT TOWARD
THE SUBJECT PROPERTY

1. THIS SET OF DRAWINGS EXISTS AS A WHOLE. IT IS THE SOLE RESPONSIBILITY OF EACH CONTRACTOR INVOLVED IN THE PROJECT TO REVIEW THESE DRAWINGS AS SUCH. EACH SHEET MAY CONTAIN WORK PERTINENT TO THEIR RESPECTIVE DISCIPLINES.

2. DUE TO POTENTIAL INCONSISTENCIES DURING PLAN REPRODUCTION, SCALING THE DRAWING TO VERIFY OR OBTAIN DIMENSIONS IS NOT RECOMMENDED.

PROJECT ADDRESS:
5505 VALIENTE RD. N.W.
ALBUQUERQUE, NM 87120

CLIENT'S NAME:
MR. AND MRS. GONZALES

EXHIBIT FOR
HEIGHT VARIANCE

SHEET CONTENTS:
COVER SHEET, ZONE ATLAS
PAGE, SITE PLAN & AERIAL VIEW

PROJECT NAME:
GONZALES RESIDENCE

PROJECT NUMBER:
23-016

PROJECT PROGRESS:
FINAL

DRAWN BY:
D.S.G.

CHECKED BY:
DG

APPROVED BY:
DG

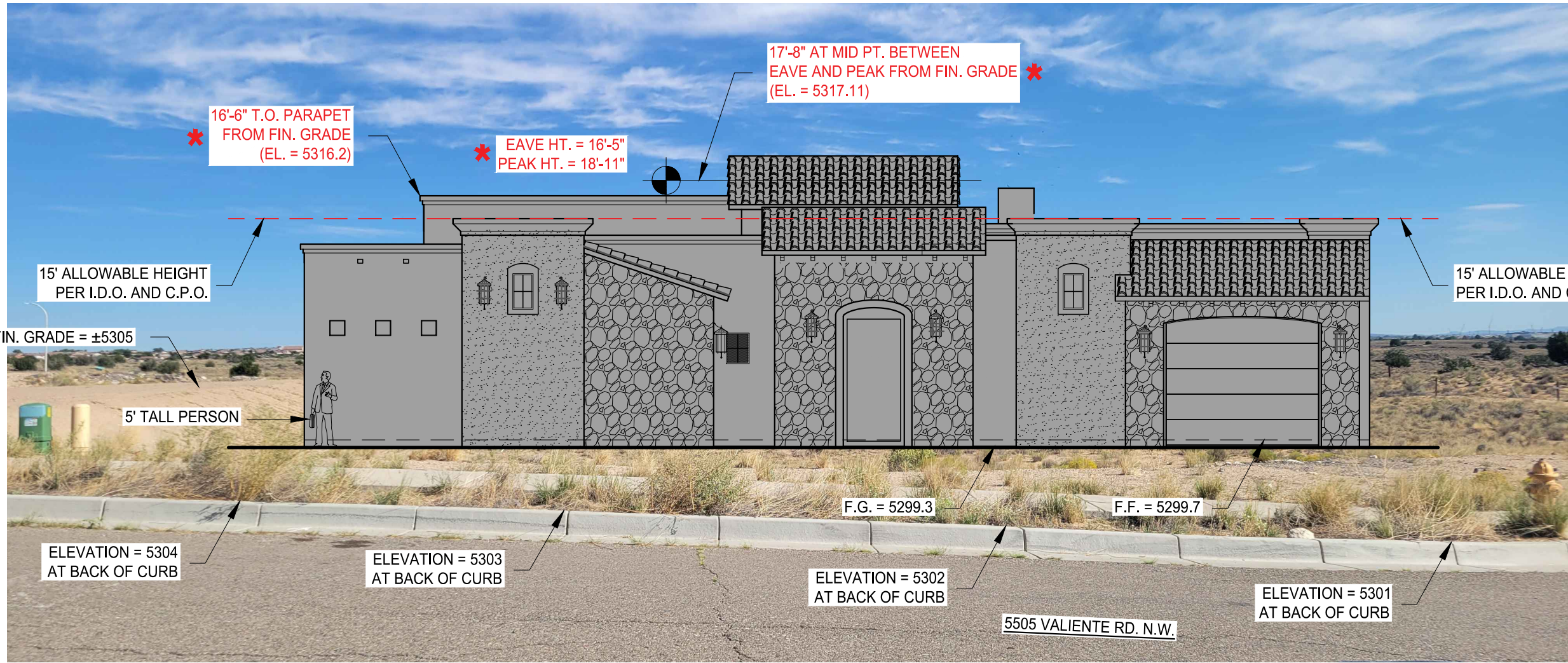
DATE:
10.27.23

SCALE:
AS NOTED

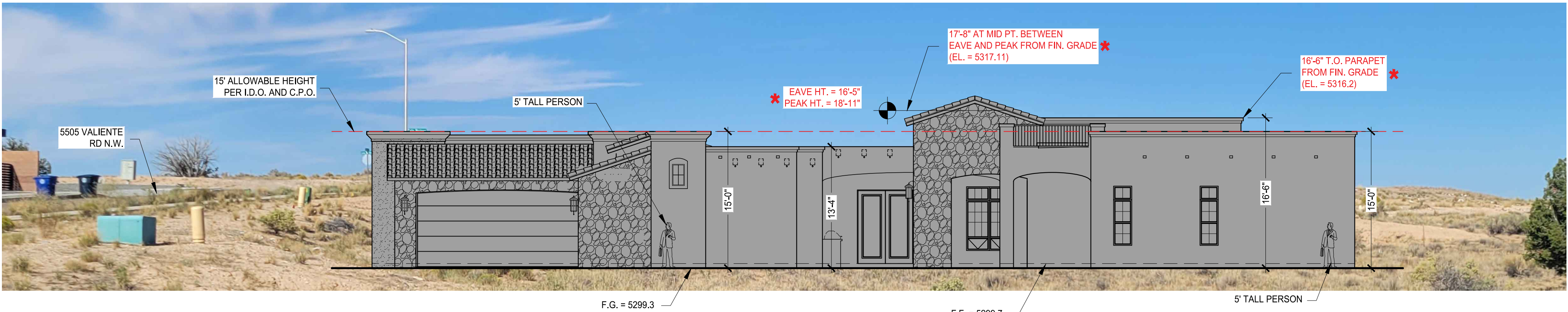
SHEET:

1

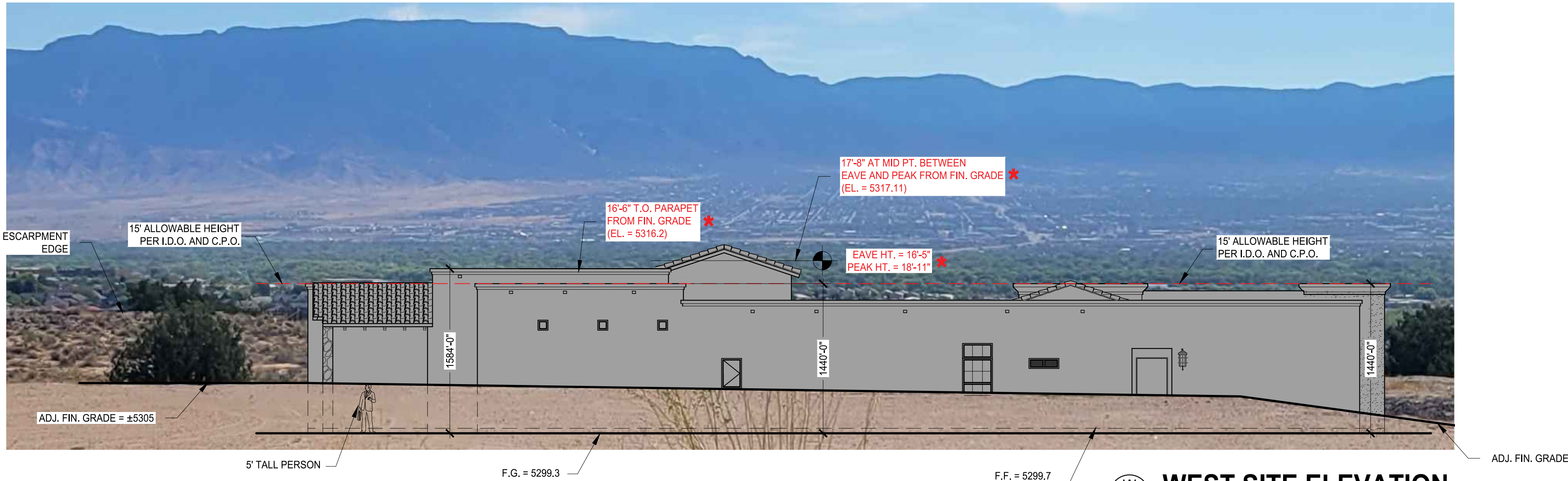
- 3 TOTAL SHEETS -



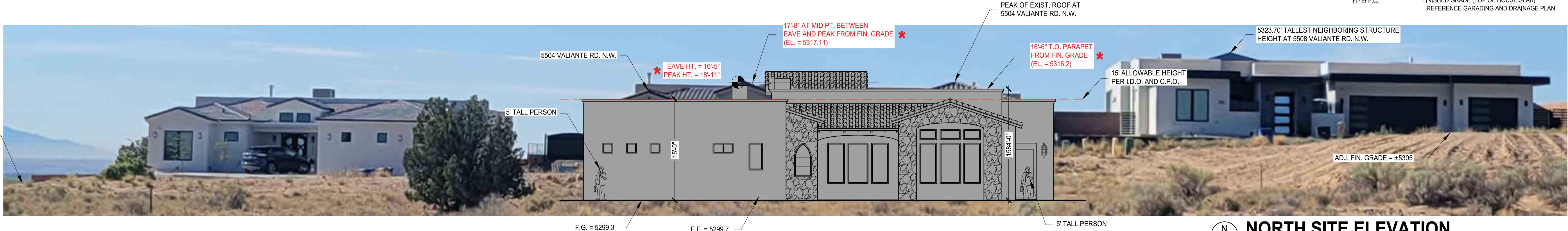
SOUTH SITE ELEVATION
1/8" = 1'-0"



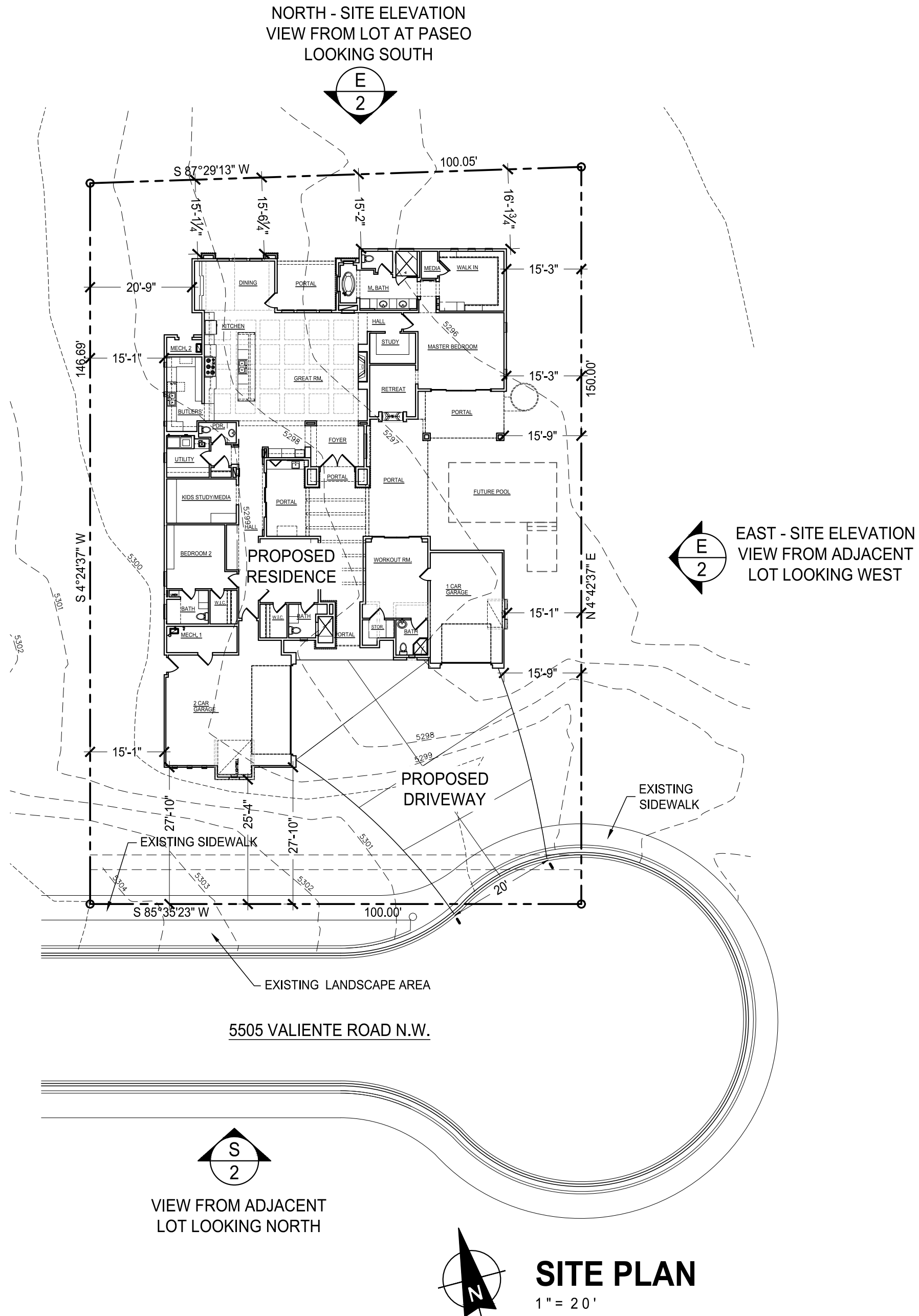
EAST SITE ELEVATION
1/8" = 1'-0"



WEST SITE ELEVATION
1/8" = 1'-0"



NORTH SITE ELEVATION
1/8" = 1'-0"



SITE PLAN
1" = 20'

NOTE:
REFERENCE SITE PLAN FROM ORIGINAL
PLAN SET AND APPROVED GRADING AND
DRAINAGE PLAN FOR FULL SITE INFORMATION.
THIS SITE PLAN IS FOR VIEW POINT
LOCATION REFERENCE ONLY.

LEGEND	
	PROPERTY LINE, TYPICAL
	TOPOGRAPHY LINE, TYPICAL
	ELEVATION TARGET POINT
FF or F.F.	FINISHED FLOOR (TOP OF HOUSE SLAB) REFERENCE GRADING AND DRAINAGE PLAN
FP or F.G.	FINISHED GRADE (TOP OF HOUSE SLAB) REFERENCE GRADING AND DRAINAGE PLAN

1. THIS SET OF DRAWINGS EXISTS AS A WHOLE. IT IS THE SOLE RESPONSIBILITY OF EACH CONTRACTOR INVOLVED IN THE PROJECT TO REVIEW THESE DRAWINGS AS SUCH. EACH SHEET MAY CONTAIN WORK PERTINENT TO THEIR RESPECTIVE DISCIPLINES.
2. DUE TO POTENTIAL INCONSISTENCIES DURING PLAN REPRODUCTION, SCALING THE DRAWING TO VERIFY OR OBTAIN DIMENSIONS IS NOT RECOMMENDED.

PROJECT ADDRESS:
**5505 VALIENTE RD. N.W.
ALBUQUERQUE, NM 87120**

CLIENT NAME:
MR. AND MRS. GONZALES

EXHIBIT FOR HEIGHT VARIANCE

SHEET CONTAINS:
SITE PLAN & SITE ELEVATIONS

PROJECT NAME:
GONZALES RESIDENCE

PROJECT NUMBER:
23-016

PROJECT PROGRESS:
FINAL

DRAWN BY:
D.S.G.

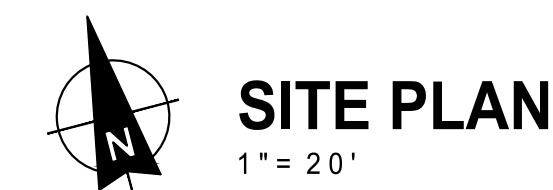
CHECKED BY:
DG

APPROVED BY:
DG

DATE:
10.27.23






SCALE:
AS NOTED

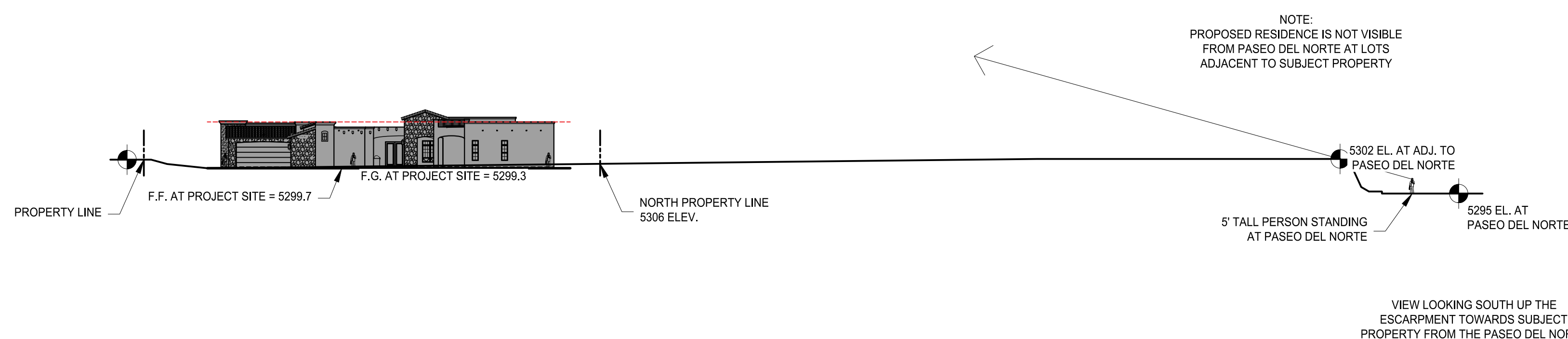
SHEET:
2



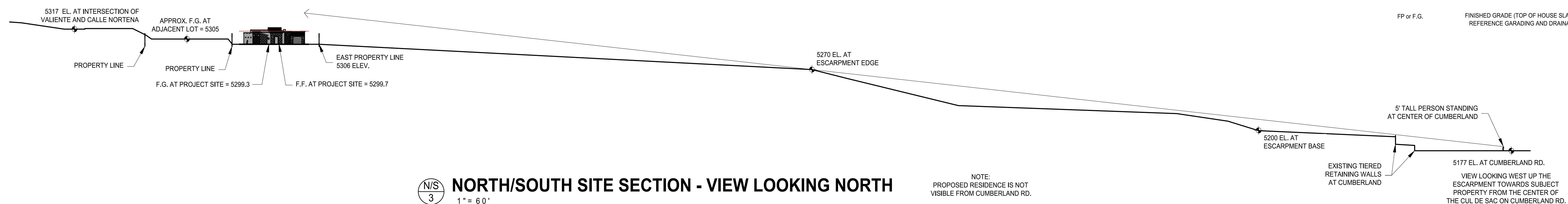
NOTE:
REFERENCE SITE PLAN FROM ORIGINAL
PLAN SET AND APPROVED GRADING AND
DRAINAGE PLAN FOR FULL SITE INFORMATION.
THIS SITE PLAN IS FOR SITE SECTION LOCATION
REFERENCE ONLY.

LEGEND

	PROPERTY LINE, TYPICAL
	TOPOGRAPHY LINE, TYPICAL
	ELEVATION TARGET POINT
	FINISHED FLOOR (TOP OF HOUSE SLAB) REFERENCE GARAGING AND DRAINAGE PLAN
	FINISHED GRADE (TOP OF HOUSE SLAB) REFERENCE GARAGING AND DRAINAGE PLAN



EAST/WEST SITE SECTION - VIEW LOOKING WEST



 **NORTH/SOUTH SITE SECTION - VIEW LOOKING NORTH**
1" = 60'

1. THIS SET OF DRAWINGS EXISTS AS A WHOLE. IT IS THE SOLE RESPONSIBILITY OF EACH CONTRACTOR INVOLVED IN THE PROJECT TO REVIEW THESE DRAWINGS AS SUCH. EACH SHEET MAY CONTAIN WORK PERTINENT TO THEIR RESPECTIVE DISCIPLINES.
2. DUE TO POTENTIAL INCONSISTENCIES DURING PLAN REPRODUCTION, SCALING THE DRAWING TO VERIFY OR OBTAIN DIMENSIONS IS NOT RECOMMENDED.

PROJECT ADDRESS:
5505 VALIENTE RD. N.W.
ALBUQUERQUE, NM 87120

CLIENT'S NAME:
MR. AND MRS. GONZALES

SHEET CONTENTS:
SITE SECTIONS, SITE PLAN AND
ADJ. HOME HEIGHT EXHIBIT

PROJECT NAME:
GONZALES RESIDENCE

-PROJECT NUMBER-		
23-016		
-PROJECT PROGRESS-		
FINAL		
-DRAWN BY-		
D.S.G.		
-CHECKED BY-	/	-APPROVED BY-
DG		DG
-DATE-	10.27.23	
-SCALE-	AS NOTED	
-SHEET-		

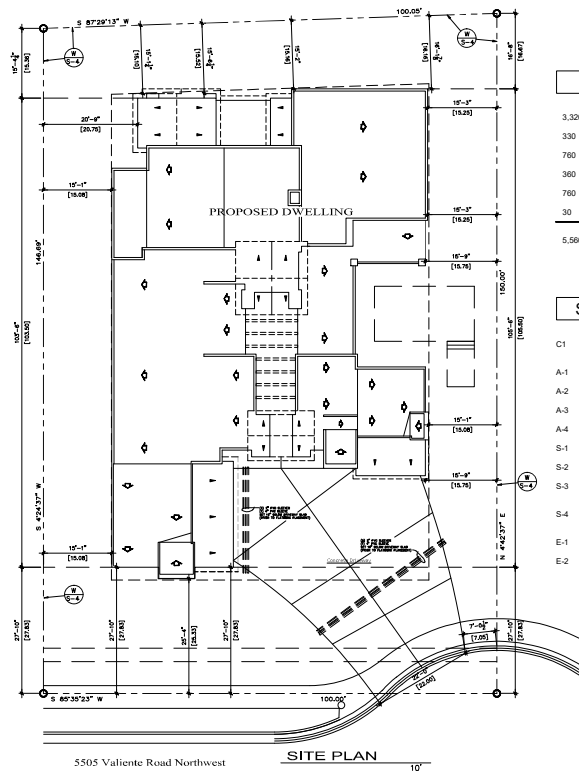
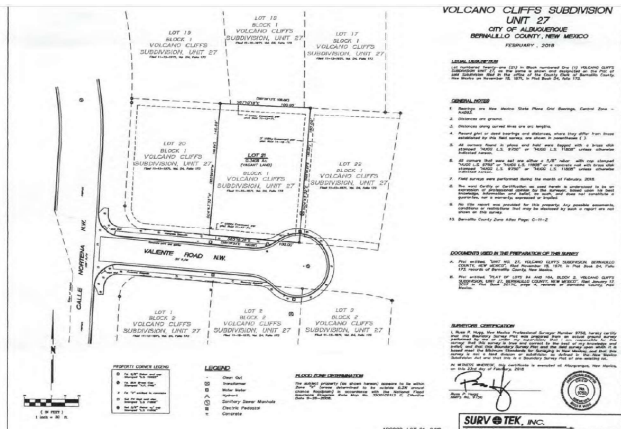
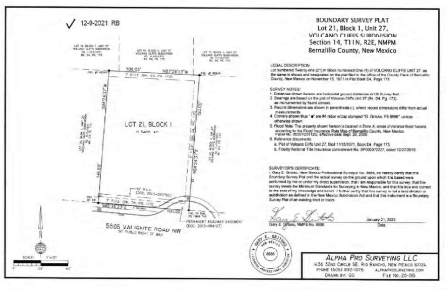
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- 3 TOTAL SHEETS-

GONZALES RESIDENCE

Frank & Clarissa Gonzales

5505 Valiente Road Northwest
NW, Albuquerque, NM 87120



SQUARE FOOTAGE

3,320	HEATED
330	WORKOUT ROOM
760	2 CAR GARAGE
360	1 CAR GARAGE
760	PORTALES
30	MECHANICAL 2
5,560	TOTAL FRAME (SQ. FT)

SHEET DESCRIPTION

C1	COVER SHEET, SUBDIVISION PLAT, LOT SURVEY, SITE PLAN	1
A-1	FLOOR PLAN, EXTERIOR ELEVATIONS	2
A-2	EXTERIOR ELEVATIONS	3
A-3	REFLECTED CEILING PLAN	4
A-4	ROOF PLAN	5
S-1	FOUNDATION PLAN	6
S-2	ROOF FRAMING PLAN	7
S-3	FOUNDATION DETAILS, WALL SECTIONS, TRUSS PROFILES, DETAILS	8
S-4	GENERAL NOTES, STRUCTURAL NOTES, & DETAILS	9
E-1	POWER PLAN	10
E-2	LIGHTING PLAN	11



Gens Felles
CONSTRUCTION
CONSULTING
COATING

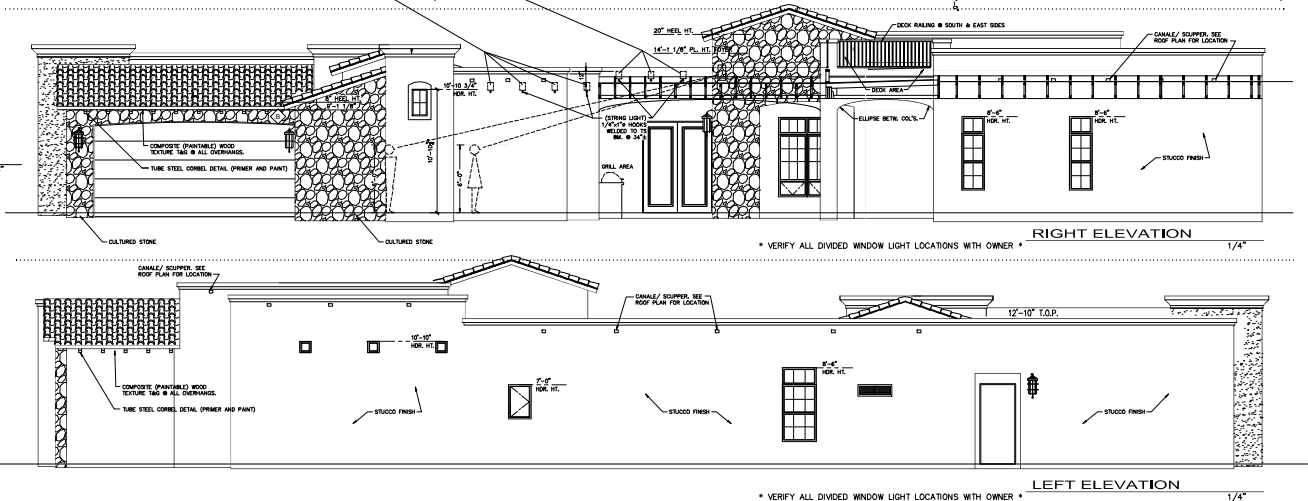
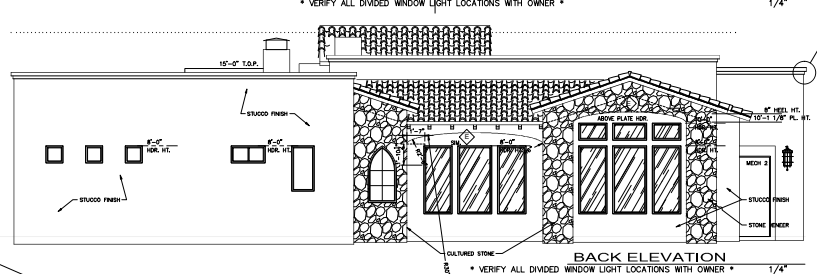
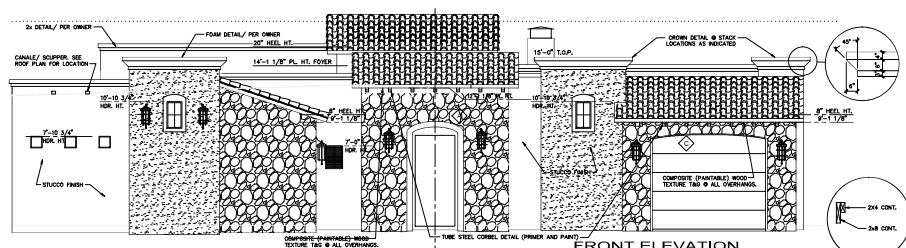
PROJECT #
DATE
REVISIONS

SCALE AS NOTED

PERMIT SET
DATE

GONZALES RESIDENCE
COVER SHEET, SITE PLAN
LOT SURVEY, SITE PLAN

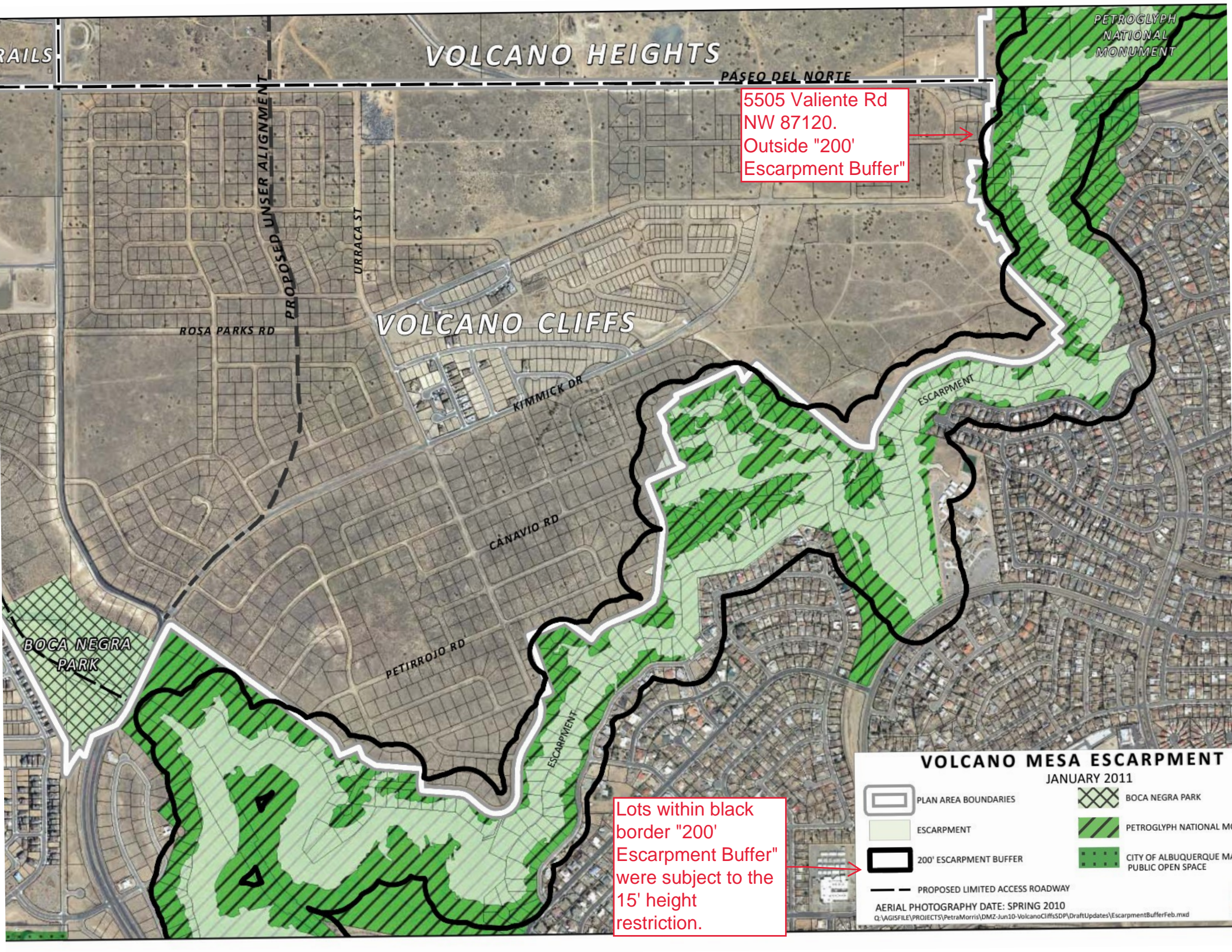
CS/C-1



SCALE AS NOTED

A-2

APPLICANT EXHIBITS



VOLCANO HEIGHTS

PASEO DEL NORTE

PETROGLYPH
NATIONAL
MONUMENT

5505 Valiente Rd
NW 87120.
Outside "200'
Escarpment Buffer"

VOLCANO CLIFFS

ROSA PARKS RD

PROPOSED UNSER ALIGNMENT

URRACA ST

KIMMICK DR

CANAVIO RD

PETIRROJO RD

BOCA NEGRA
PARK

VOLCANO MESA ESCARPMENT

JANUARY 2011

- PLAN AREA BOUNDARIES
- BOCA NEGRA PARK
- ESCARPMENT
- PETROGLYPH NATIONAL M
- 200' ESCARPMENT BUFFER
- CITY OF ALBUQUERQUE MA
- PUBLIC OPEN SPACE

PROPOSED LIMITED ACCESS ROADWAY

AERIAL PHOTOGRAPHY DATE: SPRING 2010

Q:\AGISFILE\PROJECTS\PetraMorris\DMZ-Jun10-VolcanoCliffsSDP\DraftUpdates\EscarpmentBufferFeb.mxd

Lots within black
border "200'
Escarpment Buffer"
were subject to the
15' height
restriction.

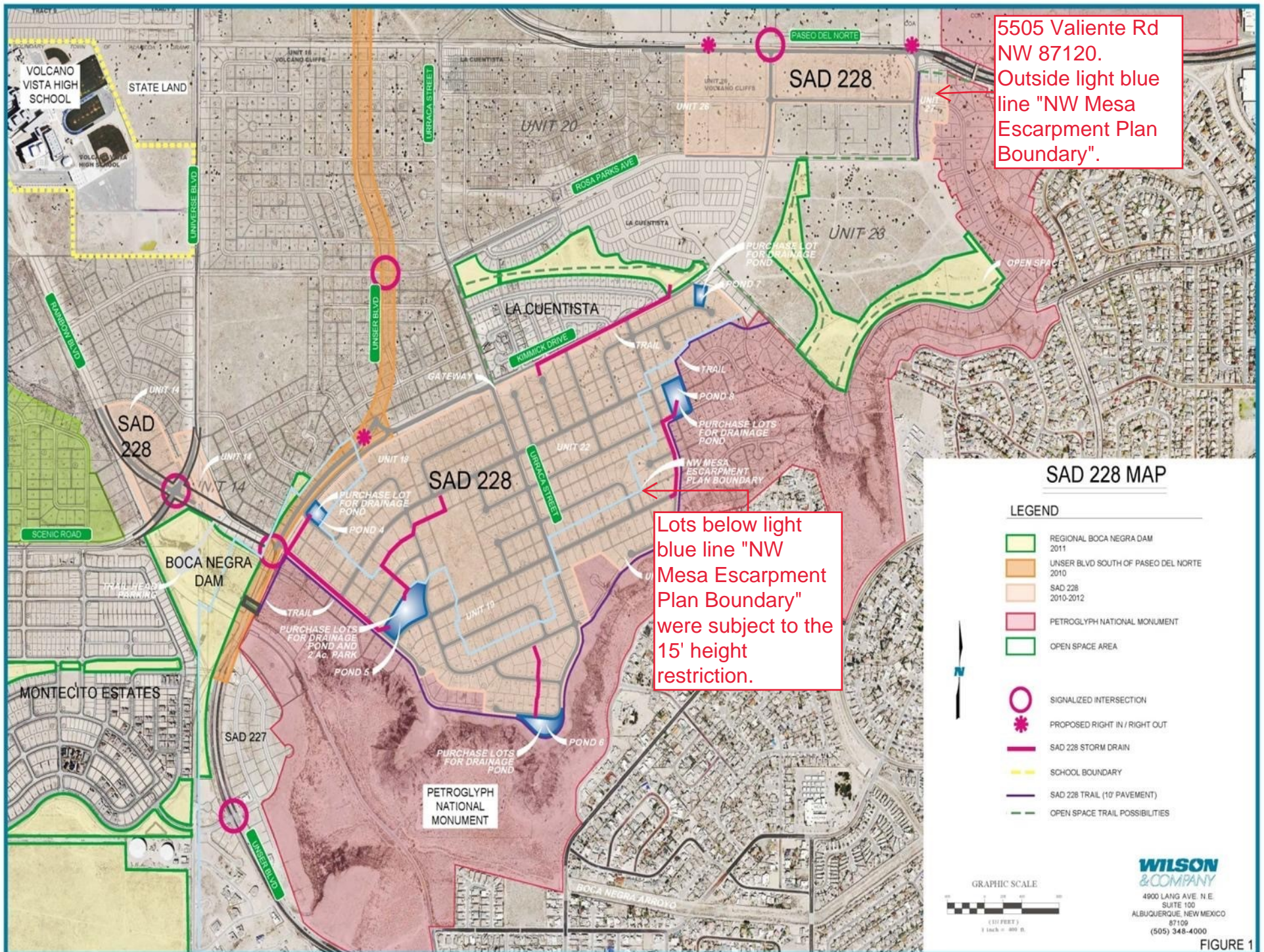


FIGURE 1