



Development Facilitation Team (DFT) – Review Comments

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

DRB Project No: PR-2020-003484 Date: 05/10/2023 Agenda Item: #4 Zone Atlas Page: E-10

Legal Description: Lots 2 & 3 Block 12 unit 3, Volcano Cliffs SUBD

Location: Mojave St NW between Unser Blvd and Tesuque Dr.

Application For: SD-2023-00048 – PRELIMINARY PLAT (DHO)

1. Availability Statement 230126 provides conditions for service. Infrastructure is required.
2. Infrastructure List:
 - a. Please coordinate with Utility Development to correct minor items on the infrastructure list.
 - i. Need specific start and stop points for Water and more specific SAS as it only needs to be extended such that each lot has service.

DEVELOPMENT HEARING OFFICER

TRANSPORTATION DEVELOPMENT

DRB Project Number: 2020-003484
6341 Mojave

AGENDA ITEM NO: 4

SUBJECT: Preliminary Plat

ENGINEERING COMMENTS:

1. All comments have been addressed, 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: May 10, 2023

ACTION:

APPROVED __; DENIED __; DEFERRED __; COMMENTS PROVIDED __; WITHDRAWN __

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

DEVELOPMENT FACILITATIVE TEAM - HYDROLOGY SECTION
 Renée Brissette, PE, Senior Engineer | 505-924-3995 rbrissette@cabq.gov

DRB Project Number: 2020-003484 Hearing Date: **05-10-2023**
 Project: Mojave Ridge Subdivision Agenda Item No: **4**

<input type="checkbox"/> Sketch Plat	<input type="checkbox"/> Minor Preliminary / Final Plat	<input checked="" type="checkbox"/> Preliminary Plat	<input type="checkbox"/> Final Plat
<input type="checkbox"/> Temp Sidewalk Deferral	<input type="checkbox"/> Sidewalk Waiver/Variance	<input type="checkbox"/> Site Plan for Bldg. Permit <input type="checkbox"/> Site Plan for Subdivision	<input type="checkbox"/> Bulk Land Plat
<input type="checkbox"/> SIA Extension	<input type="checkbox"/> DPM Variance	<input type="checkbox"/> Vacation of Public Easement	<input type="checkbox"/> Vacation of Public Right of Way

ENGINEERING COMMENTS:

- Hydrology needs further directions from National Parks and Open Space.
- Hydrology needs a resubmittal based on these directions.

RESOLUTION/COMMENTS:

Water:

Code Enforcement:

Parks:

Transportation:

Planning:

APPROVED
 DENIED

DELEGATED TO: TRANS HYD WUA PRKS PLNG
 Delegated For: _____
 SIGNED: I.L. SPSP SPBP FINAL PLAT
 DEFERRED TO _____

DEVELOPMENT HEARING OFFICER

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: 5/10/2023

AGENDA ITEM NO: 4

DHO PROJECT NUMBER:

PR-2020-003484

SD-2023-00048 – PRELIMINARY PLAT

SKETCH PLAT 1-11-23 (DFT)

IDO - 2021

PROJECT NAME:

THE GROUP | RON HENSLEY agent for **NAFEESA PASHTOON** requests the aforementioned action(s) for all or a portion of: **LOTS 2 & 3 BLOCK 12 UNIT 3, VOLCANO CLIFFS SUBD** zoned **R1-D** located on **MOJAVE ST NW** between **UNSER BLVD** and **TESUQUE DR** containing approximately **4.25** acre(s). (E-10) [Deferred from 4/12/23, 4/26/23b]

PROPERTY OWNERS: PASHTOON NAFEESA

REQUEST: CREATE 19 LOTS FROM EXISTING TRACTS

COMMENTS:

1. Prior objections from 4/12/23 Hearing regarding pad sites and maximum height notations have been corrected.
2. Property is located within 330 feet of a Major Public Open Space, and it appears to meet the buffer requirements for the proposed development as per IDO 5-2(J)(2)(a)(1). Code Enforcement is prepared to accept the proposed combination of buffers, as shown in the Preliminary Plat presented on 4/12/2023, including the single-loaded street and 45 foot buffers in Lot 5 and Tract A. However, as the IDO indicates these buffers must be approved by the Open Space Superintendent, Code Enforcement would like to confirm Parks is in agreement with this determination.
3. Code Enforcement has no further comments or objections.



Development Hearing Officer Planning - Case Comments

Meeting Date: 5/10/23 -- **DHO AGENDA ITEM #4**

Project Number: PR-2020-003484

Application Number: SD-2032-00048

Project Name: 6341 Mojave St NW

Request:

Preliminary Plat for 19 residential lots.

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

Items in red need to be addressed for the application to move forward.

COMMENTS:

1. Items that Need to be Completed or Corrected:

- **Updated 5.9.23: Planning recommends a deferral of the application pending approval from the National Park Service (NPS) and City Open Space.** The applicant and staff of the NPS, City Open Space, City Planning and the City Engineer met circa 4.21.23. Both the NPS and COA Open Space clearly explained a private party would need to ask permission for a scour wall, a sewer connection, and/or an outflow from a drainage pond to the Boca Negra Arroyo drainage area. In the resubmittal, the applicant reworked the scour wall so that is on the private property side of the property line with the Arroyo. The applicant has not provided any documentation of having requested permission from the NPS or COA Open Space regarding the location of that scour wall, the connection to the sewer, and the outflow from the drainage pond to the Arroyo. Planning staff cannot recommend proceeding with the review and approval of this subdivision because of the IDO indicates that outside agencies have review rights and federal law must be followed. **See the following IDO provisions:**

1-8(D) If any regulation in this IDO conflicts with other applicable laws or regulations of the City, or conflicts with applicable State or federal law, the more restrictive provision shall prevail, unless the provisions of State or federal law, as interpreted by the courts, prevent that result.

**(See additional comments on next page)*

6-4(J) REFERRALS TO COMMENTING AGENCIES

Following a determination that the application is complete, the Planning Director, ZEO, or any City staff designated to review applications in Table 6-1-1 shall refer applications for comment to the following departments or agencies, as noted below. Any comments received within 15 calendar days after such a referral shall be considered with the application materials in any further review and decision-making procedures.

6-4(J)(1) General

City departments or agencies or other governmental or quasi-governmental agencies whose services, properties, facilities, interests, or operations may be affected.

6-4(J)(6) Development within 660 feet of the Petroglyph National Monument

6-4(J)(6)(a) National Park Service.

6-4(J)(6)(b) Open Space Division of the City Parks and Recreation Department.

- **Updated 5.9.23:** Landscaping is to follow Standard Specification 1013 and is noted on the Infrastructure List.

~~Tract A: Is there a landscaping Plan for Tract A? Any Landscape Plans must be sealed and signed by a Landscape Architect licensed in the State of New Mexico.~~

Change the maintenance note of Tract A (pond) to be the Homeowner's Association; city maintenance is not provided for Tract A.

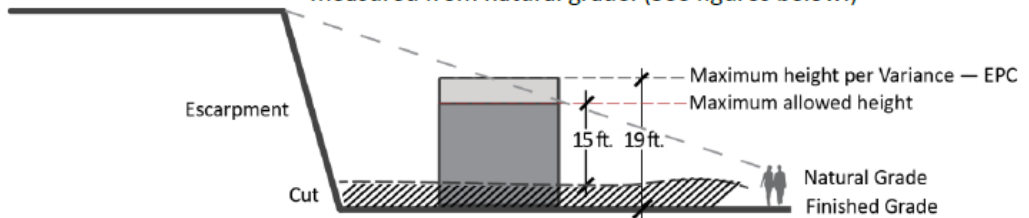
- **IDO 3-6(E) The parcels are in the VPO-2 Height Restricted Sub Area. Identify the allowable structure height vis a vis grading plan.** 'Building and/or structure height shall not exceed 15 feet, as measured from natural grade.'

***Show height measurements from finished grade and natural grade. *Clarify if standards are being met.**

3-6(E)(3) Building and Structure Height

The following standards apply in the Height Restrictions Sub-area shown in the map above.

3-6(E)(3)(a) Building and/or structure height shall not exceed 15 feet, as measured from natural grade. (See figures below.)



- **Updated 5.9.23:** The meeting with the NPS and City Open Space indicated that they feel strongly that pre and post construction meetings need to be held to ensure that the environmental integrity of the Open Space is not compromised during construction.

**(See additional comments on next page)*

Notes may need to be added to the plat.

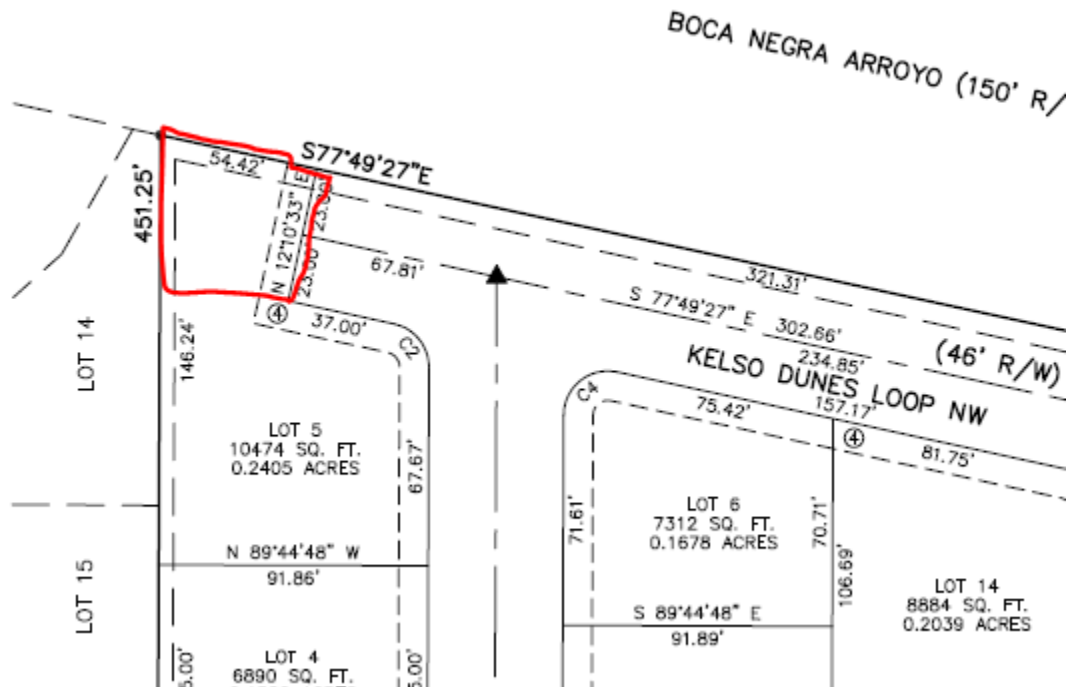
These standards come from a draft Construction Mitigation Program for Development adjacent to MPOS. Items #1 and #2 will be findings of the plat approval and the NOD must accompany the site plan for building permit.

The Construction Team shall adhere to the following:

1. Standards of Construction
 - a. Protective measures shall be implemented during the actual construction phase of the project to ensure protection of MPOS property.
 - b. Notifications
 - i. Proposed construction report shall be provided to the MPOS Owner by e-mail or mail. (CoA Open Space Tricia Keefer and Petroglyph National Monument, Nancy Hendricks)
 - ii. Include the following information in the notification:
 1. The name of the project
 2. Dates of construction
 3. The contact information for the person responsible for mitigation
 4. Construction plan showing buffer and placement of **protection fencing**
 - c. Pre- construction meeting with MPOS representatives
 - i. Contractor and MPOS representatives will perform pre- and post-construction site meetings to discuss and agree to access and staging needs, work hours, proposed impacts and restoration plans, safety, noise and vibration impacts, and project timelines. Any access points, routes and access to and across the MPOS and buffer area shall be mutually agreed upon prior to construction-related activities.
 - d. The following actions are prohibited within MPOS and buffer zone:
 - i. Vehicular traffic or parking.
 - ii. Storage of construction materials, debris, or excavated material.
 - iii. Dumping of refuse or chemicals, or liquids.
 - iv. Puddling or continuous running water.
 - v. Diesel or gasoline equipment running adjacent to protection zone.
 - vi. Foot traffic.
 - vii. Erection of sheds or structures.
 - viii. Mixing or washing of concrete or any other cementitious products.
2. Final Clean Up and Inspection
 - a. Before final acceptance, the area along the MPOS and buffer zone shall be cleaned of all rubbish, excess materials, temporary structures, and equipment; and all parts of the work shall be left

**(See additional comments on next page)*

- in an acceptable condition.
 - b. A post-construction meeting shall be held with MPOS and City representatives to verify the buffer zone, sensitive land feature, or MPOS has been adequately protected during construction.
 - c. Any damaged areas noted shall be restored per contractor expense.
- 5-2 (J)(2)(a) Lot 5 is abutting the Boca Negra arroyo. Add a note to the plat indicating that the 45 feet buffer abutting the Petroglyph National Monument must have plant approval and location per the Open Space Superintendent.



Future Required Final Plat:

- The project and application numbers need to be added to the Final Plat.
- Utility and AMAFCA signatures will be required for the Final Plat, and must be obtained and included with the Final Plat application submittal prior to acceptance of the Final Plat and placement on a DHO agenda.
- For the Final Plat, the DXF file must be approved by AGIS, and the approval email from AGIS must be submitted prior to final sign-off of the Final Plat from Planning should the

**(See additional comments on next page)*

Plat be approved by the DHO.

- For the Final Plat, Hydrology, Transportation, and Water Authority staff must all sign Form S and ensure that any application submittals required in association with the Final Plat application are approved prior to their signatures on Form S. Form S must be signed by Hydrology, Transportation, and Water Authority staff prior to the acceptance of the Final Plat application and placement on a DHO agenda.
 - The Final Plat is required to be submitted within one year of Preliminary Plat approval.
 - A recorded IIA based on the Infrastructure List included with the Preliminary Plat submittal will be required with the Final Plat, and must be obtained and included with the Final Plat application submittal prior to the acceptance of the Final Plat and placement on a DHO agenda.
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2. Standard Subdivision Comments and Items in Compliance:

5-2(C) Site Design to Avoid Sensitive Lands.

Updated 4/10/23:

- Applicant completed a Sensitive Lands Analysis and not sensitive land features were identified. Please note that site slopes are 8% or less and the property is no longer in the 100 year flood plain.
- The drainage note for compliance with Section 1013 is added to the infrastructure list.

Updated 1/20/23:

- **Staff determined after much discussion that this applicant can proceed with the lot sizes presented on the Sketch Plat for the Preliminary Plat.** They do meet the contextual standards of the IDO. While an argument could be made that the new subdivision is its own block and R1-D lot sizes are required, there is also an argument for contextual standards applying and that is the advice that was given in prior sketch plats.

**(See additional comments on next page)*

- **Applicant met the public notice requirements Section 6-1, table 6-1-1 for public notice requirements** (6-6-L Subdivision of Land-Major). The application was sent to the Superintendent of Petroglyph National Monument for comment and PNM agreed with the Open Space Division comments. (IDO 5-2-(J)(2)(c) 1 for comment by external agencies.)
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3. Future Development Guidance

- Please reference the following development standards from the IDO. Subject to change pending formal submittal and/or proposed development types/uses.
 - 3-6(E) Northwest Mesa Escarpment – VPO-2 and *Height Restricted Sub-area. **Updated 4/10/23:** Please note that building height shall not exceed 15 feet, as measured from the natural grade. See IDO 3-6(E) for details, and dealing with undulating terrain.
See also restrictions on Colors, Reflectivity, and roof-mounted equipment. Use yellow ochers, browns, dull reds, and greens with Light reflective value ranging from 20 to 50 percent.
Fully screen roof-mounted HVAC from public street and escarpment.
 - 4-2 Allowed Uses, table 4-2-1. ***Reference Use Specific Standards 4-3-B-1 Single Family Detached Dwelling.** Explain and demonstrate how all standards are being met.
 - 5-1 Dimension Standards for R-1D and Area of Consistency. Calculations per Code Enforcement. 5-1-G Exceptions and Encroachments.
*Included setback measurements, and elevations with height measurements from finished grade and natural grade. *Clarify if standards are being met.
 - **5-2-K** Property is abutting Major Public Open Space to the North and within MPOS Edges. Also abutting the Boca Negra Canyon Arroyo-Drainage Easement. Standards exist for each. Up to and including 5-2-K.
 - **5-3 Access & Connectivity requirements.**
*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.
5-3(C)(3)(b) 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.
 - 5-5 Parking & Loading requirements, Table 5-5-1.

**(See additional comments on next page)*

Dwelling, single-family detached 1 space / DU up to 2 BR, 2 spaces / DU with 3 or more BR.

- 5-6 Landscaping, Buffering, and Screening standards and requirements.

Updated 4/10/23:

- 5-7 Walls/Fences. (E)(4) . *View fencing is required adjacent to Major Arroyos or Major Public Open Space. *Development requires separate permitting.

5-2(J)(2)(a). *Special wall provisions adjacent to MPOS.

10. Locate and design all walls, fences, retaining walls, and combinations of those site features facing the Major Public Open Space in compliance with all applicable standards in Section 14-16-5-7(E)(4) (Walls Adjacent to Major Arroyos or Major Public Open Space).

- 5-11 Building and façade design requirements. 5-11-C for Low-Density Residential. *Demonstrate and explain how standards and requirements are being met.
- 7-1 Development, dwelling, and use definitions.
*Reference definitions for Low-Density Residential and Single Family Detached.



Disclaimer: The comments provided are based upon the information received from the applicant/agent. If new or revised information is submitted, additional comments may be provided by Planning.

FROM: Jolene Wolfley/Robert Webb/Leila Shadabi
Planning Department

DATE: 5/9/23

**(See additional comments on next page)*



DEVELOPMENT HEARING OFFICER (DHO)

Parks and Recreation Department

<https://www.cabq.gov/parksandrecreation>

PR-2020-003484

SD-2023-00048 – PRELIMINARY PLAT

SKETCH PLAT 1-11-23 (DFT)

IDO - 2021

THE GROUP | RON HENSLEY agent for NAFEESA PASHTOON requests the aforementioned action(s) for all or a portion of: LOTS 2 & 3 BLOCK 12 UNIT 3, VOLCANO CLIFFS SUBD zoned R1-D located on MOJAVE ST NW between UNSER BLVD and TESUQUE DR containing approximately 4.25 acre(s). (E-10) [Deferred from 4/12/23, 4/26/23b]

PROPERTY OWNERS: PASHTOON NAFEESA

REQUEST: CREATE 19 LOTS FROM EXISTING TRACTS

Comment:

04-26-2023

Parks and Recreation met with the agent for the applicant along with City planning, National Park Service and Open Space Division staff. It was determined by NPS staff that the arroyo (drainage easement) is located within the Monument Boundary and any construction requires NEPA review and other potential approvals or permits. The applicant has been asked to coordinate with NPS and OSD to determine if prior approvals by EPC (Extraordinary Facility), OSAB, or NPS are required if the scour wall is desired to be located within the MPOS property. The City Engineer requested that this issue is investigated prior to any approvals of a preliminary platting action.

05-10-2023

Although the scour wall has been updated to be contained within the site, there is still proposed uses within the arroyo that would require construction work within the arroyo and/or abutting the property line. Please submit proposed requests to Petroglyph National Monument and CABQ Open Space Division Staff to request permission to utilize the Boca Negra Arroyo, which is located within the monument boundary and is zoned NR-PO-B for Major Public Open Space prior to final plat.

Comments provided by Whitney Phelan, Senior Planner, CABQ Parks & Recreation Department. Please contact via wphelan@cabq.gov or 505-768-5378 with questions or concerns.