



Development Facilitation Team (DFT) – Review Comments

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

Project No: PR-2024-009976 Date: 08/14/2024 Agenda Item: #1 Zone Atlas Page: G-16

Legal Description: Lot/Tract A, Block 6, Hilton Subdivision

Request: Purchase of alleyway directly behind commercial building and build fence with gate due to safety concerns as well as building dumpster pad in alley. Forty10 Properties LLC

Location: 4010 Carlisle Blvd NE between Hilton and Hahn Arroyo Channel

Application For: SD-2024-00114 – VACATION OF PUBLIC RIGHT-OF-WAY

1. No objection to the proposed vacation.
 - a. Water Authority infrastructure does not exist within the alley.

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

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

DATE: 08/14/2024

AGENDA ITEM NO: 1

PROJECT NUMBER:

PR-2024-009976

SD-2024-00114 – Vacation of Public Right of Way

PROJECT NAME:

FORTY 10 PROPERTIES, LLC requests the aforementioned action(s) for all or a portion of: LOT/TRACT A, BLOCK 6, HILTON SUBDIVISION zoned MX-L located at 4010 CARLISLE BLVD NE between HILTON AVE and HAHN ARROYO containing approximately 0.5659 acre(s). (G-16)

PROPERTY OWNERS: FORTY10 PROPERTIES LLC

REQUEST: PURCHASE OF ALLEYWAY DIRECTLY BEHIND COMMERCIAL BUILDING, AND BUILD FENCE WITH GATE DUE TO SAFETY CONCERNS AS WELL AS BUILDING DUMPSTER PAD IN ALLEY.

COMMENTS:

1. Code Enforcement has no comments and no objections.

DEVELOPMENT HEARING OFFICER - **HYDROLOGY SECTION**
Renée Brissette, PE, Senior Engineer | 505-924-3995 rbrissette@cabq.gov

DRB Project Number: 2024-009976 Hearing Date: **08-14-2024**
Project: 4010 Carlisle Blvd NE Agenda Item No: **1**

<input type="checkbox"/> Minor Preliminary / Final Plat	<input type="checkbox"/> Preliminary Plat	<input 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 checked="" type="checkbox"/> Vacation of Public Right of Way

ENGINEERING COMMENTS:

- Hydrology has no objection to the Vacation.

☐ APPROVED
☐ DENIED

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



DEVELOPMENT HEARING OFFICER (DHO)

Parks and Recreation Department

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

PR-2024-009976

SD-2024-00114 – VACATION OF PUBLIC RIGHT-OF-WAY

FORTY 10 PROPERTIES, LLC requests the aforementioned action(s) for all or a portion of: LOT/TRACT A, BLOCK 6, HILTON SUBDIVISION zoned MX-L located at 4010 CARLISLE BLVD NE between HILTON AVE and HAHN ARROYO containing approximately 0.5659 acre(s). (G-16)

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REQUEST: PURCHASE OF ALLEYWAY DIRECTLY BEHIND COMMERCIAL BUILDING, AND BUILD FENCE WITH GATE DUE TO SAFETY CONCERNS AS WELL AS BUILDING DUMPSTER PAD IN ALLEY.

Comments:

08-14-2024

How will the accommodation for AMAFCA be met in the future? Does that require some type of access easement from the private property? Can that be a condition for approval by City Council?

No other comments or objections to the request.

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

DEVELOPMENT HEARING OFFICER

TRANSPORTATION DEVELOPMENT

DRB Project Number: 2024-009976
4010 Carlisle NE

AGENDA ITEM NO: 1

SUBJECT: Vacation of Public Right-of-way

ENGINEERING COMMENTS:

1. Transportation has no objection to the vacation. Property owners fronting the alley have right of first refusal to half of the vacated property. Please work with Real Property on the purchase of vacated property if vacation is approved by City council.

Plat:

2. Please show width of existing sidewalks and landscape buffers. Carlisle is a Minor Arterial and requires 6' sidewalk with 5' to 6' landscape buffer. Hilton is a local road and requires 5' sidewalk with 4' to 6' landscape buffer. If you are not able to provide the required width you may request a determination with a justification letter.
3. Please list ROW width for Carlisle to ensure it meets City standards in the DPM.
4. It appears that existing property lines along Hilton encroach on the public sidewalk. ROW dedication will be required to ensure sidewalks are completely in City ROW.
5. For future development, an approved TCL will be required prior to site plan approval.

. 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: August 14, 2024

ACTION:

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

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



DEVELOPMENT HEARING OFFICER

Planning - Case Comments

HEARING DATE: 8/14/24 -- **AGENDA ITEM:** #1

Project Number: PR-2024-009976

Application Number: SD-2024-00114

Project Name: 4010 Carlisle Blvd NE

Request:

Vacation of Public Right-of-Way - Council

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

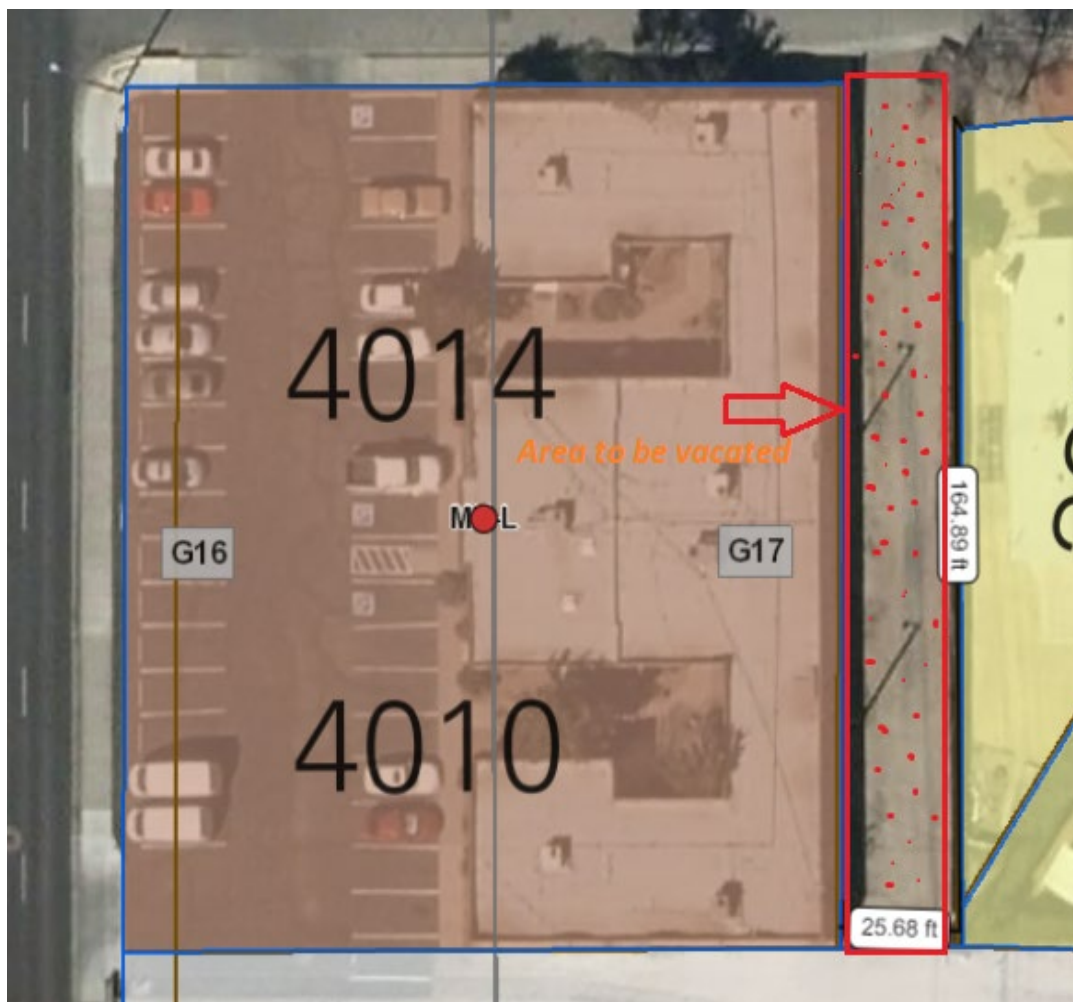
BACKGROUND

- This is a request to vacate a 4,440 square feet alley area that is located behind the subject property at 4010 Carlisle Blvd NE. The current legal description for the property is Lot A, Block 6 of the Hilton Addition, containing approximately 0.5659 acres.
- The subject site is zoned MX-L (Mixed-Use – Low Intensity), is currently occupied by office space and within the Hodgin Neighborhood Association. There is R-1C (Residential – Single-Family Zone District) to the east of the property.
- Carlisle is considered a Minor Arterial Street and Hilton a local street. The subject property is within area of change adjacent to area of consistency to the east and within a Major Transit Corridor area.
- No existing or planned bike lanes are shown bordering the subject property, not within any center and not within ¼ mile of any UC/MS/PT areas.

ITEMS THAT NEED TO BE COMPLETED OR CORRECTED

Items in *orange type* need to be addressed

- Per IDO section 6-6(M)(1)(b)(1) Vacation of Public Right-of-way – Council – the City Council is the approving body of this application, with the Development Hearing Officer (DHO) being a recommending body forwarding a recommendation of approval or denial to the City Council due to the proposed size of the alley being vacated, which is greater than 500 square feet, as well as the entirety of the alleyway.



- Letters from abutting owners are provided as proof of this vacation application confirming they are in support of this action.
- The Applicant must coordinate with the Real Property Division regarding the acquisition of the right-of-way.

- Approval from the Solid Waste Department will be required to relocate the dumpster from the street to a pad in the alleyway proposed to be vacated since the goal is to fence off both ends of the alley to enclose a relocated dumpster.
- The Applicant must confirm if any other properties adjacent to the alleyway will be utilizing the dumpster that is proposed to be relocated there.
- A letter from AMAFCA was included in the application submittal which requires striping to be added to keep vehicles from blocking access to the Hahn Arroyo south of the alleyway proposed to be vacated. The Applicant confirmed that the parking lot has been re-painted per AMAFCA's requirement.

STANDARD COMMENTS AND ITEMS IN COMPLIANCE

- Per 6-6(M)(3), Review and Decision Criteria, an application for a Vacation of Easement, or Public Right-of-way shall be approved if it meets any of the following criteria.
 6-6(M)(3)(a) The public welfare does not require that the easement, private way, or public right-of-way be retained.
 6-6(M)(3)(b) There is a net benefit to the public welfare because the development made possible by the Vacation is clearly more beneficial to the public welfare than the minor detriment resulting from the Vacation, and there is no convincing evidence that any substantial property right is being abridged against the will of the owner of the right.
 The applicant has properly justified this vacation of alley- easement/public right-of-way per the above standard regarding this request for vacation of. This easement is located within the Subject property's private boundaries and will not affect the surrounding properties.
- Per Table 6-1-1, all public notice requirements have been satisfied by the applicant.

FUTURE DEVELOPMENT GUIDANCE

- Per Table 6-4-3 of the IDO, a platting application for DHO review and approval must be submitted within one year of City Council approval of the Vacation, and the platting application will not be accepted and placed on a DHO agenda until/unless the City Council approves the ROW Vacation.
- A Minor Preliminary/Final Plat application must currently be submitted to PLNDRS@cabq.gov for the proposed replat. **Please note that a new online application intake system/process is under construction and is currently scheduled to become active in September, 2024, which will replace the process of submitting Minor Preliminary/Final Plat applications (and all other DRS applications) to PLNDRS@cabq.gov.**

- The application forms for a Minor Preliminary/Final Plat are featured in the following links:
https://documents.cabq.gov/planning/development-hearing-officer/DHO_Application.pdf

<https://documents.cabq.gov/planning/development-hearing-officer/Form%20PLT.pdf>

<https://documents.cabq.gov/planning/development-hearing-officer/Form%20S2.pdf>
- [On Form PLT \(featured in the middle link above\), please note that signatures from Hydrology, Transportation, and Water Authority engineers/staff will be required, confirming that any additional applications/documents required to be submitted in addition to and in association with the platting application are approved \(such as an Availability Statement for the Water Authority\) prior to the acceptance, processing, and placement of the platting application on a Development Hearing Officer \(DHO\) agenda.](#)
- The platting action would be reviewed to the standards and provisions within the IDO- Integrated Development Ordinance and the standards within the DPM- Development Process Manual. Here is a link to both: <https://www.cabq.gov/planning/codes-policies-regulations/integrated-development-ordinance-1>

<https://www.cabq.gov/planning/boards-commissions/development-process-manual-executive-committee>
- Should this application be approved by the City Council, a note must be added to a future Plat noting that the vacation of public right of way was approved per 6-6 (M)(3) of the IDO.
- All signatures from the surveyor, property owner(s), the City Surveyor, MRGCD, the utility companies, and **AMAFCA** are provided on the Plat.
- If infrastructure improvement is needed, an IL-Infrastructure list, and/or IIA-Infrastructure Improvements Agreement with financial guarantee will be required.

Please reference the following development standards from the IDO. Subject to change pending formal submittal or change in development type/use.

- Future development must meet all applicable standards and provisions of the IDO (*per M-XL*) and the DPM. ***Submitted plans should demonstrate how standards are being met for any applicable & previous approvals and/or current standards.**

- ❖ **5-1 Dimension Standards for MX-L.**
- ❖ **5-3 Access & Connectivity requirements.**
- ❖ **5-4 Subdivision of Land**
- ❖ **5-5 Parking & Loading requirements, Table 5-5-1. Calculations required.**
- ❖ **5-6 Landscaping, buffering, and Screening. **Several standards exist.***
- ❖ **5-7 Walls/Fences, table 5-7-1. **Development requires separate permitting through Code Enforcement***
- ❖ **5-8 for Outdoor Lighting - *requirements as per IDO Amended August 2024***
- ❖ **5-9 Neighborhood edges - *Abide as per these standards***
- ❖ **5-11-E Building/Façade Design.**
- ❖ **5-12 Signage requirements.**
- ❖ **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 and use definitions.**



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FROM: Marcelo Ibarra/Robert Webb/Jay Rodenbeck DATE: 08/13/24
 Planning Department
