

# CITY OF ALBUQUERQUE

## LAND USE FACILITATION PROGRAM PROJECT MEETING REPORT

**Project #:** #1004355 18DRB-70037  
**Property Description/Address:** Extension of Subdivision Improvements Agreement for Vista Vieja Subdivision  
**Date Submitted:** February 17, 2018  
**Submitted By:** Leslie Kryder  
**Meeting Date/Time:** February 16, 2018, 6:00-7:00 PM  
**Meeting Location:** Montecito Estates Community Center, 8425 Hawk Eye Rd  
**Facilitator:** Philip Crump  
**Co-facilitator:** Leslie R. Kryder

### Parties:

- Agent/Applicant**
  - Wilson & Company, agents for KB Homes New Mexico
- Neighborhood Associations/Interested Parties:**
  - Montecito Estates HOA [ME HOA]

### Meeting Summary:

The Applicant seeks an extension of the Subdivision Improvement Agreement. The original was signed on 9/21/2006. This will be the seventh extension. The work has been deferred and the agreement continues to be extended because part of the work is contingent upon development of the next subdivision to the north. According to the Agent, that subdivision is not yet under development. At the beginning of the meeting, KB Homes was asking for a two year extension to November 21, 2019. However, at the conclusion of the discussion, KB Homes was looking at a one year extension only.

The Montecito Estates HOA has raised concerns about a section of Scenic Rd that has not been completed. The section is from Vista Terraza Dr. eastward, past the ABCWUA pump house and grounds to the area developed by AMAFCA. Homeowners are concerned for the safety of pedestrians along this section, especially high school students who walk to Volcano Vista High School (8100 Rainbow Rd NW) along Scenic Rd. There is no sidewalk along this portion of the road. In addition, they wish to landscape the common area between Scenic Drive and the north wall of the subdivision and cannot proceed until a sidewalk has been constructed.

### Outcome:

#### Areas of Agreement

- KB Homes will work with the City to have a 6' wide detached sidewalk put in along the south edge of Scenic Drive from Vista Terraza for the 350' section for which they are responsible and along ABCWUA's well site to the area developed by AMAFCA. The HOA requests that the City provide the connector between the east end of the 350' section and the AMAFCA area. Then, defer the work on permanent Scenic Drive until the north half of Scenic Drive is ready to build.

### Meeting Specifics – Overview of Project

#### 1. General

- a. The Applicant seeks to extend a Subdivision Improvements Agreement for Vista Vieja

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Subdivision (aka Montecito Estates).

### 2. HOA's concerns

- a. Scenic Drive has not been completed from Vista Terraza Drive eastward to the area developed by AMAFCA. (This is Unit 2 of Vista Vieja/Montecito Estates Subdivision.)
  - i. AMAFCA has completed the work on the portion of the road they are responsible for.
  - ii. Scenic Drive in this section is currently a temporary road, with no sidewalks, curbs, or gutters.
  - iii. Scenic Drive is currently only half of its intended width because the north half of the road is to be developed by whoever is responsible for the future subdivision to the north of Montecito Estates.
- b. Scenic Drive is hazardous for pedestrians because there are no sidewalks.
  - i. Community members are vulnerable to traffic on Scenic Drive since there is not sidewalk.
  - ii. School children, particularly high school students, use this road to walk to Volcano Vista High school. The area is dangerous because there are not sidewalks.
- c. The HOA is ready to landscape the area between the north wall of the subdivision (which runs along the south side of Scenic Drive) and Scenic Drive. This cannot be done until sidewalks, curbs, and gutters are installed.
  - i. By extending the SIA for two years, construction of Scenic Drive will be postponed and the HOA will not be able to complete its landscaping project.
- d. The HOA also wants to see the unfinished portion of Scenic Drive east of the 350' section (all the way to the pump house) completed. That area is the responsibility of the City of Albuquerque and will have to be worked out with the City.

### 3. **Who should pay for the 350' section of Scenic Drive?**

- a. Initially there was confusion about which area was under discussion by the HOA and what was KB Homes' obligation in that area.
- b. KB Homes is obligated to build the southern half of the 350' section of Scenic Drive at the point when construction on the north side of the road is begun. The subdivision to the north will be built by a different company.
  - i. Something needs to be worked out between KB Homes and the other developer in order for the 350' section of Scenic Drive to be built, since each party is responsible for half the road and half the cost.
  - ii. When the western portion of Scenic Drive was built, KB Homes provided the money for their portion to the other construction company, which then built the entire road. Something similar should happen for the 350' section. KB Homes is agreeable to this type of arrangement.

### 4. **When should the 350' section of Scenic Drive be completed?**

- a. The HOA is currently completing landscaping of the common areas. The project is expected to be finished within the next 16 months. This includes landscaping along the 350' section of Scenic Drive.
  - i. The HOA opposes a 2 year extension of the SIA, because it wants Scenic Drive to be brought to a point where it can be landscaped before the 16 months are up.

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- b. Since the 350' section has a water line in it all the way to Vista Terraza, KB Homes agrees with the HOA that "development has started" and that section of Scenic Rd needs to be built in the near future.
  - i. Consequently, KB Homes will amend their extension request, shortening it to a single year.
- c. To address the HOA's safety concerns of pedestrians along Scenic Drive and to allow for the landscaping to be completed timely, KB Homes is suggesting that initially the sidewalk (but not curbs, sewers, and gutters) be built by them.
  - i. Since the sidewalk is expected to be a "detached" sidewalk, it won't need to be rebuilt when the road is completed; and the landscaping can be done in the HOA's timeframe.

### 5. What about the section of Scenic Drive, east of the 350' section?

- a. The section of Scenic Drive, to the east of the 350' section, all the way to the ABCWUA's pump house, is to be built by the City of Albuquerque.
- b. The HOA will pursue its concerns for this section with the City.
- c. The HOA has both safety concerns and a need to complete landscaping of this section within the 16 month time frame mentioned above.

**Next Steps:** Wilson & Company will inquire whether the City is willing to build the additional sidewalk between the east end of the 350' section and the AMAFCA property.

### Application Hearing Details:

- 1. A hearing is scheduled for Wednesday February 21, 2018 before the Design Review Board.
- 2. Hearing Time:
  - a. The Board will begin hearing applications at 8:30 a.m.
  - b. The actual time this application will be heard by the Board will depend on the Board's position on the Board's schedule.
  - c. Those who wish to address the Board, must sign up at the beginning of the meeting.
- 3. Hearing Process:
  - a. Comments from facilitated meetings will go into a report, which goes to the Chair of the Design Review Board and its members.
  - b. This is a consensus body representing five City departments.
  - c. The Board will make a decision and parties have 15 days to appeal the decision.
- 4. Resident Participation at Hearing:

Written comments must be received by one week prior to the meeting to be distributed to the members, and may be sent to:

Kym Dicome, DRB Chair     [kdicome@cabq.gov](mailto:kdicome@cabq.gov)     505-924-3814 or to  
Angela Gomez, Admin Assistant     [agomez@cabq.gov](mailto:agomez@cabq.gov)     505-924-3946

### Names & Affiliations of Attendees:

Barbara White	ME HOA	Steve Koehler	ME HOA Board
Wendy Jo Hanson	ME HOA Board		
Liz Scotland	ME HOA Board	Morris Barbera	KB Homes NM
John Hughes	ME HOA Board	Donnie Duneman	Wilson & Company
Adrian Martinez	ME HOA Board	Dan Aguirre	Wilson & Company
Jude P Garcia	ME HOA Board		