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**ADMINISTRATOR**  
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July 29, 2022

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**RE:** Major Subdivision Preliminary Plat Submitted June 16, 2022 – Village Center Project Southeast Corner of 4<sup>th</sup> Street & Osuna Road

To Whom It May Concern:

This letter serves as administrative approval with conditions of the preliminary plat submittal dated June 16, 2022 submitted by High Mesa Consulting Group on behalf of Palindrome Communities and the following property owners: The Village of Los Ranchos de Albuquerque, Paul Rael, and Pablo Rael, as further described below.

**Location & Legal:**

The properties are located at the southeast corner of Fourth Street and Osuna Road and are as Lots 1 – 12 and Lot 14 as described in Exhibit A – Land of the Purchase, Sale and Development Agreement Between The Village of Los Ranchos de Albuquerque, New Mexico and Palindrome Communities, LLC, A Nevada Limited Liability Company, signed October 2020. The legal descriptions are further detailed in *Trailhead at Chamizal – Listing of Property Legal Descriptions and Owners*.

\* Lot 13 from Exhibit A is included in this description and is shown on the proposed plat as it is an adjacent lot to the subdivision. Per the preliminary plat submittal, the property's lot lines will not be amended with this plat, therefore no letter of agency from that property's owner is necessary.

**Review & Analysis:**

Compliance with §9.2.14 VC – Village Center Zone

The existing properties are zoned VC in the Village Center Project Area and the new lots will retain present zoning. There is no minimum lot size for properties in the VC Zone or the Project Area. There are minimum and maximum lot width sizes for properties in the Project Area. Compliance with

§9.2.14(D)(2) on minimum and maximum lot widths is not required as the phased plan in the Development Agreement notes width greater than 200', which was approved by the Board of Trustees. Gross and net lot area must be identified, as access easements are being created with this plat, and this must be corrected for the final plat. Some land on Fourth Street will be dedicated as public right-of-way with this plat.

Compliance with §9.1.5:

Per §9.1.5(BB) and (CC) the proposed subdivision is a major subdivision, and the requirements of §9.1 must be met, except that the sketch plat, preliminary plat, and final plat (among other things) may be administratively approved per Article 3.3 of the Purchase, Sale and Development Agreement dated October 16, 2020<sup>1</sup> without public notice nor public hearing before the Commission and/or Board. As the application will not go before the Commission or Board, any reference to the Commission or Board approval, conditions, or other requirements will instead be required, reviewed, and approved by the Village Administrator and Planning and Zoning Director.

The major subdivision process requires a pre-application meeting, sketch plat submittal, preliminary plat submittal, and final plat submittal, which includes the appropriate application forms and supplemental documents, prior to filing the plat and additional documents with Bernalillo County Clerk's Office. The letter dated May 24, 2022 sufficed for the pre-application meeting.

Compliance with §9.1.6:

- §9.1.6(C)(1) is met as the proposed development and uses of the properties meet the purpose and intent, and allowed uses of §9.2.14 VC – Village Center Zone. Irregular MRCGD lot sizes are incorporated and existing MRCGD irrigation is maintained.
- §9.1.6(C)(2)(b)(1) through (4) are considered and met as applicable. Any special drainage conditions will be addressed in the grading and drainage plan(s), a soil report was included in the Stormwater Pollution Prevention Plan for the site, and there is no difficult topography nor other geographic hazards to life, health, or property.
- §9.1.6(C)(3) requires a statement of water and sewer availability from the Albuquerque/Bernalillo County Water Utility Authority (ABCWUA). A letter was submitted with the preliminary plat application. The statement of water and sewer availability does not cover the entire project site; page 2 of the submitted letter indicates that future services for the subdivision will be considered in future availability statements. Additional availability statement(s) that address the entire site, Tracts 1 – 6, must be submitted with the final plat. Utilities must be buried and failure to incorporate underground utilities may constitute cause to deny the subdivision; in review of the utilities plan, public improvements plan, and/or site development plan(s), the Village will confirm burial of utilities. A condition of approval of the final plat is confirmation that the utilities will be buried.
- §9.1.6(C)(4) is met with preservation of the use of the Chamizal Lateral. No other preservation is required for this subdivision.
- §9.1.6(C)(5) for an area plan is not required as the entire project site is included in the proposed subdivision plat.

Compliance with §9.1.7:

- The sketch plat approval letter served as the pre-application conference required by §9.1.7(A).

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<sup>1</sup> By and between the Village of Los Ranchos De Albuquerque, New Mexico and Palindrome Communities, LLC, A Nevada limited liability company.

- The applicant must comply with §9.1.7(C) the procedures and submission requirements for major subdivision plats.
- The Project must comply with §9.1.7(C)(4) for the final submittal, and the balance of Article 1 Subdivision, Vacation, and Development.

Compliance with §9.1.8:

- Subsection (A):
  - (1)(c) requires proof by the subdivider that they have addressed and complied with all sketch plat requirements.
  - (2)(a) proof of financial responsibility is not met with the Development Agreement.
  - For compliance with (2)(d), see above §9.1.6(C)(3) regarding ABCWUA water and sewer availability.
- Subsection (B), to confirm future compliance for contents of final plat:
  - The declaration of covenants filed with the plat will confirm compliance with (3)(b)(5) and (3)(b)(10).
  - Per (3)(b)(9), the revised plat must show gross and net lot size in acres and square feet. Access easements must be subtracted from gross lot size.
  - (3)(e) requires an improvements plan, and (A)(1) also requires an improvements plan.

Compliance with §9.1.9:

- Subdivision improvements agreement and financial guarantee complying with this section will be required per conditions below.

Compliance with §9.1.10:

- (A)(2)(a) requires a turnaround with a 40' minimum radius that is not met on Tract 3. An alternate configuration may be acceptable to the Village if approved by Bernalillo County Fire Department, as demonstrated in the Fire 1 Plan for the site.
- Minimum right-of-way width is met. 24' minimum paving width, 10' right-of-way width for walkways, bike paths, water courses, and the 10' minimum surface width will be confirmed in master site plan and/or individual site development plans.

Compliance with §9.1.12:

The right-of-way easement shown on sheet 4 of 11 keyed notes is to be vacated with recording of this new plat. This vacation is part of the major subdivision and follows the appropriate procedures.

**Administrative Decision:**

The preliminary plat submittal dated June 16, 2022 submitted by High Mesa Consulting Group is **approved with the following Conditions and Findings:**

**Conditions:**

- The issues identified below must be addressed prior to submittal of the final plat:
  - At least one sheet must show both existing lot lines as dashed lines noting they will be vacated with this plat, with proposed lot lines shown in solid lines, noting they will be created with this plat.
  - Delete the underlying satellite image shown on sheet 4 of 11.
  - The names of the lots created with this plat must be included in the title of the subdivision. For example, Subdivision Plat of Tracts 1 – 6 Trailhead at Chamizal Subdivision. This title must be included on all sheets.
  - Delete easement note on Tract 5 shown on sheet 9 of 11. Approximate location of future easement cannot be shown on plat if it will be done in a subsequent platting

- action. This easement should be either confirmed for the final plat, creating the easement, or should be part of a future replat and not shown on this plat.
- Add to sheet 5 of 11 the identification (i.e. recorded document numbers or MRGCD map document reference) for the Chamisal Lateral.
  - On all sheets showing Tracts 1 – 6, add net acreage for each lot, subtracting access easements from gross acreage, and add gross and net square footage of each lot.
    - Add to sheet 2 of 11 a note after #9 gross subdivision acreage what the net subdivision acreage is.
  - Add the Village of Los Ranchos Public Utility Easement Note shown and required under §9.1.8(B)(3)(b)(11): *Public utility easements shown on this plat are not exclusive and are dedicated for the common and joint use of the utilities designated on this plat, their successors and assigns, and for the use of any other public utilities whose use of said easements is deemed to be in the public interest by the Village of Los Ranchos de Albuquerque.*
  - Identify permanent survey monument and tie, or x/y coordinate, on one of the corners (for placing lot in GIS).
    - Coordinate can be in NAD 83 HARN projection or latitude longitude. If latitude and longitude, must be at least 2 decimal places beyond seconds if using degrees, minutes, and seconds (e.g. 35 22' 15.44") or must be six (6) decimal places if using decimal degrees (e.g. 35.256749).
    - Specific excerpt from code for reference: All survey monuments shall be indicated and there shall be at least one permanent survey monument for each subdivision. Location of and method of ties to permanent survey monuments and location and type of subdivision control monuments. Descriptions of all monuments found or set. Survey monuments shall be referenced to the federal sectionalized land system.
  - On all sheets, delete note in upper right corner identifying the owner.
  - On sheets 6 through 9, easements should all have the same texture/shading if they are the same type of easement granted to the same parties, even if they are crossing multiple lots. Different easements can have different textures/shading.
  - On sheet 1 of 11, add the Bernalillo County Treasurer's certification that the taxes are current and paid for the properties involved, per §9.1.8(B)(3)(d)(2).
  - On sheet 1 of 11, add to FEMA flood map the AH zone, with the information for Zone X.
  - On sheet 1 of 11, under dedication and free consent, add to the signatory lines the printed names and roles of the representatives from the Village of Los Ranchos and Palindrome Communities, LLC. The representative from the Village of Los Ranchos is Donald T. Lopez, Mayor.
  - On sheet 1 of 11, under dedication and free consent, add statement confirming the public utility easements and private easements are dedicated and who they are dedicated to, per §9.1.8(B)(3)(c)(3).
  - On sheet 2 of 11, note 6.e. needs to reflect all easements created with the plat for consistency. For example, communications and electric easements noted in index of drawings is not included in this note. In addition, the public sanitary sewer easement is not the Village of Los Ranchos', it falls under ABCWUA.
  - On sheet 2 of 11, notes 11 and 12:
    - 'Private drainage easements' noted but sheet 8 has some easements noting ponding too. This note and/or the easements shown on sheet 8 must be updated for consistency.

- Both notes have ‘maintenance and operation responsibilities’. Does this need to be specifically use and access instead of ‘operation’?
  - On sheet 4 of 11, easements #1 and #4 to be vacated need to be cross hatched, shaded, or otherwise identified to distinguish the two.
  - On sheet 4 of 11, there are light grey dashed lines between Tracts 43A1, 43B, and 43D that are not identified. This must be identified.
  - On sheet 4 of 11, to better distinguish vacated easements from vacated lot lines, shade, texture, or otherwise identify the easements from the lot lines. For example, this is necessary to distinguish between easement note #6 and Lot 1B Merritt Acres.
  - On sheet 4 of 11, easement note #8, vacation may need to be tied to the platting action. Currently says “shall terminate when the system is permanently removed.”
  - On sheet 11 of 11, to comply with §9.1.10(A)(2)(b) turning radii, the radii for curve EC13 must be adjusted to be a minimum of 12 feet and at important corners, a minimum of 24 feet, or in accordance with accepted engineering practice. Accepted engineering practice shall be determined by the Village Engineer.
- To comply with §9.1.10(A)(2)(a), demonstrate compliance with IFC and BCFD approval if a turnaround with a 40’ minimum radius is not provided.
- To comply with §9.1.8(A)(2)(a) and §9.1.8(B)(3)(e), applicant must provide proof of financial responsibility and an improvements plan.
- Per §9.1.8(B)(1), applicant must provide proof of compliance with the terms of this preliminary approval prior to submittal of the final plat. An updated plat and supplemental documents showing compliance with this approval letter may suffice.
- Applicant must provide draft Subdivision Improvements Agreement (SIA) and financial guarantee prior to submittal of final plat application, or provide final SIA and financial guarantee, approved by the Village Attorney, with submittal of the final plat. This must be filed with the final plat.
- A deed dedicating the public right-of-way to the Village shall be filed with the final plat.
- The applicant shall submit the filled out and signed sketch plat review application for major subdivisions before submitting the final application for major subdivisions, an extension of the prior condition to submit the sketch plat application prior to the preliminary application.
- With the final application submittal, the applicant shall submit the filled out and signed final application for major subdivisions.
- The final plat shall comply with §9.1 Subdivision, Vacation, and Development.
- The applicant shall submit a statement of water and sewer availability from the Albuquerque/Bernalillo County Water Utility Authority (ABCWUA) with their final plat application, per §9.1.6(C)(3) Services, which addresses the entire site, Tracts 1 – 6. Page 2 of the submitted letter indicates that future services for the subdivision will be considered in future availability statements.
- For approval of the final plat, the Village shall confirm in the utilities plan, public improvements plan, and/or site development plan(s) that utilities will be buried. Failure to bury utilities may constitute reason to deny the final plat.
- The applicant shall submit to the Village a DXF file showing the new property lines, easements twenty (20) feet in width or more, and any other information Bernalillo County Geographic Information Systems (GIS) requires to update online maps, prior to submitting the final plat application and obtaining the Mayor’s signature and Clerk’s attest.
- The applicant shall submit a corrected plat prior to printing on mylar as the Village has determined that the number of corrections requires a subsequent review to ensure corrections have been made. Post review and Village approval of the corrected plat, the applicant may print the mylar plat and obtain utility signatures. After obtaining utility



signatures, the applicant may submit the final application with the mylar plat for the Mayor's signature and Clerk's attest.

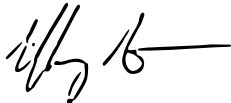
- The applicant shall submit final versions of the Trailhead at Chamizal Declaration of Covenants, and all other documents referenced on the plat to be filed with Bernalillo County Clerk's Office, with the final plat.
- Per §9.1.8(A)(2), the Declaration of Covenants must be filed with the final plat.
- The applicant shall provide to the Village one (1) physical copy and one (1) digital copy of all documents filed with Bernalillo County Clerk's Office for this subdivision plat within thirty (30) days of final approval, per §9.1.8(A)(5).
- The final subdivision plat shall comply with the Purchase, Sale and Development Agreement Between The Village of Los Ranchos de Albuquerque, New Mexico and Palindrome Communities, LLC, A Nevada Limited Liability Company, dated October 16, 2020.

**Findings:**

The submittal meets the requirements for a preliminary plat under §9.1.8 as long as the conditions above are addressed prior to final plat submittal.

Please feel free to contact us at (505) 344-6582, 6718 Rio Grande Blvd NW Los Ranchos, NM 87107.

Sincerely,



Tiffany Justice  
Planning & Zoning Director  
Village of Los Ranchos de Albuquerque



Ann Simon  
Administrator  
Village of Los Ranchos de Albuquerque

**Enclosed:**

Preliminary Plat Submittal

- High Mesa Consulting Submittal Letter Dated June 16, 2022
- Los Ranchos Preliminary Plat Review Application Form
- 18" x 24" Preliminary Plat (11 Sheets)
- Vicinity/Project Location Map
- Listing of Existing Legal Descriptions and Ownership
- Agent Authorization Letters
- Existing Conditions Plans – Topographic and Utility Survey and Preliminary Boundary Survey
- Water and Sanitary Sewer Availability Statement
- Draft Declaration of Covenants

Village Code Excerpt §9.1 Subdivision, Vacation, and Development

Purchase, Sale and Development Agreement Between The Village of Los Ranchos de Albuquerque, New Mexico and Palindrome Communities, LLC, A Nevada Limited Liability Company