

**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

Barbara Mueller
9913 Greene Street NW
Albuquerque, NM 87114

Project# PR-2020-004457

Application#

SI-2021-01506 EPC SITE PLAN FINAL SIGN-OFF

SD-2021-00025 PRELIMINARY PLAT

VA-2021-00033 WAIVER

VA-2021-00034 TEMPORARY DEFERRAL OF
SIDEWALK

LEGAL DESCRIPTION:

All or a portion of **TRACT 22 VOLCANO CLIFFS
SUBD UNIT 6 LOT 22, VOLCANO CLIFFS UNIT 6**
zoned R-A, located on **QUIVIRA DR between
VISTA VIEJA AVE and RETABLO RD** containing
approximately 7.819 acre(s). (D-9)

On September 29, 2021, the Development Review Board (DRB) held a public meeting concerning the above referenced applications and approved the requests, with delegation to Parks and Recreation and Planning for the EPC Site Plan Final Sign-off, based on the following Findings:

SI-2021-01506 EPC SITE PLAN FINAL SIGN-OFF

1. The EPC approved this project on July 15, 2021 per SI-2021-00651.
2. The Site Plan meets the EPC conditions. DRB staff coordinated with EPC staff on the request. EPC staff provided a memo stating the conditions were addressed.
3. The request proposal includes 23 lots and one drainage tract that are adjacent to Major Public Open Space (MPOS).
4. The proper notice was given as required by the IDO in Table 6-1-1.

5. Pursuant to 6-6(H)(3) Review and Decision Criteria An application for a Site Plan – EPC shall be approved if it meets all of the following criteria:

- a. 6-6(H)(3)(a) *The Site Plan is consistent with the ABC Comp Plan as amended.*

The Site Plan is consistent with the ABC Comp Plan as amended.

- b. 6-6(H)(3)(b) *The Site Plan is consistent with any applicable terms and conditions in any previously approved NR-SU or PD zoning covering the property and any related development agreements and/or regulations.*

The site is zoned R-A, future development must be consistent with the underlying zoning, CPO-13, and VPO-2.

- c. 6-6(H)(3)(c) *The Site Plan complies with all applicable provisions of this IDO, the DPM, other adopted City regulations, and any terms and conditions specifically applied to development of the property in a prior permit or approval affecting the property.*

The features and improvements depicted on the Site Plan must meet the 2019 IDO requirements. Due to the adjacency of the site to MPOS, a 45-foot open space buffer and setback encroaches on portions of Lots 1, 12-17, and 23: All landscaping within the 45-foot open space buffer must be approved by the Open Space Superintendent per 5-2(K)(2)(a)(1) of the IDO, and coordination with the Open Space Division of the Parks and Recreation Department is required regarding plant selection and location prior to approval of Building Permits (on the portions of the 23 lots within the open space buffer) at the time of Building Permit submission and review. All walls adjacent to MPOS must comply with 5-7(E)(4) of the IDO.

- d. 6-6(H)(3)(d) *The City's existing infrastructure and public improvements, including but not limited to its street, trail, drainage, and sidewalk systems, have adequate capacity to serve the proposed development, and any burdens on those systems have been mitigated to the extent practicable.*

The site has access to a full range of urban services including utilities, roads and emergency services. A Traffic Impact Study was not required and the site has an approved grading and drainage plan.

- e. 6-6(H)(3)(e) *The application mitigates any significant adverse impacts on the surrounding area to the maximum extent possible.*

Landscaping per the Site Plan and the recommendation of the Open Space Division of the Parks and Recreation Department will be provided around the periphery of the drainage tract as well as on the individual lots at the time of Building Permit respectively. Additionally, a wall will be provided around the periphery of the proposed development.

Conditions:

1. Final sign-off is delegated to Parks and Recreation to clarify the note regarding the 45-foot setback at the northeast corner of the site that the area can include no structures except for view fencing.
2. Final sign-off is delegated to Planning to verify the correct IDO date on the Site Plan, for Code Enforcement to be added to the signature block, and for the project and application numbers to be indicated on the Site Plan.
3. The applicant will obtain final sign off from Parks and Recreation and Planning by November 29, 2021 or the case may be scheduled for the next DRB hearing and could be denied per the DRB Rules of Procedure.

SD-2021-00025 PRELIMINARY PLAT

1. This Preliminary Plat subdivides Tract 22 of Volcano Cliffs Unit 6, 7.819 acres in size, into 23 lots and one tract (the tract being a public drainage easement), dedicates 0.1626 acres of right-of-way, and grants a 7-foot private drainage easement.
2. The property is zoned R-A, future development must be consistent with the underlying zoning, CPO-13, and VPO-2.
3. An Infrastructure List was approved with the Plat. A recorded Infrastructure Improvements Agreement (IIA) is needed prior to the Final Plat.
4. Within 1 year after DRB approval of the Preliminary Plat, the applicant shall submit a Final Plat that meets all standards and requirements in the DPM.
5. The pro rata shall be paid prior to the approval of the Final Plat per ABCWUA.
6. The applicant provided the required notice as outlined in the IDO Table 6-1-1.

VA-2021-00033 WAIVER

1. The applicant proposes a waiver to the IDO/DPM standard(s) from the requirements for providing a Fire Marshal-approved turn-around at the intersection of Retablo Road and Quivira Drive.
2. The request is justified per 14-16-6-6(P)(3)(a)3. of the IDO. There is a city property consisting of open space to the east of the intersection of Retablo Road and Quivira Drive, and reducing the amount of pavement required at the intersection will reduce the amount of runoff flow into the open space to the east of the intersection.
3. The applicant provided the required notice as outlined in the IDO Table 6-1-1.

VA-2021-00034 TEMPORARY DEFERRAL OF SIDEWALK CONSTRUCTION

1. The applicant proposes the temporary deferral of sidewalk construction of internal sidewalks until dwellings fronting along the internal sidewalks are constructed.
2. Transportation engineering had no objections.

APPEAL: If you wish to appeal this decision, you must do so within 15 days of the DRB's decision or by **OCTOBER 14, 2021**. 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). Files larger than 9MB can be sent to PLNDRS@CABQ.GOV using <https://wettransfer.com>. 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).

Sincerely,



Jolene Wolfley
DRB Chair

JW/jr

Rio Grande Engineering, P.O. Box 93924, ABQ, NM 87199