

3. **Project# 1009084**
12DRB-70079 VACATION OF PUBLIC
UTILITY EASEMENT
12DRB-70080 VACATION OF PUBLIC
RIGHT-OF-WAY

WILSON & COMPANY agent(s) for CITY OF ALBUQUERQUE et.al. request(s) the referenced/ above action(s) for all or a portion of COMPASS DRIVE NW plus Utility Easements in Block(s) 2, **VOLCANO CLIFFS Unit 19**, zoned SU-2/ VCLL, located on COMPASS DR NW bewteen CAMINO DEL OSTE NW and COMPASS CT NW containing approximately 4.5 acre(s). (D-10) *[Deferred from 3/28/12, 4/4/12, 5/9/12, 5/30/12, 6/27/12]* **DEFERRED TO 8/29/12 AT THE AGENT'S REQUEST.**


4. **Project# 1008585**
12DRB-70146 MAJOR – SITE
DEVELOPMENT PLAN FOR
BUILDING PERMIT

TIERRA WEST LLC agent(s) for BRUCKNER TRUCK SALES request(s) the referenced/ above action(s) for all or a portion of Tract(s) B-20 & B-21, **TOWN OF ATRISCO Unit 5**, zoned SU-1 (IP USES & C-2 PERMISSIVE USES W/EXCEPTIONS), located on the north side of DAYTONA RD NW between UNSER BLVD AND 90TH ST NW containing approximately 7.2399 acre(s). (J-9) *[Deferred from 6/6/12, 6/20/12, 6/27/12, 7/18/12]* **WITH THE SIGNING OF THE INFRASTRUCTURE LIST DATED 7/25/12, THE SITE DEVELOPMENT PLAN FOR BUILDING PERMIT WAS APPROVED WITH FINAL SIGN-OFF DELEGATED TO CITY ENGINEER FOR SIA AND TO PLANNING.**

**SITE DEVELOPMENT PLANS (EPC FINAL SIGN-OFF) AMENDED PLANS AND
MASTER DEVELOPMENT PLANS (CITY COUNCIL FINAL SIGN-OFF)**

5. **Project# 1009244**
12DRB-70204 EPC APPROVED SDP
FOR BUILD PERMIT

PNM request(s) the above action(s) for all or a portion of **VOLCANO CLIFFS Unit(s) 25**, zoned R-1, located on RAINBOW BETWEEN SCENIC AND UNSER containing approximately .92 acre(s). (D-9&10) **THE SITE DEVELOPMENT PLAN FOR BUILDING PERMIT WAS APPROVED.**

- 6.. **Project# 1001466**
12DRB-70202 EPC APPROVED SDP
FOR BUILD PERMIT 

MAHLMAN STUDIO ARCHITECTURE agent(s) for CITY OF ALBUQUERQUE, request(s) the above action(s) for all or a portion of Tract(s) B-3-A, **FREEWAY-OLD TOWN, LIMITED** zoned SU-1 MUSEUM, located on MOUNTAIN RD NW BETWEEN 18TH NW AND 15TH NW containing approximately 5 acre(s). (J-13) **THE SITE DEVELOPMENT PLAN FOR BUILDING PERMIT WAS APPROVED.**

DRB CASE ACTION LOG - BLUE SHEET

- Preliminary/Final Plat [FP]
- Site Plan - Subdivision [SPS]
- Site Plan - Building Permit [SBP]

This sheet must accompany your plat or site plan to obtain delegated signatures. Return sheet with site plan/plat once comments have been addressed.

Project #: 1001466 Application #: 12DRB-70207
 Project Name: Freeway-Old Town Limited
 Agent: Mahlman Studio Architecture Phone #:

****Your request was approved on 7-25-12 by the DRB with delegation of signature(s) to the following departments - outstanding comments to be addressed****

- TRANSPORTATION:

- ABCWUA:

- CITY ENGINEER / AMAFCA:

- PARKS / CIP:

- PLANNING (Last to sign):

PLATS:

- Planning must record this plat. Please submit the following items:
 - The original plat and a mylar copy for the County Clerk.
 - Tax certificate from the County Treasurer.
 - Recording fee (checks payable to the County Clerk). RECORDED DATE: _____
 - Tax printout from the County Assessor.
 - County Treasurer's signature must be obtained prior to the recording of the plat with County Clerk.
- Property Management's signature must be obtained prior to Planning Department's signature.
- AGIS DXF File approval required.
- Copy of recorded plat for Planning.

ALL SITE PLANS:

3 copies of the approved site plan. Include all pages.

**City of Albuquerque
Planning Department
Inter-Office Memorandum**

TO: Jack Cloud, DRB Chair

FROM: Petra Morris, Planner

SUBJECT: Project # 1001466

DATE: July 20, 2012

On December 8, 2012, the Environmental Planning Commission approved Project #1001466 / 11EPC-40069, an amendment to a Site Development Plan for Building Permit for Tract B-3-A, Freeway-Old Town, located at 1701 Mountain Road, on Mountain Road between 18th and 15th Streets and zoned SU-1 Museum.

Staff met with the applicant at 1.30pm of June 26th, 2012 to review the DRB submittal. The applicant has satisfied all of the EPC conditions of approval.

The MOU between the State and the City from 2000 for mutual access and shared use of the common parking lot, has been provided to address the condition requiring a cross access easement and shared parking agreement. This was required by Transportation Development, therefore I defer to Transportation Development in this regard. Compliance with City Engineer conditions should be verified with the City Engineer. If you should have any questions regarding this case, please do not hesitate to call me at 924-3897.

Thank you.



Supplemental form

SUBDIVISION

- Major Subdivision action
- Minor Subdivision action
- Vacation
- Variance (Non-Zoning)

SITE DEVELOPMENT PLAN

- for Subdivision
- for Building Permit
- Administrative Amendment (AA)
- IP Master Development Plan
- Cert. of Appropriateness (LUCC)

STORM DRAINAGE (Form D)

- Storm Drainage Cost Allocation Plan

S Z ZONING & PLANNING

- Annexation
- County Submittal
- EPC Submittal
- Zone Map Amendment (Establish or Change Zoning)
- Sector Plan (Phase I, II, III)
- Amendment to Sector, Area, Facility or Comprehensive Plan
- Text Amendment (Zoning Code/Sub Regs)
- Street Name Change (Local & Collector)
- APPEAL / PROTEST of...**
- Decision by: DRB, EPC, LUCC, Planning Director or Staff, ZHE, Zoning Board of Appeals

PRINT OR TYPE IN BLACK INK ONLY. The applicant or agent must submit the completed application in person to the Planning Department Development Services Center, 600 2nd Street NW, Albuquerque, NM 87102. Fees must be paid at the time of application. Refer to supplemental forms for submittal requirements.

APPLICATION INFORMATION:

Professional/Agent (if any): David Mahlman, Mahlman Studio Architecture PHONE: 505-243-0101
 ADDRESS: 206 Broadway SE FAX: 505-243-1334
 CITY: Albuquerque STATE NM ZIP 87102 E-MAIL: dmahlman@mahlmanstudio.com

APPLICANT: City of Albuquerque, Department of Municipal Development Rhonda Methvin PHONE: 505-768-3826
 ADDRESS: P.O. Box 1293 FAX: 505-768-2310
 CITY: Albuquerque STATE NM ZIP 87103 E-MAIL: rmethvin@cabq.gov
 Proprietary interest in site: Owner List all owners: City of Albuquerque

DESCRIPTION OF REQUEST: Final Sign-off for EPC Approved SDP for Building Permit

Is the applicant seeking incentives pursuant to the Family Housing Development Program? Yes. No.

SITE INFORMATION: ACCURACY OF THE EXISTING LEGAL DESCRIPTION IS CRUCIAL! ATTACH A SEPARATE SHEET IF NECESSARY.

Lot or Tract No. Tract B-3-A Block: _____ Unit: _____
 Subdiv/Addr/TBKA: Freeway - Old Town, Limited
 Existing Zoning: SU-1 Museum Proposed zoning: Same MRGCD Map No _____
 Zone Atlas page(s): J-13-Z UPC Code: 101305831836712068

CASE HISTORY:

List any current or prior case number that may be relevant to your application (Proj., App., DRB-, AX_Z_, V_, S_, etc.): Z-98-86; DRB 98-366; 11 EPC-40069

CASE INFORMATION:

Within city limits? Yes Within 1000FT of a landfill? No
 No. of existing lots: 1 No. of proposed lots: 1 Total area of site (acres): Approx 5 acres

LOCATION OF PROPERTY BY STREETS: On or Near: Mountain Rd NW

Between: 18th NW and 15th NW

Check-off if project was previously reviewed by Sketch Plat/Plan , or Pre-application Review Team . Date of review: _____

SIGNATURE David Mahlman DATE 13 July 2012

(Print) David Mahlman, Mahlman Studio Applicant Agent

FOR OFFICIAL USE ONLY

- INTERNAL ROUTING
- All checklists are complete
- All fees have been collected
- All case #'s are assigned
- AGIS copy has been sent
- Case history #'s are listed
- Site is within 1000ft of a landfill
- F.H.D.P. density bonus
- F.H.D.P. fee rebate

Application case numbers	Action	S.F.	Fees
<u>12 - DRB - 70202</u>	<u>CMF</u>	_____	\$ <u>Ø</u>
_____	<u>SBP</u>	_____	\$ _____
_____	_____	_____	\$ _____
_____	_____	_____	\$ _____
_____	_____	_____	\$ _____

Hearing date JULY 25, 2012

Total \$ Ø

Valerie Botta

7-16-12

Project # 1001466

Planner signature / date

Form revised 4/07

FORM P(3): SITE PLAN REVIEW - D.R.B. MEETING (UNADVERTISED)

- SKETCH PLAT REVIEW AND COMMENT (DRB22)** **Maximum Size: 24" x 36"**
- Scaled site sketch and related drawings showing proposed land use including structures, parking, Bldg. setbacks, adjacent rights-of-way and street improvements, etc. (folded to fit into an 8.5" by 14" pocket) **6 copies.**
 - Zone Atlas map with the entire property(ies) clearly outlined
 - Letter briefly describing, explaining, and justifying the request
 - List any original and/or related file numbers on the cover application
- Meetings are approximately 8 DAYS after the Tuesday noon filing deadline. **Your attendance is required.**

- SITE DEVELOPMENT PLAN FOR SUBDIVISION (DRB18)** **Maximum Size: 24" x 36"**
- 5 Acres or more & zoned SU-1, IP, SU-2, PC, or Shopping Center: Certificate of No Effect or Approval
 - Scaled site plan and related drawings (folded to fit into an 8.5" by 14" pocket) **6 copies**
 - Zone Atlas map with the entire property(ies) clearly outlined
 - Letter briefly describing, explaining, and justifying the request
 - Letter of authorization from the property owner if application is submitted by an agent
 - Copy of the document delegating approval authority to the DRB
 - Completed Site Plan for Subdivision Checklist
 - Infrastructure List, if relevant to the site plan
 - Fee (see schedule)
 - List any original and/or related file numbers on the cover application
- Meetings are approximately 8 DAYS after the Tuesday noon filing deadline. **Bring the original to the meeting. Your attendance is required.**

- SITE DEVELOPMENT PLAN FOR BUILDING PERMIT (DRB17)** **Maximum Size: 24" x 36"**
- 5 Acres or more & zoned SU-1, IP, SU-2, PC, or Shopping Center: Certificate of No Effect or Approval
 - Site plan and related drawings (folded to fit into an 8.5" by 14" pocket) **6 copies**
 - Site Plan for Subdivision, if applicable, previously approved or simultaneously submitted. **6 copies.**
 - Solid Waste Management Department signature on Site Plan
 - Zone Atlas map with the entire property(ies) clearly outlined
 - Letter briefly describing, explaining, and justifying the request
 - Letter of authorization from the property owner if application is submitted by an agent
 - Copy of the document delegating approval authority to the DRB
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 - Completed Site Plan for Building Permit Checklist
 - Copy of Site Plan with Fire Marshal's stamp
 - Fee (see schedule)
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- AMENDED SITE DEVELOPMENT PLAN FOR BUILDING PERMIT (DRB01)** **Maximum Size: 24" x 36"**
- AMENDED SITE DEVELOPMENT PLAN FOR SUBDIVISION (DRB02)** **Maximum Size: 24" x 36"**
- Proposed amended Site Plan (folded to fit into an 8.5" by 14" pocket) **6 copies**
 - DRB signed Site Plan being amended (folded to fit into an 8.5" by 14" pocket) **6 copies**
 - Zone Atlas map with the entire property(ies) clearly outlined
 - Letter briefly describing, explaining, and justifying the request
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 - Completed Site Plan for Building Permit Checklist (not required for amendment of SDP for Subdivision)
 - Fee (see schedule)
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- FINAL SIGN-OFF FOR EPC APPROVED SDP FOR BUILDING PERMIT (DRB05)**
- FINAL SIGN-OFF FOR EPC APPROVED SDP FOR SUBDIVISION (DRB06)**
- 5 Acres or more & zoned SU-1, IP, SU-2, PC, or Shopping Center: Certificate of No Effect or Approval
 - Site plan and related drawings (folded to fit into an 8.5" by 14" pocket) **6 copies**
 - Approved Grading and Drainage Plan (folded to fit into an 8.5" by 14" pocket) **6 copies**
 - Solid Waste Management Department signature on Site Plan for Building Permit
 - Zone Atlas map with the entire property(ies) clearly outlined
 - Letter carefully explaining how each EPC condition has been met and a copy of the EPC Notification of Decision
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I, the applicant, acknowledge that any information required but not submitted with this application will likely result in deferral of actions.

DAVID MAHLMAN
Applicant name (print)

David Mahlman
Applicant signature / date



- Checklists complete
 - Fees collected
 - Case #s assigned
 - Related #s listed
- Application case numbers
12 - DRB - 70202

Form revised October 2007

Valup Butts 7-16-12
Planner signature / date

Project # 1001466



Supplemental form

SUBDIVISION

- Major Subdivision action
- Minor Subdivision action
- Vacation
- Variance (Non-Zoning)

SITE DEVELOPMENT PLAN

- for Subdivision
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- Administrative Amendment (AA)
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- Annexation
- County Submittal
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APPLICANT: City of Albuquerque, Department of Municipal Development Rhonda Methvin PHONE: 505-768-3826
 ADDRESS: P.O. Box 1293 FAX: 505-768-2310
 CITY: Albuquerque STATE NM ZIP 87103 E-MAIL: rmethvin@cabq.gov

Proprietary interest in site: Owner List all owners: City of Albuquerque

DESCRIPTION OF REQUEST: Final Sign-off for EPC Approved SDP for Building Permit

Is the applicant seeking incentives pursuant to the Family Housing Development Program? Yes. No.

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DRB 98-366; 11 EPC-40069

CASE INFORMATION:

Within city limits? Yes Within 1000FT of a landfill? No
 No. of existing lots: 1 No. of proposed lots: 1 Total area of site (acres): Approx 5 acres

LOCATION OF PROPERTY BY STREETS: On or Near: Mountain Rd NW

Between: 18th NW and 15th NW

Check-off if project was previously reviewed by Sketch Plat/Plan , or Pre-application Review Team . Date of review: _____

SIGNATURE David Mahlman DATE 13 July 2012

(Print) David Mahlman, Mahlman Studio Applicant Agent

FOR OFFICIAL USE ONLY

- INTERNAL ROUTING
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- All fees have been collected
- All case #'s are assigned
- AGIS copy has been sent
- Case history #'s are listed
- Site is within 1000ft of a landfill
- F.H.D.P. density bonus
- F.H.D.P. fee rebate

Application case numbers
12 - DRB - 70202

Action SF. Fees
CMF _____ \$ Ø
SBP _____ \$ _____
 _____ \$ _____
 _____ \$ _____
 _____ \$ _____
 Total
 \$ Ø

Hearing date July 25, 2012

Valerie Potts 7-16-12
 Planner signature / date

Project # 1001466

Form revised 4/07

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DAVID MAHLMAN
Applicant name (print)

David Mahlman
Applicant signature / date



- Checklists complete
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 - Related #s listed
- Application case numbers
12 - DRB - 70202

Form revised **October 2007**

Valup Buter 7-16-12
Planner signature / date

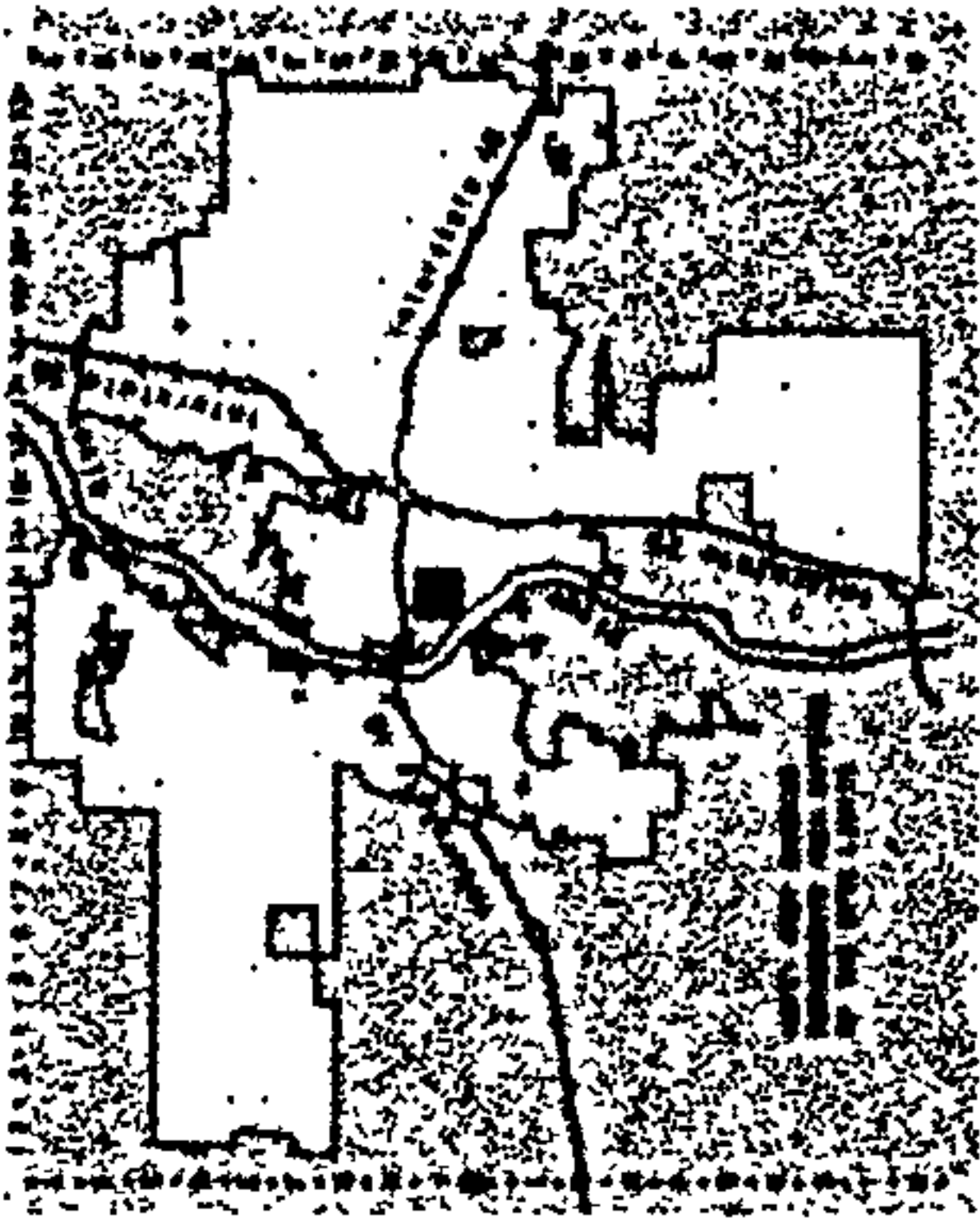
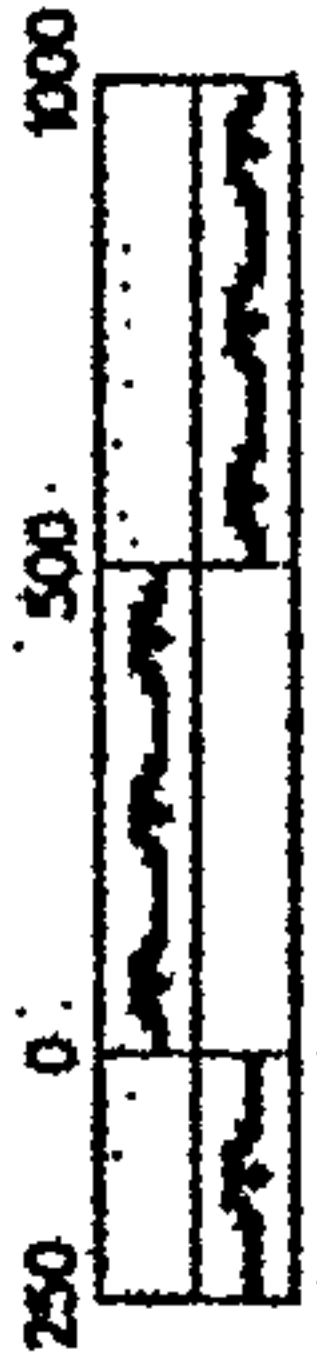
Project # 1001466



CITY OF
ALBUQUERQUE
Albuquerque
PLANNING DEPARTMENT
© Copyright 1978



GRAPHIC SCALE IN FEET



Zone Atlas Page
J-13-Z

Map Amended through
June 29, 1978



13 July 2012

DRB
City of Albuquerque
Albuquerque, New Mexico 87103

RE: Response to EPC Conditions

**PROJECT: Project Number 1001466
11EPC-40069 Amendment to Site Development Plan
for Building Permit**

Chairman and Members,

Attached is a copy of the official Notification of Decision for the above referenced project.

Responses to the eight Conditions of Approval identified in the Notification of Decision are as follows:

1. We are submitting Phase 1 of the Amended Site Development Plan to DRB for approval.
2. We met with Petra Morris, Staff Planner, at 1:30PM on June 26, 2012 and reviewed these responses to the EPC Conditions.
3. The MOU agreement signed in 2000 between the State and the City to allow for mutual access across each others property and the shared use of the common parking lot that spans both properties is attached.
4. All existing and proposed easements have been shown and labeled on the Site Plan.
5. Permanent improvement to the transportation facilities adjacent to the site were accomplished in the original construction completed in 2002. We await further direction from the DRB.
6. All requirements of the original 1998 EPC/DRB decision were accomplished in the original construction completed in 2002.
7. All site plan improvements comply with the design requirements of the DPM Standards.
8. We have confirmed that the two temporary storage buildings on the site were permitted by the Building Safety Division in the fall of 2005 (Plan Check Application No. 0518073).

Additional modifications:

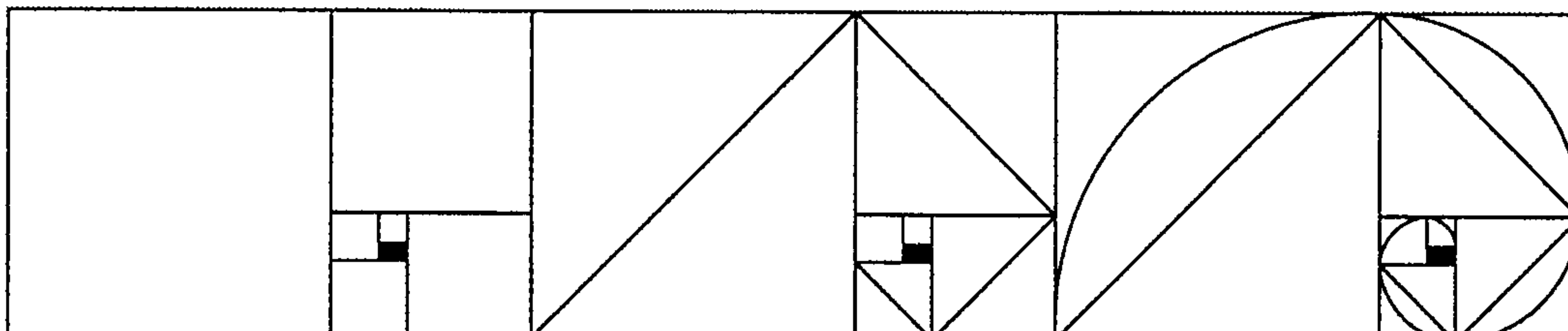
1. The dumpster pad and bollards have been relocated in coordination with the Solid Waste Department.
2. The mechanical penthouse has been removed.
3. The Phase 1 paint booth exhaust stack has been redesigned to fit into a "chimney-like" vertical chase engaged with the second level volume of Phase 1.
4. Several walls shown in original submittal as white stucco have been changed to tan stucco. All stucco colors will match those used in the original building construction.

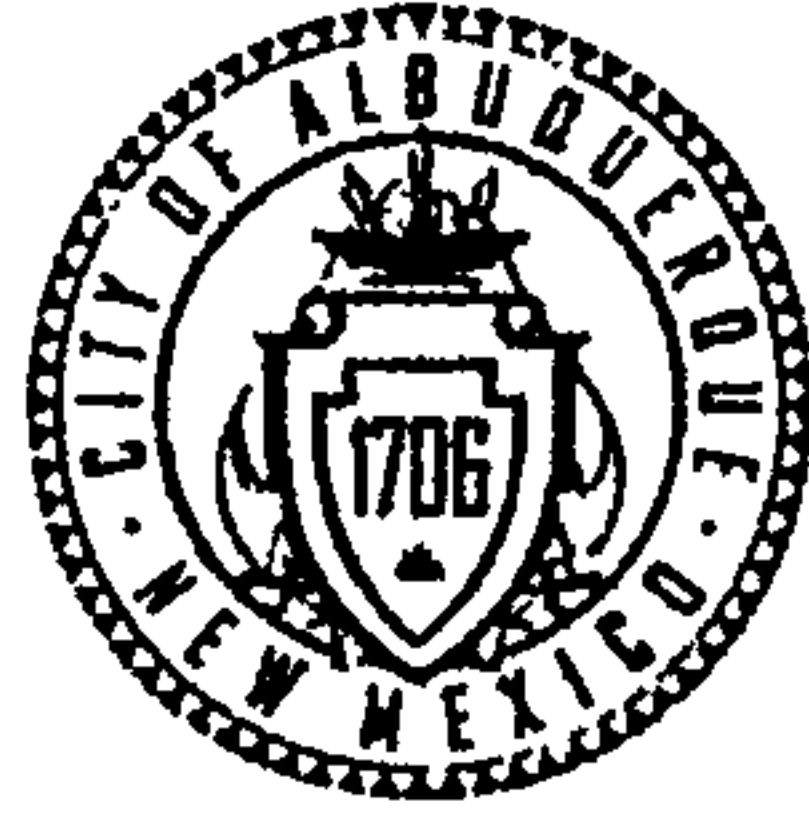
Sincerely,



David Mahlman (dmahlman@mahlmanstudio.com)

Attachments





City of Albuquerque
Planning Department
Urban Design & Development Division
P.O. Box 1293
Albuquerque, New Mexico 87103

Date: December 9, 2011

OFFICIAL NOTIFICATION OF DECISION

FILE: Project # 1001466
11EPC-40069 Amendment to Site Development
Plan for Building Permit

City of Albuquerque
DMD
P.O. Box 1293
Albuquerque, NM, 87102

LEGAL DESCRIPTION:

David Mahlman, Mahlman Studio Architecture agent for City of Albuquerque, Department of Municipal Development requests the above action for all of Tract B-3-A, Freeway- Old Town, Limited, zoned SU-1 Museum and located on Mountain Road between 18th Street and 15th Street, containing approximately 5 acres. (J-13)
Petra Morris, Staff Planner

On December 8, 2011, the Environmental Planning Commission voted to APPROVE Project 1001466 / 11EPC-40069, a request for an Amendment to the Site Development Plan for Building Permit based on the following Findings and subject to the following Conditions:

FINDINGS:

FINDINGS - (11EPC-40069) (December 8, 2011) (Amendment to a Site Plan for Building Permit)

1. This is a request for an amendment to the Site Plan for Building Permit for Tract B-3-A Freeway-Old Town, Limited, located on Mountain Road between 18th and 15th streets and containing approximately 5 acres. The site is known as the Explora Science Center and Children's Museum.
2. The applicant is proposing to do a three phased expansion. Phase 1 will involve the construction of a new two-story addition, (8,600sqft) for staff workshops and related work space and development of a "nature walk" which will be accomplished by enclosing the

existing landscaped area at the southeast of the site with new vine trellis fencing. Phase 2 will involve the construction of a one-story addition, (4,500sqft) for further staff workspace. And phase 3 will involve the construction of a new one-story (3,000sqft) materials storage building to replace the two portable storage buildings currently located in the existing service area, and the addition of shade structures for the "water courtyard" and east side upper level deck.

3. The subject site is zoned SU-1 for Museum, per the Sawmill Wells Park Sector Development Plan and the previous site plan, Z-98-86. The proposed use is permissive under the current zoning.
4. The site is located within the Central Urban Area of the Comprehensive Plan and within the boundaries of the Sawmill Wells Park Sector Development Plan.
5. The Albuquerque/Bernalillo County Comprehensive Plan, the Sawmill Wells Park Sector Development Plan and the City of Albuquerque Zoning Code are incorporated herein by reference and made part of the record for all purposes.
6. The request furthers Policy II.B.5i of the Comprehensive Plan because the new additions are located on the southern and eastern edges of the existing structure. The "back-of-house" additions are to improve the work environment for existing staff. The exterior changes to the landscaped areas will improve the experience for visitors by providing more shade and an additional landscaped area. Although the areas to receive the new additions are oriented towards the S-R zoned properties, there is approximately 150 feet between the structure and the S-R zoned properties. No additional lighting or parking is proposed for the site.
7. The request furthers Policy II.B.5l of the Comprehensive Plan because the proposed additions and improvements to the existing landscaped areas will continue the existing architectural and landscaping palette found at the site.
8. The request further Policy II.B.5o of the Comprehensive Plan because the request will help ensure the continued success of the Explora Museum by providing improved exterior spaces for visitors and an improved work space for staff. The SWPSDP lists the museum as a community strength, for the Sawmill Wells Park neighborhood. In addition in 2010 the Explora Museum won the National Medal for Museum and Library Service.
9. The request furthers Policy II.B.5p of the Comprehensive Plan because the request would provide more space on site, including storage, this is cost-effective as it makes better use of the existing site, rather than expanding to another site.
10. The request furthers Policy II.B.6a of the Comprehensive Plan because the proposed additions to the museum are designed to improve the work environment for the staff. The museum was originally designed for 30 full time staff and to use exhibits brought in from outside. The

Explora Museum now has 75 full time staff and design, develop, create and maintain all of the exhibits in house. Improving the work environment for the existing staff supports the museum and in turn the wider Albuquerque community.

11. The request furthers Policy II.B.6b of the Comprehensive Plan because the request would constitute an effort to continue and expand the Explora Museum, located within the Central Urban area.
12. The request furthers Policy II.C.7c of the Comprehensive Plan because the request supports the continued success of the Explora Museum, a cultural/educational/arts facility. The request furthers Policy II.C.7c- arts promotion/metro area.
13. The request furthers all applicable General SU-2 Regulations for Non-residential development as found in the Sawmill Wells Park Sector Development Plan.
14. There is no known opposition to this request. No letters have been received from the neighborhood associations notified or adjacent property owners.

CONDITIONS OF APPROVAL - (1001466) (12.8.2011)(Amendment to the Site Plan for Building Permit)

1. The EPC delegates final sign-off authority of this site development plan to the Development Review Board (DRB). The DRB is responsible for ensuring that all EPC Conditions have been satisfied and that other applicable City requirements have been met. A letter shall accompany the submittal, specifying all modifications that have been made to the site plan since the EPC hearing, including how the site plan has been modified to meet each of the EPC conditions. Unauthorized changes to this site plan, including before or after DRB final sign-off, may result in forfeiture of approvals.
2. Prior to application submittal to the DRB, the applicant shall meet with the staff planner to ensure that all conditions of approval are met.
3. A Cross Access Easement and Shared Parking Agreement are required between the Explora Science Center and Children's Museum and the property to the north, currently the annex to the Museum of Natural History and Science.
4. All easements need to be shown and labeled on Site Plan.

5. The Developer is responsible for permanent improvements to the transportation facilities adjacent to the proposed site development plan, as may be required by the Development Review Board (DRB).
6. All the requirements of previous actions taken by the EPC and/or the DRB must be completed and/or provided for.
7. Site plan shall comply and be designed per DPM Standards.
8. The temporary buildings on the site shall be confirmed to have the appropriate permits.

IF YOU WISH TO APPEAL/PROTEST THIS DECISION, YOU MUST DO SO BY DECEMBER 23, 2011 IN THE MANNER DESCRIBED BELOW. A NON-REFUNDABLE FILING FEE WILL BE CALCULATED AT THE LAND DEVELOPMENT COORDINATION COUNTER AND IS REQUIRED AT THE TIME THE APPEAL IS FILED. IT IS NOT POSSIBLE TO APPEAL EPC RECOMMENDATIONS TO CITY COUNCIL; RATHER, A FORMAL PROTEST OF THE EPC'S RECOMMENDATION CAN BE FILED WITHIN THE 15 DAY PERIOD FOLLOWING THE EPC'S DECISION.

Persons aggrieved with any determination of the Environmental Planning Commission (EPC) and who have legal standing as defined in Section 14-16-4-4.B.2 of the City of Albuquerque Comprehensive Zoning Code may file an appeal to the City Council by submitting written application on the Planning Department form to the Planning Department **within 15 days** of the Planning Commission's decision. The date of the EPC's decision is not included in the 15-day period for filing an appeal, and if the fifteenth day falls on a Saturday, Sunday or holiday, the next working day is considered as the deadline for filing the appeal. Such appeal, if heard, shall be heard within 45 days of its filing.

YOU WILL RECEIVE NOTIFICATION IF ANY PERSON FILES AN APPEAL. IF THERE IS NO APPEAL, YOU CAN RECEIVE BUILDING PERMITS AT ANY TIME AFTER THE APPEAL DEADLINE QUOTED ABOVE, PROVIDED ALL CONDITIONS IMPOSED AT THE TIME OF APPROVAL HAVE BEEN MET. SUCCESSFUL APPLICANTS ARE REMINDED THAT OTHER REGULATIONS OF THE CITY ZONING CODE MUST BE COMPLIED WITH, EVEN AFTER APPROVAL OF THE REFERENCED APPLICATION(S).

ZONE MAP AMENDMENTS: Pursuant to Zoning Code Section 14-16-4-1(C)(11), a change to the zone map does not become official until the Certification of Zoning is sent to the applicant and any other person who requests it. Such certification shall be signed by the Planning Director after appeal possibilities have been concluded and after all requirements prerequisite to this certification are met. If such requirements are not met within six months after the date of final City approval, the approval is void. The Planning Director may extend this time limit up to an additional six months.

OFFICIAL NOTICE OF DECISION
PROJECT #1001466
DECEMBER 8, 2011
Page 5 of 5

SITE DEVELOPMENT PLANS: Pursuant to Zoning Code Section 14-16-3-11(C)(1), if less than one-half of the approved square footage of a site development plan has been built or less than one-half of the site has been developed, the plan for the undeveloped areas shall terminate automatically seven years after adoption or major amendment of the plan; within six months prior to the seven-year deadline, the property owners shall request in writing thorough the Planning Director that the Planning Commission extend the plan's life an additional five years.

DEFERRAL FEES: Pursuant to Zoning Code Section 14-16-4-1(B), deferral at the request of the applicant is subject to a \$110.00 fee.

Sincerely,



for Deborah Stover
Planning Director

DS/PM/mc

cc: David Mahlman, 206 Broadway SE, Albuquerque, NM 87102
Rhonda Methvin, City of Albuquerque, PO Box 1293, Albuquerque NM 87103

EXHIBIT B

MEMORANDUM OF UNDERSTANDING

WHEREAS, the State of New Mexico ("State"), acting through the New Mexico Museum of Natural History and Science ("Museum"), and the City of Albuquerque ("City"), acting through the Cultural Services Department, Explora Science Center and Children's Museum ("Explora"), occupy adjacent sites within the City of Albuquerque on the northern side of Mountain Road N.W., all as shown on Exhibit A;

WHEREAS, the City and the State desire to enter into this Memorandum of Understanding to provide for efficient planning and use of their adjacent sites;

WHEREAS, the State and the City ("Parties") agree as follows:

THE CITY AGREES:

1. To design and construct approximately 43 parking spaces including an access roadway from 18th Street N.W. eastwards on State property shown as the shaded area on Exhibit A;
2. To design and construct landscaping and irrigation for the shaded portion of Exhibit A. The irrigation system will be attached to the City's irrigation system for the remainder of the parking lot on City property;
3. To maintain the above referenced parking lot, landscape and irrigation systems;
4. To pay for all costs associated with design, construction and maintenance of the access roadway, parking lot, landscape and irrigations systems;
5. To generally allow use of the City's Explora parking by patrons of the Natural History Museum, excepting for special events wherein the City's parking may be reserved for City purposes;
6. To invoice the State for Seventy thousand dollars and no cents (\$70,000.00) for reimbursement of the City's costs of construction on State property;

October 26, 2000

7. To allow access for State purposes across City property from approximately the southeastern border of the City site located at Mountain Road, moving generally northwest through the City parking facility to the State property;

8. To cooperate in the future planning and design of site improvements for the mutual benefits of the parties:

THE STATE AGREES:

1. To reimburse the City a total of Seventy Thousand Dollars and no cents for construction of the access road, parking lot and associated landscaping on State Property, within thirty (30) days of receipt of City invoice;

2. To generally allow use of the Museum's parking facilities by Explora patrons, excepting special events wherein the Museum's parking may be reserved for State purposes;

3. To allow City access from the City parking facility on the Explora site across State property generally northwest to Eighteenth (18th) Street; or from 18th Street generally southeast to the City Parking facility, on the access roadway located on State property;

4. To cooperate in the future planning and design of site improvements for the mutual benefits of the parties.

THE PARTIES AGREE:

1. That this Agreement and its purposes are lawful;

2. That this Agreement does not create in the public or in any member thereof a third party beneficiary;

3. Neither party shall be responsible for liability incurred as a result of the other party's act or omissions in connection with this Memorandum of Understanding; any liability incurred in connection with this Agreement is subject to immunities and limitation of New Mexico Tort Claims Act, Sections 41-4-1, et seq., NMSA 1978, as amended;


4. This Agreement contains the entire agreement of the parties and no other

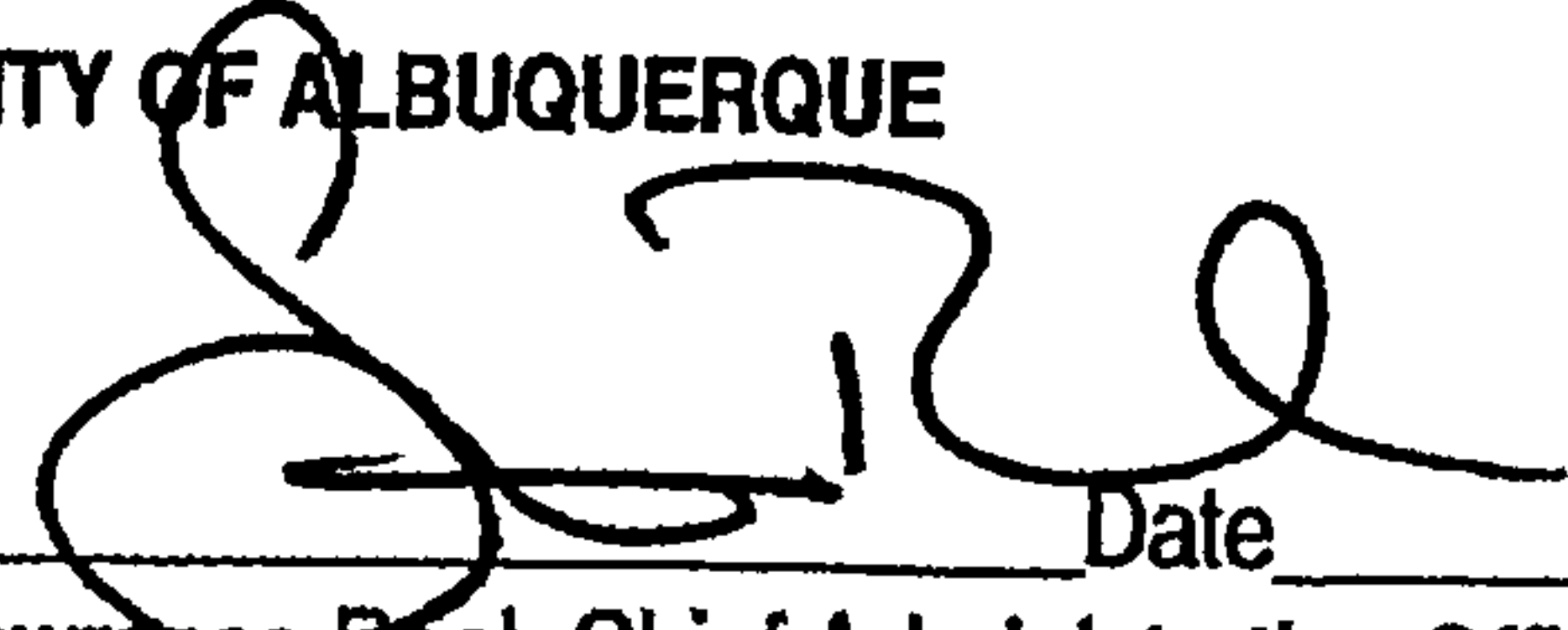
October 26, 2000

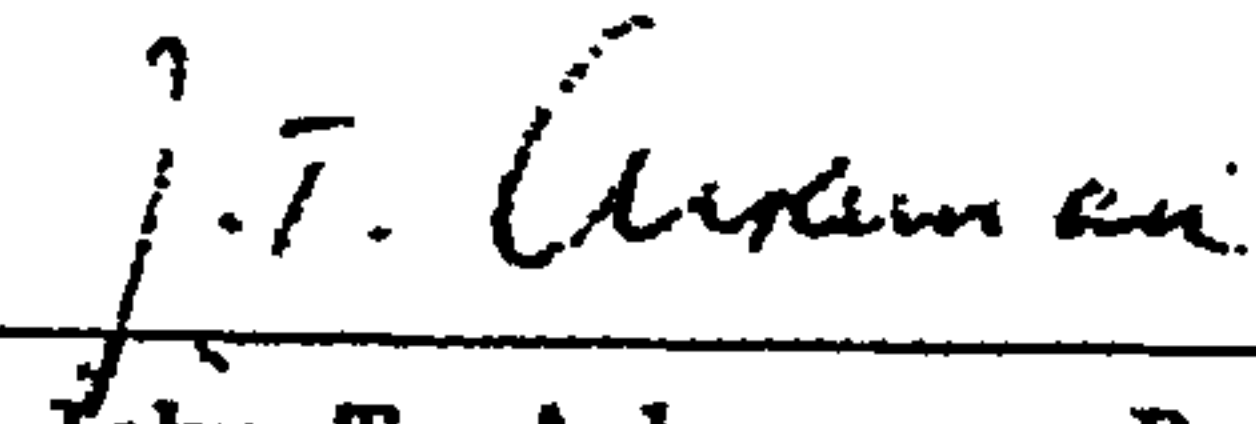
representations oral or written survive the execution of the Agreement. This Agreement shall become effective upon execution by both parties.


STATE OF NEW MEXICO

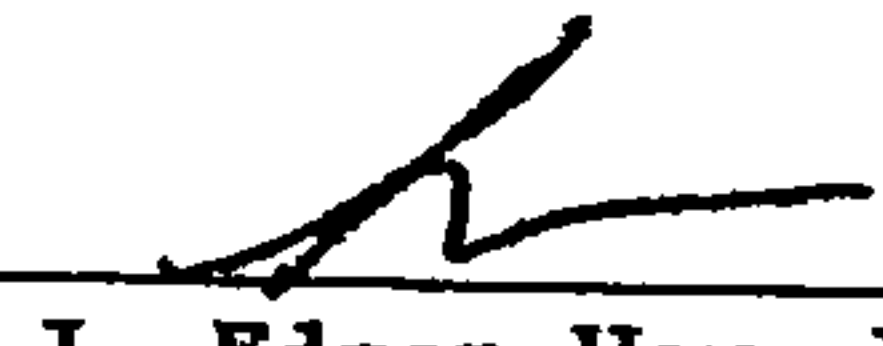
CITY OF ALBUQUERQUE

 Date 11/6/2000
Richard A. Smartt, Museum Director
N.M. Museum of Natural History & Science

 Date _____
Lawrence Rael, Chief Administrative Officer

 Date 11/7/00
John T. Ackerman, President
Board of Trustees

Recommended:
 Date 11/27/00
Connie Beimer, Director
Cultural Services Department

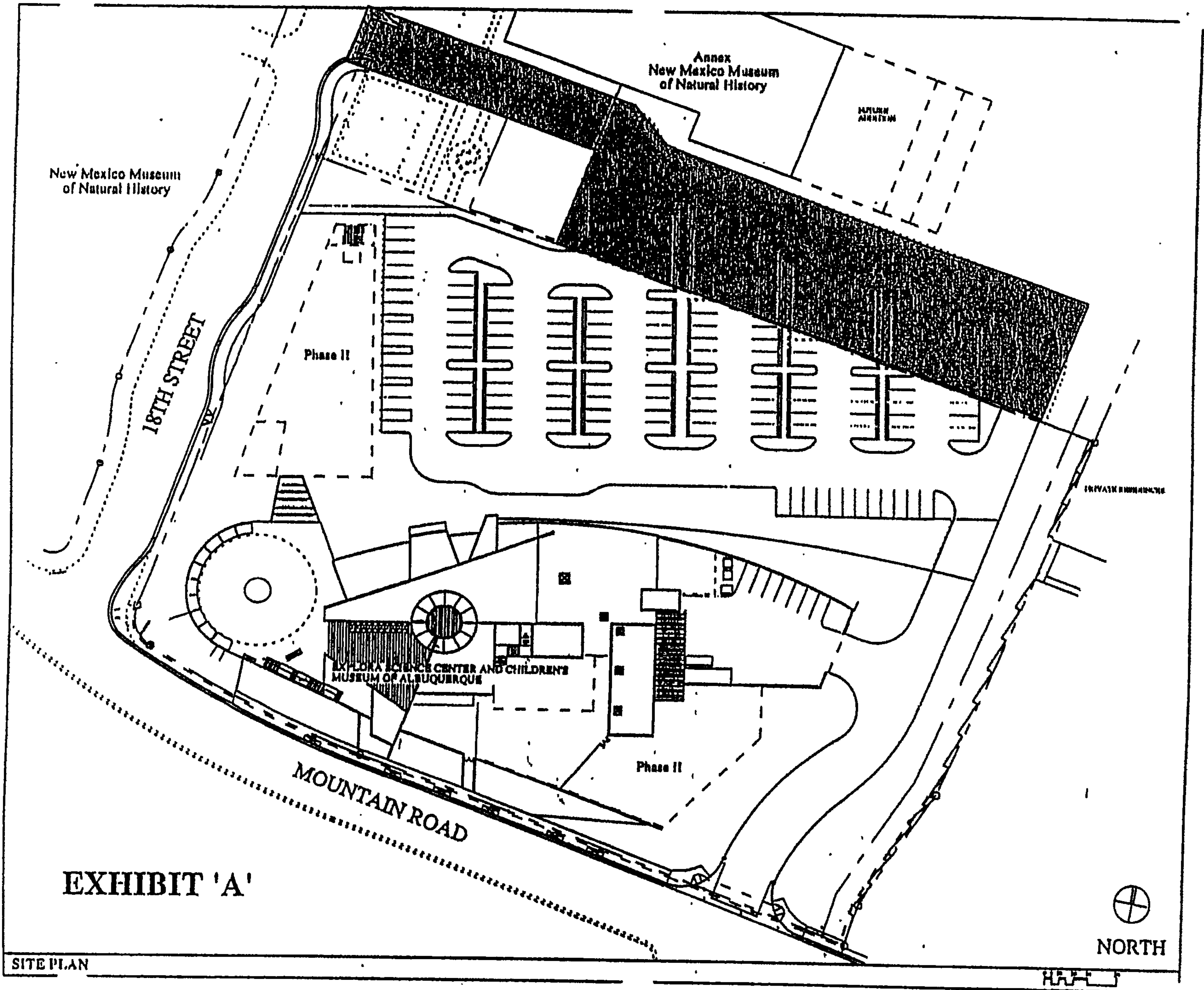
 Date: 11/13/00
J. Edson Way, Director
Office of Cultural Affairs

 Date 11/28/00
Pat Montoya, Capital Implementation Program
Official

Approved as to Form:

 Date 12-4-00
Robert M. White, City Attorney





New Mexico Museum
of Natural History

Annex
New Mexico Museum
of Natural History

MUSEUM
ANNEX

18TH STREET

Phase II

EXPLORA SCIENCE CENTER AND CHILDREN'S
MUSEUM OF ALBUQUERQUE

Phase II

MOUNTAIN ROAD

EXHIBIT 'A'



NORTH

SITE PLAN

H.P.P.