



## **Development Facilitation Team (DFT) – Review Comments**

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**Reviewer: David G. Gutierrez, P.E. | Phone: 505-289-3381 | [dggutierrez@abcwua.org](mailto:dggutierrez@abcwua.org)**

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**Project No: PR-2023-008674   Date: 1/08/2025   Agenda Item: #2   Zone Atlas Page: H-11**

**Legal Description: NE Corner Tr 310; The N'y Ports of TS 308, 309 & 310; Tr Comprising Por TR 310, Unit 8 Atrisco Grant.**

**Request: Final Plat for Playa Del Sur**

**Location: 5720 Miami Rd NW**

**Application For: SD-2024-00163-Final Plat**

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1. No objection.

# DEVELOPMENT FACILITATIVE TEAM (DFT)

## 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](mailto:jppalmer@cabq.gov)

DATE: 01/08/2025

### **AGENDA ITEM NO: 2**

### **PROJECT NUMBER:**

**PR-2023-008674**

**SD-2024-00163 – FINAL PLAT**

**IDO – 2022**

### **PROJECT NAME:**

**TIERRA WEST, LLC** agent for **BUTTERFLY HOLDINGS LLC** requests the aforementioned action(s) for all or a portion of: **NE Corner Tr 310; The N'ly Ports of TS 308, 309 & 310; Tr Comprising Por TR 310, UNIT 8 ATRISCO GRANT** zoned **MX-T**, located at **5720 MIAMI RD NW** containing approximately **5.4683** acre(s). (**H-11**) [Deferred from 12/4/24L, 12/18/24L]

**PROPERTY OWNERS:** BUTTERFLY HOLDINGS LLC

**REQUEST:** Final Plat For Playa Del Sur

### **COMMENTS:**

1. Code Enforcement would like to address the concerns expressed in a letter from the S.R. Marmon Neighborhood Association, received on January 6, 2025, regarding the requirement of a Variance for the fence approved and constructed under permit GP-2024-32723, issued on October 3, 2024.
  - A. The citation of the IDO presented in the letter is not applicable to this property, and would only address the requirements for a Cottage Wall in a property with an existing residential zone.
  - B. There are two key sections of the IDO to be referenced in our determination to allow a Fence Permit to be issued for this project: IDO section 5-7(D), Table 5-7-1, and the Definition of the Front Yard , as noted in IDO Definitions, page 632 (*see excerpts in page below, for reference.*).
  - C. This property is in the MX-T zone, and the minimum front yard setback is five (5) feet. Therefore, as per the Definition of a Front Yard, since there are currently no structures on the premise, the height limitations for a front yard wall are limited to the area within that five foot front yard setback.
  - D. As per IDO Table 5-7-1, the three (3) foot limitation is within the front or street side yard. Walls in other locations in the yard are allowed up to 8 feet in height, as per the wall submitted for permit.
2. Code Enforcement has no other comments and no objections.

# DEVELOPMENT FACILITATIVE TEAM (DFT)

## Code Enforcement Comments

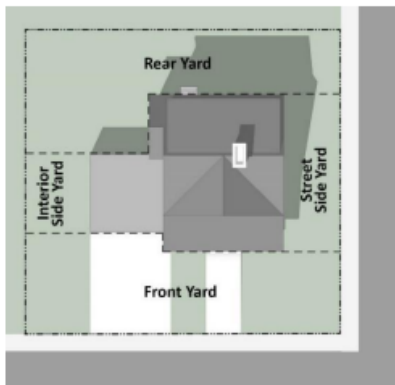
*Disclaimer: Comments provided are based upon information received from applicant/agent. If new or revised information is submitted, additional comments may be provided by Planning staff.*

Jeff Palmer-Code Enforcement Supervisor  
Planning Department  
[jppalmer@cabq.gov](mailto:jppalmer@cabq.gov)

DATE: 01/08/2025

### IDO Definition for Front Yard, page 632:

#### Yard Definitions



#### Front Yard

The part of a lot from the front lot line to any front façade of the primary building, extended to both side lot lines. If there is no primary building on the lot, the part of a lot within the minimum setback in the zone district on the side of the lot where the property will be addressed. See also *Lot Definitions*.

### IDO section 5-7(D), Table 5-7-1 Maximum Wall Height:

Table 5-7-1: Maximum Wall Height					
Zone Category	Residential	Mixed-use	Non-residential (NR-C, NR-BP) <sup>[1]</sup>	Non-residential (NR-LM, NR-GM)	See also:
<b>Standard Wall Height</b>					
Wall in the front yard or street side yard <sup>[2](3)(4)(5)</sup>	3 ft.	3 ft.	3 ft.	6 ft.	5-7(D)(2)
Wall in other locations on the lot <sup>[6](7)</sup>	8 ft.	8 ft.	8 ft.	10 ft.	5-7(D)(2)
<b>Corner Lot Abutting Residential Zone District</b>					
Any portion of a wall in the rear yard abutting the front yard of a Residential zone district.					
<10 ft. from the lot line abutting the street <sup>[2]</sup>	3 ft.	3 ft.	3 ft.	6 ft.	5-7(D)(2) 5-7(D)(3)(a)
≥10 ft. from the lot line abutting the street	6 ft.	8 ft. Low-density residential: 6 ft.	8 ft.	8 ft.	5-7(D)(2)
<b>Walls Abutting Major Arroyos and Major Public Open Space</b>					
Wall in a rear or interior side yard abutting a major arroyo	6 ft.	8 ft.	8 ft.	8 ft.	5-7(D)(2) 5-7(E)(4)
Wall in a rear or interior side yard abutting Major Public Open Space	6 ft.	6 ft.	6 ft.	10 ft.	5-7(D)(2) 5-7(E)(4)
<sup>[1]</sup> In the NR-BP zone district, wall heights shall be specified in the Master Development Plan. If no Master Development Plan exists or if no wall heights are specified in the Master Development Plan, then the wall height requirements in this table apply. <sup>[2]</sup> Taller walls may be approved for low-density residential development pursuant to Subsections 14-16-5-7(D)(3)(a). <sup>[3]</sup> Taller walls may be approved for multi-family residential development pursuant to Subsection 14-16-5-7(D)(3)(b). <sup>[4]</sup> Taller walls may be approved in any Mixed-use zone district pursuant to Subsection 14-16-5-7(D)(3)(c).					



## DEVELOPMENT HEARING OFFICER (DHO)

Parks and Recreation Department

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

**PR-2023-008674**  
**SD-2024-00163 – FINAL PLAT**

*IDO – 2022*

**TIERRA WEST, LLC agent for BUTTERFLY HOLDINGS LLC requests the aforementioned action(s) for all or a portion of: NE Corner Tr 310; The N'ly Ports of TS 308, 309 & 310; Tr Comprising Por TR 310, UNIT 8 ATRISCO GRANT zoned MX-T, located at 5720 MIAMI RD NW containing approximately 5.4683 acre(s). (H-11)**

**PROPERTY OWNERS:** BUTTERFLY HOLDINGS LLC

**REQUEST:** Final Plat for Playa Del Sur

### Comments

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#### **12-17-2024**

Please clarify if the previous comments were addressed.

#### **12-04-2024**

The subject site is adjacent to paved trail along the southeast property line. Future development on the site will need to follow all IDO requirements for adjacency to paved multi-use trail.

The proposed wall adjacent to the existing paved trail must comply with the following requirements from the DPM and IDO:

Comments provided by Whitney Phelan & Hannah Aulick, Senior Planner, CABQ Parks & Recreation Department. Please contact via [wphelan@cabq.gov](mailto:wphelan@cabq.gov) or [haulick@cabq.gov](mailto:haulick@cabq.gov) or 505-768-5378 with questions or concerns.



## DEVELOPMENT HEARING OFFICER (DHO)

### Parks and Recreation Department

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

#### **DPM Section 7-4(F)(6) Paved Trails**

##### **7-4(F)(6)(ii)**

3. The minimum width required for a trail along a roadway is 18 feet, which includes minimum 10 feet for trail, 5 feet for setback from the curb, and 3 feet setback from any adjacent property line. The setbacks from the curb and the property line may include shoulders. (See FIGURE 7.4.76).
  4. Whenever possible, easements for trails shall be configured so that a clear field of view for the trail user is provided from each end of the trail.
  6. A **minimum 3-foot buffer** is required between the private property line or any vertical structures and the trail, which may include the compacted shoulder.
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#### **IDO 5-7(E) MATERIALS AND DESIGN**

1. Exposed flat-faced CMU blocks shall not constitute more than 50 percent of any wall facing a public street or City Park or trail.

##### **5-7(E)(2) Articulation and Alignment**

Portions of walls that obtain approval for a wall that exceeds the maximum height limits in Subsection 14-16-5-7(D) (Maximum Wall Height) or are required to exceed those limits and that face any public street, City Park or trail, Major Public Open Space, or major arroyo, shall incorporate at least 1 of the following features to break up the massing of the wall. (See figure below for illustrations of each option).

##### **5-7(E)(2)(a) Option 1**

*Vertical pilasters with a minimum projection of 2 inches from the public side of the wall surface at intervals of no more than 20 feet in length.*

Comments provided by Whitney Phelan & Hannah Aulick, Senior Planner, CABQ Parks & Recreation Department. Please contact via [wphelan@cabq.gov](mailto:wphelan@cabq.gov) or [haulick@cabq.gov](mailto:haulick@cabq.gov) or 505-768-5378 with questions or concerns.



## DEVELOPMENT HEARING OFFICER (DHO)

### Parks and Recreation Department

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

**5-7(E)(2)(b) Option 2**

*Decorative features, such as columns with a minimum projection of 4 inches from the public side of the wall surface at intervals of no more than 60 feet in length.*

**5-7(E)(2)(c) Option 3**

*Offset in wall alignment of at least 16 inches, spaced so that no more than 3 consecutive lots have the same wall alignment.*

**5-7(E)(2)(d) Option 4**

*Curvilinear alignments with a minimum distance of 4 feet between the outer surfaces of the wall. The outermost point of each curve shall have intervals no greater than 80 feet.*

**5-7(E)(2)(e) Option 5**

*Terracing of walls with a minimum horizontal distance of 4 feet separating the vertical height segments.*

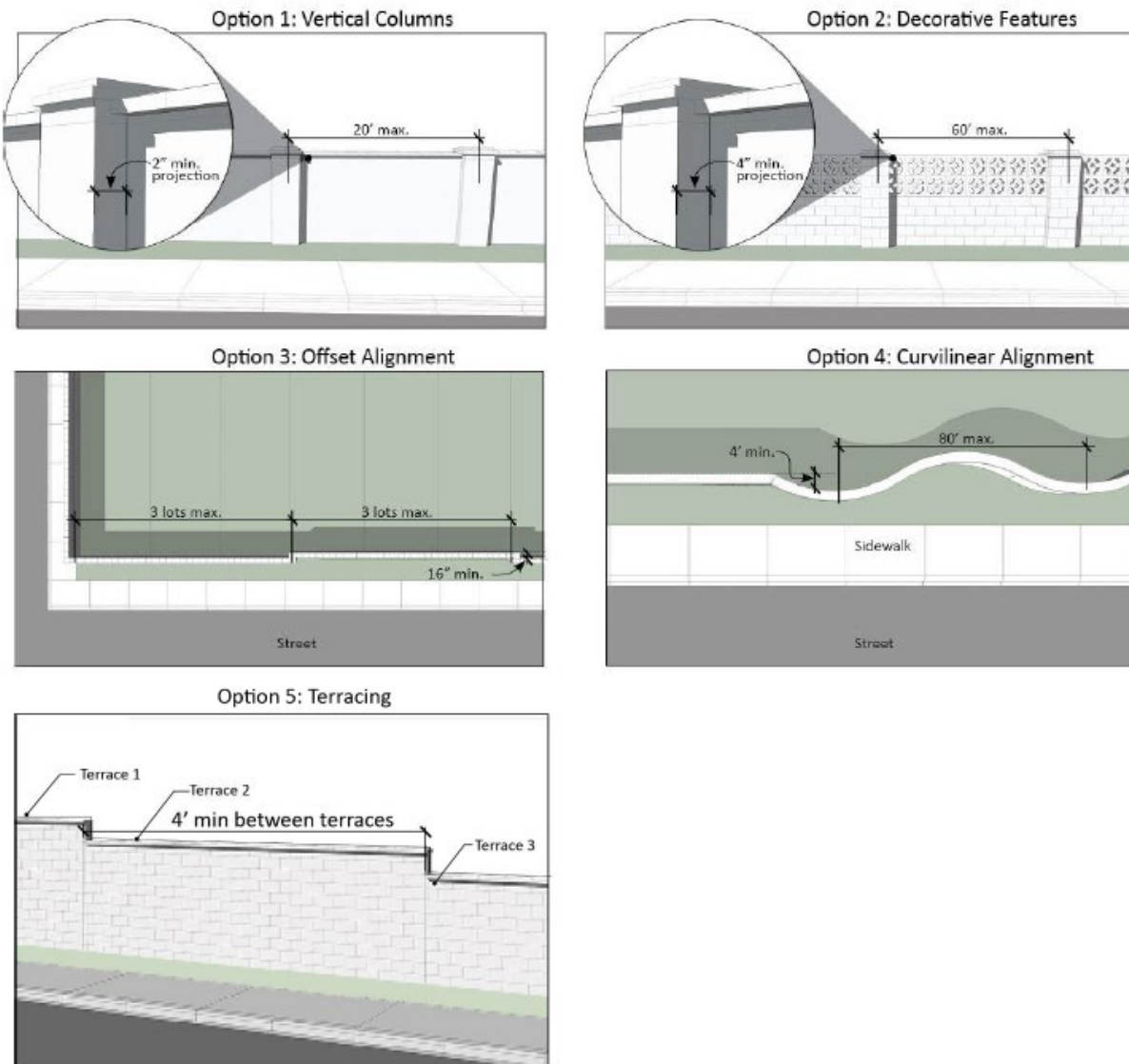
Comments provided by Whitney Phelan & Hannah Aulick, Senior Planner, CABQ Parks & Recreation Department. Please contact via [wphelan@cabq.gov](mailto:wphelan@cabq.gov) or [haulick@cabq.gov](mailto:haulick@cabq.gov) or 505-768-5378 with questions or concerns.



## DEVELOPMENT HEARING OFFICER (DHO)

### Parks and Recreation Department

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Comments provided by Whitney Phelan & Hannah Aulick, Senior Planner, CABQ Parks & Recreation Department. Please contact via [wphelan@cabq.gov](mailto:wphelan@cabq.gov) or [haulick@cabq.gov](mailto:haulick@cabq.gov) or 505-768-5378 with questions or concerns.



## DEVELOPMENT HEARING OFFICER (DHO)

### Parks and Recreation Department

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

#### **5-7(E)(3) Wall Design**

Any portions of a wall over 3 feet facing a public street, City Park or trail, Major Public Open Space, or major arroyo shall comply with at least 1 of the following options. (See figure below for illustrations of each option).

##### **5-7(E)(3)(a) Option 1**

*Openings distributed throughout the length of the wall equal to at least 5 percent of the wall surface, constructed into the surface or created by using see-through pattern blocks, tubular steel or wrought iron bars, wood, or other grillwork.*

##### **5-7(E)(3)(b) Option 2**

*Variation in wall height at intervals of at least every 20 feet along the length of the wall. The normal stepping of the wall to accommodate grade change does not satisfy this requirement.*

##### **5-7(E)(3)(c) Option 3**

*Use of a second and visually contrasting material, texture, or color along the length of the wall on at least 20 percent of its surface.*

##### **5-7(E)(3)(d) Option 4**

*A continuous overhang cap along the length of the wall that projects at least 2 inches from the public side of the wall surface.*

##### **5-7(E)(3)(e) Option 5**

*A variety of living shrubs, trees, and/or vines covering or overhanging at least 1/3 of the length of the wall in conjunction with a streetscape/landscape maintenance agreement between the City and the adjoining property owner and/or community association as part of a subdivision approval.*

Comments provided by Whitney Phelan & Hannah Aulick, Senior Planner, CABQ Parks & Recreation Department. Please contact via [wphelan@cabq.gov](mailto:wphelan@cabq.gov) or [haulick@cabq.gov](mailto:haulick@cabq.gov) or 505-768-5378 with questions or concerns.



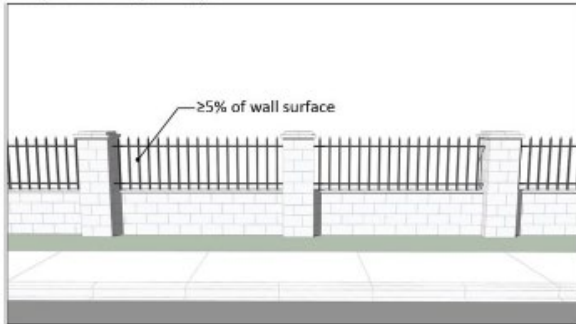


## DEVELOPMENT HEARING OFFICER (DHO)

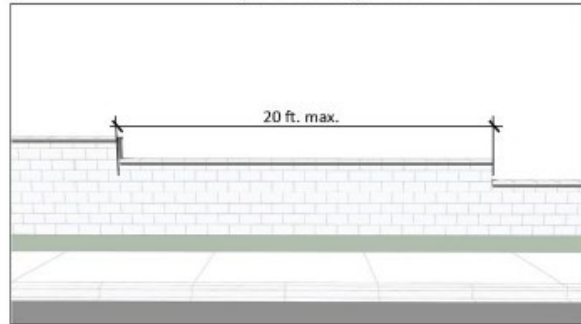
### Parks and Recreation Department

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

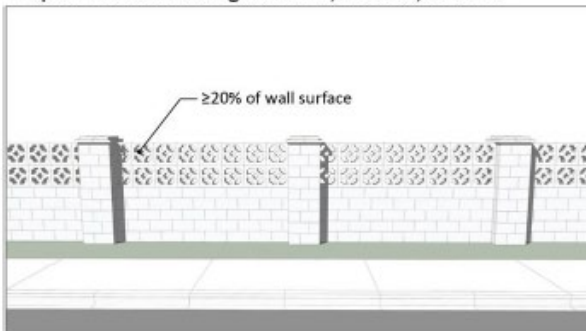
Option 1: Openings



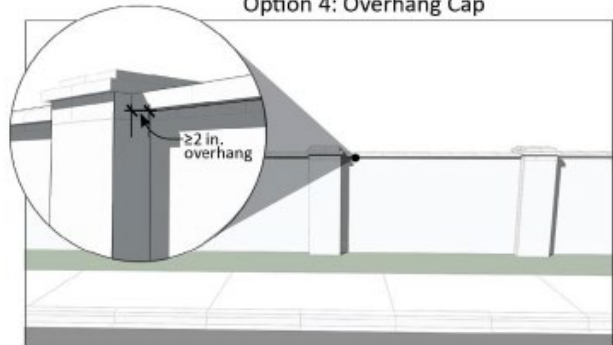
Option 2: Height Variation



Option 3: Contrasting Material, Texture, or Color



Option 4: Overhang Cap



Option 5: Vegetation



Comments provided by Whitney Phelan & Hannah Aulick, Senior Planner, CABQ Parks & Recreation Department. Please contact via [wphelan@cabq.gov](mailto:wphelan@cabq.gov) or [haulick@cabq.gov](mailto:haulick@cabq.gov) or 505-768-5378 with questions or concerns.

**DEVELOPMENT HEARING OFFICER - HYDROLOGY SECTION**  
Anthony Montoya, Jr., PE, Senior Engineer | 505-924-3314 [amontoya@cabq.gov](mailto:amontoya@cabq.gov)

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DRB Project Number: 2023-008674 Hearing Date: **01-08-2025**  
Project: 5720 Miami Rd NW Agenda Item No: **2**

<input type="checkbox"/> Minor Preliminary / Final Plat	<input type="checkbox"/> Preliminary Plat	<input checked="" 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 an approved Grading & Drainage Plan with engineer's stamp 05/08/24 (Hydrotrans # H11D075).
- Hydrology has no objection to the Final Plat action.

☐ APPROVED  
☐ DENIED

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

DEVELOPMENT HEARING OFFICER

TRANSPORTATION DEVELOPMENT

DRB Project Number: 2023-008674  
5720 Miami Rd

AGENDA ITEM NO: 2

SUBJECT: Final Plat

ENGINEERING 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](mailto:earmijo@cabq.gov)

DATE: January 8, 2025

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ACTION:

APPROVED \_\_; DENIED \_\_; DEFERRED \_\_; COMMENTS PROVIDED \_\_; WITHDRAWN \_\_

DELEGATED: \_\_\_\_\_ TO: (TRANS) (HYD) (WUA) (PRKS) (CE) (PLNG)



## DEVELOPMENT HEARING OFFICER

### Planning Comments

**HEARING DATE:** 1/8/25 **AGENDA ITEM:** #2

**Project Number:** PR-2023-008674

**Application Numbers:** SD-2024-00163 - Final Plat

**Project Name:** Playa del Sur Subdivision

**Requests:** Final Plat; subdivide 1 tract into 4 tracts and 77 lots

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

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### BACKGROUND

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Items in **orange type** need immediate attention or need to be completed or corrected

- This is a request for a Final Plat to subdivide 4 existing lots a total of 5.4683 acres in size into 55 lots, grants easements as depicted on the Plat, and dedicates right-of-way to the City of Albuquerque as depicted on the Plat.
- The Preliminary Plat was approved by the Development Hearing Officer (DHO) on May 8<sup>th</sup>, 2024 per PR-2023-008674 / SD-2024-00056.
- A Vacation of Public Easement for a 142-foot x 52-foot PNM and MST&T easement recorded on October 8<sup>th</sup>, 1965 was approved by the DHO on May 8<sup>th</sup>, 2024 per PR-2023-008674 / SD-2024-00077. The vacated easement is depicted on the Plat.
- The property is zoned MX-T. Future development must be consistent with the underlying zone district and IDO/DPM requirements.
- An Infrastructure List (IL) was approved by the DHO on May 8<sup>th</sup>, 2024 per PR-2023-008674 / SD-2024-00056. An amended IL reducing the width of Marlin Street and Wahoo Street from 28-feet in width to 26-feet in width was approved administratively by the Development Facilitation Team (DFT) and the City Engineer on August 7<sup>th</sup>, 2024 per PR-2023-008674 / SD-2024-00122, and an approved and recorded Financial Guaranty/Infrastructure Improvements Agreement (IIA) was submitted with the Final Plat application submittal.

*\*(See additional comments on next pages)*

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**IDO/DPM COMMENTS / ITEMS NEEDING TO BE COMPLETED OR CORRECTED**

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- The Project and Application numbers must be added to the Plat.
- The AGIS DXF file approval must be submitted.
- The date of the DHO approval shall be recorded on the Plat.
- After DHO approval and final sign off, a recorded copy of the plat must be sent to Jay Rodenbeck at [jrodenbeck@cabq.gov](mailto:jrodenbeck@cabq.gov) and Angela Gomez at [agomez@cabq.gov](mailto:agomez@cabq.gov).
- Provide documentation/exhibits for the wall material and design addressing 5-7(E) of the IDO.
- The Preliminary Plat for PR-2023-008674 / SD-2024-00056 had the following conditions of approval which must be met:
  - c. Show on the Plat that an 8-foot wall, no less than 6 inches wide, with an irregular, not flat, surface that bounces noise, possibly split face block, will be built along the entire eastern property boundary and to wrap around the corner with Lot 4 on Miami Road for a distance of 35-50 feet, stepping down as it approaches the front façade.

This condition is partially met with a label for this wall on Sheet 3. Please modify to the exact language above which includes 6 inches wide and the wrap around the corner with Lot 4 on Miami Road for a distance of 35-50 feet, stepping down as it approaches the front façade. This note must be added to Sheet 4 as well.

Confirm that the wall drawing on the wall permit document shows at least a 6-inch-wide wall.

- e. A solid gate shall be provided in the eastern wall to provide access to the trail from the neighborhood.

Provide documentation showing the solid gate design and its location in the wall to provide access to the trail from the neighborhood.

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**Standards Comments and Items in Compliance**

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- A Notice of Decision for this request will be posted online at <https://www.cabq.gov/planning/boards-commissions/development-hearing-officer/development-hearing-officer-agendas-archives> within three business days of a DHO decision of this request per 6-4(L)(6) of the IDO.

- The Final Plat features signatures from the owner, surveyor, City Surveyor, utilities, and AMAFCA as required.
- A recorded IIA was submitted with the Final Plat application submittal.

**6-6(L)(3)(b) Review and Decision Criteria: Final Plat**

A Final Plat shall be approved if it includes all changes, conditions, and requirements contained in the Preliminary Plat approval.

- The lot numbers, sizes, and configurations as depicted on the Final Plat match up with the Preliminary Plat for PR-2023-008674 / SD-2024-00056.

The conditions of approval for the Preliminary Plat for PR-2023-008674 / SD-2024-00056 have been addressed as follows:

- a. Add the following note to the Plat: The developer of the subdivision is responsible for building noise walls and using building façade treatments to mitigate the traffic noise--from adjacent on-ramps to I-40 West and Coors Blvd.--to 65 decibels or less at the time of wall construction.

*This note has been added to the Final Plat as Note #7.*

- b. Provide correspondence from PNM verifying approval of the vacation of the PNM easement.

*The correspondence from PNM is included in the application submittal.*

- d. The front wall along Miami described in (c) above requires a ZHE Variance be obtained prior to Final Plat.

*After the creation of the Notice of Decision for PR-2023-008674 / SD-2024-00056 featuring this condition, Planning staff determined that a ZHE Variance would not be required for the wall as required per Condition "c" because this wall construction is allowed in the MX-T zone and the wall construction commenced in October 2023, prior to the completion of the residential plat. Therefore, this condition does not need to be met.*

- f. The Infrastructure List must be signed and include the project and application numbers.

*This condition has been addressed.*



***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: 1/7/25