



Development Facilitation Team (DFT) – Review Comments

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

Project No: PR-2025-011403 Date: 01/22/2025 Agenda Item: #2 Zone Atlas Page: E-10

Legal Description: TRACT 18-A-1-B & TRACT 18-A-2-B

Request: Waiver to the sidewalk requirements for a property located within Bernalillo County but abutting Goff Blvd.

Location: 754 GOFF BLVD SW

Application For: – VA-2025-00021 – SIDEWALK WAIVER

1. No objection.

DEVELOPMENT FACILITATIVE TEAM (DFT)

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: 01/22/2025

AGENDA ITEM NO: 2

PROJECT NUMBER:

PR-2025-011403

VA-2025-00021 – SIDEWALK WAIVER

IDO - 2023

PROJECT NAME:

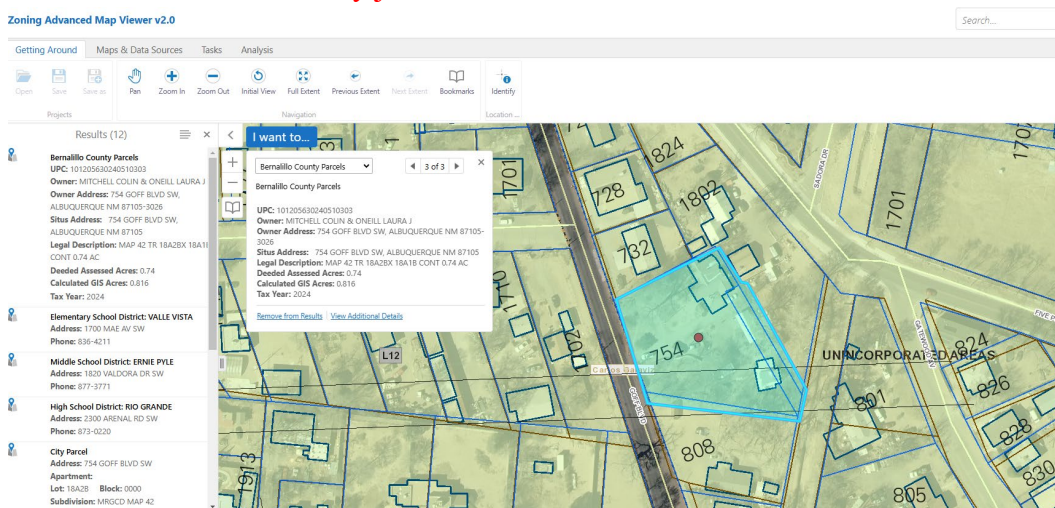
JAG PLANNING & ZONING | JUANITA GARCIA agent for **COLIN MITCHELL AND LAURA J. O'NEILL** requests the aforementioned action(s) for all or a portion of: **TRACT 18- A-1-B & TRACT 18-A-2-B** zoned **R-1**, located at **754 GOFF BLVD SW** containing approximately **0.7078** acre(s). **(L-12)**

PROPERTY OWNERS: COLIN MITCHELL AND LAURA J. O'NEILL

REQUEST: Waiver to the sidewalk requirements for a property located within Bernalillo County but abutting Goff Blvd

COMMENTS:

1. Code Enforcement believes this to be located in the Unincorporated Area of Bernalillo County, and therefore outside of the City jurisdiction. No other comments.





DEVELOPMENT FACILITATION TEAM

Parks and Recreation Department

PR-2025-011403

VA-2025-00021 – SIDEWALK WAIVER

for all or a portion of: **TRACT 18-A-1-B & TRACT 18-A-2-B zoned R-1, located at 754 GOFF BLVD SW containing approximately 0.7078 acre(s). (L-12)**

REQUEST: Waiver to the sidewalk requirements for a property located within Bernalillo County but abutting Goff Blvd

IDO - 2023

Comments:

1.21.2025

No objections to the requested action.

DEVELOPMENT HEARING OFFICER - HYDROLOGY SECTION
Anthony Montoya, Jr., PE, Senior Engineer | 505-924-3314 amontoya@cabq.gov

DRB Project Number: 2025-011403 Hearing Date: **01-22-2025**
Project: 754 GOFF BLVD SW Agenda Item No: **2**

<input type="checkbox"/> Minor Preliminary / Final Plat	<input type="checkbox"/> Preliminary Plat	<input type="checkbox"/> Final Plat
<input type="checkbox"/> Temp Sidewalk Deferral	<input checked="" type="checkbox"/> Sidewalk Waiver/Variance	<input type="checkbox"/> Bulk Land Plat
<input type="checkbox"/> DPM Variance	<input type="checkbox"/> Vacation of Public Easement	<input type="checkbox"/> Vacation of Public Right of Way

ENGINEERING COMMENTS:

- Hydrology has no objection to the request to waive the sidewalk, curb, and gutter requirements.

☐ APPROVED
☐ DENIED

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

DEVELOPMENT HEARING OFFICER

TRANSPORTATION DEVELOPMENT

DRB Project Number: 2025-011403
754 Goff SW

AGENDA ITEM NO: 2

SUBJECT: Sidewalk Waiver

ENGINEERING COMMENTS:

1. Goff is a fully developed neighborhood with no sidewalks or curb and gutter where the properties are in the County. Transportation has no objection.

. 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: January 22, 2025

ACTION:

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

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



DEVELOPMENT HEARING OFFICER

Planning - Case Comments

HEARING DATE: 1/22/25 -- **AGENDA ITEM:** #2

Project Number: PR-2025-011403

Application Number: VA-2025-00021

Project Name: 754 Goff Blvd SW

Request:

Sidewalk Waiver

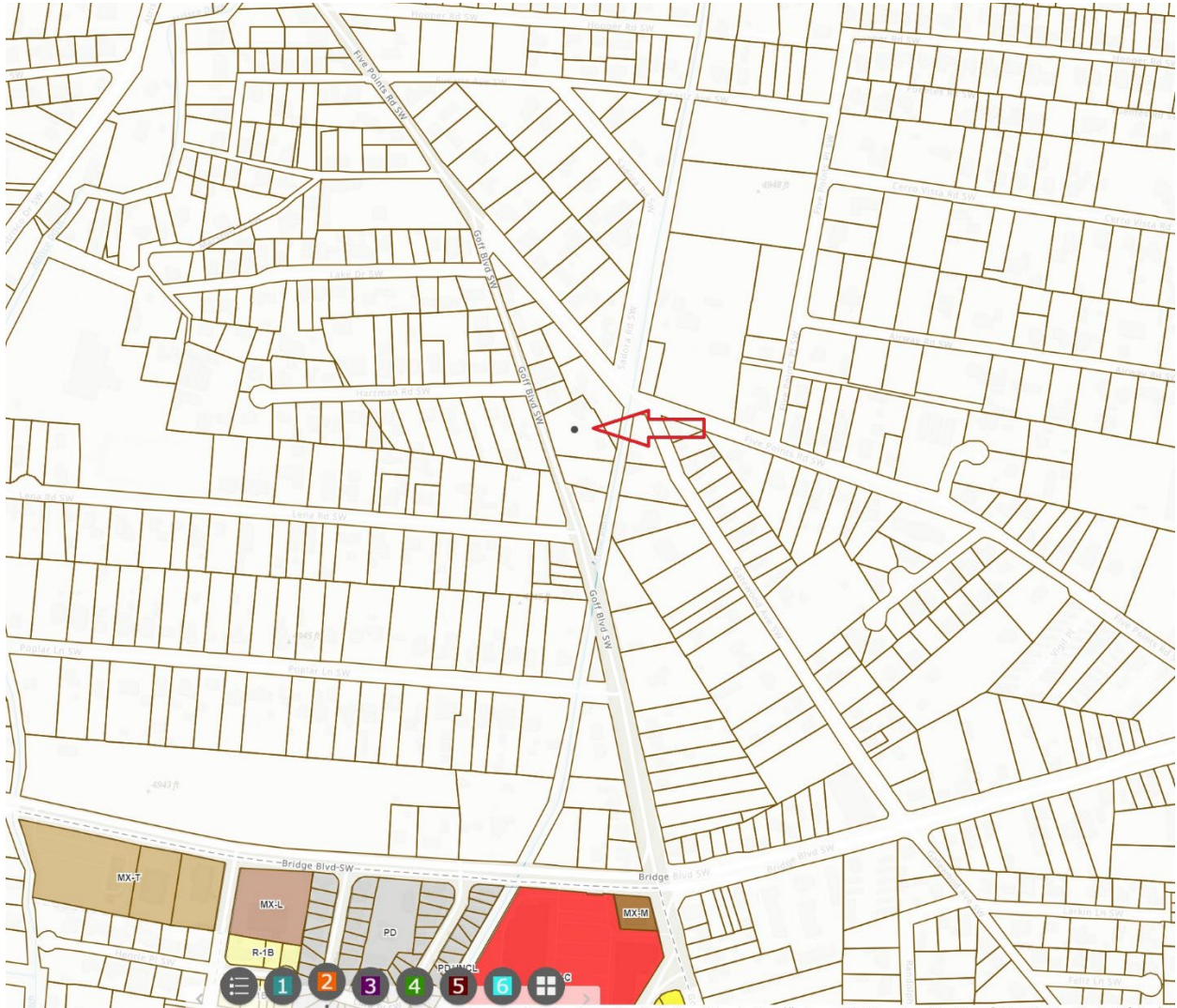
**These are preliminary Planning comments. Additional reviews and/or revised comments may be needed for any modifications and/or supplemental submittals.*

Items is orange type need immediate attention

BACKGROUND

- This is a request for a waiver to the sidewalk requirements as there is no existing sidewalk in place in the community.
- This site is within the CABQ Unincorporated areas and therefore is not within any overlay zones or community planning areas.
- The subject site is located off of Goff Blvd which is shown to be a Major Collector Roadway requiring a 6' sidewalks with a 5-6' Landscape Buffer.
- The subject property is located entirely within the un-incorporated areas for Bernalillo County; however, Goff Blvd. is a city-maintained street; therefore, the DHO is the decision-making body on the waiver request. Future platting and site development on the subject property will be going through County review and approval.

**(See additional comments on next pages)*



Standard Comments and Items in Compliance

Planning has confirmed with Transportation that they have no objection on the waiver request for Sidewalk and Landscape buffers.

6-6(P)(3) Review and Decision Criteria

6-6(P)(3)(a) General

An application for a Waiver – DHO shall be approved if it complies with all of the following criteria.

Applicant Responses to the Provisions shown below are in Green Type

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.

There are utility poles along this portion of Goff Blvd that cannot be easily or economically relocated and the placement of sidewalks, and curb and gutter in these areas will impact the flow of water throughout the immediate area. Placing this type of infrastructure would require an engineering study of the neighborhood to ensure that water is adequately flowing to proper areas to avoid flooding. The expectation of having the applicants begin this matter for the immediate neighborhood would be a hardship.

- 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.

This neighborhood has existed without sidewalks, curb and gutter, or a landscape buffer before the recent approval of the DPM. The neighborhood has mostly benefited from having streets that meet the R.O.W requirements, allowing residents to walk safely along the sides of the roads. The applicant intends on dedicating additional R.O.W to allow for a wider pedestrian passage. 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.

Not granting a waiver may cause material adverse impacts on surrounding properties, since some of the adjacent properties will be impacted by the new water flows that will occur with this type of infrastructure. The placement of sidewalks, curb and gutter, and landscape buffers in this area will need to be studied and determined how the overall system should be designed and not with individual property owners.

4. The Waiver will not hinder future planning, public right-of-way acquisition, or the financing or building of public infrastructure improvements.

Bern. Co. Has mentioned that a Pedestrian and Bicyclist Safety Action Plan is in progress and that providing sidewalks in this area is priority #1. However, these sidewalks are to be built at a future date. This waiver will not hinder future planning, public R.O.W acquisition, or the financing of building of public infrastructure improvements since the applicant intends on dedicating land for additional R.O.W to allow for future planning of sidewalks, curb and gutters. Comments from Bern Co. Public Works identified the amount of R.O.W that is required to allow for future planning of infrastructure improvements and the applicant is providing the minimum amount.

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.

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. The applicant intends on dedicating R.O.W to allow for future placement of sidewalks, curb and gutter in this area.

6. The Waiver will not allow, encourage, or make possible undesired development in the 100-year Floodplain.

This section does not apply.

7. The Waiver will not materially undermine the intent and purpose of this IDO, the applicable zone district, or any applicable Overlay Zone.

These waivers do not materially undermine the intent and purpose of this IDO, the applicable zone district or any applicable Overlay Zone. The subject property does not have sidewalks, curb and gutter, or landscape buffers within this neighborhood. All neighborhoods could benefit from these features; however, in instances where they do not exist, the best approach would be to have an overall plan that provides these features so that grading and drainage will not affect the subject properties or adjacent properties. The IDO does allow for waivers to these types of standards on a case-by-case basis without undermining the intent and purpose of the IDO. The applicable zone district does not require the widened sidewalk, and there is no 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.

This waiver will not allow a lot or type of development that does not meet the applicable development standards for this zone.

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).

The applicant is seeking the minimum necessary to allow the property owner relief of this requirement. The applicants responses demonstrate compliance of Subsection 14-16-6-6(P).

10. If the request is a 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 area is located within a low intensity land use, but installation will not contribute to the public welfare since the neighborhood does not have sidewalks, curb, gutter, or landscape buffers. The installation of these features will not allow for a connection to an existing infrastructure system, since the system does not exist.



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: Jacob Boylan
Planning Department

DATE: 1/21/25