

From: Sergio Lozoya
To: Rodenbeck, Jay B.; Jon Niski
Cc: Webb, Robert L.; Adam Johnstone; Wolfley, Jolene; Ron Bohannon; Biazar, Shahab
Subject: RE: [#2023024] PR-2023-008674 Deferral Request Suggestion
Date: Tuesday, April 9, 2024 2:18:03 PM
Attachments: image001.png

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

Hey Jay,

Thank you for the detailed explanation.

Tierra West, LLC respectfully requests deferral for Agenda Item 1: Preliminary Plat - PR-2023-008674, SD-2024-00056 from the 4/10/24 DHO Hearing to the 4/24/24 DHO Hearing, to address the items listed below.

We will be submitting a sketch plat request regarding the easement, ASAP.

Best,

Sergio Lozoya
Senior Planner



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From: Rodenbeck, Jay B. <jrodenbeck@cabq.gov>
Sent: Tuesday, April 9, 2024 9:33 AM
To: Jon Niski <JNiski@tierrawestllc.com>; Sergio Lozoya <SLozoya@tierrawestllc.com>
Cc: Webb, Robert L. <rwebb@cabq.gov>; Adam Johnstone <AJohnstone@tierrawestllc.com>; Wolfley, Jolene <jwtwolfley@cabq.gov>; Ron Bohannon <rbb@tierrawestllc.com>; Biazar, Shahab <sbiazar@cabq.gov>
Subject: RE: [#2023024] PR-2023-008674 Deferral Request Suggestion

Jon,

Due to the following issues the Preliminary Plat can't be heard by the DHO at tomorrow's meeting:

1. The noted issue below regarding the necessity of applying for a Vacation of Easement as well as a Sketch Plat for the Vacation before the Preliminary Plat could be approved by the DHO.
2. Yesterday we received the attached email from the S.R. Marmon Neighborhood Association with attached pictures of the DHO signs posted on the subject property for the Plat noting that the Plaza del Sol Hearing Room information wasn't crossed out as it needs to be (please cross out the Plaza del Sol Hearing Room information on the sign(s) ASAP and send us pictures of the corrected signs as a supplemental submittal, as the posted signs currently indicate that the DHO meeting can be attended in-person when they are currently only taking place remotely via Zoom).
3. Yesterday we received confirmation in the attached email from ONC that the Westside Coalition of Neighborhood Associations (WSCONA) should have been notified due to the fact that the S.R. Marmon Neighborhood Association, an unrecognized association, is a member of WSCONA and according to NARO should receive notice. Therefore, you will need to notify WSCONA about the Preliminary Plat via email and provide us a supplemental submittal with the notification documentation and proof of email to WSCONA.
4. We didn't receive the Noise Impact Study until yesterday, and DFT staff need adequate time to review the Study as it could affect the content of our comment memos.

Due to the noted issues, please respond with a deferral request date of the Preliminary Plat.

Thanks,



Jay Rodenbeck
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From: Jon Niski <JNiski@tierrawestllc.com>
Sent: Tuesday, April 9, 2024 7:16 AM
To: Rodenbeck, Jay B. <jrodenbeck@cabq.gov>; Sergio Lozoya <SLozoya@tierrawestllc.com>
Cc: Webb, Robert L. <rwebb@cabq.gov>; Adam Johnstone <AJohnstone@tierrawestllc.com>; Wolfley, Jolene <jwolfley@cabq.gov>; Ron Bohannon <rrb@tierrawestllc.com>
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Jay,

We still wish to have our project heard at DHO and receive any other comments. We also know of at least one unregistered Neighborhood Association that will probably be showing up to make comments and want to give them the opportunity to do so. We are looking into the easement and will submit for the Sketch Plat to address that specific issue. Thanks.

Jonathan D. Niski, P.E.
(New Mexico & Texas)

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From: Rodenbeck, Jay B. <jrodenbeck@cabq.gov>
Sent: Monday, April 8, 2024 3:07 PM
To: Jon Niski <JNiski@tierrawestllc.com>; Sergio Lozoya <SLozoya@tierrawestllc.com>
Cc: Webb, Robert L. <rwebb@cabq.gov>; Adam Johnstone <AJohnstone@tierrawestllc.com>; Wolfley, Jolene <jwolfley@cabq.gov>; Ron Bohannon <rrb@tierrawestllc.com>
Subject: RE: [#2023024] PR-2023-008674 Deferral Request Suggestion

Good afternoon Jon,

Thanks for quickly sending me the response from Margaret Haynes with NMDOT, sending me the Noise Impact Study, and sending me the email response from Mr. Pittman with the Environmental Health Department regarding the Noise Impact Study.

Reviewing the notes on the Preliminary Plat, unfortunately I discovered another issue which would prevent the Plat from being able to be approved at Wednesday's DHO meeting (if not approved already); I am not seeing a Vacation of Easement approval for the existing 142' x 52' PNM and MST&T Easement proposed to be vacated on the Plat as follows:

Easement Notes

1 EXISTING 142' X 52' PNM AND MST&T EASEMENT (10/8/1965, BK. D787, PG. 854, DOC. NO. 76885) VACATED WITH THE FILING OF THIS PLAT

On our April 10th DHO agenda, we only have a Preliminary Plat listed for this project and not a Vacation of Easement as well.

Unless this Vacation of Easement has already been approved by the DRB/DHO, the Preliminary Plat can't be approved at the April 10th DHO meeting as 6-6(M)(2)(e) of the IDO requires a decision (approval) on the Vacation application, and I was not able to find proof of this Vacation being approved by either the DRB or the DHO nor was I able to find proof that it has been applied for.

Additionally, Table 6-1-1 of the IDO requires a pre-application (Sketch Plat) meeting for the Vacation of Easement, and I didn't see proof of the proposed Vacation on the attached Sketch Plat submittal (submitted for the June 7th, 2023 DFT meeting). Therefore (unless you can provide proof that the Vacation was noted or depicted on the Sketch Plat), a Sketch Plat submittal depicting the vacation of the existing 142' x 52' PNM and MST&T Easement must be submitted to PLNDRS@cabq.gov. We could get the Sketch Plat application on the April 17th DFT agenda if we receive it ASAP, which could potentially permit both the Preliminary Plat and Vacation of Easement applications to be heard together as early as the April 24th DHO meeting.

A deferral of the Preliminary Plat application will also enable us (DFT staff) to have adequate time to review the Noise Impact Study.

Please respond with a deferral request date of the Preliminary Plat to enable you to submit a Sketch Plat application depicting the Vacation of Easement (for administrative DFT review) as well as submit a Vacation of Easement application for the DHO.

Thanks,



Jay Rodenbeck

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From: Jon Niski <JNiski@tierrawestllc.com>
Sent: Monday, April 8, 2024 12:48 PM
To: Rodenbeck, Jay B. <jrodenbeck@cabq.gov>; Sergio Lozoya <SLozoya@tierrawestllc.com>
Cc: Webb, Robert L. <rwebb@cabq.gov>; Adam Johnstone <AJohnstone@tierrawestllc.com>; Wolfley, Jolene <jwolfley@cabq.gov>; Ron Bohannon <rreb@tierrawestllc.com>
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Jay,

I'll reach out to Margaret but there is City of Albuquerque property between us and Coors/I-40. We are not taking access of those facilities so we don't need any coordination with NMDOT.

We have an approved Conceptual TCL from transportation and we had already worked out those items with them so I'm not sure why we are receiving the same comments. The stub street is 147' long so we meet the criteria.

I have attached a copy of the noise study.

We do not want to defer. We should be able to receive Preliminary Plat approval and can address any other comments prior to Final Plat approval. Thanks.

Jonathan D. Niski, P.E.
(New Mexico & Texas)

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From: Rodenbeck, Jay B. <jrodenbeck@cabq.gov>
Sent: Monday, April 8, 2024 12:34 PM
To: Sergio Lozoya <SLozoya@tierrawestllc.com>
Cc: Webb, Robert L. <rwebb@cabq.gov>; Adam Johnstone <AJohnstone@tierrawestllc.com>; Jon Niski <JNiski@tierrawestllc.com>; Wolfley, Jolene <jwolfley@cabq.gov>
Subject: PR-2023-008674 Deferral Request Suggestion

Good morning Sergio,

For the Preliminary Plat for PR-2023-008674, due to the site abutting both Coors and I-40 we need to receive NMDOT review and comment on the project, and you as the applicant must demonstrate that noise walls and/or mitigations will provide a subdivision that meets the requirements of 5-4(C)(2) of the IDO. This was noted in the attached Sketch Plat comments from June 7th, 2023 (see pages 4 and 5 in the attachment).

Regarding noise mitigation, you mention in your application submittal for the Preliminary Plat that a noise study was performed and reviewed by Michael Pittman from the Environmental Health Department, but I didn't see it in the submittal. Please confirm and submit the noise study ASAP.

Additionally, the attached comments memo we received from NMDOT on this project notes that coordination needs to be made with NMDOT District 3 Assistant Engineer Margaret Haynes. Based on the attached NMDOT comments memo, it sounds like NMDOT has not reviewed and commented on the project yet. Without review and comment yet from NMDOT on this project, a decision can't be made by the DHO yet on the Plat.

Therefore, staff suggests submitting a request for deferral so that there will be adequate time for you to coordinate with NMDOT on the project. In the meantime,

please send us the noise study and any correspondence from Mr. Pittman on the study if it's available.



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