

CITY OF ALBUQUERQUE



CITY OF ALBUQUERQUE PLANNING DEPARTMENT HYDROLOGY DEVELOPMENT SECTION

DEVELOPMENT REVIEW BOARD--SPEED MEMO

DRB CASE NO/PROJECT NO: 1002459

AGENDA ITEM NO: 10

SUBJECT:

Sidewalk Variance

ACTION REQUESTED:

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

P.O. Box 1293

ENGINEERING COMMENTS:

No adverse comments.

Albuquerque

New Mexico 87103

RESOLUTION:

APPROVED ; DENIED ____; DEFERRED ____; COMMENTS PROVIDED ____; WITHDRAWN

www.cabq.gov

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
924-3986

DATE: December 12, 2007

11
11
11
11

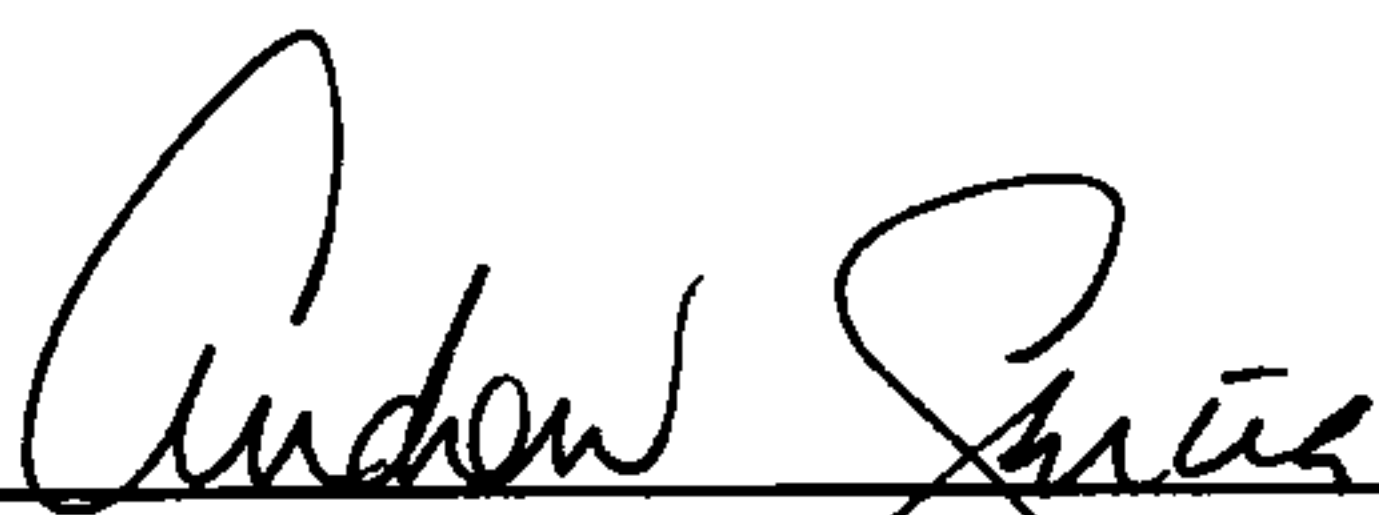
**CITY OF ALBUQUERQUE
PLANNING DEPARTMENT
December 12, 2007
DRB Comments**

ITEM # 10

PROJECT # 1002459 APPLICATION # 07-70420

RE: Lot 2A, Quail Ridge/sw

Planning has no objection to the sidewalk waiver request.



Andrew Garcia, Planning Alternate
924-3858/agarcia@cabq.gov



OFFICIAL NOTICE OF DECISION

CITY OF ALBUQUERQUE
PLANNING DEPARTMENT
DEVELOPMENT REVIEW BOARD

DECEMBER 12, 2007

Project# 1002459
07DRB-70420 SIDEWALK WAIVER

TIERRA WEST LLC agent(s) for QUAIL RIDGE LLC request(s) the above action(s) for all or a portion of Lot(s) 2A, **QUAIL RIDGE**, zoned SU-1 FOR COMMERCIAL & RELATED C-2 USES, located on COORS BLVD NW BETWEEN OURAY RD NW AND QUAIL RD NW containing approximately 3.5221 acre(s). (H-11)

At the December 12, 2007 Development Review Board meeting, a sidewalk variance for waiver of the sidewalk was approved as shown on Exhibit C in the Planning file.

If you wish to appeal this decision, you must do so by December 27, 2007 in the manner described below.

Appeal is to the Land Use Hearing Officer. Any person aggrieved with any determination of the Development Review Board may file an appeal on the Planning Department form, to the Planning Department, 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).


Andrew Garcia, Acting Chair

Cc: Quail Ridge LLC – 6300 Riverside Plaza Lane NE Ste 210 – Albuquerque, NM
87109

Cc: Tierra West LLC – 8509 Jefferson NE – Albuquerque, NM 87113
Marilyn Maldonado
File

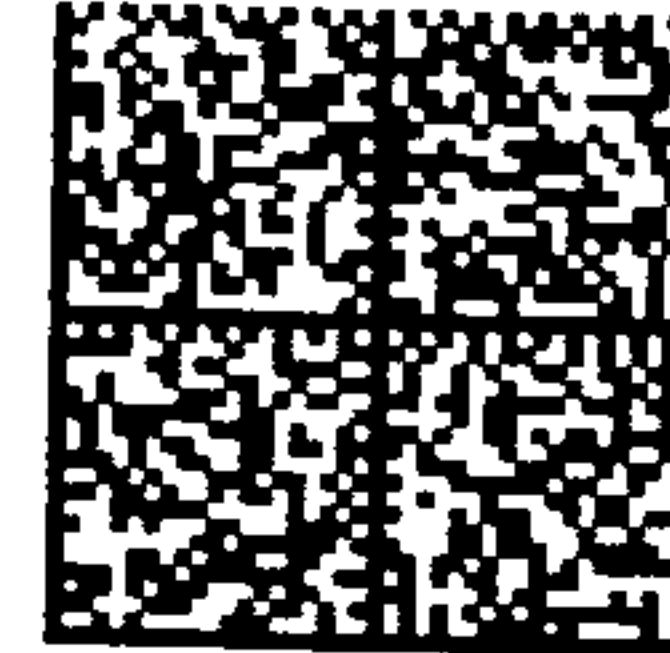
CITY OF ALBUQUERQUE



Planning Department

DRB

Quail Ridge LLC
6300 Riverside Plaza Lane NE
Ste 210
Albuquerque, NM 87109



UNITED STATES POSTAGE
PITNEY BOWES
02 1M \$ 00.41⁰
0004219022 DEC 27 2007
MAILED FROM ZIP CODE 8

NIXIE 871 CE 1 70 01/14/08

RETURN TO SENDER
ATTEMPTED - NOT KNOWN
UNABLE TO FORWARD

BC: 87100

*0568-01629-27-33

47120+2617



P O Box 1293 Albuquerque, New Mexico 87103

City of Albuquerque Planning Department
One Stop Shop – Development and Building Services

12/04/2007 Issued By: PLNABG

Permit Number: 2007 070 420 **Category Code 910**

Application Number: 07DRB-70420, Sidewalk Waiver

Address:

Location Description: COORS BLVD NW BETWEEN OURAY RD NW AND QUAIL RD NW

Project Number: 1002459

Applicant

Quail Ridge Llc

8300 Riverside Plaza Ln Nw, Ste 210
Albuquerque NM 87120
888-30361

Agent / Contact

Tierra West Llc
Ronald Bohannon
5571 Midway Park Pl Ne
Albuquerque NM 87109

twllc@tierrawestllc.com

Application Fees

441018/4971000	Public Notification	
441032/3424000	Conflict Mgmt Fee	\$20.00
441006/4983000	DRB Actions	
TOTAL:		\$20.00

City Of Albuquerque
Treasury Division

12/4/2007 11:18AM LOC: ANNX
WS# 007 TRANS# 0016
RECEIPT# 000913/3-000913/3
PERMIT# 2007070420 TRMS#
Trans Amt \$20.00
Conflict Manaq. Fee \$20.00
CK \$20.00
CHANGE \$0.00

Thank You

City of Albuquerque



DEVELOPMENT/ PLAN REVIEW APPLICATION

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)
- 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.

APPLICATION INFORMATION:

Professional/Agent (if any): Tierra West LLC PHONE: 505-858-3100
 ADDRESS: 5571 Midway Park Place NE FAX: 505-858-1118
 CITY: Albuquerque STATE NM ZIP 87109 E-MAIL: _____

APPLICANT: Quail Ridge LLC PHONE: 505-889-3061
 ADDRESS: 6300 Riverside Plaza Lane NW Suite 210 FAX: _____
 CITY: Albuquerque STATE NM ZIP 87120 E-MAIL: _____
 Proprietary interest in site: Owner List all owners: _____

DESCRIPTION OF REQUEST: Sidewalk Waiver

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. 2A Block: _____ Unit: _____
 Subdiv/Addn/TBKA: Quail Ridge
 Existing Zoning: SU-1 for Comm + ^{Related} C-2 Uses Proposed zoning: NO Change MRGCD Map No _____
 Zone Atlas page(s): H-11 UPC Code: 101105923140620602

CASE HISTORY:

List any current or prior case number that may be relevant to your application (Proj., App., DRB-, AX_Z_, V_, S_, etc.): 03EPC-00159/03 EPC-00160/04AA-00871/05 DRB-00615,00616/05 AA-01258,01259/ # 1002459

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): _____
 LOCATION OF PROPERTY BY STREETS: On or Near: Coors Boulevard NW
 Between: Ouray Rd NW and Quail Rd. NW
 Check-off if project was previously reviewed by Sketch Plat/Plan , or Pre-application Review Team . Date of review: _____

SIGNATURE _____ DATE 12/3/07
 (Print) Ronald R. Bohannon, PE Applicant: Agent:

FOR OFFICIAL USE ONLY

Form revised 4/07

- 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	Artinn	S.F.	Fees
<u>07DRB-70420</u>	<u>SW</u>	<u>4</u>	\$ <u>0</u>
_____	<u>CMT</u>	_____	\$ <u>20.00</u>
_____	_____	_____	\$ _____
_____	_____	_____	\$ _____
_____	_____	_____	\$ _____
Hearing date <u>12/12/07</u>			Total \$ <u>20.00</u>

Sandy Handley 12/04/07 Project # 1002459
 Planner signature / date

FORM V: SUBDIVISION VARIANCES & VACATIONS

- BULK LAND VARIANCE (DRB04)** (PUBLIC HEARING CASE)
 - Application for Minor Plat on FORM S-3, including those submittal requirements. **24 copies**
 - Letter briefly describing and explaining: the request, compliance with the Development Process Manual, and all improvements to be waived.
 - Notice on the proposed Plat that there are conditions to subsequent subdivision (refer to DPM)
 - Office of Community & Neighborhood Coordination inquiry response, notifying letter, certified mail receipts
 - Sign Posting Agreement
 - Fee (see schedule)
 - List any original and/or related file numbers on the cover application

DRB Public hearings are approximately 30 DAYS after the filing deadline. Your attendance is required.

- VACATION OF PUBLIC EASEMENT (DRB27)**
- VACATION OF PUBLIC RIGHT-OF-WAY (DRB28)**
 - The complete document which created the public easement (folded to fit into an 8.5" by 14" pocket) **24 copies.**
(Not required for City owned public right-of-way.)
 - Drawing showing the easement or right-of-way to be vacated, etc. (not to exceed 8.5" by 11") **24 copies**
 - Zone Atlas map with the entire property(ies) clearly outlined
 - Letter briefly describing, explaining, and justifying the request
 - Office of Community & Neighborhood Coordination inquiry response, notifying letter, certified mail receipts
 - Sign Posting Agreement
 - Fee (see schedule)
 - List any original and/or related file numbers on the cover application

Unless the vacation is shown on a DRB approved plat recorded by the County Clerk within one year, it will expire.
DRB Public hearings are approximately 30 DAYS after the filing deadline. Your attendance is required.

- SIDEWALK VARIANCE (DRB20)**
- SIDEWALK WAIVER (DRB21)**
 - Scale drawing showing the proposed variance or waiver (not to exceed 8.5" by 14") **6 copies**
 - Zone Atlas map with the entire property(ies) clearly outlined
 - Letter briefly describing, explaining, and justifying the variance or waiver
 - List any original and/or related file numbers on the cover application

DRB meetings are approximately 8 DAYS after the Tuesday noon filing deadline. Your attendance is required.

- SUBDIVISION DESIGN VARIANCE FROM MINIMUM DPM STANDARDS (DRB25)**
 - Scale drawing showing the location of the proposed variance or waiver (not to exceed 8.5" by 14") **24 copies**
 - Zone Atlas map with the entire property(ies) clearly outlined
 - Letter briefly describing, explaining, and justifying the variance
 - Office of Community & Neighborhood Coordination inquiry response, notifying letter, certified mail receipts
 - Sign Posting Agreement
 - Fee (see schedule)
 - List any original and/or related file numbers on the cover application

DRB meetings are approximately 30 DAYS after the filing deadline. Your attendance is required.

- TEMPORARY DEFERRAL OF SIDEWALK CONSTRUCTION (DRB19)**
- EXTENSION OF THE SIA FOR TEMPORARY DEFERRAL OF SIDEWALK CONSTRUCTION (DRB07)**
 - Drawing showing the sidewalks subject to the proposed deferral or extension (not to exceed 8.5" by 14") **6 copies**
 - Zone Atlas map with the entire property(ies) clearly outlined
 - Letter briefly describing, explaining, and justifying the deferral or extension
 - List any original and/or related file numbers on the cover application

DRB meetings are approximately 8 DAYS after the Tuesday noon filing deadline. Your attendance is required.

- VACATION OF PRIVATE EASEMENT (DRB26)**
- VACATION OF RECORDED PLAT (DRB29)**
 - The complete document which created the private easement/recorded plat (not to exceed 8.5" by 14") **6 copies**
 - Scale drawing showing the easement to be vacated (8.5" by 11") **6 copies**
 - Zone Atlas map with the entire property(ies) clearly outlined
 - Letter/documents briefly describing, explaining, and justifying the vacation **6 copies**
 - Letter of authorization from the grantors and the beneficiaries (private easement only)
 - Fee (see schedule)
 - List any original and/or related file numbers on the cover application

Unless the vacation is shown on a DRB approved plat recorded by the County Clerk within one year, it will expire.
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.

Ronald B. Bohannon, PE.
Applicant name (print)
[Signature] 12/3/07
Applicant signature / date

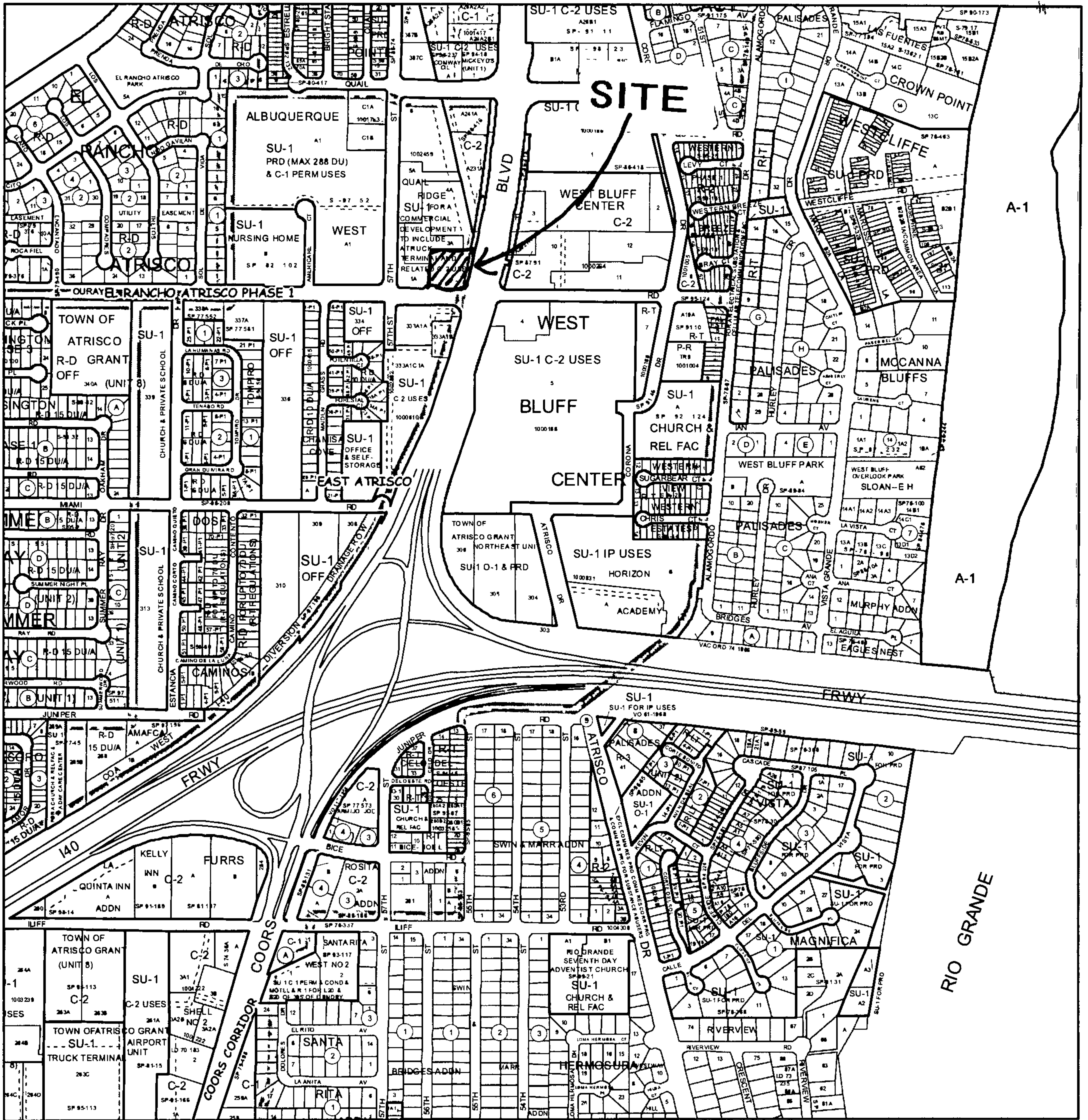


Form revised 4/07

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

Application case numbers
 07DRB-_____-70420

Sandy Handley 12/04/07
 Planner signature / date
 Project # 1002459



For more current information and more details visit: <http://www.cabq.gov/gis>

AGIS
Albuquerque Geographic Information System

Map amended through: 5/1/2006

Note: Grey Shading Represents Area Outside of the City Limits

Zone Atlas Page:
H-11-Z

Selected Symbols

	SECTOR PLANS		Escarpment
	Design Overlay Zones		2 Mile Airport Zone
	City Historic Zones		Airport Noise Contours
	H-1 Buffer Zone		Wall Overlay Zone
	Petroglyph Mon.		

0 750 1500 Feet

TIERRA WEST, LLC

46
46
46
46

5571 Midway Park Place NE
Albuquerque, NM 87109

(505) 858-3100
fax (505) 858-1118

twllc@tierrawestllc.com
1-800-245-3102

December 4, 2007

Mr. Andrew Garcia &
Mr. Jack Cloud
Development Review Board
City of Albuquerque
P.O. Box 1293
Albuquerque, NM 87103

**RE: Request for Sidewalk Waiver
Quail Ridge Shopping Center
Project # 1002459**

Dear Mr. Garcia & Mr. Cloud:

Tierra West LLC, on behalf of Quail Ridge LLC, requests approval of a sidewalk waiver for a portion of sidewalk along Coors Boulevard NW at Ouray Road NW. Improvements were made to this intersection by NMDOT in relation to the reconstruction of the Coors and Interstate 40 Interchange. Upon completion of the improvements, it was determined that there is not sufficient room to install any amount of the previously approved sidewalk.

If you have any questions or need additional information regarding this matter, please do not hesitate to call me.

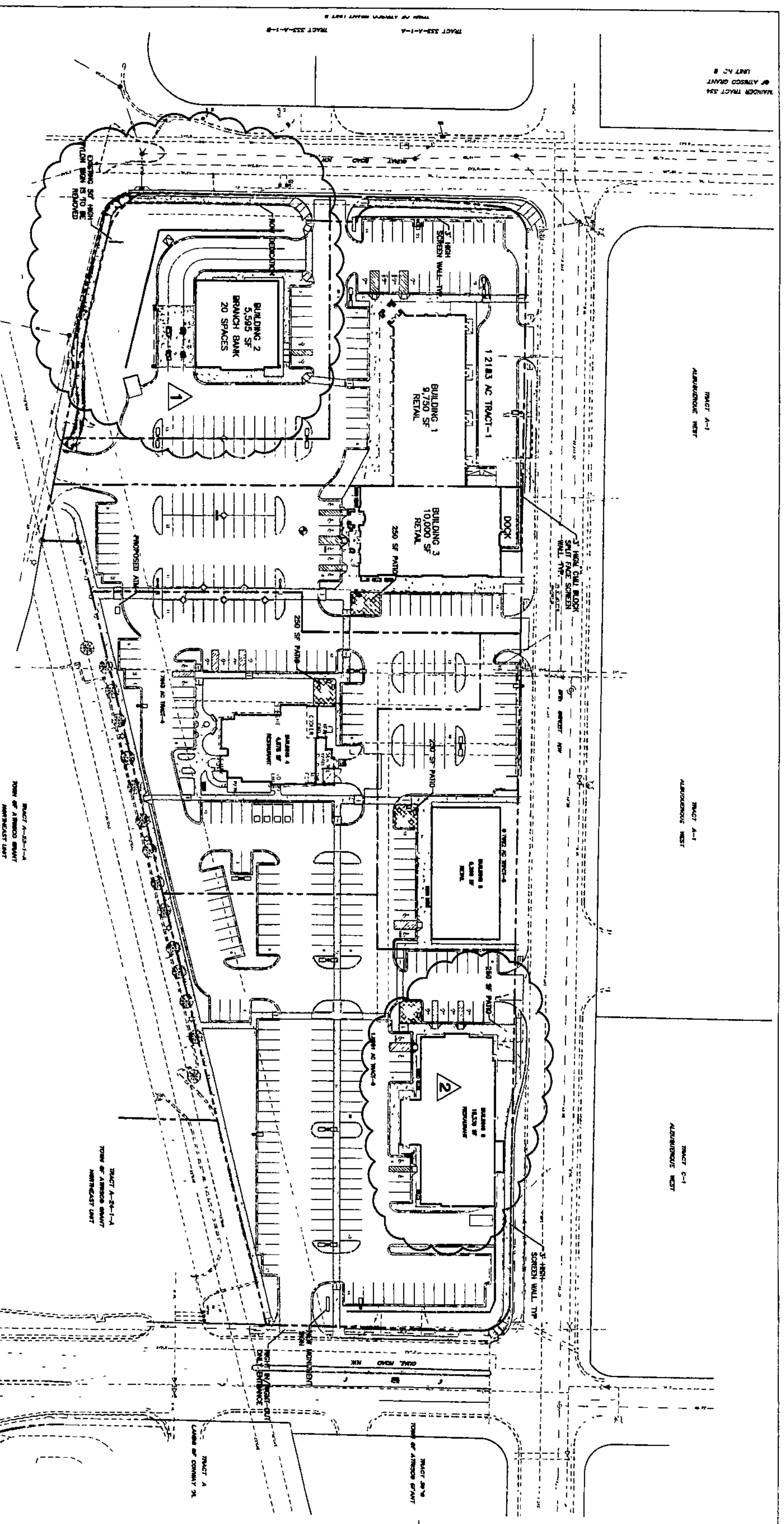
Sincerely,



Ronald R. Bohannon, PE

cc: Dan Clemmer
Ben Spencer

JN: 24091
RRB/kdk



SITE DATA TABLE

TRACT	BUILDING	NO.	AREA (SQ FT)	USE	ZONING	MAX BLDG	SOFT	PRNG	HC PRNG	HC PRNG	HC PRNG	HC PRNG	HC PRNG	HC PRNG	HC PRNG	HC PRNG	HC PRNG	HC PRNG	HC PRNG	
1	RETAIL	1	12,183	RETAIL	C-2	20	49	58	4	1	1	2	0.15	0.35						
2	RETAIL	2	1,034	RETAIL	C-2	20	50	51	4	1	1	3	0.15	0.35						
3	RETAIL	3	1,401	RETAIL	C-2	20	51	51	4	1	1	3	0.15	0.35						
4	RETAIL	4	1,401	RETAIL	C-2	20	51	51	4	1	1	3	0.15	0.35						
5	RETAIL	5	0,844	RETAIL	C-2	20	31	31	2	1	1	2	0.15	0.35						
6	RETAIL	6	2,170	RETAIL	C-2	20	342	127	130	8	8	1	1	0.15	0.35					
7	RETAIL	7	2,170	RETAIL	C-2	20	342	127	130	8	8	1	1	0.15	0.35					
8	RETAIL	8	2,170	RETAIL	C-2	20	342	127	130	8	8	1	1	0.15	0.35					
TOTAL			17,815																	

RESTAURANT PARKING REQUIREMENT IS CALCULATED BY SPARK CHAIKIN
1 PER 3 SPACES

PROJECT NUMBER:
APPLICATION NUMBER:
This plan is consistent with the specific Site Development Plan approved by the Planning Commission (PC) of the Town of Aimsos, Vermont, and the Planning Commission of the State of Vermont, and the Planning Commission of the State of Vermont.

DRB SITE DEVELOPMENT PLAN SIGNOFF APPROVAL:

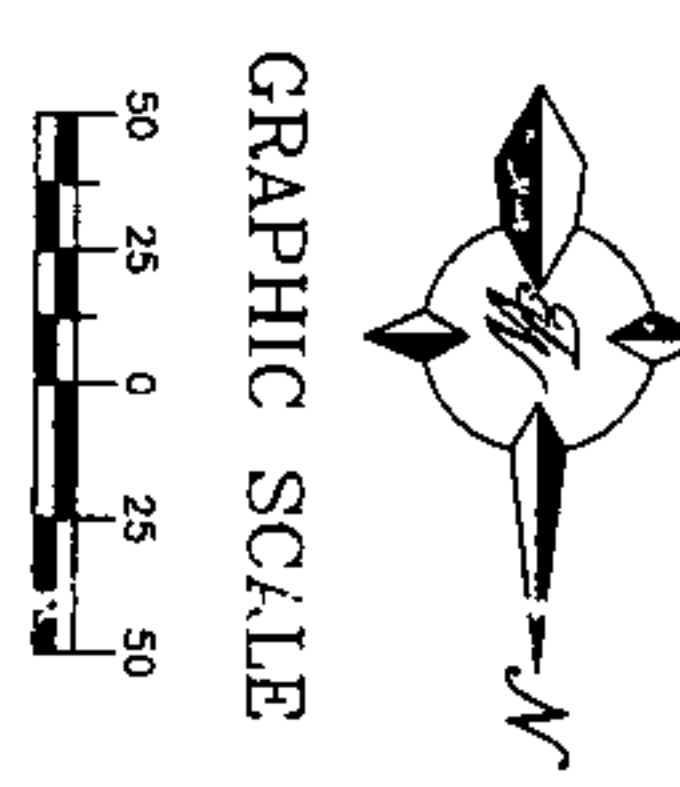
Agency/Department	Date
Town Engineer, Transportation Division	
Utilities Development	
Parks & Recreation Department	
City Engineer	
Environmental Health Department (conditional)	
Solid Waste Management	
DRB Chairperson, Planning Department	

LINE TABLE

LINE	LENGTH	BEARING
L1	37.09	N87°21'28"W
L2	35.84	N90°00'00"E
L3	35.00	N07°00'00"W
L4	33.17	S07°00'00"E

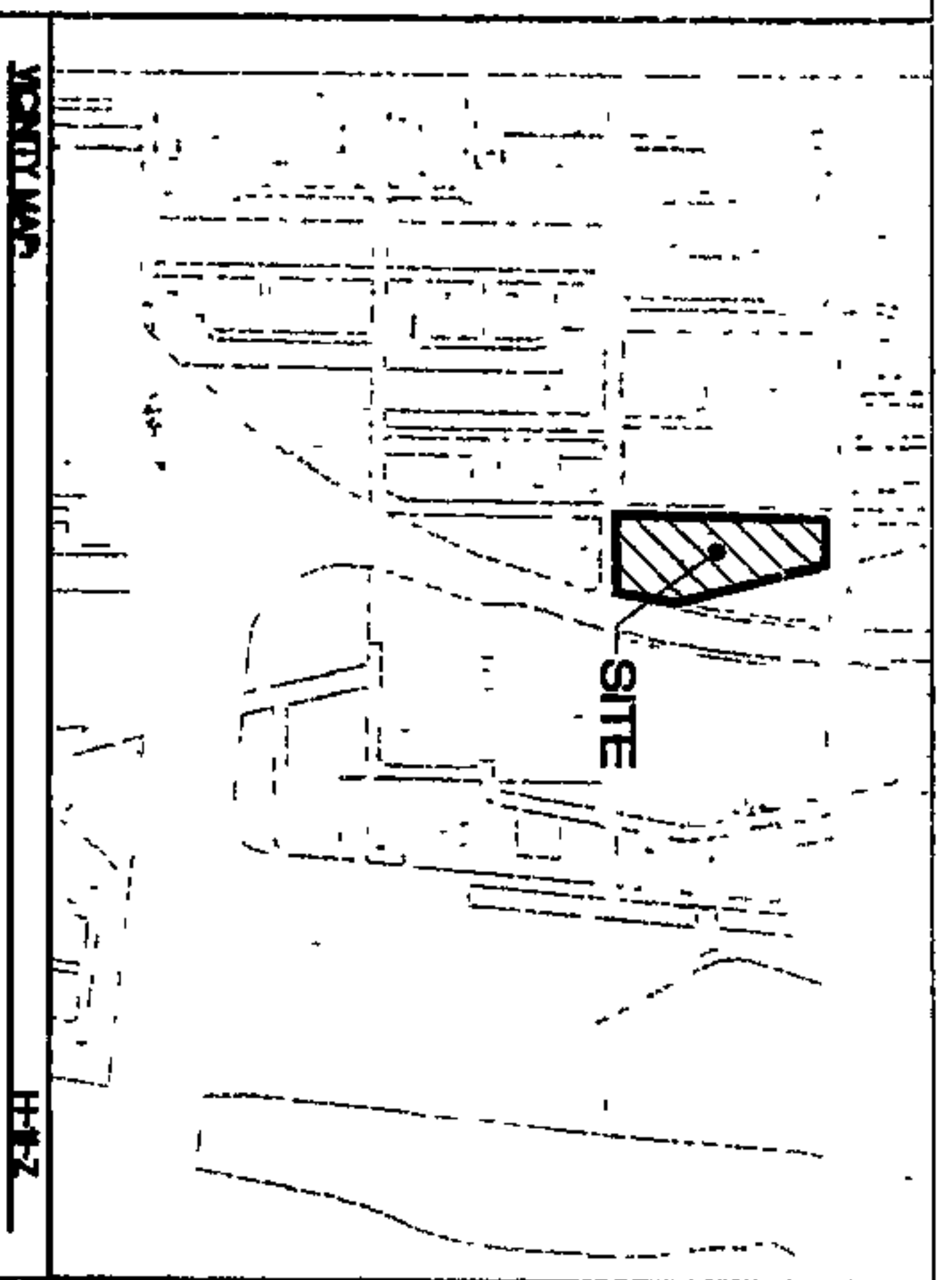
CURVE TABLE

CURVE	LENGTH	RADIUS	CHORD BEARING	CHORD
C1	36.91	25.00	S47°28'57"E	33.84
C2	47.59	55.00	N38°18'32"E	48.12
C3	182.90	544.845	N172°34'32"E	181.89
C4	41.84	544.845	N172°34'32"E	41.84
C5	51.18	544.845	N102°58'48"E	51.18
C6	39.37	25.00	S45°58'23"W	35.43



LEGEND

---	BOUNDARY LINE
---	EXISTENT
---	EXISTING CURB AND GUTTER
---	PROPOSED CURB
---	PROPOSED SCREEN WALL
---	PROPOSED SIDEWALK
---	EXISTING BOUNDARY
---	PROPOSED CROSSWALK
---	PROPOSED BIKE RACK
---	PROPOSED PARKING LOT LIGHTING



LEGAL DESCRIPTION:
W H BROWNELL ADDITION REPLAT TRACTS 358 & 359 UNIT 8 AIMSOS GRANT & PORTION OF TR 221

- NOTES:**
- COMMON STORM DRAINAGE, PEDESTRIAN AND VEHICULAR ACCESS ACROSS NEW TRACTS IS GRANTED BY THIS SITE PLAN AND WILL BE GRANTED ON THE REPLAT
 - APPROVAL OF THIS PLAN DOES NOT CONSTITUTE OR IMPLY EXEMPTION FROM WATER WASTE PROVISIONS OF THE WATER CONSERVATION LANDSCAPING AND WASTE WASTE DRAINAGE WATER WASTE MANAGEMENT IS THE SOLE RESPONSIBILITY OF THE PROPERTY OWNER
 - LANDSCAPE MAINTENANCE SHALL BE THE RESPONSIBILITY OF THE OWNER
 - ROOF EQUIPMENT SHALL BE BELOW PARAPET HEIGHT AND SCREENED FROM VIEW FROM THE PROPERTY LINES OF THIS SITE. ALL GROUND MOUNTED EQUIPMENT SHALL BE SCREENED BY SCREEN WALLS WITH TOP OF EQUIPMENT BELOW TOP OF SCREEN WALL
 - LIGHT POLES SHALL BE A MAXIMUM OF 20 FEET WITH FULL CUT OFF SHIELDS
 - EXTERIOR LIGHT FIXTURES SHALL BE A MAXIMUM OF 20 FEET WITH FULL CUT OFF SHIELDS
 - ALL LIGHT FIXTURES SHALL BE FULLY SHIELDED TO BECOME DARK FROM LIGHT POLES WITHIN 100' OF RESIDENTIAL. ZONING SHALL BE LIMITED TO 16' HIGH
 - TREES SHALL BE NO BACKOUT PLASTIC, OR WAX, AWNINGS OR ILLUMINATED PLASTIC BANDING ON STORAGE
 - NO PRESTAMPING CELL TOWERS OR ANTENNA SHALL BE REBUILT ANY WIRELESS COMMUNICATIONS FACILITIES SHALL BE INTEGRATED INTO THE BUILDING ARCHITECTURE
 - THIS SITE PLAN FOR SUBDIVISION IS FOR RESTAURANTS WITH A BEER AND WINE LICENSE AND BAR/LOBBY WITH RESTAURANT WITH A LICENSE BEYOND THERE IS SUFFICIENT OFF-STREET PARKING
 - SETBACKS THERE SHALL BE A FRONT AND A CORNER SIDE YARD SETBACK OR NOT LESS THAN FIVE FEET AND A REAR SETBACK OF 10 FEET FROM ANY SIDE OF A STREET OR ALLEY. SETBACKS SHALL NOT BE INTERRUPTED BY DRIVEWAYS OR DRIVEWAY DRIVEWAYS. LANDSCAPED STREET YARD SHALL BE 15 FEET WIDE
 - BUILDINGS CANNOT EXCEED THE HEIGHTS AS SPECIFIED IN THE C2 ZONE OF THE COMPREHENSIVE CITY ZONING CODE AND WITHIN THE CORNS CORRIDOR PLAN, WHICHEVER IS MORE RESTRICTIVE
 - SEE SHEET 6 FOR DETAILS
 - ACCESS AT DOORS BOULEVARD AND CURRY ROAD SHALL BE LIMITED TO RIGHT-TURN IN AND RIGHT-TURN OUT ACCESS ONLY CONSISTENT WITH THE CORNS CORRIDOR PLAN
 - ROOF EQUIPMENT SHALL BE BELOW PARAPET HEIGHT AND SCREENED FROM VIEW FROM THE PROPERTY LINES OF THIS SITE. ALL GROUND MOUNTED EQUIPMENT SHALL BE SCREENED BY SCREEN WALLS WITH TOP OF EQUIPMENT BELOW TOP OF SCREEN WALL
 - WHEN ADDITIONAL RIGHT OF WAY IS SECURED FROM THE SITE FOR THE RECONSTRUCTION OF THE I-49/CORNS INTERCHANGE, THE EXISTING 45 HIGH Pylon SIGN SHALL BE REMOVED AT THE EXPENSE OF THE PROPERTY OWNER

ADMINISTRATIVE AMENDMENT
To Amend the Subdivision Plan to include the site of the new building.
Site of the Bldg. 6
Approved by: [Signature]
DATE: 4-20-04

NO.	DATE	REVISIONS
1	03/29/04	ISSUED FOR PERMIT
2	12/24/03	CHANGED BUILDING 2 LAYOUT

ENGINEER'S SEAL: [Signature]
QUAL RIDGE SHOPPING CENTER
AMERICAN TOWER CENTER
SITE PLAN FOR SUBDIVISION
DRAWN BY: BGS
DATE: 04/20/04
SHEET 1
JOB # 220098
ROWLAND R BOHANNAN
PE 71868
718333A W4S37.44E
830M JEFFERSON NE 87113
ABUNDANT (95) 554-3100



4
4
4
4

**DEVELOPMENT REVIEW BOARD
ACTION SHEET**

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

November 23, 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 # 1003885**
 05DRB-01674 Major-Vacation of Pub Right-of-Way
 05DRB-01676 Major-Preliminary Plat Approval
 05DRB-01675 Minor-Subd Design (DPM) Variance
 FAMILY HOUSING DEVELOPMENT agent(s) for CITY OF ALBUQUERQUE, METROPOLITAN REDEVELOPMENT, request(s) the above action(s) for all or a portion of Block(s) 13, Lot(s) 4-7, 9-12 and 21-24, PEREA ADDITION (to be known as **BELL TRADING POST HOMES**) zoned SU-2 TH, located on ROMA AVE NW, between 15TH ST NW and 16TH ST NW containing approximately 1 acre(s).
 [REF: 05ZHE-00271, 05ZHE-00273, 05ZHE-00274, 05DRB-00057][Deferred from 11/23/05. (J-13) **DEFERRED AT THE AGENT'S REQUEST TO 11/30/05.**

2. **Project # 1004522**
05DRB-01667 Major-Vacation of Pub
Right-of-Way

SURVEYS SOUTHWEST LTD agent(s) for VANGIE PAVLAKOS request(s) the above action(s) for all or a portion of Lot(s) A, Block(s) 2, **MESA VERDE ADDITION**, zoned C-2 community commercial zone, located on RHODE ISLAND ST NE, between CENTRAL AVE NE and TENNESSEE ST NE containing approximately 1 acre(s). [REF: ZA-94-315] (K-19) **VACATION WAS APPROVED AS SHOWN ON EXHIBIT B IN THE PLANNING FILE. A CONDITION OF FINAL PLAT IS A PUBLIC SANITARY SEWER EASEMENT SHALL BE RETAINED.**

3. **Project # 1004526**
05DRB-01678 Major-Vacation of Pub
Right-of-Way

INEZ AUGILAR request(s) the above action(s) for all or a portion of Tract(s) 400, **TOWN OF ATRISCO GRANT, UNIT 3**, zoned R-D residential and related uses zone, developing area, located on SAGE RD SW, between SAN IGNACIO RD SW and the AMOLE DEL NORTE SW containing approximately 2 acre(s). (L-10) **VACATION WAS APPROVED AS SHOWN ON EXHIBIT B IN THE PLANNING FILE.**

4. **Project # 1000696**
05DRB-01529 Major-Preliminary Plat
Approval
05DRB-01530 Minor-Sidewalk Waiver
05DRB-01531 Minor-Temp Defer SDWK

MARK GOODWIN & ASSOCIATES agent(s) for ICDC LLC request(s) the above action(s) for all or a portion of Tract(s) C, LEE'S BOSQUE SUBDIVISION (to be known as **BOSQUECITO SUBDIVISION**) zoned RD, located on BOSQUE MEADOWS BLVD NW, between LA ORILLA NW and PASEO DEL NORTE containing approximately 7 acre(s). [Deferred from 10/26/05 & 11/9/05 & 11/23/05] (D-12) **DEFERRED AT THE BOARD'S REQUEST TO 11/30/05.**

5. **Project # 1003523**
05DRB-01369 Major-Preliminary Plat
Approval
05DRB-01368 Major-SiteDev Plan Subd
05DRB-01370 Minor-Temp Defer SDWK

RIO GRANDE ENGINEERING agent(s) for GHP LLC request(s) the above action(s) for LOT 30, 31, 32 and 33, LANDS OF ATRISCO GRANT, UNIT 3, (to be known as **PRIMA ENTRADA SUBDIVISION**) zoned SU-2 FOR R-LT, located on 98TH ST NW, between ENDEE RD NW and I-25 NW containing approximately 17 acre(s). [REF: 04EPC-01003, 04EPC-01352, 04EPC-01489] [Deferred from 9/28/05 & 11/2/05 & 11/9/05 & 11/23/05] (J-8) **DEFERRED AT THE BOARD'S REQUEST TO 11/30/05.**

6. **Project # 1002254**
05DRB-01643 Major-SiteDev Plan
BldPermit

JEFF MORTENSEN & ASSOCIATES INC agent(s) for PALMER INVESTMENTS & CORTLAND WALKER CONSTRUCTION INC., request(s) the above action(s) for all or a portion of Tract(s) 2A, BUENA VISTA ESTATES, UNIT 1 (to be known as **BEEHIVE VILLAGE**) zoned SU-2 IP, located on SAN PEDRO DR NE, between WILSHIRE AVE NE and CORONA AVE NE containing approximately 3 acre(s). [REF: 02DRB-01502, 02DRB-01503] [Deferred from 11/16/05] (C-18) **SITE PLAN FOR BUILDING PERMIT WAS APPROVED AND SIGNED OFF BY THE BOARD.**

7. **Project # 1004462**
05DRB-01525 Major-Vacation of Public
Easements
05DRB-01524 Major-Preliminary Plat
Approval
05DRB-01526 Minor-Sidewalk Waiver
05DRB-01527 Minor-Temp Defer SDWK

BOHANNAN HUSTON INC agent(s) for ANDALUCIA DEVELOPMENT CO INC request(s) the above action(s) for REPLAT OF Tract(s) A, ANDALUCIA AT LA LUZ, (to be known as **ANDALUCIA @ LA LUZ, UNIT 3**) zoned SU-1, located on COORS BLVD NW, between NAMASTE RD NW and LA BIENVENIDA PL NW containing approximately 13 acre(s). [REF: 05EPC-01115, 05EPC-01117] [Deferred from 10/26/06 & 11/2/05 & 11/9/05 & 11/16/05 & 11/23/05] (F-11) **DEFERRED AT THE AGENT'S REQUEST TO 11/30/05.**

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.

8. **Project # 1000316**
05DRB-01652 Minor-SiteDev Plan
Subd/EPC
- DEKKER PERICH SABATINI agent(s) for GSL PROPERTIES INC request(s) the above action(s) for all or a portion of Tract(s) A-C (formerly Tract(s) H, Parcel(s) A-C, (to be known as **COTTONWOOD APARTMENTS**) zoned SU-1 IP FOR C-2 & IP, located on SEVEN BAR LOOP NW, between OLD AIRPORT RD NW and COTTONWOOD DR NW containing approximately 17 acre(s). [REF: 00EPC00290, AX-85-28, Z-85-134, SD-78-3-2, Z-93-35] [**Carmen Marrone, EPC Case Planner**] [*Indef Deferred from 11/2/05 & 11/23/05*] (B-14) **DEFERRED AT THE AGENT'S REQUEST TO 11/30/05.**
- 05DRB-01742 Minor-Prelim&Final Plat
Approval
- HUITT ZOLLARS INC. agent(s) for GSL PROPERTIES request(s) the above action(s) for all or a portion of Tract(s) A-C, **COTTONWOOD APARTMENTS**, zoned SU-1 IP FOR C-2 & IP, located on SEVEN BAR RANCH LOOP NW, between COTTONWOOD DR NW and COORS BLVD NW containing approximately 17 acre(s). [REF: 00DRB00737, 05DRB01652][*Deferred from 11/23/05*] (B-14) **DEFERRED AT THE AGENT'S REQUEST TO 11/30/05.**
9. **Project # 1004366**
05DRB-01744 Minor-SiteDev Plan
BldPermit/EPC
- CBL ARCHITECTS agent(s) for FAHIM ADI request(s) the above action(s) for all or a portion of Tract(s) C1A4 & C1A3, SEVEN BAR RANCH SUBDIVISION (to be known as **THE FALLS RESTAURANT**) zoned SU-1 IP, located on COTTONWOOD DR NW, between AMERICAN RD NW and NM 528 containing approximately 2 acre(s). REF: Z-79-146-5, V-97-106, 05EPC01262, DRB-97-248][**Stephanie Shumsky,EPC Case Planner**](A-14) **SITE PLAN FOR BUILDING PERMIT WAS APPROVED WITH FINAL SIGN OFF DELEGATED TO TRANSPORTATION DEVELOPMENT FOR VARIOUS COMMENTS AND PLANNING FOR 3 COPIES OF THE SITE PLAN.**

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

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10. ~~Project # 1002459~~
05DRB-01738 Minor-Prelim&Final Plat
Approval

TIERRA WEST LLC agent(s) for QUAIL RIDGE LLC request(s) the above action(s) for all or a portion of Tract(s) 3, 4, 2A, 3-A-1 & 4-A-1, **QUAIL RIDGE**, zoned SU-1 FOR COMM & RELATED C-2 USE, located on COORS BLVD NW, between OURAY RD NW and QUAIL RD NW containing approximately 4 acre(s). [REF: 03EPC00159, 03EPC00160, 04AA00871, 05DRB00615, 05DRB00616, 05AA01258, 05AA01259] (H-11) **PRELIMINARY AND FINAL PLAT WAS APPROVED WITH FINAL SIGN OFF DELEGATED TO PLANNING FOR AGIS DXF FILE.**

11. **Project # 1004022**
05DRB-01740 Minor-Prelim&Final Plat
Approval

WILKS COMPANY agent(s) for EDWARD G LOPEZ request(s) the above action(s) for all or a portion of Lot(s) 1 & 2, **VISTA DEL SOL SUBDIVISION**, zoned R-1, located on CRESTVIEW DR SW, between CRESTVIEW PL SW and CENTRAL AVE SW containing approximately 1 acre(s). [REF: 05DRB00428] (K-11) **PRELIMINARY AND FINAL PLAT WAS APPROVED WTH FINAL SIGN OFF DELEGATED TO TRANSPORTATION DEVELOPMENT FOR PROPERTY MANAGEMENT'S SIGNATURE.**

12. **Project # 1004528**
05DRB-01739 Minor-Prelim&Final Plat
Approval

JOHN C LORENZO agent(s) for NORA G CHAVEZ request(s) the above action(s) for Tract(s) 180B2, 176A5B & 176B1, **LANDS OF JOE B AND NORA G CHAVEZ**, zoned RA-2 residential and agricultural zone, located on CAMILO LN NW and LEONORA NW and containing approximately 1 acre(s). (H-12) **PRELIMINARY AND FINAL PLAT WAS APPROVED WITH FINAL SIGN OFF DELEGATED TO TRANSPORTATION DEVELOPMENT FOR CONSTRUCTION OF ESTATE CURB AND PLANNING FOR AGIS DXF FILE.**

- 13. Project # 1001789**
05DRB-01718 Minor-Prelim&Final Plat Approval
- PRECISION SURVEYS INC agent(s) for DASKALOS NOB HILL request(s) the above action(s) for all or a portion of Block(s) 6, Tract(s) 17-28, **MONTE VISTA**, zoned CCR, located on CENTRAL AVE NE, between TULANE NE and WELLESLEY NE containing approximately 1 acre(s).*[Deferred from 11/16/05 & 11/23/05]*(K-16) **INDEFINITELY DEFERRED AT THE AGENT'S REQUEST.**
- 14. Project # 1004546**
05DRB-01735 Minor-Prelim&Final Plat Approval
- SURV-TEK, INC agent(s) for SOUTH COORS LIMITED PARTNERSHIP request(s) the above action(s) for all or a portion of Tract(s) A-1A-3, **HUBBELL PLAZA**, zoned C-2, SC located on CENTRAL AVE NW, between COORS BLVD NW and AIRPORT RD NW containing approximately 4 acre(s). [REF: DRB-92-194] (K-10) **WITH THE SIGNING OF THE INFRASTRUCTURE LIST DATED 11/23/05 THE PRELIMINARY PLAT WAS APPROVED. FINAL PLAT WAS INDEFINITELY DEFERRED FOR THE SIA.**
- 15. Project # 1003861**
05DRB-00731 Minor- Final Plat Approval
- SURVEYS SOUTHWEST LTD agent(s) for GARY & MELODIE EYSTER request(s) the above action(s) for all or a portion of Tract(s) 60-A-2, 60-B & 86-A, M.R.G.C.D. MAP 35, (to be known as **THE BOULEVARD @ RIO GRANDE**) zoned R-1, located on RIO GRANDE BLVD NW, between ZICKERT NW and INDIAN SCHOOL RD NW containing approximately 2 acre(s). [REF: ZA-29-251] *[Indef deferred 5/11/05 for SIA]* (H-13) **FINAL PLAT WAS APPROVED WITH FINAL SIGN OFF DELEGATED TO UTILITIES DEVELOPMENT FOR EASEMENT LANGUAGE.**
- 16. Project # 1004076**
05DRB-01403 Minor- Final Plat Approval
- SURVEYS SOUTHWEST LTD agent(s) for HILTON AVENUE LOFTS LLC, JOHN EDGE request(s) the above action(s) for all or a portion of Lot(s) 11-14, Block(s) 23,

THOMAS ADDITION (to be known as **HILTON AVENUE LOFTS**) zoned R-LT residential zone, located on HILTON AVE NE, between HENDRIX RD NE and PARSIFAL ST NE containing approximately 1 acre(s). *[Indef deferred 9/14/05 for SIA]* (G-20) **FINAL PLAT WAS APPROVED WITH FINAL SIGN OFF DELEGATED TO CITY ENGINEER FOR P.U.E. LANGUAGE AND MAINTENANCE AND BENEFICIARIES OF PRIVATE DRAINAGE EASEMENT FOR LOTS 1 & 9.**

- 17. Project # 1004178**
05DRB-01013 Minor- Final Plat Approval

WAYJOHN SURVEYING INC., agent(s) for GREVEY INVESTMENTS, request(s) the above action(s) for all or a portion of Tract(s) D, E, F & G, Block(s) 27, (to be known as **MESA VILLAGE**) zoned C-1, C-2 and O-1, located on EUBANK BLVD NE between LOMAS BLVD NE and WALKER DR NE, containing approximately 5 acre(s). [REF: 05DRB00794] *[Indef deferred 6/22/05 for SIA]* (J-20) **FINAL PLAT WAS APPROVED AND SIGNED OFF BY THE BOARD.**

NO ACTION IS TAKEN ON THESE CASES:
APPLICANT - AGENT IS REQUIRED TO BE AT THE MEETING

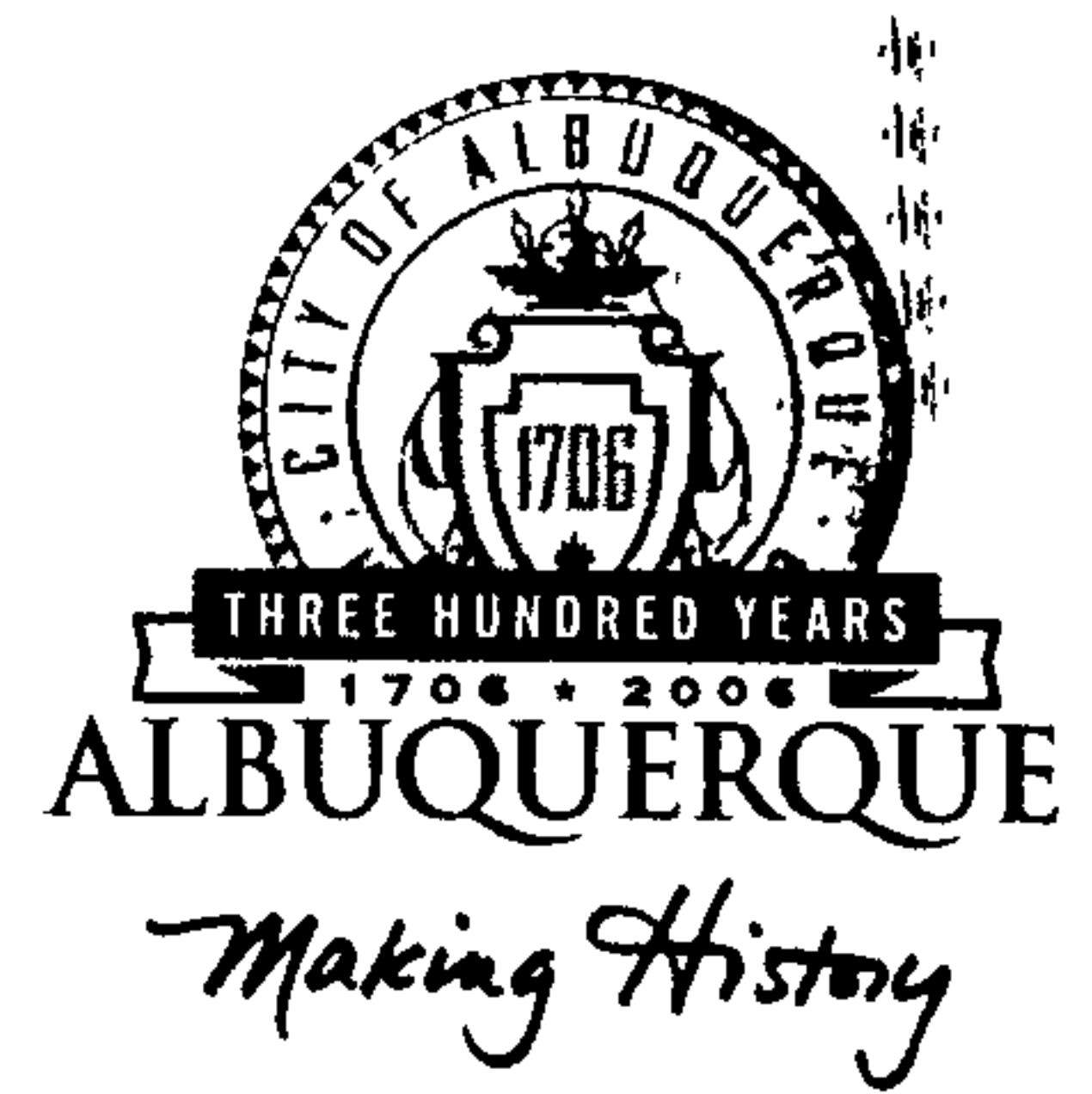
- 18. Project # 1004547**
05DRB-01743 Minor-Sketch Plat or Plan

MARTIN M GALLEGOS request(s) the above action(s) for all or a portion of Lot(s) 1, 2, Block(s) 4, **LOWER BROADWAY ADDITION**, zoned SU-2 special neighborhood zone, located on ALAMO AVE SE, between MECHEM ST SE and WHEELER AVE SE containing approximately 1 acre(s). (M-14) **THE ABOVE REQUEST WAS REVIEWED AND COMMENTS WERE GIVEN.**

- 19. Approval of the Development Review Board Minutes for November 9, 2005. THE DRB MINUTES FOR NOVEMBER 9, 2005 WERE APPROVED BY THE BOARD.**

ADJOURNED: 11:30 A.M.

CITY OF ALBUQUERQUE



**PLANNING DEPARTMENT
DEVELOPMENT AND BUILDING SERVICES
HYDROLOGY DEVELOPMENT SECTION**

DEVELOPMENT REVIEW BOARD--SPEED MEMO

DRB CASE NO/PROJECT NO: 1002459

AGENDA ITEM NO: 10

SUBJECT:

Final Plat
Preliminary Plat

ACTION REQUESTED:

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

P.O. Box 1293

ENGINEERING COMMENTS:

No adverse comments.

Albuquerque

New Mexico 87103

RESOLUTION:

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

www.cabq.gov

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: November 23, 2005



CITY OF ALBUQUERQUE
Planning Department
November 23, 2005
DRB Comments

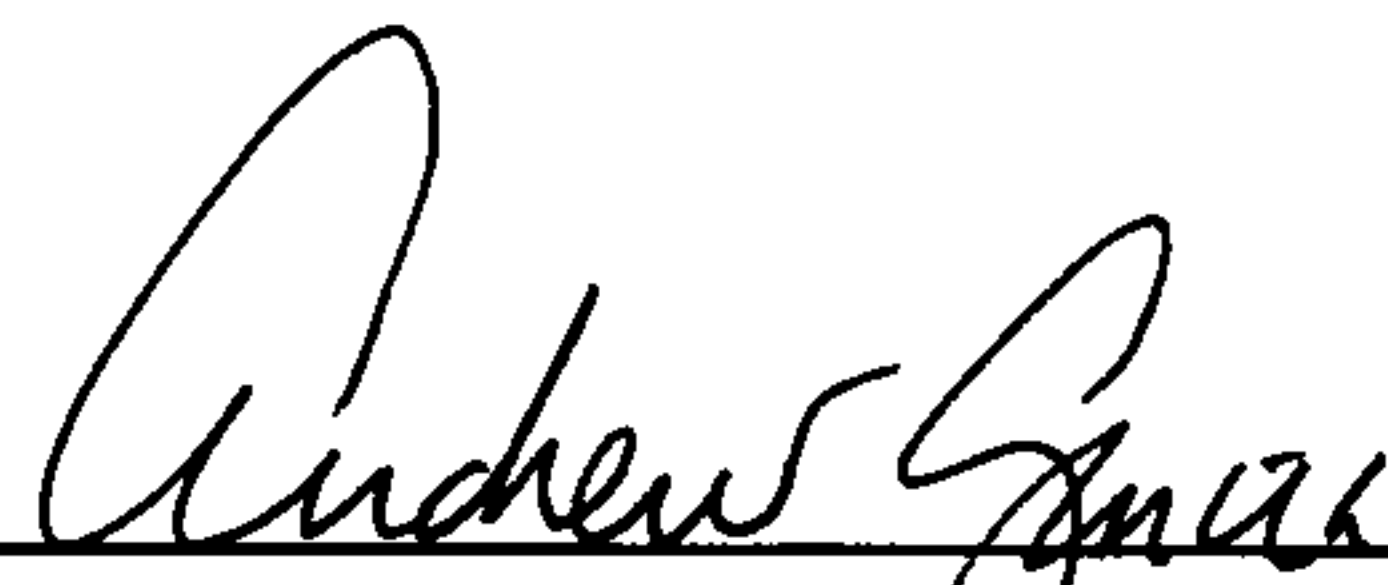
ITEM # 10

PROJECT # 1002459 APPLICATION # 05-01738

RE: Quail Ridge/p&f plat

There is no zoning designation of the plat.

Planning will take delegation for the AGIS dxf approval.



Andrew Garcia, Planning Alternate

924-3858 fax 924-3864 agarcia@cabq.gov



OFFICIAL NOTICE OF DECISION

CITY OF ALBUQUERQUE
PLANNING DEPARTMENT
DEVELOPMENT REVIEW BOARD

October 26, 2005

2. Project # 1002459
05DRB-01500 Major-Two Year SIA

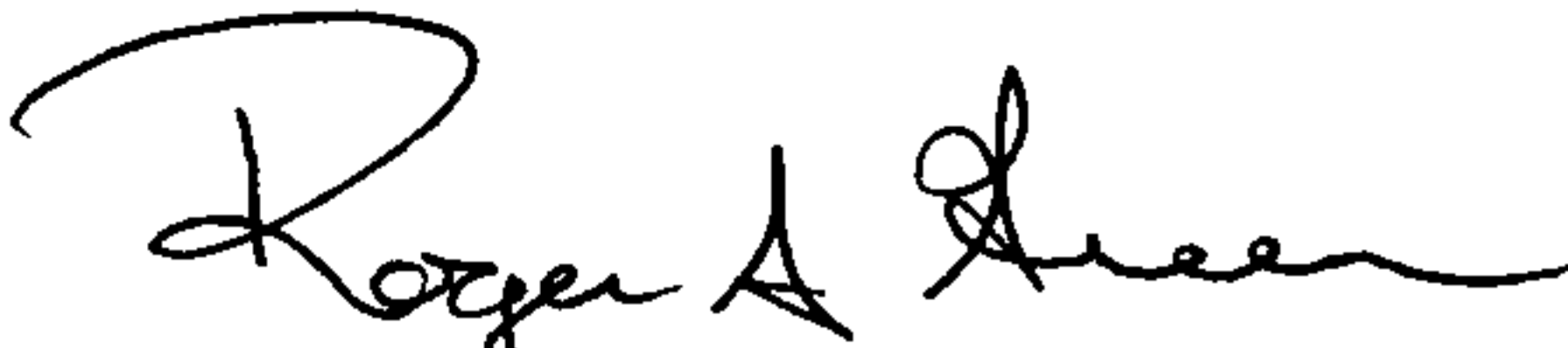
TIERRA WEST LLC agent(s) for QUAIL PLAZA LLC request(s) the above action(s) for all or a portion of Tract(s) 1-3, **QUAIL RIDGE**, zoned SU-1 FOR COMMERCIAL DEV, located on OURAY RD NW, between COORS BLVD NW and 57TH STREET NW containing approximately 4 acre(s). [REF: 03EPC-01760] (H-11)

At the October 26, 2005, Development Review Board meeting, a two-year extension of the Subdivision Improvements Agreement was approved.

If you wish to appeal this decision, you must do so by November 10, 2005, in the manner described below.

Appeal is to the Land Use Hearing Officer. Any person aggrieved with any determination of the Development Review Board may file an appeal on the Planning Department form, to the Planning Department, 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).


for Sheran Matson, AICP, DRB Chair

Cc: Quail Plaza LLC, P.O. Box 66180, 87193-6180
Tierra West LLC, 8509 Jefferson NE, 87113
Marilyn Maldonado, Planning Department, 4th Floor, Plaza del Sol Bldg.
File

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2459

DXF Electronic Approval Form

DRB Project Case #: 1002459

Subdivision Name: QUAIL RIDGE TRACTS 2A, 3A1 & 4A1

Surveyor: RUSS P HUGG

Contact Person: KELLY KRUEGER

Contact Information: 897-3366

DXF Received: 3/13/2006

Hard Copy Received: 3/21/2006

Coordinate System: NMSP Grid (NAD 27)


Approved

03-21-2006
Date

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

AGIS Use Only
Copied fc 2459 to agiscov on 3/21/2006 Contact person notified on 3/21/2006

#10



COMPLETED 04/20/06 SH
DRB CASE ACTION LOG (PREL & FINAL)
REVISED 9/28/05

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

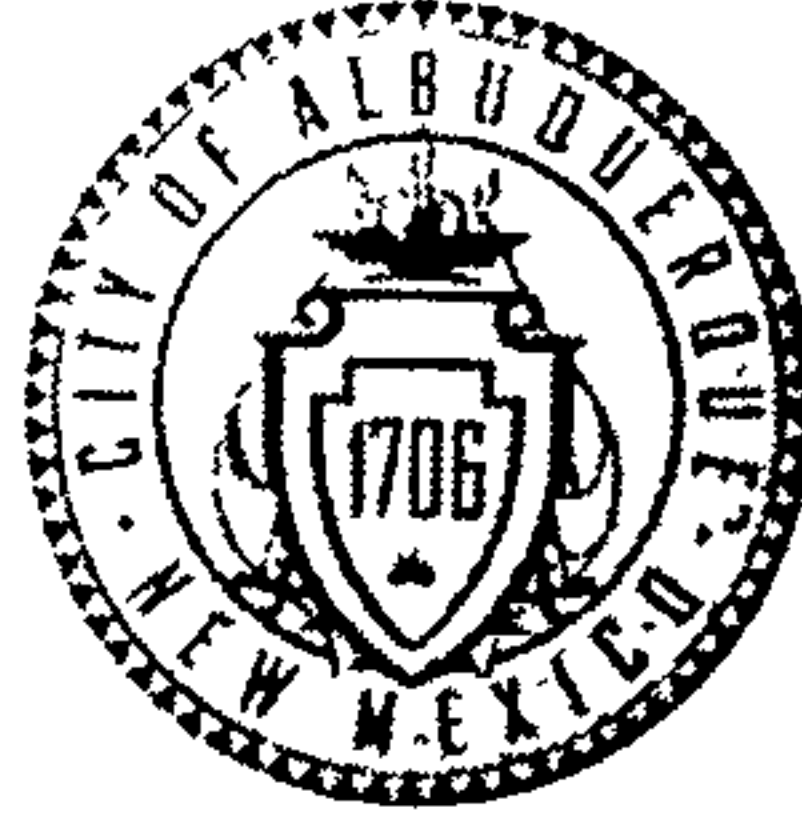
DRB Application No.: <u>05DRB-01738 (P&F)</u>	Project # <u>1002459</u>
Project Name: <u>QUAIL RIDGE</u>	
Agent: <u>Tierra West LLC</u>	Phone No.: <u>858-3100</u>

Your request for (SDP for SUB), (SDP for BP), (FINAL PLATS), (MASTER DEVELOP. PLAN), was approved on 11/23/05 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): AGIS dxp
- _____
- _____
- _____

- 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.
- 3 copies of the approved site plan. Include all pages.**
- 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. OK**
- Copy of recorded plat for Planning.**

Project Number 1002459



**DEVELOPMENT REVIEW BOARD
ACTION SHEET**

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

December 12, 2007 9:00 AM

MEMBERS:

Andrew Garcia, Acting Chair
Angela Gomez, Administrative Assistant

Kristal Metro, Transportation Development
Brad Bingham, Alternate City Engineer

Roger Green, ABCWUA
Christina Sandoval, Parks & Recreation

CASES WHICH REQUIRE PUBLIC NOTIFICATION

MAJOR SUBDIVISIONS, VACATIONS, SIA EXTENSIONS AND SITE DEVELOPMENT PLANS

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

**1. Project# 1000060
07DRB-70393 MAJOR - 2YR SUBD IMP
AGMT EXT (2YR SIA)**

**PAUL HALAJIAN - MODRALL SPERLING agent(s) for
SANDIA FOUNDATION request(s) the above action(s) for
all or a portion of Lot(s) C & D-1-B, GATEWAY
SUBDIVISION, zoned SU-2, C-3, located on LOMAS NE
AND WOODWARD NE INTERSECTION BETWEEN I-
25 NE AND HIGH ST NE (J-15). THE TWO YEAR
EXTENSION OF THE SUBDIVISION IMPROVEMENT
AGREEMENT (SIA) WAS APPROVED**

2. **Project# 1005357**
07DRB-70392 MAJOR - PRELIMINARY
PLAT APPROVAL

SURV-TEK INC agent(s) for OXBOW TOWN CENTER, LLC request(s) the above action(s) for all or a portion of Tract(s) X-1-A2 & X-2-A UNIVERSITY OF ALBUQUERQUE URBAN, UNIVERSITY OF ALBUQUERQUE URBAN CENTER TBK OXBOW TOWN CENTER, zoned SU-3, located on ST JOSEPH'S DRIVE NW BETWEEN COORS BLVD NW AND ATRISCO DRIVE NW containing approximately 47.72 acre(s). (G-11) **DEFERRED TO 1/2/08 AT THE AGENT'S REQUEST.**

07DRB-70395 EPC APPROVED SDP
FOR SUBDIVISION

GEORGE RAINHART & ASSOCIATES agent(s) for SUNLAND DEVELOPMENT GROUP, LLC request(s) the above action(s) for all or a portion of Tract(s) X-1-A1, X-1-AZ, X-2-A, UNIVERSITY OF ALBUQUERQUE URBAN CENTER, zoned SU-3 (R-2, C-2, 0-1), located on COORS BLVD NW AND ENCANTADA DEL SUR containing approximately 47.2 acre(s). (G-11) *[EPC Planner – Carmen Marrone]* **DEFERRED TO 1/2/08 AT THE AGENT'S REQUEST.**

07DRB-70419 EPC APPROVED SDP
FOR BUILD PERMIT

GEORGE RAINHART ARCHITECTS & ASSOCIATES agent(s) for SUNLAND DEVELOPMENT GROUP LLC request(s) the above action(s) for all or a portion of Tract(s) X-1-A-1, X-1-A-2, X-2-A, UNIVERSITY OF ALBUQUERQUE URBAN CENTER, zoned SU-3/ R-2,C-2,0-1 USES, located on ST JOSEPH'S DR NW BETWEEN COORS BLVD NW AND ATRISCO DR NW containing approximately 47.2 acre(s). (G-11) *[EPC Planner – Stephanie Shumsky]* **DEFERRED TO 1/2/08 AT THE AGENT'S REQUEST.**

3. **Project# 1000296**
07DRB-70391 VACATION OF PUBLIC
EASEMENT

BOHANNAN HUSTON INC agent(s) for SCOTT PATRICK HOMES request(s) the above action(s) for all or a portion of Lot(s) 16A-P1 & 17A-P1, OXBOW VILLAGE, zoned SU-3, located on OXBOW VILLAGE LANE NW BETWEEN OXBOW DR NW AND ST JOSEPH'S DR NW (G-11) **THE VACATION WAS APPROVED AS SHOWN ON EXHIBIT B IN THE PLANNING FILE PER SECTION 14-14-7-2(A) (1) AND (B) (1)(3) OF THE SUBDIVISION ORDINANCE.**

4. **Project# 1003198**
07DRB-70394 MAJOR - 2YR SUBD IMP
AGMT EXT (2YR SIA)
07DRB-70396 EXT OF SIA FOR TEMP
DEFR SDWK CONST

RIO GRANDE ENGINEERING agent(s) for FULLER HOMES request(s) the above action(s) for all or a portion of **AUTUMN VIEW SUBDIVISION**, zoned RD/R-1 located on TOWER RD SW BETWEEN COORS BLVD SW AND STINSON SW (L-10) **THE ONE YEAR EXTENSION OF THE SUBDIVISION IMPROVEMENT AGREEMENT (SIA) WAS APPROVED. THE TWO YEAR EXTENSION FOR THE TEMPORARY DEFERRAL OF CONSTRUCTION OF SIDEWALKS ON THE INTERIOR STREETS WAS APPROVED AS SHOWN ON EXHIBIT C IN THE PLANNING FILE.**

5. **Project# 1006833**
07DRB-70254 MAJOR - SDP FOR
SUBDIVISION
07DRB-70255 MAJOR - SDP FOR
BUILDING PERMIT

GEORGE RAINHART ARCHITECTS agent(s) for WEBER AND COMPANY request(s) the above action(s) for all or a portion of Tract(s) S2A2, S2A1 & S1A, **ATRISCO BUSINESS ADDITION (to be known as UNSER TOWNE CROSSING)**, zoned IP, located on LOS VOLCANES NW BETWEEN UNSER BLVD NW AND GALATIN NW containing approximately 53 acre(s). (J-9 & J-10) [*Deferred from 10/10/07 & 11/14/07*] **DEFERRED TO 1/30/08 AT THE AGENT'S REQUEST.**

6. **Project# 1006854**
07DRB-70340 VACATION OF PUBLIC
EASEMENT
07DRB-70341 VACATION OF PUBLIC
RIGHT-OF-WAY
07DRB-70342 BULK LAND VARIANCE
07DRB-70343 MINOR - PRELIMINARY/
FINAL PLAT APPROVAL

BOHANNAN HUSTON INC agent(s) for THE TRAILS LLC request(s) the above action(s) for all or a portion of **UNPLATTED LAND SECTION 15 (to be known as THE TRAILS UNIT 4)**, zoned SU2-UR35, SU2-SRLL18, SU-1 FOR OPEN SPACE, SU2-TC65 & SU2-NMU35, located on UNIVERSE BLVD NW BETWEEN AVENIDA DE JAIMITO NW AND WOODMONT AVE NW containing approximately 34.85 acre(s). (C-10) [*Deferred from 11/21/07*]

THE VACATION OF PUBLIC EASEMENT WAS APPROVED AS SHOWN ON EXHIBIT B IN THE PLANNING FILE PER SECTION 14-14-7-2(A) (1) AND (B) (1)(3) OF THE SUBDIVISION ORDINANCE. THE VACATION FOR PUBLIC RIGHT-OF-WAY WAS APPROVED AS SHOWN ON EXHIBIT B IN THE PLANNING FILE PER SECTION 14-14-7-2(A) (1) AND (B) (1)(3) OF THE SUBDIVISION ORDINANCE. THE BULK LAND VARIANCE WAS APPROVED. THE PRELIMINARY PLAT WAS APPROVED WITH FINAL SIGN OFF DELEGATED TO PLANNING FOR NEW MEXICO UTILITIES SIGNATURE, AGIS DXF, AND TO RECORD AND TO CITY ENGINEER FOR PUBLIC DRAINAGE EASEMENTS TO BE SHOWN ON PLAT.

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

7. **Project# 1000965**
07DRB-70421 AMENDED SDP FOR
SUBDIVISION
- CONSENSUS PLANNING agent(s) for ANDALUCIA DEVELOPMENT CORPORATION request(s) the above action(s) for all or a portion of Lot(s) 1-164, 1-54 & 1-60, Tract(s) A, B-2 & 6A, **LANDS OF RAY A GRAHAM III, OVEN CORP & COA; ANDALUCIA AT LA LUZ**, zoned SU-1 FOR PRD & MPOS, located on COORS BLVD NW BETWEEN MONTANO RD NW AND NAMASTE RD NW containing approximately 158 acre(s). (F-11/12 & E-12) **DEFERRED TO 12/19/07 AT THE AGENT'S REQUEST.**
8. **Project# 1003714**
07DRB-70364 EPC/SDP FOR BUILDING
PERMIT
- ALEXANDER FINALE agent(s) for ASSOCIATED HOME & RV SALES, INC request(s) the above action(s) for all or a portion of Tract(s) C-3-A, **ADOBE WELLS SUBDIVISION**, zoned SU1 FOR IPC-2/R-2, located on EAGLE RANCH NW BETWEEN WESTSIDE NW AND COORS BYPASS BLVD NW containing approximately 2.29 acre(s). (B-13) *[Deferred from 11/14/07 & 11/21/07, 11/28/07 & 12/5/07]. [EPC Planner – Carol Toffaleti]* **THE SITE PLAN FOR BUILDING PERMIT WAS APPROVED WITH FINAL SIGN OFF DELEGATED TO PLANNING FOR 3 COPIES AND TO TRANSPORTATION FOR PUBLIC SIDEWALK EASEMENT.**

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

9. **Project# 1003125**
07DRB-70192 MINOR - FINAL PLAT
APPROVAL
- MOLZEN-CORBIN & ASSOCIATES agent(s) for CITY OF ALBUQUERQUE/AVIATION & ECLIPSE AVIATION INC request(s) the above action(s) for all or a portion of Tract(s) D-1 & S-1, **LANDS OF DOUBLE EAGLE II AIRPORT AEROSPACE TECHNOLOGY PARK**, zoned SU-1/ AIRPORT AND RELATED USES, located on DOUBLE EAGLE II AIRPORT NW BETWEEN PASEO DEL VOLCAN NW AND SHOOTING RANGE PARK RD NW containing approximately 251 acre(s). (F-G/6). **DEFERRED TO 12/19/07 AT THE AGENT'S REQUEST.**

10. ~~Project#-1002459~~
07DRB-70420 SIDEWALK WAIVER

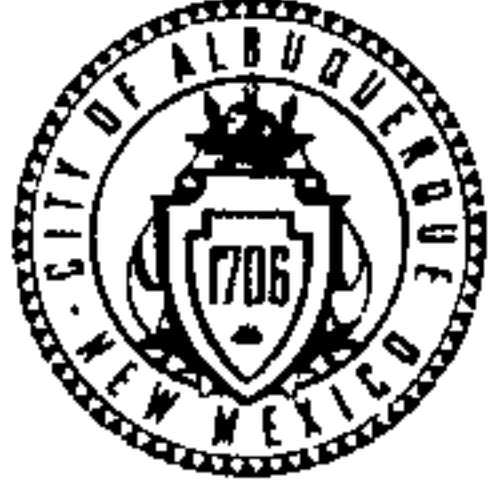
TIERRA WEST LLC agent(s) for QUAIL RIDGE LLC request(s) the above action(s) for all or a portion of Lot(s) 2A, **QUAIL RIDGE**, zoned SU-1 FOR COMMERCIAL & RELATED C-2 USES, located on COORS BLVD NW BETWEEN OURAY RD NW AND QUAIL RD NW containing approximately 3.5221 acre(s). (H-11) **THE SIDEWALK WAIVER WAS APPROVED AS SHOWN ON EXHIBIT C IN THE PLANNING FILE.**

11. **Project# 1003257**
07DRB-70415 MINOR - PRELIMINARY/
FINAL PLAT APPROVAL

MARK GOODWIN AND ASSOCIATES PA agent(s) for VANTAGE BUILDERS, INC request(s) the above action(s) for all or a portion of Lot(s) 24, Block(s) 19, HOA Tract 1, **SALTILLO Unit(s) 1**, zoned R-1, located on MARAVILLAS NW BETWEEN MCMAHON NW NUEVA ESPANA NW containing approximately 0.1818 acre(s). (A-10) **THE PRELIMINARY PLAT WAS APPROVED WITH FINAL SIGN OFF DELEGATED TO PLANNING FOR SOLAR COLLECTOR LANGUAGE, AGIS DXF, HOA SIGNATURE ON PLAT AND TO RECORD.**

12. Approval of the Development Review Board Minutes for October 17, 2007.

ADJOURNED: 10:12



OFFICIAL NOTICE OF DECISION

CITY OF ALBUQUERQUE
PLANNING DEPARTMENT
DEVELOPMENT REVIEW BOARD

DECEMBER 12, 2007

Project# 1002459
07DRB-70420 SIDEWALK WAIVER

TIERRA WEST LLC agent(s) for QUAIL RIDGE LLC request(s) the above action(s) for all or a portion of Lot(s) 2A, **QUAIL RIDGE**, zoned SU-1 FOR COMMERCIAL & RELATED C-2 USES, located on COORS BLVD NW BETWEEN OURAY RD NW AND QUAIL RD NW containing approximately 3.5221 acre(s). (H-11)

At the December 12, 2007 Development Review Board meeting, a sidewalk variance for waiver of the sidewalk was approved as shown on Exhibit C in the Planning file.

If you wish to appeal this decision, you must do so by December 27, 2007 in the manner described below.

Appeal is to the Land Use Hearing Officer. Any person aggrieved with any determination of the Development Review Board may file an appeal on the Planning Department form, to the Planning Department, 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).


Andrew Garcia, Acting Chair

Cc: Quail Ridge LLC – 6300 Riverside Plaza Lane NE Ste 210 – Albuquerque, NM
87109

Cc: Tierra West LLC – 8509 Jefferson NE – Albuquerque, NM 87113
Marilyn Maldonado
File

DRB PUBLIC HEARING SIGN IN SHEETS

CASE NUMBER: 1002459 AGENDA#: 2 DATE: 10-26-05

1. Name: For Belanus Address: Jerry West Zip: _____

2. Name: _____ Address: _____ Zip: _____

3. Name: _____ Address: _____ Zip: _____

4. Name: _____ Address: _____ Zip: _____

5. Name: _____ Address: _____ Zip: _____

6. Name: _____ Address: _____ Zip: _____

7. Name: _____ Address: _____ Zip: _____

8. Name: _____ Address: _____ Zip: _____

9. Name: _____ Address: _____ Zip: _____

10. Name: _____ Address: _____ Zip: _____

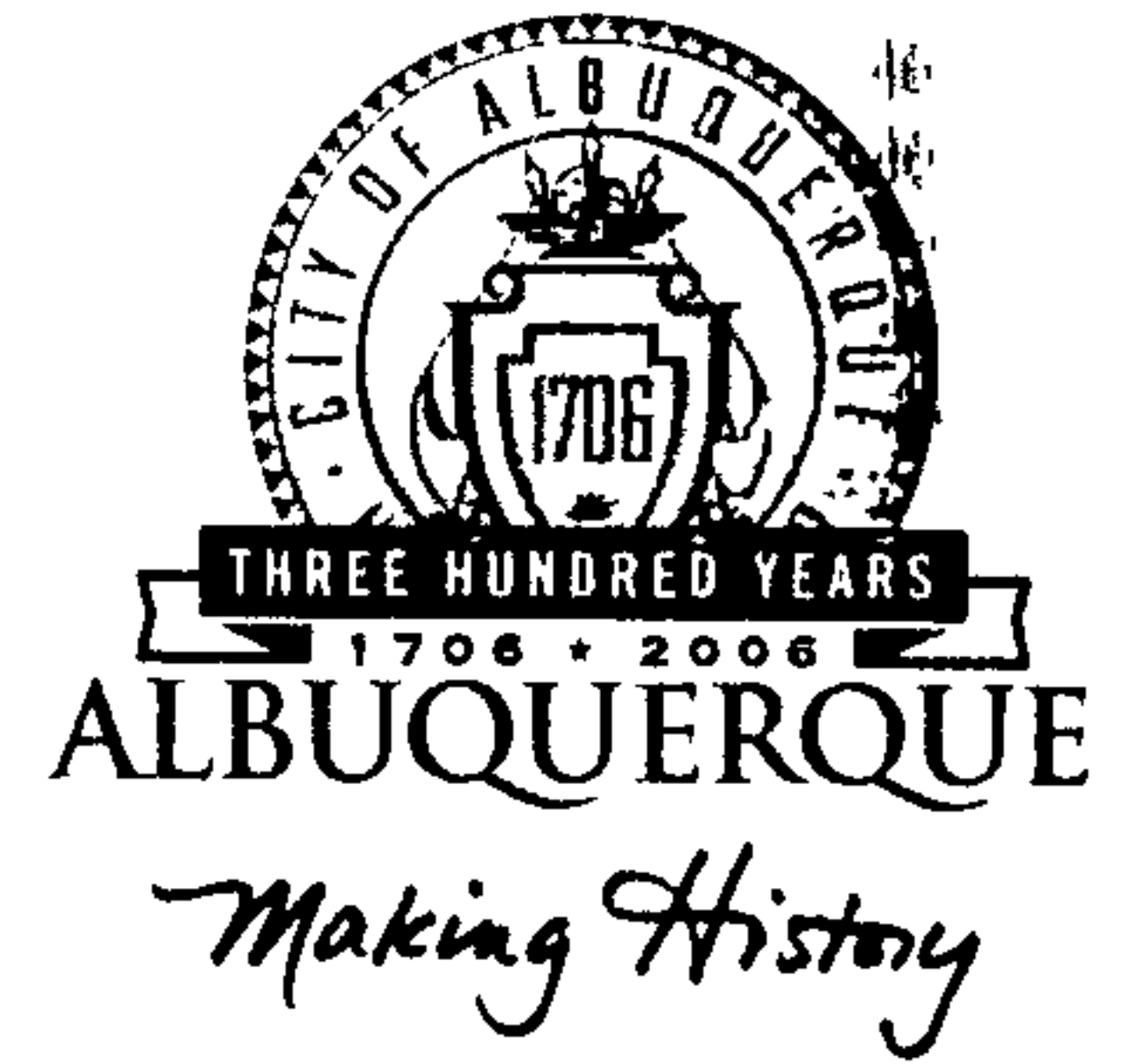
11. Name: _____ Address: _____ Zip: _____

12. Name: _____ Address: _____ Zip: _____

13. Name: _____ Address: _____ Zip: _____

14. Name: _____ Address: _____ Zip: _____

CITY OF ALBUQUERQUE



**PLANNING DEPARTMENT
DEVELOPMENT AND BUILDING SERVICES
HYDROLOGY DEVELOPMENT SECTION**

DEVELOPMENT REVIEW BOARD--SPEED MEMO

DRB CASE NO/PROJECT NO: 1002459

AGENDA ITEM NO: 2

SUBJECT:

SIA Extension

ACTION REQUESTED:

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

ENGINEERING COMMENTS:

P.O. Box 1293

The Hydrology Section has no objection to the extension request.

Albuquerque

RESOLUTION:

New Mexico 87103

APPROVED X^{2 yr}; DENIED ____; DEFERRED ____; COMMENTS PROVIDED ____; WITHDRAWN

www.cabq.gov

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: October 26, 2005



CITY OF ALBUQUERQUE
PLANNING DEPARTMENT
DEVELOPMENT REVIEW BOARD

October 26, 2005

Project # 1002459
05DRB-01500 Major-Two Year SIA

TIERRA WEST LLC agent(s) for QUAIL PLAZA LLC request(s) the above action(s) for all or a portion of Tract(s) 1-3, **QUAIL RIDGE**, zoned SU-1 FOR COMMERCIAL DEV, located on OURAY RD NW, between COORS BLVD NW and 57TH STREET NW containing approximately 4 acre(s).
[REF: 03EPC-01760] (H-11)

AMAFCA	No adverse comments.
COG	No adverse comments.
Transit	No objection to the requests.
Zoning Enforcement	No adverse comments.
Neighborhood Coordination	
	Letters sent to S.R. Marmon NA (R) and West Bluff NA (R).
APS	No adverse comments.
Police Department	No CPTED or crime prevention comments at this time.
Fire Department	No adverse comments.
PNM Electric & Gas	No adverse comments.
Comcast	No comments received.
QWEST	No comments received.
Environmental Health	No comments received.
M.R.G.C.D.	No comments received.
Open Space Division	No adverse comments.

City Engineer The Hydrology section has no objection to the extension request.

Transportation Development No objection to the request.

Parks & Recreation No adverse comments.

Utilities Development No objection to SIA Extension.

Planning Department

No objection to the 2 year SIA extension. Defer to the Traffic Engineer.

Impact Fee Administrator No comment on the SIA extension.

IT IS REQUIRED THAT THE APPLICANT AND/OR AGENT BE PRESENT AT THE HEARING

cc:Quail Plaza LLC, P.O. Box 66180, 87193-6180

Tierra West LLC, 8509 Jefferson NE, 87113

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**PUBLIC HEARING--DEVELOPMENT REVIEW BOARD
CITY OF ALBUQUERQUE**

Notice is hereby given that the Development Review Board, City of Albuquerque, will hold a public hearing in the Plaza del Sol Hearing Room, Basement, Plaza del Sol Building, 600 2nd St NW, on Wednesday, October 26, 2005, beginning at 9:00 a.m. for the purpose of considering the following:

Project # 1000131

05DRB-01520 Major-Two Year SIA
05DRB-01521 Minor-Ext of SIA for Temp
Defer SDWK

MARK GOODWIN & ASSOCIATES agent(s) for BROADWAY DEVELOPMENT CORPORATION request(s) the above action(s) for all or a portion of various parcels comprising, **BROADWAY INDUSTRIAL CENTER, UNIT 1**, zoned SU-2 FOR HM, located on SAN JOSE AVE SE, between BROADWAY BLVD SE and I-25 SE containing approximately 61 acre(s). [REF:DRB-97-271, 01DRB-01559, 03DRB-101513] (M-14)

Project # ~~1002459~~

05DRB-01500 Major-Two Year SIA

TIERRA WEST LLC agent(s) for QUAIL PLAZA LLC request(s) the above action(s) for all or a portion of Tract(s) 1-3, **QUAIL RIDGE**, zoned SU-1 FOR COMMERCIAL DEV, located on OURAY RD NW, between COORS BLVD NW and 57TH STREET NW containing approximately 4 acre(s). [REF: 03EPC-01760] (H-11)

Project # 1000560

05DRB-01501 Major-SiteDev Plan BldPermit

TIERRA WEST LLC agent(s) for IRONSTONE BANK request(s) the above action(s) for all or a portion of Tract(s) 1A2A1, **JOURNAL CENTER (to be known as IRONSTONE BANK)** zoned IP industrial park zone, located on LANG AVE NE, between JEFFERSON ST NE and HEADLINE BLVD NE containing approximately 5 acre(s). [REF: Z-72-33, 05DRB00680] (D-17)

Project # 1000696

05DRB-01529 Major-Preliminary Plat Approval
05DRB-01530 Minor-Sidewalk Waiver
05DRB-01531 Minor-Temp Defer SDWK

MARK GOODWIN & ASSOCIATES agent(s) for ICDC LLC request(s) the above action(s) for all or a portion of Tract(s) C, **LEE'S BOSQUE SUBDIVISION (to be known as BOSQUECITO SUBDIVISION)** zoned RD, located on BOSQUE MEADOWS BLVD NW, between LA ORILLA NW and PASEO DEL NORTE containing approximately 7 acre(s). (D-12)

Project # 1002134

05DRB-01528 Major-Amnd Prelim Plat
Approval & Amnd Final Plat Approval

MARK GOODWIN & ASSOCIATES PA agent(s) for VISTA DEL NORTE DEVELOPMENT LLC request(s) the above action(s) for all or a portion of Tract(s) U-1, U-2, U-3 U-4 AND U-6, **LAS LOMITAS SUBDIVISION INDUSTRIAL PARK, VISTA DEL NORTE**, zoned SU-1 FOR IP, located on LAS LOMITAS DR NW, between EL PUEBLO NW and VISTA DEL NORTE DR NW containing approximately 34 acre(s). (D-16)

SEE PAGE 2 . . .



**PUBLIC HEARING--DEVELOPMENT REVIEW BOARD
CITY OF ALBUQUERQUE**

PAGE 2

Project # 1004464

05DRB-01540 Major-Vacation of Pub Right-of-Way

GARCIA KRAEMER & ASSOCIATES agent(s) for 4120 SILVER LLC & 4200 SILVER LLC, request(s) the above action(s) for Lot(s) 5 & 6, Block(s) 10 and Lot(s) 1, Block(s) 11, **MESA GRANDE ADDITION**, zoned O-R, located on SIERRA DR SE, between SILVER AVE SE and MESA GRANDE PL SE. (K-17)

Project # 1004039

05DRB-01532 Major-Preliminary Plat Approval
05DRB-01533 Minor-Sidewalk Waiver
05DRB-01536 Minor-Temp Defer SDWK

ISAACSON & ARFMAN PA agent(s) for RUTLEDGE INVESTMENT COMPANY request(s) the above action(s) for Tract(s) 8A, HIGH DESERT (to be known as **THE LEGENDS @ HIGH DESERT**) zoned SU-2, C-1, located on ACADEMY BLVD NE, between CORTADERIA ST NE and HIGH DESERT PARK NE containing approximately 8 acre(s). [REF:05ZHE-00449, 05ZHE-00480, 05DRB-01074] (E-23)

Project # 1004462

05DRB-01525 Major-Vacation of Public Easements
05DRB-01524 Major-Preliminary Plat Approval
05DRB-01526 Minor-Sidewalk Waiver
05DRB-01527 Minor-Temp Defer SDWK

BOHANNAN HUSTON INC agent(s) for ANDALUCIA DEVELOPMENT CO INC request(s) the above action(s) for REPLAT OF Tract(s) A, ANDALUCIA AT LA LUZ, (to be known as **ANDALUCIA @ LA LUZ, UNIT 3**) zoned SU-1, located on COORS BLVD NW, between NAMASTE RD NW and LA BIENVENIDA PL NW containing approximately 13 acre(s). [REF: 05EPC-01115, 05EPC-01117] (F-11)

Details of the application(s) may be examined at the Development Services Center of the Planning Department, Second Floor, Plaza Del Sol Building, 600 2nd St NW, between 10:00 a.m. and 12:00 p.m. or 2:00 p.m. and 4:00 p.m. Monday through Friday except holidays INDIVIDUALS WITH DISABILITIES who need special assistance to participate at this hearing should contact Claire Senova, Planning Department, at 924-3946 (VOICE) or teletypewriter (TTY) 924-3361 – TTY users may also access the Voice number via the New Mexico Relay Network by calling toll-free 1-800-659-8331.

for 
Sheran Matson, AICP, DRB Chair
Development Review Board

TO BE PUBLISHED IN THE ALBUQUERQUE JOURNAL MONDAY, OCTOBER 10, 2005.

CITY OF ALBUQUERQUE

FYI



Making History

NOTIFICATION OF HEARING for the DEVELOPMENT REVIEW BOARD

October 6, 2005

TO: Deaun Lewis and Annette Gonzales, S.R. Marmon NA
John Landman and Dr. Joe Valles, West Bluff NA

This letter will serve as your notification from the City of Albuquerque, under provisions of 0-92 pertaining to a request for: **Requests the following for approximately four (4) acre(s) Major Two Year Subdivision Improvement Agreement for the completion of the GRIP Project in the area.**

Proposed by: Tierra West, LLC at 858-3100
Agent for: Quail Plaza, LLC

For property located: **On or near Ouray Road NW between Coors Boulevard NW and 57th Street NW.**

P.O. Box 1293

The case number(s) assigned is: **05DRB- 01500, Project # 1002459.**

Albuquerque

City Planning accepted application for this request on **September 23, 2005.**

The owner, applicant, and/or agent certified at the time of application acceptance that they notified you of the proposed action by *certified mail, return receipt requested.*

New Mexico 87103

Please be advised that this application is scheduled for a hearing before the Development Review Board (DRB) at **9 a.m. on Wednesday, October 26, 2005** in the **Planning Hearing Room, Lower Level, Plaza Del Sol Building, 600 Second St. NW.**

www.cabq.gov

You should contact **Claire Senova** at **924-3946** to confirm this date, time, and to seek further information.

If you have any questions **-OR-** have not been contacted by the applicant, please call **Stephani Winklepleck** at **924-3902** or by e-mail at swinklepleck@cabq.gov.

Sincerely,

Stephani J. Winklepleck

Stephani I. Winklepleck

Neighborhood Program Coordinator

OFFICE OF NEIGHBORHOOD COORDINATION

PLANNING DEPARTMENT

**cc: Claire Senova, DRB
Administrative Assistant**

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**CITY OF PLANNING
PLANNING DEPARTMENT
PROPERTY OWNERSHIP LIST**

Meeting Date: OCTOBER 26, 2005
Zone Atlas Page: H-11-Z
Notification Radius: 100 Ft.

Project# 1002459
App#05DRB-01500

Cross Reference and Location: OURAY ROAD NW / BETWEEN COORS BLVD NE
AND 57TH STREET NW

Applicant: QUAIL PLAZA LLC
Address: PO BOX 66180
ALBUQUERQUE, NM 87193-6180

Agent: TIERRA WEST LLC
8509 JEFFERSON NE
ALBUQUERQUE, NM 87113

Special Instructions:

**Notice must be mailed from the
City's 15 day prior to the meeting.**

Date Mailed: OCTOBER 7, 2005
Signature: YVONNE SAAVEDRA

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101105915745020704	LEGAL: TRAC T A- 1 PLAT OF TRACTS A-1 & C-1 ALBUQUERQUE WES LAND USE: PROPERTY ADDR: 00000 AMERICARE OWNER NAME: VILLA HERMOSA APTS LTD PARTNER OWNER ADDR: 05070 NORTH 40TH	ST PHDENIX AZ 85018
101105916848520705	LEGAL: TRAC T C- 1 PLAT OF TRACTS A-1 & C-1 ALBUQUERQUE WES LAND USE: PROPERTY ADDR: 00000 57TH OWNER NAME: JAYNES CORPORATION OWNER ADDR: 00000	ALBUQUERQUE NM 87125
101105921847720606	*** THIS UPC CODE HAS NO MASTER RECORD ON FILE	
101105922745520607	*** THIS UPC CODE HAS NO MASTER RECORD ON FILE	
101105921045020605	*** THIS UPC CODE HAS NO MASTER RECORD ON FILE	
101105922744420604	*** THIS UPC CODE HAS NO MASTER RECORD ON FILE	
101105922242620603	*** THIS UPC CODE HAS NO MASTER RECORD ON FILE	
101105921240920601	*** THIS UPC CODE HAS NO MASTER RECORD ON FILE	
101105923140620602	*** THIS UPC CODE HAS NO MASTER RECORD ON FILE	
101105917336422109	LEGAL: THE NO 2 07.40 FT OF TRACT 334 UNIT 8 TOWN OF ATRIS LAND USE: PROPERTY ADDR: 00000 OURAY OWNER NAME: SPIRITUAL ASSEMBLY OF THE BAHA OWNER ADDR: 00000	ALBUQUERQUE NM 87196
101105918737322198	*** THIS UPC CODE HAS NO MASTER RECORD ON FILE	

101105916848520705 LEGAL: TRACT C-1 PLAT OF TRACTS A-1 & C-1 ALBUQUERQUE 5000 ACRES
PROPERTY ADDR: 57TH ST

OWNERS NAME: JAYNES CORPORATION
OWNERS ADDR: PO BOX 26841
ALBUQUERQUE, NM 87125

101105921847720606 LEGAL: TRACT 2 TRACTS 1 THRU 6 QUAIL RIDGE BEING A REPLAT
BRUNELL ADDITION C
PROPERTY ADDR: 2601 COORS BLVD NW

OWNERS NAME: HUSKY OIL CO OF DELAWARE
OWNERS ADDR: PO BOX 150310
OGDEN, UT 84415

101105922745520607 LEGAL: TRACT 4 TRACTS 1THRU 6 QUAIL RIDGE BEING A REPLAT
BRUNELL ADDITION C
PROPERTY ADDR: 2631 COORS BLVD NW

OWNERS NAME: HUSKY OIL CO OF DELAWARE
OWNERS ADDR: PO BOX 150310
ODGEN, UT 84415

101105921045020605 LEGAL: TRACT 5 TRACTS 1THRU 6 QUAIL RIDGE BEING A REPLAT
BRUNELL ADDITION C
PROPERTY ADDR: 2641 COORS BLVD NW

OWNERS NAME: HUSKY OIL CO OF DELAWARE
OWNERS ADDR: PO BOX 150310
ODGEN, UT 84415

101105922744420604 LEGAL: TRACT 4 TRACTS 1THRU 6 QUAIL RIDGE BEING A REPLAT
BRUNELL ADDITION C
PROPERTY ADDR: 2631 COORS BLVD NW

OWNERS NAME: HUSKY OIL CO OF DELAWARE
OWNERS ADDR: PO BOX 150310
ODGEN, UT 84415

101105922242620603 LEGAL: TRACT 3 TRACTS 1THRU 6 QUAIL RIDGE BEING A REPLAT
BRUNELL ADDITION C
PROPERTY ADDR: 2621 COORS BLVD NW

OWNERS NAME: HUSKY OIL CO OF DELAWARE
OWNERS ADDR: PO BOX 150310
ODGEN, UT 84415

101105921240920601 LEGAL: TRACT 1 TRACTS 1THRU 6 QUAIL RIDGE BEING A REPLAT
BRUNELL ADDITION C
PROPERTY ADDR: 2611 COORS BLVD NW

OWNERS NAME: HUSKY OIL CO OF DELAWARE
OWNERS ADDR: PO BOX 150310
ODGEN, UT 84415

101105923140620602 LEGAL: TRACT 2 TRACTS 1THRU 6 QUAIL RIDGE BEING A REPLAT
BRUNELL ADDITION C
PROPERTY ADDR: 2601 COORS BLVD NW

OWNERS NAME: HUSKY OIL CO OF DELAWARE
OWNERS ADDR: PO BOX 150310
ODGEN, UT 84415

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101105917336422109

LEGAL: THE NO 207.40 FT OF TRACT 334 UNIT 8 TOWN OF ATRISCO
PROPERTY ADDR: 5700 OURA Y RD NW

OWNERS NAME: SPIRITUAL ASSEMBLY OF THE BAHA
OWNERS ADDR: PO BOX 4532
ALBUQUERQUE, NM 87196

101105918737322198

TRACT 333-A-1-A PLAT OF TTS 333-A-1-A, 333-A-1 TOWN OF ATRISCO GRANT
PROPERTY ADDR: 2551 QURAY RD NW

OWNERS NAME: MCCASLAND DANNY W & OZELLA F
OWNERS ADDR: 16233 MOUNTAIN STONE TRL
PHOENIX, AZ 85048

Project # 1002459

QUAIL PLAZA LLC
PO BOX 66180
ALBUQUERQUE, NM 87193-6180

TIERRA WEST LLC
PO BOX 66180
ALBUQUERQUE, NM 87113

DEAUN LEWIS
S.R. Marmon N.A.
6400 SUNNY DAY CT NW
ALBUQUERQUE, NM 87120

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ANNETTE GONZALES
S.R. Marmon N.A.
2323 BIGPINE DR NW
ALBUQUERQUE, NM 87120

JOHN LANDMAN
West Bluff N.A.
2236 ANA CT NW
ALBUQUERQUE, NM 87120

DR. JOE VALLES
West Bluff N.A.
5020 GRANDE VISTA CT NW
ALBUQUERQUE, NM 87120

101105916848520705

101105921847720606

101105917336422109

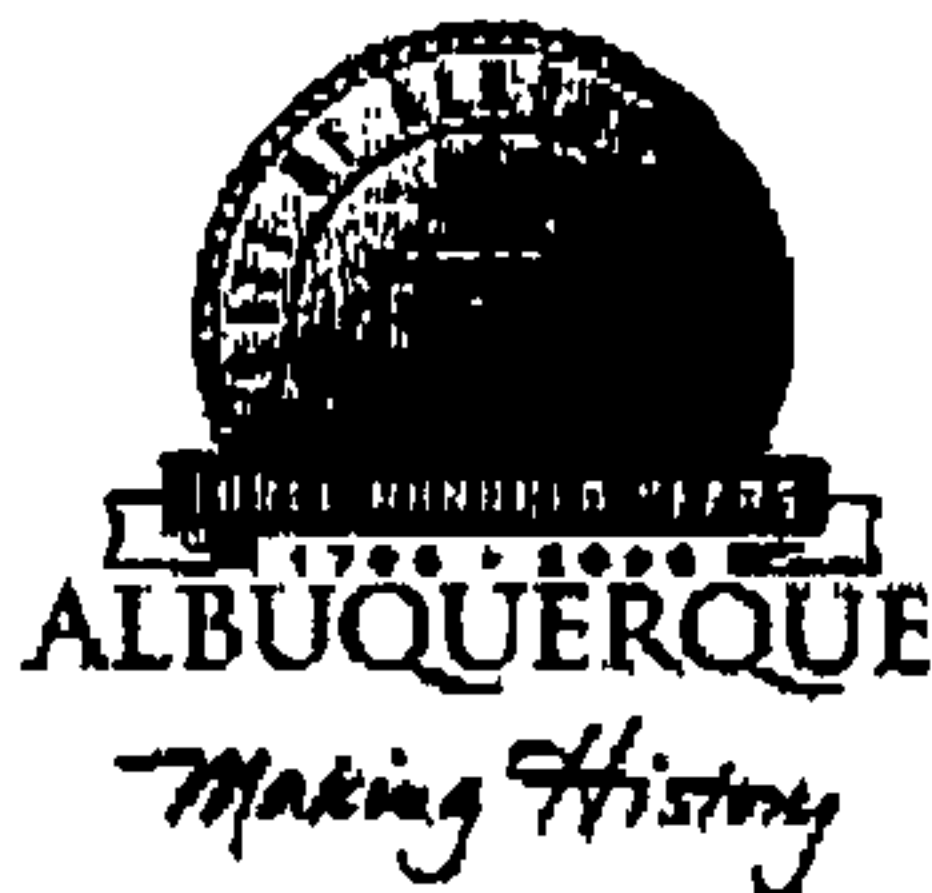
JAYNES CORPORATION
PO BOX 26841
ALBUQUERQUE, NM 87125

HUSKY OIL CO OF DELAWARE
PO BOX 150310
OGDEN, UT 84415

SPIRITUAL ASSEMBLY OF THE BAHA
PO BOX 4532
ALBUQUERQUE, NM 87196

101105918737322198

MCCASLAND DANNY W & OZELLA F
16233 MOUNTAIN STONE TRL
PHOENIX, AZ 85048



City of Albuquerque

PLEASE NOTE: The Neighborhood Association information listed in this letter is valid for one (1) month. If you haven't filed your application within one (1) month of the date of this letter – you will need to get an updated letter from our office. It is your responsibility to provide current information – outdated information may result in a deferral of your case.

Date: September 23, 2005

TO CONTACT NAME: Karen Kline
 COMPANY/AGENCY: Tierra West LLC
 ADDRESS/ZIP: 8509 Jefferson NE / 87113
 PHONE/FAX #: 858-3100 / 858-1118

Thank you for your inquiry of September 23, 2005 requesting the names of **Recognized** (date)
Neighborhood Associations who would be affected under the provisions of O-92 by your proposed project at Tract 1, 3 & 5 Quail Ridge, located on Quary Road NW
Between Coors Boulevard NW and 57th Street NW
 zone map page(s) H-11

Our records indicate that the **Recognized Neighborhood Association(s)** affected by this proposal and the contact names are as follows:

S.R. Marmon
 Neighborhood Association
 Contacts: Deann Lewis
6400 Sunny Day Ct. NW /
345-5715 87120
Annette Gonzales
2323 Big Pine Dr NW / 87120
342-5715

West Bluff
 Neighborhood Association
 Contacts: John Landman
2236 Ana Ct. NW / 87120
831-2063
Dr. Joe Vallos
5020 Grande Vista Ct. NW / 87120
836-1847, 243-3535

See reverse side for additional Neighborhood Association Information: YES { } NO { }

Please note that according to O-92 you are required to notify each of these contact persons by **CERTIFIED MAIL. RETURN RECEIPT REQUESTED. BEFORE** the Planning Department will accept your application filing. **IMPORTANT! FAILURE OF ADEQUATE NOTIFICATION MAY RESULT IN YOUR APPLICATION HEARING BEING DEFERRED FOR 30 DAYS.** If you have any questions about the information provided, please contact our office at (505) 924-3914 or by fax at 924-3913.

Sincerely,

Delaine G. Armona
 OFFICE OF NEIGHBORHOOD COORDINATION

.....
 Attention: Both contacts per neighborhood association need to be notified.

NOTICE TO APPLICANTS

SUGGESTED INFORMATION FOR NEIGHBORHOOD NOTIFICATION LETTERS

Applicants for Zone Change, Site Plan, Sector Development Plan approval or an amendment to a Sector Development Plan by the EPC, DRB, etc. are required under Council Bill O-92 to notify all affected recognized neighborhood associations **PRIOR TO FILING THE APPLICATION TO THE PLANNING DEPARTMENT**. Because the purpose of the notification is to ensure communication as a means of identifying and resolving problems early, it is essential that the notification be fully informative.

WE RECOMMEND THAT THE NOTIFICATION LETTER INCLUDE THE FOLLOWING INFORMATION:

1. The street address of the subject property.
2. The legal description of the property, including lot or tract number (if any), block number (if any), and name of the subdivision.
3. A physical description of the location, referenced to streets and existing land uses.
4. A complete description of the actions requested of the EPC:
 - a) If a **ZONE CHANGE OR ANNEXATION**, the name of the existing zone category and primary uses and the name of the proposed category and primary uses (i.e., "from the R-T Townhouse zone, to the C-2 Community Commercial zone").
 - b) If a **SITE DEVELOPMENT OR MASTER DEVELOPMENT PLAN** approval or amendment describe the physical nature of the proposal (i.e., "an amendment to the approved plan to allow a drive-through restaurant to be located just east of the main shopping center entrance off Montgomery Blvd.").
 - c) If a **SECTOR DEVELOPMENT PLAN OR PLAN AMENDMENT** a general description of the plan area plan concept, the mix of zoning and land use categories proposed and description of major features such as location of significant shopping centers, employment centers, parks and other public facilities.
5. The name, address and telephone number of the applicant and of the agent (if any). In particular the name of an individual contact person will be helpful so that neighborhood associations may contact someone with questions or comments.

(Below this line for ONC use only)

Date of Inquiry: 9/23/05 Time Entered: 10:40 ONC Rep. Initials: DC

U.S. Postal Service™
CERTIFIED MAIL™ RECEIPT
 (Domestic Mail Only; No Insurance Coverage Provided)

For delivery information visit our website at www.usps.com

OFFICIAL USE

Postage	\$.60
Certified Fee	2.30
Return Receipt Fee (Endorsement Required)	1.75
Restricted Delivery Fee (Endorsement Required)	
Total Postage & Fees	\$ 4.65



Sent To **ANNETTE GONZALES**
 Street, Apt. No.; or PO Box No. **2323 BIG PINE DR NW**
 City, State, ZIP+4 **ABQ NM 87120**

U.S. Postal Service™
CERTIFIED MAIL™ RECEIPT
 (Domestic Mail Only; No Insurance Coverage Provided)

For delivery information visit our website at www.usps.com

OFFICIAL USE

Postage	\$.60
Certified Fee	2.30
Return Receipt Fee (Endorsement Required)	1.75
Restricted Delivery Fee (Endorsement Required)	
Total Postage & Fees	\$ 4.65



Sent To **Dr. Joe Velles**
 Street, Apt. No.; or PO Box No. **5000 Grande Vista Ct NW**
 City, State, ZIP+4 **ABQ NM 87120**

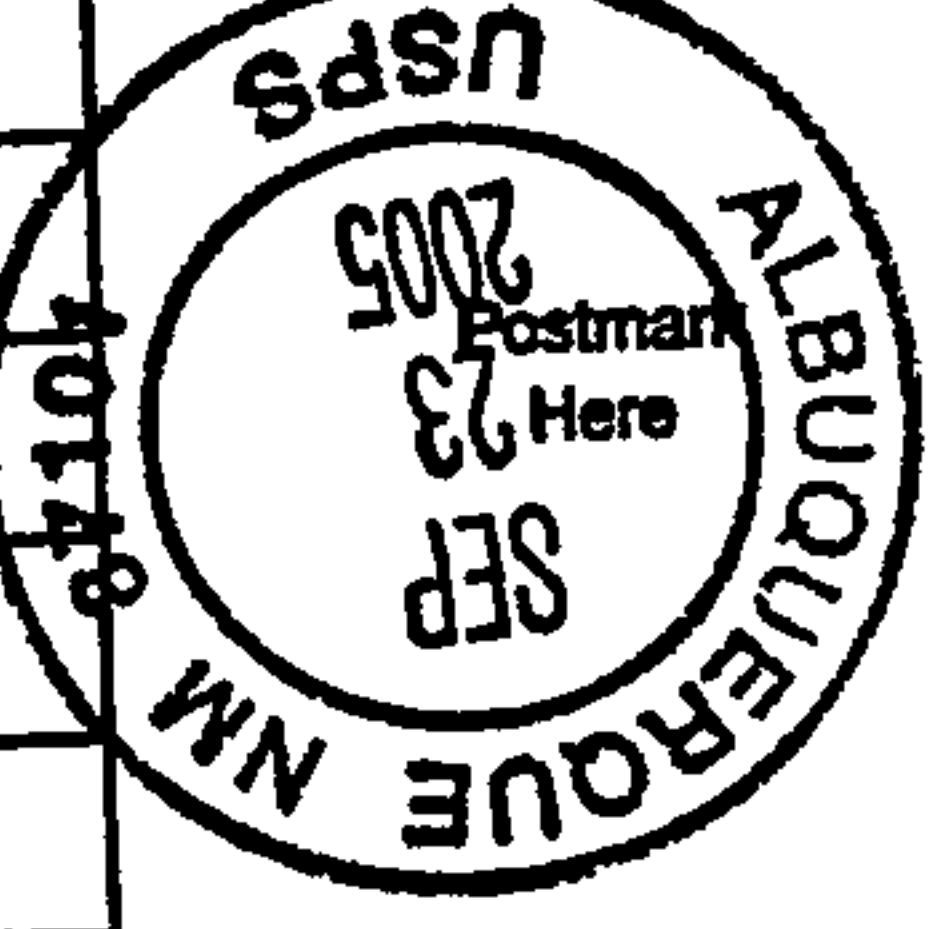
7005 1160 0000 0911 500

U.S. Postal Service™
CERTIFIED MAIL™ RECEIPT
 (Domestic Mail Only; No Insurance Coverage Provided)

For delivery information visit our website at www.usps.com

OFFICIAL USE

Postage	\$.60
Certified Fee	2.30
Return Receipt Fee (Endorsement Required)	1.75
Restricted Delivery Fee (Endorsement Required)	
Total Postage & Fees	\$ 4.65



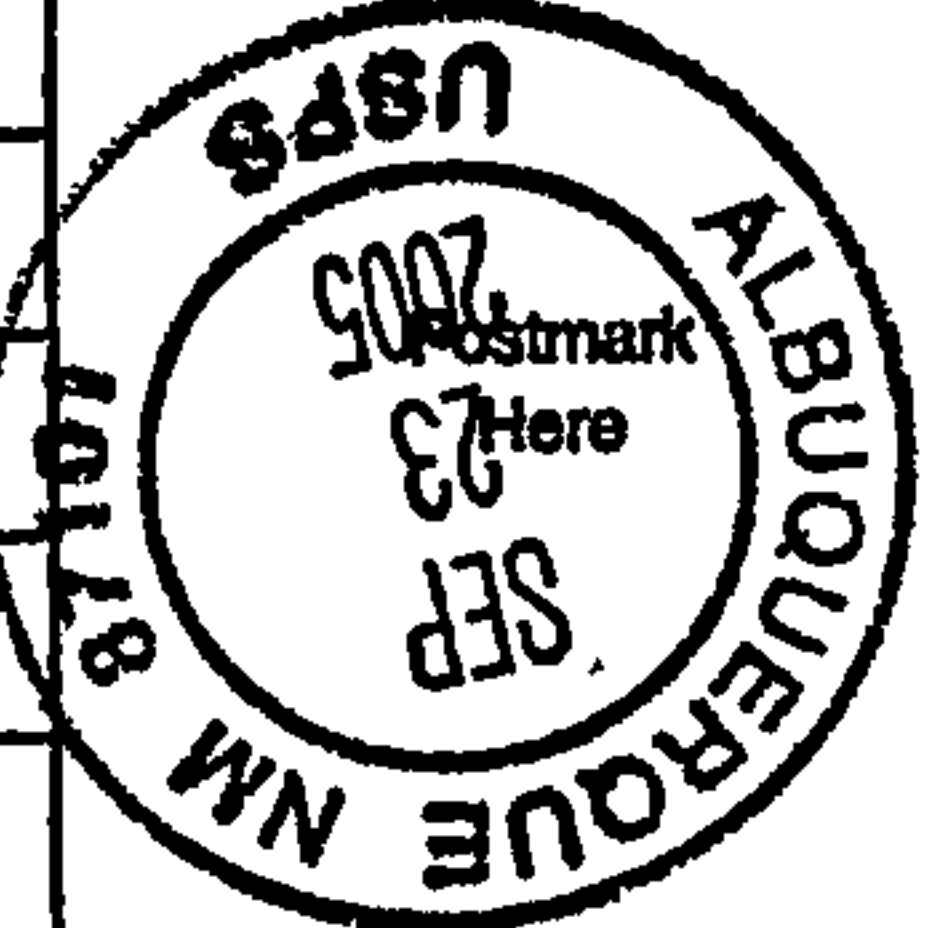
Sent To **Deann Lewis**
 Street, Apt. No.; or PO Box No. **1000 Sunny Day Ct NW**
 City, State, ZIP+4 **ABQ NM 87120**

U.S. Postal Service™
CERTIFIED MAIL™ RECEIPT
 (Domestic Mail Only; No Insurance Coverage Provided)

For delivery information visit our website at www.usps.com

OFFICIAL USE

Postage	\$.60
Certified Fee	2.30
Return Receipt Fee (Endorsement Required)	1.75
Restricted Delivery Fee (Endorsement Required)	
Total Postage & Fees	\$ 4.65



Sent To **John Landman**
 Street, Apt. No.; or PO Box No. **2236 Ave Ct NW**
 City, State, ZIP+4 **ABQ NM 87126**

7005 1160 0000 0911 500

SIA

No. Of Lots 3

Nearest Major Streets COORS BOULEVARD NW

FIGURE 12
SUBDIVISION IMPROVEMENTS
AGREEMENT-PUBLIC AND/OR PRIVATE
(Procedure B)

5-2

AGREEMENT TO CONSTRUCT
PUBLIC AND/OR PRIVATE SUBDIVISION IMPROVEMENTS

THIS AGREEMENT is made this 4th day of February, 2005, by and between the City of Albuquerque, New Mexico ("City"), a municipal corporation, whose address is P. O. Box 1293 (One Civic Plaza), Albuquerque, New Mexico 87103, and QUAIL PLAZA LLC ("Subdivider"), a [state the type of business entity, for instance, "New Mexico corporation," "general partnership," "joint venture," "individual," etc.]:] A LIMITED LIABILITY COMPANY, whose address is PO BOX 66180, ALBUQUERQUE, NM 87193-6180 and whose telephone number is (505) 889-3061, is made in Albuquerque, New Mexico, and is entered into as of the date of final execution of this Agreement.

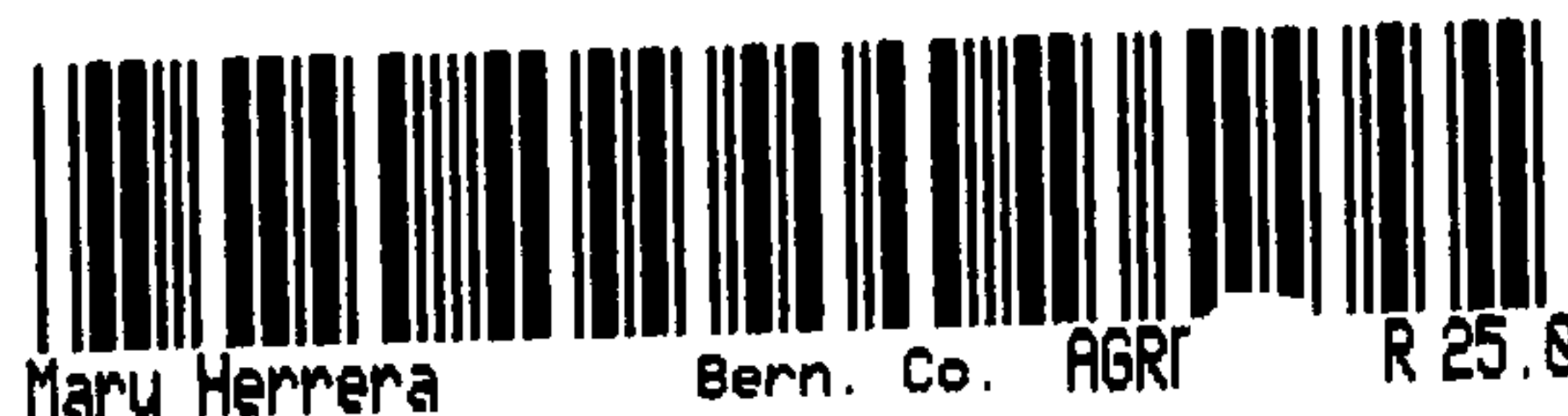
1. Recital. The Subdivider is developing certain lands within the City of Albuquerque, Bernalillo County, New Mexico, known as [describe:] W.H. BRUNELL ADDITION, recorded on JANUARY 25, 1972 in the records of the Bernalillo County Clerk at Book C8, Folio 84 (the "Subdivision"). The Subdivider certifies that the Subdivision is owned by [state the name of the present real property owner exactly as shown on the real estate document conveying title in the Subdivision to the present owner:] QUAIL PLAZA LLC ("Owner").

The Subdivider has submitted and the City has approved a preliminary plat or Site Development Plan identified as TRACTS 1 THRU 3, QUAIL RIDGE describing Subdivider's Property.

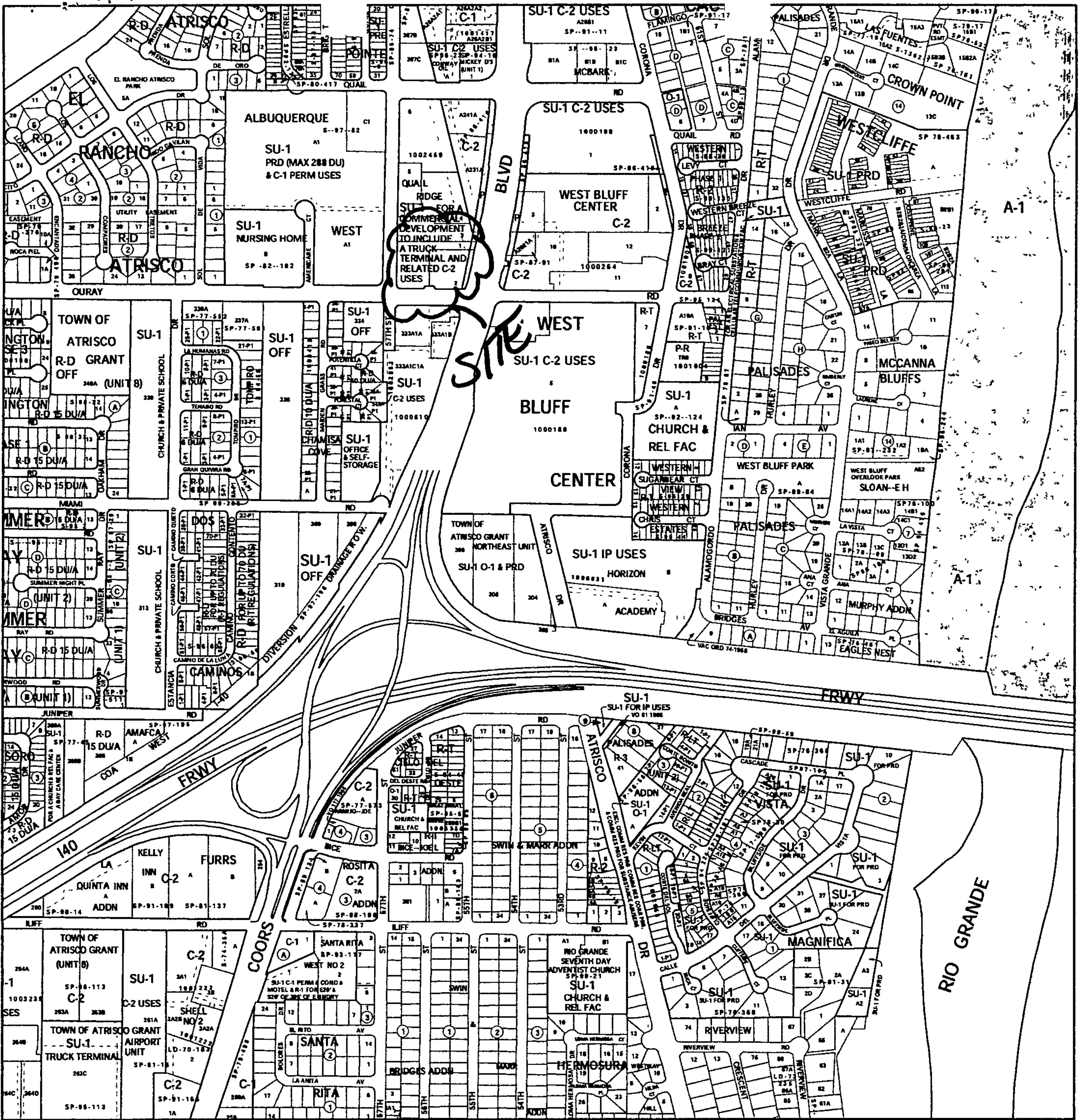
As a result of the development of the Subdivision, the Subdivision Ordinance ("S.O.") and/or the Zoning Code, Section 14-16-3-11, require the Subdivider, at no cost to the City, to install certain public and/or private Improvements, which are reasonably related to the development of the Subdivision, or to financially guarantee the construction of the public and/or private Improvements as a prerequisite to approval of the final plat of, or the Site Development Plan for the Subdivision.

2. Improvements and Construction Deadline. The Subdivider agrees to install and complete the public and/or private improvements described in Exhibit A, the required infrastructure listing ("Improvements"), to the satisfaction of the City, on or before the 29th day of October, 2005 ("Construction Completion Deadline"), at no cost to the City. The improvements are shown in greater detail on the Subdivider's proposed and approved plans, which have been filed with the City Engineer and are identified as Project No. 7191.81.

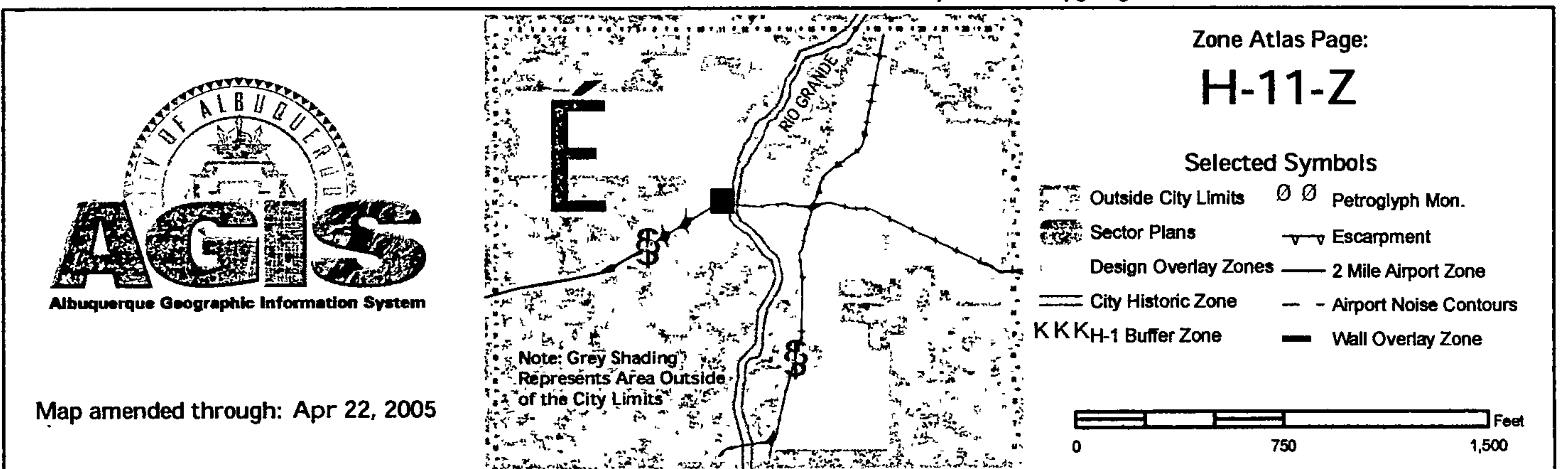
Note: To compute the Construction Completion Deadline: If a final plat will be filed after Subdivider meets the requirements of this Agreement, the Construction Completion Deadline can be no later than two years after execution of this Agreement. (See Subdivision Ordinance Section 14-14-3.) If a final plat will not be filed pursuant to this Agreement, the Construction Completion Deadline can be no later than one year after approval of the preliminary plat by the Development Review Board (DRB), unless the DRB grants an extension, not to exceed one additional year per extension, and the Subdivider processes an amendment to the Agreement. (See Subdivision Ordinance Section 14-14-3.) If this Agreement, with any amendments does not utilize the maximum time allowed for completion of construction, the Subdivider may obtain an extension of the Construction Completion Deadline if Subdivider shows adequate reason for



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Page: 1 of 9
02/16/2005 11:24A
Bk-A92 Pg-2504



For more current information and more details visit: <http://www.cabq.gov/gis>



TIERRA WEST, LLC

8509 Jefferson NE
Albuquerque, NM 87113

(505) 858-3100
fax (505) 858-1118

twllc@tierrawestllc.com
1-800-245-3102

September 23, 2005

Ms. Sheran Matson, AICP, Chair
Development Review Board
City of Albuquerque
PO Box 1293
Albuquerque, NM 87103

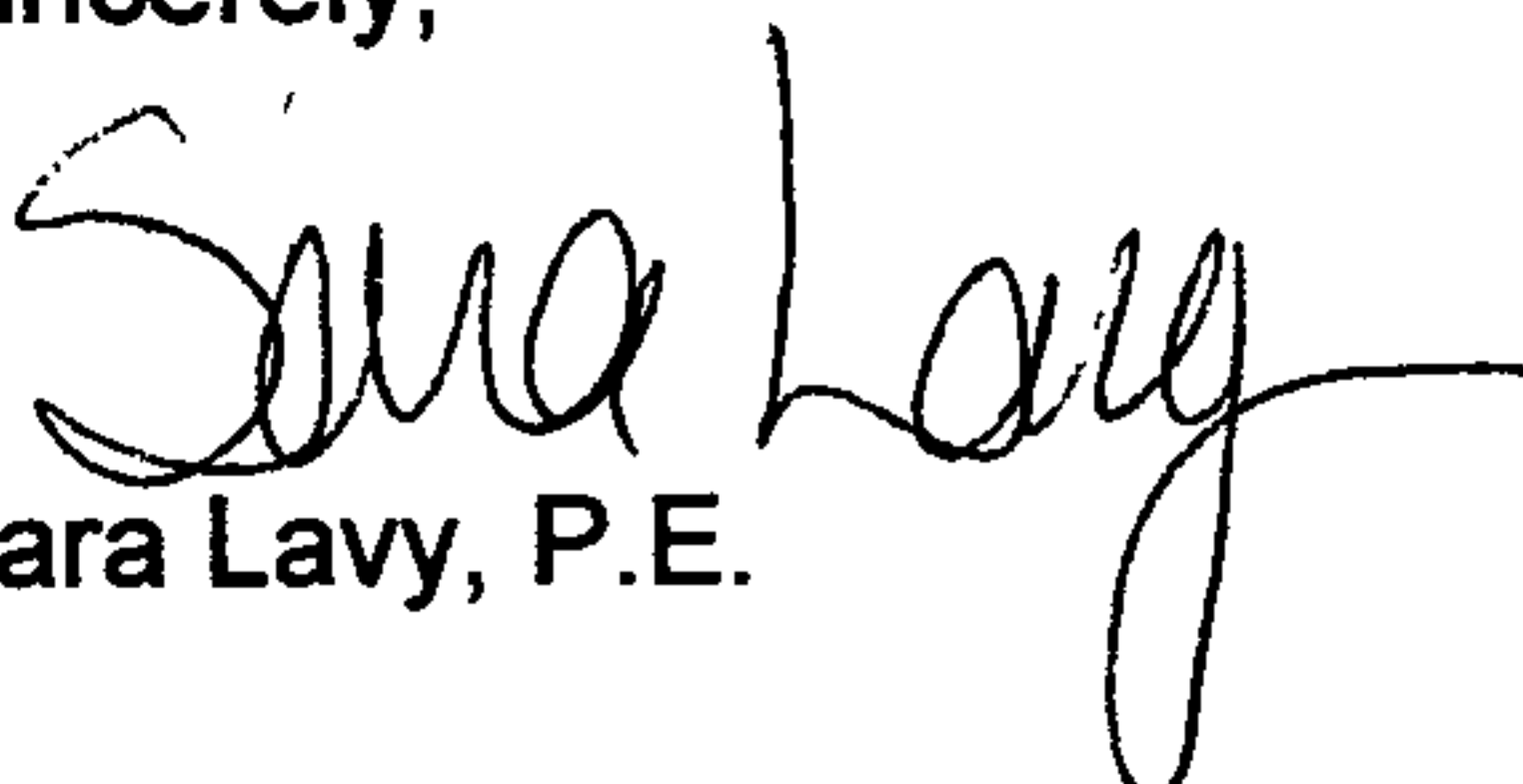
**RE: Two Year Extension of Subdivision Improvement Agreements
Tracts 1, 3, & 5, Quail Ridge; Project #1002459, Zone Atlas Page H-11**

Dear Ms. Matson:

Tierra West LLC, on behalf of Quail Plaza LLC, requests approval of a Two Year Extension of Subdivision Improvement Agreements for Tracts 1, 3, & 5, Quail Ridge. The site is located on Ouray Road NW between 57th Street NW and Coors Boulevard NW. We request this approval in order for the GRIP project to complete its work in the area prior to obtaining final acceptance.

If you have any questions or need additional information regarding this matter, please do not hesitate to call me.

Sincerely,


Sara Lavy, P.E.

Enclosure/s

cc: Ben Spencer
Deaun Lewis, S.R. Marmon
Annette Gonzales, S.R. Marmon
John Landman, West Bluff N.A.
Dr. Joe Valles, West Bluff N.A.

JN: 22096
SCL/kk

24



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1
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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.: <u>05DRB-00616 (P&F)</u>	Project # <u>1002459</u>
Project Name <u>QUAIL RIDGE</u>	
Agent: <u>Tierra West LLC.</u>	Phone No.: <u>858-3100</u>

Your request for (SDP for SUB), (SDP for BP), (FINAL PLATS), (MASTER DEVELOP. PLAN), was approved on 4/20/05 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): Need copy of approved AA. showing new lot lines.
- _____
- _____
- _____

- 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.** OK
- Copy of recorded plat for Planning.**

Project Number 1002459



11
12
13
14
15

OFFICIAL NOTICE OF DECISION

CITY OF ALBUQUERQUE
PLANNING DEPARTMENT
DEVELOPMENT REVIEW BOARD

April 20, 2005

24. **Project # 1002459**
05DRB-00616 Minor-Prelim&Final Plat Approval
05DRB-00615 Minor-Vacation of Private Easements

TIERRA WEST LLC agent(s) for QUAIL RIDGE LLC request(s) the above action(s) for all or a portion of Tract(s) 1, 3, 4, 5, **QUAIL RIDGE**, zoned C-2 (SC), located on COORS BLVD NW, between OURAY RD NW and QUAIL RD NW containing approximately 4 acre(s). [REF: 03EPC00159, 03EPC00160, 4AA00871] (H-11)

At the April 20, 2005, Development Review Board meeting, the preliminary and final plat was approved with final plat sign off delegated to Planning for a copy of the approved Administrative Amendment showing new lot lines.

The vacation of private easements was approved as shown on Exhibit B in the Planning file, subject to these findings and conditions:

FINDINGS:

1. The public welfare is in no way served by retaining the rights-of-way and/or easements.
2. There is no convincing evidence that any substantial property right is being abridged against the will of the owner of the right.

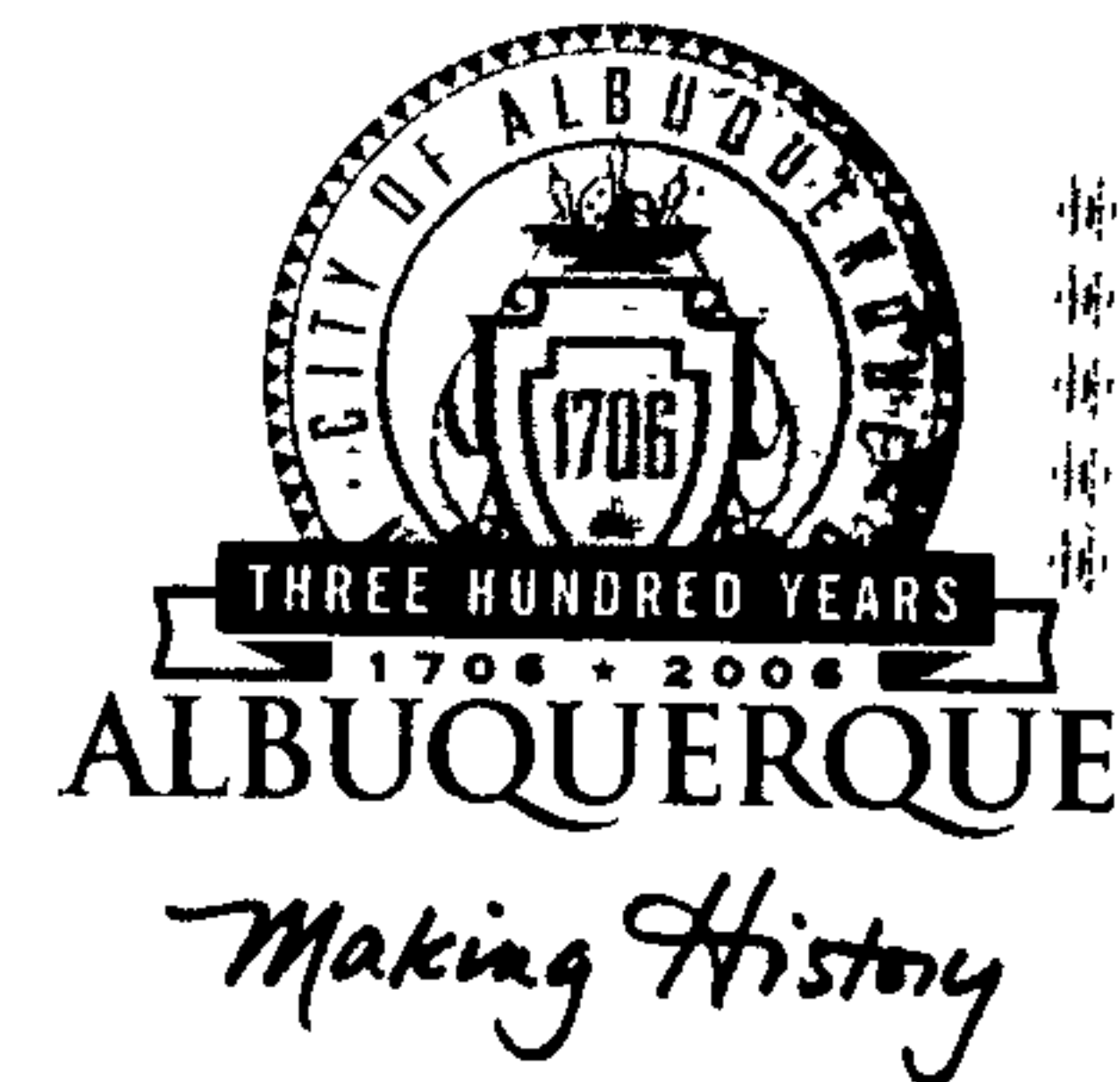
CONDITIONS:

1. The vacated property shall be shown on a replat approved by the Development Review Board and the approved replat shall be filed for record with the Bernalillo County Clerk's Office within one year.

For Sheran Matson, AICP, DRB Chair

Cc: Tierra West LLC, 8509 Jefferson NE, 87113
Quail Ridge LLC, 6300 Riverside Plaza Lane NE, Suite 210, 87109
Marilyn Maldonado, Planning Department, 4th Floor, Plaza del Sol Bldg.
File

CITY OF ALBUQUERQUE



**PLANNING DEPARTMENT
DEVELOPMENT AND BUILDING SERVICES
HYDROLOGY DEVELOPMENT SECTION**

DEVELOPMENT REVIEW BOARD--SPEED MEMO

DRB CASE NO/PROJECT NO: 1002459

AGENDA ITEM NO: 24

SUBJECT:

Vacation
Final Plat
Preliminary Plat

ACTION REQUESTED:

APP:(x) SIGN-OFF:(x)

P.O. Box 1293

ENGINEERING COMMENTS:

No adverse comments on plat.
The Hydrology Section has no objection to the vacation request.

Albuquerque

New Mexico 87103

RESOLUTION:

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

www.cabq.gov

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: April 20, 2005

**CITY OF ALBUQUERQUE
PLANNING DEPARTMENT
April 20, 2005
DRB Comments**

46
46
46
46

ITEM # 24

PROJECT # 1002459

APPLICATION # 05-00616/minor plat

Re: Quail Ridge/minorplat/VPE

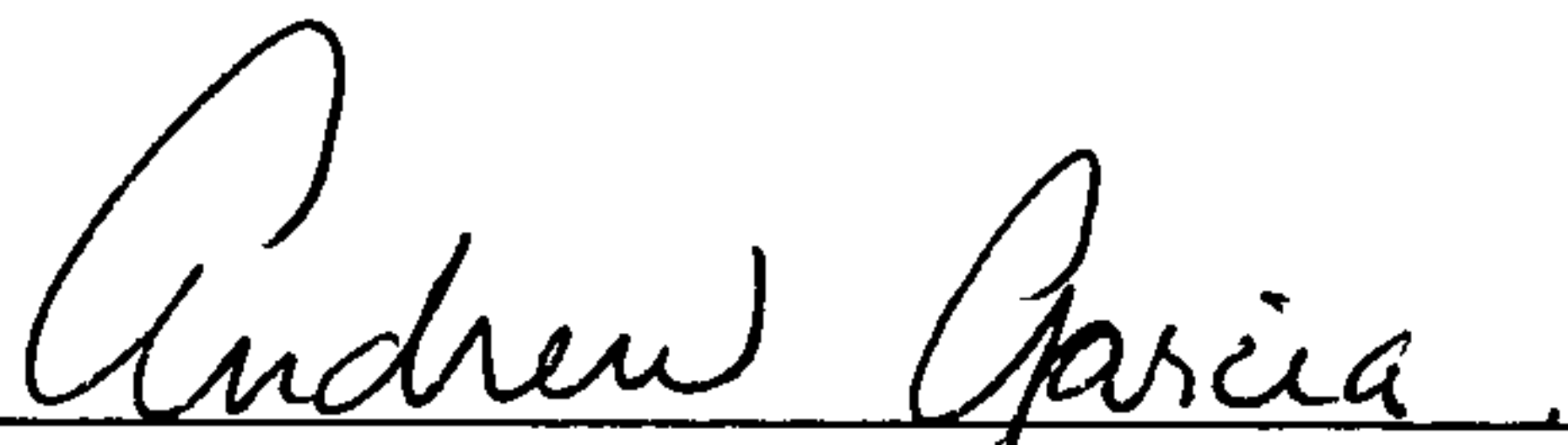
Need copy of approved A.A. showing new lot lines.

In the future, put vacation exhibits on 11" x 14" paper (max).

AGIS dxf is on file.

No objection to this request.

Agent may record plat, provided that Planning receives one copy to close the file.



Andrew Garcia, Planning Alternate
924-3895 Fax 924-3864 agarcia@cabq.gov



to
to
to
to
to

**DEVELOPMENT REVIEW BOARD
ACTION SHEET**

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

April 20, 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: 11:55 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 # 1000788**
05DRB-00508 Major-One Year SIA
WILSON & COMPANY agent(s) for LONGFORD AT PARADISE SKIES request(s) the above action(s) for Tract(s) AAAA-1-A, **PARADISE SKIES SUBDIVISION, UNITS 8 & 9**, zoned R-T, located on MCMAHON BLVD NW, between ROCKCLIFF BLVD NW and UNSER BLVD NW containing approximately 30 acre(s). [REF: 01DRB-00272, 01DRB-00273, 01DRB-00274, 01DRB-01293, 02DRB-00227] (A-10/A-11) **A ONE-YEAR EXTENSION OF THE SIA WAS APPROVED. THIS WILL BE THE LAST EXTENSION.**

2. **Project # 1001674**
05DRB-00519 Major-One Year SIA

MARK GOODWIN & ASSOCIATES agent(s) for SAPPHIRE DEVELOPMENT request(s) the above action(s) for Parcel H-12A, **RIVERVIEW SUBDIVISION**, zoned R-LT, located on ALL SAINTS NW, between COORS BLVD NW and EAGLE RANCH RD NW containing approximately 33 acre(s). (C-13) **A ONE-YEAR EXTENSION OF THE SIA WAS APPROVED.**

3. **Project # 1001871**
05DRB-00505 Major-One Year SIA

MARK GOODWIN & ASSOCIATES, PA agent(s) for RANDALL HOMES, LLC request(s) the above action(s) for all or a portion of Lot(s) 28 & 29, Block(s) 12, Tract(s) 1, NORTH ALBUQUERQUE ACRES, UNIT 3, (to be known as **DESERT HIGHLANDS @ LA CUEVA**, zoned R-D 3DU/AC, located on MODESTO AVE NE, between WYOMING BLVD NE and BARSTOW STREET NE containing approximately 2 acre(s). (C-19) **A ONE-YEAR EXTENSION OF THE SIA WAS APPROVED.**

4. **Project # 1000029**
05DRB-00509 Major-Vacation of
Public Easements

BOHANNAN HUSTON INC. agent(s) for SAWMILL COMMUNITY LAND AND TRUST request(s) the above action(s) for Lot(s) C and B-1A-1, **DUKE CITY LUMBER ADDITION AND LOT D-1-A OF ARBOLERA DE VIDA PHASE 2**, zoned S-MI, S-DR, located on BELLAMAH ST NW, between 19TH ST NW and 18TH ST NW containing approximately 25 acre(s). [REF: 03DRB-01785, 03DRB-01786, 04DRB-01650, 04DRB-01651] (H-13) **VACATION WAS APPROVED AS SHOWN ON EXHIBIT B IN THE PLANNING FILE.**

5. **Project # 1004071**
05DRB-00511 Major-Bulk Land
Variance
05DRB-00512 Major-Vacation of
Public Easements
05DRB-00513 Minor-Prelim&Final Plat
Approval

JEFF MORTENSEN & ASSOCIATES agent(s) for ALBUQUERQUE PUBLIC SCHOOLS & NEW MEXICO STATE LAND OFFICE, request(s) the above action(s) for **GOVERNMENT LOTS 1-4, SECTION 16, 11N, R2E AND THE SOUTH 1/2 OF THE SOUTH 1/2 OF SECTION 16, 11N, R2E, zoned RO-20, located on RAINBOW BLVD NW, between COMPASS DR NW and PETROGLYPH NATIONAL MONUMENT containing approximately 289 acre(s).** [Deferred from 4/20/05] (C-9) **DEFERRED AT THE AGENT'S REQUEST TO 5/11/05.**

6. **Project # 1004073**
05DRB-00514 Major-Preliminary Plat
Approval
05DRB-00515 Major-Vacation of
Public Easements
05DRB-00516 Minor-Subd Design
(DPM) Variance
05DRB-00517 Minor-Sidewalk Waiver
05DRB-00518 Minor-Temp Defer
SDWK

MARK GOODWIN & ASSOCIATES, PA agent(s) for JTH, LLC request(s) the above action(s) for all or a portion of Lot(s) 5, **JUAN TABO HILLS, UNIT 1, zoned R-D, located on JUAN TABO BLVD NE, between EUBANK BLVD SE and FOUR HILLS RD SE containing approximately 102 acre(s).** [Deferred from 4/20/05] (M-21/M-22) **DEFERRED AT THE AGENT'S REQUEST TO 5/18/05.**

7. **Project # 1003236**
05DRB-00452 Major-Vacation of
Public Easements
05DRB-00454 Major-Preliminary Plat
Approval
05DRB-00453 Minor-Temp Defer
SDWK

RIO GRANDE ENGINEERING agent(s) for CLEARBROOK INVESTMENTS INC request(s) the above action(s) for all or a portion of Tract(s) A, **VILLA DE LA CHAMISA, UNIT 1, (to be known as VILLA DE LA CHAMISA, UNIT 2, zoned SU-1 FOR PRD, located on CALLE CHAMISA NW, between VIVALDI TRAIL NW and BIG SAGE NW containing approximately 6 acre(s).** [REF: 04DRB00801, 04DRB00802, 04DRB00799, 04DRB00800, 04DRB00804, 04DRB01739] [Deferred from 4/13/05] (B-10) **VACATION WAS APPROVED AS SHOWN ON EXHIBIT C IN THE PLANNING FILE. WITH THE**

SIGNING OF THE INFRASTRUCTURE LIST DATED 4/20/05 AND APPROVAL OF THE GRADING PLAN ENGINEER STAMP DATED 5/7/04 THE PRELIMINARY PLAT WAS APPROVED WITH CONDITION OF FINAL PLAT: THE LOT NUMBERS NEED TO MATCH THE APPROVED SITE PLAN. THE TEMPORARY DEFERRAL OF CONSTRUCTION OF SIDEWALKS ON THE INTERIOR STREETS WAS APPROVED AS SHOWN ON EXHIBIT B IN THE PLANNING FILE.

8. **Project # 1000692**
05DRB-00407 Major-SiteDev Plan
BldPermit

BDA ARCHITECTS agent(s) for SIVAD ENTERPRISES request(s) the above action(s) for all or a portion of Tract(s) A1A, Block(s) 1, BEAR CANYON VILLAGE, UNIT 2, zoned SU-1 FOR C-1, located on Burlison NE & Wyoming NE between San Antonio NE and Academy NE containing approximately 5 acre(s). [Deferred from 4/6/05 & 4/20/05] (E-19) DEFERRED AT THE AGENT'S REQUEST TO 5/11/05.

9. **Project # 1003470**
04DRB-01522 Major-Bulk Land
Variance
04DRB-01523 Major-Preliminary Plat
Approval
04DRB-01524 Minor-Temp Defer
SDWK

WILSON & COMPANY agent(s) for SPS LLC, SCOTT SCHIABOR request(s) the above action(s) for all or a portion of Tract(s) 1A, 2A, 1B & 2B, KASSUBA-MONTBEL LANDS, (to be known as VISTA VIEJA SUBDIVISION, zoned R-1 residential zone, located west of 81ST ST NW and southwest of ATRISCO NW between 81ST ST NW and ALBERICOQUE PL NW containing approximately 152 acre(s). [REF: 04DRB00825, 04DRB01460] [Deferred from 11/3/04, 11/10/04, 12/1/04, 1/12/05 & 2/16/05 & 3/16/05 & 3/30/05 & 4/6/05] (D-9) BULK LAND VARIANCE WAS APPROVED. PRELIMINARY PLAT WAS DEFERRED TO 4/27/05. TEMPORARY DEFERRAL OF SIDEWALKS WAS DEFERRED TO 4/27/05.

05DRB-00609 Minor-Prelim&Final Plat
Approval

WILSON & COMPANY agent(s) for SPS LLC, SCOTT SCHIABOR request(s) the above action(s) for all or a portion of Tract(s) 1A, 1B, 2A and 2B, KASSUBA-MONTBEL LANDS, (to be known as VISTA VIEJA SUBDIVISION, zoned R-1 residential zone, located on 81ST ST NW, between ALBERICOQUE PL NW and SCENIC RD NW containing approximately 159 acre(s). [REF: 04DRB01522, 04DRB01523, 04DRB01524] (D-9) **PRELIMINARY AND FINAL PLAT WERE APPROVED AND SIGNED OFF BY THE BOARD.**

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.

10. **Project # 1003872**
05DRB-00604 Minor-SiteDev Plan
BldPermit/EPC

SITES SOUTHWEST agent(s) for CITY OF ALBUQUERQUE WATER UTILITY request(s) the above action(s) for all or a portion of Tract(s) B, **SUNPORT MUNICIPAL ADDITION**, zoned SU-1 GOLF COURSE AND RELATED FACILITIES, located on SAN JOAQUIN SE, between GIRARD SE and WELLESLEY SE containing approximately 2 acre(s). [REF: 05EPC-00023, ZA-77-219] **[Stephanie Shumsky, EPC Case Planner] (L-16) SITE PLAN FOR BUILDING PERMIT WERE APPROVED WITH FINAL SIGN OFF DELEGATED TO PLANNING FOR EPC CASE PLANNER'S INITIALS.**

11. **Project # 1004112**
05DRB-00603 Minor-SiteDev Plan
BldPermit

ABQ ENGINEERING agent(s) for BRUCE BESSER request(s) the above action(s) for all or a portion of Lot(s) 1, **MERIDIAN BUSINESS PARK**, zoned IP, located on LOS VOLCANOS RD NW, between SILVER CREEK RD NW and GALLATIN PL NW. [REF: DRB-97-59, Z-92-57] *[Deferred from 4/20/05]* (K-10) **DEFERRED AT THE AGENT'S REQUEST TO 4/27/05.**

12. **Project # 1004090**
05DRB-00608 Minor-SiteDev Plan
BldPermit

JLS ARCHITECTS agent(s) for JIM HAKEEM request(s) the above action(s) for all or a portion of Lot(s) 1, Block(s) 17, Tract(s) 2, **NORTH ALBUQUERQUE ACRES, UNIT 3**, zoned R-D residential and related uses zone, developing area, located on WYOMING NE and CORONA AVE NE containing approximately 2 acre(s). [REF: 05DRB00559] (C-19) **SITE PLAN FOR BUILDING PERMIT WAS APPROVED WITH FINAL SIGN OFF DELEGATED TO TRANSPORTATION DEVELOPMENT FOR MINOR CORRECTIONS.**

13. **Project # 1003360**
05DRB-00623 Minor-SiteDev Plan
BldPermit/EPC

CHERRY/SEE ARCHITECTS agent(s) for CITY OF ALBUQUERQUE, COMMUNITY & FAMILY SERVICES request(s) the above action(s) for all or a portion of Tract(s) A, **JOHN ADAMS MULTIPURPOSE CENTER**, zoned SU-1 FOR CENTER/PARK, located on GLENRIO RD NW, between 56TH ST NW and LOMA HERMOSA DR NW containing approximately 4 acre(s). [REF: 04EPC00487, 04EPC00486] [Russell Brito for Debbie Stover, EPC Case Planner] (J-11) **SITE PLAN FOR BUILDING PERMIT WAS APPROVED WITH FINAL SIGN OFF DELEGATED TO TRANSPORTATION DEVELOPMENT FOR MINOR COMMENTS AND TO PLANNING FOR EPC CASE PLANNER'S INITIALS.**

14. **Project # 1002371**
05DRB-00560 Minor-SiteDev Plan
BldPermit/EPC

TIERRA WEST LLC agent(s) for HOFFMANTOWN WEST CHURCH request(s) the above action(s) for all or a portion of Block(s) 15, Tract(s) 1A1, ALBAN HILLS, UNIT 1, (to be known as **HOFFMANTOWN WEST CHURCH**) zoned SU-1 FOR R-2 WITH CHURCH RELATED USES, located on LA ORILLA

NW, between COORS BLVD NW and CORRALES DRAIN containing approximately 17 acre(s). [REF:02DRB01824, 03DRB02150] [Elvira Lopez, EPC Case Planner] [Deferred from 4/13/05 & 4/20/05] (D-12) DEFERRED AT THE AGENT'S REQUEST TO 4/27/05.

15. **Project # 1000163**
05DRB-00554 Minor-SiteDev Plan
BldPermit/EPC

SANDERS & ASSOCIATES ARCHITECTS agent(s) for DR. AND MRS. ERNESTO GARZA request(s) the above action(s) for all or a portion of Tract(s) E, LA CUEVA VILLAGE, zoned C-2 (SC), located on CARMEL AVE NE, between WYOMING BLVD NE and BARSTOW NE containing approximately 1 acre(s). [REF: 04EPC-01828] [Elvira Lopez, EPC Case Planner] [Deferred from 4/13/05] (C-19) SITE PLAN FOR BUILDING PERMIT WAS APPROVED AND SIGNED OFF BY THE BOARD.

16. **Project # 1001932**
05DRB-00523 Minor-SiteDev Plan
BldPermit/EPC

CLAUDIO VIGIL ARCHITECTS agent(s) for PAUL HEDGES request(s) the above action(s) for all or a portion of Tract(s) C, WEST RIDGE, UNIT 1, (to be known as GUARDIAN SELF STORAGE) zoned SU-1 FOR C-1 AND IP USES, located at the southeast corner of OURAY RD NW and TWIN OAKS DR NW, containing approximately 4 acre(s). [REF: AX-80-18, Z-80-87, 04EPC01718] [David Stallworth, EPC Case Planner] [Deferred from 4/6/05] (G-10) SITE PLAN FOR BUILDING PERMIT WAS APPROVED AND SIGNED OFF BY THE BOARD.

17. **Project # 1003231**
05DRB-00588 Major-Final Plat
Approval

WILSON & COMPANY agent(s) for LONGFORD @ ARROWWOOD, LLC request(s) the above action(s) for all or a portion of Tract(s) 30A-1, **LANDS OF SALAZAR/QUATRO/JSJ/HANNETT**, zoned RLT, located on 98TH STREET SW, between RIO BRAVO SW and BLAKE SW containing approximately 30 acre(s). [REF: 04DRB00263, 05DRB00483, 05DRB00484, 5DRB00485, 05DRB00389, 05DRB00390] (N-9) **FINAL PLAT WAS APPROVED AND SIGNED OFF BY THE BOARD.**

18. **Project # 1003471**
05DRB-00595 Minor-Final Plat
Approval

SURV-TEK, INC agent(s) for CURB WEST, INC request(s) the above action(s) for all or a portion of Tract(s) B-2-A, **SEVILLE SUBDIVISION**, zoned R-1, located on SEGOVIA NW east of KAYENTA NW and containing approximately 24 acre(s). [REF: 04DRB00826, 008A27, 04DRB01224, 01225, 04DRB01948, 01949, 05DRB00083, 00084] (A-10) **FINAL PLAT WAS APPROVED WITH FINAL SIGN OFF DELEGATED TO CITY ENGINEER FOR AMAFCA'S SIGNATURE.**

19. **Project # 1002196**
05DRB-00610 Major-Final Plat
Approval

WAYJOHN SURVEYING INC agent(s) for DRAGONFLY DEVELOPMENT INC request(s) the above action(s) for all or a portion of Tract(s) 1-B, TOWN OF ATRISCO GRANT, (to be known as **LOS ANTEPASADOS, UNIT 6**) zoned SU-1 FOR MH PARK, located on SUNSET GARDENS RD SW, between CORRIGEDOR SW and FOOTHILL SW containing approximately 6 acre(s). [REF: DRB-91-385, 02EPC01356, 03EPC02048, 04CC00130, 04DRB00873, 04DRB00875, 04DRB00877] (K-11) **FINAL PLAT WAS APPROVED WITH FINAL SIGN OFF DELEGATED TO PARKS FOR CASH-IN-LIEU**

AND PLANNING FOR ENVIRONMENTAL HEALTH SIGNATURE, A NOTE ON THE PLAT: MAINTENANCE AND REPAIR EASEMENTS SHOWN ON FINAL PLAT FOR ZERO LOT LINES AND FOR QWEST SIGNATURES.

20. **Project # 1003762**
05DRB-00611 Minor-Prelim&Final Plat Approval

JEFF MORTENSEN & ASSOCIATES agent(s) for ALBUQUERQUE PUBLIC SCHOOLS REAL ESTATE OFFICE request(s) the above action(s) for all or a portion of Block(s) 11, Tract(s) K, **PANORAMA HEIGHTS**, zoned R-1 residential zone, located on CONSTITUTION AVE NE, between CHELWOOD PARK BLVD NE and INDIAN SCHOOL RD NE containing approximately 18 acre(s). [REF: 04EPC01714, 05DRB00316] (J-22) **PRELIMINARY PLAT WAS APPROVED WITH FINAL SIGN OFF DELEGATED TO PLANNING FOR AGIS DXF FILE.**

21. **Project # 1004104**
05DRB-00592 Minor-Prelim&Final Plat Approval

SURVEYS SOUTHWEST LTD agent(s) for KEN & PATRICIA MAESTAS request(s) the above action(s) for all or a portion of Lot(s) 2 & 3, **MAESTAS SUBDIVISION**, zoned R-1, located on LOS POBLANOS LN NW, between GUADALUPE TR NW and SANDIA RD NW containing approximately 1 acre(s). [REF: Z-86-23,AX-86-3, DRB-86-623] (F-14) **PRELIMINARY AND FINAL PLAT APPROVED AND SIGNED OFF BY THE BOARD.**

22. **Project # 1003694**
05DRB-00613 Minor-Prelim&Final Plat Approval
05DRB-00614 Minor-Subd Design (DPM) Variance
- CHRISTOPHER CALOTT request(s) the above action(s) for all or a portion of Lot(s) BB, **ALVARADO GARDENS NO. 2**, zoned RA-2 W7, located on CAMPBELL RD NW, between GLENWOOD NW and TRELIS DR NW containing approximately 1 acre(s). [REF: 04DRB01485] (G-12) **PRELIMINARY PLAT WAS APPROVED WITH FINAL SIGN OFF DELEGATED TO PARKS FOR CASH-IN-LIEU AND PLANNING FOR AGIS DXF FILE. THE SUBDIVISION DESIGN VARIANCE WAS APPROVED AS SHOWN ON EXHIBIT D IN THE PLANNING FILE.**
23. **Project # 1002778**
05DRB-00606 Minor-Prelim&Final Plat Approval
- BOHANNAN HUSTON INC agent(s) for VENTANA WEST LLC request(s) the above action(s) for all or a portion of Tract(s) D-1 & D-2, **VENTANA RANCH WEST**, zoned R-LT residential zone, located on VENTANA WEST PARKWAY NW, between VENTANA RIDGE RD NW and PASEO DEL NORTE BLVD NW containing approximately 4 acre(s). [REF: 04DRB00126, 00127, 00128, 03EPC01057, 01058] (B-8/B-9) **PRELIMINARY PLAT APPROVED WITH FINAL SIGN OFF DELEGATED TO PLANNING FOR AGIS DXF FILE.**
24. **Project #:1002459**
05DRB-00616 Minor-Prelim&Final Plat Approval
05DRB-00615 Minor-Vacation of Private Easements
- TIERRA WEST LLC agent(s) for QUAIL RIDGE LLC request(s) the above action(s) for all or a portion of Tract(s) 1, 3, 4, 5, **QUAIL RIDGE**, zoned C-2 (SC), located on COORS BLVD NW, between OURAY RD NW and QUAIL RD NW containing approximately 4 acre(s). [REF:03EPC00159,03EPC00160, 4AA00871] (H-11) **PRELIMINARY PLAT WAS APPROVED WITH FINAL SIGN OFF DELEGATED TO PLANNING FOR A COPY OF THE APPROVED AA SHOWING NEW LOT LINES. THE VACATION OF PRIVATE EASEMENTS WAS APPROVED AS SHOWN ON EXHIBIT B IN THE PLANNING FILE.**

25. **Project # 1004061**
05DRB-00499 Minor-Prelim&Final Plat
Approval

PRECISION SURVEYS INC agent(s) for CONNIE & ZACK LOVELADY, CZ ENTERPRISES request(s) the above action(s) for all or a portion of Lot(s) 25, **ALVARADO GARDENS, UNIT 1**, zoned RA-2, located on MATTHEW AVE NW and MEADOW VIEW DR NW and containing approximately 1 acre(s). *[Deferred from 3/30/05 & 4/13/05]* (G-13) **INDEFINITELY DEFERRED AT THE AGENT'S REQUEST.**

26. **Project # 1001409**
05DRB-00531 Minor-Prelim&Final Plat
Approval

ADVANCED ENGINEERING & CONSULTING agent(s) for SAIFI TALEBREZA request(s) the above action(s) for all or a portion of Lot(s) 20-A, Block(s) 1, **CANDELIGHT FOOTHILLS, UNIT 1**, zoned R-1, located on LOMAS BLVD NE, between MONTE LARGO DR NE and SUMMIT HILLS DR NE containing approximately 2 acre(s). [REF: 01DRB01160, 01DRB01819, 02DRB01863, 03DRB02032, 04DRB01425] *[Deferred from 4/6/05 & 4/13/05]* (J-23) **WITH THE SIGNING OF THE INFRASTRUCTURE LIST DATED 4/20/05 AND APPROVAL OF THE GRADING PLAN ENGINEER STAMP DATED 4/19/05 THE PRELIMINARY PLAT WAS APPROVED WITH THE CONDITION: NEED TO INCLUDE THE DESCRIPTION OF THE PUBLIC UTILITY EASEMENT (PUE). FINAL PLAT WAS INDEFINITELY DEFERRED FOR THE SIA.**

27. **Project # 1003554**
05DRB-00530 Minor-Prelim&Final Plat
Approval

TIERRA WEST LLC agent(s) for AMC DEVELOPMENT INC request(s) the above action(s) for all or a portion of Lot(s) 1-8, Block(s) 9 and Lot(s) 2-9, Block(s) 8, **SKYLINE HEIGHTS, (to be known as CENTRAL PARK PLACE, PHASE 1)** zoned C-2, located on CENTRAL AVE SE, between CONCHAS ST SE and EUBANK BLVD SE containing approximately 4 acre(s). [REF: ZA-88-406, 04DRB01099, 04DRB01100] *[Deferred from 4/6/05]* (L-20) **WITH THE SIGNING OF THE INFRASTRUCTURE LIST DATED 4/20/05 THE PRELIMINARY PLAT WAS APPROVED. FINAL PLAT WAS INDEFINITELY DEFERRED FOR THE SIA.**

28. **Project # 1002247**
04DRB-00890 Minor-Final Plat
Approval

BOHANNAN HUSTON, INC agent(s) for HUNT UPTOWN, LLC request(s) the above action(s) for all or a portion of Tract(s) A, **ALBUQUERQUE UPTOWN SITE, ST. PIUS X SUBDIVISION**, zoned SU-3 special center zone, located on INDIAN SCHOOL RD NE, between LOUISIANA BLVD NE and ESPANOLA ST NE containing approximately 18 acre(s). [REF: 1001164, 04DRB-00830] *(Deferred from 6/16/04)[Final Plat Indef Deferred 6/23/04 for SIA]* (H-19) **FINAL PLAT WAS APPROVED WITH FINAL SIGN OFF DELEGATED TO CITY ENGINEER FOR RECORDING OF PAPER EASEMENT AND TRANSPORTATION DEVELOPMENT FOR SIDEWALK EASEMENTS WITH EXHIBIT AND AGIS DXF FILE.**

NO ACTION IS TAKEN ON THESE CASES:
APPLICANT - AGENT IS REQUIRED TO BE AT THE MEETING

29. **Project # 1004110**
05DRB-00601 Minor-Sketch Plat or Plan

Alexander and Donette Garcia, request(s) the above action(s) for all or a portion of Tract(s) 108-D, **M.R.G.C.D. MAP 31**, zoned RA-2, located on RIO GRANDE BLVD NW, between ELFEGO RD NW and MANUEL TORRES LN NW containing approximately 1 acre(s). (F-13) **THE ABOVE REQUEST WAS REVIEWED AND COMMENTS WERE GIVEN.**

30. Approval of the Development Review Board Minutes for Month April 6, 2005. **DRB MINUTES FOR APRIL 6, 2005 WERE APPROVED BY THE BOARD.**

ADJOURNED: 11:55 A.M.

#10



DRB CASE ACTION LOG (PREL & FINAL)

REVISED 9/28/05

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-01738 (P&F)
Project Name: QUAIL RIDGE
Agent: Tierra West LLC

Project # 1002459
Phone No.: 858-3100

Project Number 1002459

Your request for (SDP for SUB), (SDP for BP), (FINAL PLATS), (MASTER DEVELOP. PLAN), was approved on 11/23/05 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): AGIS Jxf

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

2459

DXF Electronic Approval Form

DRB Project Case #: 1002459

Subdivision Name: QUAIL RIDGE TRACTS 1A, 3A, 4A, & 5A

Surveyor: RUSS P HUGG

Contact Person: JACK LASKOWSKI

Contact Information: 897-3366

DXF Received: 4/12/2005 Hard Copy Received: 4/12/2005

Coordinate System: Ground rotated to NMSP Grid



Approved

04-12-2005

Date

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

AGIS Use Only

Copied cov **2459** to agiscov on **4/12/2005** Contact person notified on **4/12/2005**



#10

Case Out
5/25/04

PART 1

DRB CASE ACTION LOG (SITE PLANS)

REVISED 3/20/2003

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.: 03-01758 (SPS) & 03-01759 (SBP)

Project # 1002459

Project Name: QUAIL RIDGE

EPC Application No.: 03EPC-00159, 00160

Agent: Tierra West LLC

Phone No.: 858-3100

Project Number

1002459

Your request for (SDP for SUB), (SDP for BP), (FINAL PLATS), (MASTER DEVELOP. PLAN), was approved on 10/29/03 by the DRB with delegation of signature(s) to the following departments. OUTSTANDING SIGNATURES COMMENTS TO BE ADDRESSED

TRANSPORTATION: _____

UTILITIES: _____

CITY ENGINEER / AMAFCA: 31A (ok) _____

PARKS / CIP: _____

PLANNING (Last to sign) *Quanita's sign issues*

- 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.
- Copy of final plat AND a DXF File for AGIS is required.
- Copy of recorded plat for Planning.

1971

10/105920043520602

10/105920043520602



#10

Completed
5/18/04
PART 2.15.

DRB CASE ACTION LOG (PREL & FINAL)

REVISED 3/20/2003

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.: 03-01760 (P&F)
Project Name: QUAIL RIDGE
Agent: Tierra West LLC

Project # 1002459
EPC Application No.: 03EPC-00159, 00160
Phone No.: 858-3100

Your request for (SDP for SUB), (SDP for BP), (FINAL PLATS), (MASTER DEVELOP. PLAN), was approved on 10/29/09 by the DRB with delegation of signature(s) to the following departments.
OUTSTANDING SIGNATURES COMMENTS TO BE ADDRESSED

TRANSPORTATION: _____

UTILITIES: _____

CITY ENGINEER / AMAFCA: Covenants ✓

PARKS / CIP: _____

PLANNING (Last to sign): DXF done

- 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.**
- Copy of final plat AND a DXF File for AGIS is required.**
- Copy of recorded plat for Planning.**

Project Number

1002459

AGIS ELECTRONIC PLAT APPROVAL FORM

DRB Project Case # 1002459
 Subdivision Name Quail Ridge, Tracts 1-6
 Surveyor Russ Hugg
 Company/Agent Surv Tek / Tierra West
 Contact Person Karen Kline Phone # 858-3100 email _____

DXF Received Date: 5/16/04
 Hard-Copy Date: 5/17/04

Coordinate system: NMSP Grid (NAD 83) NMSP Grid (NAD 27) Ground rotated to NMSP Grid Other

Patricia M. Gist 5/17/04
 Approved Date

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

AGIS Use Only		
Copied cov <u>2459</u> to agiscov.	Date: <u>5/17/04</u>	Contact person Notified on: <u>5/17/04</u>

7



Completed 5/3/04
BA

DRB CASE ACTION LOG ~~(Amend. Site Plan Sub)~~

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.: **04DRB-00567 (SPS)**
Project Name: **WH BRUNNELL ADD. UNIT 8**
ATRISCO GRANT
Agent: **Tierra West LLC**

Project # **1002459**
Phone No.: **858-3100**

Project Number 1002459

Your request for (SDP for SUB) (SDP for BP), (FINAL PLATS), (MASTER DEVELOP. PLAN), was approved on 4/21/04 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.**

7



Completed 5/3/04

RJA

DRB CASE ACTION LOG (SITE PLAN BLD. PERMIT)

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.: **04DRB-00566 (SBP)**

Project # **1002459**

Project Name **WH BRUNELL ADD & UNIT 8, ATRISCO GRANT**

Agent: **Tierra West LLC**

Phone No.: **858-3100**

Your request for (SDP for SUB, (SDP for BP), **FINAL PLATS**), (MASTER DEVELOP. PLAN), was approved on 4/21/04 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

1002459

7



DRB CASE ACTION LOG ~~(Amend. Site Plan Sub)~~

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.: **04DRB-00567 (SPS)**
Project Name: **WH BRUNNELL ADD. UNIT 8 ATRISCO GRANT**
Agent: **Tierra West LLC**

Project # **1002459**
Phone No.: **858-3100**

Your request for (SDP for SUB) (SDP for BP), (FINAL PLATS), (MASTER DEVELOP. PLAN), was approved on 4/21/04 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 1002459

7



DRB CASE ACTION LOG (SITE PLAN BLD. PERMIT)

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.: **04DRB-00566 (SBP)**

Project # **1002459**

Project Name **WH BRUNELL ADD & UNIT 8, ATRISCO GRANT**

Agent: **Tierra West LLC**

Phone No.: **858-3100**

Your request for (~~SDP for SUB~~ **SDP for BP**), (~~FINAL PLATS~~), (~~MASTER DEVELOP. PLAN~~), was approved on **4/21/04** 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 1002459



**DEVELOPMENT REVIEW BOARD
ACTION SHEET**

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

April 21, 2004

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: 11:50 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 # 1000131**
04DRB-00460 Major-Two Year SIA

MARK GOODWIN & ASSOCIATES, PA agent(s) for BROADWAY DEVELOPMENT CO. request(s) the above action(s) for all or a portion of **BROADWAY INDUSTRIAL CENTER, UNIT 2**, zoned SU-2 HM, located on SAN JOSE AVE, between BROADWAY BLVD and I-25 containing approximately 45 acre(s). [REF: DRB-97- 271, 04DRB-00383] (M-14) **TWO-YEAR EXTENSION OF THE SIA WAS APPROVED.**

2. **Project # 1000364**
04DRB-00448 Major-Two Year SIA
- BRET OR DEBRA A TABOR request(s) the above action(s) for all or a portion of Block(s) 1, Tract(s) 1-B-1, **CHANSLOR'S REPLAT OF GALLAGHER ADDITION**, zoned C-2 community commercial zone, located on CENTRAL AVE NE, between BURMA NE and LINN AVE NE containing approximately 1 acre(s). [REF: DRB-97-396, 00410-00363] (L-22) **TWO-YEAR EXTENSION OF THE**
3. **Project # 1000515**
04DRB-00444 Major-Two Year SIA –
Procedure "B" Modified
- WESTLAND DEVELOPMENT CO., INC request(s) the above action(s) for all or a portion of Tract(s) B, **MIREHAVEN ARROYO, THE CROSSING**, zoned SU-2/R-LT, located west of UNSER BLVD NW, between LADERA DR NW and TIERRA PINTADA ST containing approximately 50 acre(s). [REF: 00420-00632, 00440-00631, 02500-00159] (H-9) **TWO-YEAR EXTENSION OF**
4. **Project # 1003354**
04DRB-00458 Major-Vacation of Public
Easements
04DRB-00457 Major-Preliminary Plat
Approval
04DRB-00459 Minor-Temp Defer SDWK
04DRB-00461 Minor-Sidewalk Waiver
- ISAACSON & ARFMAN P.A. agent(s) for CENTEX HOMES request(s) the above action(s) for all or a portion of Tract(s) A, **THE TRAILS**, (to be known as **HERITAGE @ THE TRAILS, UNIT 1**), zoned R-D residential and related uses zone, developing area, located on PASEO DEL NORTE BLVD NW, between UNIVERSE BLVD NW and RAINBOW BLVD NW containing approximately 14 acre(s). [REF: 1002962, 03DRB-01528] (C-9) **THE VACATION WAS APPROVED AS SHOWN ON EXHIBIT B IN THE PLANNING FILE. WITH THE SIGNING OF THE INFRASTRUCTURE LIST DATED 4/21/04 AND APPROVAL OF THE GRADING PLAN ENGINEER STAMP DATED 3/24/04 THE PRELIMINARY PLAT WAS APPROVED WITH THE FOLLOWING CONDITION OF FINAL PLAT: AN APPROVED PERIMETER WALL SUBMITTAL IS REQUIRED PRIOR TO CONSTRUCTION TAKING PLACE. TEMPORARY DEFERRAL OF CONSTRUCTION OF SIDEWALKS ON THE INTERIOR STREETS WAS APPROVED AS SHOWN ON EXHIBIT C IN THE PLANNING FILE. A SIDEWALK VARIANCE FOR WAVIER OF SIDEWALKS WAS APPROVED AS SHOWN ON EXHIBIT C IN THE PLANNING FILE.**

5. **Project # 1003353**
04DRB-00454 Major-Vacation of Public Easements
04DRB-00452 Major-Preliminary Plat Approval
04DRB-00456 Minor-Sidewalk Waiver
04DRB-00453 Minor- Temp Deferral of Sidewalk

ISAACSON & ARFMAN, P.A. agent(s) for CENTEX HOMES request(s) the above action(s) for all or a portion of Tract(s) B, THE TRAILS, (To be known as **HERITAGE @ THE TRAILS, UNIT 2**, zoned R-D, located on PASEO DEL NORTE BLVD NW, between UNIVERSE BLVD NW and RAINBOW BLVD NW containing approximately 10 acre(s). [REF: 1002962, 03DRB-01528 (C-9) **THE VACATION WAS APPROVED AS SHOWN ON EXHIBIT B IN THE PLANNING FILE. WITH THE SIGNING OF THE INFRASTRUCTURE LIST DATED 4/21/04 AND APPROVAL OF THE GRADING PLAN ENGINEER STAMP DATED 3/24/04 THE PRELIMINARY PLAT WAS APPROVED WITH THE FOLLOWING CONDITION OF FINAL PLAT: AN APPROVED PERIMETER WALL SUBMITTAL IS REQUIRED PRIOR TO CONSTRUCTION TAKING PLACE. A SIDEWALK VARIANCE FOR WAIVER OF SIDEWALKS WAS APPROVED AS SHOWN ON EXHIBIT C IN THE PLANNING FILE. THE SIDEWALK WAIVER EXHIBIT HAS BEEN REVISED TO SHOW LOT 27 IS NOT TO BE INCLUDED. TEMPORARY DEFERRAL OF CONSTRUCTION OF SIDEWALKS ON THE INTERIOR STREETS WAS APPROVED AS SHOWN ON EXHIBIT C IN THE PLANNING FILE.**

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.

6. **Project # 1001074**
04DRB-00564 Minor-SiteDev Plan
BldPermit/EPC

LEE GAMELSKY ARCHITECTS P.C. agent(s) for CITY OF ALBUQUERQUE, OPEN SPACE DIVISION request(s) the above action(s) for all or a portion of Tract(s) R-1A, C1, **ROBERSON RANCH** and Tract(s) F, **MARIAN ROCCO**, zoned SU-1 FOR MPOS, located on COORS BLVD NW, between BOSQUE MEADOWS NW and LA ORILLA NW containing approximately 56 acre(s). [REF: 04EPC-00129, Z-88-20, DRB-94-104, DRB-97-145, V-97-52, 01EPC-00244, 01DRB-00614] [**Debbie Stover, EPC Case Planner**] (D-13) **SITE PLAN FOR BUILDING PERMIT WAS APPROVED AND SIGNED OFF BY THE BOARD.**

7. ~~Project # 1002459~~
04DRB-00566 Minor-SiteDev Plan
BldPermit/EPC
04DRB-00567 Minor- SitePlan Subd/EPC
- TIERRA WEST LLC agent(s) for SCM PROPERTY COMPANY LLC request(s) the above action(s) for all or a portion of Tract(s) 358 & 359 and a portion of Tract(s) A21, **W. H. BRUNELL ADDITION & UNIT 8 ATRISCO GRANT**, zoned SU-1 COMMUNITY DEVELOPMENT C-2 USES & TRUCK TERM, located on COORS BLVD NW, between OURAY RD NW and QUAIL RD NW containing approximately 8 acre(s). [REF: Z-71-204, Z-77-155, 03EPC-00159, 03EPC-00160, 03EPC-02187] [Juanita Vigil, EPC Case Planner] (H-11) **SITE PLAN FOR BUILDING PERMIT WAS APPROVED AND SIGNED OFF BY THE BOARD. SITE PLAN FOR SUBDIVISION WAS APPROVED AND SIGNED OFF BY THE BOARD.**
8. **Project # 1003378**
04DRB-00559 Minor-SiteDev Plan
BldPermit
- GORDON HALL ARCHITECT agent(s) for JOE GONZALES request(s) the above action(s) for all or a portion of Lot(s) 4, **VOLCANO BUSINESS PARK, PHASE 1**, zoned SU-1 special use zone, for C-1 & IP, located on TODOS SANTOS ST NW, between OURAY RD NW and LADERA DR NW containing approximately 1 acre(s). [REF:Z-80-87-6] [Deferred from 4/21/04] (G-10) **DEFERRED AT THE AGENT'S REQUEST TO 5/5/04.**
9. **Project # 1003383**
04DRB-00569 Minor-SiteDev Plan
BldPermit
- MULLEN HELLER ARCHITECTURE PC agent(s) for AVALON INVESTMENTS request(s) the above action(s) for all or a portion of Tract(s) 3-C, **LANDS OF LOS ANGELES INVESTORS**, zoned SU-2, M1, located on PASEO DEL NORTE FRONTAGE RD NE, between JEFFERSON NE and INTERSTATE 25 containing approximately 2 acre(s). [Deferred from 4/21/04] (C-17) **DEFERRED AT THE AGENT'S REQUEST TO 4/28/04.**

10. **Project # 1003012**
04DRB-00523 Minor-SiteDev Plan
BldPermit/EPC

WILLIAM MCCONNELL ARCHITECT agent(s) for TOWER ROAD BAPTIST CHURCH, BILL PADILLA request(s) the above action(s) for all or a portion of Lot(s) 430, TOWER ROAD BAPTIST CHURCH, TOWN OF ATRISCO GRANT, UNIT 3, zoned SU-1 special use zone Church Facility, located on 86th STREET SW, between TOWER RD SW and SAN YGNACIO RD SW containing approximately 2 acre(s). [REF: 03EPC-01675, 03EPC-01796] [Mary Piscitelli, EPC Case Planner] [Deferred from 4/14/04] (L-9) **INDEFINITELY DEFERRED AT THE AGENT'S REQUEST.**

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

11. **Project # 1002423**
04DRB-00565 Minor-Final Plat Approval

BOHANNAN HUSTON, INC agent(s) for CENTEX HOMES, request(s) the above action(s) for all or a portion of Tract(s) E-1, **EL RANCHO GRANDE, UNIT 10**, zoned R-2 for R-T and R-LT, located on CARTAGENA AVE SW, between GIBSON BLVD SW and DE ANZA DR SW containing approximately 20 acre(s). [REF: 03DRB-00749] (N-9) **FINAL PLAT WAS APPROVED AND SIGNED OFF BY THE BOARD.**

12. **Project # 1002663**
04DRB-00552 Major-Final Plat Approval

GREATER ALBUQUERQUE HOUSING PARTNERSHIP, request(s) the above action(s) for all or a portion of Tract(s) E, NEW MEXICO CREDIT CORPORATION, **EL PORVENIR**, zoned C-3, located on BROADWAY NE, between LOMAS BLVD NE and MARBLE NE containing approximately 2 acre(s). (J-14) **FINAL PLAT WAS APPROVED AND DELEGATED TO PLANNING FOR REAL PROPERTY'S SIGNATURE.**

13. **Project # 1002798**
04DRB-00572 Minor-Vacation of Private Easements
- ADVANCED ENGINEERING & CONSULTING agent(s) for WILLIAM HOLLER request(s) the above action(s) for all or a portion of Tract(s) 83-A-2, M.R.G.C.D. MAP 34, Tract(s) A, **RIMA ADDITION**, and Tract(s) A-1, **LANDS OF CONRADO GARCIA**, zoned C-2, located on CANDELARIA RD NW, between 12TH ST NW and RIO GRANDE BLVD NW containing approximately 3 acre(s). [REF: Z-72-Z16, 03DRB-01122, 03EPC-01673, 03EPC-01674] (G-13) **VACATION WAS APPROVED AS SHOWN ON EXHIBIT B IN THE PLANNING FILE.**
14. **Project # 1003381**
04DRB-00561 Minor-Prelim&Final Plat Approval
- SURV-TEK, INC agent(s) for CUMMINS ROCKY MOUNTAIN, LLC request(s) the above action(s) for all or a portion of Block(s) 10-A, Tract(s) 6-A, **FRANCISCAN ACRES**, zoned SU-2 / M-1, located on INDIAN SCHOOL RD NE, between COMMERCIAL ST NE and BROADWAY BLVD NE containing approximately 6 acre(s). [REF: DRB-99-240, V-99-78] (H-14) **PRELIMINARY PLAT WAS APPROVED WITH FINAL PLAT SIGN OFF DELEGATED TO TRANSPORTATION DEVELOPMENT FOR CROSS SECTION TO EVALUATE DEDICATION REQUIREMENTS AND RADIUS DEDICATIONS AND PLANNING FOR AGIS DXF FILE.**
15. **Project # 1002848**
04DRB-00571 Minor-Final Plat Approval
- TIERRA WEST LLC agent(s) for PJ DEVELOPMENT COMMERCIAL CONSTRUCTION request(s) the above action(s) for all or a portion of Tract(s) A & B, **AMERICAN TOYOTA**, zoned SU-2, SU-1 AUTO SALES SERVICE REP, located on ALAMEDA BLVD NE, between PAN AMERICAN FWY NE and SAN PEDRO DRIVE NE containing approximately 5 acre(s). [REF: 1002201, DRB-95-74, 03DRB-01270] (C-18) **FINAL PLAT WAS APPROVED WITH FINAL SIGN OFF DELEGATED TO PLANNING FOR PERIMETER WALL SUBMITTAL AND PROPERTY MANAGEMENT'S SIGNATURE.**

16. **Project # 1003384**
04DRB-00570 Minor-Prelim&Final Plat
Approval

TIERRA WEST LLC agent(s) for RSF LAND & CATTLE COMPANY LLC request(s) the above action(s) for all or a portion of Tract(s) TR.MM-1, **SEVEN BAR RANCH**, zoned C-2 (SC), located on SEVEN BAR LOOP RD NW, between COTTONWOOD DR NW and OLD AIRPORT AVE NW containing approximately 7 acre(s). [REF: AX-85-28, Z-85-34-1(2 SD-78-3-2, Z-93-35, CZ-85-72] (B-14) **PRELIMINARY PLAT WAS APPROVED WITH FINAL PLAT SIGN OFF DELEGATED TO CITY ENGINEER FOR CROSS LOT DRAINAGE EASEMENT AND NEW MEXICO UTILITIES INC. SIGNATURE ON THE PLAT.**

17. **Project # 1003291**
04DRB-00528 Minor-Prelim&Final Plat
Approval

SURVEYS SOUTHWEST LTD agent(s) for JOSEPH & KATHLEEN COWHAM request(s) the above action(s) for all or a portion of Tract(s) 14, M.R.G.C.D. MAP 35, **LANDS OF COWHAM-BOWEN**, zoned R-LT residential zone, located on RIO GRANDE BLVD NW, between CONTRERAS PL NW and MATTHEW AVE NW containing approximately 2 acre(s). [REF: 04DRB-00322] [*Deferred from 4/14/04*] (H-13) **INDEFINITELY DEFERRED AT THE AGENT'S REQUEST.**

18. **Project # 1003260**
04DRB-00213 Minor-Prelim&Final Plat
Approval

SURVEYS SOUTHWEST LTD agent(s) for STEVEN KANIG request(s) the above action(s) for all or a portion of Lot(s) 2-A, **LANDS OF ALBUQUERQUE BOARD OF REALTORS**, zoned C-3, located on UNIVERSITY BLVD NE, between MENAUL BLVD NE and INDIAN SCHOOL BLVD NE containing approximately 3 acre(s). [*Was Indefinitely deferred at the agent's request on 2/24/04*] (H-15) **WITH THE SIGNING OF THE INFRASTRUCTURE LIST DATED 4/21/04 THE PRELIMINARY PLAT WAS APPROVED. THE FINAL PLAT WAS INDEFINITELY DEFERRED FOR THE SIA.**

19. **Project # 1003133**
03DRB-02076 Minor- Final Plat Approval

ISAACSON & ARFMAN PA agent(s) for TRICOR SOUTHWEST CORP. request(s) the above action(s) for all or a portion of Lot(s) L-1, M,N,P, **FRANKLIN PLAZA**, zoned C-3/C-2 (SU), located on CENTRAL NE, between JUAN TABO NE and CENTRAL NE containing approximately 9 acre(s). [REF: Z-88-53] [Deferred from 1-7-04] *[The Final Plat was Indefinitely Deferred on 1/21/04]* (L-22) **FINAL PLAT WAS APPROVED AND SIGNED OFF BY THE BOARD.**

NO ACTION IS TAKEN ON THESE CASES:
APPLICANT - AGENT IS REQUIRED TO BE AT THE MEETING

20. **Project # 1002798**
04DRB-00562 Minor-Sketch Plat or Plan

MARQUEZ SURVEYING, agent(s) for WILLIAM HOLLER request(s) the above action(s) for all or a portion of Tract(s) A, RIMA ADDITION AND Tract(s) A, **LANDS OF CONRADO GARCIA**, zoned C-2, RA-2, located on CANDELARIA NW, between SAN ISIDRO NW and LVA'S LANE NW containing approximately 3 acre(s). [REF: 03EPC-01673, 03EPC-01674] (G-13) **THE ABOVE REQUEST WAS REVIEWED AND COMMENTS WERE GIVEN.**

21. **Project # 1003280**
04DRB-00568 Minor-Sketch Plat or Plan

TIERRA WEST LLC agent(s) for STILLBROOKE HOMES INC request(s) the above action(s) for all or a portion of Tract(s) 168, **TOWN OF ATRISCO GRANT, UNIT 6**, zoned R-1, located on GONZALES RD SW, between OASIS DR SW and CORREGIDOR DR SW containing approximately 5 acre(s). (K-11) **THE ABOVE REQUEST WAS REVIEWED AND COMMENTS WERE GIVEN.**

22. **Project # 1003382**
04DRB-00563 Minor-Sketch Plat or Plan
- ENCINO DEVELOPMENT & MANAGEMENT c/o MAC MANAGEMENT, request(s) the above action(s) for all or a portion of Tract(s) A-1, **LADERA HEIGHTS SUBDIVISION**, zoned R-3, located on the east side of LADERA RD NW, north of SEQUOIA NW and containing approximately 4 acre(s). (G-11) **THE ABOVE REQUEST WAS REVIEWED AND COMMENTS WERE GIVEN.**
23. Approval of the Development Review Board Minutes for April 7, 2004. **THE APRIL 7, 2004 DEVELOPMENT REVIEW BOARD MINUTES WERE APPROVED.**

ADJOURNED: 11:50 A.M.



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

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DEVELOPMENT REVIEW BOARD--SPEED MEMO

DRB CASE NO/PROJECT NO: 1002459

AGENDA ITEM NO: 7

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:() APP:(x) SIGN-OFF:() EXTN:() AMEND:()

ENGINEERING COMMENTS:

No adverse comments.

~~An approved Subdivision Improvements Agreement with financial guarantees is required for Site Development Plan sign-off.~~

RESOLUTION:

APPROVED ____; DENIED ____; DEFERRED ____; COMMENTS PROVIDED ____; 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: April 21, 2004

City of Albuquerque



DEVELOPMENT/ PLAN REVIEW APPLICATION

Supplemental form

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

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: QUAIL RIDGE LLC PHONE: 889.3061
 ADDRESS: 6300 RIVERSIDE PLAZA LANE NE STE. 210 FAX:
 CITY: ABQ STATE NM ZIP 87109 E-MAIL:
 Proprietary interest in site: DEVELOPER **List all owners:** HUSKY OIL CO OF DELAWARE % FLYING J PROPERTY
 AGENT (if any): TIERRA WEST LLC PHONE: 858.3100
 ADDRESS: 8509 JEFFERSON NE FAX: 858.1118
 CITY: ALBUQUERQUE STATE NM ZIP 87113 E-MAIL: twllc@tierrawestllc.com

DESCRIPTION OF REQUEST: Minor 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. TRACTS 2, 3, & 4 **2A, 3-A-1, 4-A-1** Block: _____ Unit: _____
 Subdiv. / Addn. QUAIL RIDGE

Current Zoning: SU-1 FOR COMM. & RELATED C-2 USE Proposed zoning: SAME
 Zone Atlas page(s): H-11 No. of existing lots: 3 No. of proposed lots: 3
 Total area of site (acres): 3.5221 Density if applicable: dwellings per gross acre: _____ dwellings per net acre: _____
 Within city limits? Yes. No, but site is within 5 miles of the city limits.) Within 1000FT of a landfill? NO
 UPC No. 101105923140620602, etc..... MRGCD Map No. _____
 LOCATION OF PROPERTY BY STREETS: On or Near: COORS BLVD NW
 Between: OURAY ROAD NW and QUAIL ROAD NW

CASE HISTORY:

List any current or prior case number that may be relevant to your application (Proj., App., DRB-, AX_Z_, V_, S_, etc.):
 03EPC-00159/03EPC-00160/04AA-00871/05DRB-00615/05DRB-00616/05AA-01258/05AA-01259-- PROJ# 1002459

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

SIGNATURE Sara Lavvy DATE 11/11/05
 (Print) SARA LAVY, P.E. _____ Applicant Agent

FOR OFFICIAL USE ONLY

Form revised 4/04

INTERNAL ROUTING	Application case numbers	Action	S.F.	Fees
<input checked="" type="checkbox"/> All checklists are complete	05DRB - 01738	PF	5(3)	\$ 355.00
<input checked="" type="checkbox"/> All fees have been collected		CMF		\$ 20.00
<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 checked="" type="checkbox"/> F.H.D.P. density bonus				\$
<input checked="" type="checkbox"/> F.H.D.P. fee rebate				\$
	Hearing date <u>11/23/05</u>			Total \$ <u>375.00</u>

[Signature] 11/14/05
 Planner signature / date

Project # 1002459

11/14/05

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.

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) \$370
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.

SARA LAVY, P.E.

Sara Lavy

Applicant name (print)

11/11/05
Applicant signature / date



Form revised 11/04

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

Application case numbers
OSDRB- - 01738

Ki Sis 11/14/05

Planner signature / date

Project # 1002459

TIERRA WEST, LLC

8509 Jefferson NE
Albuquerque, NM 87113

(505) 858-3100
fax (505) 858-1118

twllc@tierrawestllc.com
1-800-245-3102

November 11, 2005

Mrs. Sheran Matson, AICP, Chair
Planning Department
City of Albuquerque
PO Box 1293
Albuquerque, NM 87103

**RE: Minor Preliminary/Final Plat for Tracts 2, 3, & 4, Quail Ridge
Zone Atlas Page H11; Project #1002459**

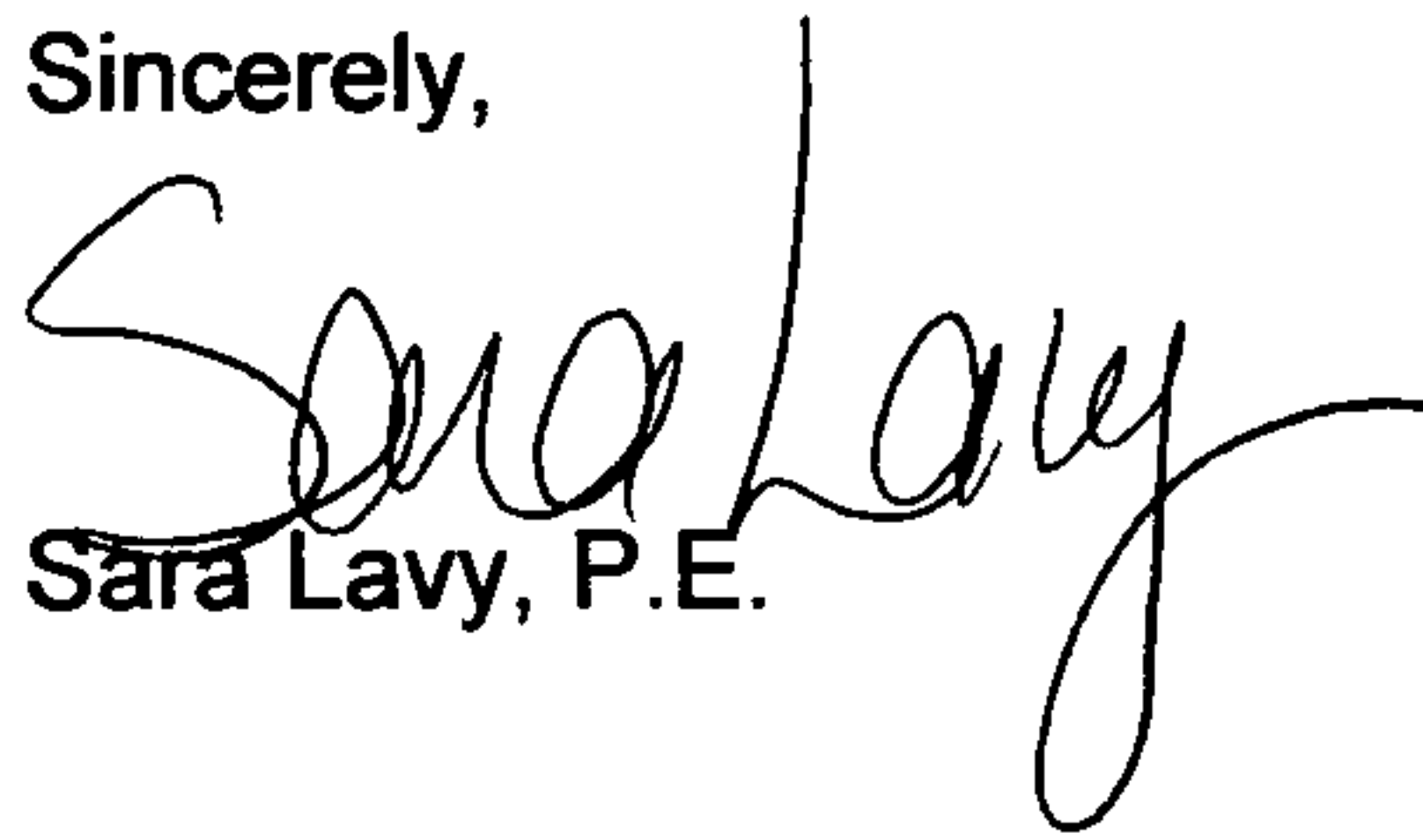
Dear Mrs. Matson:

Tierra West LLC, on behalf of Quail Plaza LLC, requests approval of the Minor Preliminary/Final Plat. The site is located on Coors Boulevard NW between Quail Road NW and Ouray Road NW and an existing Bank of America is located on the corner. The site consists of 3.5221 acres and is zoned SU-1 for Commercial Use and Related C-2 Uses.

The north property line is being realigned in order to comply with the GRIP I-40 and Coors improvements. More right-of-way is necessary for the Coors/I-40 project than originally anticipated. An Administrative Amendment was approved to move the property line, solid waste container, pylon sign, and a three foot high screen wall along Coors Boulevard.

If you have any questions or need additional information regarding this matter, please do not hesitate to call me.

Sincerely,

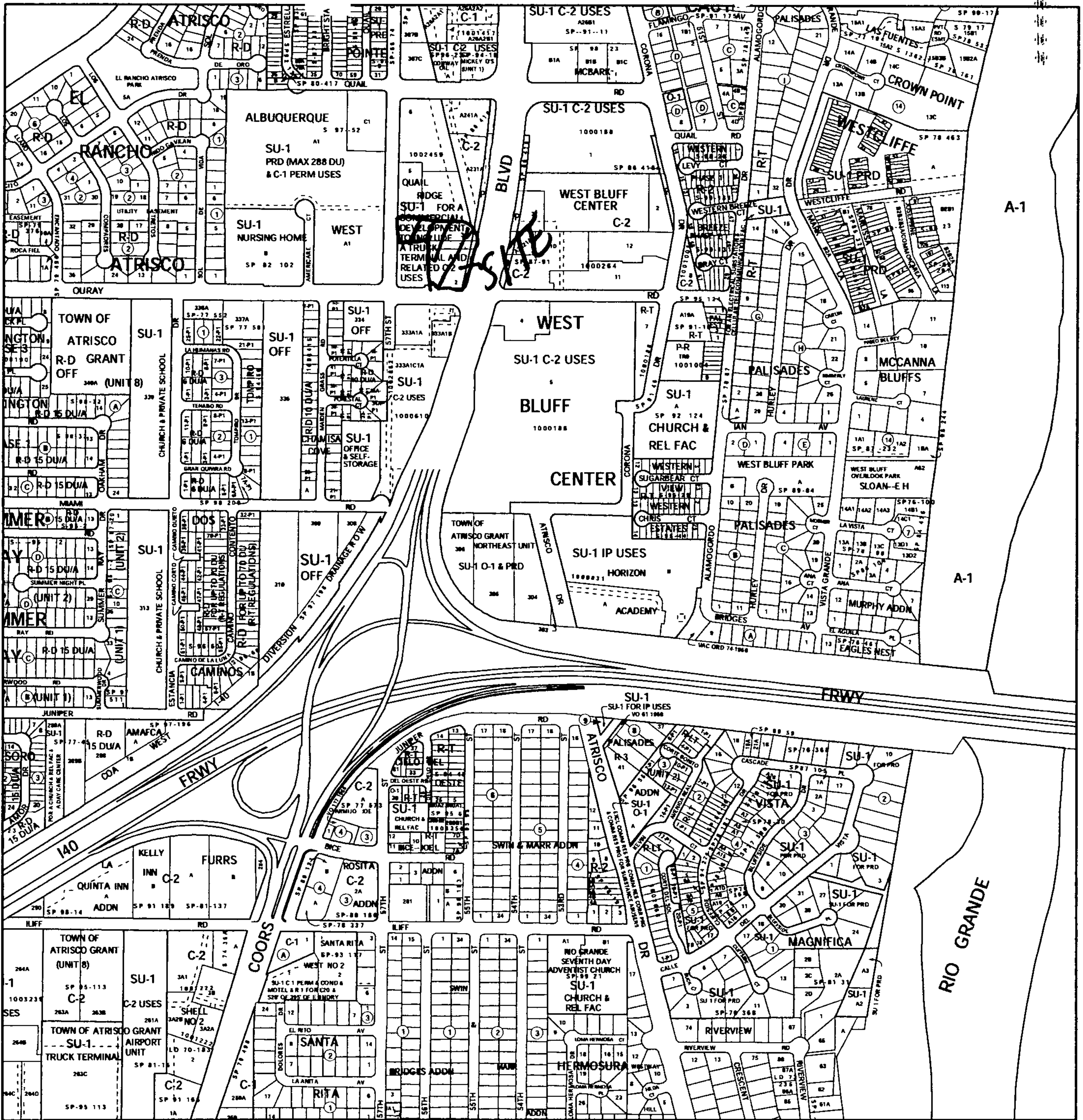


Sara Lavy, P.E.

Enclosure/s

cc: Ben Spencer

JN: 24091
SCL/kk



For more current information and more details visit: <http://www.cabq.gov/gis>

AGIS
Albuquerque Geographic Information System

Map amended through: Apr 22, 2005

Note: Grey Shading Represents Area Outside of the City Limits

Zone Atlas Page:
H-11-Z

Selected Symbols

0 750 1,500 Feet

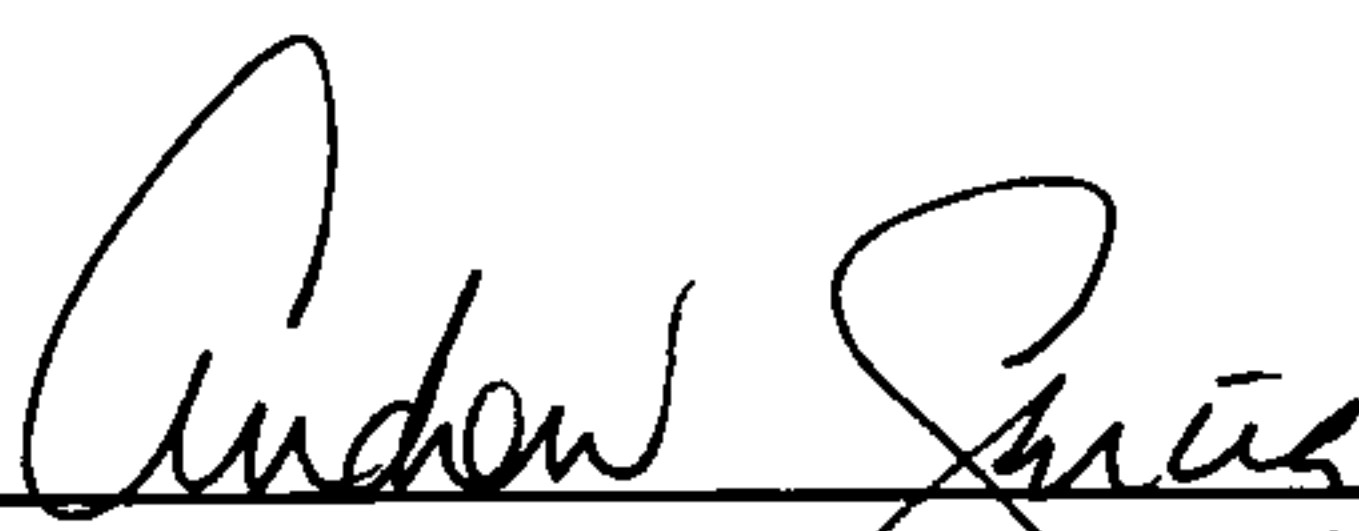
**CITY OF ALBUQUERQUE
PLANNING DEPARTMENT
December 12, 2007
DRB Comments**

ITEM # 10

PROJECT # 1002459 APPLICATION # 07-70420

RE: Lot 2A, Quail Ridge/sw

Planning has no objection to the sidewalk waiver request.



Andrew Garcia, Planning Alternate
924-3858/agarcia@cabq.gov



Tierra West, LLC.

(505) 858-3100

5571 Midway Park Place NE, Albuquerque, NM 87109

TO Ms. Sheran Matson

Development Review Board

City of Albuquerque

600 2nd St. NW

Albuquerque, NM 87103

LETTER OF TRANSMITTAL

DATE: 5/18/2007	JOB NO: 24091
ATTENTION: <u>Sheran</u>	
RE: <u>Quail Plaza</u>	
<u># 1002459</u>	
PHONE: 924-3880	

WE ARE SENDING YOU

Attached

Under Separate cover via _____

the following items:

Shop drawings

Prints

Plans

Samples

Specifications

Copy of letter

Change order

COPIES	DATED	NO.	DESCRIPTION
1			Recorded Plat
			<i>File please in project file</i>

THESE ARE TRANSMITTED as checked below:

For approval

Approved as submitted

FOR SIGNATURE(S)

For your use

Approved as noted

As requested

Returned for corrections

For review and comments

FOR BIDS DUE

20

PRINTS RETURNED AFTER LOAN TO US

REMARKS

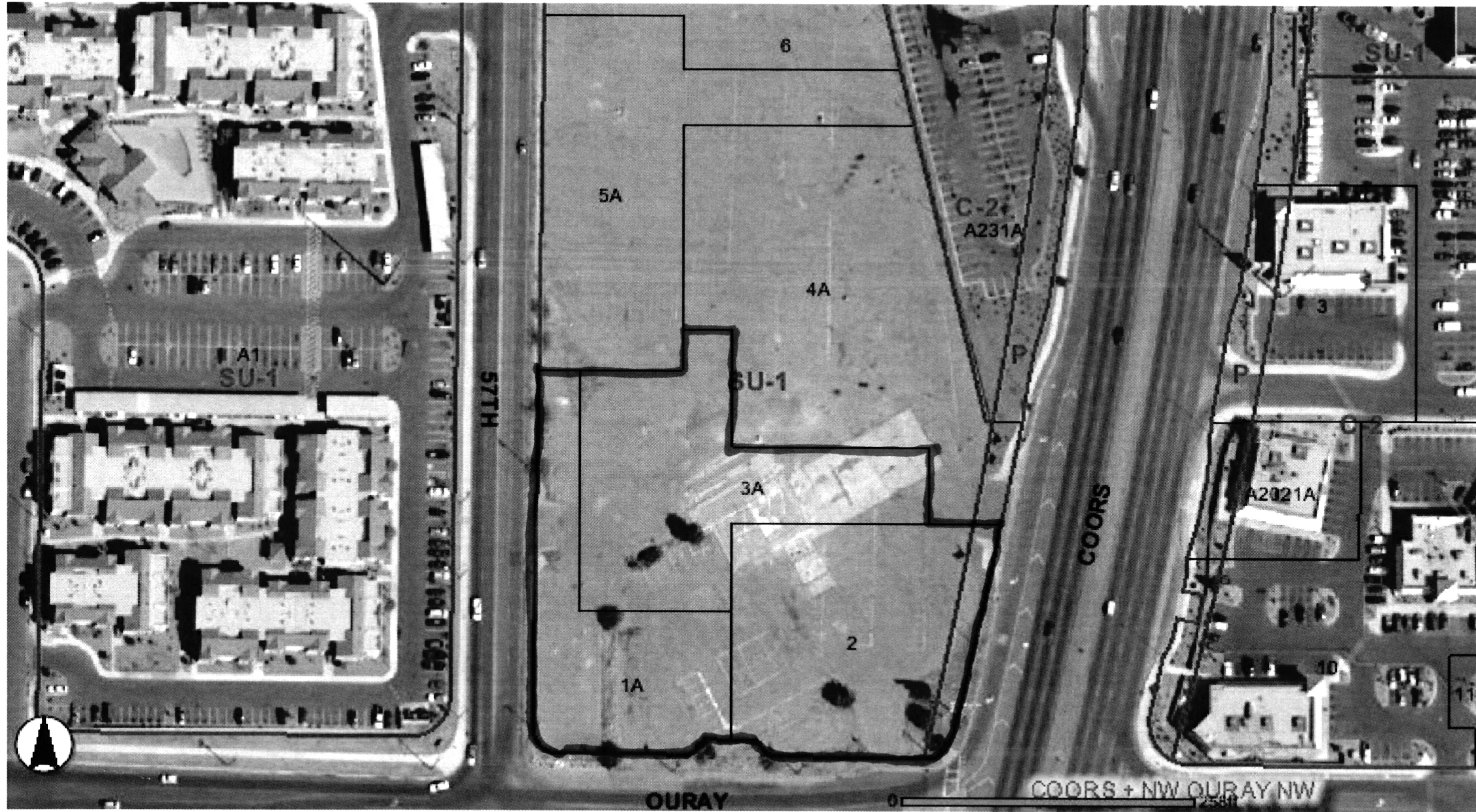
COPY TO _____

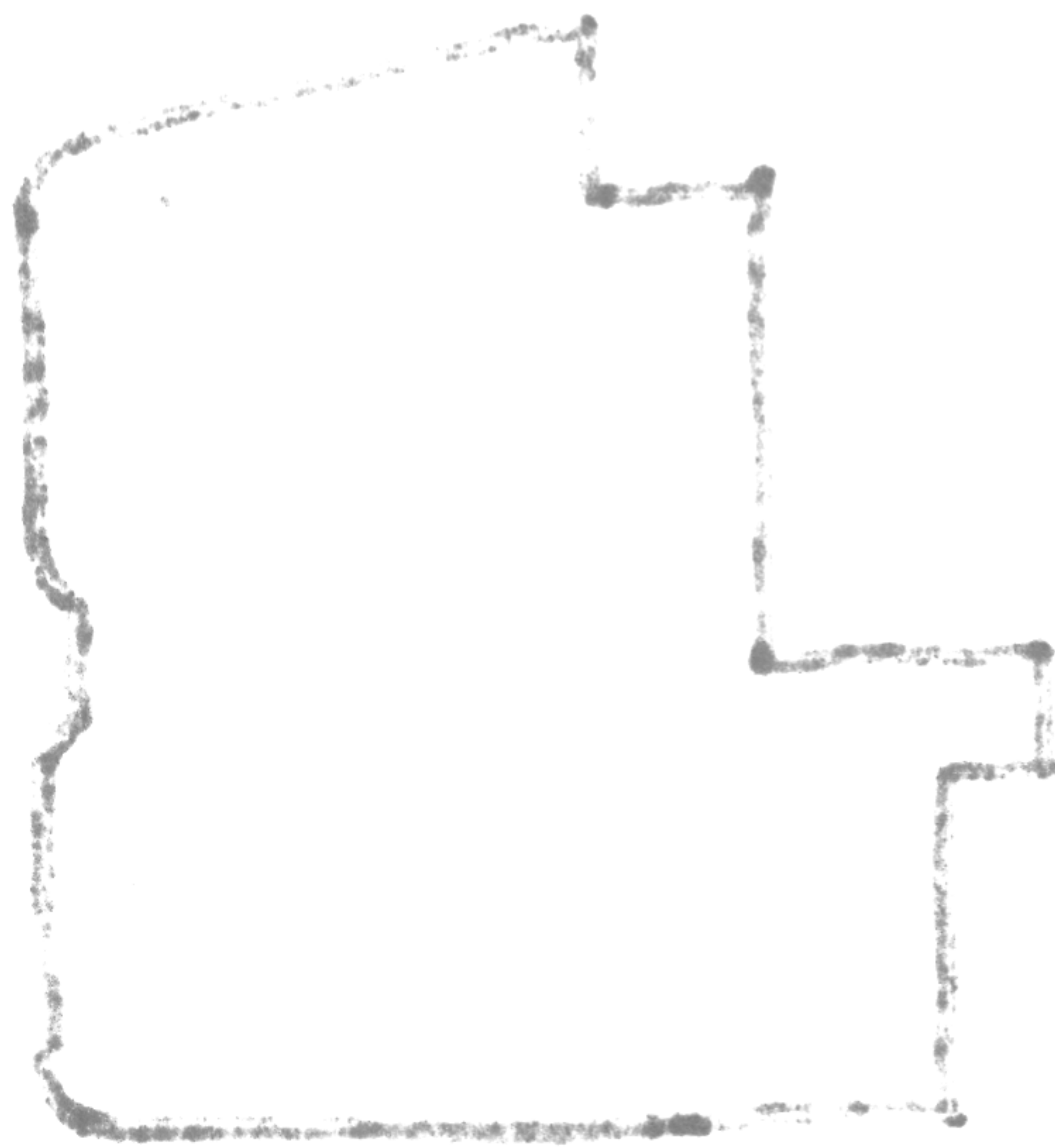
RECEIVED BY _____

Date: _____

SIGNED

Keli D. Krueger







Item# 10
Project# 1002459
Hearing Date: Dec. 12, 2007

City of Albuquerque



DEVELOPMENT/ PLAN REVIEW APPLICATION

Supplemental form

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

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...**
- D** 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: QUAIL PLAZA LLC PHONE: 889.3061
 ADDRESS: PO BOX 66180 FAX: 889.1061
 CITY: ABQ STATE NM ZIP 87193-6180 E-MAIL: _____
 Proprietary interest in site: OWNER/DEVELOPER List all owners: QUAIL PLAZA LLC
 AGENT (if any): TIERRA WEST LLC PHONE: 505.858.3100
 ADDRESS: 8509 JEFFERSON NE FAX: 505.858.1118
 CITY: ABQ STATE NM ZIP 87113 E-MAIL: twllc@tierrawestllc.com

DESCRIPTION OF REQUEST: TWO-YEAR SUBDIVISION IMPROVEMENT EXTENSION

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. TRACTS 1-3 Block: _____ Unit: _____
 Subdiv. / Addn. QUAIL RIDGE
 Current Zoning: SU-1 FOR COMMERCIAL DEV. Proposed zoning: SAME
 Zone Atlas page(s): H11 No. of existing lots: 3 No. of proposed lots: 3
 Total area of site (acres): 3.2 Density if applicable: dwellings per gross acre: _____ Dwellings per net acre: _____
 Within city limits? Yes. No , but site is within 5 miles of the city limits.) Within 1000FT of a landfill? NO
 UPC No. 101105923140620602, etc. MRGCD Map No. _____
 LOCATION OF PROPERTY BY STREETS: On or Near: OURAY ROAD NW
 Between: COORS BLVD NW and 57TH STREET NW

CASE HISTORY:

List any current or prior case number that may be relevant to your application (Proj., App., DRB-, AX, Z, V, S, etc.): PROJ# 1002459
03EPC-01760

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

SIGNATURE SARA LAVY DATE 9/23/05
 (Print) SARA LAVY, P.E. 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
05DRB 01500

 Hearing date 10/26/05

Action	S.F.	Fees
<u>SIA</u>	<u>5(2)</u>	\$ <u>50.00</u>
<u>CMS</u>		\$ <u>20.00</u>
<u>ADV.</u>		\$ <u>75.00</u>
		\$ _____
		\$ _____
		\$ _____
		\$ _____
		Total
		\$ <u>145.00</u>

ki sis 9/23/05

Project # **1002459**

FORM S(2): SUBDIVISION - D.R.B. PUBLIC HEARING

A Bulk Land Variance requires application on FORM-V in addition to application for subdivision on FORM-S.

MAJOR SUBDIVISION PRELIMINARY PLAT APPROVAL

- Proposed Preliminary Plat including the Grading Plan (folded to fit into an 8.5" by 14" pocket) **24 copies**
- Proposed Infrastructure List
- 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)
- Letter briefly describing, explaining, and justifying the request
- Property owner's and City Surveyor's signature on the proposed plat
- FORM DRWS Drainage Report, Water & Sewer availability statement filing information
- Office of Community & Neighborhood Coordination inquiry response, notifying letter, certified mail receipts
- Sign Posting Agreement
- Signed** Pre-Annexation Agreement if Annexation required.
- TIS/AQIA Traffic Impact Study / Air Quality Impact Assessment form
- Fee (see schedule)
- Any original and/or related file numbers are listed on the cover application

Preliminary plat approval expires after one year.
DRB Public hearings are approximately ONE MONTH after the filing deadline. **Your attendance is required.**

- MAJOR SUBDIVISION AMENDMENT TO PRELIMINARY PLAT (with significant changes)**
- MAJOR SUBDIVISION AMENDMENT TO INFRASTRUCTURE LIST (with significant changes)**
- MAJOR SUBDIVISION AMENDMENT TO GRADING PLAN (with significant 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, and/or Infrastructure List, and/or Grading Plan (folded to fit into an 8.5" by 14" pocket) **24 copies**
- Original Preliminary Plat, and/or Infrastructure List, and/or Grading Plan (folded to fit into an 8.5" by 14" pocket)
- 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
- Property owner's and City Surveyor's signature on the proposed amended plat, if the preliminary plat is being amended
- Office of Community & Neighborhood Coordination inquiry response, notifying letter, certified mail receipts
- Sign Posting Agreement
- Any original and/or related file numbers are listed on the cover application

Amended preliminary plat approval expires after one year.
DRB Public hearings are approximately ONE MONTH after the filing deadline. **Your attendance is required.**

MAJOR SUBDIVISION EXTENSION OF SUBDIVISION IMPROVEMENTS AGREEMENT

(Temporary sidewalk deferral uses FORM-V)

- 1 copy of each of the following items
- 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
- Plat or plan reduced to 8.5" x 11"
- Official D.R.B. Notice of the original approval
- Approved Infrastructure List. If not applicable, please initial. _____
- Previous SIA extension notice, if one has been issued. If not applicable, please initial. KL
- Office of Community & Neighborhood Coordination inquiry response, notifying letter, certified mail receipts
- Sign Posting Agreement
- Any original and/or related file numbers are listed on the cover application
- Fee (see schedule)

DRB Public hearings are approximately ONE MONTH after the 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.

SARA LAVY, P.E.

Sara Lavy

Applicant name (print)

9/23/05

Applicant signature / date



Form revised 11/04

[Signature] 9/23/05

Planner signature / date

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

Application case numbers
05DRB - _____ - 01500
 _____ - _____ - _____
 _____ - _____ - _____

Project # 1002459

TIERRA WEST, LLC

8509 Jefferson NE
Albuquerque, NM 87113

(505) 858-3100
fax (505) 858-1118

twllc@tierrawestllc.com
1-800-245-3102

September 23, 2005

Ms. Sheran Matson, AICP, Chair
Development Review Board
City of Albuquerque
PO Box 1293
Albuquerque, NM 87103

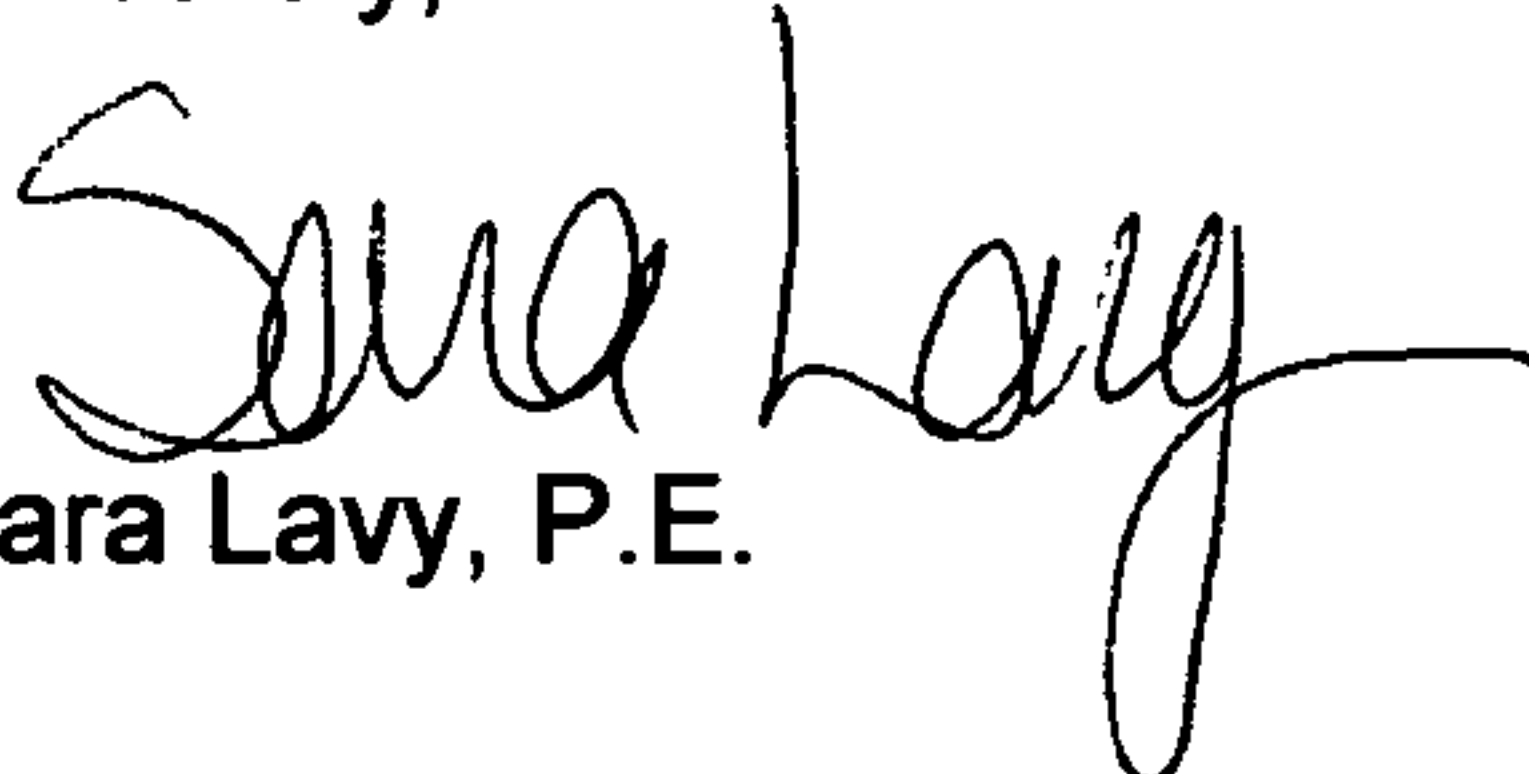
**RE: Two Year Extension of Subdivision Improvement Agreements
Tracts 1, 3, & 5, Quail Ridge; Project #1002459, Zone Atlas Page H-11**

Dear Ms. Matson:

Tierra West LLC, on behalf of Quail Plaza LLC, requests approval of a Two Year Extension of Subdivision Improvement Agreements for Tracts 1, 3, & 5, Quail Ridge. The site is located on Ouray Road NW between 57th Street NW and Coors Boulevard NW. We request this approval in order for the GRIP project to complete its work in the area prior to obtaining final acceptance.

If you have any questions or need additional information regarding this matter, please do not hesitate to call me.

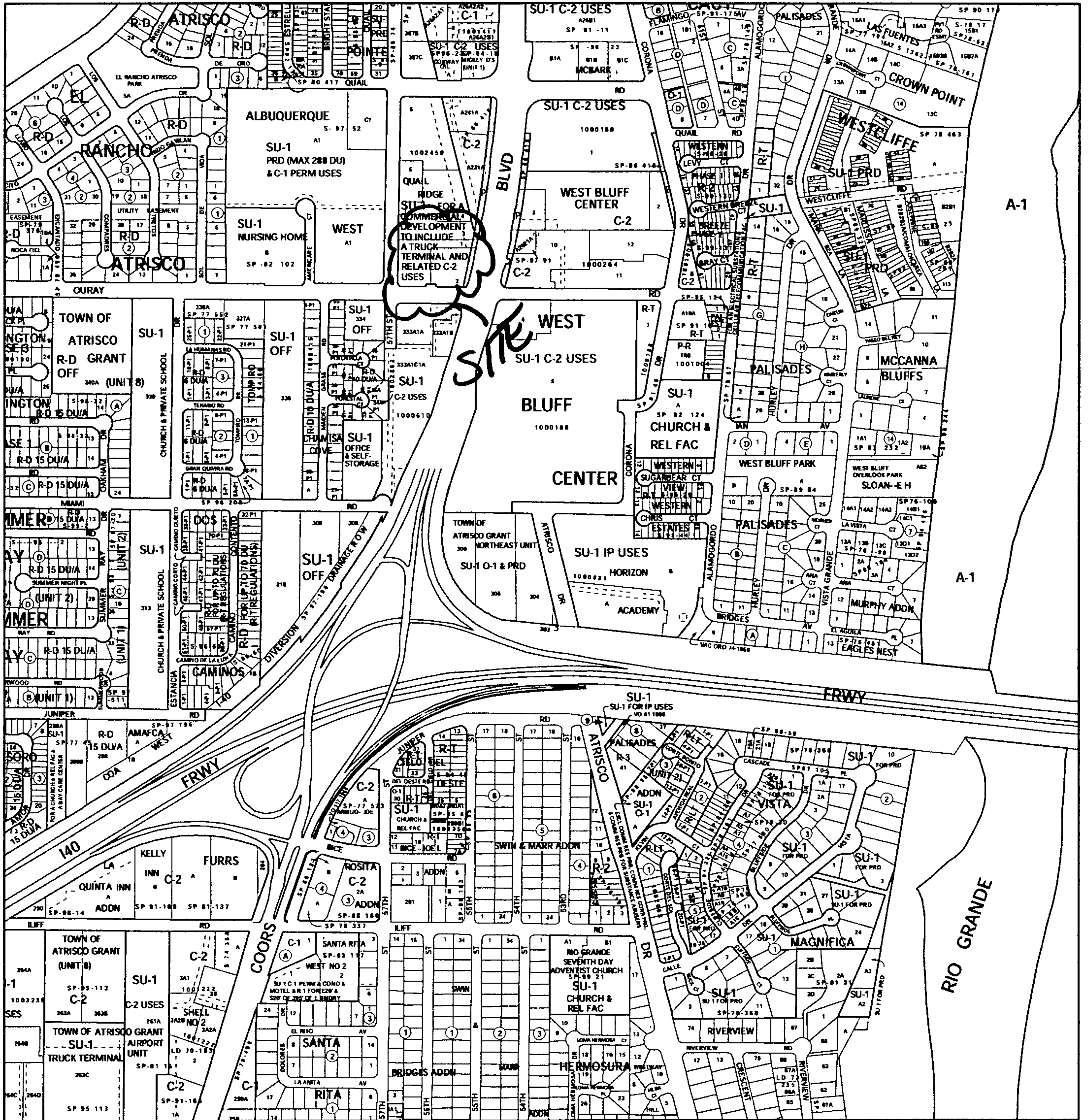
Sincerely,


Sara Lavy, P.E.

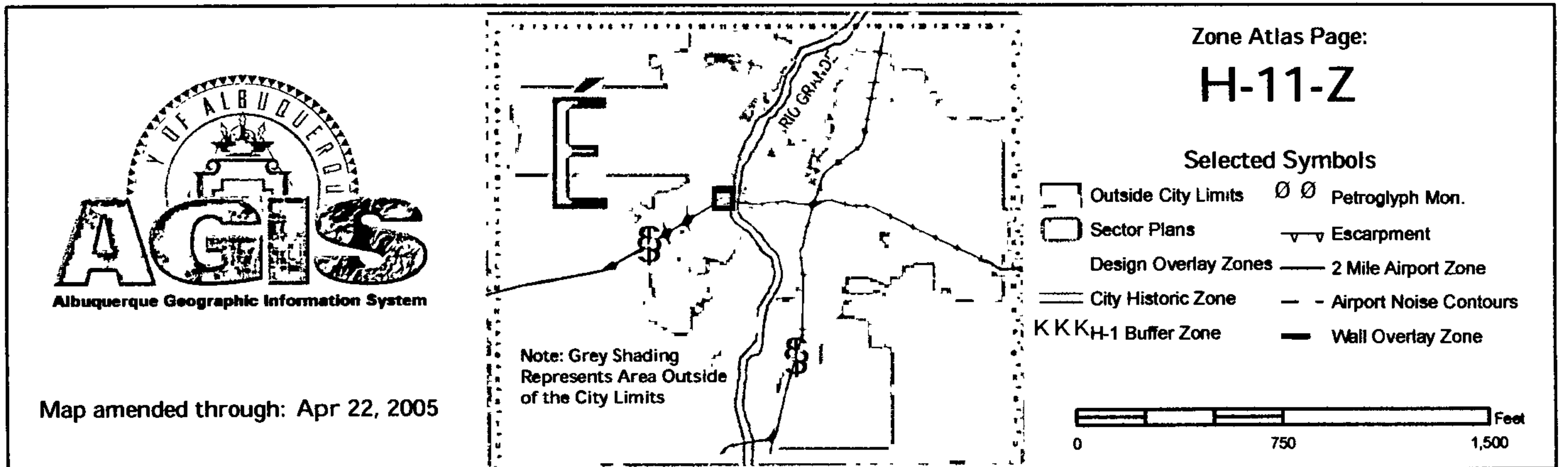
Enclosure/s

cc: Ben Spencer
Deaun Lewis, S.R. Marmon
Annette Gonzales, S.R. Marmon
John Landman, West Bluff N.A.
Dr. Joe Valles, West Bluff N.A.

JN: 22096
SCL/kk



For more current information and more details visit: <http://www.cabq.gov/gis>



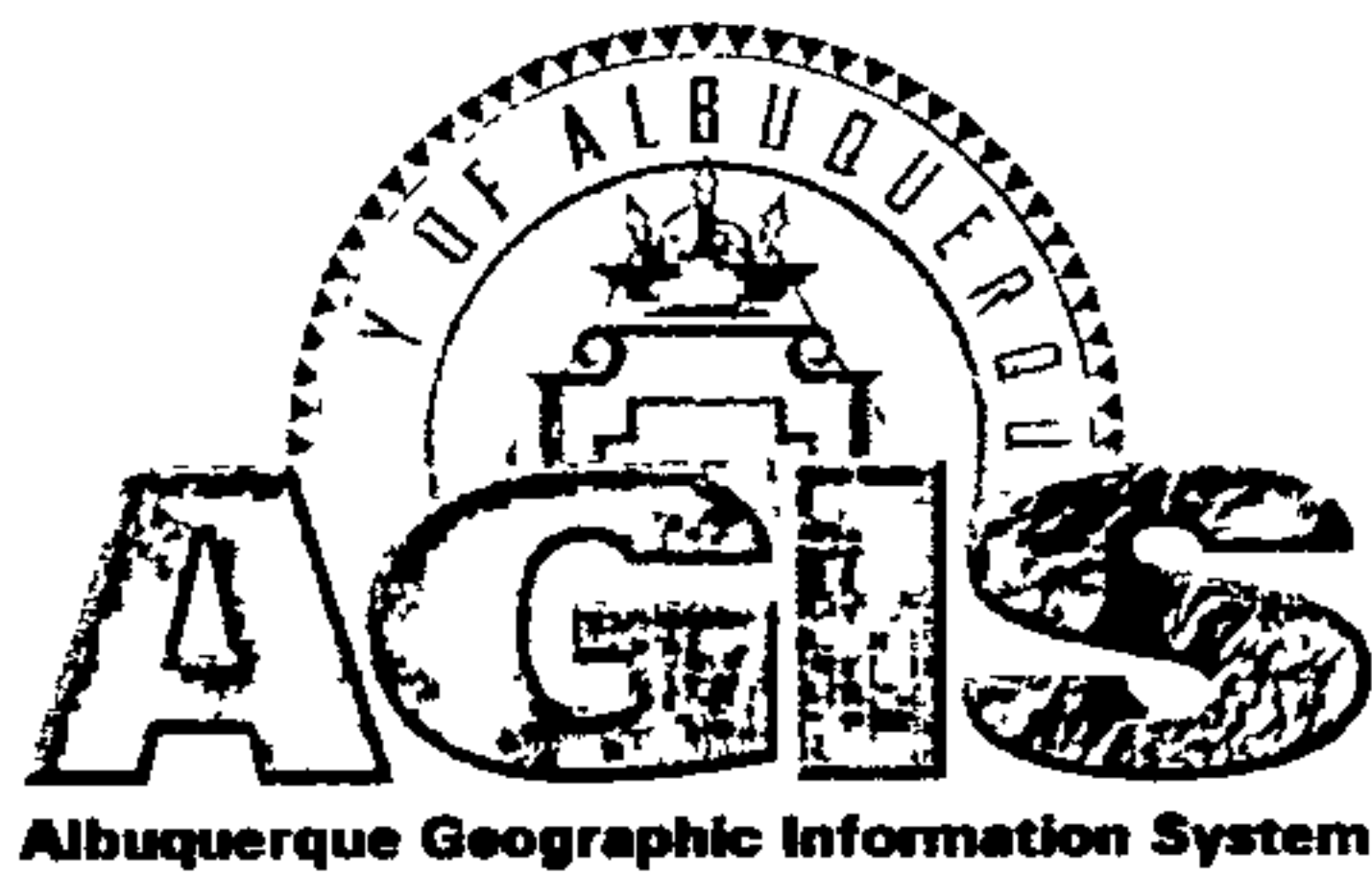
Zone Atlas Page:

H-11-Z

Selected Symbols

- Outside City Limits
- Sector Plans
- Design Overlay Zones
- City Historic Zone
- KKKH-1 Buffer Zone
- Petroglyph Mon.
- Escarpment
- 2 Mile Airport Zone
- Airport Noise Contours
- Wall Overlay Zone

Note: Grey Shading Represents Area Outside of the City Limits



Map amended through: Apr 22, 2005

BOUNDARY INFORMATION AND EXISTING EASEMENTS

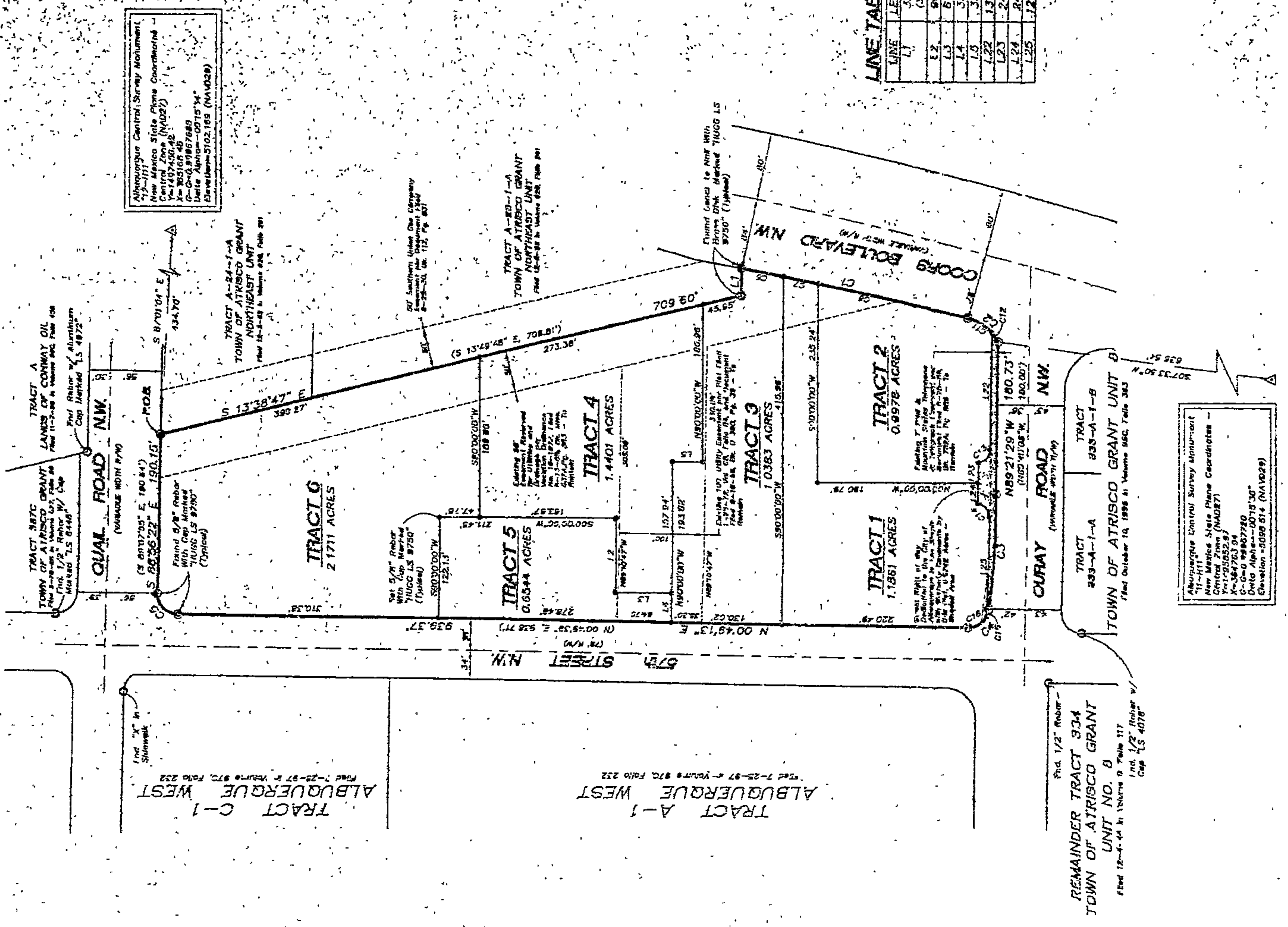
Copyright © 2003 by Surveyors of A
 No. 11-1111
 10/18/2004 10:48
 1:22 86 BK-289C P-154
 City Surveyors

QUAIL RIDGE

(BEING A REPLAT OF THE W.H. BRUNELL ADDITION)

WITHIN
 THE TOWN OF ATRISCO GRANT
 PROJECTED SECTION 11, TOWNSHIP 10 NORTH, RANGE 2 EAST
 NEW MEXICO, PRINCIPAL MERIDIAN
 CITY OF ALBUQUERQUE
 BERNALILLO COUNTY, NEW MEXICO
 SEPTEMBER, 2003

SEE SHEET 4 OF 4 FOR NEW EASEMENT INFORMATION



Albuquerque Central Survey Monument
 11-1111
 New Mexico State Plane Coordinates
 Zone 10N (NAD83)
 X=507450.00
 Y=1000000.00
 G-C=0.9999999999
 Date of Adoption-09/15/74
 Elevation-5102.168 (NAVD83)

Albuquerque Central Survey Monument
 11-1111
 New Mexico State Plane Coordinates
 Zone 10N (NAD83)
 X=507450.00
 Y=1000000.00
 G-C=0.9999999999
 Date of Adoption-09/15/74
 Elevation-5102.168 (NAVD83)

GRAPHIC SCALE
 (IN FEET)
 1 inch = 100 ft

MONUMENT LEGEND

- FOUND 5/8" REBAR WITH CAP MARKED "1006 LS 9750"
- FOUND CONCRETE NAIL WITH BRASS DISK MARKED "1006 LS 9750"
- SET 1/2" REBAR WITH CAP MARKED "1006 LS 9750"

LINE TABLE

LINE	LENGTH	BEARING
L1	32.43 (33.06)	S89°45'47"E (S89°55'14"E)
L2	60.14	N80°10'00"E
L3	67.00	N00°00'00"E
L4	33.88	S89°00'00"E
L5	35.00	N00°00'00"E
L23	139.66	N89°19'00"W
L24	24.17	N89°21'29"W
L25	24.26	N89°21'08"W
L26	121.28	N89°23'13"W

CURVE TABLE

CURVE	RADIUS	LENGTH	TANGENT	CHORD	BEARING	DLIA
C1	5646.45 (5646.45)	275.29 (274.87)	137.97'	274.67' (274.87)	S12°08'14"W (S11°54'07"W)	2°47'50" (1°48'29")
C2	55.00' (55.00')	47.58' (47.63')	23.40'	46.12' (46.15')	S29°16'35"W (S29°03'35"W)	49°54'25" (49°58'50")
C3	1346.80' (1346.80')	136.56' (136.87')	68.84'	136.49' (136.61')	N86°43'48"W (N86°33'08"W)	5°30'13" (5°33'37")
C4	25.00' (25.00')	36.81' (36.91')	22.74'	35.64' (35.64')	N41°20'15"W (N41°28'14"W)	84°34'56" (84°17'42")
C5	26.00' (26.00')	35.37' (35.37')	25.11'	35.43' (35.37')	N45°08'29"E (N43°10'53"E)	90°14'29" (80°02'48")
C6	5846.45 (5846.45)	51.16'	25.58'	51.16'	N10°58'49"E	0°31'08"
C7	5846.45 (5846.45)	41.84'	20.87'	41.84'	N11°28'07"E	0°32'28"
C8	5846.45 (5846.45)	182.90'	91.49'	182.80'	N12°36'38"E	1°31'21"
C9	33.33' (33.33')	56.00'	17.19'	32.82'	N30°51'43"E	31°42'52"
C10	14.26' (14.26')	16.00'	8.00'	14.22'	N53°40'59"E	14°51'34"
C11	22.00' (22.00')	16.00'	8.00'	16.00'	S40°46'33"E	81°47'54"
C12	22.00' (22.00')	26.00'	13.00'	20.80'	N40°46'33"E	81°47'54"
C13	9.23' (9.23')	26.00'	4.67'	9.18'	S43°17'53"E	21°09'40"
C14	27.67' (27.67')	24.00'	15.45'	26.28'	S10°53'25"E	63°25'16"



SURVEX, INC.

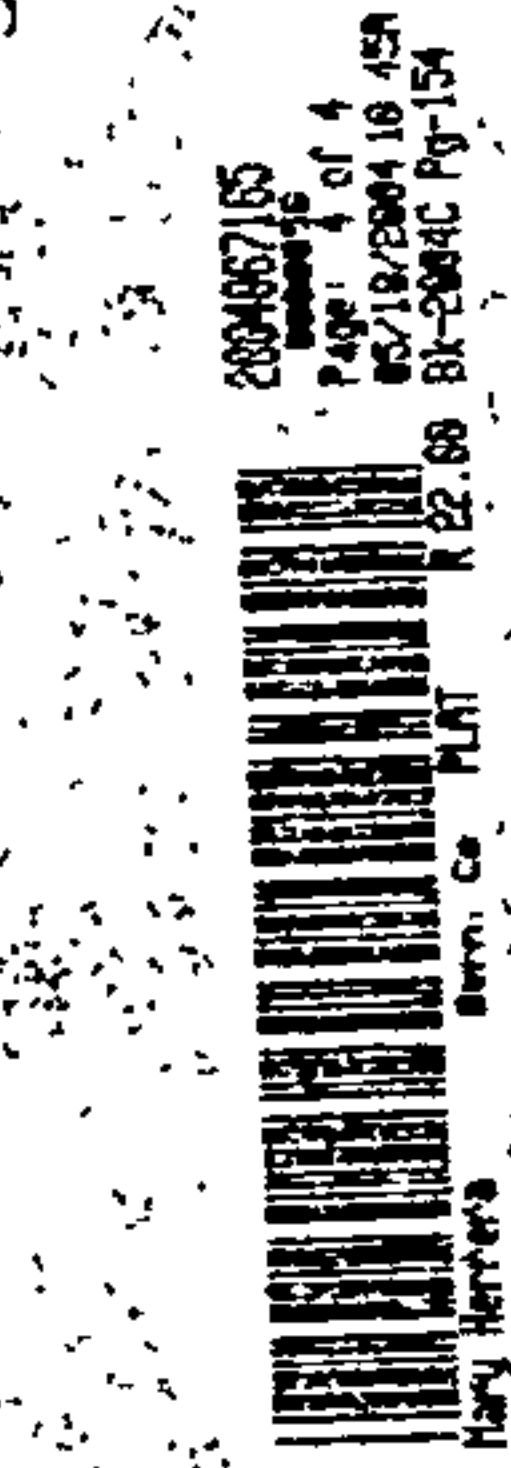
NEW EASEMENTS GRANTED BY THIS PLAT

QUAIL RIDGE

(BEING A REPLAT OF THE W.H. BRUNELL ADDITION)

WITHIN

THE TOWN OF ATRISCO GRANT
PROJECTED SECTION 11, TOWNSHIP 10 NORTH, RANGE 2 EAST
NEW MEXICO PRINCIPAL MERIDIAN
CITY OF ALBUQUERQUE
DETNALLO COUNTY, NEW MEXICO
SEPTEMBER, 2003



Albuquerque Central Survey Monument
71-1111
New Mexico State Plane Coordinates -
Control Zone (NAD83)
X=365108.48
Y=385108.48
Datum: NAD83
GCS: NAD83
Datum: NAD83
Spheroid: GRS80
Datum: NAD83
Projection: UTM
Zone: 12N
Units: Meter
Datum: NAD83

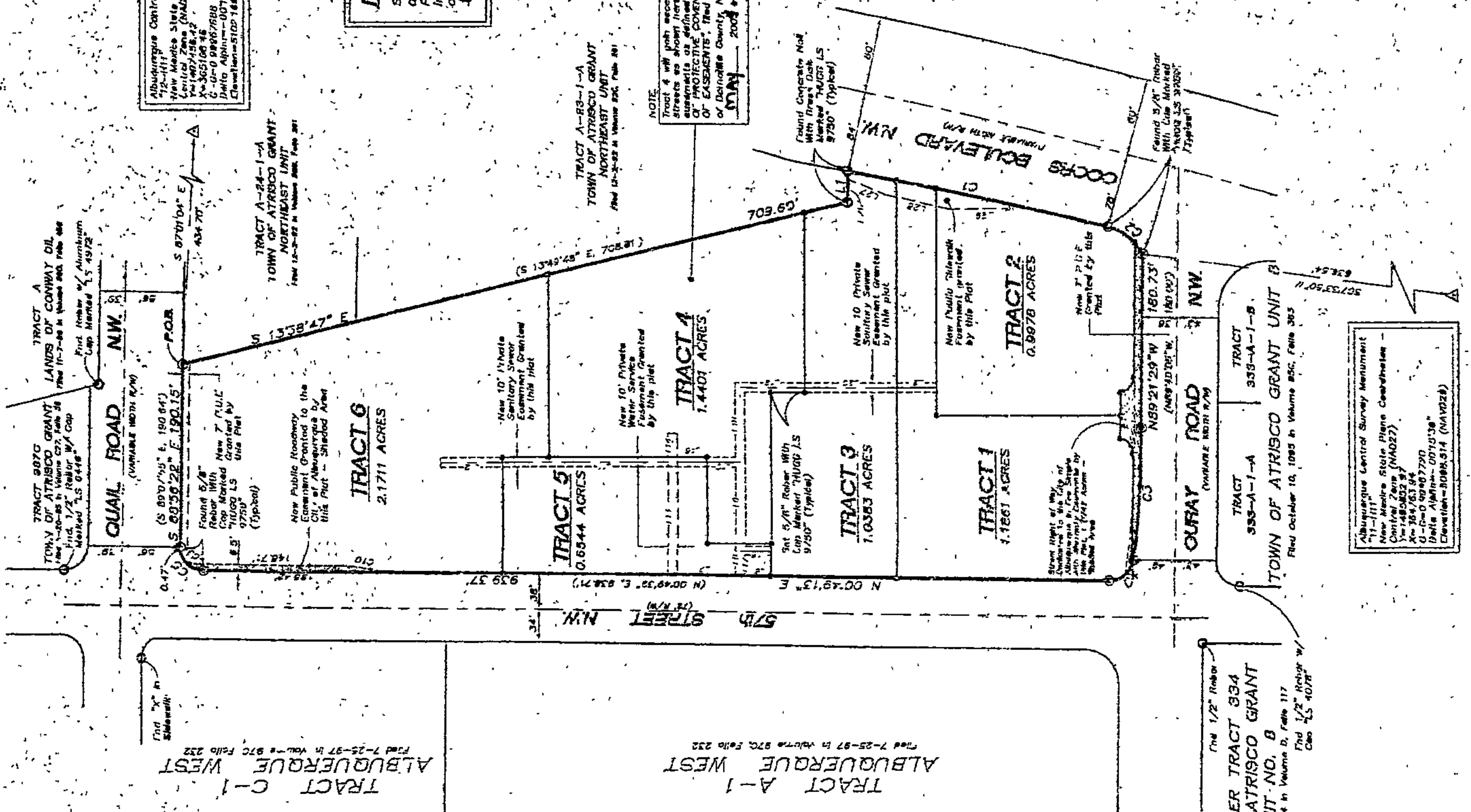
NOTE
Said Tracts 1 through 6 are subject to all restrictions, conditions and requirements as set forth in that certain "DECLARATION OF PROTECTIVE COVENANTS, RESTRICTIONS AND GRANT OF EASEMENTS", filed in the office of the County Clerk of Bernalillo County, New Mexico on 09/18/03 day of SEPTEMBER, 2003 in Book ATT, Pages 160-161.

NOTE
Tract 4 will path across to the delineated public easement as defined in that certain "DECLARATION OF PROTECTIVE COVENANTS, RESTRICTIONS AND GRANT OF EASEMENTS", filed in the office of the County Clerk of Bernalillo County, New Mexico on the 09/18/03 day of SEPTEMBER, 2003 in Book ATT, pages 160-161.

NOTE
Found Concrete Nail With Brass Disk Marked "HUGO LS 9/20" 9/20" (Typical)

REMAINDER TRACT 334
TOWN OF ATRISCO GRANT
UNIT-NO. B
Filed 12-1-88 in Volume B, Page 117
Cap 1/2" Rebar w/
Cap 1/2" 40/10"

Albuquerque Central Survey Monument
71-1111
New Mexico State Plane Coordinates -
Control Zone (NAD83)
X=365108.48
Y=385108.48
Datum: NAD83
GCS: NAD83
Datum: NAD83
Spheroid: GRS80
Datum: NAD83
Projection: UTM
Zone: 12N
Units: Meter
Datum: NAD83



GRAPHIC SCALE
(IN FEET)
1 inch = 100 ft

CORNER LEGEND

- FOUND 5/8" REBAR WITH CAP MARKED "HUGO LS 9/20"
- FOUND CONCRETE NAIL WITH BRASS DISK MARKED "HUGO LS 9/20"
- SET 5/8" REBAR WITH CAP MARKED "HUGO LS 9/20"

CURVE TABLE

CURVE	RADIUS	LENGTH	TANGENT	CHORD	BEARING	DELTA
C1	5846.45' (244.91)	273.85' (244.91)	137.97'	273.85' (244.91)	S17°08'14"W (811°54'07"W)	2°47'52" (2°47'52")
C2	55.00' (47.03)	47.59'	25.40'	46.12' (46.12)	S38°19'32"W (538°19'32"W)	49°34'26" (49°34'26")
C3	1245.00' (130.60)	130.55' (130.60)	64.64'	119.40' (130.60)	N01°43'45"W (90°43'45"W)	5°56'13" (5°56'13")
C4	25.00' (25.00)	36.91'	22.74'	33.64' (33.64)	N41°18'15"W (41°18'15"W)	84°34'58" (84°34'58")
C5	25.00' (25.00)	39.37'	25.11'	35.43' (35.43)	M45°58'25"E (45°58'25"E)	90°14'25" (90°14'25")
C9	19.00' (19.00)	29.92'	18.06'	26.93' (26.93)	S45°36'25"W (45°36'25"W)	90°14'25" (90°14'25")
C10	19.00' (19.00)	45.43'	32.83'	45.18' (45.18)	N08°08'33"E (8°08'33"E)	103°32'40" (103°32'40")

LINE TABLE

LINE	LENGTH	BEARINGS
L1	32.43' (32.43)	S89°45'47"E (89°45'47"E)
L2	32.73' (32.73)	N80°45'13"E (80°45'13"E)
L3	69.79' (69.79)	N00°49'13"E (0°49'13"E)
L4	35.22' (35.22)	N90°00'00"E (90°00'00"E)
L5	85.44' (85.44)	N90°00'00"E (90°00'00"E)
L6	34.87' (34.87)	N90°00'00"E (90°00'00"E)
L7	21.45' (21.45)	N00°00'00"E (0°00'00"E)
L8	64.69' (64.69)	N00°00'00"E (0°00'00"E)
L9	24.26' (24.26)	N90°00'00"W (90°00'00"W)
L10	34.91' (34.91)	N90°00'00"W (90°00'00"W)
L11	32.13' (32.13)	S00°00'00"W (0°00'00"W)
L12	27.00' (27.00)	N90°00'00"E (90°00'00"E)
L13	72.90' (72.90)	N90°00'00"E (90°00'00"E)
L14	87.15' (87.15)	S00°00'00"W (0°00'00"W)
L15	95.00' (95.00)	S00°00'00"W (0°00'00"W)
L16	41.00' (41.00)	S00°00'00"W (0°00'00"W)
L17	24.08' (24.08)	S09°49'42"E (9°49'42"E)
L18	41.29' (41.29)	S22°31'57"W (22°31'57"W)
L19	89.01' (89.01)	S13°02'16"W (13°02'16"W)
L20	81.22' (81.22)	S00°45'05"E (0°45'05"E)

SURVOTEK, INC.
COMMERCIAL SURVEYING
1221 1/2 S. ALBUQUERQUE, NEW MEXICO 87102
PH: 505-262-1111 FAX: 505-262-1112



City of Albuquerque

PLEASE NOTE: The Neighborhood Association information listed in this letter is valid for one (1) month. If you haven't filed your application within one (1) month of the date of this letter – you will need to get an updated letter from our office. It is your responsibility to provide current information – outdated information may result in a deferral of your case.

Date: September 23, 2005

TO CONTACT NAME: Karen Kline
 COMPANY/AGENCY: Tierra West LLC
 ADDRESS/ZIP: 8509 Jefferson NE / 87113
 PHONE/FAX #: 858-3100 / 858-1118

Thank you for your inquiry of September 23, 2005 requesting the names of **Recognized**
(date)
Neighborhood Associations who would be affected under the provisions of O-92 by your proposed project at Tract 1, 3 & 5, Quail Ridge, located on Quary Road NW
Between Coors Boulevard NW and 57th Street NW
 zone map page(s) H-11.

Our records indicate that the **Recognized Neighborhood Association(s)** affected by this proposal and the contact names are as follows:

S.R. Marmon
 Neighborhood Association
 Contacts: Deaven Lewis
6400 Sunny Day Ct. NW /
345-5715 87120
Annette Gonzales
2323 Big Pine Dr NW / 87120
342-5715

West Bluff
 Neighborhood Association
 Contacts: John Landman
2236 Ana Ct. NW / 87120
831-2063
Dr. Joe Vallos
5020 Grande Vista Ct. NW / 87120
836-1847, 243-3535

See reverse side for additional Neighborhood Association Information: YES { } NO {}

Please note that according to O-92 you are required to notify each of these contact persons by **CERTIFIED MAIL, RETURN RECEIPT REQUESTED, BEFORE** the Planning Department will accept your application filing. **IMPORTANT! FAILURE OF ADEQUATE NOTIFICATION MAY RESULT IN YOUR APPLICATION HEARING BEING DEFERRED FOR 30 DAYS.** If you have any questions about the information provided, please contact our office at (505) 924-3914 or by fax at 924-3913.

Sincerely,

Dalaine D. Armona
 OFFICE OF NEIGHBORHOOD COORDINATION

.....
 Attention: Both contacts per neighborhood association need to be notified.

NOTICE TO APPLICANTS

SUGGESTED INFORMATION FOR NEIGHBORHOOD NOTIFICATION LETTERS

Applicants for Zone Change, Site Plan, Sector Development Plan approval or an amendment to a Sector Development Plan by the EPC, DRB, etc. are required under Council Bill O-92 to notify all affected recognized neighborhood associations **PRIOR TO FILING THE APPLICATION TO THE PLANNING DEPARTMENT.** Because the purpose of the notification is to ensure communication as a means of identifying and resolving problems early, it is essential that the notification be fully informative.

WE RECOMMEND THAT THE NOTIFICATION LETTER INCLUDE THE FOLLOWING INFORMATION:

1. The street address of the subject property.
2. The legal description of the property, including lot or tract number (if any), block number (if any), and name of the subdivision.
3. A physical description of the location, referenced to streets and existing land uses.
4. A complete description of the actions requested of the EPC:
 - a) If a **ZONE CHANGE OR ANNEXATION**, the name of the existing zone category and primary uses and the name of the proposed category and primary uses (i.e., "from the R-T Townhouse zone, to the C-2 Community Commercial zone").
 - b) If a **SITE DEVELOPMENT OR MASTER DEVELOPMENT PLAN** approval or amendment describe the physical nature of the proposal (i.e., "an amendment to the approved plan to allow a drive-through restaurant to be located just east of the main shopping center entrance off Montgomery Blvd.").
 - c) If a **SECTOR DEVELOPMENT PLAN OR PLAN AMENDMENT** a general description of the plan area plan concept, the mix of zoning and land use categories proposed and description of major features such as location of significant shopping centers, employment centers, parks and other public facilities.
5. The name, address and telephone number of the applicant and of the agent (if any). In particular the name of an individual contact person will be helpful so that neighborhood associations may contact someone with questions or comments.

(Below this line for ONC use only)

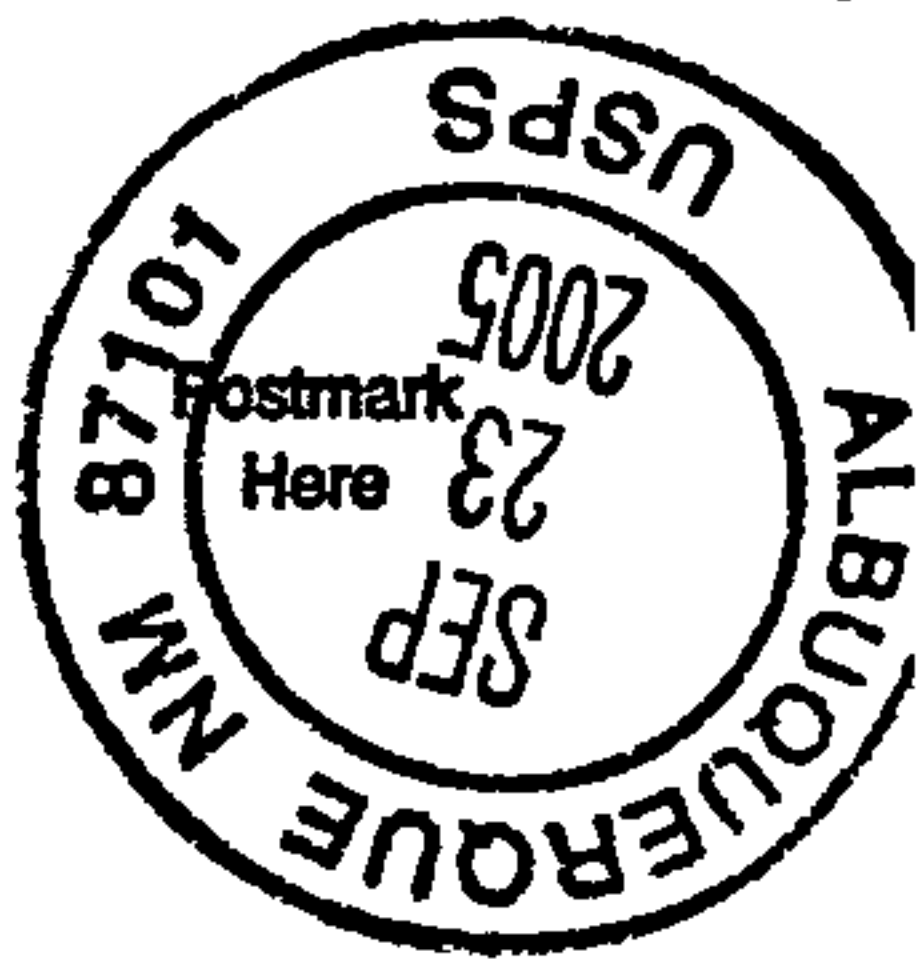
Date of Inquiry: 9/23/05 Time Entered: 10:40 ONC Rep. Initials: OC

U.S. Postal Service™
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Restricted Delivery Fee (Endorsement Required)	
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Sent To ANNE HE GONZALES
 Street, Apt. No., or PO Box No. 2323 BIG PINE DR NW
 City, State, ZIP+4 ABQ NM 87120

PS Form 3800 June 2002 See Reverse for Instructions

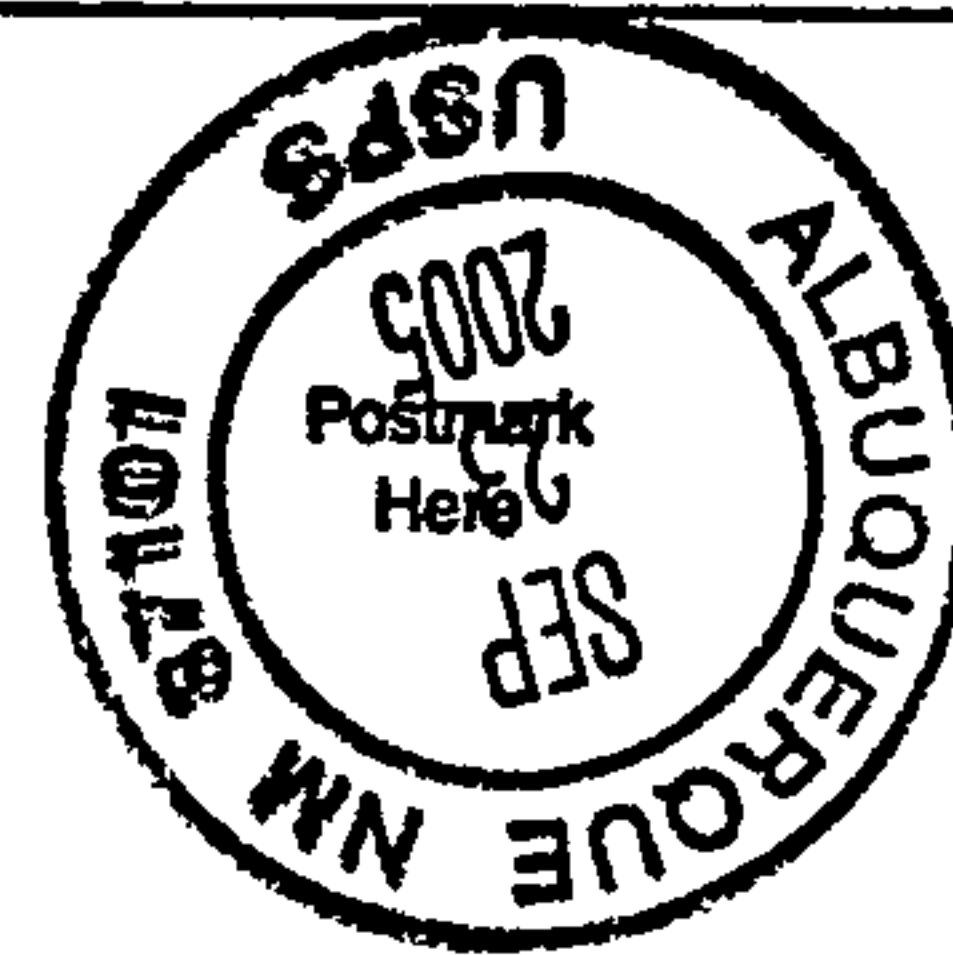
7005 1160 0000 1000 3185

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Return Receipt Fee (Endorsement Required)	1.75
Restricted Delivery Fee (Endorsement Required)	
Total Postage & Fees	\$ 4.65



Sent To Dr. Joe Velas
 Street, Apt. No., or PO Box No. 5020 Grande Vista Ct NW
 City, State, ZIP+4 ABQ NM 87120

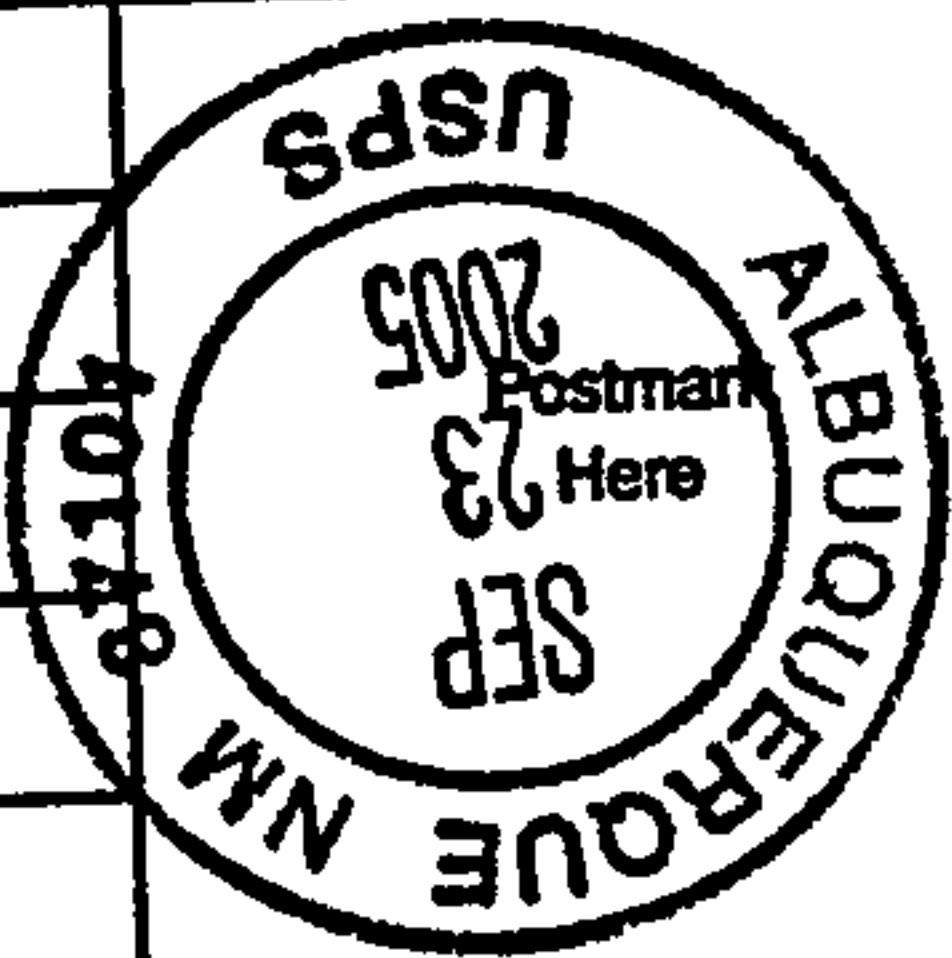
PS Form 3800 June 2002 See Reverse for Instructions

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Postage	\$.60
Certified Fee	2.30
Return Receipt Fee (Endorsement Required)	1.75
Restricted Delivery Fee (Endorsement Required)	
Total Postage & Fees	\$ 4.65



Sent To Deann Lewis
 Street, Apt. No., or PO Box No. 1000 Sunny Day Ct NW
 City, State, ZIP+4 ABQ NM 87120

PS Form 3800 June 2002 See Reverse for Instructions

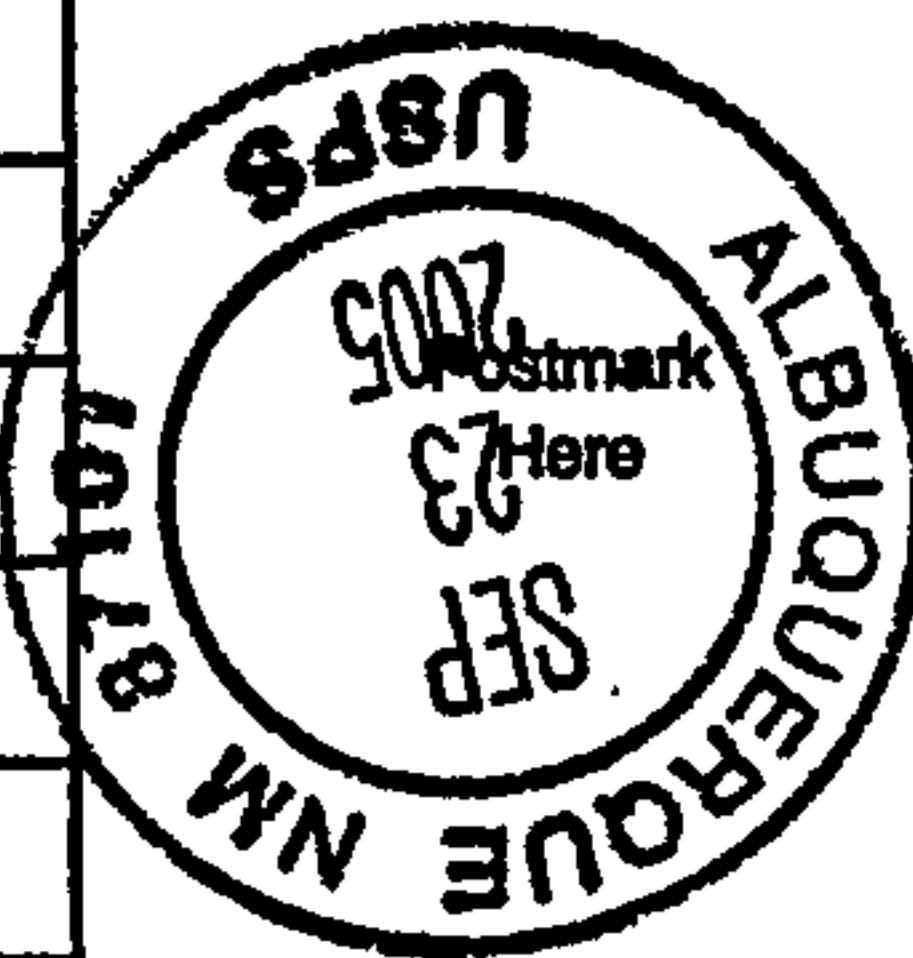
7005 1160 0000 1000 3185

U.S. Postal Service™
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OFFICIAL USE

Postage	\$.60
Certified Fee	2.30
Return Receipt Fee (Endorsement Required)	1.75
Restricted Delivery Fee (Endorsement Required)	
Total Postage & Fees	\$ 4.65



Sent To John Landman
 Street, Apt. No., or PO Box No. 2236 Ave Ct NW
 City, State, ZIP+4 ABQ NM 87120

PS Form 3800 June 2002 See Reverse for Instructions

22096
SIA

No. Of Lots 3

Nearest Major Streets COORS BOULEVARD NW

FIGURE 12
SUBDIVISION IMPROVEMENTS
AGREEMENT-PUBLIC AND/OR PRIVATE
(Procedure B)

AGREEMENT TO CONSTRUCT
PUBLIC AND/OR PRIVATE SUBDIVISION IMPROVEMENTS

THIS AGREEMENT is made this Hth day of February, 2005, by and between the City of Albuquerque, New Mexico ("City"), a municipal corporation, whose address is P. O. Box 1293 (One Civic Plaza), Albuquerque, New Mexico 87103, and QUAIL PLAZA LLC ("Subdivider"), a [state the type of business entity, for instance, "New Mexico corporation," "general partnership," "joint venture," "individual," etc.]: A LIMITED LIABILITY COMPANY, whose address is PO BOX 66180, ALBUQUERQUE, NM 87193-6180 and whose telephone number is (505) 889-3061, is made in Albuquerque, New Mexico, and is entered into as of the date of final execution of this Agreement.

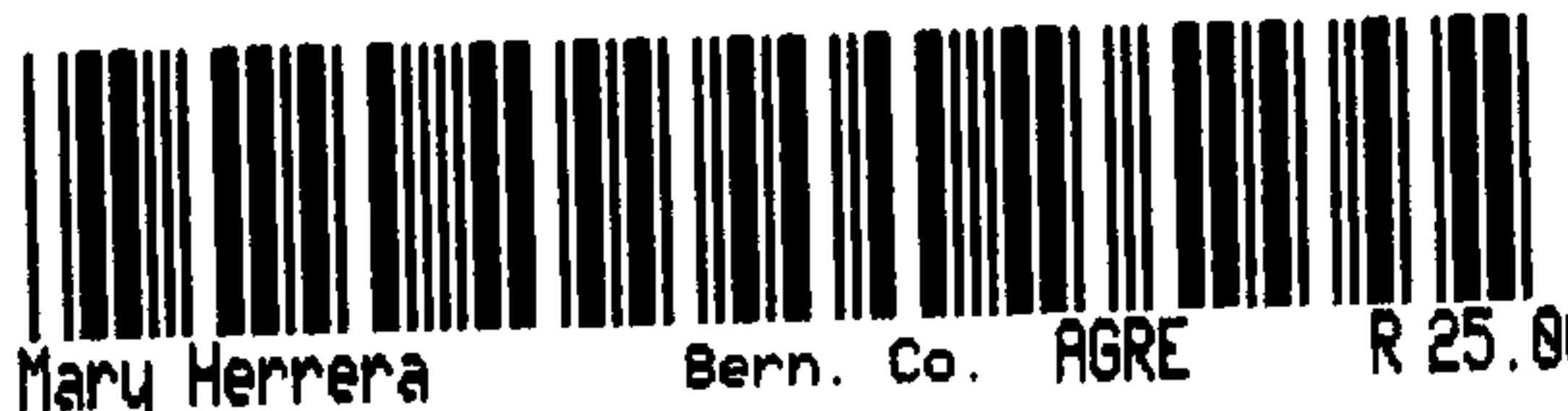
1. Recital. The Subdivider is developing certain lands within the City of Albuquerque, Bernalillo County, New Mexico, known as [describe:] W.H. BRUNELL ADDITION, recorded on JANUARY 25, 1972 in the records of the Bernalillo County Clerk at Book C8, Folio 84 (the "Subdivision"). The Subdivider certifies that the Subdivision is owned by [state the name of the present real property owner exactly as shown on the real estate document conveying title in the Subdivision to the present owner:] QUAIL PLAZA LLC ("Owner").

The Subdivider has submitted and the City has approved a preliminary plat or Site Development Plan identified as TRACTS 1 THRU 3, QUAIL RIDGE describing Subdivider's Property.

As a result of the development of the Subdivision, the Subdivision Ordinance ("S.O.") and/or the Zoning Code, Section 14-16-3-11, require the Subdivider, at no cost to the City, to install certain public and/or private Improvements, which are reasonably related to the development of the Subdivision, or to financially guarantee the construction of the public and/or private Improvements as a prerequisite to approval of the final plat of, or the Site Development Plan for the Subdivision.

2. Improvements and Construction Deadline. The Subdivider agrees to install and complete the public and/or private improvements described in Exhibit A, the required infrastructure listing ("Improvements"), to the satisfaction of the City, on or before the 29th day of October, 2005 ("Construction Completion Deadline"), at no cost to the City. The improvements are shown in greater detail on the Subdivider's proposed and approved plans, which have been filed with the City Engineer and are identified as Project No. 7191.81.

Note: To compute the Construction Completion Deadline: If a final plat will be filed after Subdivider meets the requirements of this Agreement, the Construction Completion Deadline can be no later than two years after execution of this Agreement. (See Subdivision Ordinance Section 14-14-3.) If a final plat will not be filed pursuant to this Agreement, the Construction Completion Deadline can be no later than one year after approval of the preliminary plat by the Development Review Board (DRB), unless the DRB grants an extension, not to exceed one additional year per extension, and the Subdivider processes an amendment to the Agreement. (See Subdivision Ordinance Section 14-14-3.) If this Agreement, with any amendments does not utilize the maximum time allowed for completion of construction, the Subdivider may obtain an extension of the Construction Completion Deadline if Subdivider shows adequate reason for



Current DRC
Project Number: _____

FIGURE 12

220096
DRB

Date Submitted: 10/29/03
Date Site Plan Approved: 10/29/03
Date Preliminary Plat Approved: 10/29/03
Date Preliminary Plat Expires: 10/29/04
DRB Project No.: 1002459
DRB Application No.: 03-01759

ORIGINAL

INFRASTRUCTURE LIST

EXHIBIT "A"
TO SUBDIVISION IMPROVEMENTS AGREEMENT
DEVELOPMENT REVIEW BOARD (D.R.B.) REQUIRED INFRASTRUCTURE LIST

Quail Ridge

PROPOSED NAME OF DEVELOPER SITE DEVELOPMENT PLAN

WH Brunell Addition

EXISTING LEGAL DESCRIPTION PRIOR TO PLATTING ACTION

Following is a summary of PUBLIC/PRIVATE Infrastructure required to be constructed or financially guaranteed for the above development. This Listing is not necessarily a complete listing. During the SIA process in the review of the construction drawings, if the DRC Chair determines that appurtenant items and/or unforeseen items have not been included in the infrastructure listing, the DRC Chair may include those items in the listing and related financial guarantee. Likewise, if the DRC Chair determines that appurtenant or non-essential items can be deleted from the listing, those items may be deleted as well as the related portions of the financial guarantees. All such revisions require approval by the DRC Chair, the User Department and agent/owner. If such approvals are obtained, these revisions to the listing will be incorporated administratively. In addition, any unforeseen items which arise during construction which are necessary to complete the project and which normally are the Subdivider's responsibility will be required as a condition of project acceptance and close out by the City.

SIA Sequence #	COA DRC Project #

Size	Type of Improvement	Location	From	To
<i>Public Improvements</i>				
12' F-E	Permanent Paving Right Turn Lane	57th Street	200' South of Quail Road	Quail Road
4'	Median	Quail Road	57th Street	East Property Line
8"	Private SAS Gravity Line	Private SAS Easement	57th Street	Tract 6
\$31,250	Traffic Signal [△] C-mod	57th/Quail		
\$24,675	Offsite Traffic Mitigation [△] C-mod			
6' [Ⓢ]	SIDEWALK	COORS BLVD NW	DURAY	N. PROP. LINES
6' [Ⓢ]	SIDEWALK	DURAY RD NW	57th	COORS BLVD NW

Private Inspector	City Inspector	City Cnst Engineer
/	/	/
/	/	/
/	/	/
/	/	/
/	/	/
/	/	/

1
2
3
4
5

Five horizontal lines for handwritten notes.

AGENT / OWNER

Ronald R. Bohannon, PE

NAME (print)

Tierra West, LLC

FIRM

[Signature] 10/27/03
SIGNATURE - date

MAXIMUM TIME ALLOWED TO CONSTRUCT
THE IMPROVEMENTS WITHOUT A DRB
EXTENSION: _____

DEVELOPMENT REVIEW BOARD MEMBER APPROVALS

[Signature] 10/29/03
DRB CHAIR - date

[Signature] 10/29/03
PARKS & GENERAL SERVICES - date

[Signature] 10/29/03
TRANSPORTATION DEVELOPMENT - date

[Signature] 10/29/03
UTILITY DEVELOPMENT - date

[Signature] 10/29/03
CITY ENGINEER - date

AMAFCA - date
_____- date
_____- date

DESIGN REVIEW COMMITTEE REVISIONS

REVISION	DATE	DRC CHAIR	USER DEPARTMENT	AGENT / OWNER
1	11-21-03	<i>[Signature]</i>	<i>[Signature]</i>	<i>[Signature]</i>
2	12.23.04	<i>[Signature]</i>	<i>[Signature]</i>	<i>[Signature]</i>

QUAIL RIDGE

(BEING A REPLAT OF THE W.H. BRUNELL ADDITION)

WITHIN

THE TOWN OF ATRISCO GRANT

PROJECTED SECTION 11, TOWNSHIP 10 NORTH, RANGE 2 EAST
NEW MEXICO PRINCIPAL MERIDIAN

CITY OF ALBUQUERQUE

BERNALILLO COUNTY, NEW MEXICO

SEPTEMBER, 2003

PROJECT NUMBER

Application Number

PLAT APPROVAL

Utility Approvals

PNM Electric Services

PNM Gas Services

QWest Telecommunications

Comcast

New Mexico Utilities

City Approvals

City Surveyor

Real Property Division

Environmental Health Department

Public Engineering Transportation Division

Utilities Development

Parks and Recreation Department

AMARCA

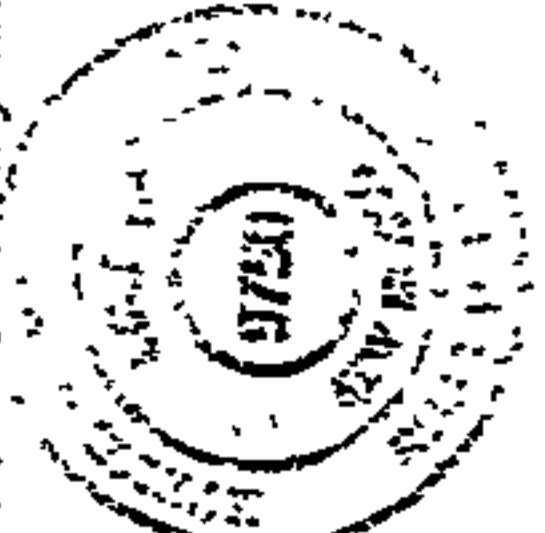
City Engineer

DRB Cushman, Hartung Department

10-29-03
5-18-04
5-18-04

SURVEYORS CERTIFICATION

I, Russ P. Hugg, New Mexico Professional Surveyor Number 9750, hereby certify that this plat of survey was prepared from field notes of an actual ground survey performed by me or under my supervision that it meets the Standards for Land Surveys in New Mexico as adopted by the New Mexico State Board of Registration for Professional Engineers and Professional Surveyors; that it meets the minimum requirements for surveys and instrumentation of the Albuquerque Subdivision Ordinance, that it shows all easements of record; and that it is true and correct to the best of my knowledge and belief.



Russ P. Hugg
NMPS No. 9750
September 16, 2003

SURVEYOR, INC.

6-27-11-03



TREASURER'S CERTIFICATION

This is to certify that taxes are current and paid on the following property:

UPC# 10110592004-3520607

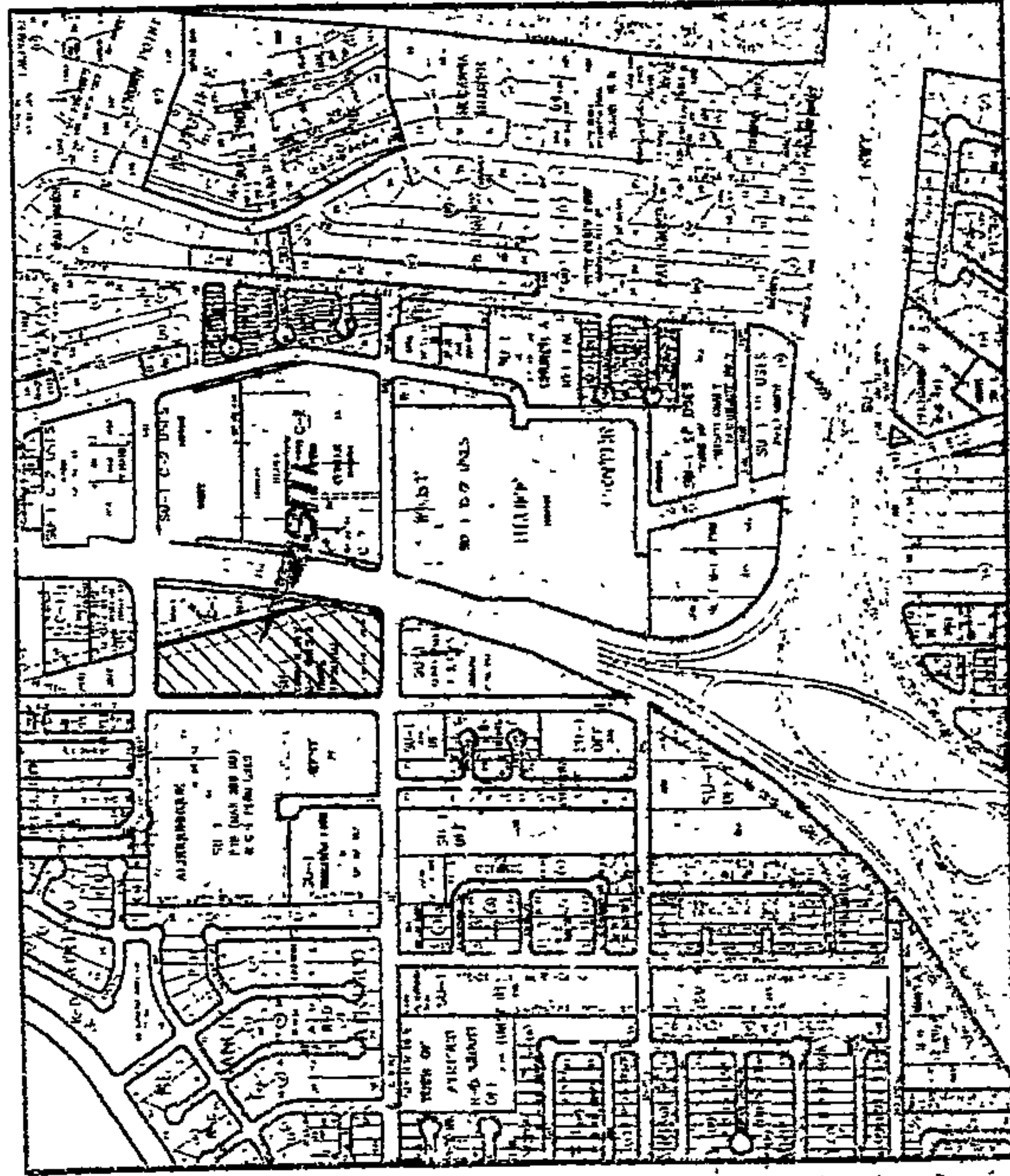
[Signature]
Bernalillo County Treasurer's Office
Date: 15 May 04

GENERAL NOTES

- Bearings for New Mexico State Plane Grid Bearings (Cent. of Zone - NAD 1927) originated at the Albuquerque Central Survey Monument "12-HIT".
- Distances are ground.
- Distances along curved lines are arc lengths.
- Record Plat or Deed bearings and distances, where they differ from those established by this field survey, are shown in parenthesis ().
- All corners found in place and not were flagged with a brass disk stamped "HUGG L.S. 9750" unless otherwise indicated hereon.
- All corners that were set are either a 5/8" rebar with cap with brass disk stamped "HUGG L.S. 9750" or a concrete nail, unless otherwise indicated hereon.
- Field surveys were performed during the months of February and March, 2003.
- Documents used in the preparation of this survey are as follows:

- Plat entitled "W.H. BRUNELL ADDITION, AN ADDITION TO THE CITY OF ALBUQUERQUE, NEW MEXICO," filed January 25, 1972, in Volume CB, Folio 84, records of Bernalillo County, New Mexico.
- Plat entitled "PLAT OF LOTS A1, 387A, 387B & 387C, TOWN OF ATRISCO GRANT, BERNALILLO COUNTY, NEW MEXICO, JANUARY 1985," filed May 20, 1985, in Volume C27, Folio 56, records of Bernalillo County, New Mexico.
- Plat entitled "PLAT OF TRACTS A-1 & C-1, ALBUQUERQUE WEST, ALBUQUERQUE, NEW MEXICO, MAY 1996," filed July 25, 1997, in Volume 97C, Folio 232, records of Bernalillo County, New Mexico.
- Plat entitled "PLAT OF TRACTS A-23-1-A AND A-24-1-A, TOWN OF ATRISCO GRANT (NORTHEAST UNIT), ALBUQUERQUE, BERNALILLO COUNTY, NEW MEXICO, APRIL 1992," filed December 2, 1992, in Volume 92C, Folio 261, records of Bernalillo County, New Mexico.
- Plat entitled "PLAT OF TRACTS 333-A-1-A, 333-A-1-B AND 333-A-1-C, TOWN OF ATRISCO GRANT, UNIT 8, ALBUQUERQUE, BERNALILLO COUNTY, NEW MEXICO, MARCH 1994," filed October 10, 1995, in Volume 95C, Folio 363, records of Bernalillo County, New Mexico.
- Plat entitled "PLAT OF TRACT A, LANDS OF CONWAY OIL, ALBUQUERQUE, BERNALILLO COUNTY, NEW MEXICO, SEPTEMBER, 1986," filed November 7, 1996, in Volume 96C, Folio 45A, records of Bernalillo County, New Mexico.
- Plat entitled "LOTS 1 AND 2, MICKY D'S SUBDIVISION UNIT 1, CITY OF ALBUQUERQUE, BERNALILLO COUNTY, NEW MEXICO, OCTOBER, 1993," filed February 1, 1994, in Volume 94C, Folio 32, records of Bernalillo County, New Mexico.
- Plat entitled "PLAT SHOWING A PORTION OF TRACTS ALLOTTED FROM TOWN OF ATRISCO GRANT, BERNALILLO COUNTY, NEW MEXICO, JANUARY 1945," filed December 5, 1944, in Volume 4, Folio 117, records of Bernalillo County, New Mexico.

- Final Subdivision Certification of Payment and Order of Encumbrances filed June 16, 1988, in Book Misc 631A, Pages 583 - 591, records of Bernalillo County, New Mexico.
- Title Report prepared for this property by First American Title Insurance Company, Commitment for Title Insurance No. NMD2-101321-ALDI, dated December 3, 2002.
- City of Albuquerque Zone Atlas Page. M-11-2
- U.C.L.S. Log Number 2003342337
- Total number of existing tracts: 1
- Total number of new tracts created: 6
- Total mileage of full width strips created: 0 miles
- Gross subdivision acreage: 7.5620 acres
- In the event additional right-of-way is secured from the site for the reconstruction of the 1-400 coors interchange that conflicts with the existing 45' high sign, the sign shall be removed at the expense of the owner and relocated to meet all applicable city policies and applicable ordinances.



VICINITY MAP
NOT TO SCALE

PUBLIC UTILITY EASEMENTS

PUBLIC UTILITY EASEMENTS shown on this plat are granted for the common and joint use of:

- PNM Electric Services for installation, maintenance and service of underground electrical lines, transformers and other equipment and related facilities reasonably necessary to provide electrical service.
 - PNM Gas Services for installation, maintenance and service of natural gas lines, valves and other equipment and facilities reasonably necessary to provide natural gas service.
 - QWest Corporation for installation, maintenance and service of such lines, cable and other related equipment and facilities reasonably necessary to provide communication services, including but not limited to, ground pedestals and closures.
 - Comcast Digital 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, rebuild, construct, reconstruct, locate, relocate, change, remove, modify, renew, 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 building, sign, pool (aboveground or subsurface), hot tub, concrete or wood deck, or other structure shall be erected or constructed on said easements, nor shall any well be drilled or operated thereon. Property owners shall be solely responsible for contracting any violations of National Electrical Safety Code by construction of poles, decking, or any structures adjacent to or near easements shown on this plat.

Easements for electric transformers/switchgears, as installed, shall extend ten feet (10') in front of transformer/switchgear doors and five feet (5') on each side

DISCLAIMER

In approving this plat, PNM Electric Services and PNM Gas Services did not conduct a title search of the property shown hereon. Consequently, PNM does not waive nor release any easement or easement rights to which it may be entitled.

NOTE

City of Albuquerque Water and Sanitary Sewer Service to the properties shown hereon must be verified and coordinated with the Public Works Department, City of Albuquerque.

DISCLOSURE STATEMENT

The purpose of this plat is to create 6 lots Grant private with low and private sanitary sewer easements. Dedicate street right of way to the City of Albuquerque in fee simple with certain covenants Grant public sidewalk easements.

QUAIL RIDGE

(BEING A REPLAT OF THE W.H. BRUNELL ADDITION)

WITHIN

THE TOWN OF ATRISCO GRANT

PROJECTED SECTION 11, TOWNSHIP 10 NORTH, RANGE 2 EAST,
NEW MEXICO PRINCIPAL MERIDIAN

CITY OF ALBUQUERQUE
BERNALILLO COUNTY, NEW MEXICO

SEPTEMBER, 2003

LEGAL DESCRIPTION

That certain parcel of land situate within the Town of Atrisco Grant in projected Section 11, Township 10 North, Range 2 East, New Mexico Principal Meridian, City of Albuquerque, Bernalillo County, New Mexico, comprising the remaining portion of the W.H. Brunell Addition, as the same is shown and designated on the plat entitled "W.H. BRUNELL ADDITION, AN ADDITION TO THE CITY OF ALBUQUERQUE, NEW MEXICO", filed January 25, 1972, in Volume CB, Folio 84, records of Bernalillo County, New Mexico, being more particularly described by survey performed by Russ P. Hugg, New Mexico Professional Surveyor Number 9750 using New Mexico State Plane Gnd Bearings (Central Zone) and ground distances as follows:

Beginning at the Northeast corner of the parcel herein described, said point being on the Southerly right of way line of Quail Road N.W. and also being the Northwest corner of Tract A-24-1-A, Town of Atrisco Grant, Northeast Unit, as the same is shown and designated on the plat entitled "PLAT OF TRACTS A-23-1-A AND A-24-1-A, TOWN OF ATRISCO GRANT (NORTHEAST UNIT), ALBUQUERQUE, BERNALILLO COUNTY, NEW MEXICO, APRIL 1992", filed December 2, 1992, in Volume 92C, Folio 261, records of Bernalillo County, New Mexico, from whence the Albuquerque Central Survey Monument "12-H11" bears S 87°01'04" E, 434.70 feet distant, Thence,

S 13°38'47" E, 709.60 feet to a point, said point being the Southwest corner of Tract A-23-1-A, Town of Atrisco Grant, Northeast Unit, as the same is shown and designated on the plat entitled "PLAT OF TRACTS A-23-1-A AND A-24-1-A, TOWN OF ATRISCO GRANT (NORTHEAST UNIT), ALBUQUERQUE, BERNALILLO COUNTY, NEW MEXICO, APRIL 1992", filed December 2, 1992, in Volume 92C, Folio 261, records of Bernalillo County, New Mexico; Thence,

S 89°45'47" E, 32.43 feet along the Southerly boundary line of said Tract A-23-1-A, Town of Atrisco Grant, Northeast Unit to a point on curve, said point being the Southeast corner of said Tract A-23-1-A, Town of Atrisco Grant, Northeast Unit, and also being a point on the Northwesterly right of way line of Gaosa Boulevard N.W.; Thence,

Southwesterly, 275.89 feet along the arc of a curve to the right (said curve having a radius of 5646.46 feet, a central angle of 02°47'58" and a chord which bears S 12°08'14" W, 275.87 feet) to a point of compound curvature;

Southwesterly, 47.69 feet along the arc of a curve to the right (said curve having a radius of 55.00 feet, a central angle of 49°34'28" and a chord which bears S 38°19'32" W, 46.12 feet) to a point of non-tangency, said point being on the Northerly right of way line of Ouray Road N.W., thence along said Northerly right of way line of Ouray Road N.W. for the following two courses,

N 89°21'29" W, 180.73 feet to a point of curvature; Thence,

Northwesterly, 139.56 feet along the arc of a curve to the right (said curve having a radius of 1346.80 feet, a central angle of 05°56'13" and a chord which bears N 86°43'49" W, 139.49 feet) to a point of compound curvature; Thence,

Northwesterly, 36.91 feet along the arc of a curve to the right (said curve having a radius of 25.00 feet, a central angle of 84°34'56" and a chord which bears N 41°28'15" W, 33.64 feet) to a point of tangency, said point being on the Easterly right of way line of 57th Street N.W.; Thence,

N 00°49'13" E, 939.37 feet to a point of curvature; Thence,

Northeasterly, 39.37 feet along a curve to the right (said curve having a radius of 25.00 feet, a central angle of 90°14'25" and a chord which bears N 45°56'25" E, 35.43 feet) to a point of tangency, said point being on the Southerly right of way line of Quail Road N.W.; Thence,

S 88°56'22" E, 190.15 feet to the point of beginning of the parcel herein described.

Said parcel contains 7.5620 acres, more or less.

FREE CONSENT AND DEDICATION

SURVEYED and REPLATED and now comprising TRACTS 1 THRU 6, QUAIL RIDGE (BEING A REPLAT OF THE W.H. BRUNELL ADDITION) WITHIN THE TOWN OF ATRISCO GRANT, PROJECTED SECTION 11, TOWNSHIP 10 NORTH, RANGE 2 EAST, NEW MEXICO PRINCIPAL MERIDIAN, CITY OF ALBUQUERQUE, BERNALILLO COUNTY, NEW MEXICO, is with the free consent of and in accordance with the wishes and desires of the undersigned owner(s) and proprietor(s) thereof. Said owner(s) and proprietor(s) do hereby dedicate street right of way to the City of Albuquerque in fee simple with warranty covenants. Said owner(s) and proprietor(s) do hereby grant public sidewalk easements as shown hereon. Said owner(s) and proprietor(s) do hereby grant the public utility easements to the use of the public forever, as shown hereon. Said owner(s) and proprietor(s) do hereby consent to all of the foregoing and do hereby certify that they are so authorized to act.


OWNER: W.H. BRUNELL ADDITION
SCM Property Company, LLC


Steve Maestas, Managing Member

ACKNOWLEDGEMENT

STATE OF SS
COUNTY OF SS

This instrument was acknowledged before me on this 17th day of September, 2003, by Steve Maestas, Managing Member.


Notary Public

My Commission expires: 2-26-2006



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

PAID RECEIPT

APPLICANT NAME QUAIL PLAZA
AGENT TIERRA WEST
ADDRESS 8509 JEFFERSON
PROJECT & APP # 100 2459 / 01500
PROJECT NAME QUAIL RIDGE

\$ 20.00 441032/3424000 Conflict Management Fee
\$ 50.00 441006/4983000 DRB Actions
\$ _____ 441006/4971000 EPC/AA/LUCC Actions & All Appeals
\$ 75.00 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
\$ 145.00 TOTAL AMOUNT DUE

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

9, 23, 2014
RECEIVED
Activity
Trans

TIERRA WEST LLC
8509 JEFFERSON NE
ALBUQUERQUE, NM 87113
(505) 858-3100

2180
95-677/1070

DATE OF 9/23/14

PAY TO THE ORDER OF City of Albuquerque \$ 145.00
One Hundred & Forty Five DOLLARS

HIGH DESERT STATE BANK
Member FDIC
8110 Ventura NE
Albuquerque, NM 87122

FOR 22096 DRB SIA Extension
201813

Donna Bohannan

002180 1070066771

SIGN POSTING REQUIREMENTS

POSTING SIGNS ANNOUNCING PUBLIC HEARINGS

All persons making application to the City under the requirements and procedures established by the City Zoning Code or subdivision Ordinance are responsible for the posting and maintaining of one or more signs on the property, which the application describes. Vacations of public rights-of-way (if the way has been in use) also require signs. Waterproofed signs will be provided at the time of application. If the application is mailed, you must still stop at the Planning Division to pick up the sign.

The applicant is responsible for ensuring that the signs remain posted throughout the 15-day period prior to public hearing. Failure to maintain the signs during this entire period may be cause for deferral or denial of the application. Replacement signs for those lost or damaged are available from the Planning Division at a charge of \$3.00 each.

1. LOCATION

- A. The sign shall be conspicuously located. It shall be located within twenty feet of the public sidewalk (or edge of public street). Staff may indicate a specific location.
- B. The face of the sign shall be parallel to the street, and the bottom of the sign shall be two to seven feet from the ground.
- C. No barrier shall prevent a person from coming within five feet of the sign in order to read it.

2. NUMBER

- A. One sign shall be posted on each paved street frontage. Signs maybe required on unpaved street frontages.
- B. If the land does not abut a public street, then in addition to a sign placed on the property a sign shall be placed on and at the edge of the public right-of-way of the nearest paved City street. Such a sign must direct readers toward the subject property by an arrow and an indication of distance.

3. PHYSICAL POSTING

- A. A heavy stake with two crossbars or full plywood backing works best to keep the sign in place, especially during high winds.
- B. Large headed nails or staples are best for attaching signs to a post or backing; the sign tears out less easily.

4. TIME

Signs must be posted from 10.4.05 To 10/19.05.

5. REMOVAL

- A. The sign is not to be removed before the initial hearing on the request.
- B. The sign should be removed within five (5) days after the initial hearing.

I have read this sheet and discussed it with the Planning Division staff. I understand (A) my obligation to keep the sign(s) posted for fifteen (15) days and (B) where the sign(s) are to be located. I am being given a copy of this sheet.

Helen Kline, 9.23.05
(Applicant or Agent) (Date)

I issued 2 signs for this application, 9/23/05, *Ki Sis*
(Date) (Staff Member)

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...**
- D** 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: QUAIL RIDGE LLC PHONE: 889.3061
 ADDRESS: 6300 RIVERSIDE PLAZA LANE NE STE. 210 FAX:
 CITY: ABQ STATE NM ZIP 87109 E-MAIL:
 Proprietary interest in site: OWNER/DEVELOPER **List all owners: QUAIL RIDGE LLC**
 AGENT (if any): TIERRA WEST LLC PHONE: 858.3100
 ADDRESS: 8509 JEFFERSON NE FAX: 858.1118
 CITY: ALBUQUERQUE STATE NM ZIP 87113 E-MAIL: twllc@tierrawestllc.com

DESCRIPTION OF REQUEST: VACATION OF PRIVATE WATERLINE EASEMENT & MINOR 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. TRACTS 1, 3, 4, & 5 Block: _____ Unit: _____
 Subdiv. / Addn. QUAIL RIDGE

Current Zoning: C-2 (SC) Proposed zoning: SAME
 Zone Atlas page(s): H-11 No. of existing lots: 4 No. of proposed lots: 4
 Total area of site (acres): 4 Density if applicable: dwellings per gross acre: dwellings per net acre:
 Within city limits? Yes. No, but site is within 5 miles of the city limits.) Within 1000FT of a landfill? NO
 UPC No. 10105920043520602 MRGCD Map No. _____
 LOCATION OF PROPERTY BY STREETS: On or Near: COORS BLVD NW
 Between: OURAY ROAD NW and QUAIL ROAD NW

CASE HISTORY:

List any current or prior case number that may be relevant to your application (Proj., App., DRB-, AX_, Z_, V_, S_, etc.):
 03EPC-00159/03EPC-00160/04AA-00871-- PROJ# 1002459

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

SIGNATURE _____ DATE 4/12/05
 (Print) RONALD R. BOHANNAN, P.E. _____ 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
05DRB -00615	VPR/E	V	\$45.00
05DRB -00616	P/E	SL3)	\$425.00
	CMF		\$20.00
			\$
			\$
			\$
			Total
			\$490.00

Hearing date 4-20-05

4-12-05
 Planner signature / date

Project # **1002459**

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.**

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
- 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.

RONALD R. BOHANNAN, P.E.

Applicant name (print)

[Signature]

Applicant signature / date

4/12/05

Form revised 3/03, 8/03, 11/03 & 8/04



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

Application case numbers
 05 DRB - 00616

[Signature] 4-12-05
 Planner signature / date

Project # 1002459

FORM V: SUBDIVISION VARIANCES & VACATIONS

BULK LAND VARIANCE

(PUBLIC HEARING CASE)

- Application for subdivision (Plat) on FORM S-3, including those submittal requirements. **24 copies** of the plat are required. The Variance and subdivision should be applied for simultaneously.
- Letter briefly describing and explaining: the request, compliance with criteria in the Development Process Manual, and any improvements to be waived.
- Notice on the proposed Plat that there are conditions to subsequent subdivision (refer to DPM)
- Office of Community & Neighborhood Coordination inquiry response, notifying letter, certified mail receipts
- Sign Posting Agreement
- Fee (see schedule) Fee is for Variance. Plat fee is listed on FORM-S.
- Any original and/or related file numbers are listed on the cover application

DRB Public hearings are approximately ONE MONTH after the filing deadline. Your attendance is required.

VACATION OF PUBLIC RIGHT-OF-WAY

VACATION OF PUBLIC EASEMENT

- The complete document which created the public easement (folded to fit into an 8.5" by 14" pocket) **24 copies**. (Not required for dedicated and City owned public right-of-way.)
- Drawing showing the easement or right-of-way to be vacated, its relation to existing streets, etc. (folded to fit into an 8.5" by 14" pocket) **24 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
- Office of Community & Neighborhood Coordination inquiry response, notifying letter, certified mail receipts
- Sign Posting Agreement
- Fee (see schedule)
- Any original and/or related file numbers are listed on the cover application

Unless the vacation is shown on a DRB approved plat recorded by the County Clerk within one year, it will expire.

DRB Public hearings are approximately ONE MONTH after the filing deadline. Your attendance is required.

SUBDIVISION DESIGN VARIANCE (VARIANCE FROM MINIMUM STANDARDS OF THE DEVELOPMENT PROCESS MANUAL)

SIDEWALK DESIGN VARIANCE

SIDEWALK WAIVER

- Scale drawing showing the proposed variance or waiver (folded to fit into an 8.5" by 14" pocket) **6 copies** for unadvertised meetings. These actions are not approved through 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 variance or waiver
- 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.

TEMPORARY DEFERRAL OF SIDEWALK CONSTRUCTION

EXTENSION OF THE SIA FOR TEMPORARY DEFERRAL OF SIDEWALK CONSTRUCTION

- Drawing showing the sidewalks subject to the proposed deferral or extension (folded to fit into an 8.5" by 14" pocket) **6 copies** for unadvertised meetings. These actions are not approved through 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 deferral or extension
- 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.

VACATION OF PRIVATE EASEMENT

- The complete document which created the private easement (folded to fit into an 8.5" by 14" pocket) **6 copies** for unadvertised meetings. These actions are not approved through internal routing.
- Scale drawing showing the easement to be vacated, its relation to existing streets, etc. (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 vacation
- Letter of authorization from the grantors and the beneficiaries
- Fee (see schedule)
- Any original and/or related file numbers are listed on the cover application

Unless the vacation is shown on a DRB approved plat recorded by the County Clerk within one year, it will expire.

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.

RONALD R. BOHANNAN, P.E.

Applicant name (print)



4/12/05
Applicant signature / date



Form revised 4/03 and October 2003

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

Application case numbers
05DRB - 00615
 _____ - _____
 _____ - _____

 4-12-05
Planner signature / date

Project # 1002459

TIERRA WEST, LLC

8509 Jefferson NE
Albuquerque, NM 87113

(505) 858-3100
fax (505) 858-1118

twllc@tierrawestllc.com
1-800-245-3102

April 12, 2005

Ms. Sheran Matson, AICP, Chair
Development Review Board
City of Albuquerque
PO Box 1293
Albuquerque, NM 87103

**RE: Vacation of Private Waterline Easement and Minor Preliminary/Final Plat
Tracts 1, 3, 4, & 5, Quail Ridge
Zone Atlas Page H-11; DRB Project #1002459**

Dear Ms. Matson:

Tierra West LLC, on behalf of Quail Ridge LLC, requests the approval of the above referenced project. The site is located on Coors Boulevard NW between Ouray Road NW and Quail Road NW. The request is to vacate a private waterline and relocate it because it will be under the proposed building. Additionally, we request approval of the Preliminary/Final Plat showing the vacated waterline and the relocated easement, which also shows some lot lines that were replatted. The lot lines were shifted slightly to accommodate the new building configurations, as well as to meet the parking requirements. The new lot lines were previously approved through an Administrative Amendment.

If you have any questions or need additional information regarding this matter, please do not hesitate to call me.

Sincerely,



Ronald R. Bohannon, P.E.

Enclosure/s

cc: Ben Spencer

JN: 24091
RRB/kk

April 12, 2005

City of Albuquerque
Environmental Planning Commission
Development Review Board
PO Box 1239
Albuquerque, NM 87103

RE: Tracts 1, 3, 4, & 5, Quail Ridge

To Whom It May Concern:

As the Owner/Developer, I hereby grant Tierra West LLC to act as agent on behalf of Quail Plaza LLC, on matters pertaining to any and all submittals to the City of Albuquerque regarding the above referenced project. We also authorize the vacation of the waterline for the above referenced tracts as the grantor and beneficiaries.

Ben F Spencer

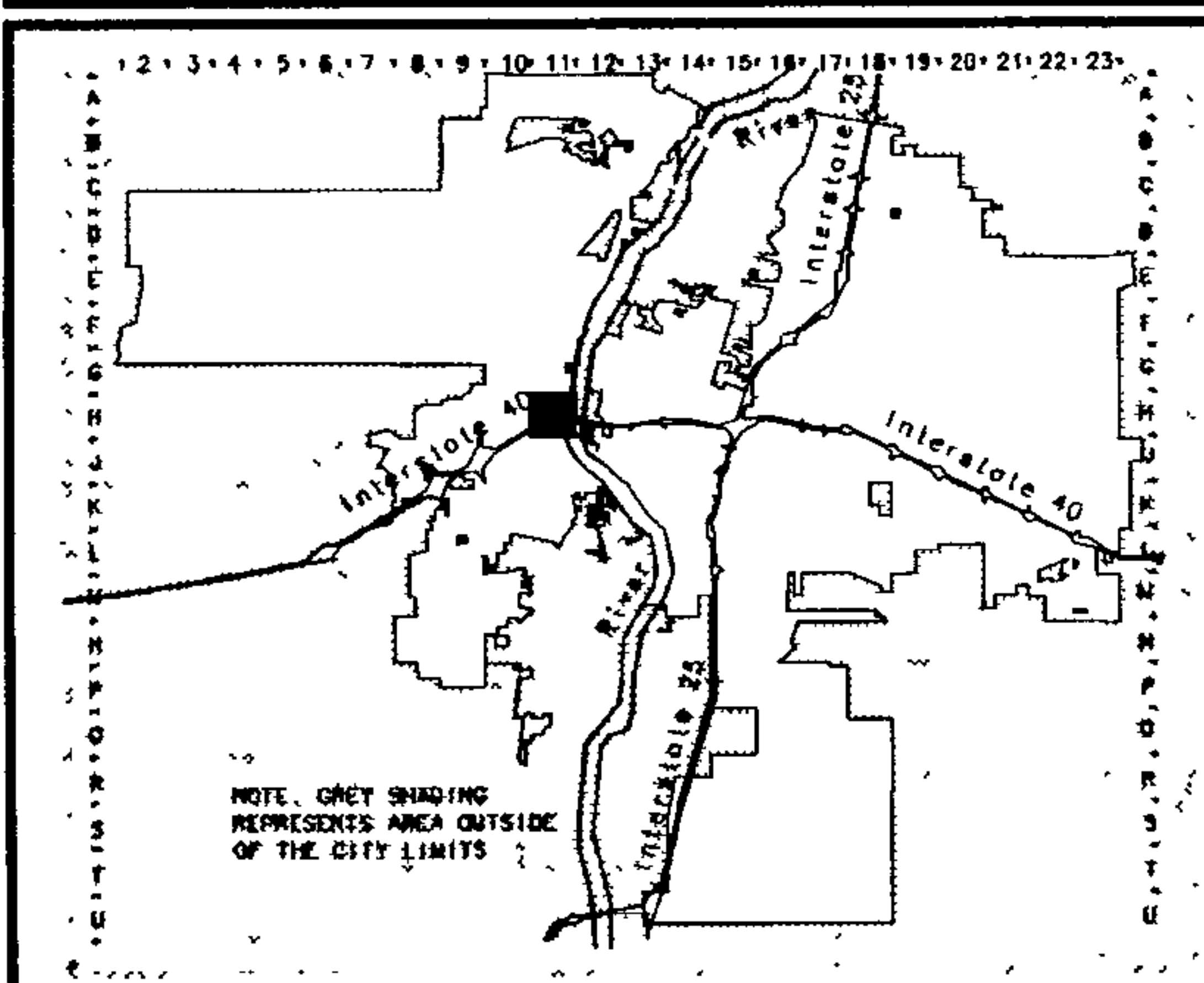
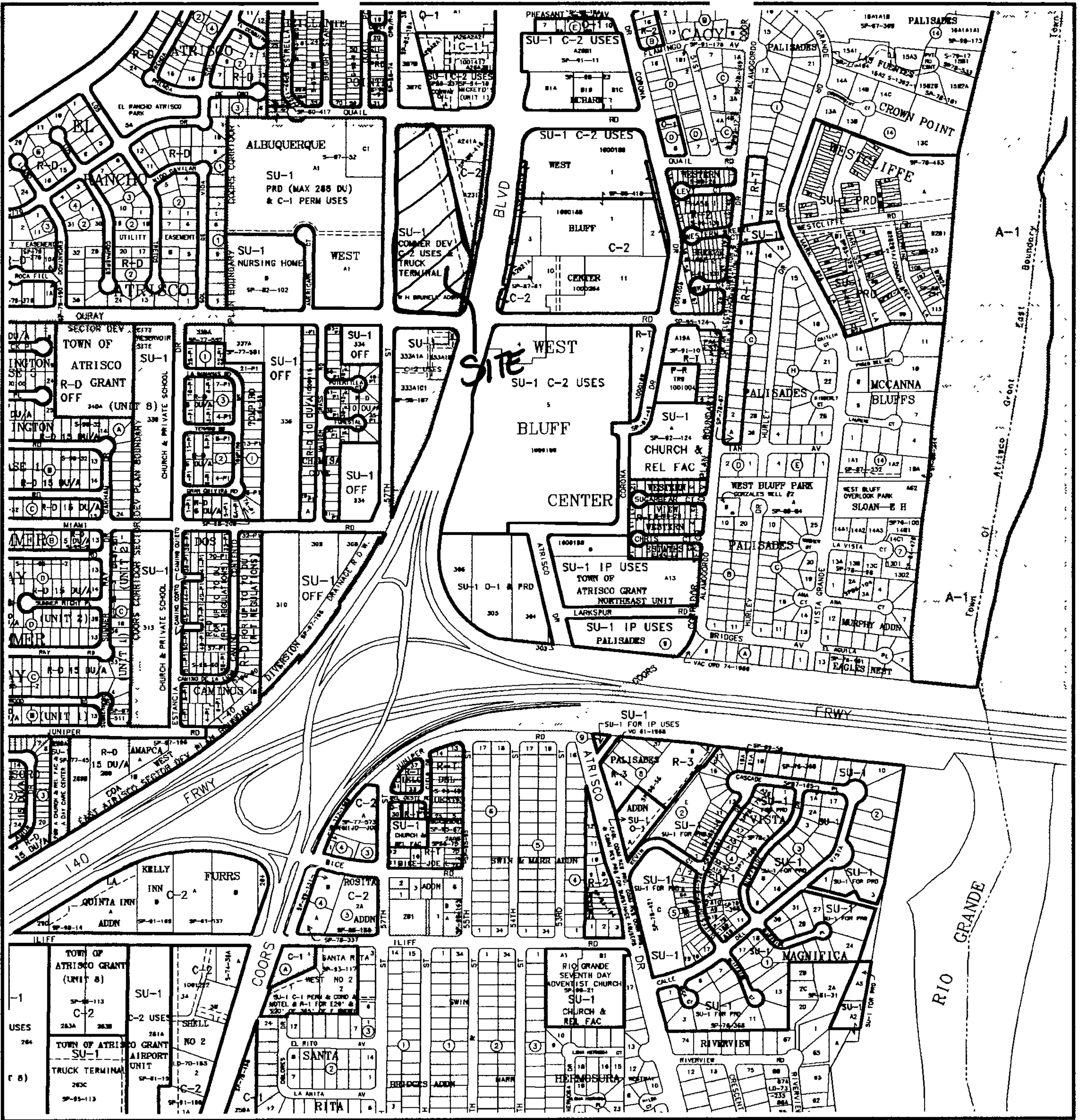
Print Name

BS

Sign Name

4-12-05

Date

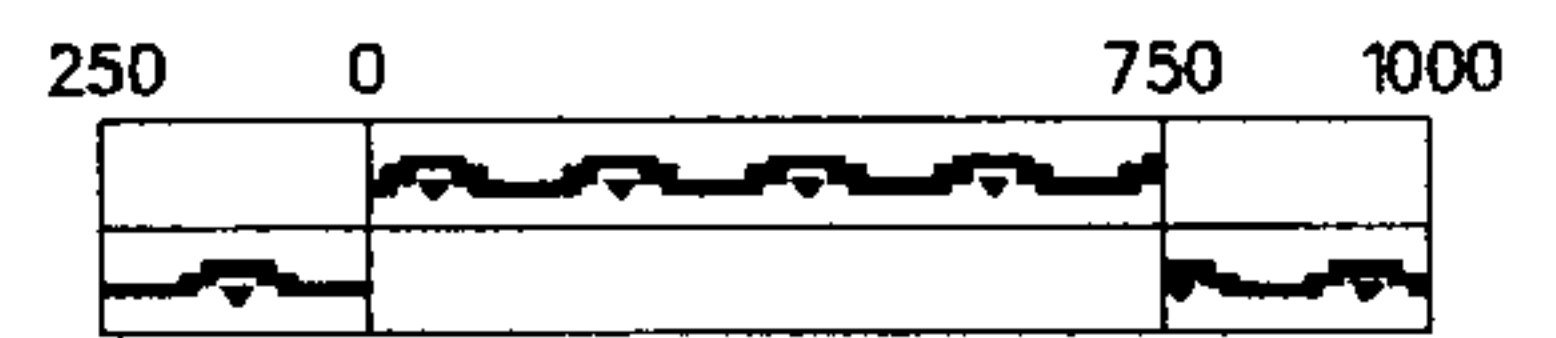


CITY OF
Albuquerque

Albuquerque Geographic Information System
PLANNING DEPARTMENT

© Copyright 2003

GRAPHIC SCALE IN FEET



Zone Atlas Page

H-11-Z

Map Amended through August 01, 2003

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

PAID RECEIPT

APPLICANT NAME Quail Ridge
 AGENT Tierra West
 ADDRESS 8509 Jefferson
 PROJECT & APP # 1002759/05DRB 00615/616
 PROJECT NAME Quail Ridge

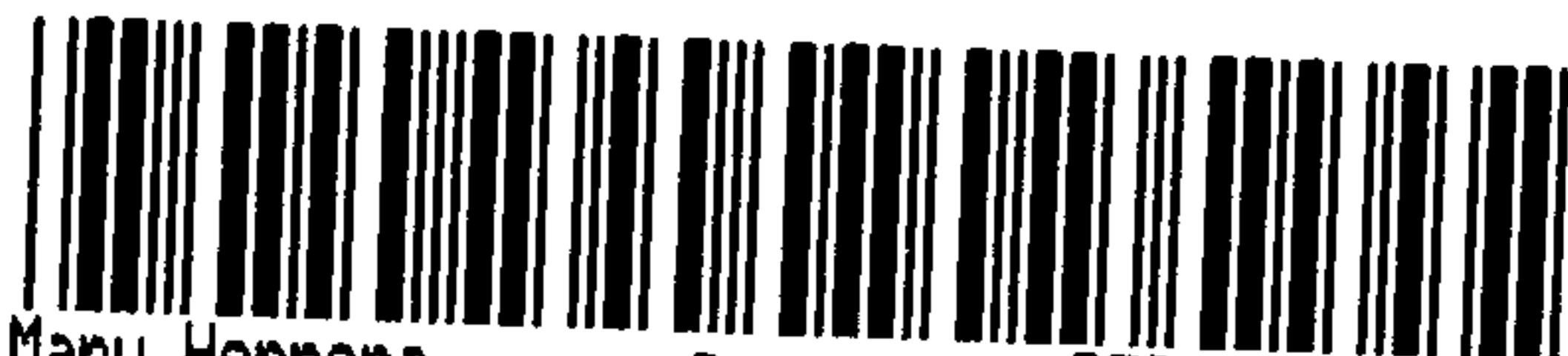
\$ 20.00 441032/3424000 Conflict Management Fee
 \$ 4.70⁰⁰ 441006/4983000 DRB Actions
 \$ _____ 441006/4971000 EPC/AA/LUCC Actions & All Appeals
 \$ _____ 441018/4971000 Public Notification
 \$ _____ 441006/4983000 DRAINAGE PLAN REVIEW OR TRAFFIC IMPACT STUDY***
 () Major/Minor Subdivision () Site Development Plan () Bldg Permit
 () Letter of Map Revision () Conditional Letter of Map Revision
 () Traffic Impact Study
 \$ 490⁰⁰ TOTAL AMOUNT DUE

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

TIERRA WEST LLC 8509 JEFFERSON NE ALBUQUERQUE, NM 87113 (505) 858-3100		1985 95-677/1070
PAY TO THE ORDER OF <u>City of Albuquerque</u>		DATE <u>4/12/05</u>
<u>Four Hundred & Seventy</u>		***TOTAL \$ <u>490.00</u> DOLLARS
HIGH DESERT STATE BANK Member FDIC 8110 Ventura NE Albuquerque, NM 87122		RECEIPT# 0039047 ACCOUNT 441006 201813
FOR <u>24091.0001 Quail Plaza Replat</u>		RECEIVED BY <u>Donna Bohannon</u> 4470.00

1002459 220046
ECR'S

DECLARATION OF EASEMENTS WITH COVENANTS
AND RESTRICTIONS AFFECTING LAND
FOR QUAIL PLAZA



Mary Herrera

Bern. Co. DEC

R 53.00

2004067166

6080657

Page: 1 of 23

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Bk-R77 Pg-6982

**DECLARATION OF EASEMENTS WITH COVENANTS
AND RESTRICTIONS AFFECTING LAND
FOR QUAIL PLAZA**

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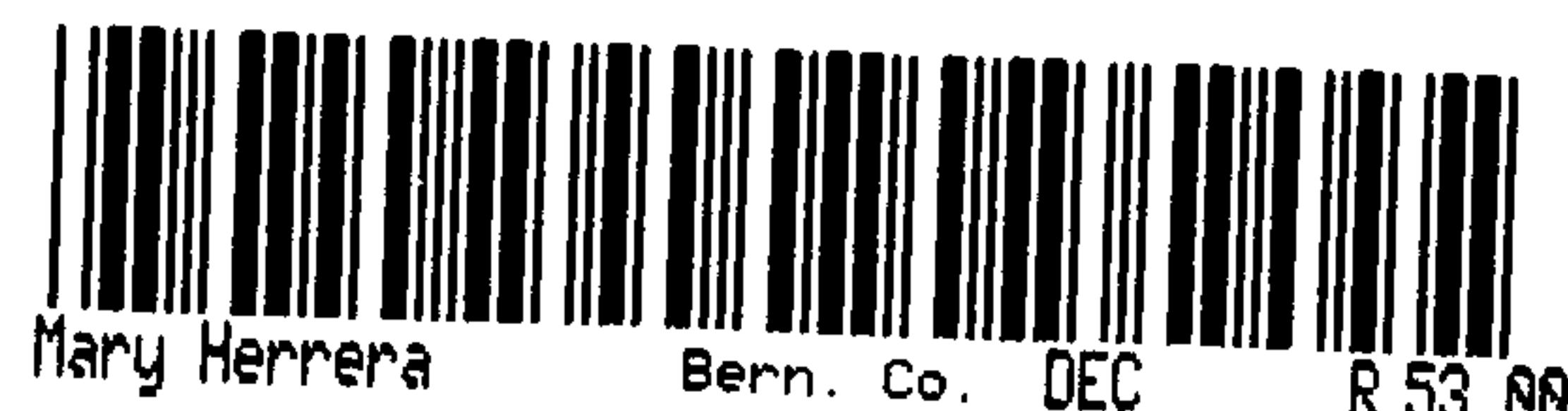
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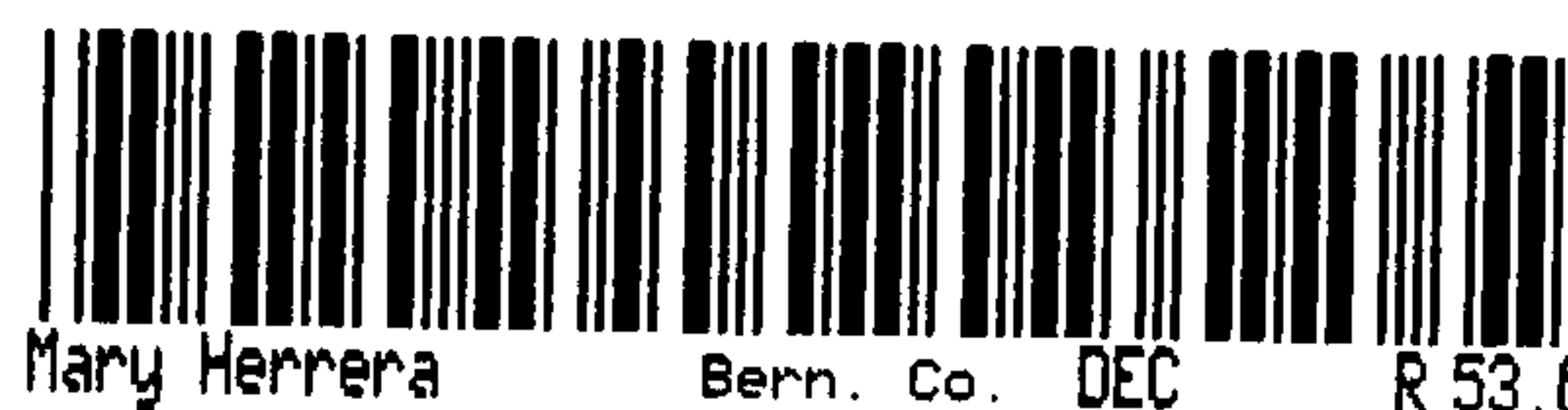
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Bk-A77 Pg-6982

**DECLARATION OF EASEMENTS WITH COVENANTS
AND RESTRICTIONS AFFECTING LAND
FOR QUAIL PLAZA**

THIS DECLARATION is entered into effective the 17th day of May, 2004, by **QUAIL PLAZA, LLC, a New Mexico limited liability company** ("Declarant").

WHEREAS, Declarant is the owner of a certain tract of land located on Coors Boulevard, N.W. between Ouray Road and Quail Road, Albuquerque, New Mexico, consisting of approximately 7.625 acres as depicted on the Site Development Plan attached hereto as Exhibit "A" (the "Site Plan") and more particularly described as follows:

Tracts 1 through 6, QUAIL PLAZA, as the same are shown and designated on the Plat thereof, filed in the Office of the County Clerk of Bernalillo County, New Mexico on the 18th day of May, 2004, in Book 2004C, Page 154.

(individually designated by Tract number or as a "Tract", and collectively as "Tracts"); and

WHEREAS, Declarant desires to have the Tracts developed in conjunction with each other pursuant to a general plan of improvement to form a commercial shopping center (the "Shopping Center"), and further desire to make all of the Tracts subject to the easements, covenants, conditions and restrictions hereinafter set forth.

NOW, THEREFORE, for and in consideration of the premises, and intending that the following easements, covenants, conditions and restrictions shall be binding upon the undersigned and its successors and assigns and shall attach to and run with the land which is the subject of this Declaration, and shall be for the benefit of and shall be limitations upon all future owners of the Tracts, and that all easements, restrictions and other covenants herein set forth shall be appurtenant to the dominant estates and obligations on the servient estates, and in consideration of the promises, covenants, conditions, restrictions, easements and encumbrances contained herein, the sufficiency of which are hereby acknowledged, do hereby agree as follows:

1. **Definitions.** The following terms shall have the meanings set forth below:
 - a. **"Building Area"**: All those areas on each Tract shown as Building Area on the Site Plan which are from time to time covered by a building or other commercial structure. The Building Areas may be relocated by Declarant within the Shopping Center at its sole discretion, subject to applicable governmental approval.
 - b. **"Common Area"**: All those areas on each Tract which are not Building Area, together with those portions of the Building Area on each Tract which are not from time to time actually covered by a building or other commercial structure or which cannot under the terms of this Declaration be used for buildings. Canopies which extend over the Common Area, together with

any columns or posts supporting same, shall be deemed to be a part of the building to which they are attached and not a part of the Common Area.

c. **"Dominant Tract"**: means a Tract which is benefited by an easement on another Tract.

d. **"Floor Area"**: means the total number of square feet of floor space in a building whether or not actually occupied including basements or subterraneans, balconies and mezzanine spaces. Floor Area shall be measured from the exterior line of the exterior walls and the center line of any party or common interior walls without deduction for columns, walls or other structural or nonstructural components.

e. **"Ground Floor Area"**: means the total number of square feet on the ground floor of a building, whether or not actually occupied (excluding basements, subterraneans, balconies and mezzanine spaces) measured from the exterior line of the exterior walls and from the center line of any party or common interior walls without deduction for columns, walls or other structural or nonstructural components.

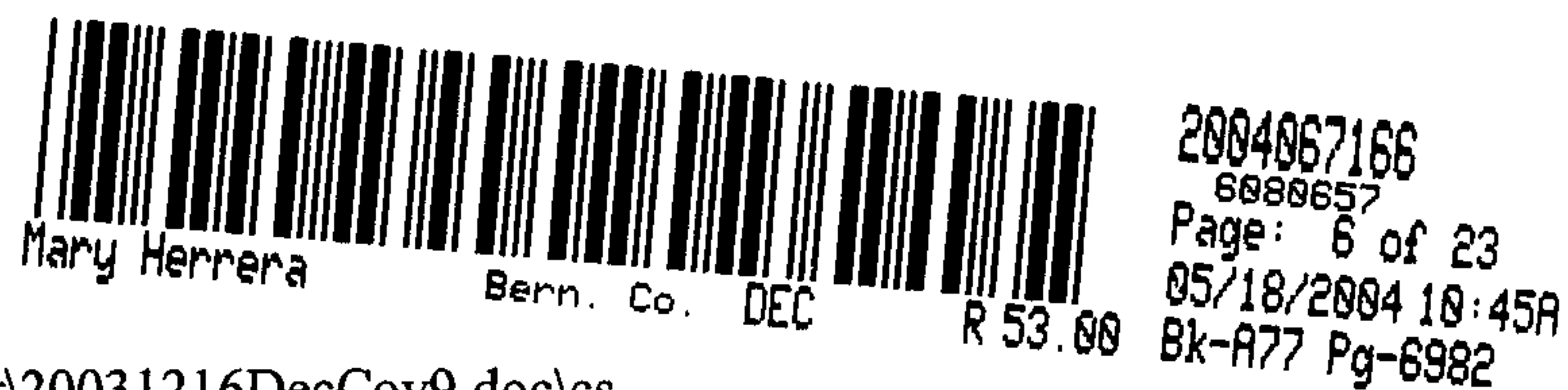
f. **"Owner"**: means the person owning the fee simple interest in a Tract and shall include the contract purchaser on a real estate contract for the sale and purchase of a Tract, but not the contract seller.

g. **"Person"**: means individuals, partnerships, firms, associations, corporations, limited liability companies, trusts, governmental agencies, administrative tribunals or any other form of business or legal entity.

h. **"Self-Parked"**: The term "Self-Parked" shall mean (i) having a minimum of five (5) parking stalls per 1,000 square feet of Floor Area used as retail or office space, and ten (10) parking stalls per 1,000 square feet of Floor Area used as restaurant space (excluding sandwich shops, ice cream shops, coffee shops, take-out restaurants for off-premises consumption and fast food restaurants not exceeding two thousand (2,000) square feet of Floor Area), and (ii) meeting all applicable laws, rules or regulations (without a variance) governing or relating to parking accommodations.

i. **"Service Facilities"**: means loading docks, trash compactors and enclosures, bottle storage areas, exterior coolers, electrical and refrigeration facilities and other similar service facilities.

j. **"Servient Tract"** : means a Tract burdened by an easement for the benefit of another Tract.



2. Use.

a. General Use. Subject to the provisions of this Declaration, all buildings in the Shopping Center shall be used for commercial purposes of the types customarily found in retail shopping centers in the greater Albuquerque metropolitan area, including, without limitation, financial institutions, service shops, offices, and retail stores.

b. General Restrictions on Use. In view of the needs of the Declarant for customers to (i) have adequate parking facilities in close proximity to the buildings to be constructed on each Tract; and (ii) have a clean, quiet and proper environment and have adequate parking for the customers of the businesses on the Tracts, the following uses are hereby prohibited on any portion of the Tracts:

(1) a bar, tavern or cocktail lounge, except as part of a full service sit down restaurant; provided further, in no event may the liquor sales for a full service sit down restaurant exceed forty-nine percent (49%) of the gross sales of said restaurant;

(2) a theater for either live performances or movie performances;

(3) an entertainment or recreational facility including, without limitation, a bowling alley, billiard parlor, dance hall, roller rink, skating rink, health spa or studio, massage parlor, adult book store, adult video store, game parlor or video arcade (which shall be defined as any store containing more than four (4) electronic games);

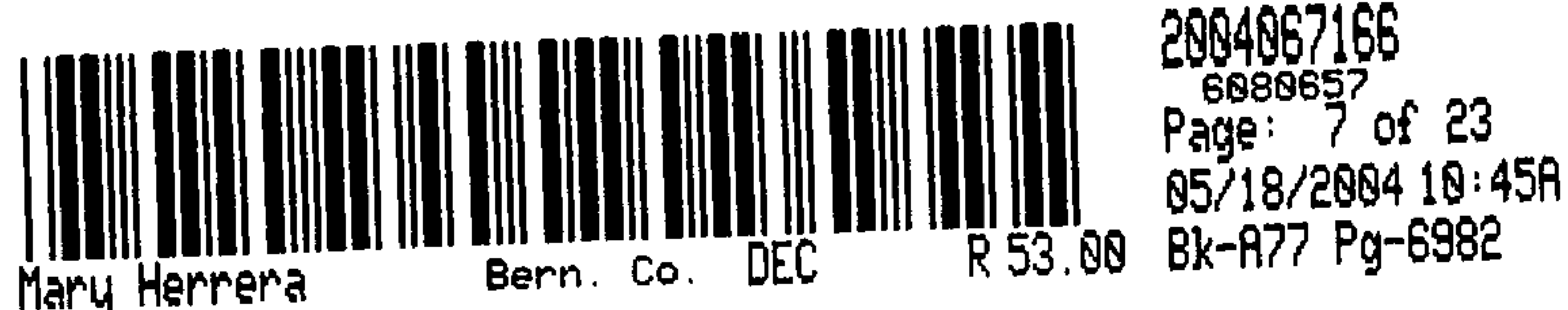
(4) a warehouse or industrial purposes;

(5) a training or educational facility which exceeds 10,000 square feet of Floor Area, including, without limitation, a beauty school, barber college, reading room, place of instruction or any other operation catering to students or trainees as opposed to customers .

c. Drive-Up Facilities. No restaurant, bank or other facility featuring vehicular drive-up or drive-through customer service shall be located in the Shopping Center unless Declarant has first given its written consent, which shall not be unreasonably withheld, to the location, parking and drive lanes of such facility. Declarant hereby approves the vehicular drive-up and drive-through customer service facility shown on the Site Plan for Tract 2. The review of drive-up and drive-through facilities by Declarant as provided herein is not intended to prohibit drive-up and drive-through facilities, but is intended to insure that the location, layout and stacking for such drive-up and drive-through facilities does not negatively affect the access, driveways, circulation and parking for the Shopping Center.

3. Competing Business. Declarant hereby declares that the following competing uses are prohibited within the Shopping Center:

a. Banking Use. So long as Tract 2 is used by a "Financial Institution" (as hereinafter defined) for a "Banking Use(s)" (as hereinafter defined) without a break in said Banking Use for more than twelve (12) consecutive months, only Tract 2 in the Shopping Center may be used



for Banking Uses. "Financial Institution" is defined as a state bank, national bank, savings and loan institution, credit union or other entity conducting retail or wholesale banking operations, including, but not limited to, receiving deposits or making loans to the general public. "Banking Use(s)" shall mean the use of Tract 2 by a Financial Institution utilizing full service, express service, motor bank facilities, automated teller machines and/or self-service banking devices.

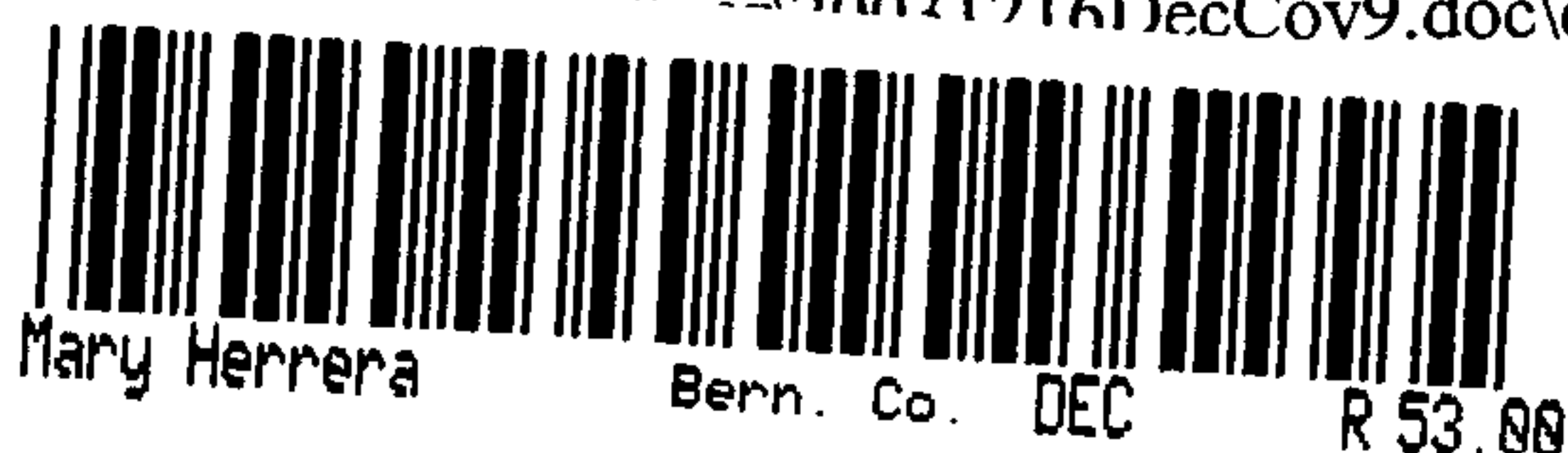
b. **Golden Corral Use.** For the lesser of twenty (20) years from the date this Declaration is recorded in the real estate records of Bernalillo County, New Mexico, or the date a "Golden Corral" restaurant ceases to operate on Tract 6 for a period of twelve (12) consecutive months, no Cracker Barrel Old Country Store, Old Country Buffet, Hometown Buffet, Ryan's Family Steakhouse, Sizzler, Furr's Cafeteria or any restaurant in excess of 5,000 square feet of Floor Area that serves Chinese cuisine "buffet style" shall be permitted within the Shopping Center.

Declarant shall have the right, without the consent of any Owners or lienholders to amend this Declaration to add additional prohibited competing uses as to Tracts which Declarant owns at the time of said amendment.

4. **Buildings.**

a. **Design and Construction.** Each building in the Shopping Center, now and in the future, shall be of first quality construction and architecturally designed so that its exterior elevations (including, without limitation, signs and color) will be architecturally and aesthetically compatible and harmonious with all other buildings in the Shopping Center. No building may be constructed nor the exterior of any existing building changed in any way (including, without limitation, signs and color) without the prior written approval of Declarant as to the exterior elevations (including, without limitation, signs and color) of the building to be constructed or modified. Before the construction of any building or any modification of an existing building which requires approval is commenced, sufficient information shall be sent to Declarant to enable Declarant to make a reasonable determination as to the architectural and aesthetic compatibility of said building or modification with all other buildings in the Shopping Center ("Construction Plans"). Declarant may arbitrarily or unreasonably withhold its approval of the Construction Plans if they are not architecturally and aesthetically compatible and harmonious with all other buildings in the Shopping Center. Declarant must approve or disapprove the Construction Plans within fifteen (15) days after receipt thereof, and, if Declarant disapproves the Construction Plans, it shall provide a written explanation in reasonable detail of its reasons for disapproval. Declarant must provide written approval or disapproval of the Construction Plans in writing within fifteen (15) days after receipt thereof. If the Construction Plans are disapproved as provided herein, then amendments to the Construction Plans may be submitted, which amended Construction Plans shall be handled in the same manner as the initial Construction Plans. No building shall be built in such a manner as to adversely affect the structural integrity of any other building in the Shopping Center.

b. **Height.** All buildings and other structures in the Shopping Center shall be single story with mezzanine permitted and shall be limited to the following heights (including mechanical fixtures and equipment and screening for the same):

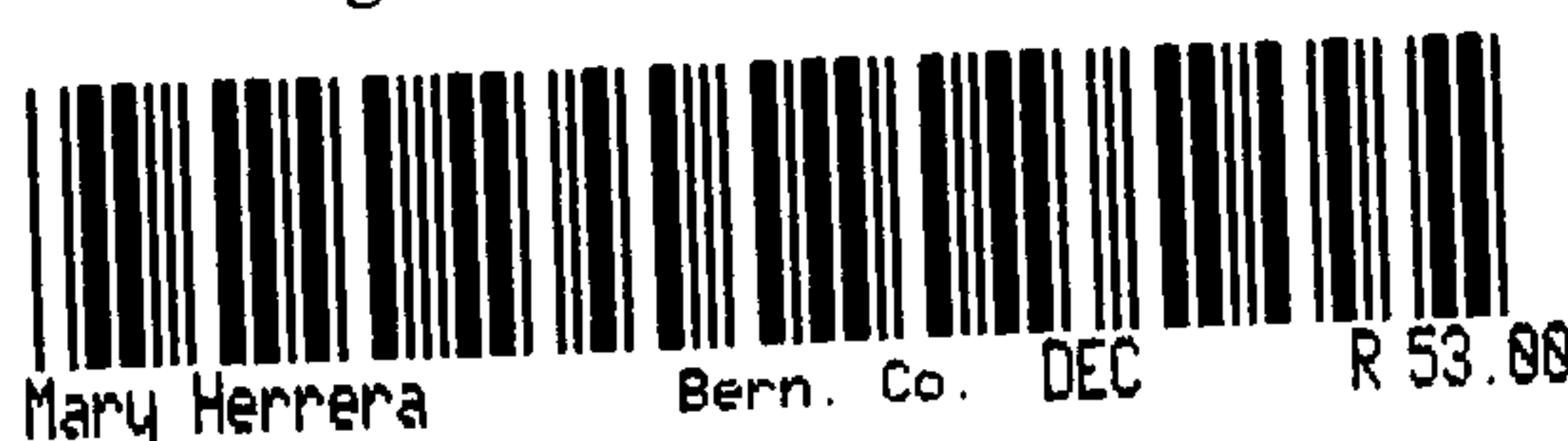


Tract 1	30 feet 8 inches
Tract 2	25 feet 0 inches
Tract 3	30 feet 8 inches
Tract 4	26 feet 8 inches
Tract 5	24 feet 0 inches
Tract 6	27 feet 8 inches

No mezzanine or basement shall be used for the sale or display of merchandise or for the offer or provision of retail services to the public.

c. **Location.** All buildings and other structures (except those permitted in the Common Area) shall be placed or constructed upon the Tracts only in the Building Area; provided, however, that canopies, eaves and roof overhangs (including columns or posts supporting same), normal foundations, utility cabinets and meters, signs and doors for ingress and egress may project from the Building Areas into the Common Area. Buildings may be located (or relocated) anywhere within the Building Area provided the total Floor Area of all buildings constructed within the Building Area does not exceed the square footage assigned to such Building Area as shown on the Site Plan. All Tracts shall be Self-Parked. All of the foregoing shall be constructed and maintained in accordance with all local, state and federal laws, rules and regulations applicable thereto.

d. **Construction and Maintenance.** All work performed in the construction, maintenance, repair, replacement, alteration or expansion of any building, sign or Common Area improvements located in the Shopping Center shall be effected as expeditiously as possible and in such a manner as not to unreasonably interfere, obstruct or delay (i) access to or from the Shopping Center, or any part thereof, to or from any public right-of-way, (ii) customer vehicular parking in that portion of the improved Common Area located in front of any building constructed in the Shopping Center, or (iii) the receiving of merchandise by any business in the Shopping Center including, without limitation, access to Service Facilities. Staging for the construction, replacement, alteration or expansion of any building, sign or Common Area improvements located in the Shopping Center including, without limitation, the location of any temporary buildings or construction sheds, the storage of building materials, and the parking of construction vehicles and equipment shall be limited to that portion of the Shopping Center approved in writing by Declarant. Declarant, as to any work performed by Declarant, its tenants or subtenants, successors and assigns, which party is hereafter referred to as the "Contracting Party," shall, at its sole cost and expense, promptly repair and restore or cause to be promptly repaired and restored to its prior condition all buildings, signs and Common Area improvements damaged or destroyed in the performance of such work. The Contracting Party shall not permit any liens to stand against any Tract for any work done or materials furnished in connection with the performance of the work described in this Section; provided, however, that the Contracting Party may contest the validity of any such lien, but upon a final determination of the validity thereof, the Contracting Party shall cause the lien to be satisfied and released of record. The Contracting Party shall, within thirty (30) days after receipt of written notice from the other party, cause any such outstanding lien or claim of lien to be released of record or transferred to bond in accordance with applicable law, failing which the other party shall have the right, at the Contracting Party's expense, to transfer said lien to bond. The Contracting Party shall indemnify, defend and hold harmless the other party from any and all liability, claims, damages, expenses (including



reasonable attorneys' fees and reasonable attorneys' fees on any appeal), liens, claims of lien, judgments, proceedings and causes of action, arising out of or in any way connected with the performance of such work, unless caused by the negligent or willful act or omission of the indemnified party, its tenants, subtenants, agents, contractors or employees. The parties acknowledge and agree that incidental encroachments upon the Common Area may occur as a result of the use of ladders, scaffolds, store front barricades and similar facilities in connection with the construction, maintenance, repair, replacement, alteration or expansion of buildings, signs and Common Area improvements located in the Shopping Center, all of which are permitted hereunder so long as all activities requiring the use of such facilities are expeditiously pursued to completion and are performed in such a manner as to minimize any interference with use of the improved Common Area or with the normal operation of any business in the Shopping Center.

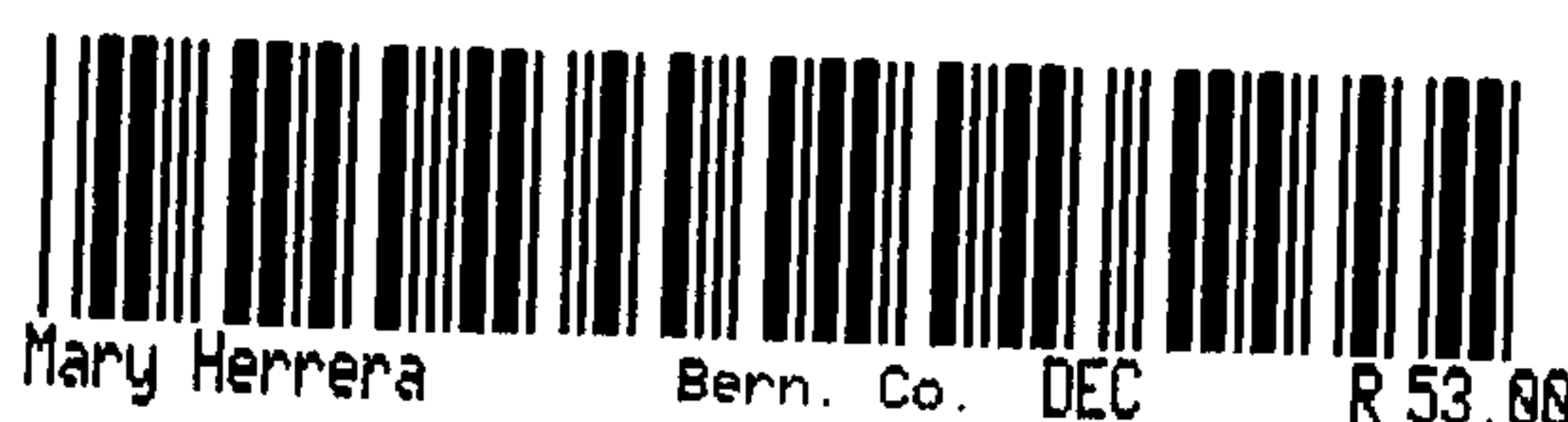
e. **Encroachment Easements.** Declarant hereby declares that each Tract is subject to an easement for any portion of any building or structure which may encroach into or over said Tract from the adjoining Tract(s); provided however, that the easement for footings, piers, pilings, grade beams and building encroachments does not exceed two (2) feet, and the easement for canopies, eaves and roof overhangs does not exceed four (4) feet.

5. **Common Area.**

a. **Grant of Easements.**

(1) **Reciprocal Ingress and Egress.** Declarant hereby declares that each Tract is subject to: a nonexclusive perpetual easement for ingress and egress by vehicular and pedestrian traffic and vehicular parking upon, over and across that portion of the Common Area located on said Tract, except for those areas devoted to Service Facilities or drive-up or drive-through customer Service Facilities, which easement is for the benefit of every other Tract and the Owners, and their tenants, contractors, employees, agents, licensees and invitees of such tenants. The reciprocal rights of ingress and egress set forth in this Section 5(a)(1) shall apply to the Common Area for each Tract as such area may be changed from time to time pursuant to this Declaration.

(2) **Utilities and Drainage.** Declarant hereby declares that each Tract is subject to a nonexclusive perpetual easement under, through and across the Common Area of said Tract for the installation, operation, maintenance, repair and replacement of water drainage systems or structures, water mains, sewers, water sprinkler system lines, telephones, electrical conduits or systems, gas mains and other public or private utilities for the benefit of every other Tract and the Owners. All such systems, structures, mains, sewers, conduits, lines and other utilities shall be installed and maintained below the ground level or surface of such easements except for ground mounted electrical transformers and such other facilities as are required to be above ground by the utility providing such service (including temporary service required during the construction, maintenance, repair, replacement, alteration or expansion of any buildings or improvements located in the Shopping Center). The installation, operation, maintenance, repair and replacement of such easement facilities shall not unreasonably interfere with the use of the improved Common Area or with the normal operation of any business in the Shopping Center. The Owner of the Dominant Tract utilizing the easement shall bear all costs related to the installation, operation, maintenance, repair



and replacement of such easement facilities, shall repair to the original specifications any damage to the Common Area resulting from such use and shall provide as-built plans for all such easement facilities to the Owner of the Servient Tract within thirty (30) days after the date of completion of construction of same. At any time and from time to time the Owner of the Servient Tract shall have the right to relocate any utility line or facility installed on its Tract pursuant to the foregoing grant of easement, provided that any such relocation (i) shall be performed only after sixty (60) days' notice of the intention to undertake the relocation shall have been given to the Owner of the Dominant Tract, (ii) shall not unreasonably interfere with or diminish utility service to the Dominant Tract(s) served by the utility line or facility, (iii) shall not reduce or unreasonably impair the usefulness or function of the utility line or facility, (iv) shall be performed without cost or expense to the Owner of the Dominant Tract, and (v) shall provide for the original and relocated area to be restored to the original specifications. The Owner of the Servient Tract shall provide as-built plans for all such relocated utility lines and facilities to the Owner of the Dominant Tract within thirty (30) days after the date of completion of such relocation. The Owners of each Tract shall execute such additional easements as are reasonably required by any public or private utility for the purpose of providing the utilities described herein provided such easements are not otherwise inconsistent with the provisions of this Declaration.

(3) **Signs.** Declarant hereby declares that each Tract is subject to a nonexclusive perpetual easement under, through and across the Common Area of said Tract for the installation, operation, maintenance, repair and replacement of the free-standing signs referred to in Sections 7.a and 7.b, and all utility lines and facilities appurtenant thereto. Except where otherwise specifically stated herein to the contrary, the Owner of the Dominant Tract benefited by said signs shall bear all costs related to the installation, maintenance, repair and replacement of its free-standing sign and appurtenant facilities, shall repair to the original specifications any damage to the Common Area resulting from such use, and shall provide as-built plans for all such facilities to the Owner of the Servient Tract within thirty (30) days after the date of completion of construction of same.

b. **Limitations on Use.**

1) **General.** The Common Area is hereby reserved for the sole and exclusive use of the Owners, their tenants, contractors, employees, agents, customers, licensees and invitees and the subtenants, contractors, employees, agents, customers, licensees and invitees of such tenants. The Common Area may be used for vehicular driving, parking (except that there shall be no multi-level parking), pedestrian traffic, directional signs, sidewalks, walkways, landscaping, perimeter walls and fences, parking Tract lighting, recycle centers, cart corrals, utilities and Service Facilities and for no other purpose unless otherwise specifically agreed by Declarant. All buildings, structures and improvements placed or constructed in the Common Area shall be approved by Declarant and shall be in accordance with the Site Plan. The Common Area shall be kept and maintained as provided for in Section 6.b. All portions of a Building Area which are not used for buildings shall be developed by the Owner of the Tract, at that Owner's sole cost and expense, in accordance with the Construction Plans approved by Declarant and shall be maintained as improved Common Area. No changes to the Common Area improvements, including, without limitation, service drives and parking areas, striping, traffic directional arrows and signs, concrete bumpers,



parking Tract lighting, perimeter walls and fences, and landscaped areas, together with necessary planting, may be made without the prior written approval of Declarant.

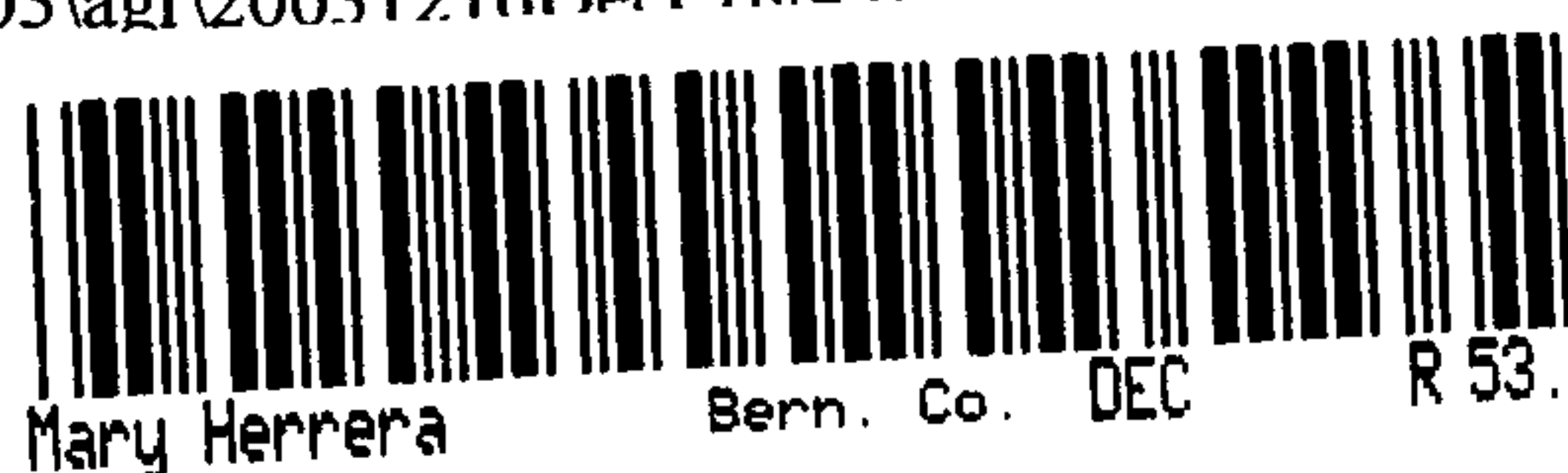
(2) **Sales.** No portion of the Common Area, except sidewalks, shall be used for the sale or display of merchandise.

(3) **Parking.** There shall be no charge for parking in the Common Area without the prior written consent of Declarant unless otherwise required by law. Parking within the Shopping Center shall only be used for parties who are shopping or transacting business in the Shopping Center. The Owner of each Tract shall use reasonable efforts to enforce said policy. The Common Area to be used for motor vehicle parking by employees of occupants of the Shopping Center may be designated within the Shopping Center from time to time with the prior written consent of Declarant. In the event employee parking areas are designated as provided herein, then employees of any Owner or occupant of any part of the Shopping Center shall use only those portions of the Common Area designated for such motor vehicle parking purposes. The authority herein granted shall be exercised in such manner as not to discriminate against any Owner or occupant of the Shopping Center.

c. **Water Flow.** The alteration in the natural water flow which may occur on a Tract as a natural consequence of normal construction activities and the existence of the improvements substantially as shown on the Site Plan (including, without limitation, building and building expansion, curbs, drives and paving) shall be permitted, provided that such diversion of water flows does not interfere with the use and beneficial enjoyment of any of the other Tracts.

d. **No Barriers.** No walls, fences or barriers of any kind shall be constructed or maintained on the Common Area, or any portion thereof, which shall prevent or impair the use or exercise of any of the easements granted herein, or the free access and movement, including, without limitation, of pedestrians and vehicular traffic between the various Tracts; provided however, reasonable traffic controls approved in advance by Declarant as may be necessary to guide and control the orderly flow of traffic may be installed so long as access driveways to the parking areas in the Common Area are not closed or blocked. The only exceptions to this provision shall be (1) for changes to the Building Area and Common Area permitted by this Declaration, (2) for incidental encroachments upon the Common Area which may occur as a result of the use of the ladders, scaffolding, storefront barricades and similar facilities resulting in temporary obstruction of the Common Area, all of which are permitted hereunder so long as their use is kept within reasonable requirements of construction work being expeditiously pursued, (3) for temporary blockage of certain areas deemed necessary by the parties to prevent a public dedication of an easement or access right, and (4) Declarant shall have the right to take such steps as it deems necessary to prevent those Persons not authorized to use the Common Area from using the Common Area for ingress, egress and parking. Such steps shall include, without limitation, the construction of fences, walls or barricades along the boundary lines of any portion of the Shopping Center except along the common boundary line of any Tract with any other Tract.

6. **Common Area; Development, Maintenance and Taxes.**



a. **Development.**

(1) **Configuration.** The configuration of the Common Area as shown on the Site Plan shall not be changed in a manner inconsistent with the provisions of this Declaration.

(2) **"Parking Area" Ratio.** In developing and using the Tracts, the Owners thereof shall provide and maintain parking in accordance with the parking ratios shown on the Site Plan.

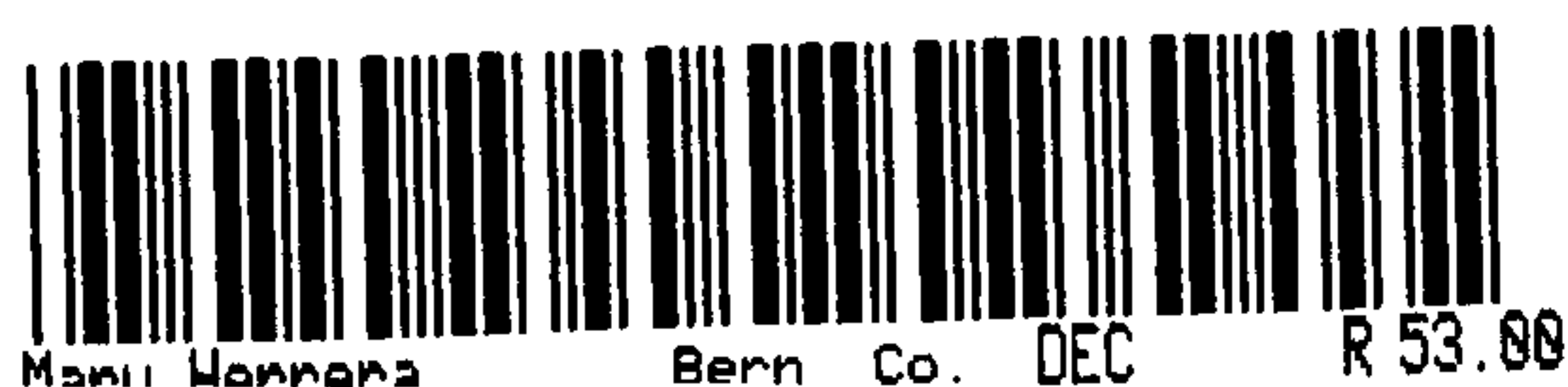
(3) **Development Timing.** Concurrent with any building being constructed within the Building Area of any Tract by the Owner, or its tenant, as the case may be, of said Tract (the "Developing Party"), the Common Area of that Tract shall be developed in accordance with the Site Plan and the Construction Plans approved by Declarant at the expense of such Developing Party. In the event such construction by the Developing Party shall occur prior to any development of any other Tract, the Developing Party shall have the right to grade, pave and use any portion of the Common Area of the other Tract for access and for construction of improvements reasonably necessary to facilitate and provide essential services to such Developing Party's building, including, but not limited to, drainage structures and utility lines, and provided further that the planned development on the other Tract does not interfere with the Developing Party's use and construction on the other Tract. The Developing Party shall present an itemized statement of expenses incurred in the construction of said improvements to and upon the other Tract, and the Owner of such other Tract shall reimburse the Developing Party for such costs within thirty (30) days of receipt thereof, but only to the extent the improvements benefit the other Tract or would have been required to be constructed by the Owner of the other Tract at the time such other Tract is developed. To the extent the Developing Party will seek reimbursement for expenses from another Owner pursuant to this Section 6.a(3), the Developing Party shall provide bids for the work to the other Owner not less than thirty (30) days prior to the commencement of construction, and the other Owner shall have twenty (20) days after receipt of said notice to obtain bids which are less than the bids submitted by the Developing Party. If the additional bids are responsive, the Developing Party shall be limited to reimbursement only for the amount of the lower bids. The Developing Party shall minimize disruption to the Owners, tenants and customers of the other Tracts during all construction.

b. **Maintenance.**

(1) **Standards.** Commencing on the date the first Owner, tenant or occupant of a Tract opens for business ("Maintenance Commencement Date"), the Owner of each Tract shall maintain or cause to be maintained the Common Area on said Owner's Tract at all times in good and clean condition and repair, said maintenance may include, without limitation, the following:

(a) Maintaining, repairing, replacing and resurfacing, when necessary, all paved surfaces in a level, smooth and evenly covered condition with the type of surfacing material originally installed or such substitute as shall in all respects be equal or superior in quality, use and durability; and restriping, when necessary;

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(b) Removing all snow, papers, debris, filth and refuse and thoroughly sweeping the area to the extent reasonably necessary to keep the area in a clean and orderly condition;

(c) Maintaining, repairing and replacing, when necessary, all traffic directional signs, markers and lines;

(d) Operating, maintaining, repairing and replacing, when necessary, such artificial lighting facilities as shall be reasonably required (except for the "After Hours Lighting" described in Section 6.b(3));

(e) Maintaining all landscaped areas (including, without limitation, those on the perimeter of the Shopping Center); maintaining, repairing and replacing, when necessary, automatic sprinkler systems and water lines; and replacing shrubs and other landscaping as is necessary;

(f) Maintaining, repairing and replacing, when necessary, all Common Area walls (including, without limitation, all fences, walls or barricades constructed pursuant to Section 5.d);

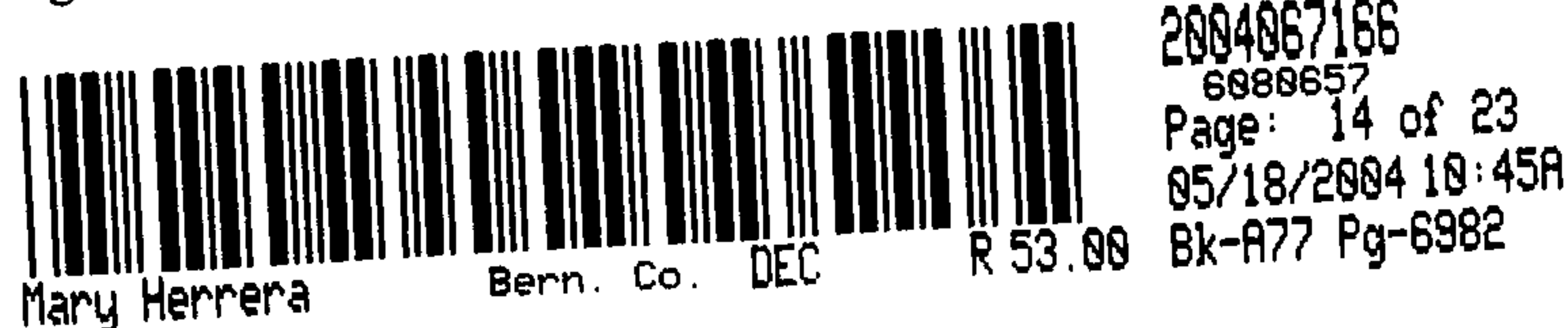
(g) Maintaining, repairing and replacing, when necessary, all storm drains, sewers and other utility lines and facilities not dedicated to the public or conveyed to any public or private utility which are necessary for the operation of the buildings and improvements located in the Shopping Center (with the cost of all such items being allocated between the Owners of all buildings and improvements serviced or to be serviced by said facilities on the basis of their respective Building Area);

(h) Keeping the "Center Pylon Sign(s)" (as hereinafter defined) lighted from at least 5:00 p.m. Mountain Time to 11:00 p.m. Mountain Time daily;

(i) Maintaining, repairing and replacing, when necessary, the Center Pylon Sign pylon structures (except for the sign fascia and cans which shall be supplied and maintained by the businesses designated thereon). Notwithstanding the other provisions of this Section 6.b, the cost of maintaining, repairing and replacing the Center Pylon Sign pylon structures shall be paid by the Owners of each Tract using said sign in the proportion that the total square footage of each party's designation or designations bears to the total square footage of all designations entitled to be displayed thereon. The maintenance, repair and replacement of the Center Pylon Sign pylon structures shall be agreed upon by a majority of the Owners utilizing said sign;

(j) Maintaining security, including, but not limited to, guards, video surveillance and other security systems; and

(k) Performing itself or contracting with a third party or parties to perform any of the services described herein.



(2) **Insurance.** In addition to the foregoing, the Owner of each Tract shall provide and maintain commercial general liability insurance with broad form coverage endorsement (including broad form property damage endorsement) insuring the Declarant and the Owners of all of the other Tracts who shall be named as additional insureds against claims for personal injury, bodily injury or death, and property damage or destruction, occurring in, on or about the Common Area of said Owner's Tract. Such insurance shall be written with an insurer licensed to do business in the state in which the Shopping Center is located. The limits of liability of all such insurance shall be not less than \$2,000,000.00 for personal injury or bodily injury or death of any one Person, \$2,000,000.00 for personal injury or bodily injury or death of more than one Person in one occurrence and \$2,000,000.00 with respect to damage to or destruction of property; or, in lieu of such coverage, a combined single limit (covering personal injury, bodily injury or death and property damage or destruction) with a limit of not less than \$2,000,000.00 per occurrence. Declarant may increase the limits of such insurance as reasonably necessary to reflect then appropriate limits for such insurance, taking into consideration such things as changes in the Consumer Price Index, or similar index. Each Owner shall furnish the other Owners, upon request, with certificates evidencing such insurance. The policies of such insurance shall provide that the insurance represented by such certificates shall not be canceled, materially changed or nonrenewed without the giving of thirty (30) days' prior written notice to the holders of such insurance and the holders of such certificates.

(3) **Lighting.** It is agreed that the artificial lighting for the Common Area on all Tracts shall remain on while a majority of the businesses in the Shopping Center are open for business.

(4) **Taxes and Assessments.** The Owners agree to pay prior to delinquency all taxes and assessments levied or assessed against their respective Tracts. The Owners shall each have the right to contest the amount or validity of all or any part of the taxes and assessments which said Owners are required to pay.

7. **Signs.**

a. **Center Pylon Signs.** Subject to governmental approval, a free-standing sign shall be erected on the location designated "Center Pylon Sign" on Exhibit "A". The cost of constructing, installing, maintaining, repairing and replacing each Center Pylon Sign structure (excluding electrical hookup to the Common Area meter) shall be paid by each Owner in the proportion that the total square footage of each party's designation or designations bears to the total square footage of all designations entitled to be displayed thereon. The Owner of each Tract displaying a designation on a Center Pylon Sign shall supply and maintain its own sign fascia and can. The design of each Center Pylon Sign structure shall be subject to the approval of Declarant, as shall be the size, design and location of the sign fascia used; provided, however, any business occupying not less than 5,000 square feet of Ground Floor Area may use such standard fascia as they from time to time use generally in carrying on their businesses.

b. **Monument Signs.** In addition to the foregoing Center Pylon Signs, and subject to governmental approval, each of the Owners of the Tracts shall have the right to erect a

free-standing monument sign ("Monument Sign") at each of the locations designated "Monument Sign Permitted") on Exhibit "A". Each Monument Sign shall display only the designation of the Owner or occupant of the Tract upon which the Monument Sign is located. The cost of constructing, installing, maintaining, repairing and replacing each Monument Sign structure shall be paid by the respective Owner of the Tract upon which the Monument Sign is located. The design of each Monument Sign structure and fascia used shall be subject to the approval of Declarant.

c. **Other Limitations.** There shall be no other signs, except directional signs and signs on buildings in the Shopping Center. All exterior building signs shall be restricted to identification of the business(es) or service(s) located or provided therein. No exterior building sign shall be placed on penthouse walls, extend above the building roof or be painted on the exterior building surface. No exterior building or free-standing sign shall utilize flashing, moving or audible lights or appurtenances.

8. **Indemnification/Insurance/Waiver of Subrogation.**

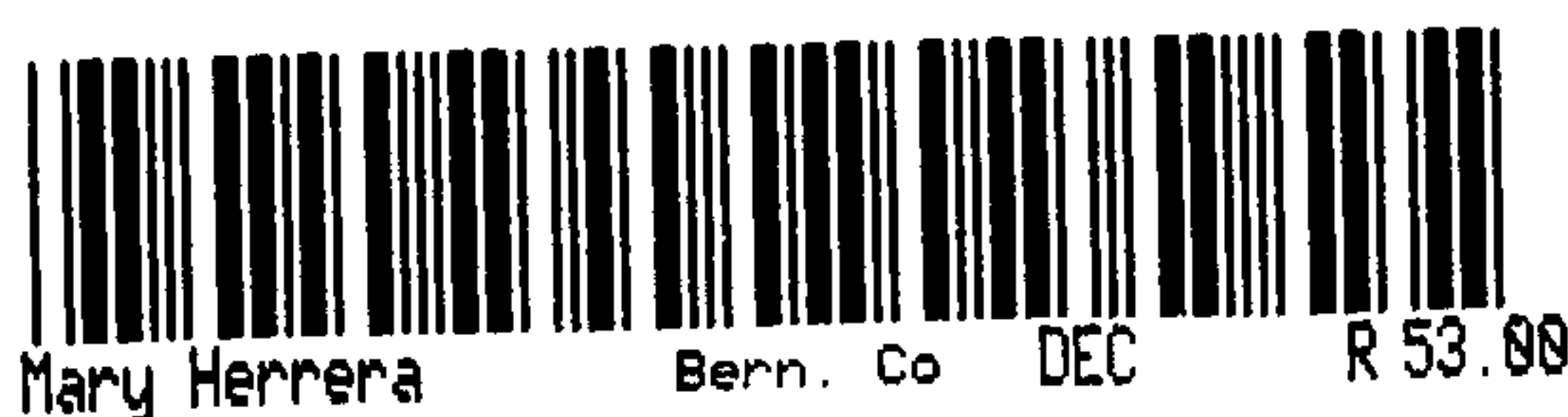
a. **Indemnification.** Each Owner hereby agrees to indemnify and save the other Owners harmless from any and all liability, damage, expense, causes of action, suits, claims or judgments of third parties arising from personal injury, death or property damage and occurring on or from its Tract, including the Common Area, except to the extent proximately caused, in whole or in part, by the act or omission of the party claiming indemnification hereunder.

b. **Insurance.**

(1) At all times during the term of this Declaration, each Owner shall keep improvements on its Tract insured against loss or damage by fire and other perils and events as may be insured against under the broad form of Uniform Extended Coverage Clause in effect from time to time in the state in which the parties' respective properties are located, with such insurance to be for the full replacement value of the insured improvements.

(2) **Self-Insurance.** Each Owner shall have the right to satisfy its insurance obligations hereunder by means of self-insurance to the extent of all or part of the insurance required hereunder, but only so long as the Owner so self-insuring shall have a net worth of at least One Hundred Million Dollars (\$100,000,000.00), or if such self-insurance plan is furnished through a related entity of the Owner, the entity furnishing such self-insurance shall have a net worth of at least One Hundred Million Dollars (\$100,000,000.00). Any Owner providing self-insurance shall, upon request of any other Owners, but not more than once annually, provide the other Owners with a description of such self-insurance program, financial statements evidencing the required net worth, and evidence of any partial insurance coverage which may be supplementing any plan of partial self-insurance. Any deductible under any policy of insurance in excess of Five Thousand Dollars (\$5,000.00) shall be deemed self-insurance.

c. **Waiver of Subrogation.** Neither Declarant nor the other Owners, their successors and assigns shall be liable to the other or to any insurance company (by way of



subrogation or otherwise) insuring the other party for any loss or damage to any building, structure or other tangible property, or any resulting loss of income and benefits, even though such loss or damage might have been occasioned by the negligence of such party, its agents or employees if any such loss or damage is covered by insurance benefiting the party suffering such loss or damage or was required to be covered by insurance pursuant to this Declaration. Declarant and the other Owners, their successors and assigns shall require their respective insurance companies to include a standard waiver of subrogation provision in their respective policies.

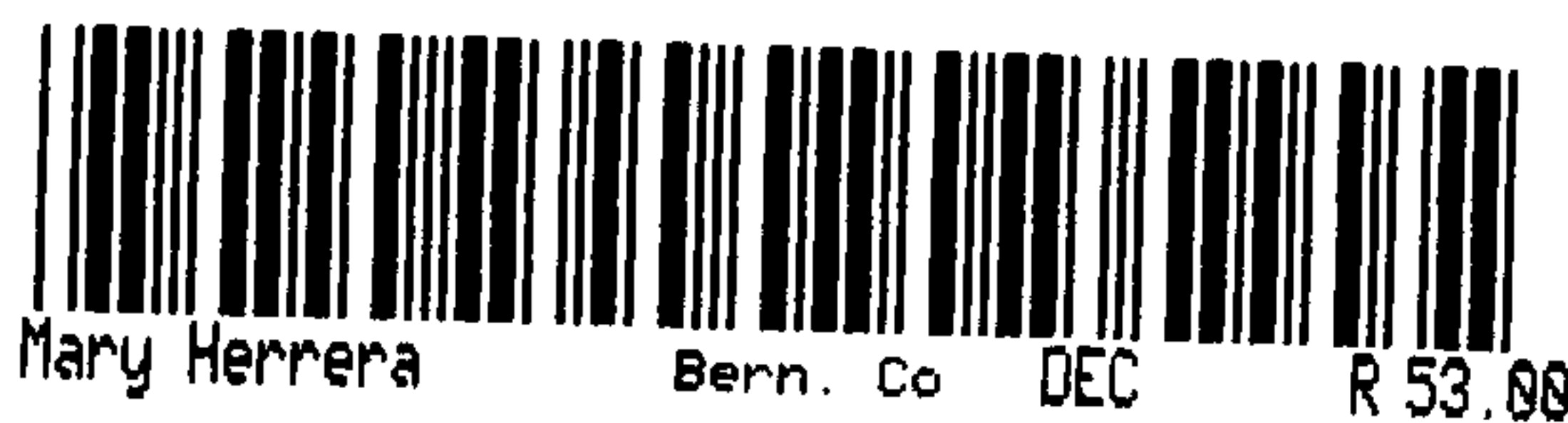
9. **Eminent Domain.**

a. **Owner's Right to Award.** Nothing herein shall be construed to give any Owner any interest in any award or payment made to any other Owner in connection with any exercise of eminent domain, condemnation or transfer in lieu thereof affecting said other Owner's Tract or giving the public or any government any rights in said Tract. In the event of any exercise of eminent domain, condemnation or transfer in lieu thereof of any part of the Common Area, the award attributable to the land and improvements of such portion of the Common Area shall be payable only to the Owner thereof, and no claim thereon shall be made by the Owners of any other portion of the Common Area.

b. **Collateral Claims.** All other Owners of the Common Area may file collateral claims with the condemning authority for their losses which are separate and apart from the value of the land area and improvements taken from another Owner.

c. **Tenant's Claim.** Nothing in this Section 9 shall prevent a tenant from making a claim against a Owner pursuant to the provisions of any lease between tenant and the Owner for all or a portion of any such award or payment.

10. **Restoration of Shopping Center - Casualty or Eminent Domain.** In the event all or any portion of any building or the improvements in the Shopping Center is damaged or destroyed by fire or other casualty, or is taken or damaged as a result of the exercise of the power of eminent domain, condemnation or any transfer in lieu thereof, the Owner shall promptly restore or cause to be restored: (i) the remaining portion of the improvements in the Common Area as nearly as practicable to the condition of the same immediately prior to such casualty or eminent domain, condemnation or transfer in lieu thereof, and (ii) the remaining portion of such building or, in lieu thereof, shall remove or cause to be removed the damaged portion of such building together with all rubble and debris related thereto. All Building Area on which buildings are not reconstructed following a casualty or eminent domain, condemnation or transfer in lieu thereof shall be graded or caused to be graded by the Owner of said Tract to the level of the adjoining property and in such a manner as not to adversely affect the drainage of the Shopping Center or any portion thereof, shall be covered by a one inch asphalt dust cap, crushed granite, neatly maintained lawn, or other means of dust/weed control as agreed to by Declarant, and shall be kept weed free and clean at said Owner's sole cost and expense until buildings are reconstructed thereon.



11. **Expansion of Shopping Center.** Declarant shall have the right to expand the amount of real property constituting the Shopping Center and to which this Declaration shall apply without the written approval of any Owners or holders of first liens on the Property.

12. **Obligation of and Conditions to Release from Liability as to Successors and Assigns.** Declarant and all Owners, their successors and assigns shall be bound by this Declaration, but only during the period such Persons own a fee or leasehold interest in such Tract or portion of the Tract, except as to obligations, liabilities or responsibilities that accrue during said period.

13. **Breach.** In the event of breach or threatened breach of this Declaration, only the Declarant or all record Owners of each Tract as a group shall be entitled to give written notice of the alleged default and to institute proceedings for full and adequate relief from the consequences of said breach or threatened breach. The unsuccessful party in any such action shall pay to the prevailing party all costs of enforcement and/or recovery of damages, including reasonable attorneys' fees. The failure of the Declarant or the Owners of any of the Tracts to insist in any one or more cases upon the strict performance of any of the promises, covenants, conditions, restrictions or agreements herein, shall not be construed as a waiver or relinquishment of any future breach of the same or other provisions hereof.

14. **Remedies for Default; Claim of Lien; Waiver.** If the Owner of any Tract shall default in the full, faithful and punctual performance of any obligation hereunder, and if at the end of ten (10) days after receipt of written notice from the Declarant, an Owner or group of Owners authorized under Section 13 to give notice of default, stating that the defaulting Owner has failed to cure a monetary default ("Monetary Claims"), the amount due shall bear interest at twelve percent (12%) per annum until paid in full. If at the end of thirty (30) days after receipt of written notice from Declarant, an Owner or group of Owners authorized under Section 13 to give notice of default, stating that the defaulting Owner has failed to cure a non-monetary default or diligently commence a cure, then the Declarant, an Owner or group of Owners who have given written notice of default shall, in addition to all other remedies available at law or in equity, have the right to perform such obligation of this Declaration on behalf of such defaulting Owner and be reimbursed by such defaulting Owner for the cost thereof ("Reimbursement for Non-Monetary Claims") and the amount due shall bear interest at the rate of twelve percent (12%) per annum. Any such claims (Monetary Claims or Reimbursement for Non-Monetary Claims), together with interest as aforesaid, shall be a secured claim and a lien shall attach and take effect upon recordation of a claim of lien by the claimant in the office of the county recorder of the county in which the land is located. The claim of lien shall include the following: (1) the name of the claimant or group of claimants, as the case may be; (2) a statement concerning the basis of the claim of lien; (3) the last known name and address of the Owner or reputed Owner of the Tract against which the lien is claimed; (4) a description of the Tract against which the lien is claimed; (5) a description of the monetary amount or work performed and reimbursement sought which has given rise to the claim of lien hereunder and a statement itemizing the amount thereof; and (6) a statement that the lien is claimed pursuant to the provisions of this Declaration. The claim of lien shall be duly verified, acknowledged and contain a certificate that a copy thereof has been served upon the party against whom the lien is claimed, either by personal service or by mailing (first class, certified, and return receipt requested) to the defaulting



Owner, at the address for mailing of tax statements with respect to the property against which the lien is claimed. The lien so claimed shall attach from the date of recordation in the amount claimed thereby and it may be enforced in any manner allowed by law for the foreclosure of liens in New Mexico. Notwithstanding the foregoing, such claims of lien for Monetary Claims and Reimbursement for Non-Monetary Claims shall be subordinate to any first mortgage or deed of trust given in good faith and for value now or hereafter encumbering the Shopping Center or any portion thereof, and any purchaser at any foreclosure or trustee's sale (as well as any grantee by deed in lieu of foreclosure or trustee's sale) under any first mortgage or deed of trust shall take free and clear from such then existing lien but otherwise subject to the provisions of this Declaration. The failure of the Declarant or Owners of any of the Tracts subject to this Declaration to insist in any one or more cases upon the strict performance of any of the promises, covenants, conditions, restrictions or agreements herein, shall not be construed as a waiver or relinquishment of any future breach of the same or other provisions hereof.

15. **Rights of Successors.** The easements, restrictions, benefits and obligations hereunder shall create mutual benefits and servitudes running with the land. This Declaration shall bind and inure to the benefit of the parties hereto, their respective successors and assigns. Following the sale of all of its interest in all of the Tracts, the rights of the Declarant hereunder shall be exercised by a majority in ownership of the Tracts.

16. **Document Execution, Modification and Cancellation.** This Declaration shall be filed of record with the County Clerk of Bernalillo County, New Mexico. This Declaration (including exhibits) may be modified or canceled only by the mutual written agreement of: (a) Declarant; and (b) all of the Owners.

17. **Non-Merger.** So long as a party hereto is a tenant of a Tract, this Declaration shall not be subject to the doctrine of merger, even though the underlying fee ownership to the Tracts described herein is vested in such party.

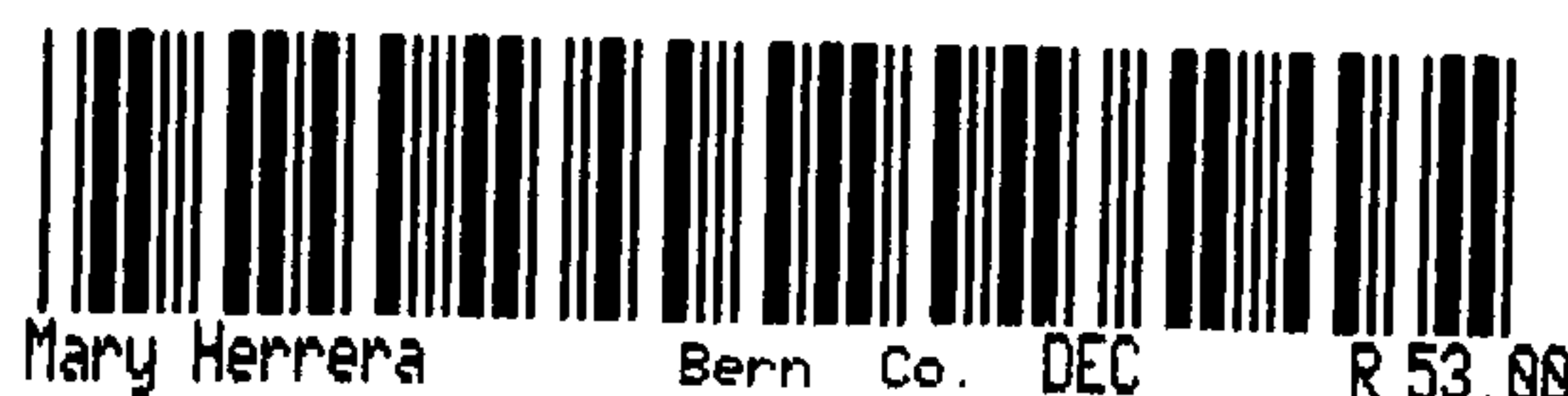
18. **Rights and Obligations of Lienholders.** Except as otherwise provided in Section 14, the charges and burdens of this Declaration are, and shall at all times be, prior and therefore superior to the lien or charge of any mortgage or deed of trust made in good faith and for value affecting the Tracts or any part thereof, or any improvements now or hereafter placed thereon; provided however, a breach of any of the easements, covenants or restrictions hereof shall not defeat or render invalid the lien or charge of any mortgage or deed of trust. Any Tract acquired through sale under foreclosure of any mortgage or deed of trust effected by powers of sale, judicial proceedings or otherwise, including, but not limited to, a deed in lieu of foreclosure, shall be subject to all of the charges and burdens of this Declaration.

19. **Limitation on Indemnities.** If the indemnity, hold harmless or insurance provisions of this Declaration are invalidated pursuant to the provisions of §56-7-1 N.M.S.A. 1978 as amended, the remaining terms and provisions of this Declaration shall remain in full force and effect.

20. **Not a Public Dedication.** Nothing herein contained shall be deemed to be a gift or dedication of any portion of the Common Area to the general public or for the general public or for

f:\clients\5000\5241\003\agr\20031216DecCov9.doc\cs

13



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Page: 19 of 23
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any public purpose whatsoever, it being the intention of the parties hereto that this Declaration shall be strictly limited to and for the purposes herein expressed. The right of the public or any Person to make any use whatsoever of the Common Area of a Tract, or any portion thereof (other than any use expressly allowed by a written or recorded map, agreement, deed or dedication) is by permission, and subject to the control of the Owner. Notwithstanding any other provisions herein to the contrary, the Owners of the Tract affected hereby may periodically restrict ingress and egress to and from the Common Area in order to prevent a prescriptive easement from arising by reason of continued public use. Any restriction on ingress and egress shall be limited to the minimum period necessary to prevent the creation of a prescriptive easement and shall occur at such a time as to have a minimum effect on the parties in occupancy within the Shopping Center, and shall be approved by Declarant .

21. **Duration.** Unless otherwise canceled or terminated, all of the easements granted in this Declaration shall continue in perpetuity and all other rights and obligations hereof shall automatically terminate and be of no further force and effect after ninety-nine (99) years from the date hereof.

22. **Headings/Singular/Plural.** The headings herein are inserted only as a matter of convenience and for reference and in no way define, limit or describe the scope or intent of this document nor in any way affect the terms and provisions hereof. The singular number includes the plural and vice versa. The use of either masculine, feminine or neuter includes the other two.

IN WITNESS WHEREOF, the undersigned has executed this Declaration the day and year first written above.

QUAIL PLAZA, LLC,
a New Mexico limited liability company

By: Burt S. [Signature]

Its: manager

STATE OF NEW MEXICO)
)
COUNTY OF BERNALILLO)

This instrument was acknowledged before me on May 17th, 2004, by Ben Spencer, Manager of QUAIL PLAZA, LLC, a New Mexico limited liability company, on behalf of said company

MY COMMISSION EXPIRES:
11/07/05

Danya P. Salazar
NOTARY PUBLIC


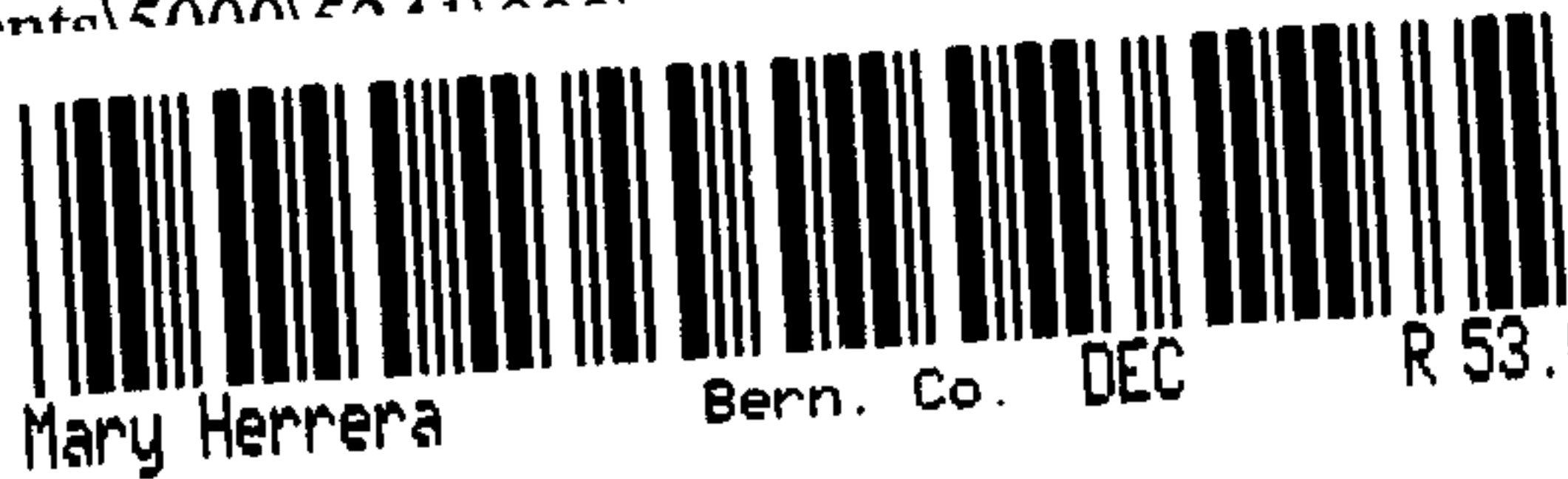
 Danya F. Salazar
NOTARY PUBLIC
STATE OF NEW MEXICO
My Commission Expires: 11/07/05

EXHIBIT "A"

Site Plan

TO BE ATTACHED

f:\clients\5000\50411000



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Page: 22 of 23
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5/25/04

Dekker Perrich needs to amend
the SPBP for B of A approval
10/29/03 to put in ~~the~~ trees back
on landscape. Plants to match approval
overall SPBP for Quail Plaza.
(AA ~~the~~ ~~SPBP~~ three Debbie Stover
needed) Also B of A building
~~the~~

B. Watson

Current DRC
Project Number: _____

FIGURE 12

Claire

Date Submitted: 10/29/03
 Date Site Plan Approved: 10/29/03
 Date Preliminary Plat Approved: 10/29/03
 Date Preliminary Plat Expires: 10/29/04
 DRB Project No.: 1002459
 DRB Application No.: 03-01759

ORIGINAL

INFRASTRUCTURE LIST

EXHIBIT "A"
 TO SUBDIVISION IMPROVEMENTS AGREEMENT
 DEVELOPMENT REVIEW BOARD (D.R.B.) REQUIRED INFRASTRUCTURE LIST

Quail Ridge

PROPOSED NAME ~~OF THE~~ FOR SITE DEVELOPMENT PLAN

WH Brunell Addition

EXISTING LEGAL DESCRIPTION PRIOR TO PLATTING ACTION

Following is a summary of PUBLIC/PRIVATE Infrastructure required to be constructed or financially guaranteed for the above development. This Listing is not necessarily a complete listing. During the SIA process and/or in the review of the construction drawings, if the DRC Chair determines that appurtenant items and/or unforeseen items have not been included in the infrastructure listing, the DRC Chair may include those items in the listing with a related financial guarantee. Likewise, if the DRC Chair determines that appurtenant or non-essential items can be deleted from the listing, those items may be deleted as well as the related portions of the financial guarantees. All such revisions require approval by the DRC Chair, the User Department and agent/owner. If such approvals are obtained, these revisions to the listing will be incorporated administratively. In addition, any unforeseen items which arise during construction which are necessary to complete the project and which normally are the Subdivider's responsibility will be required as a condition of project acceptance and close out by the City.

SIA Sequence #	COA DRC Project #	Size	Type of Improvement	Location	From	To	Private Inspector	City Inspector	City Cnst Engineer
<i>Public Improvements</i>									
		12' F-E	Permanent Paving Right Turn Lane	57th Street	200' South of Quail Road	Quail Road	/	/	/
		4'	Median	Quail Road	57th Street	East Property Line	/	/	/
		8"	Private SAS Gravity Line	Private SAS Easement	57th Street	Tract 6	/	/	/
		\$31,250	Traffic Signal [△] C-mod	57th/Quail			/	/	/
		\$24,675	Offsite Traffic Mitigation [△] C-mod				/	/	/
		6' ²	SIDEWALK	COORS BLVD NW	DURAY	N. PROP. LINE			
		6' ²	SIDEWALK	DURAY RD NW	57TH	COORS BLVD NW			

ORIGINAL

NOTES

1
2
3
4
5

AGENT / OWNER

Ronald R. Bohannon, PE

 NAME (print)

Tierra West, LLC

 FIRM

[Signature] 10/27/03

 SIGNATURE - date

MAXIMUM TIME ALLOWED TO CONSTRUCT
 THE IMPROVEMENTS WITHOUT A DRB
 EXTENSION: _____

DEVELOPMENT REVIEW BOARD MEMBER APPROVALS

[Signature] 10/29/03

 DRB CHAIR - date

[Signature] 10/29/03

 TRANSPORTATION DEVELOPMENT - date

[Signature] 10/29/03

 UTILITY DEVELOPMENT - date

[Signature] 10/29/03

 CITY ENGINEER - date

[Signature] 10/29/03

 PARKS & GENERAL SERVICES - date

 AMAFCA - date

 - date

 - date

DESIGN REVIEW COMMITTEE REVISIONS

REVISION	DATE	DRC CHAIR	USER DEPARTMENT	AGENT / OWNER
1	11-21-03	<i>[Signature]</i>	<i>[Signature]</i>	<i>[Signature]</i>
2	12.23.04	<i>[Signature]</i>	<i>[Signature]</i>	<i>[Signature]</i>

27⁶

1002759

No. Of Lots 6

Nearest Major Streets COORS BOULEVARD NW

FIGURE 12
SUBDIVISION IMPROVEMENTS
AGREEMENT-PUBLIC AND/OR PRIVATE
(Procedure B)

AGREEMENT TO CONSTRUCT
PUBLIC AND/OR PRIVATE SUBDIVISION IMPROVEMENTS

THIS AGREEMENT is made this 15th day of May, 2004, by and between the City of Albuquerque, New Mexico ("City"), a municipal corporation, whose address is P. O. Box 1293 (One Civic Plaza), Albuquerque, New Mexico 87103, and QUAIL PLAZA LLC ("Subdivider"), a [state the type of business entity, for instance, "New Mexico corporation," "general partnership," "joint venture," "individual," etc.:] A LIMITED LIABILITY COMPANY, whose address is PO BOX 66180, ALBUQUERQUE, NM 87193-6180 and whose telephone number is (505) 889-3061, is made in Albuquerque, New Mexico, and is entered into as of the date of final execution of this Agreement.

1. Recital. The Subdivider is developing certain lands within the City of Albuquerque, Bernalillo County, New Mexico, known as [describe:] W.H. BRUNELL ADDITION, recorded on JANUARY 25, 1972 in the records of the Bernalillo County Clerk at Book C8, Folio 84 (the "Subdivision"). The Subdivider certifies that the Subdivision is owned by [state the name of the present real property owner exactly as shown on the real estate document conveying title in the Subdivision to the present owner:] QUAIL PLAZA LLC ("Owner").

The Subdivider has submitted and the City has approved a preliminary plat or Site Development Plan identified as TRACTS 1 THRU 6, QUAIL RIDGE describing Subdivider's Property.

As a result of the development of the Subdivision, the Subdivision Ordinance ("S.O.") and/or the Zoning Code, Section 14-16-3-11, require the Subdivider, at no cost to the City, to install certain public and/or private Improvements, which are reasonably related to the development of the Subdivision, or to financially guarantee the construction of the public and/or private Improvements as a prerequisite to approval of the final plat of, or the Site Development Plan for the Subdivision.

2. Improvements and Construction Deadline. The Subdivider agrees to install and complete the public and/or private improvements described in Exhibit A, the required infrastructure listing ("Improvements"), to the satisfaction of the City, on or before the 29TH day of OCTOBER, 2005 ("Construction Completion Deadline"), at no cost to the City. The improvements are shown in greater detail on the Subdivider's proposed and approved plans, which have been filed with the City Engineer and are identified as Project No. 719181.

Note: To compute the Construction Completion Deadline: If a final plat will be filed after Subdivider meets the requirements of this Agreement, the Construction Completion Deadline can be no later than two years after execution of this Agreement. (See Subdivision Ordinance Section 14-14-3.) If a final plat will not be filed pursuant to this Agreement, the Construction Completion Deadline can be no later than one year after approval of the preliminary plat by the Development Review Board (DRB), unless the DRB grants an extension, not to exceed one additional year per extension, and the Subdivider processes an amendment to the Agreement. (See Subdivision Ordinance Section 14-14-3.) If this Agreement, with any amendments does not utilize the maximum time allowed for completion of construction, the Subdivider may obtain an extension of the Construction Completion Deadline if Subdivider shows adequate reason for



FIGURE 13
PUBLIC IMPROVEMENTS AGREEMENT
(Procedure C - Modified)

AGREEMENT TO CONSTRUCT
PUBLIC IMPROVEMENTS BY CITY CONTRACT

THIS AGREEMENT is made this 19th day of May, 2004, by and between the City of Albuquerque, New Mexico ("City"), whose address is P.O. Box 1293 (One Civic Plaza), Albuquerque, New Mexico 87103, and QUAIL PLAZA LLC ("Developer"), a [state the type of business entity, for instance, "New Mexico corporation", "general partnership" "joint venture", "individual", etc.:] A LIMITED LIABILITY COMPANY whose address is PO BOX 66180, ALBUQUERQUE, NM 87193-6180 and whose telephone number is (505) 889-3061, is made in Albuquerque, New Mexico, and is entered into as of the date of final execution of this Agreement.

1. Recital. The Developer owns certain lands within the City of Albuquerque, Bernalillo County, New Mexico, known as [describe:] TRACTS 1 THRU 6, QUAIL RIDGE ("Developer's Property"). The Developer's Property is owned by [state the name of the present real property owner exactly as shown on the real estate document conveying title in Developer's Property to the present owner:] QUAIL PLAZA LLC ("Owner").

The developer of the property is seeking [describe: "preliminary/final plat", "site development plan", etc.] FINAL PLAT approval. The City and the property developer have agreed that it would be beneficial to all parties and the general public to make certain improvements to the public roadways and that it is appropriate that the Developer contribute to the cost of the improvements.

Developer's Property will benefit from the construction of certain improvements detailed below, which will be located on public right-of-way, and the City is willing to construct those improvements with the participation of the Developers.

Therefore, the City and the Developer agree:

2. Improvements. The City agrees to install and complete the following public improvements, identified as City Project No.: 719181 ("Improvements").

3. Developer's Estimated Cost. The Developer's share has been determined to be FIFTY-FIVE THOUSAND NINE HUNDRED TWENTY-FIVE dollars and 00 cents (\$55,925.00) ("Developer's Share"), as detailed in the City-approved estimate which is attached as Exhibit A. The estimate includes City fees and contingencies and is the only amount developer will be required to contribute for this project.

4. Payment. All payments will be made only in the following form: cash, certified check, cashier's check or other form of payment approved by the City.

TREASURER'S REPORT OF DEPOSITS

DEPOSITOR:

Charter Bank

Ck# 050383

Remitter: Quail Plaza LLC

PO Box 66180

Albuq. NM. 87193

(505) 889-3061

DESCRIPTION:

CPN 7/9/81

Project Name: Quail Ridge

COMMENTS:

C: Tony Loyd

~~PWD - Finance~~

Planning - Finance

MDM - John Hartman

FUND: _____

ACCOUNT: 461611

ACTIVITY: 7217460

AMOUNT: \$55,925.00

~~FUND: _____~~

~~ACCOUNT: _____~~

~~ACTIVITY: _____~~

~~AMOUNT: _____~~

TOTAL AMOUNT: \$55,925.00

VERIFIED BY: Marilyn Maldonado

PHONE NUMBER: 924-3997

DEPOSIT DATE: 5/14/04

DUPLICATE

City Of Albuquerque

Treasury Division

05/14/2004

9:25AM

LOC: ANN7

RECEIPT# 00023566 WS# 008 TRANS# 0008

Account 461611

Fund 0305

Activity 7217460

TRSDMM

Trans Amt

\$55,925.00

J24 Misc

\$55,925.00

CK

\$55,925.00

CHANGE

\$0.00

April 19, 2004

#7

TO: Sheran Matson, DRB Chair
FROM: Juanita Vigil, Planner
SUBJECT: Project # 1002459 – Quail Ridge Shopping Center

The EPC approved application 03EPC-02187, Site Development Plan for Subdivision and 03EPC-002052, Site Development Plan for Building Permit on February 20, 2004 with conditions. The following issue should be resolved:

1. This DRB application indicates that the site development plan for subdivision was approved by the EPC as an amendment to the overall site development plan for subdivision that is currently under review; this is not the case. Initially it was heard and analyzed as an amendment but the application was amended at the hearing. The applicant and the Planning Commission wanted to hear this matter as its own site development plan for subdivision and site development plan for building permit. This case should not be heard as an amendment to the site development plan for subdivision for the Quail Ridge Shopping Center that is currently under review by the DRB.

The applicant has satisfied the conditions of approval. However, the submittal should be referenced as a site development plan for subdivision instead of an amendment to a site development plan for subdivision prior to DRB approval.

If you should have any questions regarding this matter, please do not hesitate to contact me at 924-3349.

Thank you.

Tract
The ~~lot~~ sizes on the approved preliminary plat don't match those on the SP approved or Tract 2 SPs.

City of Albuquerque



DEVELOPMENT/ PLAN REVIEW APPLICATION

SUBDIVISION Supplemental form **S**

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

SITE DEVELOPMENT PLAN

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

ZONING & PLANNING Supplemental form **Z**

- 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)

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: SCM PROPERTY COMPANY LLC

PHONE: 878-0004

ADDRESS: 7620 JEFFERSON NE

FAX: 878-0002

CITY: ABQ STATE NM ZIP 87109 E-MAIL: _____

Proprietary interest in site: OWNER/DEVELOPER List all owners: _____

AGENT (if any): TIERRA WEST LLC

PHONE: 858-3100 *X*

ADDRESS: 8509 JEFFERSON NE

FAX: 858-1118

CITY: ALBUQUERQUE STATE NM ZIP 87113 E-MAIL: twllc@tierrawestllc.com

DESCRIPTION OF REQUEST: DRB FINAL SIGN OFF OF EPC APPV ~~AMENDER~~ SITE PLAN FOR SUBDIVISION & SITE PLAN FOR BUILDING PERMIT

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. TRS. 358 & 359, AND A PORTION OF TR A21 Block: _____ Unit: _____

Subdiv. / Addn. W H BRUNELL ADDITION & UNIT 8 ATRISCO GRANT

Current Zoning: SU-1 COMM DEV C-2 USES & TRUCK TERM Proposed zoning: SAME

Zone Atlas page(s): H11 No. of existing lots: 1 No. of proposed lots: 6

Total area of site (acres): 7.6311 Density if applicable: dwellings per gross acre: _____ dwellings per net acre: _____

Within city limits? Yes. No, but site is within 5 miles of the city limits.) Within 1000FT of a landfill? NO

UPC No. 101105920043520602 MRGCD Map No. _____

LOCATION OF PROPERTY BY STREETS: On or Near: 2601 COORS BLVD NW

Between: OURAY ROAD NW and QUAIL ROAD NW

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-71-204/Z-77-155/03EPC-00159/03EPC-00160/03EPC-02187 - PROJ#1002459

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

SIGNATURE Ronald R. Bohannan DATE 4/13/04

(Print) RONALD R. BOHANNAN, P.E. _____ Applicant Agent

FOR OFFICIAL USE ONLY

Form revised 9/01, 3/03, 7/03, 10/03, 3/04

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>040RB</u>	<u>SBP</u>	<u>P(3)</u>	<u>\$ 0</u>
<u>040RB</u>	<u>SPS</u>	<u>P(3)</u>	<u>\$ 0</u>
	<u>CONFL. MGMT. FEE</u>		<u>\$ 20.00</u>
			<u>\$</u>
			<u>\$</u>
			<u>\$</u>
			<u>Total</u>
			<u>\$ 20.00</u>

Hearing date April 21st 04

Bohannan 4/13/04
Planner signature / date

Project # 1002459

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

SKETCH PLAN REVIEW AND COMMENT

- 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) 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
- Meetings are approximately 8 DAYS after the Tuesday noon filing deadline. **Your attendance is required.**

SITE DEVELOPMENT PLAN FOR SUBDIVISION

- 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) precisely and clearly outlined and crosshatched (to be photocopied)
- 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
- Infrastructure List, if relevant to the site plan
- 2 copies of the Conceptual Utility Layout Plan (mark one for Planning, one for Utility Development)
- Fee (see schedule)
- Any original and/or related file numbers are listed on the cover application

Meetings are approximately 8 DAYS after the Tuesday noon filing deadline. **Bring the original Mylar to the meeting for sign-off. Your attendance is required.**

SITE DEVELOPMENT PLAN FOR BUILDING PERMIT

- 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) precisely and clearly outlined and crosshatched (to be photocopied)
- 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
- Infrastructure List, if relevant to the site plan
- Completed Site Plan for Building Permit Checklist
- 2 copies of the Conceptual Utility Layout Plan (mark one for Planning, one for Utility Development)
- Blue-line copy of Site Plan with Fire Marshal's stamp
- Fee (see schedule)
- Any original and/or related file numbers are listed on the cover application

Meetings are approximately 8 DAYS after the Tuesday noon filing deadline. **Bring the original Mylar to the meeting for sign-off. Your attendance is required.**

AMENDED SITE DEVELOPMENT PLAN FOR SUBDIVISION

AMENDED SITE DEVELOPMENT PLAN FOR BUILDING PERMIT

- 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) Copies as needed above
- 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
- Letter of authorization from the property owner if application is submitted by an agent
- Infrastructure List, if relevant to the site plan
- Completed Site Plan for Building Permit Checklist (not required for amendment of SDP for Subdivision)
- Fee (see schedule)
- Any original and/or related file numbers are listed on the cover application

Meetings are approximately 8 DAYS after the Tuesday noon filing deadline. **Bring the original Mylar to the meeting for sign-off. Your attendance is required.**

D.R.B. FINAL SIGN-OFF FOR E.P.C. APPROVED S.D.P. for SUBDIVISION *Amended*

D.R.B. FINAL SIGN-OFF FOR E.P.C. APPROVED S.D.P. for BUILDING PERMIT

- 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 (not required for SDP for Subdivision) *ON ORIGINAL*
- Zone Atlas map with the entire property(ies) precisely and clearly outlined and crosshatched (to be photocopied)
- Letter carefully explaining how each EPC condition has been met **and** a copy of the EPC Notification of Decision
- Infrastructure List, if relevant to the site plan *N/A - ATTACHED TO OVERALL SITE PLAN*
- 2 copies of the Conceptual Utility Layout Plan (mark one for Planning, one for Utility Development)
- Blue-line copy of Site Plan with Fire Marshal's stamp (not required for SDP for Subdivision) *ON ORIGINAL*
- Any original and/or related file numbers are listed on the cover application

Meetings are approximately 8 DAYS after the Tuesday noon filing deadline. **Bring the original Mylar to the meeting for sign-off. 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.

Ronald R. Bohannan, P.E.
Applicant name (print)

Sam Lamy 4/13/04
Applicant signature / date



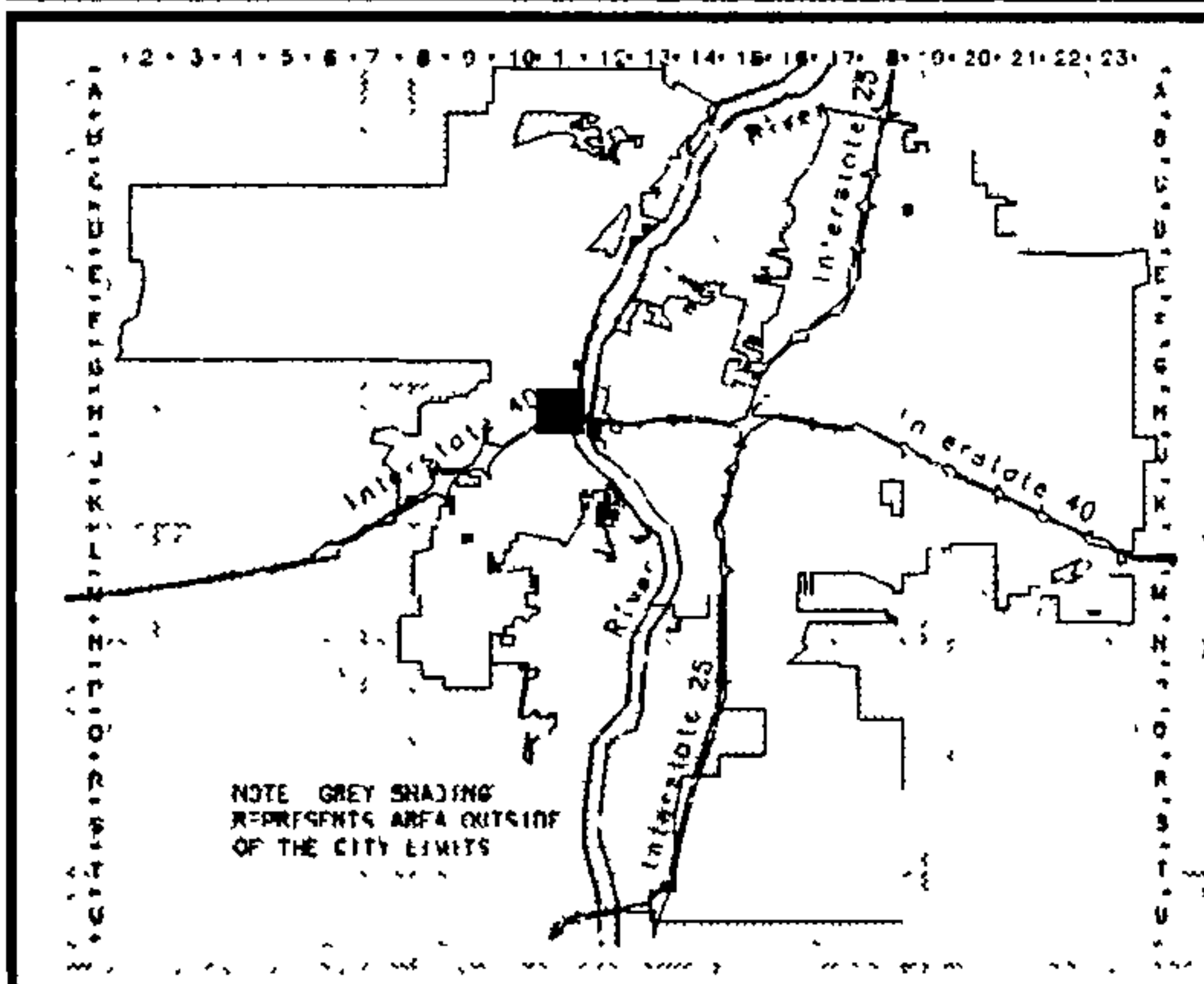
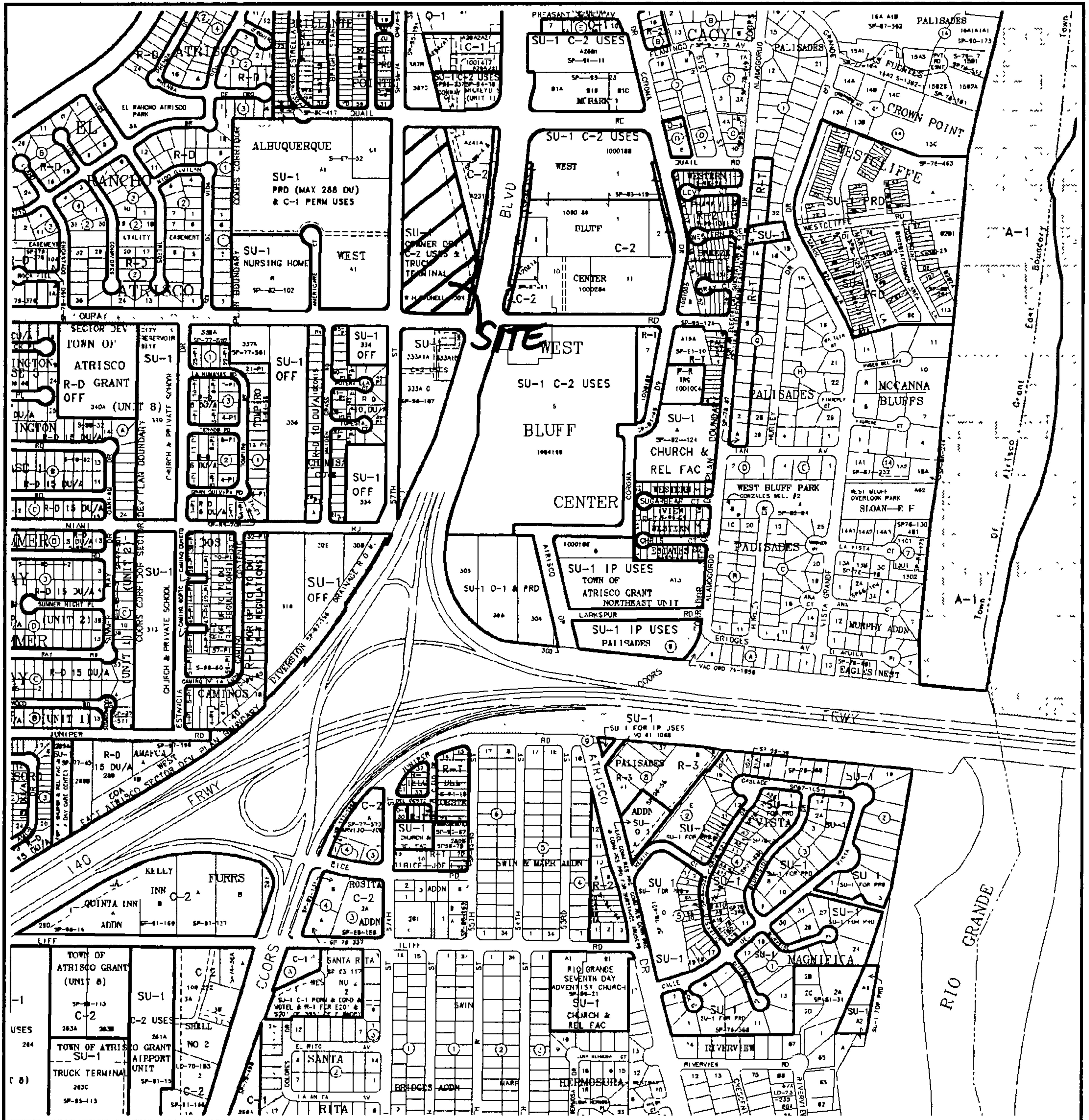
Form revised September 2001

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

Application case numbers
04DRB - 00566
04DRB - 00567

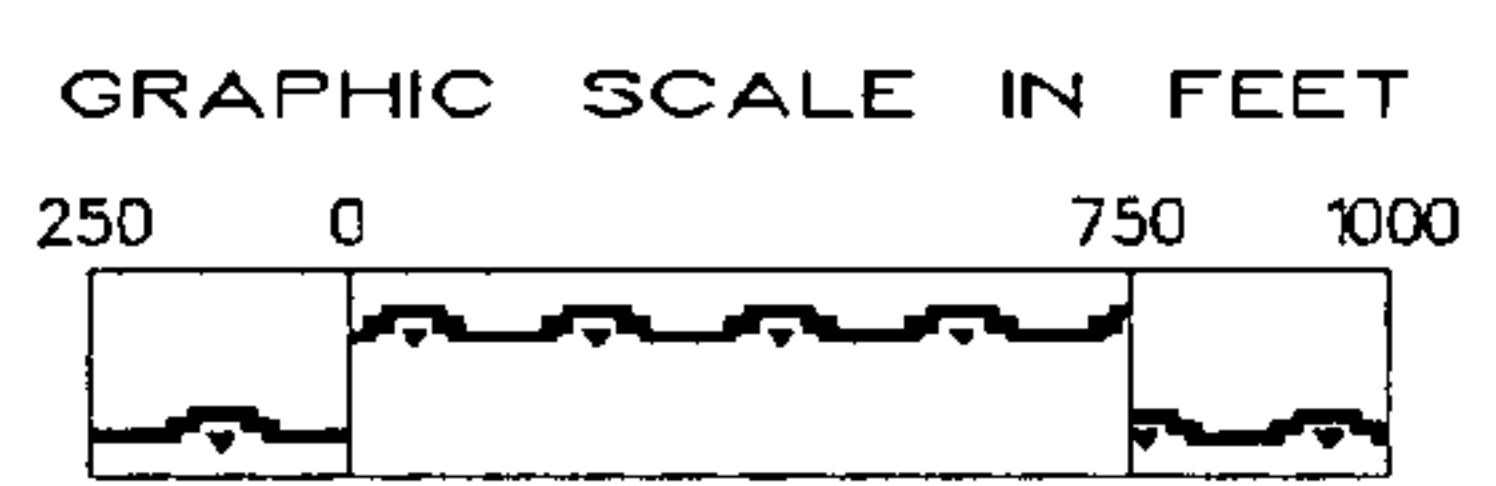
Robert 4/13/04
Planner signature / date

Project # 1002459



CITY OF
Albuquerque
Albuquerque Geographic Information System
PLANNING DEPARTMENT

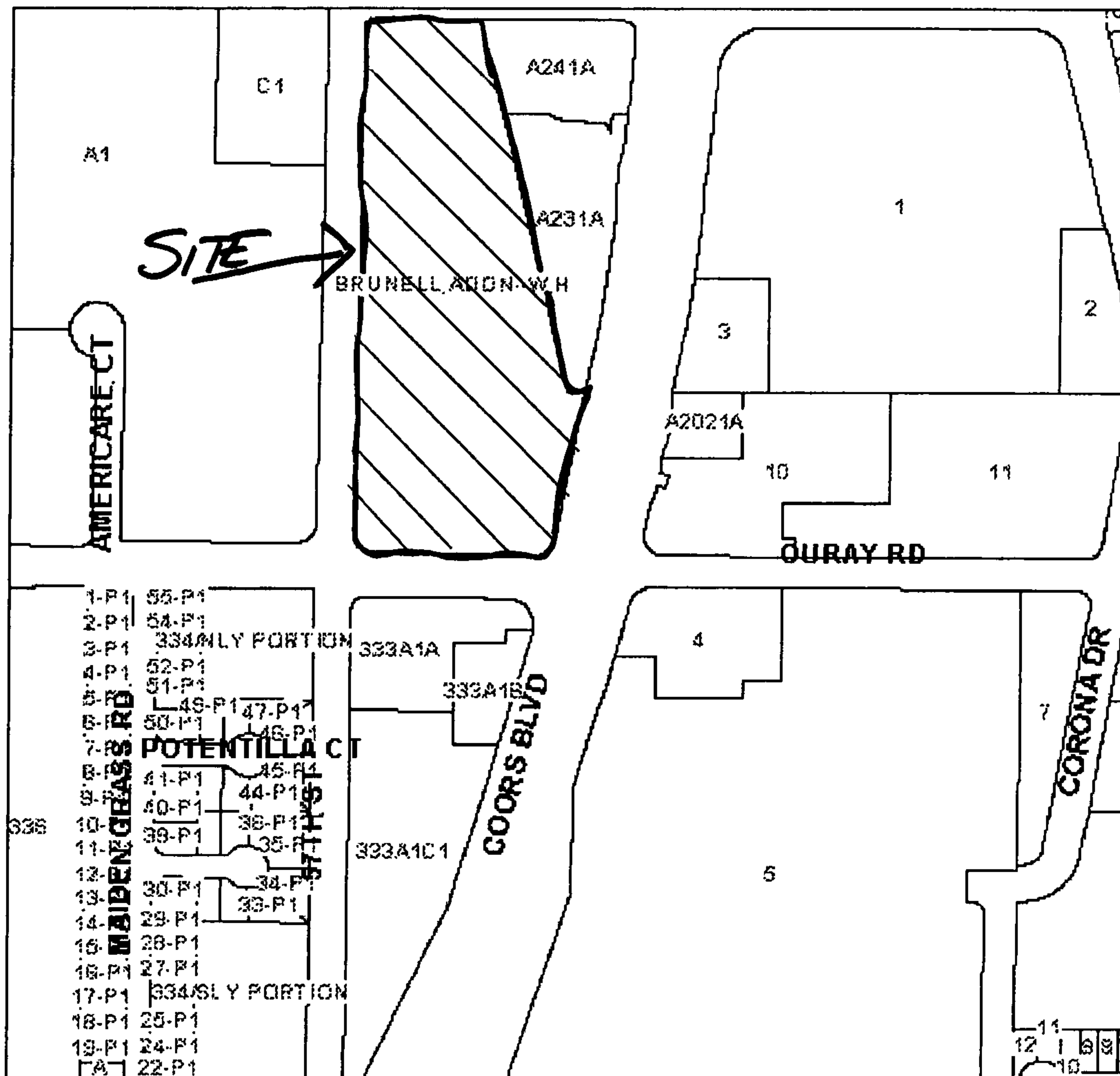
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Zone Atlas Page

H-11-Z

Map Amended through August 01, 2003



Selected Address: 2601 COORS BLVD NW
Zoning: SU-1 COMMER DEV C-2 USES & TRUCK TERMINAL
Lot/Block/Subd: BRUNELL ADDN--W H , 0000 , BRUNELL ADDN--W H
ZoneMap Page: H11
Jurisdiction: CITY
UPC #: 101105920043520602

TIERRA WEST, LLC

8509 Jefferson NE
Albuquerque, NM 87113

(505) 858-3100
fax (505) 858-1118

twllc@tierrawestllc.com
1-800-245-3102

April 13, 2004

Ms. Sheran Matson, Chairperson
Development Review Board
City of Albuquerque
P.O. Box 1293
Albuquerque, NM 87103

**RE: Quail Ridge Shopping Center; Project #1002459
03EPC-02052 EPC Site Development Plan-Building Permit
03EPC-02187 EPC Site Development Plan-Amendment to Subdivision**

Dear Ms. Matson:

+

Right use

Tierra West LLC, on behalf of SCM Property Co. LLC, requests EPC final sign-off approval for Site Plan for Subdivision and Site Plan for Building Permit. A previous Site Plan for Subdivision was approved by the DRB on 10/29/03 for Quail Ridge Shopping Center, but is not completely signed off because the SIA's are not recorded yet. This application amends that Site Plan for Subdivision to add Tract 2. We provided the following responses to the conditions listed by the Environmental Planning Commission.

SITE DEVELOPMENT PLAN FOR SUBDIVISION

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 conditions. Unauthorized changes to the site plan, including before or after DRB final sign-off, may result in forfeiture of approvals.
This letter explains all modifications to the site and how all the EPC conditions were met.
2. The applicant shall remove the notation "Not a part of" from Tract 2 to allow for the development of a bank building as proposed on the site development plan for building permit.
The note was removed.
3. The applicant shall provide a notation on the submittal indicating that "Building heights cannot exceed the height as specified in the C-2 zone of the Comprehensive City Zoning Code and within Coors Corridor Plan, whichever is more restrictive".
This note was added to the Site Plan for Subdivision (Sheet 1).
4. The applicant must comply with the following recommended conditions of approval as specified by the City Engineer and the Public Works Department.
 - a. The access points to the project will be coordinated with New Mexico Department of Transportation and the City Engineer and constructed to the satisfaction to the City

Engineer. The access on Ouray may be adjusted west to accommodate the design of the Coors/I-40 Interchange and will be approved at the DRB prior to final signoff. **The access on Ouray and Coors was coordinated with the NMDOT and the City Engineer.**

- b. All the requirements of previous actions taken by the EPC and the DRB must be completed and/or provided for.
To the best of our knowledge, all previous actions are complete or provided for.
- c. Traffic Impact Study is required and has been submitted.
A Traffic Impact Study titled Ouray/Coors Commercial Development prepared by Terry O. Brown, PE was submitted to the City of Albuquerque on December 30, 2002.
- d. Completion of the required TIS mitigation measures, per Transportation Department Staff, must be completed if assumed to be in place for the current TIS for this site.
All previous TIS mitigation measures are completed or financially guaranteed.
- e. The Developer is responsible for permanent improvements to the transportation facilities adjacent to the proposed site development plan for building permit. Those improvements will include any additional right-of-way requirements, paving, curb and gutter, sidewalk and ADA accessible ramps that have not already been provided for. All public infrastructure constructed within public right-of-way or public easements shall be to City Standards. Those Standards will include but are not limited to sidewalks (std. dwg. 2430), driveways (std. dwg. 2425), private entrances (std. dwg. 2426) and wheel chair ramps (std. dwg. 2441).
The site plan shows a new sidewalk, driveway and wheelchair ramps along Ouray. The plat has been revised to show right-of-dedication for the new sidewalk along Ouray.
- f. Site plan shall comply and be designed per DPM Standards.
The site plan complies with all DPM standards.
- g. Narrow 56' driveway on Coors Blvd., as shown on site plan, to 30' in width.
The driveway off of Coors was revised to 30' in width.
- h. Provide cross access agreement between tracts.
This is stated in Note 1 on the Site Plan. Also, the ECR provides cross access agreements between the tracts. A copy of the ECR is included for your information.
- i. Platting should be concurrent DRB action.
The preliminary plat was previously submitted under DRB #1002459 and approved on 10/29/03. The final plat has not been submitted as the SIA is not recorded yet.
- j. Access at Coors Boulevard and Ouray Road shall be limited to right-turn in and right-turn out access only consistent with the Coors Corridor Plan.
We are proposing no changes to the intersection of Coors and Ouray. It will remain a right-turn in, right-turn out access.

- k. Provision for the fourth southbound travel lane on Coors Boulevard adjacent to the subject property, consistent with the Coors Corridor Plan (see figure 6).
Currently, Coors adjacent to the site consists of three thru lanes, a striped out lane, and a right turn lane. Provision for a 4th lane seems to have been provided in the past.

SITE DEVELOPMENT 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 conditions. Unauthorized changes to the site plan, including before or after DRB final sign-off, may result in forfeiture of approvals.
This letter explains all modifications to the site and how all the EPC conditions were met.
2. The applicant shall provide a six-foot wide pedestrian path that connects from Coors Blvd. to the subject site.
A six-foot wide pedestrian path was added to connect the site to Coors (Sheet 1).
3. The applicant shall specify the correct number of plant species that will be provided on the subject site and not the overall project.
The Landscape Plan was updated to reflect the current site and not the overall site.
4. The applicant shall use best efforts to modify the proposed landscape plan to ensure that the proposed street trees are moved beyond the line identified on the submittal as the "future right of way line" to ensure that the trees are not damaged during the Coors/I-40 Interchange reconstruction.
The street trees were moved west of the future right of way dedication line to ensure they are not damaged during the future construction of the Coors/I-40 interchange.
5. A notation on the submittal shall be included to ensure that stucco parapets or stuccoed roof mounted screens are provided to screen any rooftop mechanical equipment.
This is stated in Note 13 on the Site Plan (Sheet 1).
6. The applicant shall provide a notation on the submittal indicating that the wording "Quail Plaza" as proposed on the freestanding sign does not exceed 20 square feet as stipulated in Section 14-16-3-5(B)(4)(g) of the Comprehensive City Zoning Code.
The project sign detail on Sheet 1 was revised to specify that "Quail Ridge" does not exceed 20 square feet.
7. The applicant shall remove the existing 50' high freestanding sign and remove the illustration of the existing sign and the notation regarding the location of the freestanding sign from the submittal.
The existing sign is noted for removal on the Site Plan (Sheet 1) and the detail removed from the submittal.

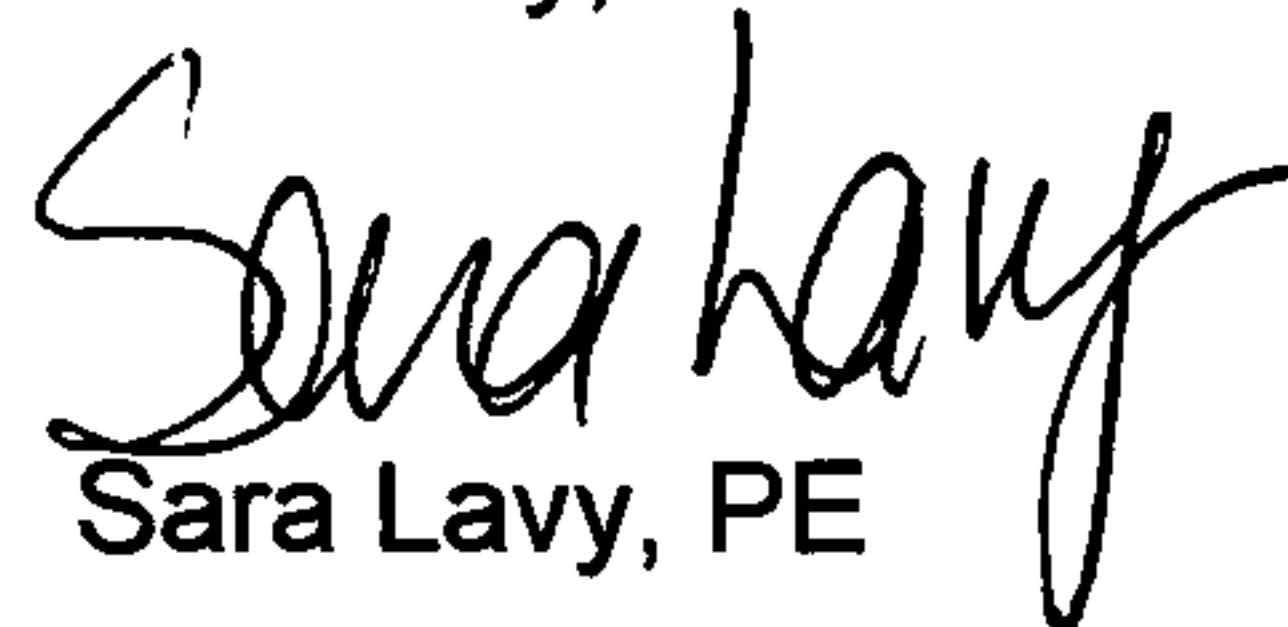
8. The applicant must comply with the following recommended conditions of approval as specified by the City Engineer and the Public Works Department.
- a. The access points to the project will be coordinated with New Mexico Department of Transportation and the City Engineer and constructed to the satisfaction to the City Engineer. The access on Ouray may be adjusted west to accommodate the design of the Coors/I-40 Interchange and will be approved at the DRB prior to final sign off. **The access on Ouray and Coors was coordinated with the NMDOT and the City Engineer.**
 - b. All the requirements of previous actions taken by the EPC and the DRB must be completed and/or provided for.
To the best of our knowledge, all previous actions are complete or provided for.
 - c. Traffic Impact Study is required and has been submitted.
A Traffic Impact Study titled Ouray/Coors Commercial Development prepared by Terry O. Brown, PE was submitted to the City of Albuquerque on December 30, 2002.
 - d. Completion of the required TIS mitigation measures, per Transportation Development Staff, must be completed if assumed to be in place for the current TIS for this site.
All previous TIS mitigation measures are completed or financially guaranteed.
 - e. The Developer is responsible for permanent improvements to the transportation facilities adjacent to the proposed site development plan for building permit. Those improvements will include any additional right-of-way requirements, paving, curb and gutter, sidewalk and ADA accessible ramps that have not already been provided for. All public infrastructure constructed within public right-of-way or public easements shall be to City Standards. Those Standards will include but are not limited to sidewalks (std. dwg. 2430), driveways (std. dwg. 2425), private entrances (std. dwg. 2426) and wheel chair ramps (std. dwg. 2441).
The site plan shows a new sidewalk, driveway and wheelchair ramps along Ouray. The plat has been revised to show right-of-dedication for the new sidewalk along Ouray.
 - f. Site plan shall comply and be designed for DPM Standards.
The site plan complies with all DPM standards.
 - g. Narrow 56' driveway on Coors Blvd., as shown on site plan, to 30' in width.
The driveway off of Coors was revised to 30' in width.
 - h. Provide cross access agreement between tracts.
This is stated in Note 1 on the Site Plan.
 - i. Platting should be a concurrent DRB action.
The preliminary plat was previously submitted under DRB #1002459 and approved on 10/29/03. The final plat has not been submitted as the SIA is not recorded yet.

- j. Access at Coors Boulevard and Ouray Road shall be limited to right-turn in and right-turn out access only consistent with the Coors Corridor Plan.
We are proposing no changes to the intersection of Coors and Ouray. It will remain a right-turn in, right-turn out access.

- k. Provisions for the fourth southbound travel lane on Coors Boulevard adjacent to the subject property, consistent with the Coors Corridor Plan (see figure 6).
Currently, Coors adjacent to the site consists of three thru lanes, a striped out lane, and a right turn lane. Provision for a 4th lane seems to have been provided in the past.

If you have any questions or need additional information regarding this matter, please do not hesitate to call me.

Sincerely,

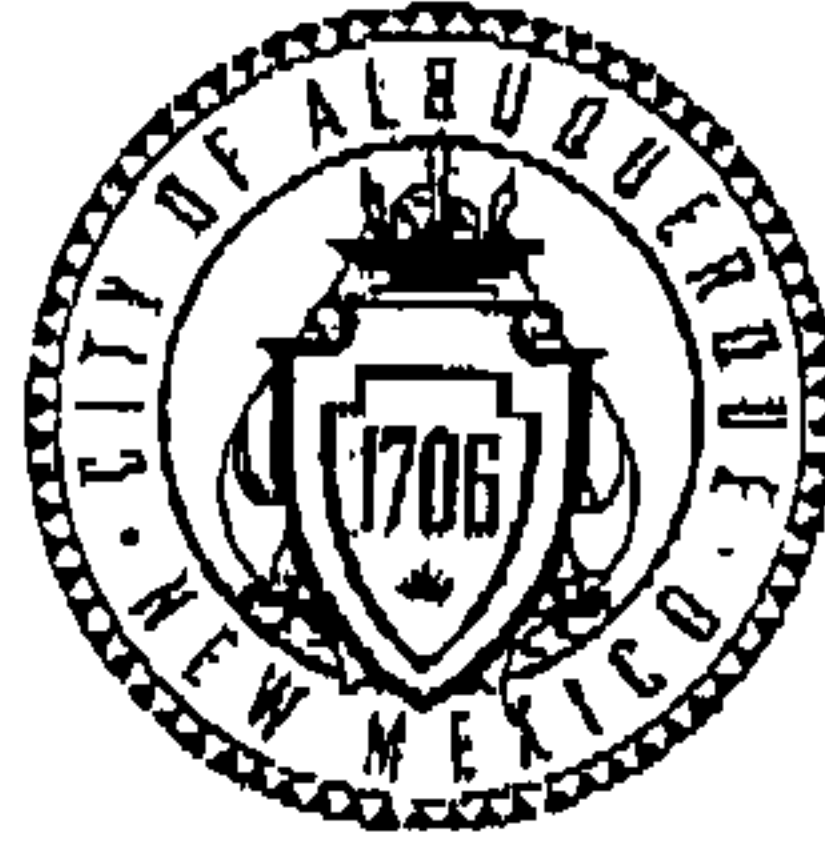


Sara Lavy, PE

Enclosure/s

cc: Steve Maestas
Ben Spencer

JN: 240005
SL/db



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

Date: February 20, 2004

OFFICIAL NOTIFICATION OF DECISION

FILE: **Project # 1002459**
03EPC-02052 EPC Site Development Plan-Building Permit
03EPC-02187 EPC Site Development Plan-Amendment to Subdivision

SCM Property Company, LLC
7620 Jefferson St. NE
Albuq.NM 87109

LEGAL DESCRIPTION: for all or a portion of **W.H. Brunell Addition**, zoned SU-1 for a Commercial Development to include a Truck Terminal and Related C-2 Uses and P, located on COORS BLVD NW, between OURAY NW and QUAIL NW, containing approximately 7.625 acres.
(H-11) Juanita Vigil, Staff Planner

On February 19, 2004 the Environmental Planning Commission voted to approve Project 1002459/03EPC-02187, a Site Development Plan for Subdivision for a portion of the Lands of W.H. Brunell Addition, located at 2601 Coors Blvd NW, zoned SU-1 for a Commercial Development to include a Truck Terminal and Related C-2 Uses and P, containing approximately 1.039 acres, based on the following Findings and subject to the following Conditions:

FINDINGS:

1. This is a request for approval of a site development plan for subdivision for a portion of the Lands of W.H. Brunell, located at 2601 Coors Blvd NW, zoned SU-1 for a Commercial Development to include a Truck Terminal and related C-2 Uses and P, containing approximately 1.039 acres.
2. The site currently contains one tract. The applicant is proposing to construct a 5,589 square foot bank building on Tract 2 with new landscaping, paved parking areas and pedestrian walkways.
3. The removal of the notation that Tract 2 is not a portion of the original site development plan would allow the applicant to proceed with construction of the bank building on Tract 2 as currently proposed.

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4. The Coors/I40 Interchange Study and final plan for the reconstruction project has not been selected. The outcome could have an adverse affect on the subject site depending on the alternatives. The proposed amendment to remove the notation "Not a part of" is minor change and should allow the applicant to proceed both with the EPC submittal and the DRB submittal.
5. The submittal is in compliance with Policy 4a, Transportation and Transit, of the *Comprehensive Plan* that requires transportation system improvements among all modes that shall be made in accordance with land use, environmental, and public service policies.
6. The submittal is in compliance with Policy 5l, of the *Comprehensive Plan* that encourages quality and innovation in design for all new development.
7. The request conforms to the policies of the *Comprehensive Plan*: the location, intensity and design of the new development that respects the existing neighborhood values and zoning (Policy 5d); and provides new growth, which is accommodated through development in an area where vacant land is contiguous to existing or programmed urban facilities and services and where the integrity of existing neighborhoods can be ensured (Policy 5e); as an employment and service use, it is appropriate that this development be located to complement residential areas and sited to minimize adverse effects of noise, lighting, pollution, and traffic on residential environments (Policy 5i).
8. The request conforms to the policies of the *Comprehensive Plan*: the proposed new commercial development is located in existing commercially zoned areas (Policy 5j); the site is on land adjacent to arterial streets and planned to minimize harmful effects of traffic; livability and safety of established residential neighborhoods should be protected in transportation planning and operations (Policy 5k).
9. The request conforms to the *Comprehensive Plan* regarding the Centers and Corridors policies where the ideal Community Activity Center has parcels and buildings scaled to pedestrians, small enough to encourage parking once and walking to more than one destination. Seating and shade along pedestrian routes also promote walking and informal gathering (Policy 7a).
10. The subject site is located in the Coors/I-40 Village Community Activity Center within the *Albuquerque/Bernalillo County Comprehensive Plan*. Access to the Community Activity Center should be very accessible by automobile, as well as the pedestrian. This Center is located on minor and major arterial streets and should provide a main hub connecting to the transit system. The interior of the center should be very accommodating to the pedestrian, even within the predominantly off-street parking areas.

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11. The subject site is located on an *Albuquerque/Bernalillo County Comprehensive Plan* Enhancement Transit Corridor as well as the Coors/I-40 Village Community Activity Center. The Goal for Activity Centers is to develop corridors, both streets and adjacent land uses, that provide a balanced circulation system through efficient placement of employment and services, and encouragement of bicycling, walking, and use of transit / paratransit as alternatives to automobile travel, while providing sufficient roadway capacity to meet mobility and access needs. (*Section II.B.6.4 Transportation and Transit*).
12. The subject site is located within the *West Side Strategic Plan* Ladera Community. The *West Side Strategic Plan* is a Rank 2 Plan and its provisions are mandatory except where they conflict with existing zoning (R-01-278, Enactment No. 35-2002, Section 3). The location of the subject site and its uses is on the western side of the Ladera Community or in its central area to reduce trips to Coors Boulevard and provide easier access to services for neighborhoods west of the Ladera Golf Course. (Policy 3.23)
13. As per the *Coors Corridor Plan*, commercial sites, such as shopping centers, should be designed so that a portion of the building or buildings is located near the street perimeter and relates to the streetscape area along Coors Boulevard (*Policy 6*). The site plan will be in compliance with this policy after the Conditions of Approval are met.
14. The submittal is in compliance, particularly with governing concepts three and four, of the *East Atrisco Sector Development Plan* which encourages the intersection of Coors Boulevard and Ouray Road to maximize the potential for area access at points other than at these intersections while protecting adjacent neighborhoods from through-traffic and to integrate physical improvements to create features which will enhance the quality of life for residents.
15. This request meets the standards of a site development plan for subdivision as defined in the Comprehensive City Zoning Code.

CONDITIONS:

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.

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2. The applicant shall remove the notation "Not a part of" from Tract 2 to allow for the development of a bank building as proposed on the site development plan for building permit.
 3. The applicant shall provide a notation on the submittal indicating that "Building heights cannot exceed the height as specified in the C-2 zone of the Comprehensive City Zoning Code and the within the Coors Corridor Plan, whichever is more restrictive."
 4. The applicant must comply with the following recommended conditions of approval as specified by the City Engineer and the Public Works Department:
 - a. The access points to the project will be coordinated with New Mexico Department of Transportation and the City Engineer and constructed to the satisfaction to the City Engineer. The access on Ouray may be adjusted west to accommodate the design of the Coors/I-40 Interchange and will be approved at the DRB prior to final sign off.
 - b. All the requirements of previous actions taken by the EPC and the DRB must be completed and /or provided for.
 - c. Traffic Impact Study is required and has been submitted.
 - d. Completion of the required TIS mitigation measures, per Transportation Development Staff, must be completed if assumed to be in place for the current TIS for this site.
 - e. The Developer is responsible for permanent improvements to the transportation facilities adjacent to the proposed site development plan for building permit. Those improvements will include any additional right-of-way requirements, paving, curb and gutter, sidewalk and ADA accessible ramps that have not already been provided for. All public infrastructure constructed within public right-of-way or public easements shall be to City Standards. Those Standards will include but are not limited to sidewalks (std. dwg. 2430), driveways (std. dwg. 2425), private entrances (std. dwg. 2426) and wheel chair ramps (std. dwg. 2441).
 - f. Site plan shall comply and be designed per DPM Standards.
 - g. Narrow 56' driveway on Coors Blvd., as shown on site plan, to 30' in width.
 - h. Provide cross access agreement between tracts.
 - i. Platting should be a concurrent DRB action.
 - j. Access at Coors Boulevard and Ouray Road shall be limited to right-turn in and right-turn out access only consistent with the Coors Corridor Plan.
 - k. Provision for the fourth southbound travel lane on Coors Boulevard adjacent to the subject property, consistent with the Coors Corridor Plan (see figure 6).
-

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FEBRUARY 19, 2004
PROJECT #1002459
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On February 19, 2004 the Environmental Planning Commission voted to approve Project 1002459/03EPC-02052, a Site Development Plan for Building Permit for a portion of the Lands of W.H. Brunell Addition, located at 2601 Coors Blvd NW, zoned SU-1 for a Commercial Development to include a Truck Terminal and Related C-2 Uses and P, containing approximately 1.03 acres, based on the following Findings and subject to the following Conditions:

FINDINGS:

1. This is a request for a site development plan for building permit for a portion of the Lands of W.H. Brunell, located at 2601 Coors Blvd NW, zoned SU-1 for a Commercial Development to include a Truck Terminal and related C-2 Uses and P, containing approximately 1.03 acres. The applicant is proposing to construct a 5,589 square foot bank with a drive-through facility on Tract 2 as identified on the Site Development Plan for Subdivision. The proposed development will also include new landscaping, paved parking areas and pedestrian walkways.
2. A site development plan for subdivision was approved for the subject site in March 2003 (03EPC 00160) to have one tract subdivided into six separate tracts. A Site Development Plan for building permit (03EPC 00159) was also approved in March of 2003 that consists of the construction of six buildings that will contain space for restaurants and retail shops, new landscaping, paved parking areas and pedestrian walkways and excluded the construction on Tract 2 until right-of-way issues can be resolved for the reconstruction of the Coors/I-40 Interchange.
3. Coors/I-40 Interchange Study and final plan for the reconstruction project has not been selected. The outcome could have an adverse affect on the subject site depending on the alternatives. The proposed amendment to remove the notation "Not a part of" is minor change and should allow the applicant to proceed both with the EPC submittal and the DRB submittal.
4. The submittal is in compliance with Policy 4a, Transportation and Transit, of the *Comprehensive Plan* that requires transportation system improvements among all modes that shall be made in accordance with land use, environmental, and public service policies.
5. The submittal is in compliance with Policy 5l, of the *Comprehensive Plan* that encourages quality and innovation in design for all new development.
6. The request conforms to the policies of the *Comprehensive Plan*: the location, intensity and design of the new development that respects the existing neighborhood values and zoning (Policy 5d); and provides new growth, which is accommodated through development in an area where vacant land is contiguous to existing or programmed urban facilities and services and where the integrity of existing neighborhoods can be ensured (Policy 5e); as an employment and service use, it is appropriate that this development be located to complement residential areas and sited to minimize adverse effects of noise, lighting, pollution, and traffic on residential environments (Policy 5i).

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PROJECT #1002459

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7. The request conforms to the policies of the Comprehensive Plan: the proposed new commercial development is located in existing commercially zoned areas (Policy 5j); the site is on land adjacent to arterial streets and planned to minimize harmful effects of traffic; livability and safety of established residential neighborhoods should be protected in transportation planning and operations (Policy 5k).
8. The request conforms to the Comprehensive Plan regarding the Centers and Corridors policies where the ideal Community Activity Center has parcels and buildings scaled to pedestrians, small enough to encourage parking once and walking to more than one destination. Seating and shade along pedestrian routes also promote walking and informal gathering (Policy 7a).
9. The subject site is located in the Coors/I-40 Village Community Activity Center within the *Albuquerque/Bernalillo County Comprehensive Plan*. Access to the Community Activity Center should be very accessible by automobile, as well as the pedestrian. This Center is located on minor and major arterial streets and should provide a main hub connecting to the transit system. The interior of the center should be very accommodating to the pedestrian, even within the predominantly off-street parking areas.
10. The subject site is located on an *Albuquerque/Bernalillo County Comprehensive Plan* Enhancement Transit Corridor as well as the Coors/I-40 Village Community Activity Center. The Goal for Activity Centers is to develop corridors, both streets and adjacent land uses, that provide a balanced circulation system through efficient placement of employment and services, and encouragement of bicycling, walking, and use of transit / paratransit as alternatives to automobile travel, while providing sufficient roadway capacity to meet mobility and access needs. (*Section II.B.6.4 Transportation and Transit*).
11. The subject site is located within the *West Side Strategic Plan* Ladera Community. The *West Side Strategic Plan* is a Rank 2 Plan and its provisions are mandatory except where they conflict with existing zoning (R-01-278, Enactment No. 35-2002, Section 3). The location of the subject site and its uses is on the western side of the Ladera Community or in its central area to reduce trips to Coors Boulevard and provide easier access to services for neighborhoods west of the Ladera Golf Course. (Policy 3.23)
12. The submittal meets the *Coors Corridor Plan* requirement of a front landscaped street yard that is 15-foot wide, with a minimum of 50% of the area landscaped with live material which will visually screen and buffer parking development behind the street yard (*Policy 3, front landscaped street yard*).
13. The submittal meets the minimum requirement of the Coors Corridor Plan that 20% of the parking lot is to be landscaped (*Policy 5, b.1., off-street parking*).

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14. As per the *Coors Corridor Plan*, commercial sites, such as shopping centers, should be designed so that a portion of the building or buildings is located near the street perimeter and relates to the streetscape area along Coors Boulevard (*Policy 6*). The site plan demonstrates a drive-through facility along Coors Blvd and does not allow for the proposed building to be located any closer than currently shown on the submittal.
15. The submittal is in compliance, particularly with governing concepts three and four, of the *East Atrisco Sector Development Plan* which encourages the intersection of Coors Boulevard and Ouray Road to maximize the potential for area access at points other than at these intersections while protecting adjacent neighborhoods from through-traffic and to integrate physical improvements to create features which will enhance the quality of life for residents.
16. The existing 50' high freestanding sign located on the southeast portion of the site was non-conforming, but has since had its non-conforming period expire. The existing sign, at its current height and size should be lowered to the allowed height of 26', so that it may have a compatible height with the proposed buildings and the remaining proposed freestanding signs.
17. The proposed submittal meets the requirements of a site development plan for building permit as defined in the Comprehensive City Zoning Code.

CONDITIONS:

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. The applicant shall provide a six-foot wide pedestrian path that connects from Coors Blvd to the subject site.
3. The applicant shall specify the correct number of plant species that will be provided on the subject site and not the overall project.
4. The applicant shall use best efforts to modify the proposed landscape plan to ensure that the proposed street trees are moved beyond the line identified on the submittal as the "future right-of-way line" to ensure that the trees are not damaged during the Coors/I-40 Interchange reconstruction project.

OFFICIAL NOTICE OF DECISION

FEBRUARY 19, 2004

PROJECT #1002459

PAGE 8 OF 9

5. A notation on the submittal shall be included to ensure that stucco parapets or stuccoed roof mounted screens are provided to screen any rooftop mechanical equipment.
6. The applicant shall provide a notation on the submittal indicating that the wording "Quail Plaza" as proposed on the freestanding sign does not exceed 20 square feet as stipulated in Section 14-16-3-5(B)(4)(g) of the Comprehensive City Zoning Code.
7. The applicant shall remove the existing 50' high freestanding sign and remove the illustration of the existing sign and the notation regarding the location of the freestanding sign from the submittal.
8. The applicant must comply with the following recommended conditions of approval as specified by the City Engineer and the Public Works Department:
 - a. The access points to the project will be coordinated with New Mexico Department of Transportation and the City Engineer and constructed to the satisfaction to the City Engineer. The access on Ouray may be adjusted west to accommodate the design of the Coors/I-40 Interchange and will be approved at the DRB prior to final sign off.
 - b. All the requirements of previous actions taken by the EPC and the DRB must be completed and /or provided for.
 - c. Traffic Impact Study is required and has been submitted.
 - d. Completion of the required TIS mitigation measures, per Transportation Development Staff, must be completed if assumed to be in place for the current TIS for this site.
 - e. The Developer is responsible for permanent improvements to the transportation facilities adjacent to the proposed site development plan for building permit. Those improvements will include any additional right-of-way requirements, paving, curb and gutter, sidewalk and ADA accessible ramps that have not already been provided for. All public infrastructure constructed within public right-of-way or public easements shall be to City Standards. Those Standards will include but are not limited to sidewalks (std. dwg. 2430), driveways (std. dwg. 2425), private entrances (std. dwg. 2426) and wheel chair ramps (std. dwg. 2441).
 - f. Site plan shall comply and be designed per DPM Standards.
 - g. Narrow 56' driveway on Coors Blvd., as shown on site plan, to 30' in width.
 - h. Provide cross access agreement between tracts.
 - i. Platting should be a concurrent DRB action.
 - j. Access at Coors Boulevard and Ouray Road shall be limited to right-turn in and right-turn out access only consistent with the Coors Corridor Plan.
 - k. Provision for the fourth southbound travel lane on Coors Boulevard adjacent to the subject property, consistent with the Coors Corridor Plan (see figure 6).

OFFICIAL NOTICE OF DECISION
FEBRUARY 19, 2004
PROJECT #1002459
PAGE 9 OF 9

IF YOU WISH TO APPEAL/PROTEST THIS DECISION, YOU MUST DO SO BY **MARCH 5, 2004** 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.

Appeal to the City Council: Persons aggrieved with any determination of the Environmental Planning Commission acting under this ordinance 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 the determination in question is issued is not included in the 15-day period for filing an appeal, and 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. The City Council may decline to hear the appeal if it finds that all City plans, policies and ordinances have been properly followed. If it decides that all City plans, policies and ordinances have not been properly followed, it shall hear the appeal. Such appeal, if heard, shall be heard within 45 days of its filing.

YOU WILL RECEIVE NOTIFICATION IF ANY OTHER 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 MUST BE COMPLIED WITH, EVEN AFTER APPROVAL OF THE REFERENCED APPLICATION(S).

Successful applicants should be aware of the termination provisions for Site Development Plans specified in Section 14-16-3-11 of the Comprehensive Zoning Code. Generally plan approval is terminated 7 years after approval by the EPC

Sincerely,


for Victor J. Chavez
Planning Director

VJC/JV/ac

cc: Dekker/Perich/Sabatini, 6801 Jefferson NE, Albuquerque, NM 87109
Claude Luisada, SR Marmon, 1519 Stoneway Dr. NW, Albuquerque, NM 87120
Julian Morales, SR Marmon, 6328 Keswick Pl. NW, Albuquerque, NM 87120
John Landman, West Bluff, 2236 Ana Ct. NW, Albuquerque, NM 87120
Robert Anwye, West Bluff, 4909 Paseo del Rey NW, Albuquerque, NM 87120

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

PAID RECEIPT

APPLICANT NAME SCM Property Co. LLC
 AGENT TIERRA WEST LLC
 ADDRESS 8509 JEFFERSON ST. NE, 87109.
 PROJECT & APP # 1002459
 PROJECT NAME QUAIL PLAZA

\$ 20⁰⁰ 469099/4916000 Conflict Management Fee
 \$ _____ 441006/4983000 DRB Actions
 \$ _____ 441006/4971000 EPC/AA/LUCC Actions & All Appeals
 \$ NA 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
 \$ 20⁰⁰ TOTAL AMOUNT DUE

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

TIERRA WEST LLC 8509 JEFFERSON NE ALBUQUERQUE, NM 87113 (505) 858-3100		1617 95-877/1070
PAY TO THE ORDER OF <u>City of Albuquerque</u>		DATE <u>4.13.04</u>
<u>Twenty & 00/100</u>		\$ <u>20.00</u>
DUPLICATE DOLLARS		
HIGH DESERT STATE BANK Member FDIC 8110 Ventura NE Albuquerque, NM 87122		City of Albuquerque Treasury Division
FOR <u>22009600 #3 DRB Final</u>		04/13/2004 11:07AM LDC ANN RECEIVED BY <u>Donna Bohannon</u>
⑈001617⑈ ⑈107006677⑈		2018130 46909 Fund 0110 Activity 4916000
		Trans AMT \$20.00 J24 Misc \$20.00 CK \$20.00 CHANGE \$0.00

03-01759 (SBP)

APPLICATION NO. 03-01758 (SPS)	PROJECT NO. 1002459
PROJECT NAME <u>Quail Ridge</u>	
EPC APPLICATION NO. 03EPC00159, 00160	
APPLICANT / AGENT <u>Tierra West</u>	PHONE NO. <u>8583100</u>
ZONE ATLAS PAGE <u>H-11</u>	
(SDP for SUB), (SDP for BP), (FINAL PLATS), (MASTER DEV PLAN), (IR), (AA)	
ONE STOP COMMENT FORM LOG	

HYDROLOGY DEV (505) 924-3986		
PLANS DISAPPROVED	DATE	DATE
PLANS APPROVED	DATE	DATE
COMMENTS:		

UTILITY DEV (505) 924-3989		
PLANS DISAPPROVED	DATE	DATE
PLANS APPROVED	DATE	DATE
COMMENTS:		

TRANSPORTATION DEV (505) 924-3990		
PLANS DISAPPROVED	DATE	DATE
PLANS APPROVED	DATE	DATE
COMMENTS:		

PARKS AND REC (505) 768-5328		
PLANS DISAPPROVED	DATE	DATE
PLANS APPROVED	DATE	DATE
COMMENTS:		

PLANNING (505) 924-3858		
PLANS DISAPPROVED	DATE	DATE
PLANS APPROVED	DATE	DATE
COMMENTS:		
<i>[Signature]</i>		
<i>5/20/04</i>		

Revised 3/3/04

(Return form with plat / site plan)



#10

PART 2

DRB CASE ACTION LOG (PREL & FINAL)

REVISED 3/20/2003

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.: 03-01760 (P&F)

Project # 1002459

Project Name: QUAIL RIDGE

EPC Application No.: 03EPC-00159, 00160

Agent: Tierra West LLC

Phone No.: 858-3100

Your request for (SDP for SUB), (SDP for BP), (FINAL PLATS), (MASTER DEVELOP. PLAN), was approved on 10/29/09 by the DRB with delegation of signature(s) to the following departments. OUTSTANDING SIGNATURES COMMENTS TO BE ADDRESSED

TRANSPORTATION: [checkbox] [checkbox] [checkbox] [checkbox]

UTILITIES: [checkbox] [checkbox] [checkbox] [checkbox]

[X] CITY ENGINEER / AMAFCA: [checkbox] Covenants [checkbox] [checkbox] [checkbox]

PARKS / CIP: [checkbox] [checkbox] [checkbox] [checkbox]

[X] PLANNING (Last to sign): [checkbox] [checkbox]

- 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.
Copy of final plat AND a DXF File for AGIS is required.
Copy of recorded plat for Planning.

Project Number 1002459



City of Albuquerque

P.O. BOX 1293 ALBUQUERQUE, NEW MEXICO 87103

January 9, 2004

Ron Bohannon
Tierra West, LLC
8509 Jefferson NE
Albuquerque, New Mexico 87113

Project #1002459, Applications 03EPC 00159 and 03EPC 00160 (Old Husky Site on Coors and Ouray NW)

Dear Mr. Bohannon,

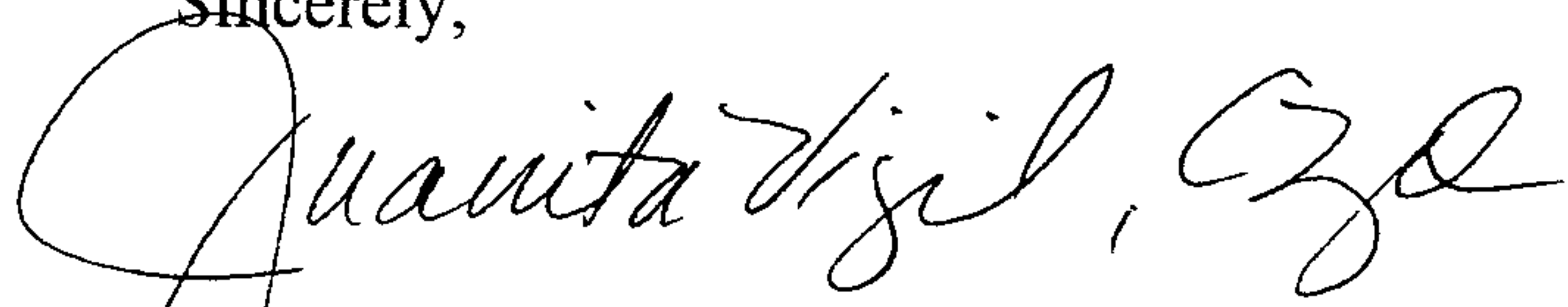
After further review of your DRB submittal for the above-mentioned site, it has been determined that the final DRB approval, which illustrates a 50' high sign, will require the following:

1. A notation on the subdivision plat(s) and the site development plan for subdivision indicating that when additional right-of-way is secured from the site for the reconstruction of the I-40/Coors interchange, the existing 45' high sign shall be removed at the expense of the property owner.

Please be advised that I will need to review the submittal again to ensure that there are no other issues. If you should have any questions regarding this matter, please feel free to contact me at 924-3349.

Thank you.

Sincerely,


Juanita Vigil, CZO
Planner

Cc: file c/o Sheran Matson, DRB Chair



**DEVELOPMENT REVIEW BOARD
ACTION SHEET**

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

October 29, 2003

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.
- B. Changes and/or Additions to the Agenda
- C. New or Old Business

Adjourned: 2:25 P.M.

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

1. **Project # 1000875**
03DRB-01682 Major- Amended SiteDev Plan Subd
03DRB-01683 Major-Bulk Land Variance
03DRB-01684 Minor-Prelim&Final Plat Approval
03DRB-01686 Major-Vacation of Public Easements
03DRB-01687 Major-Vacation of Public Easements
03DRB-01688 Major-Vacation of Public Easements
03DRB-01689 Minor-Vac of Private Easements
- COMMUNITY SCIENCES CORP agent(s) for FINELAND LLC request(s) the above action(s) for all or a portion of Tract(s) A, B, D, E & F, FINELAND DEVELOPMENT, **CRESTVIEW SUBDIVISION**, zoned SU-1 FOR C-1, SU-1 FOR R-2, located on MCMAHON BLVD NW, between UNSER BLVD NW and STONEBRIDGE DR NW containing approximately 41 acre(s). [REF: 1000875, 01EPC-00503, 01EPC-00504] **[Makita Hill, EPC Case Planner] (A-11/A-12) THE AMENDED SITE PLAN FOR SUBDIVISION WAS APPROVED WITH FINAL SIGN OFF DELEGATED TO PLANNING FOR 15-DAY APPEAL PERIOD AND NMUI SIGNATURE. BULK LAND VARIANCE WAS APPROVED. PRELIMINARY PLAT WAS APPROVED WITH FINAL SIGN OFF DELEGATED TO PLANNING FOR AGIS DXF FILE AND 15-DAY APPEAL PERIOD. VACATIONS WERE APPROVED AS SHOWN ON EXHIBIT B IN THE PLANNING FILE.**
- 03DRB-01691 Major-SiteDev Plan Subd
- COMMUNITY SCIENCES CORP agent(s) for FINELAND LLC AND KB HOME NM request(s) the above action(s) for all or a portion of Tract(s) E and F, FINELAND DEVELOPMENT, **CRESTVIEW SUBDIVISION**, zoned SU-1 FOR R-2, located on MCMAHON BLVD NW, between UNSER BLVD NW and STONEBRIDGE DR NW containing approximately 11 acre(s). [REF: 1000875, 03EPC-01095 & 1002793] **[Makita Hill, EPC Case Planner] (A-11/A-12) SITE PLAN FOR SUBDIVISION WAS APPROVED WITH FINAL SIGN OFF DELEGATED TO CITY ENGINEER FOR CORRECTIONS TO MATCH THE GRADING AND DRAINAGE PLAN.**

2. **Project # 1001279**
03DRB-01693 Major-SiteDev Plan Subd

COMMUNITY SCIENCES CORP agent(s) for MARK GONZALES request(s) the above action(s) for all or a portion of Tract(s) 16-A-1, **PARADISE NORTH SUBDIVISION**, zoned SU-1 FOR C-1, located on UNSER BLVD NW, between BANDELIER DR NW and MCMAHON BLVD NW, containing approximately 10 acre(s). [REF: 1001279, 03EPC-01155, 03EPC-01093] [Makita Hill, EPC Case Planner] (A-11) **SITE PLAN FOR SUBDIVISION WAS APPROVED WITH FINAL SIGN OFF DELEGATED TO CITY ENGINEER FOR CONCEPTUAL GRADING AND DRAINAGE PLAN AND PLANNING FOR SIGNAGE ISSUES WITH REGARD TO THE SITE PLAN AND REMOVAL OF PARAGRAPH 3-SHEET 2 OF ROADWAY LAYOUT.**

3. **Project # 1003014**
03DRB-01679 Major-Bulk Land Variance
03DRB-01680 Minor-Prelim&Final Plat
Approval

COMMUNITY SCIENCES CORP. agent(s) for CURB INC., SALAZAR FAMILY TRUST, SALAZAR QUATTRO TRUST, JSJ INVESTMENT CO AND FALBA HANNETT, request(s) the above action(s) for all or a portion of Tract(s) 4A; E2&3 Tr. 31A-1, 32H-1, 33C-1 & 34D-1 of the Vacation & Bulk Land Plat for **THE SALAZAR FAMILY TRUST, SALAZAR QUATRO TRUST, JSJ INVESTMENT CO. & FALBA HANNETT, SALAZAR- DAVIS TRACTS; ALBUQUERQUE SOUTH, UNIT 3**, zoned R-LT residential zone, RIO BRAVO SECTOR PLAN, located on GIBSON BLVD SW, between 98TH ST SW and 118TH ST SW containing approximately 129 acre(s). [REF: 1001896, 02 – 00607 & 608, 1001594 / 02DRB-01621 BLV, 02DRB-01623 & 01622, Z-99-58, SPR-95-2-2] (N-8/N-9) **BULK LAND VARIANCE WAS APPROVED. PRELIMINARY PLAT APPROVED WITH FINAL SIGN OFF DELEGATED TO PLANNING FOR AGIS DXF FILE AND 15-DAY APPEAL PERIOD.**

4. **Project # 1001626**
03DRB-01659 Major-Bulk Land Variance
03DRB-01660 Minor-Prelim&Final Plat
Approval
- SURVEYS SOUTHWEST LTD. agent(s) for JOHN BLOOMFIELD request(s) the above action(s) for East portion of Tract 111, Unit(s) 6, **TOWN OF ATRISCO GRANT**, zoned SU-1, PRD (20 DU/AC), located on DELIA RD SW, between BATAAN DR SW and 69TH ST SW containing approximately 4 acre(s). [REF:Z-79-20, 03DRB 00053, 02DRB 00498 & 1002421] (K-10) **BULK LAND VARIANCE WAS APPROVED. PRELIMINARY PLAT WAS APPROVED WITH FINAL SIGN OFF DELEGATED TO PLANNING FOR 15-DAY APPEAL PERIOD AND AGIS DXF FILE.**
5. **Project # 1003016**
03DRB-01690 Major-Vacation of Pub
Right-of-Way
- SURVEYS SOUTHWEST, LTD. agent(s) for ROBERT DAVIS request(s) the above action(s) for all or a portion of Block(s) A, Tract(s) A, **DEL MAR TERRACE**, zoned C-1 neighborhood commercial zone, located on COMANCHE RD NE, between WYOMING BLVD NE and GENERAL BRADLEY ST NE containing approximately 3 acre(s). [REF: ZA-96-98] [Deferred from 10/29/03] (G-20) **DEFERRED AT THE AGENT'S REQUEST TO 12/10/03.**
6. **Project # 1002321**
03DRB-01662 Major-SiteDev Plan
BldPermit
- BOHANNAN HUSTON, INC. agent(s) for OPUS WEST CORPORATION, request(s) the above action(s) for all or a portion of Lot(s) 11, **JOURNAL CENTER PHASE 2, UNIT 2**, zoned IP, located on WASHINGTON ST NE, between MASTHEAD ST NE and RUTLEDGE RD NE containing approximately 10 acre(s). [REF: 02DRB-01663 SK, 02DRB-01722 PP, 02DRB-01726, 03DRB-00478] (D-17) **SITE PLAN FOR BUILDING PERMIT WAS APPROVED WITH FINAL SIGN OFF DELEGATED TO TRANSPORTATION DEVELOPMENT FOR PEDESTRIAN ACCESS ON WASHINGTON AND WOLCOTT.**

7. **Project # 1002851**
03DRB-01637 Major-Preliminary Plat
Approval

ABQ ENGINEERING INC. agent(s) for INFILL SOLUTIONS request(s) the above action(s) for all or a portion of East ½ Tract(s) 4, ALVARADO GARDENS, (TO BE KNOWN AS LA PLAZA ACEQUIA SUBDIVISION) zoned R-2, located on CANDELARIA NW, between GLENWOOD RD NW and the DURANES LATERAL containing approximately 2 acre(s). (G-12) **WITH THE SIGNING OF THE INFRASTRUCTURE LIST DATED 10/29/03 AND APPROVAL OF THE GRADING PLAN ENGINEER STAMP DATED 9/16/03 THE PRELIMINARY PLAT WAS APPROVED WITH CONDITIONS: THE EASEMENT ALONG CANDELARIA BETWEEN CANDELARIA AND THE PROPERTY BE IDENTIFIED. AS A RESULT, EITHER A 24-FOOT DRIVEWAY ACCESS EASEMENT ACROSS THE UNIDENTIFIED EASEMENTS BE SHOWN ON THE FINAL PLAT OR THE PROPOSED UNIDENTIFIED EASEMENT BE VACATED.**

8. **Project # 1001816**
03DRB-01640 Major-Vacation of Pub
Right-of-Way

JANE CARLTON request(s) the above action(s) for all or a portion of Lot(s) 10, 11 and 12, **NM TOWN COMPANY'S ORIGINAL TOWNSITE**, zoned SU-2 special neighborhood zone, HDA, located on the southside of TIJERAS AVE NW, between 9th ST NW AND 10TH St NW containing approximately 1 acre(s). [REF: 02LUC-00952, 02CC-00446 & 00950 AP, Z-94-1, LUC92-3] *[Deferred from 10/22/03 & 10/29/03]* (J-13) **DEFERRED AT THE AGENT'S REQUEST TO 11/12/03.**

9. **Project # 1000965**
03DRB-01559 Major-Bulk Land Variance
03DRB-01560 Major-Vacation of Pub
Right-of-Way
03DRB-01561 Major-Vacation of Public
Easements
03DRB-01562 Minor-Vacation of Private
Easements
03DRB-01565 Major-Preliminary Plat
Approval
03DRB-01563 Minor-Temp Defer SDWK
03DRB-01564 Minor-Sidewalk Waiver

BOHANNAN HUSTON INC agent(s) for ANDALUCIA DEVELOPMENT CO., INC. request(s) the above action(s) for all or a portion of Tract(s) 1, LANDS OF RAY GRAHAM III (to be known as **ANDALUCIA @ LA LUZ**) zoned SU-1-PRD 10 DU/A & Grazing, located on COORS BLVD NW, between NAMASTE RD NW and LA BIENVENIDA PL NW containing approximately 85 acre(s). [REF: 03EPC-01105] [*Deferred from 10/15/03*] (F-11) **THE BULK LAND VARIANCE WAS APPROVED. THE VACATIONS WERE APPROVED AS SHOWN ON EXHIBIT B IN THE PLANNING FILE. WITH THE SIGNING OF THE INFRASTRUCTURE LIST DATED 10/29/03 AND APPROVAL OF THE GRADING PLAN ENGINEER STAMP DATED 10/28/03 THE PRELIMINARY PLAT WAS APPROVED WITH CONDITIONS: INCLUDE PUBLIC STORM DRAIN EASEMENTS TO THE CITY OF ALBUQUERQUE WHERE APPLICANT IS CONSTRUCTING STORM DRAINS. APPROVAL OF DESIGN ELEVATIONS AND CROSS SECTIONS OF PERIMETER WALLS BY THE DRB CHAIR. INDIVIDUAL LOTS SIZES NEED TO BE SHOWN ON THE FINAL PLAT. THE CUL-DE-SAC ON LA BIENVENIDA WILL BE MOVED TO THE EAST END OF THE EXISTING STREET. TEMPORARY DEFERRAL OF CONSTRUCTION OF SIDEWALKS WAS APPROVED ON THE INTERIOR STREETS AS SHOWN ON EXHIBIT C IN THE PLANNING FILE. A SIDEWALK VARIANCE WAS APPROVED AS SHOWN ON EXHIBIT C FOR WAIVER OF SIDEWALKS.**

- 03DRB-01714 Minor-SiteDev Plan
BldPermit/EPC
03DRB-01715 Minor-SiteDev Plan
Subd/EPC

CONSENSUS PLANNING INC. agent(s) for ASW REALTY PARTNERS request(s) the above action(s) for TRACTS 1, 2, 3, 4, 5, 6A, 6B, A, LANDS OF RAY A GRAHAM III, OVENWEST AND CITY OF ALBUQUERQUE, (to be known as **ANDALUCIA @ LA LUZ**) zoned SU-1 PRD, C-2, O-1, located on COORS BLVD NW between MONTANO RD NW and NAMASTE RD NW, containing approximately 230 acre(s). [REF: 1000965, 03EPC-01103, 03EPC-01105] [**Juanita Vigil, EPC Case Planner**] [*Deferred from 10/15/03*] (E-12/F-11 & 12) **SITE PLAN FOR BUILDING PERMIT WAS APPROVED AND SIGNED OFF BY THE BOARD. SITE PLAN FOR SUBDIVISION WAS APPROVED AND SIGNED OFF BY THE BOARD.**

10. **Project # 1001939**
03DRB-00753 Major-Vacation of
Public Easements
03DRB-00752 Major-Preliminary Plat
Approval
03DRB-00788 Minor-Temp Defer
SDWK

WILSON & COMPANY INC agent(s) for WESTLAND DEVELOPMENT CO INC request(s) the above action(s) for all or a portion of Tract(s) A1B, **The Crossing - Unit 3**, Tract A, CIELO OESTE, zoned R-D, located on GUNNISON PL NW, between UNSER BLVD NW and 98TH ST NW containing approximately 15 acre(s). [REF: 1000150, 1000207, 1000515, 1001939] [*Deferred from 6/4/03, 6/18/03 AND 6/25/03 and 10/29/03*] (H-9) **VACATION WAS APPROVED AS SHOWN ON EXHIBIT B IN THE PLANNING FILE. WITH THE SIGNING OF THE INFRASTRUCTURE LIST DATED 10/29/03 AND APPROVAL OF THE GRADING PLAN ENGINEER STAMP DATED 10/23/03 THE PRELIMINARY PLAT WAS APPROVED WITH CONDITIONS: THE AMAFCA EASEMENTS SHALL BE VACATED THROUGH THE AMAFCA BOARD PRIOR TO FINAL PLAT APPROVAL. PUBLIC ROADWAY EASEMENTS THROUGH LOT 2A SHALL BE OBTAINED PRIOR TO FINAL PLAT APPROVAL. TEMPORARY DEFERRAL OF CONSTRUCTION OF SIDEWALKS ON THE INTERIOR STREETS WAS APPROVED AS SHOWN ON EXHIBIT C IN THE PLANNING FILE.**

11. **Project # 1001523**
03DRB-00899 Minor-Amnd SiteDev Plan
Subd

MARK GOODWIN & ASSOCIATES, PA agent(s) for UNSER - 98TH STREET PARTNERSHIP request(s) the above action(s) for all or a portion of Lot(s) 2, **LADERA INDUSTRIAL CENTER**, zoned SU-1 for Light Industrial, located on UNSER BLVD NW between 98TH ST NW and LADERA DR NW containing approximately 120 acre(s). [REF: 01EPC-01405, 02DRB-00518, 03DRB-00755] [*Deferred from 6/11/03, 7/9/03 & 7/30/03*] (H-10) **WITHDRAWN AT THE AGENT'S REQUEST.**

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 # 1002459**

03DRB-01758 Minor-SiteDev Plan
Subd/EPC
03DRB-01759 Minor-SiteDev Plan
BldPermit/EPC
03DRB-01760 Minor – Prelim & Final Plat
Approval

TIERRA WEST LLC agent(s) for SCM PROPERTY COMPANY LLC request(s) the above action(s) for all or a portion of Tract(s) 358 & 359 and A21, W H BRUNELL ADDITION & UNIT 8 ATRISCO GRANT, (to be known as **QUAIL RIDGE**) zoned SU-1 COMM DEV C-2 USES & TRUCK TERMINAL, located COORS BLVD NW, between OURAY RD NW and QUAIL RD NW containing approximately 8 acre(s). [REF: Z-71-204, Z-77-155, 03EPC-00159, 03EPC-00160, 1002459] [**Juanita Vigil, EPC Case Planner**] [*Deferred from 10/22/03*] (H-11) **THE SITE PLAN FOR SUBDIVISION WAS APPROVED WITH FINAL SIGNOFF DELEGATED TO CITY ENGINEER FOR SIA AND PLANNING FOR SIGN ISSUES. THE SITE PLAN FOR BUILDING PERMIT WAS APPROVED WITH FINAL SIGN OFF DELEGATED TO CITY ENGINEER FOR SIA AND PLANNING FOR SIGN ISSUES. WITH THE SIGNING OF THE INFRASTRUCTURE LIST DATED 10/29/03 AND APPROVAL OF THE GRADING PLAN ENGINEER STAMP DATED 8/26/03 THE PRELIMINARY PLAT WAS APPROVED WITH FINAL SIGN OFF DELEGATED TO CITY ENGINEER FOR COVENANTS AND TO PLANNING FOR AGIS DXF FILE.**

13. **Project # 1002455**

03DRB-01654 Minor-SiteDev Plan
Subd/EPC
03DRB-01655 Minor-Sketch Plat or Plan

TIMOTHY M. OTT agent(s) for JOE COTRUZZOLA request(s) the above action(s) for all or a portion of Lot(s) A3B, **J GROUP ADDITION**, zoned SU-1, C-1, located on SAN ANTONIO NE, between I-25 and SAN PEDRO NE containing approximately 10 acre(s). [**DEBBIE STOVER, EPC CASE PLANNER**] [*Deferred from 10/8/03 & 10/22/03*] (E-18) **SITE PLAN FOR SUBDIVISION WAS APPROVED AND SIGNED OFF BY THE BOARD. THE ABOVE REQUEST WAS REVIEWED AND COMMENTS WERE GIVEN.**

14. **Project # 1001864**
03DRB-01229 Minor-SiteDev Plan
BldPermit/EPC

JUNIPER DESIGN agent(s) for S. G. PROPERTIES request(s) the above action(s) for all or a portion of Tract(s) F-1, Block(s) 1, **COUNTRY CLUB SUBDIVISION**, zoned SU-2 special neighborhood zone, MD-1, located on DR MARTIN LUTHER KING JR AVE NE, between MULBERRY ST NE and CEDAR ST NE containing approximately 1 acre(s). [REF: 02EPC-01120] [**DEBBIE STOVER, EPC CASE PLANNER**] (*Was Indefinitely Deferred 7/30/03 & 10/15/03*) (K-15) **SITE PLAN FOR BUILDING PERMIT WAS APPROVED WITH FINAL SIGN OFF DELEGATED TO PARKS FOR PARK DEDICATION AND PLANNING FOR COMPARISON TO EPC PLAN AND CONDITIONS.**

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

15. **Project # 1000131**
03DRB-01807 Minor-Ext of SIA for Temp
Defer SDWK

MARK GOODWIN & ASSOCIATES agent(s) for BROADWAY DEVELOPMENT CORPORATION, request(s) the above action(s) for **BROADWAY INDUSTRIAL CENTER, UNIT 1**, zoned SU-2 HM, located on SAN JOSE AVE SE, between BROADWAY BLVD SE and I-25 SE containing approximately 60 acre(s). [REF: 03DRB-01513, 02DRB-01897, 02DRB-01898, DRB-97-271] (M-14) **A TWO-YEAR EXTENSION TO THE FOUR-YEAR AGREEMENT FOR THE DEFERRAL OF SIDEWALKS WAS APPROVED.**

16. **Project # 1001205**
03DRB-01779 Minor-Prelim&Final Plat
Approval

ISAACSON & ARFMAN, P. A. agent(s) for FULLER HOMES, INC. request(s) the above action(s) for all or a portion of Lot(s) 32 & 33, Block(s) B, **PARADISE RIDGE**, zoned R-LT residential zone, located on MANSFIELD PL NW, between BRUNSWICK PL NW and PRESTIGE CT NW containing approximately 0.3412 acre(s). [REF: 03DRB-00019, 02DRB-00182, 02DRB-00341, 01138-00555, 01110-00554, DRB-96-350] (B-11) **PRELIMINARY PLAT WAS APPROVED WITH FINAL SIGN OFF DELEGATED TO PLANNING FOR AGIS DXF FILE.**

17. **Project # 1002511**
03DRB-01805 Minor-Final Plat Approval
- ISAACSON & ARFMAN, P.A. agent(s) for KB HOMES request(s) the above action(s) for all or a portion of Lot(s) 2-A, **UNSER DIVERSION CHANNEL CORRIDOR**, zoned RLT, located on BLUEWATER RD NW, between UNSER BLVD NW and 90th ST NW containing approximately 29 acre(s). [REF: 03DRB-01578, 03DRB-01580, 03DRB-00858, 59, 60& 61, 03EPC-00316] (K-9) **FINAL PLAT WAS APPROVED WITH FINAL SIGN OFF DELEGATED TO CITY ENGINEER FOR CLEAN UP OF EASEMENT NOTES AND PLANNING FOR AGIS DXF FILE AND APPROVAL OF DESIGN ELEVATIONS AND CROSS SECTIONS FOR PERIMETER WALLS BY THE DRB CHAIR AND FOR PARK DEDICATION FEE.**
18. **Project # 1001825**
03DRB-01809 Minor-Prelim&Final Plat Approval
- PRECISION SURVEYS INC. agent(s) for YOUTH DEVELOPMENT INC., request(s) the above action(s) for all or a portion of Lot(s) 1-4 and north portion of Lot(s) 15, Block(s) 15, **FRANCISCO ARMIJO Y OTERO ADDITION**, zoned SU-3, located on 1st St NW between ROMA NW AND GRAND NW, containing approximately .5998 acre(s). [Listed under Project #1003056 in error] [REF: ZA-85-81, V-86-121, 02400-00448, 02DRB-01557] [*Deferred from 10/29/03*] (J-14) **DEFERRED AT THE AGENT'S REQUEST TO 11/5/03.**
19. **Project # 1000150**
03DRB-01767 Major-Final Plat Approval
- BOHANNAN HUSTON, INC. agent(s) for WESTLAND DEVELOPMENT CO., INC. request(s) the above action(s) for all or a portion of Tract(s) A, **THE CROSSING, UNIT 2B**, zoned RD, located on GUNNISON PL NW, between CASA VERDE AVE. NW and GALATIN CT. NW containing approximately 13 acre(s). [REF: 03DRB 00284, DRB 95-537] [*Deferred from 10/22/03*] (H-9) **FINAL PLAT WAS APPROVED WITH FINAL SIGN OFF DELEGATED TO UTILITIES DEVELOPMENT FOR REVIEW OF PUE RELEASE AND RECORDING PRIOR TO PLAT SIGN OFF.**

20. **Project # 1001222**
03DRB-01769 Minor-Prelim&Final Plat
Approval

WAYJOHN SURVEYING INC. agent(s) for TOM NICKOLSON (NICKOLSON FAMILY PARTNERSHIP) request(s) the above action(s) for all or a portion of Tract(s) 3-A, **SHELL SUBDIVISION, NO. 2**, zoned C-2 community commercial zone, located on COORS BLVD NW, between ILIFF RD NW and HANOVER NW containing approximately 3 acre(s). [REF: 01DRB-00587] *Deferred from 10/22/03* (H-11) **PRELIMINARY AND FINAL PLAT WERE APPROVED AND SIGNED OFF BY THE BOARD.**

NO ACTION IS TAKEN ON THESE CASES:

APPLICANT - AGENT IS REQUIRED TO BE AT THE MEETING

21. **Project # 1003054**
03DRB-01804 Minor-Sketch Plat or Plan

FORSTBAUER SURVEYING LLC agent(s) for AMERICUS, LLC request(s) the above action(s) for all or a portion of Lot(s) 36 & 37, **RICHFIELD PARK**, zoned IP industrial park zone, located on WASHINGTON ST NE and ADAMS ST NE, between JEFFERSON ST NE and the NORTH DIVERSION CHANNEL containing approximately 2 acre(s). [REF:DRB-94-339, Z-82-86] (C-17) **THE ABOVE REQUEST WAS REVIEWED AND COMMENTS WERE GIVEN.**

22. **Project # 1003057**
03DRB-01810 Minor-Sketch Plat or Plan

MARK GOODWIN & ASSOCIATES agent(s) for GRAYLAND INC. request(s) the above action(s) for all or a portion of Lot(s) A-2, **CLIFFORD WEST BUSINESS PARK**, zoned SU-1, IP, located on UNSER BLVD NW, between LOS VOLCANES NW and SAUL BELL RD NW containing approximately 13 acre(s). [REF: DRB-97-138, S-98-54] (K-9/K-10) **THE ABOVE REQUEST WAS REVIEWED AND COMMENTS WERE GIVEN.**

23. **Project # 1002794**
03DRB-01777 Minor-Sketch Plat or Plan
- WILSON & COMPANY, INC. agent(s) for LONGFORD HOMES OF NM, INC. request(s) the above action(s) for all or a portion of Tract(s) 1, **TOWN OF ATRISCO GRANT**, zoned C-2 community commercial zone, located on DEVARGAS RD NW, between 98th ST SW and the SNOW VISTA DIVERSION CHANNEL containing approximately 13 acre(s). [REF: 03EPC-01096, 03EPC-01097] (M-9) **THE ABOVE REQUEST WAS REVIEWED AND COMMENTS WERE GIVEN.**
24. **Project # 1003051**
03DRB-01801 Minor-Sketch Plat or Plan
- RAY BACA agent(s) for COSME OLGUIN request(s) the above action(s) for all or a portion of Tract(s) 106 D5, **MRGCD MAP #31**, zoned RA-2 residential and agricultural zone, located on RIO GRANDE BLVD NW AND ELFEGO RD NW between GRIEGOS RD NW and CANDELARIA RD NW containing approximately .5339 acre(s). (F-13) **THE ABOVE REQUEST WAS REVIEWED AND COMMENTS WERE GIVEN.**
25. Approval of the Development Review Board Minutes for October 15, 2003. **MINUTES WERE APPROVED SUBJECT TO CHANGES BY THE BOARD.**

ADJOURNED: 2:25 P.M.



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DRB CASE ACTION LOG

REVISED 3/20/2003

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.: 03-01767 (FP)
Project Name: THE CROSSING UNIT 2A
Agent: Bohannan Huston Inc.

Project # 1000150
EPC Application No: _____
Phone No.: 823-1000

Your request for (SDP for SUB), (SDP for BP) (FINAL PLATS), (MASTER DEVELOP. PLAN), was approved on 10/29/03 by the DRB with delegation of signature(s) to the following departments
OUTSTANDING SIGNATURES COMMENTS TO BE ADDRESSED

TRANSPORTATION: _____

UTILITIES: _____
 Review of PUE release and recording
 prior to Plat signoff.

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.**
- Copy of final plat AND a DXF File for AGIS is required.**
- Copy of recorded plat for Planning.**

Approved

Project Number 1000150



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

DEVELOPMENT REVIEW BOARD--SPEED MEMO

DRB CASE NO/PROJECT NO: 1002459

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:() APP:(x) SIGN-OFF:() EXTN:() AMEND:()

ENGINEERING COMMENTS:

See DRB minutes/speed memo dated 10-22-03

RESOLUTION:

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

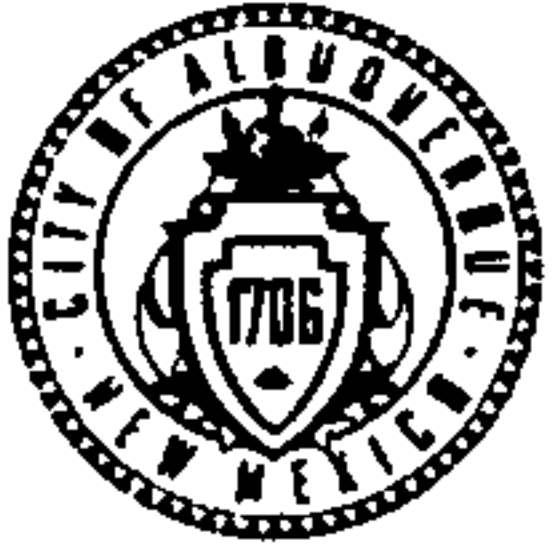
SIGNED-OFF: (SEC-PLN) (SP-SUB) (SP-BP) (FP) BY: (UD) (CE) (TRANS) (PKS) (PLNG)

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

FOR:

SIGNED: Bradley L. Bingham
City Engineer/AMAFCA Designee

DATE: October 29, 2003



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12
13
14

**DEVELOPMENT REVIEW BOARD
ACTION SHEET**

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

October 22, 2003

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.
- B. Changes and/or Additions to the Agenda
- C. New or Old Business

Adjourned: 12:20 P.M.

CASES WHICH REQUIRE PUBLIC NOTIFICATION

MAJOR SUBDIVISIONS, VACATIONS, SIA EXTENSIONS AND SITE DEVELOPMENT PLANS

1. **Project # 1002640**
03DRB-01574 Minor-Amnd Prelim Plat Approval
03DRB-00724 Major-SiteDev Plan Subd
03DRB-00725 Minor-Subd Design (DPM) Variance
03DRB-00726 Minor-Sidewalk Variance
03DRB-00728 Minor-Temp Defer SDWK
- ISAACSON & ARFMAN agent(s) for BOYHAHN, LLC request(s) the above action(s) for all or a portion of Block(s) 3, Lot(s) 22-32, Tract(s) 2, NORTH ALBUQUERQUE ACRES, VISTA DEL AGUILA SUBDIVISION, UNIT 3, zoned RD (7 DU/AC), located on ALAMEDA BLVD NE, between LOUISIANA BLVD NE and WYOMING BLVD NE, containing approximately 11 acre(s). [REF: 03DRB-00723, AP-03EPC-01242] **[REMAND FROM EPC] [Deferred from 10/15/03] (C-19) THE AMENDED PRELIMINARY PLAT WAS APPROVED WITH CONDITION OF FINAL PLAT: DISPOSITION OF THE PEDESTRIAN RIGHT-OF-WAY BE ADDRESSED AT FINAL PLAT BY EITHER AN EASEMENT ON THE ADJACENT LOT OR A TRACT DESIGNATED TO A HOMEOWNERS ASSOCIATION FOR MAINTENANCE. THE AMENDED INFRASTRUCTURE LIST DATED 10/22/03 WAS APPROVED. THIS AMENDMENT DOES NOT EXTEND THE EXPIRATION DATE OF THE ALREADY APPROVED PRELIMINARY PLAT. THE SITE PLAN FOR SUBDIVISION WAS APPROVED WITH FINAL SIGNOFF DELEGATED TO PLANNING FOR DESIGNATED TREES AND APPROVAL OF DESIGN ELEVATIONS AND CROSS SECTIONS OF PERIMETER WALLS BY THE DRB CHAIR. A SIDEWALK VARIANCE FROM DESIGN STANDARDS WAS APPROVED AS INDICATED IN EXHIBIT C IN THE PLANNING FILE. A SIDEWALK VARIANCE FOR WAIVER OF SIDEWALKS WAS APPROVED AS SHOWN ON EXHIBIT C IN THE PLANNING FILE. TEMPORARY DEFERRAL OF CONSTRUCTION OF SIDEWALKS ON THE INTERIOR STREETS WAS APPROVED AS SHOWN ON EXHIBIT C IN THE PLANNING FILE.**

2. **Project # 1001656**
03DRB-01591 Major-Bulk Land Variance
03DRB-01592 Minor-Prelim&Final Plat
Approval

SANTIAGO ROMERO JR. agent(s) for CITY OF ALBUQUERQUE, LINDA ADAMSKO request(s) the above action(s) for all or a portion of Tract(s) O & N, **DOUBLE EAGLE AIRPORT II**, zoned SU-1 special use zone, AIRPORT & RELATED FACILITIES, located NORTHWEST OF DOUBLE EAGLE AIRPORT NW, containing approximately 591 acre(s). [REF: 01EPC-01875, 03EPC-00915 & 16] *[Deferred from 10/22/03]* (C-4 & D-4) **DEFERRED AT THE AGENT'S REQUEST TO 11/5/03.**

3. **Project # 1001816**
03DRB-01640 Major-Vacation of Pub
Right-of-Way

JANE CARLTON request(s) the above action(s) for all or a portion of Lot(s) 10, 11 and 12, **NM TOWN COMPANY'S ORIGINAL TOWNSITE**, zoned SU-2 special neighborhood zone, HDA, located on the southside of TIJERAS AVE NW, between 9th ST NW AND 10TH St NW containing approximately 1 acre(s). [REF: 02LUC-00952, 02CC-00446 & 00950 AP, Z-94-1, LUC92-3] *[Deferred from 10/22/03]* (J-13) **DEFERRED AT THE AGENT'S REQUEST TO 10/29/03.**

4. **Project # 1002714**
03DRB-01634 Major-Vacation of Pub
Right-of-Way

TIERRA WEST LLC agent(s) for ZANGARA DODGE request(s) the above action(s) for all or a portion of **EAST END ADDITION**, zoned C-2 community commercial zone, located on VIRGINIA ST NE, between LOMAS BLVD NE and MARBLE ST NE containing approximately ¼ acre(s). [REF: 03EPC-00917] (J-19) **WITHDRAWN AT THE AGENT'S REQUEST.**

5. **Project # 1003002**
03DRB-01635 Major-Vacation of Pub
Right-of-Way
- SURVEYS SOUTHWEST, LTD. agent(s) for DON HANOSH request(s) the above action(s) for all or a portion of Lot(s) 9-12, Block(s) 23, **CANADA VILLAGE, FIRST UNIT**, zoned C-2 community commercial zone, (SC) located south of CENTRAL AVE SE, and west of DORADO PL SE containing approximately 0.11 acre(s). [REF: ZA-76-273] (L-22) **VACATION WAS APPROVED AS SHOWN ON EXHIBIT B IN THE PLANNING FILE.**
6. **Project # 1002962**
03DRB-01527 Major-Bulk Land Variance
03DRB-01528 Minor-Prelim&Final Plat
Approval
03DRB-01529 Major-Vacation of Public
Easements
03DRB-01530 Major-SiteDev Plan Subd
- BOHANNAN HUSTON INC & DENISH-KLINE ASSOCIATES, agent(s) for THE TRAILS LLC request(s) the above action(s) for all or a portion of Tract(s) 4 (to be known as **TRACT 4, BLACK RANCH**, zoned R-D, located on RAINBOW BLVD NW, between PASEO DEL NORTE BLVD NW and UNIVERSE BLVD NW containing approximately 100 acre(s). [REF: 03DRB-01432 (SK), 03DRB-01429 (SK)] [*Deferred from 10/8/03*] (C-9) **THE BULK LAND VARIANCE WAS APPROVED. THE PRELIMINARY PLAT WAS APPROVED WITH FINAL SIGN OFF DELEGATED TO PLANNING FOR AGIS DXF FILE. THE VACATION WAS APPROVED AS SHOWN ON EXHIBIT B IN THE PLANNING FILE. THE SITE PLAN FOR SUBDIVISION WAS APPROVED AND SIGNED OFF BY THE BOARD.**
7. **Project # 1002960**
03DRB-01537 Major-Preliminary Plat
Approval
03DRB-01538 Major-Vacation of Pub
Right-of-Way
03DRB-01539 Major-Vacation of Public
Easements
03DRB-01540 Minor-Temp Defer SDWK
03DRB-01541 Minor-Sidewalk Waiver
- MARK GOODWIN & ASSOCIATES, agent(s) for WESTLAND DEVELOPMENT CO., INC request(s) the above action(s) for all or a portion of Tract(s) J-2-A (to be known as **SUNDORO SOUTH, UNITS 1, 2 & 3**) WESTLAND NORTH SUBDIVISION, zoned SU-2 / R-LT, located on 98TH ST NW, between I-40 NW and LADERA DR NW containing approximately 35 acre(s). [*Deferred from 10/8/03 & 10/22/03*] (J-8) **DEFERRED AT THE AGENT'S REQUEST TO 11/5/03.**

8. **Project # 1002949**
03DRB-01492 Minor-Preliminary Plat
Approval
03DRB-01493 Major-Vacation of Pub
Right-of-Way
03DRB-01494 Minor-Sidewalk Waiver
03DRB-01496 Minor-Temp Defer
SDWK

ISAACSON AND ARFMAN, P.A. agent(s) for JAMES CRABTREE request(s) the above action(s) for all or a portion of Tract(s) 1, Block(s) 10A, Unit(s) 3, VOLCANO CLIFFS SUBDIVISION, (to be known as PETROGLYPH PARK) zoned O-1 office and institution zone, located on SANTO DOMINGO NW, between UNSER BLVD NW and PIMA AVE NW containing approximately 2 acre(s). [Deferred from 10/1/03 & 10/8/03] (E-10) WITH THE SIGNING OF THE INFRASTRUCTURE LIST DATED 10/22/03 AND APPROVAL OF THE GRADING PLAN ENGINEER STAMP DATED 10/3/03 THE PRELIMINARY PLAT WAS APPROVED. THE VACATION OF RIGHT-OF-WAY WAS WITHDRAWN AT THE AGENT'S REQUEST. THE SIDEWALK VARIANCE FOR WAIVER OF SIDEWALK WAS APPROVED AS SHOWN ON EXHIBIT C IN THE PLANNING FILE. TEMPORARY DEFERRAL OF CONSTRUCTION OF SIDEWALKS ON THE INTERIOR STREETS WAS APPROVED AS SHOWN ON EXHIBIT C IN THE PLANNING FILE.

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.

9. **Project # 1002635**
03DRB-01755 Minor-SiteDev Plan
BldPermit/EPC

CONSENSUS PLANNING INC agent(s) for TRICOR SOUTHWEST CORPORATION, request(s) the above action(s) for all or a portion of Tract(s) 1 (to be known as LANDS OF CANDELARIA & TRAMWAY NE), SECTION 3 T10N R4E, zoned SU1-Neighborhood Commercial, located on CANDELARIA RD NE, between TRAMWAY BLVD NE and MOUNTAINSIDE PARKWAY NE containing approximately 3 acre(s). [REF: 03EPC-00702] [Juanita Vigil, EPC Case Planner] (H-22) THE AMENDED INFRASTRUCTURE LIST DATED 10/22/03 WAS APPROVED. THE SITE PLAN FOR BUILDING PERMIT WAS APPROVED WITH FINAL SIGN OFF DELEGATED TO PLANNING FOR PEDESTRIAN WALKWAY, HOME OWNER'S ASSOCIATION APPROVAL AND THE APPEAL DEADLINE OF 10/29/03.

10. ~~Project # 1002459~~
03DRB-01758 Minor-SiteDev Plan
Subd/EPC
03DRB-01759 Minor-SiteDev Plan
BldPermit/EPC
03DRB-01760 Minor – Prelim & Final Plat
Approval

TIERRA WEST LLC agent(s) for SCM PROPERTY COMPANY LLC request(s) the above action(s) for all or a portion of Tract(s) 358 & 359 and A21, W H BRUNELL ADDITION & UNIT 8 ATRISCO GRANT, (to be known as **QUAIL RIDGE**) zoned SU-1 COMM DEV C-2 USES & TRUCK TERMINAL, located COORS BLVD NW, between OURAY RD NW and QUAIL RD NW containing approximately 8 acre(s). [REF: Z-71-204, Z-77-155, 03EPC-00159, 03EPC-00160, 1002459] [**Juanita Vigil, EPC Case Planner**] [*Deferred from 10/22/03*] (H-11) **DEFERRED AT THE AGENT'S REQUEST TO 10/29/03.**

11. **Project # 1002455**
03DRB-01654 Minor-SiteDev Plan
Subd/EPC
03DRB-01655 Minor-Sketch Plat or Plan

TIMOTHY M. OTT agent(s) for JOE COTRUZZOLA request(s) the above action(s) for all or a portion of Lot(s) A3B, **J GROUP ADDITION**, zoned SU-1, C-1, located on SAN ANTONIO NE, between I-25 and SAN PEDRO NE containing approximately 10 acre(s). [**DEBBIE STOVER, EPC CASE PLANNER**] [*Deferred from 10/8/03 & 10/22/03*] (E-18) **DEFERRED AT THE AGENT'S REQUEST TO 10/29/03.**

MINOR PLATS, FINAL (MAJOR) PLATS, AMENDED PLATS

12. **Project # 1000150**
03DRB-01767 Major-Final Plat Approval

BOHANNAN HUSTON, INC. agent(s) for WESTLAND DEVELOPMENT CO., INC. request(s) the above action(s) for all or a portion of Tract(s) A, **THE CROSSING, UNIT 2B**, zoned RD, located on GUNNISON PL NW, between CASA VERDE AVE. NW and GALATIN CT. NW containing approximately 13 acre(s). [REF: 03DRB 00284, DRB 95-537] [*Deferred from 10/22/03*] (H-9) **DEFERRED AT THE AGENT'S REQUEST TO 10/29/03.**

13. **Project # 1001222**
03DRB-01769 Minor-Prelim&Final Plat
Approval

WAYJOHN SURVEYING INC. agent(s) for TOM NICKOLSON (NICKOLSON FAMILY PARTNERSHIP) request(s) the above action(s) for all or a portion of Tract(s) 3-A, **SHELL SUBDIVISION, NO. 2**, zoned C-2 community commercial zone, located on COORS BLVD NW, between ILIFF RD NW and HANOVER NW containing approximately 3 acre(s). [REF: 01DRB-00587] *Deferred from 10/22/03* (H-11) **DEFERRED AT THE AGENT'S REQUEST TO 10/29/03.**

14. **Project # 1001875**
03DRB-01762 Minor-Extension of
Preliminary Plat

TIERRA WEST LLC agent(s) for ARGUS DEVELOPMENT request(s) the above action(s) for all or a portion of Tract(s) 2, **KINSCHERFF & UNPLATTED LAND IN PRESLEY COMPANY OF NEW MEXICO**, zoned SU-1 PRD, located on COORS BLVD NW, between WESTERN TRAIL NW and the SAN ANTONIO ARROYO containing approximately 22 acre(s). [REF: Z-71-124, 02DRB-00570, 02EPC-00837, 02EPC-00838, 02DRB-01493, 1001875] (F-11) **A ONE-YEAR EXTENSION OF THE PRELIMINARY PLAT WAS APPROVED.**

15. **Project # 1003036**
03DRB-01765 Minor-Prelim&Final Plat
Approval

ADVANCED ENGINEERING & CONSULTING, LLC agent(s) for CARMEN M. ALCANTAR request(s) the above action(s) for all or a portion of Lot(s) 14-A & 14-B, Block(s) 1, **LA MARIPOSA SOUTH**, zoned R-1 residential zone, located on VISTA DE LUZ NW, between DELLYNE AVE NW and CAMINO VIENTO, NW containing approximately 0.4431 acre(s). [REF: DRB-95-259] (F-11) **THE PRELIMINARY AND FINAL PLAT WERE APPROVED AND SIGNED OFF BY THE BOARD.**

NO ACTION IS TAKEN ON THESE CASES:
APPLICANT - AGENT IS REQUIRED TO BE AT THE MEETING

16. **Project # 1003027**
03DRB-01721 Minor-Sketch Plat or Plan
- THOMPSON ENGINEERING CONSULTANTS INC., agent(s) for INTERFIRST PROPERTIES INC request(s) the above action(s) for all or a portion of Lot(s) 3, 4 & 5, Block(s) 4, Tract(s) 2, Unit(s) 3, **NORTH ALBUQUERQUE ACRES, TRACT 2**, zoned R-D residential and related uses zone, developing area, located on ALAMEDA BLVD NE, between LOUISIANA BLVD NE and WYOMING BLVD NE containing approximately 3 acre(s). (C-19) **THE ABOVE REQUEST WAS REVIEWED AND COMMENTS WERE GIVEN.**
17. **Project # 1003034**
03DRB-01761 Minor-Sketch Plat or Plan
- SURVEYS SOUTHWEST, LTD. agent(s) for JOHN MAHONEY request(s) the above action(s) for all or a portion of Lot(s) 11A & 11B, Block(s) 20, **BROWNEWELL & LAIL'S HIGHLAND ADDITION**, zoned SU-2 special neighborhood zone, MD-1, located on COPPER AVE NE, between CEDAR ST NE and SPRUCE ST NE containing approximately 0.1630 acre(s). [REF: DRB-96-163] (K-15) **THE ABOVE REQUEST WAS REVIEWED AND COMMENTS WERE GIVEN.**
18. **Project # 1003037**
03DRB-01768 Minor-Sketch Plat or Plan
- RUTH SARA ROSENSTEIN request(s) the above action(s) for all or a portion of Lot(s) 17-20, Block(s) 39, **PEREA ADDITION**, zoned SU-2 TH, located on 12th ST NW, between GRANITE NW and MARBLE NW containing approximately 1 acre(s). [REF: DRB-96-451] (J-13) **THE ABOVE REQUEST WAS REVIEWED AND COMMENTS WERE GIVEN.**

19. **Project # 1003038**
03DRB-01770 Minor-Sketch Plat or Plan

LARRY READ & ASSOCIATES, INC agent(s) for EAGLE ROCK DEVELOPMENT request(s) the above action(s) for all or a portion of Lot(s) 4, Block(s) 2, Tract(s) 3, **NORTH ALBUQUERQUE ACRES - UNIT 3**, zoned RD (3DU/A), located on EAGLE ROCK AVE NE, between BARSTOW ST NE and VENTURA ST NE containing approximately 1 acre(s). (C-20) **THE ABOVE REQUEST WAS REVIEWED AND COMMENTS WERE GIVEN.**

20. **Project # 1003039**
03DRB-01771 Minor-Sketch Plat or Plan

LARRY READ & ASSOCIATES, INC agent(s) for HACIENDAS BY THE CARLISLES, request(s) the above action(s) for all or a portion of Lot(s) 1-3, Tract(s) 3, Block(s) 16, **NORTH ALBUQUERQUE ACRES - UNIT 3**, zoned RD (5 DU/A) located on WILSHIRE AVE NE, between VENTURA NE and HOLBROOK NE containing approximately 3 acre(s). (C-20) **THE ABOVE REQUEST WAS REVIEWED AND COMMENTS WERE GIVEN.**

21. Approval of the Development Review Board Minutes for October 8, 2003. **THE MINUTES WERE APPROVED SUBJECT TO CHANGES BY THE BOARD.**

ADJOURNED: 12:20 P.M.



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

DEVELOPMENT REVIEW BOARD--SPEED MEMO

DRB CASE NO/PROJECT NO: 1002459

AGENDA ITEM NO: 10

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:() APP:(x) SIGN-OFF:() EXTN:() AMEND:()

ENGINEERING COMMENTS:

An approved Subdivision Improvements Agreement with financial guarantees is required for Site Development Plan sign-off.

Need cross-lot drainage easement and maintenance of private SD.

RESOLUTION:

10-29-03

APPROVED ____; DENIED ____; DEFERRED X; COMMENTS PROVIDED ____; 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: October 22, 2003

City of Albuquerque
Planning Department
Inter-Office Memorandum

October 20, 2003

TO: Sheran Matson, DRB Chair
FROM: Juanita Vigil, Planner *J. Vigil*
SUBJECT: Project # 1002459 (Quail Ridge Shopping Center)

The Environmental Planning Commission approved Project 1002459/03EPC 00159, Site Development Plan for Subdivision, 03EPC 00160, Site Development Plan for Building Permit, on March 21, 2003. The applicant has not satisfied the following conditions of approval for the approved site development plan for subdivision and the site development plan for building permit:

Site Development for Subdivision

Need Note 4. The setback information on the submittal does not contain the language found in the Coors Corridor Plan, which requires buildings to be 15' feet from Coors Blvd.

Site Development Plan for Building Permit

3b. The submittal does not accurately reflect the number of handicap off-street parking spaces that are being provided.

3f. The section number quoted from the Comprehensive City Zoning Code is not accurate on the submittal.

4b. The intent of this condition requires the applicant to lower the existing 45' high sign to meet current standards of 26' in height. Right-of-way will be "taken" as identified on the note provided on the eastern most parking area for Tract 2, which will require the sign to be relocated. Therefore, approval of the remodel of the 50' high sign needs to be removed from the submittal.

Other notes

1. The submittal does not clearly note a handicap access ramp from the off-street handicap spaces to the building on Tract 4.

2. Tract 6 does not have the required number of off-street parking spaces as required in the Comprehensive City Zoning Code. The EPC did not take the issue into consideration since the site development plan that had been reviewed and approved by EPC did show that all tracts met the number of off-street parking spaces.

If you should have any questions regarding this case, please do not hesitate to call me at 924-3349.

Thank you.

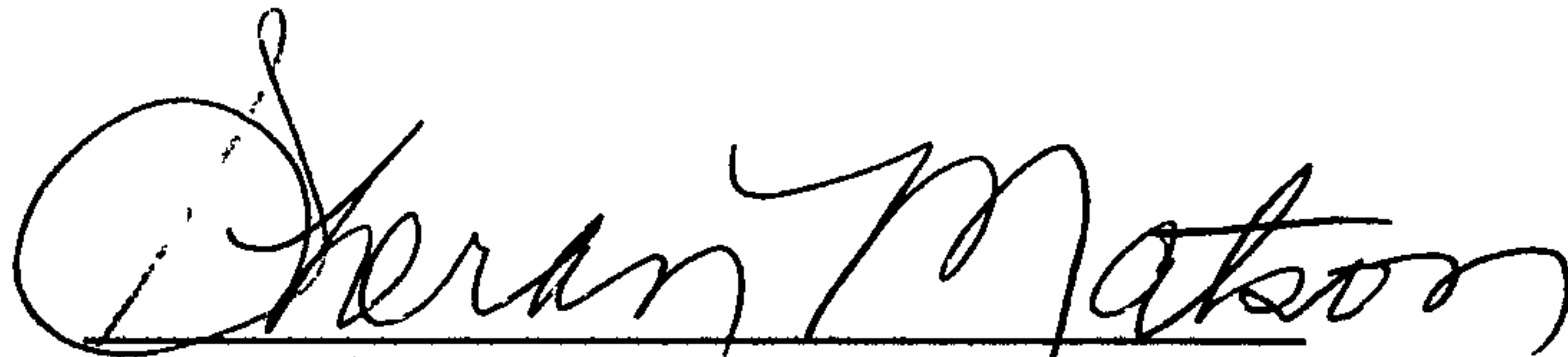
**CITY OF ALBUQUERQUE
PLANNING DEPARTMENT
October 22, 2003 Comments**

ITEM # 10

PROJECT # 1002459 APPLICATION # 03DRB-01760

RE: Quail Ridge Shopping Center/prelim & final plat

The tract line between Tracts 1 and 3 goes right through a building as shown on the site plans.

A handwritten signature in black ink that reads "Sheran Matson". The signature is written in a cursive style with a large initial "S".

Sheran Matson, AICP DRB Chair
924-3880 Fax 924-3864 smatson@cabq.gov

12
 Current DRC
 Project Number: _____

FIGURE 12

Clare

Date Submitted: 10/29/03
 Date Site Plan Approved: 10/29/03
 Date Preliminary Plat Approved: 10/29/03
 Date Preliminary Plat Expires: 10/29/04
 DRB Project No.: 1002459
 DRB Application No.: 03-01759

ORIGINAL

INFRASTRUCTURE LIST
EXHIBIT "A"
TO SUBDIVISION IMPROVEMENTS AGREEMENT
DEVELOPMENT REVIEW BOARD (D.R.B.) REQUIRED INFRASTRUCTURE LIST

Quail Ridge

PROPOSED NAME ~~OF FEASIBILITY~~ SITE DEVELOPMENT PLAN

WH Brunell Addition

EXISTING LEGAL DESCRIPTION PRIOR TO PLATTING ACTION

Following is a summary of PUBLIC/PRIVATE Infrastructure required to be constructed or financially guaranteed for the above development. This Listing is not necessarily a complete listing. During the SIA process and/or in the review of the construction drawings, if the DRC Chair determines that appurtenant items and/or unforeseen items have not been included in the infrastructure listing, the DRC Chair may include those items in the listing and related financial guarantee. Likewise, if the DRC Chair determines that appurtenant or non-essential items can be deleted from the listing, those items may be deleted as well as the related portions of the financial guarantees. All such revisions require approval by the DRC Chair, the User Department and agent/owner. If such approvals are obtained, these revisions to the listing will be incorporated administratively. In addition, any unforeseen items which arise during construction which are necessary to complete the project and which normally are the Subdivider's responsibility will be required as a condition of project acceptance and close out by the City.

SIA Sequence #	COA DRC Project #

Size	Type of Improvement	Location	From	To
<i>Public Improvements</i>				
12' F-E	Permanent Paving Right Turn Lane	57th Street	200' South of Quail Road	Quail Road
4'	Median	Quail Road	57th Street	East Property Line
8"	Private SAS Gravity Line	Private SAS Easement	57th Street	Tract 6
\$31,250	Traffic Signal	57th/Quail		
\$24,675	Offsite Traffic Mitigation			

Private Inspector	City Inspector	City Cnst Engineer
/	/	/
/	/	/
/	/	/
/	/	/
/	/	/

NOTES

1
2
3
4
5


AGENT / OWNER

Ronald R. Bohannon, PE


NAME (print)

Tierra West, LLC

FIRM

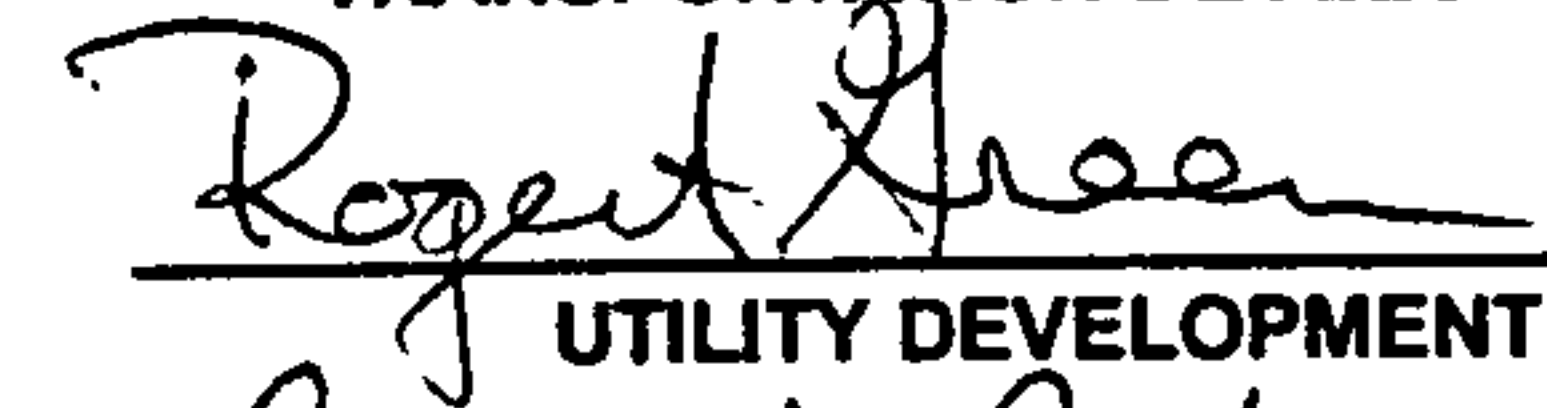
 10/27/03
SIGNATURE - date

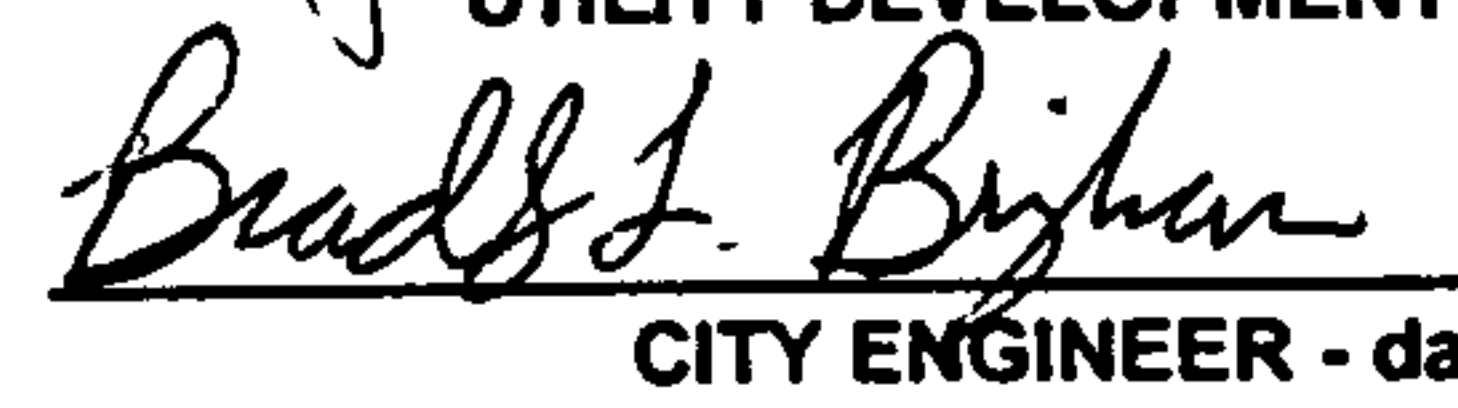
DEVELOPMENT REVIEW BOARD MEMBER APPROVALS

 10/29/03
DRB CHAIR - date

 10/29/03
PARKS & GENERAL SERVICES - date

 10/29/03
TRANSPORTATION DEVELOPMENT - date

 10/29/03
UTILITY DEVELOPMENT - date

 10/29/03
CITY ENGINEER - date

AMAFCA - date

- date

- date

MAXIMUM TIME ALLOWED TO CONSTRUCT
THE IMPROVEMENTS WITHOUT A DRB
EXTENSION: _____

DESIGN REVIEW COMMITTEE REVISIONS

REVISION	DATE	DRC CHAIR	USER DEPARTMENT	AGENT / OWNER

Current DRC
Project Number: _____

FIGURE 12

Date Submitted: 10/22/03
 Date Site Plan Approved: 10/
 Date Preliminary Plat Approved: _____
 Date Preliminary Plat Expires: _____
 DRB Project No.: 1002459
 DRB Application No.: 03-01759

ORIGINAL

INFRASTRUCTURE LIST

EXHIBIT "A"
TO SUBDIVISION IMPROVEMENTS AGREEMENT
DEVELOPMENT REVIEW BOARD (D.R.B.) REQUIRED INFRASTRUCTURE LIST

Quail Ridge

PROPOSED NAME OF PLAT AND/OR SITE DEVELOPMENT PLAN

WH Brunell Addition

EXISTING LEGAL DESCRIPTION PRIOR TO PLATTING ACTION

Following is a summary of PUBLIC/PRIVATE Infrastructure required to be constructed or financially guaranteed for the above development. This Listing is not necessarily a complete listing. During the SIA process and/or in the review of the construction drawings, if the DRC Chair determines that appurtenant items and/or unforeseen items have not been included in the infrastructure listing, the DRC Chair may include those items in the listing related financial guarantee. Likewise, if the DRC Chair determines that appurtenant or non-essential items can be deleted from the listing, those items may be deleted as well as the related portions of the financial guarantees. All such revisions require approval by the DRC Chair, the User Department and agent/owner. If such approvals are obtained, these revisions to the listing will be incorporated administratively. In addition, any unforeseen items which arise during construction which are necessary to complete the project and which normally are the Subdivider's responsibility will be required as a condition of project acceptance and close out by the City.

SIA Sequence #	COA DRC Project #	Size	Type of Improvement	Location	From	To	Private Inspector	City Inspector	City Cnst Engineer
<i>Public Improvements</i>									
<input type="text"/>	<input type="text"/>	12' F-E	Permanent Paving Right Turn Lane	57th Street	200' South of Quail Road	Quail Road	/	/	/
<input type="text"/>	<input type="text"/>	4'	Median	Quail Road	57th Street	East Property Line	/	/	/
<input type="text"/>	<input type="text"/>	25%	Traffic Signal	57th/Quail			/	/	/
<input type="text"/>	<input type="text"/>	\$4,295	Traffic Improvements	Coors/Sequoia Intersection			/	/	/
<input type="text"/>	<input type="text"/>	\$20,380.00	Triple Left Turn Lane	Quail/Coors Intersection			/	/	/

NOTES

1
2
3
4
5

AGENT / OWNER

Ronald R. Bohannon, PE

NAME (print)

Tierra West, LLC

FIRM

SIGNATURE - date



DEVELOPMENT REVIEW BOARD MEMBER APPROVALS

DRB CHAIR - date

TRANSPORTATION DEVELOPMENT - date

UTILITY DEVELOPMENT - date

CITY ENGINEER - date

PARKS & GENERAL SERVICES - date

AMAFCA - date

_____ - date

_____ - date

MAXIMUM TIME ALLOWED TO CONSTRUCT
THE IMPROVEMENTS WITHOUT A DRB
EXTENSION: _____

DESIGN REVIEW COMMITTEE REVISIONS

REVISION	DATE	DRC CHAIR	USER DEPARTMENT	AGENT /OWNER



SUBDIVISION	Supplemental form S	ZONING	Z
<input type="checkbox"/> Major Subdivision action		<input type="checkbox"/> Annexation & Zone Establishment	
<input type="checkbox"/> Minor Subdivision action		<input type="checkbox"/> Sector Plan (Phase I, II, III)	
<input type="checkbox"/> Vacation	V	<input type="checkbox"/> Amendment to Sector, Area, Facility or Comprehensive Plan	
<input type="checkbox"/> Variance (Non-Zoning)		<input type="checkbox"/> Zone Change	
SITE DEVELOPMENT PLAN	P	<input type="checkbox"/> Text Amendment	
<input checked="" type="checkbox"/> ...for Subdivision Purposes		APPEAL / PROTEST of...	A
<input checked="" type="checkbox"/> ...for Building Permit		<input type="checkbox"/> Decision by: DRB, EPC, LUCC, Planning Director or Staff, ZHE, Zoning Board of Appeal	
<input type="checkbox"/> IP Master Development Plan			
<input type="checkbox"/> Cert. of Appropriateness (LUCC)	L		

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: SCM PROPERTY COMPANY LLC PHONE: 878-0004
 ADDRESS: 7620 JEFFERSON NE FAX: 878-0002
 CITY: ABQ STATE NM ZIP 87109 E-MAIL: _____
 Proprietary interest in site: OWNER/DEVELOPER
 AGENT (if any): TIERRA WEST LLC PHONE: 858-3100
 ADDRESS: 8509 JEFFERSON NE FAX: 858-1118
 CITY: ABQ STATE NM ZIP 87113 E-MAIL: twllc@tierrawestllc.com

DESCRIPTION OF REQUEST: DRB FINAL SIGN OFF OF SITE PLAN FOR SUBDIVISION & SITE PLAN FOR BUILDING PERMIT & Prelim/Final Plat Approval
 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. TRS. 358 & 359, AND A PORTION OF TR A21 Block: _____ Unit: _____
 Subdiv. / Addn. W H BRUNELL ADDITION & UNIT 8 ATRISCO GRANT
 Current Zoning: SU-1 COMM DEV C-2 USES & TRUCK TERM Proposed zoning: SAME
 Zone Atlas page(s): H11 No. of existing lots: 1 No. of proposed lots: 6
 Total area of site (acres): 7.6311 Density if applicable: dwellings 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? NO
 UPC No. 101105920043520602 MRGCD Map No. _____

LOCATION OF PROPERTY BY STREETS: On or Near: 2601 COORS BLVD NW
 Between: OURAY ROAD NW and QUAIL ROAD NW

CASE HISTORY: Juanita Segal EPC Case Planner

List any current or prior case number that may be relevant to your application (Proj., App., DRB-, AX-, Z-, V-, S-, etc.): Z-71-204/Z-77-155/03EPC-00159/03EPC-00160 -- PROJ#1002459

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

SIGNATURE _____

(Print) RONALD R. BOHANNAN, P.E.

DATE 10/8/03

Applicant Agent

FOR OFFICIAL USE ONLY

Form revised 9/01, 3/03

<input type="checkbox"/> INTERNAL ROUTING	Application case numbers	Action	S.F.	Fees
<input type="checkbox"/> All checklists are complete	<u>03DRB - 01758</u>	<u>SDP for SUB/EPC</u>		<u>\$ 0</u>
<input type="checkbox"/> All fees have been collected	<u>03DRB - 61759</u>	<u>SDP for BP/EPC</u>		<u>\$ 0</u>
<input type="checkbox"/> All case #s are assigned	<u>03DRB - 01760</u>	<u>Minor PLF</u>		<u>\$ 565.⁰²</u>
<input type="checkbox"/> AGIS copy has been sent				\$ _____
<input type="checkbox"/> Case history #s are listed				\$ _____
<input type="checkbox"/> Site is within 1000ft of a landfill				\$ _____
<input type="checkbox"/> F.H.D.P. density bonus				\$ _____
<input type="checkbox"/> F.H.D.P. fee rebate				\$ _____
	Hearing date <u>Oct 22, 2003</u>			Total <u>\$ 565.⁰²</u>

Melinda Hill
 Planner signature / date

Project # 1002459

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

SKETCH PLAN REVIEW AND COMMENT

- ___ 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) 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
- Meetings are approximately 8 DAYS after the Tuesday noon filing deadline. **Your attendance is required.**

SITE DEVELOPMENT PLAN FOR SUBDIVISION

- ___ 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) precisely and clearly outlined and crosshatched (to be photocopied)
- ___ 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
- ___ Infrastructure List, if relevant to the site plan
- ___ 2 copies of the Conceptual Utility Layout Plan (mark one for Planning, one for Utility Development)
- ___ Fee (see schedule)
- ___ Any original and/or related file numbers are listed on the cover application

Meetings are approximately 8 DAYS after the Tuesday noon filing deadline. **Bring the original Mylar** to the meeting for sign-off. **Your attendance is required.**

SITE DEVELOPMENT PLAN FOR BUILDING PERMIT

- ___ 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) precisely and clearly outlined and crosshatched (to be photocopied)
- ___ 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
- ___ Infrastructure List, if relevant to the site plan
- ___ Completed Site Plan for Building Permit Checklist
- ___ 2 copies of the Conceptual Utility Layout Plan (mark one for Planning, one for Utility Development)
- ___ Blue-line copy of Site Plan with Fire Marshal's stamp
- ___ Fee (see schedule)
- ___ Any original and/or related file numbers are listed on the cover application

Meetings are approximately 8 DAYS after the Tuesday noon filing deadline. **Bring the original Mylar** to the meeting for sign-off. **Your attendance is required.**

AMENDED SITE DEVELOPMENT PLAN FOR SUBDIVISION

AMENDED SITE DEVELOPMENT PLAN FOR BUILDING PERMIT

- ___ 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) Copies as needed above
- ___ 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
- ___ Letter of authorization from the property owner if application is submitted by an agent
- ___ Infrastructure List, if relevant to the site plan
- ___ Completed Site Plan for Building Permit Checklist (not required for amendment of SDP for Subdivision)
- ___ Fee (see schedule)
- ___ Any original and/or related file numbers are listed on the cover application

Meetings are approximately 8 DAYS after the Tuesday noon filing deadline. **Bring the original Mylar** to the meeting for sign-off. **Your attendance is required.**

D.R.B. FINAL SIGN-OFF FOR E.P.C. APPROVED S.D.P. for SUBDIVISION

D.R.B. FINAL SIGN-OFF FOR E.P.C. APPROVED S.D.P. for BUILDING PERMIT

- ✓ 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 (not required for SDP for Subdivision) *on original*
- ✓ Zone Atlas map with the entire property(ies) precisely and clearly outlined and crosshatched (to be photocopied)
- ✓ Letter carefully explaining how each EPC condition has been met **and** a copy of the EPC Notification of Decision
- ✓ Infrastructure List, if relevant to the site plan
- ✓ 2 copies of the Conceptual Utility Layout Plan (mark one for Planning, one for Utility Development)
- ✓ Blue-line copy of Site Plan with Fire Marshal's stamp (not required for SDP for Subdivision) *on original*
- ✓ Any original and/or related file numbers are listed on the cover application

Meetings are approximately 8 DAYS after the Tuesday noon filing deadline. **Bring the original Mylar** to the meeting for sign-off. **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.

RONALD R. BOHANNAN, P.E.



Applicant name (print)

10/14/03
Applicant signature / date



Form revised September 2001

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

Application case numbers
03028 - 0 - 01758
03023 - - - 01759

Margita Hill 10/14/03

 Planner signature / date
Project # 1002459

FORM S(3): SUBDIVISION - .R.B. MEETING (UNADVERTISED 2 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 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.

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.
- ___ 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

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
- ~~N/A~~ 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

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)

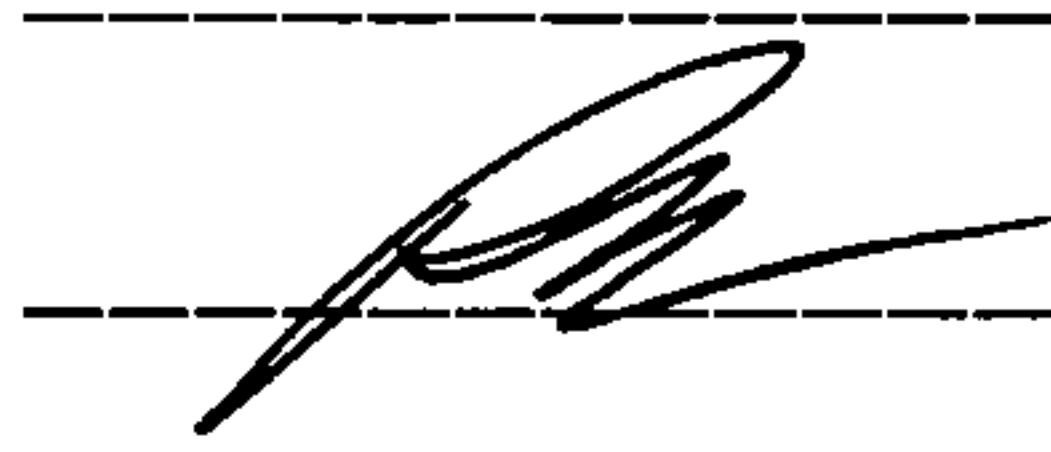
PLEASE NOTE: There are no clear distinctions between significant and minor changes with regard to subdivision amendments. Significant changes are those deemed by the DRB to require public notice and public hearing.

- ___ 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, **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.

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

RONALD R. BOHANNAN, P.E.



Applicant name (print)

10/2/03
Applicant signature / date



Form revised February 2003

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

Application case numbers
03023 - - 61760
- -
- -

Marcia Hill 10/14/03
Planner signature / date

Project # 1002459

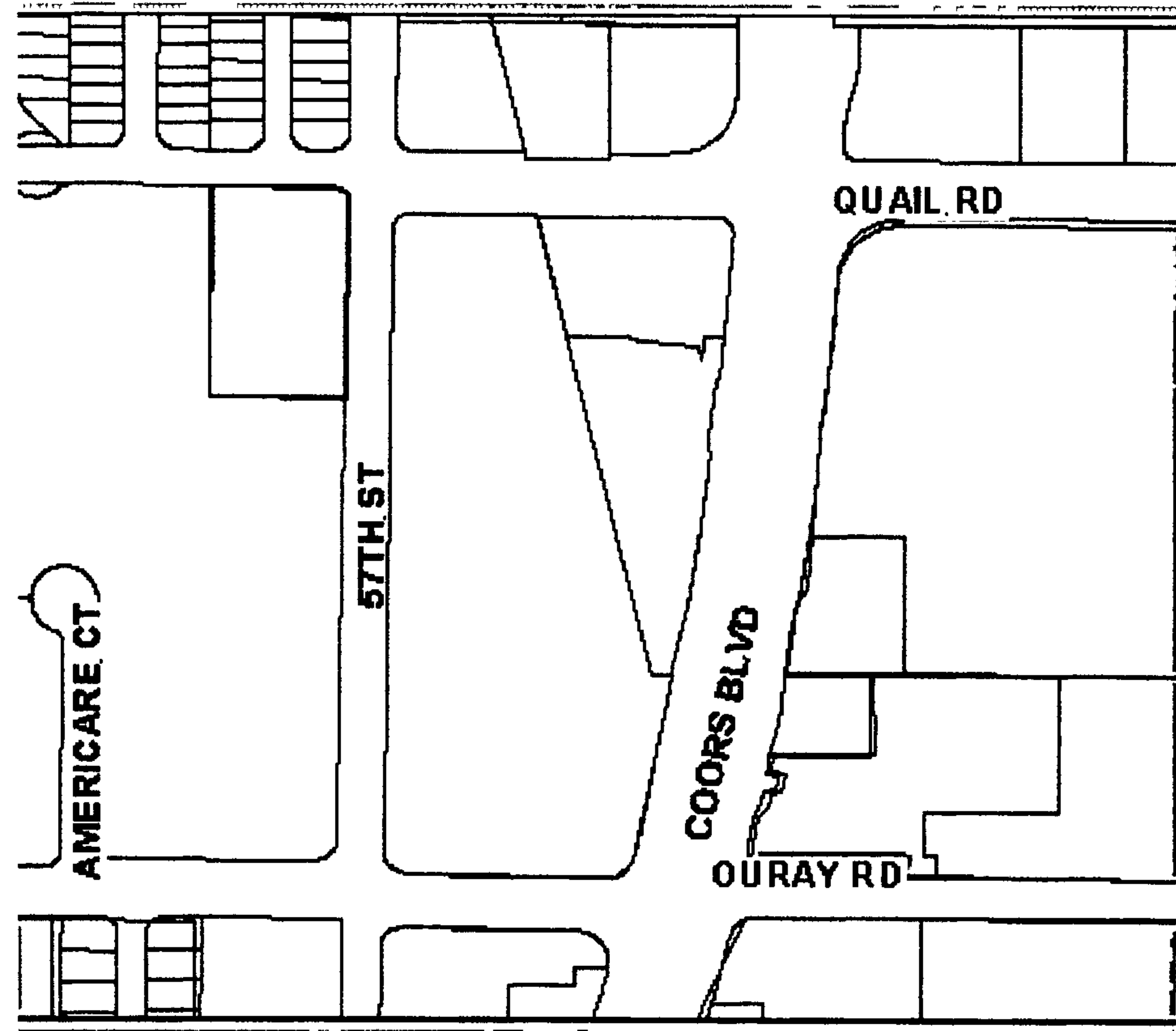
Project Name: QUAIL RIDGE

Project Number: 1002459

03EPC - 00159 SUBDIVISION NO MORE ACTION
COMPLETED 4/30/2003

03EPC - 00160 BUILDING PERMIT NO MORE ACTION
COMPLETED 4/30/2003

Project ID #1: 1002459





TIERRA WEST, LLC

8509 Jefferson NE
Albuquerque, NM 87113

(505) 858-3100
fax (505) 858-1118

twllc@tierrawestllc.com
1-800-245-3102

October 8, 2003

Ms. Sheran Matson, Chairperson
Development Review Board
City of Albuquerque
P.O. Box 1293
Albuquerque, NM 87103

**RE: Quail Ridge Shopping Center
Project #1002459, 03EPC-00160 EPC Site Development Plan-Building Permit
03EPC-00159 EPC Site Development Plan-Subdivision**

Dear Ms. Matson:

Tierra West LLC, on behalf of SCM Property Co. LLC, is requesting EPC final sign-off approval for Site Plan for Subdivision and Site Plan for Building Permit. We provided the following responses to the conditions listed by the Environmental Planning Commission. We are also submitting the Preliminary/Final Plat for the project for DRB approval.

SITE DEVELOPMENT PLAN FOR SUBDIVISION

1. The submittal of this site plan to the DRB shall meet all EPC conditions. 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.
This letter explains all modifications to the site and how all the EPC conditions were met.
2. The site development plan for subdivision (Sheet 2 of 10) shall be modified to remove information not specifically required in the definition of same in order to differentiate it from the site development plan for building permit.
The site development plan for subdivision was modified to differentiate between the site development plan for building permit.
3. Floor Area Ratio minimum and maximums shall be added to the site development plan for subdivision (Sheet 2 of 10).
The Floor Area Ratio has been added to the Site Data Table on Sheet 2.
4. Minimum building setback requirements shall be provided on the site development for subdivision (Sheet 2 of 10) and shall be consistent with the Comprehensive City Zoning Code and the Coors Corridor Plan, whichever is most restrictive.
The building setbacks are shown on Sheet 2 as Note 9.

5. A notation regarding building heights shall be included to specify that all buildings cannot exceed the height as specified in the Comprehensive City Zoning Code and within the Coors Corridor Plan, whichever is more restrictive.
This is shown on Sheet 2 as Note 10.
6. A notation shall be added on the site development plan for subdivision to specify that approval of this request is for restaurants with a beer and wine license only. Further approval for a restaurant with a liquor license beyond a beer and wine will require an administrative approval to determine if there is sufficient off-street parking.
This has been added as Note 8 on Sheet 2.
7. The use for Tract 2 shall be corrected to read "Bank" instead of "Optional Bank, Restaurant or Drug Store" since the design of the building on Tract 2 is not designed for a restaurant or a drug store. The "Site Data Table" shown on the site development plan for subdivision shall be corrected to reflect the use of Tract 2 to be for Bank.
The use for Tract 2 has been corrected to read "Bank".
8. General Notes #2 and #5 shall be removed from the submittal and the remaining notes shall be enumerated accordingly.
Notes #2 and #5 were removed.
9. The building identification number for Tract 2 shall be amended to read "Building 2" instead of "Building 1."
Tract 2 was corrected with the correct building number.
10. The applicant must comply with the following recommended conditions of approval as specified by the City Engineer and the Public Works Department:
 - a. All the requirements of previous actions taken by the EPC and the DRB must be completed and/or provided for.
All previous actions are complete.
 - b. The developer is responsible for permanent improvements to the transportation facilities adjacent to the proposed site development plan. Those improvements will include any additional right-of-way requirements, paving, curb and gutter and sidewalk that have not already been provided.
Quail, 57th, Ouray, and Coors have permanent improvements adjacent to the site. We provided for a possible future ROW dedication at the corner of Coors and Ouray by ensuring Tract 2 meets the parking requirements without the parking shown adjacent to Coors.
 - c. Completion of the required TIS mitigation measures, per Transportation Development Staff, must be completed if assumed to be in place for the current TIS for this site.
We met with the Transportation staff regarding this project and have negotiated the offsite traffic mitigation. Terry Brown has written a letter to the Transportation staff detailing the mitigation required.

- d. The site shall comply and be designed per DPM Standards. Check parking space dimensions/requirements with current Zoning Code. Check internal sidewalk widths as they relate to adjacent parking.
Parking space and sidewalk widths meet the requirements of the current Zoning Code. The site meets DPM standards to the best of our knowledge.
- e. The Coors Boulevard driveway north of Ouray Road is prohibited unless it can be demonstrated that it meets the intent of the Coors Corridor Plan, is safe and that the location of the drive is accessible even with the construction of a potential grade separation at the Ouray/Coors intersection. To allow this access the applicant must demonstrate to the satisfaction of the Traffic Engineer that all elements of this condition are met. This must be done prior to placement on the DRB agenda to be considered.
The Coors Corridor Plan states that driveways must be spaced approximately 300 feet apart. The driveway on Coors north of Ouray meets this requirement. The driveway will not be accessible with the potential grade separation and the site was designed with this in mind.
- f. The Quail Road driveway access near the northwestern corner of the site shall be restricted to right-turn in and right-turn out access only. It is suggested that the driveway be located such that it lines up with the proposed drive aisle that runs through the site connecting to Ouray.
The Quail driveway access was moved east to line up with the proposed drive aisle. A small island and a median in Quail were added to restrict the access to right-in, right-out only.
- g. The left-turn access (northbound and southbound) from Coors Boulevard to Ouray Road is prohibited unless it can be demonstrated that it meets the intent of the Coors Corridor Plan, specifically Policy 4 (Medians), and that the left turn access is accessible and desirable even with the construction of a potential grade separation at the Ouray/Coors intersection. This access proposal has not been evaluated for feasibility. To allow this access, the applicant must demonstrate to the satisfaction of the Traffic Engineer that all elements of this condition are met. This must be done prior to placement on the DRB agenda to be considered.
The left-turn access at Ouray was removed from the plans.
- h. A water and sanitary availability statement must be requested and completed prior to DRB action. The applicant should anticipate changes to the utility plan to eliminate redundant on site public infrastructure.
A water and sewer availability statement was received from the Utility Department. We revised the Master Utility Plan to remove redundant public infrastructure.
- i. An approved conceptual grading and drainage plan is required for Site Plan sign-off by the City Engineer. Approval of a drainage plan is required prior to placement on the DRB agenda.
The drainage report and Grading and Drainage Plan were submitted to the City of Albuquerque.
- j. Platting shall be a concurrent DRB action.

The preliminary plat is included with this package for approval.

SITE DEVELOPMENT PLAN FOR BUILDING PERMIT

1. The submittal of this site plan to the DRB shall meet all EPC conditions. 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.
This letter explains all modifications to the site and how all the EPC conditions were met.

2. Site Configuration:
 - a. A notation shall be added on the submittal that the construction of Tract 2, Building 2 is not a part of this approval and shall be reviewed by the EPC once a determination has been made on how much right-of-way is required for the construction of a grade separated intersection at the intersection of Coors Blvd. and Ouray.
Tract 2 is noted "Not a Part" and will be submitted separately at a later date.

 - b. All patio areas on southeast or west sides of building shall have a minimum of 100 sq. ft. of shaded area either trees or shade structure at end.
This is Note 10 on Sheet 3.

 - c. If Building 2, on Tract 2 is to be utilized for a use that will not require drive-through facilities the submittal shall be reconfigured so that the building is adjacent to the planting buffer and is emphasized on Coors Boulevard, as per the Coors Corridor Plan (*Policy 6*).
Tract 2 will be used for a bank and will have a drive-through. Therefore, we have not reconfigured the building.

 - d. All patio areas shall have a minimum of 8 linear feet of fixed seating.
This is Note 11 on Sheet 3.

 - e. Clustering of buildings 4 and 6 shall be encouraged if possible.
The buildings were revised for actual users and the clustering of buildings 4 and 6 was not possible.

3. Parking:
 - a. The submittal shall contain detailed drawings of the proposed upright handicap sign and shall meet the requirements of the Comprehensive City Zoning Code.
This is shown on the Detail Sheet (Sheet 7).

 - b. The submittal shall be corrected to reflect 8, instead of 6, designated handicap off-street parking spaces within Tract 4 and shall meet the size requirements as specified in the Comprehensive City Zoning Code.
Building 4 was modified and now only requires four spaces per the Comprehensive City Zoning Code.

- c. The submittal shall be corrected to reflect 2, instead of 1, designated handicap off-street parking spaces within Tract 5 and shall meet the size requirements as specified in the Comprehensive City Zoning Code.
Tract 5 requires two handicap spaces as shown on Sheet 3.
 - d. Handicap building access shall be clearly identified for Tracts 5 & 2.
The handicap building access was clarified on Tracts 5 and 2.
 - e. Type of paving shall be specified in the submittal.
This is Note 16 on Sheet 3.
 - f. Parking barriers shall be provided to prevent vehicles from extending over any public sidewalk, abutting lot, pedestrian walkway, landscaped area or any wall or fence. The barriers need to be a minimum of two feet from any public sidewalk, abutting, lot pedestrian walkway, landscaped area or any wall or fence in accordance with Section 16-16-3-1(E)(2) of the Comprehensive City Zoning Code.
This is Note 15 on Sheet 3
 - g. A detail of the proposed bicycle racks shall be provided showing material and color.
This is shown on the Detail Sheet (Sheet 7).
 - h. The submittal shall contain a pedestrian connection from the public right-of-way along 57th Street NW to the main entrance of building 4.
A pedestrian connection is shown from Building 4 to 57th Street.
 - i. Pedestrian paths shall be differentiated from patio areas by a change of paving pattern or material for buildings 1, 4 & 5, similar to the condition shown at building 6.
The patio areas of all the buildings are shown as a different paving material than the pedestrian connections.
 - j. Additional textured concrete pedestrian crossings shall be added at points where a sidewalk meets the asphalt parking area.
We show textured concrete pedestrian crossings in the asphalt areas.
4. Signs:
- a. The exact re-location of the existing 45' high freestanding sign located on the southeast portion of the site shall be identified on the submittal.
The existing sign is shown at the corner of Coors and Ouray on Sheet 3.
 - b. In the event the 45' high sign requires to be moved for traffic or right-of-way considerations the sign shall meet all applicable city policies and regulation requirements.
The sign is not being moved at this time. The face will be remodeled.
 - c. A notation shall be added on the submittal to clarify the total square footage for the area of the portion of the freestanding sign that identifies the shopping center name be limited to 20 square feet.
This is Note 12 on Sheet 3.

- d. A notation shall be added on the submittal that specifies the number of "items" as identified in the Coors Corridor Plan to be limited to 10.
This is Note 13 on Sheet 3.
 - e. A note on the plan shall state that the freestanding signs will meet the requirements of the Coors Corridor Plan by having a sign face no larger than 75 square feet in size.
This is Note 13 on Sheet 3.
5. Landscape/Utility:
- a. The note on the landscape plan stating that 'the final landscape layout and design will be determined upon receipt of the final grading plan' shall be removed from the landscape plan.
The note was removed as shown on Sheet 6.
 - b. The street trees are called out as Ash or Honey Locust. This shall be revised to say Ash and Honey Locust to ensure diversity and survival of the trees.
The Plant Legend was revised to say "and" instead of "or".
 - c. The landscape buffer shall be consistently 15 feet in width along the entire frontage of the property along Coors Boulevard.
The landscape buffer adjacent to Coors was increased to 15 feet or greater.
 - d. All planting beds shall be called out as to square footage and all planting beds 36 square feet or larger in size shall be planted with a mature minimum coverage of 75% living material. This shall be added to the landscape plan prior to final DRB sign-off.
The square footage of the all the planting beds in noted on the Landscape Plan and a note added regarding the 75% coverage.
 - e. A note shall be added to the Landscape Plan assuring that one tree is planted per every 10 parking spaces per the requirements of Policy b.2 of the Coors Corridor Plan.
This note was added on Sheet 6.
 - h. Note number 1 under "Notice to Contractors" shall be corrected to read "...in accordance with" the City of Albuquerque instead of the "City of Santa Fe."
This was corrected on the Master Utility Plan (Sheet 5).
6. Architecture:
- a. Any Automatic Teller Machine (ATM) shall be architecturally integrated with the building design reviewed and approved through the EPC administrative process.
The ATM is on the bank site (Tract 2) that has been deleted from this submittal. This tract will go to EPC separately. The Tract 2 elevations are deleted from this submittal.
 - b. A notation shall be added on the submittal that specifies "the drive-through facilities shall be shaded with architecturally integrated canopies."
The only drive-through facilities are located on the bank site (Tract 2) that was deleted from this submittal.

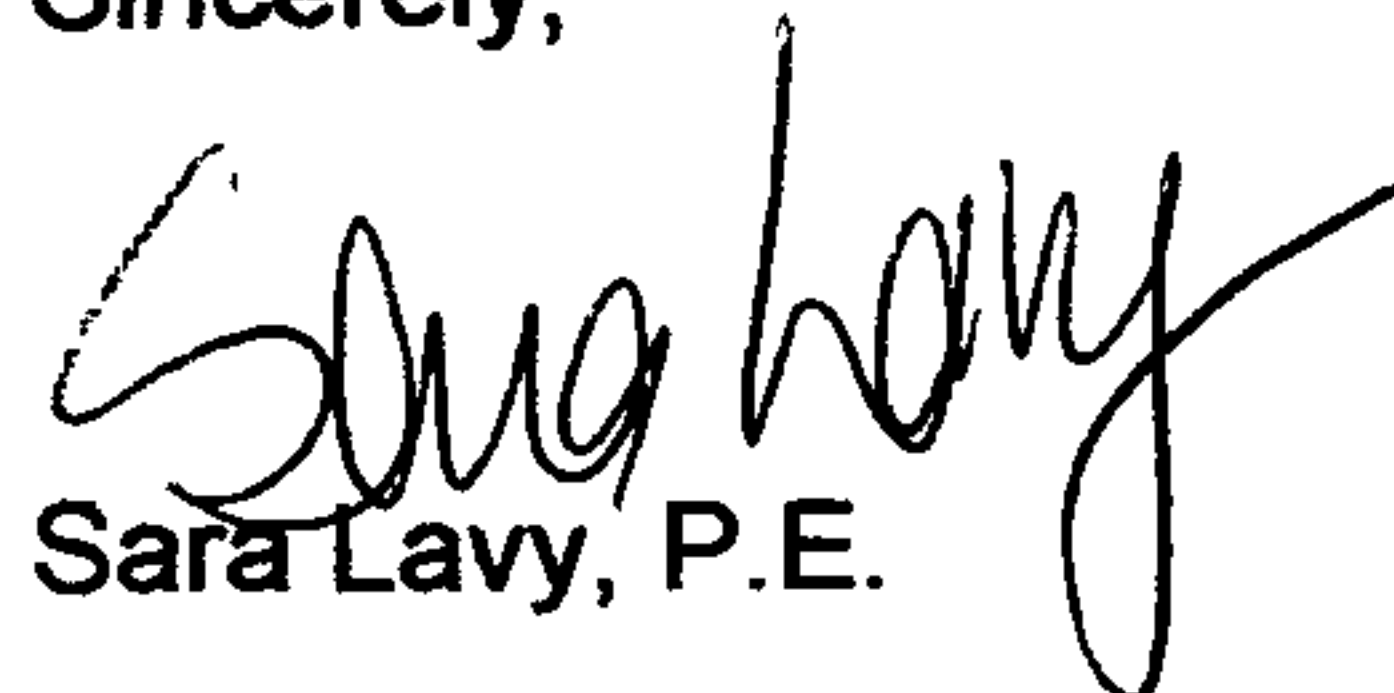
7. The applicant must comply with the following recommended conditions of approval as specified by the City Engineer and the Public Works Department:
- a. All the requirements of previous actions taken by the EPC and the DRB must be completed and/or provided for.
All previous actions are complete.
 - b. The developer is responsible for permanent improvements to the transportation facilities adjacent to the proposed site development plan. Those improvements will include any additional right-of-way requirements, paving, curb and gutter and sidewalk that have not already been provided.
Quail, 57th, Ouray, and Coors have permanent improvements adjacent to the site. We provided for a possible future ROW dedication at the corner of Coors and Ouray by ensuring Tract 2 meets the parking requirements without the parking shown adjacent to Coors.
 - c. Completion of the required TIS mitigation measures, per Transportation Development Staff, must be completed if assumed to be in place for the current TIS for this site.
We met with the Transportation staff regarding this project and have negotiated the offsite traffic mitigation. Terry Brown has written a letter to the Transportation staff detailing the mitigation required.
 - d. The site shall comply and be designed per DPM Standards. Check parking space dimensions/requirements with current Zoning Code. Check internal sidewalk widths as they relate to adjacent parking.
Parking space and sidewalk widths meet the requirements of the current Zoning Code. The site meets DPM standards to the best of our knowledge.
 - e. The Coors Boulevard driveway north of Ouray Road is prohibited unless it can be demonstrated that it meets the intent of the Coors Corridor Plan, is safe and that the location of the drive is accessible even with the construction of a potential grade separation at the Ouray/Coors intersection. To allow this access the applicant must demonstrate to the satisfaction of the Traffic Engineer that all elements of this condition are met. This must be done prior to placement on the DRB agenda to be considered.
The Coors Corridor Plan states that driveways must be spaced approximately 300 feet apart. The driveway on Coors north of Ouray meets this requirement. The driveway will not be accessible with the potential grade separation and the site was designed with this in mind.
 - f. The Quail Road driveway access near the northwestern corner of the site shall be restricted to right-turn in and right-turn out access only. It is suggested that the driveway be located such that it lines up with the proposed drive aisle that runs through the site connecting to Ouray.

The Quail driveway access was moved east to line up with the proposed drive aisle. A small island and a median in Quail were added to restrict the access to right-in, right-out only.

- g. The left-turn access (northbound and southbound) from Coors Boulevard to Ouray Road is prohibited unless it can be demonstrated that it meets the intent of the Coors Corridor Plan, specifically Policy 4 (Medians), and that the left turn access is accessible and desirable even with the construction of a potential grade separation at the Ouray/Coors intersection. This access proposal has not been evaluated for feasibility. To allow this access, the applicant must demonstrate to the satisfaction of the Traffic Engineer that all elements of this condition are met. This must be done prior to placement on the DRB agenda to be considered.
The left-turn access at Ouray was removed from the plans.
- h. A water and sanitary availability statement must be requested and completed prior to DRB action. The applicant should anticipate changes to the utility plan to eliminate redundant on site public infrastructure.
A water and sewer availability statement was received from the Utility Department. We revised the Master Utility Plan to remove redundant public infrastructure.
- i. An approved conceptual grading and drainage plan is required for Site Plan sign-off by the City Engineer. Approval of a drainage plan is required prior to placement on the DRB agenda.
The drainage report and Grading and Drainage Plan were submitted to the City of Albuquerque.
- k. Platting shall be a concurrent DRB action.
The preliminary plat is included with this package for approval.

If you have any questions or need additional information regarding this matter, please do not hesitate to call me.

Sincerely,


Sara Lavy, P.E.

Enclosure/s

cc: Jay Rembe
Ben Spencer

JN: 220096
SL/dg

Chris G
RECEIVED

MAR 28 2003

Dekker/Perich/Sabatini



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

Date: March 21, 2003

OFFICIAL NOTIFICATION OF DECISION

FILE: Project # 1002459

03EPC-00160 EPC Site Development Plan-Building
Permit

03EPC-00159 EPC Site Development Plan-Subdivision

SCM Property Co. LLC
7620 Jefferson NE
Albuq. NM 87109

LEGAL DESCRIPTION: for all or a portion of
Lands of W H Brunell Addn, zoned SU-1 for a
Commercial Development to include a Truck
Terminal and Related C-2 Uses, located on COORS
NW, between OURAY NW and QUAIL NW,
containing approximately 7.63 acres. (H-11)
Juanita Vigil, Staff Planner

On March 20, 2003 the Environmental Planning Commission voted to approve Project 1002459/03EPC-00159, a Site Development Plan for Subdivision for the Lands of W.H. Brunell Addition, located at 2601 Coors Blvd NW, zoned SU-1 for a Commercial Development to include a Truck Terminal and Related C-2 Uses, containing approximately 7.63 acres, based on the following Findings and subject to the following Conditions:

FINDINGS:

1. This is a request for a site development plan for subdivision for the Lands of W.H. Brunell, located at 2601 Coors Blvd NW, zoned SU-1 for a Commercial Development to include a Truck Terminal and related C-2 Uses, containing approximately 7.63 acres.
2. The site currently contains one tract and the applicant is proposing to subdivide the site into six separate tracts. The applicant is also submitting a site development plan for building permit with the proposal to construct six building that will contain spaces for restaurants, retail shops and a bank. New landscaping, paved parking areas and pedestrian walkways are also proposed in the submittal.

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MARCH 20, 2003
PROJECT #1002459
PAGE 2

3. The Planning Department's records for the site are incomplete for the zone map amendment that changed the site's zone category from C-2 to SU-1 for a Commercial Development to include a Truck Terminal and related C-2 Uses (Z-77-155) that occurred on October 20, 1977. A copy of the minutes from the October 20, 1977 EPC public hearing were available. There is sufficient information within the minutes that substantiates the proposed project as an allowed use. The Zoning Enforcement Manager concurs with this finding.
4. Staff recommended a 30-day deferral to address the following issues that have been presented by the City Engineer and the Public Works Department:
 - a. 30-day deferral, in order to allow for the completion of the "sketch planning" design layout for possible grade-separated interchanges at the intersections of Coors and Quail and/or Coors and Ouray. In addition, access points need to be evaluated in terms of the proposed grade separations. Finally, the proposed left-turn access (northbound and southbound) from Coors Boulevard to Ouray Road needs to be evaluated for feasibility.The applicant was able to satisfy the City Engineer's and the Public Works Department's concern prior to the March 20, 2003 EPC public hearing.
5. The State Highway & Transportation Department has retained a consultant to prepare the design analysis and environmental evaluation for the reconstruction of the I-40/Coors Interchange. The consultant is currently working on a "sketch planning" layout for a possible grade-separated interchange at the intersections of Coors and Quail and/or Coors and Ouray. Tract 2 on the submittal will be affected by this "sketch plan"; therefore approval for Tract 2 is not a part of this decision.
6. Staff submitted a three-page letter to the applicant regarding numerous questions and concerns that were not clarified on the submittal prior to the distribution of the EPC staff report. The applicant submitted a letter dated March 18, 2003 that addresses all of the concerns/questions. Conditions of approval related to the site development plan for subdivision will address each issue.
7. The submittal is in compliance with Policy 4a, Transportation and Transit, of the *Comprehensive Plan* that requires transportation system improvements among all modes that shall be made in accordance with land use, environmental, and public service policies.
8. The submittal is in compliance with Policy 5l, of the *Comprehensive Plan* that encourages quality and innovation in design for all new development.

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9. The request will conform with the policies of the Comprehensive Plan after compliance with the Conditions of Approval: the location, intensity and design of new development respect existing neighborhood values and zoning (Policy 5d), is new growth, which is accommodated through development in an area where vacant land is contiguous to existing or programmed urban facilities and services and where the integrity of existing neighborhoods can be ensured (Policy 5e). Also, as an employment and service use, it is appropriate that this development be located to complement residential areas and sited to minimize adverse effects of noise, lighting, pollution, and traffic on residential environments (Policy 5i).
10. The request will conform with the policies of the Comprehensive Plan after compliance with the Conditions of Approval: where new commercial development occurs, it should generally be located in existing commercially zoned areas (Policy 5j). This request is in an area that is zoned for commercial uses. In addition, this site is on land adjacent to arterial streets and planned to minimize harmful effects of traffic; livability and safety of established residential neighborhoods should be protected in transportation planning and operations (Policy 5k).
11. The request will conform with the Comprehensive Plan regarding the Centers and Corridors policies after compliance with the Conditions of Approval: The ideal Community Activity Center has parcels and buildings scaled to pedestrians, small enough to encourage parking once and walking to more than one destination. Seating and shade along pedestrian routes also promote walking and informal gathering.
12. The subject site is located in the Coors/I-40 Village Community Activity Center within the *Albuquerque/Bernalillo County Comprehensive Plan*. Access to the Community Activity Center should be very accessible by automobile, as well as the pedestrian. This Center is located on minor and major arterial streets and should provide a main hub connecting to the transit system. The interior of the center should be very accommodating to the pedestrian, even within the predominantly off-street parking areas.
13. The subject site is located on an *Albuquerque/Bernalillo County Comprehensive Plan* Enhancement Transit Corridor as well as the Coors/I-40 Village Community Activity Center. The Goal for Activity Centers is to develop corridors, both streets and adjacent land uses, that provide a balanced circulation system through efficient placement of employment and services, and encouragement of bicycling, walking, and use of transit / paratransit as alternatives to automobile travel, while providing sufficient roadway capacity to meet mobility and access needs. (*Section II.B.6.4 Transportation and Transit*).

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14. The subject site is located within the *West Side Strategic Plan* Ladera Community. The *West Side Strategic Plan* is a Rank 2 Plan and its provisions are mandatory except where they conflict with existing zoning (R-01-278, Enactment No. 35-2002, Section 3) The location of the subject site and its uses is on the western side of the Ladera Community or in its central area to reduce trips to Coors Boulevard and provide easier access to services for neighborhoods west of the Ladera Golf Course. (Policy 3.23)
15. The Design Guidelines of the *West Side Strategic Plan* (Policy 4.6) will be met by the submittal after compliance with the Conditions of Approval.
16. The proposed location of the buildings on tracts 4 & 6 do not meet the intent of Policy 7, Cluster Design of the Coors Corridor Sector Development Plan. This policy requires buildings to be "clustered" to enhance the pedestrian connections within the site. The applicant, as a condition of approval, will redesign the site to meet Policy 7, Cluster Design of the Coors Corridor Sector Development Plan.
17. The submittal will meet the *Coors Corridor Plan* requirement of a front landscaped street yard that is 15-feet wide, with a minimum of 50% of the area landscaped with live material which will visually screen and buffer parking development behind the street yard (*Policy 3, front landscaped street yard*), after compliance with the Conditions of Approval.
18. The submittal appears to meet the minimum requirement of the Coors Corridor Plan that 20% of the parking lot is to be landscaped (*Policy 5, b.1., off-street parking*).
19. As per the *Coors Corridor Plan*, commercial sites, such as shopping centers, should be designed so that a portion of the building or buildings is located near the street perimeter and relates to the streetscape area along Coors Boulevard (*Policy 6*). The site plan will be in compliance with this policy after the Conditions of Approval are met.
20. The submittal is in compliance, particularly with governing concepts three and four, of the *East Atrisco Sector Development Plan* which encourages the intersection of Coors Boulevard and Ouray Road to maximize the potential for area access at points other than at these intersections while protecting adjacent neighborhoods from through-traffic and to integrate physical improvements to create features which will enhance the quality of life for residents.
21. This request will be sufficient with some modifications to the site plan.
22. The official zone atlas map does not accurately demonstrate the site's zone category. The minutes of case number Z-77-155, which established the sites existing zoning correctly designates SU-1 for commercial development to include a truck terminal and related C-2 uses.

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MARCH 20, 2003

PROJECT #1002459

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CONDITIONS:

4. The submittal of this site plan to the DRB shall meet all EPC conditions. 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. The site development plan for subdivision (Sheet 2 of 10) shall be modified to remove information not specifically required in the definition of same in order to differentiate it from the site development plan for building permit.
3. Floor Area Ratio minimum and maximums shall be added to the site development plan for subdivision (Sheet 2 of 10).
4. Minimum building setback requirements shall be provided on the site development for subdivision (Sheet 2 of 10) and shall be consistent with the Comprehensive City Zoning Code and the Coors Corridor Plan, whichever is most restrictive.
5. A notation regarding building heights shall be included to specify that all buildings cannot exceed the height as specified in the Comprehensive City Zoning Code and within the Coors Corridor Plan, which ever is most restrictive.
6. A notation shall be added on the site development plan for subdivision to specify that approval of this request is for restaurants with a beer and wine license only. Further approval for a restaurant with a liquor license beyond a beer and wine will require an administrative approval to determine if there is sufficient off-street parking.
7. The use for Tract 2 shall be corrected to read "Bank" instead of "Optional Bank, Restaurant or Drug Store" since the design of the building on Tract 2 is not designed for a restaurant or a drug store. The "Site Data Table" shown on the site development plan for subdivision shall be corrected to reflect the use of Tract 2 to be for Bank.
8. General Notes #2 and 5 shall be removed from the submittal and the remaining notes shall be enumerated accordingly.
9. The building identification number for Tract 2 shall be amended to read "Building 2" instead of "Building 1."
10. The applicant must comply with the following recommended conditions of approval as specified by the City Engineer and the Public Works Department:

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MARCH 20, 2003

PROJECT #1002459

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- a. All the requirements of previous actions taken by the EPC and the DRB must be completed and /or provided for.
- b. The developer is responsible for permanent improvements to the transportation facilities adjacent to the proposed site development plan. Those improvements will include any additional right-of-way requirements, paving, curb and gutter and sidewalk that have not already been provided.
- c. Completion of the required TIS mitigation measures, per Transportation Development Staff, must be completed if assumed to be in place for the current TIS for this site.
- d. The site shall comply and be designed per DPM Standards. Check parking space dimensions/requirements with current Zoning Code. Check internal sidewalk widths as they relate to adjacent parking.
- e. The Coors Boulevard driveway north of Ouray Road is prohibited unless it can be demonstrated that it meets the intent of the Coors corridor Plan, is safe and that the location of the drive is accessible even with the construction of a potential grade separation at the Ouray/Coors intersection. To allow this access the applicant must demonstrate to the satisfaction of the Traffic Engineer that all elements of this condition are met. This must be done prior to placement on the DRB agenda to be considered.
- f. The Quail Road driveway access near the northwestern corner of the site shall be restricted to right-turn in and right-turn out access only. It is suggested that the driveway be located such that it lines up with the proposed drive aisle that runs through the site connecting to Ouray.
- g. The left-turn access (northbound and southbound) from Coors Boulevard to Ouray Road is prohibited unless it can be demonstrated that it meets the intent of the Coors Corridor Plan, specifically Policy 4 (Medians), and that the left turn access is accessible and desirable even with the construction of a potential grade separation at the Ouray/Coors intersection. This access proposal has not been evaluated for feasibility. To allow this access the applicant must demonstrate to the satisfaction of the Traffic Engineer that all elements of this condition are met. This must be done prior to placement on the DRB agenda to be considered.
- h. A water and sanitary availability statement must be requested and completed prior to DRB action. The applicant should anticipate changes to the utility plan to eliminate redundant on site public infrastructure.
- i. An approved conceptual grading and drainage plan is required for Site Plan sign-off by the City Engineer. Approval of a drainage plan is required prior to placement on the DRB agenda.
- j. Platting shall be a concurrent DRB action.

*check
COP*

On March 20, 2003 the Environmental Planning Commission voted to approve Project 1002459/03EPC-00160, a Site Development Plan for Building Permit for the Lands of W.H. Brunell Addition, located at 2601 Coors Blvd NW, zoned SU-1 for a Commercial Development to include a Truck Terminal and Related C-2 Uses, based on the following Findings and subject to the following Conditions:

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MARCH 20, 2003
PROJECT #1002459
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FINDINGS:

1. This is a request for a site development plan for building permit for the Lands of W.H. Brunell, located at 2601 Coors Blvd NW, zoned SU-1 for a Commercial Development to include a Truck Terminal and related C-2 Uses, containing approximately 7.63 acres.
2. The site currently contains one tract and the applicant is proposing to subdivide the site into six separate tracts; the applicant is also submitting a site development plan for subdivision. The applicant is proposing to construct six buildings that will contain spaces for restaurants, retail shops and a bank. New landscaping, paved parking areas and pedestrian walkways are also proposed in the submittal.
3. The Planning Department's records for the site are incomplete for the zone map amendment that changed the site's zone category from C-2 to SU-1 for a Commercial Development to include a Truck Terminal and related C-2 Uses (Z-77-155) that occurred on October 20, 1977. A copy of the minutes from the October 20, 1977 EPC public hearing were available. There is sufficient information within the minutes that substantiates the proposed project as an allowed use. The Zoning Enforcement Manager concurs with this finding.
4. Staff recommended a 30-day deferral to address the following issues that have been presented by the City Engineer and the Public Works Department:
 - a. 30-day deferral, in order to allow for the completion of the "sketch planning" design layout for possible grade-separated interchanges at the intersections of Coors and Quail and/or Coors and Ouray. In addition, access points need to be evaluated in terms of the proposed grade separations. Finally, the proposed left-turn access (northbound and southbound) from Coors Boulevard to Ouray Road needs to be evaluated for feasibility.The applicant was able to satisfy the City Engineer's and the Public Works Department's concern prior to the March 20, 2003 EPC public hearing.
5. The State Highway & Transportation Department has retained a consultant to prepare the design analysis and environmental evaluation for the reconstruction of the I-40/Coors Interchange. The consultant is currently working on a "sketch planning" layout for a possible grade-separated interchange at the intersections of Coors and Quail and/or Coors and Ouray. Tract 2 on the submittal will be affected by this "sketch plan"; therefore approval for Tract 2 is not a part of this decision.
6. Staff submitted a three-page letter to the applicant regarding numerous questions and concerns that were not clarified on the submittal prior to the distribution of the EPC staff report. The applicant submitted a letter dated March 18, 2003 that addresses all of the concerns/questions. Conditions of approval related to the site development plan for building permit will address each issue.

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7. The submittal is in compliance with Policy 4a, Transportation and Transit, of the *Comprehensive Plan* that requires transportation system improvements among all modes that shall be made in accordance with land use, environmental, and public service policies.
8. The submittal is in compliance with Policy 5l, of the *Comprehensive Plan* that encourages quality and innovation in design for all new development.
9. The request will conform with the policies of the *Comprehensive Plan* after compliance with the Conditions of Approval: the location, intensity and design of new development respect existing neighborhood values and zoning (Policy 5d), is new growth, which is accommodated through development in an area where vacant land is contiguous to existing or programmed urban facilities and services and where the integrity of existing neighborhoods can be ensured (Policy 5e). Also, as an employment and service use, it is appropriate that this development be located to complement residential areas and sited to minimize adverse effects of noise, lighting, pollution, and traffic on residential environments (Policy 5i).
10. The request will conform with the policies of the *Comprehensive Plan* after compliance with the Conditions of Approval: where new commercial development occurs, it should generally be located in existing commercially zoned areas (Policy 5j). This request is in an area that is zoned for commercial uses. In addition, this site is on land adjacent to arterial streets and planned to minimize harmful effects of traffic; livability and safety of established residential neighborhoods should be protected in transportation planning and operations (Policy 5k).
11. The request will conform with the *Comprehensive Plan* regarding the Centers and Corridors policies after compliance with the Conditions of Approval: The ideal Community Activity Center has parcels and buildings scaled to pedestrians, small enough to encourage parking once and walking to more than one destination. Seating and shade along pedestrian routes also promote walking and informal gathering.
12. The subject site is located in the Coors/I-40 Village Community Activity Center within the *Albuquerque/Bernalillo County Comprehensive Plan*. Access to the Community Activity Center should be very accessible by automobile, as well as the pedestrian. This Center is located on minor and major arterial streets and should provide a main hub connecting to the transit system. The interior of the center should be very accommodating to the pedestrian, even within the predominantly off-street parking areas.

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13. The subject site is located on an *Albuquerque/Bernalillo County Comprehensive Plan* Enhancement Transit Corridor as well as the Coors/I-40 Village Community Activity Center. The Goal for Activity Centers is to develop corridors, both streets and adjacent land uses, that provide a balanced circulation system through efficient placement of employment and services, and encouragement of bicycling, walking, and use of transit / paratransit as alternatives to automobile travel, while providing sufficient roadway capacity to meet mobility and access needs. (*Section II.B.6.4 Transportation and Transit*).
14. The subject site is located within the *West Side Strategic Plan* Ladera Community. The *West Side Strategic Plan* is a Rank 2 Plan and its provisions are mandatory except where they conflict with existing zoning (R-01-278, Enactment No. 35-2002, Section 3) The location of the subject site and its uses is on the western side of the Ladera Community or in its central area to reduce trips to Coors Boulevard and provide easier access to services for neighborhoods west of the Ladera Golf Course. (Policy 3.23)
15. The Design Guidelines of the *West Side Strategic Plan* (Policy 4.6) will be met by the submittal after compliance with the Conditions of Approval.
16. The proposed location of the buildings on tracts 4 & 6 do not meet the intent of Policy 7, Cluster Design of the Coors Corridor Sector Development Plan. This policy requires buildings to be "clustered" to enhance the pedestrian connections within the site. The applicant, as a condition of approval, will redesign the site to meet Policy 7, Cluster Design of the Coors Corridor Sector Development Plan.
17. The submittal will meet the *Coors Corridor Plan* requirement of a front landscaped street yard that is 15-feet wide, with a minimum of 50% of the area landscaped with live material which will visually screen and buffer parking development behind the street yard (*Policy 3, front landscaped street yard*), after compliance with the Conditions of Approval.
18. The submittal appears to meet the minimum requirement of the Coors Corridor Plan that 20% of the parking lot is to be landscaped (*Policy 5, b.1., off-street parking*).
19. As per the *Coors Corridor Plan*, commercial sites, such as shopping centers, should be designed so that a portion of the building or buildings is located near the street perimeter and relates to the streetscape area along Coors Boulevard (*Policy 6*). The site plan will be in compliance with this policy after the Conditions of Approval if Tract 2 is to be constructed for a use that does not require a drive-through facility.

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20. The submittal is in compliance, particularly with governing concepts three and four, of the *East Atrisco Sector Development Plan* which encourages the intersection of Coors Boulevard and Ouray Road to maximize the potential for area access at points other than at these intersections while protecting adjacent neighborhoods from through-traffic and to integrate physical improvements to create features which will enhance the quality of life for residents.
21. The official zone atlas map does not accurately demonstrate the site's zone category. The minutes of case number Z-77-155, which established the sites existing zoning correctly designates SU-1 for commercial development to include a truck terminal and related C-2 uses.

CONDITIONS:

1. ✓ The submittal of this site plan to the DRB shall meet all EPC conditions. 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. Site Configuration:
- a. ✓ A notation shall be added on the submittal that the construction of Tract 2, Building 2 is not a part of this approval and shall be reviewed by the EPC once a determination has been made on how much right-of-way is required for the construction of a grade separated intersection at the intersection of Coors Blvd and Ouray.
 - b. ✓ All patio areas on southeast or west sides of building shall have a minimum of 100 sq. ft. of shaded area either trees or shade structure at end.
 - c. ✓ If Building 2, on Tract 2 is to be utilized for a use that will not require drive-through facilities the submittal shall be reconfigured so that the building is adjacent to the planting buffer and is emphasized on Coors Boulevard, as per the Coors Corridor Plan (*Policy 6*).
 - d. ✓ All patio areas shall have a minimum of 8 linear feet of fixed seating.
 - e. ✓ Clustering of buildings 4 and 6 shall be encouraged if possible.
ask to Chris Gunning
3. Parking:
- a. ✓ The submittal shall contain detailed drawings of the proposed upright handicap sign and shall meet the requirements of the Comprehensive City Zoning Code.
 - b. ✓ The submittal shall be corrected to reflect 8, instead of 6, designated handicap off-street parking spaces within Tract 4 and shall meet the size requirements as specified in the Comprehensive City Zoning Code.
 - c. ✓ The submittal shall be corrected to reflect 2, instead of 1, designated handicap off-street parking spaces within Tract 5 and shall meet the size requirements as specified in the Comprehensive City Zoning Code.

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- Show on detail sheet*
- d. Handicap building access shall be clearly identified for Tracts 5 & 2.
 - e. Type of paving shall be specified in the submittal.
 - f. Parking barriers shall be provided to prevent vehicles from extending over any public sidewalk, abutting lot, pedestrian walkway, landscaped area or any wall or fence. The barriers need to be a minimum of two feet from any public sidewalk, abutting, lot pedestrian walkway, landscaped area or any wall or fence in accordance with Section 16-16-3-1(E)((2) of the Comprehensive City Zoning Code.
 - g. A detail of the proposed bicycle racks shall be provided showing material and color.
 - h. The submittal shall contain a pedestrian connection from the public right-of-way along 57th ST NW to the main entrance of building 4.
 - i. Pedestrian paths shall be differentiated from patio areas by a change of paving pattern or material for buildings 1, 4 & 5, similar to the condition shown at building 6.
 - j. Additional textured concrete pedestrian crossings shall be added at points where a sidewalk meets the asphalt parking area.
- Show on detail sheet*

4. Signs:

- a. The exact re-location of the existing 45' high freestanding sign located on the southeast portion of the site shall be identified on the submittal.
- b. In the event the 45' high sign requires to be moved for traffic or right-of-way considerations the sign shall meet all applicable city policies and regulation requirements.
- c. A notation shall be added on the submittal to clarify the total square footage for the area of the portion of the freestanding sign that identifies the shopping center name be limited to 20 square feet.
- d. A notation shall be added on the submittal that specifies the number of "items" as identified in the Coors Corridor Plan to be limited to 10.
- e. A note on the plan shall state that the freestanding signs will meet the requirements of the Coors Corridor Plan by a having a sign face no larger than 75 square feet in size.

5. Landscape/Utility:

- a. The note on the landscape plan stating that 'the final landscape layout and design will be determined upon receipt of the final grading plan' shall be removed from the landscape plan.
- b. The street trees are called out as Ash or Honey Locust. This shall be revised to say Ash and Honey Locust to ensure diversity and survival of the trees.
- c. The landscape buffer shall be consistently 15-feet in width along the entire frontage of the property along Coors Boulevard. *from away to tract*
- d. All planting beds shall be called out as to square footage and all planting beds 36 square feet or larger in size shall be planted with a mature minimum coverage of 75% living material. This shall be added to the landscape plan prior to final DRB sign-off.
- e. A note shall be added to the Landscape Plan assuring that one tree is planted per every 10 parking spaces per the requirements of Policy, b.2 of the Coors Corridor Plan.
- f. Note number 1 under "Notice to Contractors" shall be corrected to read "...in accordance with" the City of Albuquerque instead of the "City of Santa Fe."

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6. **Architecture:**
 - a. Any Automatic Teller Machine (ATM) shall be architecturally integrated with the building design reviewed and approved through the EPC administrative process.
 - b. A notation shall be added on the submittal that specifies "the drive-through facilities shall be shaded with architecturally integrated canopies."

7. The applicant must comply with the following recommended conditions of approval as specified by the City Engineer and the Public Works Department:
 - a. All the requirements of previous actions taken by the EPC and the DRB must be completed and /or provided for.
 - b. The developer is responsible for permanent improvements to the transportation facilities adjacent to the proposed site development plan. Those improvements will include any additional right-of-way requirements, paving, curb and gutter and sidewalk that have not already been provided.
 - c. Completion of the required TIS mitigation measures, per Transportation Development Staff, must be completed if assumed to be in place for the current TIS for this site.
 - d. The site shall comply and be designed per DPM Standards. Check parking space dimensions/requirements with current Zoning Code. Check internal sidewalk widths as they relate to adjacent parking.
 - e. The Coors Boulevard driveway north of Ouray Road is prohibited unless it can be demonstrated that it meets the intent of the Coors corridor Plan, is safe and that the location of the drive is accessible even with the construction of a potential grade separation at the Ouray/Coors intersection. To allow this access the applicant must demonstrate to the satisfaction of the Traffic Engineer that all elements of this condition are met. This must be done prior to placement on the DRB agenda to be considered.
 - f. The Quail Road driveway access near the northwestern corner of the site shall be restricted to right-turn in and right-turn out access only. It is suggested that the driveway be located such that it lines up with the proposed drive aisle that runs through the site connecting to Ouray.
 - g. The left-turn access (northbound and southbound) from Coors Boulevard to Ouray Road is prohibited unless it can be demonstrated that it meets the intent of the Coors Corridor Plan, specifically Policy 4 (Medians), and that the left turn access is accessible and desirable even with the construction of a potential grade separation at the Ouray/Coors intersection. This access proposal has not been evaluated for feasibility. To allow this access the applicant must demonstrate to the satisfaction of the Traffic Engineer that all elements of this condition are met. This must be done prior to placement on the DRB agenda to be considered.
 - h. A water and sanitary availability statement must be requested and completed prior to DRB action. The applicant should anticipate changes to the utility plan to eliminate redundant on site public infrastructure.
 - i. An approved conceptual grading and drainage plan is required for Site Plan sign-off by the City Engineer. Approval of a drainage plan is required prior to placement on the DRB agenda.

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j. Platting shall be a concurrent DRB action.

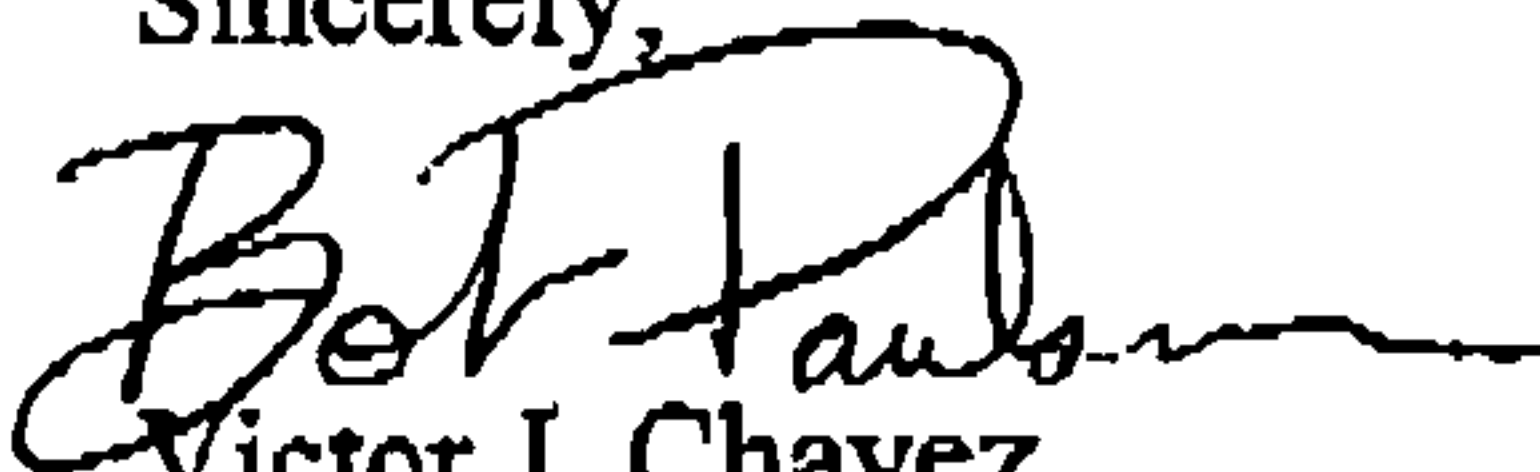
IF YOU WISH TO APPEAL/PROTEST THIS DECISION, YOU MUST DO SO BY APRIL 4, 2003 IN THE MANNER DESCRIBED BELOW. A NON-REFUNDABLE FILING FEE WILL BE CALCULATED AT THE LAND DEVELOPMENT COORDINATION COUNTER AND IS REQUIRED AT THE TIME THE APPEAL IS FILED.

Appeal to the City Council: Persons aggrieved with any determination of the Environmental Planning Commission acting under this ordinance 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 the determination in question is issued is not included in the 15-day period for filing an appeal, and 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. The City Council may decline to hear the appeal if it finds that all City plans, policies and ordinances have been properly followed. If it decides that all City plans, policies and ordinances have not been properly followed, it shall hear the appeal. Such appeal, if heard, shall be heard within 45 days of its filing.

YOU WILL RECEIVE NOTIFICATION IF ANY OTHER 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 MUST BE COMPLIED WITH, EVEN AFTER APPROVAL OF THE REFERENCED APPLICATION(S).

Successful applicants should be aware of the termination provisions for Site Development Plans specified in Section 14-16-3-11 of the Comprehensive Zoning Code. Generally plan approval is terminated 7 years after approval by the EPC

Sincerely,


FOR Victor J. Chavez
Planning Director

VJC/JV/ac

- cc: Dekker/Perich/Sabatini, 6801 Jefferson NE, Albuquerque, NM, 87109
- Claude G. Lusada, SR Marmon NA, 1519 Stoneway Dr. NW, Albuquerque, NM 87120
- Julian Morales, SR Marmon NA, 6328 Keswick Pl. NW, Albuquerque, NM 87120
- John Landman, West Bluff NA, 2236 Ana Ct. NW, Albuquerque, NM 87120
- Robert Anwyne, West Bluff NA, 4909 Paseo del Rey NW, Albuquerque, NM 87120
- Joe Valles, 5020 Grande Vista NW, Albuquerque, NM 87120



City of Albuquerque

P.O. BOX 1293 ALBUQUERQUE, NEW MEXICO 87103

JN 220096
Incoming
RIB
cc: Ben Sprad

October 3, 2003

Ron Bohannon, PE
Tierra West LLC
8509 Jefferson NE
Albuquerque, NM 87113

**Re: Quail Ridge Shopping Center Drainage Report
Engineer's Stamp dated 8-26-03 (H11/D67)**

Dear Mr. Bohannon,

Based upon the information provided in your submittal dated 8-27-03, the above referenced report is approved for Site Development Plan for Building Permit, Site Development Plan for Subdivision and Preliminary Plat action by the DRB. I will require the submission of site-specific grading plans for each pad prior to Building Permit approval in order to allow for the obvious phasing of this project. Since this will be replatted, all the on-site storm drain must appear on your infrastructure list.

If you have any questions, you can contact me at 924-3986.

Sincerely,

Bradley L. Bingham, PE
Sr. Engineer, Planning Dept.
Development and Building Services

C: file

ONE STOP SHOP ••• FRONT COUNTER
City of Albuquerque • Planning Department

DEVELOPMENT & BUILDING SERVICES (D&B Svcs)
LAND DEVELOPMENT COORDINATION SECTION (LDC)
Plaza Del Sol - 2nd & 4th Floor West - 600 2nd St NW 87102
Front Counter Main Number (505) 924-3858 or 924-3895
Main Fax (505) 924-3864

PAID RECEIPT

APPLICANT NAME SCM Property Company LLC
AGENT Trevia West LLC
ADDRESS 8504 Jefferson NE
PROJECT NO. 1002457
APPLICATION NO. 03028 - 01758, 01759, 01760

\$ 565.00 441006 / 4983000 (DRB Cases)
\$ _____ 441006 / 4971000 (EPC & AA / LUCC / Appeals)
\$ 0 441018 / 4971000 (Notification)

\$565.00 Total amount due

NAME Quail Plaza LLC 119
ACCOUNT NO 6128631 DATE 10-13-03 95-654/1070
PAY TO THE ORDER OF City of Albuquerque \$ 565.00
Five Hundred Sixty-Five & 00/100 DOLLARS
NEW MEXICO BANK & TRUST P.O. Box 1048 Albuquerque, NM 87103 505-830-8100
MEMO Retm / Final Plat
1070065411

DUPLICATE
City Of Albuquerque
Treasury Division

MP
10/14/2003 10:27AM LOC: ANN
X
RECEIPT# 00015462 WSH 008 TRANS# 0005
Account 441006 Fund 0110
Activity 4983000 TRSUMM
Trans Amt \$565.00
J24 Misc \$565.00
CK 10/28/02 \$565.00
CHANGE \$0.00

**DECLARATION OF EASEMENTS WITH COVENANTS
AND RESTRICTIONS AFFECTING LAND ("ECR")**

THIS ECR is entered into effective the ____ day of _____, 2003, by _____, a New Mexico limited liability company ("Declarant").

WHEREAS, Declarant is the owner of a certain tract of land located on Coors Boulevard, N.W. between Ouray Road and Quail Road, Albuquerque, New Mexico, consisting of approximately _____ (____) acres as depicted on the Site Development Plan attached hereto as Exhibit "A" (the "Site Plan") and more particularly described as follows:

Tracts 1 through 6, QUAIL RIDGE, as the same are shown and designated on the Plat thereof, filed in the Office of the County Clerk of Bernalillo County, New Mexico on the ____ day of _____, 2003, in Book _____, Page _____.

(individually designated by Tract number or as a "Tract", and collectively as "Tracts"); and

WHEREAS, Declarant desires to have the Tracts developed in conjunction with each other pursuant to a general plan of improvement to form a commercial shopping center (the "Shopping Center"), and further desire to make all of the Tracts subject to the easements, covenants, conditions and restrictions hereinafter set forth.

NOW, THEREFORE, for and in consideration of the premises, and intending that the following easements, covenants, conditions and restrictions shall be binding upon the undersigned and its successors and assigns and shall attach to and run with the land which is the subject of this ECR, and shall be for the benefit of and shall be limitations upon all future owners of the Tracts, and that all easements, restrictions and other covenants herein set forth shall be appurtenant to the dominant estates and obligations on the servient estates, and in consideration of the promises, covenants, conditions, restrictions, easements and encumbrances contained herein, the sufficiency of which are hereby acknowledged, do hereby agree as follows:

1. **Definitions.** The following terms shall have the meanings set forth below:
 - a. **"Building Area"**: All those areas on each Tract shown as Building Area on the Site Plan and the "Building Envelopes" (as hereinafter defined) which are from time to time covered by a building or other commercial structure.
 - b. **"Building Envelopes"**: All those areas located within the "Building Limit Lines" as shown on the Site Plan.
 - c. **"Common Area"**: All those areas on each Tract which are not Building Area, together with those portions of the Building Area on each Tract which are not from time to

time actually covered by a building or other commercial structure or which cannot under the terms of this ECR be used for buildings. Canopies which extend over the Common Area, together with any columns or posts supporting same, shall be deemed to be a part of the building to which they are attached and not a part of the Common Area.

d. **"Floor Area"**: means the total number of square feet of floor space in a building whether or not actually occupied including basements or subterraneans, balconies and mezzanine spaces. Floor Area shall be measured from the exterior line of the exterior walls and the center line of any party or common interior walls without deduction for columns, walls or other structural or nonstructural components.

e. **"Ground Floor Area"**: means the total number of square feet on the ground floor of a building, whether or not actually occupied (excluding basements, subterraneans, balconies and mezzanine spaces) measured from the exterior line of the exterior walls and from the center line of any party or common interior walls without deduction for columns, walls or other structural or nonstructural components.

f. **"Owner"**: means the person owning the fee simple interest in a Tract and shall include the contract purchaser on a real estate contract for the sale and purchase of a Tract, but not the contract seller.

g. **"Person"**: means individuals, partnerships, firms, associations, corporations, limited liability companies, trusts, governmental agencies, administrative tribunals or any other form of business or legal entity.

h. **"Self-Parked"**: The term "Self-Parked" shall mean (i) having a minimum of five (5) parking stalls per 1,000 square feet of Floor Area used as retail or office space, and ten (10) parking stalls per 1,000 square feet of Floor Area used as restaurant space (excluding sandwich shops, take-out restaurants for off-premises consumption and fast food restaurants not exceeding two thousand (2,000) square feet of Floor Area), and (ii) meeting all applicable laws, rules or regulations (without a variance) governing or relating to parking accommodations.

i. **"Service Facilities"**: means loading docks, trash compactors and enclosures, bottle storage areas, exterior coolers, electrical and refrigeration facilities and other similar service facilities.

2. Use.

a. **General Use.** Subject to the provisions of this ECR, all buildings in the Shopping Center shall be used for commercial purposes of the types customarily found in retail shopping centers in the greater Albuquerque metropolitan area, including, without limitation, financial institutions, service shops, offices, and retail stores.

b. **General Restrictions on Use.** In view of the needs of the Declarant for customers to (i) have adequate parking facilities in close proximity to the buildings to be constructed on each Tract; and (ii) have a clean, quiet and proper environment and have adequate parking for the customers of the businesses on the Tracts, the following uses are hereby prohibited on any portion of the Tracts:

- (1) a bar, tavern or cocktail lounge;
- (2) a theater for either live performances or movie performances;
- (3) an entertainment or recreational facility including, without limitation, a bowling alley, billiard parlor, dance hall, roller rink, skating rink, health spa or studio, massage parlor, adult book store, adult video store, game parlor or video arcade (which shall be defined as any store containing more than four (4) electronic games);
- (4) a veterinary clinic;
- (5) an automobile maintenance or repair facility;
- (6) a facility for selling, leasing or renting motor vehicles, boats or trailers;
- (7) a warehouse or industrial purposes;
- (8) a car wash;
- (9) a training or educational facility, including, without limitation, a beauty school, barber college, reading room, place of instruction or any other operation catering to students or trainees as opposed to customers.

c. **Restrictions on Restaurants and Office Use.** Tracts shall only be permitted the following uses:

Tract _____
Tract _____
Tract _____

d. **Drive-Up Facilities.** No restaurant, bank or other facility featuring vehicular drive-up or drive-through customer service shall be located in the Shopping Center unless Declarant has first given its written consent, which shall not be unreasonably withheld, to the location, parking and drive lanes of such facility. Declarant hereby approves the vehicular drive-up and drive-through customer service facility shown on the Site Plan for Tract 2. The review of drive-up and drive-through facilities by Declarant as provided herein is not intended to prohibit drive-up and drive-through facilities, but is intended to insure that the location, layout and stacking for such drive-up and drive-through facilities does not negatively affect the access, driveways, circulation and parking for the Shopping Center.

3. **Competing Business.** TO BE DETERMINED.

4. **Buildings.**

a. **Design and Construction.** Each building in the Shopping Center, now and in the future, shall be of first quality construction and architecturally designed so that its exterior elevations (including, without limitation, signs and color) will be architecturally and aesthetically compatible and harmonious with all other buildings in the Shopping Center. No building may be constructed nor the exterior of any existing building changed in any way (including, without limitation, signs and color) without the prior written approval of Declarant as to the exterior elevations (including, without limitation, signs and color) of the building to be constructed or modified. Before the construction of any building or any modification of an existing building which requires approval is commenced, sufficient information shall be sent to Declarant to enable Declarant to make a reasonable determination as to the architectural and aesthetic compatibility of said building or modification with all other buildings in the Shopping Center ("Construction Plans"). Declarant may arbitrarily or unreasonably withhold its approval of the Construction Plans if they are architecturally and aesthetically compatible and harmonious with all other buildings in the Shopping Center. Declarant must approve or disapprove the Construction Plans within thirty (30) days after receipt thereof, and, if Declarant disapproves the Construction Plans, it shall provide a written explanation in reasonable detail of its reasons for disapproval. If Declarant rejects or disapproves of the Construction Plans and fails to provide such explanation within the thirty (30) day period, such party shall be deemed to have approved same provided that, when the approval was sought, the one seeking the approval stated, in writing to the one whose approval was sought that, if a disapproval with explanation was not made within the thirty (30) day period, approval would then be deemed to have been given. If the Construction Plans are disapproved as provided herein, then amendments to the Construction Plans may be submitted, which amended Construction Plans shall be handled in the same manner as the initial Construction Plans. No building shall be built in such a manner as to adversely affect the structural integrity of any other building in the Shopping Center.

b. **Height.** All buildings and other structures in the Shopping Center shall be single story with mezzanine permitted and shall be limited to the following heights (including mechanical fixtures and equipment and screening for the same):

Tract 1	_____	feet
Tract 2	_____	feet
Tract 3	_____	feet
Tract 4	_____	feet
Tract 5	_____	feet
Tract 6	_____	feet

No mezzanine or basement shall be used for the sale or display of merchandise or for the offer or provision of retail services to the public.

c. **Location.** All buildings and other structures (except those permitted in the Common Area) shall be placed or constructed upon the Tracts only in the Building Area; provided, however, that canopies, eaves and roof overhangs (including columns or posts supporting same), normal foundations, utility cabinets and meters, signs and doors for ingress and egress may project from the Building Area and/or Building Envelope into the Common Area. Buildings may be located (or relocated) anywhere within a Building Envelope provided the total Floor Area of all buildings constructed within a Building Envelope does not exceed the square footage assigned to such Building Envelope as shown on the Site Plan. All Tracts shall be Self-Parked. Not more than one (1) building shall be permitted on any Tract, except Tract 1. All of the foregoing shall be constructed and maintained in accordance with all local, state and federal laws, rules and regulations applicable thereto.

d. **Construction and Maintenance.** All work performed in the construction, maintenance, repair, replacement, alteration or expansion of any building, sign or Common Area improvements located in the Shopping Center shall be effected as expeditiously as possible and in such a manner as not to unreasonably interfere, obstruct or delay (i) access to or from the Shopping Center, or any part thereof, to or from any public right-of-way, (ii) customer vehicular parking in that portion of the improved Common Area located in front of any building constructed in the Shopping Center, or (iii) the receiving of merchandise by any business in the Shopping Center including, without limitation, access to Service Facilities. Staging for the construction, replacement, alteration or expansion of any building, sign or Common Area improvements located in the Shopping Center including, without limitation, the location of any temporary buildings or construction sheds, the storage of building materials, and the parking of construction vehicles and equipment shall be limited to that portion of the Shopping Center approved in writing by Declarant. Declarant, as to any work performed by Declarant, its tenants or subtenants, successors and assigns, which party is hereafter referred to as the "Contracting Party," shall, at its sole cost and expense, promptly repair and restore or cause to be promptly repaired and restored to its prior condition all buildings, signs and Common Area improvements damaged or destroyed in the performance of such work. The Contracting Party shall not permit any liens to stand against any Tract for any work done or materials furnished in connection with the performance of the work described in this Section; provided, however, that the Contracting Party may contest the validity of any such lien, but upon a final determination of the validity thereof, the Contracting Party shall cause the lien to be satisfied and released of record. The Contracting Party shall, within thirty (30) days after receipt of written notice from the other party, cause any such outstanding lien or claim of lien to be released of record or transferred to bond in accordance with applicable law, failing which the other party shall have the right, at the Contracting Party's expense, to transfer said lien to bond. The Contracting Party shall indemnify, defend and hold harmless the other party from any and all liability, claims, damages, expenses (including reasonable attorneys' fees and reasonable attorneys' fees on any appeal), liens, claims of lien, judgments, proceedings and causes of action, arising out of or in any way connected with the performance of such work., unless caused by the negligent or willful act or omission of the indemnified party, its tenants, subtenants, agents, contractors or employees. The parties acknowledge and agree that incidental encroachments upon the Common Area may occur as a result of the use of ladders, scaffolds, store front barricades and similar facilities in connection with the construction, maintenance, repair, replacement, alteration or expansion of buildings, signs and

Common Area improvements located in the Shopping Center, all of which are permitted hereunder so long as all activities requiring the use of such facilities are expeditiously pursued to completion and are performed in such a manner as to minimize any interference with use of the improved Common Area or with the normal operation of any business in the Shopping Center.

e. **Encroachment Easements.** Declarant hereby declares that each Tract is subject to an easement for any portion of any building or structure which may encroach into or over said Tract from the adjoining Tract(s); provided however, that the easement for footings, piers, pilings, grade beams and building encroachments does not exceed two (2) feet, and the easement for canopies, eaves and roof overhangs does not exceed four (4) feet.

5. **Common Area.**

a. **Grant of Easements.**

(1) **Reciprocal Ingress and Egress.** Declarant hereby declares that each Tract is subject to: a nonexclusive perpetual easement for ingress and egress by vehicular and pedestrian traffic and vehicular parking upon, over and across that portion of the Common Area located on said Tract, except for those areas devoted to Service Facilities or drive-up or drive-through customer Service Facilities, which easement is for the benefit of every other Tract and the Owners, and their tenants, contractors, employees, agents, licensees and invitees of such tenants. The reciprocal rights of ingress and egress set forth in this Section 5.a shall apply to the Common Area for each Tract as such area may be changed from time to time pursuant to this ECR.

(2) **Utilities and Drainage.** Declarant hereby declares that each Tract is subject to a nonexclusive perpetual easement under, through and across the Common Area of said Tract for the installation, operation, maintenance, repair and replacement of water drainage systems or structures, water mains, sewers, water sprinkler system lines, telephones, electrical conduits or systems, gas mains and other public or private utilities for the benefit of every other Tract and the Owners. All such systems, structures, mains, sewers, conduits, lines and other utilities shall be installed and maintained below the ground level or surface of such easements except for ground mounted electrical transformers and such other facilities as are required to be above ground by the utility providing such service (including temporary service required during the construction, maintenance, repair, replacement, alteration or expansion of any buildings or improvements located in the Shopping Center). The installation, operation, maintenance, repair and replacement of such easement facilities shall not unreasonably interfere with the use of the improved Common Area or with the normal operation of any business in the Shopping Center. The Owner of the dominant Tract utilizing the easement shall bear all costs related to the installation, operation, maintenance, repair and replacement of such easement facilities, shall repair to the original specifications any damage to the Common Area resulting from such use and shall provide as-built plans for all such easement facilities to the Owner of the servient Tract within thirty (30) days after the date of completion of construction of same. At any time and from time to time the Owner of the servient Tract shall have the right to relocate any utility line or facility installed on its Tract pursuant to the foregoing grant of easement, provided that any such relocation (i) shall be performed only after sixty (60) days' notice

of the intention to undertake the relocation shall have been given to the Owner of the dominant Tract, (ii) shall not unreasonably interfere with or diminish utility service to the dominant Tract(s) served by the utility line or facility, (iii) shall not reduce or unreasonably impair the usefulness or function of the utility line or facility, (iv) shall be performed without cost or expense to the Owner of the dominant Tract, and (v) shall provide for the original and relocated area to be restored to the original specifications. The Owner of the servient Tract shall provide as-built plans for all such relocated utility lines and facilities to the Owner of the dominant Tract within thirty (30) days after the date of completion of such relocation. The Owners of each Tract shall execute such additional easements as are reasonably required by any public or private utility for the purpose of providing the utilities described herein provided such easements are not otherwise inconsistent with the provisions of this ECR.

(3) **Signs.** Declarant hereby declares that each Tract is subject to a nonexclusive perpetual easement under, through and across the Common Area of said Tract for the installation, operation, maintenance, repair and replacement of the free-standing signs referred to in Sections 7.a and 7.b, and all utility lines and facilities appurtenant thereto. Except where otherwise specifically stated herein to the contrary, the Owner of the dominant Tract benefited by said signs shall bear all costs related to the installation, maintenance, repair and replacement of its free-standing sign and appurtenant facilities, shall repair to the original specifications any damage to the Common Area resulting from such use, and shall provide as-built plans for all such facilities to the Owner of the servient Tract within thirty (30) days after the date of completion of construction of same.

b. **Limitations on Use.**

(1) **General.** The Common Area is hereby reserved for the sole and exclusive use of the Owners, their tenants, contractors, employees, agents, customers, licensees and invitees and the subtenants, contractors, employees, agents, customers, licensees and invitees of such tenants. The Common Area may be used for vehicular driving, parking (except that there shall be no multi-level parking), pedestrian traffic, directional signs, sidewalks, walkways, landscaping, perimeter walls and fences, parking Tract lighting, recycle centers, cart corrals, utilities and Service Facilities and for no other purpose unless otherwise specifically agreed by Declarant. All buildings, structures and improvements placed or constructed in the Common Area shall be approved by Declarant and shall be in accordance with the Site Plan. The Common Area shall be kept and maintained as provided for in Section 6.b. All portions of a Building Area which are not used for buildings shall be developed by the Owner of the Tract, at that Owner's sole cost and expense, in accordance with the Construction Plans approved by Declarant and shall be maintained as improved Common Area. No changes to the Common Area improvements, including, without limitation, service drives and parking areas, striping, traffic directional arrows and signs, concrete bumpers, parking Tract lighting, perimeter walls and fences, and landscaped areas, together with necessary planting, may be made without the prior written approval of Declarant.

(2) **Sales.** No portion of the Common Area, except sidewalks, shall be used for the sale or display of merchandise.

(3) **Parking.** There shall be no charge for parking in the Common Area without the prior written consent of Declarant unless otherwise required by law. Parking within the Shopping Center shall only be used for parties who are shopping or transacting business in the Shopping Center. The Owner of each Tract shall use reasonable efforts to enforce said policy. The Common Area to be used for motor vehicle parking by employees of occupants of the Shopping Center may be designated within the Shopping Center from time to time with the prior written consent of Declarant. In the event employee parking areas are designated as provided herein, then employees of any Owner or occupant of any part of the Shopping Center shall use only those portions of the Common Area designated for such motor vehicle parking purposes. The authority herein granted shall be exercised in such manner as not to discriminate against any Owner or occupant of the Shopping Center.

c. **Water Flow.** The alteration in the natural water flow which may occur on a Tract as a natural consequence of normal construction activities and the existence of the improvements substantially as shown on the Site Plan (including, without limitation, building and building expansion, curbs, drives and paving) shall be permitted, provided that such diversion of water flows does not interfere with the use and beneficial enjoyment of any of the other Tracts.

d. **No Barriers.** No walls, fences or barriers of any kind shall be constructed or maintained on the Common Area, or any portion thereof, which shall prevent or impair the use or exercise of any of the easements granted herein, or the free access and movement, including, without limitation, of pedestrians and vehicular traffic between the various Tracts; provided however, reasonable traffic controls approved in advance by Declarant as may be necessary to guide and control the orderly flow of traffic may be installed so long as access driveways to the parking areas in the Common Area are not closed or blocked. The only exceptions to this provision shall be (1) for changes to the Building Area and Common Area permitted by this ECR, (2) for incidental encroachments upon the Common Area which may occur as a result of the use of the ladders, scaffolding, storefront barricades and similar facilities resulting in temporary obstruction of the Common Area, all of which are permitted hereunder so long as their use is kept within reasonable requirements of construction work being expeditiously pursued, (3) for temporary blockage of certain areas deemed necessary by the parties to prevent a public dedication of an easement or access right, and (4) Declarant shall have the right to take such steps as it deems necessary to prevent those Persons not authorized to use the Common Area from using the Common Area for ingress, egress and parking. Such steps shall include, without limitation, the construction of fences, walls or barricades along the boundary lines of any portion of the Shopping Center except along the common boundary line of any Tract with any other Tract.

6. **Common Area; Development, Maintenance and Taxes.**

a. **Development.**

(1) **Configuration.** The configuration of the Common Area as shown on the Site Plan shall not be changed in a manner inconsistent with the provisions of this ECR.

(2) **"Parking Area" Ratio.** In developing and using the Tracts, the Owners thereof shall provide and maintain parking in accordance with the parking ratios shown on the Site Plan.

(3) **Development Timing.** Concurrent with any building being constructed within the Building Area of any Tract by the Owner, or its tenant, as the case may be, of said Tract (the "Developing Party"), the Common Area of that Tract shall be developed in accordance with the Site Plan and the Construction Plans approved by Declarant at the expense of such Developing Party. In the event such construction by the Developing Party shall occur prior to any development of any other Tract, the Developing Party shall have the right to grade, pave and use any portion of the Common Area of the other Tract for access and for construction of improvements reasonably necessary to facilitate and provide essential services to such Developing Party's building, including, but not limited to, drainage structures and utility lines, and provided further that the planned development on the other Tract does not interfere with the Developing Party's use and construction on the other Tract. The Developing Party shall present an itemized statement of expenses incurred in the construction of said improvements to and upon the other Tract, and the Owner of such other Tract shall reimburse the Developing Party for such costs within thirty (30) days of receipt thereof, but only to the extent the improvements benefit the other Tract or would have been required to be constructed by the Owner of the other Tract at the time such other Tract is developed. To the extent the Developing Party will seek reimbursement for expenses from another Tract Owner pursuant to this Section 6.a(3), the Developing Party shall provide bids for the work to the other Tract Owner not less than thirty (30) days prior to the commencement of construction, and the other Tract Owner shall have twenty (20) days after receipt of said notice to obtain bids which are less than the bids submitted by the Developing Party. If the additional bids are responsive, the Developing Party shall be limited to reimbursement only for the amount of the lower bids.

b. **Maintenance.**

(1) **Standards.** Commencing on the date the first Owner, tenant or occupant of a Tract opens for business ("Maintenance Commencement Date"), Declarant shall maintain or cause to be maintained the Common Area at all times in good and clean condition and repair, said maintenance to include, without limitation, the following:

(a) Maintaining, repairing, replacing and resurfacing, when necessary, all paved surfaces in a level, smooth and evenly covered condition with the type of surfacing material originally installed or such substitute as shall in all respects be equal or superior in quality, use and durability; and restriping, when necessary;

(b) Removing all snow, papers, debris, filth and refuse and thoroughly sweeping the area to the extent reasonably necessary to keep the area in a clean and orderly condition;

(c) Maintaining, repairing and replacing, when necessary, all traffic directional signs, markers and lines;

(d) Operating, maintaining, repairing and replacing, when necessary, such artificial lighting facilities as shall be reasonably required (except for the "After Hours Lighting" described in Section 6.b(3));

(e) Maintaining all landscaped areas (including, without limitation, those on the perimeter of the Shopping Center); maintaining, repairing and replacing, when necessary, automatic sprinkler systems and water lines; and replacing shrubs and other landscaping as is necessary;

(f) Maintaining, repairing and replacing, when necessary, all Common Area walls (including, without limitation, all fences, walls or barricades constructed pursuant to Section 5.d);

(g) Maintaining, repairing and replacing, when necessary, all storm drains, sewers and other utility lines and facilities not dedicated to the public or conveyed to any public or private utility which are necessary for the operation of the buildings and improvements located in the Shopping Center (with the cost of all such items being allocated between the Owners of all buildings and improvements serviced or to be serviced by said facilities on the basis of their respective Building Area);

(h) Keeping the "Center Pylon Signs" (as hereinafter defined) lighted from dusk to dawn or during such other times mutually agreed in writing by the businesses designated thereon;

(i) Maintaining, repairing and replacing, when necessary, the Center Pylon Sign pylon structures (except for the sign fascia and cans which shall be supplied and maintained by the businesses designated thereon). Notwithstanding the other provisions of this Section 6.b, the cost of maintaining, repairing and replacing the Center Pylon Sign pylon structures shall be paid by the Owners of each Tract using said sign in the proportion that the total square footage of each party's designation or designations bears to the total square footage of all designations entitled to be displayed thereon; and

(j) Performing itself or contracting with a third party or parties to perform any of the services described herein.

(2) **Insurance.** In addition to the foregoing, Declarant shall provide and maintain commercial general liability insurance with broad form coverage endorsement (including broad form property damage endorsement) insuring the Declarant against claims for personal injury, bodily injury or death, and property damage or destruction, occurring in, on or about the Common Area. Such insurance shall be written with an insurer licensed to do business in the state in which the Shopping Center is located and all present and future Tract Owners shall be named on the policy as additional insureds. The limits of liability of all such insurance shall be not less than \$2,000,000.00 for personal injury or bodily injury or death of any one Person, \$2,000,000.00 for personal injury or

bodily injury or death of more than one Person in one occurrence and \$2,000,000.00 with respect to damage to or destruction of property; or, in lieu of such coverage, a combined single limit (covering personal injury, bodily injury or death and property damage or destruction) with a limit of not less than \$2,000,000.00 per occurrence. Declarant may increase the limits of such insurance as reasonably necessary to reflect then appropriate limits for such insurance, taking into consideration such things as changes in the Consumer Price Index, or similar index. Declarant shall furnish the Tract Owners, upon request, with certificates evidencing such insurance. The policies of such insurance shall provide that the insurance represented by such certificates shall not be canceled, materially changed or nonrenewed without the giving of thirty (30) days' prior written notice to the holders of such insurance and the holders of such certificates.

(3) **Lighting.** It is agreed that the artificial lighting for the Common Area shall remain on while a majority of the businesses in the Shopping Center are open for business. If artificial lighting for a time later than the foregoing ("After Hours Lighting") is needed by any Owner or occupant of a Tract, then such artificial lights to service such Owner or occupant shall be separately metered or otherwise measured or reasonably estimated and all expenses thereof shall be paid by such Owner or occupant to the extent appropriate.

(4) **Managing Agent.** Declarant is hereby appointed agent (the "Managing Agent") to oversee, administer and manage the Common Area in the manner provided above. Declarant shall resign as Managing Agent at such time as Declarant no longer owns at least one (1) Tract, and thereafter a majority in ownership of all of the Tract Owners shall appoint a successor Managing Agent. Wherever used in this ECR, a majority in ownership of the Tract Owners shall mean Tract Owners who own more than fifty percent (50%) of the total square footage of Building Area. Managing Agent shall contract for and pay for all of the items enumerated as maintenance and insurance expenses in this Section 6.b, and shall use commercially reasonable efforts to operate and maintain the Common Area in accordance with the final approved "Budget" (defined below).

(5) **Assessment and Collection of Common Area Expenses.**

(a) **Budget.** At least sixty (60) days prior to the initial commencement of the monthly billing for Common Area maintenance and insurance expenses (sometimes referred to as "Common Area Expenses") as provided herein and at least sixty (60) days prior to the commencement of each calendar year thereafter, Managing Agent shall submit to the Tract Owners a proposed budget and all bids, proposals and other documents supporting same for all Common Area Expenses to be incurred during the following calendar year or balance thereof (the "Budget"). The Budget shall identify separate cost estimates for at least the categories specified in Section 6.b. In the event a majority in ownership of the Building Area objects to the proposed Budget, they shall provide written notice of said objection to Managing Agent within thirty (30) days after their receipt of the proposed Budget, whereupon Managing Agent shall promptly consult with the Owners for the purpose of establishing a final approved Budget for the following calendar year. The Owners shall not unreasonably withhold their approval of a proposed Budget. In the event that a proposed Budget is disapproved by a majority of the Owners, Managing Agent shall revise and

resubmit a proposed Budget until a majority of the Owners have approved the same. If Managing Agent and the Owners are unable to agree upon a Budget before the expiration of the then currently existing Budget, then Managing Agent shall continue to maintain the Common Area based upon the currently existing Budget until a new Budget is approved.

(b) **Bids.** At least thirty (30) days prior to the initial commencement of the cleaning and sweeping of the Common Area and any other Common Area maintenance work done on a regular basis, Managing Agent shall submit said Common Area maintenance work for bid to at least three (3) bidders, which approval shall not be unreasonably withheld or delayed. The names of the bidding contractors or companies and the amounts of their respective bids shall be furnished to the Owners of the Tracts by Managing Agent within ten (10) days after receipt thereof. Managing Agent shall award the contract to the low bidder.

(c) **Proportionate Share.** The Owner of each Tract shall cause Managing Agent to be reimbursed for said Owner's proportionate share of all of the out-of-pocket expenses in performing such services, plus a service charge to cover management and administration costs of ten percent (10%) of said expenses ("Service Charge"). For purposes of calculating the ten percent (10%) cap for the Service Charge, the cost of taxes and insurance premiums shall not be included. The Common Area Expenses shall not include any costs incurred by Managing Agent for the services of a management company or for office overhead or compensation of its employees except to the extent included in the Service Charge. Further, although the Service Charge is a required item in the final approved Budget, as such an item it will not itself be subject to a service charge.

(d) **Billing.** Managing Agent shall bill the Owners of each Tract on a monthly basis in advance for one-twelfth (1/12) of their proportionate shares of all expenses included in the final approved Budget (including the Service Charge). Said bill shall be due and payable within thirty (30) days after receipt. The proportionate share of the total Common Area Expenses to be borne by the Owners of each Tract for any year shall be that percentage set forth below:

	Building Area (Excluding Expansion Area)	<u>Percent</u>
Tract 1	19,750 s.f. (2 Buildings)	35.99
Tract 2	4,731 s.f.	8.61
Tract 3	7,000 s.f.	12.76
Tract 4	6,069 s.f.	11.06
Tract 5	10,330 s.f.	18.82
Tract 6	7,000 s.f.	12.76
TOTAL:	54,880 s.f.	100.00

At such times as buildings are constructed on each Tract, the proportionate shares of Common Area Expenses for each Tract shall be adjusted to reflect the actual square footage of each building. Prior to the construction of a building on a Tract, the above percentages shall apply to said Tract. In the event any Owner expands its building into the Expansion Area shown on Exhibit "A", or if Declarant expands the Shopping Center or the Building Areas pursuant to Article 11, the above percentages shall be recalculated based upon any increase in the total Floor Area (excluding mezzanines and basements not used for the sale or display of merchandise) of said building from the figures set forth above.

(e) **Statements.** Within ninety (90) days following the end of each calendar year, Managing Agent shall furnish the Owners of each Tract a statement covering the Common Area Expenses for the year just expired, showing the actual Common Area Expenses for that year, the amount of each Owner's proportionate share of Common Area Expenses for that year, and the monthly payments made by each Owner during that year for the Common Area Expenses. Managing Agent shall deliver to all Owners copies of such additional documents and records concerning Common Area Expenses as are reasonably requested to verify the accuracy and content of the statements therefor. If the Owners' proportionate shares of the Common Area Expenses exceeds the Owners' prior payments, said Owners shall pay Declarant the deficiency within thirty (30) days after receipt of such annual statement. If the Owners' payments for the year exceed the Owners' actual share of the Common Area Expenses, the Owners will receive a credit against future Common Area Expenses.

(f) **Inspection of Records.** Any Owner may, upon not less than ten (10) days' prior written notice to the Managing Agent, inspect Managing Agent's records for all Common Area Expenses incurred during the preceding calendar year at Managing Agent's offices or at such other location reasonably designated by Managing Agent at any time during reasonable business hours within one (1) year after the end of said calendar year. If said inspection reveals an overpayment of Common Area Expenses (including the Service Charge), Managing Agent will credit such overpayment to future Common Area Expenses. If said inspection reveals an underpayment of Common Area Expenses (including the Service Charge, but excluding all expenses for which a statement was not timely submitted pursuant to Section 6.b(5)(d) and (e) above), the Owners shall reimburse Managing Agent their proportionate share of any such underpayment within thirty (30) days after receipt of proper billing in accordance with Section 6.b(5)(d) and (e). If said inspection reveals that Managing Agent misstated Common Area Expenses by more than five percent (5%), Managing Agent shall reimburse the Owner making such inspection for all costs reasonably incurred in making such inspection within thirty (30) days after receipt of notice of determination of any such misstatement. The Common Area Expenses for any calendar year shall be deemed correct if the Owners do not give Managing Agent written notice of any such overpayment within one (1) year and three (3) months after the end of the calendar year in question.

(g) **Lien for Common Area Expenses.** The Common Area Expenses shall be secured by a lien on each Tract which shall attach and be governed by the provisions of Section 15 (Remedies for Default; Claim of Lien; Waiver).

(h) **Taxes and Assessments.** The Owners agree to pay prior to delinquency all taxes and assessments levied or assessed against their respective Tracts. The Owners shall each have the right to contest the amount or validity of all or any part of the taxes and assessments which said Owners are required to pay.

7. **Signs.**

a. **Center Pylon Signs.** Subject to governmental approval, a free-standing sign shall be erected on the location designated "Center Pylon Sign" on Exhibit "A". The cost of constructing, installing, maintaining, repairing and replacing each Center Pylon Sign structure (excluding electrical hookup to the Common Area meter) shall be paid by each Tract Owner in the proportion that the total square footage of each party's designation or designations bears to the total square footage of all designations entitled to be displayed thereon. The Owner of each Tract displaying a designation on a Center Pylon Sign shall supply and maintain its own sign fascia and can. The design of each Center Pylon Sign structure shall be subject to the approval of Declarant, as shall be the size, design and location of the sign fascia used; provided, however, any business occupying not less than 5,000 square feet of Ground Floor Area may use such standard fascia as they from time to time use generally in carrying on their businesses.

b. **Monument Signs.** In addition to the foregoing Center Pylon Signs, and subject to governmental approval, each of the Owners of the Tracts shall have the right to erect a free-standing monument sign not to exceed _____ () feet in height and _____ () square feet of sign fascia per side ("Monument Sign") at each of the locations designated "Monument Sign Permitted" on Exhibit "A". Each Monument Sign shall display only the designation of the Owner or occupant of the Tract upon which the Monument Sign is located. The cost of constructing, installing, maintaining, repairing and replacing each Monument Sign structure shall be paid by the respective Owner of the Tract upon which the Monument Sign is located. The design of each Monument Sign structure and fascia used shall be subject to the approval of Declarant.

c. **Other Limitations.** There shall be no other signs, except directional signs and signs on buildings in the Shopping Center. All exterior building signs shall be restricted to identification of the business(es) or service(s) located or provided therein. No exterior building sign shall be placed on penthouse walls, extend above the building roof or be painted on the exterior building surface. No exterior building or free-standing sign shall utilize flashing, moving or audible lights or appurtenances.

8. **Indemnification/Insurance/Waiver of Subrogation.**

a. **Indemnification.** Each Tract Owner hereby agrees to indemnify and save the other Tract Owners harmless from any and all liability, damage, expense, causes of action, suits, claims or judgments of third parties arising from personal injury, death or property damage and occurring on or from its Tract, including the Common Area, except to the extent proximately caused, in whole or in part, by the act or omission of the party claiming indemnification hereunder.

b. **Insurance.**

(1) Each Tract Owner shall provide and maintain commercial general liability insurance with broad form coverage endorsement (including broad form property damage endorsement) covering its obligations under this Article 8 and insuring it against claims for personal injury, bodily injury or death, and property damage or destruction. Such insurance shall be written with an insurer licensed to do business in New Mexico and shall name the other Tract Owners as additional insureds. The limits of liability of all such insurance shall be not less than \$2,000,000 for personal injury or bodily injury or death of any one Person, \$2,000,000 for personal injury or bodily injury or death of more than one Person in one occurrence and \$2,000,000 with respect to damage to or destruction of property; or, in lieu of such coverage, a combined single limit (covering personal injury, bodily injury or death and property damage or destruction) with a limit of not less than \$2,000,000 per occurrence. Each Tract Owner shall furnish the other Tract Owners with certificates evidencing such insurance. The policies of such insurance shall provide that the insurance represented by such certificates shall not be canceled, materially changed or nonrenewed without the giving of thirty (30) days' prior written notice to the holders of such insurance and the holders of such certificates.

(2) At all times during the term of this ECR, each Tract Owner shall keep improvements on its Tract insured against loss or damage by fire and other perils and events as may be insured against under the broad form of Uniform Extended Coverage Clause in effect from time to time in the state in which the parties' respective properties are located, with such insurance to be for the full replacement value of the insured improvements.

(3) **Self-Insurance.** Each Tract Owner shall have the right to satisfy its insurance obligations hereunder by means of self-insurance to the extent of all or part of the insurance required hereunder, but only so long as the Tract Owner so self-insuring shall have a net worth of at least One Hundred Million Dollars (\$100,000,000.00), or if such self-insurance plan is furnished through a related entity of the Tract Owner, the entity furnishing such self-insurance shall have a net worth of at least One Hundred Million Dollars (\$100,000,000.00). Any Tract Owner providing self-insurance shall, upon request of any other Tract Owners, but not more than once annually, provide the other Tract Owners with a description of such self-insurance program, financial statements evidencing the required net worth, and evidence of any partial insurance coverage which may be supplementing any plan of partial self-insurance. Any deductible under any policy of insurance in excess of Five Thousand Dollars (\$5,000.00) shall be deemed self-insurance.

c. **Waiver of Subrogation.** Neither Declarant nor the other Tract Owners, their successors and assigns shall be liable to the other or to any insurance company (by way of subrogation or otherwise) insuring the other party for any loss or damage to any building, structure or other tangible property, or any resulting loss of income and benefits, even though such loss or damage might have been occasioned by the negligence of such party, its agents or employees if any such loss or damage is covered by insurance benefitting the party suffering such loss or damage or was required to be covered by insurance pursuant to this ECR. Declarant and the other Tract

Owners, their successors and assigns shall require their respective insurance companies to include a standard waiver of subrogation provision in their respective policies.

9. **Eminent Domain.**

a. **Owner's Right to Award.** Nothing herein shall be construed to give any Tract Owner any interest in any award or payment made to any other Tract Owner in connection with any exercise of eminent domain, condemnation or transfer in lieu thereof affecting said other Tract Owner's Tract or giving the public or any government any rights in said Tract. In the event of any exercise of eminent domain, condemnation or transfer in lieu thereof of any part of the Common Area, the award attributable to the land and improvements of such portion of the Common Area shall be payable only to the Owner thereof, and no claim thereon shall be made by the Owners of any other portion of the Common Area.

b. **Collateral Claims.** All other Owners of the Common Area may file collateral claims with the condemning authority for their losses which are separate and apart from the value of the land area and improvements taken from another Owner.

c. **Tenant's Claim.** Nothing in this Article 9 shall prevent a tenant from making a claim against a Tract Owner pursuant to the provisions of any lease between tenant and the Tract Owner for all or a portion of any such award or payment.

10. **Restoration of Shopping Center - Casualty or Eminent Domain.** In the event all or any portion of any building or the improvements in the Shopping Center is damaged or destroyed by fire or other casualty, or is taken or damaged as a result of the exercise of the power of eminent domain, condemnation or any transfer in lieu thereof, the Tract Owner shall promptly restore or cause to be restored: (i) the remaining portion of the improvements in the Common Area as nearly as practicable to the condition of the same immediately prior to such casualty or eminent domain, condemnation or transfer in lieu thereof, and (ii) the remaining portion of such building or, in lieu thereof, shall remove or cause to be removed the damaged portion of such building together with all rubble and debris related thereto. All Building Area on which buildings are not reconstructed following a casualty or eminent domain, condemnation or transfer in lieu thereof shall be graded or caused to be graded by the Owner of said Tract to the level of the adjoining property and in such a manner as not to adversely affect the drainage of the Shopping Center or any portion thereof, shall be covered by a one inch asphalt dust cap, crushed granite, neatly maintained lawn, or other means of dust/weed control as agreed to by Declarant, and shall be kept weed free and clean at said Tract Owner's sole cost and expense until buildings are reconstructed thereon.

11. **Expansion of Shopping Center.** Declarant shall have the right to expand the amount of real property constituting the Shopping Center and to which the ECR shall apply without the written approval of any Tract Owners or holders of first liens on the Property.

12. **Obligation of and Conditions to Release from Liability as to Successors and Assigns.** Declarant and all Tract Owners, their successors and assigns shall be bound by this ECR,

but only during the period such Persons own a fee or leasehold interest in such Tract or portion of the Tract, except as to obligations, liabilities or responsibilities that accrue during said period.

13. **Breach.** In the event of breach or threatened breach of this ECR, only the Declarant or all record Owners of each Tract as a group shall be entitled to give written notice of the alleged default and to institute proceedings for full and adequate relief from the consequences of said breach or threatened breach. The unsuccessful party in any such action shall pay to the prevailing party all costs of enforcement and/or recovery of damages, including reasonable attorneys' fees. The failure of the Declarant or the Owners of any of the Tracts to insist in any one or more cases upon the strict performance of any of the promises, covenants, conditions, restrictions or agreements herein, shall not be construed as a waiver or relinquishment of any future breach of the same or other provisions hereof.

14. **Remedies for Default; Claim of Lien; Waiver.** If the Owner of any Tract shall default in the full, faithful and punctual performance of any obligation hereunder, including the payment of Common Area Expenses, and if at the end of thirty (30) days after receipt of written notice from the Declarant, a Tract Owner or group of Tract Owners authorized under Article 14 to give notice of default, stating that: (i) the defaulting Tract Owner has failed to cure a monetary default ("Monetary Claims"), the amount due shall bear interest at fifteen percent (15%) per annum; or (ii) the defaulting Tract Owner has failed to cure a non-monetary default, or diligently commence a cure, then the Declarant, a Tract Owner or group of Tract Owners who gave the written notice of default shall, in addition to all other remedies available at law or in equity, have the right to perform such obligation of this ECR on behalf of such defaulting Tract Owner and be reimbursed by such defaulting Tract Owner for the cost thereof ("Reimbursement for Non-Monetary Claims") and the amount due shall bear interest at the rate of fifteen percent (15%) per annum. Except as to Tract 2 as provided for in Section 6.b(5)(g), any such claims (Monetary Claims or Reimbursement for Non-Monetary Claims), together with interest as aforesaid, shall be a secured claim and a lien shall attach and take effect upon recordation of a claim of lien by the claimant in the office of the county recorder of the county in which the land is located. The claim of lien shall include the following: (1) the name of the claimant or group of claimants, as the case may be; (2) a statement concerning the basis of the claim of lien; (3) the last known name and address of the Owner or reputed Owner of the Tract against which the lien is claimed; (4) a description of the Tract against which the lien is claimed; (5) a description of the monetary amount or work performed and reimbursement sought which has given rise to the claim of lien hereunder and a statement itemizing the amount thereof; and (6) a statement that the lien is claimed pursuant to the provisions of this ECR. The claim of lien shall be duly verified, acknowledged and contain a certificate that a copy thereof has been served upon the party against whom the lien is claimed, either by personal service or by mailing (first class, certified, or return receipt requested) to the defaulting Tract Owner, at the address for mailing of tax statements with respect to the property against which the lien is claimed. The lien so claimed shall attach from the date of recordation in the amount claimed thereby and it may be enforced in any manner allowed by law for the foreclosure of liens in New Mexico. Notwithstanding the foregoing, such claims of lien Monetary Claims and Reimbursement for Non-Monetary Claims shall be subordinate to any first mortgage or deed of trust given in good faith and for value now or hereafter encumbering the Shopping Center or any portion thereof, and any purchaser at any foreclosure or trustee's sale (as well as any grantee by deed in lieu of foreclosure or trustee's sale) under any first mortgage or deed of trust shall take free and clear from such then existing lien but otherwise subject to the provisions of this ECR. The failure of the Declarant or Owners of any of the Tracts subject to this ECR to insist in any one or more cases upon the strict performance of any of the promises, covenants, conditions, restrictions or agreements herein, shall not be construed as a waiver or relinquishment of any future breach of the same or other provisions hereof.

15. **Rights of Successors.** The easements, restrictions, benefits and obligations hereunder shall create mutual benefits and servitudes running with the land. This ECR shall bind and inure to the benefit of the parties hereto, their respective successors and assigns. Following the sale of all of its interest in all of the Tracts, the rights of the Declarant hereunder shall be exercised by a majority in ownership of the Tracts.

16. **Document Execution, Modification and Cancellation.** This ECR may be executed in multiple counterparts, each of which shall constitute a duplicate original, but all of which together shall constitute one and the same agreement. If this ECR is executed in multiple counterparts, the parties shall each execute and acknowledge said execution on counterpart signature pages and a manually executed counterpart signature page for each party shall be attached to a counterpart of this ECR and that counterpart, and only that counterpart to which are attached all of the manually executed counterpart signature pages, shall be filed of record with the County Clerk of Bernalillo County, New Mexico. This ECR (including exhibits) may be modified or canceled only by the mutual written agreement of: (a) Declarant; and (b) all of the Tract Owners.

17. **Non-Merger.** So long as a party hereto is a tenant of a Tract, this ECR shall not be subject to the doctrine of merger, even though the underlying fee ownership to the Tracts described herein is vested in such party.

18. **Rights and Obligations of Lienholders.** Except as otherwise provided in Article 14, the charges and burdens of this ECR are, and shall at all times be, prior and therefore superior to the lien or charge of any mortgage or deed of trust made in good faith and for value affecting the Tracts or any part thereof, or any improvements now or hereafter placed thereon; provided however, a breach of any of the easements, covenants or restrictions hereof shall not defeat or render invalid the lien or charge of any mortgage or deed of trust. Any Tract acquired through sale under foreclosure of any mortgage or deed of trust effected by powers of sale, judicial proceedings or otherwise, including, but not limited to, a deed in lieu of foreclosure, shall be subject to all of the charges and burdens of this ECR.

19. **Limitation on Indemnities.** To the extent, if at all, §56-7-1 N.M.S.A. 1978 is applicable to this ECR, no indemnity obligation provided in this ECR will extend to any liability, claims, damages, losses or expenses, including attorney's fees relating to the construction, installation, alteration, modification, repair, maintenance, servicing, demolition, excavation, drilling, reworking, grading, paving, clearing, site preparation or development of any real property or of any improvement on, above or under real property and arising out of (i) the preparation or approval of maps, drawings, opinions, reports, surveys, change orders, designs, or specifications by the indemnitee, or the agents or employees of the indemnitee, or (ii) the giving or the failure to give directions or instructions by the indemnitee, or the agents or the employees of the indemnitee where the giving or failure to give directions or instructions is the primary cause of bodily injury to Persons or damage to property.

20. **Not a Public Dedication.** Nothing herein contained shall be deemed to be a gift or dedication of any portion of the Common Area to the general public or for the general public or for any public purpose whatsoever, it being the intention of the parties hereto that this ECR shall be strictly limited to and for the purposes herein expressed. The right of the public or any Person to make any use whatsoever of the Common Area of a Tract, or any portion thereof (other than any use expressly allowed by a written or recorded map, agreement, deed or dedication) is by permission, and subject to the control of the Owner. Notwithstanding any other provisions herein to the contrary, the Owners of the Tract affected hereby may periodically restrict ingress and egress to and from the

EXHIBIT "A"

Site Plan

TO BE ATTACHED