

#15



ALBUQUERQUE

DRB CASE ACTION LOG (PREL & FINAL)

REVISED 2/5/04

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

DRB Application No.: 05DRB-01295 (P&F)

Project # 1002420

Project Name: ALTURA ADDITION

Agent: Community Sciences Corp.

Phone No.: 897-0000

Your request for (SDP for SUB), (SDP for BP), (FINAL PLATS), (MASTER DEVELOP. PLAN), was approved on 2/21/05 by the DRB with delegation of signature(s) to the following departments.

OUTSTANDING SIGNATURES COMMENTS TO BE ADDRESSED

TRANSPORTATION: _____

- _____
- _____
- _____

UTILITIES: _____

- _____
- _____

CITY ENGINEER / AMAFCA: _____

- _____
- _____

PARKS / CIP: _____

- _____
- _____

PLANNING (Last to sign): _____

- _____
- _____

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.

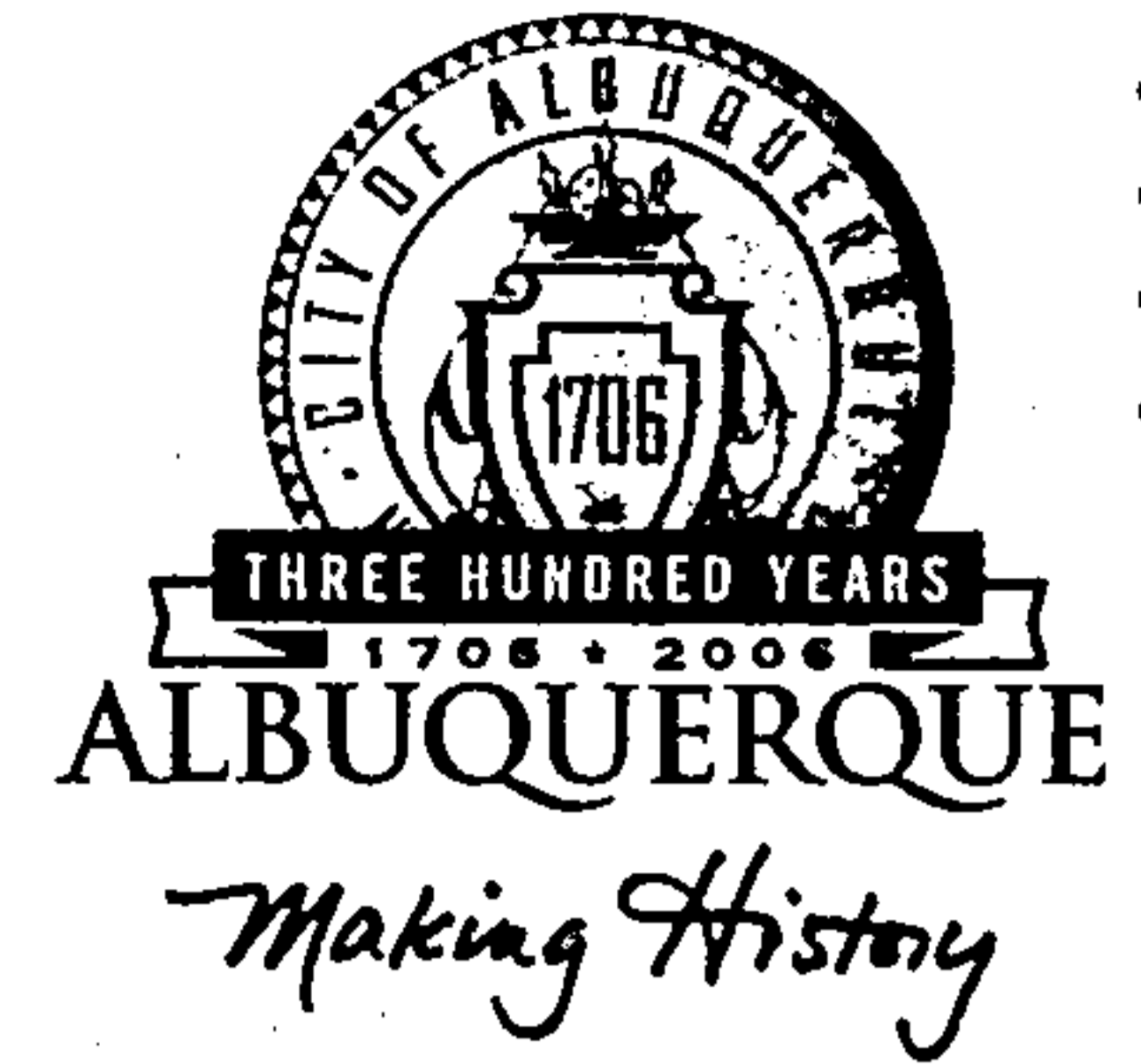
- Include 3 copies of the approved site plan along with the originals.**
- County Treasurer's signature must be obtained prior to the recording of the plat with the County Clerk.**
- Property Management's signature must be obtained prior to Planning Department's signature.**
- AGIS DXF File approval required.**
- Copy of recorded plat for Planning.**

Project Number

1002420

Stacy

CITY OF ALBUQUERQUE



ALBUQUERQUE

PLANNING DEPARTMENT
DEVELOPMENT AND BUILDING SERVICES
HYDROLOGY DEVELOPMENT SECTION

DEVELOPMENT REVIEW BOARD – SPEED MEMO

DRB CASE NO/PROJECT NO: 1002420

AGENDA ITEM NO: 15

SUBJECT:

Final Plat
Preliminary Plat

ACTION REQUESTED:

REV/CMT: () APPROVAL: (X) SIGN-OFF: () EXTN: () AMEND: ()

ENGINEERING COMMENTS:

Minor plat comments.

P.O. Box 1293

RESOLUTION:

Albuquerque

APPROVED ; DENIED __; DEFERRED __; COMMENTS PROVIDED __; WITHDRAWN __

New Mexico 87103

SIGNED-OFF: (SEC-PLN) (SP-SUB) (SP-BP) (FP) BY: (UD) (CE) (TRANS) (PRKS) (PLNG)

DELEGATED: (SEC-PLN) (SP-SUB) (SP-BP) (FP) TO: (UD) (CE) (TRANS) (PRKS) (PLNG)

FOR:

www.cabq.gov

SIGNED: Bradley L. Bingham
City Engineer / AMAFCA Designee

DATE: August 24, 2005



ALBUQUERQUE

**DEVELOPMENT REVIEW BOARD
ACTION SHEET**

Plaza del Sol Hearing Room, Basement, Plaza del Sol Building

August 24, 2005

9:00 a.m.

MEMBERS:

Sheran Matson, AICP, DRB Chair
Claire Senova, Administrative Assistant

Wilfred Gallegos, Transportation Development
Brad Bingham, Alternate City Engineer

Roger Green, Utility Development
Christina Sandoval, Parks & Recreation

NOTE: UNLESS ANNOUNCED DURING THE MEETING, THE DEVELOPMENT REVIEW BOARD WILL NOT TAKE A LUNCH BREAK.

NOTE: INDIVIDUALS WITH DISABILITIES WHO NEED SPECIAL ASSISTANCE TO PARTICIPATE AT THIS MEETING SHOULD CONTACT CLAIRE SENOVA, PLANNING DEPARTMENT, AT 924-3946. HEARING IMPAIRED USERS MAY CONTACT HER VIA THE NEW MEXICO RELAY NETWORK BY CALLING TOLL-FREE:1-800-659-8331.

NOTE: REQUESTS FOR DEFERRAL OF CASES WILL BE DISCUSSED BY THE BOARD AND THE APPLICANT AND/OR AGENT AT THE BEGINNING OF THE AGENDA. BOTH PARTIES MUST AGREE UPON THE DATE OF DEFERRAL. IF THE APPLICANT/AGENT IS NOT PRESENT, THE ADMINISTRATIVE ASSISTANT MUST RECEIVE A LETTER, PRIOR TO THE HEARING DATE, REQUESTING A SPECIFIC DEFERRAL DATE. THE BOARD WILL DISCUSS AND MAKE A DECISION AT THE HEARING. THE APPLICANT/AGENT WILL THEN BE INFORMED OF THE DEFERRAL DATE AND REASON.

- A. Call to Order: 9:00 A.M. Adjourned: 11:30 A.M.
- B. Changes and/or Additions to the Agenda
- C. New or Old Business

CASES WHICH REQUIRE PUBLIC NOTIFICATION
MAJOR SUBDIVISIONS, VACATIONS, SIA EXTENSIONS AND SITE DEVELOPMENT PLANS

- 1. **Project # 1000400**
05DRB-01233 Major-One Year SIA

LEROY ORTIZ agent(s) for SOCIETY OF ST. PIUS X OUR LADY OF THE ROSARY, request(s) the above action(s) for all or a portion of Tract(s) 336, **TOWN OF ATRISCO GRANT UNIT 8**, zoned SU-1 CHURCH, located on OURAY NW, between COORS NW and LADERA NW containing approximately 5 acre(s). [REF: 03DRB-01033] (H-11) **A ONE-YEAR EXTENSION OF THE SIA WAS APPROVED.**

2. **Project # 1003280**
05DRB-01230 Major-Six-Month SIA

TIERRA WEST LLC agent(s) for CLEARBROOK INVESTMENTS INC request(s) the above action(s) for **VISTA PACIFICA UNIT 2**, zoned R-1 residential zone, located on GONZALES RD SW, between OASIS DR SW and CORREGIDOR DR SW containing approximately 5 acre(s). [REF: 04DRB00568, 04DRB01309] (K-11) **A 6-MONTH EXTENSION OF THE SIA WAS APPROVED.**

3. **Project # 1004354**
05DRB-01229 Major-Vacation of Pub
Right-of-Way

TIERRA WEST LLC agent(s) for ACRE PARTNERS request(s) the above action(s) for all or a portion of Block(s) 9 Lot(s) 22-26 and a portion of 27, **ORIGINAL TOWNSITE OF WESTLAND**, zoned SU-2,C-2, located on 98TH ST NW, between CENTRAL AVE NW and VOLCANO RD NW containing approximately 9 acre(s). [REF: ZA-88-3701, ZA-90-276, ZA-96-227, ZA-87-308] (K-9) **THE VACATION WAS APPROVED AS SHOWN ON EXHIBIT B IN THE PLANNING FILE.**

4. **Project # 1001081**
05DRB-01173 Major-Vacation of Pub
Right-of-Way

TIERRA WEST agent(s) for HOME DEPOT U.S.A. INC request(s) the above action(s) for all or a portion of Lot(s) 23, **SNOW HEIGHTS ADDITION**, zoned C-2 (SC) community commercial zone, located on SNOW HEIGHTS CIRCLE NE, between MENAUL BLVD NE and SNOW HEIGHTS BLVD NE. [*Deferred from 8/10/05 & 8/24/05*] (H-20) **DEFERRED AT THE AGENT'S REQUEST TO 9/14/05.**

5. **Project # 1004075**
05DRB-01227 Major-Bulk Land
Variance
05DRB-01228 Minor-Prelim&Final Plat
Approval

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*
*

BOHANNAN HUSTON INC agent(s) for REGENTS OF UNM & COMMISSIONER OF PUBLIC LANDS OF THE STATE OF NEW MEXICO, TRUSTEE request(s) the above action(s) for **MESA DEL SOL**, zoned SU-2 planned communities, located on I-25, between BROADWAY BLVD SW and LOS PICAROS RD SW and containing approximately 12,917.928 acre(s). [REF: 05DRB000525] (Q-15 thru Q-18, R-14 thru R-18, S-14 thru S-18, T-13 thru T-18, U-13 thru U-18) **BULK LAND VARIANCE WAS APPROVED. PRELIMINARY PLAT WAS APPROVED WITH FINAL SIGN OFF DELEGATED TO TRANSPORTATION DEVELOPMENT FOR ACCESS EASEMENTS AND PLANNING FOR AGIS DXF FILE AND TO RECORD.**

6. **Project # 1001770**
05DRB-01231 Major-Vacation of
Public Easements
05DRB-01232 Minor-Prelim&Final Plat
Approval

MARK GOODWIN & ASSOCIATES agent(s) for JPS, LLC request(s) the above action(s) for all or a portion of Tract(s) 5-A1-B & 5-A2-A, LANDS OF JOEL P. TAYLOR (to be known as **MONTANO RETAIL**), zoned C-2, (SC) located on COORS BLVD NW, between MONTANO NW and MONTANO PLAZA NW containing approximately 7 acre(s). [REF: 05-DRB-00320] (E-12) **THE VACATION WAS APPROVED AS SHOWN ON EXHIBIT B IN THE PLANNING FILE. WITH THE SIGNING OF THE INFRASTRUCTURE LIST DATED 8/24/04 AND APPROVAL OF THE GRADING PLAN ENGINEER STAMP DATED 7/26/05 THE PRELIMINARY PLAT WAS APPROVED WITH CONDITION: THE UTILITY PLAN WILL BE INSERTED INTO THE SITE PLAN AND BUILDING PERMIT SET. FINAL PLAT WAS INDEFINITELY DEFERRED FOR THE SIA.**

05DRB-00320 Minor-SiteDev Plan
BldPermit/EPC

GEORGE RAINHART ARCHITECTS & ASSOCIATES. agent(s) for PETE DASKALOS request(s) the above action(s) for all or a portion of Tract(s) 5-A1-B & 5A2-A, **LANDS OF JOEL TAYLOR**, zoned C-2 community commercial zone, located on MONTANO NW, between WINTERHAVEN RD NW and COORS BLVD NW containing approximately 5

acre(s). [REF: 04EPC01722, 04EPC01721] [Elvira Lopez, EPC Case Planner] [*Indef Deferred from 3/2/05*] (E-12) THE SITE PLAN FOR BUILDING PERMIT WAS APPROVED WITH FINAL SIGN OFF DELEGATED TO TRANSPORTATION DEVELOPMENT FOR CROSS SECTIONS OF STREET AND SEWER EASEMENTS AND PLANNING FOR 3 COPIES OF SITE PLAN AND ADDITION OF UTILITY PLAN TO SITE PLAN FOR BUILDING PERMIT.

7. **Project # 1003585**
05DRB-01191 Major-Vacation of Pub
Right-of-Way
05DRB-01190 Minor-Prelim&Final Plat
Approval

SURVEYS SOUTHWEST, LTD. agent(s) for 3900 SILVER AVENUE LLC, request(s) the above action(s) for all or a portion of Lot(s) 1-20, **SILVER STREET TOWNHOMES**, zoned O-R, located on SILVER AVE SE, between ALISO AVE SE and MORNINGSIDE AVE SE containing approximately 2 acre(s). [REF: 05DRB00737] [*Deferred from 8/17/05*] (K-17) THE VACATION WAS APPROVED AS SHOWN ON EXHIBIT B IN THE PLANNING FILE. WITH THE APPROVAL OF THE GRADING PLAN ENGINEER STAMP DATED 5/4/05 THE PRELIMINARY PLAT WAS APPROVED WITH FINAL SIGN OFF DELEGATED TO PLANNING FOR 15-DAY APPEAL PERIOD, REAL PROPERTY SIGNATURE AND TO RECORD.

8. **Project # 1004355**
05DRB-01235 Major-Preliminary Plat
Approval
05DRB-01236 Minor-Temp Defer
SDWK

WILSON & COMPANY INC agent(s) for SCOTT SCHIABOR, SPS, LLC request(s) the above action(s) for all or a portion of Tract(s) 2, **VISTA VIEJA SUBDIVISION, UNIT 2**, zoned R-1 residential zone, located on SCENIC RD NW, between 81ST ST NW and ALBERICOQUE PL NW containing approximately 41 acre(s). [REF: 04DRB00825, 04DRB01460] [*Deferred from 8/24/05*] (D-9) DEFERRED AT THE AGENT'S REQUEST TO 8/31/05.

Project #1003470
05DRB-01289 Minor-Temp Defer
SDWK

WILSON & COMPANY INC agent(s) for SCOTT SCHIABOR request(s) the above action(s) for all or a portion of Tract(s) 1, **VISTA VIEJA SUBDIVISION, UNIT 1**, zoned R-1 residential zone, located on SCENIC RD NW, between 81ST ST NW and ALBERICOQUE PL NW containing approximately 41 acre(s). [REF: 04DRB00825, 04DRB01460] (D-9) **THE TEMPORARY DEFERRAL OF CONSTRUCTION OF SIDEWALKS ON THE INTERIOR STREETS WAS APPROVED AS SHOWN ON EXHIBIT C IN THE PLANNING FILE.**

9. **Project # 1002861**
05DRB-01202 Major-Preliminary Plat
Approval

ABQ ENGINEERING INC agent(s) for INFILL SOLUTIONS DEVELOPMENT request(s) the above action(s) for all or a portion of Block(s) 46, Lots(s) 17 through 24, NEW MEXICO TOWN COMPANY TOWNSITE (to be known as **SOUTHERN UNION GAS LOFTS UNIT II**) zoned SU-3 special center zone, located on 9TH ST SW, between SILVER AVE SW and 8TH ST SW [REF: 03DRB01299, 04DRB00002, 04DRB01137, 05DRB00718] [Deferred from 8/17/05] (K-13) **WITH THE SIGNING OF THE INFRASTRUCTURE LIST DATED 8/24/05 AND APPROVAL OF THE GRADING PLAN ENGINEER STAMP DATED 7/22/05 THE PRELIMINARY PLAT WAS APPROVED.**

10. **Project # 1003189**
05DRB-01127 Major-Preliminary Plat
Approval
05DRB-01129 Minor-Temp Defer
SDWK

RIO GRANDE ENGINEERING agent(s) for FULLER HOMES, INC request(s) the above action(s) for all or a portion of Tract(s) 355, 356 TRACTS A & B, LANDS OF HECTOR ROJO, TOWN OF ATRISCO GRANT (to be known as **AUTUMN VIEW SUBDIVISION**) zoned RD-R1, located on TOWER RD SW, between COORS BLVD SW and STINSON RD SW containing approximately 15 acre(s). [Deferred from 8/3/05, 8/17/05, 8/24/05] (L-10) **DEFERRED AT THE AGENT'S REQUEST TO 8/31/05.**

11. **Project # 1004300**
05DRB-01080 Minor-SiteDev Plan
BldPermit

JIM MEDLEY, Architect AIA agent(s) for ROBERT NAVARRETTE request(s) the above action(s) for all or a portion of Lot(s) 31, 32, Block(s) 9, Tract(s) A, **NORTH ALBUQUERQUE ACRES, UNIT B**, zoned SU-2, M-1, located on EAGLE ROCK AVE NE and SAN MATEO BLVD NE containing approximately 2 acre(s). [Deferred from 7/27/05 and 8/10/05 & 8/17/05] (C-18) **THE SITE PLAN FOR BUILDING PERMIT WS APPROVED WITH FINAL SIGN OFF DELEGATED TO PLANNING FOR ENVIRONMENTAL HEALTH SIGNATURE AND 3 COPIES OF THE SITE PLAN.**

05DRB-01286 Minor-Prelim&Final Plat
Approval

WAYJOHN SURVEYING INC agent(s) for ROBERT NAVARRETTE, ELITE DRI-WALL request(s) the above action(s) for all or a portion of Lot(s) 31, 32, Block(s) 9, Tract(s) A, **NORTH ALBUQUERQUE ACRES, UNIT B**, zoned SU-2, M-1, located on EAGLE ROCK AVE NE and SAN MATEO BLVD NE containing approximately 2 acre(s). [REF: 05DRB01080] [Deferred from 8/17/05] (C-18) **WITH THE SIGNING OF THE INFRASTRUCTURE LIST DATED 8/24/05 AND APPROVAL OF THE GRADING PLAN ENGINEER STAMP DATED 8/22/05 THE PRELIMINARY PLAT WAS APPROVED WITH CONDITION: ENVIRONMENTAL HEALTH'S SIGNATURE MUST APPEAR ON THE FINAL PLAT. FINAL PLAT WAS INDEFINITELY DEFERRED FOR THE SIA.**

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

NOTE: IF THE APPLICANT/AGENT IS NOT PRESENT WHEN THEIR REQUEST IS CALLED, THEN THE REQUEST MAY BE INDEFINITELY DEFERRED ON A NO SHOW.

12. **Project # 1004100**
05DRB-01290 Minor-SiteDev Plan
BldPermit/EPC

QUICK DRAW ENGINEERING LLC agent(s) for SPRINGSTONE CHILDRENS LEARNING CENTER request(s) the above action(s) for all or a portion of Tract(s) F, **LA CUEVA VILLAGE - UNIT 1**, zoned C-2 (SC), located on CARMEL AVE NE, between WYOMING BLVD NE and BARSTOW NE containing

approximately 1 acre(s). [REF: 05EPC00582]
[Carmen Marrone for Elvira Lopez, EPC Case
Planner] (Deferred from 8/24/05) (C-19) DEFERRED
AT THE AGENT'S REQUEST TO 8/31/05.

MINOR PLATS, FINAL (MAJOR) PLATS, AMENDED PLATS AND PLANS

- 13. Project # 1000511**
05DRB-01102 Minor-Vacation of
Private Easements (withdrawn)
05DRB-01101 Minor-Prelim&Final Plat
Approval
- MIKE MONTOYA request(s) the above action(s) for all or a portion of Tract(s) A1, A2, A3, **HERITAGE EAST, UNIT 3**, zoned R-D residential and related uses zone, developing area, located on DE VARGAS LOOP NE, between VENTURA ST NE and GREENWOOD ST NE containing approximately 1 acre(s). [REF: DRB-94-551] [Deferred from 7/27/05 & 8/24/05] (D-20) **DEFERRED AT THE BOARD'S REQUEST TO 9/21/05.**
- 14. Project # 1000351**
05DRB-01303 Minor-Prelim&Final Plat
Approval
- CARTESIAN SURVEYS agent(s) for BOB KITTS request(s) the above action(s) for all or a portion of Tract(s) 3, 7 & 8, **LANDS OF ZIA TRADING COMPANY**, zoned SU-1 FOR IP, located on OSUNA BLVD NE, between BNSF RR TRACKS and EDITH BLVD NE containing approximately 4 acre(s). [REF: Z-99-99, AX-99-10] (Deferred from 8/24/05) (E-15) **DEFERRED AT THE BOARD'S REQUEST TO 8/31/05.**

15. ~~Project # 1002420~~
05DRB-01295 Minor-Prelim&Final Plat
Approval

COMMUNITY SCIENCES CORP agent(s) for 1420 CARLISLE LLC request(s) the above action(s) for all or a portion of Lot(s) A-1 & A-2, Block(s) 10, **ALTURA ADDITION**, zoned C-1 neighborhood commercial zone, located on CARLISLE BLVD NE and ASPEN AVE NE and containing approximately 2 acre(s). [REF: 03DRB00051] (J-17) **PRELIMINARY AND FINAL PLAT WERE APPROVED AND SIGNED OFF BY THE BOARD.**

16. **Project # 1002779**
05DRB-01308 Major-Final Plat
Approval

ADVANCED ENGINEERING & CONSULTING LLC agent(s) for SANHIL DEVELOPMENT LTD CO request(s) the above action(s) for all or a portion of Tract(s) C, LANDS OF POLO CHAVEZ and Tract(s) A-1 & A-2, SAN JOSE TRACTS (to be known as **CIELO LINDO SUBDIVISION**) zoned R-1 residential zone, located on AIRPORT DR SW, between DONA BARBARA AVE SW and EDUARDO RD SW containing approximately 9 acre(s). [REF: 03EPC02049, 03EPC01061, 04DRB00959, 04DRB01730, 04DRB01731, 04DRB01732] (M-11) **THE FINAL PLAT WAS APPROVED WITH FINAL SIGN OFF DELEGATED TO CITY ENGINEER FOR DISPOSITION OF TRACT A AND PRIVATE DRAINAGE EASEMENT ON LOT 27 AND TO PLANNING FOR AGIS DXF FILE, TRACT A - PUBLIC SAS AND WATER EASEMENTS TO ABCWUD AND TO RECORD THE PLAT.**

17. **Project # 1003285**
05DRB-01296 Minor-Final Plat
Approval

MARK GOODWIN & ASSOCIATES agent(s) for WESTLAND DEVELOPMENT CO INC request(s) the above action(s) for all or a portion of Tract(s) B-24 through B-28, TOWN OF ATRISCO GRANT (to be known as **SUNDORO SOUTH, UNIT 6**) zoned SU-2 FOR RLT, located on ENDEE ROAD NW, between

*
*
*

94TH ST NW and 90TH ST NW containing approximately 14 acre(s). [REF: 05DRB-00105, 05DRB-00106, 05DRB-00112, 05DRB-00107, 05DRB-00113] (J-9) **FINAL PLAT WAS APPROVED WITH FINAL SIGN OFF DELEGATED TO PLANNING TO RECORD.**

18. **Project # 1004315**
05DRB-01305 Minor-Prelim&Final Plat Approval

BOHANNAN HUSTON INC agent(s) for ALTURA WEST DEVELOPMENT LLC request(s) the above action(s) for all or a portion of Lot(s) 33-A & 35-A, **OXBOW BLUFF SUBDIVISION**, zoned SU-3 special center zone, located on SILVERY MINOW LN NW, between WATERWILLOW LN NW and GREY HAWK LN NW containing approximately 2 acre(s). [REF: 05DRB01121] (F-11) **THE PRELIMINARY PLAT WAS APPROVED WITH FINAL SIGN OFF DELEGATED TO UTILITIES DEVELOPMENT FOR SIGNED OFF ENCROACHMENT AGREEMENT READY TO RECORD AND THE PLANNING TO RECORD.**

19. **Project # 1004375**
05DRB-01306 Minor-Prelim&Final Plat Approval

LAND DEVELOPMENT CONSULTANTS agent(s) for INELDA JARAMILLO request(s) the above action(s) for all or a portion of Tract(s) 1, **P & J SUBDIVISION**, zoned SU-1 PRD, located on SAN ANTONIO DR NE, between SAN PEDRO DR NE and LOUISIANA BLVD NE containing approximately 7 acre(s). [REF: DRB-92-241, SP-92-85](E-18) **THE PRELIMINARY PLAT WAS APPROVED WITH FINAL SIGN OFF DELEGATED TO TRANSPORTATION DEVELOPMENT FOR DEDICATION ALONG SAN ANTONIO TO HAVE CURB FACE 13-FEET FROM PROPERTY LINE AND TO CITY ENGINEER FOR REMOVAL OF PUBLIC DRAINAGE EASEMENT AND AGIS DXF FILE.**

20. **Project # 1004377**
05DRB-01309 Minor-Prelim&Final Plat
Approval

BRITT HARVILLE request(s) the above action(s) for all or a portion of Lot(s) 5 & 6, **PAWIDOL SUBDIVISION**, zoned RA-2 residential and agricultural zone, located on VIZCAYA PLAZA NW, between RIO GRANDE BLVD NW and GABALDON RD NW containing approximately 1 acre(s). (H-12) **PRELIMINARY PLAT WAS APPROVED WITH FINAL SIGN OFF DELEGATED TO PLANNING FOR AGIS DXF FILE.**

NO ACTION IS TAKEN ON THESE CASES:

APPLICANT - AGENT IS REQUIRED TO BE AT THE MEETING

21. **Project # 1004378**
05DRB-01310 Minor-Sketch Plat or
Plan

LAURIE BALMER agent(s) for LUCILE LANSING request(s) the above action(s) for all or a portion of Lot(s) 8, Block(s) 5, **ALTURA ADDITION**, zoned R-1, located on AVENIDA MANANA NE, between CONSTITUTION NE and ASPEN NE containing approximately 1 acre(s). (J-17) **THE ABOVE REQUEST WAS REVIEWED AND COMMENTS WERE GIVEN.**

22. Approval of the Development Review Board Minutes for August 10, 2005. **THE DRB MINUTES FOR AUGUST 10, 2005 WERE APPROVED BY THE BOARD.**

ADJOURNED: 11:30 A.M.

2420

DXF Electronic Approval Form

DRB Project Case #: 1002420

Subdivision Name: ALTURA ADDN TRS A1 & A2 BLK 10

Surveyor: THOMAS W PATRICK

Contact Person: CLIFF SPIROCK JR

Contact Information:

DXF Received: 8/11/2005

Hard Copy Received: 8/11/2005

Coordinate System: Ground rotated to NMSP Grid

Neal Weinberg
Approved

8/11/05
Date

* The DXF file cannot be accepted (at this time) for the following reason(s):

AGIS Use Only

Copied fc 2420 to agiscov on 8/11/2005 Contact person notified on 8/11/2005



City of Albuquerque

P.O. BOX 1293 ALBUQUERQUE, NEW MEXICO 87103

ALBUQUERQUE

DEVELOPMENT REVIEW BOARD TRANSPORTATION DEVELOPMENT Standard Comment Sheet

DRB-1002420

Item No. 12

Zone Atlas J-17

DATE ON AGENDA 1-22-03

INFRASTRUCTURE REQUIRED (?) YES () NO

CROSS REFERENCE: _____

TYPE OF APPROVAL REQUESTED:

- SKETCH PLAT () PRELIMINARY PLAT () FINAL PLAT
- () SITE PLAN REVIEW AND COMMENT () SITE PLAN FOR SUBDIVISION
- () SITE PLAN FOR BUILDING PERMIT

No.	Comment
<input type="checkbox"/>	A site sketch showing the street improvements is needed. Additional right-of-way dedication is likely.
<input type="checkbox"/>	Cross access easements are needed.
<input type="checkbox"/>	Is the alley paved?

If you have any questions or comments please call Richard Dourte at 924-3990. Meeting notes:



City of Albuquerque
CITY OF ALBUQUERQUE
 P.O. BOX 1293 ALBUQUERQUE, NEW MEXICO 87103
PUBLIC WORKS DEPARTMENT
DEVELOPMENT SERVICE
HYDROLOGY DEVELOPMENT SECTION

ALBUQUERQUE

DEVELOPMENT REVIEW BOARD--SPEED MEMO

DRB CASE NO/PROJECT NO: 1002420

AGENDA ITEM NO: 12

SUBJECT:

- | | | |
|--------------------------------|---------------------------------|-------------------------------------|
| (01) Sketch Plat/Plan | (05) Site Plan for Subd | (10) Sector Dev Plan |
| (02) Bulk Land Variance | (06) Site Plan for BP | (11) Grading Plan |
| (03) Sidewalk Variance | (07) Vacation | (12) SIA Extension |
| (03a) Sidewalk Deferral | (08) Final Plat | (13) Master Development Plan |
| (04) Preliminary Plat | (09) Infrastructure List | (14) Other |

ACTION REQUESTED:

REV/CMT:(x) APP:() SIGN-OFF:() EXTN:() AMEND:()

ENGINEERING COMMENTS:

Crosslot drainage easements may be required – see drainage file J17-D22.

RESOLUTION:

discussed

APPROVED ____; DENIED ____; DEFERRED ____; COMMENTS PROVIDED X; WITHDRAWN

SIGNED-OFF: (SEC-PLN) (SP-SUB) (SP-BP) (FP) BY: (UD) (CE) (TRANS) (PKS) (PLNG)

DELEGATED: (SEC-PLN) (SP-SUB) (SP-BP) (FP) TO: (UD) (CE) (TRANS) (PKS) (PLNG)

FOR:

SIGNED: Bradley L. Bingham
 City Engineer/AMAFCA Designee

DATE: January 22, 2003

ALBUQUERQUE

CITY OF ALBUQUERQUE
Planning Department
Development Review Board
Minor Case Comments
For
January 22, 2003 Meeting

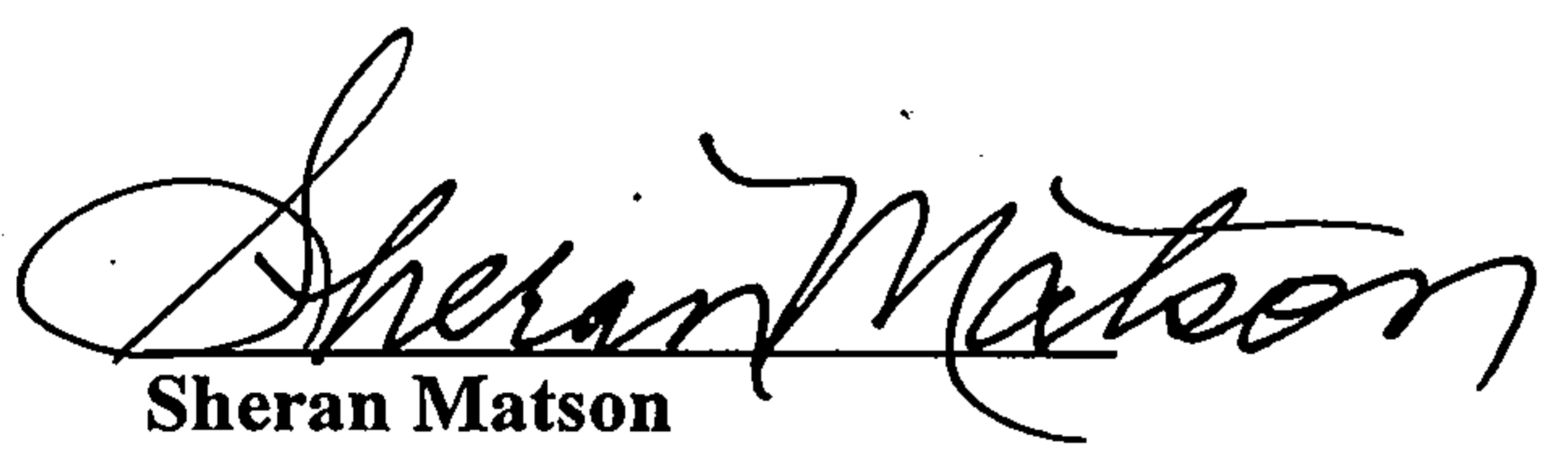
Item # 12

Project # 1002420

Application # 03DRB-00051

Subject: Altura Addition/ Sketch Plat

Reserving comment until a full explanation is given by agent at the meeting.



Sheran Matson
Planning Representative
Phone# 924-3880 Fax# 924-3864

*Existing platting + ownership very unusual.
Appears property sold w/out properly recorded plat.
Required parking must be on-site. What happens if parking easement on adjacent property is cancelled by owner of that property?*

City of Albuquerque



DEVELOPMENT/ PLAN REVIEW APPLICATION

SUBDIVISION

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

SITE DEVELOPMENT PLAN

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

STORM DRAINAGE

- Storm Drainage Cost Allocation Plan

Supplemental form

- 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)
- L A 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.

APPLICANT INFORMATION:

NAME: 1420 CARLISLE LLC attn: MR. WILLIAM LACY PHONE: 505.238.4403
 ADDRESS: PO BOX 34566 FAX: 505.898.2305
 CITY: ALBUQUERQUE STATE NM ZIP 87176 E-MAIL: N/A
 Proprietary interest in site: OWNER (TRACT A1) List all owners: GURU INVESTMENTS (TRACT A2)
 AGENT (if any): COMMUNITY SCIENCES CORPORATION PHONE: 505.897.0000
 ADDRESS: P.O. BOX 1328 / 4481 CORRALES ROAD FAX: 505.898.5195
 CITY: CORRALES STATE NM ZIP 87048 E-MAIL: cspirock@communitysciences.com

DESCRIPTION OF REQUEST: PRELIMINARY FINAL PLAT

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

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

Lot or Tract No. TRACT "A" / - & A-2 Block: 10 Unit: N/A
 Subdiv. / Addn. ALTURA ADDITION
 Current Zoning: C-1 Proposed zoning: N/A
 Zone Atlas page(s): J-17-Z No. of existing lots: 01 No. of proposed lots: 02
 Total area of site (acres): 1.2087 Density if applicable: dwellings per gross acre: N/A dwellings per net acre: N/A
 Within city limits? Yes. No , but site is within 5 miles of the city limits.) Within 1000FT of a landfill? NO
 UPC No. SEE PLAT MRGCD Map No. N/A
 LOCATION OF PROPERTY BY STREETS: On or Near: CARLISLE BOULEVARD
 Between: CARLISLE BOULEVARD NE and ASPEN AVENUE NE

CASE HISTORY:

List any current or prior case number that may be relevant to your application (Proj., App., DRB-, AX, Z, V, S, etc.): DRB REVIEW AND COMMENT (JAN 2003, NOV 2004) AND CORRESPONDENCE DRB#83-711, DRB 04-01180, P#1002420

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

SIGNATURE [Signature] DATE _____
 (Print) CLIFF F. SPIROCK _____ Applicant Agent

FOR OFFICIAL USE ONLY

Form revised 4/04

- 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>05DRB-01295</u>	<u>P&E</u>	<u>5(3)</u>	<u>\$ 285.00</u>
	<u>CME</u>		<u>\$ 20.00</u>
			\$ _____
			\$ _____
			\$ _____
			\$ _____
Hearing date <u>08/24/05</u>			Total <u>\$ 305.00</u>

Sandy Handley 08/11/05

Project # 1002420

FORM S(3): SUBDIVISION - D.R.B. MEETING (UNADVERTISED) OR INTERNAL ROUTING

SKETCH PLAT REVIEW AND COMMENT

YOUR ATTENDANCE IS REQUIRED.

- Scale drawing of the proposed subdivision plat (folded to fit into an 8.5" by 14" pocket) 6 copies for unadvertised meetings. Sketches are not reviewed through internal routing.
Site sketch with measurements showing structures, parking, Bldg. setbacks, adjacent rights-of-way and street improvements, etcetera, if there is any existing land use (folded to fit into an 8.5" by 14" pocket) 6 copies.
Zone Atlas map with the entire property(ies) precisely and clearly outlined and crosshatched (to be photocopied)
Letter briefly describing, explaining, and justifying the request
Any original and/or related file numbers are listed on the cover application

MAJOR SUBDIVISION EXTENSION OF PRELIMINARY PLAT

Your attendance is required.

- Preliminary Plat reduced to 8.5" x 11"
Zone Atlas map with the entire property(ies) precisely and clearly outlined and crosshatched (to be photocopied)
Letter briefly describing, explaining, and justifying the request
Copy of previous D.R.B. approved infrastructure list
Copy of the LATEST Official D.R.B. Notice of approval for Preliminary Plat Extension request
Any original and/or related file numbers are listed on the cover application

Extensions are not reviewed through internal routing.
Extension of preliminary plat approval expires after one year.

MAJOR SUBDIVISION FINAL PLAT APPROVAL

Your attendance is required.

- Proposed Final Plat (folded to fit into an 8.5" by 14" pocket) 6 copies for unadvertised meetings, 4 copies for internal routing.
Design elevations & cross sections of perimeter walls 3 copies
Zone Atlas map with the entire property(ies) precisely and clearly outlined and crosshatched (to be photocopied)
Original Mylar drawing of the proposed plat for internal routing only. Otherwise, bring Mylar to meeting.
Property owner's and City Surveyor's signatures on the Mylar drawing
SIA financial guaranty verification
Landfill disclosure and EHD signature line on the Mylar drawing if property is within a landfill buffer
Any original and/or related file numbers are listed on the cover application

DXF FILE AND HARD COPY OF FINAL PLAT DATA FOR AGIS IS REQUIRED. MPW

MINOR SUBDIVISION PRELIMINARY / FINAL PLAT APPROVAL

Your attendance is required.

- Proposed Preliminary / Final Plat (folded to fit into an 8.5" by 14" pocket) 6 copies for unadvertised meetings, 4 copies for internal routing.
Site sketch with measurements showing structures, parking, Bldg. setbacks, adjacent rights-of-way and street improvements, etcetera, if there is any existing land use (folded to fit into an 8.5" by 14" pocket) 6 copies.
Zone Atlas map with the entire property(ies) precisely and clearly outlined and crosshatched (to be photocopied)
Letter briefly describing, explaining, and justifying the request
Original Mylar drawing of the proposed plat for internal routing only. Otherwise, bring Mylar to meeting.
Property owner's and City Surveyor's signatures on the Mylar drawing
Landfill disclosure and EHD signature line on the Mylar drawing if property is within a landfill buffer
Signed Pre-Annexation Agreement if Annexation required.
Fee (see schedule)
Any original and/or related file numbers are listed on the cover application
Infrastructure list if required (verify with DRB Engineer) NO INTERNAL ROUTING

DXF FILE AND HARD COPY OF FINAL PLAT DATA FOR AGIS IS REQUIRED.

AMENDMENT TO PRELIMINARY PLAT (with minor changes)

Your attendance is required.

AMENDMENT TO INFRASTRUCTURE LIST (with minor changes)

AMENDMENT TO GRADING PLAN (with minor changes)

PLEASE NOTE: There are no clear distinctions between significant and minor changes with regard to subdivision amendments. Significant changes are those deemed by the DRB to require public notice and public hearing.

- Proposed Amended Preliminary Plat, Infrastructure List, and/or Grading Plan (folded to fit into an 8.5" by 14" pocket) 6 copies for unadvertised meetings.
Original Preliminary Plat, Infrastructure List, and/or Grading Plan (folded to fit into an 8.5" by 14" pocket) 6 copies for unadvertised meetings
Zone Atlas map with the entire property(ies) precisely and clearly outlined and crosshatched (to be photocopied)
Letter briefly describing, explaining, and justifying the request
Original Mylar drawing of the proposed amended plat for internal routing only. Otherwise, bring Mylar to meeting.
Property owner's and City Surveyor's signatures on the Mylar drawing, if the plat is being amended
Any original and/or related file numbers are listed on the cover application

Amended preliminary plat approval expires after one year

I, the applicant, acknowledge that any information required but not submitted with this application will likely result in deferral of actions.

CLIFF SPIROCK
Applicant name (print)

[Signature] 8/11/05
Applicant signature / date

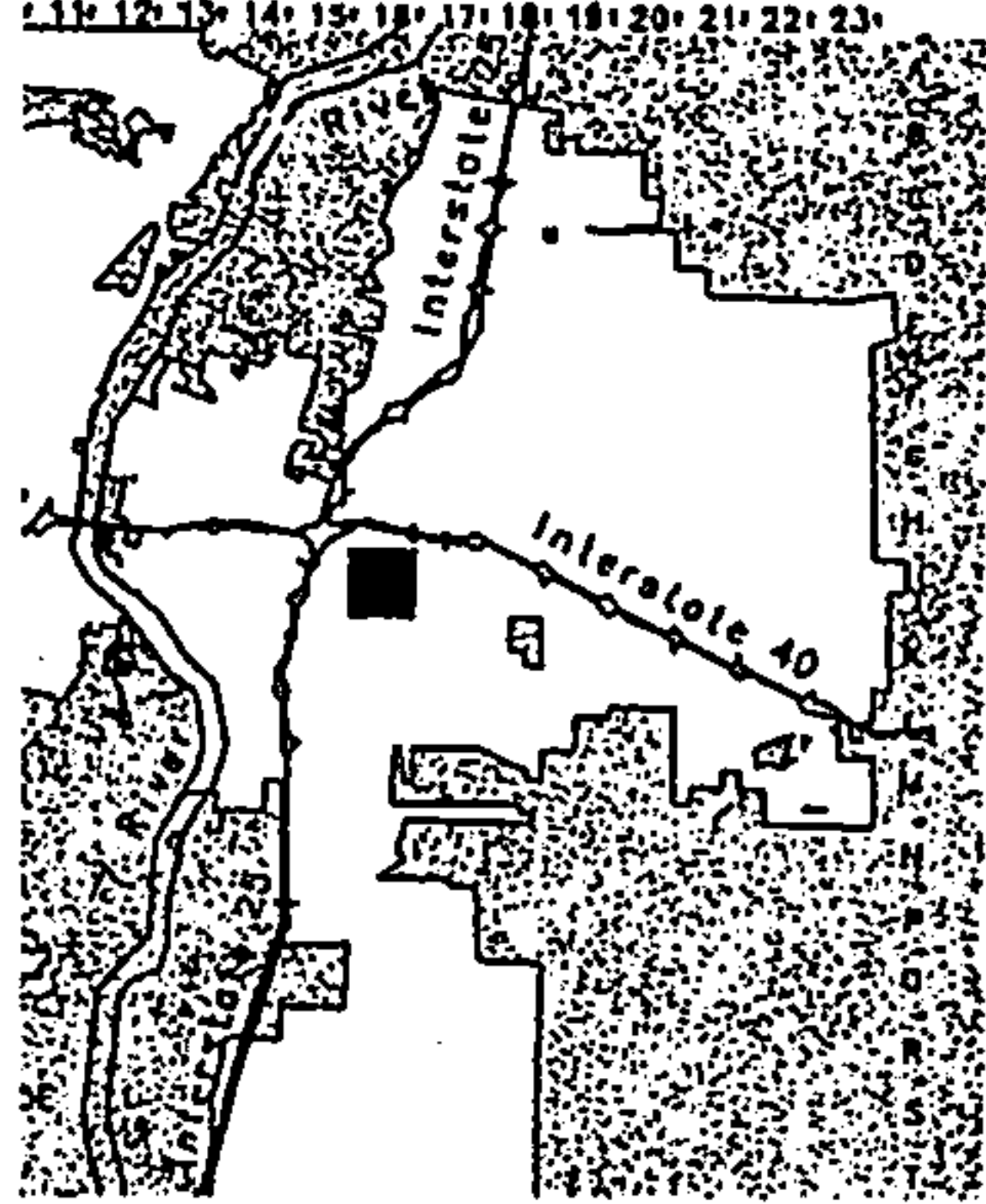
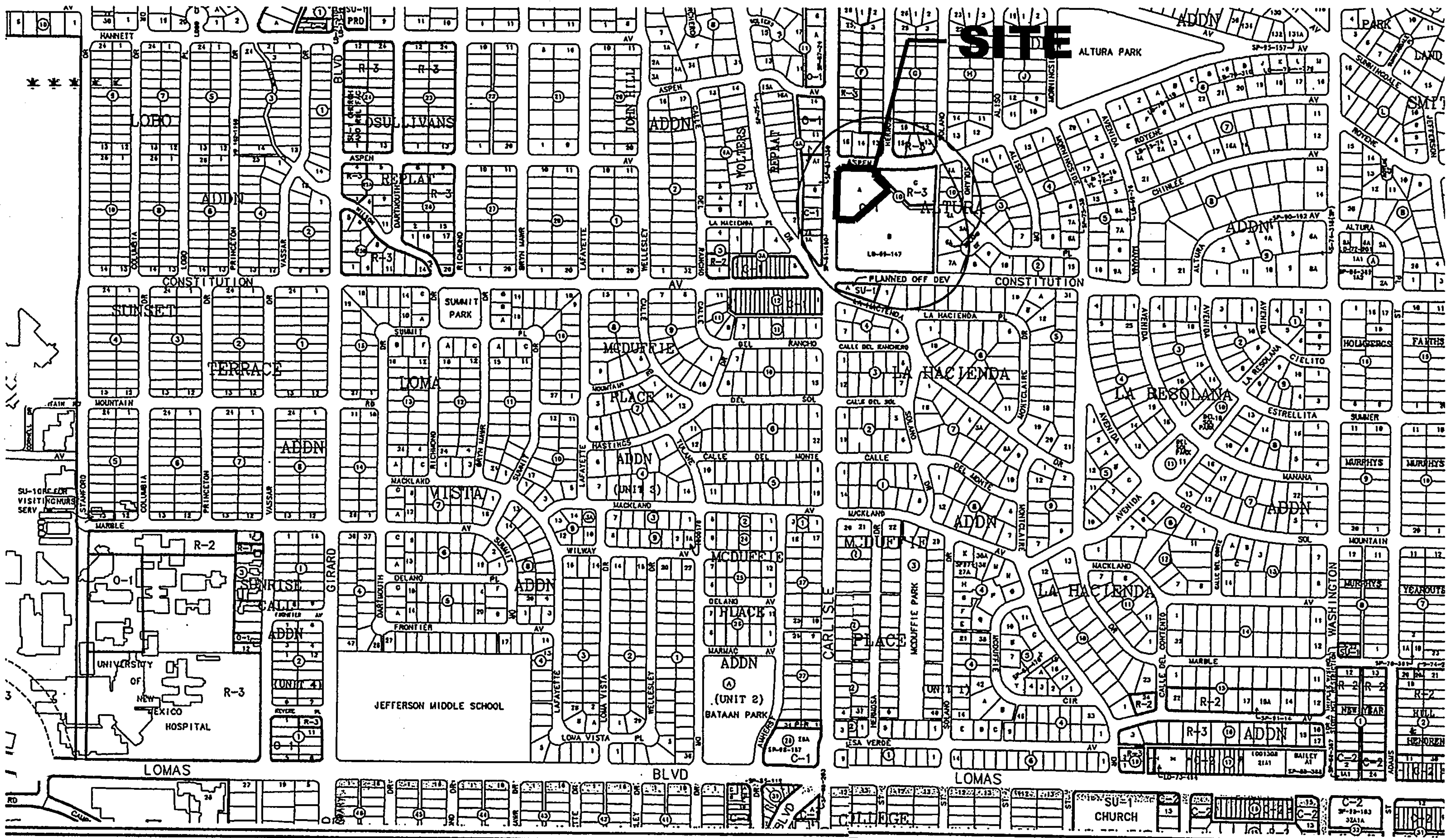


Form revised 11/04

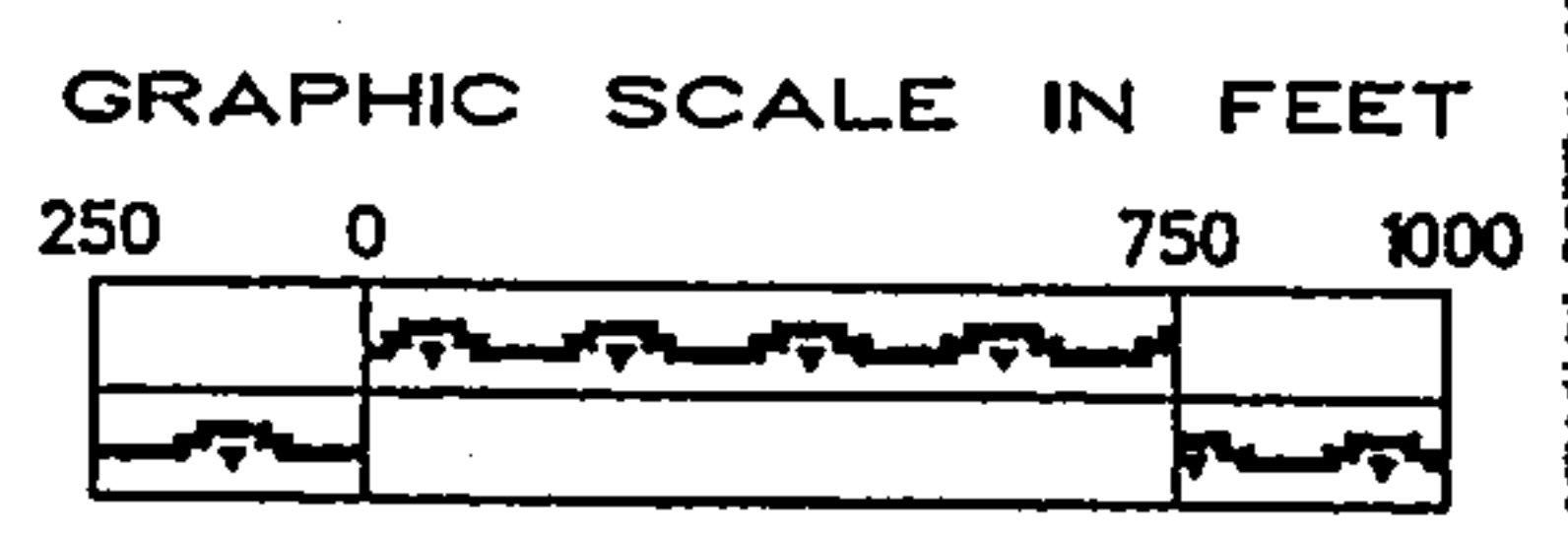
- Checklists complete
Fees collected 05283 - - 01295
Case #s assigned
Related #s listed

Sandy Handley 08/24/05
Planner signature / date

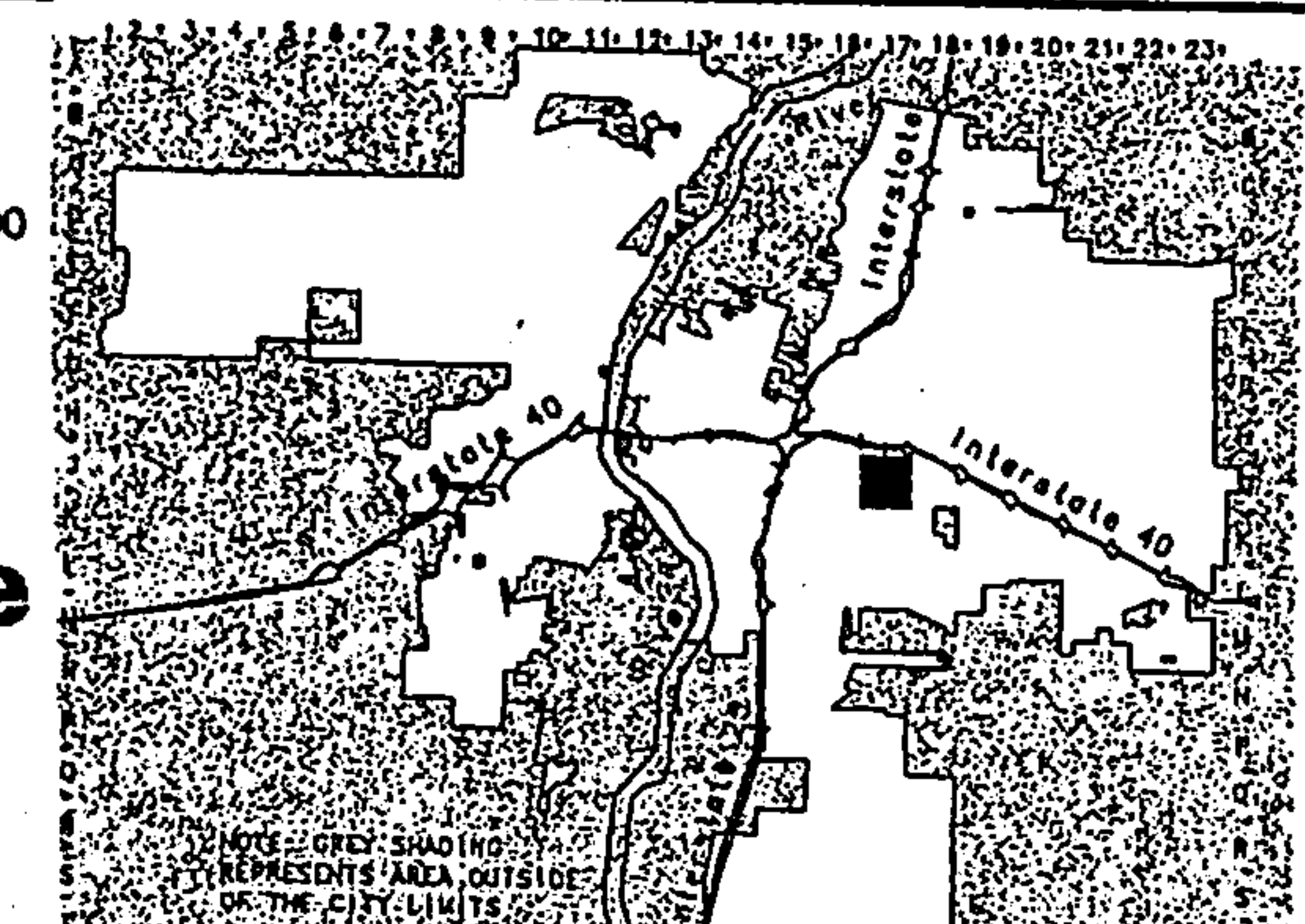
Project # 1002420



CITY OF
Albuquerque
Geographic Information System
PLANNING DEPARTMENT
© Copyright 2003



Zone Atlas Page
J-16-Z
Map Amended through January 21, 2002



CITY OF
Albuquerque
Geographic Information System
PLANNING DEPARTMENT
© Copyright 2003

J-17-Z



P. O. Box 1328
Corrales, NM 87048

August 10, 2005

Development Review Board
City of Albuquerque
600 2nd Street NW
Albuquerque, New Mexico 87102

Subject: Requested action – comment administrative approval, Plat of Tract A-1 and A-2,
Block 10, Altura Addition (Lacy)

RE: 04-DRB - 01180, first application, January 10, 2003 (Review and Comment)

Dear Ladies and Gentlemen of the DRB:

This plat consolidates two ownerships into their respective and adjusted lots.

The subject request follows a submittal and documents originally tendered in 2003 for the purposes explained in the attached letter. At that time, the DRB was concerned about providing cross-access easements and easements for potential widening of Carlisle Blvd. N.E. and the elimination of any "island lots".

In 2004, when the matter was reviewed by the Zoning Enforcement Officer, questions regarding the physical parking spaces were raised.

CSC conducted a survey of the existing establishment, provided data to the Zoning Enforcement Officer and have demonstrated that the parking is in conformance with City code, as the plat is proposed. That correspondence is also attached.

Please note that the approval and recordation of this plat will eliminate a potential "confusion" in title for the properties and will remove or eliminate any reference to an "island lot" that was inadvertently used for land conveyances. This lot was purchased by Mr. Lacy and is now incorporated into the proposed plat, Lot A-1.

Thank you very much.

Respectfully submitted,

Cliff A. Spirock, AICP

CFS/bjc

Enclosures

cc: Cliff F. Spirock
Tom Patrick
Mr. Art Lacy
Guru Inc.

ONE STOP SHOP
CITY OF ALBUQUERQUE PLANNING DEPARTMENT
Development & Building Services

PAID RECEIPT

APPLICANT NAME MR. WILLIAM LACY
 AGENT COMMUNITY SCIENCES CORP
 ADDRESS P.O. BOX 1328 / 4481 CORRALES RD
 PROJECT & APP # 1002420 / 05 DRB 01295
 PROJECT NAME ALTURA ADDITION

\$ 20.00 441032/3424000 Conflict Management Fee
 \$ 285.00 441006/4983000 DRB Actions
 \$ _____ 441006/4971000 EPC/AA/LUCC Actions & All Appeals
 \$ _____ 441018/4971000 Public Notification
 \$ _____ 441006/4983000 DRAINAGE PLAN REVIEW OR TRAFFIC IMPACT STUDY***
 Major/Minor Subdivision Site Development Plan Bldg Permit
 Letter of Map Revision Conditional Letter of Map Revision
 Traffic Impact Study
 \$ 305.00 TOTAL AMOUNT DUE

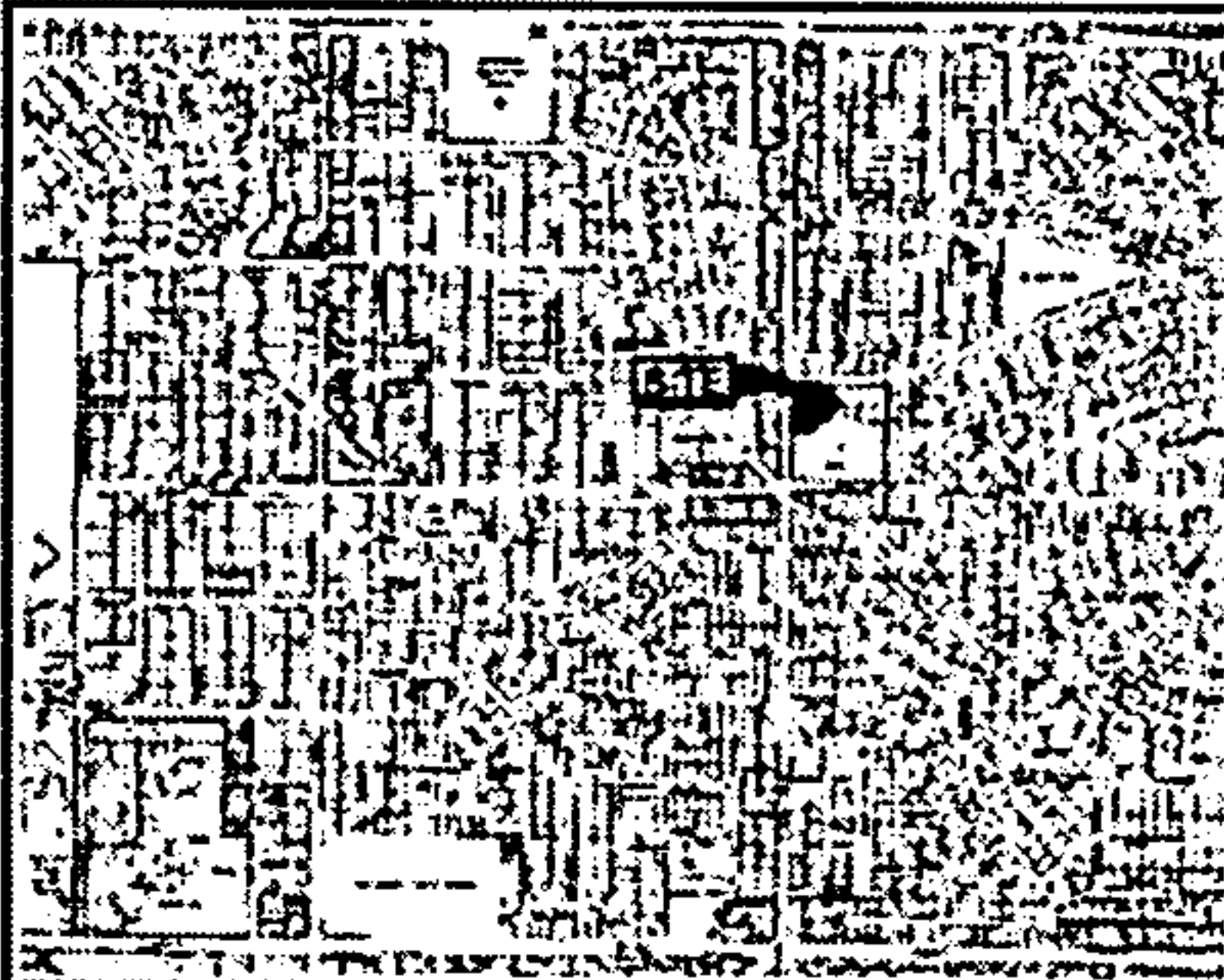
***NOTE: If a subsequent submittal is required, bring a copy of this paid receipt with you to avoid an additional charge.

City Of Albuquerque
Treasury Division

City Of Albuquerque
Treasury Division

8/11/2005 1:45PM LOC: ANNX
 RECEIPT# 00044489 WS# 008 TRANS# 0025 489
 Account 441006
 Counterreceipt.doc 6/21/04 Fund 0000
 Activity 4983000 TRSKAL
 Trans Amt \$305.00
 J24 Misc
 \$285.00
 CK \$285.00
 VI \$20.00
 CHANGE \$0.00

8/11/2005 1:45PM LOC: ANNX
 RECEIPT# 00044488 WS# 008 TRANS# 0025
 Account 441032 Fund 0000
 Activity 3424000 TRSKAL
 Trans Amt \$305.00
 J24 Misc
 \$20.00
 Thank You



J-17-Z VICINITY MAP NOT TO SCALE

FREE CONSENT AND DEDICATION

THE UNDERSIGNED SHOWN HEREON IS WITH THE FREE CONSENT AND IN ACCORDANCE WITH THE PROVISIONS OF THE UNIFORM CONSENT AND/OR PROPRIETOR'S THEORY, SAID OWNERS AND/OR PROPRIETORS DO HEREBY CONSENT TO ALL OF THE FOREGOING AND DO HEREBY CERTIFY THAT THIS SUBMISSION IS IN THE BEST INTEREST OF THE CITY OF ALBUQUERQUE.

THE GRANTOR, LLC
WILLIAM A. LACY - MEMBER

SEAN BRIDGEMAN, INC.
SHANEZ AMENGA - PRESIDENT

STATE OF NEW MEXICO } COUNTY OF BERNALILLO }
STATE OF NEW MEXICO } COUNTY OF BERNALILLO }

ACKNOWLEDGED BEFORE ME THIS _____ DAY OF _____, 2004, BY CLIENT NAME

BY _____ NOTARY PUBLIC

BY COMMISSION OFFICER _____

SUBMISSION PLAT OF TRACTS A-1 AND A-2, BLOCK 10 ALTURA ADDITION

BEING A REPLAT OF TRACT A, BLOCK 10, ALTURA ADDITION, SITUATE WITHIN SECTION 14, T. 10 N., R. 3 E., N.M.P.M., CITY OF ALBUQUERQUE, BERNALILLO COUNTY, NEW MEXICO, NOVEMBER, 2004

LOT DATA:

PROJECT NO.	1008488
SECTION ACRES	1.3087 ACRES
ZONE ATLAS BLOCK NO.	1-17-2
NO. OF EXISTING TRACTS	2
NO. OF EXISTING LOTS	2
NO. OF LOTS CREATED	2
NO. OF TRACTS CREATED	2
NO. OF FULL BIRTH TRACTS CREATED	2
S.P. TALES L&S	200412000

APPROVALS:

SUB PROJECT NUMBER	1008488
SUB APPLICATION NUMBER	04-078 - 0190
SUB CHAIRPERSON, PLANNING DEPARTMENT	DATE
PARKS AND RECREATION	DATE
TRAFFIC ENGINEER, TRANSPORTATION DIVISION	DATE
CITY ENGINEER, ENGINEERING DIVISION	DATE
ALBUQUERQUE METROPOLITAN AREA'S FLOOD CONTROL AUTHORITY	DATE
UTILITY DEVELOPMENT	DATE
CITY SUPERVISOR	DATE
PWM GAS AND ELECTRIC SERVICES	DATE
CREST COMMUNICATIONS, INC.	DATE
CONCRETE CABLE	DATE

PUBLIC UTILITY EASEMENTS

PUBLIC UTILITY EASEMENTS (P.U.E.) SHOWN ON THIS PLAT ARE GRANTED FOR THE COMMON AND JOINT USE OF:
 A. P.M. ELECTRIC SERVICES FOR THE INSTALLATION, MAINTENANCE, AND SERVICE OF OVERHEAD AND UNDERGROUND ELECTRICAL LINES, TRANSFORMERS, POLES AND OTHER EQUIPMENT AND RELATED FACILITIES REASONABLY NECESSARY TO PROVIDE ELECTRICAL SERVICE.
 B. P.M. GAS SERVICES FOR INSTALLATION, MAINTENANCE, AND SERVICE OF NATURAL GAS LINES, VALVES AND OTHER EQUIPMENT AND FACILITIES REASONABLY NECESSARY TO PROVIDE NATURAL GAS SERVICE FOR THE INSTALLATION, MAINTENANCE AND SERVICE OF ALL BURIED COMMUNICATION LINES AND OTHER RELATED EQUIPMENT AND FACILITIES REASONABLY NECESSARY TO PROVIDE COMMUNICATION SERVICES, INCLUDING BUT NOT LIMITED TO ABOVE GROUND FIBER OPTICAL AND CABLES.
 C. CONCRETE CABLE FOR THE INSTALLATION, MAINTENANCE, AND SERVICE OF SUCH LINES, CABLE, AND OTHER RELATED EQUIPMENT AND FACILITIES REASONABLY NECESSARY TO PROVIDE CABLE TV SERVICE.

INCLUDED IS THE RIGHT TO BUILD, REPAIR, CONSTRUCT, RECONSTRUCT, LOCATE, RELOCATE, CHANGE, REMOVE, MODIFY, REMOVE, OPERATE, AND MAINTAIN FACILITIES FOR THE PURPOSES DESCRIBED ABOVE, TOGETHER WITH FREE ACCESS TO, FROM, AND OVER SAID EASEMENTS, INCLUDING SUFFICIENT WORKING AREA SPACE FOR ELECTRIC TRANSFORMERS, WITH THE RIGHT AND PRIVILEGE TO TRIM AND REMOVE TREES, SHRUBS OR BUSHES WHICH INTERFERE WITH THE PURPOSES SET FORTH HEREIN. NO DRILLING, SIGN, POOL, (ARISE, GRADING OR SUBSURFACE), HOT TUB, CONCRETE OR WOOD POOL, DECORATION, OR OTHER STRUCTURE SHALL BE CONSTRUCTED OR EXIST ON SAID EASEMENTS, NEITHER SHALL ANY BE BUILT OR OPERATED THEREON. PROPERTY OWNERS SHALL BE SOLELY RESPONSIBLE FOR CORRECTING ANY VIOLATIONS OF NATIONAL ELECTRICAL SAFETY CODE CAUSED BY CONSTRUCTION OF POOLS, DECORATION, OR ANY STRUCTURE ADJACENT TO OR NEAR EASEMENTS SHOWN ON THIS PLAT.

DISCLOSURE STATEMENT

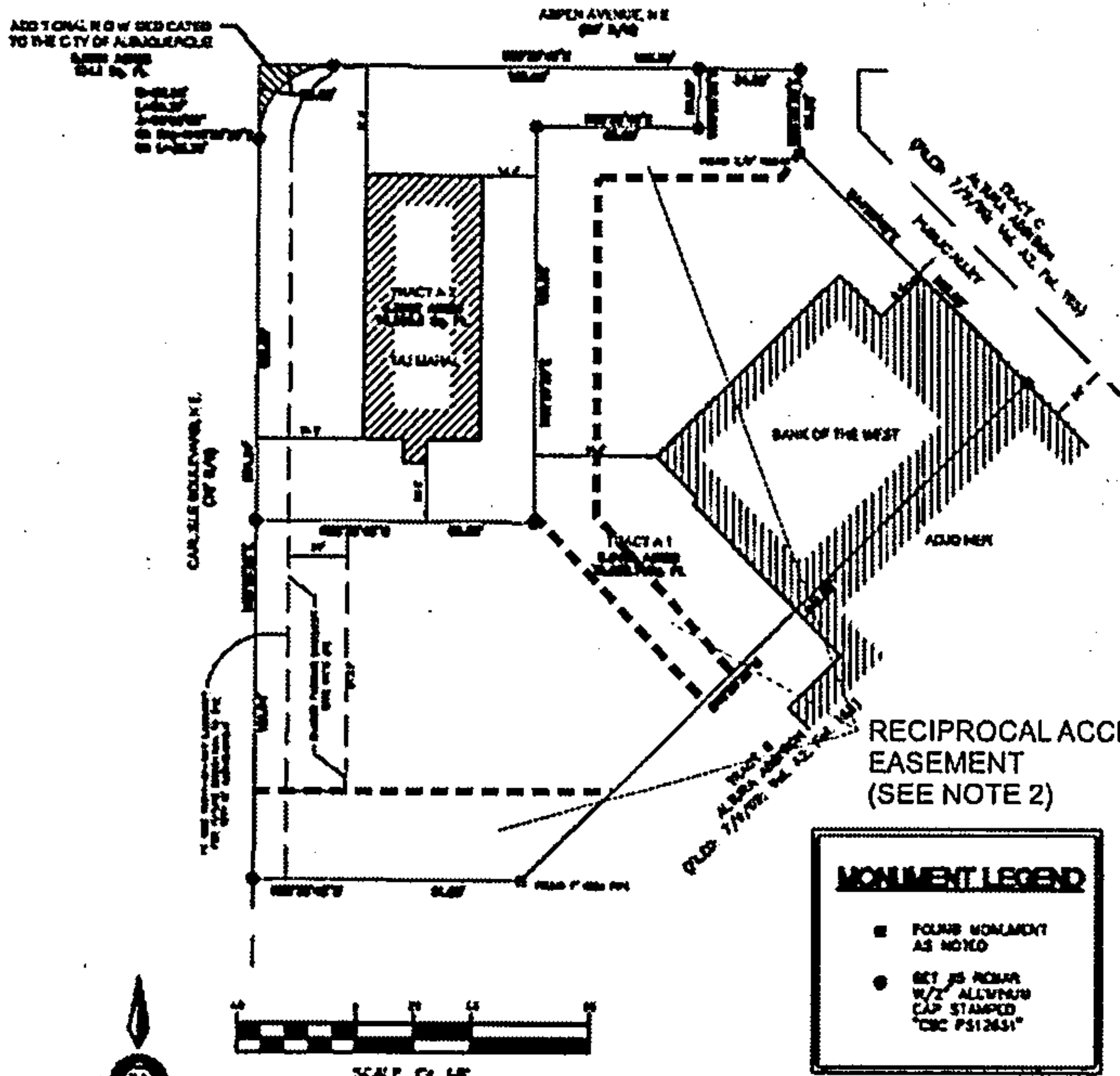
THE PURPOSE OF THIS PLAT IS TO CREATE TWO (2) TRACTS FROM ONE (1) TRACT AND GRANT A RIGHT-OF-WAY EASEMENT FOR FUTURE DEDICATION TO THE CITY OF ALBUQUERQUE AS SHOWN HEREON.

LEGAL DESCRIPTION

TRACT A, BLOCK 10 OF THE ALTURA ADDITION, AS SUCH TRACT IS SHOWN AND DESCRIBED ON THE "REPLAT OF TRACTS A, B AND C IN BLOCK 10 OF THE ALTURA ADDITION", FILED IN THE OFFICE OF THE COUNTY CLERK OF BERNALILLO COUNTY, NEW MEXICO ON JULY 8, 1999 IN VOLUME 42, FILED 160 AS DOCUMENT NO. 48488.

SURVEY NOTES

1. THE BASIS OF MEASUREMENT FOR THIS SURVEY IS THE PLAT OF RECORD FOR "REPLAT OF TRACTS A, B AND C IN BLOCK 10 OF THE ALTURA ADDITION", FILED IN THE OFFICE OF THE COUNTY CLERK OF BERNALILLO COUNTY, NEW MEXICO ON JULY 8, 1999 IN VOLUME 42, FILED 160 AS DOCUMENT NO. 48488. DISTANCES SHOWN IN PARENTHESES () ARE RECORD DISTANCES.
2. WITH THE APPROVAL AND RECORDATION OF THIS PLAT, THERE IS HEREBY GRANTED A RECIPROCAL ACCESS EASEMENT WITHIN THE BOUNDARIES OF TRACTS A-1 AND A-2, EXCEPT WHERE OCCUPIED BY EXISTING BUILDINGS.
3. SHARED PARKING EASEMENT AN EASEMENT FOR PARKING PURPOSES IS CREATED BY AND BETWEEN (L&S CARING, LLC (THE GRANTOR AND SEYMOUR FOUNDRY) AND GURU INVESTMENTS, INC., S.B.A. THE TAJ MAHAL RESTAURANT (THE GRANTEE AND SOLEBANT TENDENT). THIS EASEMENT GRANTS THE RIGHT TO GURU FOR OVERFLOW AND INTERMITTENT PARKING TO SATISFY THE OCCUPATION AS TEMPORAL RESTAURANT AND ALLOWS GURU TO SATISFY THE REQUIREMENTS OF THE CITY OF ALBUQUERQUE FOR A MINIMUM NUMBER OF PARKING SPACES ASSIGNED TO TRACT A-2 AS PLATTED HEREON. THE GRANTOR RESERVES THE RIGHT TO CERTAIN CONDITIONS FOR SAID USE, INCLUDING RESPONSIBILITIES FOR SURFACING, STOPPING MAINTENANCE AND JOINT-USE OVER NON-PARKING HOURS OF PARKING REQUIREMENTS, ESPECIALLY IN ACCORDANCE WITH THE SHARED STANDARDS OF THE URBAN LAND-METRIC BUILDINGS. IN THE EVENT TRACT A-2 IS USED FOR PURPOSES OTHER THAN THE ABOVE STATED, SAID EASEMENT MAY BE REVOKED (OR ACCORDANCE WITH THAT USE) AND MAY ALLOW THE CITY OF ALBUQUERQUE TO RESOLVE THAT ALL PARKING REQUIREMENTS BE MET ON EACH RESPECTIVE OCCASION. IN SUCH EVENT, THE GRANTOR AGREES TO NOTIFY THE CITY OF ALBUQUERQUE PRIOR TO ANY REVOCATION OF EASEMENT OR ADJUSTMENT TO THE EASEMENT AS TO THE NECESSARY CONDITIONS OF JOINT USE OR ABANDONMENT BY GRANTEE FOR JOINT-USE.



MONUMENT LEGEND

- POLYMER MONUMENT AS NOTED
- SET BY POLAR 1/2" ALUMINUM CAP STAMPED "CIC P512451"

SURVEYORS CERTIFICATION

I, THOMAS W. PATRICK, HEREBY AFFIRM THAT I AM A B.A. QUALIFIED REGISTERED PROFESSIONAL SURVEYOR UNDER THE LAWS OF THE STATE OF NEW MEXICO AND DO CERTIFY THAT THIS PLAT, WAS PREPARED BY ME OR UNDER MY DIRECT SUPERVISION SHOWS ACCURATE DIMENSIONS AND LAND AREAS, SHOWS ALL EASEMENTS AND RESTRICTIONS AS SHOWN ON THE PLAT OF RECORD OR MADE KNOWN TO ME BY THE OWNERS AND/OR PROPRIETORS OF THE SUBDIVISION SHOWN HEREON, TITLE COMPARES, UTILITY COMPANIES OR OTHER PARTIES EXPRESSLY IN WRITING. I FURTHER CERTIFY THAT THIS PLAT MEETS THE NECESSARY REQUIREMENTS FOR RECORDATION AND SERVICE OF THE ALBUQUERQUE METROPOLITAN AREA'S FLOOD CONTROL AUTHORITY AND MEETS THE "URBAN STANDARDS FOR SURVEYORS IN NEW MEXICO" AND IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF.

THOMAS W. PATRICK
NEW MEXICO PROFESSIONAL SURVEYOR NO. 12881

community sciences corporation

NOTE 2 REVISION: 2. WITH THE APPROVAL AND RECORDATION OF THIS PLAT, THERE IS HEREBY GRANTED BY LACY INVESTMENTS THE RECIPROCAL ACCESS EASEMENTS ON AND OVER TRACT A-1 AS SHOWN HEREON. SAID EASEMENTS ARE TO BENEFIT TRACT A-2 HEREON AND TRACT 8, ALTURA ADDITION FOR DRIVE AISLE INGRESS AND EGRESS AND ARE TO REMAIN UNOBSTRUCTED.

NEW NOTE 3: 3. THE UNDERSIGNED FOR TRACT A-2, AS SHOWN HEREON IS REQUIRED TO MAINTAIN AT LEAST FORTY (40) PARKING SPACES AS REQUIRED BY THE CITY OF ALBUQUERQUE, NEW MEXICO, FOR THE RESTAURANT USE ON THAT LOT AS CURRENTLY CONFIGURED ON THE DATE OF THIS PLAT. ANY CHANGES OR REVISIONS TO THE USE OR SIZE OF THE STRUCTURE, IF ANY, WILL REQUIRE RECALCULATION AND CONFIGURATION OF THE PARKING REQUIREMENTS AS PROSCRIBED IN THE CITY OF ALBUQUERQUE ZONING CODE.



AUGUST 10, 2005

ATTACHMENT A

**ALTURA ADDITION
DRB SUBMITTAL, PROPOSED TRACTS A-1 AND A-2**

DATA FIRST REVIEWED FOR DRB COMMENT,

JANUARY, 2003

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Unfortunately, the proposed replat (DRB Case 83-711) was never completed. This is an unrecorded instrument.

However, the in-process map was used for specific property conveyances by leasehold and land sales, using legal descriptions and the unrecorded replat as an exhibit.

Intended actions by current owner:

The current owner and heir to the original, proposed subdivider is Mr. Art Lacy. Mr. Art Lacy is the landlord and owner of the office structure attached to the Smith's drugstore Tract A-1. Mr. Lacy regrets the un-intended real estate transactions and now wishes to prepare a subdivision plat map, in conjunction with the owners of the Taj Majal Restaurant, to remedy the inadvertent error.

We propose a simple plat to divide the property into two, possibly three distinct properties, Tract A-1, Tract A-2 and Tract A-3. The previous concept of internal lot divisions (shown as Tract A-3), would be removed. If Mr. Lacy can re-purchase proposed lot "Tract A-4", only two lots would be created (A-1 and A-2).

If necessary, additional right-of-way at the northwest corner would be dedicated to the City of Albuquerque as originally proposed.

Zoning and Parking Standards:

To the best of our knowledge, the property remains C1 and is adjacent to C1 to the south and east (the Smith's grocery store) and is across from a public alley zoned R-3 for apartments.

There are 50 striped parking spaces that are claimed that are claimed by Mr. Art Lacy in conjunction with the bank and office building and 35 spaces utilized by the Taj Majal Restaurant.

The posted maximum occupancy of the restaurant is 200. The office building has approximately 5,000 square feet on the first floor and 5,000 square feet on the second floor, net leasable area.

The property is within 300' from an existing transit stop on Carlisle Blvd., qualifying for a transit exemption.

Required parking for both premises is indicated at 50 for the restaurant (maximum fire department occupancy) and 42 for the offices. At a 10% credit for the transit facility location, 84 spaces would be required. 85 spaces are provided in the current configuration of striping and if necessary, a letter agreement or easement for additional restaurant spaces from Tract A-1 could be negotiated.

Please schedule this for Sketch Plat review and comment before we initiate the subdivision plat process.

Respectfully submitted,

Cliff A. Spirock, AICP

CAS/bjc

Attachments: (chronological)
1969 Recorded Plat LD69-147
1969 Approved Plat LD69-152
1984 Proposed Plat DRB 83-711
1985 Case Correspondence (DRB 83-711)
12/9/02 Art Lacy Letter
Zone Atlas Page J-17
Approximate existing parking
2003 Sketch Plat

cc: Mr. Art Lacy
Mr. Cliff F. Spirock

NOTARY PUBLIC, COUNTY OF BERNALILLO, NEW MEXICO
July 7 1969

LD 69-147
NO. 5-1060

Replat of Tracts A, B & C
in BLOCK 10 of
ALTURA ADDITION
TO THE CITY OF
ALBUQUERQUE, NEW MEXICO
SCALE: 1 INCH = 100 FEET

ELDER COMPANY
JUNE, 1969 2256 EKF ERE MTM

D E D I C A T I O N

The above and foregoing replat of tracts A, B & C in BLOCK 10 of ALTURA ADDITION to the City of Albuquerque, New Mexico, as the same appears hereon is with the free consent and in accordance with the desires of the undersigned owners and proprietors thereof, and said owners and proprietors do hereby dedicate the alley shown hereon to the public use.

Ed Lohlin Trustee
James Brown Trustee

Witness:
Michael K. Keleher attest
By William B. Keleher William S. Keleher, President

Witness:
W. A. Keleher W. A. Keleher
Loretta B. Keleher Loretta S. Keleher, his wife

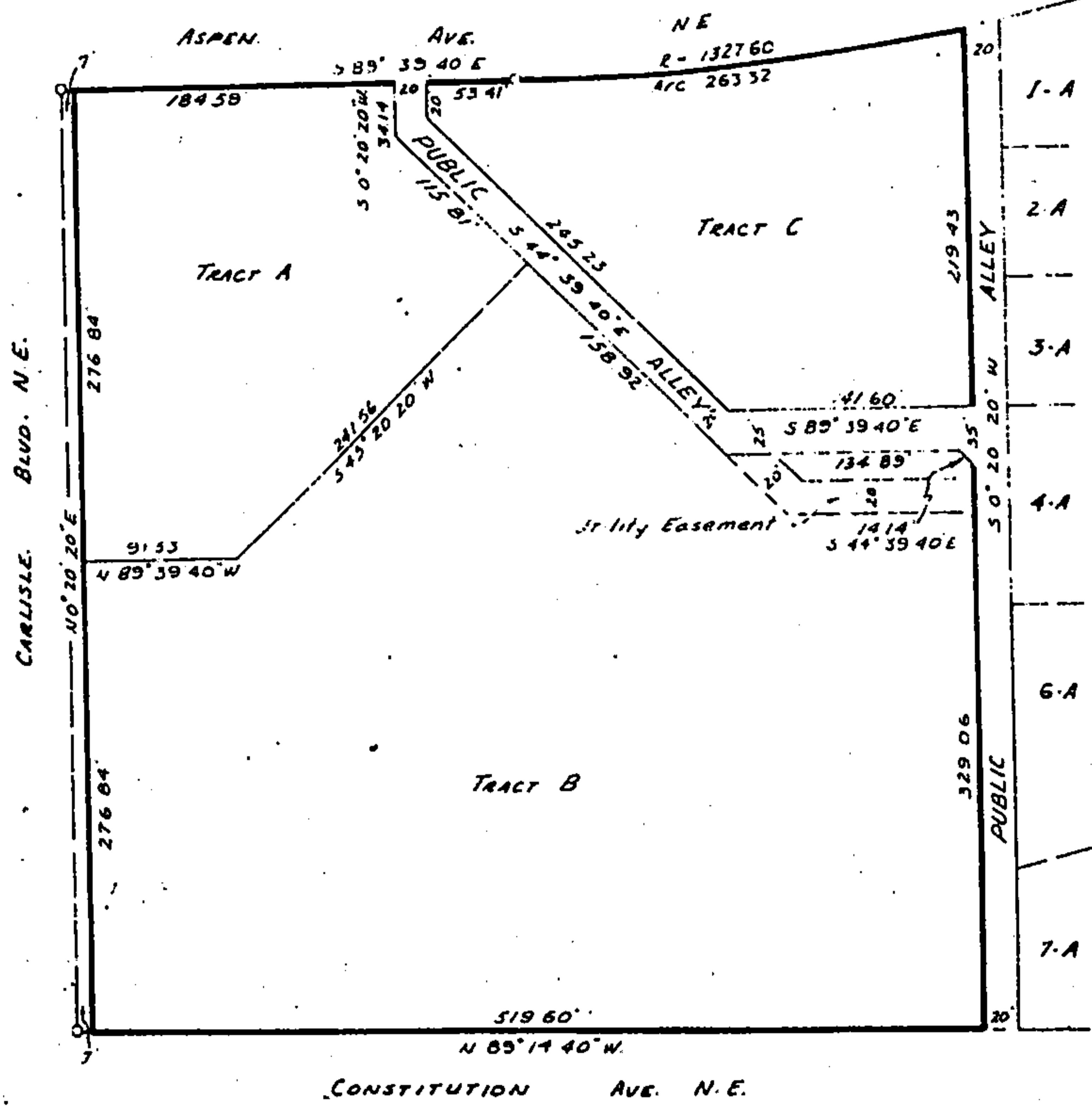
State of New Mexico
County of Bernalillo
I, the foregoing instrument was acknowledged before me on June 30, 1969, by ED LOHLIN, Trustee; by WILLIAM B. KELEHER, President of Keleher Realty, Inc., on behalf of said corporation; and by W. A. KELEHER and LORETTA S. KELEHER, his wife.

My Commission expires 1-1-1970
Edward K. Eldon Notary Public

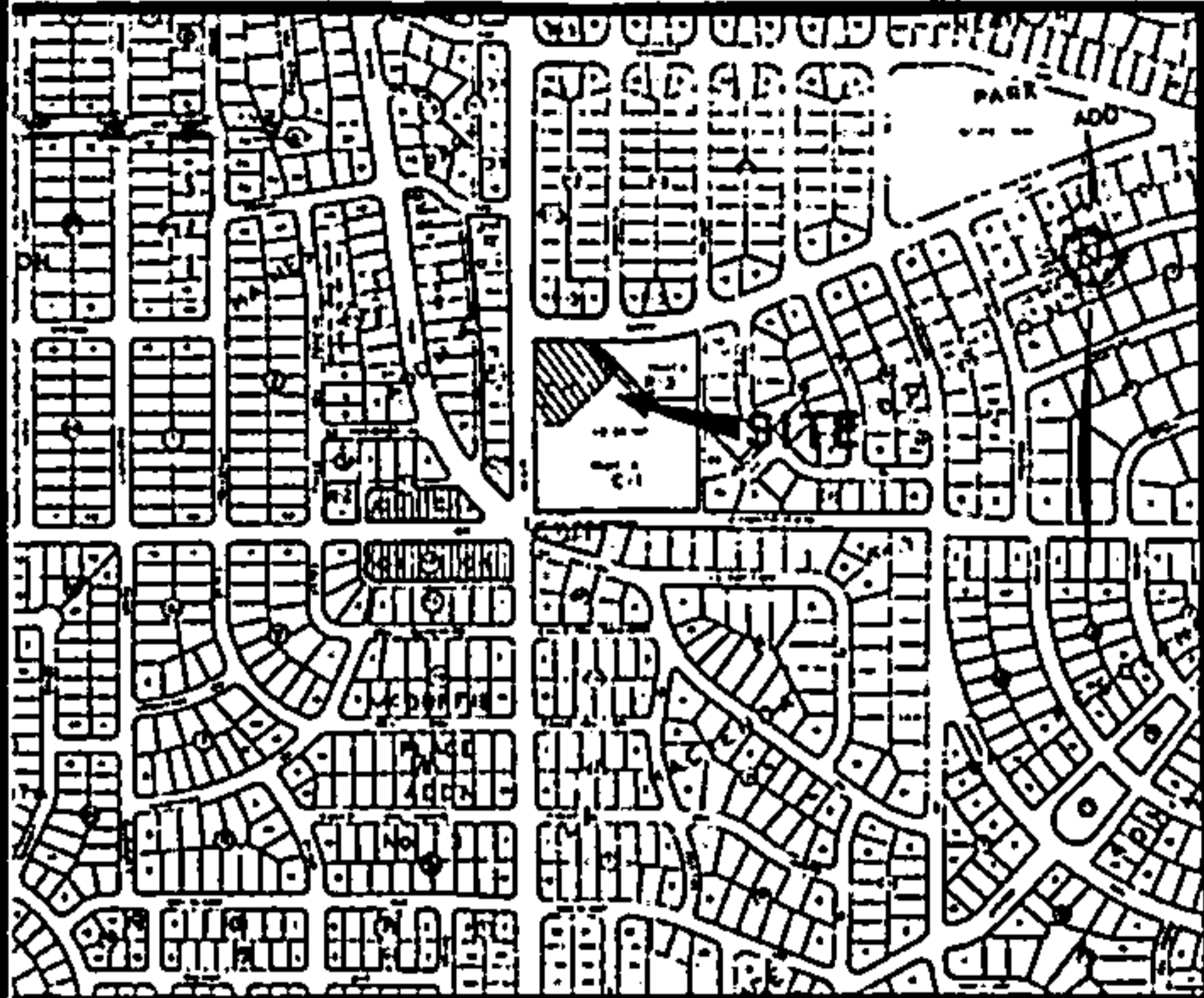
State of New Mexico
County of Bernalillo
I, the foregoing instrument was acknowledged before me on June 30, 1969, by ED LOHLIN, Trustee.

My Commission expires 1-1-1970
Edward K. Eldon Notary Public

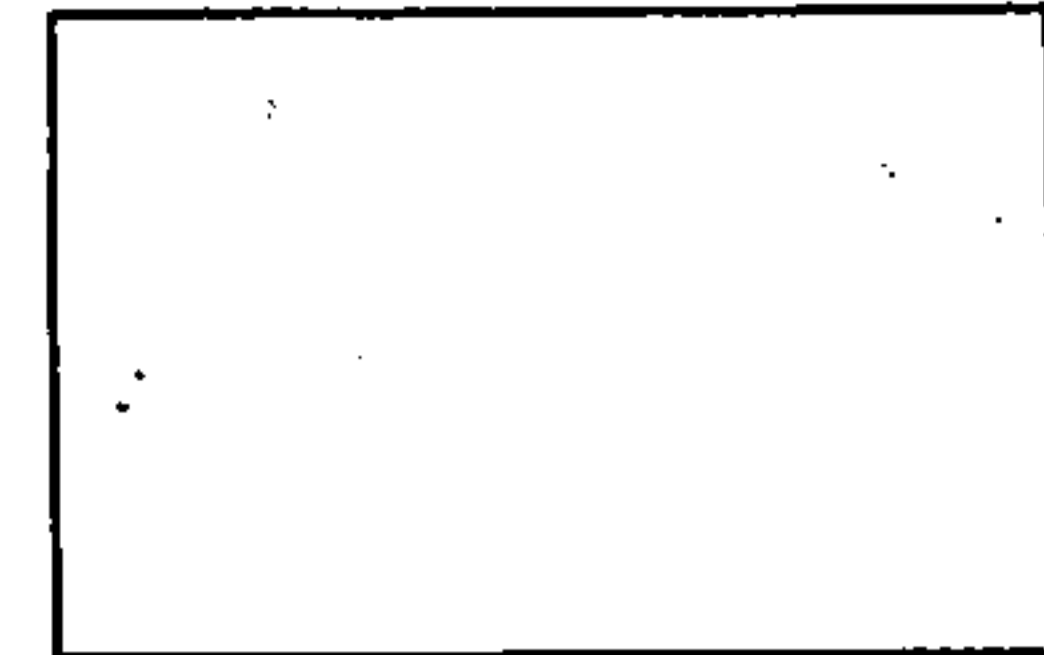
I, the undersigned, a duly certified Land Surveyor, licensed under the laws of the State of New Mexico, hereby certify that the replat upon which this certificate appears was prepared from a bona fide survey performed by me, and that it is true and correct to the best of my knowledge and belief.
Edward K. Eldon
New Mexico Registered Land Surveyor, No. 1523.



LAST RECORDED LAND DIVISION PLAT (1969)



VICINITY MAP
1" = 800' (APPROX.)



RESERVED FOR COUNTY CLERK

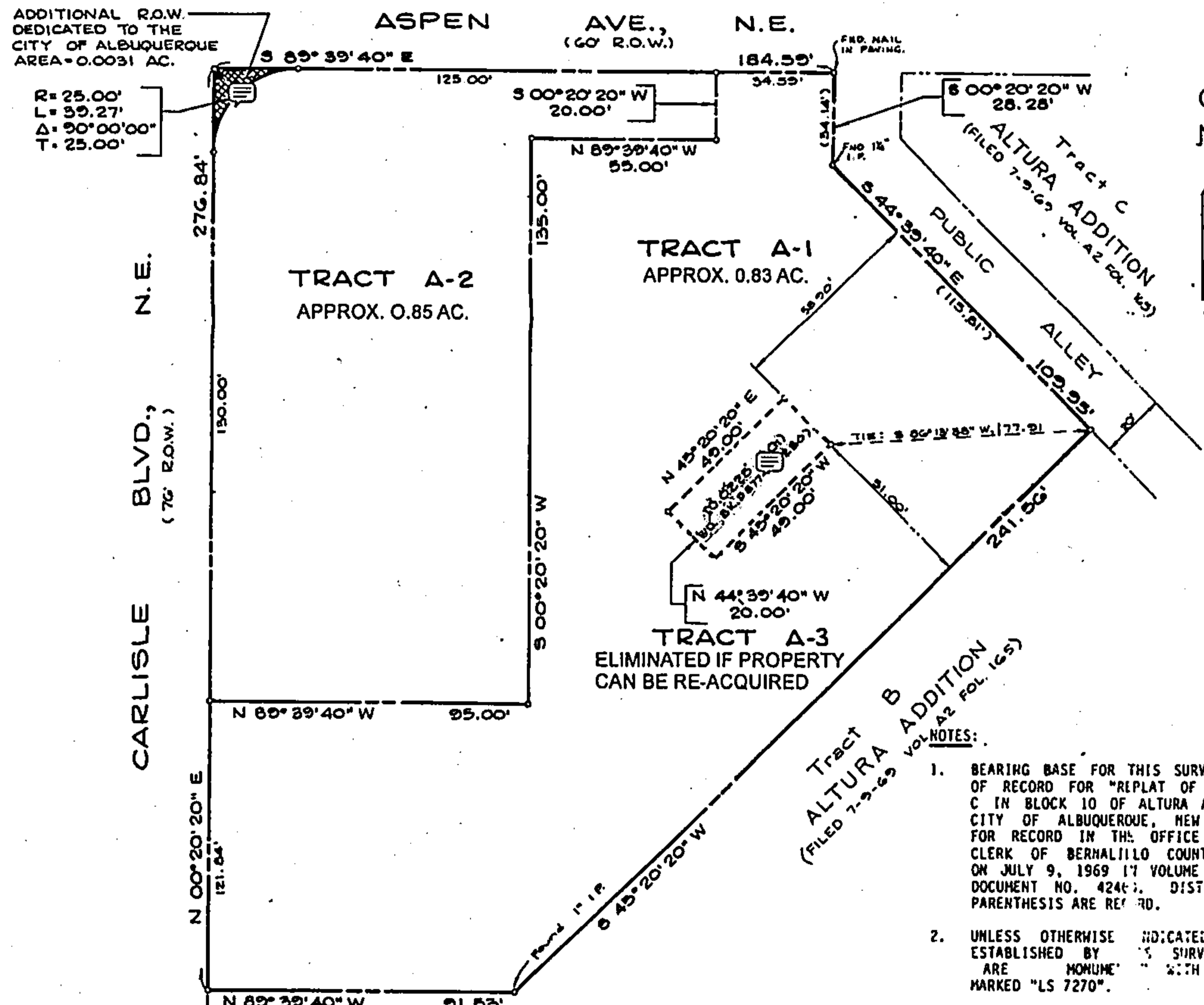
REPLAT OF PORTION OF
TRACT A, BLOCK 10, ALTURA ADDITION TO
TRACTS A-1 A-2 A-3
SITUATE WITHIN SECTION 14, T10N, R3E, NMP.M.
CITY OF ALBUQUERQUE
BERNALILLO COUNTY, NEW MEXICO
OCTOBER, 1984

DESCRIPTION

THAT CERTAIN TRACT OF LAND SITUATE WITHIN SECTION 14, TOWNSHIP 10 NORTH, RANGE 3 EAST, NEW MEXICO PRINCIPAL MERIDIAN AND BEING COMPRISED OF TRACT A, BLOCK 10 OF THE ALTURA ADDITION AS THE SAME IS SHOWN AND DESIGNATED ON THE PLAT ENTITLED "REPLAT OF TRACTS A, B AND C IN BLOCK 10 OF ALTURA ADDITION TO THE CITY OF ALBUQUERQUE, NEW MEXICO" FILED FOR RECORD IN THE OFFICE OF THE COUNTY CLERK OF BERNALILLO COUNTY, NEW MEXICO ON JULY 9, 1969 IN VOLUME A2, FOLIO 165 AS DOCUMENT NO. 42460.

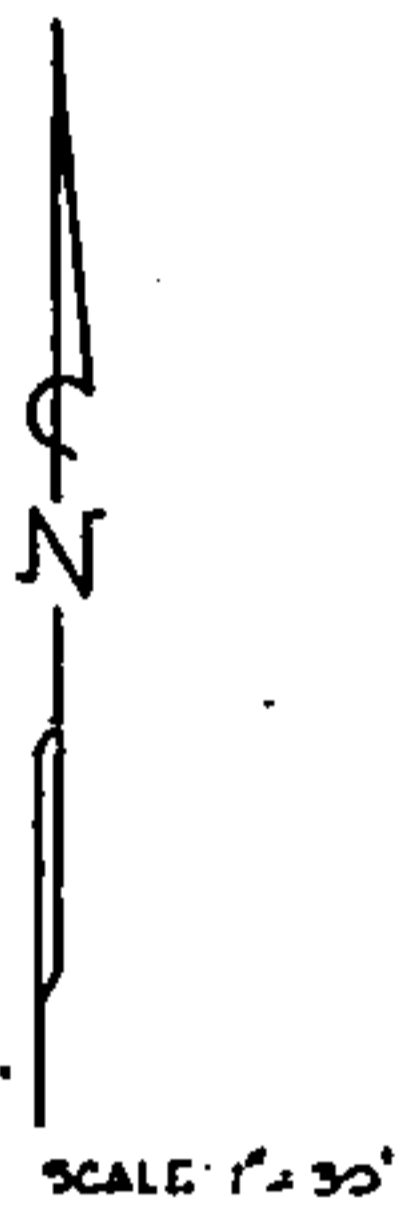
FREE CONSENT

THE FOREGOING SUBDIVISION OF LANDS SHOWN HEREON, IDENTIFIED AS TRACTS A-1, A-2, A-3 INCLUSIVE, BLOCK 10, ALTURA ADDITION, CITY OF ALBUQUERQUE, BERNALILLO COUNTY, NEW MEXICO IS WITH THE FREE CONSENT OF AND IN ACCORDANCE WITH THE DESIRES OF THE UNDERSIGNED OWNERS AND PROPRIETORS THEREOF.



ADDITIONAL R.O.W. DEDICATED TO THE CITY OF ALBUQUERQUE AREA = 0.0031 AC.

R = 25.00'
L = 39.27'
Δ = 90°00'00"
T = 25.00'



SURVEYOR'S CERTIFICATION

I, _____, DO HEREBY CERTIFY THAT I AM A REGISTERED LAND SURVEYOR UNDER THE LAWS OF THE STATE OF NEW MEXICO, AND THAT THIS REPLAT WAS PREPARED BY ME OR UNDER MY SUPERVISION, SHOWS ALL EASEMENTS OF RECORD, MEETS THE MINIMUM REQUIREMENTS FOR MONUMENTATION AND SURVEYS OF THE ALBUQUERQUE SUBDIVISION ORDINANCE, AND IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF.

ACKNOWLEDGMENT

STATE OF NEW MEXICO }
COUNTY OF BERNALILLO } SS

NOTES:

1. BEARING BASE FOR THIS SURVEY IS THE PLAT OF RECORD FOR "REPLAT OF TRACTS A, B & C IN BLOCK 10 OF ALTURA ADDITION TO THE CITY OF ALBUQUERQUE, NEW MEXICO" FILED FOR RECORD IN THE OFFICE OF THE COUNTY CLERK OF BERNALILLO COUNTY, NEW MEXICO ON JULY 9, 1969 IN VOLUME A2, FOLIO 165, DOCUMENT NO. 42460. DISTANCES SHOWN IN PARENTHESES ARE RECORDED.
2. UNLESS OTHERWISE INDICATED, ALL CORNERS ESTABLISHED BY THIS SURVEY AND REPLAT ARE MONUMENTED WITH A 5/8" REBAR MARKED "LS 7270".
3. WITH THE APPROVAL AND RECORDING OF THIS PLAT THERE IS GRANTED AN EASEMENT FOR INGRESS AND EGRESS OVER AND ALONG THE BOUNDARIES OF TRACTS A-1 AND A-2, EXCEPT WHERE OCCUPIED BY EXISTING BUILDINGS.

SUBDIVISION DATA

DRB CASE NO.
ACREAGE	1.1074 ACRES
ZONE ATLAS INDEX NO.	J-17-2
NO. EXISTING TRACTS	1

community sciences corporation
LAND PLANNING ENGINEER SURVEYOR
P.O. Box 1124 Albuquerque, New Mexico 87101

AUGUST 10, 2005

ATTACHMENT B

**ALTURA ADDITION
DRB SUBMITTAL, PROPOSED TRACTS A-1 AND A-2**

**DATA AND CORRESPONDENCE,
NOVEMBER, 2004 REVIEW AND COMMENT**

Cliff A. Spirock

From: JBasye@cabq.gov
Sent: Thursday, June 30, 2005 1:48 PM
To: Cliff A. Spirock
Cc: rdineen@cabq.gov; SMatson@cabq.gov
Subject: Re:
Attachments: LACY 2003 DOCS.pdf; 01-03-09 DRB Letter.pdf

This will confirm that the submittal, providing 40 parking spaces for the restaurant building, meets applicale regulations of the Zoning Code for off-street parking for the proposed subdivision.

"Cliff A. Spirock" <CASpirock@communitysciences.com>

06/23/2005 02:41 PM

To: <rdineen@cabq.gov>
cc: <SMatson@cabq.gov>, <jbasye@cabq.gov>
Subject:

Mr. Richard Dineen

Planning Director

City of Albuquerque, New Mexico

Via: E-Mail

Subject: DRB 83-711, Parking and proposed replat for Mr. Art Lacy

Property: Tract A, Block 10, Altura Addition (Atlas J-17)

Request: Meeting or other assistance to resolve a long standing issue

Dear Richard,

I hate to bother you, but I'm stuck with a problem. If rectified, I believe it is in the best interests of my client and ultimately, the City.

See attached .PDF document which was used in 2003 to apply to the DRB for a replat. The land was conveyed by my client's father and a defunct S & L using a preliminary plat we did back in 1984. Signatures were obtained – except for the City. It was inadvertently used as a deed exhibit and 4 tracts were created. One of which, Tract A-4, was an "island" – objectionable to the City at that time.

Art Lacy wants to replat and eliminate this deeded island and to clear his title from conveyance using an illegal instrument (unrecorded drawing that looks like a plat, but was never recorded).

8/10/2005

The DRB is happy with needed easements for Carlisle Blvd. and a block return on Aspen Avenue SE. But – the DRB cannot proceed without clearing up a parking issue.

*
*
*
*

There are only two landowner's to deal with; 1) Mr. Lacy and 2) Guru Inc. (the Taj Majal restaurant). Lacy is willing and has an agreement with Guru Inc. to participate in the replat.

Guru Inc. is non-communicative and is playing ostrich, leaving Lacy to bear the burden of costs (even though the replat will clear Guru's title too).

The parking issue is a problem only because the Taj Majal Restaurant is possibly deficient – and Lacy's office building and a Bank is in surplus.

We've tried a shared parking agreement and there is some confusion with staff if granting Taj Majal an easement for deficient parking is an "off-site" matter. Also, with Guru not talking to anyone – Guru may not sign (even though it benefits them).

When I visited the site in 2002, the Fire Marshall had a sign of 200 person maximum occupancy. It is not there now.

Last Tuesday I snuck in, counted seats, and can only find 104 seats being used and set-up. This is a significant difference in parking required. If you use one provision of the code – Guru has enough and no shared parking agreement is necessary.

I've also done a redesign and recommendation of restriping. This could work but I wouldn't pose it to my client until the City agrees it would solve the problem.

HELP!

Please consider a meeting or any creative thought to get this done. Call me if that is appropriate.

Cliff A. Spirock AICP

Community Sciences Corporation

(505) 897-0000 ex. 107 or cell: (505) 250-1227

Attachments e-mailed separately due to space.

2005 SEATING SURVEY
N.T.S.

TRACTS A-1 AND A-2

SITUATE WITHIN SECTION 14, TION, R3E, NMPM.
CITY OF ALBUQUERQUE
BERNALILLO COUNTY, NEW MEXICO

OFF-STREET PARKING REGULATIONS 06 / 22 / 05:

COUNTED SEATING: 104 SEATS = 26 SPACES REQUIRED
(1 PER 4 SEATS).
WITH 10% TRANSIT CREDIT = 23 REQUIRED.

- OR -

POSTED OCCUPANCY (2002 SURVEY): 200 = 66 SPACES
REQUIRED (1 PER 3 PERSONS).

NOTE: NO POSTED OCCUPANCY LIMIT OBSERVED IN 6 / 05
SEATING SURVEY.

WITH 10% TRANSIT CREDIT = 59 REQUIRED.
WITH 20% SHARED PARKING AGREEMENT = 47 SPACES.

§ 14-16-3-1 OFF-STREET PARKING REGULATIONS.

An applicant for a building permit for construction of a new building or building addition of 200 square feet or more shall provide parking in accordance with the general requirements of this section. In addition, new buildings and building additions over 2500 square feet constructed after November 1, 2002 shall also be required to comply with all parking design requirements set forth in this section. In zones where off-street parking is required, off-street parking shall be provided for all uses and buildings, except buildings constructed before October 22, 1985 need supply such parking only to the extent on-premise ground space is available.

(A) Parking spaces for automobiles and light trucks shall be provided on-site or on a site zoned P-R within 300 feet of the use, measured along the shortest public right-of-way, as follows. However, if a use is covered by a duly approved development plan, any different parking requirement of that plan shall apply. (INAPPLICABLE PORTIONS OMITTED)

(26) Restaurant, bar: one space for each four seats for establishments without a full service liquor license; otherwise one space per three persons of permitted fire occupancy load.

(INAPPLICABLE PORTIONS OMITTED)

(D) General Requirements.

(INAPPLICABLE PORTIONS OMITTED)

(4) In the event of mixed uses, the total number of required off-street parking spaces is the sum of the requirements of the various uses computed separately. The total number of required off-street parking spaces may be reduced according to Paragraph (D)(6) below.

(5) In calculating the total number of required off-street parking spaces, fractional amounts are to be rounded up to the next whole number.

(6) Parking Reductions:

(a) Transit Reductions:

1. The parking requirement of a building or use shall be reduced 10% if it is within 300 feet of a regular Albuquerque Transit System route.

2. The parking requirement of a building or use shall be reduced an additional 5% for premises which provide, at the owner's cost, transit rider shelters of a type and location acceptable to the City.

3. The parking requirement of a building or use shall be reduced an additional 5% for premises of five acres or more which provide, at the owner's cost, transit pull-offs of a type and location acceptable to the City.

(b) Mixed Use Shared Parking Reductions:

1. In situations where a mix of uses creates staggered peak periods of parking demand, shared parking calculations can be made to reduce the total amount of required parking. All non-residential uses may share parking areas. In no case shall shared parking include the parking required for residential uses.

2. The Planning Director may approve shared parking facilities for developments or uses with different operating hours or different peak business periods provided: 1) pedestrian access is provided to and from the parking area and each building or use; and 2) all other requirements listed in this section are met. (NOTE: Each situation shall be judged according to the individual facts presented.)

3. Parking spaces that are reserved for a specific business (e.g., reserved for doctors only) shall not be counted toward meeting the shared parking requirements.

4. Shared parking spaces may be located on a different lot than the building or use that it serves only where the following conditions are met:

a. The parking is located no more than 500 feet from the building or use that it serves. The distance between the building or use and the parking area shall be measured following a reasonable and safe walking route from the main entrance of the building or use to the parking area in question;

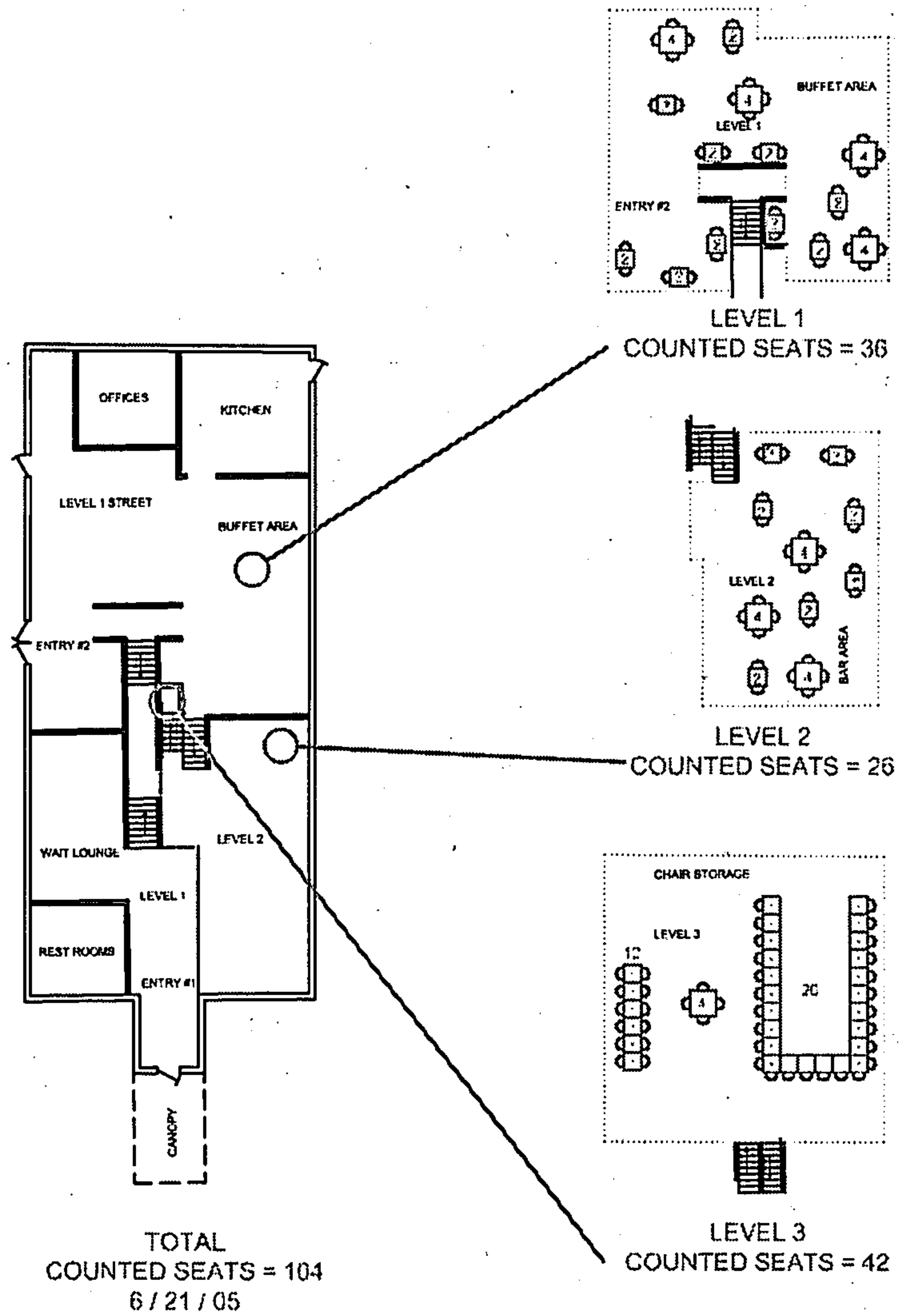
b. The sharing of the required parking shall be guaranteed by a legally binding agreement, duly executed and acknowledged, between the owner of the parking area and the owner of the building or use which is located on a different lot and served by the parking area. Such agreement shall address the issue of how parking will be shared if the parties change their operating hours and peak business periods.

c. The applicant for a building permit or certificate of occupancy for the use which is served by parking spaces on the other lot shall submit a copy of such agreement along with his or her application for such permit or certificate.

5. Those wishing to use shared parking as a means of satisfying off-street parking requirements must submit shared parking calculations to the Planning Director that clearly demonstrate the feasibility of shared parking. The maximum reduction in the number of parking spaces required for all uses sharing the parking area shall be 20 percent.

6. The sharing of the required parking shall be guaranteed by a legally binding Shared Parking Agreement duly executed and acknowledged among all owners of record. Such agreement shall address the issue of how parking will be shared if the parties change their operating hours and peak business periods. Such written agreement shall be recorded by the applicant with the Bernalillo County Recorder's Office prior to the issuance of a building permit or certificate of occupancy, and a copy filed in the project review file.

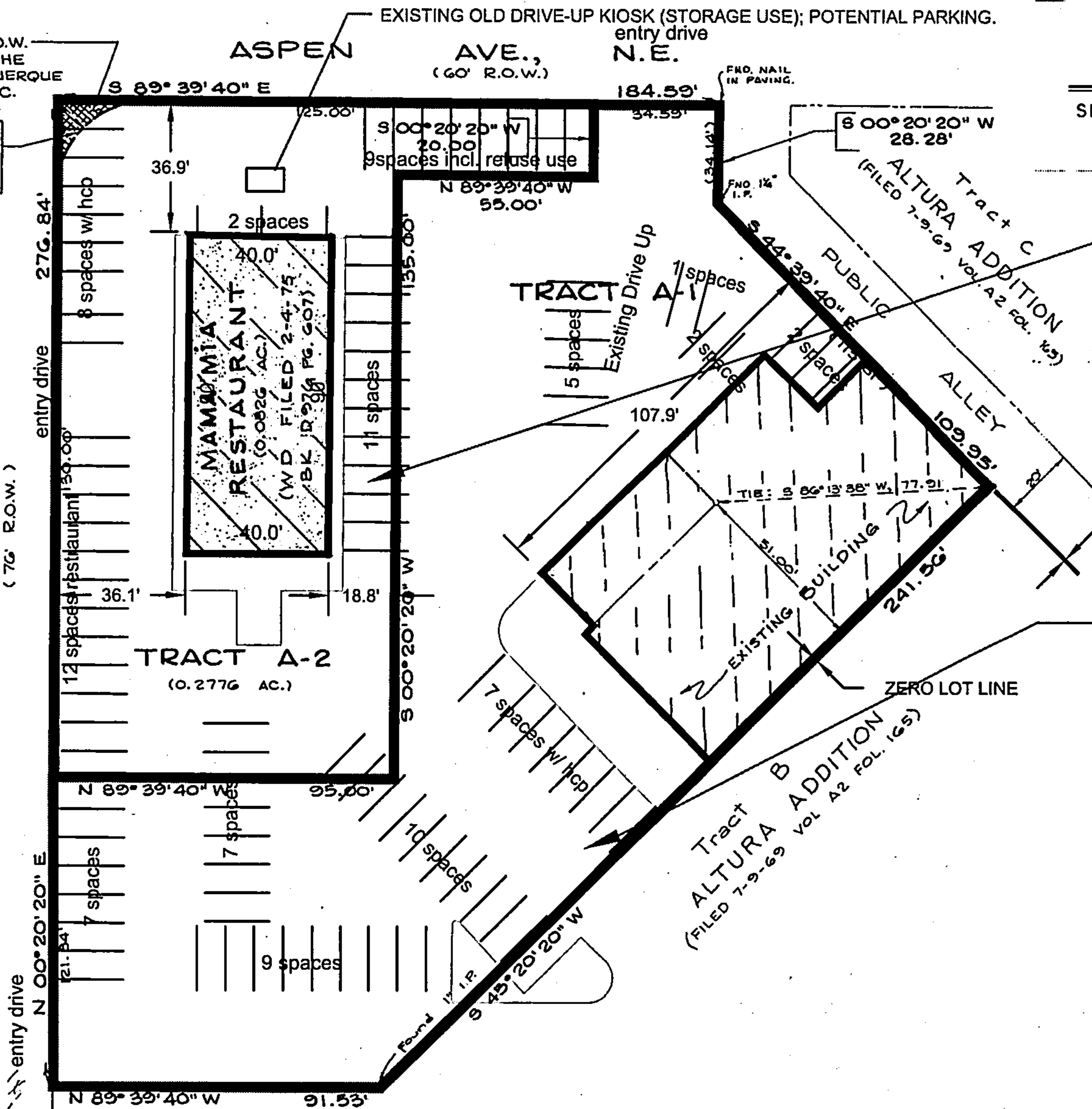
(c) The total maximum reduction for transit and shared parking shall not exceed 25%.



ADDITIONAL R.O.W. DEDICATED TO THE CITY OF ALBUQUERQUE AREA = 0.0031 AC.

R = 25.00'
L = 39.27'
Δ = 90°00'00"
T = 25.00'

CARLISLE BLVD., N.E. (76' R.O.W.)



TRACTS A-1 AND A-2

SITUATE WITHIN SECTION 14, T10N, R3E, N.M.P.M.
CITY OF ALBUQUERQUE
BERNALILLO COUNTY, NEW MEXICO

TAJ MAHAL RESTAURANT:
41 CURRENT SPACES AS STRIPED
POSSIBLE 6 ADDITIONAL SPACES IF
OLD DRIVE-UP KIOSK IS REMOVED
ON ASPEN AVE. = 47 TOTAL
POTENTIAL SPACES ON-SITE.

OFF-STREET PARKING REGULATIONS 06 / 22 / 05:

COUNTED SEATING: 104 SEATS = 26 SPACES REQUIRED
(1 PER 4 SEATS).
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WITH 20% SHARED PARKING AGREEMENT = 47 SPACES.

ZERO LOT LINE

LACY OFFICES AND BANK OF THE WEST:
47 CURRENT SPACES AS STRIPED.

OFF-STREET PARKING REGULATIONS 06 / 22 / 05:

5,000 S.F. FLOOR 1, 5,000 S.F. FLOOR 2 = 42
WITH 10% TRANSIT CREDIT = 38 REQUIRED.

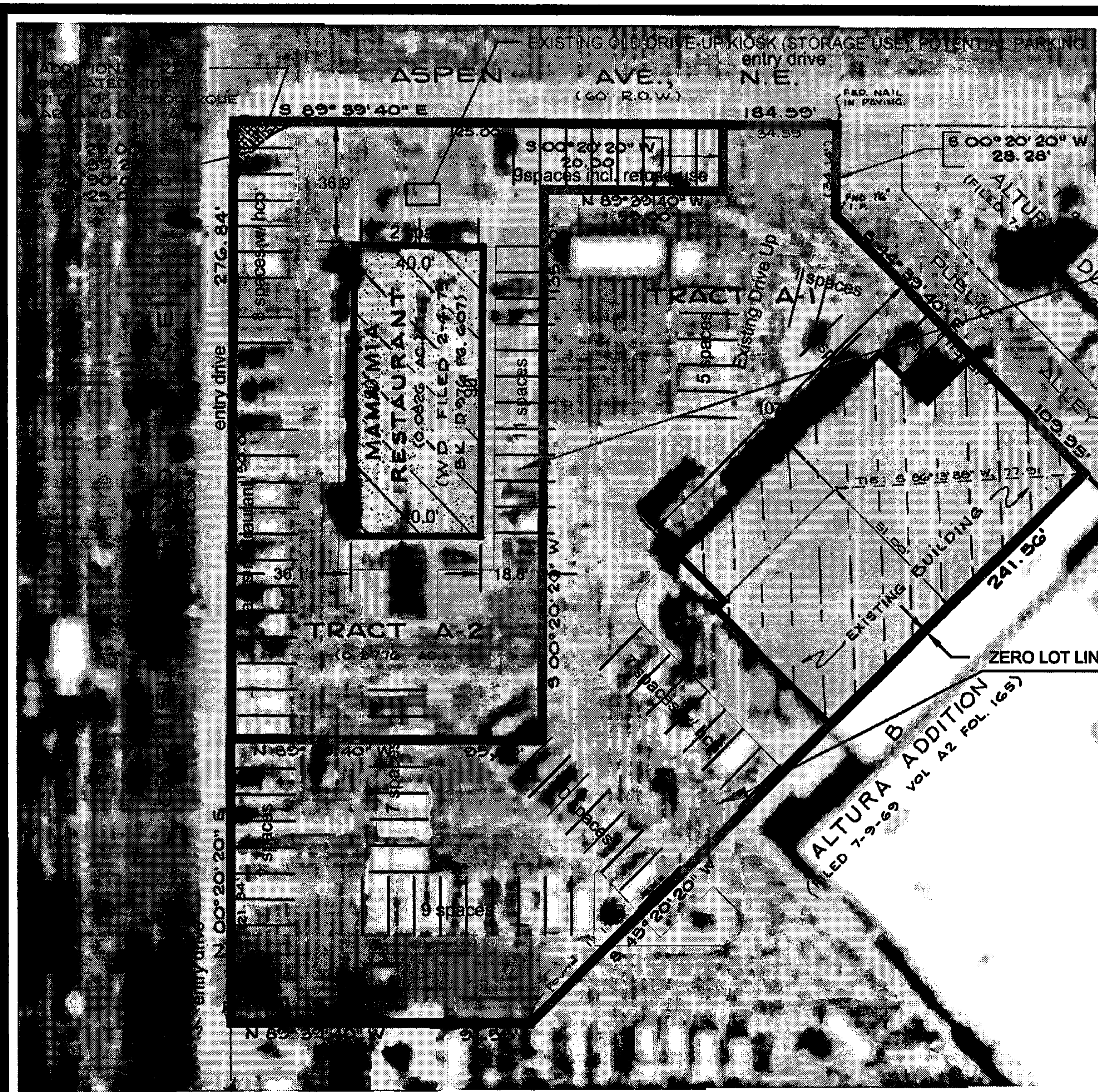
ALL USES:

61 - 97 SPACES REQUIRED DEPENDING ON RESTAURANT
CALCULATIONS (CURRENT SEATING VERSUS FIRE
OCCUPANCY POSTING).

ALL USES:
88 CURRENT SPACES AS STRIPED.
94 TOTAL IF TAJ MAHAL RECONFIGURES
OLD DRIVE UP KIOSK.

2002 PARKING SURVEY
SUPERIMPOSED ON 1984
PRELIMINARY PLAT SHOWING
EXISTING PARKING ARRANGEMENT

SCALE: 1" = 60'



TRACTS A-1 AND A-2

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CITY OF ALBUQUERQUE
BERNALILLO COUNTY, NEW MEXICO

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OLD DRIVE UP KIOSK.

2002 PARKING SURVEY WITH 2003
ORTHO PHOTO

SCALE: 1" = 60'

FILE
1002430



Jack J. Basye
06/30/2005 01:48 PM

To: "Cliff A. Spirock" <CASpirock@communitysciences.com>@PUBCABQ *
cc: rdineen@cabq.gov, SMatson@cabq.gov
Subject: Re: []

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06/23/2005 02:41 PM

To: <rdineen@cabq.gov>
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Subject:

Mr. Richard Dineen

Planning Director

City of Albuquerque, New Mexico

Via: E-Mail

Subject: DRB 83-711, Parking and proposed replat for Mr. Art Lacy

Property: Tract A, Block 10, Altura Addition (Atlas J-17)

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Cliff A. Spirock AICP

Community Sciences Corporation

(505) 897-0000 ex. 107 or cell: (505) 250-1227

Attachments e-mailed separately due to space.

City of Albuquerque



DEVELOPMENT REVIEW APPLICATION

Supplemental form S

SUBDIVISION

____ Major Subdivision action

____ Minor Subdivision action

____ Vacation **V**

____ Variance (Non-Zoning)

Supplemental form Z

ZONING

____ Annexation & Zone Establishment

____ Sector Plan

____ Zone Change

____ Text Amendment

SITE DEVELOPMENT PLAN P

____ ...for Subdivision Purposes

____ ...for Building Permit

____ IP Master Development Plan

____ Cert. of Appropriateness (LUCC) **L**

APPEAL / PROTEST of... A

____ 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.

APPLICANT INFORMATION:

NAME: Art Lacy PHONE: 265-0120

ADDRESS: P. O. Box 35466 FAX: _____

CITY: Albuquerque, NM STATE NM ZIP 87176 E-MAIL: _____

Proprietary interest in site: _____

AGENT (if any): Community Sciences Corporation PHONE: 897-0000

ADDRESS: P. O. Box 1328 FAX: 898-5195

CITY: Corrales STATE NM ZIP 87048 E-MAIL: Sciencenm@aol.com

DESCRIPTION OF REQUEST: Sketch Plat Review

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

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

Lot or Tract No. Tract A Block: 10 Unit: _____

Subdiv. / Addn. Altura Addition

Current Zoning: C-1 Proposed zoning: N/A

Zone Atlas page(s): J-17 No. of existing lots: 1 No. of proposed lots: 3

Total area of site (acres): 1.2125 Density if applicable: dwelling per gross acre dwellings per net acre: _____

Within city limits? Yes. No , but site is within 5 miles of the city limits (DRB jurisdiction.) Within 1000FT of a landfill? N/A

UPC No. _____ MRGCD Map No. N/A

LOCATION OF PROPERTY BY STREETS: On or Near: Carlisle

Between: Aspen and Carlisle

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-1340

DRB-83-711

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

SIGNATURE [Signature] DATE 1/13/03

(Print) Cliff Spirock Applicant Agent

FOR OFFICIAL USE ONLY

Form revised September 2001

INTERNAL ROUTING	Application case numbers	Action	S.F.	Fees
<input checked="" type="checkbox"/> All checklists are complete	<u>03DRB - 00051</u>	<u>Sketch</u>	<u>5(3)</u>	<u>\$ 0</u>
<input checked="" type="checkbox"/> All fees have been collected	_____	_____	_____	\$ _____
<input checked="" type="checkbox"/> All case #s are assigned	_____	_____	_____	\$ _____
<input checked="" type="checkbox"/> AGIS copy has been sent	_____	_____	_____	\$ _____
<input checked="" type="checkbox"/> Case history #s are listed	_____	_____	_____	\$ _____
<input checked="" type="checkbox"/> Site is within 1000ft of a landfill	_____	_____	_____	\$ _____
<input type="checkbox"/> F.H.D.P. density bonus	_____	_____	_____	\$ _____
<input checked="" type="checkbox"/> F.H.D.P. fee rebate	_____	_____	_____	\$ _____
Hearing date <u>JAN. 22nd 03</u>				Total <u>\$ 0</u>

[Signature] 1/13/03
Planner signature / date

Project # 1002420

FORM S(3): SUBDIVISION - D.R.B. MEETING (UNADVERTISED) OR INTERNAL ROUTING

SKETCH PLAT REVIEW AND COMMENT

- Scale drawing of the proposed subdivision plat (folded to fit into an 8.5" by 14" pocket) 6 copies for unadvertised meetings. Sketches are not reviewed through internal routing.
 - Site sketch with measurements showing structures, parking, Bldg. setbacks, adjacent rights-of-way and street improvements, etcetera, if there is any existing land use (folded to fit into an 8.5" by 14" pocket) 6 copies.
 - Zone Atlas map with the entire property(ies) precisely and clearly outlined and crosshatched (to be photocopied)
 - Letter briefly describing, explaining, and justifying the request
 - Any original and/or related file numbers are listed on the cover application
- DRB meetings are approximately 8 DAYS after the Tuesday noon filing deadline. **Your attendance is required.**

MAJOR SUBDIVISION EXTENSION OF PRELIMINARY PLAT

- Preliminary Plat reduced to 8.5" x 11"
 - Zone Atlas map with the entire property(ies) precisely and clearly outlined and crosshatched (to be photocopied)
 - Letter briefly describing, explaining, and justifying the request
 - Copy of previous D.R.B. approved infrastructure list
 - Copy of the Official D.R.B. Notice of approval
 - Any original and/or related file numbers are listed on the cover application
- Extensions are not reviewed through internal routing.**
 Extension of preliminary plat approval expires after one year.
 DRB meetings are approximately 8 DAYS after the Tuesday noon filing deadline. **Your attendance is required.**

MAJOR SUBDIVISION FINAL PLAT APPROVAL

- Proposed Final Plat (folded to fit into an 8.5" by 14" pocket) 6 copies for unadvertised meetings, 4 copies for internal routing.
 - Zone Atlas map with the entire property(ies) precisely and clearly outlined and crosshatched (to be photocopied)
 - Original Mylar drawing of the proposed plat for internal routing only. Otherwise, bring Mylar to meeting.
 - Property owner's and City Surveyor's signatures on the Mylar drawing
 - SIA financial guaranty verification
 - Landfill disclosure and EHD signature line on the Mylar drawing if property is within a landfill buffer
 - Any original and/or related file numbers are listed on the cover application
- DRB meetings are approximately 8 DAYS after the Tuesday noon filing deadline. **Your attendance is required.**

MINOR SUBDIVISION PRELIMINARY / FINAL PLAT APPROVAL

- Proposed Preliminary / Final Plat (folded to fit into an 8.5" by 14" pocket) 6 copies for unadvertised meetings, 4 copies for internal routing.
 - Site sketch with measurements showing structures, parking, Bldg. setbacks, adjacent rights-of-way and street improvements, etcetera, if there is any existing land use (folded to fit into an 8.5" by 14" pocket) 6 copies.
 - Zone Atlas map with the entire property(ies) precisely and clearly outlined and crosshatched (to be photocopied)
 - Letter briefly describing, explaining, and justifying the request
 - Original Mylar drawing of the proposed plat for internal routing only. Otherwise, bring Mylar to meeting.
 - Property owner's and City Surveyor's signatures on the Mylar drawing
 - Landfill disclosure and EHD signature line on the Mylar drawing if property is within a landfill buffer
 - Fee (see schedule)
 - Any original and/or related file numbers are listed on the cover application
- DRB meetings are approximately 8 DAYS after the Tuesday noon filing deadline. **Your attendance is required.**

AMENDMENT TO PRELIMINARY PLAT (with minor changes)

AMENDMENT TO INFRASTRUCTURE LIST (with minor changes)

AMENDMENT TO GRADING PLAN (with minor changes)

- PLEASE NOTE: There are no clear distinctions between significant and minor changes with regard to subdivision amendments. Significant changes are those deemed by the DRB to require public notice and public hearing.
- Proposed Amended Preliminary Plat, Infrastructure List, and/or Grading Plan (folded to fit into an 8.5" by 14" pocket) 6 copies for unadvertised meetings, 4 copies for internal routing.
 - Original Preliminary Plat, Infrastructure List, and/or Grading Plan (folded to fit into an 8.5" by 14" pocket) 6 copies for unadvertised meetings, 4 copies for internal routing.
 - Zone Atlas map with the entire property(ies) precisely and clearly outlined and crosshatched (to be photocopied)
 - Letter briefly describing, explaining, and justifying the request
 - Original Mylar drawing of the proposed amended plat for internal routing only. Otherwise, bring Mylar to meeting.
 - Property owner's and City Surveyor's signatures on the Mylar drawing, if the plat is being amended
 - Any original and/or related file numbers are listed on the cover application
- Amended preliminary plat approval expires after one year.
 DRB meetings are approximately 8 DAYS after the Tuesday noon filing deadline. **Your attendance is required.**

I, the applicant, acknowledge that any information required but not submitted with this application will likely result in deferral of actions.

CLIFF SPIROCK
 Applicant name (print)
[Signature] 1/13/03
 Applicant signature / date



Form revised September 2001

- Checklists complete
- Fees collected
- Case #s assigned
- Related #s listed

Application case numbers
03DRB - 00057
 _____ - _____
 _____ - _____

[Signature] 1/13/03
 Planner signature / date
Project # 1002420



P. O. Box 1328
Corrales, NM 87048

January 10, 2003

City of Albuquerque
Development Review Board
Plaza Del Sol Building
600 2nd Street, N.W.
Albuquerque, New Mexico 87103

Subject: Tract A, Block 10 of the Altura Addition (Zone Atlas J-17) request for review and comment, subdivision plat

Dear Ladies and Gentlemen of the Development Review Board:

This property is submitted for minor subdivision plat (sketch plat) application to correct a long-standing error in property conveyances.

Existing Condition:

The property is located at the northwest corner of Carlisle Blvd., NE and Aspen Ave., NE. It is a single tract, "Tract A", Block 10 of the Altura Addition (7/9/69, A2, Page 165). The current occupancy consists of the "Taj Majal" Restaurant and a building attached to the Smith's Supermarket. The common-lot-line building is two-story, approximately 10,000 square feet of net leasable area and is occupied by offices.

A portion of the existing building is occupied by the "Bank of the West" including an ATM teller machine and drive-up window.

Immediately adjacent to these properties, to the south and southwest, is a Smith's grocery store and free-standing First State Bank including ATM machine and drive-thru.

"Tract A" has an access point on Carlisle Blvd., NE and on Aspen Ave., NE. With the current parking and driveway configuration, these lands abut the parking area for the Smith's grocery store and First State Bank, which have access from Carlisle and Constitution Ave., NE.

Error in Conveyancing:

The attached exhibit entitled "Replat" was prepared in 1984 for Mr. Joseph and William Lacy. At that time, they were under negotiations for the division of the land and sales of properties to (Mama Mia's Restaurant site). Joseph Lacy is deceased, Mama Mia's Restaurant is now the Taj Majal and New Mexico Savings and Loan Association is defunct.

Unfortunately, the proposed replat (DRB Case 83-711) was never completed. This is an unrecorded instrument.

However, the in-process map was used for specific property conveyances by leasehold and land sales, using legal descriptions and the unrecorded replat as an exhibit.

Intended actions by current owner:

The current owner and heir to the original, proposed subdivider is Mr. Art Lacy. Mr. Art Lacy is the landlord and owner of the office structure attached to the Smith's drugstore Tract A-1. Mr. Lacy regrets the un-intended real estate transactions and now wishes to prepare a subdivision plat map, in conjunction with the owners of the Taj Majal Restaurant, to remedy the inadvertent error.

We propose a simple plat to divide the property into two, possibly three distinct properties, Tract A-1, Tract A-2 and Tract A-3. The previous concept of internal lot divisions (shown as Tract A-3), would be removed. If Mr. Lacy can re-purchase proposed lot "Tract A-4", only two lots would be created (A-1 and A-2).

If necessary, additional right-of-way at the northwest corner would be dedicated to the City of Albuquerque as originally proposed.

Zoning and Parking Standards:

To the best of our knowledge, the property remains C1 and is adjacent to C1 to the south and east (the Smith's grocery store) and is across from a public alley zoned R-3 for apartments.

There are 50 striped parking spaces that are claimed that are claimed by Mr. Art Lacy in conjunction with the bank and office building and 35 spaces utilized by the Taj Majal Restaurant.

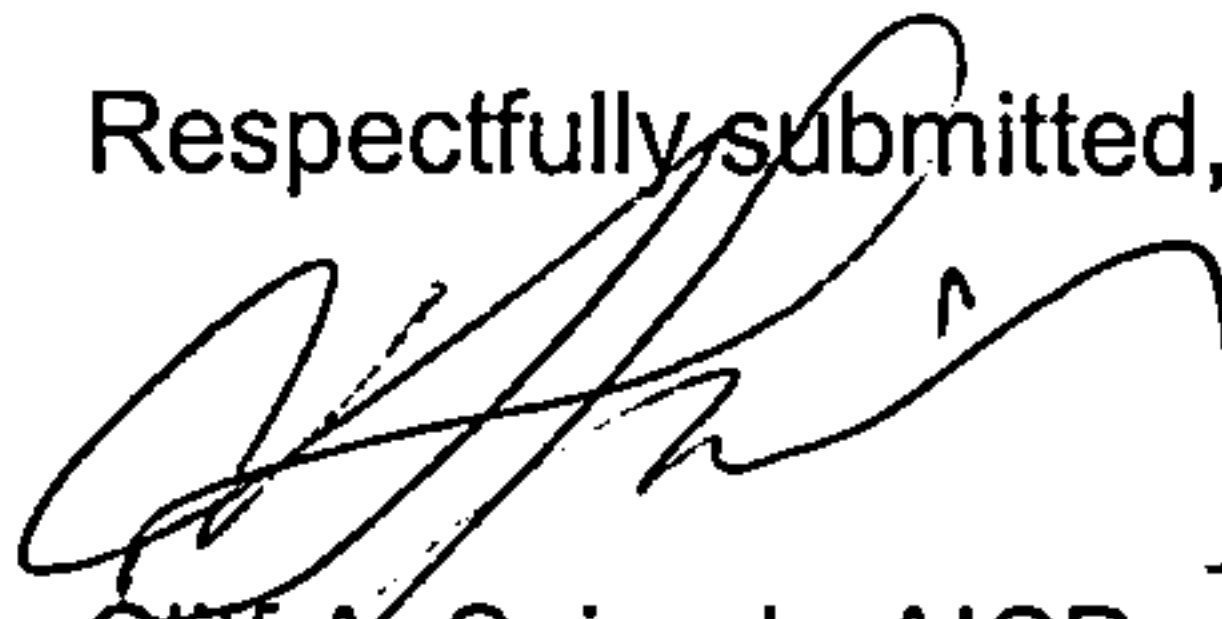
The posted maximum occupancy of the restaurant is 200. The office building has approximately 5,000 square feet on the first floor and 5,000 square feet on the second floor, net leasable area.

The property is within 300' from an existing transit stop on Carlisle Blvd., qualifying for a transit exemption.

Required parking for both premises is indicated at 50 for the restaurant (maximum fire department occupancy) and 42 for the offices. At a 10% credit for the transit facility location, 84 spaces would be required. 85 spaces are provided in the current configuration of striping and if necessary, a letter agreement or easement for additional restaurant spaces from Tract A-1 could be negotiated.

Please schedule this for Sketch Plat review and comment before we initiate the subdivision plat process.

Respectfully submitted,



Cliff A. Spirock, AICP

CAS/bjc

Attachments: (chronological)
1969 Recorded Plat LD69-147
1969 Approved Plat LD69-152
1984 Proposed Plat DRB 83-711
1985 Case Correspondence (DRB 83-711)
12/9/02 Art Lacy Letter
Zone Atlas Page J-17
Approximate existing parking
2003 Sketch Plat

cc: Mr. Art Lacy
Mr. Cliff F. Spirock

Art Lacy
P.O. Box 35466
Albuquerque, NM 87176
(505) 265-0120

RECEIVED
DEC 17 2002

December 9, 2002

Mr. Cliff Spirock
Community Sciences Corporation
4481 Corrales Rd
Corrales, NM 87048

COPY

Dear Mr. Spirock:

In 1984, New Mexico Federal Saving & Loan represented by Mr. Robert Morris made an offer to buy a tract of land owned by Joseph E. Lacy and me. Mr. Morris indicated New Mexico Federal Saving & Loan would contract and pay for everything needed to legally subdivide the land and record the division of property. Additionally, they would secure all signatures and approvals needed. In the summer of 1984, Mr. Morris delivered plats of the proposed replat of Tract "A" with all owner's signatures, representing to me the replat was taking place and would be approved.

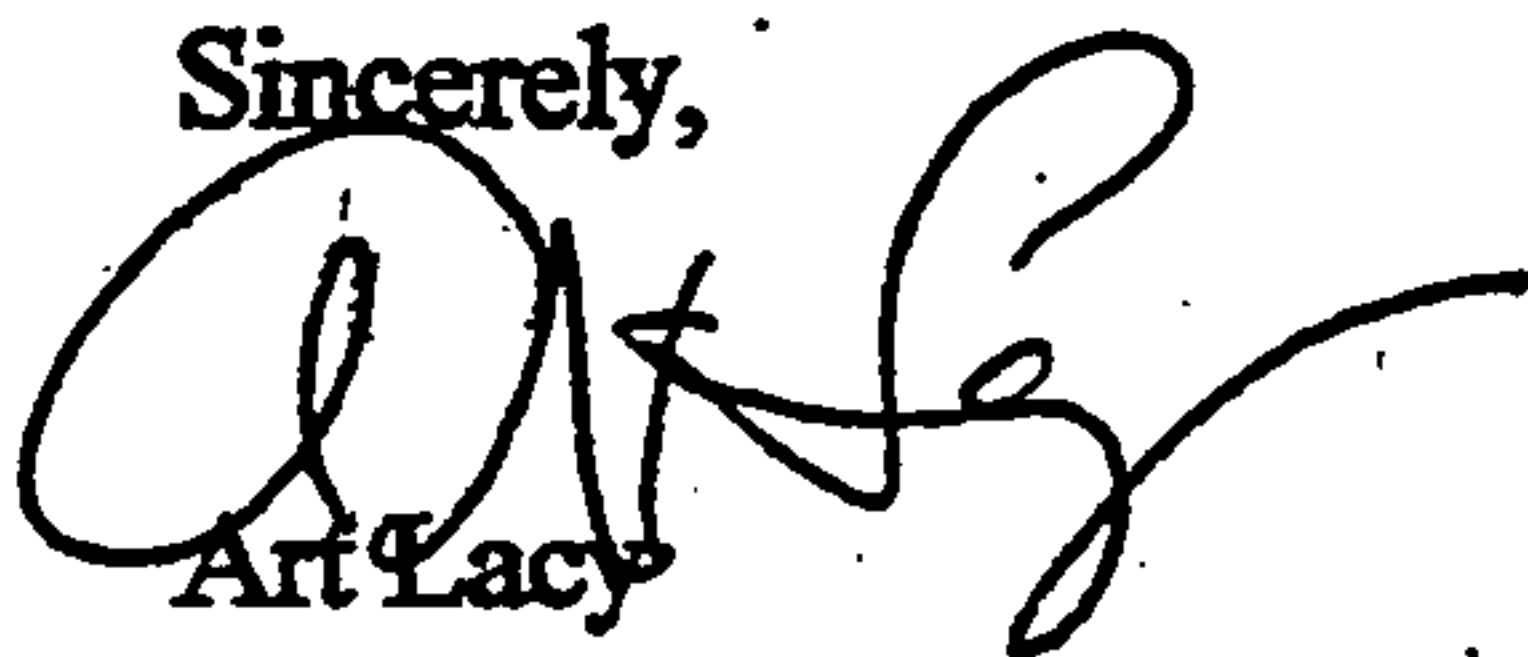
One year later, Mr. Morris invited Joseph Lacy and me to his office at New Mexico Federal to "close" the transaction. Presented at that time were what I believed were plats of survey for Tracts A-1 and A-2. Joseph E. Lacy and I signed a deed conveying what we believed was Tract A-2 to New Mexico Federal. Also at that time, we were presented with a survey and description of Tract A-1, which was the remainder of our property containing our office building. I, unfortunately, assumed New Mexico Federal would not convey the tracts without an approved re-plat. Additionally, I assumed the subdivision had been accomplished because each property owner received separate property tax notices. You probably know, New Mexico Federal no longer exists.

I have recently (October, 2002) discovered there never was an approved replat. Additionally two tracts (A-3 and A-4) as shown on the proposed replat, were never plated, even though those tracts were conveyed prior to 1982.

I am currently the owner of what is depicted as Tract A-1. I would like to determine what steps would be necessary to get approval of a replat of Tract A, into two tracts. I understand this will necessitate the cooperation of owner's of Tract A-2 and A-3. I believe I will be able to buy Tract A-4, which would merge into my ownership, eliminating one more obstacle.

I realize this is a complex issue and would be happy to explain any part that is unclear. Please contact me at 238-4403.

Sincerely,


Art Lacy

Attached: Copies of Original Proposed Replat

July 29, 1985

Mr. Robert Romero
Zoning Enforcement Officer
City of Albuquerque
P.O. Box 1293
Albuquerque, New Mexico 87103

Re: Request for Declaratory Ruling

Subject: Replat of Tract A, Block 10, Altura Addition to
Tracts A-1, A-2, A-3 and A-4

Reference: DRB 83-711

Dear Mr. Romero:

Attached is the proposed replat of Tract A, Altura Addition. The site is zoned C-1. Commercial buildings and parking area are the existing uses on the site.

Proposed Tract A-3 is a restaurant; A-2 is the restaurant parking area. Ten years ago the owners of Tract A conveyed by deed proposed Tract A-3 and granted a parking easement within Tract A-3 to the restaurant owners. Neither transaction was platted.

The respective owners wish to replat Tract A to record properly these ownerships and encumbrances. Recordation of the replat will lead to purchase of the parking area by the restaurant owners.

The restaurant building encompasses all of Tract A-3 and does not conform to the setback requirements of the City Zoning Ordinance. DRB will review the proposed replat on July 30. The DRB Chairman has expressed concern over whether the proposed replat constitutes a recordation of an existing non-conforming use or requires a application for a variance.

We request that you provide us with a declaratory ruling on this issue so that we can take the appropriate steps to replat this property.

Sincerely,


John Prior

JP/tms

CSC #27-01-160

Enclosures: Attached proposed replat of Tract A, Altura Addition.

SURVEYING
LAND PLANNING
CIVIL ENGINEERING
DEVELOPMENT CONSULTANTS

August 7, 1985

OFFICIAL NOTICE

1) JP RR 27-01-160
2) PDQ ✓
3) LAC
3) File
AUG 12 1985
*
*
*
*

CITY OF ALBUQUERQUE
MUNICIPAL DEVELOPMENT DEPARTMENT
PLANNING DIVISION
P.O. BOX 1293, ALBUQUERQUE, NEW MEXICO 87103

Art Lacy
Pacific Southwest Research
1420 Carlisle, NE
Albuquerque, NM 87110

REF: DRB-83-711 Community Sciences Corporation, agents for Pacific Southwest
(NE) Research, request Final Plat approval for the replat of
(10/9/84) Tract A, Block 10, Altura Addition, zoned C-1, and located
at Carlisle Boulevard and Aspen Street, N.E. (J-17)

At the August 6, 1985, Development Review Board meeting the above-referenced request was denied based on the following Findings:

Findings:

1. The City Subdivision Ordinance does not apply to:
 - a) The sale or lease of space within a building;
 - b) The lease of space within a shopping center.
2. The proposed subdivision would not be consistent with the provisions of the C-1 zone of the Zoning Ordinance.

If you wish to appeal this decision, you must do so by August 21, 1985, in the manner described below. A nonrefundable fee of \$40 is required at the time the appeal is filed.

Appeal to the Environmental Planning Commission. Any person aggrieved with any determination of the Development Review Board may file an appeal on the Planning Division form to the Planning Division within 15 days of the Development Review Board's decision. The date the determination in question is issued is not included in the 15-day period for filing an appeal, if the fifteenth day falls on a Saturday, Sunday or holiday as listed in the Merit System Ordinance, the next working day is considered as the deadline for filing the appeal. Such appeal shall be heard within 60 days of its filing.

You will receive notice if any other person files an appeal. Successful applicants are reminded that other requirements of the City must be complied with, even after approval of the referenced application(s).


Gina Rodarte
Board Secretary

cc: Community Sciences Corporation, P.O. Box 1328, Corrales, NM; 87048



City of Albuquerque

P.O. BOX 1293 ALBUQUERQUE, NEW MEXICO 87103

ALBUQUERQUE

MAYOR
Harry E. Kinney

CHIEF
ADMINISTRATIVE OFFICER
Bob V. Stover

AUG 9 1985

August 6, 1985

Mr. John Prior
COMMUNITY SCIENCES CORPORATION
P.O. Box 1328
Albuquerque, New Mexico 87048

RE: DRB 83-711

Dear Mr. Prior:

Upon reviewing your request referenced above, I must conclude that your replat as proposed would violate the City Zoning Code.

Specifically, Section 40.A.4.a. states that "[i]t is unlawful to reduce the amount of existing parking below the minimum required...without first supplying other spaces as is required." All off-street parking must be provided "on site" which means that any replat which would make a building a distinct premise from the parking for that building would not be allowed.

In addition, Tracts A-3 and A-4 would be essentially landlocked with no access to the public right-of-way. Such a replatting could eventually lead to required parking being fenced off, buildings being denied access and even new construction on tracts designed and originally approved for required off-street parking.

I hope this information is satisfactory to your needs. You may use this letter as an official declaratory ruling should you so desire.

Please let me know if I may be of further assistance.

Sincerely,

Robert E. Romero
Zoning Enforcement Officer

RER:oao
04080