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January 25, 2021

Jolene Wolfley, Chair  
Development Review Board  
City of Albuquerque  
PO Box 1293  
Albuquerque, NM 87103

RE: PR-2020-003887, 2818 4<sup>th</sup> St NW, Site Development Plan for Building Permit

Dear Chairperson Wolfley:

I am writing in response to the review comments dated December 8, 2020 and to request the vacation of the sewer easement.

The Applicant is requesting a Vacation of Easement for the sewer easement located north of the alley. This request is made in accordance with 6-6(M)(3)(a) and 6-6(M)(3)(b). The public welfare does not require that the easement, private way, or public right-of-way be retained. The easement does not serve any property other than that owned by the applicant therefore the easement does not serve the public. There is a net benefit to the public welfare because the development made possible by the Vacation is clearly more beneficial to the public welfare than the minor detriment resulting from the Vacation, and there is no convincing evidence that any substantial property right is being abridged against the will of the owner of the right. The Owner of the right in this instance is ABCWUA and the vacation serves the public interest by transferring maintenance and replacement costs from the public sector to the Applicant.

Code Enforcement Comments:

- 1) Sheet A-201 showing 9'3" rear setback – 15 ft setback required variance required.
  - a. The west side of the building faces front and the building has a 4<sup>th</sup> Street address, this makes the east side of the property the back. The North Façade drawing on sheet A-201 shows a setback of 15'-7" from the face of the building. The South Façade on sheet A-202 also shows a 15'7" setback from the west property line.

Traffic Engineering Comments:

- 1) Show the sanitary sewer easement that is proposed for vacation. Platting approval is required prior to site plan approval.
  - a) Easement added and noted as keyed note "Y" on sheet A-101.
- 2) For driveway details added, show slopes and identify the driveway location on the detail sheet.
  - a) Parallel drive detail used, reference City of Albuquerque standard detail 2426. Keyed note "A" on A-100 revised to reflect this change. Drive entrances revised to coordinate with this detail.



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- 3) With the gate moved back on the west entrance, still provide a queuing analysis. There may need to be a designated no parking area for two cars to que up.
  - a) The west entrance is for fire department access only. The drive has pavement markings that state "DO NOT ENTER FIRE ACCESS ONLY", two signs indicating that this entrance is for emergency use only (keyed note R on A-100), and a do not enter sign (keyed not N on sheet A-100). The lane is also striped with a red fire lane indicating no parking.
- 4) Not all "Do Not Enter" signs are shown at the end of one-way aisles. Include these at the end of each of the one-way aisles.
  - a) "Do Not Enter" signs have been added to the inside face of the west entrance (reference keyed note "Z" on sheet A-100). Pavement markings and signs have been added to the drive at the NE corner of the building and to the drive at the north end of the drive on SW corner of the site.
- 5) The width waiver for the alleyway is required prior to the platting and site plan approval. Since this is over 150 feet long a length waiver may be part of this justification.
  - a) A waiver request for the alleyway will be made prior to the first DRB in January 2021.
- 6) It appears that the curb ramps at each of the corners does not meet ADA based on slopes, and detectable warning surfaces are required. Prepare an infrastructure list to show alleyway paving, public sidewalk, and preplacement of ramps at each of the intersection corners.
  - a) Added, reference sheet A-100.
- 7) Each of the circles at demonstrates 4 foot width is very difficult to read. Darken these, and place in the legend. Be sure to include all obstructions.
  - a) The 4-foot circles around power poles have been darkened and added to the legend. 4-foot circles have been added to the traffic signs on the south side of the property. The 5 foot clearance circles for hydrants has been added to the legend.

Code Enforcement comments:

- 1) The landscaping requirements must comply with the use-specific standards for multi-family dwellings per 4-3(B)(7)(a) as follows:
  1. At least 50 percent of the trees required by Subsection 1 above shall be deciduous canopy-style shade trees or coniferous trees capable of attaining a mature canopy diameter of at least 25 feet.
  - a) The number of trees required exceeds the minimum, reference calculations sheet L-101. The shade requirement cannot be met due to PNM restrictions. In a letter to Scott Anderson and Jay Rodenbeck dated December 7, 2020, PNM states the following:

"Coordination with PNM will be necessary for this project regarding proposed tree species including the height at maturity and tree placement in order to ensure sufficient safety clearances to avoid interference with the existing PNM electric lines. Shorter tree selection at mature height will be necessary at this location. To the greatest extent



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possible, per IDO Section 5-6(C)(10), trees shall be spaced so they are located outside of any PNM easement and not under any above-ground electric lines. If PNM easements cannot be avoided, any trees within any such easements shall have a maximum mature height of 14 feet to avoid conflicts with the existing electric infrastructure. New trees encroaching/interfering with electric lines will be pruned to avoid conflicts with the electric lines.”

- b) The site plan reflects changes to the landscaping plan to conform to sheet 15 of 28, Appendix 1, City of Albuquerque Council Bill R-19-162.
- 2) Solid Waste signature will be required for this Site Plan, and their signature is encouraged prior to the DRB Meeting. Prior to DRB members signing the Site Plan, the required signature from Solid Waste and AMAFCA must be obtained.
  - a) Acknowledged.
- 3) The proposed multi-family facility is depicted on multiple parcels/tracts. A preliminary/final plat application will need to be submitted consolidating the parcels/tracts.
  - a) Acknowledged.
- 4) Electrical distribution line on Phoenix: PNM must approve building setbacks and construction along Phoenix to provide safe construction and living facilities given the electrical distribution line along Phoenix.
  - a) Reference email from PNM to Jay Rodenbeck and Scott Anderson. This email outlines the conditions of approval with examples. A service request has been made to PNM. PNM is in the process of re-designing the transmission line along Phoenix Ave. The design furnished by PNM will comply with all PNM clearance requirements. The building cannot be constructed without electrical service according to the International Building Code, and the National Electric Code. (see attached)
- 5) Does not include infrastructure list.
  - a) Acknowledged.
- 6) According to the interim regulations for the 4th Street corridor, 5-11(E)(2)(b)(3), street-facing façades shall change a minimum of every 30 feet linear feet in height, setback, or material.
  - a) The floor to floor height between floors is 11'-0" +/- . Every housing unit has a balcony. Each balcony either projects from or is recessed into the face of the building and in some cases both of these conditions occur. The proposed design exceeds this requirement by changing height more frequently than every 30 feet in height. The 4<sup>th</sup> street facing façade steps back 15 feet to the stair tower an 21 feet 5 inches at the face of the upper floor housing units. The façade facing Phoenix has the upper floors stepping back 4 feet from the grade level façade. The 3<sup>rd</sup> Street façade sets back 15 feet from the property line and then does another 73' from there. The La Poblana façade has the stair tower stepping back 1 foot from the face of the building. The façades on 4<sup>th</sup> Street and Phoenix Ave utilize three different materials, stone, stucco, and steel at varying heights. The facades facing 3<sup>rd</sup> Street and La Poblana use two different materials, stucco and steel. (this narrative has been added to sheet A-100)



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Respectfully,

A handwritten signature in blue ink that reads "Scott C. Anderson". The signature is fluid and cursive, with a long horizontal stroke extending to the right.

Scott C. Anderson AIA  
Principal