Date: May 4, 2022

To: The City of Albuquerque, Development Review Board

Via e-mail with application for Final Plat Review

From: Cliff A. Spirock, PLS, agent for Rachel Matthew Development Corporation

and the Santa Barbara Home Owner’s Association

Subject: Letter of Justification or Variance regarding private streets and sidewalks

Project: 7300 Santa Barbara Road NE

Lot 2, Block 16, Santa Barbara Subdivision

DRB Cases: PR 2021-006297 SD 2022-039 Santa Barbara Subdivision (Rev. 4)

Ladies and Gentlemen of the Development Review Board:

A letter of Justification has been requested regarding any DRB Variance needed for the proposed street and sidewalk construction:

This project requests a 4 lot minor subdivision on an existing Lot 2, Block 16, Santa Barbara Subdivision (Plat filed January 7, 1994, Bk 94C Folio 8). The site is bounded by the Domingo Baca Arroyo 70’ RW to the South and includes a 20 ‘ Drainage Easement (City) on the west. To the east is a platted lot (Lot 1, Block 16). To the north is a private street, Santa Barbara Road NE, which is owned by the Santa Barbara Homeowner’s Association (SBHOA), located within a platted 30’ easement. The street easement includes a 10’ gas and water easement and adjacent to the south street line is a 12’ utility easement.

The subject lot is owned by the SBHOA Association and is contemplated for sale and development by Rachel Matthew Development Corporation who intends to complete their infrastructure guarantee, transportation and preliminary and final plat process. It is subject to the IDO R-T Zone. The existing private park facilities (parking, shuffleboard, walkways and recreation facilities) will be razed and the entire property developed as residential lots.

The existing street sidewalk (south side) will be rebuilt in accordance with the DPM standards and to the project engineer’s approved grading and drainage plan. The existing curbing will remain (per that plan) with only new curb cuts for residential driveways contemplated.

A sidewalk clear area incorporating a 4’ physical sidewalk will be constructed. The project engineer’s design necessitates a new sidewalk easement be established on the plat for all new lots. This is reflected on the submitted plat by property line calls in lieu of a uniform width adjacent to the street easement.

A front setback to the proposed garages is shown as a 20’ minimum as required by the code. However, private SBHOA covenants prescribe a 20’ minimum garage setback from the sidewalk area. These front garage setbacks are thereby shown.

A 5’ side yard setback and 15’ rear yard setback are shown as typical RT IDO Zone minimums. The side yard setback on proposed Lot 2-D (west end) is 20’ minimum to accommodate the existing 20’ drainage easement encumbering that area.

The SBHOA covenants and by-laws have been provided.

JUSTIFICATION:

The Santa Barbara Homeowner’s Association has constructed, maintained and owns the private streets and sidewalks within this development since the initial platting as an approved Planned Unit Development (subsequently rezoned and under the IDO – RT zoning standards as a private residential community). Because of this, all streets are uniform and adequate serving the existing residents.

The existing 30’ street easement is adequate to provide a street section per the prescribed minimum of 28’ face to face of curb (staff comment). While unconventional (to a “normal” public city street section) the sidewalk is to be constructed per the engineer’s grading and drainage plan and curb cuts and driveway grades necessitate the sidewalk’s location.

The design and plat as submitted (version 4) conforms to these standards and preserves the neighborhood’s character.

Respectfully.



Cliff A. Spirock, agent