



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)

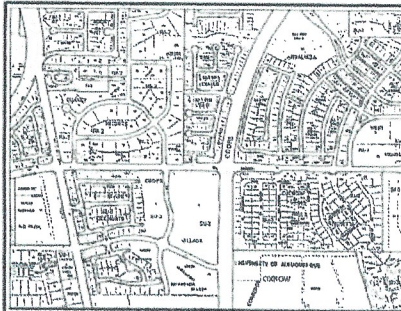
**NOTE: ELECTRONIC VERSION (ie disk, thumbdrive) is Required. Submittal will not be accepted without.**

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 and AMAFCA signature, IDO Waiver Justification Letter along with Devin Mussey's email verifying receipt of the DXF File.**

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

TELEPHONE: 505-321-3078 EMAIL: dmg\_hammer@msn.com



VICINITY MAP No. F-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-2020-003306**  
APPLICATION NUMBER: **SD-2021-00209**

#### UTILITY APPROVALS:

**Fernando Viji** 10-13-21  
PUBLIC SERVICE COMPANY OF NEW MEXICO  
Jeff Estvanko  
AT&T MEXICO TELECOM  
Abdell A. B. 10/12/2021  
QUEST CORPORATION / 776/A CENTURYLINK CO  
10/12/21

#### CITY APPROVALS:

**Loren N. Rasmussen P.S.** 10/12/2021  
CITY SURVEYOR  
"REAL PROPERTY DIVISION (CONDITIONAL)"  
"ENVIRONMENTAL HEALTH DEPARTMENT (CONDITIONAL)"  
TRAFFIC ENGINEERING, TRANSPORTATION DIVISION  
ADCUA  
PARKS AND RECREATION DEPARTMENT  
**Prosenjida** 11/1/2021  
CITY ENGINEER  
DRB CHAIRPERSON, PLANNING DEPARTMENT  
CODE ENFORCEMENT

#### PURPOSE OF PLAT:

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

#### GENERAL NOTES:

- 1: UNLESS NOTED, NO. 4 REBAR WITH CAP STAMPED P.S.#11463 WERE SET AT ALL PROPERTY CORNERS.
- 2: THIS PLAT SHOWS ALL EASEMENTS OF RECORD.
- 3: TOTAL AREA OF PROPERTY: 0.2082 ACRES.
- 4: BASIS OF BEARINGS IS THE NEW MEXICO STATE PLANE COORDINATE SYSTEM, CENTRAL ZONE, NAD 1983.
- 5: DISTANCES ARE GROUND, BEARINGS ARE GRID.
- 6: BEARINGS AND DISTANCES SHOWN IN PARENTHESIS ARE RECORD.
- 7: DATE OF FIELD WORK: OCTOBER 28, 2020
- 8: 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 ERECTED ON LOTS OR PARCELS WITHIN THE AREA OF PROPOSED PLAT
- 9: 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 76

#### PUBLIC UTILITY EASEMENTS

Public Utility Easements shown on this plat are granted for the common 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 reasonably 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. QUEST DURA CENTURYLINK for the installation, maintenance, and service of such lines, cable, and other related equipment and facilities reasonably necessary to provide communication services.  
D. Cable TV for the installation, maintenance, and service of such lines, cable, and other related equipment and facilities reasonably necessary to provide Cable service.

Included is the right to build, renew, construct, reconstruct, locate, relocate, change, remove, replace, modify, 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 using poles, wires and service adjoining lands of others for the purposes set forth herein and with the right to utilize the right of way and easement to extend service to customers of the utility, including sufficient working area space for electric transformers, with the right and privilege to trim and remove trees, shrubs or bushes which interfere with the purposes set forth herein. No building, sign, pool (aboveground or subsurface), hot tub, carport or 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 correcting any violations of National Electrical Safety Code by construction of poles, decking, or any structures adjacent to or near easements shown on this plat. Easements for electric transformers/pole/ducts, as installed, shall extend ten (10) feet in front of transformer/pole/ducts and five (5) feet on each side.

#### Disclaimer

In executing this plat, Public Service Company of New Mexico (PSCNM), QUEST DURA CENTURYLINK and New Mexico Gas Company (NMGC) did not conduct a Title Search of the properties shown herein. Consequently, PSCNM, QUEST DURA CENTURYLINK and NMGC do not warrant or release any easement or easement rights which may have been granted by prior plat, report or other document 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 AMONG THEM COMPLETE AND INDEFEASIBLE TITLE IN FEE SIMPLE TO THE LAND SUBDIVIDED.

**Leonard R. & Deborah M. Garcia** 10/18/21  
DATE

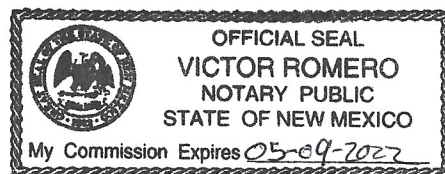
#### ACKNOWLEDGMENT

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: **LEONARDO R. & 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  
UPC#  
PROPERTY OWNER OF RECORD:  
BERNALILLO CO. TREASURER'S OFFICE:

#### SURVEYOR'S CERTIFICATE:

STATE OF NEW MEXICO )  
COUNTY OF BERNALILLO )  
I, ANTHONY L. HARRIS, being a 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 REGISTRATION AND SURVEY OF THE ALBUQUERQUE SUBDIVISION ORDINANCE AND MEETS THE MINIMUM REQUIREMENTS FOR LAND SURVEY AS SET FORTH BY THE STATE OF NEW MEXICO.

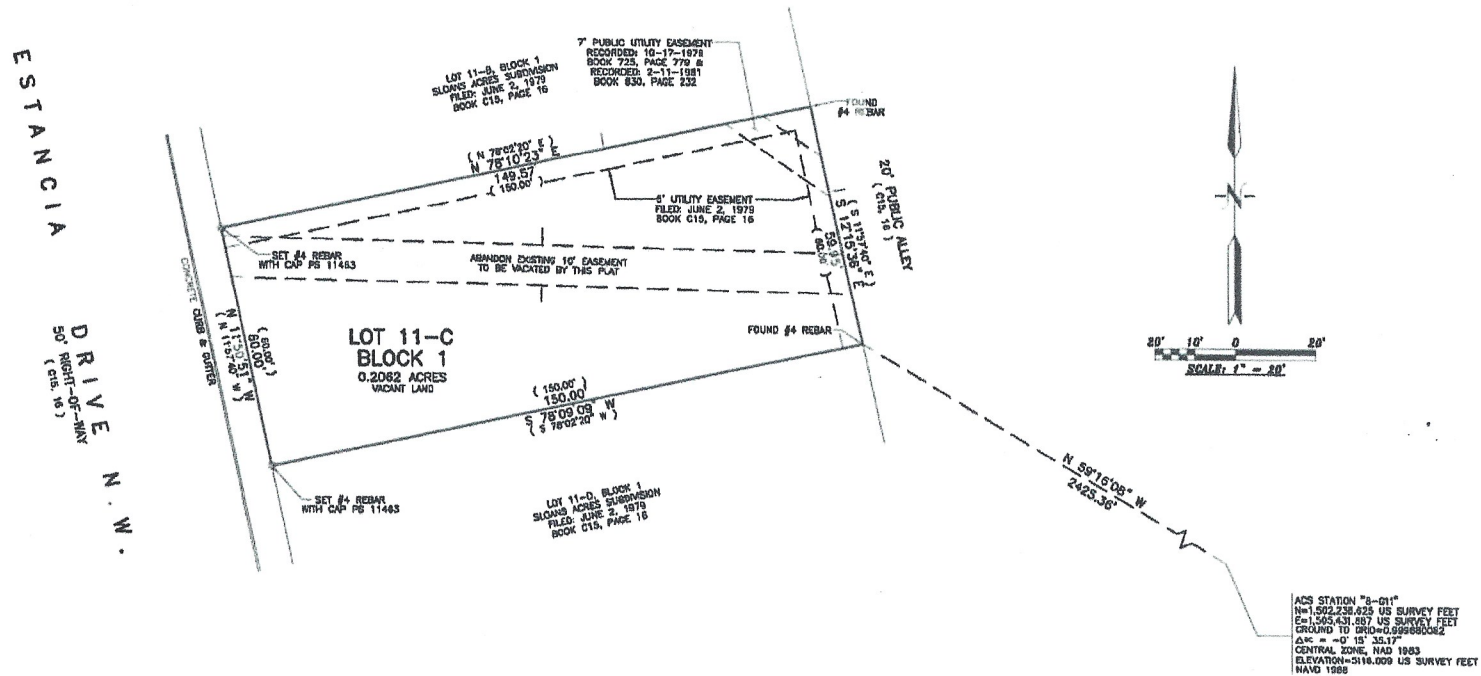
GIVEN UNDER MY HAND AND SEAL AT ALBUQUERQUE, NEW MEXICO  
THIS 10th DAY OF October 2021

**Anthony L. Harris**  
ANTHONY L. HARRIS, P.L.S. #1345

THE SURVEY OFFICE OF THE  
STATE OF NEW MEXICO  
ALBUQUERQUE, NEW MEXICO 87102  
PHONE: (505) 762-1000 FAX: (505) 762-1000

# 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





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

On, 14 July 2021, we attended the DRB to review the sketch plat request to vacate the public easement that runs diagonally through our property, **LOT 11-C BLOCK 1, SLOANS ACRES at 4224 Estancia Dr. NW, Albuquerque, NM 87120**, which is known as an infill lot. During the DRB, the transportation development representative commented, a Sidewalk is also requested to be built, or a sidewalk waiver shall be submitted." 1. An email request for a neighborhood meeting with Ladera Heights neighborhood association was declined and the Westside Coalition of Neighborhood Associations did not respond.

To further complete the process, we are requesting a sidewalk waiver 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.

2. N/A

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), 64<sup>th</sup> 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.

4. N/A

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.
  - Our Waiver will not be materially contrary to public safety, health, or welfare.
- 6-6(P)(3)(c) The Waiver does not cause significant material adverse impacts on surrounding properties.
  - Our 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.

- Our 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.
  - Our Waiver will not conflict with any of these items.
- 6-6(P)(3)(f) The Waiver will not allow, encourage, or make possible undesired development in the 100-year Floodplain.
  - Our 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.
  - Our 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.
  - Our Waiver will not conflict with any of these items.
- 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).
  - Our Waiver is asking to be consistent with the neighborhood and 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.
  - Our Waiver will not create a gap in existing sidewalk system, as there are no sidewalks present along Estancia Drive in Sloans Acres.

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



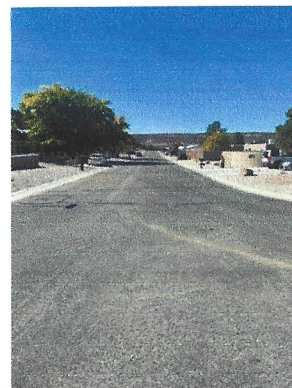
1. Gas Co of NM flags



2. Gas Co flag

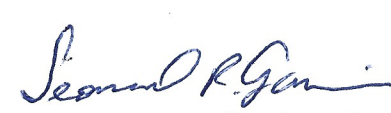
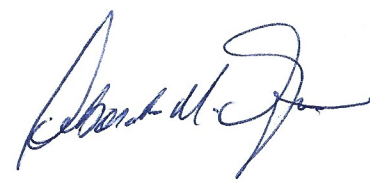


3. Estancia Dr w/o sidewalk



4. Wayne Dr w/o sidewalk

Very respectfully,

Leonard R. and Deborah M. Garcia

**RE: DXF File for Project # PR-2020-003309\_ Garcia 4224 Estancia Dr. NW, 87120**

Muzzey, Devin P. <dmuzzey@cabq.gov>

Wed 10/20/2021 9:35 AM

To: DEBORAH GARCIA <dmg\_hammer@msn.com>; Planning Plat Approval <platgisreview@cabq.gov>

Cc: Rodenbeck, Jay B. <jrodenbeck@cabq.gov>; Gould, Maggie S. <MGould@cabq.gov>

Good Morning Deborah,

The DXF for PR-2020-003309, Sloans Acres – Lot 11C – Block 1, has been approved. This email will notify the DRB Office.

Thank you,  
Devin Muzzey



**Devin Muzzey**

gis specialist

e [dmuzzey@cabq.gov](mailto:dmuzzey@cabq.gov)

[cabq.gov/planning](http://cabq.gov/planning)

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**From:** DEBORAH GARCIA <dmg\_hammer@msn.com>

**Sent:** Tuesday, October 19, 2021 7:21 PM

**To:** Gricius, Michelle A. <mgricius@cabq.gov>; Harris Surveying <harrissurveying51@gmail.com>

**Cc:** Planning Plat Approval <platgisreview@cabq.gov>; Leonard Garcia <lgarcia@sandiaprep.org>

**Subject:** RE: DXF File for Project # PR-2020-003309\_ Garcia 4224 Estancia Dr. NW, 87120

Hello Michelle,

Our signed plat is attached. Sorry about attaching the wrong email address.

Let us know if you need anything further.

Deb Garcia  
505-321-3078

Sent from [Mail](#) for Windows

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**From:** [Gricius, Michelle A.](#)

**Sent:** Tuesday, October 19, 2021 9:09 AM

**To:** [DEBORAH GARCIA](#); [Harris Surveying](#)

**Cc:** [Planning Plat Approval](#); [Leonard Garcia](#)

**Subject:** RE: DXF File for Project # PR-2020-003309\_ Garcia 4224 Estancia Dr. NW, 87120

Deborah,

Tony sent us the dxf file, but he indicated that you would be sending the PDF of the plat. We need both files to start the review. Once we receive the PDF, we will report back approval status. Also, please remove [gis@cabq.gov](mailto:gis@cabq.gov) from your distribution list. This email goes to our IT department, not Planning.

Thanks,

Michelle



**MICHELLE GRICIUS**

gis manager

o 505.924.3816

e [mgricius@cabq.gov](mailto:mgricius@cabq.gov)

[cabq.gov/planning](http://cabq.gov/planning)

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**From:** DEBORAH GARCIA <[dmg\\_hammer@msn.com](mailto:dmg_hammer@msn.com)>

**Sent:** Monday, October 18, 2021 6:08 PM

**To:** Harris Surveying <[harrissurveying51@gmail.com](mailto:harrissurveying51@gmail.com)>; GIS <[gis@cabq.gov](mailto:gis@cabq.gov)>

**Cc:** Planning Plat Approval <[platgisreview@cabq.gov](mailto:platgisreview@cabq.gov)>; Leonard Garcia <[lgarcia@sandiaprep.org](mailto:lgarcia@sandiaprep.org)>

**Subject:** RE: DXF File for Project # PR-2020-003309\_ Garcia 4224 Estancia Dr. NW, 87120

**External**

Hello Michelle,

I will be submitting the DRB files for the vacation of easement at 4224 Estancia Dr. NW, 87120.

**Can you reply letting us know if the final plat data for AGIS review is ready?**

**Thank you,**

**Deb Garcia or Leonard Garcia**

**505-321-3078 or 505-353-0272**

Sent from [Mail](#) for Windows

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**From:** DEBORAH GARCIA <[dmg\\_hammer@msn.com](mailto:dmg_hammer@msn.com)>

**Sent:** Tuesday, October 12, 2021 7:18:58 AM

**To:** Harris Surveying <[harrissurveying51@gmail.com](mailto:harrissurveying51@gmail.com)>

**Cc:** [platgisreview@cabq.gov](mailto:platgisreview@cabq.gov) <[platgisreview@cabq.gov](mailto:platgisreview@cabq.gov)>; Leonard Garcia <[lgarcia@sandiaprep.org](mailto:lgarcia@sandiaprep.org)>

**Subject:** Re: DXF File for Project # PR-2020-003309\_ Garcia 4224 Estancia Dr. NW, 87120

Good Morning Tony,

This is the email address to send the DX file for the Plat GIS review.

Have a great day,

Deb

Get [Outlook for iOS](#)

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**From:** Harris Surveying <[harrissurveying51@gmail.com](mailto:harrissurveying51@gmail.com)>  
**Sent:** Sunday, September 12, 2021 7:21:53 AM  
**To:** DEBORAH GARCIA <[dmg\\_hammer@msn.com](mailto:dmg_hammer@msn.com)>  
**Cc:** [platgisreview@cabq.gov](mailto:platgisreview@cabq.gov) <[platgisreview@cabq.gov](mailto:platgisreview@cabq.gov)>; Leonard Garcia <[lgarcia@sandiaprep.org](mailto:lgarcia@sandiaprep.org)>  
**Subject:** Re: DXF File for Project # PR-2020-003309\_ Garcia 4224 Estancia Dr. NW, 87120

Deb, I'll work on preparing the DXF file for the city and will be sending it over on Monday.  
I'll copy you on the submittal.  
Tony

On Fri, Sep 10, 2021 at 6:45 PM DEBORAH GARCIA <[dmg\\_hammer@msn.com](mailto:dmg_hammer@msn.com)> wrote:

Hello Michelle,

Thank you for talking with me this afternoon. Attached are the two files, 20-0128H\_PLAT and 20-0128H\_TITLE, as provided by Tony Harris of Harris Surveying.

After further review of the DRB requirements for the PR-2020-003309 Form S2 Preliminary/Final Plat Application there is one list item that is needed:

- DXF file and hard copy of the final plat data for AGIS submitted and approved.

**Hello Tony,**

**Could you please reply ALL with the DFX file for Michelle and her team to review prior to our submission of Form S2 to the DRB?**

**Your assistance with this matter is greatly appreciated,**

Deborah and Leonard Garcia

505-321-3078 and 505-353-0272

Sent from [Mail](#) for Windows