

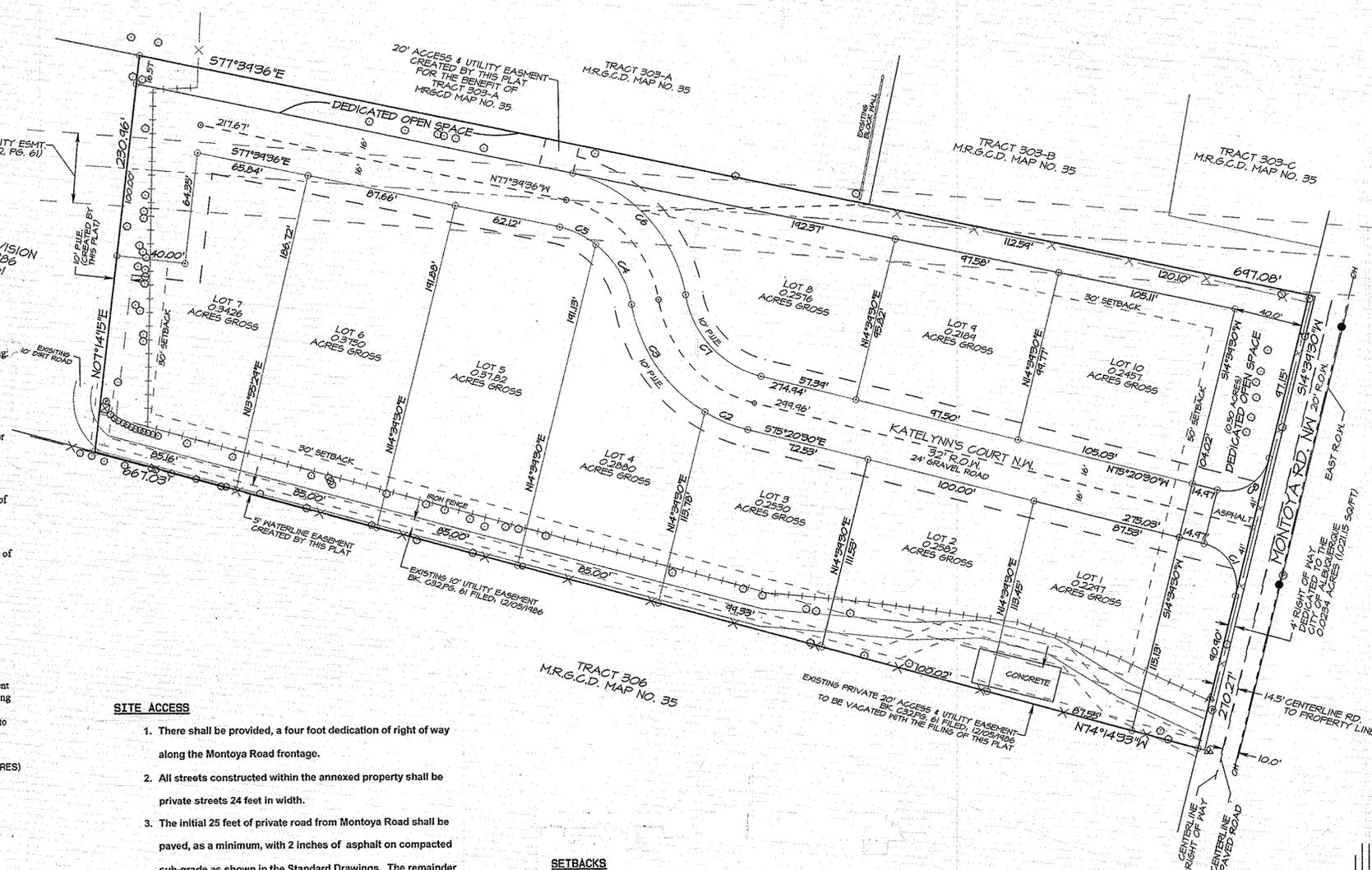
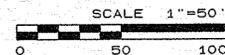
# SITE PLAN LOTS 1 THRU 10 FINA SUBDIVISION BEING A REPLAT OF LOT B OF EL JARAL SUBDIVISION PROJECTED SECTION 12, T 10 N, R 2 E, NMPM, CITY OF ALBUQUERQUE, BERNALILLO COUNTY, NEW MEXICO FEBRUARY 2018



Zone Atlas Page:  
**H-12-Z**

LEGEND	
△	GAS METER
⊙	WATER METER
⊕	PHONE RISER
⊕	FIRE HYDRANT
○	TREE
⊕	ELEC TRANSFORMER
●	POWER POLE
++++	EXISTING IRON FENCE
-X-	EXISTING FENCE (X) LINE
- - -	OVERHEAD UTILITIES

CURVE TABLE		
RADIUS	LENGTH	DELTA
C1= 25.00'	39.27'	90°00'00"
C2= 91.00'	27.32'	17°12'05"
C3= 91.00'	77.98'	49°05'53"
C4= 56.15'	41.38'	42°13'28"
C5= 56.15'	23.60'	24°04'54"
C6= 88.15'	102.02'	66°18'40"
C7= 59.00'	68.42'	66°26'37"
C8= 25.00'	39.27'	90°00'00"
C9= 72.15'	83.50'	66°18'40"
C10= 75.00'	86.86'	66°21'22"



NOTES: PA 12-113, Sept. 18, 2012, Pre-application meeting regarding Lot B, El Jaral Subdivision, located west of Montoya Road, south of I-40

Upon further review of Council Bill F/S O-07-118, approving annexation and establishment of zoning of the above described property, I have concluded the following:

- The Design Requirements contained in Exhibit apply to Lot B only (approx. 4 acres).
- 10 homes are allowed on Lot B.
- A minimum of 20,000 sf of open space is required on the site.
  - 80% of the open space (16,000 sf) must be planted for agricultural use or with ornamental plants and trees.
  - 1 tree/5000 sf of open space (4 trees) having a 3" caliper
  - The open space must be a minimum length and width of 35 feet and visible from a public r-o-w.
  - The open space may have underground easements (there is no mention of overhead easements).
  - The open space may be set aside thru a land use easement or restrictive covenants acceptable to the DRB.
- Minimum setbacks are established for structures and fences to maintain a sense of openness from the street and adjacent properties.
- Pueblo Revival design is required:
  - Stucco, rounded edges, brown or beige color, flat roof, rounded parapet
- EPC approval of a site development plan is required (SPS or SPBP)

Given the above requirements, the owner may subdivide the site into 10 lots and must provide a minimum of 20,000 sf of (common) open space as described under item 3 above.

The owner may apply for a site development for subdivision (SPS) or a site development plan for building permit (SPBP) as described in the DEFINITIONS section of the Zoning Code. If the owner applies for a SPS, he may request that SPBP be approved by the Building Permit Section of the Planning Department, rather than having to come back to EPC for SPBP approval.

NOTES: ANNEXATION ORD # 07EPC-40020/07EPC-40021 (ANNEXING 4 ACRES)

### FENCES

- Fences shall comply with §14-16-3-19 of the City Zoning Code except for those fences along the boundaries of this annexation that are within 50 feet from the property line. Fences within 50' of the annexation boundaries shall either be:
  - Upright wood support posts spaced a minimum of 6' apart (unless impeded by a mail box or tree) with wire mesh between the posts,
  - Upright wood support posts spaced a minimum of 6' apart (unless impeded by a mail box or tree) with horizontal wood railings adjoined to and connecting the posts. The wood railings shall be spaced at a minimum of two horizontal feet and
  - The same style of fence as what exists on the property at time of annexation.

### SITE ACCESS

- There shall be provided, a four foot dedication of right of way along the Montoya Road frontage.
- All streets constructed within the annexed property shall be private streets 24 feet in width.
- The initial 25 feet of private road from Montoya Road shall be paved, as a minimum, with 2 inches of asphalt on compacted sub-grade as shown in the Standard Drawings. The remainder of the roadway may be gravel.
- Private streets and easements shall have open access to the public. Private easements that access to two or more lots shall not be gated.
- A circular turn around must be provided at the end of the private road. See the *Development Process Manual Table 23.5.3* and City Standard 2510 for further information.

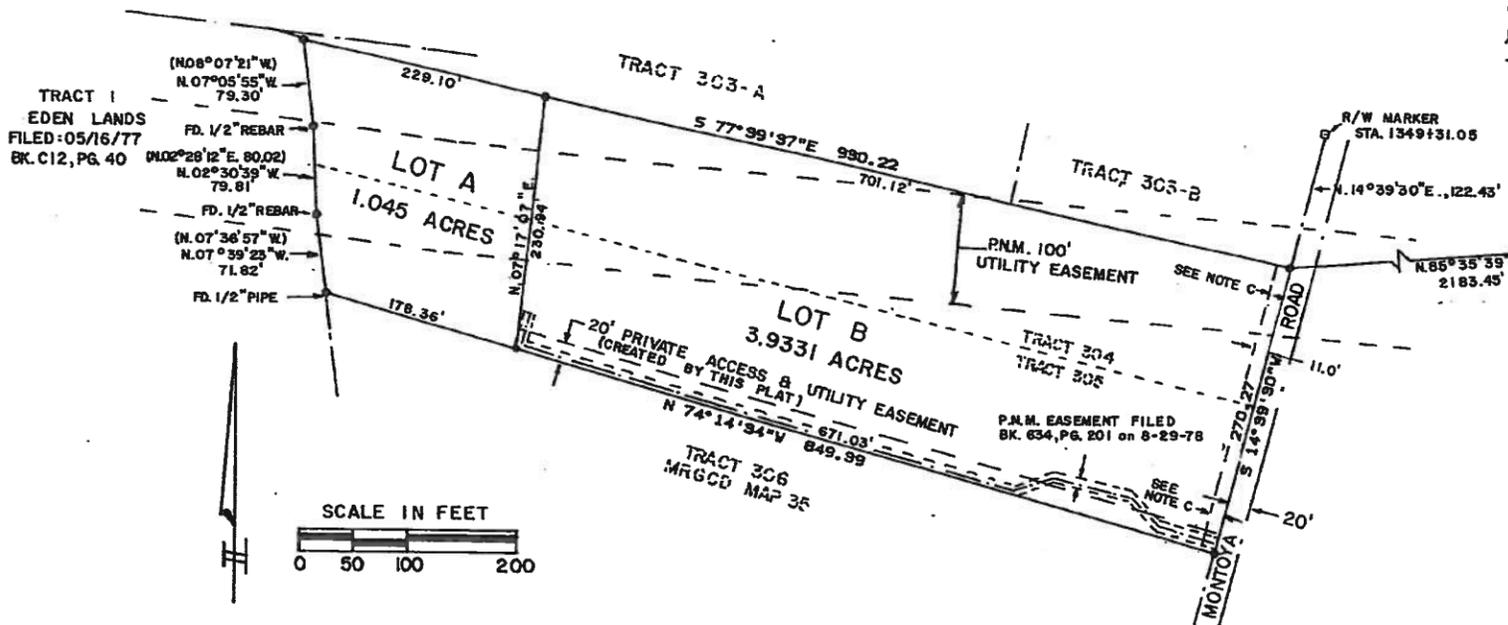
### SETBACKS

- Minimum structure setbacks from the boundary line of the annexed property shall be as follows:
  - 50 feet from the eastern boundary,
  - 30 feet from the northern boundary and
  - 30 feet from the southern and western boundaries.
- Subdivision fencing setbacks shall be 50 feet from the eastern boundary line and 40 feet from the north south and west boundaries, unless the fence complies with 1a and 1b of the Fence Design Requirements of Page 5 of this Exhibit A.

**ADVANTAGE**  
**SURVEYING**  
243-1212 OFFICE  
248-0833 FAX  
PROJECT  
L14-1391

Plot of EL JARAL SUBDIVISION Lots A and B Being a Replot of Tracts 304 & 305 Middle Rio Grande Conservancy District Property Map No. 35 Bernalillo County, New Mexico November 17, 1986

State of New Mexico } County of Bernalillo } This instrument was filed for record on DEC 5 1986



- 1. Total acreage: 4.9781 Acres more or less
2. All distances are ground distances
3. Bearings are grid and based on the New Mexico State Plane Coordinate System, Central Zone, at the New Mexico State Highway Commission Monument "I-40-16"
4. Delta Alpha = -00 14'29", X=374463.41, Y=1493720.25
5. Combined ground to grid factor = 0.99967968
6. Zone Atlas H-12-Z
7. Prior to development, City of Albuquerque Water and Sanitary Sewer Service to Lot B must be verified and coordinated with the Public Works Department, City of Albuquerque, via a request for a water and sanitary sewer availability statement.
8. Unless otherwise shown all corners are a 1/2" rebar and survey cap stamped LS 9801
9. Information shown in parenthesis is dead or record.
10. The purpose of this plot is to subdivide Tracts 304 & 305 into two tracts plus grant the necessary common access

LEGAL DESCRIPTION

A certain tract of land being designated as Tracts 304 & 305 of Plot of Middle Rio Grande Conservancy District Property Map No. 35 situate in Section 12, T.10 N., R.2 E., N.M.P.M., Bernalillo County, New Mexico and being more particularly described as follows:

Beginning at the northeast corner of said above mention Tract 304, also being a point in the west right-of-way line of Montoya Road N.W., whence the Albuquerque City Survey Monument "I-40-16" bears N. 85 35' 39" E., 2183.45 feet, also Interstate 40 Right-of-way Marker Station 1949+91.05 in the south right-of-way line of Interstate 40 bears N. 14 39' 30" E., 122.43 feet distant, running thence S. 14 39' 30" W., 270.27 feet to the southeast corner of said Tract; thence N. 74 14' 34" W., 849.39 feet to the southwest corner of said Tract; thence N. 07 39' 23" W., 71.82 feet; thence N. 02 30' 39" W., 79.81 feet; thence N. 07 05' 55" W., 79.30 feet to the northwest corner of said Tract; thence S. 77 39' 37" E., 930.22 feet to the southeast corner and point of beginning and containing 4.9781 acres more or less.

FREE CONSENT

SURVEYED and PLATTED and now comprising Lots A, B of EL JARAL SUBDIVISION in projected Sections 12, T.10 N., R.2 E., N.M.P.M., Bernalillo County, New Mexico, with the free consent of and in accordance with and desires of the undersigned owner(s) and proprietor(s) thereof. Said owner(s) and proprietor(s) do hereby freely consent to all of the foregoing and do hereby represent that they are so authorized to act.

Carl David Bedford CARL DAVID BEDFORD

ACKNOWLEDGEMENT

STATE OF NEW MEXICO ) COUNTY OF BERNALILLO ) The foregoing instrument was acknowledged before me on this 18th day of November, 1986.

NOTES: My Commission Expires 7-22-89 Notary Public

- A. Private Access and Utility Easement is for the sole benefit of Lot A & Lot B.
B. The owners of Lot A & Lot B are responsible for the maintenance of the private access easement within said lots.
C. 11 foot roadway easement - to be dedicated when so requested by the governmental agency having jurisdiction over Montoya Road.



CITY/COUNTY APPROVALS

Property Management: N/A
City Surveyor: [Signature] 12/3/86
City Water Resources: [Signature] 12-2-86
City Engineer: [Signature] 12-5-86

Don Salas A.M.A.F.C.A. 12/2/86

Traffic Engineer: [Signature] 12-5-86

Parks and Recreation: [Signature] 12-2-86

City Planning Director: [Signature] 12-5-86 SP-86-439

SURVEYOR'S CERTIFICATION

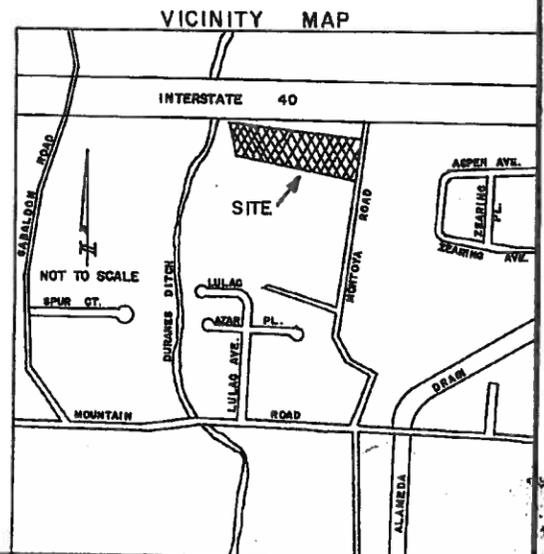
I, Leonard G. Martinez, New Mexico Professional Land Surveyor No. 9801, hereby certify that this plot of survey was prepared from field notes of an actual ground survey performed by me or under my supervision; that it shows all easement of record; that it meets the minimum requirements for monumentation and surveys of the Albuquerque Subdivision Ordinances; that it meets the Standards for Land Surveys in New Mexico as adopted by the New Mexico State Board of Registration for Professional Engineers and Land Surveyors; and that it is true and correct to the best of my knowledge and belief.

Leonard G. Martinez Leonard G. Martinez, N.M.L.S. No. 9801

ACKNOWLEDGEMENT

STATE OF NEW MEXICO ) COUNTY OF BERNALILLO ) The foregoing instrument was acknowledged before me on this 18th day of November, 1986.

My Commission Expires 7-22-89 Notary Public



5/7/18

To Whom It May Concern:

We are the owners of 1113 Montoya St. NW, Albuquerque, NM 87104, El Jaral Subdivision Lot A. We have concerns regarding Project #1005455, Case #18EPC-40015, the subdivision of El Jaral Subdivision Lot A regarding the proposed impacts and changes to our existing easement that was recorded on 12/5/86, BK. C32 Folio 61. We do not agree to vacate the easement and have concerns over the proposition to move it.

Thank you,

Freddy & Nichole Jaramillo

## Somerfeldt, Cheryl

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**From:** lm2nm@aol.com  
**Sent:** Thursday, May 03, 2018 8:07 AM  
**To:** Somerfeldt, Cheryl  
**Subject:** Fwd: traffic on Montoya Rd.

-----Original Message-----

From: lm2nm <[lm2nm@aol.com](mailto:lm2nm@aol.com)>  
To: c.somerfeldt <[c.somerfeldt@cabq.gov](mailto:c.somerfeldt@cabq.gov)>  
Sent: Wed, May 2, 2018 7:53 pm  
Subject: traffic on Montoya Rd.

I'd like to express my concern about a proposed development on Montoya St. I live on the corner of Montoya and Mountain Road. We currently have a major traffic problem at that corner which has a 4-way stop. Due to venues held at Old Town Farm, there are hundreds of cars that pass down Montoya after turning off Mountain. This happens during days of venues and often those cars exit after dark. Also on weekends during summer months, there is a "bike-in coffee" held there. Therefore, hundreds of bicyclists also turn at that corner.

It's obvious that all this traffic creates a safety problem. A portion of Montoya is essentially a very narrow "country road" with difficulty for on-coming cars to pass each other. Also, a segment of Mountain Rd. between Rio Grande and that stop sign, is only a 2 lane road. This is a continual dangerous area with the increasing number of bicycles since Mountain has strangely been designated as a "Bicycle Boulevard".... very inappropriate for such a narrow street.

Frequently bicyclers and motorists "blow through" the stop sign at Montoya and Mountain. I've even observed a school bus run through the stop. Additional traffic generated by additional housing will only add to this danger. Developers never consider the impact on water, traffic or the people who live near and around their developments. They'll never have to face the dangers and conditions they create because they'll just develop, collect their money, and move on to other developments.

I urge you to take this dangerous traffic situation into thoughtful consideration on the Montoya property proposal. The conditions are already bad and don't need to get worse.

Thank you,

Sincerely,  
Lee Mann  
2701 Mountain Rd., NW  
Albuquerque, NM 87104  
505 242-6272

=====  
This message has been analyzed by Deep Discovery Email Inspector.

# LOS DURANES NEIGHBORHOOD ASSOCIATION

**Board of Directors/Officers**  
**William C. Herring, President**  
**Lee Gamelsky, Vice-President**  
**Andrea Scott, Secretary**  
**Carolyn Stewart, Treasurer**  
**Rod Herrera, Director**  
**Eddie Lopez, Director**  
**James Lopez, Director**

3 May 2018

Mr. Derek Bohannon, EPC Chair.  
Environmental Planning Commission  
City of Albuquerque  
Planning Department  
600 2 nd St. NW  
Albuquerque NM 87102

RE: EPC Application 1005455 18 EPC 40015  
Site Plan for Subdivision

Dear EPC Commissioners :

This letter is written on behalf of the Board of Directors of the Los Duranes Neighborhood Association.

We do not oppose the application of the Site Plan for Subdivision but we present the following 2 Recommendations For Approval for your consideration of the design of the proposed subdivision.

1. The Required Open Space should be located centrally in the development as Common or Shared open space. Preferably, it should be located near the bend in the road such that it can be easily accessed by the development's residents. As proposed, the open space is only at the rear of the properties and therefore the entire development is presented as a very suburban subdivision and not a north valley layout.
2. The Design Requirements imposed by the Annexation that spell out the "Structural Façade: Structure Facades are Restricted to the following designs: Pueblo Revival , Northern New Mexico, and New Mexico Territorial " SHOULD Allow a Contemporary Interpretation of those Styles. We are currently in the 21 St Century. We should not stifle creativity and individuality by being beholden to past paradigms.

If you have any questions or comments please contact Lee Gamelsky at 505.362.4113 or [lee@lganm.com](mailto:lee@lganm.com).

Sincerely ,

William Herring, President, LDNA

Lee Gamelsky , Vice President , LDNA

## Somerfeldt, Cheryl

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**From:** Anna Gordon <algordon@unm.edu>  
**Sent:** Wednesday, May 02, 2018 3:58 PM  
**To:** Somerfeldt, Cheryl  
**Cc:** Joanne Scheibman  
**Subject:** Comments on LAND USE FACILITATION PROGRAM PROJECT #1005455

Dear Ms. Somerfeldt and Mr. Bohannan,

My name is Anna Gordon and I am writing on behalf of Joanne Scheibman and myself to comment about the proposed development on Montoya Street (Project #10054455). We live on Maximillian Road, are members of WOTNA, and both attended the April 25, 2018 WOTNA meeting facilitated by Philip Crump. Unfortunately, due to a prior commitment, we will not be able to attend the May 10, 2018 Environmental Hearing Commission hearing on this application.

Our objections to this project's moving forward are primarily related to the increased traffic that would result from the addition of the number of housing units that are proposed. Not only does the neighborhood have a rural feel about it, which is one of its main attractions to property owners, but Montoya is a dead-end one-lane road with no curbs or sidewalks. Notably, the last several years, bicycle traffic on Montoya has increased greatly for a variety of reasons. Mountain Road (which feeds into Montoya) is designated by the City as a Bicycle Boulevard (18 mph traffic). As you know, Mountain Road leads into the Bosque Trail and abuts Old Town and the many parks and museums in the neighborhood. This has resulted in increased bicycle and pedestrian traffic in the neighborhood. Furthermore, Old Town Farm, also on Montoya, is quite close to the proposed project site. In addition to fostering traffic to and from weddings and other events, the Farm's "Bike In Coffee" program has become a growing part of the local bicycling system on Mountain Road and the Bosque Trail. The site of the proposed development, then, is one that is rich in pedestrians, dog-walkers, bicyclists, and vehicles, which we believe requires careful assessment of traffic concerns before proceeding with the proposed addition.

It was reported in the May 27, 2018 WOTNA meeting about Project #1005455 that in 2007/2008 a traffic impact study (TIS) was done. However, in 2018 a second traffic study was deemed unnecessary (see signature of Logan Patz, Engineer with the City of Albuquerque, in the 2018 Development/Plan Review application). Because of the increase in automobile, bicycle, and pedestrian traffic on Montoya over the last several years, as discussed above, the 2007 TIS is likely eleven years out-of-date.

Another major concern (also discussed in the April 25<sup>th</sup> meeting) is the lack of a cul-de-sac where Montoya dead-ends at I-40. Currently, cars wishing to return from that point either have to turn around on someone's private property, or back their vehicles all the way to Maximillian Road in order to use a public cul-de-sac on that street. This lack of vehicle turning space would obviously also negatively affect the maneuverability of fire trucks and ambulances which would be necessary in the case of an emergency in the area.

Given these concerns regarding traffic on Montoya (relative to vehicles, bicycles, and pedestrians), we request an updated Traffic Impact Study (TIS) for the project. We also request the Planning Director's consideration of reducing the number of homes to be built on the property ("The Planning Director may reduce the number of homes on the site if it is determined there is an overarching need to do so to protect the public's health, welfare and safety." #1005455 MONTOYA STREET ANNEXATION AGREEMENT, 2007-2008, p. 8). A reduction in the number of units would also bring the proposed development in line with the Sector Plan, which allows 2 houses per acre (CITY OF ALBUQUERQUE, LAND USE FACILITATION PROGRAM PROJECT #1005455 MEETING REPORT, April 27, 2018, p. 2).

Thank you very much.

Sincerely yours,

Anna L. Gordon and Joanne Scheibman

2911 Maximillian Rd. NW 87104

=====  
This message has been analyzed by Deep Discovery Email Inspector.

## Somerfeldt, Cheryl

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**From:** Somerfeldt, Cheryl  
**Sent:** Monday, May 07, 2018 4:57 PM  
**To:** 'GP Lovato'  
**Cc:** Brito, Russell D.; Renz-Whitmore, Mikaela J.; Gould, Maggie S.  
**Subject:** RE: RE: RE: Fw: petition/ FYI

Hello GP,

All of the recent questions are attached below in this email and all will be forwarded to the EPC tomorrow morning as part of the 48-hour rule.

Here are clarifications which may answer the questions below:

- The subject site is zoned SU-1 for RA-1 / PDA. Pursuant to Section 14-16-2-2 RA-1 (A) (3), a Private Commons Development (PCD), not less than two acres, is a permitted use. The pre-annexation agreement, signed by the City and the property owner prior to annexation, states on page 2 that this is a Private Commons Development and shall comply with 14-16-3-16 of the Zoning Code. The lot size must be a minimum of ½ acre, which they are. Page 3 of the pre-annexation agreement states that “The following open space/landscape requirements shall apply in lieu of the Open Space Requirements specified in the RA-1 zone and the Private Commons Development regulations.”, and point 1 required 20,000 square feet of open space for this development, which is provided on the subject site. Since there is a signed pre-annexation agreement with these regulations written-out, and a signed City Council Ordinance, this agreement supersedes the Zoning Code.
- The 4.5 acre number was used for advertisement purposes, so that the project was not under-advertised. The number I was given was approximately 4 acres. The number of lots and the amount of open space is determined by the agreement as stated above.

**Cheryl Somerfeldt** MLA, LEED AP, APA  
Current Planner  
Urban Design & Development Division  
City of Albuquerque Planning Department  
505-924-3357  
[csomerfeldt@cabq.gov](mailto:csomerfeldt@cabq.gov)

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**From:** GP Lovato [mailto:bengpl150@comcast.net]  
**Sent:** Monday, May 07, 2018 3:41 PM  
**To:** Renz-Whitmore, Mikaela J.; Somerfeldt, Cheryl  
**Subject:** Fwd: RE: RE: Fw: petition/ FYI

Good Afternoon,

Are we looking at this situation for the probation period of the new IDO as an example or are we to put the sheep on another pasture? GP

----- Original Message -----

From: Lanny <lt@flyrallye.com>  
To: 'GP Lovato' <bengpl150@comcast.net>  
Date: May 6, 2018 at 9:18 AM  
Subject: RE: RE: Fw: petition/ FYI

Hi,

Maybe I'm missing something, but I'm not aware of the SU zoning language in the Old Town SDP...I'll look it over again, but I'm pretty sure it states: When property is annexed into the city, it shall be zoned RA-1 to preserve the semi-rural characteristics of the area" .. or words to that effect.

Lt

----- Original Message -----

From: Glen Effertz <gteffertz@gmail.com>  
To: GP Lovato <bengpl150@comcast.net>  
Cc: Michael Scisco WOTNA <michaelscisco@gmail.com>, WOTNA Kendra Robertson <krobtzn@gmail.com>, Chuy Martinez WOTNA <curathrucultura@gmail.com>, Neri Holguin WOTNA <neriholguin@gmail.com>, WOTNA Gil Clarke <g.clarke45@comcast.net>, WOTNA Boyd Barger <boydbarger@gmail.com>, Lonny WOTNA <lt@flyrallye.com>, nicholevg@gmail.com, Anna Gordon <algordon@unm.edu>, rgaldony@msn.com, kathyfry@comcast.net, Alvin Baca@msn.com  
Date: May 6, 2018 at 8:07 AM  
Subject: Re: RE: Fw: petition/ FYI

GP-

I'm not sure if I'll be able to make it to the hearing on Thursday, so in case I don't, here are my thoughts:

-The agenda mentions that the property is "approximately 4.5 acres". In the discussion we had last week, we were talking about 3.9 acres. Which is correct?

-According to the Zoning Code (<https://ddee3-0-ctp.trendmicro.com:443/wis/clicktime/v1/query?url=http%3a%2f%2fdocuments.cabq.gov%2fplanning%2fUDD%2fZoningCode%2f14%2d16%2d2%2d4%2dUpdated2017.pdf&umid=B0F64879-6BA4-7F05-A04A-8D2090FFD974&auth=f0ebcd052f61e7a39dc93191e8a01d02608499af-17a86488f7a2dd09ea244f670a752346e1335068>), RA-1 requires 20,000 or more square feet of open space per dwelling. There are 43,560 square feet in an acre. If the property is 3.9 acres, that's a total of 169,884 sq. ft.; if it's 4.5 acres, the total is

196,020 sq. ft. Ten units would require 200,000 sq. ft. of open space. Unless I'm missing something, the city's arithmetic doesn't work out here.

Glen

----- Original Message -----

From: Glen Effertz <[gteffertz@gmail.com](mailto:gteffertz@gmail.com)>

To: GP Lovato <[bengpl150@comcast.net](mailto:bengpl150@comcast.net)>

Cc: Michael Scisco WOTNA <[michaelscisco@gmail.com](mailto:michaelscisco@gmail.com)>, WOTNA Kendra Robertson <[krobtzn@gmail.com](mailto:krobtzn@gmail.com)>, Chuy Martinez WOTNA <[curathrucultura@gmail.com](mailto:curathrucultura@gmail.com)>, Neri Holguin WOTNA <[neriholguin@gmail.com](mailto:neriholguin@gmail.com)>, WOTNA Gil Clarke <[g.clarke45@comcast.net](mailto:g.clarke45@comcast.net)>, WOTNA Boyd Barger <[boydbarger@gmail.com](mailto:boydbarger@gmail.com)>, Lonny WOTNA <[lt@flyrallye.com](mailto:lt@flyrallye.com)>, [nicholevg@gmail.com](mailto:nicholevg@gmail.com), Anna Gordon <[algordon@unm.edu](mailto:algordon@unm.edu)>, [rgaldony@msn.com](mailto:rgaldony@msn.com), [kathyfry@comcast.net](mailto:kathyfry@comcast.net), [Alvin\\_Baca@msn.com](mailto:Alvin_Baca@msn.com)

Date: May 6, 2018 at 1:30 PM

Subject: Re: RE: Fw: petition/ FYI

I did some more research. The relevant zoning code says:

*"Of the total 20,000 square feet, a minimum amount of 8,000 square feet shall be on the lot with the dwelling unit. The remaining requirement may be met by the alternatives listed in § 14- 16-3-8(A) of this Zoning Code."*

The alternatives listed in 14-16-3-8(A) are:

*"The land owner may elect to meet the requirement for open space in excess of that met on the dwelling lot by giving the city payment in cash per the provisions of division (H) of this section."*

OR

*"If the dwelling is in an area covered by a Sector Development Plan, the landowner may elect to meet the requirement for open space in excess of that met on the dwelling's lot by giving the city a suitable legal instrument preserving detached open space, in an amount equaling his dwelling's remaining obligation."*

So this means that, if everything was done correctly, either the developer gave the city a check or he gave them land somewhere else. We want to know how much he gave (and what was done with the money) or where the additional land is.

Glen

*"It is not happiness that makes you grateful, it's gratitude that makes you happy"* - Br. David Steindl-Rast

On Sun, May 6, 2018 at 7:35 AM, GP Lovato <[bengpl150@comcast.net](mailto:bengpl150@comcast.net)> wrote:

FYI

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**From:** GP Lovato <[bengpl150@comcast.net](mailto:bengpl150@comcast.net)>  
**Sent:** Sunday, May 6, 2018 7:36 AM  
**To:** Michael Scisco WOTNA <[michaelscisco@gmail.com](mailto:michaelscisco@gmail.com)>; Glen Effertz WOTNA <[gteffertz@gmail.com](mailto:gteffertz@gmail.com)>; WOTNA Kendra Robertson <[krobtzn@gmail.com](mailto:krobtzn@gmail.com)>; Chuy Martinez WOTNA <[curathrucultura@gmail.com](mailto:curathrucultura@gmail.com)>; Neri Holguin WOTNA <[neriholguin@gmail.com](mailto:neriholguin@gmail.com)>; WOTNA Gil Clarke <[g.clarke45@comcast.net](mailto:g.clarke45@comcast.net)>; WOTNA Boyd Barger <[boydbarger@gmail.com](mailto:boydbarger@gmail.com)>; Lonny WOTNA <[lt@flyrallye.com](mailto:lt@flyrallye.com)>; nicholevg@gmail.com; Anna Gordon <[algordon@unm.edu](mailto:algordon@unm.edu)>; rgaldony@msn.com; kathyfry@comcast.net; Alvin\_Baca@msn.com  
**Subject:** Fwd: RE: Fw: petition/ FYI

FYI

----- Original Message -----

From: "Sommerfeldt, Cheryl" <[csommerfeldt@cabq.gov](mailto:csommerfeldt@cabq.gov)>  
To: GP Lovato <[bengpl150@comcast.net](mailto:bengpl150@comcast.net)>  
Cc: "Brito, Russell D." <[RBrito@cabq.gov](mailto:RBrito@cabq.gov)>  
Date: May 4, 2018 at 4:43 PM  
Subject: RE: Fw: petition/ FYI

Hi GP,

Here is a link to the staff report:

<https://ddei3-0-ctp.trendmicro.com:443/wis/clicktime/v1/query?url=http%3a%2f%2fdocuments.cabq.gov%2fplanning%2fenvironmental%2dplanning%2dcommission%2fmay%2d2018%2fagenda%2d3%2d1005455%2dmontoya.pdf&umid=CAA1C91E-6BA4-8505-8BBC-A5C730200217&auth=f0ebcd052f61e7a39dc93191e8a01d02608499af-bec00c72927320a62c502d481e80640f5e368ea3>

I was able to get a copy of the pre-annexation agreement (see attached).

Please remember that the deadline for written materials to be forwarded to the commission is end of day this Monday. After that, any person with standing may verbally enter information into the record at the public hearing on Thursday, May 10, 2018. The hearing begins at 8:30am and this case is 3<sup>rd</sup> on the agenda:

<https://ddei3-0-ctp.trendmicro.com:443/wis/clicktime/v1/query?url=http%3a%2f%2fdocuments.abq.gov%2fplanning%2fenvironmental%2dplanning%2dcommission%2fmay%2d2018%2fenvironmental%2dplanning%2dcommission%2dmeeting%2dagenda%2dmay%2d10%2d2018.pdf&umid=CAA1C91E-6BA4-8505-8BBC-A5C730200217&auth=f0ebcd052f61e7a39dc93191e8a01d02608499af-c61ad6adce8f0a044d46a03b71a05fed3fca7f71>

Here are the answers to your questions below:

- The IDO does not affect this project because City Council adopted an Ordinance in 2008 which annexed and established zoning for the site. Through that process, a pre-annexation agreement was signed by the City and the property owner which established the amount of lots as well as design requirements. Once the IDO becomes effective, the new zone will be PD (Planned Development Zone District), which is determined by the site plan and has the same requirements as the current zone.
- Yes, there is a 20-foot access easement to the residence to the west of the subject lot at the southern property line. If the easement is to be vacated and moved to the center of the lot, both property owners would have to agree. However, whether the easement is vacated or not does not affect the ability of the current owner of the subject site to develop. The property owner to the west cannot gate or fence the easement in any way.
- I do not believe the City owns enough right-of-way to create a cul-de-sac at the end of Montoya Road NW. The subject site will be required to have a 96-foot wide cul-de-sac on his property at the end of the private driveway. He intends to make this revision, however it is not shown on the plan yet.

- A 10-lot subdivision does not warrant a traffic study. It is my understanding that a subdivision needs to be at least 200-lots to warrant a traffic study.
- The subject site acquired the ability to develop 10-lots through the annexation process, so it is currently the right of the property owner to do so. The Site Development Plan for Subdivision needs to acquire approval from the EPC for the design but not for the number of lots unless a safety issue can be proven in a technical study, which has not happened. If approved, the property owner will be able to re-plat the property into the parcels shown, and then will be able to seek building permits for the individual homes.

Please let me know if you have additional questions,

**Cheryl Somerfeldt** MLA, LEED AP, APA

Current Planner

Urban Design & Development Division

City of Albuquerque Planning Department

505-924-3357

[csomerfeldt@cabq.gov](mailto:csomerfeldt@cabq.gov)

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**From:** GP Lovato [<mailto:bengpl150@comcast.net>]

**Sent:** Thursday, May 03, 2018 7:48 AM

**To:** Somerfeldt, Cheryl; Quevedo, Vicente M.; [phcrumpsf@gmail.com](mailto:phcrumpsf@gmail.com); Renz-Whitmore, Mikaela J.

**Subject:** RE: Fw: petition/ FYI

Ms. Somerfeldt, Good morning, WOTNA had it's monthly meeting yesterday and the property development took up our entire meeting. Some questions at hand: This development follows the old sector plan and not inclusive of the new IDO? Is there an easement to the residence off of Montoya Rd which is directly west of this development? Cul-d-sac at end of Montoya Rd will one be implemented? Traffic study can a new one be implemented? Is this development final excluding the hearing on May 10th?

I do think I have ask these questions however just want to make sure. Last time you met you were awaiting a signed document, have you been able to retrieve has to validate this development?

I have forwarded Mr. Crump's facilitator and your email to many who had questions and concerns I hope that was alright?

Not being familiar with the process I noted that the meeting is on May 10, 2018, will there be a post of time when within this day the hearing for this development will be on the agenda?

Thank you for all the courtesy and patience you have shown with regards to this matter.

GP

On April 24, 2018 at 5:51 PM "Somerfeldt, Cheryl"  
<[csomerfeldt@cabq.gov](mailto:csomerfeldt@cabq.gov)> wrote:

Hello GP,

Please see the attached page from the International Fire Code.

**Cheryl Somerfeldt** MLA, LEED AP, APA

Current Planner

Urban Design & Development Division

City of Albuquerque Planning Department

505-924-3357

[csomerfeldt@cabq.gov](mailto:csomerfeldt@cabq.gov)

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**From:** GP Lovato [<mailto:bengpl150@comcast.net>]  
**Sent:** Tuesday, April 24, 2018 4:34 PM

**To:** Somerfeldt, Cheryl  
**Subject:** Fwd: Fw: petition/ FYI

Ms. Somerfeldt,

Please review and thank you. GP  
**Subject:** petition

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