

Somerfeldt, Cheryl

Subject: FW: Project #: 1005455 Case #: 18EPC-40015

From: Somerfeldt, Cheryl

Sent: Monday, June 11, 2018 5:01 PM

To: 'Jaramillo, Nichole V'

Cc: Freddy Jaramillo (freddymjaramillo@gmail.com); 'nicholevg@gmail.com'; Brito, Russell D.; 'arch.plan@comcast.net'; 'Robert Gutierrez'

Subject: RE: Project #: 1005455 Case #: 18EPC-40015

Hello Ms. Jaramillo,

I have received your letter and will send it to the EPC tomorrow as part of the 48-hour rule materials.

Below are answers to your questions:

1. Unfortunately any concern over the access easement is a private legal matter. The City does not enforce private access easements between private property owners. It is possible for the applicant to keep the same site plan for subdivision layout as shown and keep both the center access drive as well as the access easement along the southern property. If this were to happen, the access easement would transfer to the new property owners of the southern lots. If this site plan for subdivision is approved by the EPC, and the applicant wishes to change the site plan layout at a later date, the project would return for another EPC public hearing.
2. Regarding the land use of your property abutting the west property line as single-family not commercial service... the City's GIS mapping program shows this property as commercial service, possibly because it was used as a bed and breakfast in the past and the land use has not been changed in our system. I will mention this to the EPC either in writing or verbally at the hearing.
3. Regarding the size of the property... As stated in the email you copied below, the 4.5 acre number was used for advertisement purposes, so that the project was not under-advertised. The number I was given was approximately 4 acres. The exact number of lots and the amount of open space is determined by the pre-annexation agreement not the size of the property in the staff report.
4. Regarding the lot size... I was mistaken in the earlier email copied below on the ½ acre lot size minimum. Page 2 of the pre-annexation agreement states "The Developer chooses to develop under a Private Commons Development the site shall comply with §14-16-3-16 ROA 1994 of the Zoning Code."
A "PRIVATE COMMONS DEVELOPMENT (PCD)" is defined as: " A residential development of at least one acre which meets the requirements of this article for such developments (see § 14-16-3-16); it may contain houses and townhouses on any sized lot; it must include a Private Parceled Commons Area or a Public Parceled Commons Area."
The Zoning Code describes how to determine the number of lots for a PCD but not the lot size.

Thank you,

Cheryl Somerfeldt MLA, LEED AP, APA
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From: Jaramillo, Nichole V [<mailto:nvjaram@sandia.gov>]
Sent: Monday, June 11, 2018 10:57 AM
To: Somerfeldt, Cheryl
Cc: Freddy Jaramillo (freddymjaramillo@gmail.com); 'nicholevg@gmail.com'
Subject: Project #: 1005455 Case #: 18EPC-40015

Good Morning Ms. Somerfeldt,

I've attached our letter for the June 14th hearing date. Mr. Gutierrez and Freddy and I have not reached an agreement on the easement. Also, I've read through the staff report and have identified several errors including the identification of our land. A single family home is located to the west of the proposed development site, but it is not identified in the staff report. Also, the proposed site is 3.9 acres, but is identified throughout the report as almost 5 acres.

Also, on page 122 of the staff report, an email from you states that each lot must be at least a ½ acre and you commented "which they are" (bullet 1 below) however, the site plan that we have, page 131, shows that the lot size range from 0.2189 acres to the largest at 0.3782. Am I missing something?

Thank you,

Nichole Jaramillo

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This message has been analyzed by Deep Discovery Email Inspector.

6/11/18

To Whom It May Concern:

We are the owners of 1113 Montoya St. NW, Albuquerque, NM 87104, El Jaral Subdivision Lot A. We have concerns regarding Project #1005455, Case #18EPC-40015, the subdivision of El Jaral Subdivision Lot A regarding the proposed impacts and changes to our existing easement that was recorded on 12/5/86, BK. C32 Folio 61. We do not agree to vacate the easement and have concerns over the proposition to move it.

Thank you,

Freddy & Nichole Jaramillo