Cherne, Curtis

From: Cherne, Curtis

Sent: Friday, March 14, 2014 4:16 PM

To: Wolfe, Bryan K.

Subject: RE: 2351 Mountain Rd. NW

Attachments: ms_gomez.jpg

Bryan,

I went out to the site today. Luckily Ms. Gomez had a 5 gallon bucket. The bucket test revealed that the concrete area will drain to the back. I advised Ms. Gomez to build a little berm to ensure the water would stay where it is supposed to. I showed her a copy of the g & d plan so she would understand how her and her neighbors lots are supposed to drain.

She also did not like the look of the concrete drive. Clearly not a drainage issue.

She is OK.

I attached a pic of the driveway.

Curtis

From: Wolfe, Bryan K.

Sent: Thursday, March 13, 2014 2:50 PM

To: Cherne, Curtis

Subject: Fwd: 2351 Mountain Rd. NW

Curtis,
See Matt's email below.
Thank you,
Bryan

Sent from my Verizon Wireless 4G LTE DROID

----- Original Message ------ Subject: 2351 Mountain Rd. NW

From: "Conrad, Matthew A." < MattConrad@cabq.gov>

To: "Wolfe, Bryan K." < BWolfe@cabq.gov>

CC:

Bryan,

Please have one of the hydrologists contact Ms. Dora Gomez. Ms. Gomez believes that the new construction next door to her will result in flooding due to the slope of the lot. Ms. Gomez can be reached at 681-1603.

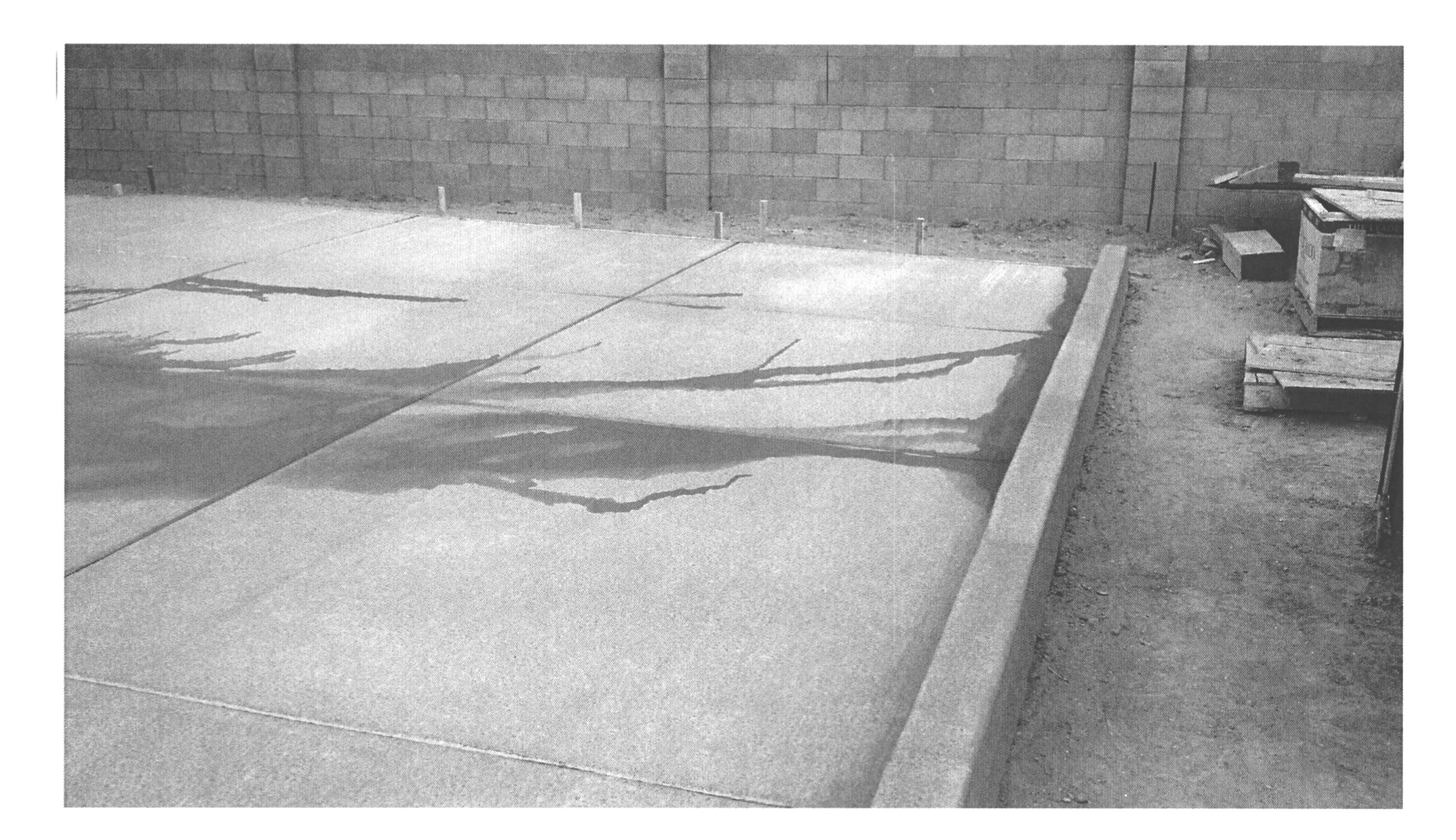
Thanks.

Matthew Conrad

Associate Planning Director

City of Albuquerque Planning Department

(505) 924-3340



Driveway drains west as it should.

Cherne, Curtis

From:

Wolfe, Bryan K.

Sent:

Thursday, March 13, 2014 2:50 PM

To:

Cherne, Curtis

Subject:

Fwd: 2351 Mountain Rd. NW

Curtis,

See Matt's email below.

Thank you,

Bryan

Sent from my Verizon Wireless 4G LTE DROID

----- Original Message ------ Subject: 2351 Mountain Rd. NW

From: "Conrad, Matthew A." < MattConrad@cabq.gov>

To: "Wolfe, Bryan K." < BWolfe@cabq.gov>

CC:

Bryan,

wir hur at

Called 3-14-14

Please have one of the hydrologists contact Ms. Dora Gomez. Ms. Gomez believes that the new construction next door to her will result in flooding due to the slope of the lot. Ms. Gomez can be reached at 681-1603.

Thanks.

Matthew Conrad

2355 Minhain 15 Al

prohum 10t

Associate Planning Director

City of Albuquerque Planning Department

(505) 924-3340

pound how driving pad-

5/ pm to her promets

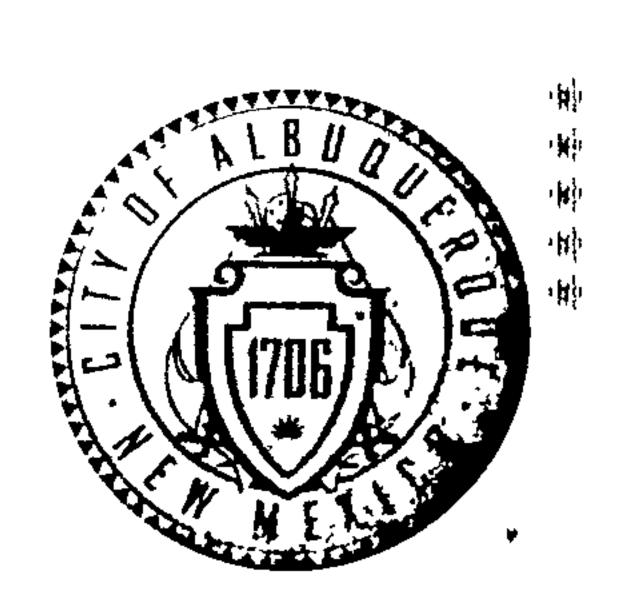
All husey and Fal

rest well

builter Denis

sate code nyre/f

anthu gad seur ni-F 7#335



February 5, 2009

Arthur M. Garcia, P.E.

Paiki A/E Firm

2901 Juan Tabo Blvd. NE
Albuquerque, NM 87112

RE: Los Mochos Compound, (J-13/D089)

Engineers Certification for Release of Financial Guaranty

Engineers Stamp dated 10/05/2007

Engineers Certification dated 02/04/2009

Dear Mr. Garcia,

Based upon your Engineer's Certification submitted on 2/05/2009, the above referenced plan is adequate and satisfies the Grading and Drainage Certification for Release of Financial Guaranty.

If you have any questions, you can contact me at 924-3982.

Sinderely,

PO Box 1293

Albuquerque

NM 87103

www.cabq gov

Timothy E. Sims

Plan Checker, Planning Dept. - Hydrology

Development and Building Services

C: Marilyn Maldonado, COA# 684182

File

Albuquerque - Making History 1706-2006

DRAINAGE AND TRANSPORTATION INFORMATION SHEET

(REV 12/2005)

PROJECT TITLE: 405 Mochos Compound DRB#: 1003928 EPC#:	ZONE MAP: 3/7
DRB#: 1003928 EPC#:	WORK ORDER#: 6 34 82
LEGAL DESCRIPTION:	
CITY ADDRESS:	
ENGINEERING FIRM: PAIKI	CONTACT: Art Garaia PHONE: 816-7340
ADDRESS: 2901 Juan Tabo Blvd	and the same of th
CITY, STATE: Albuqueque NM	ZIP CODE: <u>8711</u>
OWNER:	CONTACT:
ADDRESS:	PHONE:
CITY, STATE:	ZIP CODE:
ARCHITECT:	CONTACT:
ADDRESS:	.PHONE:
CITY, STATE:	ZIP CODE:
11. 11. 11. 1. 6. 6. 1. 1. 1. 1. 1. 1. 1. 1. 1. 1. 1. 1. 1.	
SURVEYOR: Stees Southwest Surveys LTD	
ADDRESS:	PHONE:
CITY, STATE:	ZIP CODE:
CONTRACTOR: CCM	CONTACT:
ADDRESS:	PHONE:
CITY, STATE:	ZIP CODE:
	OF APPROVAL SOUGHT:
	NANCIAL GUARANTEE RELEASE
	MINARY PLAT APPROVAL
	J. PLAN FOR SUB'D APPROVAL
	V. FOR BLDG. PERMIT APPROVAL
	OR PLAN APPROVAL
	PLAT APPROVAL
	DATION PERMIT APPROVAL
CLOMR/LOMR TRAFFIC CIRCULATION LAYOUT CERTI	ING PERMIT APPROVAL. FICATE OF OCCUPANCY (PERM)
ENICINIEED'S CEDT (TOI)	FIGATE OF OCCUPANCY (FERIVI)
	ING PERMIT APPROVAL
OTHER (SPECIFY) PAVIN	ORDER APPROVAL 2009
	R (SPECIFY)
OTRIE	
WAS A PRE-DESIGN CONFERENCE ATTENDED:	HYUROLOGY
YES	EECIIOII
NO	
COPY PROVIDED	
	(). 11
DATE SUBMITTED: Feb 5, 2009	BY: Ut Strange

Requests for approvals of Site Development Plans and/or Subdivision Plats shall be accompanied by a drainage submittal. The particular nature, location, and scope to the proposed development defines the degree of drainage detail. One or more of the following levels of submittal may be required based on the following:

- 1. Conceptual Grading and Drainage Plan: Required for approval of Site Development Plans greater than five (5) acres and Sector Plans.
- 2. Drainage Plans: Required for building permits, grading permits, paving permits and site plans less than five (5) acres.
- 3. Drainage Report: Required for subdivision containing more than ten (10) lots or constituting five (5) acres or more.



Regional Office: 2901 Juan Tabo Blvd, NE, Suite 101; Albuquerque, New Mexico 87112 (505) 816-7340 • FAX (505) 816-7337 www.paiki.com

DRAINAGE CERTIFICATION WITH VERIFICATION BY ENGINEER OF RECORD

I, ARTHUR M. GARCIA, NMPE 11020, OF THE FIRM PAIKI, HEREBY CERTIFY THAT THIS PROJECT HAS BEEN GRADED AND WILL DRAIN IN SUBSTANTIAL COMPLIANCE WITH AND IN ACCORDANCE WITH THE DESIGN INTENT OF THE APPROVED PLANS DATED DECEMBER 14, 2007. THE RECORD INFORMATION EDITED ONTO THE ORIGINAL DESIGN DOCUMENT HAS BEEN OBTAINED BY AN INDEPENDENT SURVEYOR AS SUPPLEMENTAL DATA TO THE ORIGINAL TOPOGRAPHIC SURVEY PREPARED BY MITCHELL W. REYNOLDS (DECEASED), NMPS 11224, OF THE FIRM SURVEYS SOUTHWEST LTD, AND IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF. THIS CERTIFICATION IS SUBMITTED IN SUPPORT OF A REQUEST FOR RELEASE OF FINANCIAL GUARANTEE FOR THE LOS MOCHOS COMPOUND SUBDIVISION, CITY OF ALBUQUERQUE PROJECT NO. 684182.

EXCEPTION: LOT 8 WAS EXCLUDED FROM THE CONSTRUCTION CONTRACT AND WAS THEREFORE NOT CONSTRUCTED IN ACCORDANCE WITH THE PLAN.

THE RECORD INFORMATION PRESENTED HEREON IS NOT NECESSARILY COMPLETE AND INTENDED ONLY TO VERIFY SUBSTANTIAL COMPLIANCE OF THE GRADING AND DRAINAGE ASPECTS OF THIS PROJECT. THOSE RELYING ON THIS RECORD DOCUMENT ARE ADVISED TO OBTAIN INDEPENDENT VERIFICATION OF ITS ACCURACY BEFORE USING IT FOR ANY OTHER PURPOSE.

HYUROLOGY

ARTHUR M. GARCIA, NMPE 11020

DATE

4 mg	
Current/DRC-	
Conficility DMC.	
₩	
Project Number:	
. roject ramber	

ORIGII.AL

FIGURE 12

(Rev. 9-05)

INFRASTRUCTURE LIST

EXHIBIT "A"

Date Submitted: 4/04/07
Date Site Plan Approved:
Date Preliminary Plat Approved 4
Date Preliminary Plat Expires: 240408
DRB Project No.: 1003928
DRB Application No.: 07 028 - 00068

TO SUBDIVISION IMPROVEMENTS AGREEMENT

DEVELOPMENT REVIEW BOARD (D.R.B.) REQUIRED INFRASTRUCTURE LIST

WEILT BOARD (B.R.B.) REGUIRED INFRASTRUC ORE LIST
Los Mochos Compound
PROPOSED NAME OF PLAT AND/OR SITE DEVELOPMENT PLAN
- LOT 12, Block C JM Moore Realty 3rd Addition + GT 16D To hatch! Addition
EXISTING LEGAL DESCRIPTION PRIOR TO PLATTING ACTION

Following is a summary of PUBLIC/PRIVATE Infrastructure required to be constructed or financially guaranteed for the above development. This Listing is not necessarily a complete listing. During the SIA process and/or in the review of the construction drawings, if the DRC Chair determines that appurtenant items and/or unforeseen items have not been included in the infrastructure listing, the DRC Chair may include those portions of the financial guarantees. All such revisions require approval by the DRC Chair, the User Department and agent/owner. If such approvals are obtained, these revisions to the listing will be incorporated administratively. In addition, any unforeseen items which arise during construction which are necessary to complete the project and which normally are the Subdivider's responsibility will be required as a condition of

Financially Guaranteed	Constructed Under	Size	Type of Improvement	Location	From	To	Construe Private Inspector		city Cnst
DRC #	DRC#	8"	Sanitary Sewer Pipe - 280 LF	private access easement	Mt. Rd.	Niend of easement	/	/	Engineer /
		48"	Sanitary Sewer manholes - 4 = A.						
			Sanitary sewer services - 6 EA.			<u> </u>		/	
		4"	water line 287 LP	prioak access easement	Mt. P.L	N. 2nd of exsement			
			Water Services 6 EA.						
		STA	Fire Hydrant	5/20 9 7 98 20 1 RT					
		<u></u>	Doublewater - 3 EA.					1	
		18/	W/2 Inlets	pridate a coess easement	mt_R.	Solverth			
		48"	3 STORM DRAM man Loles	PAGE _/_ OF			/		

Financially Guaranteed	Constructed Under	Size	Type of Improvement	Location	From	То	Constr	uction Cer	tification
DRC#	DRC#	} }					Inspector	P.E.	City Cnst Engineer
			Type Dinlets 2 EA.	sta 11 + 77 sta 11 + 69					
		18"	HDPE Sformdayn 125 LF	<u> </u>	57a 10+85	Sta 11777	/	/	
		18"	Reinforcel Concrete Pipe - 94LF		57a 9786	5/2 10+85		/	
		6 "							
		6" 3"	concrete drivepres 24 wide base course			25' North. N. collesont.			
		الارش	24' wide gravel	portunent de coss		V. endeant.			
		5+1.	Header curb	primert	seperatur	Sidewalh		/	
		6"	Crusher Rine Sidewalk	West side of private accers		celane esnt.			
		64	Stangel Concrete 1162 4F						
		4/	wall 250 LF	wet propline					
							<u> </u>		

PAGE Z OF 3 (rev. 9-05)

			1		i Constru	ction Cert/	lfication	
Size	Type of Improvement	Location	From	То			City Cnst	
					Inspector	P.E.	Engineer	
						•		
_					— ——— –			
						•		
· ·			Approval of Creditable	Items:	Approval of Co	editable It	eme:	
					Approval of Creditable Item			
		-	Impact Fee Admistrate	r Signature Dat	e City User Der	it. Signatu	re Date	
rs certi	Fication of gradin	nts per city rquirements.	ed prior to	re/ease	of 514 +	- FG		
<u>.</u>								
								
·					<u> </u>		- · · · · · · · · · · · · · · · · · · ·	
		DEVELOPMENT REVI	W BOARD MEMBER A	DDDOVALC				
	DRB CHA	100 Holl	in Christ	ina Sa	May 2014	4/07		
Jours Jours	,	4-4-07						
207			•	AMAFCA - date				
	UTILITY DEVELO			date	······································			
	156	4/4/07						
	CITY ENGIN	EER - date		date				
	DESIGN RE	VIEW COMMITTEE REVISIO	NS					
DATE	DRC CHAIR	IISER DEPARTI	MENT					
		OULK DEFAK!						
	······································					ļ.		
	DATE CENT	If the site is located in a floodplain, then the financial Street lights certification of gradient DRB CHAIN DRB CHAIN TRANSPORTATION DUTILITY DEVELOPMENT OF THE STREET O	If the site is located in a floodplain, then the financial guarantee will not be released to the site is located in a floodplain, then the financial guarantee will not be released to the site of the	Approval of Creditable Impact Fee Admistrate NOTES If the site is located in a floodplain, then the financial guarantee will not be released until the LOMR is a Street lights per City requirements. Street lights per City requirements. CENT FICATION OF GRAding plan required prior to the provided prior to the p	Approval of Creditable Items: Impact Fee Admistrator Signature Dai NOTES If the site is located in a floodplain, then the financial guarantee will not be released until the LOMR is approved by FEMA Street lights per City rquirements. CENTIFICATION OF GRACING Plan FEQUIVED PRIOR TO FEMASE DEVELOPMENT REVIEW BOARD MEMBER APPROVALS DATE DEVELOPMENT - date DEVELOPMENT - date AMAFCA - date DEVELOPMENT - date AMAFCA - date DESIGN REVIEW COMMITTEE REVISIONS DATE DRC CHAIR USER DEPARTMENT AGE AGE AGE APPROVAL S APPROVAL S APPROVAL S AMAFCA - date - date DESIGN REVIEW COMMITTEE REVISIONS	Approval of Creditable Items: Impact Fee Admistrator Signature Date City User Dep	Approval of Creditable Items: Impact Fee Admistrator Signature NOTES If the site is located in a floodplain, then the financial guarantee will not be released until the LOMR is approved by FEMA. Street lights per City requirements. Certification of grading plan required prior to release of 5/4 + 16. DEVELOPMENT REVIEW BOARD MEMBER APPROVALS DAB CHAIR - date DAB CHAIR - date DAB CHAIR - date TRANSFORTATION DEVELOPMENT - date AMAFCA - date DESIGN REVIEW COMMITTEE REVISIONS DATE DATE DATE DESCRIABR DESCRIABR	

PAGE <u>2</u> OF <u>2</u> (rev. 9-05)

March 12, 2007



Arthur M. Garcia, P.E.
Paiki Architecture & Engineering
11200 Lomas NE, Ste. 100
Albuquerque, NM 87112

Re: Los Mochos II Subdivision, Engineer's Stamp Dated 3-8-07

Request for Preliminary Plat Approval, (J13/D89)

Dear Mr. Garcia,

Based on the information contained in your submittal received on March 9, 2007, the above referenced plan is approved for Preliminary Platting action by the DRB.

If you have any questions or need additional information, feel free to contact me at 924-3990.

Sincerely,

P.O. Box 1293

Jeremy Hoover, P.E. Senior Engineer Hydrology Section

file

Development and Building Services

Albuquerque

cc:

(J13/D89)

New Mexico 87103

www.cabq.gov

THE HILL OF THE PARTY OF THE PA

September 13, 2007

Arthur M. Garcia, P.E. Paiki Architecture & Engineering 11200 Lomas NE, Ste. 100 Albuquerque, NM 87112

Re: Los Mochos II Subdivision, Engineer's Stamp Dated 9-11-07, (J13/D89)

Dear Mr. Garcia,

Based on the information contained in your submittal received on September 12, 2007, the above referenced plan is approved for Building Permit. Please attach a copy of this letter and the approved plan to the construction sets to obtain sign-off by Hydrology. Prior to Certificate of Occupancy release, Engineer Certification per the DPM checklist as well as completion of CPN 6841.82 will be required.

This project will also require a National Pollutant Discharge Elimination System (NPDES) permit. Inquiries regarding this permit should be directed to Sertil Kandar at 768-3645. In addition to submitting an NOI to the EPA and preparing a SWPPP, please send a copy of the SWPPP on a CD in .pdf format to Kathy Verhage with the Department of Municipal Development Storm Drainage Division at the following address.

P.O. Box 1293

Albuquerque

Department of Municipal Development

Storm Drainage Division

P.O. Box 1293, One Civic Plaza, Rm. 301

Attn: Kathy Verhage Albuquerque, NM 87103

New Mexico 87103

If you have any questions or need additional information, feel free to contact me at 924-3990.

Sincerely,

www.cabq.gov

Jeremy Hoover

Senior Engineer
Hydrology Section

Development and Building Services

cc:

file (J13/D89)

Kathy Verhage

November 16, 2006



Arthur M. Garcia, P.E. Paiki Architecture & Engineering 11200 Lomas NE, Ste. 100 Albuquerque, NM 87112

Re: Los Mochos Subdivision, Engineer's Stamp Dated 11-7-05 Request for Preliminary Plat Approval, (J13/D89)

Dear Mr. Garcia,

Based on the information contained in your submittal received on November 7, 2006, there are many items that must be revised prior to Preliminary Plat approval. Those items include the following.

- Your site vicinity map needs to be shown on a standard, City Zone Atlas page (J13).
- The scale must be revised to a standard dimension, 1"= 20' or 1"=30'.
- Your calculations indicate that post development conditions will include approximately 40% treatment A. Unless designated as completely undisturbed open space, post development conditions will, by definition, not contain <u>any</u> treatment A due to onsite construction activities.
- Your design will need to take into consideration the fact that the existing storm drain in Mountain does not, by your own analysis, have sufficient capacity for additional loading.
- Construction of two (2) feet of fill at the north end of the street is not acceptable. Slight depression of that area with a further northerly extension of the new storm drain could allow for a small amount of temporary retention without impacting the various existing and proposed residences.
- The pad elevations cannot be lower than the adjacent street grades.
- In order to eliminate the mandate for the construction of curb and gutter improvements, a design waiver approved by the DRB must be obtained.
- Please indicate the corner spot elevations for each lot.

If you have any questions or need additional information, feel free to contact me at 924-3990.

Sincerely,

Jeremy Hooyer, P.E. Senior Engineer Hydrology Section

Development and Building Services

cc: file (J13/D89)

P.O. Box 1293

Albuquerque

New Mexico 87103

www.cabq.gov

January 10, 2007



Arthur M. Garcia, P.E.
Paiki Architecture & Engineering
11200 Lomas NE, Ste. 100
Albuquerque, NM 87112

Re:

Los Mochos II Subdivision, Engineer's Stamp Dated 12-13-06

Request for Preliminary Plat Approval, (J13/D89)

Dear Mr. Garcia,

Based on the information contained in your submittal received on December 13, 2006, the above referenced plan is approved for preliminary platting action by the DRB.

If you have any questions or need additional information, feel free to contact me at 924-3990.

Sincerely,

P.O. Box 1293

Senior Engineer
Hydrology Section

unne

Albuquerque

Development and Building Services

cc:

file

(J13/D89)

New Mexico 87103

www.cabq.gov

December 12, 2006



Arthur M. Garcia, P.E. Paiki Architecture & Engineering 11200 Lomas NE, Ste. 100 Albuquerque, NM 87112

Re: Los Mochos Subdivision, Engineer's Stamp Dated 12-1-06

Request for Preliminary Plat Approval, (J13/D89)

Dear Mr. Garcia,

Based on the information contained in your submittal received on December 1, 2006, there are some additional items that must be revised prior to approval for Preliminary Platting action by the DRB. Those items are as follows.

- The increase in runoff described in the drainage narrative (+/- 0.5 cfs) is not the same as what is shown in the calculations (1.05 cfs).
- Will the existing garage at the southwest corner of the proposed lot 3 serve that property or be utilized by the existing residence on lot 4? As proposed, it will belong to lot 3 with a zero setback from the common lot line.
- Please show the entire perimeter wall and include an appropriate entry in the legend. Also include a legend entry for the proposed spot elevation symbols.
- Please include a water block at the northeast corner of lot 7 so that the runoff does not drain eastward out of your development. As an alternative, you may want to slightly modify the grades in this area so as to take the water westward to the new storm drain and eliminate the ponding situation.

Although it is not prohibitive to preliminary plat approval through Hydrology, please be aware that there appears to be an approximately 10-degree discrepancy between the angle of the north arrow shown on your plan and profile sheet and the bearings given thereon. If you have any questions or need additional information, feel free to contact me at 924-3990.

Albuquerque

P.O. Box 1293

New Mexico 87103

www.cabq.gov

Jeremy Hoover, P.E.

Sincerely,

Senior Engineer
Hydrology Section

Development and Building Services

cc: file (J13/D89)



DRAINAGE AND TRANSPORTATION INFORMATION SHEET

(Rev. 12/05)
PROJECT TITLE: LOQ. MOCKOZ COMPORNOL ZONE MAP/DRG. FILE # J-13/DD89 DRB#: EPC#: WORK ORDER#: (084/82
LEGAL DESCRIPTION: LOT 1-8, LOS MOCHOS CONTROLUNT, SECT, TION, A 3 ENMI CITY ADDRESS: 2337 NIDON TO NOTO WITH DECT, TON, A 3 ENMI
ENGINEERING FIRM: PAIK 1-1/200 LOMAS NE CONTACT: ART GARCIA ADDRESS: PHONE:
CITY, STATE: AID, WINGTHE ZIP CODE: OWNER LOS Mochos LLP CONTACT: JIM MOCHO
ADDRESS:
ARCHITECT: CONTACT: ADDRESS: PHONE: CITY, STATE: ZIP CODE:
SURVEYOR: SURVEYS South WEST CONTACT: DAN GRADY PHONE: 198-0303 CITY, STATE: A11, MM 87102 ZIP CODE:
CONTRACTOR: 7 TO GET CHOSEN CONTACT: 7 ADDRESS: PHONE: ZIP CODE:
TYPE OF SUBMITTAL: DRAINAGE REPORT DRAINAGE PLAN 1st SUBMITTAL DRAINAGE PLAN RESUBMITTAL CONCEPTUAL G & D PLAN GRADING PLAN EROSION CONTROL PLAN ENGINEER'S CERT (HYDROLOGY) TRAFFIC CIRCULATION LAYOUT ENGINEER/ARCHITECT CERT (TCL) ENGINEER/ARCHITECT CERT (DRB S.P.) ENGINEER/ARCHITECT CERT (DRB S.P.) ENGINEER/ARCHITECT CERT (DRB S.P.) ENGINEER/ARCHITECT CERT (AA) OTHER (SPECIFY) CHECK TYPE OF APPROVAL SOUGHT: SIA/FINANCIAL GUARANTEE RELEASE PRELIMINARY PLAT APPROVAL S. DEV. PCR BLDG. PERMIT APPROVAL SECTOR PLAN APPROVAL FINAL PLAT APPROVAL FOUNDATION PERMIT APPROVAL CERTIFICATE OF OCCUPANCY (PERM) CERTIFICATE OF OCCUPANCY (TEMP) GRADING PERMIT APPROVAL WORK ORDER APPROVAL WORK ORDER APPROVAL WORK ORDER APPROVAL OTHER (SPECIFY)
WAS A PRE-DESIGN CONFERENCE ATTENDED: YES NO COPY PROVIDED 1 1 1 0
SUBMITTED BY: / AMAS / HOCKO DATE: 9/1/07
Requests for approvals of Site Development Plans and/or Subdivision Plats shall be accompanied by a drainage submittal. The

Requests for approvals of Site Development Plans and/or Subdivision Plats shall be accompanied by a drainage submittal. The particular nature, location and scope to the proposed development define the degree of drainage detail. One or more of the following levels of submittal may be required based on the following:

- 1. Conceptual Grading and Drainage Plan: Required for approval of Site Development Plans greater than five (5) acres and Sector Plans.
- 2. Drainage Plans: Required for building permits, grading permits, paving permits and site plans less than five (5) acres.
- 3. Drainage Report: Required for subdivision containing more than ten (10) lots or constituting five (5) acres or more.