



Development Facilitation Team (DFT) – Review Comments

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

Project No: PR-2023-008971 Date: 11/15/2023 Agenda Item: #2 Zone Atlas Page: K-16

Legal Description: Lots 2 & 3, Block 29, Monte Vista Addition

Location: 3430 Monte Vista Blvd NE

Application For: SD-2023-00208 – Preliminary/Final Plat (Consolidate 2 lots into 1)

1. No objection to the proposed consolidation.
2. The dwelling has an existing water and sanitary sewer account.

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

DEVELOPMENT HEARING OFFICER

TRANSPORTATION DEVELOPMENT

DRB Project Number: 2022-008971
3430 Monte Vista

AGENDA ITEM NO: 2

SUBJECT: Sketch Plat

ENGINEERING COMMENTS:

1. The justification for allowing the 4' sidewalk to remain is acceptable to Transportation.
No objection.

Disclaimer: The comments provided are based upon the information received from the applicant. 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: November 15, 2023

ACTION:

APPROVED __; DENIED __; DEFERRED __; COMMENTS PROVIDED __; WITHDRAWN __

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



DEVELOPMENT HEARING OFFICER

Planning Comments

HEARING DATE: 11/15/23 -- **AGENDA ITEM:** #1

Project Number: PR-2023-008971

Application Number: SD-2023-00208

Project Name: 3430 Monte Vista Blvd. NE.

Request:

Preliminary /Final Plat, lot consolidation

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

COMMENTS:

Items in **orange type** need immediate attention

Items in **green type** are in compliance

Background

- Applicant is requesting to remove a lot line and combine 2 lots (Lots 2 and 3, Block 29, Monte Vista Addition) into one lot to allow for an addition to the subject property. This lot is going to be legally described as Lot 3-A, Block 29, Monte Vista Addition. The property contains 0.2405 acers.
- The applicant is also requesting for a DHO determination to allow the existing 4-foot sidewalk along Monte Vista Blvd NE to remain in lieu of the required 6-foot sidewalk.
- IDO zone district for the subject site is R-1B, Single-Family (Medium Lot) and it is located in an area of consistency and the lots adjacent to the subject property are also located in area of consistency.
- This property is within ¼ mile from Main Street Corridor Area and within ¼ mile from Premium Transit Station area.

**(See additional comments on next page)*

1. Items that need to be completed or corrected

- Please confirm the proposed request on only to remove a lot line and no new development would take place.
- Please confirm that Major Infrastructure was not required for this project.
If Major infrastructure is needed, an IL-Infrastructure list, and/or IIA-Infrastructure Improvements Agreement with financial guarantee will be required.
- The application number must be added to the Plat prior to final sign-off by DFT staff, should the Plat be approved by the DHO.
- The City's AGIS office must approve the DXF file for the Plat prior to the final sign-off of the Plat, should the Plat be approved by the DHO.
- Per 6-6(L)(2)(d)(7) of the IDO, the date of the DHO approval shall be recorded on the Final Plat.
- After DHO approval and final sign off, a recorded copy of the plat must be sent to the Planning Manager-Jay Rodenbeck and PLNDRS@cabq.gov (should the Plat be approved by the DHO).
- Demonstrate compliance with **section 7 of the DPM Table 7.2.29** and Required Improvements section from 5-4(N) of the IDO. In regards to the Sidewalk width requirements and the accompanying landscape buffer.
Verification of standards per Transportation
Provide measurement for the existing ROW and distance from curb to property line along street frontages.
Monte Vista is a Minor Arterial and requires a 6' sidewalk with a 5-6' landscape buffer.
Planning defers to Transportation for acceptance of the existing sidewalk.

2. Standard Comments and Items in Compliance

- It appears that the lot consolidation would reduce the existing nonconformity, i.e., a lot line through a structure. Per IDO 5-4(C)(1)(b) Nonconforming lots may be replatted without requiring Variance to lot size if the replat meaningfully decreases the degree of already existing nonconformity.
Therefore, contextual lot sizes (5-1(c)(2) do not preclude this lot consolidation.
- All public notice requirements of IDO section 6, table 6-1-1, have been completed prior

to this submittal. Per table 6-1-1 of the IDO, for a Minor Subdivision of Land, public notice through Email and Web Posting are required. This requirement has been satisfied by the applicant. Related documents are included in the submittal package.

- Final plat documents are sealed and signed by a design professional licensed in the State of New Mexico.
- Signatures from the surveyor, property owner(s), the City Surveyor, the utility companies, and AMAFCA are all provided on the plat sheet.
- All standards within IDO section 5-4-C (Subdivision of Land Compliance) apply to all re-platting actions. Re-platting action cannot increase any existing nonconformity or create a new nonconformity.
**Project has been reviewed to the standards and provisions within the IDO-Integrated Development Ordinance and the standards within the DPM-Development Process Manual.*

DHO Determination for Sidewalk on Monte Vista Blvd NE

- Per 6-6(P)(3)(a), An application for a Waiver – DHO shall be approved if it complies with all of the following criteria.
 1. Any of the following criteria applies.
 - a. There are pre-existing obstructions that cannot be easily or economically relocated or should not be altered, such as grades, fills, water courses, natural topographic features, man-made obstructions, or utility lines.
 - b. The area or site has been recognized as having historical, archeological, and/or architectural significance by the City, State, or federal government, and a Waiver is needed and appropriate to maintain such historical, archeological, and/or architectural significance.
 - c. The established neighborhood character or landscaping on the site would be damaged to a degree that outweighs the public interest in the City's normal technical standards in that location.
 - d. Varying from the normal requirements and standards will encourage flexibility, economy, effective use of open space, or ingenuity in design of a subdivision, in accordance with accepted principles of site planning.
 2. The Waiver will not be materially contrary to the public safety, health, or welfare.
 3. The Waiver does not cause significant material adverse impacts on surrounding properties.
 4. The Waiver will not hinder future planning, public right-of-way acquisition, or the financing or building of public infrastructure improvements.

5. The Waiver will not conflict significantly with the goals and provisions of any City, County, or AMAFCA adopted plan or policy, this IDO, or any other City code or ordinance.
6. The Waiver will not allow, encourage, or make possible undesired development in the 100-year Floodplain.
7. The Waiver will not materially undermine the intent and purpose of this IDO, the applicable zone district, or any applicable Overlay Zone.
8. The Waiver does not allow a lot or type of development that does not meet the applicable Development Standards for the zone district where the lot is located, unless a deviation to such standards is within the thresholds established by Subsection 14-16-6-4(P) (Deviations) and is granted by the DHO as part of this approval.
9. The Waiver approved is the minimum necessary to provide redress without being inconsistent with the provisions of this Subsection 14-16-6-6(P).
10. If the request is for a Waiver to IDO sidewalk requirements, the area is of low-intensity land use to an extent that the normal installation of sidewalks will not contribute to the public welfare, and the absence of a sidewalk will not create a gap in an existing sidewalk system extended to 1 or more sides of the subject property.

This DHO Determination request complies with the decision and review criteria mentioned above.

This request is consistent with the established neighborhood character per 6-6(P)(3)(a) 1 c. and will not be contrary to the public safety, health, or welfare.

The site is in a Historic District and removal of the existing sidewalks to replace with a new sidewalk will reduce the character of the area, which is known for its established development, including landscaping.

The existing sidewalks can accommodate pedestrian and ADA accessibility.

A replaced sidewalk would damage or require elimination of the existing trees.

Please keep the sidewalk clear of tree branches. The trees need to be trimmed back so that they do not overhang the sidewalk.

3. Future Development Guidance

- Future development must meet all applicable standards and provisions of the IDO (*per R-1B*), 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.

Follow the Use Specific Standards per 4-3 of the IDO for any proposed uses for *R-1B.

❖ **4-3(F)(6) Dwelling Unit, Accessory**

-4-3(F)(6)(a) Where this use is allowed, only 1 accessory dwelling unit is allowed per lot and is limited to 750 square feet of gross floor area. A garage attached to the accessory dwelling unit shall not

count toward this size limit.

1. Where added as accessory to a single-family or two-family detached dwelling, this use must be provided as an accessory building.

a. A renovation to a single-family detached dwelling to create a second unit with a kitchen, a separate entrance, and no shared spaces within the original dwelling is regulated separately as a two-family detached dwelling in Table 4-2-1.

b. A second kitchen within a single-family or two-family detached dwelling is regulated separately as an allowable accessory use in Table 4-2-1.

2. In a Mixed-use or Non-residential zone district, an accessory dwelling unit may be added for the caretaker of a primary non-residential use, either attached to or detached from the building with a primary use.

-4-3(F)(6)(b) A minimum 5-foot side or rear setback is required.

-4-3(F)(6)(c) An accessory dwelling unit shall be no taller than the primary structure on the property.

-4-3(F)(6)(d) Building façades of an accessory dwelling unit shall be the same or similar in color to that of the primary building on the lot.

-4-3(F)(6)(e) A detached accessory dwelling unit shall comply with any applicable provisions of Subsection 14-16-5-11(C)(4) (Accessory Buildings).

-4-3(F)(6)(f) In any Residential or Mixed-use zone district, a detached accessory dwelling unit shall be located behind the rear wall of a primary building. On corner lots, the accessory dwelling unit shall have the same minimum street side setback requirement as the primary building.

❖ **5-1 Dimension Standards for R-1B. 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.

Per Table 5-1-4- Dimensional Standards for R-1B:

Min Lot Size: 5000 sq. ft. Proposed Lot size: 10476.18 sq. ft.

Min Lot Width: 35 ft. Proposed Lot Width: 71.25 ft.

Min Front Setback: 15 ft.

Min Side Setback: Interior 5 ft.

Min Rear Setback: 15 ft.

Maximum Building Height: 26 ft.

❖ **5-3 Access & Connectivity requirements.**

5-3(C) Driveways for Low Density Residential.

❖ **5-4 Subdivision of Land**

- ❖ 5-5 Parking & Loading requirements, Table 5-5-1
- ❖ 5-7 Walls/Fences, table 5-7-1. ***Development requires separate permitting.**
- ❖ **5-8 for Outdoor Lighting** requirements.
- ❖ **5-11(C)(4) Accessory Buildings**
 - 5-11(C)(4)(a) Accessory buildings shall not be located in any required front setback and shall not occupy over 25 percent of the side and rear yards combined.
 - 5-11(C)(4)(b) An accessory building in any required setback shall not exceed the height of the primary building and any applicable height limitations in Subsection 14-16-5-10 (Solar Access) unless it is in a required street side setback, where it shall not exceed the maximum height of a wall or fence allowed by Subsection 14-16-5-7(D).
 - 5-11(C)(4)(c) On a corner lot, the rear yard of which abuts the front yard of a residentially-zoned lot, an accessory building shall comply with the same street side setback as the primary building.
 - 5-11(C)(4)(d) Unless specified otherwise in this IDO, an accessory building has no required setback from a lot line.
 - 5-11(C)(4)(e) No accessory building may extend across the width of the rear or side yard unless a passage of at least 5 feet is provided at some point along the width.
 - 5-11(C)(4)(f) An accessory building may be connected to the principal building with a roof, provided that at least 2 sides of the connecting structure are not enclosed with a material other than that necessary for roof supports. The roof shall be located at least as far from any side lot line as is the roof of the principal building.
- ❖ **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.**



***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/Jolene Wolfley/Hannah Aulick
Planning Department

DATE: 11/13/23