



Development Facilitation Team (DFT) – Review Comments

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

Project No: PR-2024-010069 Date: 06/26/2024 Agenda Item: #4 Zone Atlas Page: G-12

Legal Description: Lot P, Unit 3, Alvarado Gardens

Request: VACATION OF ADJOINING PORTION OF ACEQUIA (579 SQ FT), GRANT OVERHEAD PUBLIC UTILITY EASEMENT, PLAT TO CREATE ONE NEW LOT FROM ONE EXISTING LOT

Location: 2618 Veranda Rd NW between Trellis Dr NW and Glenwood Rd NW

Application For: SD-2024-00107 – VACATION OF RIGHT-OF-WAY

1. No objection to the vacation.

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

Application For: SD-2024-00106 – PRELIMINARY/FINAL PLAT

1. No objection to the proposed plat.

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

DEVELOPMENT HEARING OFFICER

TRANSPORTATION DEVELOPMENT

DRB Project Number: 2024-010069
2618 Veranda NW

AGENDA ITEM NO: 4

SUBJECT: Preliminary/Final Plat

ENGINEERING COMMENTS:

1. Justification for allowing sidewalk to remain existing width is acceptable to Transportation. No objections.

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: June 26, 2024

ACTION:

APPROVED __; DENIED __; DEFERRED __; COMMENTS PROVIDED __; WITHDRAWN __

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

Emailed June 21, 2024
DHO Comments for Meeting on 6/26/2024

To: Angela Gomez, Development Review Services Hearing Monitor
City of Albuquerque

From: Jared Romero, P.E., CFM, Development Review Engineer
AMAFCA

RE: DHO COMMENTS for PR-2024-010069

LOT P, UNIT 3, ALVARADO GARDENS

ZAP: G-12

SD-2024-00107 –
VACATION OF
RIGHT-OF
WAY

- No adverse comments to the vacation of right of way.

SD-2024-00106 –
PRELIMINARY/FINAL
PLAT

- No adverse comments to the preliminary/final plat.

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

DRB Project Number: 2024-010069 Hearing Date: 06-26-2024
Project: Lot P, Unit 3, Alvarado Gardens,
2618 Veranda Rd NW Agenda Item No: 4

<input checked="" 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 of Public Right-of-Way.
- Hydrology has no objection to the platting action.

☐ APPROVED
☐ DENIED

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



DEVELOPMENT HEARING OFFICER

Planning - Case Comments

HEARING DATE: 06/26/2024-- **AGENDA ITEM:** #4

Project Number: PR-2024-010069

Application Number: SD-2024-00107 & SD-2024-00106

Project Name: 2618 Veranda Rd NW

Request: Vacation of Right-of Way and Preliminary/Final Plat

Vacating portion of Acequia, granting PUE and creating a new lot

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

BACKGROUND

- The subject property for this application is Lot P, Block 0000 of the Alvarado Gardens Unit 3 Subdivision. This is a request for vacation of adjoining portion of acequia (579 sq. ft), also to grant overhead public utility easement, as well as a Preliminary/Final Plat to create one new lot from an existing one (by adding the vacated portion of the acequia to the existing lot).
- All surrounding roadways are listed as being local roads and there are no existing or planned bike lanes shown bordering the subject property.
- The property is currently zoned R-A. There is an NR-PO-B zoned space across Veranda Rd to the North; all other bordering properties are zoned as R-A. Property is not within any overlay zones
- Subject property is shown as an Area of Consistency and is bordered on all sides by other Areas of Consistency. The property is not in any special Centers or Corridors.
- **Subject property is within 330' of a MPOS.** No other portions of section 5 of the IDO are triggered by this property. 5-2(J) Major Public Open Space Edges.

**(See additional comments on next pages)*

ITEMS THAT NEED TO BE CORRECTED OR COMPLETED

Items in **orange type** need to be addressed

General Comments:

- Sidewalks meeting the standards of the DPM shall be provided along the entire frontage of each lot.

Confirm if the sidewalks are meeting the current requirement per 7.2.29 of the DPM as shown below.

FIGURE 7.2.41 Street Element Dimensions Along Major Roads

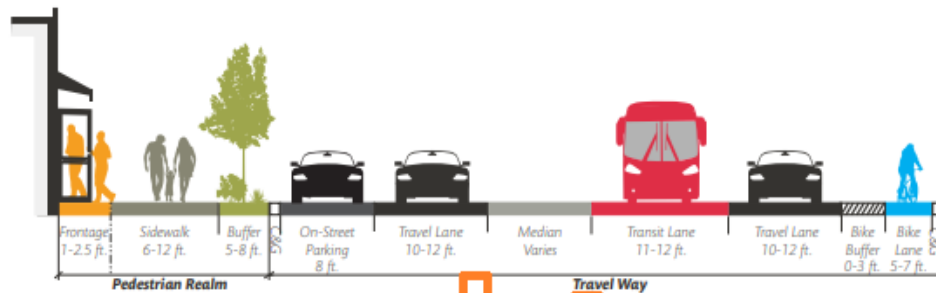


TABLE 7.2.29 Street Element Dimensions

Corridor Type / Classification	Location	Design Speed (MPH)	Pedestrian Realm			Travel Way		
			Frontage Zone (ft.)	Sidewalk Width (ft.)	Landscape / Buffer Zone (ft.)	Bike Lane Width (ft.) [*]	Bike Buffer (ft.)	Travel Lane Width (ft.) ^{***}
Premium Transit	Inside Center	30-35	1-2.5	10-12	6-8	6-6.5	0-3	10-12
	Outside Center	35-40	1-2.5	8-10	6-8	6-7	1.5-3	10-12
Major Transit	Inside Center	30-35	1-2.5	10-12	6-8	5-6.5	0-3	10-12
	Outside Center	35-40	N/A	6-10	6-8	6-7	1.5-3	10-12
Multi-modal	Inside Center	30-35	1-2.5	10-12	6-8	5-6.5	0-3	10-11
	Outside Center	35-40	N/A	6-10	6-8	6-7	1.5-3	10-11
Commuter	Inside Center	30-35	1-2.5	10	6-8	5-6.5	1.5-3	10-12
	Outside Center	40-50	N/A	6	6-8	6-7	3-5	10-12
Main Street	Main Street	25-30	1-2.5	10-12	6-8	5-6.5	0-3	10-11
Other Arterial	Inside Center	30-35	1-2.5	10	6-8	5-6.5	0-3	10-11
	Outside Center	35-40	N/A	6	5-6	6-7	1.5-3	10-11
Minor Arterial	Inside Center	30-35	1-2.5	10	6-8	5-6.5	0-3	10-11
	Outside Center	35-40	N/A	6	5-6	6-6.5	1.5-3	10-11
Major Collector	Inside Center	25-30	1-2.5	10	5-6	5	0-3	10-11
	Outside Center	30-35	N/A	6	5-6	5-6	0-3	10-11
Minor Collector	Inside Center	25-30	1-2.5	10	5-6	5	0-3	10-11
	Outside Center	30-35	N/A	6	5-6	5-6	0-3	10-11
Major Local	Inside / Outside Center	18-30	1-2.5 / N/A	5	5-6	Shared Lane ^{**}		See Part 7-4(J) Local Streets
Other Locals	Inside / Outside Center	15-25	1-2.5 / N/A	5	4-6	N/A	N/A	

* Not including the gutter pan.

** Dedicated bicycle infrastructure may be appropriate along some major local roads. In these circumstances, use the design characteristics of a minor collector (inside Center). See [Part 7-4\(J\) Local Streets](#) for more information.

*** See [Part 7-4\(G\) Public Transit](#) for additional guidance on travel lane widths for roads with transit service.

- Please confirm that no Major Public Infrastructure Improvements are going to be needed on this property. If infrastructure improvement is needed, an IL-Infrastructure list, and/or IIA-Infrastructure Improvements Agreement with financial guarantee will be required.
- Please clarify to the DHO why the applicant does not intend to vacate the Ditch and Utility Easement number 1.
- Application number needs to be added to the Plat.
- Per 6-6(K)(2)(k), The date of the DHO approval shall be recorded on the Final Plat.
- Prior to final sign-off of the plat, the AGIS office must approve the DXF file and proof of approval must be provided.

STANDARD COMMENTS AND ITEMS IN COMPLIANCE

- Per 6-6(K)(2)(l), 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. The applicant shall provide the City a digital copy of the recorded plat.
- After DHO approval and final sign off, a **recorded copy of the plat must be sent to the Jay Rodenbeck** at jrodenbeck@cabq.gov and **Angela Gomez** at agomez@cabq.gov (should the Plat be approved by the DHO).
- All signatures from the surveyor, property owner(s), the City Surveyor, **MRGCD**, the utility companies, and AMAFCA are provided on the Plat.
- All public notice requirements of IDO Section 6, Table 6-1-1, have been completed prior to this submittal. Related documents are included in the submittal package.
- The submitted plat is sealed and signed by a design professional licensed in the State of New Mexico.

6-6(M) VACATION OF EASEMENT, PRIVATE WAY, OR PUBLIC RIGHT-OF-WAY

- Per **6-6(M)(3)** of the IDO, an application for a Vacation of Easement, Private Way, 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 acequia/public right-of-way per the above standards regarding this request for vacation of easement. This vacation is consistent with the same process that the southern neighbors previously accomplished.

The applicant has confirmed in their justification letter that the acequia/public right-of-way has been abandoned, is no longer in use, and therefore is requesting this vacation. This application would allow for the subject property to be in the same situation as the adjoining properties per their previous vacation approval(s).

- 6-6(M)(2)(g) If an application for a Vacation of Public Right-of-way is approved, all of the following requirements shall apply.

1. Within 7 days of the approval, the applicant shall coordinate with the Real Property Division of the City Department of Municipal Development and send notice of the approved vacation by First Class Mail to all abutting property owners. The letter shall include the contact information for the Real Property Division of the City Department of Municipal Development, as well as any other information as directed by the Real Property Division of the City Department of Municipal Development.

a. Abutting property owners have 30 days from the receipt of the notice to notify the Real Property Division of the City Department of Municipal Development of the intent to purchase the vacated right-of-way, or any portion thereof, or possibly forfeit their right to do so.

b. Within 7 days of receipt of the notice of intent to purchase, the Real Property Division of the City Department of Municipal Development will provide the interested property owner with a purchase price for the desired portion of the vacated public right-of-way.

There is a discrepancy on the recorded size of the acequia (10ft) as stated on the previous recorded plat. Applicant has stated in the submitted justification letter that the original size of the acequia is wider than 10 feet; therefore, the applicant is measuring between 6.5 - 6.7 feet to be vacated by this plat. The neighboring site has only obtained 5 feet of the acequia and has the right to half of the actual acequia width.

Please confirm this discrepancy and note that the abutting property owner(s) will have the right to purchase from the Real Property Division any vacated right-of-way on their side of the platted right-of-way up to the median (of the right-of-way).

REFERENCES:

5-4(L) EASEMENTS OR RIGHTS-OF-WAY

5-4(L)(2) Easements or public rights-of-way for public infrastructure shall be granted or dedicated, respectively, in accordance with the minimum standards and requirements set forth in the DPM.

5-4(L)(2)(a) All easements or rights-of-way designated for public infrastructure shall be granted or dedicated, respectively, for a specific purpose.

6-6(K) SUBDIVISION OF LAND – MINOR

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.***

- Per 6-6(K)(3) Review and Decision Criteria, 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.

FUTURE DEVELOPMENT COMMENTS

- Future development must meet all applicable standards and provisions of the IDO (*per R-A*) and the DPM. ***Submitted plans should demonstrate how standards are being met for any applicable & previous approvals and/or current standards.**
 - ❖ 3-4(J)(2) Site and Setback Standards.
 - ❖ 5-1 Dimension Standards for R-A.
 - ❖ 5-2(J)(2) Lots Adjacent to Major Public Open Space.
 - ❖ 5-3(D)(2)(b) Sidewalks.
 - ❖ 5-4 Subdivision of Land.
 - ❖ 5-6 Landscaping, buffering, and Screening. **Several standards exist.*
 - ❖ 5-7 Walls/Fences, table 5-7-1. ***Development requires separate permitting.**
 - ❖ Section 6-1, table 6-1-1 for public notice requirements.
 - ❖ 6-4(R) Dedications.
 - ❖ 6-6(M) Vacation of Easement, Private Way, Or Public Right-Of-Way.
 - ❖ 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.**

Lot size, width, usable open space, and setbacks shall be provided according to the applicable standards in Section 14-16-5-1 (Dimensional Standards).

DEFINITIONS

Acequia An irrigation ditch operated and maintained by the MRGCD or a community acequia association. See also Irrigation Facility.

Irrigation Facility The system of water facilities within the MRGCD, including acequias, ditches, laterals, canals, interior drains, riverside drains, and wasteways, which convey water to irrigators or return unused irrigation water to the Rio Grande. Some facilities may also convey stormwater. The irrigation facility includes the canal that conveys the water, the maintenance road(s) along the bank top, and the sloped banks that tie back to the surrounding land. These facilities may or may not have a formal easement. See also Acequia.

Minor Subdivision Any subdivision that meets the eligibility requirements for a Subdivision of Land – Minor pursuant to Subsection 14-16-6-6(K).

Major Public Open Space City-owned or managed property that is zoned NR-PO-B or City-managed property that is zoned NR-PO-C, including the Rio Grande State Park (i.e., the Bosque), Petroglyph National Monument, and Sandia foothills. These are typically greater than 5 acres and may include natural and cultural resources, preserves, low-impact recreational facilities, dedicated lands, arroyos, or trail corridors. The Rank 2 Major Public Open Space Facility Plan guides the management of these areas. For the purposes of this IDO, Major Public Open Space located outside the city municipal boundary that is mapped as Open Space in the ABC Comp Plan still triggers Major Public Open Space Edge requirements for properties within the city adjacent to or within the specified distance of Major Public Open Space.



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: Marcelo Ibarra/Jay Rodenbeck
Planning Department

DATE: 6/25/24



**PNM Comments
Development Hearing Officer
Public Hearing: 26 June 2024**

**PR-2024-010069 / SD-2024-00106 / -00107 (2618 Veranda Rd NW)
Preliminary/Final Plat and Vacation of Right-of-Way**

1. It is the applicant's obligation to determine if existing utility easements or rights-of-way are located on or adjacent to the property and to abide by any conditions or terms of those easements.
2. Any existing and/or new PNM easements and facilities need and appear to be reflected on the resulting Plat.
3. There are existing PNM facilities and easement in the back yard of the site but not in the areas proposed to be vacated.
4. Any existing easements may have to be revisited and new easements will need to be created for any electric facilities easements proposed to be vacated as determined by PNM.
5. If it is determined there are PNM facilities in the easements proposed to be vacated or if the existing easements are needed for PNM facilities, the applicant should contact Rodney Fuentes via email at Rodney.Fuentes@pnmresources.com.
6. Structures, especially those made of metal, should not be within or near PNM facilities and easements without close coordination with and clearance by PNM.
7. The applicant should contact the PNM New Service Delivery Department to coordinate new or expanded electric service regarding this project as soon as possible. Please submit a service application at <https://pnmnsd.powerclerk.com/MvcAccount/Login> for PNM to review.
8. If existing electric lines or facilities need to be moved, then that is at the applicant's expense. Please contact PNM as soon as possible at <https://pnmnsd.powerclerk.com/MvcAccount/Login> for PNM to review.