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February 3, 2025

Development Hearing Officers and Development Facilitation Team
City of Albuquerque

Re: Justification for DHO Determination to allow deficient width for public alleyway as part of Preliminary / Final Plat Review for Proposed Consolidation of Lots 5 and 6, Block 2 of Apodaca-Griego & Rafael Addition

Members of the Board:

Cartesian Surveys is acting as an agent for is acting as an agent for Diana Sandoval, the owner by real estate contract for the below parcel, and we request a sketch plat review to subdivide existing Lots 5 and 6, Block 2 of Apodaca-Griego & Rafael Addition into one new lot. Our client's property is vacant and zoned for a single-family residence (R-1A). Our plat looks to eliminate the interior lot line between the two parcels.

As a part of this plat application, this letter addresses our request for an administrative decision to allow the existing right of way width of the paved public alleyway along the northern margin of our property.

Administrative Decision request for allowing existing right-of-way width for public alleyway north of subject lots

The existing width along the public alleyway north of our proposed subdivision is 16 feet in width. This is deficient from the DPM required width for an alleyway of 20 feet, per Table 7.3.34 of the DPM. The alley right-of-way width is in character of the neighborhood, where alleys were historically only 16 feet wide and were in place before the current IDO and DPM standards. This has been a longstanding condition and a determination would allow us great flexibility in subsequent development of the site, so we request an administrative decision to allow the existing right-of-way width to be allowed for our final plat.

As per the IDO section for waiver from sidewalk requirements, section 6-6(P)(3)(a), there are existing obstructions on both sides of the public alley which cannot be easily ignored to accommodate widening the right-of-way in either direction. There are buildings, walls, fences, and utility improvements in this area which make widening the right-of-way unfeasible for our lots and the remainder of the alleyway off our site as it continues in both directions. Varying from the normal right-of-way width requirements allows for continued and future development use of our well-established lots for a residential development.

Per 6-6(P)(3)(a), approval would not materially run contrary to public safety, health, or welfare as the long-established width of the alley has retaining or building walls constraining in the area. Pedestrian and vehicular access to all lots in the block are not dependent on using the alleyway, but can be accessed by other, more direct points of entry. Widening the right-of-way against our subject property would not benefit the right-of-way, and would cause an unconformity with the surrounding lots.

Per 6-6(P)(3)(a), approval would not significantly impact surrounding properties materially, as they too are under the same conditions of a deficient right-of-way width for the alleyway, which would also displace their improvements and buildings if widened. The existing conditions have been in place for decades. This alleyway has a no outlet sign at its entrance, since the alleyway eventually terminates against a platted parcel 192A, MRGCD Map 41 at 1600 William St SE, so expansion of its use would not be helpful.

For these reasons, we feel a determination allowing the existing alleyway width to remain is warranted, and would allow for more flexibility in development of our subject property down the line.

Thank you for your consideration.
Ryan J. Mulhall