

CITY OF ALBUQUERQUE

Planning Department
Brennon Williams, Director



Mayor Timothy M. Keller

May 20, 2020

Don Briggs, P.E.
Don Briggs Engineering, LLC
5324 Oakledge Ct. NW
Albuquerque, NM 87120

RE: Sunset Villa Subdivision – Temporary Pond Recovery Project
Request for Pad Certification – Accepted
Engineer's Certification Date: 05/06/20
Engineer's Stamp Date: 09/09/19
Hydrology File: K12D003

Dear Mr. Briggs:

PO Box 1293

Based upon the information provided in your Certification received on 05/06/20 and site visit on 05/20/20, the above referenced Certification is acceptable for Pad Certification for action by the DRB on Preliminary Plat.

Albuquerque

As a reminder once Lot 49A is approved for Preliminary Plat by the DRB and subdivided into three lots, each of these lots will have to provide a LOMR-F prior to the actual Building Permit approval by Hydrology for each individual lot.

NM 87103

If you have any questions, please contact me at 924-3995 or rbrissette@cabq.gov.

www.cabq.gov

Sincerely,

Renée C. Brissette, P.E. CFM
Senior Engineer, Hydrology
Planning Department



City of Albuquerque

Planning Department

Development & Building Services Division

DRAINAGE AND TRANSPORTATION INFORMATION SHEET (REV 11/2018)

Project Title: _____ **Building Permit #:** _____ **Hydrology File #:** _____

DRB#: _____ **EPC#:** _____ **Work Order#:** _____

Legal Description: _____

City Address: _____

Applicant: _____ **Contact:** _____

Address: _____

Phone#: _____ **Fax#:** _____ **E-mail:** _____

Owner: _____ **Contact:** _____

Address: _____

Phone#: _____ **Fax#:** _____ **E-mail:** _____

TYPE OF SUBMITTAL: _____ PLAT (____# OF LOTS) _____ RESIDENCE _____ DRB SITE _____ ADMIN SITE

IS THIS A RESUBMITTAL?: _____ Yes _____ No

DEPARTMENT: _____ TRAFFIC/ TRANSPORTATION _____ HYDROLOGY/ DRAINAGE

Check all that Apply:

TYPE OF SUBMITTAL:

- _____ ENGINEER/ARCHITECT CERTIFICATION
- _____ PAD CERTIFICATION
- _____ CONCEPTUAL G & D PLAN
- _____ GRADING PLAN
- _____ DRAINAGE MASTER PLAN
- _____ DRAINAGE REPORT
- _____ FLOODPLAIN DEVELOPMENT PERMIT APPLIC
- _____ ELEVATION CERTIFICATE
- _____ CLOMR/LOMR
- _____ TRAFFIC CIRCULATION LAYOUT (TCL)
- _____ TRAFFIC IMPACT STUDY (TIS)
- _____ OTHER (SPECIFY) _____
- _____ PRE-DESIGN MEETING?

TYPE OF APPROVAL/ACCEPTANCE SOUGHT:

- _____ BUILDING PERMIT APPROVAL
- _____ CERTIFICATE OF OCCUPANCY
- _____ PRELIMINARY PLAT APPROVAL
- _____ SITE PLAN FOR SUB'D APPROVAL
- _____ SITE PLAN FOR BLDG. PERMIT APPROVAL
- _____ FINAL PLAT APPROVAL
- _____ SIA/ RELEASE OF FINANCIAL GUARANTEE
- _____ FOUNDATION PERMIT APPROVAL
- _____ GRADING PERMIT APPROVAL
- _____ SO-19 APPROVAL
- _____ PAVING PERMIT APPROVAL
- _____ GRADING/ PAD CERTIFICATION
- _____ WORK ORDER APPROVAL
- _____ CLOMR/LOMR
- _____ FLOODPLAIN DEVELOPMENT PERMIT
- _____ OTHER (SPECIFY) _____

DATE SUBMITTED: _____ **By:** _____

COA STAFF:

ELECTRONIC SUBMITTAL RECEIVED: _____

FEE PAID: _____



5/6/2020

Ms Renee Brissette PE CFM
Senior Engineer
Planning Department
600 2nd St. NW
Albuquerque, NM 87102

RE:

Sunset Villa Subdivision Temporary Pond Recovery Grading Plan
Engineer's Stamp Date: 12/20/18
Hydrology File: K12D003

Dear Ms. Brissette,

Attached is my certification of the completion of this plan. I have also attached the surveyor's certified pad elevations and the plan approval letter indicating the conditions of approval. I would like to note that the requirement for completion of a LOMR prior to building permit has been revised to completion of a LOMR-F. This is based on an email string with the City Engineer, Mr. Shahab Biazar which is also attached.

Please let me know if you have any questions or comments.

Sincerely

Don Briggs PE CFM
Don Briggs Engineering LLC



Don Briggs <donbriggsengineering@gmail.com>

Hydrology File: K12D003 - Sunset Villa Subdivision Temporary Pond Recovery Project

14 messages

Don Briggs <donbriggsengineering@gmail.com>

Sat, Oct 19, 2019 at 2:58 PM

To: "Biazar, Shahab" <sbiazar@cabq.gov>, T Mcnaney <tmcnaney@twilighthomesnm.com>, "Peterson, Dana M." <dpeterson@cabq.gov>, Tiequan Chen <tchen@bernco.gov>, WAYNE CHEW <wgchew@wgchewlaw.com>, Brad Bingham <bbingham@amafca.org>, Kevin Grovet <kgrovet@bernco.gov>

Mr. Biazar,

The approval (attached) of the Grading & Drainage Plan for this project contains a stipulation for the building permits on four lots within the subdivision that are located in a FEMA designated Flood Zone AH (4947). The stipulation is that prior to any building permit being issued on these lots a n a Letter of Map Revision from FEMA must be obtained. We are asking for relief from this stipulation based on the following:

- 1) All previous reviews of this subdivision have indicated that only a LOMR-F for each individual lot would be required. This has been the historic floodplain development requirement for AH flood zones.
- 2) The mapped flood zone is non-existent due to the construction of the Sunset Gardens Storm Drain System and the Sunset Gardens/Five Points Regional Pond. Please see Hydrology File K12D003 for documentation on this issue.
- 3) The actual responsibility for the LOMR lies with Bernalillo County as they are the entity that constructed the improvements that removed the flood zone.
- 4) The implied impacts of pushing flood waters onto neighboring properties is moot as the flood zone does not exist. The neighbors are not incurring negative impacts (higher insurance rates) due to the subdivision construction.
- 5) I have discussed this issue with Bernalillo County and I believe they understand their responsibility for the removal of the flood zone.

Based on my experience as the Floodplain Administrator for Bernalillo County I believe the LOMR-F is the appropriate way to handle development on these lots. It will meet your code and allow the builder to develop the lots in a timely manner. If FEMA were to question this, you could prove that the development does not raise the BFE with the documentation in the hydrology file.

We look forward to your response to this request

--

Sincerely
Don Briggs PE CFM
Don Briggs Engineering LLC
505-249-4843



K12D003 GP FPP APPR.pdf
70K

Biazar, Shahab <sbiazar@cabq.gov>

Mon, Oct 21, 2019 at 8:44 AM

To: Don Briggs <donbriggsengineering@gmail.com>, T Mcnaney <tmcnaney@twilighthomesnm.com>, "Peterson, Dana M." <dpeterson@cabq.gov>, Tiequan Chen <tchen@bernco.gov>, WAYNE CHEW <wgchew@wgchewlaw.com>, Brad Bingham <bbingham@amafca.org>, Kevin Grovet <kgrovet@bernco.gov>

Good morning,

I agree that LOMR is the responsibility of Bernalillo County. We can move forward with LOMR-F for each individual lot.

Thanks



SHAHAB BIAZAR, P.E.

city engineer

development review services

o 505.924.3999

e sbiazar@cabq.gov

cabq.gov/planning

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=====

This message has been analyzed by Deep Discovery Email Inspector.

T Mcnaney <tmcnaney@twilighthomesnm.com>
To: Don Briggs <donbriggsengineering@gmail.com>

Mon, Oct 21, 2019 at 11:40 AM

I agree lets just move forward what do we need to do ?

Thanks

Begin forwarded message:

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Don Briggs <donbriggsengineering@gmail.com>
To: T Mcnaney <tmcnaney@twilighthomesnm.com>, WAYNE CHEW <wgchew@wgchewlaw.com>

Mon, Oct 21, 2019 at 11:49 AM

So this letter releases us from the full blown LOMR requirement on the four lots in the floodzone. I would print it and keep it in a safe place. If you have files for those lots keep a copy in there also. It is worth about \$20,000.00

All we need to do now are LOMR-Fs on each individual lot **at the time of building permit request.**

Best Regards

Don

[Quoted text hidden]

WAYNE CHEW <wgchew@wgchewlaw.com>

Mon, Oct 21, 2019 at 11:57 AM

To: Don Briggs <donbriggsengineering@gmail.com>

Don: You really do magic. Thanks, Wayne

From: Don Briggs <donbriggsengineering@gmail.com>

Sent: Monday, October 21, 2019 11:50 AM

To: T Mcnaney <tmcnaney@twilighthomesnm.com>; WAYNE CHEW <wgchew@wgchewlaw.com>

Subject: Re: Hydrology File: K12D003 - Sunset Villa Subdivision Temporary Pond Recovery Project

So this letter releases us from the full blown LOMR requirement on the four lots in the floodzone. I would print it and keep it in a safe place. If you have files for those lots keep a copy in there also. It is worth about \$20,000.00

All we need to do now are LOMR-Fs on each individual lot **at the time of building permit request**.

Best Regards

Don

On Mon, Oct 21, 2019 at 11:40 AM T Mcnaney <tmcnaney@twilighthomesnm.com> wrote:

I agree lets just move forward what do we need to do ?

Thanks

Begin forwarded message:

From: "Biazar, Shahab" <sbiazar@cabq.gov>

Subject: RE: Hydrology File: K12D003 - Sunset Villa Subdivision Temporary Pond Recovery Project

Date: October 21, 2019 at 8:44:51 AM MDT

To: 'Don Briggs' <donbriggsengineering@gmail.com>, T Mcnaney <tmcnaney@twilighthomesnm.com>, "Peterson, Dana M." <dpeterson@cabq.gov>, Tiequan Chen <tchen@bernco.gov>, WAYNE CHEW <wgchew@wgchewlaw.com>, "Brad Bingham" <bbingham@amafca.org>, Kevin Grovet <kgrovet@bernco.gov>

Good morning,

I agree that LOMR is the responsibility of Bernalillo County. We can move forward with LOMR-F for each individual lot.

Thanks



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Kevin Grovet <kgrovet@bernco.gov>

Mon, Oct 21, 2019 at 1:19 PM

To: "Biazar, Shahab" <sbiazar@cabq.gov>, Don Briggs <donbriggsengineering@gmail.com>, T Mcnaney <tmcnaney@twilighthomesnm.com>, "Peterson, Dana M." <dpeterson@cabq.gov>, Tiequan Chen <tchen@bernco.gov>, WAYNE CHEW <wgchew@wgchewlaw.com>, Brad Bingham <bbingham@amafca.org>, Brad Catanach <bradc@bernco.gov>

Don and Shahab; thanks for the information. I'll forward it on to Brad Catanach, the County's drainage engineer.



Kevin Grovet

Development Review Manager
Technical Services Department

Bernalillo County Public Works Division
2400 Broadway SE, Albuquerque, NM 87102
Email: kgrovet@bernco.gov
(505) 848-1532
www.bernco.gov

From: Biazar, Shahab <sbiazar@cabq.gov>

Sent: Monday, October 21, 2019 8:45 AM

To: 'Don Briggs' <donbriggsengineering@gmail.com>; T Mcnaney <tmcnaney@twilighthomesnm.com>; Peterson, Dana M. <dpeterson@cabq.gov>; Tiequan Chen <tchen@bernco.gov>; WAYNE CHEW <wgchew@wgchewlaw.com>; Brad Bingham <bbingham@amafca.org>; Kevin Grovet <kgrovet@bernco.gov>

Subject: RE: Hydrology File: K12D003 - Sunset Villa Subdivision Temporary Pond Recovery Project

CAUTION: This email originated from outside of Bernalillo County. Do not click links or open attachments unless you recognize the sender and know the content is safe.

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Brad Catanach <bradc@bernco.gov>

Mon, Oct 21, 2019 at 1:42 PM

To: Kevin Grovet <kgrovet@bernco.gov>, "Biazar, Shahab" <sbiazar@cabq.gov>, Don Briggs <donbriggsengineering@gmail.com>, T Mcnaney <tmcnaney@twilighthomesnm.com>, "Peterson, Dana M." <dpeterson@cabq.gov>, Tiequan Chen <tchen@bernco.gov>, WAYNE CHEW <wgchew@wgchewlaw.com>, Brad Bingham <bbringham@amafca.org>

Don, Shahab,

We need to discuss this issue further, the County does not expend funds to remove floodplains, obtain LOMRs, as a result of new development. This is the developer's responsibility. The new homes are within the City, thus if a floodplain action needs to take place, then it will be the City or the Developer.

Thank you.

Brad Catanach, P.E.

Bernalillo County Public Works

505-848-1518 W

505-301-6930 C

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WAYNE CHEW <wgchew@wgchewlaw.com>

Mon, Oct 21, 2019 at 2:10 PM

To: Don Briggs <donbriggsengineering@gmail.com>

Don:

Get your magic wand out; it seems to me that the development was initially approved by the county and was only "temporarily changed" because the county could not get outflow and we had to add temporary ponds and we are

only going back to the approved plan. Is that any help? Wayne

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Biazar, Shahab <sbiazar@cabq.gov>

Tue, Oct 22, 2019 at 9:25 AM

To: Brad Catanach <bradc@bernco.gov>, Kevin Grovet <kgrovet@bernco.gov>, Don Briggs <donbriggsengineering@gmail.com>, T Mcnane <tmcnane@twilighthomesnm.com>, "Peterson, Dana M." <dpeterson@cabq.gov>, Tiequan Chen <tchen@bernco.gov>, WAYNE CHEW <wgchew@wgchewlaw.com>, Brad Bingham <bbingham@amafca.org>

Good morning Brad,

We will schedule a meeting in the near future to meet regarding the floodplain. My understanding of the flood plain is that any drainage improvements made which causes floodplain changes will require a LOMR. In this case would be the drainage improvements that the County made which might have or has eliminated the floodplain in Sunset Villa.

Thanks



SHAHAB BIAZAR, P.E.

city engineer

development review services

o 505.924.3999

e sbiazar@cabq.gov

From: Brad Catanach [mailto:bradc@bernco.gov]

Sent: Monday, October 21, 2019 1:42 PM

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[Quoted text hidden]



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Brad Bingham <bbingham@amafca.org>

Tue, Oct 22, 2019 at 9:55 AM

To: "Biazar, Shahab" <sbiazar@cabq.gov>, Brad Catanach <bradc@bernco.gov>, Kevin Grovet <kgrovet@bernco.gov>, Don Briggs <donbriggsengineering@gmail.com>, T Mcnaney <tmcnaney@twilighthomesnm.com>, "Peterson, Dana M." <dpeterson@cabq.gov>, Tiequan Chen <tchen@bernco.gov>, WAYNE CHEW <wgchew@wgchewlaw.com>
Cc: Jerry Lovato <jlovato@amafca.org>

Gentlemen, AMAFCA would like to attend this meeting (in order to provide some technical assistance) since I was the City Hydrologist and Floodplain Administrator at the time of the development. It also involves the Sunset Garden project and the Five Points Stormdrain Project, which are part of the SWVFRP.

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Biazar, Shahab <sbiazar@cabq.gov>

Tue, Oct 22, 2019 at 10:02 AM

To: Brad Bingham <bbingham@amafca.org>, Brad Catanach <bradc@bernco.gov>, Kevin Grovet <kgrovet@bernco.gov>, Don Briggs <donbriggsengineering@gmail.com>, T Mcnaney <tmcnaney@twilighthomesnm.com>, "Peterson, Dana M." <dpeterson@cabq.gov>, Tiequan Chen <tchen@bernco.gov>, WAYNE CHEW <wgchew@wgchewlaw.com>
Cc: Jerry Lovato <jlovato@amafca.org>, "Cordero, Shannon D." <sdcordova@cabq.gov>

Shannon,

Can you please schedule a meeting sometimes in two weeks.

Thanks



SHAHAB BIAZAR, P.E.

city engineer

development review services

o 505.924.3999

e sbiazar@cabq.gov

cabq.gov/planning

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Don Briggs <donbriggsengineering@gmail.com>

Tue, Oct 22, 2019 at 11:10 AM

To: "Biazar, Shahab" <sbiazar@cabq.gov>

Cc: Brad Bingham <bbringham@amafca.org>, Brad Catanach <bradc@bernco.gov>, Kevin Grovet <kgrovet@bernco.gov>, T Mcnaney <tmcnaney@twilighthomesnm.com>, "Peterson, Dana M." <dpeterson@cabq.gov>, Tiequan Chen <tchen@bernco.gov>, WAYNE CHEW <wgchew@wgchewlaw.com>, Jerry Lovato <jlovato@amafca.org>, "Cordero, Shannon D." <sdcordero@cabq.gov>

Hi Shahab,

I discussed this issue with Brad on the phone. I think he understands the situation now so unless he needs a meeting I don't think one is necessary.

Best Regards

Don

[Quoted text hidden]

Brad Catanach <bradc@bernco.gov>

Tue, Oct 22, 2019 at 12:00 PM

To: Don Briggs <donbriggsengineering@gmail.com>, "Biazar, Shahab" <sbiazar@cabq.gov>

Cc: Brad Bingham <bbringham@amafca.org>, Kevin Grovet <kgrovet@bernco.gov>, T Mcnaney <tmcnaney@twilighthomesnm.com>, "Peterson, Dana M." <dpeterson@cabq.gov>, Tiequan Chen <tchen@bernco.gov>, WAYNE CHEW <wgchew@wgchewlaw.com>, Jerry Lovato <jlovato@amafca.org>, "Cordero, Shannon D." <sdcordero@cabq.gov>

Shahab, Brad,

I did speak with Don, and the clarification of the LOMR-F. I don't think a meeting is necessary.

Thank you.

Brad Catanach, P.E.

Bernalillo County Public Works

505-848-1518 W

505-301-6930 C

[Quoted text hidden]

Jerry Lovato <jlovato@amafca.org>

Tue, Oct 22, 2019 at 1:20 PM

To: Brad Catanach <bradc@bernco.gov>, Don Briggs <donbriggsengineering@gmail.com>, "Biazar, Shahab" <sbiazar@cabq.gov>

Cc: Brad Bingham <bbingham@amafca.org>, Kevin Grovet <kgrovet@bernco.gov>, T Mcnaney <tmcnaney@twilighthomesnm.com>, "Peterson, Dana M." <dpeterson@cabq.gov>, Tiequan Chen <tchen@bernco.gov>, WAYNE CHEW <wgchew@wgchewlaw.com>, "Cordero, Shannon D." <sdccordero@cabq.gov>

Brad,

Is there an opportunity to do a LOMR that would remove flood plain along Hooper, Sunset, Dennison, Sunset Gardens and Atrisco. The County and the City has installed storm drainage the drains more than Sunset Villa.

--Jerry--

[Quoted text hidden]

CITY OF ALBUQUERQUE

Planning Department
Brennon Williams, Director



Mayor Timothy M. Keller

September 9, 2019

Don Briggs, P.E.
Don Briggs Engineering, LLC
5324 Oakledge Ct NW
Albuquerque, NM 87120

**RE: Sunset Villa Subdivision Temporary Pond Recovery
Grading Plan
Engineer's Stamp Date: 9/9/19
Hydrology File: K12D003**

Dear Mr. Briggs,

Based on the submittal received on 8/28/19, the Grading Plan is approved for Grading Permit and Flood Plain Development Permit.

PO Box 1293

Prior to Building Permit (For Information):

Albuquerque

1. Engineer's Certification, per the DPM Chapter 22.7: *Engineer's Certification Checklist For Non-Subdivision*, will be required to ensure the ponds remained intact following home construction.
2. New Flood Plain Development Permits are required for the homes proposed to be constructed in the flood plain (Lots 46-P1, 47-P1, & 49A). These lots will be subject to the following criteria of the flood plain development permit:

NM 87103

www.cabq.gov

A portion of the proposed Building is located in a SFHA and the project includes storm drain improvements and/or channel modifications that will change the flood plain location so:

- *An Approved Grading and Drainage Plan is required prior to issuing a Flood Plain Development Permit and a Grading Permit and/or a Work Order.*
- *The improvements must be constructed and an Approved Engineer's Certification and an Approved LOMR Request must be approved by Hydrology prior to approval of the LOMR application to FEMA.*
- *The Floodplain must be removed by a LOMR from FEMA prior to issuance of a Building Permit.*

If you have any questions, please contact me at 924-3695 or dpeterson@cabq.gov.

CITY OF ALBUQUERQUE

Planning Department
Brennon Williams, Director



Mayor Timothy M. Keller

Sincerely,

A handwritten signature in dark ink, appearing to read 'D. Peterson', is positioned above the printed name and title.

Dana Peterson, P.E.
Senior Engineer, Planning Dept.
Development Review Services

PO Box 1293

Albuquerque

NM 87103

www.cabq.gov

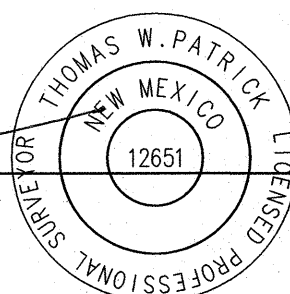
AS-BUILT SURVEY
LOTS 14-P1 THRU 16-P, 22-P-1,
23-P1, 43-P1 THRU 45-P1, 48-P1
THRU 49-P1 AND 57-P1
THRU 59-P1 OF
SUNSET VILLA
CITY OF ALBUQUERQUE,
BERNALILLO COUNTY, NEW MEXICO
APRI, 2020



SURVEYOR'S CERTIFICATION

THIS SURVEY WAS PREPARED FROM AN ACTUAL FIELD SURVEY, AND IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF. THIS IS NOT A BOUNDARY SURVEY NOR A LAND DIVISION OR SUBDIVISION AS DEFINED IN THE NEW MEXICO SUBDIVISION ACT.

THOMAS W. PATRICK
NEW MEXICO PROFESSIONAL SURVEYOR NO. 12651



5.01.2020
DATE

NOTES:

1. PLAT REFERENCE: CORRECTED PLAT OF SUNSET VILLA AND LOT 4-A OF POWELL GARDENS ADDITION FILED, OCTOBER 23, 2007, BOOK 2007C, PAGE 0311.
2. SPOT ELEVATIONS ARE MEASURED WITH "TRIMBLE VRS NOW" GNSS VIRTUAL REFERENCE SYSTEM, NAVD 88.

PAGE 1 OF 1

AS-BUILT SURVEY
LOTS 14-P1 THRU 16-P, 22-P-1, 23-P1, 43-P1
THRU 45-P1, 48-P1 THRU 49-P1 AND 57-P1
THRU 59-P1 OF
SUNSET VILLA

DWG PATH:	J:\CERTS\SUBD\Sunset Villas - Powell Gardens\ - PAD ASBLT BASE.dwg
GPS	BABY
DATE:	04/30/20
SCALE:	1" = 40'
CREW:	JAK
DRAWN:	SLN
JOB NO.:	N

