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Meeting Date: April 22, 2020

Staff Contact: Kristopher Cadena, Principal Engineer, Utility Development

**TITLE: R-20-12 – Amendment to Development Agreement R-17-6 for Viva Paradise Phase II**

**ACTION: Recommend Approval**

**SUMMARY:**

The development consists of eight new triplexes in addition to the existing 12-unit apartment complex that was previously approved for service by resolution R-17-6. The site is located along the south side of Buglo Ave., east of Unser Blvd. The following parcels 10A, 11A and 12A are being proposed for consolidation. The development is located outside of the Water Authority's Service Area, but within the City of Albuquerque.

The property lies within Pressure Zone 3WR in the Corrales Trunk.

Water and wastewater service are contingent on the developer funded public waterline and sanitary sewer line extensions that connect to the existing infrastructure proximate to the property. The extensions are to provide adjacent properties with the means of obtaining service.

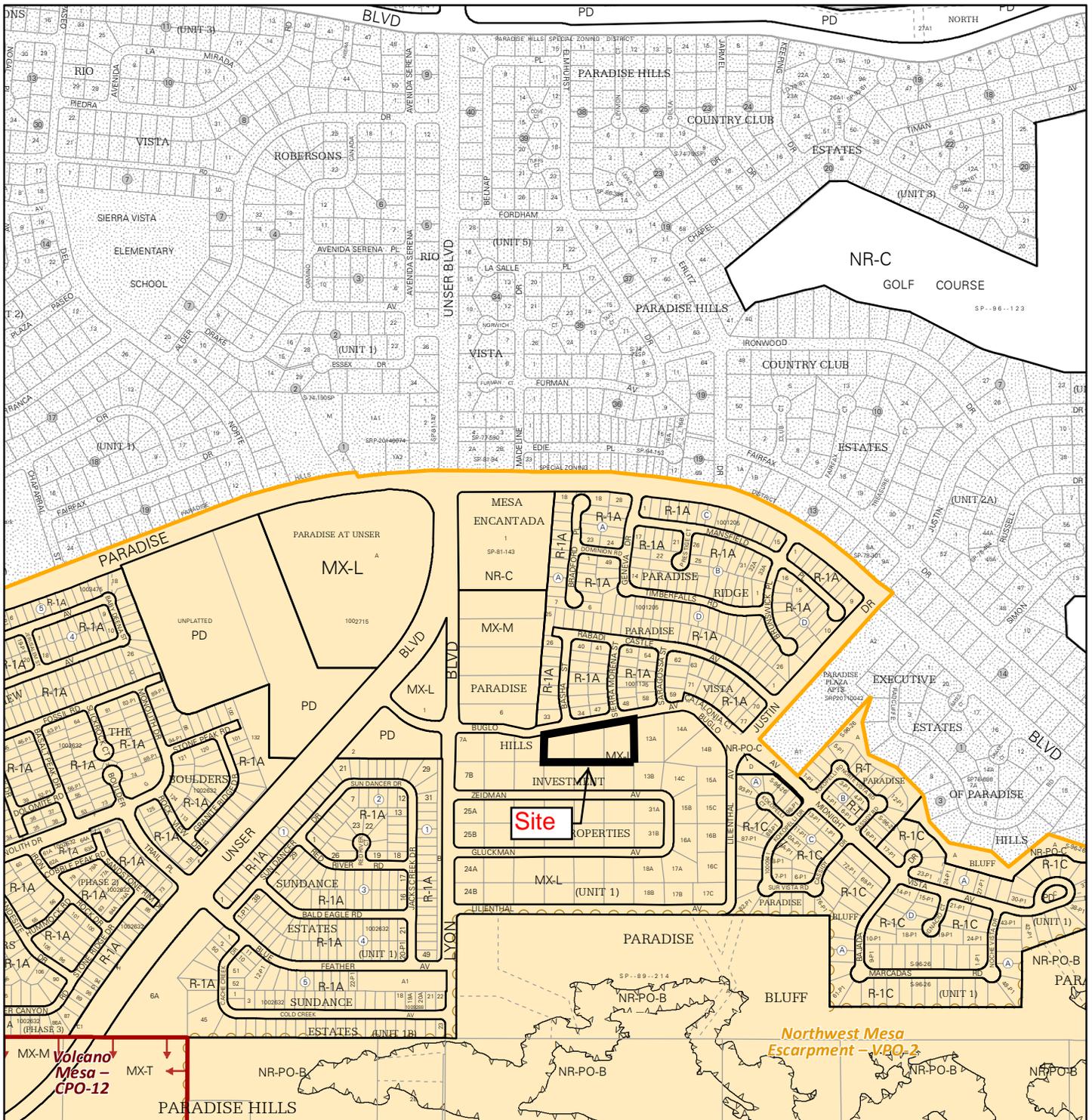
The entire project will utilize the existing water and sanitary sewer services. Utility Expansion Charges and Water Resource charges were paid for the existing service. Any new service or an increase in service provided within the development will be subject to current Utility Expansion and Water Resource Charges.

**FISCAL IMPACT:**

None.



# Exhibit A.1

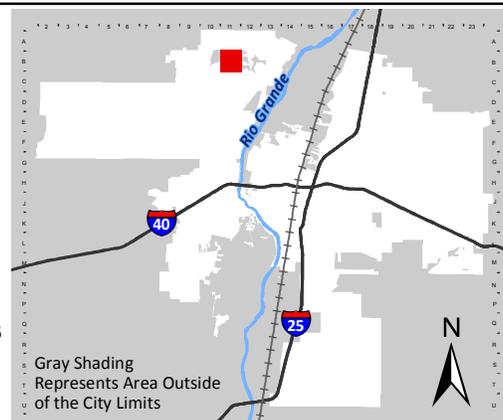


For more details about the Integrated Development Ordinance visit: <http://www.cabq.gov/planning/codes-policies-regulations/integrated-development-ordinance>

## IDO Zone Atlas May 2018



**IDO Zoning information as of May 17, 2018**  
The Zone Districts and Overlay Zones are established by the Integrated Development Ordinance (IDO).



Rio Grande

40 25

Gray Shading  
Represents Area Outside  
of the City Limits

Zone Atlas Page:  
**B-11-Z**

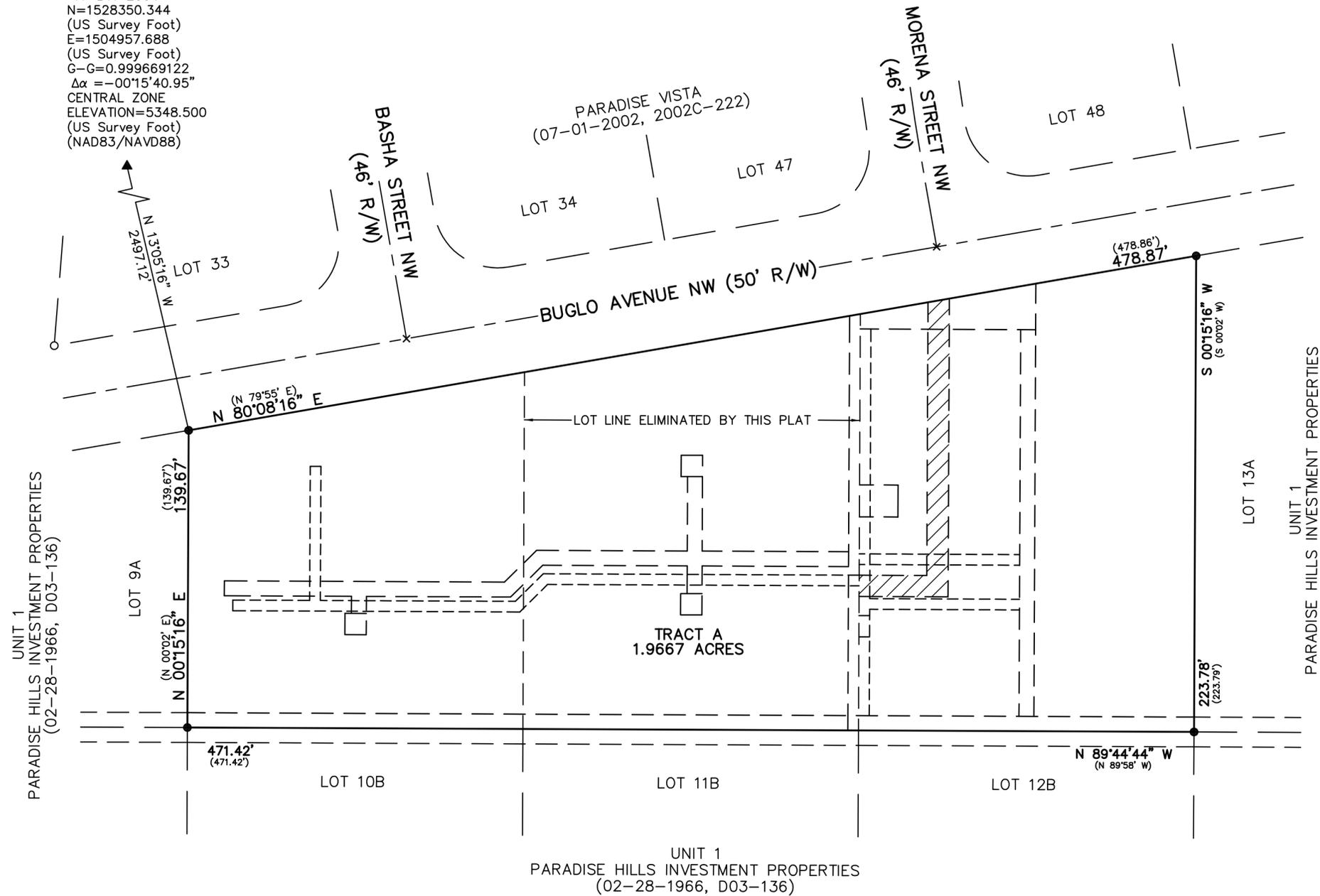
- Easement
- Escarpment
- Petroglyph National Monument
- Areas Outside of City Limits
- Airport Protection Overlay (APO) Zone
- Character Protection Overlay (CPO) Zone
- Historic Protection Overlay (HPO) Zone
- View Protection Overlay (VPO) Zone

0 250 500 1,000 Feet



PLAT OF  
TRACT A  
VIVA PARADISE TOWNHOMES  
(A REPLAT OF LOTS 10A, 11A & 12A, UNIT 1  
PARADISE HILLS INVESTMENT PROPERTIES)  
WITHIN THE  
TOWN OF ALAMEDA GRANT  
PROJECTED SECTION 11  
TOWNSHIP 11 NORTH, RANGE 2 EAST, N.M.P.M.  
CITY OF ALBUQUERQUE  
BERNALILLO COUNTY, NEW MEXICO  
FEBRUARY, 2020

AGRS MONUMENT  
AND BENCHMARK  
"11-B11 2004"  
N=1528350.344  
(US Survey Foot)  
E=1504957.688  
(US Survey Foot)  
G-G=0.999669122  
 $\Delta\alpha = -00^{\circ}15'40.95''$   
CENTRAL ZONE  
ELEVATION=5348.500  
(US Survey Foot)  
(NAD83/NAVD88)



UNIT 1  
PARADISE HILLS INVESTMENT PROPERTIES  
(02-28-1966, D03-136)

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UNIT 1  
PARADISE HILLS INVESTMENT PROPERTIES  
(02-28-1966, D03-136)

PRIVATE EASEMENT VACATED BY THIS PLAT

-  EXISTING 10' SHARED PRIVATE SEWERLINE EASEMENT  
(01-19-2018, 2018005537)
-  (06-27-2018, 2018056540)

Drawn By:	TA	Date:	02-09-20
Checked By:	TA	Drawing Name:	20003PLT.DWG
Job No.:	20-003	Sheet:	2 of 3



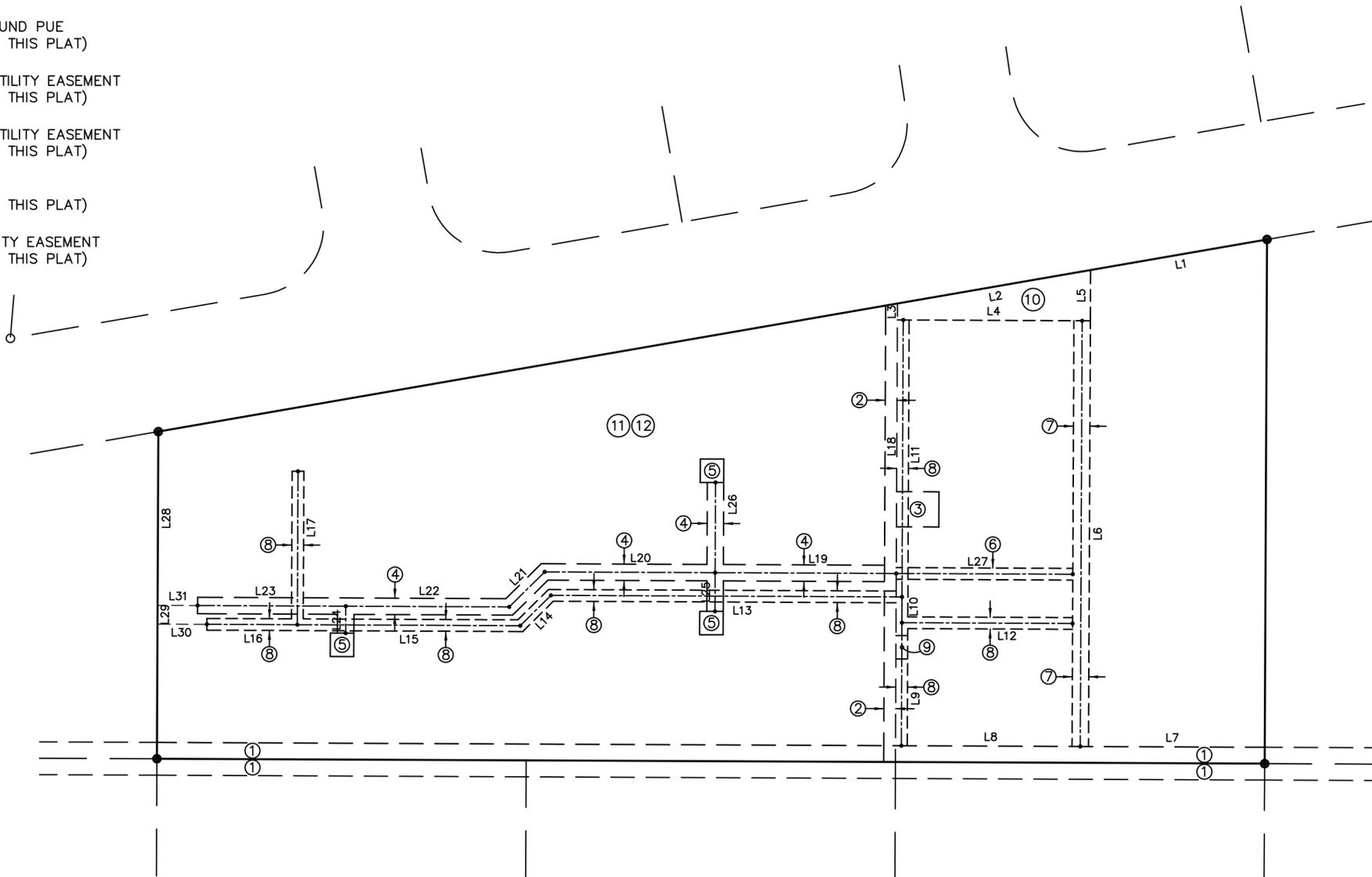
P.O. BOX 30701, ALBQ., N.M. 87190  
505-884-1990

**PLAT OF**  
**TRACT A**  
**VIVA PARADISE TOWNHOMES**  
**(A REPLAT OF LOTS 10A, 11A & 12A, UNIT 1**  
**PARADISE HILLS INVESTMENT PROPERTIES)**  
**WITHIN THE**  
**TOWN OF ALAMEDA GRANT**  
**PROJECTED SECTION 11**  
**TOWNSHIP 11 NORTH, RANGE 2 EAST, N.M.P.M.**  
**CITY OF ALBUQUERQUE**  
**BERNALILLO COUNTY, NEW MEXICO**  
**FEBRUARY, 2020**

**EASEMENTS**

- ① EXISTING 7' PUE (02-28-1966, D03-136)
- ② EXISTING 5' UNDERGROUND PUE AND COMCAST EASEMENT (08-15-2001, 2001095107) (10-01-2001, 2001115312)
- ③ EXISTING 15' X 18' UNDERGROUND PNM EASEMENT (06-08-2018, 2018050514)
- ④ 7' UNDERGROUND PUE (GRANTED BY THIS PLAT)
- ⑤ 10' X 10' UNDERGROUND PUE (GRANTED BY THIS PLAT)
- ⑥ 5' UNDERGROUND PUE (GRANTED BY THIS PLAT)
- ⑦ 7' PRIVATE UTILITY EASEMENT (GRANTED BY THIS PLAT)
- ⑧ 5' PRIVATE UTILITY EASEMENT (GRANTED BY THIS PLAT)
- ⑨ 5' X 10' PUE (GRANTED BY THIS PLAT)
- ⑩ PRIVATE UTILITY EASEMENT (GRANTED BY THIS PLAT)

⑪⑫ Private cross-lot access and drainage easements are hereby granted over all of Tract A with the exception of the individual townhomes and their attached patios and other improvements. These easements are for the use of and to be maintained by the Viva Paradise Townhomes Homeowners Association. (GRANTED BY THIS PLAT)



Drainage Facilities and/or Detention Areas Maintained by Lot Owner. Areas designated on the accompanying plat as "drainage easements" ["detention areas"] are hereby dedicated by the owner as a perpetual easement for the common use and benefit of the various lots within the subdivisions for the purpose of permitting the conveyance of storm water runoff and the constructing and maintaining of drainage facilities [storm water detention facilities] in accordance with standards prescribed by the City of Albuquerque. No fence, wall, planting, building or other obstruction may be placed or maintained in easement area without approval of the City Engineer of the City of Albuquerque. There also shall be no alteration of the grades or contours in said easement area without the approval of the City Engineer. It shall be the duty of the lot owners of this subdivision to maintain said drainage easement [detention area] and facilities at their cost in accordance with standards prescribed by the City of Albuquerque. The City shall have the right to enter periodically to inspect the facilities. In the event said lot owners fail to adequately and properly maintain drainage easement [detention area] and facilities, at any time following fifteen (15) days written notice to said lot owners, the City may enter upon said area, perform said maintenance, and the cost of performing said maintenance shall be paid by applicable lot owners proportionately on the basis of lot ownership. In the event lot owners fail to pay the cost of maintenance within thirty (30) days after demand for payment made by the City, the City may file a lien against all lots in the subdivision for which proportionate payment has not been made. The obligations imposed herein shall be binding upon the owner, his heirs, and assigns and shall run with all lots within this subdivision.

The Grantor agrees to defend, indemnify, and hold harmless, the City, its officials, agents and employees from and against any and all claims, actions, suits, or proceedings of any kind brought against said parties for or on account of any matter arising from the drainage facility provided for herein or the Grantor's failure to construct, maintain, or modify said drainage facility.



Scale 1" = 40'

LINE	BEARING	DISTANCE
L1	S 80°08'16" W	76.18'
L2	S 80°08'16" W	83.44'
L3	S 00°15'16" W	7.00'
L4	S 89°44'44" E	82.14'
L5	N 00°15'16" E	21.66'
L6	S 00°15'16" W	181.75'
L7	N 89°44'44" W	78.50'
L8	N 89°44'44" W	76.14'
L9	N 00°15'16" E	52.50'
L10	N 00°15'16" E	11.00'
L11	N 00°15'16" E	118.25'
L12	S 89°44'44" E	72.64'
L13	N 89°44'44" W	149.41'
L14	S 45°15'16" W	18.38'
L15	N 89°44'44" W	94.87'

L16	N 89°44'44" W	38.50'
L17	N 00°15'16" E	65.50'
L18	S 00°15'16" W	108.25'
L19	N 89°44'44" W	77.07'
L20	N 89°44'44" W	72.57'
L21	S 45°15'16" W	21.21'
L22	N 89°44'44" W	69.57'
L23	N 89°44'44" W	63.07'
L24	S 00°15'16" W	11.50'
L25	S 00°15'16" W	16.50'
L26	N 00°15'16" E	38.50'
L27	S 89°44'44" E	75.14'
L28	S 00°15'16" W	74.17'
L29	S 00°15'16" W	8.00'
L30	N 89°44'44" W	21.00'
L31	N 89°44'44" W	17.00'

Drawn By:	TA	Date:	02-09-20
Checked By:	TA	Drawing Name:	20003PLT.DWG
Job No.:	20-003	Sheet:	3 of 3



**P.O. BOX 30701, ALBQ., N.M. 87190**  
**505-884-1990**

March 10, 2020

**Chair**  
Klarissa J. Peña  
City of Albuquerque  
Councilor, District 3

**Vice Chair**  
Debbie O'Malley  
County of Bernalillo  
Commissioner, District 1

Pat Davis  
City of Albuquerque  
Councilor, District 6

Trudy E. Jones  
City of Albuquerque  
Councilor, District 8

Timothy M. Keller  
City of Albuquerque  
Mayor

Charlene Pyskoty  
County of Bernalillo  
Commissioner, District 5

Steven Michael Quezada  
County of Bernalillo  
Commissioner, District 2

**Ex-Officio Member**  
Pablo R. Rael  
Village of Los Ranchos  
Board Trustee

**Executive Director**  
Mark S. Sanchez

**Website**  
www.abcwua.org

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

**RE: Water and Sanitary Sewer Serviceability Letter #191106R  
Viva Paradise Phase II  
5512 Buglo Ave. NW**

Dear Mr. Briggs:

**Project Description:** The subject site is located on Buglo Ave, between Justin Dr and Lyon Blvd within the limits of the City of Albuquerque. The proposed development consists of approximately 1.97 acres and the property is currently zoned MX-L for Mixed-use – Low Intensity. The property lies within the Pressure Zone 3WR in the Corrales trunk. The request for service indicates plans to consolidate the following lots 10A, 11A and 12A for future construction of eight new triplexes.

A revision is required as the previous request included Lot 11B along Zeidman Ave. as part of the consolidation, which required additional infrastructure. Lot 11B is no longer part of this request, therefore infrastructure requirements have changed.

**Development Agreement:** Pursuant to the System Expansion Ordinance, this property is outside of the Water Authority service area and the Water Authority Board must approve a Development Agreement to serve this property and establish requirements as a condition of service. Contact Utility Development regarding Development Agreements.

The development agreement R-17-6 was approved on 04/19/2017 for the existing Lot 12A for Paradise View Universal Apartments. An amendment to this agreement is the likely approach to include the additional units located within the proposed consolidated property which will utilize the existing services.

**Water Resource Charge:** All developments located outside of the Water Authority's Adopted Service Area will be assessed a Water Resource Charge (WRC) as provided in the Water Authority's Water and Sewer Rate Ordinance for the development of new water resources, rights and supplies necessary to serve the development. The WRC shall not be used for reimbursement of master planned facilities.

**Existing Conditions:** Water infrastructure in the area consists of the following:

- Eight-inch PVC distribution main (project # 26-6678.81-03) along Buglo Ave.
- Six-inch PVC distribution main (project # 26-6678.81-03) along Sierra Morena St.
- Eight-inch PVC distribution main (project # 26-6678.81-03) along Basha St.
- Eight-inch PVC distribution main stub-out (project # 26-6678.82-20) along Buglo Ave.

Sanitary sewer infrastructure in the area consists of the following:

- Eight-inch PVC collector line (project # 26-6678.81-03) along Sierra Morena St.

- Eight-inch PVC collector line (project # 26-6678.81-03) along Basha St.

**Water Service:** New metered water service to the property can be provided contingent upon a developer funded project to extend the existing eight-inch waterline stub along Buglo Ave. to the west to cover the entire property frontage. In addition, the new waterline along Buglo Ave. shall connect and loop to the existing eight-inch distribution main along Basha St. Please note that the engineer is responsible for determining and confirming the capacity of the existing water meter for the additional units.

Existing metered service and fire lines that will not be utilized are to be removed by shutting the valve near the distribution main and capping the line near the valve. For fire lines, the valve access shall be grouted, and collar removed. Service is also contingent upon compliance with the Fire Marshal's instantaneous fire flow requirements. Water service will not be sold without adequate fire protection. Water service will only be sold in conjunction with sanitary sewer service.

**Sanitary Sewer Service:** New sanitary sewer service can be provided contingent upon a developer funded project to extend sanitary sewer from the existing manhole within Basha St. to Buglo Ave. The extension shall continue west along Buglo Ave. and terminate at the western property line of existing Lot 10A to allow for future extension to the west.

Since existing Lot 10A, 11A and 12A are proposed for consolidation and will be served by a single private sewer service, there is not a need for extension of sanitary sewer along Buglo Ave. along the frontages of Lot 11A and 12A. Not requiring an extension along these two lots does not affect existing lots west of existing Lot 10A as the subject sanitary sewer extension would be limited due to grades and depths, causing a shallow manhole if extended further west along Buglo Ave. The required extension stated above from Basha St. provides a better opportunity for serving lots west along Buglo Ave. as the terminus manhole along Basha St. has a depth of approximately 6'.

The proposed consolidated lots 10A, 11A and 12A are being proposed to have a shared private sanitary sewer force main. A prior work order #667882 installed a private sanitary sewer service that shall be utilized for the subject site. Please note, this service was provided to serve lot 12A as well as accept flow from future development to the west through the shared service. The engineer is responsible for sizing the private system. In addition, the developer is responsible for the installation of a private flushing connection. The flushing connection shall be installed following the standard details 2182 and 2183.

**Fire Protection:** A standard fire hydrant flow has been applied to the existing infrastructure and cannot currently be met. A fire flow analysis was done by simulating the flow on fire hydrant #250. In order to meet the required flow, it is required that the new water line extension be looped as mentioned in water service section. All new required hydrants as well as their exact locations must be determined through the City of Albuquerque Fire Marshal's Office and verified through the Utility Development Office prior to sale of service.

**Cross Connection Prevention:** Any residential premises having existing private wells and who desire to connect to the public water system shall have two options as follows:

1) Customers shall permanently abandon the use of private wells by plugging the wells as accepted by the Water Authority prior to connecting to the public water system; or 2) Customers who choose to maintain their private wells shall completely sever the private well from the premises' potable plumbing system and shall install a reduced pressure principle backflow prevention assembly approved by the Water Authority at the terminal end of the water service from the public water system (e.g., service connection). Any multi-family dwelling including a clubhouse and/or office is required to have a reduced pressure backflow prevention device for containment. If metered separately, the building that includes a clubhouse and/or office shall have a reduced pressure backflow prevention device. Contact Cross Connection at 289-3454 for more information.

**Easements:** Exclusive public water and sanitary sewer easements are required for all public lines that are to be constructed outside of any dedicated rights-of-way. A minimum width easement of 20 feet is required for a single utility and 25 feet for water and sewer both within the same easement. Easements for standard sized water meters need to be five feet by five feet and include the length of the water service if located on private property. For larger meters that require a meter vault, a 35 feet by 35 feet easement is required. Actual easement widths may vary depending on the depth of the lines to be installed. Acceptable easements must be documented prior to approval of service.

**Pro Rata:** Pro Rata is not owed, and the property can utilize the services available upon completion of the requirements of this statement to connect to water and sanitary sewer.

**Design and Construction** of all required improvements will be at the developer / property owner's expense. Improvements must be coordinated through the City of Albuquerque via the Work Order process. Designs must be by a licensed, New Mexico registered professional engineer. Construction must be by a licensed, bonded, public utility contractor.

**Costs and Fees:** In addition to installation and construction costs, any new metered water services will be subject to both water and sanitary sewer Utility Expansion Charges (UEC) payable at the time of service application. All charges and rates collected will be based on the ordinances and policies in effect at the time service is actually requested and authorized. UECs associated with multi-family are determined by the criteria set forth in the Water Authority Rate Ordinance, which is amended from time to time. These specific UECs take into account the number of units within the multi-family development. If the multi-family development includes other amenities such as a clubhouse, fitness center or leasing office that will be metered separately, UECs for these amenities will not be charged as they are included in the multi-family UEC calculation. UECs associated with irrigation meters are not included in the multi-family calculation and shall be paid accordingly. Mixed use development which consists of both commercial multi-family shall provide separate meters for each use. There is a section in the Rate Ordinance for low income housing developments that may provide a discount on UECs which will require documentation as required by the Water Authority, stating that the development does indeed qualify as a low income development. Furthermore, if the development includes both low income and market

rate apartments, the same requirements set forth in the Rate Ordinance shall be adhered to.

**Water Use:** All new commercial developments shall be subject to the requirements for water usage and water conservation requirements as defined by the Water Authority, particularly the Water Waste Ordinance. Where available, outdoor water usage shall utilize reclaimed water.

**Closure:** This serviceability letter does not provide a commitment from the Water Authority to provide services to the development. It only provides details of infrastructure that is available and potential precursors for the proposed development. For service to be provided, a Board approved development agreement must be supplemented by this serviceability letter. The serviceability letter will remain in effect for a period of one year from the date of issue and applies only to the development identified herein. Its validity is, in part, contingent upon the continuing accuracy of the information supplied by the developer. Changes in the proposed development may require reevaluation of availability and should be brought to the attention of the Utility Development Section of the Water Authority as soon as possible.

Please feel free to contact Mr. Kristopher Cadena in our Utility Development Section at (505) 289-3301 or email at [kcadena@abcwua.org](mailto:kcadena@abcwua.org) if you have questions regarding the information presented herein or need additional information.

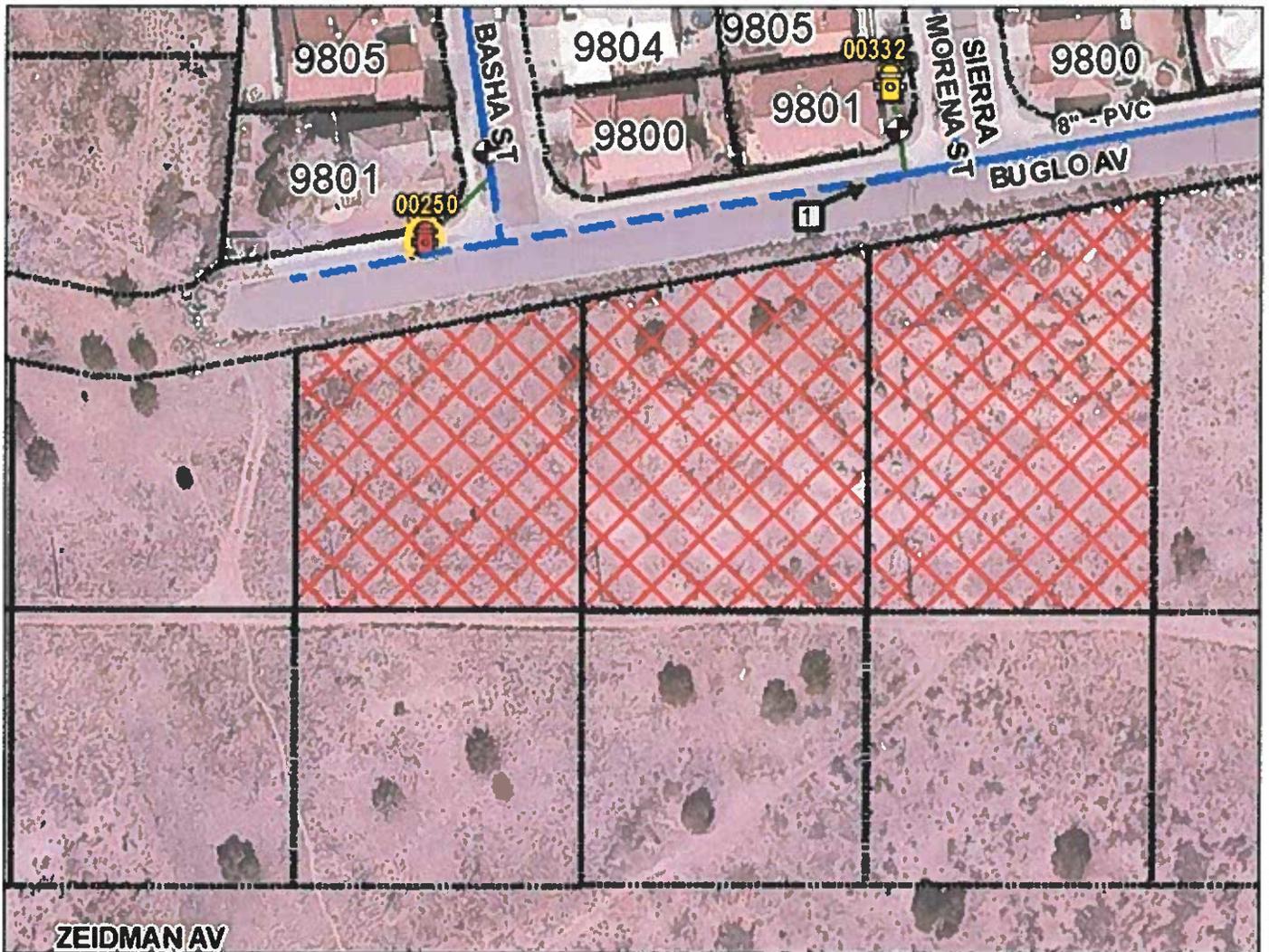
Sincerely,



Mark S. Sanchez  
Executive Director

Enclosures: Infrastructure Maps (2)  
f/ Serviceability Letter 191106R

# 191106R - Water



## Legend

-  Valve
-  Analysis point
-  Hydrant



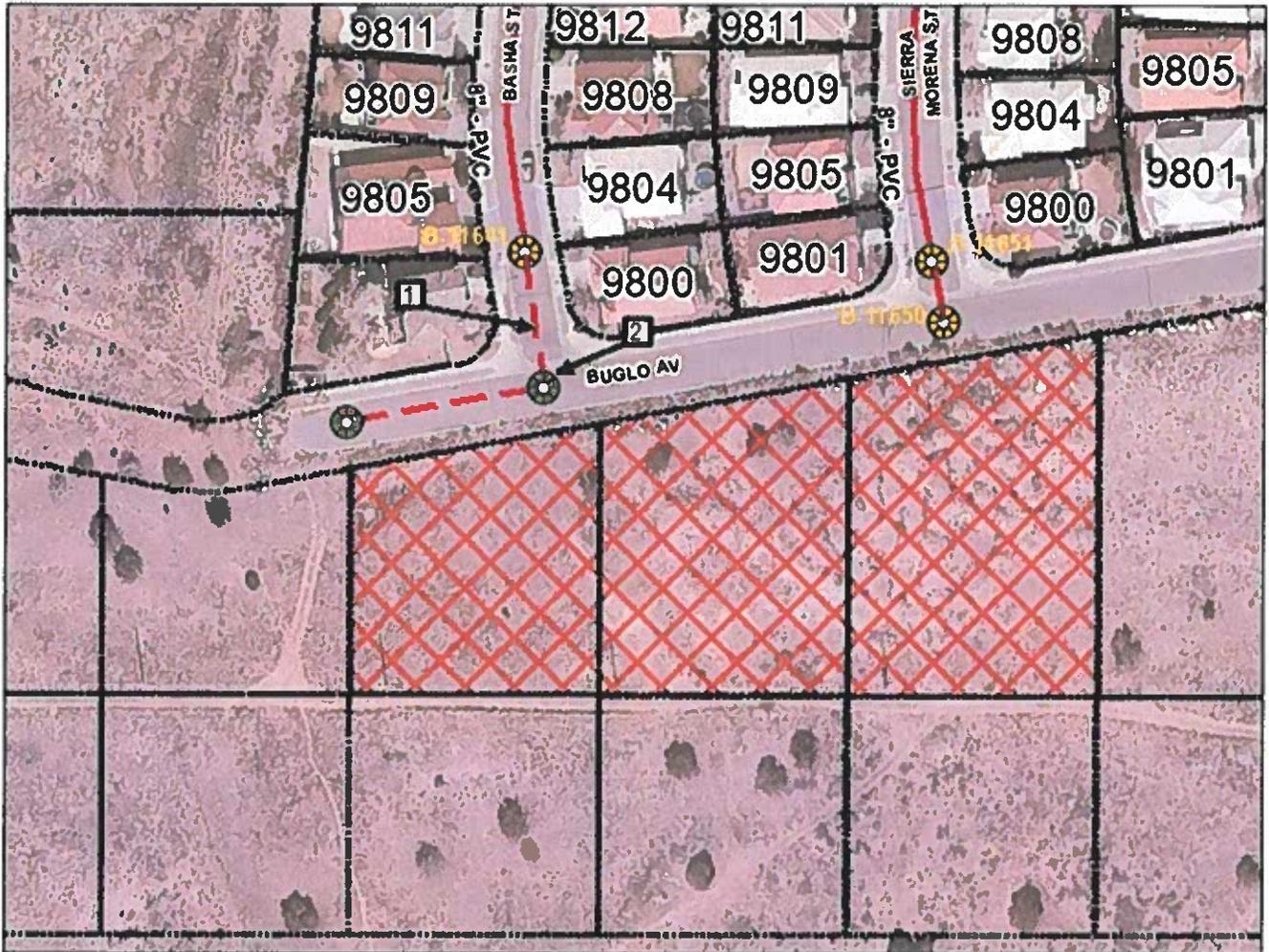
-  --- General Map Keyed Notes
- 1.  Proposed extension

## Pipe

### SUBTYPE

-  Distribution Line
-  Hydrant Leg
-  Project Location

# 191106R - Sanitary Sewer



## Legend

 Sewer Manhole

## Sewer Pipe SUBTYPE

 COLLECTOR

 Project Location

0 205 410 Feet




 --- General Map Keyed Notes

1 --- Proposed extension 

2 --- Proposed Manhole 