

DRB Minutes, Agenda Items 6 & 7
July 28, 2021

CITY OF ALBUQUERQUE

DESIGN REVIEW BOARD

M I N U T E S

July 28, 2021

Agenda Item 6
Project Number PR-2020-004595
Applications:
SD-2021-00111 - Preliminary Plat
VA-2021-00216- Sidewalk Waiver

Agenda Item 7
Project Number PR-2020-004595
Applications:
SD-2021-00122 - Vacation of Public Easement (7')
SD-2021-00123 - Vacation of Private Easement (15')
SD-2021-00124 - Vacation of Private Easement (20')

BOARD MEMBERS:

Maggie Gould, Chair
Jeanne Wolfenbarger, Transportation
Blaine Carter, Water Authority
Renee Brissette, Hydrology
Vincent Montano, Code Enforcement
Cheryl Somerfeldt, Parks and Rec

STAFF:

Jay Rodenbeck, Senior Planner
Shahab Biazar, City Engineer
Nicole Sanchez, DRB Attorney
Angela Gomez, Hearing Monitor

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CHAIR GOULD: That then brings us to -- Item 5 is deferred. I believe this brings us to Item Number 6, PR-2020-004595; SD-2021-00111, preliminary plat; and VA-2021-00216, sidewalk waiver. JAG Planning & Zoning, agents for 505 Solutions, LLC.

And I see Juanita there. Good morning.

MS. GARCIA: Good morning.

CHAIR GOULD: Can you please state your name and address for the record.

MS. GARCIA: Yes. My name is Juanita Garcia. And my address the P.O. Box 7857, Albuquerque, New Mexico, 87194.

CHAIR GOULD: And do you swear or affirm to tell the truth?

MS. GARCIA: I do.

CHAIR GOULD: Okay. Let's walk us through where we are since we saw you last.

MS. GARCIA: Okay. Perfect. Thank you, Madam Chair, Members of the Board. So we were heard by you all on June 30th. And so we had some things we needed to return to you all.

So we submitted last Friday, a supplemental packet, which included an updated infrastructure list; sensitive land survey, with attachments; turning template, approved by the fire marshal's office.

We also submitted an e-mail response for the New Mexico Department of Transportation regarding connections and development next to the pedestrian trail that exists along Tramway Boulevard.

We also submitted the e-mail response from solid waste department, showing their approval of the proposed plat.

We also submitted an e-mail response from AMAFCA regarding the proposed ten-foot-wide pedestrian path along the south portion of the property.

And then we also submitted traffic counts from an adjacent property owner who has been monitoring the gate since the zone change request, actually. And we provided some traffic counts for a three-week period of -- for Tuesdays, Wednesdays and Thursdays, the week of June 14th, the week of June 21st, and the week of June 28th. And so we -- we've provided that -- that for the record.

And then, also, photographs of the insides of the gate for -- for the record, as well. So we -- we do understand that there is the grading and drainage plan that's -- that's still needing to be reviewed. The -- it had been submitted before. There was some corrections that needed to happen. And so we are waiting for the re-review of that grading and drainage plan.

I also want to note that we had -- I was looking over the infrastructure list and noticed that the third page of what we submitted was actually lacking information, the rest of the information. Not sure what happened with the scanning of that. But we did send that to Ms. Wolfenbarger for her purposes, or for her information.

CHAIR GOULD: Before we go to board comments, do we have any

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members of the public that would like to speak on this case? Please either raise your hand or unmute and turn on your video and let us know that you have a comment.

I see Vicky Estrada and Albuquerque Ranch Estates and Rachel Bevan.

Ms. Estrada, go ahead.

MS. ESTRADA-BUSTILLO: Good morning, Madam Chair. I -- I really appreciate all the work that JAG has done to try to address some of our concerns, especially related to traffic counts and things. I just had a few questions that I -- I'm not sure if JAG or Ms. Bevan or somebody on the board could answer.

I forgot to say, I'm Vicky Estrada-Bustillo of 5912 Royal Oak Street, Northeast.

CHAIR GOULD: And do you swear or affirm to tell the truth?

MS. ESTRADA-BUSTILLO: I do.

CHAIR GOULD: Thank you.

MS. ESTRADA-BUSTILLO: So just questions. This meeting, we didn't see any advertisement of it. I understand it was a follow-up to the last, but I just had a question about that, because we had to be very diligent to be aware of this meeting. There was no signs. So that's just a question if that should have happened. There was a --

CHAIR GOULD: So I can -- I can answer that one for you right now if you'd like. This is Maggie Gould. So when something is deferred, it does not have to be re-advertised.

MS. ESTRADA-BUSTILLO: Okay. Okay.

The question on the traffic is, I understand that addresses the traffic going in, but the question that those of us that live outside of the gates area had were about the parking and the traffic on the outside of the gate. And even if someone says there is a camera that points right at the cars coming in, it does not show the turnaround issues we have in the driveways and the cars that park because multiple workers park their cars and then they all get in one vehicle to go into the gated community.

So it's a question of I didn't hear that that was looked at. And we still have the concern about the turnaround outside of the gate. And we are -- I am totally supportive of this development going forward, but we still have the concern about this gate. And we would be very satisfied if the gate was just left open. It seems like it was never permitted, from what we've found out. So that is a question, if that is an option, that the gate is left open like 7:00 a.m. to 7:00 p.m. Because that's when we have all the turnaround and stop issues.

And then the only other question that I had is, we had requested a follow-up with PNM and maybe AMAFCA to look the options for using either of those roads to -- as a secondary access, and I just wondered if that had been followed up on.

And that's it for me. Thank you very much, Madam Chair.

CHAIR GOULD: Okay. Thank you. I believe we have --

MR. EGGLELAND: And I --

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CHAIR GOULD: Go ahead.

MR. EGGLAND: Oh, no. Go ahead. Sorry. I'm not on video. This is Chris Egglan. I'm also one of the residents, 5916 Royal Oak Street --

CHAIR GOULD: Okay. Hold on -- hold on just a second.

MR. EGGLAND: Sorry. Sorry.

CHAIR GOULD: Let's -- let's get to Rachel Bevan who was here earlier.

So, Rachel Bevan, if you want to state, please, your name and address for the record.

MS. BEVAN: Rachel Bevan. I'm at 5719 Lost Dutchman Street, Albuquerque, New Mexico, 87111.

CHAIR GOULD: And do you swear or affirm to tell the truth?

MS. BEVAN: Yes, ma'am.

CHAIR GOULD: Okay. Go ahead.

MS. BEVAN: I'm -- I'm -- I'm one of the owners of this property, so I'm here to show support. And if anybody has any questions, I'm happy to address those questions.

CHAIR GOULD: Okay. Thank you.

And now, if you want to go ahead, Chris.

MR. EGGLAND: I'm sorry. It just -- it's Chris Egglan. I didn't have -- do Zoom very often, so I have just whatever name came up there. Sorry about that.

CHAIR GOULD: No, that's okay. So will you please state your name and address for the record.

MR. EGGLAND: Chris Egglan. 5916 Royal Oak Street, Northeast, ABQ, NM, 87111.

CHAIR GOULD: And do you swear or affirm to tell the truth?

MR. EGGLAND: Yes.

CHAIR GOULD: Thank you. Go ahead.

MR. EGGLAND: Yeah, I just wanted to reiterate what Vicky was saying. And I'm literally on the -- as you're facing the gate, on the right side. I'm the last house of the Royal Oak neighborhood before it goes into the Ranch Estates.

And just wanted to, you know, verify and just confirm, like, I agree, like, you know, with -- if they're recording and all that stuff. And now I've got Zoom -- I've got Ring, as well, so I can record all the stuff, too, if we want to go that route and things like that, with showing where people park all the time and -- and literally, there's times when I can't even get out of my driveway, you know. And that's with just normal traffic and normal maintenance and normal things like that.

Let alone, now we're going to have full-on construction going on. There's just unrealistic that it's not going to have a severe

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impact to that part of the neighborhood and other parts of the neighborhood, as well, of course.

Literally, you know, people use my driveway, mostly, actually -- sometimes they'll use my neighbor's across the way, as well, but I don't have any cars in my driveway ever and she sometimes does, so I think they primarily use mine as the turnaround. And you'll see FedEx trucks, they can't get through, or other vehicles, other maintenance people, all that stuff, they'll pull into my driveway, pull out, they'll do turnarounds in my driveway. They'll, you know, do all those things. They'll completely block it for -- you know, if I need to, I can start regarding everything from my Ring and everything else like that to have all those things to document.

But bottom line is, like, it's like a choke point right there. It's basically a dead-end street when the gate is closed. And I don't think anybody can really deny that when the gate's closed. It's a dead-end street at that point, because the only people that can access that are people who have access, either through whatever code or whatever the case may be.

And so we're just trying to make sure that there is not this, you know, choke point for both emergency access for our own homes, but also the homes in the Albuquerque Ranch Estates. And then also, just for safe traffic flow in general. Because it does create basically a dead-end street there. Whether people -- you know, however you look at it, yeah, it's a gate, it's not a wall, or whatever, but it -- it's still closed, you know, unless you're able to open it or it stays open or it's not there altogether.

CHAIR GOULD: Okay.

Let's go through board comments, and then we will hear from the applicant and let's see where we are.

And I believe that was it. Was there -- do we have any other members of the public? I don't see --

MR. OSCHWALD: Me, yes. I've got my hand up.

CHAIR GOULD: Okay. Okay.

MR. OSCHWALD: Albuquerque Ranch Estates.

CHAIR GOULD: Okay.

MR. OSCHWALD: This is Jim Oschwald. I am a resident at 12500 McKay Way, Northeast, which is right inside the gate.

CHAIR GOULD: Okay. Can you please state your name and address for the record, again.

MR. OSCHWALD: Yes. Jim Oschwald. 12500 McKay Way, Northeast.

CHAIR GOULD: Okay. And do you swear or affirm to tell the truth?

MR. OSCHWALD: I do.

CHAIR GOULD: Thank you. Go ahead.

MR. OSCHWALD: I just would like to comment on the comments from Ms. Vicky and Chris Egglund in reference to traffic outside of the gate.

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I have been in this -- in this area and lived right next to the gate for ten years. I can see inside the gate and I can see outside the gate from my backyard. There have never been workers come to this residential area to work in Albuquerque Ranch Estates and park their vehicles outside of the gate and team up in one vehicle to drive inside the gate.

There's ample parking inside of the gate. There's vacant roads, currently, inside of the gate. And there's parking lots on these vacant roads inside of the gate. There's never been a reason for anyone to park outside of the gate and come inside the gate to do work.

The photographs that were shown at the last meeting by Mrs. Watson [sic], vehicles outside of the gate, with the, as she termed it, they were taking their parts and tools and walking inside the gate, was blatantly false.

They were working at Ms. Vicky -- at Ms. Dixie -- I can't remember her last name, but Dixie's house across the street from Mr. Egglund.

CHAIR GOULD: Okay.

MR. OSCHWALD: They were painters that were there for two days, and those photographs were not of workers inside of Albuquerque Ranch Estates. The traffic that was --

CHAIR GOULD: Okay.

MR. OSCHWALD: I'm sorry.

CHAIR GOULD: Yeah, no, just -- I think -- I think what we're after are things that are kind of specific to the development that the --

MR. OSCHWALD: Sure.

CHAIR GOULD: -- board is going to be able to address. So it sounds like your concern is that there is -- you feel that there's ample parking for people entering --

MR. OSCHWALD: There has been always --

CHAIR GOULD: -- and exiting the subdivision. Okay.

MR. OSCHWALD: Always has been. Never been an issue.

CHAIR GOULD: Okay. Let's -- let's go through board comments, and then we will have time after board comments if -- if people have additional clarifying questions.

MR. OSCHWALD: Thank you.

CHAIR GOULD: Okay. Water authority.

MR. CARTER: Good morning. This is Blaine Carter for the water authority. So on the preliminary plat, just a general comment that we do have (inaudible) 210213 that's been issued, provides the conditions for service. There's been approvals required and those are included in the infrastructure list. Thank you for the revisions to those, to update them as requested.

We previously noted that there's a waterline on McKay Way that was lacking a public water and public sewer easement. And that's been included on Note 3 of the latest plat we were sent. So we

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just want to make sure that the city has that same plat drawing in terms of the approval request. And there's a Note 3 that references public water and public sewer.

On the rest of the request, the vacations and sidewalk waiver, we have no objection.

And that is the extent of our comments. Thank you.

MS. GARCIA: Thank you, Mr. Carter.

CHAIR GOULD: Okay. Code enforcement.

MR. MONTANO: Hello. Vince Montano, code enforcement. We have no comments or objections.

MS. GARCIA: Thank you.

CHAIR GOULD: Perfect. And could -- I -- I'm hearing some background noise. Could people just check and make sure that if you're speaking and not speaking to this case that you're muted, please. Thank you.

Go ahead.

MS. SOMERFELDT: This is Cheryl Somerfeldt with the parks and recreation department.

We're talking about Items 5 and 6; is that correct?

CHAIR GOULD: This is Maggie Gould. We're talking about Items 6 and 7.

MS. SOMERFELDT: Okay. I think my agenda might be off.

So for the vacations, we don't have any objection. Is the infrastructure list tied to the preliminary -- preliminary plat?

MS. GARCIA: Madam Chair, yes, it is.

MS. SOMERFELDT: So our comments were that -- that parks and recreation department is currently scheduling a site visit to do the tree evaluation, should be this week. I just have to get a response on that.

So I saw that you -- you contacted us, I guess that would be considered ex parte, and then we had a discussion about that, and we thank you for submitting all those assessments and documents. And we're just going to have a certified arborist visit and confirm those things and then report back to the DRB.

And I think one of the questions was, you know, would there be a connection. And I think that also has yet to be determined. It might be related to the infrastructure list. So I don't have an answer for that, regarding that right now. But the other requests, the vacations, we have no issue with.

MS. GARCIA: Okay. Thank you.

Madam Chair, Ms. Somerfeldt, so in -- you're -- you're speaking of the trail connection. And I think Jay's screen there, what he has displayed on the screen, if you could zoom in a little on that, Jay, could be -- will show the 10-foot proposed access, pedestrian access connection that we are providing, which is on the southern end of that particular area. So that is the 10-foot private pedestrian access easement.

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We are also going to improve that and provide the connection, a paved connection there, with the gravel, I believe gravel.

MS. SOMERFELDT: So you have that on the infrastructure list now?

MS. GARCIA: Oh, sorry. And I -- I do apologize, Ms. Gould. We should have Robert Fierro, our engineer on -- on Zoom with us today, who would also speak to some of this information.

So as you could see, on Page 1 of the infrastructure list, it does show a natural dirt or gravel path along -- and it would be along the south end of the site.

MS. SOMERFELDT: This is Cheryl Somerfeldt with parks and rec.

Thank you for that. I guess we -- since we -- parks and rec has to confirm just a few more things before approving the preliminary plat, we'll also check that. But I think other than that, we're -- we're good. Thank you.

MS. GARCIA: Okay. Thank you.

CHAIR GOULD: Hydrology.

MS. BRISSETTE: Renee, Brissette, hydrology.

We received the revised grading plan on the 8th of July. I mentioned to Robert, currently, I will need about two weeks before I even get to it. So I won't be able to verify any of the drainage information, make sure that it's -- what's on the grading plan is on the infrastructure list. But as far as the vacations go, we have no comments on those.

CHAIR GOULD: Okay. Transportation.

MS. WOLFENBARGER: Good morning. This is Jeanne Wolfenbarger with transportation.

Transportation has no objection to the sidewalk waiver or to the vacations. Some of my comments on the infrastructure list are revolved around the one that was submitted on Friday. I actually didn't receive a separate one.

But before we cover the infrastructure list, I did want to note to the neighbors that no access is allowed by NMDOT to Tramway Boulevard. I do understand your concerns, but no access is allowed there. Nor will AMAFCA allow access along their property. That's actually pretty standard.

But I did want to cover the possibility about whether or not the gate could be left open during daytime hours. I guess when it's time for the applicant to respond to neighborhood comments, we could cover that possibility. Either that or widening the gate. I did review the traffic counts, and I -- they do -- they do look okay. But there is going to be a little bit of traffic added. So we did want to explore that possibility.

And also, I didn't receive roadway cross-sections for the new roads. I did -- I did receive everything else, including the turning template design. But I will need to show -- to have all the new roadways and existing roadways shown on the cross-sections.

On the infrastructure list, itself, I just wanted better clarification of the street lighting. You had stationing shown.

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And I really would rather just have it -- the location shown in terms of the intersection or end of road more or less on that. That's just a minor clarification item.

Also, we had talked about adding some signage with regard to "No Parking" and maybe some warning signage for the curb. And I wasn't sure if that was evaluated yet. The "No Parking" signage and/or striping would specifically go in front of the -- the subdivision, along the west and along Royal Oak, as well as just right in front of the gate, where the road narrows, within a distance of about 20 or 25 feet within the gate entrance.

MS. GARCIA: Okay. Thank you, Ms. Wolfenbarger. So in regard to the infrastructure list, we just e-mailed it to you. You should have it in your in-box. And the last page on that infrastructure list does identify the "No Parking" signs. And so the proposal is -- would include adding "No Parking" signs on both the north side of the gate and the south side of the gate to prevent any sort of parking in that area.

And there is also a line item that would have two "Sharp Turn" signs located right at 5913 Royal Oak, and the other at 5904 Royal Oak. So that would allow for traffic going outside the -- the subdivision to see that sign, and then folks coming into that area to see that sign.

And since we still have the grading and drainage plan that needs to be reviewed and we have a little bit of time, you'll be able to see that for -- for our next -- for our next meeting. But I -- I just want to reiterate that that is listed on the infrastructure list. And hoping that that will resolve some of the concerns that some of the residents outside the gate have mentioned.

In regard to widening the gate, we have provided photographs of what it looks like inside the gate, because when you look at it from the outside, it appears that there is some space for us to widen the -- the gate. But when you look it from the inside, you'll see that there is a -- there is a wall that currently exists in that area. And there is the mechanical equipment for the gate. And so it -- it really would make it difficult to modify the gate in that -- in that particular area. And that would be on the west side of the gate.

On the east side of the gate, the gate is right at the edge of the right-of-way, so there isn't -- or the roadway. So there isn't really any room for or need for -- for widening it there, since it's right at the edge anyway. And so it really does make it a difficult position to have the gate widened on the west side, which is what you all think may be the only option or the only location of where the gate can be widened. And actually, we're arguing that it could not.

So -- and we believe that the traffic count information that we provided, which shows the number of backups and wide turns that occurred, there was one wide turn, but there was no backup. There were a few people, probably six or seven people, who were waiting for access, to enter into the gate, that eventually did -- did get access.

But the traffic count, we believe, does not warrant the need for -- for the widening of the gate. And also, for keeping the gate open during the day, we believe that that is -- it is a -- a narrow gate. It's -- but it meets the minimum standards. And we believe if we are to keep the gate open, there could be more people or more opportunities for people to speed through that

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gate to get into -- when getting into the subdivision. So we believe the gate actually helps with traffic controlling and slowing traffic down.

And, you know, we want -- also argue that nobody inside the subdivision is -- is actually arguing for widening of the gate. It's -- they're the ones -- the residents within this community are the ones who use it on a daily basis. They don't see any issues with the gate and concerns entering or exiting to the point where they would want the gate to be widened.

So we believe that we've done everything we possibly can to try to resolve the residents' concerns. We've reached out to the state. We've put in -- we're going to be putting in "No Parking" signs to avoid any sort of congestion in the area. And so we believe that we've done everything we possibly can to resolve the neighbors' concerns.

MS. WOLFENBARGER: This is Jeanne Wolfenbarger with transportation. Thank you for all the explanation. I don't have any further comment, unless the city engineer has anything to add.

CHAIR GOULD: Okay. So this is Maggie Gould. So planning just had a comment regarding (inaudible) on a note regarding the mature stand of trees that will remain. And it sounds like that need to happen once you've had some further discussions with parks. And then, also, any -- any additional signatures that -- that are required need to be added before -- before final DRB sign off.

MS. GARCIA: Okay.

CHAIR GOULD: Okay? And so we -- oh, go ahead.

MS. GARCIA: Sorry. I guess I do have a -- a question in regard to the large stand of trees. I'm not sure if parks goes out -- if parks and recreation goes out there and determines that yes, there is the large stand of trees there, that area where these trees are is expected to be a grading and drainage ponding area. So I'm just wondering what is the city's position if the applicant is unable to maintain any of the trees or most of the trees.

CHAIR GOULD: So -- this is Maggie Gould, and I'll ask Vince and Cheryl to leap in. But if I'm remembering your diagram correctly, you're showing those trees in a ponding area. And I believe there are mature cottonwoods in that area.

MS. GARCIA: Yes.

CHAIR GOULD: And the so cottonwoods would be quite happy in a drainage pond. And so I think the question is, can you do the site work to get the drainage that you need while saving those these.

MS. GARCIA: So from what -- from what we're demonstrating, trees 7 and 8 are the most mature trees on the site in that area, and those are -- those are cottonwood trees. And so, you know, I -- we would definitely talk to the -- to the developers to make sure that we can maintain the trees as much as we can.

But given the -- the grading work that needs to happen in that area for the purposes of the ponding, I -- you know, I -- I think that's something that we would need to strongly consider.

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In regard to the other trees, they are just little sprouts that have -- that have come up. They're like wild trees. And so I -- I don't know, because they're so close to each other, whether or not they would be viable these in the future. But that's something, of course, that we would talk about.

But I just wondered, if there are trees that we are unable to maintain and the city wants them, what is -- what's the resolution there?

CHAIR GOULD: This is Maggie Gould. Let me go back and look at that ordinance really quickly. And in meantime, I -- I believe -- Ms. Estrada, did you have follow-up questions for the applicant or staff?

MS. ESTRADA-BUSTILLO: I did Madam Chair, if -- one, I wanted to clarify Mr. Oswald's comment. And I think I appreciate his camera and the counts, but I know that that camera does not reach to where we have trees that vehicles park in the shade. And I can tell him that there have been cars with --

CHAIR GOULD: Okay. So, Ms. -- Ms. Estrada, so this is really more about sort of clarifying questions for staff or the applicant.

MS. ESTRADA-BUSTILLO: Okay. So, I guess clarification, the "No Parking" signs that would be on our street outside the gate, does that mean -- I'm a little concerned -- we would want to have our family and friends come over and park outside our house. So I'm not sure that just putting "No Parking" signs -- I mean, that -- we want our visitors to be able to park on our street.

So my question would be, rather than that, what about putting speed bumps that go on the north side of the gate, into the gated community and on the south side, to slow people down. And I -- I am concerned about the "No Parking" signs, what that would actually mean.

The other question that I have is related to the pedestrian trail. That trail that is on AMAFCA property, was originally not a trail and it was all gated and closed off. That goes in behind our houses, all of us that live on the west side. And we have actually had people try to break into our house coming from Tramway, using the AMAFCA dirt road to get into our properties.

So my concern about improving a trail to improve access for people to get behind our houses is a concern. I was not aware that that was going to be part of the project. It seems like new things keep coming up. I don't have a problem if it's a dirt trail. Improving it just adds the possibility of people coming into our -- our back walls to get in. We're already going to have an increased number just by the number of lots that are being added.

That's all. Thank you.

MS. GARCIA: Madam Chair, Members of the Board, so just for clarification, the "No Parking" signs will only apply to the areas that are at the entrance to the subdivision. As you can see from Jay's image there, there is some right-of-way that's part of our subdivision that is outside of the gate. And so the "No Parking" signs will only be in that area, and not in the area that is designated as a public road.

In regard to the trail on the south side of the subdivision, that has been shown on the site -- on the -- on the plat from the

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beginning, so it's -- it's not anything that we've added on since the last time we met. So it's always been there. And it's only going to be within our subdivision, not outside of our subdivision. And so it's -- it's really just for the residents within this subdivision to get out to the AMAFCA trails that exist next to the -- their facilities, and to the trail that exists along Tramway. So it is going to have a gate and is not going to allow folks to come in -- into the subdivision. And it's not an improvement along AMAFCA's facility encouraging folks to continue to use that facility along AMAFCA. It's only within our subdivision.

CHAIR GOULD: Thank you.

This is Maggie Gould again. Ms. Estrada, does that conclude your questions? You're muted again, ma'am.

MS. ESTRADA-BUSTILLO: I would like clarification about if the gate was ever permitted and the option of keeping it open, if that's something the proponent would be willing to consider, with speed bumps.

MS. GARCIA: Madam Chair, so our understanding is that the gate was permitted into 2000. I'm not sure if there are any records on the city's side. I -- I know that the applicant had looked for their records -- in their records, and we could not find one in our records.

And so -- but the community is not in favor of keeping the gates open during the day. Again, we believe that keeping the gates open would allow folks or give an opportunity for folks to speed through the roadway. We really do want to slow down traffic, just like the residents along Royal Oak Street.

And so we -- we are not in favor -- the residents are not in favor of keeping the gate open during the day on a -- on a permanent basis.

CHAIR GOULD: Okay.

Ms. Wolfenbarger or Mr. Biazar, hydrology and -- sorry, transportation and engineering, do we have -- is there any -- does the city have any requirements or guidance on that?

MS. WOLFENBARGER: This is Jeanne Wolfenbarger with transportation.

I don't have any -- any further comment. I did want to add that the "No Parking" signs will also go right in front of the gate, not in front of the houses, further south. But I did want to make that clarification. Just right at the entrance.

As far as the question about speed bumps, we don't handle that, the traffic operations would have to be requested --

CHAIR GOULD: Right.

MS. WOLFENBARGER: -- (inaudible) for speed humps, and that is a whole different process, where you have to get a lot of neighborhood buy-off on that. I mean, it's possible, but it's a different process that's handled through traffic operations. Thank you.

CHAIR GOULD: Okay. Thank you. So this is Maggie Gould. Rachel Bevan, I saw your hand raised earlier. Did you have additional questions, or are you -- are you good?

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MS. BEVAN: No. I was just going to make some clarification about that access for the trail. My husband and I actually currently live in this neighborhood, and we walk the trails along there all the time --

CHAIR GOULD: Okay. So this is -- this portion is really sort of additional questions for --

MS. BEVAN: I don't have any (inaudible).

CHAIR GOULD: Okay.

MS. BEVAN: I was -- I was just going to say, if you need clarification on it, I actually think how this is laid out, it's going to reduce the trail impact, and it just --

CHAIR GOULD: Okay.

MS. BEVAN: So -- but if you have any questions.

CHAIR GOULD: Okay. Thank you.

MR. EGGLAND: This is Chris Egglan. I still wanted to say something to you. Sorry.

CHAIR GOULD: Okay. So again -- so, again, go ahead, but, again, this is -- this is clarifying questions for the applicant or staff.

MR. EGGLAND: Okay. Clarification questions, then. So, I mean, I don't think anybody can deny that when there's construction going on that the traffic will be greatly increased, based on what the traffic cams are showing right now.

So with that increase, if the gate is not going to be left open, what is our recourse when your driveways are blocked? Do we call the police? Do we call -- who do we call in order to get that resolved?

CHAIR GOULD: So -- this is Maggie Gould. So I'm -- I'm not actually sure whose issue that is, whether that's an APD issue or not. I don't know if any of our transportation engineers know the answer to that. If not, that's something where we can try to get back to you.

MR. EGGLAND: Okay. I'd appreciate that. Because there's -- there's definitely going to be times when it's going to get blocked with that gate closed and it's not going to stay open and that there are going to be times. Because I can verify -- I've lived for two years, not as long as the other gentleman, but I've lived there for two years, and unless he's been watching his camera 24 hours a day, he doesn't know, can't say never.

CHAIR GOULD: So if you -- if you can get me your contact information, and you can do this a couple of different ways, you can either just e-mail many, mgould@cabq.gov, or you can put your information in the chat and I will get back to you. So it -- it --

MR. EGGLAND: Okay. I appreciate that.

CHAIR GOULD: It sounds like we still need some -- we need a tree inventory from parks, and we need a grading and drainage plan from hydrology, so we're looking at a deferral.

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Ms. Brissette based on the amount of review time you will need for this. You said two weeks. Does that two weeks include -- so would that be the meeting of the 11th or the meeting of the 18th?

MS. BRISSETTE: So I think it's the 11th.

CHAIR GOULD: Yeah. But --

MS. BRISSETTE: So I should be able to get to it --

CHAIR GOULD: So -- does -- I'm so sorry. Go ahead.

MS. BRISSETTE: I should be able to get to it right before the DRB, so...

CHAIR GOULD: Okay. So a deferral -- a deferral to the 18th -- I mean, a deferral to the 11th would allow you sufficient review time for the --

MS. BRISSETTE: The grading and drainage, correct.

CHAIR GOULD: Okay. Excellent.

MS. GARCIA: Sorry. Ms. Gould, I was just kind of hoping -- I'm not sure if you had -- the question I asked earlier in regard to the trees, and whether or not --

CHAIR GOULD: Yeah.

MS. GARCIA: -- there is the --

CHAIR GOULD: And so --

MS. GARCIA: I know that the applicant is interested, of course, in preserving as many trees as possible. But if there's an instance where we cannot, what -- what is the recourse there? What -- what --

CHAIR GOULD: So this is Maggie Gould. So 5-2(C), avoidance of sensitive lands, does say new subdivision -- this is about -- this is the last paragraph of the opening of avoidance of sensitive lands: New subdivisions of land and site design shall avoid locating development, except for open space, in areas that will not be disturbed during the development process in the following types of sensitive lands.

And then it does -- it does list large stands of mature trees. So, again, if -- if those mature trees can be accommodated in -- in that drainage easement so that they are safe, then -- then that will work. But my reading of this, because the language says "shall," if those trees are determined to be mature stands of trees as -- as defined in the sensitive land ordinance, then you're going to have to figure out how to preserve them.

MS. GARCIA: Okay. Okay. Thank you.

CHAIR GOULD: And that -- that can -- you know, we can have a further discussion offline with code enforcement about that. But that's -- that's the -- on its face, that would be how I read it.

And then I think there's a question in the chat regarding -- and I believe this would be from Ms. Wolfenbarger, regarding stub street distance. And I'm not -- I'm not entirely sure. This says: Sub -- sub distance violation has not been addressed.

I don't believe that transportation had a layout issue with the

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had project. If Ms. Wolfenbarger could confirm that.

MS. WOLFENBARGER: This is Jeanne Wolfenbarger with transportation.

Yeah, we had discussed this before. The subdivision layout that's presented to us has a (inaudible) road within it, so they are responsible for providing what they need to for their own subdivision. But they actually don't have control over that street to the south.

CHAIR GOULD: Okay.

MS. WOLFENBARGER: That's the issue.

CHAIR GOULD: Okay. Then -- then that sounds like we're --

MS. WOLFENBARGER: With regard to the opening of the gate, it appears that we may need to have some more internal discussions about that.

CHAIR GOULD: Okay. That -- that seems reasonable.

MS. WOLFENBARGER: (Inaudible) with the city engineer and what -- what previous permit may or may not have said. My understanding is that it was a difficult time trying to find that permit, so...

CHAIR GOULD: Okay. Okay.

So then I think what we are looking at is a motion to defer this project to the meeting of August 11th to allow time for hydrology to complete their review and for parks to complete their tree assessment.

MR. CARTER: Blaine Carter, water authority. So moved.

MS. SOMERFELDT: Cheryl Somerfeldt, parks and rec, second.

CHAIR GOULD: Okay. Please vote if you are in favor of deferring this item to the meeting of August 11th. Roll call vote, please.

MR. CARTER: Blaine Carter, water authority. I prove.

MR. MONTANO: Vincent Montano, code enforcement. I approve.

MS. SOMERFELDT: Cheryl Somerfeldt, parks and rec. I approve.

MS. BRISSETTE: Renee Brissette, hydrology. I prove.

MS. WOLFENBARGER: Jeanne Wolfenbarger with transportation. I approve.

CHAIR GOULD: Okay. This is Maggie Gould with planning, and I approve.

And I don't know if we were clear that we were hearing 6 and 7 together. So I don't know if that motion needs to be amended. But to me, it would not make any sense to take action on item number 7 without also taking action on Item Number 6.

So I don't know, Ms. Sanchez, if you need -- if we need to redo that or if -- if we're good. But --

MS. SANCHEZ: Can you repeat your question, please.

CHAIR GOULD: So in the beginning, I think we just introduced

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Item Number 6, but we actually have been discussing items Number 6 and seven together. And so I don't know if I need to remake that deferral motion to it's clear that we're deferring both Item 6 and 7 to the meeting of the 11th.

MS. SANCHEZ: This is Nicole Sanchez. Yes, I would make it clear that you're also deferring 7. If you've already made a motion on 6, just go ahead and make a motion on 7.

CHAIR GOULD: Okay. So then, this is Maggie Gould with planning, and I approve deferral of Item Number 6 to the meeting of August 11th. And do we have a motion to defer Item Number 7 to the meeting of August 11th?

MR. CARTER: Blaine Carter, water authority. So moved.

MS. SOMERFELDT: Cheryl Somerfeldt, parks and rec, second.

CHAIR GOULD: Okay.

MR. CARTER: Blaine Carter, water authority. I approve the motion. Sorry.

CHAIR GOULD: No. You're all good.

MR. MONTANO: Vincent Montano, code enforcement. I approve.

MS. SOMERFELDT: Cheryl Somerfeldt, parks and rec. I approve.

MS. BRISSETTE: Renee Brissette, hydrology. I approve.

MS. WOLFENBARGER: Jeanne Wolfenbarger with transportation. I approve.

CHAIR GOULD: This is Maggie Gould with planning. I approve.

And so that defers Item 6 and 7 to the meeting of August 11th. Thank you all.

MS. GARCIA: Thank you.

(Conclusion of partial transcript
of proceedings.)

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RE: CITY OF ALBUQUERQUE DRB MEETING MINUTES OF
JULY 28, 2021, AGENDA ITEMS 6 & 7

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DATED this 21st day of September 2021.

/S/

Kelli A. Gallegos