



DEVELOPMENT REVIEW BOARD
SUPPLEMENTAL SUBMITTAL

(Deadline is Friday at noon unless noted on DRB calendar – late submittals will not be accepted unless approved by the DRB)

PROJECT NO. PR-2020-003309
Application No. SD-2021-00209

TO:

- X_ Planning Department/Chair
- X_ Hydrology
- X_ Transportation Development
- X_ ABCWUA
- X_ Code Enforcement
- X_ Parks & Rec

*(Please attach this sheet with each collated set for each board member)

NOTE: ELECTRONIC VERSION (ie disk, thumbdrive) is Required. Submittal will not be accepted without.

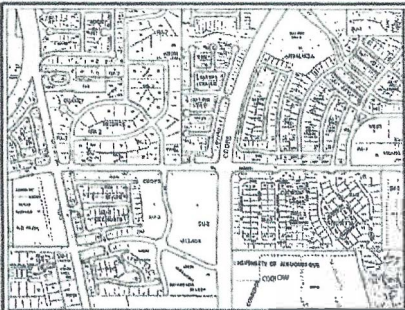
DRB SCHEDULED HEARING DATE: 11/03/21 HEARING DATE OF DEFERRAL: 10/27/21

SUBMITTAL DESCRIPTION: **Form S2 and V2 requirements: Updated plat to include the Application number, IDO Waiver Justification Letter.**

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- **AMAFCA representative will sign plat on 11/1/21, can emailed before the meeting.**
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- **DXF File (request from Devin Mussey). I cannot open the file at home.**
-

CONTACT NAME: Deborah M. Garcia and Leonard R. Garcia

TELEPHONE: 505-321-3078 EMAIL: dmg_hammer@msn.com



VICINITY MAP No. E-11

LEGAL DESCRIPTION

LOT NUMBERED ELEVEN-C (11C) IN BLOCK NUMBERED ONE (1) OF THE SUMMARY PLAT OF LOTS 11 AND 12, BLOCK 1, SLOANS ACRES SUBDIVISION, ALBUQUERQUE, BERNALILLO COUNTY NEW MEXICO, AS THE SAME IS SHOWN AND DESIGNATED ON THE PLAT THEREOF, FILED IN THE OFFICE OF THE COUNTY CLERK OF BERNALILLO COUNTY, NEW MEXICO ON JUNE 1, 1979 IN VOLUME C15, FOLIO 16.

**PLAT OF
LOT 11-C, BLOCK 1
SLOANS ACRES SUBDIVISION**
WITHIN
SECTION 35, TOWNSHIP 11 NORTH, RANGE 2 EAST, N.M.P.M.
CITY OF ALBUQUERQUE
BERNALILLO COUNTY, NEW MEXICO
OCTOBER 2021

PROJECT NUMBER: **PR-2021-003304**
APPLICATION NUMBER: **SD-2021-00209**

UTILITY APPROVALS:
Fernando Viji 10-13-21
PUBLIC SERVICE COMPANY OF NEW MEXICO DATE

Jeff Estvanko Digitally signed by Jeff Estvanko
Date: 2021.10.12 15:21:55 -0500
NEW MEXICO PUBLIC COMPANY DATE
Abdel A. Buzayan 10/12/2021
DATE

CITY APPROVALS:
Loren N. Biscanover P.S. 10/12/2021
DATE

REAL PROPERTY DIVISION (CONDITIONAL) DATE

ENVIRONMENTAL HEALTH DEPARTMENT (CONDITIONAL) DATE

TRAFFIC ENGINEERING, TRANSPORTATION DIVISION DATE

AIR/CIA DATE

PARKS AND RECREATION DEPARTMENT DATE

AMA/CA DATE

CITY ENGINEER DATE

ORD CHAIRPERSON, PLANNING DEPARTMENT DATE

CODE ENFORCEMENT DATE

PURPOSE OF PLAT:

THE PURPOSE OF THIS PLAT IS TO VACATE EASEMENTS AS SHOWN AND GRANT ANY EASEMENTS AS SHOWN.

GENERAL NOTES:

- UNLESS NOTED, No. 4 REBAR WITH CAP STAMPED P.S.#11463 WERE SET AT ALL PROPERTY CORNERS.
- THIS PLAT SHOWS ALL EASEMENTS OF RECORD.
- TOTAL AREA OF PROPERTY: 0.2082 ACRES.
- BASIS OF BEARINGS IS THE NEW MEXICO STATE PLANE COORDINATE SYSTEM, CENTRAL ZONE, NAD 1983.
- DISTANCES ARE GROUND, BEARINGS ARE GRID.
- BEARINGS AND DISTANCES SHOWN IN PARENTHESIS ARE RECORD.
- DATE OF FIELD WORK: **OCTOBER 28, 2021**
- NO PROPERTY WITHIN THE AREA OF THIS PLAT SHALL AT ANY TIME BE SUBJECT TO A DEED RESTRICTION, COVENANT, OR BINDING AGREEMENT PROHIBITING SOLAR COLLECTORS FROM BEING INSTALLED ON BUILDINGS OR ERRECTED ON LOTS OR PARCELS WITHIN THE AREA OF PROPOSED PLAT
- PLATS USED TO ESTABLISH BOUNDARY.
A: SUMMARY PLAT OF LOTS 11 AND 12 BLOCK 1 SLOANS ACRES SUBDIVISION FILED: JUNE 2, 1979 IN VOLUME C15, FOLIO 78

PUBLIC UTILITY EASEMENTS

- Public Service Company of New Mexico (PSCNM) easements are granted for the extension and joint use of:
A. Public Service Company of New Mexico (PSCNM), a New Mexico corporation, (PSCNM Electric) for installation, maintenance, and service of overhead and underground electrical lines, transformers, and other equipment and related facilities necessary to provide electrical service.
B. New Mexico Gas Company (NMGC), a New Mexico corporation, for installation, maintenance, and service of natural gas lines, valves and other equipment and facilities reasonably necessary to provide natural gas service.
C. QWEST COMMUNICATIONS for the installation, maintenance, and service of such lines, cable, and other related equipment and facilities reasonably necessary to provide telecommunications service.
D. State of New Mexico, for the installation, maintenance, and service of such lines, cable, and other related equipment and facilities reasonably necessary to provide public utility service.

In addition to the right to build, extend, construct, reconstruct, locate, relocate, change, remove, replace, modify, repair, renew, operate and maintain facilities for purposes described above, together with free access to, from, and over said easements, with the right and privilege of being upon, over and across adjoining lands as described for the purposes set forth herein and with the right to utilize the right of way and easement to extend services to businesses or structures, including surfacing, grading, area storm sewer, electric transformers, with the right and privilege to cut and remove trees, shrubs or bushes which interfere with the purposes set forth herein. No building, sign, roof (including or not including), but not including any wood shed, or other structure shall be erected or constructed on said easements, nor shall any well be drilled or operated thereon. Property owners shall be solely responsible for covering any violations of National Electrical Safety Code by construction of poles, devices, or any structures adjacent to or near easements shown on this plat.

Easements for electric transmission, distribution, use, maintenance, and related (ten (10) feet in front of transmission lines) shall be shown on each side.

By approving this plat, Public Service Company of New Mexico (PSCNM), QWEST COMMUNICATIONS and New Mexico Gas Company (NMGC) do not waive or release any easement or easement rights which may have been granted by prior plat, right of other documents and which are not shown on this plat.

FREE CONSENT

THE SUBDIVISION HEREON DESCRIBED IS WITH THE FREE CONSENT AND IN ACCORDANCE WITH THE DESIRES OF THE UNDERSIGNED OWNERS AND PROPRIETOR THEREOF. SAID OWNER / PROPRIETOR DOES HEREBY GRANT ANY AND ALL EASEMENTS AS MAY BE CREATED BY THIS PLAT. THOSE SIGNING AS OWNERS WARRANT THAT THEY HOLD ALONG THEM COMPLETE AND INDEFEASIBLE TITLE IN FEE SIMPLE TO THE LAND SUBDIVIDED.

Leonard R. Garcia *Deborah M. Garcia* 10/12/21
DATE

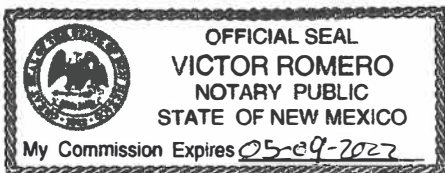
ACKNOWLEDGMENT

STATE OF NEW MEXICO) s.s.
COUNTY OF BERNALILLO)

THIS INSTRUMENT WAS ACKNOWLEDGED BEFORE ME A NOTARY PUBLIC
THIS 10th DAY OF October, 2021

BY: LEONARD R. GARCIA & DEBORAH M. GARCIA
OWNERS NAME

MY COMMISSION EXPIRES: 05-09-2022 BY [Signature]
NOTARY PUBLIC



THIS IS TO CERTIFY THAT TAXES ARE CURRENT AND PAID ON
LPC# _____
PROPERTY OWNER OF RECORD: _____
BERNALILLO CO. TREASURER'S OFFICE: _____

SURVEYORS CERTIFICATE

STATE OF NEW MEXICO)
COUNTY OF BERNALILLO)
I, ANTHONY L. HARRIS, a duly licensed PROFESSIONAL LAND SURVEYOR, UNDER THE LAWS OF THE STATE OF NEW MEXICO DO HEREBY CERTIFY THAT THE PLAT WAS PREPARED UNDER MY DIRECT SUPERVISION, THAT I AM RESPONSIBLE FOR SAID PLAT AND MEETS THE REQUIREMENTS FOR SUBMITTAL AND SURVEY OF THE ALBUQUERQUE SUBDIVISION ORDINANCE AND THAT I AM CORRECT IN MY BEST KNOWLEDGE AND BELIEF AND MEETS THE MINIMUM REQUIREMENTS FOR LAND SURVEYS AS SET FORTH BY THE STATE OF NEW MEXICO.

GIVEN UNDER MY HAND AND SEAL AT ALBUQUERQUE, NEW MEXICO
THIS 10th DAY OF October, 2021
Anthony L. Harris
ANTHONY L. HARRIS, L.S. 11186



Leonard R. and Deborah M Garcia
627 Cyan Ct. NW
Albuquerque, NM 87120

October 27, 2021

City of Albuquerque
Development Review Board (DRB)
P O Box 600 / 2nd St. NW
Albuquerque, NM 87102

Justification for Sidewalk Waiver

Re: DRB PROJECT #: PR-2020-003309 / APPLICATION #: SD-2021-00209

We are respectfully requesting an approval from the Development Review Board for a sidewalk waiver at 4224 Estancia Dr. NW, Albuquerque, NM 87120, which is known as an infill lot. In accordance with IDO, Section 6-6(P)(3) Review and Decision Criteria, numbers one and three are addressed for your review.

1. 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, manmade obstructions, or utility lines.

Justification: There is a pre-existing buried gas line which runs along the front of our lot. This could be the area designated as the sidewalk path. Please refer to pictures 1. and 2. on page two.

3. 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.

Justification: The Sloans Acres subdivision does not currently have sidewalks along Estancia Drive (picture 3), 64th Street, Everitt, Wayne (picture 4) or Cleghorn Roads. The established neighborhood character may be damaged to a degree that outweighs the public interest in the City's normal technical standards in this location. Should we be required to add a sidewalk in front of our home, it will be different than the homes in our vicinity and may cause property value issue/concerns. Adversely, we do not want to cause undue expense to others within the neighborhood to meet our sidewalk requirement; thus, varying from the normal requirements and standards will not encourage flexibility or economy to our neighbors.

We consider Sloans Acres an established neighborhood on the westside of Albuquerque. While living in the neighborhood, at 6337 Everitt Rd NW, Albuquerque, NM 87120 for 22 years, we do not believe waiving a sidewalk in front of our home will cause issue or concern for the items listed below.

- 6-6(P)(3)(b) The Waiver will not be materially contrary to the public safety, health, or welfare.
- 6-6(P)(3)(c) The Waiver does not cause significant material adverse impacts on surrounding properties.
- 6-6(P)(3)(d) The Waiver will not hinder future planning, public right-of-way acquisition, or the financing or building of public infrastructure improvements.

- 6-6(P)(3)(e) 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.
- 6-6(P)(3)(f) The Waiver will not allow, encourage, or make possible undesired development in the 100-year Floodplain.
- 6-6(P)(3)(g) The Waiver will not materially undermine the intent and purpose of this IDO or the applicable zone district.
- 6-6(P)(3)(h) 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 DRB as part of this approval.
- 6-6(P)(3)(i) The Waiver approved is the minimum necessary to provide redress without being inconsistent with the provisions of this Subsection 14-16-6-6(P).
- 6-6(P)(3)(j) 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.

Your consideration in approving our request for a sidewalk waiver is greatly appreciated,



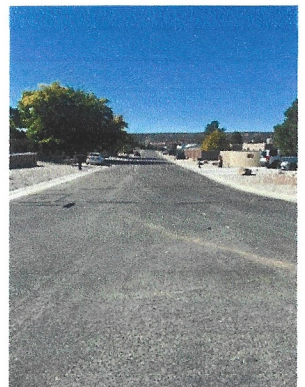
1. Gas Co of NM flags



2. Gas Co flag



3. Estancia Dr w/o sidewalk



4. Wayne Dr w/o sidewalk

Very respectfully,

Leonard R. and Deborah M. Garcia