

# DEVELOPMENT HEARING OFFICER

## 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:** 06/12/2024

### **AGENDA ITEM NO: 6**

### **DHO PROJECT NUMBER:**

**PR-2024-009917**

SD-2024-00092

PRELIMINARY / FINAL PLAT

SKETCH PLAT 2-14-24 (DFT)

IDO -2022

### **PROJECT NAME:**

THE GROUP | RON HENSLEY agent for MJ HOSPITALITY LLC requests the aforementioned action(s) for all or a portion of: TRACT L-1-B-1-A and LT 21-A, ATRISCO BUSINESS PARK zoned NR-BP, located at 531 SILVER CREEK RD NW between SILVER CREEK and UNSER containing approximately 4.05 acre(s). (K-10) [Deferred from 5/22/24L]

**PROPERTY OWNER:** MJ HOSPITALITY LLC

**REQUEST:** REPLAT OF 2 EXISTING LOTS

### **COMMENTS:**

1. Code Enforcement has no comments and no objections.

## DEVELOPMENT HEARING OFFICER

### Code Enforcement Comments

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

**DATE:** 06/12/2024

Comments from 5/2/24 DHO Hearing:

1. Code Enforcement has no comments and no objections.

Comments from 2/14/2024 DFT Sketch Plat:

1. Code Enforcement has no comments and no objections.



## **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-2024-009917 Date: 06/12/2024      Agenda Item: #6      Zone Atlas Page: K-10**

**Legal Description: Tracts L-1-B-1-A & LT 21-A, Atrisco Business Park**

**Request: Replat of 2 Existing Lots**

**Location: 531 Silver Creek Rd NW between Silver Creek and Unser**

### **Application For: SD-2024-00092 – PRELIMINARY/FINAL PLAT**

1. No objection to the proposed plat.
  - a. For future development, request an availability/serviceability statement online at the following link: [http://www.abcwua.org/Availability\\_Statements.aspx](http://www.abcwua.org/Availability_Statements.aspx). Requests shall include fire marshal requirements.



## DEVELOPMENT HEARING OFFICER

### Planning - Case Comments

**MEETING DATE:** 6/12/24 -- **AGENDA ITEM:** #6

**Project Number:** PR-2024-009917

**Application Number:** SD-2024-00092

**Project Name:** Tract L-1-B-1-A-1 Atrisco Business Park and Lot 21-A-1 Meridian Business Park

**Request:**

*Preliminary/Final Plat*

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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.*

**Note:**

Items in **orange type** need comment or corrections.

Items in **green type** address comments and/or are compliant.

**BACKGROUND:**

- This is a request for a boundary adjustment of an existing tract (Tract L-1-B-1-A) and an existing lot (Lot 21-A) into Tract L-1-B-1-A-1 at 1.8224-acres in size and Lot 21-A-1 2.2220 acres in size.
- The IDO zone district for the subject property is NR-BP (Non-Residential – Business Park Zone District) and is located within the Atrisco Business Park Master Development Plan.
- A paved multiple use trail and bike route is located along the frontage of the subject property on Unser Blvd, which is considered a regional principal arterial street in the (LLRS) Long Range Roadway System.
- The proposed replat previously went through Sketch Plat review on February 14<sup>th</sup>, 2024 per PR-2024-009917 / PS-2024-00019.
- This application is being reviewed according to the IDO updated July 2023.

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

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## 1. ITEMS TO BE COMPLETED OR CORRECTED

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- The Sketch Plat for the proposed replat included a conceptual Site Plan featuring two commercial buildings and improvements largely on Tract L-1-B-1-A-1. However, portions of the proposed parking on the conceptual Site Plan were depicted on Lot 21-A-1; please confirm if future development is proposed on Lot 21-A-1.  
Update – 6/10/23: At the May 22<sup>nd</sup>, 2024 hearing for the application, the Applicant confirmed that a self-storage facility is proposed to be constructed on Lot 21-A-1, and that the proposed self-storage facility would utilize the portion of the parking lot on Lot 21-A-1 along with the proposed commercial development on Tract L-1-B-1-A-1 (for a single-story shopping center in two buildings) that is currently under Building Permit review per BP-2023-47519. Planning staff recommend that the lot line between Tract L-1-B-1-A-1 and Lot 21-A-1 be adjusted to include all required parking for the proposed commercial development on Tract L-1-B-1-A-1, **and require the Applicant provide Plan sheets from the Building Permit application for BP-2023-47519 and/or a parking calculation table(s) confirming the required parking spaces versus provided parking spaces per Section 5.5 of the IDO for the proposed commercial development on Tract L-1-B-1-A-1, and confirm that the parking requirements for the proposed commercial development on Tract L-1-B-1-A-1 are met.**
- Project and application numbers must be added to the Plat sheet.
- Confirm the approval of the existing driveway and curb-cut off of Unser Boulevard.
- DXF File must be approved by AGIS office before final sign-off of this Preliminary/Final Plat request.
- Per 6-6(K)(2)(k) of the IDO, the date of the DHO approval shall be recorded on the original drawing of the final plat, and verification of compliance with conditions of approval shall be dated and verified by the signatures of the required commenting agencies.
- Please note that per the Atrisco Business Park Master Development Plan, properties adjacent to Unser Boulevard shall have a 6-foot wide sidewalk with a minimum 12-feet between the back of curb and the sidewalk. An analysis of the site in Google Street View (see picture below) appears to depict a sidewalk at least 6-feet in width, but the landscape buffer doesn't appear to be a minimum of 12-feet in width between the back of curb and the sidewalk as required by the Atrisco Business Park Master Development Plan.

**Update – 6/10/23:** The Applicant has submitted a sidewalk/buffer exhibit confirming a 12-foot-wide concrete trail and a 6-foot-wide landscape buffer between the back of curb along Unser and the sidewalk. Per 2-5(B)(3)(g)(2) of the IDO, a Variance from Master Development Standards may be granted pursuant to the same thresholds and procedures as established by 6-6(P) of the IDO, which permits the DHO to approve a Determination from the landscape buffer requirement provided the justification criteria per 6-6(P)(3) of the IDO are determined to be met. Therefore, a DHO Determination letter for the landscape buffer along Unser must be submitted.

• Principal Arterial	60 feet
• Collector	30 feet
• Local	20 feet

To act as a buffer between uses, buildings shall be set back a minimum of ten feet at both the side and rear yard locations. These setback areas shall be landscaped according to the Landscape Standards.

#### Parking Area Setbacks

Based on the defined street classifications, the minimum parking area setback lines, as measured from the back of the curb, shall be as follows:

• Principal Arterial	40 feet
• Collector	20 feet
• Local	20 feet

#### **SIDEWALKS / BIKEWAYS**

To encourage and enhance the pedestrian nature of the Atrisco Business Park, sidewalks and/or bikeways are required in certain areas as an integral element of the streetscape. In accordance with the City of Albuquerque's Sidewalk Ordinance, all streets within the site are required to have sidewalks on both sides of the street.

Properties adjacent to Unser Boulevard shall have a 6 foot wide sidewalk with a minimum landscaped area of 12 feet between the back of curb and the sidewalk. All other collector and major local streets within the site shall have 4 foot wide sidewalks. It is recommended that the sidewalk

# DEVELOPMENT SKETCHES ATRISCO BUSINESS PARK

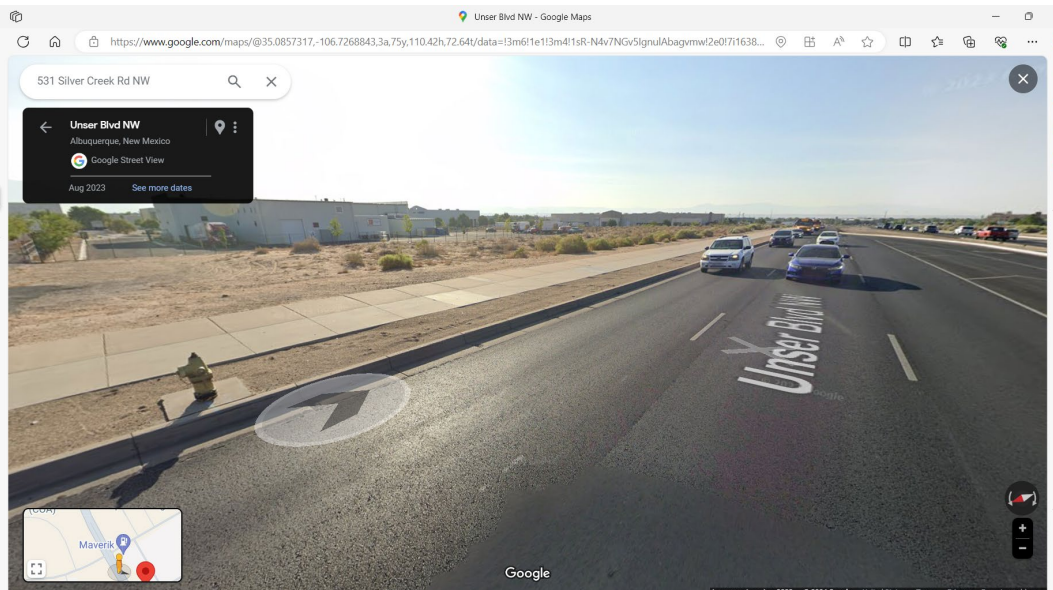
Prepared For:

Sun  
Special Assets D  
303 Roma A  
Albuquerque, New Mex

Prepared By:

AA-97-45

Garrett C  
9309 Avenida de l  
Albuquerque, New Mex



- In the sidewalk/landscape buffer exhibit, the Applicant also depicts a 5-foot wide sidewalk with a 4-foot side landscape buffer along Silver Creek Road and has placed the infrastructure on an Infrastructure List (IL), addressing Transportation comments from the May 22<sup>nd</sup> DHO meeting. However, the sidewalk along Silver Creek is depicted as being “deferred.” A Temporary Deferral of Sidewalk Construction application would need to be submitted for administrative review and approval to defer sidewalk construction. The forms for this application can be obtained at the following links:

[https://documents.cabq.gov/planning/development-facilitation-team/DFT\\_Application.pdf](https://documents.cabq.gov/planning/development-facilitation-team/DFT_Application.pdf)

<https://documents.cabq.gov/planning/development-facilitation-team/Form%20S3.pdf>

Typically, a Temporary Deferral of Sidewalk Construction application is submitted for sidewalks in single family detached residential subdivisions to prevent damage to roadways and other infrastructure by construction vehicles and equipment until the residences are going to be constructed. As this sidewalk would be fronting along a commercial development, please confirm why the sidewalk along Silver Creek Road would need to be deferred in this case.

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## 2. ITEMS IN COMPLIANCE OR STANDARD COMMENTS

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- Signatures from the surveyor, Owner/s, City Surveyor, Century Link, Comcast, and AMAFCA are obtained on the Plat.
- Public notifications were properly distributed to the Neighborhood Association contacts per the contact information that was provided to the Applicant by the Office of Neighborhood Coordination, meeting the notification requirements of Table 6-1-1 of the IDO.
- Transportation, Hydrology, and Water Authority have signed form PLT for this application.
- Per 6-6(K)(3) of the IDO, an application for a Subdivision of Land – Minor shall be approved if it complies with all applicable provisions of this IDO, the DPM, other adopted City regulations, and any conditions specifically applied to development of the property in a prior permit or approval affecting the property.
- Per 6-6(K)(2)(I) of the IDO, the applicant shall record the final plat with the Bernalillo County Clerk within 3 months after the date of the final signature on the plat, or the subdivision shall be voided.
  1. A plat that is not recorded in a timely manner may not be used as the basis for legal transfer of property where a subdivision is required.
  2. The applicant shall provide the City a digital copy of the recorded plat.



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FROM: Jay Rodenbeck  
Planning Department

DATE: 6/11/24





## DEVELOPMENT HEARING OFFICER (DHO)

### Parks and Recreation Department

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

#### **PR-2024-009917**

SD-2024-00092 – PRELIMINARY/FINAL PLAT

SKETCH PLAT 2-14-24 (DFT)

IDO - 2022

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PROPERTY OWNERS: MJ HOSPITALITY LLC

REQUEST: REPLAT OF 2 EXISTING LOTS

#### **Comments:**

06-12-2024

Parks and Recreation has no objections to the requested actions.

05-22-2024 - Deferred

Parks and Recreation no objections to the requested action.

Note: The SW boundary line of the site is adjacent/fronts an existing concrete multi-use trail along the east side of Unser Blvd NW. Future development on the site will need to comply with all requirements in the IDO for adjacency to trails.

02-14-2024 – Sketch Plat

Please note that future development on the site, will likely require Street Frontage Trees along Unser Blvd. Standards can be found in 14-16-5-6(D). Additionally, there is paved multi-use trail (concrete) along the frontage ROW of future Tract L-1-B-1-A-1.

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