



Development Facilitation Team (DFT) – Review Comments

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

Project No: PR-2025-020067 Date: 6/25/2025 Agenda Item: #7 Zone Atlas Page: H-16

Legal Description: 1C, 1A, 1B, 5, Brunacini Industrial Park Unit 3

Request: Eliminate lot lines to create 2 new tracts from 4 existing tracts. Vacate and relocate existing 30' private access and drainage easement. Dedicate 4' RW along Vassar.

Location: 2500 Phoenix AVE on the East side of Vassar Drive NE between Menaul Blvd NE and Phoenix Avenue NE

☐ Approved No Conditions

☒ Approved W/Conditions

☐ Not Approved

Application For: MINOR PLT-2025-00021 – MINOR PRELIMINARY/FINAL PLAT

1. There are no easements being granted and the note regarding Water Authority easements can be removed.
 - a. Please add the following note on the proposed plat. (Previous comment)
 - i. “Existing public water and/or sanitary sewer infrastructure may not be constructed or sized to adequately serve potential future development. Improvement or upsizing of existing public infrastructure may be required as a condition of future development approval.”
2. For future development, please place a Request for Availability online at the following link: http://www.abcwua.org/Availability_Statements.aspx. Requests shall include fire marshal requirements.

Application For: VAC-2025-00022 – VACATION OF PRIVATE EASEMENT

1. No objection.

Application For: VAC-2025-00026 – VACATION OF PRIVATE EASEMENT

1. No objection.



DEVELOPMENT HEARING OFFICER

Parks and Recreation Department

PR-2025-020067

MINOR_PLT-2025-00021 – MINOR PRELIMINARY/FINAL PLAT

VAC-2025-00022 – VACATION OF PRIVATE EASEMENT

VAC-2025-00026 – VACATION OF PRIVATE EASEMENT

SKETCH 6-4-25 (DFT)

IDO – 2025

T/MPOS

TIM ALDRICH agent for PETER GINERIS requests the aforementioned action(s) for all or a portion of: Lot/Tract 1C, 1A, 1B, 5, BRUNACINI INDUSTRIAL PARK UNIT 3 zoned MX-M, located at 2500 PHOENIX AVE on the east side of VASSAR DRIVE NE between MENAUL BLVD NE and PHOENIX AVENUE NE containing approximately 4.2357 acre(s). (H-16)

PROPERTY OWNERS: Peter Gineris

REQUEST: Eliminate lot lines to create 2 new tracts from 4 existing tracts. Vacate and relocate existing 30' private access and drainage easement. Dedicate 4' RW along Vassar

Comments:

06.11.2025

Parks and Recreation has no objections to this request.

6-4-2025

- For future development street trees will be required along Menaul Blvd and Vassar Dr. per Street Tree Ordinance and IDO 5-6(D) Street Frontage Landscaping:

Trees are generally required along street frontages every 25 feet on center unless specified otherwise in Part 6-6-2 of ROA 1994 (Street Trees). Along street frontages where street trees are required, trees that are planted within 20 feet of the back of curb of the abutting street may fulfill this requirement. (See figure below.)

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

DRB Project Number: 2025-020067 Hearing Date: 06-25-2025
Project: 2500 PHOENIX AVE Agenda Item No: 7

<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 checked="" type="checkbox"/> Vacation of Public Easement	<input type="checkbox"/> Vacation of Public Right of Way

ENGINEERING COMMENTS:

- Hydrology has an approved Conceptual Grading and Drainage Plan (HT# H16D156) with an engineer's stamp 05/21/2025.
- Hydrology has no objection to the platting action.
- Hydrology has no objection to the Vacations.
- Comment - Prior to submitting for Building Permit, a licensed New Mexico civil engineer will need to submit a Grading & Drainage Plan to Hydrology for review & approval if one of these conditions is met. (500 cy of grading, 1,000 sf of proposed building, or 10,000 sf of proposed paving).

☐ 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: 2025-020067
2500 Phoenix

AGENDA ITEM NO: 7

SUBJECT: Preliminary/Final Plat, Vacation of Easement

ENGINEERING COMMENTS:

1. Menaul is a Principal Arterial and requires 6' sidewalk with 5' to 6' landscape buffer. Phoenix and Vassar are both local roads and require 5' sidewalks with 4' to 6' landscape buffers. Your drawings indicate Phoenix and Vassar with only 4' sidewalks and Menaul with mostly 6' sidewalks but a small portion of 4' fronting the property. Sidewalks not meeting required width will need to be widened. All work in the ROW will need to be placed on an infrastructure list and financially guaranteed.
2. Transportation has an approved TCL dated 11/12/2024.

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 25, 2025

ACTION:

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

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



DEVELOPMENT HEARING OFFICER

Planning Comments

HEARING DATE: 6/25/25 -- **AGENDA ITEM:** #7

Project Number: PR-2025-020067

Application Number: PLT-2025-00021, VAC-2025-00022, and VAC-2025-00026

Project Name: 2500 Phoenix Ave. (just north of Menaul and Vassar)

Request:

Preliminary/Final Plat and two vacation actions.

**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 comment or corrections.

Background:

- This case was deferred from the 6/11/25 DHO hearing.
- This is a request for a Preliminary Final Plat and two separate Vacation actions, while also granting any necessary easements. It will eliminate lot lines and create two new tracts from 4 existing tracts. The vacations will relocate private access and drainage easements.
- A sketch plat was completed for this site on June 4th 2025. Comments were provided to the applicant.
- The IDO Zone District for the subject property is MX-M. Future site development are subject to the standards of the IDO and DPM.
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>

1. Items that need to be completed or corrected

- Please confirm original and updated details of the site for the DHO. Proposed Preliminary/Final plat, vacation, and easements.
- Per Transportation, the site is not meeting DPM requirements for sidewalk width and landscape buffer. *Clarify if the Infrastructure List (IL) will need to be modified.
- An IL is included with the platting application; if/once the Plat is approved by the DHO, a recorded Infrastructure Improvements Agreement (IIA) must be submitted prior to final sign-off of the Plat.
- Please clarify the Hydrology/Storm Water waiver application included in the submittal.
- Clarify access from Menaul and the continuing access easement through Tract 5. Is that platted access? Will it affect the vacated area? Is there cross-access? It appears to be the only access to the abutting properties.
- The Project and Application numbers must be added to the plat and Vacation exhibits before final sign-off.
- Per 6-6(L)(2)(d)(7) of the IDO, the date of the DHO approval shall be recorded on the Plat.
- After DHO approval and final sign off, a recorded copy of the Plat must be sent to Jay Rodenbeck at jrodenbeck@cabq.gov and Angela Gomez at agomez@cabq.gov.
- Per 6-6(K)(2)(l) of the IDO, the applicant shall record the 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.
- Vacation criteria was included in the submittal per **6-6(M)(3) --Review and Decision 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.*

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.*

1. *The first easement to be vacated (as indicated by keyed note "1" on sheet two of the proposed plat) and applied in ABQ-PLAN under VAC-2025-00026, is a private 10-foot drainage easement, which was established in 2008.*

Because no drainage infrastructure was built within the easement, and stormwater flows are directed to Phoenix Ave NE and Vassar Drive NE (as shown in the grading and drainage plan) the public welfare does not require for the private easement to be retained. Further, review and approval of the proposed grading and drainage plan will show that there is no detriment in removing the 10-foot drainage easement. As described in more detail in the response to 6-6(M)(3)(b), the vacation of this easement will create a net benefit to the public, as this vacation will allow for a 10-foot public utility easement to be established by this plat.

2. The second easement to be vacated (as indicated by keyed note “2” on sheet two of the proposed plat) and applied in ABQ-PLAN under VAC-2025-00022, is a 30-foot private access and drainage easement and was established in 2008. The easement crosses a property that is not owned by the applicant, though both the applicant and adjacent property owner that shares the easement are in agreement with the proposed vacation. The easement will be replaced by an easement with the same width and purpose, only shifted 25-feet to the south (as shown on page three of the proposed plat). Since the easement is wholly being replaced, and the applicant and adjacent property owner are in agreement; the public welfare does not require that the 30-foot private easement be retained. The new easement will allow for access to the lot to the east (Tract 2), which is also owned by the applicant and will not require access through Tract 1-D (which is not owned by the applicant).

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.

1. VAC-2025-00026

The vacation of the 10-foot drainage easement will benefit the public as a new 10-foot public utility easement will be established in its place (see sheet three of the proposed plat), which is a more efficient use of the property. The proposed warehouse development will be a net benefit to the public welfare as it will establish an essential industrial use and facilitate the development of a vacant lot. Speaking generally, vacant lots can be detrimental to neighborhoods and surrounding properties.

2. VAC-2025-00022

The vacation of the 30-foot private access and drainage easement benefits the public by providing access to an existing light vehicle sale use and will no longer require users to traverse Tract 1-D (which is not owned by the applicant) for access to Tract 2. Additionally, the vacation is being replaced by a proposed easement with the same width and purpose (see sheet three of the proposed plat). Both the applicant and the owner of Tract 1-D agree with the vacation of the private easement, should the owner of Tract 1-D wish to do so, they can vacate the private easement on their property and create more useable space on their lot.

Conclusion

In conclusion, the proposed vacations of the two easements meet the applicable review and decision criteria set forth in Section 6-6 (M)(3) of the IDO. The public welfare does not necessitate the retention of either easement, as both are either unused or being replaced in a manner that preserves or enhances their intended functions. Further, the proposed development and reconfiguration of easements will yield a net benefit to the public by enabling the productive use of underutilized land, supports industrial and commercial operations, and ensures coordinated utility and access on and to private property. The agreement between the affected property owners further affirms that no substantial property rights are being infringed. Therefore, the request is consistent with the intent of the IDO and is in the best interest of the surrounding neighborhood and the City.

2. Standard Comments and Items in Compliance

- All public notice requirements of IDO Section 6, Table 6-1-1, have been completed for this submittal.
- **Applicant/Agent to ensure all final submitted documents are sealed and signed by a design professional licensed in the State of New Mexico.*
- 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.
- Drainage Ponds must meet Standard Specification 1013 or better. See [Drainage Ponds Slope Stabilization and Seeding Requirements.pdf \(cabq.gov\)](https://cabq.gov/Portals/0/Drainage%20Ponds%20Slope%20Stabilization%20and%20Seeding%20Requirements.pdf)

****Project has been reviewed to the standards and provisions within the IDO-Integrated Development Ordinance and the standards within the DPM-Development Process Manual.***

****** Once approved, before a Plat or Infrastructure List will be distributed for signatures, the following must be met:***

- 1. The Plat or Infrastructure List to be distributed for signatures must depict any revisions required per the conditions and/or findings featured in the Notice of Decision for the application.*
- 2. All Plat or Infrastructure List sheets must be included in the submittal to be distributed for signatures; no additional documents/sheets should be included in this submittal (for example, submit a comment response letter separately).*
- 3. The Plat or Infrastructure List submittal to be distributed for signatures must be featured in a single PDF.*
- 4. The Plat or Infrastructure List must feature/depict the project and application numbers.*

5. The Plat must be stamped and signed by a Surveyor licensed in the State of New Mexico.

6. The title of the Plat or Infrastructure must follow the following naming scheme:

a. Plat: project number-application number-Plat date of approval

b. Infrastructure List: project number_application number_IL_Aproved_date of approval.

Future Development Guidance

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

- Future development is subject to the standards and provisions within the IDO and the DPM would apply. The IDO zone district is zoned MX-M.
****Submitted plans should demonstrate how standards are being met.***
- ❖ **4-2 Allowed Uses**, table 4-2-1. Follow the Use Specific Standards per section 4-3 of the IDO.
- ❖ **5-1 Dimension Standards**. 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.
- ❖ **5-3 Access & Connectivity requirements.**
- ❖ **5-4 Subdivision of Land.**
- ❖ **5-5 Parking and loading.**
- ❖ **5-6 Landscaping, buffering, and Screening.** *Plans will need to demonstrate compliance of landscaping requirements. Provide calculations & detail.*
Be aware of several sections related to new development –
5-6-C General Landscaping, 5-6-D Required Street Trees, 5-6-F Parking Lot Landscaping, 5-6-G Equipment/Support areas, and 5-6-E Edge buffer requirements.
- ❖ **5-7 Walls/Fences**, table 5-7-1. ***Development requires separate permitting.**
- ❖ **5-8 for Outdoor Lighting** requirements.
- ❖ **5-11 Building/Façade Design.**
- ❖ **5-12 Signage.**
- ❖ **5-13 Operation and Maintenance**
- ❖ **Section 6-1, table 6-1-1 for public notice requirements.**
- ❖ Platting actions per **6-6-K Subdivision of Land-Minor** or **6-6-L Subdivision of Land-Major**.
- ❖ **Vacations per 6-6-M. 6-4(R) Dedications.**
- ❖ **7-1 Development 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: Robert Webb/ Jay Rodenbeck
Planning Department

DATE: 6/25/25