

From: [Rodenbeck, Jay B.](#)
To: [SRMNA](#)
Subject: RE: Notice to neighbours
Date: Monday, May 6, 2024 10:31:00 AM
Attachments: [image002.png](#)
[image006.png](#)

My responses to your questions are as follows (in red):

1. Written comments can be submitted as late as the morning of the DHO hearing and will be shared with the presiding DHO. Of course, the earlier the submission, the better. PLNDRS@cabq.gov cc to agomez@cabq.gov and jrodenbeck@cabq.gov.

Correct provided the written comments are sent electronically to the noted emails. I will add as well that written comments sent electronically to the noted emails will also be forwarded to Development Facilitation Team staff and the applicant(s)/agent(s) featured in the application submittal for the case. Additionally, any additional City/external agency staff involved in the review of the case and/or determined to be important/relevant to forward the comments to could also be forwarded the written comments. Staff also place written comments into the project folder for the case (in an "Email" folder) in the following publicly-available location online:

<https://dmdmaps.cabq.gov/DRB/>

2. The same DHO will preside over all hearings for each a particular case initially assigned to a DHO. **Article II, Section 8 of the City of Albuquerque Development Hearing Officer Rules of Procedure states the following (in italics):**

A case will be heard by the same hearing officer and will be scheduled at the normal meeting times. In the event that the initial hearing officer is not available to finish the case or that all parties agree to proceed expeditiously to the next available hearing date, the other hearing officer can listen to the recording in order to hear the entire record, conduct the remainder of the hearing, and issue a decision.

I can't recall a case that has transferred between DHO's; thus far to my knowledge the DHO's have heard all cases through their entirety until a decision has been made or the applicant has withdrawn the case. However, the DHO Rules of Procedure do allow for more than one DHO to hear a case in the stated circumstances and when the stated process is followed.

3. The time allowed for oral public comment at a DHO hearing is at the discretion of the presiding DHO. **Correct. Article II, Section 10 of the City of Albuquerque Development Hearing Officer Rules of Procedure states the following (in italics):**

The DHO may choose to limit the time allowed to all witnesses for their presentation and testimony. Repetitive or irrelevant testimony is discouraged. Neighborhood groups and other parties are encouraged to select one or more spokespersons to express common view points. The DHO shall determine appropriate time limits under such circumstances and may grant additional time to any speaker as appropriate.

For more information on the DHO Rules of Procedure, they are available on the DHO webpage at the following location/link:

<https://documents.cabq.gov/planning/development-hearing-officer/DHO%20Rules%20of%20Procedure.pdf>



Jay Rodenbeck

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From: SRMNA <info@srmna.org>
Sent: Monday, May 6, 2024 9:40 AM
To: Rodenbeck, Jay B. <jrodenbeck@cabq.gov>
Subject: Re: Notice to neighbours

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To confirm information shared:

1. Written comments can be submitted as late as the morning of the DHO hearing and will be shared with the presiding DHO. Of course, the earlier the submission, the better. PLNDRS@cabq.gov cc to agomez@cabq.gov and jrodenbeck@cabq.gov.
2. The same DHO will preside over all hearings for each a particular case initially assigned to a DHO.
3. The time allowed for oral public comment at a DHO hearing is at the discretion of the presiding DHO.

Thank you,

On Tue, Apr 9, 2024 at 4:21 PM SRMNA <info@srmna.org> wrote:

Thanks for the update.

On Tue, Apr 9, 2024 at 2:28 PM Rodenbeck, Jay B. <jrodenbeck@cabq.gov> wrote:

Good afternoon again Ms. Ward,

A few minutes after I sent you the message below, we received a deferral request from the agent of the application for the Preliminary Plat for PR-2023-008674 to defer their application to the April 24th DHO meeting.



Jay Rodenbeck

Planning Manager

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From: Rodenbeck, Jay B.

Sent: Tuesday, April 9, 2024 2:03 PM

To: SRMNA <info@srmna.org>

Cc: Wolfley, Jolene <jwolfley@cabq.gov>; Webb, Robert L. <rwebb@cabq.gov>

Subject: RE: Notice to neighbours

Good afternoon Ms. Ward,

I can confirm that Development Hearing Officer (DHO) meetings are currently only taking place remotely via Zoom at this time, and are **not** currently taking place at the Plaza del Sol building. However, if a member of the public notifies us at least a day ahead of the meeting that they would like to come to the Plaza del Sol Building for the DHO meeting, we will work to accommodate them.

When the DHO signs were printed, it was anticipated that we would transition to a “hybrid” meeting format where participants could either come to the hearing room in Plaza del Sol for the DHO meeting in-person or join the meeting remotely via Zoom (which is why the signs are printed that way). However, we haven’t transitioned yet to another meeting format, so for the time being DHO meetings take place remotely via Zoom only. When filling out the application information on the sign, the applicant/agent is supposed to cross out the information on the sign pertaining to the Plaza del Sol Hearing Room, but did not do so in this case. As a result, I have informed the applicant/agent about this issue and informed them that they need to resolve it.

Due to the noted sign issue and some other issues noted by staff to the applicant’s team, staff is recommending to the DHO that this case be deferred to a later DHO meeting date. However, should you decide to attend the meeting, I am attaching the April 10th, 2024 DHO meeting agenda to this message, which features the Zoom invitation link and information for the meeting. On the attached agenda, you will click on the blue link circled in the screenshot below which will take you to the Zoom meeting (you will be placed automatically into a virtual waiting room, and staff will let you into the meeting):



Join Zoom Meeting:

<https://cabq.zoom.us/j/84042448035>

(Place mouse cursor over hyperlink, right-click, choose "open hyperlink")

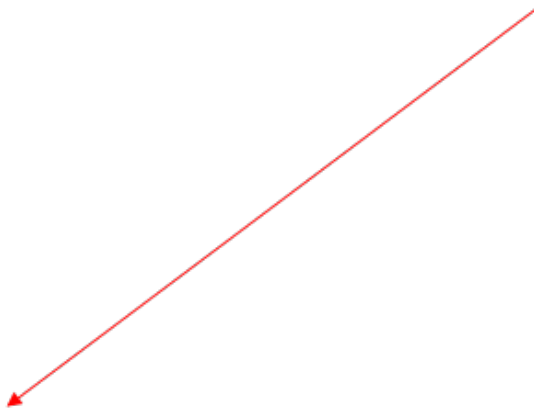
Meeting ID: 840 4244 8035

Find your local number:

<https://cabq.zoom.us/u/kevidLzlpW>

I will also note that (should you not attend the DHO meeting tomorrow) the decisions and deferrals of the DHO from this meeting, including the deferral date of this application, will be featured on Action Sheets from the meeting which will be available online for you to review and obtain by 5:00 pm on Monday, April 15th at the following location on our DHO webpage (future DHO agendas are also featured as the following location/webpage as well):

<https://www.cabq.gov/planning/boards-commissions/development-hearing-officer/development-hearing-officer-agendas-archives>



The link to the Action Sheets will be located under the April 10th DHO meeting agenda as shown below:

A screenshot of a web browser displaying the City of Albuquerque Planning Department website. The browser's address bar shows the URL: https://www.cabq.gov/planning/boards-commissions/development-hearing-officer/development-hearing-officer-agendas-archives. The page features a navigation menu on the left with categories like 'About the Planning Department', 'AGIS - Maps', and 'Boards & Commissions'. Under 'Boards & Commissions', the 'Development Hearing Officer' section is expanded, and 'Development Hearing Officer Agendas & Archives' is highlighted. The main content area shows a breadcrumb trail: HOME > PLANNING > BOARDS & COMMISSIONS > DEVELOPMENT HEARING OFFICER > DEVELOPMENT HEARING OFFICER AGENDAS & ARCHIVES. Below this is the title 'Development Hearing Officer Agendas & Archives' and a sub-header 'View recent and past Development Hearing Officer agendas and action sheets.' The page lists meeting dates for 2024, including 'Meeting for April 10, 2024 (Online Meeting)' and 'Meeting for March 27, 2024 (Online Meeting)'. Under the March 27, 2024 meeting, there is a list of 'Notice of Decision' items with their respective PR numbers, such as PR-2024-009995, PR-2019-002089, PR-2020-004596, PR-2023-008609, PR-2021-005606, PR-2023-008608, and PR-2023-009688, along with an 'Action Sheet' link.

I will also note that submittals for this application are publicly-available online for your review at the following location:

https://dmdmaps.cabq.gov/DRB/PR-2023-008674/DHO_Submittals/

Future supplemental submittals for this application and future submittals for other applications that are reviewed and decided by the DHO will also be located at this location.

If you have any additional questions, please don't hesitate to contact me.



Jay Rodenbeck

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From: SRMNA <info@srmna.org>

Sent: Monday, April 8, 2024 10:39 PM

To: Rodenbeck, Jay B. <jrodenbeck@cabq.gov>

Cc: Wolfley, Jolene <jwolfley@cabq.gov>

Subject: Notice to neighbours

[EXTERNAL] Forward to phishing@cabq.gov and delete if an email causes any concern.

Dear Mr. Rodenbeck:

Please find attached photos taken of the two signs placed for public notice of a DHO hearing on April 10, 2024. Please note that the signs clearly indicate the hearing will be at the Plaza del Sol building. Will this hearing be in the Plaza del Sol Building? Thank you for a prompt reply.

Another question: What is the reason the sign must be posted for 15 days after the hearing when the notice is to advise people of the hearing so they can attend if desired? Is there some additional reason for the notice?

Ms. Ward

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S. R. Marmon Neighborhood Association

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