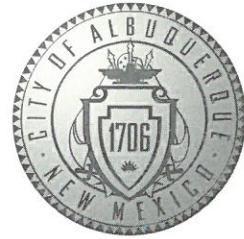


CITY OF ALBUQUERQUE



July 9, 2020

Rick Bennett, RA
RBA Architecture Planning & Design
1104 Park Avenue
Albuquerque NM 87102

**Re: Menaul Retail
Project Address
Traffic Circulation Layout, Certificate of Occupancy
BP 2019-34287
H19-D040**

Dear Mr. Bennett:

On July 8, 2020, the Transportation had received a letter from RBA Architecture dated January 1, 2020 regarding the subject project and the issue with the existing powerpole and newly constructed wall blocking vehicular travel within the existing alleyway behind the subject site property. It is acknowledged that the wall is within the site property and not encroaching into the public alleyway. However, the Transportation Department has identified this as an issue that was not brought to our attention until after a Certificate of Occupancy was requested. The Transportation Department has allowed a 60-day Temp CO to move forward on July 6, 2020 based on the understanding that the issue with blocking vehicular travel within the alleyway would be resolved prior to issuing a Permanent Certificate of Occupancy.

Both the Traffic Circulation Layout and the Grading and Drainage Plan did not identify the existing powerpole nor did the originally approved Traffic Circulation Layout identify the new wall. It is the designer's obligation on a Traffic Circulation Layout Plan to identify any existing and new infrastructure that would interfere with vehicular and pedestrian travel, particularly when one is building adjacent to a road or using public right-of-way for access to parking spaces. A combination of the new wall along with the existing powerpole on the Traffic Circulation Layout Plan would have clearly identified that there is a conflict that only allows less than 10 feet of vehicular travel within the alleyway.

Even if it is argued that vehicles could come in from the west side, there is no legal easement that would provide a turn-around for larger trucks such as Solid Waste Vehicles or Delivery Trucks that are frequently using the alleyway. The current set-up with blocking off alleyway access from the east side is completely unacceptable.

Secondly, the alleyway is public right-of-way. Therefore, any placement of bollards around the existing powerpole and paving of the alleyway as part of this project should have gone through the work order process. If this process was followed, this was another opportunity for the city engineers to look at the design of the public alleyway and catch any issues that affected Transportation Department and Hydrology

Department within public right-of-way. As far as we can tell from our records, there was no issuance of a work order and no permission to work within public right-of-way from DMD.

Based on the IDO Section, 1-(7)B(2), the City Engineer reserves the right to request infrastructure improvements within public right-of-way that front a property which is under development.

Due to these issues, Transportation is asking RBA to work toward a solution to the problem regarding the alleyway blockage. If there is no willingness from the design team to come up with a solution during the 60-day period that a temporary C.O. is allowed, the City of Albuquerque is revoking the Certificate of Occupancy. Therefore, the letter sent on July 6th, 2020 is revoked. We do not wish to take this route and are hoping that the design team comes up with a resolution. We cannot accept the alleyway blockage under any circumstances.

Please contact me at 924-3991 or Shahab Biazar at 924-3999 for any questions.

Sincerely,

Jeanne Wolfenbarger, P.E.
Traffic Engineer, Planning Dept.
Development Review Services

\xxx via: email
C: Shahab Biazar, P.E., City Engineer
Alan Varela, Assistant City Attorney
Ernest Gomez, Transportation Planchecker
C.O. Clerk