

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

OFFICIAL NOTIFICATION OF DECISION

Hoffmantown Church
8888 Harper Dr. NE
Albuquerque, NM 87111

Project# PR-2018-001560

Application#

VA-2022-00328 IDO WAIVER – (Sidewalk)

VA-2022-00329 IDO WAIVER – (Backyard)

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

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

LEGAL DESCRIPTION:

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

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

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

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

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

VA-2022-00328 IDO WAIVER - Sidewalk

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

VA-2022-00329 IDO WAIVER - Backyard

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

VA-2022-00330 IDO WAIVER – Block Length

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

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

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

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

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

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

Official Notice of Decision

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

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Sincerely,

A handwritten signature in black ink, appearing to read "J. Wolfley". The signature is fluid and cursive, with the first letter of each word being capitalized and prominent.

Jolene Wolfley
DRB Chair

JW/jr

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