DEVELOPMENT HEARING OFFICER

Planning - Case Comments

***HEARING DATE**: 11/8/23 -- **AGENDA ITEM**: # 7*

***Project Number**: PR-2023-008085*

***Application Number**: SD-2023-00187 & SD-2023-00189 & SD-2023-00310*

***Project Name**: Spanish Walk Subdivision – 410 Camino Espanol*

Request:
Preliminary Plat (SD-2023-00187), Final Plat (SD-2023-00189), Vacation of Easement (SD-2023-00189), Waiver to DPM (VA-2023-00310)

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

COMMNETS:

BACKGROUND

- On February 16, 2023 the Environmental Planning Commission (EPC) voted to APPROVE Project # PR-2023-008085, SI-2023-00065 - Site Plan-EPC.

- The request is for a 2.5-acre site legally described as all or a portion of Tract A-1, Spanish Walk Subdivision, located on Camino Español NW, north of Solar Rd. and west of 4th St., zoned PD (the "subject site").

- The subject site is zoned PD (Planned Development), a zoning designation received upon adoption of the IDO. The subject site was formerly zoned SU-1 for PRD (planned Residential Development).

- The applicant wishes to develop a 17-lot low-density residential subdivision, which would be pursuant to uses, site standards, and development standards of the PD (Planned-Development) zone district as determined by the EPC.

**(See additional comments on next pages)*

- The subject site is located in an Area of Change as designated by the Comprehensive Plan and is part of the Northwest Mesa Community Planning Area (CPA).
- The subject site is within 660-feet of the 4th Street Main Street Corridor as designated by the Comprehensive Plan.

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1. ITEMS NEEDING TO BE COMPLETED OR CORRECTED

- Per 14-16-5-2 of the IDO, 5-2(C)(2), new subdivisions of land and site design shall avoid locating development, except for open spaces and areas that will not be disturbed during the development process, in the sensitive lands including large stands of mature trees. Please articulate how this development meets this criterion.

  Definitions:
  Large Stand of Mature Trees:
  A collection of 5 or more trees 30 years or older or having trunk diameters (as determined by Diameter at Breast Height – DBH) averaging at least 16 inches in diameter, as determined by the City Forester.

- Per 6-6(M)(3) Review and Decision Criteria, an application for a Vacation of Easement, Private Way, or Public Right-of-way shall be approved if it meets any of the following criteria:
  6-6(M)(3)(a) The public welfare does not require that the easement, private way, or public right-of-way be retained.
  6-6(M)(3)(b) There is a net benefit to the public welfare because the development made possible by the Vacation is clearly more beneficial to the public welfare than the minor detriment resulting from the Vacation, and there is no convincing evidence that any substantial property right is being abridged against the will of the owner of the right.
  Applicant have mentioned their application that the existing easements will be replaced with new easements and some easements will no longer be needed.
  It appears that the easement marked up as number 4 on the plan is proposed to be vacated. Please clarify the type of this easement and consider providing information regarding this request.

- Planning defers to Transportation regarding the request for Waiver to DPM. The EPC approved the changed in sidewalk conditions based on the neighborhood character. (Hannah….add something here about the criteria for a waiver and how this would meet

that criteria.)

- Project and application numbers should be added to the Plat.

- Project and application numbers should be added to the Infrastructure List.

- *Please confirm ROW development detail and the compliance of section 7 of the DPM, Table 7.2.29. In regards to Sidewalk width requirements and its landscape buffer.
  Defer to Transportation for standards.
  The location is not in a Center but within Main Street Corridor area.
  Camino Espanol is a local street. 5' sidewalk ad 4-6' landscape buffer is required.
  Via Espanol is a local street. 5' sidewalk ad 4-6' landscape buffer is required.

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2. STANDARD COMMENTS AND ITEMS IN COMPLIANCE

- All standards within IDO section 5-4-C (Subdivision of Land Compliance) apply to all re-platting actions. Re-plating action cannot increase any existing nonconformity or create a new nonconformity.

- The applicant notified the Lee Acres Neighborhood Association and property owners within 100 feet of the subject site as, required. Two pre-submittal and one post submittal neighborhood meeting was held with the Camino Español HOA. One facilitated meeting was held with the Lee Acres NA on December 28, 2022.

- The Site Plan approved by the EPC shows a general layout; however, the DHO shall subsequently consider the site plan, which could change as a result of future platting actions and/or requirements.

- Since Consensus Planning, Agent for Las Ventanas Homes, had satisfied all Conditions for NOD dated February 16, 2023 (PR-2023-008085, SI-2023-0065) Site Plan-EPC, on November 3, 2023, the Development Facilitation Team (DFT) administratively approved the Final EPC Sign-off application. A decision was made by the DFT that the Infrastructure List should be submitted to the DHO along with the Platting application. An Infrastructure List is included in this application.

- A recorded IIA based on the approved infrastructure list must be submitted prior to final sign-off of the Final Plat.

- After DHO approval and final sign off, a recorded copy of the plat must be sent to the Planning Manager-Jay Rodenbeck and PLNDRS@cabq.gov (should the Plat be approved by the DHO).

- The City's AGIS office must approve the DXF file for the Final Plat.

- Per 6-6(L)(2)(d)(7) of the IDO, the date of the DHO approval shall be recorded on the Final Plat. Therefore, prior to final sign-off of the Final Plat, the date of the DHO approval must be added to the Plat.

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3. FUTURE DEVELOPMENT GUIDANCE

Future development must meet all applicable standards and provisions of the IDO per (R-1D) and the DPM.
Submitted plans should demonstrate how standards are being met for any applicable previous approvals and/or current standards.
Please reference the following development standards from the IDO.
https://www.cabq.gov/planning/codes-policies-regulations/integrated-development-ordinance-1/integrated-development-ordinance
**Subject to change pending formal submittal and/or changes in development type/use. Changes may also require amendments to previous approvals.*

- 4-2 Allowed Uses, table 4-2-1. ***Reference Use Specific Standards 4-3-B-1 Single Family Detached Dwelling.** Explain and demonstrate how all standards are being met.

- **5-1 Dimension Standards**. 5-1-G Exceptions and Encroachments.
  **Plans will need to demonstrate that Dimensional standard requirements are being met.*

- **5-3 Access & Connectivity requirements**
  *5-3(C)(3) Driveways, Drive Aisles, and Access 5-3(C)(3)(a) Development shall comply with the driveway, drive aisle, and access standards in the DPM.
  5-3(C)(3)(b) For all low-density residential development, driveways accessed from the front or street side of the property shall be at least 20 feet long, exclusive of the sidewalk or drive pad.

- **5-4 Subdivision of Land**.
  5-5 Parking & Loading requirements, Table 5-5-1.

Dwelling, single-family detached 1 space / DU up to 2 BR, 2 spaces / DU with 3 or more BR.

- **5-6 Landscaping, Buffering, and Screening standards and requirements**.

- **5-7 Walls/Fences**, table 5-7-1. ***Development requires separate permitting**.

- **5-8 for Outdoor Lighting** requirements.

- **5-11 Building and façade design requirements**. 5-11-C for Low-Density Residential.
  *Demonstrate and explain how standards and requirements are being met.

- **7-1 Development, dwelling, and use definitions**
  *Reference definitions for Low-Density Residential and Single Family Detached.

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: Hannah Aulick/ Jolene Wolfley/ Jay Rodenbeck DATE: 11/6/23
Planning Department