

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: 06/12/2024

AGENDA ITEM NO: 5

DHO PROJECT NUMBER:

[PR-2020-004171](#)

SD-2024-00098 – PRELIMINARY PLAT
SD-2024-00061 - VACATION OF PUBLIC EASEMENT
SD-2024-00063 - VACATION OF PRIVATE EASEMENT
SD-2024-00066 - VACATION OF PUBLIC EASEMENT
SD-2024-00067 VACATION OF PUBLIC 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) [[SD-2024-00061, SD-2024-00063 Deferred from 4/10/24L] 5/8/24L]

PROPERTY OWNER: 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 DHO determination of right-of-way with right-of-way dedication.

COMMENTS:

1. **Code Enforcement has no comments and no objections.**

DEVELOPMENT HEARING OFFICER

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

DATE: 06/12/2024

Comments from 5/8/24

1. Code Enforcement has no comments and no objections.

Comments from 4/10/24 DHO Hearing and prior:

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.*

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 Facilitation Team (DFT) – Review Comments

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

Project No: PR-2020-004171 Date: 06/12/2024 Agenda Item: #5 Zone Atlas Page: E-22

Legal Description: TRACT N-7-A-1, BULK LAND PLAT OF TRACT N-7-A-1 TANOAN PROPERTIES

Location: 12300 SAN ANTONIO DR between LOWELL DR NE and TENNYSON ST NE

Application For: Create 9 lots and 1 tract, vacate existing private and public easements with new easement dedications, sidewalk waiver and DHO determination of right-of-way with right-of-way dedication.

Application For: SD-2024-00098 – Preliminary Plat

1. No objection

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

1. No objection

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

1. No objection.

Application For: SD-2024-00066 – Vacation of Public Easement

1. No objection

Application For: SD-2024-00067 – Vacation of Public Easement

1. No objection



DEVELOPMENT HEARING OFFICER

Planning Comments

HEARING DATE: 06/12/24 -- **AGENDA ITEM:** #5

Project Number: PR-2020-004171

Application Number: SD-2024-00098 & SD-2024-00061 & SD-2024-00063 & SD-2024-00066 & SD-2024-00067

Project Name: 12300 San Antonio Dr NE

Request:

Preliminary Plat / 3 Vacations of public Easement / 1 Vacation of Private Easement (SD-2024-00063)

**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. Four (4) Vacations of Easement are proposed in the application submittal and as noted/depicted on the Plat. Two waivers to the DPM requests were approved by the DHO for the subject property on April 10, 2024. This platting action will dedicate San Antonio Drive right of way.
- A Minor preliminary Final Plat application for PR-2020-004171 / SD-2024-00059 was submitted to the DHO and was withdrawn by the agent for the application at the April 10th, 2024 DHO hearing for the application.
- 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.

**(See additional comments on next page)*

- 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).

1. ITEMS NEEDING TO BE COMPLETED OR CORRECTED

Comments:

Items in *orange* type need attention

Items in *blue* type are compliant

- Planning defers to Code Enforcement for compliance with Dimensional Standards and Contextual Standards (5-1(C)(2)).
- Per 6-6(L)(2)(c) of the IDO, all granted waivers and approved vacations of easement must be noted on the plat by project and application number. Also add the DHO approval date to the plat.
- An Infrastructure List is provided with this application. Planning defers to Water Utility Authority, Transportation, and AMAFCA for review of the content.

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.

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

2. STANDARD COMMENTS AND ITEMS IN COMPLIANCE

- Per 6-6(L)(2)(d) Per the IDO, within 1 year after DHO approval, or approval with conditions, of a Preliminary Plat, the applicant shall submit a Final Plat that includes all changes, conditions, and requirements contained in the Preliminary Plat approval.
- Per the IDO, the approved vacations of easement and the granted waivers will expire within one year of the approval, if a Final Plat is not submitted to the DHO.
- An Infrastructure Improvements Agreement (IIA) is required before the final plat application is processed and must be included in the Final plat submittal.
- The Final Plat must address all conditions of approval.
- 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.
- 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 provided on Form PLT.
- All public notice requirements have been accomplished by the applicant per IDO table 6-1-1.
- A comprehensive Sensitive Lands Analysis is provided by the applicant. This report demonstrates that those features will not be negatively impacted:

Steep Slopes:

The steep slopes on Lots 1-4 are due to a man-made earth berm. This berm will be removed, and the lots graded to accommodate residential lots. The steep slopes located within Lots 6-9 are at the rear of the lots and will be graded to smooth the slopes. Tract N-7-A-1-A also contains steep slopes which will not be disturbed.

Flood Hazard/Zones:

The subject site lies partially within two flood hazard zones. The proposed residential lots, 1-9, are not located within any of the two flood zones.

The subject site does not contain unstable soils.

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:

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: 06/11/24

DEVELOPMENT HEARING OFFICER

TRANSPORTATION DEVELOPMENT

DRB Project Number: 2020-004171
12300 San Antonio

AGENDA ITEM NO: 5

SUBJECT: Preliminary Plat, Vacation of Easements

ENGINEERING COMMENTS:

1. Transportation has no objection to any of the vacations.

For Platting:

2. Transportation is satisfied with the justification for waiver to ROW requirements.
3. 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.
4. 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: June 12, 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: 06-12-2024
Project: Tuscany Village Unit 2 Agenda Item No: 5

<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 has received the Revised Conceptual Grading & Drainage but have not reviewed it.
- AMAFCA also needs to approve the Revised Conceptual Grading & Drainage prior to Hydrology's approval.
- 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 _____

To: Angela Gomez, Development Review Services Hearing Monitor
City of Albuquerque

From: Jared Romero, P.E., CFM, Development Review Engineer
AMAFCA

RE: DHO COMMENTS for PR-2019-004171

TRACT N-7-A-1, BULK LAND PLAT OF TRACT N-7-A-1

ZAP: E-22

SD-2024-00098 –
PRELIMINARY
PLAT

- No adverse comments to the preliminary plat. **However, the infrastructure list does not include the components required by AMAFCA for this subdivision (attached is the infrastructure list reviewed and approved by AMAFCA in December 2023). These components must be added to the infrastructure list and AMAFCA must sign the final infrastructure list for the subdivision.**

SD-2024-00061 –
VACATION OF
PUBLIC
EASEMENT

- No adverse comments to the vacation. However, the infrastructure list does not include the components required by AMAFCA for this subdivision (attached is the infrastructure list reviewed and approved by AMAFCA in December 2023). These components must be added to the infrastructure list and AMAFCA must sign the final infrastructure list for the subdivision.

SD-2024-00063 –
VACATION OF
PRIVATE
EASEMENT

- No adverse comments to the vacation. However, the infrastructure list does not include the components required by AMAFCA for this subdivision (attached is the infrastructure list reviewed and approved by AMAFCA in December 2023). These components must be added to the infrastructure list and AMAFCA must sign the final infrastructure list for the subdivision.

SD-2024-00066 –
VACATION OF
PUBLIC
EASEMENT

- No adverse comments to the vacation. However, the infrastructure list does not include the components required by AMAFCA for this subdivision (attached is the infrastructure list reviewed and approved by AMAFCA in December 2023). These

components must be added to the infrastructure list and AMAFCA must sign the final infrastructure list for the subdivision.

SD-2024-00067 –
VACATION OF
PUBLIC
EASEMENT

- No adverse comments to the vacation. However, the infrastructure list does not include the components required by AMAFCA for this subdivision (attached is the infrastructure list reviewed and approved by AMAFCA in December 2023). These components must be added to the infrastructure list and AMAFCA must sign the final infrastructure list for the subdivision.

Current DRC
Project Number: 740180

FIGURE 12

Date Submitted: 1/2/2024

INFRASTRUCTURE LIST

(Rev. 2-16-18)

EXHIBIT "A"

TO SUBDIVISION IMPROVEMENTS AGREEMENT

DEVELOPMENT REVIEW BOARD (D.R.B.) REQUIRED INFRASTRUCTURE LIST

Tuscany Village Unit 2

PROPOSED NAME OF PLAT AND/OR SITE DEVELOPMENT PLAN

Tract N-7-A-1 Bulk Land Plat of Tanoan Properties

EXISTING LEGAL DESCRIPTION PRIOR TO PLATTING ACTION

Following is a summary of PUBLIC/PRIVATE Infrastructure required to be constructed or financially guaranteed for the above development. This Listing is not necessarily a complete listing. During the SIA process and/or in the review of the construction drawings, if the DRC Chair determines that appurtenant items and/or unforeseen items have not been included in the infrastructure listing, the DRC Chair may include those items in the listing and related financial guarantee. Likewise, if the DRC Chair determines that appurtenant or non-essential items can be deleted from the listing, those items may be deleted as well as the related portions of the financial guarantees. All such revisions require approval by the DRC Chair, the User Department and agent/owner. If such approvals are obtained, these revisions to the listing will be incorporated administratively. In addition, any unforeseen items which arise during construction which are necessary to complete the project and which normally are the Subdivider's responsibility will be required as a condition of project acceptance and close out by the City.

Financially Guaranteed DRC #	Constructed Under DRC #	Size	Type of Improvement	Location	From	To	Construction Certification		
							Private Inspector	P.E.	City Cnst Engineer
		STD.	Standard Curb & Gutter	South side of San Antonio Dr.	NW Corner of Subdivision	SW Corner of Subdivision	/	/	/
		5'	Crusher Fine Path	South side of San Antonio Dr.	NW Corner of Subdivision	SW Corner of Subdivision	/	/	/
		5' -6'	Landscape Buffer	South side of San Antonio Dr.	NW Corner of Subdivision	SW Corner of Subdivision	/	/	/
		10" WL	PVC, Pipe, Fittings and gate valves	South side of San Antonio Dr.	NW Corner of Subdivision	SW Corner of Subdivision	/	/	/
		8" SAS	210 LF of 8" Sewer Main	South side of San Antonio Dr.	NW Corner of Subdivision	Lot 3 sewer service	/	/	/
		4" SAS	9- 4" sewer service lines	1 Service for each lot			/	/	/
		1" WL	9- 1" water service lines	1 Service for each lot			/	/	/
		2' WIDE	Asphalt Pavement Section	San Antonio Dr.	NW Corner of Subdivision	SW Corner of Subdivision	/	/	/
		1' -10'	Retaining Wall AMAFCA approved wall.	Along Pino Dam's Spillway Easement	SW Corner of Lot 1	SE Corner of Lot 5	/	/	/

Financially Guaranteed DRC #	Constructed Under DRC #	Size	Type of Improvement	Location	From	To	Construction Certification		
							Private		City Cnst Engineer
							Inspector	P.E.	
<input type="text"/>	<input type="text"/>	Gate	Access Gate AMAFCA approved gate. _____	Along San Antonio Dr.	NE Corner of Lot 3	NW Corner of Lot 4	/	/	/
<input type="text"/>	<input type="text"/>	16-20' Wide	Base Course Road AMAFCA approved access road. _____	Between Lots 3 and 4	San Antonio Dr.	Spillway	/	/	/
<input type="text"/>	<input type="text"/>						/	/	/
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The items listed below are on the CCIP and approved for Impact Fee credits. Signatures from the Impact Fee Administrator and the City User Department is required prior to DRB approval of this listing. The Items listed below are subject to the standard SIA requirements.

Financially Guaranteed DRC #	Constructed Under DRC #	Size	Type of Improvement	Location	From	To	Construction Certification		
							Private		City Cnst Engineer
							Inspector	P.E.	
<input type="text"/>	<input type="text"/>						/	/	/
<input type="text"/>	<input type="text"/>						/	/	/
Approval of Creditable Items:							Approval of Creditable Items:		
Impact Fee Administrator Signature Date							City User Dept. Signature Date		

NOTES

If the site is located in a floodplain, then the financial guarantee will not be released until the LOMR is approved by FEMA.

Street lights per City requirements.

- 1 _____

- 2 _____

- 3 _____

AGENT / OWNER

Robert Fierro

NAME (print)

Fierro & Company, LLC

FIRM

Robert Fierro

SIGNATURE - date

DEVELOPMENT REVIEW BOARD MEMBER APPROVALS

DRB CHAIR - date

PARKS & RECREATION - date

TRANSPORTATION DEVELOPMENT - date

AMAFCA - date

UTILITY DEVELOPMENT - date

CODE ENFORCEMENT - date

CITY ENGINEER - date

- date

DESIGN REVIEW COMMITTEE REVISIONS

REVISION	DATE	DRC CHAIR	USER DEPARTMENT	AGENT /OWNER



**PNM Comments
Development Hearing Officer
Public Hearing: 12 June 2024**

**PR-2019-004171 / SD-2024-00098 / -00061 / -00063 / -00066 / - 00067 (12300 San Antonio Dr NE)
Preliminary Plat and Vacations of Easements**

1. It is the applicant's obligation to determine if existing utility easements or rights-of-way are located on or adjacent to the property and to abide by any conditions or terms of those easements.
2. Any existing and/or new PNM easements and facilities need to be reflected on the resulting Plat.
3. There are existing PNM facilities along San Antonio Drive and near the eastern edge of the larger site. There are existing PNM easements located in the areas proposed to be vacated.
4. Any existing easements may have to be revisited and new easements will need to be created for any electric facilities easements proposed to be vacated as determined by PNM.
5. If it is determined there are PNM facilities in the easements proposed to be vacated or if the existing easements are needed for PNM facilities, the applicant should contact Rodney Fuentes via email at Rodney.Fuentes@pnmresources.com.
6. Structures, especially those made of metal, should not be within or near PNM facilities and easements without close coordination with and clearance by PNM.
7. The applicant should contact the PNM New Service Delivery Department to coordinate new or expanded electric service regarding this project as soon as possible. Please submit a service application at <https://pnmnsd.powerclerk.com/MvcAccount/Login> for PNM to review.
8. If existing electric lines or facilities need to be moved, then that is at the applicant's expense. Please contact PNM as soon as possible at <https://pnmnsd.powerclerk.com/MvcAccount/Login> for PNM to review.



DEVELOPMENT HEARING OFFICER (DHO)

Parks and Recreation Department

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

PR-2020-004171

SD-2024-00098 – PRELIMINARY PLAT

SD-2024-00061 - VACATION OF PUBLIC EASEMENT

SD-2024-00063 - VACATION OF PRIVATE EASEMENT

SD-2024-00066 - VACATION OF PUBLIC EASEMENT

SD-2024-00067 - VACATION OF PUBLIC
EASEMENT

SKETCH PLAT 12-13-23 (DFT)

IDO - 2022

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) [[SD-2024-00061, SD-2024-00063 Deferred from 4/10/24L]

5/8/24L]

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 DHO determination of right-of-way with right-of-way dedication.

Comments:

06-12-2024

Parks and Recreation has no objections to the requested actions.

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.