



Supplemental Form (SF)

SUBDIVISION

- Major subdivision action
- Minor subdivision action
- Vacation
- Variance (Non-Zoning)

SITE DEVELOPMENT PLAN

- for Subdivision
- for Building Permit
- Administrative Amendment/Approval (AA)
- IP Master Development Plan
- Cert. of Appropriateness (LUCC)

STORM DRAINAGE (Form D)

- Storm Drainage Cost Allocation Plan

S Z ZONING & PLANNING

- Annexation
- Zone Map Amendment (Establish or Change Zoning, includes Zoning within Sector Development Plan boundaries)
- Sector Plan (Phase I, II, III)
- Amendment to Sector, Area, Facility or Comprehensive Plan
- Text Amendment (Zoning Code/Sub Regs)
- Street Name Change (Local & Collector)

L A APPEAL / PROTEST of...

- Decision by: DRB, EPC, LUCC, Planning Director or Staff, ZHE, Board of Appeals

PRINT OR TYPE IN BLACK INK ONLY. The applicant or agent must submit the completed application in person to the Planning Department Development Services Center, 600 2nd Street NW, Albuquerque, NM 87102. Fees must be paid at the time of application. Refer to supplemental forms for submittal requirements.

APPLICATION INFORMATION:

Professional/Agent (if any): Community Sciences Corporation PHONE: 897-0000 X118
 ADDRESS: PO Box 1328 FAX: 898-5195
 CITY: Corroles STATE NM ZIP 87048 E-MAIL: tompatrick@communitysciences.com

APPLICANT: John L. & Laura J. Freed PHONE: 924-3880
 ADDRESS: 2704 Campbell Rd. NW FAX: -
 CITY: Albuquerque, NM STATE NM ZIP 87104 E-MAIL: jlsaqed@gmail.com
 Proprietary interest in site: owners List all owners: -

DESCRIPTION OF REQUEST: divide one lot into two lots; grant utility easmt.

Is the applicant seeking incentives pursuant to the Family Housing Development Program? Yes. No.

SITE INFORMATION: ACCURACY OF THE EXISTING LEGAL DESCRIPTION IS CRUCIAL! ATTACH A SEPARATE SHEET IF NECESSARY.

Lot or Tract No. 10-A-3 Block: _____ Unit: 2
 Subdiv/Addn/TBKA: Alvarado Gardens
 Existing Zoning: RA-2/W7 Proposed zoning: no change MRGCD Map No. _____
 Zone Atlas page(s): _____ UPC Code: _____

CASE HISTORY:

List any current or prior case number that may be relevant to your application (Proj., App., DRB-, AX_Z_, V_, S_, etc.): _____
13DRB-70638, 70637, 70640

CASE INFORMATION:

Within city limits? Yes Within 1000FT of a landfill? NO
 No. of existing lots: 1 No. of proposed lots: 2 Total site area (acres): 1.0420
 LOCATION OF PROPERTY BY STREETS: On or Near: Campbell Rd. NW
 Between: Calle Tranquilo and Trellis

Check if project was previously reviewed by: Sketch Plat/Plan or Pre-application Review Team (PRT) Review Date: 6.05.2013

SIGNATURE: Thomas W Patrick DATE: 8-27-2013
 (Print Name) THOMAS W PATRICK Applicant: Agent:

FOR OFFICIAL USE ONLY

Revised: 6/2011

INTERNAL ROUTING

- All checklists are complete
- All fees have been collected
- All case #s are assigned
- AGIS copy has been sent
- Case history #s are listed
- Site is within 1000ft of a landfill
- F.H.D.P. density bonus
- F.H.D.P. fee rebate

Application case numbers

13DRB 70665

Action

P3F

OME

S.F.

Fees

\$ 285.00

\$ 20.00

\$ _____

\$ _____

\$ _____

Total

\$ 305.00

Hearing date Sept 4, 2013

[Signature] 8-27-13
 Staff signature & Date

Project # 1009721

FORM S(3): SUBDIVISION - D.R.B. MEETING (UNADVERTISED) OR INTERNAL ROUTING

A Bulk Land Variance requires application on FORM-V in addition to application for subdivision on FORM-S.

- SKETCH PLAT REVIEW AND COMMENT (DRB22)** Your attendance is required.
 - Scale drawing of the proposed subdivision plat (folded to fit into an 8.5" by 14" pocket) **6 copies**
 - Site sketch with measurements showing structures, parking, Bldg. setbacks, adjacent rights-of-way and street improvements, if there is any existing land use (folded to fit into an 8.5" by 14" pocket) **6 copies**
 - Zone Atlas map with the entire property(ies) clearly outlined
 - Letter briefly describing, explaining, and justifying the request
 - List any original and/or related file numbers on the cover application

- EXTENSION OF MAJOR PRELIMINARY PLAT (DRB08)** Your attendance is required.
 - Preliminary Plat reduced to 8.5" x 11"
 - Zone Atlas map with the entire property(ies) clearly outlined
 - Letter briefly describing, explaining, and justifying the request
 - Copy of DRB approved infrastructure list
 - Copy of the LATEST Official DRB Notice of approval for Preliminary Plat Extension request
 - List any original and/or related file numbers on the cover application

Extension of preliminary plat approval expires after one year.

- MAJOR SUBDIVISION FINAL PLAT APPROVAL (DRB12)** Your attendance is required.
 - Proposed Final Plat (folded to fit into an 8.5" by 14" pocket) **6 copies**
 - Signed & recorded Final Pre-Development Facilities Fee Agreement for Residential development only
 - Design elevations & cross sections of perimeter walls **3 copies**
 - Zone Atlas map with the entire property(ies) clearly outlined
 - Bring original Mylar of plat to meeting, ensure property owner's and City Surveyor's signatures are on the plat
 - Copy of recorded SIA
 - Landfill disclosure and EHD signature line on the Mylar if property is within a landfill buffer
 - List any original and/or related file numbers on the cover application
 - DXF file and hard copy of final plat data for AGIS is required.

- MINOR SUBDIVISION PRELIMINARY/FINAL PLAT APPROVAL (DRB16)** Your attendance is required.
 - NA 5 Acres or more: Certificate of No Effect or Approval
 - Proposed Preliminary / Final Plat (folded to fit into an 8.5" by 14" pocket) **6 copies** for unadvertised meetings ensure property owner's and City Surveyor's signatures are on the plat prior to submittal
 - Signed & recorded Final Pre-Development Facilities Fee Agreement for Residential development only
 - NA Design elevations and cross sections of perimeter walls (11" by 17" maximum) **3 copies**
 - Site sketch with measurements showing structures, parking, Bldg. setbacks, adjacent rights-of-way and street improvements, if there is any existing land use (folded to fit into an 8.5" by 14" pocket) **6 copies**
 - Zone Atlas map with the entire property(ies) clearly outlined
 - Letter briefly describing, explaining, and justifying the request
 - Bring original Mylar of plat to meeting, ensure property owner's and City Surveyor's signatures are on the plat
 - NA Landfill disclosure and EHD signature line on the Mylar if property is within a landfill buffer
 - Fee (see schedule)
 - List any original and/or related file numbers on the cover application
 - Infrastructure list if required (**verify with DRB Engineer**)
 - DXF file and hard copy of final plat data for AGIS is required.

- AMENDMENT TO PRELIMINARY PLAT (with minor changes) (DRB03)** Your attendance is required.

PLEASE NOTE: There are no clear distinctions between significant and minor changes with regard to subdivision amendments. Significant changes are those deemed by the DRB to require public notice and public hearing.

 - Proposed Amended Preliminary Plat, Infrastructure List, and/or Grading Plan (folded to fit into an 8.5" by 14" pocket) **6 copies**
 - Original Preliminary Plat, Infrastructure List, and/or Grading Plan (folded to fit into an 8.5" by 14" pocket) **6 copies**
 - Zone Atlas map with the entire property(ies) clearly outlined
 - Letter briefly describing, explaining, and justifying the request
 - Bring original Mylar of plat to meeting, ensure property owner's and City Surveyor's signatures are on the plat
 - List any original and/or related file numbers on the cover application

Amended preliminary plat approval expires after one year

I, the applicant, acknowledge that any information required but not submitted with this application will likely result in deferral of actions.

THOMAS W. PATELCK (AGENT)
 Applicant name (print)
 THOMAS W. PATELCK 7-23-13
 Applicant signature / date



Form revised October 2007

- Checklists complete
- Fees collected
- Case #s assigned
- Related #s listed

Application case numbers
 13DRB-201605

Yoj 8-22-13
 Planner signature / date
 Project # 1009721

P.O. Box 1328
Corrales, NM 87048

July 13, 2012

City of Albuquerque
Development Review Board
Mr. Jack Cloud, Chairman
PO Box 1293
Albuquerque, NM 87103

RE: 2704 Campbell Road
Plat of Lots 10-A-3-A and 10-A-3-B, Alvarado Gardens Unit 2

Dear Mr. Cloud and Board Members,

Community Sciences Corporation is acting as the agent for Mr. Jack Freed (owner of Lot 10-A-3) in the replat of this existing lot in Alvarado Gardens Unit 2.

Mr. Freed wishes to divide his Lot 10-A-3 into two new Lots 10-A-3-A and 10-A-3-B as shown on the accompanying sketch drawing. He has existing connections to public water and sewer services. Therefore I am submitting this plat for your sketch plat review and requesting your departments comments.

Respectfully,



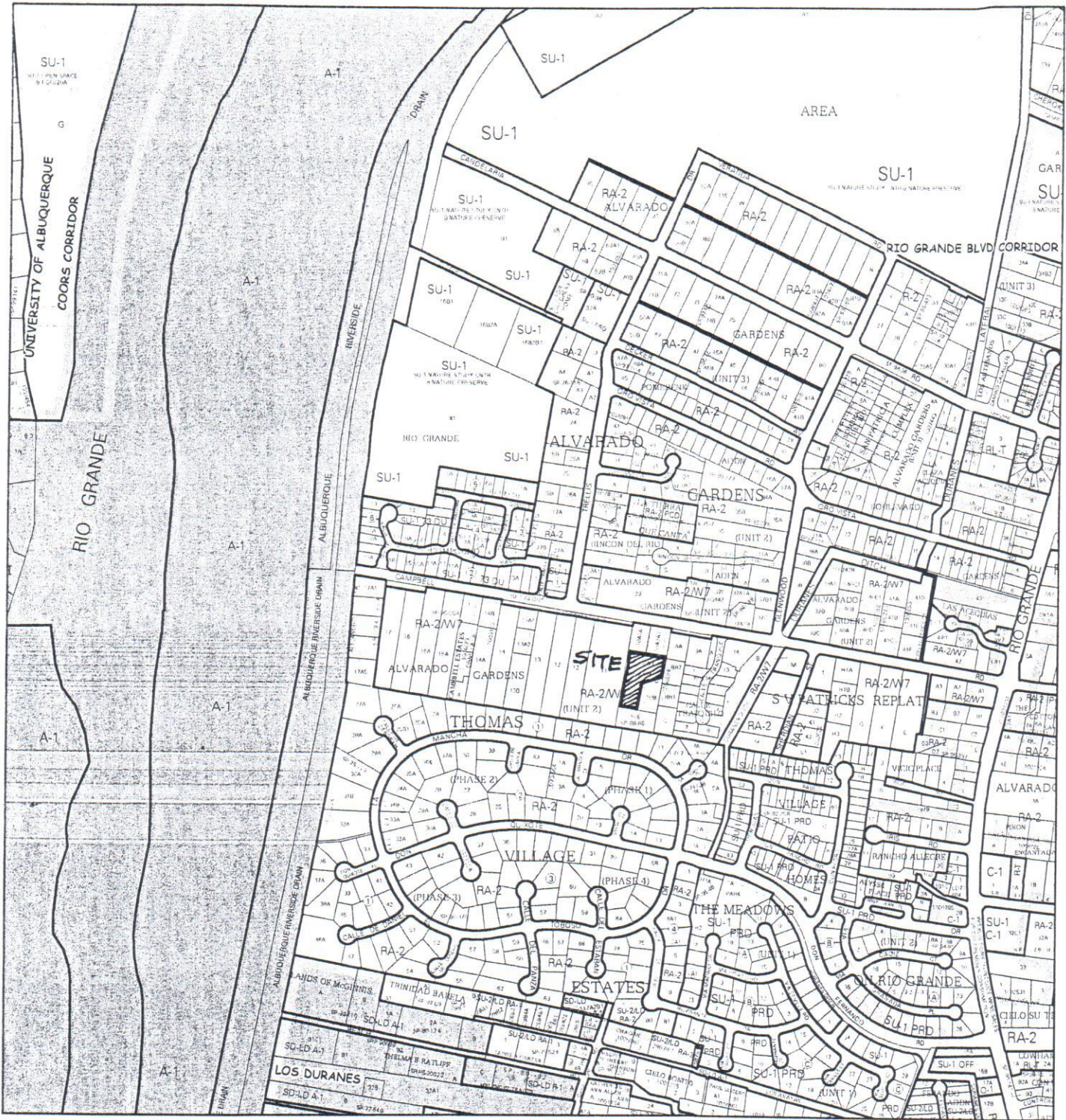
Thomas W. Patrick

New Mexico Professional Surveyor No.12651

TCY/bjc

67 East Weldon Ave, Suite 210
Phoenix, Arizona 85012
Tel: (602) 955-7097 Fax: (602) 955-7169

P.O. Box 1328
Corrales, New Mexico 87048
Tel: (505) 897-0000 Fax: (505) 898-5195



For more current information and details visit: <http://www.cabq.gov/gis>

Map amended through: 1/10/2013

Note: Grey Shading Represents Area Outside of the City Limits

Zone Atlas Page:
G-12-Z

Selected Symbols

SECTOR PLANS	Escarpment
Design Overlay Zones	2 Mile Airport Zone
City Historic Zones	Airport Noise Contours
H-1 Buffer Zone	Wall Overlay Zone
Petroglyph Mon.	

0 750 1,500 Feet

DRB Project # 1009721

APS Cluster Valley

EXHIBIT B

FINAL
PRE-DEVELOPMENT FACILITIES FEE AGREEMENT

THIS AGREEMENT is made by and between the Albuquerque Municipal School District No. 12, Bernalillo and Sandoval Counties, New Mexico ("Albuquerque Public Schools" or "APS"), a public school district organized and existing pursuant to the laws of New Mexico, and

JACK FREED ("Developer") effective as of this ___ day of _____, 20___, and pertains to the subdivision commonly known as ALVARADO GARDENS UNIT 2, and more particularly described as _____
[use new legal description of subdivision]
LOTS 10-A-3-A and 10-A-3-B

(the "Subdivision".) The following individual lots comprise the subdivision:

[List lots by street address and new legal description; Lots which will be used for multi-family residences should be marked "multifamily-__ units" with the number of units filled in.]

- 2704 CAMPBELL RD - LOT 10-A-3A (existing residence)
- NO ADDRESS - LOT 10-A-3-B (undeveloped)

WHEREAS, the City of Albuquerque requires that APS approve the plat(s) for any new subdivision; and

WHEREAS, Developer is proposing the development of a new subdivision, and requires APS approval of the plat for said subdivision; and

WHEREAS, Developer is the owner of the real estate being subdivided and platted; and

WHEREAS, Developer is required by the Albuquerque Subdivision Ordinance to provide appropriate infrastructure and improvements as a condition of developing a subdivision; and

WHEREAS, as a condition of approving such plat APS requires the provision of appropriate infrastructure and facilities or the payment of a facilities fee for each new residence to be constructed to help defray the cost of school construction, expansion, or maintenance;

DRB Project # _____

APS Cluster Valley

THEREFORE, in consideration of the mutual promises contained herein, APS and Developer agree as follows:

1. Developer agrees to pay to APS a facilities fee for each dwelling unit to be constructed in the Subdivision.

2. The amount of the fee shall be:

- If the building permit is issued on or after January 1, 2007, the fee shall be \$1875 per dwelling unit.
- If the building permit is issued on or after July 1, 2008, the fee shall be \$2425 per dwelling unit.
- If the permit is issued on or after January 1, 2010, the fee shall be \$2975 per dwelling unit.

The fee for each dwelling unit in multi-family residential structures shall be sixty percent (60 %) of the fee for a single family home. "Multi-family residential structure" means any type of residential property other than single-family houses (one single family, detached dwelling unit per lot).

3. Developer agrees that the fee shall be paid to APS at or before the issuance of any building permit for any lot or other parcel of property subject to this agreement.

4. Developer may satisfy all or part of its obligations under this contract by transferring improved or unimproved property to APS, provided that APS must agree to the transfer and to the value placed on the transferred property. APS, upon accepting such transfer, shall credit Developer with an amount equal to the agreed value, and the developer may designate the lot(s) to which such amount(s) shall be applied in satisfaction of its obligations hereunder.

5. This contract shall be recorded in the office of the County Clerk of Bernalillo and/or Sandoval County, and shall serve as notice of the Developer's obligation to pay facilities fees. Developer shall include on the plat of the Subdivision a statement that "The property on this plat is subject to a Pre-Development Facilities Fee Agreement with the Albuquerque Public Schools, recorded at [recording data]."

6. APS, through its Facilities Fee Administrator, will provide a Payment Acknowledgement in the form attached hereto to the Developer reflecting receipt of the facilities fee (or equivalent compensation as described in paragraph 4 above), which form may be given to the City to show satisfaction of the fee obligation and satisfy that condition for receiving building permits. Developer may record that Payment Acknowledgment in the real estate records of Bernalillo or Sandoval County, but APS shall not be responsible for paying any recording fees nor shall APS be responsible for recording any such documents with the office of the County Clerk or any other office.

Community Sciences Corporation

Professional Land Surveying & Planning

505.897.0000

505.898.5195 Fax

www.communitysciences.com

P.O. Box 1328

Corrales, NM 87048

July 22, 2013

City of Albuquerque
Development Review Board
Mr. Jack Cloud, Chairman
PO Box 1293
Albuquerque, NM 87103

RE: 2704 Campbell Road NW
Plat of Lots 10-A-3-A & 10-A-3-B, Alvarado Gardens Unit 2
DRB Project No. 1009721

Dear Mr. Cloud and Board Members,

Community Sciences Corporation is acting as the agent for Mr. Jack Freed (owner of Lot 10-A-3).

Mr. Freed wishes to divide existing Lot 10-A-3 into two new Lots 10-A-3-A and 10-A-3-B. As part of this platting action, Mr. Freed has submitted applications for:

1. The vacation of a private septic tank easement.
2. A sidewalk construction waiver.
3. A subdivision design variance to the DPM allowing the current private road easement to remain at 24' wide.

Pending approval of these requests, we request your review and approval of this Minor Subdivision action.

Respectfully,



Thomas W. Patrick

New Mexico Professional Surveyor No.12651

Community Sciences Corporation

Post Office Box 1328
Corrales, New Mexico 87048

City of Albuquerque Planning Department

DEVELOPMENT AND BUILDING SERVICES

STANDARD APPLICATION, Paper Plans Required

DEVELOPMENT REVIEW BOARD

07/30/2013 Issued By: E08375 200173

Category Code **910**

2013 070 638

Application Number: 13DRB-70638, Vacation Of Private Easement

Address:

Location Description: CAMPBELL RD NW BETWEEN CALLE TRANQUILO AND TRELIS

Project Number: 1009721

Applicant

JOHN L & L FREED

2704 CAMPBELL RD NW
ALBUQUERQUE NM 87104
924-3880

Agent / Contact

COMMUNITY SCIENCES CORP
CLIFF SPIROCK
P.O. BOX 1328
ALBUQUERQUE NM 87048

SCIENCENM@AOL.COM

Application Fees

APN Fee

Conflict Mgmt Fee \$20.00

DRB Actions \$45.00

TOTAL: \$65.00

City of Albuquerque Treasury
Date: 7/30/2013 Office: AMNEX
Stat ID: W3000007 Cashier: R30LF
Batch: 2339 Trans #: 18
Permit #: 2013070638
Receipt Num 00144588
Payment Total: \$65.00
0901 Conflict Mgmt, Fee \$20.00
0903 DRB Actions \$45.00
American Expr Tendered : \$65.00

Tom Patrick

From: Bradley, Catherine P. <cbradley@cabq.gov>
Sent: Tuesday, September 10, 2013 11:20 AM
To: Tom Patrick; Gaulden, Tim H.; Sammons, Joshua R.; Gricius, Michelle A.
Subject: RE: DRB 1009721

Mr. Patrick:

Your dxf DRB 1009721 has been approved.

Catherine Bradley
GIS Coordinator
AGIS, Planning Department
600 2nd St NW
Albuquerque, NM 87102

(505)924-3929
(505)924-3812 (fax)

From: Tom Patrick [<mailto:TomPatrick@communitysciences.com>]
Sent: Monday, September 09, 2013 2:55 PM
To: Gaulden, Tim H.; Sammons, Joshua R.; Bradley, Catherine P.; Gricius, Michelle A.
Subject: DRB 1009721

Hello... please review plat currently on DRB Final Plat Agenda.

Tom Patrick
Professional Land Surveyor
Community Sciences Corporation
Mail: PO Box 1328
Address: 4481 Corrales Road
Corrales, NM 87048
Office: 505 897-0000 X118
Cell: 505 259-0883
Fax: 505 897-5195
Email: tompattick@communitysciences.com

14-14-6-1 VARIANCE/ GENERAL.

(1) Where varying from the normal requirements will encourage flexibility, economy, effective use of open space, or ingenuity in design of a subdivision, in accordance with accepted principles of site planning;

(2) Where extraordinary hardship or practical difficulty may result from strict compliance with the minimum standards;

~~——(3)——Where the county standards of public infrastructure improvements and/or standards for franchised and private water and sanitary sewer systems are deemed appropriate by the Development Review Board and geographical locations are not in the city and are unlikely to be added to such urban systems; or~~

~~——(4)——Involving bulk land subdivisions where use of the land for building purposes is not expected by the Development Review Board prior to further subdivision or zoning site development plan approval. Provisions of Part 5 of this article may also be waived under these circumstances.~~

14-14-6-3 FINDINGS.

(1) The variance **will not be injurious** to the public safety, health or welfare, or **to adjacent property**, the neighborhood or the community; and

(2) The variance **will not conflict significantly with the goals and provisions of any city**, county, or AMAFCA **adopted plan or policy**, the applicable zoning ordinance, or any other city code or ordinance; and

(3) The variance will not permit, encourage or make possible undesired development in the 100-year Floodplain; and

(4) The variance will not hinder future planning, public right-of-way acquisition, or the financing or building of public infrastructure improvements; and

(5) One or more bases listed in § 14-14-6-1 applies.

1980's. The significance of the district is substantially architectural, as well as being noted for maintaining the overall cultural traditions of a 19th Century village in Albuquerque's north valley. However, there is no restriction on providing modern urban infrastructure in the historic district, and the DRB action served to minimize the impact of the street from this development. The 25 feet of asphalt paving is considered the minimum from an engineering standpoint to provide for stability and efficient maintenance of the City's infrastructure in (paved) Guadalupe Trail NW. The DRB members unanimously agreed that this amount of paving was not a significant impact on adjacent property, the neighborhood, or the community.

Regarding the comparison of the proposed improvements for the subject street (Pedro's Pl NW) with the private street on the opposite side of Guadalupe Trail (Bayita Ln NW), the appellant points out that the [p]lots on Bayita Lane are 'two to three times deeper than those on Pedro's Place.' This difference in lot sizes is actually a result of the difference in the zoning designation, which is RA-2 for Bayita Lane (minimum 10,890 sq ft) while the subject property on the east side of Guadalupe Trail is zoned R-1 for Pedro's Place (minimum 6,000 sq ft). More of an impact on the performance of a street is its width and the number of lots, not the depth of the lots. Bayita Lane serves 18 parcels and is approximately 20 feet wide; Pedro's Place is proposed to be 22 feet wide and serve a total of 12 lots.

2. The DRB acted arbitrarily by a) dismissing the historic value of the subject property being within an historic district, b) deciding the design variance would not be injurious to the appellant's property, and c) finding a petition in opposition to the variance to be insignificant.

In actuality the DRB action minimized the impact from this development by granting the design variance and allowing most of the private street to be a gravel surface. As previously noted, the significance of the Los Griegos Historic District is substantially architectural, and since there is no restriction on infrastructure development within the district there was no plan, policy or ordinance requirement to 'dismiss.' The DRB did consider the cultural value of this subdivision's design in accordance with the City's North Valley Area Plan, which was adopted subsequent to the listing of the Los Griegos Historic District and incorporated recommendations to emulate the early village development of Albuquerque's north valley. The historic value of the district, as carried forward by the North Valley Area Plan, was cited by the applicant and approved by the DRB based on the 'higher' authority of the area plan.

In approving the design variance, the DRB members individually considered whether the proposal was a significant impact, and none agreed that it was. A major design item which was granted a variance was to allow a gravel street to serve more than 8 lots, however for maintenance purposes the City required the first 25 feet of the private street to be asphalt pavement where it connects to the asphalt Guadalupe Trail (a City street). Understandably the appellant's property which is the first house on this private street would be impacted by the proposed improvements, but the asphalt paving will stop short of the appellant's driveway. The appellant appears to be objecting to the asphalt paving, but that is not part of the variance – the variance is to allow the remainder of the street to be gravel. Additionally, the improvements being proposed could be done without having to seek subdivision approval, i.e. the subdivider/ applicant could have obtained a work order for the 25 feet of asphalt paving and new gravel street based on the existing and additional easements.

Finally, the appellant claims that the DRB arbitrarily considered a petition in opposition to the variance to be insignificant. The petition is quite brief, and simply states that "the undersigned...are opposed to a road variance to Pedro's Place, and are opposed to the further subdivision to properties on Pedro's Place." There was no citation of adopted plans, policies, or ordinances to support this opposition. As previously noted, residents on Bayita Lane have a very similar road as what was being proposed with the variance; it would appear to be a matter of equity, and not significance of numbers of petitioners, as to the validity of this opposition. The other signatures were substantially from petitioners who lived on paved, public streets, and it was not clear what the relevance of the opposition was to allowing a private street to remain as a (mostly) gravel road. As to opposing

243-8196
8211 ✓

further subdivision, again this property is currently zoned R-1 and the proposed lots are well within the minimum requirements. Had there been a concurrent request for a zone change to a lower density this opposition would have had substantial validity, but this was not the case.

CONCLUSION

The DRB held a fair public hearing without acting arbitrarily, capriciously, or by abusing its discretion. The subdivider/ applicant demonstrated conformance with the North Valley Area Plan and justified the requested variance based on that plan. There is no evident error in the facts of its decision. It is recommended that the City Council uphold the Findings of Fact and the decision of the DRB and DENY this appeal, thereby affirming that there is no error in the DRB's application of adopted plans, policies, and ordinances, and thus upholding the decision to approve the Subdivision Design Variance and the Preliminary Plat.

APPROVED:

Jack Cloud, Chair
Development Review Board



City of Albuquerque

PLANNING DEPARTMENT

Richard J. Berry, Mayor

Interoffice Memorandum

September 7, 2011

To: Don Harris, President, City Council

From: Deborah L. Stover, Planning Department Director

SUBJECT: AC-11-03 – Project #1004906 – 11DRB-70154 – Subdivision Design Variance from Min DPM STANDARDS - 11DRB-70168 - Minor – Preliminary/Final Plat Approval - Emily MacLeod, appeals the Development Review Board's (DRB's) approval of the referenced request(s) for all or a portion of Tract(s) 118-C, 118-D, & 118-E, MRGCD MAP 32 zoned R-1, located on the east side of GUADALUPE TRAIL NW between GRIEGOS RD NW and MONTANO RD NW containing approximately 2.06 acre(s). (F-14)

This is an appeal of a decision of the Development Review Board (DRB) to approve a Subdivision Design Variance and the resultant Preliminary Subdivision Plat for 3 tracts of land in the North Valley off of Guadalupe Trail NW. Section 14-14-8-2(A) of the Subdivision Ordinance gives standing for appeal to owners of a property interest within 300 feet of the subject site, and that is the case in this appeal; in fact, the appellant owns property which abuts and shares the access easement that is the subject of the design variance. Section 14-14-8-3 of the Subdivision Ordinance allows for one or more of the following alleged errors as a basis of appeal:

- (A) Error in applying adopted city plans, policies, and ordinances in arriving at the decision;
- (B) Error in the appealed action or decision, including its stated facts;
- (C) Error in acting arbitrarily or capriciously or being manifestly abusive of discretion.

This appeal essentially argues the second and third errors as a basis for denying the subject applications.

BASIS OF APPEAL

Below is a list of the appellant's arguments (**in bold text**) followed by responses from the City of Albuquerque Development Review Board (DRB).

- 1. The DRB decision was in error with stated facts regarding a) the subject property being within an historic district, and b) the second Finding of Fact for the design variance that compared the proposed private street with an existing private street across from the subject subdivision on Guadalupe Trail NW.**

In the initial hearing on this project, the subdivider/ applicant did misspeak in stating that the property did not fall within the Los Griegos Historic District – what the applicant was referring to was the Los Griegos Sector Development Plan which is approximately 250 feet south of this site. In testimony at the final public hearing the appellant claimed that 25 feet of proposed asphalt paving at the intersection of private street, Pedro's Place NW, with Guadalupe Trail NW, would "significantly impact this historic road." For the record, the Los Griegos *Historic District* was nominated and listed on the National Register of Historic Places in the early

**CITY OF ALBUQUERQUE
PLANNING DEPARTMENT
September 4, 2013
DRB Comments**

ITEM # 1

**PROJECT # 1009721 APPLICATION # 12-70639, 70640, &
70665**

RE: Lot 10-A-3, Alvarado Gardens Unit 2

Based on the submitted Preliminary/ Final Plat, an additional Subdivision Design Variance is needed for the private access turnaround [DPM min 100' x 40']. Based on the submitted Site Plan, the Infrastructure List needs to include full gravel paving of access easement, including turnaround. Asphalt paving needs to extend 25' from back of sidewalk unless an additional variance is requested and approved.

Jack Cloud, DRB Chairman
924-3880/ jcloud@cabq.gov

Acceptable standard designs for turnarounds are shown in the Standard Details.

a. Circular turnarounds must have the minimum right-of-way and paving as shown in Table 23.5.3.

**TABLE 23.5.3
CIRCULAR TURNAROUNDS**

	Without Center Island		With Center Island		
	R/W Radius	Curb Radius	R/W Radius	Curb Radius	Island Radius
Standard Design	45'	40'	52'	47'	17'
Intermittent Parking Design ⁽¹⁾	40'	35'	52'	47'	17'
Infrequent Parking Design ⁽²⁾	35'	30'	52'	47'	22'
Industrial/ Commercial Area	55'	50'	55'	50'	20'

NOTES: (1) For the requirements of intermittent design designation, see Table 23.2.1.C

(2) For the requirements of infrequent design designation, see Table 23.2.1.D.

b. Hammerhead Type

(1) Requires written approval of Refuse Division and Fire Department for use.

(2) Minimum dimensions required

(a) Right-of-way = 100' x 40'

(b) Pavement = 88' x 24' as measured to flowline of curb

NOTE: Acceptable standard designs for turnarounds are shown in the Standard Details.

Community Sciences Corporation
Professional Land Surveying & Planning

505.897.0000
505.898.5195 Fax
www.communitysciences.com

August 6, 2013

City of Albuquerque
Development Review Board
Mr. Jack Cloud, Chairman
PO Box 1293
Albuquerque, NM 87103

RE: DRB Project No. 1009721
Amended Variance Request
2704 Campbell Road NW
Plat of Lots 10-A-3-A & 10-A-3-B, Alvarado Gardens Unit 2

Dear Mr. Cloud and Board Members,

Community Sciences Corporation is acting as the agent for Mr. Jack Freed (owner of Lot 10-A-3).

Mr. Freed wishes to divide existing Lot 10-A-3 into two new Lots 10-A-3-A and 10-A-3-B. As part of that platting action, Mr. Freed requests a waiver to the sidewalk requirement and variances to the easement width requirement and turnaround dimensions as follows:

1. **Request a waiver** to the requirement that a sidewalk be constructed along the existing 24' wide road easement from Campbell Road NW.
Justification for request:
 - a. Adjoining properties have similar long driveways that serve multiple residences, e.g. the access to 2640, 2644 and 2648 Campbell Road NW adjoining the subject property on the east. There is no sidewalk on this particular gravel driveway. The westerly adjoining trailer parks also have no sidewalks. Therefore, we submit that a sidewalk would not be in keeping with the character of the neighborhood.
 - b. A sidewalk would not protect pedestrians from the minimal traffic on this driveway. With no existing pavement or curb, a new sidewalk would serve no practical purpose.
2. **Amended Subdivision Design Variance Request**
 - a.) to the requirement for a 32' wide road easement. The existing private road easement is 24' wide and was created by the Amended plat of Lots 10-A, 10-B, 10-C and 10-D, Alvarado Gardens Unit 2, recorded October 17, 1984 in Vol. C25, Folio 77. The distance from the easterly property line to the wall and house located on Lot 10-A-2-A-1 is only 26 feet. Access to this house is off this driveway. We submit that there is no

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physical room for additional easement or roadway and that the existing roadway adequately serves the current and future low volume of traffic on this road. We are, however, offering four (4) more feet of easement in the lower portion of the new lots to facilitate the construction and upgrading of the 24' wide gravel roadway.

- b.) to the required dimensions of the turnaround. The revised plat will show an additional 20' added to the west side of the existing private turnaround and an additional radius area to ease transition into the modified hammerhead. A copy of the proposed changes has been sent to the Plans Checking division of the Albuquerque Fire Department for review and approval.

Therefore, we ask for approval of the waiver and variance requests noted above.

Respectfully,



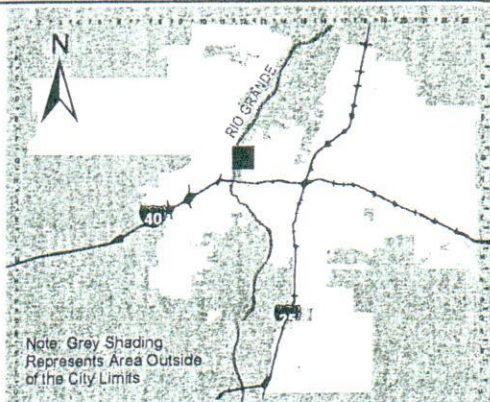
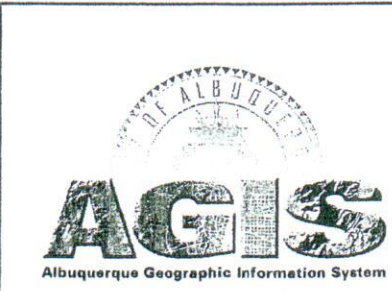
Thomas W. Patrick

New Mexico Professional Surveyor No.12651

Community Sciences Corporation



For more current information and details visit: <http://www.cabq.gov/gis>



Note: Grey Shading Represents Area Outside of the City Limits

Zone Atlas Page:
G-12-Z

Selected Symbols

- SECTOR PLANS
- Design Overlay Zones
- City Historic Zones
- H-1 Buffer Zone
- Petroglyph Mon.
- Escarpment
- 2 Mile Airport Zone
- Airport Noise Contours
- Wall Overlay Zone

