



Development Facilitation Team (DFT) – Review Comments

Reviewer: David G. Gutierrez, P.E. | Phone: 505-289-3381 | dggutierrez@abcwua.org

Project No: PR-2021-005630 Date: 1/08/2025 Agenda Item: #5 Zone Atlas Page: P-9

Legal Description: RR3B1, WESTLAND SOUTH

Request: Waiver request to EV parking requirements for a new LIHTC Multi-Family Project

Location: 98th St SW and 118th St SW

Application For: VA-2025-00002 – WAIVER TO IDO (Sketch Plat 3-6-24 (DFT))

1. No comments.

DEVELOPMENT FACILITATIVE TEAM (DFT)

Code Enforcement Comments

Disclaimer: Comments provided are based upon information received from applicant/agent. If new or revised information is submitted, additional comments may be provided by Planning staff.

Jeff Palmer-Code Enforcement Supervisor
Planning Department
jppalmer@cabq.gov

DATE: 01/08/2025

AGENDA ITEM NO: 5

PROJECT NUMBER:

PR-2021-005630

VA-2025-00002 – WAIVER TO IDO

SKETCH PLAT 3-6-24 (DFT)

IDO – 2023

PROJECT NAME:

CONSENSUS PLANNING, INC. agent for **DBG PROPERTIES | ERIC GRODAHL** requests the aforementioned action(s) for all or a portion of: **TRACT RR3B1, WESTLAND SOUTH** zoned **R-ML**, located between **98th ST SW** and **118th ST SW** containing approximately **11.19** acre(s). **(P-09)**

PROPERTY OWNERS: **DBG PROPERTIES LLC & PEORIA CAR WASH PARTNERS LLC & TEMPE CAR WASH ETAL**

REQUEST: Waiver request to EV parking requirements for a new LIHTC Multi-Family Project

COMMENTS:

1. Code Enforcement has no comments and no objections.



DEVELOPMENT FACILITATION TEAM

Parks and Recreation Department

PR-2021-005630

PS-2024-00035 – SKETCH PLAT

REQUEST: Proposed subdivision of Land-Major which includes the development of 75 lots

LOTS/SUBDIVISION: TR RR3B1 plat for Westland south tracts RR-3-B-1, ANDRR-3-C-1 (Cont 11.1940 AC)

ADDRESS/LOCATION: Between Dennis Chavez Blvd and 98th ST

ZONED: R-ML

IDO: 2022

Comments:

03-06-2024

There is existing paved multi-use trail along Dennis Chavez maintained by the City of Albuquerque.

IDO 5-6(D)(2) Additional Frontage Landscaping

5-6(D)(2)(a) General Commercial and mixed-use buildings with a footprint of more than 50,000 square feet shall have at least 1 tree and 3 shrubs planted every 30 feet along the length of any façade facing a City park or trail, Major Public Open Space, or major arroyo.

5-3(D)(3)(b) On-site pedestrian walkways shall connect to all of the following:

3. b. Any abutting City park or trail, Major Public Open Space, or other Civic or Institutional uses, as long as such access is coordinated with and approved by the Parks and Recreation Department or the property owner of the civic or institutional use.

DEVELOPMENT HEARING OFFICER - HYDROLOGY SECTION
Richard Martinez, PE, Senior Engineer | 505-924-3362 richardmartinez@cabq.gov

DRB Project Number: 2021-005630 Hearing Date: 01-08-2025

Project: Tract RR3B1, Westland South
Between 98th St. and 118th St. NW Agenda Item No: 5

<input type="checkbox"/> Minor Preliminary / Final Plat	<input type="checkbox"/> Preliminary Plat	<input type="checkbox"/> Final Plat
<input type="checkbox"/> Temp Sidewalk Deferral	<input checked="" type="checkbox"/> IDO Waiver/Variance	<input type="checkbox"/> Bulk Land Plat
<input type="checkbox"/> DPM Variance	<input type="checkbox"/> Vacation of Public Easement	<input type="checkbox"/> Vacation of Public Right of Way

ENGINEERING COMMENTS:

- Hydrology has an Approved Conceptual Grading & Drainage Plan with an Engineer's stamp date of 09/17/2024 (HT # P09D004).
- Hydrology has no objection to the IDO Waiver action.
- An updated and approved Grading and Drainage Plan prepared by a licensed New Mexico civil engineer is required prior to Grading Permit or Building Permit if one of these conditions is met: (500 cy of grading, 1,000 sf of proposed building, or 10,000 sf of proposed paving).

☐ APPROVED
☐ DENIED

DELEGATED TO: ☐ TRANS ☐ HYD ☐ WUA ☐ PRKS ☐ PLNG
Delegated For: _____
SIGNED: ☐ I.L. ☐ SPSP ☐ SPBP ☐ FINAL PLAT
DEFERRED TO _____

DEVELOPMENT HEARING OFFICER

TRANSPORTATION DEVELOPMENT

DRB Project Number: 2021-005630
Ceja Vista 98th and Dennis Chavez

AGENDA ITEM NO: 5

SUBJECT: Waiver to IDO

ENGINEERING COMMENTS:

1. No objection to the waiver.

. If new or revised information is submitted, additional comments may be provided by Transportation Development.

FROM: Ernest Armijo, P.E.
Transportation Development
505-924-3991 or earmijo@cabq.gov

DATE: January 8, 2025

ACTION:

APPROVED __; DENIED __; DEFERRED __; COMMENTS PROVIDED __; WITHDRAWN __

DELEGATED: _____ TO: (TRANS) (HYD) (WUA) (PRKS) (CE) (PLNG)



DEVELOPMENT HEARING OFFICER

Planning - Case Comments

MEETING DATE: 1/8/25 -- **AGENDA ITEM:** #5

Project Number: PR-2021-005630

Application Numbers: VA-2025-00002

Project Name: 98th & Dennis Chavez (Ceja Vista)

Request:

Waiver to EV parking space requirement

**These are preliminary Planning comments. Additional reviews and/or revised comments may be needed for any modifications and/or supplemental submittals.*

Comment in orange require a response.

BACKGROUND:

- The associated Site Plan submittal (SI-2024-01679) is currently under DFT-administrative review for a new Multi-Family development. Associated with Affordable Housing.
- This is a request for a Development Waiver to the 5% EV Charging Station-Parking Space requirement. Per IDO section 5-5-C-9 for Electric Vehicle Parking.

5-5-9-c-a: When more than 200 off-street parking spaces are constructed, at least 5 percent of the vehicle parking spaces shall include electric vehicle charging stations installed with a rating of 240 volts or higher.

5-5-C-9-c: All new multi-family residential developments containing more than 100 dwelling units shall meet both of the following requirements.

1. At least 5 percent of the required off-street parking spaces shall have electric vehicle (EV) charging stations installed with a rating of 240 volts or higher.
2. At least 25 percent of the required off-street parking spaces shall be provided as EV capable. **(#2 is being met)*

The required/Provided parking on the associated Site Plan is 405 spaces, including covered, uncovered, and EV-capable spaces. However, no EV Charging stations are provided, subject to this waiver request.

**(See additional comments on next pages)*

- The IDO Zone District for the subject property is R-ML. The site and development are subject to the standards of the IDO and DPM.
- Links to the IDO and DPM are featured below:

<https://www.cabq.gov/planning/codes-policies-regulations/integrated-development-ordinance-1>

<https://www.cabq.gov/planning/boards-commissions/development-process-manual-executive-committee>

- **EV Waiver Request**

The purpose of this letter is to request a Waiver – DHO from the Integrated Development Ordinance (IDO) Multi-family EV Parking Requirements in support of the Tierra Linda multifamily development. This project is currently in review for a Site Plan-Administrative DFT as described below.

Tierra Linda is a proposed affordable housing project, financed in part with Low Income Housing Tax Credits (LIHTCs) authorized through the New Mexico Mortgage Finance Authority (MFA). All affordable communities financed with LIHTCs are required to meet MFA's Design Requirements, which includes a 5% EV-Ready parking space mandate on units constructed. A parking ratio for electric vehicles has been established as more reasonable for the intended demographic, yet this project is exceeding the MFA requirement significantly with our proposal at 25% EV-Ready as required by the IDO. Based on DBG's experience, which includes managing Valle de Atrisco and Ceja Vista (adjacent affordable communities) and more than 3,000 additional affordable units across New Mexico, DBG does not expect any demand for EV-Charged parking spaces adding unnecessary cost to the development. The EV-Ready spaces do allow reasonable flexibility going forward.

- The Applicant justified the EV Waiver request per 6-6(P)(3) of the IDO per the following: 6-6(P)(3)(a) –

6-6(P)(3) Review and Decision Criteria

6-6(P)(3)(a) General

An application for a Waiver – DHO shall be approved if it complies with all of the following criteria.

1. Any of the following criteria applies.
 - a. There are pre-existing obstructions that cannot be easily or economically relocated or should not be altered, such as grades, fills, water courses, natural topographic features, man-made obstructions, or utility lines.
 - b. The area or site has been recognized as having historical, archeological, and/or architectural significance by the City, State, or federal government, and a Waiver is needed and appropriate to maintain such historical, archeological, and/or architectural significance.
 - c. The established neighborhood character or landscaping on the site would be damaged to a degree that outweighs the public interest in the City's normal technical standards in that location.
 - d. Varying from the normal requirements and standards will encourage flexibility, economy, effective use of open space, or ingenuity in design of a subdivision, in accordance with accepted principles of site planning.

Applicant Response: The project is designed to supply needed affordable housing to the Albuquerque Metropolitan Area and specifically the West Side. The economic considerations for this type of project are critical to the success of the project and the ability to deliver new, affordable housing to meet the needs of the City. This requirement negatively impacts the actual parking needs for residents since a typical gas-powered vehicle cannot use an EV Charging space, thus reducing the number of spaces available to the residents. This requirement also exceeds the Municipal Finance Authority's requirement for EV Parking for LIHTC projects where they only require EV Capable spaces. This waiver provides for a Site Plan that recognizes the unique nature of this type of project and the needs of its residents. By complying with the EV capable parking requirements, the project will have the ability to employ EV spaces at such time as they are warranted. The waiver addresses criterion 1.d in that varying from the EV Parking requirement to provide flexibility will recognize that currently, no tenants with electric vehicles are anticipated at the project.

The following excerpt is from the MFA's 2024 Mandatory Design Standards for Multifamily Housing:

"Cost Concerns: The design should incorporate proven construction cost-saving techniques, durable cost-effective materials suitable for the intended use, energy saving features, and cost-efficient mechanical systems. Minimizing initial construction costs and continuing operation and maintenance costs are essential to MFA's affordable housing programs."

The MFA Design Standards goes on to provide the following requirement for EV Parking spaces:
"EV-Capable parking spaces shall be provided at a minimum of .05 spaces per Unit."

The IDO requires 25 percent EV-Capable spaces (which exceeds the MFA requirements), which the project is complying with.

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

Applicant Response: The requested waiver will not be materially contrary to the public safety, health, or welfare; and in fact, will benefit these things by providing new, additional affordable housing.

3. The Waiver does not cause significant material adverse impacts on surrounding properties.

Applicant Response: The waiver will not cause any material adverse impacts on any surrounding properties, which are developed with similar multi-family housing projects.

4. The Waiver will not hinder future planning, public right-of-way acquisition, or the financing or building of public infrastructure improvements.

Applicant Response: The property has been platted through the City's process, so all necessary rights-of-way exist and the site plan is currently under review by the Development Facilitation Team for a Site Plan – DFT. This waiver will assist the project in obtaining Site Plan approval from the DFT.

5. The Waiver will not conflict significantly with the goals and provisions of any City, County, or AMAFCA adopted plan or policy, this IDO, or any other City code or ordinance.

Applicant Response: The requested waiver will not conflict significantly with the goals and provisions of adopted plans and policies since it is providing new, needed, affordable housing and the provision of 25% EV capable spaces will ensure the ability to meet any needs in the future.

6. The Waiver will not allow, encourage, or make possible undesired development in the 100-year Floodplain.

Applicant Response: The property is not within a 100-year Floodplain.

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

Applicant Response: The requested waiver will not materially undermine the intent and purpose of this IDO, the R-ML zone district, and is not within an Overlay Zone. The purpose of the off-street parking requirements is as follows:

"This Section 14-16-5-5 is intended to ensure that development provides adequate off-street parking spaces for all modes of transport by establishing standards and requirements that minimize traffic congestion, avoid increased parking on neighborhood streets, allow flexibility in addressing parking demand, and improve the visual appeal of the city by regulating the placement, layout, and design of parking areas, parking structures, and garages."

This project and the MFA standards ensure adequate parking and site amenities to meet the intent of the IDO and provide an excellent residential community.

8. The Waiver does not allow a lot or type of development that does not meet the applicable Development Standards for the zone district where the lot is located, unless a deviation to such standards is within the thresholds established by

Subsection 14-16-6-4(P) (Deviations) and is granted by the DHO as part of this approval.

Applicant Response: The requested waiver does not conflict with the R-ML Zone and will meet the applicable Development Standards. No other deviations are being requested with this project.

9. The Waiver approved is the minimum necessary to provide redress without being inconsistent with the provisions of this Subsection 14-16-6-6(P).

Applicant Response: The requested waiver is the minimum necessary to address the unique type of project proposed to meet the needs of the residents that qualify for this type of project. The provision of the EV capable spaces will allow the project to meet future needs as electric vehicles become more affordable and those charging stations are needed.

10. If the request is for a Waiver to IDO sidewalk requirements, the area is of low-intensity land use to an extent that the normal installation of sidewalks will not contribute to the public welfare, and the absence of a sidewalk will not create a gap in an existing sidewalk system extended to 1 or more sides of the subject property.

Applicant Response: The requested waiver is not for IDO sidewalk requirements.

Based on the project overview and specific responses to the criteria above, we respectfully request your review and approval of the requested waiver to the IDO requirement of 5% electric vehicle charging stations installed with a rating of 240 volts or higher. Based on the unique requirements for this type of LIHTC multi-family development, having EV capable parking is more appropriate at this time.

1. ITEMS TO BE COMPLETED OR CORRECTED

- Staff recommendation is to waive 8 of the required 20 EV Charging Station spaces, as the applicant must also meet the State Energy Code which requires at least 12 spaces for 240 dwelling units. Therefore, this waiver would not undermine the State Energy Code, which is adopted as the City's Energy Code.
 - The waiver of 8 EV Charging Stations is based on the following IDO criteria of 6-6-P-3: 1(D). Varying from the EV charging station requirements encourages more of the project budget to go toward ingenuity of the multi-family layout, architecture, and design. The architecture, color, and materials are exemplary for this project.
1. The Waiver will not be materially contrary to the public safety, health, or welfare. Putting in the charging stations now will allow the tenants to participate in sustainability.
 2. The Waiver does not cause significant material adverse impacts on surrounding properties.
The provision of EV charging stations does not affect surrounding properties.
 3. The Waiver will not hinder future planning, public right-of-way acquisition, or the financing or building of public infrastructure improvements.

The EV charging stations do not affect the public right of way or the building of infrastructure.

4. The Waiver will not conflict significantly with the goals and provisions of any City, County, or AMAFCA adopted plan or policy, this IDO, or any other City code or ordinance.

This Waiver achieves EV parking stations for the property in compliance with city goals. However the waiver recognizes limited current demands for EV charging stations on the project site. It is anticipated that demand will grow and the EV capable spaces will be converted to charging stations.

5. The Waiver will not allow, encourage, or make possible undesired development in the 100-year Floodplain.

The Waiver has no affect on the 100 year flood plain.

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

This Waiver achieves EV parking stations for the property in compliance with city goals. However the waiver recognizes limited current demands for EV charging stations on the project site. It is anticipated that demand will grow and the EV capable spaces will be converted to charging stations.

7. The Waiver does not allow a lot or type of development that does not meet the applicable Development Standards for the zone district where the lot is located, unless a deviation to such standards is within the thresholds established by Subsection 14-16-6-4(P) (Deviations) and is granted by the DHO as part of this approval.

The Waiver to EV parking stations does not affect the other applicable building standards for which the project is compliant. Requiring the 12 EV charging stations on site maintains compatibility with the City Building Code/State Energy Code.

8. The Waiver approved is the minimum necessary to provide redress without being inconsistent with the provisions of this Subsection 14-16-6-6(P).

Staff recommends the partial waiver of 8 charging stations as the minimum required to achieve redress without being inconsistent with the Building/Energy Codes.

9. If the request is a for a Waiver to IDO sidewalk requirements, the area is of low-intensity land use to an extent that the normal installation of sidewalks will not contribute to the public welfare, and the absence of a sidewalk will not create a gap in an existing sidewalk system extended to 1 or more sides of the subject property.

This waiver does not affect sidewalk requirements.

- Provide the number of EV capable spaces that will be installed.

- Project and application numbers must be added to any associated IL attached to the Site Plan.
- Clarify if any of the EV installations will affect the IL on the associated Site Plan.

From the State Energy Code:

Group R-2 is Multi-family projects

**TITLE 14 HOUSING AND CONSTRUCTION
CHAPTER 7 BUILDING CODES GENERAL
PART 9 2021 NEW MEXICO COMMERCIAL ENERGY CONSERVATION CODE**

(a) **Section C405.13.1 Quantity.** Add this section to the IECC. The number of required EV spaces and EV capable spaces shall be determined in accordance with this section and Table C405.13.1 based on the total number of automobile parking spaces and shall be rounded up to the nearest whole number. For R-2 buildings, the table requirements shall be based on the total number of dwelling units or the total number of automobile parking spaces, whichever is less.

spaces.

(b) **Table C405.13.1 Required EV Power Transfer Infrastructure.** Add this table to the IECC.

Occupancy	EVSE Spaces	*EV Capable Spaces
Group A	5%	10%
Group B	5%	5%
Group E	5%	5%
Group F	2%	5%
Group H	1%	0%
Group I	5%	10%
Group M	5%	10%
Group R-1	5%	15%
Group R-2	5%	15%
Group R-3 and R-4	2%	5%
Group S exclusive of Parking Garages	1%	0%
Group S-2 Parking Garages	5%	10%

*EV Capable Spaces are in addition to the required EVSE Spaces.

2. ITEMS IN COMPLIANCE OR STANDARD COMMENTS

- A Notice of Decision for this request will be posted online at <https://www.cabq.gov/planning/boards-commissions/development-hearing-officer/development-hearing-officer-agendas-archives> within three business days of a DHO decision of this request per 6-4(L)(6) of the IDO.

- The Office of Neighborhood Coordination (ONC) noted that as of August 22nd, 2024 there are no Neighborhood Associations to notify.



Disclaimer: The comments provided are based upon the information received from the applicant/agent. If new or revised information is submitted, additional comments may be provided by Planning.

FROM: Robert Webb/Jolene Wolfley/Jay Rodenbeck
Planning Department

DATE: 1/7/25
