



Development Facilitation Team (DFT) – Review Comments

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

Project No: PR-2020-004171 **Date:** 04/10/2024 **Agenda Item:** #6 **Zone Atlas Page:** R1-D
Legal Description: TRACT N-7-A-1, BULK LAND PLAT OF TANOAN PROPERTIES
Location: 12300 SAN ANTONIO DR between LOWELL DR NE and TENNYSON ST NE
Application For: Subdivide 1 Tract of land into 9 lots and 1 tract, vacate existing easements and grant new public easement.

Application For: SD-2024-00059 – Preliminary Plat

1. Availability Statement 221013 provided conditions for service for the proposed subdivision. It has since expired but if nothing has changed, the plans can move forward. Please confirm the plans are the same as initially requested in 2022.
 - a. Extensions are required for the site and an infrastructure list will be required. Final plat signature will require either construction or financial guarantee in place.
 - b. During the design process if additional easements are required, the plat may need to be revised to show adequate easements as needed. Otherwise, public paper easements can potentially be created but service cannot be sold until all infrastructure improvements are accepted and easements in place.

Application For: VA-2024-00096 – Sidewalk Waiver

1. No objection

Application For: VA-2024-00098 – Sidewalk Waiver DPM

1. No objection

Application For: SD-2024-00061 – Vacation of Public Easement

1. No objection
 - a. The sanitary sewer easement is being replaced by a new easement.

Application For: SD-2024-00063 – Vacation of Private Easement

1. No objection.

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

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: 04/10/2024

AGENDA ITEM NO: 6

DHO PROJECT NUMBER:

PR-2020-004171

SD-2024-00059 – PRELIMINARY/FINAL PLAT

VA-2024-00096 - SIDEWALK WAIVER

VA-2024-00098 - SIDEWALK WAIVER DPM

SD-2024-00061 - VACATION OF PUBLIC EASEMENT

SD-2024-00063 - VACATION OF PRIVATE EASEMENT

SKETCH PLAT 12-13-23 (DFT)

IDO - 2022

PROJECT NAME:

FIERRO & COMPANY agent for **WILLIAM E. GALBRETH LAND DEVELOPMENT CO. LLC** requests the aforementioned action(s) for all or a portion of: **TRACT N-7-A-1, BULK LAND PLAT OF TRACT N-7-A-1 TANOAN PROPERTIES** zoned **R-1D**, located at **12300 SAN ANTONIO DR** between **LOWELL DR NE** and **TENNYSON ST NE** containing approximately **6.653** acre(s). (**E-22**)

PROPERTY OWNERS: WILLIAM E GALBRETH LAND DEVELOPMENT CO LLC

REQUEST: CREATE 9 LOTS AND 1 TRACT, VACATE EXISTING PRIVATE AND PUBLIC EASEMENTS WITH NEW EASEMENT DEDICATIONS, SIDEWALK WAIVER AND DETERMINATION OF RIGHT-OF-WAY WITH RIGHT-OF-WAY DEDICATION.

COMMENTS:

1. It was determined in the 12/3/2023 DFT Sketch Plat meeting that the property has already been re-zoned to R-1D. Therefore, the lots must meet the dimensional standards for R-1D, minimum 70 ft width and 10,000 sq ft, and the lots as shown meet these requirements.
2. Property is in an Area of Consistency, but is not subject to these requirements as there are no other properties within the City of Albuquerque that are fronting that portion of the block facing San Antonio NE.
3. Code Enforcement has no further comments and no objections.

DEVELOPMENT HEARING OFFICER

Code Enforcement Comments

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

DATE: 04/10/2024

Comments from DFT Sketch Plat 12/13/2023:

- ~~1. Property is zoned PD, and is adjacent to the east of properties zoned R-1D. See requirements for the Planned Development Zone, IDO 2-6(A) for specific requirements.~~
- ~~2. If subdividing for single family residential development, must meet Dimensional Standards of IDO 5-1(C), Table 5-1-1 for the R-1D zone, including a minimum width of 75 feet and minimum size of 10,890 ft. Several lots shown are slightly deficient in one of these areas (size or width).~~
- ~~3. If proposing development as a subdivision, this will require EPC site plan approval and rezoning.~~
- ~~4. CE has no further comments at this time.~~

NOTE: CORRECTED IN MEETING: JPalmer

- **Discovered in meeting property has already been re-zoned to R-1D. Just needs to meet dimensional standards for R-1D, minimum 70 ft width and 10,000 sq ft – lots as shown meet these requirements.**
- **Code Enforcement has no objections, appears to meet all requirements.**

DEVELOPMENT HEARING OFFICER

TRANSPORTATION DEVELOPMENT

DRB Project Number: 2020-004171
12300 San Antonio

AGENDA ITEM NO: 6

SUBJECT: Sketch Plat

ENGINEERING COMMENTS:

1. Transportation is satisfied with the justification for waiver to ROW requirements.
2. Transportation has reviewed the waiver to sidewalk request and based on the fact that there are no ADA facilities for sidewalk to connect to as DRB approved a crusher fine trail adjacent to this property, we have no further objections to this waiver.
3. 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: April 10, 2024

ACTION:

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

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

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

DRB Project Number: 2020-004171 Hearing Date: 04-10-2024
Project: Tuscany Village Unit 2 Agenda Item No: 6

<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"/> 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 will need to approve a Revised Conceptual Grading & Drainage. The approved Conceptual G&D was for an Eight (8) Lot Subdivision. The plat that is before the DHO is a Nine (9) Lot Subdivision.
- Comment – Prior to submitting for Work Order & Grading Permit, a licensed New Mexico civil engineer will need to submit a Grading & Drainage Plan to Hydrology for review & approval if one of these conditions is met. (500 cy of grading, 1,000 sf of proposed building, or 10,000 sf of proposed paving).

☐ APPROVED
☐ DENIED

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



DEVELOPMENT FACILITATION TEAM

Planning Comments

HEARING DATE: 04/10/24 -- **AGENDA ITEM:** #6

Project Number: PR-2020-004171

Application Number: SD-2024-00059 & VA-2024-00096 & VA-2024-00098 & SD-2024-00061 & SD-2024-00063

Project Name: 12300 San Antonio Dr NE

Request:

Preliminary-Final Plat / Sidewalk Waiver/ Sidewalk Waiver DPM/ Vacation of public Easement /Vacation of Private Easement

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

BACKGROUND

- This is a request to Subdivide 1 Tract of land into 9 lots and 1 tract, vacate existing easements and grant new public easement.
- The property is currently zoned R-1D and the proposed replat will provide for the development of single-family homes in accordance with the 1D zone.
- This lot is located within Area of Consistency and all lots adjacent to it are also located in Area of Consistency. This lot is not located within any overlay zones, corridors, and or centers. This site is located within Foothills Community Planning Area.
- The access easement located on Tract N-7-A-1-A is granted to AMAFCA as shown on the proposed plat and is not a public right of way.
- On May 20, 2021, the Environmental Planning Commission (EPC) voted to Approve a Zoning Map Amendment (zone change) to change the zoning of this site from PD to R-1D. (RZ-2021-00011).

**(See additional comments on next page)*

1. ITEMS NEEDING TO BE COMPLETED OR CORRECTED

Comments:

Items in *orange* type need attention

Items in *blue* type are compliant

- The Application number must be corrected on the plat.
- An obsolete DRB Infrastructure List form has been used. Please use the updated DHO form for the Infrastructure List. This form can be obtained online at the following link: https://documents.cabq.gov/planning/development-hearing-officer/DHO_infrastructure-list.pdf
- Planning defers to Code Enforcement for compliance with Dimensional Standards and Contextual Standards (5-1(C)(2)).
- Engineering staff have reviewed the Infrastructure List (IL) included with the Preliminary/Final Plat and determined that some of the items on the Infrastructure List are considered "major public infrastructure." Per 6-6(K)(1)(a)(3) of the IDO, if a platting application requires major public infrastructure, a Major Preliminary Plat application submittal is required. **AS THE PLATTING APPLICATION SUBMITTED FOR THIS SITE WAS A MINOR PRELIMINARY/FINAL PLAT, IT WILL NEED TO BE WITHDRAWN WITH A MAJOR PRELIMINARY PLAT APPLICATION SUBMITTED IN ITS PLACE.**
- Four (4) Vacations of Easement are proposed in the justification letter (for the Vacations) in the application submittal and as noted/depicted on the Plat. However, only two Vacations of Easement (a Vacation of Public Easement and a Vacation of Private Easement) were processed by staff and placed on the April 10th DHO agenda. For a decision to be made on the two remaining Vacations of Public Easement, two additional applications for Vacation of Public Easements will need to be processed and the application fees paid for prior to their hearing, with more detail on the application submittal for each Vacation in the "Brief Description of Request" section of the application form being provided to staff processing the additional applications (at PLNDRS@cabq.gov).
- For the portion of the 20-foot prescriptive sewer line easement proposed to be vacated on the subject property (Easement #1), the Applicant must contact the owner of the abutting property (DAVID PRICE ETAL ATTN: AMERICAN GOLF CORP at UPC: 102206232441910205) southwest of the subject property and confirm in writing that they do not object to or have any issues with the proposed vacation, as it appears on the Plat that the 20-foot prescriptive sewer line easement proposed to be vacated connects to or is part of the easement on their property.

Vacation of public Easement /Vacation of Private Easement

- For Vacation of Public and Private Easement please refer to 6-6(M) of the IDO. An application for a Vacation of Easement, Private Way, or Public Right-of-way shall be approved if it meets any of the criteria provided in 6-6(M)(3) of the IDO.

An application for a Vacation of Easement, Private Way, or Public Right-of-way shall be approved if it meets any of the following criteria.

6-6(M)(3)(a) The public welfare does not require that the easement, private way, or public right-of-way be retained.

6-6(M)(3)(b) There is a net benefit to the public welfare because the development made possible by the Vacation is clearly more beneficial to the public welfare than the minor detriment resulting from the Vacation, and there is no convincing evidence that any substantial property right is being abridged against the will of the owner of the right.

- Per 5-4(L)(2), Easements or public rights-of-way for public infrastructure shall be granted or dedicated, respectively, in accordance with the minimum standards and requirements set forth in the DPM.

Planning defers to Transportation and Hydrology to determine compliance of this request with 6-6(M)(3).

Sidewalk Waiver/ Sidewalk Waiver DPM

- An application for a Waiver – DHO shall be approved if it complies with all of the following criteria.

The criteria most relevant to this request are as follows:

-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.

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

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

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

-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 request is consistent with the established character of the neighborhood. Furthermore, the surrounding land use is low intensity and none of the adjacent lots have a sidewalk.

This request is not materially contrary to the public safety, health, or welfare and does not cause significant material adverse impacts on surrounding properties.

Antelope Run and District 8 Coalition of Neighborhoods did not express any objections to the sidewalk waiver request after the applicant reached out to them. Their responses to the applicant's email are included in the application package.

2. STANDARD COMMENTS AND ITEMS IN COMPLIANCE

- Signatures from Utility companies, AMAFCA, City Surveyor, Surveyor, and property owner have been obtained on the plat. Signatures from Hydrology, Transportation, and Water Utility Authority are obtained on Form PLT.
- Per checklist form PLT, the applicant has worked with Transportation, Hydrology, and Water Authority members on submitting the required items. All required signatures as a part of the application submittal process have been obtained on the plat. For Major Subdivision of Land, form S2 is needs to be filled out and submitted to the DHO.

3. FUTURE DEVELOPMENT GUIDANCE

- Future development must meet all applicable standards and provisions of the IDO (*per R-1D*), 5-4(C) Compliance with Zoning Requirements, and the DPM.
***Submitted plans should demonstrate how standards are being met for any applicable previous approvals and/or current standards.**

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.
- ❖ **5-1 Dimension Standards for R-1D**. 5-1-G Exceptions and Encroachments.

**Plans should include measurements for setback, separation, height elevations, etc. All will need to show standards and requirements are being met.*

Properties In R-1D Zone District, must comply with Dimensional Standards defined for this zone district by the IDO Table 5-1-1:

Site Standards:

Minimum Lot Size: 10,000 sq. ft.

Minimum Lot Width: 70 ft.

Setback Standards:

Minimum Front Setback: 20 ft.

Minimum Side Setback: 10 ft.

Minimum Rear Setback: 15 ft.

Building Height Maximum: 26 ft.

- ❖ 5-3 Access & Connectivity requirements.
- ❖ **5-4 Subdivision of Land**
- ❖ 5-5 Parking & Loading requirements, Table 5-5-1
- ❖ 5-6 Landscaping, Buffering, and Screening
- ❖ 5-7 Walls/Fences, table 5-7-1. ***Development requires separate permitting.**

- ❖ 5-8 for Outdoor Lighting requirements.
- ❖ **5-13 Operation and Maintenance**
- ❖ **Section 6-1, table 6-1-1 for public notice requirements.**
- ❖ 6-4(R) Dedications.
- ❖ Platting actions 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 / Jay Rodenbeck / Jolene Wolfley
Planning Department

DATE: 04/10/24