



**County of Bernalillo**  
**State of New Mexico**  
**Planning & Development Services Department**  
111 Union Square SE, Suite 100  
Albuquerque, New Mexico 87102  
Office: (505) 314-0350 Fax: (505) 314-0480  
www.bernco.gov

**NOTIFICATION OF DECISION**  
**COUNTY PLANNING COMMISSION**

February 7, 2019

Valentin P. Sais and Ron A. Perea  
1302 Neetsie Dr. SW  
Albuquerque, NM 87105

SUBJECT: FILE NO: CSU2019-0001

LEGAL DESCRIPTION: Rio Grande Huerta LLC, agent for Valentin P. Sais and Ron A. Perea, requests approval of a Special Use Permit for a Planned Development Area (Residential and Agricultural Uses) on Tract 88A1A1 MRGCD Map 40, Tract 88A1A2 MRGCD Map 40, and Tract 87B1 MRGCD Map 40, located at 1300 Gonzales Rd. SW, zoned A-1 and containing approximately 3.83 acres. (K-13)

**ACTION: APPROVED A SPECIAL USE PERMIT FOR A PLANNED DEVELOPMENT AREA (RESIDENTIAL AND AGRICULTURAL USES)**

To Whom It May Concern:

At the February 6, 2019 public hearing, the County Planning Commission voted to approve the request for a Special Use Permit for a Planned Development Area (Residential and Agricultural Uses) on Tract 88A1A1 MRGCD Map 40, Tract 88A1A2 MRGCD Map 40, and Tract 87B1 MRGCD Map 40, located at 1300 Gonzales Rd. SW, zoned A-1 and containing approximately 3.83 acres. The decision was based on the following Findings and is subject to the following Conditions.

Findings:

1. This request is for a Special Use Permit for a Planned Development Area (Residential and Agricultural Uses) on Tract 88A1A1 MRGCD Map 40, Tract 88A1A2 MRGCD Map 40, and Tract 87B1 MRGCD Map 40, located at 1300 Gonzales Rd. SW, zoned A-1 and containing approximately 3.83 acres.

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**COMMISSIONERS**

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Steven Michael Quezada, Member, District 2      Lonnie C. Talbert, Member, District 4      Charlene E. Pyskoty, Member, District 5

**ELECTED OFFICIALS**

Tanya R. Giddings, Assessor      Linda Stover, Clerk      Cristy J. Carbón-Gaul, Probate Judge      Manuel Gonzales III, Sheriff      Nancy M. Bearce, Treasurer

**COUNTY MANAGER**

Julie Morgas Baca

2. The site development plan illustrates the location of 27 dwelling units inside 5 buildings, a pool and recreation area, agricultural uses including gardens, orchards and greenhouses, parking for vehicles and bicycles, a garage, workshop, storage buildings and a monument sign.
3. The applicant indicates that the site will accommodate a “co-housing” type development with shared responsibilities amongst homeowners, although this use is not listed in the County Zoning Code.
4. The subject property is located within the Comprehensive Plan’s Established Urban Area and within the Southwest Area Plan’s Residential Area 5, thereby allowing up to 9 dwelling units per net acre.
5. The request furthers goals and policies of the Comprehensive Plan and the Southwest Area Plan related to density, land use, housing, developed landscape, energy management and water management.
6. As required by Zoning Code Section 18 for a Planned Development Area, the applicant demonstrated the need to vary height, lot area, or setback requirements due to unusual topography, lot configuration, or site features in order to create cluster housing development, preserve visual or physical access to open space or unique site features, or to facilitate development as allowed by an approved Master Plan. The site plan includes areas dedicated to open space, agricultural and recreational uses.
7. The applicant provided adequate justification for the request that met the criteria of Resolution 116-86. Specifically, the applicant described changed conditions in the area and how approval of the Special Use Permit is more advantageous to the community than the existing zoning because it furthers goals and policies of the Comprehensive Plan and Southwest Area Plan.
8. Although not required, the applicant provided evidence of support in the form of a petition. There is both support and opposition to this request.
9. According to the Albuquerque Bernalillo County Water Utility Authority, the applicant requested a water and wastewater availability statement but it has not been completed as of the printing of this report.
10. The request is consistent with the health, safety and general welfare of the County.

Conditions:

1. Development of the site shall comply with the approved site plan including the multi-family dwelling units, open space, storage, recreational areas, parking, landscaping, fencing and agricultural areas.
2. The Site Development Plan shall be revised, as follows:
  - a. Revise “Building Footprint” note and “General” note to read “height will conform to A-1 zone, Section 7.C”, which allows heights up to 26’ or 2 ½ stories.
  - b. The sign shall comply with sign regulations of the C-1 zone.
  - c. A note shall indicate the type of paving approved by County Public Works.
3. The Landscape Plan shall be revised, as follows:
  - a. Clarify the concrete vs. porous paving areas (as on the site development plan).
  - b. Revise paving material as approved by PW.
  - c. Provide a legend detail for the pedestrian walkway material.
  - d. Identify the “Bosque Restoration Area” on the plan.

- e. Identify the square footage of “Agriculture Areas”.
  - f. Identify the square footage of “Play Field/Blue Gramma Field”.
  - g. Identify location of the “Chicken Run”.
4. The covered parking structure shall comply with Zoning Code Section 22.D.2.e. (fire resistive) since it is located less than 5’ from the north property line.
  5. Obtain permits required by Bernalillo County Building Ordinance Section 110.
  6. Within 60 days of approval, the applicant shall submit to the Public Works Division construction plans (PWCO) for the driveway connection to Gonzalez Road SW and any other work within the County right-of-way.
  7. Within 60 days of approval, the applicant shall submit to the Public Works Division a final Grading and Drainage Plan that includes all proposed site features.
  8. Prior to issuance of a building permit, water and wastewater utilities shall be approved by ABCWUA.
  9. This Special Use Permit shall be issued for the life of the use.
  10. A replat is required to combine the three lots into one, prior to issuance of any building permits.
  11. Three copies of a revised site development plan, consistent with the conditions of approval, shall be submitted for review and approval to the Zoning Administrator within 60-days of approval of this Special Use Permit.
  12. The applicant shall comply with all applicable Bernalillo County ordinances and regulations.
  13. The foregoing conditions shall become effective and shall be strictly complied with immediately upon execution or utilization of any portion of the rights and privileges authorized by this Special Use Permit.
  14. The applicant shall add a Responsibility for Maintenance Statement to the Landscape Plan.

This decision is final unless it is appealed by 12:00 noon on **February 22, 2019** in the manner described below. A filing fee of \$75.00 is required for properties consisting of one (1) acre or less, and \$100.00 is required for all others.

**APPEALS:** Appeal of any denial or approval of an application by the County Planning Commission may be submitted in writing to the office of Planning and Development Services within 15 days after the date of the notice of decision by the County Planning Commission.

The date of the notice of decision in question shall not be included in the 15-day period for filing an appeal, and if the fifteenth day falls on a Saturday, Sunday or holiday, the next working day shall be considered as the deadline for filing the appeal.

A building permit or Certificate of Occupancy & Compliance shall not be issued until any appeal is decided, or the time for filing such appeal has expired.

**WRITTEN NOTICE OF APPEAL SHALL BE FILED WITH THE PLANNING AND DEVELOPMENT SERVICES DEPARTMENT ON THE PRESCRIBED FORM ALONG WITH PAYMENT OF THE REQUIRED FILING FEE.**

If you have any questions, please feel free to contact me directly at 314-0387.

Sincerely,



Catherine VerEecke  
Planning Manager

CV/fs

cc: File

Kevin Grovet, Public Works  
Raeleen Marie Bierner, Public Works  
Blaine Carter, Public Works  
Rene Sedillo, Technology Manager  
Jeff Senseney, Building Official  
Joel Kurzawa, Project Coordinator  
Monica Gonzales, GIS Tech  
Rio Grande Huerta LLC, Marlise Metodi, 624 Amherst Dr. SE, Albuquerque, NM 87106  
Peter Rehn, 4519 Compound North Ct. NW, Albuquerque, NM 87107  
Faith Okuma, 3105 El Toboso Dr. NE, Albuquerque, NM 87104  
Rod Mahoney, 1838 Sadora Rd. SW, Albuquerque, NM 87105  
John Padilla, 1573 Trujillo Rd. SW, Albuquerque, NM 87105  
Evelyn Fernandez, 1585 Trujillo Rd. SW, Albuquerque, NM 87105  
Dory Wegrzyn, 1404 Gonzales Rd. SW, Albuquerque, NM 87105  
Christy McCarthy, 1413 El Oriente Rd. SW, Apt. A, Albuquerque, NM 87105  
Albert Sanchez, 224 Five Points SW, Albuquerque, NM 87105  
Charlotte Walters, 1424 Dennison Rd. SW, Albuquerque, NM 87105  
Penina Bellen, 2299 Campbell Rd. SW, Albuquerque, NM 87105  
Aaron and Olivia Hill, 10804 Wolf Creek Rd. SE, Albuquerque, NM 87123  
Felix Lucero, 1020 La Vega SW, Albuquerque, NM 87105  
Maggie Seeley, 407 Amherst Dr. SE, Albuquerque, NM 87106  
Jennifer Cruz, 1512 Cero Vista Rd. SW, Albuquerque, NM 87105  
Anne Witherspoon Bolger, 1278 Tapia Rd. SW, Albuquerque, NM 87105  
Amily Reem Musallam Berthdd, 1413 Dennison Rd SW, Albuquerque, NM 87105  
Marianne Dickinson, 2328 Rio Grande NW, Albuquerque, NM 87104  
Martin Ortega, 1417 Neetsie Dr. SW, Albuquerque, NM 87105  
Michael O'Hearr, 1734 Hooper Rd. SW, Albuquerque, NM 87105  
Ruben Garcia, 832 Madison St. NE, Albuquerque, NM 87110  
Amanda Webb Knox, 2016 Poplar Lane SW, Albuquerque, NM 87105  
Karen Loring, 1407 Gonzales Rd. SW, Albuquerque, NM 87105  
Marygold Walsh-Dilley, 443 Hermosa Dr. NE, Albuquerque, NM 87108

Mary and James Brown, 5215 Montano Plaza Dr. NW, Albuquerque, NM 87120  
Patti Lentz, 415 Amherst NE, Albuquerque, NM 87106  
Aryon Hopkins, 1703 Gonzales Rd. SW, Albuquerque, NM 87105  
Jeffrey Holmes, 3227 Rio Grande Blvd, NW, Albuquerque, NM 87107  
Suzanna and Joshua Garcia, 1143 Desert Sunflower Dr. NE, Rio Rancho, NM 87144  
Johnnee Cunningham and Joan Pickard, 186 Caminito Alegre, Corrales, NM 87048  
Jonathan or Ellen Craig, 937 La Font Rd. SW, Albuquerque, NM 87105  
Setso Metodi, 624 Amherst Dr. SE, Albuquerque, NM 87105  
Gilbert Morales, 13108 Calle Azul SE, Albuquerque, NM 87123  
Stevey Hunter, 3227 Rio Grande Blvd. NW, Albuquerque, NM 87107  
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Priscilla Sais, P.O. Box 27633, Albuquerque, NM 87125  
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