



Development Facilitation Team (DFT) – Review Comments

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

Project No: PR-2019-002089

Date: 3/27/2024

Agenda Item: #9 Zone Atlas Page: K-12

Legal Description: LOTS 18-P1 & 19A-P1, UNIT 2, SUNSET FARM

Location: 239-243 ANNA MARIA PL SW between SUNSET RD and RIO GRANDE (river)

Application For: SD-2023-00196-PRELIMINARY/FINAL PLAT (DHO)

1. No objections to lot line elimination.
2. For information:
 - a. Public water distribution mains and public sewer collection mains front the property and are available for direct tapping for a routine service connection.
 - b. This project is within the adopted service area.
 - c. Pro rata is not owed for this property.
 - d. Existing water service lines that will not be utilized are to be removed by shutting the valve near the distribution main.

Comment: (Provide written response explaining how comments were addressed)

DEVELOPMENT REVIEW BOARD

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: 03/27/2024

AGENDA ITEM NO: 10

DRB PROJECT NUMBER:

PR-2019-002089

SD-2023-00196 – PRELIMINARY FINAL PLAT

SKETCH PLAT 11/2/22 DRB

IDO - 2021

PROJECT NAME:

ARCH + PLAN LAND USE CONSULTANTS agent for **LANDCO II LLC** requests the aforementioned action(s) for all or a portion of: **LOTS 18-P1 & 19A-P1, UNIT 2, SUNSET FARM** zoned **R-1B**, located at **239 – 243 ANNA MARIA SW** between **SUNSET RD** and **RIO GRANDE (river)** containing approximately 0.3552 acre(s). **(K-12)**

PROPERTY OWNERS: LANDCO II LLC

REQUEST: LOT CONSOLIDATION: 2 LOTS INTO 1 LOT

COMMENTS:

1. Variances to the required Contextual Lot size for combining 239 and 243 Anna Maria have been obtained, VA-2023-00098 and VA-2023-00099, addressing our primary concern.
2. Code Enforcement recommends that a note on the plat is added indicating the Variances were obtained.
3. Code Enforcement has no further comments and no objections.

DEVELOPMENT REVIEW BOARD

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

DATE: 03/27/2024

(Comments from DHO 11/8/23; 12/6/23; 12/20/23; 2/7/24 – all deferred prior to Hearing):

1. Property is zoned R-1B, and must meet Dimensional Standards as per IDO 5-1(C), Table 5-1-1.
2. Property is located in an Area of Consistency, and must meet Lot Size allowances as per IDO section 5-1(C)(2)(b)(3). It is located adjacent to sensitive lands (the Atrisco Lateral, an Irrigation Facility or Acequia, located immediately South of the property), which allows it to be up to 150% larger than the average of the lots that contain a primary building on the block of Anna Maria Pl SW, per IDO 5-1(C)(2)(b)(3).
3. Proposed combined lot size is 0.3539 acre, which exceeds the allowed size range, from 75% at 0.1369 acre to 150% at 0.2738 acre.. This would require a Variance for the difference above the allowed lot size (.3539 acre - .2738 acre = **.0801 acre variance**).
4. Property owner has obtained the required Variances for the Contextual lot size for both lots, as per documentation provided in the submittal.
5. A note should be added to the plat regarding the Variances obtained, and citing Variance case numbers.
6. Code Enforcement has no further comments or objections.

COMMENTS FROM 11/2/22 DRB Sketch Plat

1. Property is zoned R-1B, and must meet Dimensional Standards as per IDO 5-1(C), Table 5-1-1.
2. Property is located in an Area of Consistency, and must meet Lot Size allowances as per IDO section 5-1(C)(2)(b)(3). It is located adjacent to sensitive lands (the Atrisco Lateral, an Irrigation Facility or Acequia, located immediately South of the property – see Definitions, below), which allows it to be up to 150% larger than the average of the lots that contain a primary building on the block of Anna Maria Pl SW.
3. Calculations of allowable Lot Size based on Anna Maria Pl SW are as follows:
4. Average lot size for lots with primary buildings = 0.1825 acre
5. (Note: includes lots with addresses of 201, 205, 209, 215, 219, 220, 223, 224, 228, 236, 237, 251)
6. Minimum lot size allowed, at 75% of 0.1825 acre = 0.1369 acre
7. Maximum lot size allowed, at 150% of 0.1825 acre = 0.2738 acre
8. Proposed combined lot size is 0.3539 acre, which exceeds the allowed size. Prior to replat, you must obtain a Variance for the difference above the allowed lot size (.3539 acre - .2738 acre = **.0801 acre variance**), as per IDO section 5-1(C)(2)(b)(3).
9. CE has no further comments.

Open Space Definitions - Common Open Space

The area of undeveloped land and/or existing site features within a cluster development that is set aside for the preservation, use, and enjoyment by the owners and occupants of the dwellings in the development and includes

DEVELOPMENT REVIEW BOARD

Code Enforcement Comments

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

DATE: 03/27/2024

historic buildings or structures, sensitive lands, agriculture, landscaping, or outdoor recreation uses. The common open space is a separate lot or easement on the subdivision plat of the cluster development. For the purposes of the common open space calculation in cluster development, parks and concrete or reinforced arroyos do not count as common open space. See also Dwelling Definitions for Dwelling, Cluster Development.

Sensitive Lands Definitions – Irrigation Facility

The system of water facilities within the MRGCD, including acequias, ditches, laterals, canals, interior drains, riverside drains, and wasteways, which convey water to irrigators or return unused irrigation water to the Rio Grande. Some facilities may also convey stormwater. The irrigation facility includes the canal that conveys the water, the maintenance road(s) along the bank top, and the sloped banks that tie back to the surrounding land. These facilities may or may not have a formal easement. See also Acequia.

Acequia

An irrigation ditch operated and maintained by the MRGCD or a community acequia association. See also Irrigation Facility.

DEVELOPMENT HEARING OFFICER - **HYDROLOGY SECTION**
Renée Brissette, PE, Senior Engineer | 505-924-3995 rbrissette@cabq.gov

DRB Project Number: 2019-002089 Hearing Date: **03-27-24**
Project: Lot 19A-P1-A Sunset Farm Unit 2 Agenda Item No: **10**

<input checked="" type="checkbox"/> Minor Preliminary / Final Plat	<input type="checkbox"/> Preliminary Plat	<input type="checkbox"/> Final Plat
<input type="checkbox"/> Temp Sidewalk Deferral	<input type="checkbox"/> Sidewalk 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 no objection to the platting action.
- Comment – A licensed New Mexico civil engineer will need to submit a Grading & Drainage Plan to Hydrology for review & approval prior to submitting for Building Permit. **Please note that there may be more retention pond volume required based on the proposed impervious area due to errors found in the original drainage report for the subdivision.**

☐ 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: 2019-002089
239-243 Anna Maria Pl.

AGENDA ITEM NO: 10

SUBJECT: Preliminary/Final Plat

ENGINEERING COMMENTS:

1. Transportation is satisfied with the plat showing Anna Maria is Private. No objection.

. 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: March 27, 2024

ACTION:

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

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



DEVELOPMENT HEARING OFFICER

Planning - Case Comments

HEARING DATE: 3/27/24 -- **AGENDA ITEM:** #10

Project Number: PR-2019-002089

Application Number: SD-2023-00196

Project Name: 239 - 243 Anna Maria Pl SW

Request: Minor Preliminary/Final Plat

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

BACKGROUND

- This application is a request to consolidate two existing lots into one lot (Lot 19A-P1-A, Sunset Farm Unit 2 at 15,417.20 square feet in size). Existing zoning for this site is R-1B, and the site is not located within a Center or a Corridor.
- The subject site went through Sketch Plat review by the Development Review Board (DRB) on November 2, 2022 per PR-2019-002089 / PS-2022-00240.
- On May 16, 2023, the ZHE approved a Variance to the Contextual Lot Size Requirements for the subject site per PR-2019-002089 / VA-2023-00098 & VA-2023-00099.
- The subject property is located within the Valley Drainage Area, and within 330' of Major Public Open Space.

COMMENTS

Items is **orange** type need immediate attention

Items is **green** type are compliant

1. ITEMS NEEDING TO BE COMPLETED OR CORRECTED

- The signature from ABCWUA has not been obtained on Form S. Prior to the approval of the Plat by the DHO, ABCWUA must confirm that they do not need any associated approvals (such as an Availability Statement) and would have no issues signing Form S.

**(See additional comments on next pages)*

- The application number must be added to the Plat prior to final sign-off by DFT staff, should the Plat be approved by the DHO.
- Planning defers to Transportation regarding the subdivision gate.
- 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.
- The City's AGIS office must approve the DXF file for the Plat prior to the final sign-off of the Plat, should the Plat be approved by the DHO.
- Per 6-6(P)(2)(d), any Waivers granted that are associated with a subdivision shall be noted on the final plat. If the DHO determines that the existing sidewalk can remain at the existing width, that decision should be noted on the 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).

2. STANDARD COMMENTS AND ITEMS IN COMPLIANCE

- On May 16, 2023, Arch+Plan Land Use Consultants, agent for property owner Landco II LLC ("Applicant") appeared before the Zoning Hearing Examiner ("ZHE") requesting a variance of .0801 acres to the allowed contextual lot size of 0.2738 acres for the proposed lot size of .3539 acres ("Application") upon the real property located at 239 Anna Maria PL SW ("Subject Property"). This request was approved by the ZHE on May 31, 2023. (VA-2023-00098 & VA-2023-00099).
- The Applicant has obtained the required utility, AMAFCA, City Surveyor, Surveyor, Middle Rio Grande Conservancy District, and Property Owner signatures on the Plat.
- All standards within IDO section 5-4-C (Subdivision of Land Compliance) apply to all re-platting actions. Re-platting action cannot increase any existing nonconformity or create a new nonconformity.
**Project has been reviewed to the standards and provisions within the IDO-Integrated Development Ordinance and the standards within the DPM-Development Process Manual.*

DHO Determination Request

Per section 7 of the DPM, Table 7.2.29. in regards to Sidewalk width requirements and its landscape buffer, Anna Maria PI SW is a local street: a 5-foot sidewalk and a 4-6 -foot Landscape Buffer is required.

The applicant is requesting to maintain the existing sidewalk width along Anna Maria PL width at 3.83 feet. This is a consistent sidewalk width throughout the subdivision this lot is located within.

Per 6-6(P)(3)(a), 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.

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

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

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

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.

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

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.

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).

10. 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 DHO determination request, complies with all applicable criteria mentioned above. The applicant is requesting to maintain the existing sidewalk width along Anna Maria PL width at 3.83 feet. This is a consistent sidewalk width throughout the subdivision this lot is located within.

The existing sidewalk width has been functioning properly for this subdivision and maintaining the sidewalk width throughout the subdivision will maintain the neighborhood character and will not cause material adverse impacts on surrounding properties. This request is not contrary to the public safety, health, or welfare, will not hinder future planning, will not materially undermine the intent and purpose of this IDO, will not conflict significantly with the goals and provisions of any City, County, or AMAFCA adopted plan or policy, and does not allow a lot or type of development that does not meet the applicable Development Standards for the zone district.

Planning has no objections to the request for maintaining the existing sidewalk width at 3.83 feet, but defers to Transportation.

3. FUTURE DEVELOPMENT GUIDANCE

Please reference the following development standards from the IDO. Subject to change pending formal submittal or change in development type/use.

- **4-2 Allowed Uses**, table 4-2-1. ***Reference Use Specific Standards 4-3(C)(8) for Single Family**
- **5-1 Dimension Standards** for R-1B. 5-1-G Exceptions and Encroachments.

***Area of consistency. IDO 5-1-C-2-B contextual lot size standards may apply, per Code Enforcement.**

Reference subsection #3 ‘On lots that include sensitive lands or are adjacent to sensitive lands or Major Public Open Space, the lot may be up to 150 percent larger.’ And **#5**. ‘In making the calculations in Subsections 1 through 4 above, any lots owned by the applicant with existing site features that are to be preserved, including but not limited to areas of open space or existing structures, shall not be considered in the contextual standards calculations for lot size.’

5-2 Site Design and Sensitive Lands standards. *Reference Arroyo standards and Open Space Edges:

- **5-2(G) IRRIGATION FACILITY (ACEQUIA) STANDARDS & 5-2(I) MAJOR ARROYO STANDARDS**

***The subject property is located within the Valley Drainage Area and all future development shall comply with requirements of section 5-2(G) and 5-2(I) of the IDO.**

- **5-2(J) MAJOR PUBLIC OPEN SPACE EDGES**
*Lot is within 330-feet of Major Public Open Space and must comply with all requirements of section 5-2(J).
 - **5-3 Access & Connectivity** requirements.
*Clarify if access is affected by replat.
*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.
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.
 - **5-7 Walls/Fences**, table 5-7-1. *Development requires separate permitting.
 - **5-8 for Outdoor Lighting** requirements. Residential zone district.
 - **5-11 Building and façade design** requirements for new development per 5-11-C.
 - Section **6-1**, table 6-1-1 for **notice requirements**.
 - Platting action per **6-6-K Subdivision of Land-Minor** or **6-6-L Subdivision of Land-Major**.
 - Vacations per **6-6-M**.
 - **7-1 Development, dwelling and use definitions**.
-



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FROM: Hannah Aulick / Jolene Wolfley / Jay Rodenbeck
Planning Department

DATE: 3/26/24