

Planning & Development Services Department

415 Silver Ave. SW, 2nd Floor
Albuquerque, New Mexico 87102
Office: (505) 314-0350
Fax: (505) 314-0480
www.bernco.gov



NOTIFICATION OF DECISION COUNTY PLANNING COMMISSION

March 8, 2024

TP Paseo Del Norte LLC.
8440 Wyoming Blvd. Ste A
Albuquerque, NM 87113

SUBJECT: FILE NO: CSU2024-0005

LEGAL DESCRIPTION: Consensus Planning Inc., agent for TP, Paseo Del Norte, LLC, requests approval of a Special Use Permit for Planned Development Area (Residential), on unplatted parcels known as Lot 5, Black Ranch, and Lots 3 and 11, Paradise Hills, within T11N, R2E, Section 17, located adjacent to Paseo del Norte NW and west of Woodmont Avenue NW, zoned A-1 and containing approximately 57 acres. (C-8)

ACTION: APPROVED A SPECIAL USE PERMIT FOR PLANNED DEVELOPMENT AREA (RESIDENTIAL)

To Whom It May Concern:

At the March 6, 2024 public hearing, the County Planning Commission voted to approve the request for a Special Use Permit for Planned Development Area (Residential), on unplatted parcels known as Lot 5, Black Ranch, and Lots 3 and 11, Paradise Hills, within T11N, R2E, Section 17, located adjacent to Paseo del Norte NW and west of Woodmont Avenue NW, zoned A-1 and containing approximately 57 acres. The decision was based on the following Findings and Conditions.

Findings:

1. This is a request for approval of a Special Use Permit for a Planned Development Area (Residential), on unplatted parcels known as Lot 5, Black Ranch, and Lots 3 and 11, Paradise Hills, within T11N, R2E, Section 17, located adjacent to Paseo del Norte NW and west of Woodmont Avenue NW, zoned A-1 and containing approximately 57 acres.

County Commissioners

Barbara Baca, Chair, District 1 • Eric C. Olivas, Vice-Chair, District 5
Steven Michael Quezada, District 2 • Adriann Barboa, District 3 • Walt Benson, District 4

Elected Officials

Damian R. Lara, Assessor • Linda Stover, Clerk • Cristy J. Carbón-Gaul, Probate Judge
John D. Allen, Sheriff • Nancy M. Bearce, Treasurer

County Manager

Julie Morgas Baca

2. The request seeks to develop a 264-lot residential subdivision, with commonly owned tracts for parks, ponding areas, open spaces and natural areas, including visual open space features such as rock outcroppings, and in accordance with gross densities allowed in the Comprehensive Plan.
3. The property is within the *Developing Urban Area* as designated by the Albuquerque/Bernalillo County Comprehensive Plan and in the *North Mesa Community* of the West Side Strategic Plan.
4. The request furthers the Goal and Policies d and e for the Developing Urban of the Comprehensive Plan because the requested gross density is consistent with the density recommended in the plan and with the nearby residential developments in both the City of Albuquerque and unincorporated Bernalillo County to the north and west.
5. This request is consistent with Resolution 116-86, in that it stabilizes residential land uses and is more advantageous to the community as the request meets the Comprehensive Plan's guidance for residential densities in the Developing Urban Area.
6. This request meets the criteria of a Planned Development Area pursuant to Section 18.B.23 because the proposal has unique site features and amenities as reflected by the existing rock outcroppings to be preserved as visual open space, and proposed landscaping buffers and landscaped common areas that promote a high-quality development for residents.
7. This request is consistent with the health, safety, and general welfare of the residents of the County.

Conditions:

1. The request is limited to 264-residential lots as shown on the site plan. One single-family dwelling is permitted on each lot.
2. The site plan shall be modified to include the following:
 - a. The location(s) of the perimeter and common area walls shall be provided on the site plan.
3. The applicant shall complete the subdivision process for the property in question in order to create a legal lot(s) of record prior to any building permit issuance. The plat shall include a note regarding the establishment of a Homeowners Association to maintain the common tracts.
4. Setbacks shall be as shown on the site plan.
5. Usable open space must be maintained as shown on the site plan.
6. All stormwater facilities and landscaping included in commons tracts and landscaping buffer strips shall be owned and maintained by the Homeowners Association.
7. Natural Resources Services Conditions include:
 - a. The applicant shall submit within 90 days of Special Use Permit approval a Landscape Plan and an Irrigation Plan to the Natural Resource Services and

Planning and Development Services staff that meets the requirements in the Bernalillo County Water Conservation Ordinance and that is consistent with Section 19 of the Zoning Code.

- b. The developer shall install landscaping and irrigation for the Home Owners Association (HOA) common areas prior to issuance of any certificate of occupancy. Prior to the backfilling of irrigation trenches and upon completion of the landscaping, the developer shall provide evidence of Bernalillo County Natural Resource Services staff's inspection and approval of landscaping and irrigation to the Planning and Development Staff.
- c. At the time of platting of the property, the applicant shall obtain a signed Development Agreement from the ABCWUA and shall connect to public water and sewer services as prescribed in the statement. A copy of the agreement and utility acceptance of the system shall be provided to Planning and Development Services.

8. Public Works and AMAFCA Conditions include:

- a. The applicant shall submit a revised grading and drainage plan to Public Works for review and approval at the time of subdivision plat.
- b. A more detailed Grading and Drainage Plan (G&D) and Drainage Report must be submitted to AMAFCA for review and approval with preliminary platting action. The G&D must show proposed grades, drainage/road improvements, details, sections, plan & profiles, etc. for the subdivision. The drainage report must include all hydrologic and hydraulic (H&H) analyses required to support the proposed subdivision drainage improvements and must address on- and off-site flows.
- c. The subdivision plat must identify the maintenance responsibilities for the proposed drainage infrastructure in the subdivision.

- 9. The applicant shall comply with all applicable Bernalillo County ordinances and regulations.
- 10. This Special Use Permit shall be issued for the life of the use.
- 11. Three copies of the revised site development plan consistent with the Conditions of Approval shall be submitted for review and approval to the Zoning Administrator within three months of the final approval.
- 12. The foregoing conditions shall become effective and shall be strictly complied with immediately upon execution or utilization of any portion of the rights and privileges authorized by this Special Use Permit.

This decision is final unless it is appealed by 12:00 noon on **March 25, 2024** in the manner described below. A filing fee of \$75.00 is required for properties consisting of one (1) acre or less, and \$100.00 is required for all others.

APPEALS: Appeal of any denial or approval of an application by the County Planning Commission may be submitted in writing to the Office of Planning and Development Services within 15 days after the date of the notice of decision by the County Planning Commission.

The date of the notice of decision in question shall not be included in the 15-day period for filing an appeal, and if the fifteenth day falls on a Saturday, Sunday or holiday, the next working day shall be considered as the deadline for filing the appeal.

A building permit or Certificate of Occupancy & Compliance shall not be issued until any appeal is decided, or the time for filing such appeal has expired.

WRITTEN NOTICE OF APPEAL SHALL BE FILED WITH THE PLANNING AND DEVELOPMENT SERVICES DEPARTMENT ON THE PRESCRIBED FORM ALONG WITH PAYMENT OF THE REQUIRED FILING FEE.

If you have any questions, please feel free to contact me directly at (505) 314-0384.

Sincerely,


Elvira Lopez
Planning Manager

EL/swa

cc: File
Kevin Grovet, Public Works
Raeleen M. Bierner-Garcia, Public Works
Julie A. Luna, Public Works
Megan Marsee, Natural Resources
Dan McGregor, Natural Resources
Dawn Raia, Building Official
Martin Lewis, Technology Manager
Tim Gaulden, Senior GIS Analyst
Victor Gonzales, Senior GIS Analyst
Craig Norkus, IT Project Manager
Erica Simplicio, Zoning & Land Use Inspector Lead
Renee Perkins, Program Coordinator
Consensus Planning, Inc., 302 Eighth St. NW, Albuquerque, NM 87102
Joe Richardson, 7927 Mataro Rd. NW, Albuquerque, NM 87114