



Development Facilitation Team (DFT) – Review Comments

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

DRB Project No: PR-2022-007712 Date: 12/06/2023 Agenda Item: #7 Zone Atlas Page: C-11

Legal Description: 5 & 1 BLOCK 6 & 2, UNIT 26, VOLCANO CLIFFS UNIT 26.

Location: ROSA PARKS RD between PASEO DEL NORTE and ROSA PARKS RD.

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

Application For: SD-2023-00218-EXTENSION OF PRELIMINARY PLAT (DHO)

1. No objection to extension of preliminary plat
2. Still need to add the following note on the final plat when easements are being granted for public water and/or public sanitary sewer infrastructure. (Shall be on the cover)

ABCWUA Public Water & Sanitary Sewer Easements

Albuquerque Bernalillo County Water Utility Authority (ABCWUA) is granted easement(s) in the dimensions noted on this plat for the construction, installation, maintenance, repair, modification, replacement and operation of public water and sanitary service lines, equipment and facilities reasonably necessary to provide service together with free access on and over the easement and the right to remove trees, shrubs, undergrowth and any other obstacles, modifications, or structures which interfere with use of the easement.

Application For: SD-2023-00216-EXTENSION OF (3) VACATIONS OF PRIVATE EASEMENT (DHO)

1. No objection to extension of the 3 vacation of private easement.

DEVELOPMENT HEARING OFFICER

TRANSPORTATION DEVELOPMENT

DRB Project Number: 2022-007712
Rosa Parks – Volcano Cliffs Unit 26

AGENDA ITEM NO: 7

SUBJECT: Extension of Preliminary Plat and Vacations of Easements

ENGINEERING COMMENTS:

Plat Comments:

1. 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: December 6, 2023

ACTION:

APPROVED __; DENIED __; DEFERRED __; COMMENTS PROVIDED __; WITHDRAWN __

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



DEVELOPMENT HEARING OFFICER

Planning - Case Comments

HEARING DATE: 12/6/23 -- **AGENDA ITEM:** # 7

Project Number: PR-2022-007712

Application Number: SD-2023-00218 & SD-2023-00216

Project Name: Paseo and Kimmick

Request:

Extension of Preliminary Plat (SD-2023-00218) & Extension of Three Vacations of Easement (SD-2023-00216)

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

BACKGROUND

- The Applicant is requesting to extend a Preliminary Plat approved by the Development Review Board (DRB) on November 9, 2022 and approved by the City Council on March 6, 2023 (accepting the Land Use Hearing Officer's recommendation and findings to uphold the November 9, 2022 DRB decision of approval) per PR-2022-007712 / SD-2022-00143 to adjust the boundaries of Tract 1, Block 2 and Lot 5, Block 6 of the Volcano Cliffs Subdivision, creating Tract 1-A, Block 2 at 8.2339 acres in size, and Tract 1-B, Block 2 at 9.5477 acres in size.
- The Applicant is also requesting to extend Vacations of Easement that were approved by the DRB on November 9, 2022 per PR-2022-007712 / SD-2022-00158, 161, and 162.

COMMENTS:

1. Items Needing to be Completed or Corrected

- There are no items which need to be completed or corrected.

**(See additional comments on next page(s))*

2. Items in Compliance

- The Preliminary Plat and Vacations of Easement Extension applications which were submitted on November 7, 2023 are complete applications.
- Per Table 6-4-3 of the IDO, a Final Plat submittal must be received within 1-year after the approval of the Preliminary Plat and the Vacations of Easement by the DHO. The Applicant has submitted their request for the extensions timely (before the original approval of the Preliminary Plat and Vacations of Easement expire).
- Per 6-4(X)(2) Expiration or Repeal of Approvals:

Unless specified otherwise in this IDO, the DPM, an IIA, a Development Agreement approved by the City, or the terms attached to a permit or approval, each permit or approval shall be valid for the period of time shown in Table 6-4-3 and shall be of no force or effect after that time has passed, unless any of the following applies.

6-4(X)(2)(a) The period of validity is extended pursuant to Subsection 14-16-6- 4(X)(4) (Extensions of Period of Validity) or another provision of this IDO or the DPM.

Per 14-16-6- 4(X)(4):

6-4(X)(4)(a) General Provisions

1. For each permit or approval for which Table 6-4-3 shows an expiration period, except an impact fee assessment or a Site Plan, the original decision-making body may approve 1 extension of validity for good cause shown for a time not to exceed the original period of validity for that permit or approval, provided that both of the following requirements are met.

- a. The applicant has submitted a written request for the time extension before the expiration of the original permit or approval with the Planning Director.*
- b. The extension is considered and a decision is being made by the same decision-making body as the initial approval, except that no public hearing shall be required, if one would have been required under the IDO for the initial approval.*

- Since all required criteria are being met by the applicant, Planning has no objection to extending the Period of Validity for this Preliminary Plat and the Vacations of Easement. Should the DHO approve these extensions, this Preliminary Plat and Vacations of Easement will be valid until December 22, 2024.
- Please note that per Table 6-4-3 of the IDO and 6-4(X)(4)(a) of the IDO, **for the Vacation of Easements, this is the first and final extension the Applicant is able to obtain.**

- Per 6-4(X)(4)(c) of the IDO, additional extensions for Preliminary Plats may be granted by the DHO for good cause, but the Preliminary Plat may be required to come into compliance with any applicable standards adopted since the application was submitted.



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: Jay Rodenbeck
Planning Department

DATE: 12/5/23