

March 6, 2025

Brennon Williams, City of Albuquerque Development Hearing Officer
c/o Jay Rodenbeck
Planning Manager, Development Review Services
jrodenbeck@cabq.gov

Re: Case Number AC-24-30
9001 Modesto Street NE
Lot 18, Block 17, Tract 1, Unit 3, North Albuquerque Acres (NAA)

Dear Mr. Williams;

I am the owner of 8921 Modesto (Lot 19, Block 17, Tract 1, Unit 3, NAA) which is immediately west of the lot that is the subject of AC-24-30. I am also a registered professional engineer in the state of New Mexico and I thoroughly investigated the existing stormwater runoff conditions for my lot and the surrounding area before purchasing my lot. I'm writing in support of the applicant's request for a variance from the requirement to install sidewalk and street frontage improvements. I support the request for the following reasons:

1. The existing drainage scheme accommodates the natural drainage and runoff patterns in the area. Installing piecemeal curb & gutter along Modesto will interrupt the natural drainage pattern and create problems with erosion and concentration of "public" stormwater runoff without necessary downstream improvements or drainage easements. In particular, the vertical alignment of the existing pavement along Modesto is such that there is a low point in front of 9001 Modesto. Requiring a widened street with curb & gutter and sidewalk but without requiring the applicant to construct a storm drain to collect flows from the low point, will have the following negative impacts:
 - a. An increase in runoff due to the additional impervious area in the public right-of-way.
 - b. In the absence of a storm drain, the increased volume of "public" stormwater runoff from the right-of-way would run downstream crossing private property (including my lot and other downstream lots, some of which are already developed) and potentially causing increased erosion.
 - c. There are no downstream easements to allow or accept public stormwater flows. This is not needed under the existing condition since it is the historic condition, but if the public stormwater runoff rates and volumes are increased and flows are concentrated as a result of curb & gutter changing the runoff pattern, then easements and potential downstream improvements are required. Accordingly, you must not require changes which would concentrate or increase the runoff, without also requiring the applicant to install storm drain that would avoid these downstream issues.
2. The character of the area is rural and should not be changed. All existing streets in the immediate vicinity do not have curb & gutter & sidewalk. This includes Modesto east and west of this lot, and it also includes Glendale to the north and Eagle Rock to the south. None of those streets have curb & gutter or sidewalk except in a few isolated cases near Barstow where the original North Albuquerque Acres lots were subdivided.

3. Piecemeal sections of roadway widening, curb & gutter and sidewalk create problems in the interim condition and will likely never be completed since the majority of the improvements would have to be done at public expense with no public benefit (because most of the lots are already developed without the frontage improvements). Given the rural nature of the area, pedestrians and cyclists already use Modesto frequently and safely due to narrow streets, low traffic volumes and slow traffic speeds. I frequently walk and bike myself in the North Albuquerque Acres area and have never felt unsafe due to the rural street type without sidewalks.
4. Historically, the City of Albuquerque has not required street frontage improvements in the North Albuquerque Acres area for homes constructed on the original NAA lots. This is clearly evidenced by the large number of homes, within city limits that exist on NAA lots, and that do not have curb & gutter and sidewalk – and many of those homes have been constructed in recent years. Suddenly and arbitrarily requiring these improvements places a burden on those choosing to construct a home now which was not required of those who came before.

Thank you for considering my input. Should you have questions or wish to discuss my input, you can reach me via email at bstidworthy@bhinc.com.

Sincerely,

Bruce J. Stidworthy,
NMPE 14523