MOVED BY COMMISSIONER OWENS
SECONDED BY COMMISSIONER BRISCOE MOTION PASSES UNANIMOUSLY

**Project # 1002941**
03EPC-01467 EPC Sector Development Plan
03EPC-01466 Zone Map Amendment

CONSENSUS PLANNING INC. agent for SUNSTATE REALTY request the above actions for all of Tract H20, **Riverview Subdivision**, a zone map amendment from RO-1 to RA-2, located at the southwest corner of Eagle Ranch Rd. and Coors Blvd. NW, containing approximately 5 acres. (C-12) (Carmen Marrone, Staff Planner) **(DEFERRED TO NOVEMBER 20, 2003)**

NOW, THEREFORE, BE IT RESOLVED THAT the Environmental Planning Commission voted to defer Project 1002941/ 03EPC-01467 EPC Sector Development Plan and 03EPC-01466 Zone Map Amendment to the Environmental Planning Commission Public Hearing on November 20, 2003 at the request of staff.

MOVED BY COMMISSIONER OWENS
SECONDED BY COMMISSIONER BRISCOE MOTION PASSES UNANIMOUSLY

**03EPC- 01462 Project # 1002525**
03DRB-01263 Major-Preliminary Plat Approval

Marie Weingardt, appeals the Development Review Board's approval of the above action(s) for all or a portion of Lot(s) 10-23, Block(s) 19, Tract(s) 3, NORTH ALBUQUERQUE ACRES, UNIT 3, (to be known as **VINEYARD COURT ESTATES**) zoned R-D residential and related uses zone, developing area, located on HOLLY AVE NE, between VENTURA ST NE and HOLBROOK ST NE containing approximately 14 acre(s). [REF: 03DRB-00367-70, 02EPC-01353 & 54](G-13) **(WITHDRAWN)**

NOW, THEREFORE, BE IT RESOLVED THAT the Environmental Planning Commission voted to accept withdrawal of Project 1002525/ 03DRB-01263 Major-Preliminary Plat Approval at the request of the applicant.

MOVED BY COMMISSIONER OWENS
SECONDED BY COMMISSIONER BRISCOE MOTION PASSED UNANIMOUSLY

#15

RD Close out plans
SAM

# 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.: **03-01852 (FP)** | Project # **1002525** |
| Project Name: **VINEYARD COURT ESTATES** | EPC Application No.: 02EPC-01353 & 01354 |
| Agent: Jeff Mortensen & Associates | Phone No.: 345-4250 |

Your request for (**SDP for SUB), (SDP for BP), (FINAL PLATS), (MASTER DEVELOP. PLAN),** was approved on 11/5/03 by the DRB with delegation of signature(s) to the following departments.
**OUTSTANDING SIGNATURES COMMENTS TO BE ADDRESSED**

Project Number 1002525

- ☐ TRANSPORTATION: _____
  - ☐ _____
  - ☐ _____
  - ☐ _____
  - ☐ _____
- ☐ UTILITIES: _____
  - ☐ _____
  - ☐ _____
  - ☐ _____
  - ☐ _____
- ☐ CITY ENGINEER / AMAFCA: _____
  - ☐ _____
  - ☐ _____
  - ☐ _____
  - ☐ _____
- ☐ PARKS / CIP: _____
  - ☐ _____
  - ☐ _____
  - ☐ _____
  - ☐ _____
- ☒ PLANNING (Last to sign): Real Property, AMAFCA, P. Walls
  - ☒ **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.** OK
  - ☐ **Copy of recorded plat for Planning.**

#15

2525

# AGIS ELECTRONIC SUBMITTAL CHECKLIST

DRB Project# 1002525 Subdivision Name Vineyard Court Estates

Surveyor Charles G. Cala Company JMA

Contact person Debie Trujillo Phone # 345-4256 email

Colleen E. Gwiner _____ 11/5/03

Approved *Not Approved Date

✓ DXF RECEIVED 11/5/03 DATE
✓ HARD-COPY RECEIVED 11/5/03 DATE
✓ DISCLOSURE STATEMENT

NAD 1927 ground distances rotated to grid

***Not Approved for one or more of the following reasons:**

**File Format and naming**

1) ____ Format is not DXF file in ASCII format
2) ____ No hard copy of the final plat submitted
3) ____<DRB Project #>.dxf not used as a standard naming convention

**Coordinate System**

4) ____Submittal does not include a disclosure of the datum (NAD27 or NAD83)
5) ____Submittal does not specify if coordinates are based on ground or grid distances
6) ____Submittal does not include information, such as a tie to an ACS monument, necessary to convert from ground to grid
7) ____Lines cannot be projected/converted to correct location in NAD83 NMSP coordinate system

**Content**

8) ____ Submittal is not single drawing in model space showing only parcel and easement lines
9) ____ Digital submittal does not match final plat
10) ____ Parcel lines are not in one separate layer
11) ____ Access easement lines and all other easements that are 20 feet wide or greater are not in a second separate layer
12) ____ All other easement lines are not in a third separate layer

Comments:

AGIS Use Only: Copied cov_____ to agiscov on_____ Client Notified_____

## MINOR PLATS, FINAL (MAJOR) PLATS, AMENDED PLATS

14. **Project # 1000296**
03DRB-01866 Minor-Ext of SIA for Temp Defer SDWK

BOHANNAN HUSTON INC. agent(s) for ALTURA WEST LTD., CO. request(s) the above action(s) for all or a portion of **Tract(s) E, OXBOW VILLAGE SUBDIVISION,** zoned SU-3, located on OXBOW DR NW, between OXBOW VILLAGE LANE NW and COORS BLVD NW (G-11) **A TWO-YEAR EXTENSION TO THE FOUR-YEAR AGREEMENT FOR THE DEFERRAL OF SIDEWALKS WAS APPROVED.**

03DRB-01867 Minor-Ext of SIA for Temp Defer SDWK

BOHANNAN HUSTON INC. agent(s) for ALTURA WEST, LTD., CO. request(s) the above action(s) for all or a portion of **Tract(s) B-1, OXBOW PARK,** zoned SU-3, located on ST. JOSEPH DR NW, between COORS BLVD and ALAMAGORDO DR NW containing approximately 12 acre(s). [REF: 02500 00234, 02400-00544] (G-11) **A TWO-YEAR EXTENSION TO THE FOUR-YEAR AGREEMENT FOR THE DEFERRAL OF SIDEWALKS WAS APPROVED.**

15. **Project # 1002525**
03DRB-01852 Minor-Final Plat Approval

JEFF MORTENSEN & ASSOCIATES, INC., agent(s) for HOECH REAL ESTATE CORPORATION, request(s) the above action(s) for all or a portion of Lot(s) 10-23, Block(s) 19, (to be known as **VINEYARD COURT ESTATES**) NORTH ALBUQUERQUE. ACRES, UNIT 3, TRACT 3, Block(s) 19, zoned R-D residential and related uses zone, developing area, located on HOLLY AVE NE, between VENTURA ST NE and HOLBROOK ST NE containing approximately 14 acre(s). [REF: 03DRB-00367 thru 00370, 02EPC-01353 & 01354] (C-20) **FINAL PLAT WAS APPROVED WITH FINAL SIGN OFF DELEGATED TO PLANNING FOR APPROVAL OF DESIGN ELEVATIONS AND CROSS SECTIONS OF PERIMETER WALLS BY THE DRB CHAIR.**

16. **Project # 1001396**
03DRB-01860 Minor-Extension of Preliminary Plat

MARK GOODWIN & ASSOCIATES, agent(s) for VISTA DEL NORTE DEVELOPMENT LLC request(s) the above action(s) for all or a portion of Tract(s) T-2-B, **VISTA DEL NORTE,** zoned R-LT residential zone, located on VISTA DEL NORTE DR NE, between VISTA MONTE DR NE and LAS LOMITAS DR NE containing approximately 13 acre(s). [REF: 02DRB-01871 EPP, 1000533, DRB-98-374, Z-95-73] (D-16) **A ONE YEAR EXTENSION OF THE PRELIMINARY PLAT WAS APPROVED WITH CONDITION: PRIOR TO FINAL PLAT, ADEQUATE ACCESS NEEDS TO BE PROVIDED IN ACCORDANCE WITH THE TIS (TRAFFIC IMPACT STUDY) AND ALL AMENDMENTS TO THAT STUDY. THIS APPROVAL INCLUDES EXTENSION OF THE INFRASTRUCTURE LIST DATED 1/2/02.**

17. **Project # 1002243**
03DRB-01856 Minor-Final Plat Approval

MARK GOODWIN & ASSOCIATES, agent(s) for MOR LAND INC. request(s) the above action(s) for all or a portion of Tract(s) 463, **TOWN OF ATRISCO GRANT, UNIT 7,** zoned R-D residential and related uses zone, developing area, 9 DU/AC, located on 82$^{ND}$ ST SW, between SAGE RD SW and SAN YGNACIO RD SW containing approximately 5 acre(s). [REF: 02EPC-01460, 02DRB-01828, 03DRB-00121 PP] (L-10) **FINAL PLAT WAS APPROVED AND SIGNED OFF BY THE BOARD.**

18. **Project # 1001999**
03DRB-01871 Minor-Prelim&Final Plat Approval

ADVANCED ENGINEERING & CONSULTING, LLC agent(s) for FRANCISCO L. MELENDEZ request(s) the above action(s) for all or a portion of Lot(s) 13-A & 14-A, **RAYNOLDS ADDITION,** zoned SU-2 special neighborhood zone, MFR, located on 11$^{TH}$ ST SW, between SILVER AVE SW and GOLD AVE SW containing approximately 0.1625 acre(s). [REF: ZA-94-76, 02ZHE-00937 (1002035), 02DRB-01614 (P&F)] (K-13) **INDEFINITELY DEFERRED AT THE AGENT'S REQUEST.**

19. **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) **THE PRELIMINARY PLAT WAS APPROVED WITH FINAL SIGN OFF DELEGATED TO PLANNING FOR AGIS DXF FILE.**

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

20. **Project # 1003084**
03DRB-01859 Minor-Sketch Plat or Plan

MARCELA CASTILLO request(s) the above action(s) for all or a portion of Lot(s) 3, Block(s) 7, **BROADWAY PLACE EXTENSION,** zoned SU-2 special neighborhood zone, MR, located on WHEELER AVE SE and SAN JOSE AVE SE containing approximately .135 acre(s). (M-14) **THE ABOVE REQUEST WAS REVIEWED AND COMMENTS WERE GIVEN.**

21. **Project # 1003085**
03DRB-01863 Minor-Sketch Plat or Plan

GEORGE L. CARRUTHERS agent(s) request(s) the above action(s) for all or a portion of Lot(s) B, **PLAT OF LOTS A & B, LANDS OF CARRUTHERS,** zoned RT, located on OLD TOWN ROAD NW, between 17th ST NW and 19th ST NW containing approximately .275 acre(s). (J-13) **THE ABOVE REQUEST WAS REVIEWED AND COMMENTS WERE GIVEN.**

22. **Project # 1003088**
03DRB-01870 Minor-Sketch Plat or Plan

WAYJOHN SURVEYING INC. agent(s) for DAVID DUNAWAY & NINA WALLERSTEIN request(s) the above action(s) for the East ½, Tract 40, **ALVARADO GARDENS, UNIT 2,** zoned RA-2 - W7, located on CAMPBELL RD NW, between RIO GRANDE BLVD NW and GLENWOOD RD NW containing approximately 2 acre(s). (G-12) **THE ABOVE REQUEST WAS REVIEWED AND COMMENTS WERE GIVEN.**

23. **Project # 1002778**
03DRB-01868 Minor-Sketch Plat or Plan

BOHANNAN HUSTON INC. agent(s) for VENTANA WEST LLC request(s) the above action(s) for all or a portion of Tract(s) A-1, **VENTANA RANCH WEST,** zoned R-LT, located WEST OF VENTANA RANCH SUBDIVISION, between PASEO DEL NORTE BLVD NW and IRVING BLVD NW containing approximately 290 acre(s). (B-8) **THE ABOVE REQUEST WAS REVIEWED AND COMMENTS WERE GIVEN.**

24. **Project # 1003087**
03DRB-01869 Minor-Sketch Plat or Plan

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, **WESTLAND NORTH,** zoned SU-2 for PDA for Residential Resort, located on TIERRA PINTADA ST NW and 98th ST NW containing approximately 47 acre(s). (H-9) **THE ABOVE REQUEST WAS REVIEWED AND COMMENTS WERE GIVEN.**

25. Approval of the Development Review Board Minutes for October 22, 2003. **THE MINUTES WERE APPROVED SUBJECT TO CHANGES BY THE BOARD.**

ADJOURNED: 1:15 P.M.

# DEVELOPMENT REVIEW BOARD
# ACTION SHEET

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

November 5, 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: 1:15 P.M.

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

1. **Project # 1000922**
   03DRB-01725 Major-Bulk Land Variance
   03DRB-01726 Major-Vacation of Pub Right-of-Way
   03DRB-01727 Major-Vacation of Public Easements
   03DRB-01728 Minor-Prelim&Final Plat Approval

   WILSON & COMPANY agent(s) for LEGACY SUSTAINABLE DEVELOPMENT, request(s) the above action(s) for all or a portion of **VOLCANO CLIFFS SUBDIVISION, UNIT 20**, LOTS 1-30, BLOCK 1, LOTS 1-38, BLOCK 2, LOTS 1-62, BLOCK 3, LOTS 1-14, BLOCK 4 AND LOTS 1-22, BLOCK 5 *AND* **VOLCANO CLIFFS SUBDIVISION, UNIT 21**, ALL BLOCKS AND LOTS *AND* **VOLCANO CLIFFS SUBDIVISION, UNIT 23**, LOTS 1-10, BLOCK 1, LOTS 1-13, BLOCK 2, LOTS 1-21, BLOCK 3, LOTS 1-51, BLOCK 4, LOTS 1-27, BLOCK 5, LOTS 1-6, BLOCK 6, LOTS 1-28, BLOCK 7 AND LOTS 1-7, BLOCK 8 *AND* **VOLCANO CLIFFS SUBDIVISION, UNIT 27**, LOTS 16-18 AND 22, BLOCK 2, LOTS 1-8, BLOCK 4 AND LOTS 1-7, BLOCK 5, (to be known as **LA CUENTISTA SUBDIVISION**) zoned R-1, located on the east and west sides of Unser Blvd NW (Kimmick) between Urraca NW and Calle Norteña NW, containing approximately 237 acres. [REF: DRB-97-78, V-97-116, 02DRB-01783, 02DRB-01785] (C-10/11 & D-10/11) **COMMENTS WERE GIVEN.**

2. **Project # 1002565**
03DRB-01733 Major-Preliminary Plat Approval
03DRB-01730 Minor-SiteDev Plan Subd/EPC
03DRB-01731 Minor-SiteDev Plan BldPermit/EPC
03DRB-01732 Minor-Temp Defer SDWK

MARK GOODWIN & ASSOCIATES agent(s) for LOS GRIEGOS DEVELOPMENT, LLC request(s) the above action(s) for Lots 161A, 161B1, 161B2, 162A, 162B, 163A, 166A, 166B, 167A, MRGCD MAP 31, (to be known as **VILLA DE LA CAPILLA**) zoned RA-2, located on GRIEGOS RD NW, between SAN ISIDRO ST NW and the GRIEGOS DRAIN containing approximately 5 acre(s). [REF: 03EPC 00506, 00505, 00509] **[Simon Shima, EPC Case Planner]** (F-13) **WITH THE SIGNING OF THE INFRASTRUCTURE LIST DATED 11/5/03 AND APPROVAL OF THE GRADING PLAN ENGINEER STAMP DATED 9/19/03 THE PRELIMINARY PLAT WAS APPROVED WITH CONDITION: THE SITE DISTANCE AT CAMINO CAPILLA NW AND GRIEGOS NW WILL BE CORRECTED. THE SITE PLAN FOR SUBDIVISION AND THE SITE PLAN FOR BUILDING PERMIT WERE APPROVED AND SIGNED OFF BY THE BOARD. THE TEMPORARY DEFERRAL OF CONSTRUCTION OF SIDEWALKS ON THE INTERIOR STREETS WAS APPROVED AS SHOWN ON EXHIBIT C IN THE PLANNING FILE.**

3. **Project # 1002775**
03DRB-01703 Major-Vacation of Pub Right-of-Way

KEVIN & MARY MURTAGH request(s) the above action(s) for all or a portion of Lot(s) 1 & 2, Block(s) 39, **PEREA ADDITION,** zoned SU-2 TH, located on GRANITE (SOUTH PORTION) NW, between 12$^{TH}$ ST NW and 13$^{TH}$ ST NW containing approximately .16 acre(s). [REF: 03DRB-01042 (SK)] (J-13) **THE VACATION WAS APPROVED AS SHOWN ON EXHIBIT B IN THE PLANNING FILE.**

4. **Project # 1000875**
03DRB-01747 Major-Preliminary Plat Approval
03DRB-01748 Minor-Temp Defer SDWK

COMMUNITY SCIENCES CORPORATION agent(s) for FINELAND LLC & KB HOME NM request(s) the above action(s) for all or a portion of Tract(s) F & E, FINELAND DEVELOPMENT, (to be known as **CRESTVIEW SUBDIVISION**) zoned SU-1 for R-2, located on MCMAHON BLVD NW, between UNSER BLVD NW and TUSCANY DR NW containing approximately 11 acre(s). [REF: 03EPC-01095, 100875, 100898] *[Deferred from 11/5/03]* (A-11) **DEFERRED AT THE AGENT'S REQUEST TO 11/12/03.**

5. **Project # 1003029**
03DRB-01734 Major-Bulk Land Variance
03DRB-01735 Minor-Prelim&Final Plat Approval

ALDRICH LAND SURVEYING, INC. agent(s) for CURB, INC. request(s) the above action(s) for all or a portion of Tract(s) 14, 15 & 16, **EL RANCHO GRANDE SUBDIVISION,** and Tract(s) A-2, ROSNER TRACT, Tract(s) 4-A, SALAZAR-DAVIS TRACTS AND TRACTS 32H-1-A, 33C-1-B & 4-A-1, LANDS OF CURB INC., zoned R-LT, located on GIBSON BLVD SW, between MESSINA DR SW and 98$^{TH}$ ST SW containing approximately 62 acre(s). [REF: 1002516, 03DRB-00331, 03DRB-00332, 1001594, 02DRB-01621, 02DRB-01622, 02DRB-01623] (N-8/N-9) **THE BULK LAND VARIANCE WAS APPROVED. PRELIMINARY PLAT WAS APPROVED WITH FINAL PLAT SIGN OFF DELEGATED TO PLANNING FOR THE 15-DAY APPEAL PERIOD.**

6. **Project # 1003031**
03DRB-01741 Major-Preliminary Plat Approval
03DRB-01742 Major-Vacation of Pub Right-of-Way
03DRB-01743 Major-Vacation of Public Easements
03DRB-01744 Minor-Sidewalk Waiver
03DRB-01745 Minor-Temp Defer SDWK
03DRB-01746 Minor-Vacation of Private Easements

BOHANNAN HUSTON INC. agent(s) for CURB INC. request(s) the above action(s) for all or a portion of Tract(s) 14, **EL RANCHO GRANDE, UNIT 14,** zoned R-LT, located on GIBSON BLVD SW, between BLAKE RD SW and MESSINA DR SW, containing approximately 23 acre(s). *[Deferred from 11/5/03]* (N-8, N-9) **DEFERRED AT THE AGENT'S REQUEST TO 11/26/03.**

7. **Project # 1003030**
03DRB-01738 Major-Vacation of Pub Easements
03DRB-01737 Major-Preliminary Plat Approval
03DRB-01739 Minor-Sidewalk Waiver
03DRB-01740 Minor-Temp Defer SDWK

BOHANNAN HUSTON INC. agent(s) for CURB INC. request(s) the above action(s) for all or a portion of Tract(s) 15, **EL RANCHO GRANDE SUBDIVISION, UNIT 15,** zoned R-LT, located on GIBSON BLVD SW, between BLAKE RD SW and MESSINA DRIVE SW containing approximately 23 acre(s). *[Deferred from 11/5/03]* (N-8, N-9) **DEFERRED AT THE AGENT'S REQUEST TO 11/26/03.**

8. **Project # 1002971**
03DRB-01567 Major-Vacation of Public Easements
03DRB-01568 Major-Vacation of Public Easements
03DRB-01569 Major-Vacation of Public Easements
03DRB-01570 Minor-Vacation of Private Easements
03DRB-01566 Minor-Prelim&Final Plat Approval

SURVEYS SOUTHWEST agent(s) for WEFCO PARTNERS request(s) the above action(s) for all or a portion of Tract(s) 4B, 4-A-1, 5-B-1 and 5-B-2, **V. E. BARRETT SUBDIVISION AND LANDS OF WEFCO,** zoned C-2 community commercial zone, located on CENTRAL AVE SW, between UNSER BLVD SW and 86TH ST SW containing approximately 15 acre(s). [REF: V-79-19, V-88-3, V-86-58] *[Deferred from 10/15/03 & 11/5/03]* (K-10) **DEFERRED AT THE AGENT'S REQUEST TO 11/19/03.**

03DRB-01692 Minor-SiteDev Plan Subd

DENISH KLINE ASSOCIATES INC agent(s) for WEFCO PARTNERS INC request(s) the above action(s) for all or a portion of Tract(s) 4-B, 4-A-1, 5-B-1 AND 5-B-2, **BARRETT SUBDIVISION, LANDS OF WEFCO,** zoned C-2 community commercial zone, located on CENTRAL AVE SW, between UNSER BLVD SW and 86TH ST SW containing approximately 15 acre(s). [REF: V-88-3, 03DRB-01567, 03DRB-01568, 01569, 03DRB-01566, 01570] *[Deferred from 10/15/03 & 11/5/03]* (K-10) **DEFERRED AT THE AGENT'S REQUEST TO 11/19/03.**

9. **Project # 1002928**
03DRB-01532 Major-Preliminary Plat Approval
03DRB-01534 Minor-Temp Defer SDWK
03DRB-01536 Minor-Sidewalk Waiver

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) D** (to be known as **TAOS @ THE TRAILS**, The Trails (a portion of Tract 4, Black Ranch) zoned R-D residential and related uses zone, developing area, located on RAINBOW BLVD NW, between PASEO DEL NORTE BLVD NW and UNIVERSE BLVD NW containing approximately 20 acre(s). REF: 03DRB-01429 (SK)] *[Deferred from 10/8/03 & 11/5/03]* (C-9) **DEFERRED AT THE AGENT'S REQUEST TO 11/19/03.**

10. **Project # 1002929**
03DRB-01531 Major-Preliminary Plat Approval
03DRB-01533 Minor-Temp Defer SDWK
03DRB-01535 Minor-Sidewalk Waiver

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) C** (to be known as **SANTA FE @ THE TRAILS) The Trails (portion of Tract 4, Black Ranch)** zoned R-D, located on RAINBOW BLVD NW, between PASEO DEL NORTE BLVD NW and UNIVERSE BLVD NW containing approximately 17 acre(s). *[Deferred from 10/8/03 & 11/5/03]* (C-9) **DEFERRED AT THE AGENT'S REQUEST TO 11/19/03.**

11. **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) **BULK LAND VARIANCE WAS APPROVED. THE PRELIMINARY PLAT WAS APPROVED WITH FINAL PLAT SIGN OFF DELEGATED TO PLANNING FOR AMAFCA SIGNATURE AND AGIS DXF FILE AND 15-DAY APPEAL PERIOD.**

12. **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 98$^{TH}$ ST NW, between I-40 NW and LADERA DR NW containing approximately 35 acre(s). *[Deferred from 10/8/03, 10/22/03 & 11/5/03]* (J-8) **DEFERRED AT THE AGENT'S REQUEST TO 11/26/03.**

13. **DRB-97-165**
**V-97-507**

Tierra West Development Management Services, agents for Tim Eichenberg, request **Vacation (voiding) of Public Power Line Easement, Site Development Plan Final Sign Off (for EPC) plus Sketch Plat Review and Comment** for Tracts B and C, Blocks 2 and 7, **WELLS SANDIA MANOR**, zoned SU-1/PRD (City) and located on Trimble Blvd NE and Camino de la Sierra NE between I-40 and Arcadia Rd NE containing approximately 4.90 acres. [FIRST TIME ON THE AGENDA 5/6/97] [Z-96-25] DEFERRED FROM 5/24/00, DEFERRED AT THE AGENT'S REQUEST FROM 7/26/00 TO 9/13/00 TO WORK WITH STATE HIGHWAY DEPARTMENT WHICH HAS BEEN AN ONGOING PROCESS SINCE 5/6/97] [DEFERRED AT THE AGENT'S REQUEST FROM 9/13/00 TO 9/20/00 TO WORK WITH THE STATE HIGHWAY DEPARTMENT, DEFERRED AT THE APPLICANT'S REQUEST FOR ONE-YEAR FROM 11/8/00 TO 11/7/01] [DEFERRED AT THE AGENT'S REQUEST FOR ONE-YEAR FROM 11/7/01 TO 11/6/02] [DEFERRED AT THE AGENT'S REQUEST FOR ONE-YEAR FROM 11/6/02 TO 11/5/03] [Deferred from 11/5/03] (L-23) **DEFERRED AT THE AGENT'S REQUEST TO 1/7/04.**

**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.

**THERE ARE NO SITE PLANS THIS WEEK. . . .**

**CITY OF ALBUQUERQUE**
**PLANNING DEPARTMENT**
**Development Review Board**
**November 5, 2003 Comments**

**ITEM #** 15

**PROJECT #** 10002525 **APPLICATION #** 03DRB-01852

**RE: Vineyard Court Estates/final plat**

No objection to final plat approval. Planning must record this plat as it is a major subdivision & it completes vacation of public right of way.

Planning will take delegation on the final plat for AGIS dxf approval and perimeter wall approval if necessary.

Sheran Matson, AICP DRB Chair
924-3880 Fax 924-3864 smatson@cabq.gov

#15

# 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.: **03-01852 (FP)** | Project # **1002525**

Project Name: **VINEYARD COURT ESTATES** | EPC Application No.: 02EPC-01353 & 01354

Agent: Jeff Mortensen & Associates | Phone No.: 345-4250

Your request for (**SDP for SUB), (SDP for BP), (FINAL PLATS), (MASTER DEVELOP. PLAN)**, was approved on 11/5/03 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): Real Property, AMAFCA, Parks
  - ☒ **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.** OK
  - ☐ **Copy of recorded plat for Planning.**

Project Number 1002525

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: 1002525** **AGENDA ITEM NO: 15**

**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 executed Subdivision Improvements Agreement with financial guarantees is on file for Final Plat 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**: November 5, 2003

THE CITY OF ALBUQUERQUE IS AN EQUAL OPPORTUNITY/REASONABLE ACCOMMODATION EMPLOYER

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

Marie Weingardt
9406 Carmel NE
Albuquerque, NM 87122

Appeal withdrawn

Date: October 17, 2003

**OFFICIAL NOTIFICATION OF DECISION**

FILE: **03EPC- 01462 Project # 1002525**
03DRB-01263 Major-Preliminary Plat Approval

LEGAL DESCRIPTION: for all or a portion of Lot(s) 10-23, Block(s) 19, Tract(s) 3, NORTH ALBUQUERQUE ACRES, UNIT 3, (to be known as **VINEYARD COURT ESTATES**) zoned R-D residential and related uses zone, developing area, located on HOLLY AVE NE, between VENTURA ST NE and HOLBROOK ST NE containing approximately 14 acre(s). [REF: 03DRB-00367-70, 02EPC-01353 & 54](G-13)

On October 16, 2003 the Environmental Planning Commission voted to accept withdrawal of Project 1002525/ 03DRB-01263 Major-Preliminary Plat Approval at the request of the applicant.

Sincerely,

For Russell Brito
Victor J. Chavez
Planning Director

VJC//ac

cc: Desert Ridge Development LLC, 8300 Carmel Ave NE, Suite 601, Albuquerque, NM 87122
Jeff Mortensen & Associates Inc., 6010-B Midway Park Blvd NE, Albuquerque, NM 87109

# NOTICE OF HEARING

September 5, 2003

Marie Weingardt
9406 Carmel NE
Albuquerque, NM 87122

**RE: APPEAL 03EPC-01462 /PROJECT #1002525** (CASE WAS HEARD UNDER APPLICATION #03-01263 (Preliminary Plat approval)

Dear Ms. Weingardt:

The above referenced appeal, which was filed September 2, 2003, has been **scheduled** to be heard before the Environmental Planning Commission (EPC) on **Thursday, October 16, 2003 at 8:30 A.M.**

The meeting will be held in the **Plaza del Sol Hearing Room, Basement, Plaza del Sol Building, 600 2nd Street, NW, 87102.**

Approximately one week prior to the hearing, you will receive a copy of the agenda and a staff report. **THIS WILL SHOW YOU WHERE YOUR CASE WILL BE ON THE AGENDA.**

If you have any questions, please contact Claire Senova, Administrative Assistant at 924-3946.

Sincerely,

Sheran Matson

Sheran Matson, AICP, Chair, Development Review Board

cc: Desert Ridge Development LLC, 8300 Carmel Ave NE, Suite 601, 87122
Jeff Mortensen & Associates Inc., 6010-B Midway Park Blvd NE, 87109
Don Newton, Office of Neighborhood Coordination,
File

## DRB MINUTES FROM THE AUGUST 20, 2003, DEVELOPMENT REVIEW BOARD MEETING.

**7. Project # 1002525**
03DRB-01263 Major-Preliminary Plat Approval
03DRB-01264 Minor-Temp Defer SDWK

JEFF MORTENSEN & ASSOCIATES, INC., agent(s) for DESERT RIDGE DEVELOPMENT, LLC request(s) the above action(s) for all or a portion of Lot(s) 10-23, Block(s) 19, Tract(s) 3, NORTH ALBUQUERQUE ACRES, UNIT 3, (to be known as **VINEYARD COURT ESTATES**) zoned R-D residential and related uses zone, developing area, located on HOLLY AVE NE, between VENTURA ST NE and HOLBROOK ST NE containing approximately 14 acre(s). [REF: 03DRB-00367-70, 02EPC-01353 & 54](G-13)

PERSONS SPEAKING ON BEHALF OF THE REQUEST:

Chuck Cala, Jeff Mortensen & Associates Inc., 6010-B Midway Park Blvd NE, 87122
Debie LeBlanc Trujillo, Jeff Mortensen & Associates Inc., 6010-B Midway Park Blvd NE, 87122
Justin Hoech, Desert Ridge Development LLC, 8300 Carmel Ave NE, Suite 601, 87122

PERSONS SPEAKING IN OPPOSITION:

Marie Weingardt, 9406 Carmel NE, 87122

CHAIR MATSON: We are on Agenda Item 7, Project #1002525, Vineyard Court Estates.

ALL PARTIES WERE SWORN IN.

CHAIR MATSON: If each of you would state your names for the record please.

MR. CALA: I'm Chuck Cala with Jeff Mortensen & Associates.

MR. HOECH: Justin Hoech with Hoech Real Estate Corporation.

MS. TRUJILLO: Debie Trujillo with Jeff Mortensen & Associates.

CHAIR MATSON: If one of you would explain why you are here today please.
MS. WEINGARDT: Excuse me, I'm one of the neighbors who lives across the street from this.

CHAIR MATSON: If you will sign the sheet right there. As soon as they go through their presentation I'll call you up.

MS. WEINGARDT SIGNED IN AND WAS SWORN IN.

MS. TRUJILLO: On behalf of our client Hoech Real Estate Corporation we are requesting Preliminary Plat and Grading Plan approval for Vineyard Court Estates. This will consist of 48 new residential lots from the existing 4 North Albuquerque Acre lots. We are also requesting temporary deferral of interior sidewalks to avoid their damage during construction. These vacations that were associated with the case were approved on April 2, 2003 by the Development Review Board.

CHAIR MATSON: I didn't see any adverse comments from other agencies.

MS. TRUJILLO: I have one more thing to address. We have been in contact with Mr. Green and Mr. Bingham regarding the infrastructure list and those changes have been made. I do have the original and a copy for Mr. Green and for the DRB Board or if you want the original.

CHAIR MATSON: I think we'll wait just a minute for Brad (Bingham) to come back. You can come up now if you'd like Ms. Weingardt.

MS. WEINGARDT: I'll come up later.

CHAIR MATSON: Okay, well I'm going to call you because here he is. Why don't you come up and please make sure you speak into one of the microphones please.

MS. WEINGARDT: I guess the reason I'm here is to express some concerns that I have. I'm not quite sure I understand what's being requested today. I live on Carmel, which is the street that is directly across or behind this development, whichever way you want to look at it. My concerns are currently there is development going on this street. The streets been appropriated by the City. That development has from the beginning resulted in very severe impacts to me as a resident of the street. I either have too much dust or just mud. The road in front of my house, when I guess the grading equipment does its work, they leave the foot of my driveway with ridges and humps and I can hardly get out of my driveway. So my concern with whatever is being requested today is number 1, I don't want construction traffic from this development diverted onto this dirt road that is in front of my home. I'm saying that because I am currently experiencing the problems for this development that is happening west of where I live. All the construction traffic is going in front of my house. I had several huge trucks with hoppers behind them barreling down this dirt road at 30 to 40 miles per hour at seven o'clock in the morning. I'm coming out of my house and this driver does not stop.

MS. WEINGARDT: Drives me off the road. Flips me off because I dare to be getting out on the road. I don't want whatever is going to happen across the street to continue in this fashion. It is not fair to me as a resident of this street.

Second, I am concerned about whatever this approval is asking for having whatever enclosure is around this development. I have no description of what that's going to look like because it's going to be facing directly across from my house. I don't know what this wall is going to look like. I don't know what the landscape is going be. I don't know what the lighting is going to be. I don't know who is going to maintain this enclosure. Right now, the development to the west, which also was done by the same developer, there are, I guess you can call them security lights, that come on at night and stay on all night and shine inside my house. I don't want that to happen also across the street.

CHAIR MATSON: They are not attached to a specific dwelling?

MS. WEINGARDT: They are lights that people have put in their homes, I don't know.

CHAIR MATSON: All right.

MS. WEINGARDT: Whatever the requirements are for this development, I would like to make sure whatever houses are built, people don't put lights that shine in my house all night long the way the development to the west was done.

My other concerns are dealing with having traffic diverted from this development onto my street. Right now I have very, very little traffic. I can see with the development to the west and the development across the street from me, I can see my house and the front of my road just becoming a thoroughfare for people driving up and down all the time. While people who live in the City deal with traffic all the time, I wasn't living in the City until this development was approved. I would like to have traffic minimized. I know I can't eliminate it, but I don't want to have the front of my house be a thoroughfare. Right now my children, my pets can't be on this road. I'm almost a prisoner in my house right now. These are my concerns and I don't know if this is related to what's being approved or requested today. This was the first time I've ever received any notice of things going on in front of my house that severely affected me. I wanted to come and express my concerns and issues and I would like to ask that somehow they be addressed, considered, and some consideration and fairness be afforded to me.

CHAIR MATSON: With regard to Carmel Road you're saying that you object to the traffic, is that mainly because it's still muddy and dusty and not totally improved? You do realize that once development occurs out there and the roads get paved or whatever then there is going to be more traffic probably then there is now.

MS. WEINGARDT: I know that but that was approved without me being aware of it. Not only is there going to be additional traffic but the road which was taken by the City with me and my neighbors on one side and the developer on the other side, the developer, according to City rules is only required to pave half the street. The street in front of my house, the topography of it is such that when it was a dirt road, unimproved and maintained by the City by just having it bladed, sits considerably higher than my property. This means I get a ton of runoff okay. The answer I was given when I became of what was going to happen was the topography was the way it is when we pave it it's going to remain that way. I'm not an engineer, but I don't think that's right. I know what's going to happen when that road is paved. I'm going to have a lot more runoff coming onto my property and if I need to do something about it, I, as the property owner need to fork out the money to do that. I don't think that's fair. I can't change the decision that's already been made. I just want it minimized for me.

CHAIR MATSON: Okay. Chuck (Cala) did you have some responses for Ms. Weingardt?

MR. CALA: I've been trying to take notes to address some of these concerns. We represented a group of developers and AMAFCA for the North Domingo Baca Storm Drain Project that you are speaking of, that's what's under construction right now on this frontage and has been for quite a while.

In addition to that storm drainage project there are other developments that are under construction by Hoech Real Estate Corporation and also by other developers down in Ventura Village. I'll take these one at a time. The construction traffic is a concern to JMA (Jeff Mortensen & Associates) as well. We have an inspector on site for the storm drain project that is available to the public. It's available to AMAFCA and the contractor and the adjoining developers. He can be contacted so I'll give you his name and his cell phone number and I will give you mine and we can be contacted at any time and we'll get directly in contact with AMAFCA. AMAFCA has taken the lead on the North Domingo Baca Project. When the project is complete I think you'll see a real improvement to that problem because the construction activity will be gone from that contractor. That will be replaced by our contractor. Other than the construction of Carmel Avenue itself we will not be using Carmel for construction activity. Our contractor will be working on this site.

MS. WEINGARDT: If I may ask you a question or if I may say something, you have blocked traffic from Ventura into Carmel. You have forced the traffic to go from Holbrook down the front of my house.

MR. CALA: At this particular time, the barricading plan and the traffic implementation that's part of the North Domingo Baca Project does that. That is a temporary condition. There is not much we can do about construction activity that takes place along that project. It is an inconvenience and we recognize that.

MS. WEINGARDT: It's been like that for a long time.

MR. CALA: It has.

MS. WEINGARDT: You also have never given me notification that you were planning on doing that.

MR. CALA: Actually we notified every property owner that the North Domingo Baca Project was taking place. I guess we can go back to those files and bring these out if you'd like to. We contacted all the property owners that were within a 6,000 foot corridor that goes from the Dam all the way down to where the apartments are between Barstow and...

MS. WEINGARDT: I realize that, that's gone. But you are blocking the street today and you block the street and you don't even have the courtesy to go to the people who live on the street and say 'tomorrow this street is going to be closed'. In addition, you have left holes on that street without barricades around them. AMAFCA says you are responsible, you say AMAFCA is responsible.

MR. CALA: No ma'am. We're the consultant and we designed the project. We're not on the project other than for inspection purposes. There's a contractor, Albuquerque Excavators, I'm sure you've seen their signs. They're under contract with AMAFCA. Our firm JMA (Jeff Mortensen & Associates) and Hoech Real Estate Corporation, we have no control over those people. We will involve ourselves and we will intervene if we need to in order to help keep these dangerous activities down and to eliminate some of these problems. JMA (Jeff Mortensen & Associates) is not building this facility neither is Hoech Real Estate Corporation. It's being done by AMAFCA and Albuquerque Excavators and the barricading plans are the plans that were approved by the City of Albuquerque. So there is nothing that's being directed by JMA (Jeff Mortensen & Associates). This is just activities taking place to get floodplain improvements and the storm drain improvements taken care of.

The storm drainage for this project that you're concerned about the roadway will be constructed in a manner so as not to increase the flows on your property. Our client is responsible for half width permanent improvement, which is a 16-foot half width. It's going to be the south half of Carmel and in addition to that we're going to do 8 additional feet of temporary paving. It will be super elevated, it won't be crowned so all of the water that lands on the surface will flow to the south, get in the curb and then get into the storm drain system. We are not going to divert any flows onto your property or even onto the north half of Carmel Avenue fronting your property.

The security lights you're speaking of I'm not sure if they are the security lights that contractors have around their equipment or if you are talking about the residential homes that are being constructed.

MS. WEINGARDT: The residential homes, so if you're asking for approval of what's going to go on these lots I would like to have, I mean whatever neighborhood you're calling this, that one of the requirements is that they should not have security lights that shine all night. Again, I don't know if this is within the purvue of this meeting or not.

CHAIR MATSON: It's actually not.

MR. CALA: The homes that you're speaking of are no longer in the ownership of the real estate corporation. That platting action was approved a long time ago. Some of the lots were sold to some homebuilders who have started building homes.

MS. WEINGARDT: So you have no neighborhood requirements?

MR. CALA: There are covenants on some of these. Las Vigils has it, so does Desert Ridge and I'm not sure Vineyard Court is going to, it probably will. I think that's more of a zoning issue then it is a platting or an engineering issue, which we're here about today.

MS. WEINGARDT: Okay.

CHAIR MATSON: I don't know if it makes you feel any better or not but 20 years ago I moved to the Westside and I was one of the first houses there. I endured for a long time having to come home from work everyday and flush all the sand out of my front yard, the grass, because of construction that happened. It's part of the growing pains. I'm over there now and it's like where did all this traffic and where did all these people come from. It's just part of Albuquerque growing and it's something that when you live on a collector or whatever you're going to have some traffic. I have more than I used to have too unfortunately.

MS. WEINGARDT: Yes.

MR. CALA: The last issue that you raised that we can help on is traffic mitigation. We have 14 existing lots in North Albuquerque Acres and we are proposing 48. All 48 of the lots take access from Holly, which is to the south. We recognize that there are single lot homes constructed on Carmel and that's the reason why we flipped the subdivision. We originally had the subdivision flipping the other way where all of the lots would take access from Carmel. Comments that we received from City Transportation persuaded us to do it in this manner because it was better for the community and better for the neighborhood. While there is a lot of traffic there today, we're not going to be loading any of our subdivision directly onto Carmel Avenue in the long run. Have you seen that?

MS. WEINGARDT: No but I've seen your development to the west and it does have all the traffic going in front of my house.

MR. CALA: Right. We are talking about Vineyard Court Estates today and these 48 lots. I was just asking if you had seen that we are loading traffic onto Holly?

MS. WEINGARDT: No I haven't. I haven't seen any of your plans.

MR. CALA: This is how we are going to develop. There will be no vehicular traffic directly onto Carmel proposed by this plan.

MS. WEINGARDT: Is Holly going all the way down to Ventura?

MR. CALA: Yes.

MS. WEINGARDT: So Holly goes from Holbrook to Ventura without interruption and closure?

MR. CALA: Right.

CHAIR MATSON: Thank you.

MS. WEINGARDT: Thank you.

CHAIR MATSON: Parks?

MS. SANDOVAL: Park dedication fee requirement has been met through a previous agreement for park dedication at North Domingo Baca. The Park Development Fee will be paid at building permit. I need a note added to the plat identifying how the open space credits will be met. That can either be through on the lot or there is also an agreement with some remaining open space credits available. I need to know how that's going to be taken care of. I have no objection to the sidewalk deferral.

CHAIR MATSON: City Engineer?

MR. BINGHAM: I have an approved drainage report dated 7/23/03. I had some comments on the infrastructure list that I forwarded to the agent and I imagine they got it fixed up. Okay it looks like my comments were addressed there. I have no objections.

CHAIR MATSON: Because you have lots over 6,000 square feet in size there won't be any site plan required per the La Cueva Sector Plan. This property also is within the Paseo del Norte – North Albuquerque Acres Sector Plan boundaries so make sure that you follow those design guidelines when you develop your property. I have no objection to the temporary sidewalk deferral. Utilities?

MR. GREEN: I have no objection to either request.

CHAIR MATSON: Transportation?

MR. DOURTE: No objection to the temporary deferral of sidewalks. With respect to the infrastructure Holly is, excuse me, Carmel you have identified as to be constructed from Ventura to the southwest corner of Vineyard 4A, what improvements are those? Are those everything west of your site?

MR. CALA: Yes it is. That's the southwest corner of Vineyard 4A, you know I'm not sure.

MR. DOURTE: I don't know why those improvements are even identified on the infrastructure list.

MR. CALA: I agree.

MR. DOURTE: Let's just delete that from your infrastructure list. Then you've got 24-foot of temporary residential pavement on Carmel from the southwest corner of Vineyard 4A to the southeast corner of Vineyard 4A. I don't think those need to be on the infrastructure list either. The other half of Holly is constructed is that correct? Are you just building 18-feet of permanent and 6-feet of temporary?

MR. CALA: We're doing temporary and permanent improvements on Holly as well.

MR. DOURTE: I guess that's it then to just delete those two items from the infrastructure list.

MR. CALA: I think what we're doing is referencing.

MR. DOURTE: It's just going to confuse things.

MR. CALA: That's fine. We're just referencing the fact that the downstream on the sewer is going to be built as part of a different City project number.

MR. DOURTE: That's fine, that's utility issues. If that's what they concur with, I don't want the street improvements on there because that will just confuse everybody at DRC. Then delete, in Carmel residential portion of the permanent residential pavement. It just needs to be permanent pavement. If you say permanent residential pavement that's going to indicate that it's only going to be 3-inches thick and it may be a little bit thicker then 3-inches.

MR. CALA: That's on Carmel?

MR. DOURTE: The first item on the infrastructure list. Sixteen (16) permanent then just scratch out the word "residential". That's all.

CHAIR MATSON: We are going to approve the temporary deferral of construction of sidewalks on the interior streets as shown on Exhibit C. With the signing of the infrastructure list dated today and approval of the grading and drainage plan dated 7/23/03 the Preliminary Plat is approved subject to the provisions of the Subdivision Ordinance.

**THE FOLLOWING ACTION WAS TAKEN:**

**WITH THE SIGNING OF THE INFRASTRUCTURE LIST DATED 8/20/03 AND APPROVAL OF THE GRADING PLAN ENGINEER STAMP DATED 7/23/03 THE PRELIMINARY PLAT WAS APPROVED.**

**THE TEMPORARY DEFERRAL OF CONSTRUCTION OF SIDEWALKS ON THE INTERIOR STREETS WAS APPROVED AS SHOWN ON EXHIBIT C IN THE PLANNING FILE.**

Copy of packet notifying of hearing date

# NOTICE OF HEARING

September 5, 2003

Marie Weingardt
9406 Carmel NE
Albuquerque, NM 87122

**RE: APPEAL 03EPC-01462 /PROJECT #1002525** (CASE WAS HEARD UNDER APPLICATION #03-01263 (Preliminary Plat approval)

Dear Ms. Weingardt:

The above referenced appeal, which was filed September 2, 2003, has been **scheduled** to be heard before the Environmental Planning Commission (EPC) on **Thursday, October 16, 2003 at 8:30 A.M.**

The meeting will be held in the **Plaza del Sol Hearing Room, Basement, Plaza del Sol Building, 600 2nd Street, NW, 87102.**

Approximately one week prior to the hearing, you will receive a copy of the agenda and a staff report. **THIS WILL SHOW YOU WHERE YOUR CASE WILL BE ON THE AGENDA.**

If you have any questions, please contact Claire Senova, Administrative Assistant at 924-3946.

Sincerely,

Sheran Matson

Sheran Matson, AICP, Chair, Development Review Board

cc: Desert Ridge Development LLC, 8300 Carmel Ave NE, Suite 601, 87122
Jeff Mortensen & Associates Inc., 6010-B Midway Park Blvd NE, 87109
Don Newton, Office of Neighborhood Coordination,
File

# City of Albuquerque

## DEVELOPMENT/ PLAN REVIEW APPLICATION

| | Supplemental form |
|---|---|
| **SUBDIVISION** | **S** |
| ____ Major Subdivision action | |
| ____ Minor Subdivision action | |
| ____ Vacation | **V** |
| ____ Variance (Non-Zoning) | |
| **SITE DEVELOPMENT PLAN** | **P** |
| ____ ...for Subdivision Purposes | |
| ____ ...for Building Permit | |
| ____ IP Master Development Plan | |
| ____ Cert. of Appropriateness (LUCC) | **L** |

| | Supplemental form |
|---|---|
| **ZONING & PLANNING** | **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** |
| X 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: MARIE WEINGARDT PHONE: 505 828 3567
ADDRESS: 9406 Carmel NE FAX: 505 268 6840
CITY: Albuquerque STATE NM ZIP 87122 E-MAIL:
Proprietary interest in site: owner of 9406 and 9403 CARMEL
AGENT (if any): NA PHONE:
ADDRESS: FAX:
CITY: STATE ZIP E-MAIL:

**DESCRIPTION OF REQUEST:** Protest of decision to go forward with development

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

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

Lot or Tract No. 10-23 tract 3 Block: 19 Unit: 3
Subdiv. / Addn. N. ALBUQUERQUE ACRES, UNIT 3.
Current Zoning: ~~A-1~~ IRC Proposed zoning: ??
Zone Atlas page(s): ~~G-13~~ C-20 No. of **existing** lots: 14 No. of **proposed** lots: ??
Total area of site (acres): 14 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. (HOLLY AV. NE B/A) MRGCD Map No.
LOCATION OF PROPERTY BY STREETS: On or Near: Holbrook and Ventura
Between: Holbrook and Ventura
VENTURA ST. NE B/A HOLBROOK ST. NE B/A.

**CASE HISTORY:**
List any current or prior case number that may be relevant to your application (Proj., App., DRB-, AX_,Z_, V_, S_, etc.):
03DRB-00367-70, 02EPC-01353 & 54 6-13
Check-off if project was previously reviewed by Sketch Plat/Plan ☐ or Pre-application Review Team ☐. Date of review:

**SIGNATURE** DATE 8/25/03
(Print) MARIE A. WEINGARDT ☒ Applicant ___ Agent

**FOR OFFICIAL USE ONLY** Form revised 9/01, 3/03, 7/03

☒ **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 |
|---|---|---|---|
| 03EPC - - 01462 | AP | A | $ 190 |
| - - | | | $ |
| - - NOTIFICATION | | FEE | $ 50 |
| - - | | | $ |
| - - | | | $ |
| | | | Total $ 240.00 |

Hearing date 10.16.03

Planner signature / date 9/03/03

**Project #** 1002525

**FORM A:** APPEAL

**Appeal to the Zoning Board of Appeals regarding:**

☒ DECISION OF THE ZONING HEARING EXAMINER

**Appeal to the Landmarks and Urban Conservation Commission regarding:**

☐ CERTIFICATE OF APPROPRIATENESS DECISION OF THE PLANNING DIRECTOR OR STAFF

**Appeal to the Environmental Planning Commission regarding:**

☐ ADMINISTRATIVE AMENDMENT OR DECISION OF THE PLANNING DIRECTOR OR STAFF
☐ DECLARATORY RULING OF THE ZONING ENFORCEMENT OFFICER
☒ DETERMINATION OR ACTION OF THE DEVELOPMENT REVIEW BOARD

**Appeal to the City Council regarding:**

☐ DETERMINATION OR ACTION OF THE ENVIRONMENTAL PLANNING COMMISSION
☐ ACTION OF THE ZONING BOARD OF APPEALS REGARDING AN APPEAL
☐ DECISION OF THE LANDMARKS AND URBAN CONSERVATION COMMISSION

✓ Project number of case being appealed; 1002525

✓ Application number of case being appealed; 03DRB-01263

✓ Reason for the appeal * See attached
Appellant's basis of standing as an appellant * See attach
N/A Letter of authorization from the appellant if this application for appeal is submitted by an agent
✓ Copy of the Official Notification of Decision regarding the matter being appealed
✓ Fee (see schedule) $190.00 + $50 ADV. FEE

* Criteria for reasonable appeals and criteria for standing as an appellant are given in *Zoning Code* §14-16-4-4. Any appeal must meet these criteria to be heard. The applicant should review these and other relevant documents carefully before preparing an application for appeal.

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

MARIE A WEINGARDT
Applicant name (print)

9/2/03
Applicant signature / date

Form revised September 2001

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

Application case numbers
03EPC - - 01462
- -
- -

9/03/03
Planner signature / date

Project # 1002525

RE: project # 1002525

Objection is raised to the approval for the following reasons:

1. Severe drainage issues affecting properties on the North side of Carmel have not been properly addressed – A drainage and grading study is needed before the street is paved. Any negative impact on the existing lots on the north side should be mitigated by the developer.
2. Traffic impact study not shared with the residents on the north side of Carmel. Several adjacent developments are currently ongoing.The combined impact of traffic from all these adjacent development need to be considered before this development is allowed to contribute to the traffic. Furthermore, because the street will only be partially improved, a temporary barrier should be erected until such time that the entire street is improved. This is a safety issue that should be addressed in the traffic impact study.
3. The North Albuquerque Acre sector plan required wall enclosures and landscape of a certain quality. There have been no plans submitted to describe the wall enclosure and landscape. Additionally, the responsibility for continued maintenance of the required landscape has not been described to the residents on the north side of Carmel who have to face the walls and the landscaping.

I have standing because I live across the street from this development

# OFFICIAL NOTICE OF DECISION

CITY OF ALBUQUERQUE
PLANNING DEPARTMENT
DEVELOPMENT REVIEW BOARD 8-21-2003

**7. Project # 1002525**
03DRB-01263 Major-Preliminary Plat Approval
03DRB-01264 Minor-Temp Defer SDWK

JEFF MORTENSEN & ASSOCIATES, INC., agent(s) for DESERT RIDGE DEVELOPMENT, LLC request(s) the above action(s) for all or a portion of Lot(s) 10-23, Block(s) 19, Tract(s) 3, NORTH ALBUQUERQUE ACRES, UNIT 3, (to be known as **VINEYARD COURT ESTATES**) zoned R-D residential and related uses zone, developing area, located on HOLLY AVE NE, between VENTURA ST NE and HOLBROOK ST NE containing approximately 14 acre(s). [REF: 03DRB-00367-70, 02EPC-01353 & 54](G-13)

At the August 20, 2003, Development Review Board meeting, with the signing of the infrastructure list dated 8/20/03 and approval of the grading plan engineer stamp dated 7/23/03 the preliminary plat was approved. Temporary deferral of construction of sidewalks on the interior streets was approved as shown on Exhibit C in the Planning file.

If you wish to appeal this decision, you must do so by September 4, 2003, in the manner described below.

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

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

Please note that a Preliminary Plat approval date is the date of the DRB action plus the 15-day appeal period. The Preliminary Plat approval is effective one year from that date. The DRB must take action on the Preliminary Plat Extension prior to the expiration of the approval or the Preliminary Plat approval is null and void. (REF: Chapter 14 Article 14 Part 3-4 (E) Revised Ordinance.)

Sheran Matson

Sheran Matson, AICP, DRB Chair

cc:Jeff Mortensen & Associates Inc., 6010-B Midway Park Blvd NE, 87109
Desert Ridge Development LLC, 8300 Carmel Ave NE, Suite 601, 87122
Marie Weingardt, 9406 Carmel NE, 87122
Arlene Portillo, Planning Department, 4th Floor, Plaza del Sol Bldg.
Scott Howell, Property Management, Legal Dept./4th Flr, City/County Bldg
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** MARIE WEINGARDT

**AGENT** NA

**ADDRESS** 9406 CARMEL NE

**PROJECT NO.** 1002525

**APPLICATION NO.** 03EPC-01462

$ _____ 441006 / 4983000 ( DRB Cases )

$ 190.00 441006 / 4971000 ( EPC & AA / LUCC / Appeals )

$ 50.00 441018 / 4971000 ( Notification )

$ 240.00 **Total amount due**

SERVPRO OF NE Albuquerque
2421 Quincy NE
Albuquerque NM 87110
828-3567( Voice)
268-6810 (Fax)

# facsimile transmittal

TO: RJ Herbert Fax: 924-3864

From: Marie Wiengardt Date: 9/3/03

Re: Pages:

CC: File

☐ Urgent X For Review X Please Reply

Please Note our new address:
2421 Quincy NE
Albuquerque NM 87110

RE: project # 1002525

Basis of Standing of applicant:

Applicant, Marie A Weingardt, owns 2 acres directly across from the proposed project. Applicant also lives at the above property. Property address in question is: 9406 Carmel NE and 9403 Carmel NE.

Objection is raised to the approval for the following reasons:

The first objection refers to the decision to annex Carmel Ave into city limits. The annexation was attached to the approval of the development of the 18 acres in this project. The developer has stated that the development will have no entrance or exit onto Carmel Ave between Holbrook and Ventura. This annexation required the devleloper to pave the south side of Carmel. This creates a potential financial burden as well as a safety and street dranage issue for the residents of the north side of Carmel who are neither developers nor city residents. The decision failed to address the responsibility for paving the south side of Carmel, and failed to require a street drainage study to ensure street runoff will not affect the properties on the south side of Carmel Ave. Since the county residents on the south side of Carmel are not in the city, how can the County residents whose properties border the south side of Carmel obtain any relief from either the City or the County.

Furthermore, the residenst of Carmel never received notification of project's approval nor their right to appeal theproject. The residents were informed by the construction workers of the details of the project. The first official notification came in August for project # 1002525.

The following objections are more specific:

1. Severe Street runoff / drainage issues affecting properties on the North side of Carmel have not been properly addressed – A drainage and grading study is needed before the street is paved. Any negative impact on the existing lots on the north side should be mitigated by the developer.
2. Traffic impact study not shared with the residents on the north side of Carmel. Several adjacent developments are currently ongoing.The combined impact of traffic from all these adjacent development need to be considered before this development is allowed to contribute to the traffic. Furthermore, because the street will only be partially improved, a temporary barrier should be erected , to prevent traffic from traveling from Holbrook to Ventura, until such time that the entire street is improved. This is a safety issue that should be addressed in the traffic impact study.
3. The North Albuquerque Acre sector plan required wall enclosures and landscape of a certain quality. The project was approved without the submission of plans describing the walls and the landscaping proprosed. Additionally, the responsibility for continued maintenance of the required landscape has not been defined to the residents on the north side of Carmel who have to face the walls and the landscaping.

These objections need to be addressed before approval to proceed is confirmed.

# OFFICIAL NOTICE OF DECISION

CITY OF ALBUQUERQUE
PLANNING DEPARTMENT
DEVELOPMENT REVIEW BOARD

8-21-2003

**7. Project # 1002525**
03DRB-01263 Major-Preliminary Plat Approval
03DRB-01264 Minor-Temp Defer SDWK

JEFF MORTENSEN & ASSOCIATES, INC., agent(s) for DESERT RIDGE DEVELOPMENT, LLC request(s) the above action(s) for all or a portion of Lot(s) 10-23, Block(s) 19, Tract(s) 3, NORTH ALBUQUERQUE ACRES, UNIT 3, (to be known as **VINEYARD COURT ESTATES**) zoned R-D residential and related uses zone, developing area, located on HOLLY AVE NE, between VENTURA ST NE and HOLBROOK ST NE containing approximately 14 acre(s). [REF: 03DRB-00367-70, 02EPC-01353 & 54](G-13)

At the August 20, 2003, Development Review Board meeting, with the signing of the infrastructure list dated 8/20/03 and approval of the grading plan engineer stamp dated 7/23/03 the preliminary plat was approved. Temporary deferral of construction of sidewalks on the interior streets was approved as shown on Exhibit C in the Planning file.

If you wish to appeal this decision, you must do so by September 4, 2003, in the manner described below.

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

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Sheran Matson

Sheran Matson, AICP, DRB Chair

cc:Jeff Mortensen & Associates Inc., 6010-B Midway Park Blvd NE, 87109
Desert Ridge Development LLC, 8300 Carmel Ave NE, Suite 601, 87122
Marie Weingardt, 9406 Carmel NE, 87122
Arlene Portillo, Planning Department, 4th Floor, Plaza del Sol Bldg.
Scott Howell, Property Management, Legal Dept./4th Flr, City/County Bldg
File

# DRB PUBLIC HEARING SIGN IN SHEETS

CASE NUMBER: 1002525 AGENDA#: 7 DATE: 8.20

✓ 1. Name: Chuck Cala Address: JMA Zip:

✓ 2. Name: Justin Hauch Address: Hauch Real Estate Zip:

3. Name: Jeane Weingardt WEINGARDT Address: 9400 Carmel NE Zip: 87122

✓ 4. Name: Debie Trujillo Address: JMA 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
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: 1002525** **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:**

An approved drainage report dated 7-23-03 is on file for Preliminary Plat approval.
An approved infrastructure list is required for Preliminary Plat approval.

**RESOLUTION:** signed I.L.

APPROVED X; 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**: August 20, 2003

THE CITY OF ALBUQUERQUE IS AN EQUAL OPPORTUNITY/REASONABLE ACCOMMODATION EMPLOYER

CITY OF ALBUQUERQUE
PLANNING DEPARTMENT
DEVELOPMENT REVIEW BOARD

August 20, 2003

**Project # 1002525**
03DRB-01263 Major-Preliminary Plat Approval
03DRB-01264 Minor-Temp Defer SDWK

JEFF MORTENSEN & ASSOCIATES, INC., agent(s) for DESERT RIDGE DEVELOPMENT, LLC request(s) the above action(s) for all or a portion of Lot(s) 10-23, Block(s) 19, Tract(s) 3, NORTH ALBUQUERQUE ACRES, UNIT 3, (to be known as **VINEYARD COURT ESTATES**) zoned R-D residential and related uses zone, developing area, located on HOLLY AVE NE, between VENTURA ST NE and HOLBROOK ST NE containing approximately 14 acre(s). [REF: 03DRB-00367-70, 02EPC-01353 & 54](G-13)

AMAFCA — No adverse comments.

COG

No adverse comment. For information, the Long Range Street Plan designates Holbrook Street as a collector. The Long Range Bikeway Plan proposes a bike route on Holbrook.

Transit — No comments received.

Zoning Enforcement — Reviewed, no comment.

Neighborhood Coor. — Letter sent to North Albuquerque Acres (R) Neigh. Assn.

APS — No comments received.

Police Department

A review of following case(s) indicates the following problems or crimes may occur or that the following concerns may need to be evaluated or addressed on this site or in this area. These comments do not indicate that a thorough CPTED evaluation has been done, or that other criminal activities may not occur. Traffic volume, traffic control devices, lighting issues, maintenance of landscaping.

Fire Department — Fire Department is not approving street widths less than 32 feet at this time. Per Ray Sanchez, AFD.
All required fire hydrants shall be installed and made serviceable prior to and during construction of subdivision.

| | |
|---|---|
| PNM Gas | Approves. |
| PNM Electric | Approves. |
| Comcast | No comments received. |
| QWEST | No comments received. |
| Environmental Health | Site is not within 1000 feet of a landfill. No comment. |
| M.R.G.C.D. | No comments received. |
| Open Space Division | No adverse comments. |

City Engineer

An approved drainage report and infrastructure list is required for Preliminary Plat approval.

Transportation Development

Comments on the infrastructure list. No objection to the temporary deferred sidewalk.

Parks & Recreation

No objection to the sidewalk deferral. The park dedication requirement was met through the park dedication of North Domingo Baca Park. The park development fee will be paid at building permit.

Utilities Development

Comments on Infrastructure List. No objection to Sidewalk Deferral.

Planning Department

With lots over 6,000 square feet in size, no site plan is required per the La Cueva Sector Plan.

This property also is within the Paseo del Norte/NAA Sector Plan boundaries. As such, be sure to follow the applicable design regulations when developing the property.

No objection to the temporary sidewalk deferral or the preliminary plat approval.

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

cc:Desert Ridge Development LLC, 8300 Carmel NE, Suite #601, 87122
Jeff Mortensen & Association, 6010-B Midway Park Blvd NE, 87109

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



**Project # 1001984**
03DRB-01244 Major-Vacation of Public Easements
03DRB-01245 Major-Vacation of Public Easements
03DRB-01246 Major-Vacation of Public Easements
03DRB-01247 Major-Vacation of Public Easements
03DRB-01248 Major-Vacation of Public Easements
03DRB-01249 Major-Vacation of Public Easements
03DRB-01243 Minor-Sketch Plat or Plan

JEFF MORTENSEN & ASSOCIATES INC., agent(s) for RICH FORD, request(s) the above action(s) for all or a portion of Tract(s) A & B, **HYDER-MAISEL SUBDIVISION *AND* LANDS OF ROBERT L JOHNSON *AND* NMSHTD AIRSPACE PARCEL B-13-5,** zoned C-2 & P, located on LOMAS BLVD NE, between WYOMING BLVD NE and I-40 NE containing approximately 18 acre(s). [REF: 02DRB-01963, 02DRB-01964, 02EPC-00826, 02EPC-00827, 02EPC-00828] (J-20)

**Project # 1002525**
03DRB-01263 Major-Preliminary Plat Approval
03DRB-01264 Minor-Temp Defer SDWK

JEFF MORTENSEN & ASSOCIATES, INC., agent(s) for DESERT RIDGE DEVELOPMENT, LLC request(s) the above action(s) for all or a portion of Lot(s) 10-23, Block(s) 19, Tract(s) 3, NORTH ALBUQUERQUE ACRES, UNIT 3, (to be known as **VINEYARD COURT ESTATES**) zoned R-D residential and related uses zone, developing area, located on HOLLY AVE NE, between VENTURA ST NE and HOLBROOK ST NE containing approximately 14 acre(s). [REF: 03DRB-00367-70, 02EPC-01353 & 54](G-13)

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 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.

Sheran Matson, AICP, DRB Chair
Development Review Board

**TO BE PUBLISHED IN THE ALBUQUERQUE JOURNAL MONDAY, AUGUST 4, 2003.**

**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, August 20, 2003,** beginning at **9:00 a.m.** for the purpose of considering the following:

| | |
|---|---|
| **Project # 1000269**<br>03DRB-01269 Major-Two Year SIA | TIERRA WEST LLC agent(s) for UNION PENSION TRANSACTION TRUST 93-2 request(s) the above action(s) for all or a portion of Tract(s) 5B2C1B, **RENAISSANCE CENTER,** zoned SU-1 for C-2 use, located on MERCANTILE AVE NE, between CULTURE NE and I-25 FRONTAGE RD NE containing approximately 1 acre(s). [REF: 01DRB-00922, 01DRB-00922, 01DRB-00922] (F-16) |
| **Project # 1002201**<br>03DRB-01270 Major-Preliminary Plat Approval | TIERRA WEST LLC agent(s) for P J DEVELOPMENT COMMERCIAL CONSTRUCTION, request(s) the above action(s) for all or a portion of Tract(s) A & B, **AMERICAN TOYOTA,** zoned SU-2 special neighborhood zone, SU-1 AUTO SALES, located on ALAMEDA BLVD NE, between PAN AMERICAN FWY. NE and SAN PEDRO DR NE containing approximately 7 acre(s). [REF: Z-86-8, DRB-95-74, 02DRB-01367 (VRW) 02DRB-01270 (PP)] (C-18) |
| **Project # 1001926**<br>03DRB-01224 Major-Vacation of Pub Right-of-Way<br>03DRB-01225 Major-Preliminary Plat Approval | BEN PLATANIA request(s) the above action(s) for all or a portion of Tract(s) 225, **TOWN OF ATRISCO GRANT - AIRPORT UNIT,** zoned R-2, located on GLEN RIO RD NW, between 72nd ST NW and 78th ST NW containing approximately 5 acre(s). [REF: 02DRB-00568 (VROW), 02DRB-00673 (SK)] (J-10) |
| **Project # 1001946**<br>03DRB-01271 Major-Vacation of Pub Right-of-Way | BOHANNAN HUSTON agent(s) for LOWE'S (NEAL HAMILTON) request(s) the above action(s) for all or a portion of Tract(s) A, **LOS ANGELES CENTER,** zoned M-1 light manufacturing zone, located on PASEO DEL NORTE NE, between 1-25 FRONTAGE ROAD AND SAN FRANCISCO DR NE containing approximately 32 acre(s). [REF: 02DRB-00732, 02DRB-01008] (D-18) |
| **Project # 1002503**<br>03DRB-01268 Major-Preliminary Plat Approval | WILSON & COMPANY, INC. agent(s) for VOLCANO CLIFFS PROPERTY OWNERS ASSOCIATION, request(s) the above action(s) for all or a portion of Unit(s) 24 Block(s) 1-5 and Unit(s) 5, Partial Block(s) 1-12 and 14, VOLCANO CLIFFS SUBDIVISION (to be known **UNSER CLIFFS SUBDIVISION**, zoned R-1 residential zone, located on 81st ST NW, between UNSER BLVD NW and MARIGOLD DR NW containing approximately 42 acre(s). [REF: 03DRB-00295 SK, 03DRB-00337 & 340 VRW& VPE, 03DRB-00341 & 42 VPE] (D-10) |

**SEE PAGE 2 . . . . .**

# OFFICIAL NOTICE OF DECISION

CITY OF ALBUQUERQUE
PLANNING DEPARTMENT
DEVELOPMENT REVIEW BOARD

4-3-2003

3. **Project # 1002525**
03DRB-00367 Major-Vacation of Pub Right-of-Way
03DRB-00368 Major-Vacation of Pub Right-of-Way
03DRB-00369 Major-Vacation of Public Easements
03DRB-00370 Minor-Sketch Plat or Plan

JEFF MORTENSEN & ASSOCIATES agent(s) for HOECH REAL ESTATE CORP request(s) the above action(s) for all or a portion of Lot(s) 10 – 23, Block(s) 19, NORTH ALBUQUERQUE ACRES, TRACT 3, UNIT 3, **VINEYARD COURT ESTATES,** zoned RD, located on CARMEL AVE NE, between VENTURA ST NE and HOLBROOK ST NE containing approximately 14 acre(s). [REF: 02EPC-01353, 02EPC-01354, 02EPC-01355] (C-20)

At the April 2, 2003, Development Review Board meeting, the Vacations were approved as shown on Exhibit B in the Planning file, subject to the Findings and Conditions of the Subdivision Ordinance as follows:

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. Final disposition shall be through the City Real Estate Office.

2. 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.

3. Affected utility companies shall acknowledge the vacation by their signatures on the replat.

THE SKETCH PLAT WAS REVIEWED AND COMMENTS WERE GIVEN.

**OFFICIAL NOTICE**
**PAGE TWO**

If you wish to appeal this decision, you must do so by April 17, 2003, in the manner described below.

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

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

Please note that the vacation of all plats, rights-of-way, and easements are void after one year from the final appeal date referenced above if all conditions are not met (The effective date of Development Review Board approval is the hearing date plus the 15-day appeal period.) (REF: Chapter 14 Article 14 Part 7-2 (E)(3)(6) Revised Ordinance.)

Sheran Matson

Sheran Matson, AICP, DRB Chair

cc: Hoech Real Estate Corp., 8300 Carmel Ave NE, Suite 601, 87122
Jeff Mortensen & Associates Inc., 6010-B Midway Park Blvd NE, 87109
Arlene Portillo, Planning Department, 4th Floor, Plaza del Sol Bldg.
Scott Howell, Property Management, Legal Dept./4th Flr, City/County Bldg
File

# 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: 1002525** **AGENDA ITEM NO: 3**

**SUBJECT:**

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

**ACTION REQUESTED:**

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

**ENGINEERING COMMENTS:**

The Hydrology Section has no objection to the vacation request.
An approved drainage report is required for Preliminary Plat approval.
An approved infrastructure list is required for Preliminary Plat approval.

**RESOLUTION:**

APPROVED X Vacation; DENIED ____; DEFERRED ____; COMMENTS PROVIDED X sketch; 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 2, 2003

THE CITY OF ALBUQUERQUE IS AN EQUAL OPPORTUNITY/REASONABLE ACCOMMODATION EMPLOYER

# DRB PUBLIC HEARING SIGN IN SHEETS

CASE NUMBER: 1002525 AGENDA#: 3 DATE: 4·2

1. Name: Debra Sanjillo Address: _____ 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: _____
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12. Name: _____ Address: _____ Zip: _____
13. Name: _____ Address: _____ Zip: _____
14. Name: _____ Address: _____ Zip: _____

CITY OF ALBUQUERQUE
PLANNING DEPARTMENT
DEVELOPMENT REVIEW BOARD

April 2, 2003

**Project # 1002525**
03DRB-00367 Major-Vacation of Pub Right-of-Way
03DRB-00368 Major-Vacation of Pub Right-of-Way
03DRB-00369 Major-Vacation of Public Easements
03DRB-00370 Minor-Sketch Plat or Plan

JEFF MORTENSEN & ASSOCIATES agent(s) for HOECH REAL ESTATE CORP request(s) the above action(s) for all or a portion of Lot(s) 10 – 23, Block(s) 19, NORTH ALBUQUERQUE ACRES, TRACT 3, UNIT 3, **VINEYARD COURT ESTATES,** zoned RD, located on CARMEL AVE NE, between VENTURA ST NE and HOLBROOK ST NE containing approximately 14 acre(s). [REF: 02EPC-01353, 02EPC-01354, 02EPC-01355] (C-20)

AMAFCA — No adverse comments.

COG — Consistent with established transportation plans and policies. For informational purposes, Holbrook Street adjacent to this property is designated as a collector street with a right-of-way width of 68 feet in Appendix D (November 2000) of the FAABS.

Transit — No comments received.

Zoning Enforcement — Reviewed, no comment.

Neighborhood Coor.

Letter sent to North Albuquerque Acres Neighborhood Assn.

APS — The development will affect Double Eagle elementary school, Desert Ridge middle school, and La Cueva High School. The above Elementary, Middle, and High Schools are operating close to capacity. The APS facilities in the area continue to be expanded and upgraded. A new elementary school is planned for this area by fall 2006. **All planned additions to existing educational facilities are contingent upon taxpayer approval**. As schools become overcrowded, boundary changes, alternative schedules, transportation to less crowded schools, and/or combinations of the above strategies may be employed to relieve schools with large numbers of students.

Police Department

A review of following case(s) indicates the following problems or crimes may occur or that the following concerns may need to be evaluated or addressed on this site or in this area. These comments do not indicate that a thorough CPTED evaluation has been done, or that other criminal activities may not occur. No comment.

Fire Department Fire Department is not approving street widths less than 32 feet at this time. Per Ray Sanchez, AFD. All required fire hydrants shall be installed and made serviceable prior to and during construction of subdivision.

PNM Gas Approves.

PNM Electric PNM approves vacations of portions of Carmel & Holly NE.

Comcast No comments received.

QWEST No comments received.

Environmental Health Site is not within 1000 feet of a landfill. No comment.

M.R.G.C.D. No comments received.

Open Space Division No adverse comments.

City Engineer No objection to either vacation request. An approved drainage report is required for Preliminary Plat approval. Infrastructure list required.

Transportation Development

No objection to the vacation of the right-of-way. Refer to the agencies having interest in the easements for comments on that vacation action. The standard street improvements are required on an infrastructure list. The streets need to meet the requirements of the DPM.

Parks & Recreation

Parks Defers to the appropriate agencies regarding the vacations. The Park Dedication Requirement has been met through an existing agreement. Park Development fees will be required at building permit.

Utilities Development

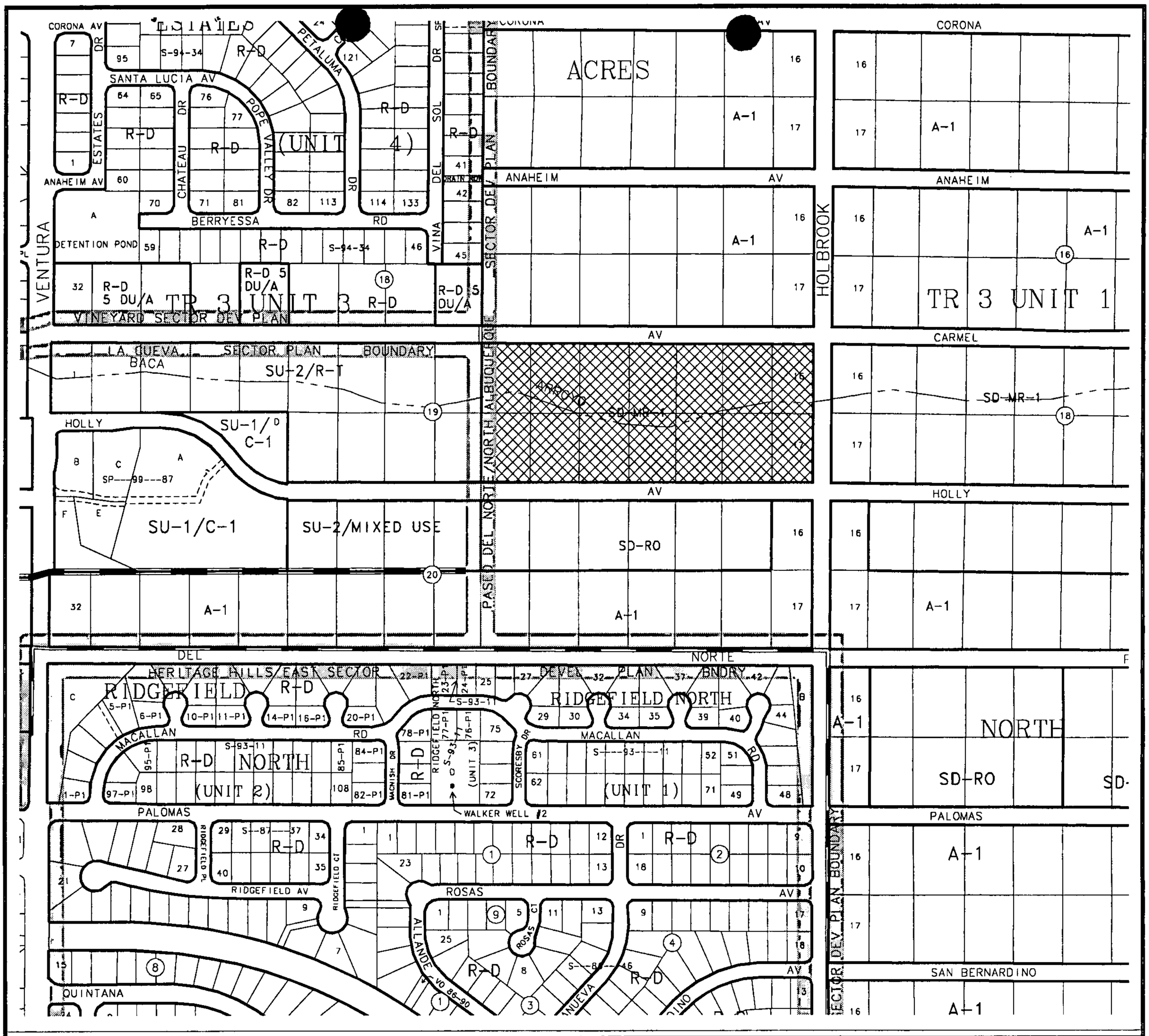
No objection to Vacation requests. A 16" zone 6E water line will need to be extended in Holbrook to Carmel from Palomas. All cul-de-sacs will need easements to loop a 6" water line between Carmel and Holly.

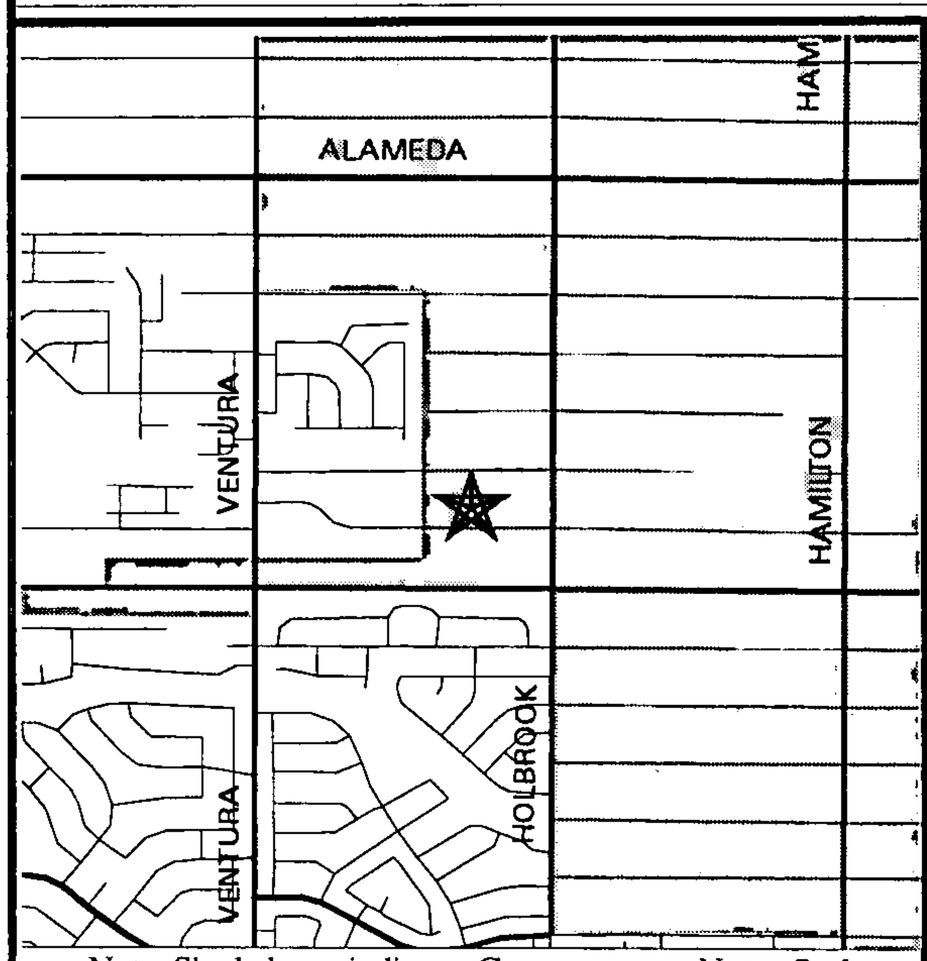
Planning Department

No objection to the vacation requests. Applicant has one year from approval to file a plat showing the vacations. The La Cueva Sector Plan, which this property must now follow for development, requires a site development plan for subdivision approved by DRB. See page 26 of the plan and also pages 30-37 for Design Regulations.

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

cc:Hoech Real Estate Corp., 8300 Carmel Ave NE, Suite #601, 87122
Jeff Mortensen & Associates, 6010-B Midway Park Blvd NE, 87109-




Note: Shaded area indicates County Not to Scale

# ZONING MAP

03DRB-00370

AGIS

Scale 1"= 479 '

PROJECT NO.
1002525

HEARING DATE
4-2-03

MAP NO.
C-20

ADDITIONAL CASE NUMBER(S)
03DRB-00367
03DRB-00368
03DRB-00369

**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, April 2, 2003,** beginning at **9:00 a.m.** for the purpose of considering the following:

**Project # 1001012**
03DRB-00366 Major-Two Year SIA

LARRY READ & ASSOCIATES, agent(s) for COUNTRY SIDE PROPERTIES LLC request(s) the above action(s) for all or a portion of Tract(s) 2, **SUNSHINE COUNTRY – MOBILE HOME PARK II,** zoned SU-Mobile Home Park, located on BLAKE RD SW, between COORS SW and UNSER SW containing approximately 7 acre(s). [REF: DRB-98-64, 01450-00056] (N-10)

**Project # 1001085**
03DRB-00372 Major-Two Year SIA

ANTHONY DECK request(s) the above action(s) for all or a portion of Lot(s) 16 and 17, **ROSEWOOD SUBDIVISION,** zoned R-D (15DU/A) located on BLOSSOMWOOD NW, between HANOVER NW and I-40 containing approximately 10 acre(s). [REF: 01DRB-00261, S-96-31] (J-10)

**Project # 1002525**
03DRB-00367 Major-Vacation of Pub Right-of-Way
03DRB-00368 Major-Vacation of Pub Right-of-Way
03DRB-00369 Major-Vacation of Public Easements
03DRB-00370 Minor-Sketch Plat or Plan

JEFF MORTENSEN & ASSOCIATES agent(s) for HOECH REAL ESTATE CORP request(s) the above action(s) for all or a portion of Lot(s) 10 – 23, Block(s) 19, NORTH ALBUQUERQUE ACRES, TRACT 3, UNIT 3, **VINEYARD COURT ESTATES,** zoned RD, located on CARMEL AVE NE, between VENTURA ST NE and HOLBROOK ST NE containing approximately 14 acre(s). [REF: 02EPC-01353, 02EPC-01354, 02EPC-01355] (C-20)

**Project # 1002527**
03DRB-00373 Major-SiteDev Plan BldPermit

ABQ ENGINEERING INC agent(s) for CARLA GALLIPOLI request(s) the above action(s) for all or a portion of Lot(s) 18, Block(s) 16, **NORTH ALBUQUERQUE ACRES, TRACT A, UNIT B,** zoned SU-2 / IP, located on CARMEL AVE NE, between I-25 NE and SAN PEDRO NE containing approximately 1 acre(s). [REF: Z-87-42] (C-18)

**SEE PAGE 2...**

**Project # 1002528**
03DRB-00374 Major-Vacation of Public Easements

BOHANNAN HUSTON, INC. agent(s) for HIGH DESERT INVESTMENT CORP. request(s) the above action(s) for all or a portion of Tract(s) OS-4, **HIGH DESERT SUBDIVISION,** zoned SU-2/HD/RLT, located east of TRAMWAY NE, between GLENWOOD HILLS SUBDIVISION AND U. S. GOVERNMENT LANDS [REF: CSU-89-12, 02DRB-01860, 01652, DRB-91-343] (F-23)

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, Chair
Development Review Board

**TO BE PUBLISHED IN THE ALBUQUERQUE JOURNAL MONDAY, MARCH 17, 2003.**

CITY OF ALBUQUERQUE
PLANNING DEPARTMENT - DEVELOPMENT SERVICES DIVISION
PROPERTY OWNERSHIP LIST

| | |
|---|---|
| App# | 03DRB-00367 |
| Proj# | 1002525 |
| Other# | 03DRB-00368 |
| | 03DRB-00369 |
| | 03DRB-00370 |

Meeting Date: 4-2-03

Zone Atlas Page: C-20-Z

Notification Radius: 100 Ft.

Cross Reference and Location:

Applicant: Hoech Real Estate Corporation ✓

Address: 8300 Carmel Ave NE, Ste #601, 87122

Agent: Jeff Mortenson & Associates ✓

Address: 6010-B Midway Park Blvd NE, 87109

SPECIAL INSTRUCTIONS

Notices Must be mailed from the City 15 days prior to the meeting.

Date Mailed: 3/11/03

Signature: K. Seth Hakai

# PROPERTY OWNERSHIP / LEGAL LIST

App#_____
Proj#_____

Date:_____

Page 1 Of 2

| Zone Atlas Page | Zone Atlas # | Grid Location | Parcel Sequence | Name & Address | | | | |
|---|---|---|---|---|---|---|---|---|
| C-20 | 102064 | 420-066 | 402-10 | ✓ mf | 102064 | 480-036 | 401 | 19 ✓ mf |
| | | 437-067 | 11 | ✓ mf | | 470-036 | | 20 ✓ mf |
| | | 454-067 | 12 | ✓ mf | | 454-037 | | 21 ✓ mf |
| | | 470-066 | 13 | ✓ mf | | 437-037 | | 22 ✓ mf |
| | | 480-067 | 14 | ✓ mf | | 414-037 | | 23 ✓ |
| | | 502-066 | 15 | ✓ mf | | 391-037 | | 25 ✓ mf |
| | | 517-066 | 16 | ✓ mf | | 387-120 | 403 | 08 ✓ |
| | | 517-090 | 17 | ✓ mf | | 404-120 | | 09 ✓ |
| | | 502-090 | 18 | ✓ mf | | 420-120 | | 10 ✓ |
| | | 480-090 | 19 | ✓ mf | | 437-120 | | 11 ✓ |
| | | 470-090 | 20 | ✓ mf | | 453-120 | | 12 ✓ |
| | | 453-090 | 21 | ✓ mf | | 470-120 | | 13 ✓ mf |
| | | 437-090 | 22 | ✓ mf | | 485-120 | | 14 ✓ mf |
| | | 420-090 | 23 | ✓ mf | | 502-120 | | 15 ✓ |
| | | 404-090 | 24 | ✓ mf | | 517-120 | | 16 ✓ |
| | | 388-090 | 25 | ✓ mf | 102064 | 025-038 | 301 | 31 ✓ |
| | | 388-067 | 08 | ✓ | | 009-038 | | 32 ✓ |
| | | 403-067 | 09 | ✓ mf | | 009-068 | 302 | 01 ✓ mf |
| | | 502-037 | 401-18 | ✓ mf | | 025-068 | | 02 ✓ mf |

# PROPERTY OWNERSHIP / LEGAL LIST

App#_____

Proj#_____

Date:_____



| Zone Atlas Page | Zone Atlas # | Grid Location | Parcel Sequence | Name & Address | | | |
|---|---|---|---|---|---|---|---|
| C-21 | 1021064 | 025-091 | 302-31 | ✓ | | | |
| | | 009-091 | 32 | ✓ | | | |
| | | 009-120 | 303-01 | ✓ | | | |
| | | 025-120 | 02 | ✓ | | | |
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1020064            ***  THIS UPC CODE HAS NO MASTER RECORD ON FILE

102006442006640210 LEGAL: * 02 3 01 9TRACT 3 UNIT 3 NORTH ALBUQUERQUE ACRES     LAND USE:
                   PROPERTY ADDR: 00000    HOLLY AVE NE
                      OWNER NAME: VIGIL SANDRA M & PETE JR
                      OWNER ADDR: 09300   HOLLY                    AV NE ALBUQUERQUE      NM 87122

102006443706740211 LEGAL: * 02 2 01 9QUERQUE ACRES TRACT 3 UNIT 3 NORTH ALBU    LAND USE:
                   PROPERTY ADDR: 00000    HOLLY AVE NE
                      OWNER NAME: VIGIL SANDRA M & PETE JR
                      OWNER ADDR: 09300   HOLLY                    AV NE ALBUQUERQUE      NM 87122

102006445406740212 LEGAL: * 02 1 01 9QUERQUE ACRES TRACT 3 UNIT 3 NORTH ALBU    LAND USE:
                   PROPERTY ADDR: 00000    HOLLY AVE NE
                      OWNER NAME: VIGIL SANDRA M & PETE JR
                      OWNER ADDR: 09300   HOLLY                    AV NE ALBUQUERQUE      NM 87122

102006447006640213 LEGAL: * 02 0 01 9TRACT 3 UNIT 3 NORTH ALBUQUERQUE ACRES     LAND USE:
                   PROPERTY ADDR: 00000    9425 HOLLY AVE NE
                      OWNER NAME: VIGIL SANDRA M & PETE JR
                      OWNER ADDR: 09300   HOLLY                    AV NE ALBUQUERQUE      NM 87122

102006448606740214 LEGAL: * 01 9 01 9TRACT 3 UNIT 3 NORTH ALBUQUERQUE ACRES     LAND USE:
                   PROPERTY ADDR: 00000    HOLLY AVE NE
                      OWNER NAME: VIGIL SANDRA M & PETE JR
                      OWNER ADDR: 09300   HOLLY                    AV NE ALBUQUERQUE      NM 87122

102006450206640215 LEGAL: * 01 8 01 9TRACT 3 UNIT 3 NORTH ALUQUERQUE ACRES      LAND USE:
                   PROPERTY ADDR: 00000    HOLLY AVE NE
                      OWNER NAME: VIGIL SANDRA M & PETE JR
                      OWNER ADDR: 09300   HOLLY                    AV NE ALBUQUERQUE      NM 87122

102006451706640216 LEGAL: * 01 7 01 9TRACT 3 UNIT 3 NORTH ALBUQUERQUE ACRES     LAND USE:
                   PROPERTY ADDR: 00000    HOLLY AVE NE
                      OWNER NAME: VIGIL SANDRA M & PETE JR
                      OWNER ADDR: 09300   HOLLY                    AV NE ALBUQUERQUE      NM 87122

102006451709040217 LEGAL: * 01 6 01 9TRACT 3 UNIT 3 NORTH ALBUQUERQUE ACRES     LAND USE:
                   PROPERTY ADDR: 00000    CARMEL AVE NE
                      OWNER NAME: VIGIL SANDRA M & PETE JR
                      OWNER ADDR: 09300   HOLLY                    AV NE ALBUQUERQUE      NM 87122

102006450209040218 LEGAL: * 01 5 01 9TRACT 3 UNIT 3 NORTH ALBUQUERQUE ACRES     LAND USE:
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PROPERTY ADDR: 00000 CARMEL AVE NE
OWNER NAME: VIGIL SANDRA M & PETE JR
OWNER ADDR: 09300 HOLLY AV NE ALBUQUERQUE NM 87122

102006448609040219 LEGAL: * 01 4 01 9TRACT 3 UNIT 3 NORTH ALBUQUERQUE ACRES LAND USE:
PROPERTY ADDR: 00000 CARMEL AVE NE
OWNER NAME: VIGIL SANDRA M & PETE JR
OWNER ADDR: 09300 HOLLY AV NE ALBUQUERQUE NM 87122

102006447009040220 LEGAL: * 01 3 01 9TRACT 3 UNIT 3 NORTH ALBUQUERQUE ACRES LAND USE:
PROPERTY ADDR: 00000 CARMEL AVE NE
OWNER NAME: VIGIL SANDRA M & PETE JR
OWNER ADDR: 09300 HOLLY AV NE ALBUQUERQUE NM 87122

102006445309040221 LEGAL: * 01 2 01 9QUERQUE ACRES TRACT 3 UNIT 3 NORTH ALBU LAND USE:
PROPERTY ADDR: 00000 CARMEL AVE NE
OWNER NAME: VIGIL SANDRA M & PETE JR
OWNER ADDR: 09300 HOLLY AV NE ALBUQUERQUE NM 87122

102006443709040222 LEGAL: * 01 1 01 9NORTH ALBUQ ACRES UN3 TR3 LAND USE:
PROPERTY ADDR: 00000 CARMEL AVE NE
OWNER NAME: VIGIL SANDRA M & PETE JR
OWNER ADDR: 09300 HOLLY AV NE ALBUQUERQUE NM 87122

102006442009040223 LEGAL: * 01 0 01 9TRACT 3 UNIT 3 NORTH ALBUQUERQUE ACRES LAND USE:
PROPERTY ADDR: 00000 CARMEL AVE NE
OWNER NAME: VIGIL SANDRA M & PETE JR
OWNER ADDR: 09300 HOLLY AV NE ALBUQUERQUE NM 87122

102006440409040224 LEGAL: * 00 9 01 9QUERQUE ACRES TRACT 3 UNIT 3 NORTH ALBU LAND USE:
PROPERTY ADDR: 00000 CARMEL AVE NE
OWNER NAME: VIGIL SANDRA M & PETE JR
OWNER ADDR: 09300 HOLLY AV NE ALBUQUERQUE NM 87122

102006438809040225 LEGAL: * 00 8 01 9NORTH ALBUQ ACRES UN3 TR3 LAND USE:
PROPERTY ADDR: 00000 CARMEL AVE NE
OWNER NAME: VIGIL PETE JR & SANDRA M
OWNER ADDR: 09300 HOLLYWOOD AV NE ALBUQUERQUE NM 87122

102006438806740208 LEGAL: * 02 5 01 9NORTH ALBUQ ACRES UN3 TR3 LAND USE:
PROPERTY ADDR: 00000 HOLLY AVE NE
OWNER NAME: CHAVEZ MARGARET S OR MARIAN V
OWNER ADDR: 00655 LA PLATA DR BOSQUE FARMS NM 87068

1[illegible]6440306740209 LEGAL: * 02 4 01 9QUERQUE ACRES TRACT 3 UNIT 3 NORTH ALBU LAND USE:
PROPERTY ADDR: 00000 HOLLY AVE NE
OWNER NAME: VIGIL SANDRA M & PETE JR
OWNER ADDR: 09300 HOLLY AV NE ALBUQUERQUE NM 87122

102006450203740118 LEGAL: * 01 5 02 0NORTH ALBUQ ACRES UN3 TR3 LAND USE:
PROPERTY ADDR: 00000 HOLLY AVE NE
OWNER NAME: INTEGRATED CONTROL SYSTEMS INC
OWNER ADDR: 04020 VASSAR NE ALBUQUERQUE NM 87107

102006448603640119 LEGAL: * 01 4 02 0NORTH ALBUQ ACRES UN3 TR3 LAND USE:
PROPERTY ADDR: 00000 HOLLY AVE NE
OWNER NAME: INTEGRATED CONTROL SYSTEMS INC

OWNER ADDR: 04020 VASSAR NE ALBUQUERQUE NM 87107

102006447003640120 LEGAL: * 01 3 02 ONORTH ALBUQ ACRES UN3 TR3 LAND USE:
PROPERTY ADDR: 00000 HOLLY AVE NE
OWNER NAME: JOHNSON WILLIAM E ETUX
OWNER ADDR: 07021 LUELLA ANNE NE ALBUQUERQUE NM 87109

102006445403740121 LEGAL: * 01 2 02 ONORTH ALBUQ ACRES UN3 TR3 LAND USE:
PROPERTY ADDR: 00000 HOLLY AVE NE
OWNER NAME: JOHNSON WILLIAM E ETUX
OWNER ADDR: 07021 LUELLA ANNE NE ALBUQUERQUE NM 87109

102006443703740122 LEGAL: * 01 1 02 ONORTH ALBUQ ACRES UN3 TR3 LAND USE:
PROPERTY ADDR: 00000 HOLLY AVE NE
OWNER NAME: JOHNSON WILLIAM E ETUX
OWNER ADDR: 07021 LUELLA ANNE NE ALBUQUERQUE NM 87109

102006441403740123 LEGAL: LT 1 0 & THE E1/2 OF LT 9 BLK 20 NORTH ALBUQ ACRES LAND USE:
PROPERTY ADDR: 00000 HOLLY AVE NE
OWNER NAME: GARCIA WALTER
OWNER ADDR: 03004 8TH ST NW ALBUQUERQUE NM 87104

102006439103740125 LEGAL: LOT 8 & THE W1/2 OF LT 9 BLOCK 20 TR 3 UNIT 3 NORT LAND USE:
PROPERTY ADDR: 00000 9300 HOLLY AVE NE
OWNER NAME: VIGIL SANDRA M & VIGIL PETE JR
OWNER ADDR: 09300 HOLLYWOOD NE ALBUQUERQUE NM 87122

102006438712040308 LEGAL: * 02 5 01 8NORTH ALBUQ ACRES UN3 TR3 LAND USE:
PROPERTY ADDR: 00000 CARMEL AVE NE
OWNER NAME: HOECH REAL ESTATE CORP
OWNER ADDR: 08300 CARMEL AV NE ALBUQUERQUE NM 87122

102006440412040309 LEGAL: * 02 4 01 8NORTH ALBUQ ACRES UN3 TR3 LAND USE:
PROPERTY ADDR: 00000 CARMEL AVE NE
OWNER NAME: VALENCIA LUPITA
OWNER ADDR: 01301 ELFEGO BACA DR SW ALBUQUERQUE NM 87105

102006442012040310 LEGAL: * 02 3 01 8NORTH ALBUQ ACRES UN3 TR3 LAND USE:
PROPERTY ADDR: 00000 9330 CARMEL NE
OWNER NAME: CORMIER CHARLES A & BARBARA A
OWNER ADDR: 09330 CARMEL AV NE ALBUQUERQUE NM 87122

1[illegible]6443712040311 LEGAL: * 02 2 01 8NORTH ALBUQ ACRES UN3 TR3 LAND USE:
PROPERTY ADDR: 00000 9402 CARMEL AVE
OWNER NAME: WEINGARDT HARRY J & MARIE A
OWNER ADDR: 09406 CARMEL NE ALBUQUERQUE NM 87122

102006445312040312 LEGAL: * 02 1 01 8NORTH ALBUQ ACRES UN3 TR3 LAND USE:
PROPERTY ADDR: 00000 9406 CARMEL NE
OWNER NAME: WEINGARDT HARRY J & MARIE A
OWNER ADDR: 08504 GREENARBOR NE ALBUQUERQUE NM 87122

102006447012040313 LEGAL: * 02 0 01 8QUERQUE ACRES TRACT 3 UNIT 3 NORTH ALBU LAND USE:
PROPERTY ADDR: 00000 CARMEL AVE NE
OWNER NAME: KILNER JOSEPH R ETIX

OWNER ADDR: 00185 LOUCKS AV LOS ALTOS CA 94022

102006448512040314 LEGAL: * 01 9 01 8TRACT 3 UNIT 3 NORTH ALBUQUERQUE ACRES LAND USE:
PROPERTY ADDR: 00000 CARMEL AVE NE
OWNER NAME: KILNER JOSEPH R ETUX
OWNER ADDR: 00185 LOUCKS AV LOS ALTOS CA 94022

102006450212040315 LEGAL: * 01 8 01 8NORTH ALBUQ ACRES UN3 TR3 LAND USE:
PROPERTY ADDR: 00000 8315 HOLBROOK ST NE
OWNER NAME: CHINISCI FRANK T & JEANETTE M
OWNER ADDR: 08315 HOLBROOK ST NE ALBUQUERQUE NM 87122

102006451712040316 LEGAL: * 01 7 01 8NORTH ALBUQ ACRES UN3 TR3 LAND USE:
PROPERTY ADDR: 00000 9511 CARMEL NE
OWNER NAME: LUSADER PETER & PHYLLIS
OWNER ADDR: 08323 HOLBROOK ST NE ALBUQUERQUE NM 87122

102106402503830131 LEGAL: * 01 5 02 0TRACT 3 UNIT 1 NORTH ALBUQUERQUE ACRES LAND USE:
PROPERTY ADDR: 00000 HOLLY AVE NE
OWNER NAME: GARCIA EUGENE T AND TINA S & L
OWNER ADDR: 13204 HUGH GRAHAM NE ALBUQUERQUE NM 87111

102106400903830132 LEGAL: * 01 6 02 0TRACT 3 UNIT 1 NORTH ALBUQUERQUE ACRES LAND USE:
PROPERTY ADDR: 00000 HOLLY AVE NE
OWNER NAME: COUNTY OF BERNALILLO C/O COUNT
OWNER ADDR: 00000 ALBUQUERQUE NM 87102

102106400906830201 LEGAL: * 01 7 01 8TR 3 UNIT 1 NORTH ALBUQUERQUE ACRES LAND USE:
PROPERTY ADDR: 00000 HOLLY AVE NE
OWNER NAME: JARAMILLO RUPERT G & INELDA R
OWNER ADDR: 07112 PAN AMERICAN NE ALBUQUERQUE NM 87109

102106402506830202 LEGAL: * 01 8 01 8TR 3 UNIT 1 NORTH ALBUQUERQUE ACRES LAND USE:
PROPERTY ADDR: 00000 HOLLY AVE NE
OWNER NAME: JARAMILLO RUPERT G & INELDA R
OWNER ADDR: 07112 PAN AMERICAN NE ALBUQUERQUE NM 87109

102106402509130231 LEGAL: * 01 5 01 8TR 3 UNIT 1 NORTH ALBUQUERQUE ACRES LAND USE:
PROPERTY ADDR: 00000 CARMEL AVE NE
OWNER NAME: DHARAS SALIM G & ROSEMIN S
OWNER ADDR: 03711 CENTRAL AV NE ALBUQUERQUE NM 87108

1[illegible]6400909130232 LEGAL: * 01 6 01 8TR3 UNIT 1 NORTH ALBUQUERQUE ACRE LAND USE:
PROPERTY ADDR: 00000 CARMEL AVE NE
OWNER NAME: ULIANA VENES J REVOCABLE TRUST
OWNER ADDR: 00207 E MESA GALLUP NM 87301

102106400912030301 LEGAL: * 01 7 01 6TR 3 UNIT 1 NORTH ALBUQUERQUE ACRES LAND USE:
PROPERTY ADDR: 00000 9601 CARMEL AVE NE
OWNER NAME: TURICIANO JOSEPH A & MARIE E &
OWNER ADDR: 02125 CANDELERO SANTA FE NM 87505

102106402512030302 LEGAL: * 01 8 01 6TR 3 UNIT 1 NORTH ALBUQUERQUE ACRES LAND USE:
PROPERTY ADDR: 00000 9651 CARMEL AVE NE
OWNER NAME: TURICIANO JOSEPH A ETUX

OWNER ADDR: 06409 ROGERS NE ALBUQUERQUE NM 87110

# 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: March 5, 2003

TO CONTACT NAME: Debie LeBlanc Trujillo
COMPANY/AGENCY: Jeff Mortensen & Assoc. Inc
ADDRESS/ZIP: 6010 B Midway Park Blvd NE
PHONE/FAX #: 345-4250 / 345-4254

Thank you for your inquiry of 3-5-03 (date) requesting the names of **Recognized Neighborhood Associations** who would be affected under the provisions of O-92 by your proposed project at Lots 10-23, Block 19, North Albuquerque Acres, Tract 3, Unit 3
zone map page(s) C-20.

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

North Albuquerque Acres
**Neighborhood Association**
Contacts: Bonnie Harley
11021 Signal Ave NE
856-0051 (h+w) 87122
Jackie McDowell
1820 Beverly Hills Ave NE
828-2430 (h) 87122

**Neighborhood Association**
Contacts:

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

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,

Dalaina L Carmona
OFFICE OF COMMUNITY AND NEIGHBORHOOD COORDINATION

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

planning.recognized.na.form(05/08/01)

# 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 OCNC use only)*

Date of Inquiry: 3-5-03 Time Entered: 1:30pm OCNC Rep. Initials: DC

Proj# 1002525

HOECH REL ESTATE CORP.
8300 CARMEL AVE NE, STE# 601
ALBUQUERQUE NM 87122

JACKIE McDOWELL
North Albuq Acres Comm. Assoc.
7820 BEVERLY HILLS AVE NE
ALBUQUERQUE NM 87122

102006450203740118

INTEGRATED CONTROL SYSTEMS IN
4020 VASSAR NE
ALBUQUERQUE NM 87107

102006438712040308

HOECH REAL ESTATE CORP
8300 CARMEL AV NE
ALBUQUERQUE NM 87122

102006443712040311

WEINGARDT HARRY J & MARIE A
9406 CARMEL NE
ALBUQUERQUE NM 87122

102006450212040315

CHINISCI FRANK T & JEANETTE M
8315 HOLBROOK ST NE
ALBUQUERQUE NM 87122

102106400903830132

COUNTY OF BERNALILLO C/O COUN
ONE CIVIC PLAZA NW
ALBUQUERQUE NM 87103

102106400909130232

ULIANA VENES J REVOCABLE TRUS
207 E MESA
GALLUP NM 87301

Proj# 1002525

JEFF MORTENSEN & ASSOCIATES
6010-B MIDWAY PARK BLVD NE
ALBUQUERQUE NM 87109

102006442006640210

VIGIL SANDRA M & PETE JR
9300 HOLLY AV NE
ALBUQUERQUE NM 87122

102006447003640120

JOHNSON WILLIAM E ETUX
7021 LUELLA ANNE NE
ALBUQUERQUE NM 87109

102006440412040309

VALENCIA LUPITA
1301 ELFEGO BACA DR SW
ALBUQUERQUE NM 87105

102006445312040312

WEINGARDT HARRY J & MARIE A
8504 GREENARBOR NE
ALBUQUERQUE NM 87122

102006451712040316

LUSADER PETER & PHYLLIS
8323 HOLBROOK ST NE
ALBUQUERQUE NM 87122

102106400906830201

JARAMILLO RUPERT G & INELDA R
7112 PAN AMERICAN NE
ALBUQUERQUE NM 87109

102106400912030301

TURICIANO JOSEPH A & MARIE E
2125 CANDELERO
SANTA FE NM 87505

BONNIE HARLEY
North Albuq Acres Comm.Assoc.
11021 SIGNAL AVE NE
ALBUQUERQUE NM 87122

102006438806740208

CHAVEZ MARGARET S OR MARIAN V
655 LA PLATA DR
BOSQUE FARMS NM 87068

102006441403740123

GARCIA WALTER
3004 8TH ST NW
ALBUQUERQUE NM 87104

102006442012040310

CORMIER CHARLES A & BARBARA A
9330 CARMEL AV NE
ALBUQUERQUE NM 87122

102006447012040313

KILNER JOSEPH R ETIX
185 LOUCKS AV
LOS ALTOS CA 94022

102106402503830131

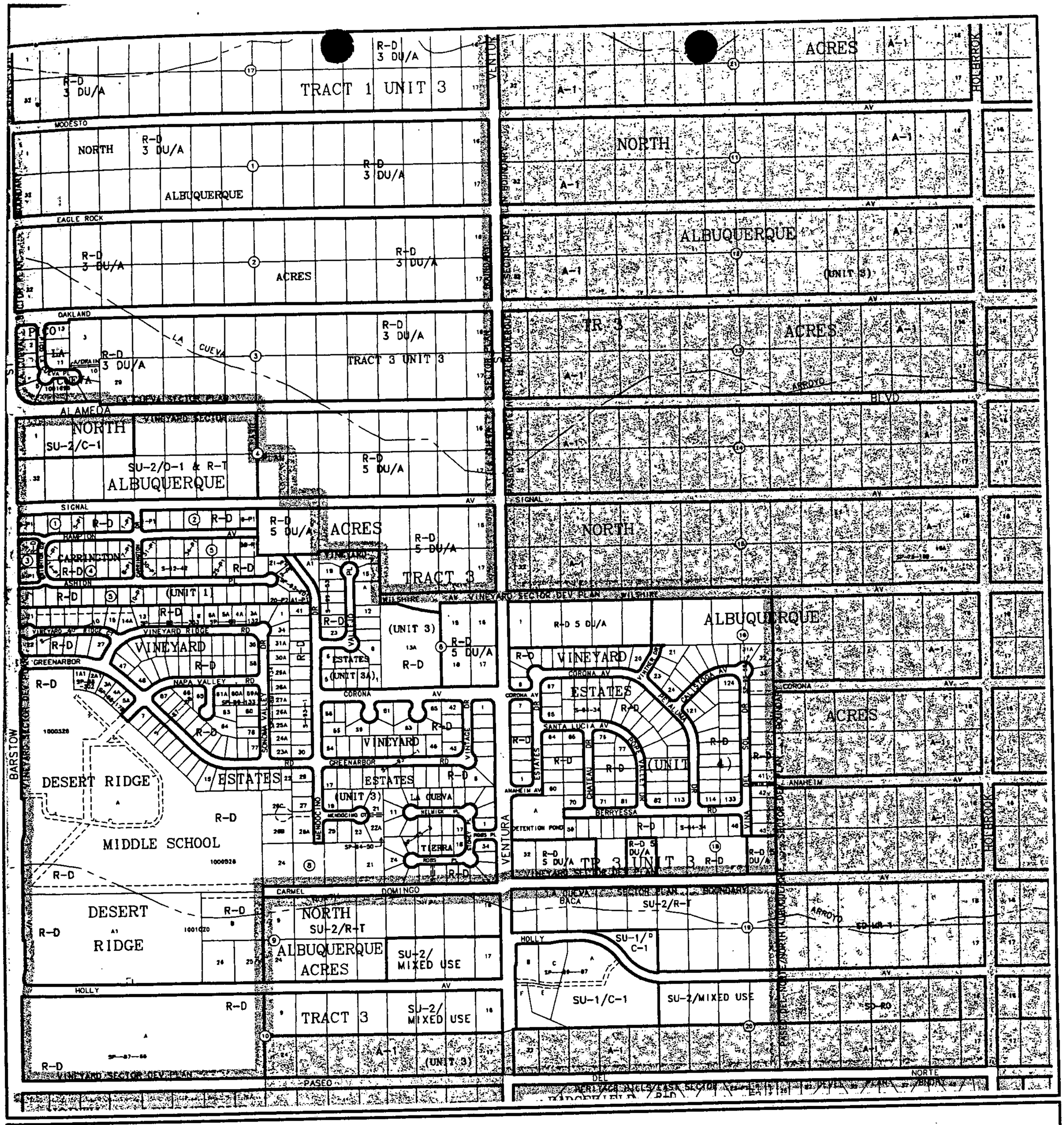
GARCIA EUGENE T AND TINA S &
13204 HUGH GRAHAM NE
ALBUQUERQUE NM 87111

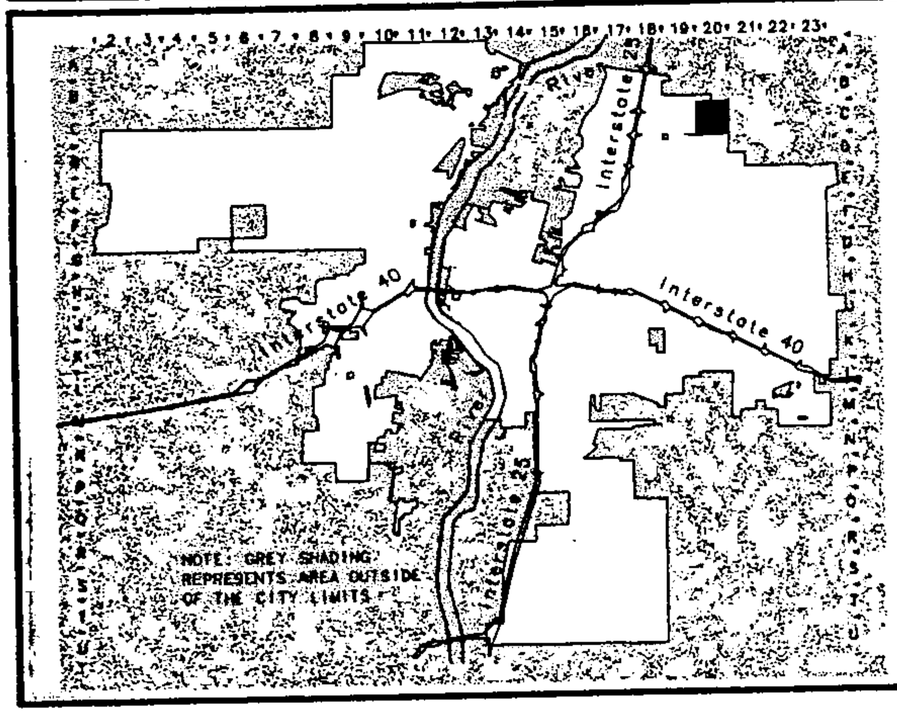
102106402509130231

DHARAS SALIM G & ROSEMIN S
3711 CENTRAL AV NE
ALBUQUERQUE NM 87108

102106402512030302

TURICIANO JOSEPH A ETUX
6409 ROGERS NE
ALBUQUERQUE NM 87110




CITY OF
Albuquerque

Albuquerque Geographic Information System
PLANNING DEPARTMENT

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GRAPHIC SCALE IN FEET
250 0 750 1000

# Zone Atlas Page

# C-20-Z

Map Amended through April 03, 2002

#234

# CITY OF ALBUQUERQUE
## PLANNING DEPARTMENT - DEVELOPMENT SERVICES DIVISION
## PROPERTY OWNERSHIP LIST

| | |
|---|---|
| App# | 03DRB-01263 |
| Proj# | 1002525 |
| Other# | 03DRB-01264 |
| | |

**Meeting Date:** 8-20-03

**Zone Atlas Page:** C-20-Z

**Notification Radius:** 100 **Ft.**

**Cross Reference and Location:**

**Applicant:** Desert Ridge Development, LLC

**Address:** 8300 Carmel NE, Ste # 601, NM 87122

**Agent:** Jeff Mortensen & Associates

**Address:** 6010-B Midway Park Blvd NE, 87109

**SPECIAL INSTRUCTIONS**

**Notices Must be mailed from the City 15 days prior to the meeting.**

**Date Mailed:** 8-Aug 4, 2003

**Signature:** K Tsethlikai

```
102006442012040310   LEGAL: * 02 3 01 8NORTH ALBUQ ACRES UN3 TR3                    LAND USE:
                     PROPERTY ADDR: 00000    9330 CARMEL  NE
                        OWNER NAME: CORMIER CHARLES A & BARBARA A
                        OWNER ADDR: 09330   CARMEL                  AV NE ALBUQUERQUE      NM 87122

102006443712040311   LEGAL: * 02 2 01 8NORTH ALBUQ ACRES UN3 TR3                    LAND USE:
                     PROPERTY ADDR: 00000    9402 CARMEL AVE
                        OWNER NAME: WEINGARDT HARRY J & MARIE A
                        OWNER ADDR: 09406   CARMEL                     NE ALBUQUERQUE      NM 87122

102006445312040312   LEGAL: * 02 1 01 8NORTH ALBUQ ACRES UN3 TR3                    LAND USE:
                     PROPERTY ADDR: 00000    9406 CARMEL  NE
                        OWNER NAME: WEINGARDT HARRY J & MARIE A
                        OWNER ADDR: 08504   GREENARBOR                 NE ALBUQUERQUE      NM 87122

102006447012040313   LEGAL: * 02 0 01 8QUERQUE ACRES TRACT 3 UNIT 3 NORTH ALBU    LAND USE:
                     PROPERTY ADDR: 00000    CARMEL AVE NE
                        OWNER NAME: KILNER JOSEPH R ETIX
                        OWNER ADDR: 00185   LOUCKS                  AV    LOS ALTOS        CA 94022

102006448512040314   LEGAL: * 01 9 01 8TRACT 3 UNIT 3 NORTH ALBUQUERQUE ACRES     LAND USE:
                     PROPERTY ADDR: 00000    CARMEL AVE NE
                        OWNER NAME: KILNER JOSEPH R ETUX
                        OWNER ADDR: 00185   LOUCKS                  AV    LOS ALTOS        CA 94022

102006450212040315   LEGAL: * 01 8 01 8NORTH ALBUQ ACRES UN3 TR3                    LAND USE:
                     PROPERTY ADDR: 00000    8315 HOLBROOK ST NE
                        OWNER NAME: CHINISCI FRANK T & JEANETTE M
                        OWNER ADDR: 08315   HOLBROOK                ST NE ALBUQUERQUE      NM 87122

102006451712040316   LEGAL: * 01 7 01 8NORTH ALBUQ ACRES UN3 TR3                    LAND USE:
                     PROPERTY ADDR: 00000    9511 CARMEL  NE
                        OWNER NAME: LUSADER PETER & PHYLLIS
                        OWNER ADDR: 08323   HOLBROOK                ST NE ALBUQUERQUE      NM 87122

102106400912030301   LEGAL: * 01 7 01 6TR 3 UNIT 1 NORTH ALBUQUERQUE ACRES        LAND USE:
                     PROPERTY ADDR: 00000    9601 CARMEL AVE NE
                        OWNER NAME: TURICIANO JOSEPH A & MARIE E &
                        OWNER ADDR: 02125   CANDELERO                  SANTA FE           NM 87505

102006440412040309   LEGAL: * 02 4 01 8NORTH ALBUQ ACRES UN3 TR3                    LAND USE:
                     PROPERTY ADDR: 00000    CARMEL AVE NE
                        OWNER NAME: VALENCIA LUPITA
                        OWNER ADDR: 01301   ELFEGO BACA             DR SW ALBUQUERQUE      NM 87105

102006440409040224   LEGAL: * 00 9 01 9QUERQUE ACRES TRACT 3 UNIT 3 NORTH ALBU    LAND USE:
                     PROPERTY ADDR: 00000    CARMEL AVE NE
                        OWNER NAME: VIGIL SANDRA M & PETE JR
                        OWNER ADDR: 09300   HOLLY                   AV NE ALBUQUERQUE      NM 87122

102006442009040223   LEGAL: * 01 0 01 9TRACT 3 UNIT 3 NORTH ALBUQUERQUE ACRES     LAND USE:
                     PROPERTY ADDR: 00000    CARMEL AVE NE
                        OWNER NAME: VIGIL SANDRA M & PETE JR
                        OWNER ADDR: 09300   HOLLY                   AV NE ALBUQUERQUE      NM 87122
```



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102006443709040222   LEGAL: * 01 1 01 9NORTH ALBUQ ACRES UN3 TR3                    LAND USE:
                     PROPERTY ADDR: 00000    CARMEL AVE NE
                        OWNER NAME: VIGIL SANDRA M & PETE JR
                        OWNER ADDR: 09300   HOLLY                   AV NE ALBUQUERQUE      NM 87122

102006445309040221   LEGAL: * 01 2 01 9QUERQUE ACRES TRACT 3 UNIT 3 NORTH ALBU    LAND USE:
                     PROPERTY ADDR: 00000    CARMEL AVE NE
                        OWNER NAME: VIGIL SANDRA M & PETE JR
                        OWNER ADDR: 09300   HOLLY                   AV NE ALBUQUERQUE      NM 87122

102006447009040220   LEGAL: * 01 3 01 9TRACT 3 UNIT 3 NORTH ALBUQUERQUE ACRES     LAND USE:
                     PROPERTY ADDR: 00000    CARMEL AVE NE
                        OWNER NAME: VIGIL SANDRA M & PETE JR
                        OWNER ADDR: 09300   HOLLY                   AV NE ALBUQUERQUE      NM 87122

102006448609040219   LEGAL: * 01 4 01 9TRACT 3 UNIT 3 NORTH ALBUQUERQUE ACRES     LAND USE:
                     PROPERTY ADDR: 00000    CARMEL AVE NE
                        OWNER NAME: VIGIL SANDRA M & PETE JR
                        OWNER ADDR: 09300   HOLLY                   AV NE ALBUQUERQUE      NM 87122

102006450209040218   LEGAL: * 01 5 01 9TRACT 3 UNIT 3 NORTH ALBUQUERQUE ACRES     LAND USE:
                     PROPERTY ADDR: 00000    CARMEL AVE NE
                        OWNER NAME: VIGIL SANDRA M & PETE JR
                        OWNER ADDR: 09300   HOLLY                   AV NE ALBUQUERQUE      NM 87122

102006451709040217   LEGAL: * 01 6 01 9TRACT 3 UNIT 3 NORTH ALBUQUERQUE ACRES     LAND USE:
                     PROPERTY ADDR: 00000    CARMEL AVE NE
                        OWNER NAME: VIGIL SANDRA M & PETE JR
                        OWNER ADDR: 09300   HOLLY                   AV NE ALBUQUERQUE      NM 87122

102106400909130232   LEGAL: * 01 6 01 8TR3 UNIT 1 NORTH ALBUQUERQUE ACRE          LAND USE:
                     PROPERTY ADDR: 00000    CARMEL AVE NE
                        OWNER NAME: ULIANA VENES J REVOCABLE TRUST
                        OWNER ADDR: 00207   E MESA                     GALLUP             NM 87301

102006440306740209   LEGAL: * 02 4 01 9QUERQUE ACRES TRACT 3 UNIT 3 NORTH ALBU    LAND USE:
                     PROPERTY ADDR: 00000    HOLLY AVE NE
                        OWNER NAME: VIGIL SANDRA M & PETE JR
                        OWNER ADDR: 09300   HOLLY                   AV NE ALBUQUERQUE      NM 87122

102006442006640210   LEGAL: * 02 3 01 9TRACT 3 UNIT 3 NORTH ALBUQUERQUE ACRES     LAND USE:
                     PROPERTY ADDR: 00000    HOLLY AVE NE
                        OWNER NAME: VIGIL SANDRA M & PETE JR
                        OWNER ADDR: 09300   HOLLY                   AV NE ALBUQUERQUE      NM 87122

102006443706740211   LEGAL: * 02 2 01 9QUERQUE ACRES TRACT 3 UNIT 3 NORTH ALBU    LAND USE:
                     PROPERTY ADDR: 00000    HOLLY AVE NE
                        OWNER NAME: VIGIL SANDRA M & PETE JR
                        OWNER ADDR: 09300   HOLLY                   AV NE ALBUQUERQUE      NM 87122

102006445406740212   LEGAL: * 02 1 01 9QUERQUE ACRES TRACT 3 UNIT 3 NORTH ALBU    LAND USE:
                     PROPERTY ADDR: 00000    HOLLY AVE NE
                        OWNER NAME: VIGIL SANDRA M & PETE JR
                        OWNER ADDR: 09300   HOLLY                   AV NE ALBUQUERQUE      NM 87122
```

102006447006640213 LEGAL: * 02 0 01 9TRACT 3 UNIT 3 NORTH ALBUQUERQUE ACRES LAND USE:
PROPERTY ADDR: 00000 9425 HOLLY AVE NE
OWNER NAME: VIGIL SANDRA M & PETE JR
OWNER ADDR: 09300 HOLLY AV NE ALBUQUERQUE NM 87122

102106400906830201 LEGAL: * 01 7 01 8TR 3 UNIT 1 NORTH ALBUQUERQUE ACRES LAND USE:
PROPERTY ADDR: 00000 HOLLY AVE NE
OWNER NAME: JARAMILLO RUPERT G & INELDA R
OWNER ADDR: 07112 PAN AMERICAN NE ALBUQUERQUE NM 87109

102006448606740214 LEGAL: * 01 9 01 9TRACT 3 UNIT 3 NORTH ALBUQUERQUE ACRES LAND USE:
PROPERTY ADDR: 00000 HOLLY AVE NE
OWNER NAME: VIGIL SANDRA M & PETE JR
OWNER ADDR: 09300 HOLLY AV NE ALBUQUERQUE NM 87122

102006450206640215 LEGAL: * 01 8 01 9TRACT 3 UNIT 3 NORTH ALUQUERQUE ACRES LAND USE:
PROPERTY ADDR: 00000 HOLLY AVE NE
OWNER NAME: VIGIL SANDRA M & PETE JR
OWNER ADDR: 09300 HOLLY AV NE ALBUQUERQUE NM 87122

102006451706640216 LEGAL: * 01 7 01 9TRACT 3 UNIT 3 NORTH ALBUQUERQUE ACRES LAND USE:
PROPERTY ADDR: 00000 HOLLY AVE NE
OWNER NAME: VIGIL SANDRA M & PETE JR
OWNER ADDR: 09300 HOLLY AV NE ALBUQUERQUE NM 87122

102006439103740125 LEGAL: LOT 8 & THE W1/2 OF LT 9 BLOCK 20 TR 3 UNIT 3 NORT LAND USE:
PROPERTY ADDR: 00000 9300 HOLLY AVE NE
OWNER NAME: VIGIL SANDRA M & VIGIL PETE JR
OWNER ADDR: 09300 HOLLYWOOD NE ALBUQUERQUE NM 87122

102006441403740123 LEGAL: LT 1 0 & THE E1/2 OF LT 9 BLK 20 NORTH ALBUQ ACRES LAND USE:
PROPERTY ADDR: 00000 HOLLY AVE NE
OWNER NAME: GARCIA WALTER
OWNER ADDR: 03004 8TH ST NW ALBUQUERQUE NM 87104

102006443703740122 LEGAL: * 01 1 02 0NORTH ALBUQ ACRES UN3 TR3 LAND USE:
PROPERTY ADDR: 00000 HOLLY AVE NE
OWNER NAME: JOHNSON WILLIAM E ETUX
OWNER ADDR: 07021 LUELLA ANNE NE ALBUQUERQUE NM 87109

102006445403740121 LEGAL: * 01 2 02 0NORTH ALBUQ ACRES UN3 TR3 LAND USE:
PROPERTY ADDR: 00000 HOLLY AVE NE
OWNER NAME: JOHNSON WILLIAM E ETUX
OWNER ADDR: 07021 LUELLA ANNE NE ALBUQUERQUE NM 87109

102006447003640120 LEGAL: * 01 3 02 0NORTH ALBUQ ACRES UN3 TR3 LAND USE:
PROPERTY ADDR: 00000 HOLLY AVE NE
OWNER NAME: JOHNSON WILLIAM E ETUX
OWNER ADDR: 07021 LUELLA ANNE NE ALBUQUERQUE NM 87109

102006448603640119 LEGAL: * 01 4 02 0NORTH ALBUQ ACRES UN3 TR3 LAND USE:
PROPERTY ADDR: 00000 HOLLY AVE NE
OWNER NAME: INTEGRATED CONTROL SYSTEMS INC
OWNER ADDR: 04020 VASSAR NE ALBUQUERQUE NM 87107



102006450203740118 LEGAL: * 01 5 02 0NORTH ALBUQ ACRES UN3 TR3 LAND USE:
PROPERTY ADDR: 00000 HOLLY AVE NE
OWNER NAME: INTEGRATED CONTROL SYSTEMS INC
OWNER ADDR: 04020 VASSAR NE ALBUQUERQUE NM 87107

102106400903830132 LEGAL: * 01 6 02 0TRACT 3 UNIT 1 NORTH ALBUQUERQUE ACRES LAND USE:
PROPERTY ADDR: 00000 HOLLY AVE NE
OWNER NAME: COUNTY OF BERNALILLO C/O COUNT
OWNER ADDR: 00000 ALBUQUERQUE NM 87102

2002-0493

# 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: July 21, 2003

TO CONTACT NAME: Debie LeBlanc Trujillo
COMPANY/AGENCY: Jeff Mortensen & Assoc
ADDRESS/ZIP: 6010-B Midway Park Blvd NE 87109
PHONE/FAX #: 345-4250 / 345-4254

Thank you for your inquiry of 7-21-03 (date) requesting the names of **Recognized Neighborhood Associations** who would be affected under the provisions of O-92 by your proposed project at Lots 10-23, Block F, North Albuquerque Acres, Tract 3, Unit 3,
zone map page(s) C-20.

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

North Albuquerque Acres
**Neighborhood Association**
Contacts: Bonnie Harley
11021 Signal Ave NE
856-0051 (h+w) 87122
Jackie McDowell
7820 Beverly Hills Ave NE
828-2430 (h) 87122

**Neighborhood Association**
Contacts:

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

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Sincerely,

Dalaina L Carmona
OFFICE OF COMMUNITY AND NEIGHBORHOOD COORDINATION

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

planning.recognized.na.form(05/08/01)

# NOTICE TO APPLICANTS

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4. A complete description of the actions requested of the EPC:
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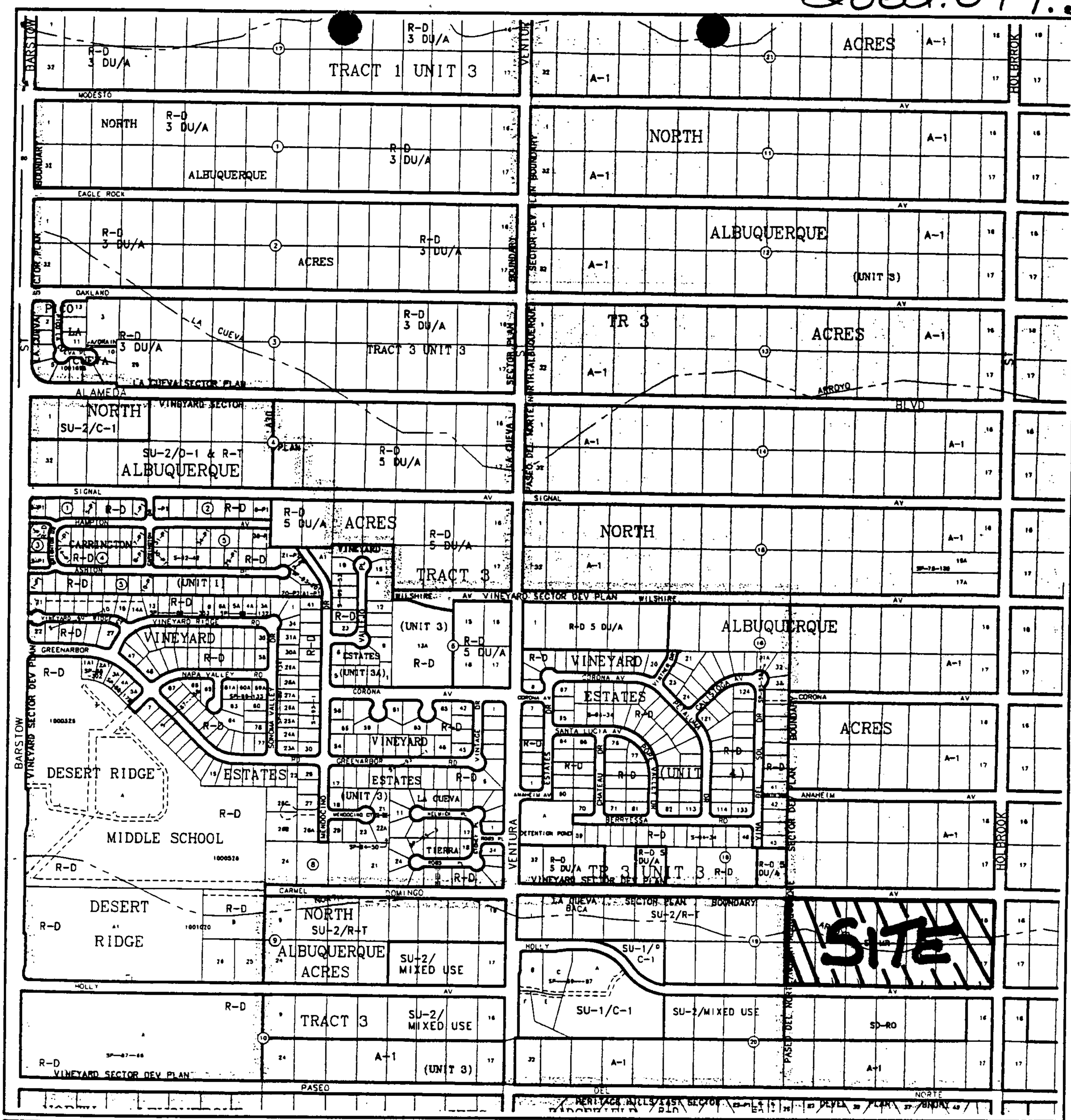
   c) If a **SECTOR DEVELOPMENT PLAN OR PLAN AMENDMENT** a general description of the plan area, plan concept, the mix of zoning and land use categories proposed and description of major features such as location of significant shopping centers, employment centers, parks and other public facilities.
5. 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.

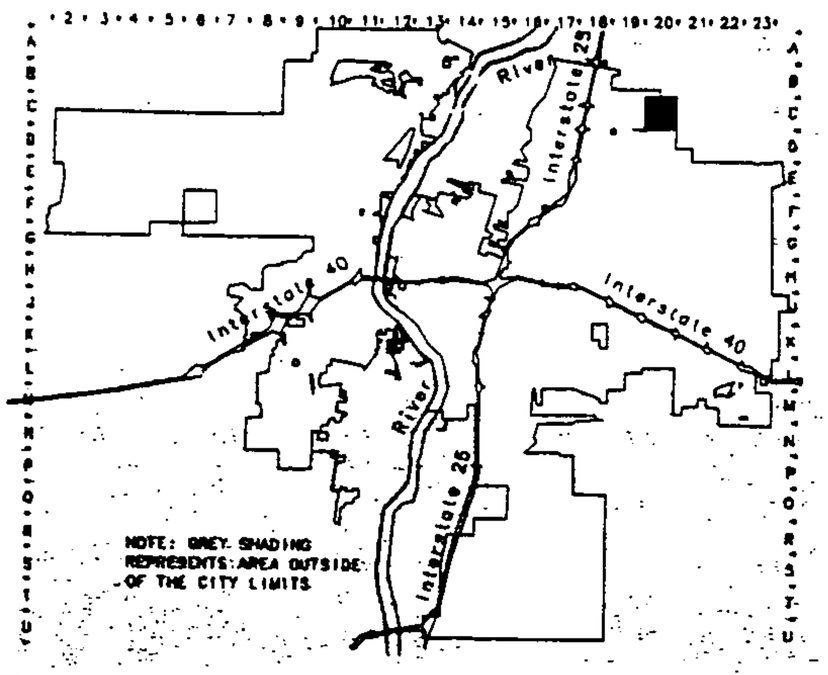
* * * * * * * * * * * * * * * * * * * * * * * * * * * * * * * * * * * * * * * * * * * * * * * * * * * * * * * * * * * *

*(below this line for OCNC use only)*

Date of Inquiry: 7-21-03 Time Entered: 10:30am OCNC Rep. Initials: DC

2002.049.3




CITY OF Albuquerque

Albuquerque Geographic Information System

PLANNING DEPARTMENT

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GRAPHIC SCALE IN FEET

250 0 750 1000

# Zone Atlas Page

# C-20-Z

Map Amended through April 03, 2002

# FORM V: SUBDIVISION VARIANCES & VACATIONS

☐ **BULK LAND VARIANCE** **(Public Hearing Case)**

- ☐ Application for subdivision (Plat) on FORM S-3, including those submittal requirements. Variance and subdivision should be applied for simultaneously. (**24** copies)
- ☐ 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.

JEFF HARTENSEN & ASSOC. INC
JEFF LEFFANC TRUSTEE
Applicant name (print)

Applicant signature / date

Form revised April 2003

☑ Checklists complete
☐ Fees collected
☑ Case #s assigned
☑ Related #s listed

Application case numbers
03DRB - - 01264
- -
- -

Planner signature / date

Project # 1002525

County of Bernalillo } SS

Bill Tafoya, being duly sworn, declares and says that he is Classified Advertising Manager of **The Albuquerque Journal**, and that this newspaper is duly qualified to publish legal notices or advertisements within the meaning of Section 3, Chapter 167, Session Laws of 1937, and that payment therefore has been made of assessed as court cost; that the notice, copy of which is hereto attached, was published in said paper in the regular daily edition, for 1 times, the first publication being on the 24 day of Sept, 2003, and the subsequent consecutive publications on _____, 2003.

Sworn and subscribed to before me, a Notary Public, in and for the County of Bernalillo and State of New Mexico this day of Sept 24 of 2003.

PRICE 120.58

Statement to come at end of month.

ACCOUNT NUMBER C80583

CLA-22-A (R-1/93)

OFFICIAL SEAL
Samantha We
NOTARY PUBL
STATE OF NEW ME
My Commission Expires: 10/2

Samantha

ALBUQUERQUE NEW MEXICO 1706

NOTICE OF PUBLIC HEARING

Notice is hereby given that the City of Albuquerque Environmental Planning Commission will hold a **Study Session on Thursday, October 9, 2003, 3:00 p.m.**, in the Plaza del Sol Hearing Room, Lower Level, Plaza del Sol building, 600 2nd St. NW, Albuquerque, NM to consider the following:

1. Distribution & Review - Current Land Use Matters for the October 9, 2003 Public Hearing, which include the projects listed below.

Notice is hereby given that the City of Albuquerque Environmental Planning Commission will hold a **Public Hearing on Thursday, October 16, 2003, 8:30 a.m.**, in the Plaza del Sol Hearing Room, Lower Level, Plaza del Sol building, 600 2nd St. NW, Albuquerque, NM to consider the following items: [Note: these items are not in the order they will be heard]

**Project # 1002421**
03EPC-00692 EPC Site Development Plan-Building Permit GARRETT SMITH LTD agent(s) for NEWLIFE HOMES INC. request the above action(s) for all or a portion of Tract 111, Town of Atrisco Grant, Unit 6, zoned SU-1 PRD 20 du/a, located on GWIN ROAD SW, between 69TH STREET SW and BATAAN DR SW, containing approximately 1 acre. (K-10) Juanita Vigil, Staff Planner (**APPROVED WITH CONDITIONS**)

**Project # 1002941**
03EPC-01467 EPC Sector Development Plan
03EPC-01468 Zone Map Amendment CONSENSUS PLANNING INC. agent for SUNSTATE REALTY request the above actions for all of Tract H20, **Riverview Subdivision**, a zone map amendment from RA-1 to RA-2, located at the southwest corner of Eagle Ranch Rd. and Coors Blvd. NW, containing approximately 5 acres. (C-12) (Carmen Marrone, Staff Planner)

**Project # 1002943**
03EPC-01469 Zone Map Amendment-GARCIA/KRAEMER & ASSOCIATES agent(s) for DAVID & SANDRA MOLLOHAN & BOB & MARY COC request the above action(s) for all or a portion of Lot(s) 16 & 17, **East End Addition**, a zone map amendment from R-1 to C-2, located on VIRGINIA NE, between LOMAS NE and MARBLE NE, containing approximately 1 acre(s). (J-19) (Juanita Vigil, Staff Planner)

**Project # 1000149**
03EPC-01470 Zone Map Amendment GARCIA/KRAEMER & ASSOC. agent for BOB GRINDER, request the above action for all or a portion of Lot 7, **Davidson Addition No. 2**, a zone map amendment from R-1 to RC, located at 304 CANDELARIA NW, between 2ND ST. NW and 4TH ST. NW, containing approximately 0.1 acre. (G-14) (Simon Shima, Staff Planner)

**Project # 1000418**
03EPC-01471 EPC Site Development Plan-Amendment to Building Permit LPDJ ARCHITECTS LLC agent(s) for VICTORY LOVE FOLLOWSHIP CHURCH request the above action(s) for all or a portion of Tract(s) A-1, **Victory Love Followship Church & Related**, zoned SU-1 for Church & Related Facilities, located on CENTRAL AVE. NW, between COORS BLVD. NW and UNSER BLVD. NW, containing approximately 14 acre(s). (K-10) (Maxita Hill, Staff Planner)

**Project # 1002717**
03EPC-01472 EPC Sector Development Plan
03EPC-01474 EPC Site Development Plan-Subdivision
TIMOTH FLYNN-OBRIEN agent(s) for WEST BLUFF CENTER LLC, A NM LIABILITY CO request the above action(s) for all of a portion of Tract(s) 303 and Tracts 304, 305, and 306, **Town of Atrisco Grant**, zoned SU-1/O-1/PRD, located on COORS BLVD NW, between CORONA DRIVE NW and ALAMOGORDO DRIVE NW. (H-11) (Russell Brito, Staff Planner)

**Project # 1000262**
03EPC-01476 EPC Site Development Plan-Subdivision
03EPC-01477 EPC Site Development Plan-Building Permit
03EPC-01478 Zone Map Amendment CONSENSUS PLANNING, INC., agent for LONGFORD HOMES request the above actions for all or a portion of Tract B-1, **Costco Development, Manzano Mesa Addition**, a zone map amendment from SU-1 for C-2 Permissive Uses to SU-1 for PRD, located on SOUTHERN BLVD. SE, between EUBANK BLVD. SE and JUAN TABO SE, containing approximately 13 acres. (E-21) (Simon Shima, Staff Planner)

**Project # 1002944**
03EPC-01480 EPC Site Development Plan-Building Permit
03EPC-01479 EPC Site Development Plan-Subdivision
CLAUDIO VIGIL ARCHITECTS agents for LINDA CONTOS & JOHN HEIDRICH request the above action(s) for all or a portion of Tracts F-1 & F-2, **Lands of Zolin/Kunath, Tres Esquilhas, and Curb Inc.**, zoned SU-1 Mixed-Use, located on UNSER BLVD. NW, between MCMAHON DRIVE NW and NIGHT WHISPER NW, containing approximately 1.88 acres. (A-11) (Chris Hyer, Staff Planner)

**Project # 1002945**
03EPC-01481 EPC Site Development Plan-Building Permit GEORGE RAINHART ARCHITECTS & ASSOC. agents for LA CUEVA TOWN CENTER LTD. request the above action for all or a portion of Lot 4B, Block 19, La Cueva Town Center, zoned C-2 (SC), located on WYOMING BLVD. NE between WYOMING BLVD. NE and CARMEL AVE. NE containing approximately 1 acre(s). (C-19) (Deborah Stover, Staff Planner)

**Project # 1002855**
03EPC-00979 EPC Site Development Plan-Building Permit
03EPC-00981 Zone Map Amendment JOHN A. MYERS, ESQ. agent(s) for ETG PROPERTIES, LLC request the above action(s) for all or a portion of Lot(s) 4, 5, & 6, Block(s) 24, East End Addn, a zone map amendment from R-1 to SU-1 for Automobile Sales & Storage, located on VERMONT ST. NE, between LOMAS BLVD NE and MARBLE AVE. NE containing approximately 1 acre(s). (J-19) Juanita Vigil, Staff Planner (**DEFERRED TO OCTOBER 16, 2003**)

03EPC-01482 Project # 1002525
03DRB-01283 Major Preliminary Plat Approval
Marie Weingardt, appeals the Development Review Board's approval of the above action(s) for all or a portion of Lot(s) 10-23, Block(s) 19, Tract(s) 3, **NORTH ALBUQUERQUE ACRES, UNIT 3** (to be known as **VINEYARD COURT ESTATES**) zoned R-D, residential and related uses zone development area, located on HOLL AVE NE, between VENTURA ST. NE and DOLBROOK ST. NE containing approximately 14 acre(s). (REF: 03DRB-00367-70, 02EPC-01354 & 54) (G-13)

Details of these applications may be examined at the Development Services Division of the Planning Department, 3rd Level, Plaza Del Sol Building, 600 Second Street NW, between 10:00 a.m. and 12:00 and between 2:00 and 4:00 p.m., Monday through Friday. You may call April Candelaria at 924-3886. INDIVIDUALS WITH DISABILITIES who need special assistance to participate at the public hearing should contact April Candelaria 924-3886 (VOICE) or 924-3361 (TTY). TTY users may also access the voice number via the New Mexico Relay Network by calling toll free 1-800-659-8331.

Jeff Jesionowski, Chairman
Environmental Planning Commission

Current DRC
Project Number: 718781

FIGURE 12

Claire

Date Submitted: 08/20/2003
Date Site Plan Approved:
Date Preliminary Plat Approved: 8/20/03
Date Preliminary Plat Expires: 8/20/04
DRB Project No.: 1002525
DRB Application No.: 03DRB-01263
2 3-4-05

ORIGINAL

INFRASTRUCTURE LIST

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

## VINEYARD COURT ESTATES

### LOTS 10-23, BLOCK 19, TRACT 3, UNIT 3, NORTH ALBUQUERQUE ACRES

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 | Private Inspector | City Inspector | City Cnst Engineer |
|---|---|---|---|---|---|---|---|---|---|
| B1 | 718781 | 16' | Perm. ~~Res.~~ Pavement (1/2 Width) w/standard C&G (south side only) | Carmel Ave NE | NW Corner of Site | Holbrook St NE | / | / | / |
| B1 | 718781 | 4' | Sidewalk (South Side) | Carmel Ave NE | NW Corner of Site | Holbrook St NE | / | / | / |
| B1 | 718781 | 8' | Temporary Pavement | Carmel Ave NE | NW Corner of Site | Holbrook St NE | / | / | / |
| B1 | 718781 | 8" | Sanitary Sewer | Carmel Ave NE | NW Corner of Site | SW Cor. Lot 17, Blk 18 | / | / | / |
| B1 | 718781 | 8" | Sanitary Sewer* (*For Future Use - No FG Required) | Carmel Ave NE | SW Cor. Lot 17, Blk 18 | Holbrook | / | / | |
| AMAFCA | 693481 | 96" to 54" | RCP Public Storm Drain (Construction by AMAFCA ) | Carmel Ave NE | 1320' West of Ventura Street NE | NE Cor. Lot 10, Blk 18, Tr. 3, Unit 1, N.A.A | / | / | / |
| B1 | 718781 | 8" | Water Line | Carmel Ave NE | Grape View Ct NE | Holbrook St NE | / | / | / |
| FG'd by 705282, 699981 | 699981 | 2 ~~8"~~ | ~~Sanitary Sewer (Offsite)*~~ (*Under Construction by CPN 699981) | ~~Carmel Ave N.E.~~ NOT REQUIRED DUE TO IMPROVEMENTS CONSTRUCTED BY VENTURA VILLAGE, CPN 699981 | ~~Ventura Street N.E.~~ | ~~SW Cor Vineyard 4A~~ | / | / | / |
| FG'd by 705282, 699981 | 699981 | 2 ~~8"~~ | ~~Sanitary Sewer (Offsite)*~~ (*to be superseded by line in Village Ave being constructed by CPN 699981) | ~~Ventura Street N.E.~~ NOT REQUIRED DUE TO IMPROVEMENTS CONSTRUCTED BY VENTURA VILLAGE, CPN 699981 | ~~Holly Ave N.E.~~ | ~~Carmel Ave N.E.~~ | / | / | / |
| FG'd by 705282, 699981 | 699981 | ~~24'~~ | ~~Temporary Res. Pavement (Offsite)* (*permanent pavement under construction (by CPN 699981)~~ | ~~Carmel Ave N.E.~~ | ~~Ventura Street NE~~ | ~~SW Cor Vineyard 4A~~ | / | / | / |
| FG'd by 705282 | 705282 | 8" | Sanitary Sewer (Offsite)* (*Under Construction by CPN 705282) | Carmel Ave N.E. | SW Cor Vineyard 4A | SE Cor Vineyard 4A | / | / | / |
| FG'd by 705282 | 705282 | ~~24'~~ | ~~Temporary Res. Pavement (Offsite)* (*permanent pavement under construction (by CPN 705282)~~ | Carmel Ave N.E. | ~~SW Cor Vineyard 4A~~ | ~~SE Cor Vineyard 4A~~ | / | / | / |



revised 07/01/01

ORIGINAL

| SIA Sequence # | COA DRC Project # | Size | Type of Improvement | Location | From | To | Private Inspector | City Inspector | City Cnst Engineer |
|---|---|---|---|---|---|---|---|---|---|
| B1 | 718781 | 18' | Perm. Commercial Pvmnt (1/2 Width) | Holly Ave NE | SW Corner of Site | Holbrook St NE | / | / | / |
| B1 | 718781 | 1 18' | w/standard C&G (North Side Only) " " (SOUTH SIDE) | HOLLY AVE. N. E. | NW CORNER LOT 11, BLK 20 | HOLBROOK ST NE | / | / | / |
| B1 | 718781 | 4' | Sidewalk (North side only) | Holly Ave NE | SW Corner of Site | HOLBROOK ST NE NW CORNER LOT 11, BLK 20. | / | / | / |
| B1 | 718781 | 6' | Temporary Pavement | Holly Ave NE | SW Corner of Site | 1 ~~Holbrook St NE~~ | / | / | / |
| B1 | 718781 | 8" | Sanitary Sewer | Holly Ave NE | SW Corner of Site | NW Cor. Lot 16, Blk 20 | / | / | / |
| B1 | 718781 | 8" | Sanitary Sewer* (*For Future Use - No FG Required) | Holly Ave NE | SW Corner of Site | NW Cor. Lot 16, Blk 20 | / | / | |
| B1 | 718781 | 24" | RCP Public Storm Drain | Holly Ave NE | SW Corner of Site | Grape Arbor Ct NE | / | / | / |
| B1 | 718781 | 8" | Water Line | Holly Ave NE | Grape View Ct NE | Holbrook St NE | / | / | / |
| FG'd by 708481 | 708481 | 8" | Sanitary Sewer (Offsite)* (*Under Construction by CPN 708481) | Holly Ave N.E. | SW Cor. Los Vigils | SW Cor. Site | / | / | / |
| FG'd by 708481 | 708481 | 30"-24" DRB 1002271 | RCP Public Storm Drain (Offsite)* (*Under Construction by CPN 708481) | Holly Ave N.E. | SW Cor. Los Vigils | SW Cor. Site | / | / | / |
| FG'd by 708481 | 708481 | 24' | Temporary Res. Pavement (Offsite)* (*Perm. Under constr. By CPN 708481) | Holly Ave N.E. | SW Cor. Los Vigils | SW Cor. Site | / | / | / |
| B1 | 718781 | 16" | Water Line | Holbrook St NE | Carmel Ave NE | Palomas Ave NE | / | / | / |
| B1 | 718781 | 48" to 54" | RCP Public Storm Drain | Holbrook St NE | Carmel Ave NE | Holly Ave NE | / | / | / |
| B1 | 718781 | 24' | Permanent Collector Pvmnt (1/2 width) w/standard C&G (west side only) | Holbrook St NE | Carmel Ave NE | Holly Ave NE | / | / | / |
| B1 | 718781 | 4' | Sidewalk (West side only) | Holbrook St NE | Carmel Ave NE | Holly Ave NE | / | / | / |
| B1 | 718781 | 26 f-f | Res. Pvmt w/mount C&G | Grape View Ct NE | Holly Ave NE | Cul-de-sac | / | / | / |
| SW-1 | 718781 | 4' | Deferred Sidewalk (Both Sides) | Grape View Ct NE | Holly Ave NE | Cul-de-sac | / | / | / |
| B1 | 718781 | 8" | Sanitary Sewer | Grape View Ct NE | Holly Ave NE | Cul-de-sac | / | / | / |
| B1 | 718781 | 8" | Water Line | Grape View Ct NE | Holly Ave NE | Carmel Ave NE | / | / | / |
| B1 | 718781 | 26 f-f | Res. Pvmt w/mount C&G | Grape Arbor Ct NE | Holly Ave NE | Cul-de-sac | / | / | / |
| SW-1 | 718781 | 4' | Deferred Sidewalk (Both Sides) | Grape Arbor Ct NE | Holly Ave NE | Cul-de-sac | / | / | / |
| B1 | 718781 | 8" | Sanitary Sewer | Grape Arbor Ct NE | Holly Ave NE | Cul-de-sac | / | / | / |
| B1 | 718781 | 4" | Water Line | Grape Arbor Ct NE | Holly Ave NE | Cul-de-sac | / | / | / |
| B1 | 718781 | 2 | ~~Collection Pond w/Agrmnt&Covenant~~ | ~~Lot 16, Block 18~~ | NOT REQUIRED DUE TO UPSTREAM CONSTRUCTION (OCOTILLO SUBD) | | / | / | / |



revised 07/01/01

ORIGINAL

| SIA Sequence # | COA DRC Project # | Size | Type of Improvement | Location | From | To | Private Inspector | City Inspector | City Cnst Engineer |
|---|---|---|---|---|---|---|---|---|---|
| B1 | 718781 | 26 f-f | Res. Pvmt w/mount C&G | Grape Vine Ct NE | Holly Ave NE | Cul-de-sac | / | / | / |
| SW-1 | 718781 | 4' | Deferred Sidewalk (Both Sides) | Grape Vine Ct NE | Holly Ave NE | Cul-de-sac | / | / | / |
| B1 | 718781 | 8" | Sanitary Sewer | Grape Vine Ct NE | Holly Ave NE | Cul-de-sac | / | / | / |
| B1 | 718781 | 4" | Water Line | Grape Vine Ct NE | Holly Ave NE | Cul-de-sac | / | / | / |
| B1 | 718781 | 26 f-f | Res. Pvmt w/mount C&G | Grape Harvest Ct NE | Holly Ave NE | Cul-de-sac | / | / | / |
| SW-1 | 718781 | 4' | Deferred Sidewalk (Both Sides) | Grape Harvest Ct NE | Holly Ave NE | Cul-de-sac | / | / | / |
| B1 | 718781 | 8" | Sanitary Sewer | Grape Harvest Ct NE | Holly Ave NE | Cul-de-sac | / | / | / |
| B1 | 718781 | 4" | Water Line | Grape Harvest Ct NE | Holly Ave NE | Cul-de-sac | / | / | / |

**NOTES**

1. Engineer's Certification per D.P.M is required for Financial Guarantee Release.
2. A Letter of Map Revision (LOMR) from FEMA is required for Financial Guaranty Release. This LOMR is Guaranteed by the AFAMCA Agreement
3. Street Lights are required per D.P.M. Requirements and subject to DRC Review and Approval.

**AGENT / OWNER**

J. Graeme Means
NAME (print)

Jeff Mortensen & Assoc.
FIRM

J. Graeme Means 08/20/03
SIGNATURE - date

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

**DEVELOPMENT REVIEW BOARD MEMBER APPROVALS**

Steven Metzgar 8/20/03
DRB CHAIR - date

Christina Sandoval 8/20/03
PARKS & ~~GENERAL SERVICES~~ Recreation - date

8-20-03
TRANSPORTATION DEVELOPMENT - date

_____
AMAFCA - date

Roger Green 8/20/03
UTILITY DEVELOPMENT - date

_____ - date

Brad J. Bitner 8/20/03
CITY ENGINEER - date

_____ - date

**DESIGN REVIEW COMMITTEE REVISIONS**

| REVISION | DATE | DRC CHAIR | USER DEPARTMENT | AGENT /OWNER |
|---|---|---|---|---|
| 1 | 4-01-04 | | | Debbie LeBlanc Trujillo - JMA |
| 2 | 3/04/05 | | | Debbie LeBlanc Trujillo - JMA |
| | | | | |



revised 07/01/01

Current DRC
Project Number: 718781

FIGURE 12

Claire

Date Submitted: 08/20/2003
Date Site Plan Approved:
Date Preliminary Plat Approved: 8/20/03
Date Preliminary Plat Expires: 8/20/04
DRB Project No.: 1002525
DRB Application No.: 03DRB-01263

ORIGINAL

INFRASTRUCTURE LIST

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

## VINEYARD COURT ESTATES

LOTS 10-23, BLOCK 19, TRACT 3, UNIT 3, NORTH ALBUQUERQUE ACRES

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 | Private Inspector | City Inspector | City Cnst Engineer |
|---|---|---|---|---|---|---|---|---|---|
| B1 | 718781 | 16' | Perm. ~~Res.~~ Pavement (1/2 Width) w/standard C&G (south side only) | Carmel Ave NE | NW Corner of Site | Holbrook St NE | / | / | / |
| B1 | 718781 | 4' | Sidewalk (South Side) | Carmel Ave NE | NW Corner of Site | Holbrook St NE | / | / | / |
| B1 | 718781 | 8' | Temporary Pavement | Carmel Ave NE | NW Corner of Site | Holbrook St NE | / | / | / |
| B1 | 718781 | 8" | Sanitary Sewer | Carmel Ave NE | NW Corner of Site | SW Cor. Lot 17, Blk 18 | / | / | / |
| B1 | 718781 | 8" | Sanitary Sewer* (*For Future Use - No FG Required) | Carmel Ave NE | SW Cor. Lot 17, Blk 18 | Holbrook | / | / | |
| AMAFCA | 693481 | 96" to 54" | RCP Public Storm Drain (Construction by AMAFCA) | Carmel Ave NE | 1320' West of Ventura Street NE | NE Cor. Lot 10, Blk 18, Tr. 3, Unit 1, N.A.A | / | / | / |
| B1 | 718781 | 8" | Water Line | Carmel Ave NE | Grape View Ct NE | Holbrook St NE | / | / | / |
| FG'd by 705282, 699981 | 699981 | 8" | Sanitary Sewer (Offsite)* (*Under Construction by CPN 699981) | Carmel Ave N.E. | Ventura Street N.E. | SW Cor Vineyard 4A | / | / | / |
| FG'd by 705282, 699981 | 699981 | 8" | Sanitary Sewer (Offsite)* (*to be superseded by line in Village Ave being constructed by CPN 699981) | Ventura Street N.E. | Holly Ave N.E. | Carmel Ave N.E. | / | / | / |
| FG'd by 705282, 699981 | 699981 | ~~24'~~ | ~~Temporary Res. Pavement (Offsite)* (*permanent pavement under construction (by CPN 699981)~~ | ~~Carmel Ave N.E.~~ | ~~Ventura Street NE~~ | ~~SW Cor Vineyard 4A~~ | / | / | / |
| FG'd by 705282 | 705282 | 8" | Sanitary Sewer (Offsite)* (*Under Construction by CPN 705282) | Carmel Ave N.E. | SW Cor Vineyard 4A | SE Cor Vineyard 4A | / | / | / |
| FG'd by 705282 | 705282 | ~~24'~~ | ~~Temporary Res. Pavement (Offsite)* (*permanent pavement under construction (by CPN 705282)~~ | ~~Carmel Ave N.E.~~ | ~~SW Cor Vineyard 4A~~ | ~~SE Cor Vineyard 4A~~ | / | / | / |



revised 07/01/01

ORIGINAL

| SIA Sequence # | COA DRC Project # | Size | Type of Improvement | Location | From | To | Private Inspector | City Inspector | City Cnst Engineer |
|---|---|---|---|---|---|---|---|---|---|
| B1 | 718781 | 18' | Perm. Commercial Pvmnt (1/2 Width) | Holly Ave NE | SW Corner of Site | Holbrook St NE | / | / | / |
| B1 | 718781 | 18' | w/standard C&G (North Side Only) " " (SOUTH SIDE) | HOLLY AVE. N. E. | NW CORNER LOT 1, BLK 20 | HOLBROOK ST NE | / | / | / |
| B1 | 718781 | 4' | Sidewalk (North side only) | Holly Ave NE | SW Corner of Site | HOLBROOK ST NE NW CORNER LOT 11, BLK 20. | / | / | / |
| B1 | 718781 | 6' | Temporary Pavement | Holly Ave NE | SW Corner of Site | ~~Holbrook St NE~~ | / | / | / |
| B1 | 718781 | 8" | Sanitary Sewer | Holly Ave NE | SW Corner of Site | NW Cor. Lot 16, Blk 20 | / | / | / |
| B1 | 718781 | 8" | Sanitary Sewer* (*For Future Use - No FG Required) | Holly Ave NE | SW Corner of Site | NW Cor. Lot 16, Blk 20 | / | / | |
| B1 | 718781 | 24" | RCP Public Storm Drain | Holly Ave NE | SW Corner of Site | Grape Arbor Ct NE | / | / | / |
| B1 | 718781 | 8" | Water Line | Holly Ave NE | Grape View Ct NE | Holbrook St NE | / | / | / |
| FG'd by 708481 | 708481 | 8" | Sanitary Sewer (Offsite)* (*Under Construction by CPN 708481) | Holly Ave N.E. | SW Cor. Los Vigils | SW Cor. Site | / | / | / |
| FG'd by 708481 | 708481 | 30"-24" DRB 1002271 | RCP Public Storm Drain (Offsite)* (*Under Construction by CPN 708481) | Holly Ave N.E. | SW Cor. Los Vigils | SW Cor. Site | / | / | / |
| FG'd by 708481 | 708481 | 24' | Temporary Res. Pavement (Offsite)* (*Perm. Under constr. By CPN 708481) | Holly Ave N.E. | SW Cor. Los Vigils | SW Cor. Site | / | / | / |
| B1 | 718781 | 16" | Water Line | Holbrook St NE | Carmel Ave NE | Palomas Ave NE | / | / | / |
| B1 | 718781 | 48" to 54" | RCP Public Storm Drain | Holbrook St NE | Carmel Ave NE | Holly Ave NE | / | / | / |
| B1 | 718781 | 24' | Permanent Collector Pvmnt (1/2 width) w/standard C&G (west side only) | Holbrook St NE | Carmel Ave NE | Holly Ave NE | / | / | / |
| B1 | 718781 | 4' | Sidewalk (West side only) | Holbrook St NE | Carmel Ave NE | Holly Ave NE | / | / | / |
| B1 | 718781 | 26 f-f | Res. Pvmt w/mount C&G | Grape View Ct NE | Holly Ave NE | Cul-de-sac | / | / | / |
| SW-1 | 718781 | 4' | Deferred Sidewalk (Both Sides) | Grape View Ct NE | Holly Ave NE | Cul-de-sac | / | / | / |
| B1 | 718781 | 8" | Sanitary Sewer | Grape View Ct NE | Holly Ave NE | Cul-de-sac | / | / | / |
| B1 | 718781 | 8" | Water Line | Grape View Ct NE | Holly Ave NE | Carmel Ave NE | / | / | / |
| B1 | 718781 | 26 f-f | Res. Pvmt w/mount C&G | Grape Arbor Ct NE | Holly Ave NE | Cul-de-sac | / | / | / |
| SW-1 | 718781 | 4' | Deferred Sidewalk (Both Sides) | Grape Arbor Ct NE | Holly Ave NE | Cul-de-sac | / | / | / |
| B1 | 718781 | 8" | Sanitary Sewer | Grape Arbor Ct NE | Holly Ave NE | Cul-de-sac | / | / | / |
| B1 | 718781 | 4" | Water Line | Grape Arbor Ct NE | Holly Ave NE | Cul-de-sac | / | / | / |
| B1 | 718781 | | Collection Pond w/Agrmnt&Covenant | Lot 16, Block 18 | | | / | / | / |



revised 07/01/01

ORIGINAL

| SIA Sequence # | COA DRC Project # | Size | Type of Improvement | Location | From | To | Private Inspector | City Inspector | City Cnst Engineer |
|---|---|---|---|---|---|---|---|---|---|
| B1 | 718781 | 26 f-f | Res. Pvmt w/mount C&G | Grape Vine Ct NE | Holly Ave NE | Cul-de-sac | / | / | / |
| SW-1 | 718781 | 4' | Deferred Sidewalk (Both Sides) | Grape Vine Ct NE | Holly Ave NE | Cul-de-sac | / | / | / |
| B1 | 718781 | 8" | Sanitary Sewer | Grape Vine Ct NE | Holly Ave NE | Cul-de-sac | / | / | / |
| B1 | 718781 | 4" | Water Line | Grape Vine Ct NE | Holly Ave NE | Cul-de-sac | / | / | / |
| B1 | 718781 | 26 f-f | Res. Pvmt w/mount C&G | Grape Harvest Ct NE | Holly Ave NE | Cul-de-sac | / | / | / |
| SW-1 | 718781 | 4' | Deferred Sidewalk (Both Sides) | Grape Harvest Ct NE | Holly Ave NE | Cul-de-sac | / | / | / |
| B1 | 718781 | 8" | Sanitary Sewer | Grape Harvest Ct NE | Holly Ave NE | Cul-de-sac | / | / | / |
| B1 | 718781 | 4" | Water Line | Grape Harvest Ct NE | Holly Ave NE | Cul-de-sac | / | / | / |

**NOTES**

1. Engineer's Certification per D.P.M is required for Financial Guarantee Release.
2. A Letter of Map Revision (LOMR) from FEMA is required for Financial Guaranty Release. This LOMR is Guaranteed by the AFAMCA Agreement
3. Street Lights are required per D.P.M. Requirements and subject to DRC Review and Approval.

**AGENT / OWNER**

J. Graeme Means
NAME (print)

Jeff Mortensen & Assoc.
FIRM

J. Graeme Means 08/20/03
SIGNATURE - date

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

**DEVELOPMENT REVIEW BOARD MEMBER APPROVALS**

8/20/03
DRB CHAIR - date

Christina Sandoval 8/20/03
PARKS & ~~GENERAL SERVICES~~ Recreation - date

8-20-03
TRANSPORTATION DEVELOPMENT - date

_____
AMAFCA - date

8/20/03
UTILITY DEVELOPMENT - date

_____ - date

8/20/03
CITY ENGINEER - date

_____ - date

**DESIGN REVIEW COMMITTEE REVISIONS**

| REVISION | DATE | DRC CHAIR | USER DEPARTMENT | AGENT /OWNER |
|---|---|---|---|---|
| 1 | 4-01-04 | | | Debbie LeBlanc Trujillo - JMA |
| | | | | |
| | | | | |



revised 07/01/01

2002.049.3

# City of Albuquerque

## DEVELOPMENT REVIEW APPLICATION

| | Supplemental form | | Supplemental form |
|---|---|---|---|
| **SUBDIVISION** | S | **ZONING** | Z |
| ☒ Major Subdivision action | | ☐ Annexation & Zone Establishment | |
| ☐ Minor Subdivision action | | ☐ Sector Plan | |
| ☐ Vacation | V | ☐ Zone Change | |
| ☐ Variance (Non-Zoning) | | ☐ Text Amendment | |
| **SITE DEVELOPMENT PLAN** | P | **APPEAL / PROTEST of...** | A |
| ☐ ...for Subdivision Purposes | | ☐ Decision by: DRB, EPC, LUCC, Planning Director or Staff, ZHE, Zoning Board of Appeal | |
| ☐ ...for Building Permit | | | |
| ☐ IP Master Development Plan | | | |
| ☐ 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: Hoech Real Estate Corporation — PHONE: 505-821-4440
ADDRESS: 8300 Carmel Ave N.E., Suite 601 — FAX: 505-857-9774
CITY: Albuquerque STATE NM ZIP87122 — E-MAIL:
Proprietary interest in site: Owner
AGENT (if any): Jeff Mortensen & Associates, Inc. — PHONE: 345-4250
ADDRESS: 6010-B Midway Park Blvd. NE — FAX: 345-4254
CITY: Albuquerque STATE NM ZIP 87109 — E-MAIL: jmainc@swcp.com

**DESCRIPTION OF REQUEST:** 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. Lots 10-23 (Proposed: Vineyard Court Estates) Block: 19 Unit: 3

Subdiv. / Addn. Tract 3, Unit 3, North Albuquerque Acres

Current Zoning: RD — Proposed zoning: No Change

Zone Atlas page(s): C-20 — No. of **existing** lots: 14 — No. of **proposed** lots: 48

Total area of site (acres): 13.98 — Density if applicable: dwellings per gross acre: 3.43 — dwellings per net acre: 4.57

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. See Attached Listing 102006442009040223 — MRGCD Map No. _____

LOCATION OF PROPERTY BY STREETS: On or Near: Holly Avenue N.E.,
Between: Ventura Street N.E. and Holbrook St. N.E.

**CASE HISTORY:**

List **any** current or prior case number that may be relevant to your application (Proj., App., DRB-, AX_,Z_, V_, S_, etc.): DRB 1002525, 03DRB 00367 through 00370 , 02EPC-01353 , 02EPC-01354

Check-off if project was previously reviewed by Sketch Plat/Plan ☒, or Pre-application Review Team ☐. Date of review: April 2, 2003

**SIGNATURE** J. Graeme Means — DATE October21, 2003

(Print) J. Graeme Means, PE for JEFF MORTENSEN & ASSOCIATES, INC. — ☐ Applicant ☒ Agent

**FOR OFFICIAL USE ONLY** — Form revised September 2001

| | Application case numbers | Action | S.F. | Fees |
|---|---|---|---|---|
| ☐ ~~INTERNAL~~ ROUTING | 03DRB - - 01852 | FP | $(3) | $ Ø |
| ☑ All checklists are complete | | | | $ |
| ☑ All fees have been collected | | | | $ |
| ☑ All case #s are assigned | | | | $ |
| ☑ AGIS copy has been sent | | | | $ |
| ☑ Case history #s are listed | | | | $ |
| ☑ N/A Site is within 1000ft of a landfill | | | | Total |
| ☐ ~~F.H.D.P.~~ density bonus | Hearing date Nov. 5th 03 | | | $ Ø |
| ☐ ~~F.H.D.P.~~ fee rebate | | | | |

Bjorkert 10/27/03
Planner signature / date

**Project #** 1002525

2002.049.3

# 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 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.**

X Proposed Final Plat (folded to fit into an 8.5" by 14" pocket) **6** copies for unadvertised meetings, **4** copies for internal routing.
X Design elevations & cross sections of perimeter walls
X 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.***
X Property owner's and City Surveyor's signatures on the Mylar drawing
X SIA financial guaranty verification
NA Landfill disclosure and EHD signature line on the Mylar drawing if property is within a landfill buffer – ***N/A***
X 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.** ***After Plat Approval***

## ❑ 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, **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.

J. Graeme Means
Applicant name (print)

J Graeme Means 10/25/03
Applicant signature / date

Form revised 10/03

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

Application case numbers
DSDRB- - 01852
- -
- -

Bateman
Planner signature / date

Project # 1002525

ENGINEERS & SURVEYORS

JEFF MORTENSEN & ASSOCIATES, INC.
6010-B MIDWAY PARK BLVD. NE
ALBUQUERQUE NEW MEXICO 87109

P: 505.345.4250
F: 505.345.4254
JMAINC@SWCP.COM

2002.049.3
October 25, 2003

Sheran Matson, Chair
Development Review Board
City of Albuquerque
Albuquerque, NM 87103

Re: Request for Final Approval
Lots 10 - 23, Block 19, North Albuquerque Acres, Tract 3, Unit 3
(Proposed Vineyard Court Estates) DRB Project # 1002525

Dear Sheran:

Transmitted are the following items associated with the subject request:

- DRB Application, Supplemental Form S(3)
- Six (6) copies of the Final Plat
- City of Albuquerque Zone Atlas C – 20 (site area highlighted)
- Verification of SIA Financial Guaranty – Copy of Recorded Procedure B Agreement
- Design Elevations and Cross-Sections of Perimeter Walls

On behalf of Hoech Real Estate Corporation, we are requesting Final Plat Approval for Vineyard Court Estates which consists of 48 new residential lots from 14 existing North Albuquerque Acres lots. Please schedule this matter for the next appropriate DRB Hearing. In the meantime, if I can be of further assistance to you, please do not hesitate to call.

Sincerely,

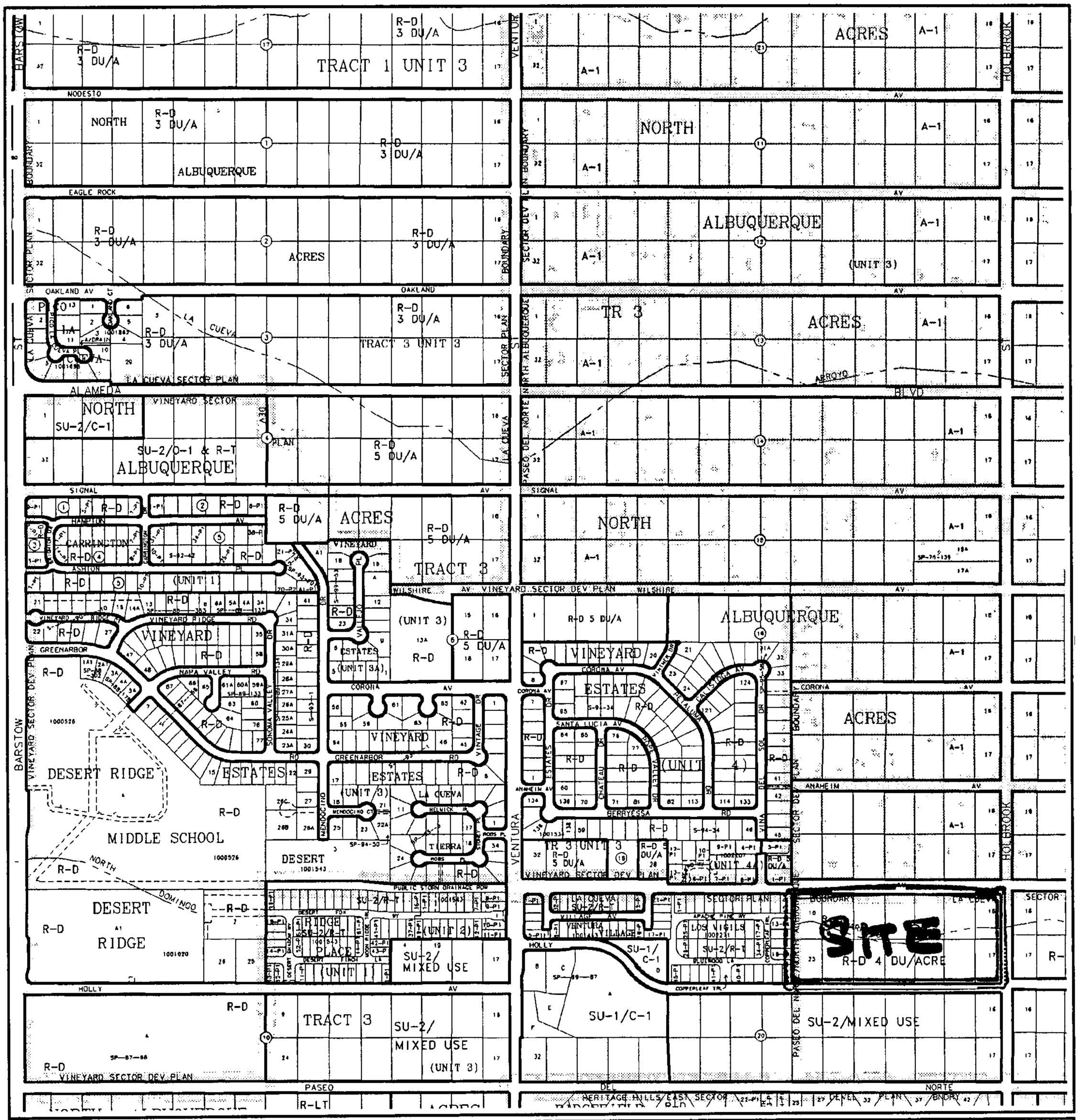
JEFF MORTENSEN & ASSOCIATES, INC.

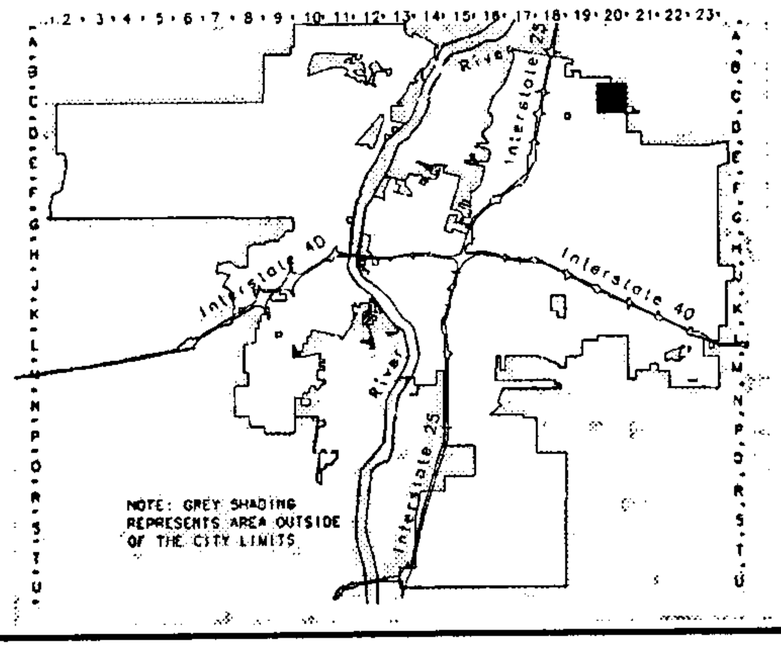
for Debie LeBlanc Trujillo

DLT
Enclosures

xc: Don Hoech – Hoech Real Estate Corporation w/encl

| PRINCIPALS | JEFFREY G. MORTENSEN, P.E. | JUAN M. CALA | CHARLES G. CALA, JR., P.S. |
|---|---|---|---|
| GRADY E. BARRENS | J. GRAEME MEANS, P.E. | RICHARD C. WHITE | JOSEPH M. SOLOMON, JR., P.S. |




CITY OF
Albuquerque

Albuquerque Geographic Information System
PLANNING DEPARTMENT

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GRAPHIC SCALE IN FEET

250 0 750 1000

# Zone Atlas Page

# C-20-Z

Map Amended through July 31, 2003

# DRB Project # 1002525
# Development Review Application Attachment Listing
# UPC No.s

North Albuquerque Acres Tract 3, Unit 3, Block 19

Lot 10 – 1-020-064-420-090-402-23

Lot 11 –1-020-064-437-090-402-22

Lot 12 –1-020-064-453-090-402-21

Lot 13 –1-020-064-470-090-402-20

Lot 14 –1-020-064-406-090-402-19

Lot 15 –1-020-064-502-090-402-18

Lot 16 –1-020-064-517-090-402-17

Lot 17 –1-020-064-517-066-402-16

Lot 18 –1-020-064-502-066-402-15

Lot 19 –1-020-064-486-067-402-14

Lot 20 –1-020-064-470-066-402-13

Lot 21 –1-020-064-454-067-402-12

Lot 22 – 1-020-064-437-067-402-11

Lot 23 – 1-020-064-420-066-402-10

No. of Lots: 48
Nearest Major Streets
Ventura St. NE & Holly/Carmel

**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 17th day of September, 2003, 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 Hoech Real Estate Corporation ("Subdivider"), a [state the type of business entity, for instance, "New Mexico corporation," "general partnership," "joint venture," "individual," etc.:] a New Mexico corporation, whose address is 8300 Carmel Ave. NE Suite 601, Alb., NM 87122 and whose telephone number is (505) 821-4440, 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 [existing legal description:] See Exhibit "B", recorded on September 10,1931 in the records of the Bernalillo County Clerk at Book unknown, pages unknown through unknown (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:] Hoech Real Estate Corporation ("Owner").

The Subdivider has submitted and the City has approved a preliminary plat or Site Development Plan identified as Vineyard Court Estates 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 Exhibit A, the required infrastructure listing ("Improvements"), to the satisfaction of the City, on or before the 20th day of August, 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. 718781.

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



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Page: 1 of 11
09/18/2003 11:43A
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Mary Herrera Bern. Co. AGRE R 29.00

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 the extension.

3. Work Order Requirements. The City agrees to issue a Work Order after:

A. The Subdivider causes to be submitted all documents, and meets all requirements listed in Development Process Manual, Volume 1, Chapter 5, Work Order Process, and figure 1, including submitting a Certificate of Insurance in a form acceptable to the City. The certificate must establish that the Subdivider has procured or has caused to be procured public liability insurance in the amount of not less than One Million Dollars ($1,000,000) combined single limit for accidents or occurrences which cause bodily injury, death or property damage as a result of any condition of the Subdivision, the Improvements or the Subdivider's construction activities within, or related to the Subdivision. The insurance policy must name the City of Albuquerque, its employees and elected officials, as their interest may appear, as additional insured. The Subdivider must maintain the insurance until the City accepts the public Improvements and/or approves the private Improvements. The cancellation provision must provide that, if the policy is either canceled prior to the expiration date of the policy or is materially changed or not renewed, the issuing company will mail 30 days written notice to the City, attention City Engineer.

B. The Subdivider complies with all applicable laws, ordinances and regulations, including, but not limited to the City Excavation Ordinance and Sidewalk Ordinance, and pays the following required engineering, staking, testing fees, and other related City fees and County Clerk recording fees:

| Type of Fee | Amount |
|---|---|
| Engineering Fee | 3.25% of Actual Construction Cost |
| Excavation And Sidewalk Ordinance, Street Restoration Fees | As required per City-approved estimate (Figure 7) |

The Subdivider must pay the City all City fees, which have been incurred during construction before the City will accept the public Improvements.

4. Surveying, Inspection and Testing. The Improvements shall be inspected, surveyed and tested in accordance with all applicable laws, ordinances, and regulations, and according to the following terms:

A. Construction Surveying. Construction surveying for the construction of the public Improvements shall be performed by Jeff Mortensen & Associates, and construction surveying of the private Improvements shall be performed by Jeff Mortensen & Associates. If the construction surveying is performed by an entity other than the City, the City may monitor the construction surveying and the Subdivider shall ensure that the construction surveying entity provides all construction surveying field notes, plats, reports and related data to the City, which the City requires for review. Record drawings shall be provided by the entity performing the survey. The Subdivider shall pay the City a reasonable fee for any construction surveying performed by the City.

B. Construction Inspection Methods. Inspection of the construction of the public Improvements shall be performed by Jeff Mortensen & Associates, and inspection of the private Improvements shall be performed by Jeff Mortensen & Associates, both New Mexico Registered Professional Engineers. If the inspection is performed by an entity other than the City, the City may monitor the inspection and the Subdivider



Mary Herrera Bern. Co. AGRE R 29.00
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Page: 2 of 11
09/18/2003 11:43A
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shall ensure that the inspecting entity provides all inspection results, reports and related data to the City, which the City requires for review. The City retains the right to perform its own general overall inspection of the construction project at any time prior to final acceptance of the Improvements, if deemed necessary or advisable by the City Engineer. The Subdivider shall pay the City a reasonable fee for the level of inspection performed by the City.

C. Field Testing. Field testing of the construction of the public Improvements shall be performed by Vinyard & Associates, and field testing of the private Improvements shall be performed by Vinyard & Associates, both certified testing laboratories under the supervision of a New Mexico Registered Professional Engineer, in accordance with the current City of Albuquerque Standard Specifications for Public Works Construction. If any field-testing is performed by an entity other than the City, the City may monitor the field testing and the Subdivider shall ensure that the field testing entity provides all field testing results, reports and related data to the City which the City requires for review. The Subdivider shall pay the City a reasonable fee for any field-testing performed by the City.

D. Additional Testing. The City retains the right to perform all additional testing which the City Engineer deems is necessary or advisable, and the Subdivider shall pay the City a reasonable fee therefor.

5. Financial Guaranty. If final plat approval is not requested prior to construction of the Subdivision, a financial guaranty is not required. If final plat approval is requested, the Subdivider must provide the City with a financial guaranty in an amount of not less than 125% of the estimated cost of constructing the Improvements, as approved by the City Engineer. The financial guaranty must be irrevocable and may be in the form of a letter of credit, escrow deposit or loan reserve letter issued by a Federally Insured Financial Institution; a bond issued by a surety qualified to do business in New Mexico; or other pledge of liquid assets which meets all City requirements. The City must be able to call the financial guaranty at any time within the sixty (60) days immediately following the Construction Completion Deadline.

To meet the Subdivision Ordinance requirements, the Subdivider has acquired or is able to acquire the following Financial Guaranty:

Type of Financial Guaranty: Letter of Credit #30168, dated Sept 5 2003
Amount: $952,923.52 Name of Financial Institution or Surety providing Guaranty: Charter Bank
Date City first able to call Guaranty: August 20, 2005
[Construction Completion Deadline]: August 20, 2005
If Guaranty other than a Bond, last day City able to call Guaranty is: October 20, 2005
Additional information: NONE

6. Notice of Start of Construction. Before construction begins, the Subdivider shall deliver an acceptable Notice to Proceed to the City and shall arrange or a preconstruction conference and all required inspections.

7. Completion, Acceptance and Termination. When the City receives Subdivider's final acceptance package, the City shall review it for completeness and accuracy. (See DPM Volume 1, Chapter 5, Work Order Process, Step 9.) If the package is acceptable, the City shall approve the package and issue a Certificate of Completion and Acceptance for the public Improvements and a Certificate of Completion for the private Improvements. Thereafter, the Subdivider's obligations to the City pursuant to this Agreement shall terminate, with the exception of the bond or other guarantee, which the Subdivider has provided to assure the materials and workmanship, as required by the Subdivision Ordinance. After the City approves the final acceptance package, the City will promptly release this Agreement and the Financial Guaranty.



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Page: 3 of 11
09/18/2003 11:43A
Bk-A65 Pg-1661
Mary Herrera Bern. Co. AGRE R 29.00

8. Conveyance of Property Rights. When the Improvements are completed, if the City does not own the real property upon or in which the public Improvements are constructed, the Subdivider will convey to the City all real and personal property rights which the City deems reasonably necessary, and all public Improvements, free and clear of all claims, encumbrances and liens before the City will accept the public Improvements. Conveyance may be made by appropriate dedication on the final plat of the Subdivision.

9. Reduction of Financial Guaranty Upon Partial Completion. The Subdivider shall be entitled to a reduction of the Financial Guaranty as a result of completing construction of part of the Improvements if the following conditions are met:

A. Loan Reserve Financial Guaranty. If a loan reserve letter was provided as the Financial Guaranty, the Subdivider must follow the procedures and meet the requirements detailed in the Development Process Manual, Volume 1, Chapter 5.

B. Non-Loan Reserve Financial Guaranty. If a Financial Guarantee other than a loan reserve letter has been provided, the completed Improvements must be free-standing, functionally independent of any Improvements which have not yet been completed and completed in substantial compliance with the approved construction plans, as determined by City on-site inspection in order to qualify for a Financial Guaranty reduction. If the Improvements, which have been, completed meet all City requirements, the City Engineer will estimate the cost of completing the remaining Improvements. Thereafter, the subdivider must submit the following documents to the City for review and approval:

(1) A revised Financial Guaranty in an amount of not less than 125% of the cost of completing the remaining Improvements, as estimated by the City;

(2) A bond or other instrument acceptable to the City, which guarantees the completed Improvements against defective materials and workmanship for the period required by the Subdivision Ordinance.

(3) Conveyance of real and personal property rights which meet the requirements of section 8 of this Agreement.

After the City receives and approves the required documents, the City shall issue a Partial Certificate of Completion and Acceptance for the completed public Improvements and a Certificate of Partial Completion for the completed private Improvements.

10. Indemnification. Until the Improvements are accepted by the City, the Developer shall be solely responsible for maintaining the premises upon which the Improvements are being constructed in a safe condition. The Developer agrees to defend, indemnify and hold harmless the City and its officials, agents and employees from any claims, actions, suits or other proceedings arising from or out of the negligent acts or omissions of the Developer, its agents, representatives, contractors or subcontractors or arising from the failure of the Developer, its agents, representatives, contractors or subcontractors to perform any act or duty required of the Developer herein; provided, however, to the extent, if at all, Section 56-7-1 NMSA 1978 is applicable to this Agreement, this Agreement to indemnify will not extend to liability, claims, damages, losses or expenses, including attorney fees, arising out of (1) 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 (2) the giving of or the failure to give directions or instructions by the indemnitee, where such giving or failure to give directions or instructions is the primary cause of bodily injury to persons or damage to property. The indemnification required hereunder shall not be limited as a result of the specifications of any applicable insurance coverage. Nothing herein is intended to impair any right or immunity under the laws of the State of New Mexico.



Mary Herrera Bern. Co. AGRE R 29.00
2003172021
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Page: 4 of 11
09/18/2003 11:43A
Bk-A65 Pg-1661

11. Assignment. This Agreement shall not be assigned without the prior written consent of the City and the Subdivider and the express written concurrence of any financial institution or surety, which has undertaken to guarantee the completion of the Improvements. The City's approval will not be withheld unreasonably. If so assigned, this Agreement shall extend to and be binding upon the successors and assigns of the parties hereto.

12. Release. If the Subdivision or any part thereof is sold, conveyed or assigned, the City will not release the Subdivider from its obligations under this Agreement and will continue to hold the Subdivider responsible for all Improvements until a successor in interest to the Subdivider has entered into a Subdivision Improvements Agreement with the City. Thereafter, if the Subdivider's successor in interest has provided a substitute financial guaranty acceptable to the City, the City will release this Agreement and any related Financial Guaranty.

13. Payment for Incomplete Improvements. If the Subdivider fails to satisfactorily complete construction of the Improvements by the Construction Completion Deadline, the City may construct or cause the Improvements to be constructed as shown on the final plat and in the approved plans and specifications. The Subdivider shall be jointly and severally liable to pay to, and indemnify the City for the total cost, including, but not limited to engineering, legal and contingent costs, together with any damages, either direct or consequential, which the City may sustain as a result of Subdivider's failure to perform as required by this Agreement. If the direct or indirect costs and damages to the City exceed the amount of the City's Claim of Lien or any Financial Guaranty, the Subdivider shall be liable to, and shall pay, the City for all such costs and damages. The surety or sureties shall be jointly and severally liable to pay to and indemnify the City for the total cost to the extent of their obligations pursuant to any Financial Guaranty.

14. Binding on Subdivider's Property. The provisions of this Agreement constitute covenants running with Subdivider's Property for the benefit of the City and its successors and assigns until terminated, and are binding on the Subdivider and the Owner and their heirs, successors and assigns.

15. Notice. For purposes of giving formal written notice, including notice of change of address, the Subdivider's and the City's addresses are as stated in the first paragraph of this Agreement. Notice may be given either in person or by certified U.S. mail, postage paid. Notice will be considered to have been received within six days after the notice is mailed if there is no actual evidence of receipt.

16. Entire Agreement. This Agreement contains the entire agreement of the parties and supersedes any and all other agreements or understandings, oral or written, whether previous to the execution hereof or contemporaneous herewith.

17. Changes to Agreement. Changes to this Agreement are not binding unless made in writing, signed by both parties.

18. Construction and Severability. If any part of this Agreement is held to be invalid or unenforceable, the remainder of the Agreement will remain valid and enforceable if the remainder is reasonably capable of completion.

19. Captions. The captions to the sections or paragraphs of this Agreement are not part of this Agreement and will not affect the meaning or construction of any of its provisions.

20. Form not Changed. Subdivider agrees that changes to this form are not binding unless initialed by the subdivider and signed by the City=s Legal Department on this form.

21. Authority to Execute. If the Subdivider signing below is not the Owner of the Subdivision, the Owner must execute the Power of Attorney below.



2003172021
5955050
Page: 5 of 11
09/18/2003 11:43A
Bk-A65 Pg-1661
Mary Herrera Bern. Co. AGRE R 29.00

Executed on the date stated in the first paragraph of this Agreement.

SUBDIVIDER:

By [Signature]: Donald G. Hoech
Name: Donald G. Hoech
Title: President
Dated: 9-3-03

CITY OF ALBUQUERQUE

City Engineer
Dated: 9-17-03

9-15-03
9/17/03

SUBDIVIDER'S NOTARY

STATE OF NEW MEXICO)
) ss.
COUNTY OF BERNALILLO)

This instrument was acknowledged before me on 3rd day of September, 2003 by [name of person:] Donald G. Hoech, [title or capacity, for instance, "President" or "Owner":] President of [Subdivider:] Hoech Real Estate Corporation.

Notary Public

My Commission Expires:
August 31, 2004

CITY'S NOTARY

STATE OF NEW MEXICO )
) ss.
COUNTY OF BERNALILLO)

This instrument was acknowledged before me on 17th day of, September, 2003 by Fred J. Aguirre, City Engineer of the City of Albuquerque, a municipal corporation, on behalf of said corporation.

Notary Public

My Commission Expires:

EXHIBIT A AND POWER OF ATTORNEY ATTACHED

OFFICIAL SEAL
Katherine Jaramillo
NOTARY PUBLIC
STATE OF NEW MEXICO
My Commission Expires: January 27, 2005



Mary Herrera Bern. Co. AGRE R 29.00
2003172021
5955050
Page: 6 of 11
09/18/2003 11:43A
Bk-A65 Pg-1661

EXHIBIT "B" – DESCRIPTION

A certain tract of land located within the Corporate Limits of the City of Albuquerque, New Mexico, comprising Lots number Ten (10), Eleven (11), Twelve (12), Thirteen (13), Fourteen (14) Fifteen (15), Sixteen (16), Seventeen (17), Eighteen (18), Nineteen (19), Twenty (20), Twenty-one (21), Twenty-two (22) and Twenty-three (23), in Block number Nineteen (19), all in Tract Three (3) Unit Three (3), North Albuquerque Acres, a subdivision of a tract of land in School Districts 3 and 4, Bernalillo County, New Mexico. As the same is shown and designated on the map of said subdivision, filed in the office of the County Clerk of Bernalillo County, New Mexico, on September 10, 1931.

Mary Herrera Bern. Co. AGRE R 29.00
2003172021
5955050
Page: 7 of 11
09/18/2003 11:43A
Bk-A65 Pg-1661

Current DRC
Project Number: 718781

Date Submitted: 08/20/2003
Date Site Plan Approved:
Date Preliminary Plat Approved: 8/20/03
Date Preliminary Plat Expires: 8/20/04
DRB Project No.: 1002525
DRB Application No.: 03DRB-01265

**ORIGINAL**

**INFRASTRUCTURE LIST**

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

# VINEYARD COURT ESTATES

**LOTS 10-23, BLOCK 19, TRACT 3, UNIT 3, NORTH ALBUQUERQUE ACRES**

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 | Private Inspector | City Inspector | City Cnst Engineer |
|---|---|---|---|---|---|---|---|---|---|
| B1 | 718781 | 16' | Perm. ~~Res.~~ Pavement (1/2 Width) w/standard C&G (south side only) | Carmel Ave NE | NW Corner of Site | Holbrook St NE | / | / | / |
| B1 | 718781 | 4' | Sidewalk (South Side) | Carmel Ave NE | NW Corner of Site | Holbrook St NE | / | | / |
| B1 | 718781 | 8' | Temporary Pavement | Carmel Ave NE | NW Corner of Site | Holbrook St NE | / | | / |
| B1 | 718781 | 8" | Sanitary Sewer | Carmel Ave NE | NW Corner of Site | SW Cor. Lot 17, Blk 18 | / | | / |
| B1 | 718781 | 8" | Sanitary Sewer* (*For Future Use - No FG Required) | Carmel Ave NE | SW Cor. Lot 17, Blk 18 | Holbrook | / | | |
| AMAFCA | 693481 | 96" to 54" | RCP Public Storm Drain (Construction by AMAFCA ) | Carmel Ave NE | 1320' West of Ventura Street NE | NE Cor. Lot 10, Blk 18, Tr. 3, Unit 1, N.A.A | / | | / |
| B1 | 718781 | 8" | Water Line | Carmel Ave NE | Grape View Ct NE | Holbrook St NE | / | | / |
| FG'd by 705282. 699981 | 699981 | 8" | Sanitary Sewer (Offsite)* (*Under Construction by CPN 699981) | Carmel Ave N.E. | Ventura Street N.E. | SW Cor Vineyard 4A | / | | / |
| FG'd by 705282. 699981 | 699981 | 8" | Sanitary Sewer (Offsite)* (*to be superseded by line in Village Ave being constructed by CPN 699981) | Ventura Street N.E. | Holly Ave N.E. | Carmel Ave N.E. | / | | / |
| FG'd by 705282. 699981 | 699981 | ~~24'~~ | ~~Temporary Res. Pavement (Offsite)* (*permanent pavement under construction (by CPN 699981)~~ | ~~Carmel Ave N.E.~~ | ~~Ventura Street NE~~ | ~~SW Cor Vineyard 4A~~ | / | | / |
| FG'd by 705282 | 705282 | 8" | Sanitary Sewer (Offsite)* (*Under Construction by CPN 705282) | Carmel Ave N.E. | SW Cor Vineyard 4A | SE Cor Vineyard 4A | / | | / |
| FG'd by 705282 | 705282 | ~~24'~~ | ~~Temporary Res. Pavement (Offsite)* (*permanent pavement under construction (by CPN 705282)~~ | Carmel Ave N.E. | SW Cor Vineyard 4A | SE Cor Vineyard 4A | / | / | / |

2003172021
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Page: 8 of 11
09/18/2003 11:43A
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| SIA Sequence # | COA DRC Project # | Size | Type of Improvement | Location | From | To | Private Inspector | City Inspector | City Cnst Engineer |
|---|---|---|---|---|---|---|---|---|---|
| B1 | 718781 | 18' | Perm. Commercial Pvmnt (1/2 Width) w/standard C&G (North Side Only) | Holly Ave NE | SW Corner of Site | Holbrook St NE | / | / | / |
| B1 | 718781 | 4' | Sidewalk (North side only) | Holly Ave NE | SW Corner of Site | Holbrook St NE | / | / | / |
| B1 | 718781 | 6' | Temporary Pavement | Holly Ave NE | SW Corner of Site | Holbrook St NE | / | / | / |
| B1 | 718781 | 8" | Sanitary Sewer | Holly Ave NE | SW Corner of Site | NW Cor. Lot 16, Blk 20 | / | / | / |
| B1 | 718781 | 8" | Sanitary Sewer* (*For Future Use - No FG Required) | Holly Ave NE | SW Corner of Site | NW Cor. Lot 16, Blk 20 | / | | |
| B1 | 718781 | 24" | RCP Public Storm Drain | Holly Ave NE | SW Corner of Site | Grape Arbor Ct NE | / | | / |
| B1 | 718781 | 8" | Water Line | Holly Ave NE | Grape View Ct NE | Holbrook St NE | / | | / |
| FG'd by 708481 | 708481 | 8" | Sanitary Sewer (Offsite)* (*Under Construction by CPN 708481) | Holly Ave N.E. | SW Cor. Los Vigils | SW Cor. Site | / | | / |
| FG'd by 708481 | 708481 | 30"-24" DRB 1002271 | RCP Public Storm Drain (Offsite)* (*Under Construction by CPN 708481) | Holly Ave N.E. | SW Cor. Los Vigils | SW Cor. Site | / | | / |
| FG'd by 708481 | 708481 | 24' | Temporary Res. Pavement (Offsite)* (*Perm. Under constr. By CPN 708481) | Holly Ave N.E. | SW Cor. Los Vigils | SW Cor. Site | / | | / |
| B1 | 718781 | 16" | Water Line | Holbrook St NE | Carmel Ave NE | Palomas Ave NE | / | | / |
| B1 | 718781 | 48" to 54" | RCP Public Storm Drain | Holbrook St NE | Carmel Ave NE | Holly Ave NE | / | | / |
| B1 | 718781 | 24' | Permanent Collector Pvmnt (1/2 width) w/standard C&G (west side only) | Holbrook St NE | Carmel Ave NE | Holly Ave NE | / | | / |
| B1 | 718781 | 4' | Sidewalk (West side only) | Holbrook St NE | Carmel Ave NE | Holly Ave NE | / | | / |
| B1 | 718781 | 26 f-f | Res. Pvmt w/mount C&G | Grape View Ct NE | Holly Ave NE | Cul-de-sac | / | | / |
| SW-1 | 718781 | 4' | Deferred Sidewalk (Both Sides) | Grape View Ct NE | Holly Ave NE | Cul-de-sac | / | | / |
| B1 | 718781 | 8" | Sanitary Sewer | Grape View Ct NE | Holly Ave NE | Cul-de-sac | / | / | / |
| B1 | 718781 | 8" | Water Line | Grape View Ct NE | Holly Ave NE | Carmel Ave NE | / | / | / |
| B1 | 718781 | 26 f-f | Res. Pvmt w/mount C&G | Grape Arbor Ct NE | Holly Ave NE | Cul-de-sac | / | / | / |
| SW-1 | 718781 | 4' | Deferred Sidewalk (Both Sides) | Grape Arbor Ct NE | Holly Ave NE | Cul-de-sac | / | / | / |
| B1 | 718781 | 8" | Sanitary Sewer | Grape Arbor Ct NE | Holly Ave NE | Cul-de-sac | / | / | / |
| B1 | 718781 | 4" | Water Line | Grape Arbor Ct NE | Holly Ave NE | Cul-de-sac | / | / | / |
| B1 | 718781 | | Collection Pond w/Agrmnt&Covenant | Lot 16, Block 18 | | | / | / | / |

Mary Herrera
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Page: 9 of 11
09/18/2003 11:43A
Bk-A65 Pg-1661



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CALCULATE

| SIA Sequence # | COA DRC Project # | Size | Type of Improvement | Location | From | To | Private Inspector | City Inspector | City Cnst Engineer |
|---|---|---|---|---|---|---|---|---|---|
| B1 | 718781 | 26 f-f | Res. Pvmt w/mount C&G | Grape Vine Ct NE | Holly Ave NE | Cul-de-sac | / | / | / |
| SW-1 | 718781 | 4' | Deferred Sidewalk (Both Sides) | Grape Vine Ct NE | Holly Ave NE | Cul-de-sac | / | / | / |
| B1 | 718781 | 8" | Sanitary Sewer | Grape Vine Ct NE | Holly Ave NE | Cul-de-sac | / | / | / |
| B1 | 718781 | 4" | Water Line | Grape Vine Ct NE | Holly Ave NE | Cul-de-sac | / | / | / |
| B1 | 718781 | 26 f-f | Res. Pvmt w/mount C&G | Grape Harvest Ct NE | Holly Ave NE | Cul-de-sac | / | / | / |
| SW-1 | 718781 | 4' | Deferred Sidewalk (Both Sides) | Grape Harvest Ct NE | Holly Ave NE | Cul-de-sac | / | / | / |
| B1 | 718781 | 8" | Sanitary Sewer | Grape Harvest Ct NE | Holly Ave NE | Cul-de-sac | / | / | / |
| B1 | 718781 | 4" | Water Line | Grape Harvest Ct NE | Holly Ave NE | Cul-de-sac | / | / | / |

**NOTES**

1 Engineer's Certification per D.P.M is required for Financial Guarantee Release.

2 A Letter of Map Revision (LOMR) from FEMA is required for Financial Guaranty Release. This LOMR is Guaranteed by the AFAMCA Agreement

3 Street Lights are required per D.P.M. Requirements and subject to DRC Review and Approval.

**AGENT / OWNER**

J. Graeme Means
NAME (print)

Jeff Mortensen & Assoc.
FIRM

J. Graeme Means 08/20/03
SIGNATURE - date

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

**DEVELOPMENT REVIEW BOARD MEMBER APPROVALS**

Jeffrey Mortensen 8/20/03
DRB CHAIR - date

Christina Sandoval 8/20/03
PARKS & ~~GENERAL SERVICES~~ Recreation - date

8-20-03
TRANSPORTATION DEVELOPMENT - date

AMAFCA - date

8/20/03
UTILITY DEVELOPMENT - date

_____ - date

Bradford. Bjorkman 8/20/03
CITY ENGINEER - date

_____ - date

**DESIGN REVIEW COMMITTEE REVISIONS**

| REVISION | DATE | DRC CHAIR | USER DEPARTMENT | AGENT /OWNER |
|---|---|---|---|---|
| | | | | |
| | | | | |
| | | | | |

2003172021
5955050
Page: 10 of 11
09/18/2003 11:43A
Bk-A65 Pg-1661
Mary Herrera Bern. Co. AGRE R 29.00



revised 07/01/01

# FINANCIAL GUARANTY AMOUNT

08/27/2003

Type of Estimate: SIA Procedure - B - w/F.G.

Project Description:

**Project ID #: 718781, Vineyard Court Estates Subdivision, Phase/Unit #:**

Requested By: **Graeme Means, PE w/ JMA**

| | | |
|---|---|---|
| Approved estimate amount: | | $603,098.95 |
| Contingency Amount: | 10.00% | $60,309.89 |
| Subtotal: | | $663,408.85 |
| NMGRT | 5.8125% | $38,560.64 |
| Subtotal: | | $701,969.49 |
| Engineering Fee | 6.60% | $46,329.98 |
| Testing Fee | 2.00% | $14,039.39 |
| Subotal: | | $762,338.82 |
| FINANCIAL GUARANTY RATE | | 1.25 |
| Retainage Amount: | | $.00 |
| TOTAL FINANCIAL GUARANTY REQUIRED | | **$952,923.52** |

APPROVAL: DATE:

8-27-2003

Notes: 10% contingency, plans not approved. Certification for gracing & drainage prior to release of FG. LOMR required prior to release of FG. LOMR is FG'ed by AMAFCA agreement.

Mary Herrera Bern. Co. AGRE R 29.00
2003172021
5955050
Page: 11 of 11
09/18/2003 11:43A
Bk-A65 Pg-1661

CHARTER
Bank • Mortgage • Insurance

September 5,2003

IRREVOCABLE LETTER OF CREDIT NO. 300168

AMOUNT: $952,923.52

Mr. Jay Czar
Chief Administrative Officer
City of Albuquerque
P. O. Box 1293
Albuquerque, NM 87103

Re: Letter of Credit for **Hoech Real Estate Corporation**
City of Albuquerque Project No. **718781**
Project Name: **Vineyard Court Estates-Subdivision Improvements**

Dear Mr. Czar:

This is to advise the City of Albuquerque, New Mexico ("City") that, at the request of **Hoech Real Estate Corporation**, Charter Bank in Albuquerque, New Mexico, has established an Irrevocable Letter Of Credit in the sum of **Nine Hundred Fifty Two Thousand Nine Hundred Twenty Three Dollars and 52/100 ($952,923.52)** ("Letter of Credit") for the exclusive purpose of providing the financial guarantee which the City requires **Hoech Real Estate Corporation,** ("Developer") to provide for the installation of the improvements which must be constructed at **Vineyard Court Estates,** City Project No. **718781** ('Project"), **Subdivision Improvements**. The amount of the Letter of Credit is 125% of the City's estimated cost of construction of improvements as required by the City's Subdivision Ordinance. The improvements are identified in the agreement between the City of Albuquerque and Subdivider, which was recorded on 9/18/03, 20 03 in the records of the Clerk of **Bernalillo** County, New Mexico in Book Misc. A 65, at pages 1661, as amended ("Agreement").

A Draft or Drafts for any amount up to but not in excess of **Nine Hundred Fifty Two Thousand Nine Hundred Twenty Three Dollars and 52/100 ($952,923.52)** is/are available at sight at Charter Bank, 4400 Osuna NE, Albuquerque, New Mexico 87109 between **August 20, 2005**, and **October 20, 2005**. When presented for negotiation, the Draft(s) is/are to be accompanied by the City's notarized certification stating:

a) **Hoech Real Estate Corporation,** has failed to comply with the terms of the Agreement; b) the undersigned is the Chief Administrative Officer of the City of Albuquerque and is authorized to sign this certification; and c) the amount of the Draft does not exceed 125% of the City's estimated cost of completing the improvements specified in the Agreement.

We hereby agree with the drawer of Draft(s) drawn under and in compliance with the terms of this credit that such Draft(s) will be duly honored upon presentation to the drawee if negotiated between **August 20, 2005**, and **October 20, 2005.**

The Draft(s) drawn under this credit must contain the Clause: "Drawn under Letter of Credit and Agreement No. 300168 of Charter Bank, 4400 Osuna NE, Albuquerque, New Mexico 87109, dated **September 5, 2003**, and the original Letter of Credit must be endorsed on the reverse side with the amount of each draft. This Letter of Credit must accompany each draft and be attached to the draft which exhausts this credit.

This Letter of Credit for the benefit of the City of Albuquerque shall be irrevocable until:

1. Sixty (60) days after the City accepts the completed improvements specified in the Agreement; or

2. City notification of the failure by **Hoech Real Estate Corporation** to comply with the terms of the Agreement, and payment by Certified check from Charter Bank, to the City of Albuquerque of 125% of the City estimated costs of completing the improvements specified in the Agreement; or

2. Expiration of the Date, **October 20, 2005.**

3. Written termination of this Letter of Credit by the City of Albuquerque, signed by its Chief Administrative Officer.

This Letter of Credit will terminate at 2:00 o'clock p.m., New Mexico time, **October 20, 2005.**

This credit is subject to the Uniform Customs and Practice for Documentary Credits (1993 Revision), International Chamber of Commerce Publication No. 500.

Sincerely,

Scott Browning
Senior Vice President
Manager, Construction Loan Department
Charter Bank

ACCEPTED:

CITY OF ALBUQUERQUE

BY:_____
Chief Administrative Officer

DATED: _____

The Draft(s) drawn under this credit must contain the Clause: "Drawn under Letter of Credit and Agreement No. 300168 of Charter Bank, 4400 Osuna NE, Albuquerque, New Mexico 87109, dated **September 5, 2003**, and the original Letter of Credit must be endorsed on the reverse side with the amount of each draft. This Letter of Credit must accompany each draft and be attached to the draft which exhausts this credit.

This Letter of Credit for the benefit of the City of Albuquerque shall be irrevocable until:

1. Sixty (60) days after the City accepts the completed improvements specified in the Agreement; or

2. City notification of the failure by **Hoech Real Estate Corporation** to comply with the terms of the Agreement, and payment by Certified check from Charter Bank, to the City of Albuquerque of 125% of the City estimated costs of completing the improvements specified in the Agreement; or

2. Expiration of the Date, **October 20, 2005.**

3. Written termination of this Letter of Credit by the City of Albuquerque, signed by its Chief Administrative Officer.

This Letter of Credit will terminate at 2:00 o'clock p.m., New Mexico time, **October 20, 2005.**

This credit is subject to the Uniform Customs and Practice for Documentary Credits (1993 Revision), International Chamber of Commerce Publication No. 500.

Sincerely,

Scott Browning
Senior Vice President
Manager, Construction Loan Department
Charter Bank

ACCEPTED:

CITY OF ALBUQUERQUE

BY:_____
Chief Administrative Officer

DATED: _____

# HOECH
## REAL ESTATE CORPORATION

November 14, 2003

Ms. Sheran Matson
DRB Chairperson
Planning Department City of Albuquerque
VIA FACSIMILE: 924-3864

Re: Vineyard Court Estates Subdivision

Dear Sheran:

My father has informed me that he spoke with you regarding the wall design for Vineyard Court Estates. Per his conversation with you the wall design will be changed as follows:

- Every 3rd section will be stuccoed to match the pilasters, instead of being exposed split face block.

We are happy with this design and feel that it satisfies your requirement to break up the long expense of split face block. JMA will have the new design on your desk by close of business Monday.

Respectfully,

Justin D. Hoech
Corporate Secretary

cc: Debbie Trujillo, Jeff Mortensen & Associates, Inc.

8300 CARMEL AVE. NE, SUITE 601 ❧ ALBUQUERQUE, NEW MEXICO 87122 ❧ (505) 821-4440 ❧ FAX (505) 857-9774

SERVPRO® OF NE ALBUQUERQUE

*"The Premier Cleaning And Restoration Company"*

September 23, 2003

City of Albuquerque Development Plan Review

Sheran Matson, AICP, Chair, Development Review Board

RE: Appeal 03EPC-01462 / Project # 1002525

Dear Ms Matson,

With reference to the above appeal, I wish to withdraw the appeal. I have enclosed the original appeal application and the notice of hearing for your reference and file.

If you have any questions please call me. I can be reached at 828-3567 during business hours.

Yours Truly;

Marie A Weingardt

Cc Hoech Realty

Att: Application
Notice of hearing

6615 Lomas Blvd. NE • Albuquerque, New Mexico 87110
Phone: (505) 828-3567 • Fax: (505) 268-6810
Email: servpro8421@qwest.net

# City of Albuquerque

## DEVELOPMENT/ PLAN REVIEW APPLICATION

| | Supplemental form |
|---|---|
| **SUBDIVISION** | **S** |
| ___ Major Subdivision action | |
| ___ Minor Subdivision action | |
| ___ Vacation | **V** |
| ___ Variance (Non-Zoning) | |
| **SITE DEVELOPMENT PLAN** | **P** |
| ___ ...for Subdivision Purposes | |
| ___ ...for Building Permit | |
| ___ IP Master Development Plan | |
| ___ Cert. of Appropriateness (LUCC) | **L** |

| | Supplemental form |
|---|---|
| **ZONING & PLANNING** | **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** |
| X 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: MARIE WEINGARDT PHONE: 505 828 3567
ADDRESS: 9406 Carmel NE FAX: 505 268 6840
CITY: Albuquerque STATE NM ZIP 87122 E-MAIL:
Proprietary interest in site: owner of 9406 and 9403 CARMEL
AGENT (if any): NA PHONE:
ADDRESS: FAX:
CITY: STATE ___ ZIP E-MAIL:

DESCRIPTION OF REQUEST: Protest of decision to go forward with development

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

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

Lot or Tract No. 10-23 tract 3 Block: 19 Unit: 3
Subdiv. / Addn. N. ALBUQUERQUE ACRES, UNIT 3.
Current Zoning: ~~A-1~~ [RC ~~[illegible]~~] Proposed zoning: ??
Zone Atlas page(s): ~~C-13~~ ~~[illegible]~~ / C-20 ~~[illegible]~~ No. of existing lots: 14 No. of proposed lots: ??
Total area of site (acres): 14 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. (HOLLY AV. NE B/A) RGCD Map No.
LOCATION OF PROPERTY BY STREETS: On or Near: Holbrook and Ventura
Between: Holbrook and Ventura
VENTURA ST. NE B/A HOLBROOK ST. NE B/A.

CASE HISTORY:
List any current or prior case number that may be relevant to your application (Proj., App., DRB-, AX_,Z_, V_, S_, etc.): 03DRB-00367-70, 02EPC-01353 & 54 ~~6-13~~
Check-off if project was previously reviewed by Sketch Plat/Plan ☐ or Pre-application Review Team ☐. Date of review:

SIGNATURE [signature] DATE 8/8/03
(Print) MARIE A. WEINGARDT ☒ Applicant ___ Agent

FOR OFFICIAL USE ONLY — Form revised 9/01, 3/03, 7/03

| INTERNAL ROUTING | Application case numbers | Action | S.F. | Fees |
|---|---|---|---|---|
| ☑ All checklists are complete | 03EPC - - 01462 | AP | A | $ 190 |
| ☑ All fees have been collected | - - | | | $ |
| ☑ All case #s are assigned | - - NOTIFICATION | | FEE | $ 50 |
| ☑ AGIS copy has been sent | - - | | | $ |
| ☑ Case history #s are listed | - - | | | $ |
| ☒ NA Site is within 1000ft of a landfill | - - | | | $ |
| ☐ ~~F.H.D.P.~~ density bonus | | | | Total |
| ☐ ~~F.H.D.P.~~ fee rebate | Hearing date 10.16.03 | | | $ 240.00 |

BDerbont 9/03/03
Planner signature / date

**Project #** 1002525

**FORM A:** APPEAL

**Appeal to the Zoning Board of Appeals regarding:**

☒ DECISION OF THE ZONING HEARING EXAMINER

**Appeal to the Landmarks and Urban Conservation Commission regarding:**

☐ CERTIFICATE OF APPROPRIATENESS DECISION OF THE PLANNING DIRECTOR OR STAFF

**Appeal to the Environmental Planning Commission regarding:**

☐ ADMINISTRATIVE AMENDMENT OR DECISION OF THE PLANNING DIRECTOR OR STAFF
☐ DECLARATORY RULING OF THE ZONING ENFORCEMENT OFFICER
☒ DETERMINATION OR ACTION OF THE DEVELOPMENT REVIEW BOARD

**Appeal to the City Council regarding:**

☐ DETERMINATION OR ACTION OF THE ENVIRONMENTAL PLANNING COMMISSION
☐ ACTION OF THE ZONING BOARD OF APPEALS REGARDING AN APPEAL
☐ DECISION OF THE LANDMARKS AND URBAN CONSERVATION COMMISSION

✓ Project number of case being appealed; 1002525

✓ Application number of case being appealed; 03DRB-01263

✓ Reason for the appeal * See attached
Appellant's basis of standing as an appellant * See attach
N/A Letter of authorization from the appellant if this application for appeal is submitted by an agent
✓ Copy of the Official Notification of Decision regarding the matter being appealed
✓ Fee (see schedule) $190.00 + $50 ADV. FEE

* Criteria for reasonable appeals and criteria for standing as an appellant are given in *Zoning Code* §14-16-4-4. Any appeal must meet these criteria to be heard. The applicant should review these and other relevant documents carefully before preparing an application for appeal.

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

MARIE A WEINGARDT
Applicant name (print)

9/9/03
Applicant signature / date

Form revised September 2001

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

Application case numbers
03EPC - - 01462
- -
- -

9/03/03
Planner signature / date

Project # 1002525

SERVPRO® OF NE ALBUQUERQUE

*"The Premier Cleaning And Restoration Company"*

September 23, 2003

City of Albuquerque Development Plan Review

Sheran Matson, AICP, Chair, Development Review Board

RE: Appeal 03EPC-01462 / Project # 1002525

Dear Ms Matson,

With reference to the above appeal, I wish to withdraw the appeal. I have enclosed the original appeal application and the notice of hearing for your reference and file.

If you have any questions please call me. I can be reached at 828-3567 during business hours.

Yours Truly;

Marie A Weingardt

Cc Hoech Realty

Att: Application
Notice of hearing

6615 Lomas Blvd. NE • Albuquerque, New Mexico 87110
Phone: (505) 828-3567 • Fax: (505) 268-6810
Email: servpro8421@qwest.net

# City of Albuquerque

## DEVELOPMENT/ PLAN REVIEW APPLICATION

| | Supplemental form |
|---|---|
| **SUBDIVISION** | **S** |
| ___ Major Subdivision action | |
| ___ Minor Subdivision action | |
| ___ Vacation | **V** |
| ___ Variance (Non-Zoning) | |
| **SITE DEVELOPMENT PLAN** | **P** |
| ___ ...for Subdivision Purposes | |
| ___ ...for Building Permit | |
| ___ IP Master Development Plan | |
| ___ Cert. of Appropriateness (LUCC) | **L** |

| | Supplemental form |
|---|---|
| **ZONING & PLANNING** | **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** |
| X 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: MARIE WEINGARDT PHONE: 505 828 3567
ADDRESS: 9406 Carmel NE FAX: 505 268 6840
CITY: Albuquerque STATE NM ZIP 87122 E-MAIL:
Proprietary interest in site: owner of 9406 and 9403 CARMEL
AGENT (if any): NA PHONE:
ADDRESS: FAX:
CITY: STATE ___ ZIP ___ E-MAIL:

DESCRIPTION OF REQUEST: Protest of decision to go forward with development

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

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

Lot or Tract No. 10-23 tract 3 Block: 19 Unit: 3
Subdiv. / Addn. N. ALBUQUERQUE ACRES, UNITS.
Current Zoning: ~~A-1~~ RC Proposed zoning: ??
Zone Atlas page(s): ~~G-13~~ C-20 No. of existing lots: 14 No. of proposed lots: ??
Total area of site (acres): 14 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. (HOLLY AV. NE B/A) MRGCD Map No.
LOCATION OF PROPERTY BY STREETS: On or Near: Holbrook and Ventura
Between: Holbrook and Ventura
VENTURA ST. NE B/A HOLBROOK ST. NE B/A.

CASE HISTORY:
List any current or prior case number that may be relevant to your application (Proj., App., DRB-, AX_,Z_, V_, S_, etc.): 03DRB-00367-70, 02EPC-01353 & 54 6-13

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

SIGNATURE [signature] DATE 8/21/03
(Print) MARIE A. WEINGARDT X Applicant ___ Agent

FOR OFFICIAL USE ONLY — Form revised 9/01, 3/03, 7/03

| INTERNAL ROUTING | Application case numbers | Action | S.F. | Fees |
|---|---|---|---|---|
| ☑ All checklists are complete | 03EPC - - 01462 | Ap | A | $ 190 |
| ☑ All fees have been collected | - - | | | $ |
| ☑ All case #s are assigned | - - NOTIFICATION | | FEE | $ 50 |
| ☑ AGIS copy has been sent | - - | | | $ |
| ☑ Case history #s are listed | - - | | | $ |
| ☑ NA Site is within 1000ft of a landfill | - - | | | $ |
| ☐ ~~F.H.D.P.~~ density bonus | | | | Total |
| ☐ ~~F.H.D.P.~~ fee rebate | Hearing date 10.16.03 | | | $ 240.00 |

[signature] 9/03/03
Planner signature / date

**Project #** 1002525

**FORM A: APPEAL**

**Appeal to the Zoning Board of Appeals regarding:**

☒ DECISION OF THE ZONING HEARING EXAMINER

**Appeal to the Landmarks and Urban Conservation Commission regarding:**

☐ CERTIFICATE OF APPROPRIATENESS DECISION OF THE PLANNING DIRECTOR OR STAFF

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☐ ADMINISTRATIVE AMENDMENT OR DECISION OF THE PLANNING DIRECTOR OR STAFF
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☐ DECISION OF THE LANDMARKS AND URBAN CONSERVATION COMMISSION

✓ Project number of case being appealed; 1002525

✓ Application number of case being appealed; 03DRB-01263

✓ Reason for the appeal * See attached
Appellant's basis of standing as an appellant * See attach
N/A Letter of authorization from the appellant if this application for appeal is submitted by an agent
✓ Copy of the Official Notification of Decision regarding the matter being appealed
✓ Fee (see schedule) $190.00 + $50 AW. FEE

* Criteria for reasonable appeals and criteria for standing as an appellant are given in *Zoning Code* §14-16-4-4. Any appeal must meet these criteria to be heard. The applicant should review these and other relevant documents carefully before preparing an application for appeal.

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

MARIE A WEINGARDT
Applicant name (print)

9/2/03
Applicant signature / date

Form revised September 2001

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

Application case numbers
03EPC - - 01462
- -
- -

9/03/03
Planner signature / date

Project # 1002525

# City of Albuquerque

# DEVELOPMENT/ PLAN REVIEW APPLICATION

Supplemental form

**SUBDIVISION** S
- ____ Major Subdivision action
- ____ Minor Subdivision action
- ____ Vacation V
- ____ Variance (Non-Zoning)

**SITE DEVELOPMENT PLAN** P
- ____ ...for Subdivision Purposes
- ____ ...for Building Permit
- ____ IP Master Development Plan
- ____ Cert. of Appropriateness (LUCC) L

Supplemental form

**ZONING & PLANNING** 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
- X Decision by: DRB, EPC, LUCC, Planning Director or Staff, ZHE, Zoning Board of Appeals

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CITY: Albuquerque STATE NM ZIP 87122 E-MAIL:
Proprietary interest in site: owner of 9406 and 9403 CARMEL
AGENT (if any): N A PHONE:
ADDRESS: FAX:
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**DESCRIPTION OF REQUEST:** Protest of decision to go forward with development

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

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Total area of site (acres): 14 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. (HOLLY AV. NE. B/A) MRGCD Map No.
LOCATION OF PROPERTY BY STREETS: On or Near: Holbrook and Ventura
Between: Holbrook and Ventura
VENTURA ST. NE B/A HOLBROOK ST. NE B/A.

**CASE HISTORY:**
List **any** current or prior case number that may be relevant to your application (Proj., App., DRB-, AX_,Z_, V_, S_, etc.):
03DRB-00367-70, 02EPC-01353 & 54 ~~G-13~~
Check-off if project was previously reviewed by Sketch Plat/Plan ☐ or Pre-application Review Team ☐. Date of review:

SIGNATURE DATE 8/25/03
(Print) MARIE A. WEINGARDT X Applicant ___ Agent

**FOR OFFICIAL USE ONLY** Form revised 9/01, 3/03, 7/03

☑ **INTERNAL ROUTING**
- ☑ All checklists are complete
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- ☑ All case #s are assigned
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- ☑ Case history #s are listed
- ☑ NA Site is within 1000ft of a landfill
- ☐ ~~F.H.D.P.~~ density bonus
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| Application case numbers | Action | S.F. | Fees |
|---|---|---|---|
| 03EPC - - 01462 | AP | A | $ 190 |
| - - | | | $ |
| - - NOTIFICATION | | FEE | $ 50 |
| - - | | | $ |
| - - | | | $ |
| | | | Total $ 240.00 |

Hearing date 10.16.03

BDenbow 9/03/03
Planner signature / date

**Project #** 1002525

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☒ DECISION OF THE ZONING HEARING EXAMINER

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☐ CERTIFICATE OF APPROPRIATENESS DECISION OF THE PLANNING DIRECTOR OR STAFF

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✓ Project number of case being appealed; 1002525

✓ Application number of case being appealed; 03DRB-01263

✓ Reason for the appeal * See attached
Appellant's basis of standing as an appellant * See attach
NA Letter of authorization from the appellant if this application for appeal is submitted by an agent
✓ Copy of the Official Notification of Decision regarding the matter being appealed
✓ Fee (see schedule) $190.00 + $50 AW. FEE

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

MARIE A WEINGARDT
Applicant name (print)

9/2/03
Applicant signature / date

Form revised September 2001

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

Application case numbers
03EPC - - 01462
- -
- -

9/03/03
Planner signature / date

Project # 1002525

RE: project # 1002525

Objection is raised to the approval for the following reasons:

1. Severe drainage issues affecting properties on the North side of Carmel have not been properly addressed – A drainage and grading study is needed before the street is paved. Any negative impact on the existing lots on the north side should be mitigated by the developer.
2. Traffic impact study not shared with the residents on the north side of Carmel. Several adjacent developments are currently ongoing.The combined impact of traffic from all these adjacent development need to be considered before this development is allowed to contribute to the traffic. Furthermore, because the street will only be partially improved, a temporary barrier should be erected until such time that the entire street is improved. This is a safety issue that should be addressed in the traffic impact study.
3. The North Albuquerque Acre sector plan required wall enclosures and landscape of a certain quality. There have been no plans submitted to describe the wall enclosure and landscape. Additionally, the responsibility for continued maintenance of the required landscape has not been described to the residents on the north side of Carmel who have to face the walls and the landscaping.

I have standing because I live across the street from this development

# OFFICIAL NOTICE OF DECISION

CITY OF ALBUQUERQUE
PLANNING DEPARTMENT
DEVELOPMENT REVIEW BOARD

8-21-2003

**7. Project # 1002525**
03DRB-01263 Major-Preliminary Plat Approval
03DRB-01264 Minor-Temp Defer SDWK

JEFF MORTENSEN & ASSOCIATES, INC., agent(s) for DESERT RIDGE DEVELOPMENT, LLC request(s) the above action(s) for all or a portion of Lot(s) 10-23, Block(s) 19, Tract(s) 3, NORTH ALBUQUERQUE ACRES, UNIT 3, (to be known as **VINEYARD COURT ESTATES**) zoned R-D residential and related uses zone, developing area, located on HOLLY AVE NE, between VENTURA ST NE and HOLBROOK ST NE containing approximately 14 acre(s). [REF: 03DRB-00367-70, 02EPC-01353 & 54](G-13)

At the August 20, 2003, Development Review Board meeting, with the signing of the infrastructure list dated 8/20/03 and approval of the grading plan engineer stamp dated 7/23/03 the preliminary plat was approved. Temporary deferral of construction of sidewalks on the interior streets was approved as shown on Exhibit C in the Planning file.

If you wish to appeal this decision, you must do so by September 4, 2003, in the manner described below.

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

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

Please note that a Preliminary Plat approval date is the date of the DRB action plus the 15-day appeal period. The Preliminary Plat approval is effective one year from that date. The DRB must take action on the Preliminary Plat Extension prior to the expiration of the approval or the Preliminary Plat approval is null and void. (REF: Chapter 14 Article 14 Part 3-4 (E) Revised Ordinance.)

Sheran Matson

Sheran Matson, AICP, DRB Chair

cc:Jeff Mortensen & Associates Inc., 6010-B Midway Park Blvd NE, 87109
Desert Ridge Development LLC, 8300 Carmel Ave NE, Suite 601, 87122
Marie Weingardt, 9406 Carmel NE, 87122
Arlene Portillo, Planning Department, 4th Floor, Plaza del Sol Bldg.
Scott Howell, Property Management, Legal Dept./4th Flr, City/County Bldg
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** MARIE WEINGARDT

**AGENT** NA

**ADDRESS** 9406 CARMEL NE

**PROJECT NO.** 1002525

**APPLICATION NO.** 03EPC-01462

$ _____ 441006 / 4983000 ( DRB Cases )

$ 190.00 441006 / 4971000 ( EPC & AA / LUCC / Appeals )

$ 50.00 441018 / 4971000 ( Notification )

$ 240.00 **Total amount due**

***DUPLICATE***
City Of Albuquerque
Treasury Division

09/03/2003 11:10AM LOC: ANN
X
RECEIPT# 00014108 WS# 008 TRANS# 0008
Account 441006 Fund 0110
Activity 4971000 TRSDMM
Trans Amt $240.00
J24 Misc $190.00

counterreceipt.doc

***DUPLICATE***
City Of Albuquerque
Treasury Division

09/03/2003 11:10AM LOC: ANN
X
RECEIPT# 00014109 WS# 008 TRANS# 0008
Account 441018 Fund 0110
Activity 4971000 TRSDMM
Trans Amt $240.00
J24 Misc $50.00
MC $240.00
CHANGE $0.00

10/28/02

SERVPRO OF N Albuquerque
2421 Quincy NE
Albuquerque NM 87110
828-3567( Voice)
268-6810 (Fax)

# facsimile transmittal

TO: RJ Herbert Fax: 924-3864

From: Marie Wiengardt Date: 9/3/03

Re: Pages:

CC: File

☐ Urgent X For Review X Please Reply

Please Note our new address:
2421 Quincy NE
Albuquerque NM 87110

RE: project # 1002525

Basis of Standing of applicant:

Applicant, Marie A Weingardt, owns 2 acres directly across from the proposed project. Applicant also lives at the above property. Property address in question is: 9406 Carmel NE and 9403 Carmel NE.

Objection is raised to the approval for the following reasons:

The first objection refers to the decision to annex Carmel Ave into city limits. The annexation was attached to the approval of the development of the 18 acres in this project. The developer has stated that the development will have no entrance or exit onto Carmel Ave between Holbrook and Ventura. This annexation required the devleloper to pave the south side of Carmel. This creates a potential financial burden as well as a safety and street dranage issue for the residents of the north side of Carmel who are neither developers nor city residents. The decision failed to address the responsibility for paving the south side of Carmel, and failed to require a street drainage study to ensure street runoff will not affect the properties on the south side of Carmel Ave. Since the county residents on the south side of Carmel are not in the city, how can the County residents whose properties border the south side of Carmel obtain any relief from either the City or the County.

Furthermore, the residenst of Carmel never received notification of project's approval nor their right to appeal theproject. The residents were informed by the construction workers of the details of the project. The first official notification came in August for project # 1002525.

The following objections are more specific:

1. Severe Street runoff / drainage issues affecting properties on the North side of Carmel have not been properly addressed – A drainage and grading study is needed before the street is paved. Any negative impact on the existing lots on the north side should be mitigated by the developer.
2. Traffic impact study not shared with the residents on the north side of Carmel. Several adjacent developments are currently ongoing.The combined impact of traffic from all these adjacent development need to be considered before this development is allowed to contribute to the traffic. Furthermore, because the street will only be partially improved, a temporary barrier should be erected , to prevent traffic from traveling from Holbrook to Ventura, until such time that the entire street is improved. This is a safety issue that should be addressed in the traffic impact study.
3. The North Albuquerque Acre sector plan required wall enclosures and landscape of a certain quality. The project was approved without the submission of plans describing the walls and the landscaping proprosed. Additionally, the responsibility for continued maintenance of the required landscape has not been defined to the residents on the north side of Carmel who have to face the walls and the landscaping.

These objections need to be addressed before approval to proceed is confirmed.

Current DRC
Project Number: 718781

FIGURE 12

INFRASTRUCTURE LIST

Date Submitted: 08/20/2003
Date Site Plan Approved:
Date Preliminary Plat Approved: 8/20/03
Date Preliminary Plat Expires: 8/20/04
DRB Project No.: 1002525
DRB Application No.: 03DRB-01263

ORIGINAL

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

# VINEYARD COURT ESTATES

## LOTS 10-23, BLOCK 19, TRACT 3, UNIT 3, NORTH ALBUQUERQUE ACRES

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 | Private Inspector | City Inspector | City Cnst Engineer |
|---|---|---|---|---|---|---|---|---|---|
| B1 | 718781 | 16' | Perm. ~~Res.~~ Pavement (1/2 Width) w/standard C&G (south side only) | Carmel Ave NE | NW Corner of Site | Holbrook St NE | / | / | / |
| B1 | 718781 | 4' | Sidewalk (South Side) | Carmel Ave NE | NW Corner of Site | Holbrook St NE | / | / | / |
| B1 | 718781 | 8' | Temporary Pavement | Carmel Ave NE | NW Corner of Site | Holbrook St NE | / | / | / |
| B1 | 718781 | 8" | Sanitary Sewer | Carmel Ave NE | NW Corner of Site | SW Cor. Lot 17, Blk 18 | / | / | / |
| B1 | 718781 | 8" | Sanitary Sewer* (*For Future Use - No FG Required) | Carmel Ave NE | SW Cor. Lot 17, Blk 18 | Holbrook | / | / | |
| | | | | | | | | | |
| | | | | | | | | | |
| AMAFCA | 693481 | 96" to 54" | RCP Public Storm Drain (Construction by AMAFCA ) | Carmel Ave NE | 1320' West of Ventura Street NE | NE Cor. Lot 10, Blk 18, Tr. 3, Unit 1, N.A.A | / | / | / |
| B1 | 718781 | 8" | Water Line | Carmel Ave NE | Grape View Ct NE | Holbrook St NE | / | / | / |
| FG'd by 705282, 699981 | 699981 | 8" | Sanitary Sewer (Offsite)* (*Under Construction by CPN 699981) | Carmel Ave N.E. | Ventura Street N.E. | SW Cor Vineyard 4A | / | / | / |
| FG'd by 705282, 699981 | 699981 | 8" | Sanitary Sewer (Offsite)* (*to be superseded by line in Village Ave being constructed by CPN 699981) | Ventura Street N.E. | Holly Ave N.E. | Carmel Ave N.E. | / | / | / |
| FG'd by 705282, 699981 | 699981 | ~~24'~~ | ~~Temporary Res. Pavement (Offsite)* (*permanent pavement under construction (by CPN 699981)~~ | ~~Carmel Ave N.E.~~ | ~~Ventura Street NE~~ | ~~SW Cor Vineyard 4A~~ | / | / | / |
| FG'd by 705282 | 705282 | 8" | Sanitary Sewer (Offsite)* (*Under Construction by CPN 705282) | Carmel Ave N.E. | SW Cor Vineyard 4A | SE Cor Vineyard 4A | / | / | / |
| FG'd by 705282 | 705282 | ~~24'~~ | ~~Temporary Res. Pavement (Offsite)* (*permanent pavement under construction (by CPN 705282)~~ | Carmel Ave N.E. | SW Cor Vineyard 4A | SE Cor Vineyard 4A | / | / | / |



revised 07/01/01

| SIA Sequence # | COA DRC Project # | Size | Type of Improvement | Location | From | To | Private Inspector | City Inspector | City Cnst Engineer |
|---|---|---|---|---|---|---|---|---|---|
| B1 | 718781 | 18' | Perm. Commercial Pvmnt (1/2 Width) w/standard C&G (North Side Only) | Holly Ave NE | SW Corner of Site | Holbrook St NE | / | / | / |
| B1 | 718781 | 4' | Sidewalk (North side only) | Holly Ave NE | SW Corner of Site | Holbrook St NE | / | / | / |
| B1 | 718781 | 6' | Temporary Pavement | Holly Ave NE | SW Corner of Site | Holbrook St NE | / | / | / |
| B1 | 718781 | 8" | Sanitary Sewer | Holly Ave NE | SW Corner of Site | NW Cor. Lot 16, Blk 20 | / | / | / |
| B1 | 718781 | 8" | Sanitary Sewer* (*For Future Use - No FG Required) | Holly Ave NE | SW Corner of Site | NW Cor. Lot 16, Blk 20 | / | / | |
| B1 | 718781 | 24" | RCP Public Storm Drain | Holly Ave NE | SW Corner of Site | Grape Arbor Ct NE | / | / | / |
| B1 | 718781 | 8" | Water Line | Holly Ave NE | Grape View Ct NE | Holbrook St NE | / | / | / |
| FG'd by 708481 | 708481 | 8" | Sanitary Sewer (Offsite)* (*Under Construction by CPN 708481) | Holly Ave N.E. | SW Cor. Los Vigils | SW Cor. Site | / | / | / |
| FG'd by 708481 | 708481 | 30"-24" DRB 1002271 | RCP Public Storm Drain (Offsite)* (*Under Construction by CPN 708481) | Holly Ave N.E. | SW Cor. Los Vigils | SW Cor. Site | / | / | / |
| FG'd by 708481 | 708481 | 24' | Temporary Res. Pavement (Offsite)* (*Perm. Under constr. By CPN 708481) | Holly Ave N.E. | SW Cor. Los Vigils | SW Cor. Site | / | / | / |
| B1 | 718781 | 16" | Water Line | Holbrook St NE | Carmel Ave NE | Palomas Ave NE | / | / | / |
| B1 | 718781 | 48" to 54" | RCP Public Storm Drain | Holbrook St NE | Carmel Ave NE | Holly Ave NE | / | / | / |
| B1 | 718781 | 24' | Permanent Collector Pvmnt (1/2 width) w/standard C&G (west side only) | Holbrook St NE | Carmel Ave NE | Holly Ave NE | / | / | / |
| B1 | 718781 | 4' | Sidewalk (West side only) | Holbrook St NE | Carmel Ave NE | Holly Ave NE | / | / | / |
| B1 | 718781 | 26 f-f | Res. Pvmt w/mount C&G | Grape View Ct NE | Holly Ave NE | Cul-de-sac | / | / | / |
| SW-1 | 718781 | 4' | Deferred Sidewalk (Both Sides) | Grape View Ct NE | Holly Ave NE | Cul-de-sac | / | / | / |
| B1 | 718781 | 8" | Sanitary Sewer | Grape View Ct NE | Holly Ave NE | Cul-de-sac | / | / | / |
| B1 | 718781 | 8" | Water Line | Grape View Ct NE | Holly Ave NE | Carmel Ave NE | / | / | / |
| B1 | 718781 | 26 f-f | Res. Pvmt w/mount C&G | Grape Arbor Ct NE | Holly Ave NE | Cul-de-sac | / | / | / |
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| B1 | 718781 | 8" | Sanitary Sewer | Grape Arbor Ct NE | Holly Ave NE | Cul-de-sac | / | / | / |
| B1 | 718781 | 4" | Water Line | Grape Arbor Ct NE | Holly Ave NE | Cul-de-sac | / | / | / |
| B1 | 718781 | | Collection Pond w/Agrmnt&Covenant | Lot 16, Block 18 | | | / | / | / |



revised 07/01/01

ORIGINAL

| SIA Sequence # | COA DRC Project # | Size | Type of Improvement | Location | From | To | Private Inspector | City Inspector | City Cnst Engineer |
|---|---|---|---|---|---|---|---|---|---|
| B1 | 718781 | 26 f-f | Res. Pvmt w/mount C&G | Grape Vine Ct NE | Holly Ave NE | Cul-de-sac | / | / | / |
| SW-1 | 718781 | 4' | Deferred Sidewalk (Both Sides) | Grape Vine Ct NE | Holly Ave NE | Cul-de-sac | / | / | / |
| B1 | 718781 | 8" | Sanitary Sewer | Grape Vine Ct NE | Holly Ave NE | Cul-de-sac | / | / | / |
| B1 | 718781 | 4" | Water Line | Grape Vine Ct NE | Holly Ave NE | Cul-de-sac | / | / | / |
| B1 | 718781 | 26 f-f | Res. Pvmt w/mount C&G | Grape Harvest Ct NE | Holly Ave NE | Cul-de-sac | / | / | / |
| SW-1 | 718781 | 4' | Deferred Sidewalk (Both Sides) | Grape Harvest Ct NE | Holly Ave NE | Cul-de-sac | / | / | / |
| B1 | 718781 | 8" | Sanitary Sewer | Grape Harvest Ct NE | Holly Ave NE | Cul-de-sac | / | / | / |
| B1 | 718781 | 4" | Water Line | Grape Harvest Ct NE | Holly Ave NE | Cul-de-sac | / | / | / |

**NOTES**

1. Engineer's Certification per D.P.M is required for Financial Guarantee Release.
2. A Letter of Map Revision (LOMR) from FEMA is required for Financial Guaranty Release. This LOMR is Guaranteed by the AFAMCA Agreement
3. Street Lights are required per D.P.M. Requirements and subject to DRC Review and Approval.

**AGENT / OWNER**

J. Graeme Means
NAME (print)

Jeff Mortensen & Assoc.
FIRM

J. Graeme Means 08/20/03
SIGNATURE - date

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

**DEVELOPMENT REVIEW BOARD MEMBER APPROVALS**

Ellen Mitchell 8/20/03
DRB CHAIR - date

Christina Sandoval 8/20/03
PARKS & ~~GENERAL SERVICES~~ Recreation - date

8-20-03
TRANSPORTATION DEVELOPMENT - date

_____
AMAFCA - date

Royce Bruce 8/20/03
UTILITY DEVELOPMENT - date

_____ - date

Bradford Bjorn 8/20/03
CITY ENGINEER - date

_____ - date

**DESIGN REVIEW COMMITTEE REVISIONS**

| REVISION | DATE | DRC CHAIR | USER DEPARTMENT | AGENT /OWNER |
|---|---|---|---|---|
| | | | | |
| | | | | |
| | | | | |



revised 07/01/01

8/20/03

Marie Weingarde

1. dust & mud - Carmel
2. construction trucks on dirt road impacts her
3. lights from people houses shining in her yard
4. traffic in front of house

Current DRC
Project Number: 718781

ORIGINAL

FIGURE 12

INFRASTRUCTURE LIST

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

Date Submitted: 08/20/2003
Date Site Plan Approved:
Date Preliminary Plat Approved:
Date Preliminary Plat Expires:
DRB Project No.: 1002525
DRB Application No.: 03DRB-

# VINEYARD COURT ESTATES

## LOTS 10-23, BLOCK 19, TRACT 3, UNIT 3, NORTH ALBUQUERQUE ACRES

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 | Private Inspector | City Inspector | City Cnst Engineer |
|---|---|---|---|---|---|---|---|---|---|
| B1 | 718781 | 16' | Perm. Res. Pavement (1/2 Width) w/standard C&G (south side only) | Carmel Ave NE | NW Corner of Site | Holbrook St NE | / | / | / |
| B1 | 718781 | 4' | Sidewalk (South Side) | Carmel Ave NE | NW Corner of Site | Holbrook St NE | / | / | / |
| B1 | 718781 | 8' | Temporary Pavement | Carmel Ave NE | NW Corner of Site | Holbrook St NE | / | / | / |
| B1 | 718781 | 8" | Sanitary Sewer | Carmel Ave NE | NW Corner of Site | Holbrook St NE | / | / | / |
| AMAFCA | 693481 | 96" to 54" | RCP Public Storm Drain (Construction by AMAFCA ) | Carmel Ave NE | 1320'. West of Ventura Street NE | NE Cor. Lot 10, Blk 18, Tr. 3, Unit 1, N.A.A | / | / | / |
| B1 | 718781 | 6" | Water Line | Carmel Ave NE | Grape View Ct NE | Holbrook St NE | / | / | / |
| FG'd by 705282, 699981 | 699981 | 8" | Sanitary Sewer (Offsite) | Carmel Ave N.E. | Ventura Street N.E. | SW Cor Vineyard 4A | / | / | / |
| FG'd by 705282, 699981 | 699981 | 8" | Sanitary Sewer (Offsite) | Ventura Street N.E. | Holly Ave N.E. | Carmel Ave N.E. | / | / | / |
| FG'd by 705282, 699981 | 699981 | 24' | Temporary Res. Pavement (Offsite) | Carmel Ave N.E. | Ventura Street NE | SW Cor Vineyard 4A | / | / | / |
| FG'd by 705282 | 705282 | 8" | Sanitary Sewer (Offsite) | Carmel Ave N.E. | SW Cor Vineyard 4A | SE Cor Vineyard 4A | / | / | / |
| FG'd by 705282 | 705282 | 24' | Temporary Res. Pavement (Offsite) | Carmel Ave N.E. | SW Cor Vineyard 4A | SE Cor Vineyard 4A | / | / | / |



revised 07/01/01

| SIA Sequence # | COA DRC Project # | Size | Type of Improvement | Location | From | To | Private Inspector | City Inspector | City Cnst Engineer |
|---|---|---|---|---|---|---|---|---|---|
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| B1 | 718781 | 48" to 54" | RCP Public Storm Drain | Holbrook St NE | Carmel Ave NE | Holly Ave NE | / | / | / |
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| | | | | | | | / | / | / |



revised 07/01/01

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**NOTES**

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2. A Letter of Map Revision (LOMR) from FEMA is required for Financial Guaranty Release. This LOMR is Guaranteed by the AFAMCA Agreement
3. Street Lights are required per D.P.M. Requirements and subject to DRC Review and Approval.

**AGENT / OWNER**

**J. Graeme Means**
NAME (print)

**Jeff Mortensen & Assoc.**
FIRM

J. Graeme Means 07/22/03
SIGNATURE - date

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

**DEVELOPMENT REVIEW BOARD MEMBER APPROVALS**

DRB CHAIR - date

PARKS & GENERAL SERVICES - date

TRANSPORTATION DEVELOPMENT - date

AMAFCA - date

UTILITY DEVELOPMENT - date

_____ - date

CITY ENGINEER - date

_____ - date

**DESIGN REVIEW COMMITTEE REVISIONS**

| REVISION | DATE | DRC CHAIR | USER DEPARTMENT | AGENT /OWNER |
|---|---|---|---|---|
| | | | | |
| | | | | |
| | | | | |



revised 07/01/01

# City of Albuquerque

## DEVELOPMENT REVIEW APPLICATION

| | Supplemental form | | Supplemental form |
|---|---|---|---|
| **SUBDIVISION** | **S** | **ZONING** | **Z** |
| ☒ Major Subdivision action | | ☐ Annexation & Zone Establishment | |
| ☐ Minor Subdivision action | | ☐ Sector Plan | |
| ☐ Vacation | **V** | ☐ Zone Change | |
| ☐ Variance (Non-Zoning) | | ☐ Text Amendment | |
| **SITE DEVELOPMENT PLAN** | **P** | **APPEAL / PROTEST of...** | **A** |
| ☐ ...for Subdivision Purposes | | ☐ Decision by: DRB, EPC, LUCC, Planning Director or Staff, ZHE, Zoning Board of Appeal | |
| ☐ ...for Building Permit | | | |
| ☐ IP Master Development Plan | | | |
| ☐ 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: Desert Ridge Development, LLC — PHONE: 505-821-4440
ADDRESS: 8300 Carmel Ave N.E., Suite 601 — FAX: 505-857-9774
CITY: Albuquerque — STATE NM — ZIP87122 — E-MAIL:
Proprietary interest in site: Owner
AGENT (if any): Jeff Mortensen & Associates, Inc. — PHONE: 345-4250
ADDRESS: 6010-B Midway Park Blvd. NE — FAX: 345-4254
CITY: Albuquerque — STATE NM — ZIP 87109 — E-MAIL: jmainc@swcp.com

**DESCRIPTION OF REQUEST:** Preliminary Plat Approval, Temporary Deferral of Sidewalk Construction
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. Lots 10-23 — Block: 19 — Unit: 3

Subdiv. / Addn. Tract 3, Unit 3, North Albuquerque Acres

Current Zoning: RD — Proposed zoning: No Change

Zone Atlas page(s): C-20 — No. of **existing** lots: 14 — No. of **proposed** lots: 48

Total area of site (acres): 13.98 — Density if applicable: dwellings per gross acre: 3.43 — dwellings per net acre: 4.57

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. See Attached Listing (102006442090402 23, Lot 10) — MRGCD Map No. _____

LOCATION OF PROPERTY BY STREETS: On or Near: Holly Avenue N.E.. N Side
Between: Ventura Street N.E. and Holbrook St. N.E.

**CASE HISTORY:**

List **any** current or prior case number that may be relevant to your application (Proj., App., DRB-, AX_,Z_, V_, S_, etc.): DRB 1002525, 03DRB 00367 through 00370 , 02EPC-01353 , 02EPC-01354

Check-off if project was previously reviewed by Sketch Plat/Plan ☒, or Pre-application Review Team ☐. Date of review: April 2, 2003

**SIGNATURE** Debie LeBlanc Trujillo — DATE July 23, 2003

(Print) Debie LeBlanc Trujillo for JEFF MORTENSEN & ASSOCIATES, INC. — ☐ Applicant ☒ Agent

**FOR OFFICIAL USE ONLY** — Form revised September 2001

☑ **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 |
|---|---|---|---|
| 03DRB - - 01263 | PPA | S(2) | $ 1665.00 |
| 03DRB - - 01264 | SD | | $ 50.00 |
| - - | NOTIFIC FEE | | $ 75.00 |
| - - | | | $ |
| - - | | | $ |
| | | | Total $ 1790.00 |

Hearing date Aug. 20th 2003

B Hebert 7/24/03
Planner signature / date

**Project #** 1002525

2002-049.3

# 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-3**.

☒ **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.
- ☒ 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
- ☒ 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. _____
- ☐ 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

**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.

JEFF MORTENSEN & ASSOC., INC.
DEBBIE LEBLANC TRUJILLO
Applicant name (print)

Debbie LeBlanc Trujillo 07-23-03
Applicant signature / date

Form revised April 2003

☑ Checklists complete
☑ Fees collected
☑ Case #s assigned
☐ Related #s listed

Application case numbers
03DRB - _____ - 01263
_____ - _____ - _____
_____ - _____ - _____

B Sanchez 7/24/03
Planner signature / date

**Project #** 1002525

# FORM V: SUBDIVISION VARIANCES & VACATIONS

☐ **BULK LAND VARIANCE** **(Public Hearing Case)**

- ☐ Application for subdivision (Plat) on FORM S-3, including those submittal requirements. Variance and subdivision should be applied for simultaneously. (**24** copies)
- ☐ 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.

JEFF MORTENSEN & ASSOC. INC.
DEBIE LEBLANC TRUJILLO
Applicant name (print)

Debie LeBlanc Trujillo 07-23-03
Applicant signature / date

Form revised April 2003

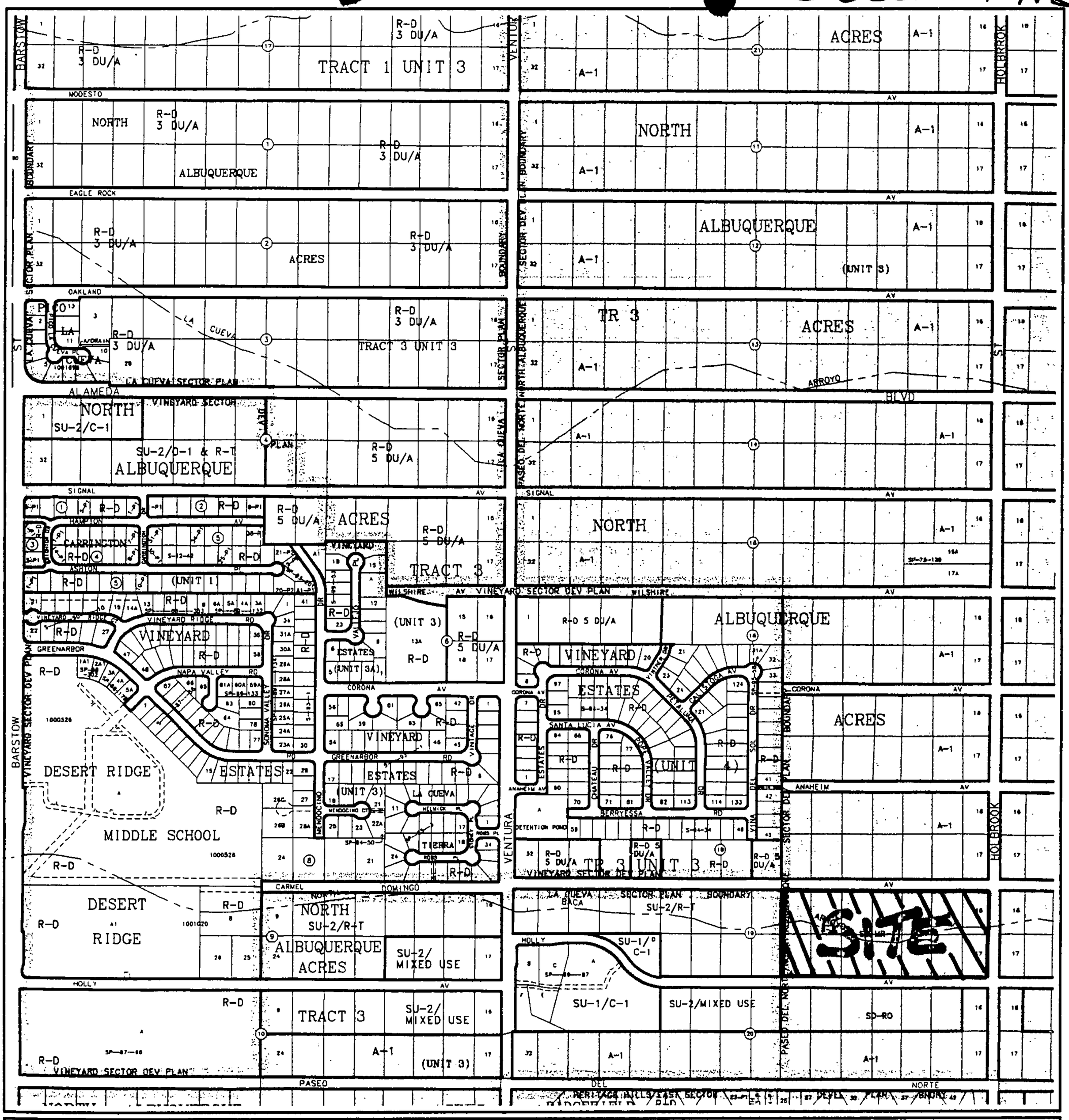
☑ Checklists complete
☐ Fees collected
☑ Case #s assigned
☑ Related #s listed

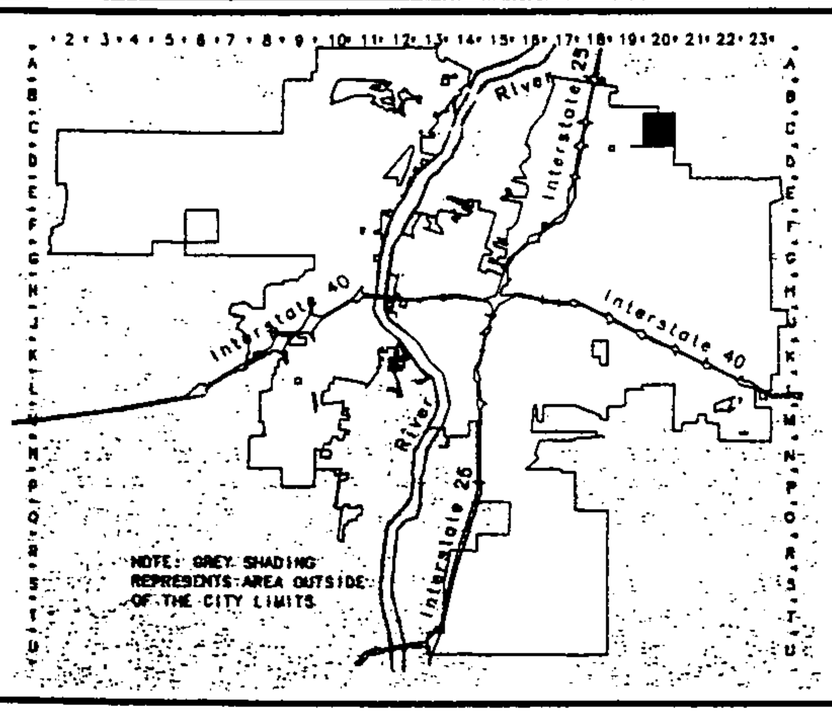
Application case numbers
03DRB - - 01264
- -
- -

B Durbert 7/24/03
Planner signature / date

Project # 1002525

2002.049.3




CITY OF
Albuquerque

Albuquerque Geographic Information System
PLANNING DEPARTMENT

© Copyright 2002

GRAPHIC SCALE IN FEET

250 0 750 1000

# Zone Atlas Page

# C-20-Z

Map Amended through April 03, 2002

1-020-004 420-090

437.090

SITE

2002-049-4

# FORM DRWS: DRAINAGE REPORT / WATER & SEWER AVAILABILITY

THIS FORM IS REQUIRED WITH THE DEVELOPMENT REVIEW BOARD APPLICATION FOR MAJOR SUBDIVISIONS AND SITE DEVELOPMENT PLANS.

PROJECT NAME VINEYARD COURT ESTATES

AGIS MAP # C-20

LEGAL DESCRIPTION LOTS 10-23, BLOCK 19, NORTH ALBUQUERQUE ACRES, TRACT 3, UNIT 3

X **DRAINAGE REPORT**

A drainage report, as per the Drainage Ordinance, was submitted to the City of Albuquerque Public Works Department, Hydrology Division ( 2nd floor Plaza del Sol ) on 07-24-03 [date].

Applicant / Agent — Date 7-24-03

Hydrology Division Representative — Date 7-24-03

X **WATER AND SEWER AVAILABILITY STATEMENT**

A Water and Sewer Availability Statement for this project was requested from the City of Albuquerque Utilities Development Division ( 2nd floor Plaza del Sol ) on June 10, 2002 [date].

Debbie LeBlanc Trujillo - JMA — Applicant / Agent — Date 07-22-03

(att of 7-2-02) — Utilities Division Representative — Date 7-22-03

DRB# 1002525

JEFF MORTENSEN & ASSOCIATES, INC.
ENGINEERS & SURVEYORS

6010-B MIDWAY
PARK BLVD. NE
ALBUQUERQUE
NEW MEXICO
87109

PRINCIPALS

JEFFREY G. MORTENSEN, P.E.
CHARLES G. CALA, JR., P.S.
JUAN M. CALA

TEL:505·345·4250
FAX:505·345·4254
jmainc@swcp.com

2002.049.3
July 23, 2003

Sheran Matson, Chair
Development Review Board
City of Albuquerque
Albuquerque, NM 87103

Re: Request for Preliminary Plat Approval and Temporary Deferral of Sidewalk Construction
Lots 10 - 23, Block 19, North Albuquerque Acres, Tract 3, Unit 3
(Proposed Vineyard Court Estates) DRB Project # 1002525

Dear Sheran:

Transmitted are the following items associated with the subject request:

- DRB Application, Supplemental Forms S(2) and V along with the related Fees
- Twenty Four (24) copies of the Preliminary Pat including the Grading Plan
- Proposed Infrastructure List
- Six (6) copies of the Sidewalk Deferral Exhibit
- City of Albuquerque Zone Atlas C – 20 (site area highlighted)
- Office of the Community & Neighborhood Coordination request, copies of letters sent to Neighborhood Associations along with the registered mail receipts
- Form DRWS
- TIS/AQIA form

On behalf of our client Desert Ridge Development, LLC, we are requesting Preliminary Plat and Grading Plan Approval for Vineyard Court Estates which consists of 48 new residential lots from 14 existing North Albuquerque Acres lots. We are also requesting temporary deferral of interior sidewalks to avoid their damage during construction. The vacations associated with this case were approved on April 2, 2003. Please schedule this matter for the next appropriate DRB Hearing. In the meantime, if I can be of further assistance to you, please do not hesitate to call.

Sincerely,

JEFF MORTENSEN & ASSOCIATES, INC.

Debie LeBlanc Trujillo

DLT
Enclosures

xc: Don Hoech – Desert Ridge Development, LLC w/enc.

2002.049.3

# Development Review Application Attachment Listing
# UPC No.s

North Albuquerque Acres Tract 3, Unit 3, Block 19

Lot 10 – 1-020-064-420-090-402-23

Lot 11 –1-020-064-437-090-402-22

Lot 12 –1-020-064-453-090-402-21

Lot 13 –1-020-064-470-090-402-20

Lot 14 –1-020-064-406-090-402-19

Lot 15 –1-020-064-502-090-402-18

Lot 16 –1-020-064-517-090-402-17

Lot 17 –1-020-064-517-066-402-16

Lot 18 –1-020-064-502-066-402-15

Lot 19 –1-020-064-486-067-402-14

Lot 20 –1-020-064-470-066-402-13

Lot 21 –1-020-064-454-067-402-12

Lot 22 – 1-020-064-437-067-402-11

Lot 23 – 1-020-064-420-066-402-10

2002.049.4

# CITY OF ALBUQUERQUE

TRAFFIC IMPACT STUDY (TIS) / AIR QUALITY ASSESSMENT (AQIA) FORM

**APPLICANT:** Desert Ridge Dev. LLC **Date of request:** 7/21/03 **Zone atlas page(s):** C-20

**CURRENT:**
Zoning RD
Parcel Size (acres / sq.ft.) 13.98 ac

**Legal Description -**
Lot ~~or Tract~~ # 10-23 Block # 19, TR 3, U3, NAA
Subdivision Name VINEYARD COURT ESTATES

**REQUESTED CITY ACTION(S):**

| | | | | | | | |
|---|---|---|---|---|---|---|---|
| Annexation | [ ] | Sector Plan | [ ] | Site Development Plan: | | Building Permit | [ ] |
| Comp. Plan | | Zone Change | [ ] | a) Subdivision | [ ] | Access Permit | [ ] |
| Amendment | [ ] | Conditional Use | [ ] | b) Build'g Purposes | [ ] | Other | [X] |
| | | | | c) Amendment | [ ] | Prelim Plat | |

**PROPOSED DEVELOPMENT:**
No construction / development [ ]
New Construction [X]
Expansion of existing development [ ]

**GENERAL DESCRIPTION OF ACTION:** [1]
# of units - 48
Building Size - VARIES (sq.ft.)

Notes: 1. Changes made to development proposals / assumptions, from the information provided above, may change the TIS or AQIA analysis requirements.

Applicant or Representative Jeff Mortensen & Associates, Inc. Date 07-22-03
(To be signed upon completion of processing by Traffic Engineer and Environmental Health)

**TO BE COMPLETED BY APPLICANT**

**TRANSPORTATION DEVELOPMENT**

**TRAFFIC IMPACT STUDY (TIS) REQUIRED:** YES [ ] NO [X] BORDERLINE [ ]
PWD, Dev. & Bldg. Services Div., Transportation Dev. Section 2nd FL. 600 2nd St. NW Plaza del Sol Bldg/ 924 3991 or 3994

THRESHOLDS MET? YES [ ] NO [X] Mitigating reasons for not requiring TIS: Previously studied: [ ]
Notes:

IF A TIS IS REQUIRED: A scoping meeting (as outlined in the Development Process Manual) must be held to define the level of analysis needed and the parameters of the study. Any subsequent changes to the development proposal identified above may require an update or new TIS.

TRAFFIC ENGINEER 7-22-03 DATE

**ENVIRONMENTAL HEALTH**

**AIR QUALITY IMPACT ASSESSMENT (AQIA) REQUIRED:** YES [ ] NO [X] BORDERLINE [ ]
ENVIRONMENTAL HEALTH DEPT. Air Quality Div. 3rd Floor / Rm. 3023 City/County Bldg. 768-2600

THRESHOLDS MET? YES [ ] NO [X] Mitigating reasons for not requiring AQIA: Previously studied: [ ]
Notes: PER SEC. 14-16-3-14 of COA ZONING CODE GM 7/22/03

IF AN AQIA IS REQUIRED: a scoping meeting must be held to define the level of analysis needed and the parameters of the study. Any subsequent changes to the development proposal identified above may require an update or new AQIA.

BA. for EHD. 7/24/03
ENVIRONMENTAL HEALTH DATE

Required **TIS** and / or **AQIA** **must be completed prior to applying to the EPC.** Arrangements must be made prior to submittal if a variance to this procedure is requested and noted on this form, otherwise the application may not be accepted or deferred if the arrangements are not complied with.

| | | | | |
|---|---|---|---|---|
| **TIS** | **-SUBMITTED** | ___/___/___ | | |
| | **-FINALIZED** | ___/___/___ | TRAFFIC ENGINEER | DATE |
| **AQIA** | **-SUBMITTED** | ___/___/___ | | |
| | **-FINALIZED** | ___/___/___ | ENVIRONMENTAL HEALTH | DATE |

A:\TIS_AQIA_Form.doc

2002-0493

# 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: July 21, 2003

TO CONTACT NAME: Debie LeBlanc Trujillo
COMPANY/AGENCY: Jeff Mortensen & Assoc.
ADDRESS/ZIP: 6010-B Midway Park Blvd. NE 87109
PHONE/FAX #: 345-4250 / 345-4254

Thank you for your inquiry of 7-21-03 (date) requesting the names of **Recognized Neighborhood Associations** who would be affected under the provisions of O-92 by your proposed project at Lots 10-23, Block F, North Albuquerque Acres, Part 3, Unit 3,
zone map page(s) C-20.

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

North Albuquerque Acres
**Neighborhood Association**
Contacts: Bonnie Harley
11021 Signal Ave NE
856-0051 (h+w) 87122
Jackie McDowell
7820 Beverly Hills Ave NE
828-2430 (h) 87122

**Neighborhood Association**
Contacts:

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

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,

Dalaina L Carmona
OFFICE OF COMMUNITY AND NEIGHBORHOOD COORDINATION

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

planning.recognized.na.form(05/08/01)

# 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.

* * * *

JEFF MORTENSEN & ASSOCIATES, INC.
ENGINEERS & SURVEYORS

6010-B MIDWAY
PARK BLVD. NE
ALBUQUERQUE
NEW MEXICO
87109

PRINCIPALS

JEFFREY G. MORTENSEN, P.E.
CHARLES G. CALA, JR., P.S.
JUAN M. CALA

TEL:505·345·4250
FAX:505·345·4254
jmainc@swcp.com

2002.049.3
July 23, 2003

Ms. Bonnie Harley ***Via Certified Mail – Return Receipt Requested***
North Albuquerque Acres Neighborhood Association
11021 Signal Avenue, NE
Albuquerque, NM 87122
and
Ms. Jackie McDowell ***Via Certified Mail – Return Receipt Requested***
North Albuquerque Acres Neighborhood Association
7820 Beverly Hills Avenue, NE
Albuquerque, NM 87122

| | |
|---|---|
| Project Title: | Vineyard Court Estates |
| Type of Request: | Preliminary Plat Approval along with Temporary Deferral of Sidewalk Construction |
| Current Legal Description: | Lots 10-23, Block 19, North Albuquerque Acres, Tract 3, Unit 3 |
| Location: | The subject property lies on the north side of Holly Avenue, NE between Ventura Street, NE and Holbrook Street, NE |
| Developer: | Desert Ridge Development, LLC<br>Donald G. Hoech, President |
| Agent/Engineer: | Jeff Mortensen & Associates, Inc. |
| Contact: | J. Graeme Means, Project Engineer<br>Debie LeBlanc Trujillo, Project Coordinator |

Ladies:

Transmitted herewith are copies of the Preliminary Plat and Grading Plan for the subject project. This project is scheduled to be heard at the Development Review Board hearing on August 20, 2003. The meeting will be held at 600 2nd Street, NW, Plaza Del Sol's hearing room, basement level of the building.

On behalf of our client Desert Ridge Development, LLC, we are requesting Preliminary Plat and Grading Plan Approval for Vineyard Court Estates which consists of 48 new residential lots from 14 existing North Albuquerque Acres lots. We are also requesting temporary deferral of interior sidewalks to avoid their damage during construction. The vacations associated with this project were approved on April 2, 2003.

If you should have any questions regarding this information, please do not hesitate to call me.

Sincerely,

JEFF MORTENSEN & ASSOCIATES, INC.

Debie LeBlanc Trujillo

DLT
Enclosures

xc: Don Hoech – Desert Ridge Development, LLC w/enc.

CERTIFIED MAIL

7001 1940 0005 9630 3091

169
5841 $06.95 0 PB8638986 JUL 24 03
2001 POSTAL REGISTRATION REQUIRED

**First Class Mail**

First Class Mail

**SENDER:** *COMPLETE THIS SECTION*

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

Bonnie Harley
North Albuquerque Acres
Neighborhood Association
11021 Signal Ave. NE
Albuquerque, NM 87122

*COMPLETE THIS SECTION ON DELIVERY*

A. Signature

X ☐ Agent ☐ Addressee

B. Received by *(Printed Name)* C. Date of Delivery

D. Is delivery address different from item 1? ☐ Yes
If YES, enter delivery address below: ☐ No

3. Service Type
☒ Certified Mail ☐ Express Mail
☐ Registered ☐ Return Receipt for Merchandise
☐ Insured Mail ☐ C.O.D.

4. Restricted Delivery? *(Extra Fee)* ☐ Yes

2. Article Number
*(Transfer from service label)* 7001 1940 0005 9630 3091

PS Form 3811, August 2001 Domestic Return Receipt 102595-02-M-1540

7001 1940 0005 9630 3107

157 5891 $06.95 0 PB8638986 JUL 24 03
2000 POSTAL REGISTRATION REQUIRED

**First Class Mail**

First Class Mail

**SENDER: *COMPLETE THIS SECTION***

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:
Jackie McDowell
7820 Beverly Hills Ave. NE
Albuquerque, NM 87122

***COMPLETE THIS SECTION ON DELIVERY***

A. Signature
X
☐ Agent
☐ Addressee

B. Received by *(Printed Name)*

C. Date of Delivery

D. Is delivery address different from item 1? ☐ Yes
If YES, enter delivery address below: ☐ No

3. Service Type
☒ Certified Mail ☐ Express Mail
☐ Registered ☐ Return Receipt for Merchandise
☐ Insured Mail ☐ C.O.D.

4. Restricted Delivery? *(Extra Fee)* ☐ Yes

2. Article Number
*(Transfer from service label)* 7001 1940 0005 9630 3107

PS Form 3811, August 2001 Domestic Return Receipt 102595-02-M-1540

# SIGN POSTING AGREEMENT

## 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. Waterproof signs are provided at the time of application. If the application is mailed, you must still stop at the Development Services Front Counter 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 Development Services Front Counter at a charge of $3.50 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 at least two feet from the ground.
   C. No barrier shall prevent a person from coming within five feet of the sign to read it.

2. NUMBER

   A. One sign shall be posted on each paved street frontage. Signs may be 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 a 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 Aug 5th '03 To Aug 20th 2003

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 Development Services Front Counter Staff. I understand (A) my obligation to keep the sign(s) posted for (15) days and (B) where the sign(s) are to be located. I am being given a copy of this sheet.

(Applicant or Agent) 07-24-03 (Date)

I issued 3 signs for this application, 7/24/03 (Date), (Staff Member)

**DRB PROJECT NUMBER:** 1002525

Rev. 5/9/03

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** Desert Ridge Dev. LLC

**AGENT** JEFF MORTENSEN & ASSOC.

**ADDRESS** 6010-B-Midway Prk. Blvd. NE

**PROJECT NO.** 1002525

**APPLICATION NO.** 03DRB01263

$ ~~1665~~ 50 441006 / 4983000 (DRB Cases)

$ 1715 441006 / 4971000 (EPC & AA / LUCC / Appeals)

$ 75 441018 / 4971000 (Notification)

$ 1790.00 **Total amount due**

9786

**HOECH REAL ESTATE CORPORATION**
8300 CARMEL AVENUE N.E., SUITE 601
ALBUQUERQUE, NM 87122

**BANK OF AMERICA**
01125 NM
95-32-1070

7/23/2003

PAY TO THE ORDER OF City of Albuquerque $ 1790.00

One Thousand Seven Hundred and 90/100 DOLLARS

City of Albuquerque

MEMO Design review fee

***DUPLICATE***
City Of Albuquerque
Treasury Division

07/ VCE 9:05AM LOC: ANNX
RECEIPT# 00010381 WSN 004 TRANS# 0004 ⑆000327⑆ 000 1 3 2 8 7 2 1 5⑈
Account 441018 Fund 0110
Activity 4971000 TRSEJA
Trans Amt $1,790.00
J24 Misc $75.00
CK $1,790.00
CHANGE $0.00

Thank You

DELUXE BUSINESS FORMS 1+800-328-0304 www.deluxeforms.com
counterreceipt.doc

***DUPLICATE***
City Of Albuquerque
Treasury Division

Donald L. Hoech

07/24/2003 9:04AM LOC: ANNX
RECEIPT# 00010380 WSN 006 TRANS# 0004
Account 441006 Fund 0110
Activity 4983000 TRSEJA
Trans Amt $1,790.00
J24 Misc $1,715.00

10/28/02

Thank You

# City of Albuquerque

## DEVELOPMENT REVIEW APPLICATION

| | Supplemental form | | Supplemental form |
|---|---|---|---|
| **SUBDIVISION** | **S** | **ZONING** | **Z** |
| ☒ Major Subdivision action | | ☐ Annexation & Zone Establishment | |
| ☐ Minor Subdivision action | | ☐ Sector Plan | |
| ☒ Vacation | **V** | ☐ Zone Change | |
| ☐ Variance (Non-Zoning) | | ☐ Text Amendment | |
| **SITE DEVELOPMENT PLAN** | **P** | **APPEAL / PROTEST of...** | **A** |
| ☐ ...for Subdivision Purposes | | ☐ Decision by: DRB, EPC, LUCC, Planning Director or Staff, ZHE, Zoning Board of Appeal | |
| ☐ ...for Building Permit | | | |
| ☐ IP Master Development Plan | | | |
| ☐ 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: Hoech Real Estate Corporation — PHONE: 505-821-4440
ADDRESS: 8300 Carmel Ave N.E., Suite 601 — FAX: 505-857-9774
CITY: Albuquerque — STATE NM — ZIP87122 — E-MAIL:
Proprietary interest in site: Owner
AGENT (if any): Jeff Mortensen & Associates, Inc. — PHONE: 345-4250
ADDRESS: 6010-B Midway Park Blvd. NE — FAX: 345-4254
CITY: Albuquerque — STATE NM — ZIP 87109 — E-MAIL: jmainc@swcp.com

**DESCRIPTION OF REQUEST:** Vacation of portions of Public Rights-of-Way in Carmel Avenue, NE and Holly Avenue, NE, Vacate Non-specific easements, along with Sketch Plat Review and Comment

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. Lots 10-23 — Block: 19 — Unit -

Subdiv. / Addn. Tract 3, Unit 3, North Albuquerque Acres

Current Zoning: RD/4 — Proposed zoning: No Change

Zone Atlas page(s): C-20 — No. of **existing** lots: 14 — No. of **proposed** lots: 48

Total area of site (acres): 13.98 — Density if applicable: dwellings per gross acre: 3.43 — dwellings per net acre: 4.59

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. See Attached Listing — MRGCD Map No. _____

LOCATION OF PROPERTY BY STREETS: On or Near: Carmel Avenue N.E.,
Between: Ventura Street N.E. and Holbrook St. N.E. aka Vineyard Court Estates.

**CASE HISTORY:**

List **any** current or prior case number that may be relevant to your application (Proj., App., DRB-, AX_,Z_, V_, S_, etc.): 02EPC-01353/ 02EPC-01354 PROJECT # 1002195
02EPC-01355

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

**SIGNATURE** Debie LeBlanc Trujillo — DATE March 7, 2003

(Print) Debie LeBlanc Trujillo for JEFF MORTENSEN & ASSOCIATES, INC. — ☐ Applicant ☒ Agent

**FOR OFFICIAL USE ONLY** — Form revised September 2001

☐ **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
NO ☐ 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 |
|---|---|---|---|
| 03DRB - 06367 | ✓ Row - H | ✓ | $ 300 |
| 03DRB - 00368 | ✓ Row - C | ✓ | $ 300 |
| 03DRB - 00369 | ✓ PE - Nonspec | ✓ | $ 45 |
| 03DRB - 00370 | SK | S3 | $ 0 |
| - - | Notice | | $ 75 |
| | | | Total $ 720.- |

Hearing date Apr 2 2003

**Project #** 1002525

3/7/03
Planner signature / date

## FORM V: SUBDIVISION VARIANCES & VACATIONS

☐ **BULK LAND VARIANCE FROM SUBDIVISION DESIGN STANDARDS**

- ☐ Application for subdivision (Plat) on FORM S, including those submittal requirements. Variance and subdivision should be applied for simultaneously. (**24** copies)
- ☐ 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.**

☐ **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.

JEFF MORTENSEN & ASSOCIATES, INC.
DEBIE LEBLANC TRUJILLO
Applicant name (print)

Debie LeBlanc Trujillo 03-07-03
Applicant signature / date

Form revised September 2001

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

Application case numbers
03DRB-_____-00367
_____-_____-00368
_____-_____-00369
00370

3/7/03
Planner signature / date

Project # 1002525

## 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.
- N/A VACANT → ☒ 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
- ☐ 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.

JEFF MORTENSEN & ASSOCIATES, INC.
DEBIE LEBLANC TRUJILLO
Applicant name (print)

Debie LeBlanc Trujillo 03-07-03
Applicant signature / date

Form revised February 2003

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

Application case numbers
03DRB - 00367
00368
00369
00370

3/7/03
Planner signature / date

Project # 1002525

JEFF MORTENSEN & ASSOCIATES, INC.
ENGINEERS & SURVEYORS

6010-B MIDWAY
PARK BLVD. NE
ALBUQUERQUE
NEW MEXICO
87109

PRINCIPALS

JEFFREY G. MORTENSEN, P.E.
CHARLES G. CALA, JR., P.S.
JUAN M. CALA

TEL:505-345-4250
FAX:505-345-4254
jmainc@swcp.com

2002.049.1
March 6, 2003

Sheran Matson, Chair
Development Review Board
City of Albuquerque
Albuquerque, NM 87103

Re: Vacation Request for Public Rights-of-Way and Non-specific Easements
Lots 10 - 23, Block 19, North Albuquerque Acres, Tract 3, Unit 3 (Proposed Vineyard Court Estates)

Dear Sheran:

Transmitted are the following items associated with the subject request:

- DRB Application, Supplemental Forms V and S(3) along with the related Fees
- Twenty Four (24) copies of the sketch plat and vacation request
- Twenty Four (24) copies of the documents that created the nonspecific easements (highlighted for your use)
- City of Albuquerque Zone Atlas C – 20 (site area highlighted)
- Office of the Community & Neighborhood Coordination request, copies of letters sent to Neighborhood Associations along with the registered mail receipts
- Copy of Approved Annexation letter (Council Bill No. 0-02-73)

On behalf of our client Hoech Real Estate Corporation, we are requesting the vacation of the Public Rights-of-Way for a portion of Carmel Avenue NE and Holly Avenue, NE along with the non-specific easements for pipeline purposes (water, gas or sewage), telephone and electrical energy. We are proposing the creation of 48 lots from the existing 14 lots and the vacated portions of Carmel Avenue, NE and Holly Avenue, NE.

Please schedule this matter for the next appropriate DRB Hearing. In the meantime, if I can be of further assistance to you, please do not hesitate to call.

Sincerely,

JEFF MORTENSEN & ASSOCIATES, INC.

Debie LeBlanc Trujillo

Debie LeBlanc Trujillo

DLT
Enclosures

Xc: Don Hoech – Hoech Real Estate Corporation w/enc.

# CITY of ALBUQUERQUE
## FIFTEENTH COUNCIL

COUNCIL BILL NO. _____ ENACTMENT NO. _____

SPONSORED BY:

**ORDINANCE**

**ANNEXATION, 02EPC-01353/02EPC-01354, ANNEXING 115 ACRES MORE OR LESS, INCLUDING 67 ACRES OF PASEO DEL NORTE R-O-W, LOCATED NORTH OF PASEO DEL NORTE BETWEEN VENTURA AND EUBANK, NE AND AMENDING THE ZONE MAP TO ESTABLISH RD AND SU-2/MIXED USE ZONING.**

**BE IT ORDAINED BY THE COUNCIL, THE GOVERNING BODY OF THE CITY OF ALBUQUERQUE:**

**Section 1. AREA PROPOSED FOR ANNEXATION.** The owner of the majority of the area proposed for annexation hereby presented a signed petition to annex the following territory: 115 acres, more or less, located north of Paseo del Norte between Ventura and Eubank, NE; and more particularly described as follows:

A. Lots 10-23, blocks 19 & 20, Tract 3, Unit 3, and lots 10-24, block 18, and lots 3-30, block 20, Tract 3, Unit 1, North Albuquerque Acres, for a total of 71 acres, 23 of which are located within the Paseo del Norte R-O-W;

B. All of the right-of-way adjoining the land described in A. of this Section to the extent it is not already in the City and also all of lots 6-16, block 21, and lots 1-16, block 31,Tract A, Unit A and lots 17-24, block 10, and lots 24-32, block 20, Tract 3, Unit 3, North Albuquerque Acres located within the Paseo del Norte R-O-W immediately west of the land described in A. of this section.

**Section 2. ANNEXATION ACCEPTED.** The petition and the area specified in Section 1 above meet the requirements of Resolution 54-1990 (Annexation Policy) because the property is contiguous to city boundaries, accessible to city services, and will have convenient street access. Furthermore, the

[+Bracketed/Underscored Material+] - New
[-Bracketed/Strikethrough Material-] - Deletion

request for annexation fulfills the intention of Policy 3a of the Comprehensive Plan for Rural areas because density patterns and community goals have been more specifically defined through the development of a lower ranking plan and because the developer has agreed to pay for all infrastructure improvements. Therefore, the above territory is hereby annexed.

Section 3. ZONE MAP AMENDED. The annexation creates a changed community condition that justifies the zoning. The establishment of RD and SU-2/Mixed Use Zoning on the subject property is consistent with the current zoning of the property and will provide stability of land use and zoning. Therefore, the zone map adopted by Section 14-16-1-1 et. seq. R.O.A. 1994 is hereby amended, establishing RD 4 DU/acre, RD 6DU/acre and SU-2/Mixed Use zoning.

Section 4. FINDINGS ACCEPTED. The Council adopts the following zone map amendment findings recommended by the Environmental Planning Commission:

A. This is a request for the establishment of RD zoning for lots 10-23, block 19, Tract 3, Unit 3 and lots 10-24, block 18 and lots 7-26, block 20, Tract 3, Unit 1 and SU-2/Mixed Use zoning for lots 10-23, block 20, Tract 3, Unit 3, all in North Albuquerque Acres and located at Paseo del Norte and Holbrook NE.

B. This request meets the requirements of *Policy 3a* under the Rural designation of the *Comprehensive Plan* which states that density patterns shall be more specifically defined through lower rank planning. This was accomplished with the adoption of the *North Albuquerque Acres Sector Development Plan*, a Rank 3 plan, in February of 2001.

C. *R-270-1980*: The applicant has justified the request because the proposed zoning will offer stability since it will allow land uses and densities that are already assigned to the site and anticipated by the surrounding community.

D. This request meets the goals and intentions of the *La Cueva Sector Development Plan* which designates the Paseo del Norte Corridor as suitable for higher density residential and mixed use development.

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[-Bracketed/Strikethrough Material-] - Deletion

E. County-owned remnant lots along Paseo del Norte, which are included in the request for zoning, should receive zoning similar to that of the abutting properties.

F. Utility service, meeting established system standards, may require extraordinary off-site facilities, which would be at the developer's expense. Prior to the City Council hearing, the applicant should enter into a Pre-Annexation Agreement in order to ensure that the City does not incur unnecessary capital costs.

G. According to Bernalillo County comments, the proposed uses and densities appear to be consistent with those established for these sites by the Bernalillo County Paseo del Norte/North Albuquerque Acres Sector Development Plan.

Section 5. RD zoning at 6 du/acre is hereby established for Lots 3-6 and 27-30, block 20, Tract 3, Unit 1, North Albuquerque Acres which is consistent with established zoning for these lots.

Section 6. Remnant lots along Paseo del Norte, west of the municipal limit line shall be zoned as follows:

Lots 6-16, Block 21, Tract A, Unit A, North Albuquerque Acres shall be zoned SU-2/O-1 ;

Lots 1-12, Block 31, Tract A, Unit A, North Albuquerque Acres shall be zoned R-LT;

Lots 13-16, Block 31, Tract A, Unit A, North Albuquerque Acres shall be zoned SU-2/C-1;

Lots 17-24, Block 10, Tract 3, Unit 3, North Albuquerque Acres shall be zoned SU-2/Mixed Use;

Lots 28-32, Block 20, Tract 3, Unit 3, North Albuquerque Acres shall be zoned SU-1/C-1;

Lots 24-27, Block 20, Tract 3, Unit 3, North Albuquerque Acres shall be zoned SU-2/Mixed Use.

Section 7. SEVERABILITY CLAUSE. If any section, paragraph, sentence, clause, word or phrase of this ordinance is for any reason held to be invalid or unenforceable by any court of competent jurisdiction, such decision shall not affect the validity of the remaining provisions of this ordinance. The Council

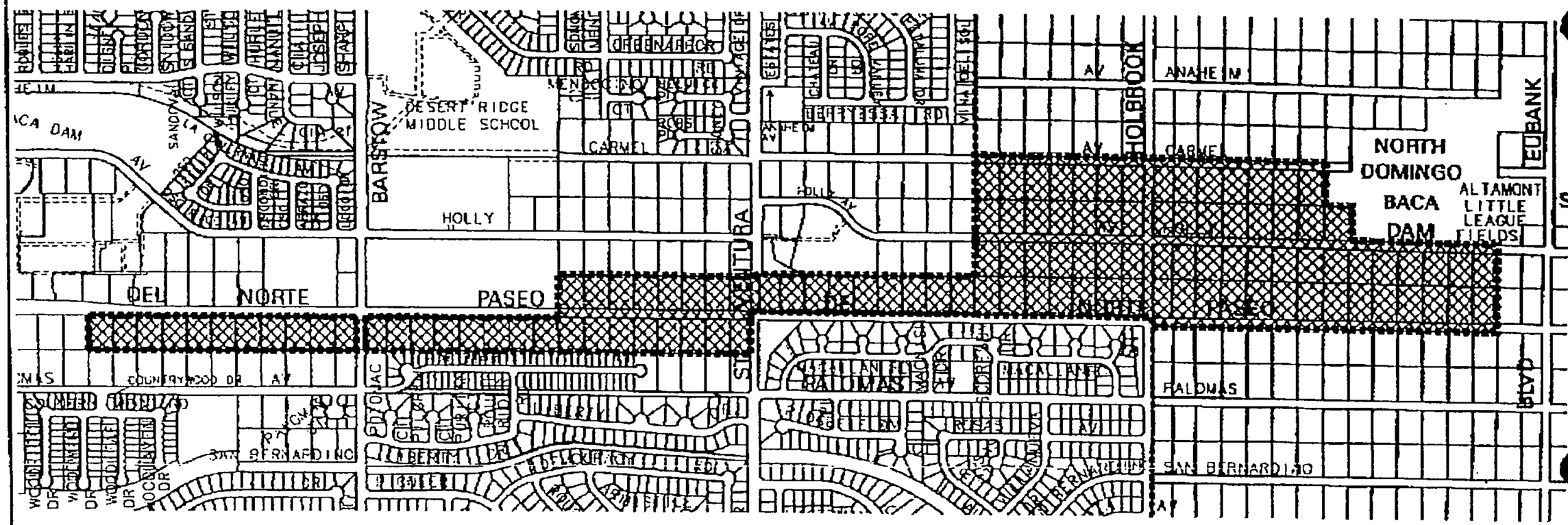
[+Bracketed/Underscored Material+] - New
[-Bracketed/Strikethrough Material-] - Deletion

hereby declares that it would have passed this ordinance and each section, paragraph, sentence, clause, word or phrase thereof irrespective of any provisions being declared unconstitutional or otherwise invalid.

Section 8. EFFECTIVE DATE AND PUBLICATION. This ordinance shall take effect five days after publication by title and general summary and when a plat of the territory hereby annexed is filed in the office of the County Clerk.

[+Bracketed/Underscored Material+] - New
[-Bracketed/Strikethrough Material-] - Deletion

# Proposed annexation in Zone Maps C-20, C-21, D-19, D-20 and D-21
## Project # 1002195




MUNICIPAL LIMITS

AREA PROPOSED FOR ANNEXATION

GRAY SHADING INDICATES COUNTY

City of Albuquerque
Albuquerque Geographic Information System
Planning Department

©Copyright 2002

Map Printed November 14, 2002

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

ALBUQUERQUE, NM 87122 OFFICIAL USE

UNIT ID: 0101

ALBUQUERQUE NM 87101 Postmark Here 03/07/03 USPS

| | |
|---|---|
| Postage | $ 1.06 |
| Certified Fee | 2.30 |
| Return Receipt Fee (Endorsement Required) | 1.75 |
| Restricted Delivery Fee (Endorsement Required) | 5.11 |
| Total Postage & Fees | $ |

Sent To
Ms. Jackie McDowell
Street, Apt. No.; or PO Box No. 7820 Beverly Hills Ave., NE
City, State, ZIP+4 Albuquerque, NM 87122

PS Form 3800, January 2001 See Reverse for Instructions

7001 1940 0005 9630 2896

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

ALBUQUERQUE, NM 87122 OFFICIAL USE

UNIT ID: 0101

ALBUQUERQUE NM 87101 Postmark Here 03/07/03 USPS

| | |
|---|---|
| Postage | $ 1.06 |
| Certified Fee | 2.30 |
| Return Receipt Fee (Endorsement Required) | 1.75 |
| Restricted Delivery Fee (Endorsement Required) | 5.11 |
| Total Postage & Fees | $ |

Sent To
Ms. Bonnie Harley
Street, Apt. No.; or PO Box No. 11021 Signal Ave., NE
City, State, ZIP+4 Albuquerque, NM 87122

PS Form 3800, January 2001 See Reverse for Instructions

7001 1940 0005 9630 2889

UNITED STATES POSTAL SERVICE

***** WELCOME TO *****
ALBUQUERQUE MOW
ALBUQUERQUE, NM 87101-9501
03/07/03 08:48AM

| | | | |
|---|---|---|---|
| Store | USPS | Trans | 15 |
| Wkstn | sys5007 | Cashier | KFFSF9 |
| Cashier's Name | | J.E. | |
| Stock Unit Id | | WINERNEST | |
| PO Phone Number | | 800-275-8777 | |
| USPS # | | 3401500101 | |

1. First Class 5.11
   Destination: 87122
   Weight: 3.40oz
   Postage Type: PVI
   Total Cost: 5.11
   Base Rate: 1.06
   SERVICES
   Certified Mail 2.30
   70011940000596302889
   Return Receipt 1.75
2. First Class 5.11
   Destination: 87122
   Weight: 3.40oz
   Postage Type: PVI
   Total Cost: 5.11
   Base Rate: 1.06
   SERVICES
   Certified Mail 2.30
   70011940000596302896
   Return Receipt 1.75

| | |
|---|---|
| Subtotal | 10.22 |
| Total | 10.22 |
| Cash | 10.22 |

Number of Items Sold: 2

37 cent Pelican Island Wildlife Refuge stamp available March 15, 2003!
Thank You

JEFF MORTENSEN & ASSOCIATES, INC.
ENGINEERS & SURVEYORS

6010-B MIDWAY
PARK BLVD. NE
ALBUQUERQUE
NEW MEXICO
87109

PRINCIPALS

JEFFREY G. MORTENSEN, P.E.
CHARLES G. CALA, JR., P.S.
JUAN M. CALA

TEL:505·345·4250
FAX:505·345·4254
jmainc@swcp.com

2002.049.1
March 6, 2003

Ms. Bonnie Harley ***Via Certified Mail – Return Receipt Requested***
North Albuquerque Acres Neighborhood Association
11021 Signal Avenue, NE
Albuquerque, NM 87122
and
Ms. Jackie McDowell ***Via Certified Mail – Return Receipt Requested***
North Albuquerque Acres Neighborhood Association
7820 Beverly Hills Avenue, NE
Albuquerque, NM 87122

| | |
|---|---|
| Project Title: | Vineyard Court Estates |
| Type of Request: | Vacation of Public Street Rights-of-Way, Non-specific Easements and Sketch Plat and Review |
| Current Legal Description: | Lots 10-23, Block 19, North Albuquerque Acres, Tract 3, Unit 3 |
| Location: | The subject property lies along the south side of Carmel Avenue, NE between Ventura Street, NE and Holbrook Street, NE |
| Property Owners: | Hoech Real Estate Corporation<br>Donald G. Hoech, President |
| Agent/Engineer: | Jeff Mortensen & Associates, Inc. |
| Contact: | Debie LeBlanc Trujillo, Project Coordinator |

Ladies:

Transmitted herewith is a copy of the subject application and the related Sketch Plat and Vacation Request. This project is scheduled to be heard at the Development Review Board hearing on April 2, 2003. The meeting will be held at 600 2nd Street, NW, Plaza Del Sol's hearing room, basement level of the building.

This project consists of vacation of a portion of the Public Rights-of-Way on Carmel Avenue, NE and Holly Avenue, NE along with Non-specific Easements for pipeline purposes (water, gas or sewage).

The public street rights-of-way that will be vacated will be incorporated into 48 single-family residential lots.

If you should have any questions regarding this information, please do not hesitate to call me.

Sincerely,

JEFF MORTENSEN & ASSOCIATES, INC.

Debie LeBlanc Trujillo

DLT
Enclosures

xc: Don Hoech – Hoech Real Estate Corporation w/enc.

# 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: March 5, 2003

TO CONTACT NAME: Debie LeBlanc Trujillo
COMPANY/AGENCY: Jeff Mortensen & Associates
ADDRESS/ZIP: 6010 B Midway Park Blvd NE
PHONE/FAX #: 345-4250 / 345-4254

Thank you for your inquiry of 3-5-03 (date) requesting the names of **Recognized Neighborhood Associations** who would be affected under the provisions of O-92 by your proposed project at Lots 10-23, Block 19, North Albuquerque Acres, Tract 3, Unit 3
zone map page(s) C-20.

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

North Albuquerque Acres
**Neighborhood Association**
Contacts: Bonnie Harley
11021 Signal Ave NE
856-0051 (h+w) 87122
Jackie McDowell
1820 Beverly Hills Ave NE
828-2430 (h) 87122

**Neighborhood Association**
Contacts:

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

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,

Dalaina L Carmona
OFFICE OF COMMUNITY AND NEIGHBORHOOD COORDINATION

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

planning.recognized.na.form(05/08/01)

# 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 OCNC use only)*

Date of Inquiry: 3-5-03 Time Entered: 1:30pm OCNC Rep. Initials: DC

OpenData Systems 7.3 for Win 95/NT in 32 bits mode

File Edit Module New Save Search Next Prev Clear Copy Print Win Help

Project Information - GPROJNAM

Next | Prev | Clear | Search | Inactive | GIS | OK to Save & Exit | Quick Exit

**Search for Project#**

**Current Project #** 1002195

**Project Name** N ABQ ACRES LOTS 10-23

**Project Type**

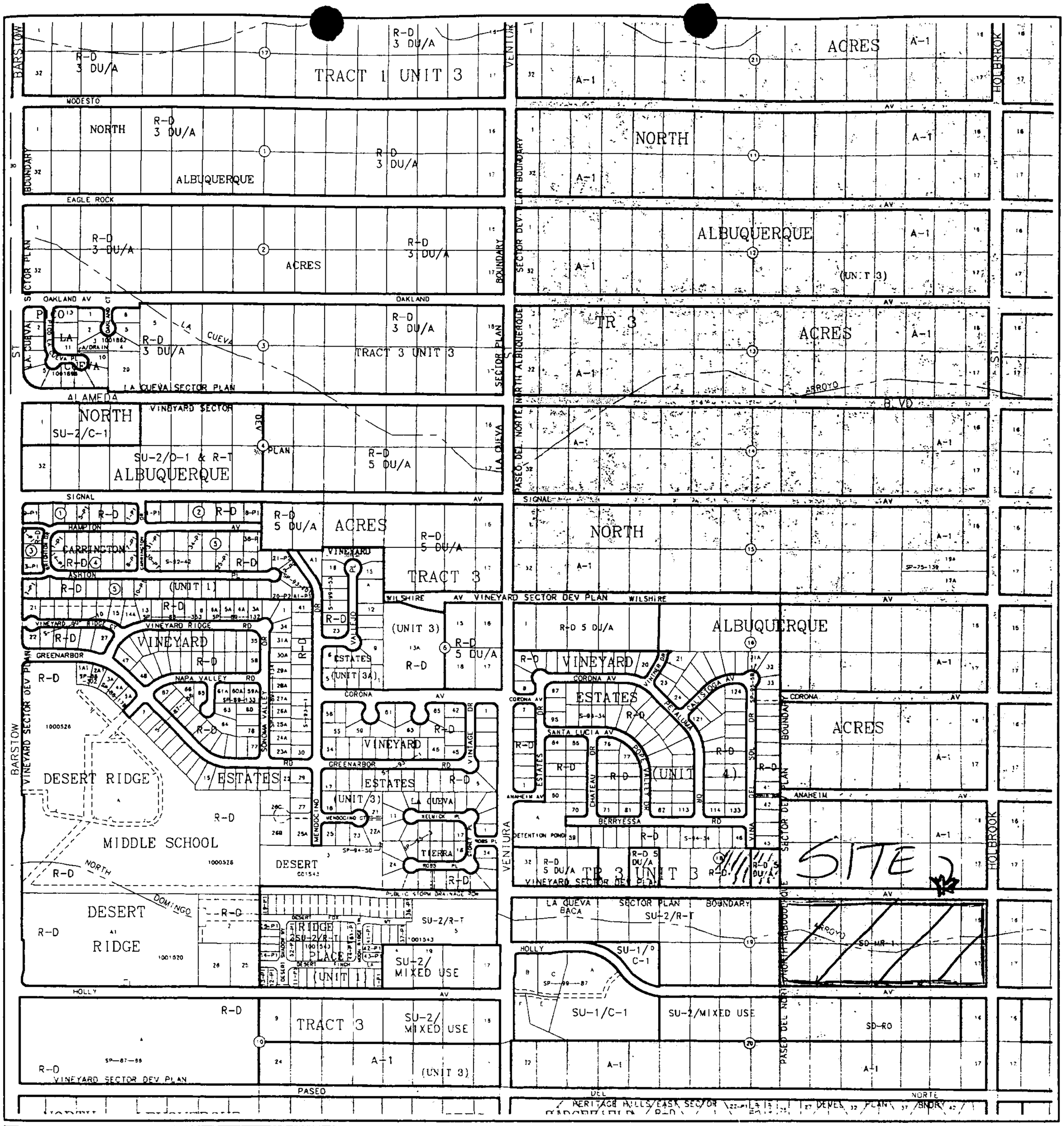
**Project Status** ACTIVE

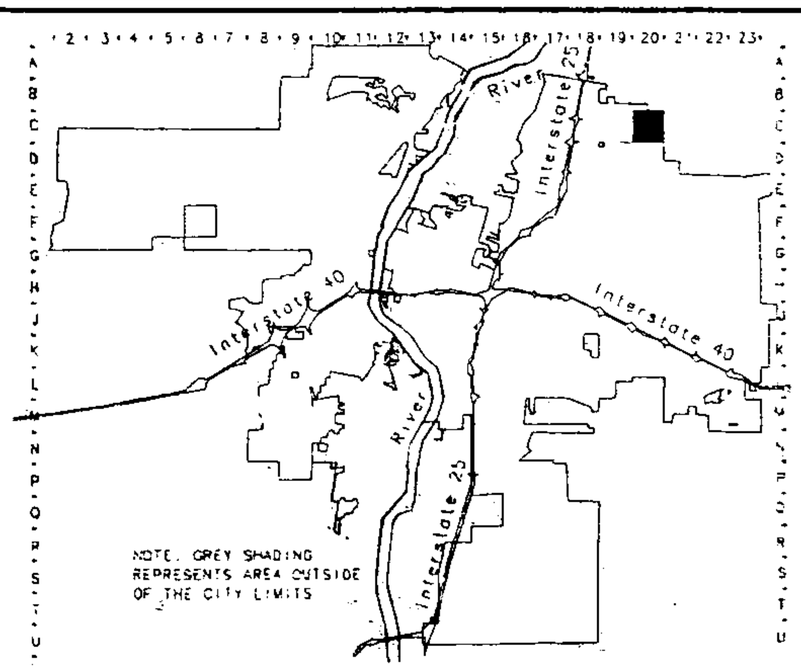
Project Description

EPC Application

****Please use the below grid only when selecting an existing application number.**

| Application# | | | Project# | Application Group | Application Type | Sub Type | Category |
|---|---|---|---|---|---|---|---|
| 02110 | 00000 | 01354 | 1002195 | EPC | Zone Map Amendment | N/A | EPC |
| 02114 | 00000 | 01353 | 1002195 | EPC | Annexation | N/A | City Council |
| 02138 | 00000 | 01355 | 1002195 | EPC | EPC Sector Development Plan | Small Map Amendment | Environmental Planning Comm |




CITY OF
Albuquerque

Albuquerque Geographic Information System
PLANNING DEPARTMENT

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GRAPHIC SCALE IN FEET
250 0 750 1000

# Zone Atlas Page

# C-20-Z

Map Amended through January 21, 2003

# 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 a full plywood backing works best to keep the sign in place, especially during high winds.
   B. Large headed nails or staple are best for attaching signs to a post or backing; the sign tears out less easily.

4. TIME

   Signs must be posted from March 18 To April 2.

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.

Jeff Mortensen for Rosco
Debbie LeBlanc Trujillo 03-07-03
(Applicant or Agent) (Date)

I issued 2 signs for this application, 3/7/03, [illegible]
(Date) (Staff Member)

03DRB 00367 00368 00369 00370

Rev. 11/8/90 GA

DRB CASE NUMBER: 1002525

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** Hoech Real Estate Corp

**AGENT** JMA

**ADDRESS**

**PROJECT NO.** 1002525

**APPLICATION NO.**

$ 645. 441006 / 4983000 (DRB Cases)

$ _____ 441006 / 4971000 (EPC & AA / LUCC / Appeals)

$ 75. 441018 / 4971000 (Notification)

$ 720. **Total amount due**

***DUPLICATE***
City of Albuquerque
Treasury Division
03/07/2003 9:53AM LOC: ANNX
RECEIPT# 00003946 WS# 007 TRANS# 0010
Account 441006 Fund 0110
Activity 4971000 TRSCCS
Trans Amt $720.00
J24 Misc $645.00
CHANGE $75.00
$720.00

9586

**HOECH REAL ESTATE CORPORATION**
8300 CARMEL AVENUE N.E., SUITE 601
ALBUQUERQUE, NM 87122

**BANK OF AMERICA**
**06760** NM
95-32-1070

3/6/2003

PAY TO THE ORDER OF City of Albuquerque $ 720.00

Seven hundred twenty & 00/100 DOLLARS

City of Albuquerque

MEMO
Sketch Plat submittal VCE

Donald G. Hoech

⑈009586⑈ ⑆107000327⑆ 0001437972 15⑈

City of Albuquerque
Treasury Division
03/07/2003 9:53AM LOC: ANNX
RECEIPT# 00003945 WS# 007 TRANS# 0010
Account 441006 Fund 0110
Activity 4983000 TRSCCS
Trans Amt $720.00
J24 Misc $645.00
10/28/02

counterreceipt.doc

Thank You

ORIGINAL

WARRANTY DEED (91610) ADB

NON-SPECIFIC

No. E 1120-3

NORINS REALTY COMPANY, INC

TO

ANTHONY CITARELLO & GIACOMO BONANNO

Contract No. 7128-L

Dated November 23, 1934.

STATE OF NEW MEXICO, County of Bernalillo, } ss.

I hereby certify that this instrument was filed for record on the 18 day of Feb. A. D. 1938 at 8:31 o'clock A. M. and was duly recorded in Book No. 141 of Records of Deeds and Conveyances, Page 247 on this 18 day of Feb. A. D. 1938.

Velma Dandy, Probate Clerk and Ex-Officio Recorder.

By May S. Scull, Deputy.

THIS INDENTURE, Made this 17th day of June, 1937, between Norins Realty Company, Inc., a corporation, as party of the first part, and ANTHONY CITARELLO & GIACOMO BONANNO of LOS ANGELES, CALIFORNIA, as part ies of the second part;

WITNESSETH: That the party of the first part, for and in consideration of the sum of $1.00, lawful money of the United States, and other good and valuable consideration, to it in hand paid by the said parties of the second part, the receipt whereof is hereby confessed and acknowledged, has remised, conveyed, released, confirmed and by these presents does remise, convey, release, confirm and warrant unto the parties of the second part, their heirs or assigns, forever, all of the following described tract, lot or parcel of land and real estate, situated, lying and being in the County of Bernalillo, State of New Mexico, to-wit:

All of Lots 22, 23, and 24, Block 19, and all of Lots 1, and 2, Block 20, Tract 3, Unit 3, as per Map recorded September 10, 1931, in Book 2, Page 117 of Map Book, County of Bernalillo, State of New Mexico, N.M.P.M., containing Five (5) Acres, more or less.

($0.50 Cts. Revenue Stamp Cancelled)

Together with all and singular the hereditaments and appurtenances thereunto belonging or in any wise appertaining, and the reversion and reversions, remainder and remainders, rents, issues and profits; and all the estate, right, title, interest, claim and demand whatsoever of the party of the first part, either in law or equity, of, in and to the above remised premises with the hereditaments and appurtenances;

Subject to a right of way for road and pipe-line purposes; also the right to build, construct and maintain and operate a telephone line or lines, and subject to all reservations of the United States Government, as contained in the original patent from the United States of America; and

Subject to all covenants and conditions, restrictions, privileges, rights and exceptions of record, as a servitude in favor of each and every lot in said tract as a dominant tenement or tenements, which covenants and conditions, restrictions, privileges, rights and exceptions of record shall constitute and be a mutual contract between the various purchasers and buyers in said tract.

Party of the first part hereby reserves a right-of-way, with right of entry upon, over, under, along, across, and through the said land for the purpose of erecting, constructing, operating and maintaining pole lines with cross arms for the transmission of electrical energy, and for telephone poles, and/or for laying, repairing, operating and renewing, any pipe line or lines for water, gas, or sewage, and any conduits for electric or telephone wires, and reserving to the party of the first part herein the sole right to convey the rights hereby reserved.

No part of said premises shall at any time be used or occupied by any person not of the Caucasian race, except while serving, for hire, as a servant of some person of the Caucasian race, nor shall any noxious or offensive factory or business be operated or carried on upon said premises.

TO HAVE AND TO HOLD the said premises above remised and described with the appurtenances, unto the parties of the second part, their heirs or assigns forever, and the said party of the first part does hereby covenant with the said parties of the second part and their legal representatives, that the said real estate is free from all encumbrances; and that it has good right and lawful authority to sell the same to the said parties of the second part; and that it will, and its heirs, executors and administrators shall warrant and defend the title to said premises against the just and lawful claims and demands of all persons whomsoever.

IN WITNESS WHEREOF, the party of the first part has caused these presents to be executed and its corporate seal affixed by its officers thereupon duly authorized, the day and year first above written.

NORINS REALTY COMPANY, Inc.

By M. Norins, President.

ATTEST:

J. W. Dewey, Secretary.

(Corporate Seal)

STATE OF CALIFORNIA, County of Los Angeles } ss.

Or this 14th day of February, 1938, before me, personally appeared M. Norins, and J. W. Dewey, to me personally known, who being by me duly sworn, did say that they are President and Secretary, respectively, of the Norins Realty Company, Inc., a corporation organized under the laws of the State of California, and that the seal affixed to said instrument is the corporate seal of said corporation and that said instrument was signed and sealed in behalf of said corporation by authority of its Board of Directors, and said President and Secretary acknowledged said instrument to be the free act and deed of said corporation.

WITNESS my hand and seal on this day and year first above written.

Edna H. Stewart, Notary Public in and for Los Angeles County, State of California.

My commission expires March 27, 1941.

(Notarial Seal)

ORIGINAL WARRANTY DEED (90530) JM.

No. E1152-1, E1153-1, E1067-1, 833-1, #1140-1

NORINS REALTY COMPANY, INC.

TO

Mae Krayenbuhl and

Carolyn Krayenbuhl

Contract No. 7749, 7099

Dated _____ 19

STATE OF NEW MEXICO, County of Bernalillo, } ss.

I hereby certify that this instrument was filed for record on the 11th day of December A. D. 1937 at 8:21 o'clock A. M., and was duly recorded in Book No. 141 of Records of Deeds and Conveyances, Page 229 on this 11th day of December A. D. 1937.

Velma Dowdy
Probate Clerk and Ex-Officio Recorder.

By May S. Scull
Deputy.

THIS INDENTURE, Made this 30th day of November, 19 37, between Norins Realty Company, Inc., a corporation, as party of the first part, and MAE KRAYENBUHL and CAROLYN LOUISE KRAYENBUHL of OAKLAND, CALIFORNIA as parties of the second part;

WITNESSETH: That the party of the first part, for and in consideration of the sum of $1.00, lawful money of the United States, and other good and valuable consideration, to it in hand paid by the said parties of the second part, the receipt whereof is hereby confessed and acknowledged, has remised, conveyed, released and confirmed and by these presents does remise, convey, release, confirm and warrant unto the parties of the second part, their heirs or assigns, forever, all of the following described tract, lot or parcel of land and real estate, situated, lying and being in the County of Bernalillo, State of New Mexico, to-wit:

All of lots one (1), two (2), three (3), four (4), five (5), six (6), seven (7), eight (8), nine (9) ten (10), fifteen (15), sixteen (16), seventeen (17), eighteen (18), Block Nineteen (19), and all of lots eight (8), nine (9), thirty-one (31), and thirty-two (32), Block Seventeen (17), Tract three (3), Unit three (3), as per map recorded September 10, 1931, in Book 2, Page 117 of Map Book; Also all of Block Fifteen (15), Tract two (2), Unit three (3), as per map recorded September 10, 1931, in Book 2, Page 116 of Map Book, County of Bernalillo, State of New Mexico, N.M.P.M., containing Fifty (50) acres more or less.

( NO REVENUE STAMPS ATTACHED )

Together with all and singular the hereditaments and appurtenances thereunto belonging or in any wise appertaining, and the reversion and reversions, remainder and remainders, rents, issues and profits; and all the estate, right, title, interest, claim and demand whatsoever of the party of the first part, either in law or equity, of, in and to the above remised premises with the hereditaments and appurtenances;

Subject to a right of way for road and pipe-line purposes; also the right to build, construct and maintain and operate a telephone line or lines, and subject to all reservations of the United States Government, as contained in the original patent from the United States of America; and

Subject to all covenants and conditions, restrictions, privileges, rights and exceptions of record, as a servitude in favor of each and every lot in said tract as a dominant tenement or tenements, which covenants and conditions, restrictions, privileges, rights and exceptions of record shall constitute and be a mutual contract between the various purchasers and buyers in said tract.

Party of the first part hereby reserves a right-of-way, with right of entry upon, over, under, along, across, and through the said land for the purpose of erecting, constructing, operating and maintaining pole lines with cross arms for the transmission of electrical energy, and for telephone poles, and/or for laying, repairing, operating and renewing, any pipe line or lines for water, gas, or sewage, and any conduits for electric or telephone wires, and reserving to the party of the first part herein the sole right to convey the rights hereby reserved.

No part of said premises shall at any time be used or occupied by any person not of the Caucasian race, except while serving, for hire, as a servant of some person of the Caucasian race, nor shall any noxious or offensive factory or business be operated or carried on upon said premises.

TO HAVE AND TO HOLD the said premises above remised and described with the appurtenances, unto the parties of the second part, their heirs or assigns forever, and the said party of the first part does hereby covenant with the said parties of the second part and their legal representatives, that the said real estate is free from all encumbrances; and that it has good right and lawful authority to sell the same to the said parties of the second part; and that it will, and its heirs, executors and administrators shall warrant and defend the title to said premises against the just and lawful claims and demands of all persons whomsoever.

IN WITNESS WHEREOF, the party of the first part has caused these presents to be executed and its corporate seal affixed by its officers thereupon duly authorized, the day and year first above written.

NORINS REALTY COMPANY, Inc.

By M. Norins
President.

ATTEST:

J. W. Dewey
Secretary.

(Corporate Seal)

STATE OF CALIFORNIA, County of Los Angeles } ss.

On this 9th day of December, 19 37, before me, personally appeared M. Norins, and J. W. Dewey, to me personally known, who being by me duly sworn, did say that they are President and Secretary, respectively, of the Norins Realty Company, Inc., a corporation organized under the laws of the State of California, and that the seal affixed to said instrument is the corporate seal of said corporation and that said instrument was signed and sealed in behalf of said corporation by authority of its Board of Directors, and said President and Secretary acknowledged said instrument to be the free act and deed of said corporation.

WITNESS my hand and seal on this day and year first above written.

Dina H. Stewart
Notary Public in and for Los Angeles County, State of California.

My commission expires March 27, 1941

(Notarial Seal)

GRANT DEED (26773)

No. E1156-2

NORINS REALTY COMPANY, INC.

TO

EUGENE JOST

---

Contract No. 7486-L.

Dated: October 31, 1936

STATE OF NEW MEXICO, County of Bernalillo, } ss

I hereby certify that this instrument was filed for record on the 5th day of April, A. D. 1941, at 11:27 o'clock A. M. and was duly recorded in Book No. 174 of Records of Deeds and Conveyances, Page 263 on this 5th day of April A. D. 1941

Edna Monahan
Probate Clerk and Ex-Officio Recorder.

By ---------- Deputy.

THIS INDENTURE, Made this 2nd day of April, 1941, between NORINS REALTY COMPANY, INC., a corporation, as party of the first part, and

EUGENE JOST

of SAN DIEGO, CALIFORNIA

as party y of the second part;

WITNESSETH: That the party of the first part, for and in consideration of the sum of $1.00, lawful money of the United States, and other good and valuable consideration, to it in hand paid by the said party y of the second part, the receipt whereof is hereby confessed and acknowledged, does hereby grant to the party y of the second part his heirs or assigns forever, all of the following described tract, lot or parcel of land and real estate, situated, lying and being in the County of Bernalillo, State of New Mexico, to-wit:

Lots thirteen (13) and fourteen (14) in block six (6), and lots twenty-two (22) and twenty-three (23) in block fourteen (14), and lots twenty-two (22) and twenty-three (23) in block fifteen (15), Tract One (1), Unit One (1), as per map recorded March 23, 1931, in Book 2, Page 104 of Map Book; and lot eleven (11) in block nineteen (19), and lots three (3), thirty-one (31) and thirty-two (32) in block twenty (20), Tract Three (3), Unit Three (3), as per map recorded September 10, 1931, in Book 2, page 117 of Map Book. County of Bernalillo, State of New Mexico, N.M.P.M., containing Ten (10) acres, more or less.

($.55 REVENUE STAMPS ATTACHED AND CANCELED)

Together with all and singular the hereditaments and appurtenances thereunto belonging or in any wise appertaining, and the reversion and reversions, remainder and remainders, rents, issues and profits; and all the estate, right, title, interest, claim and demand whatsoever of the party of the first part, either in law or equity, of, in and to the above remised premises with the hereditaments and appurtenances;

Subject to a right of way for road and pipe-line purposes; also the right to build, construct and maintain and operate a telephone line or lines, and subject to all reservations of the United States Government, as contained in the original patent from the United States of America; and

Subject to all covenants and conditions, restrictions, privileges, rights and exceptions of record, as a servitude in favor of each and every lot in said tract as a dominant tenement or tenements, which covenants and conditions, restrictions, privileges, rights and exceptions of record shall constitute and be a mutual contract between the various purchasers and buyers in said tract.

Party of the first part hereby reserves a right-of-way, with right of entry upon, over, under, along, across, and through the said land for the purpose of erecting, constructing, operating and maintaining pole lines with cross arms for the transmission of electrical energy, and for telephone poles, and/or for laying, repairing, operating and renewing, any pipe line or lines for water, gas, or sewage, and any conduits for electric or telephone wires, and reserving to the party of the first part herein the sole right to convey the rights hereby reserved.

No part of said premises shall at any time be used or occupied by any person not of the Caucasian race, except while serving, for hire, as a servant of some person of the Caucasian race, nor shall any noxious or offensive factory or business be operated or carried on upon said premises.

TO HAVE AND TO HOLD the said premises above remised and described with the appurtenances, unto the party y of the second part, his heirs or assigns forever.

IN WITNESS WHEREOF, the party of the first part has caused these presents to be executed and its corporate seal affixed by its officers thereunto duly authorized, the day and year first above written.

ATTEST:

N. H. Dewey
Secretary.

NORINS REALTY COMPANY, INC.,

By J. W. Dewey, President

(CORPORATE SEAL)

STATE OF CALIFORNIA, County of Los Angeles } ss.

On this 2nd day of April, 1941, before me, personally appeared J. W. DEWEY and N. H. DEWEY to me personally known, who being by me duly sworn, did say that they are President and Secretary, respectively, of the NORINS REALTY COMPANY, INC., a corporation organized under the laws of the State of California, and that the seal affixed to said instrument is the corporate seal of said corporation and that said instrument was signed and sealed in behalf of said corporation by authority of its Board of Directors, and said President and Secretary acknowledged said instrument to be the free act and deed of said corporation.

WITNESS my hand and seal on this day and year first above written.

Marion Shaw
Notary Public in and for Los Angeles County, State of California.

My commission expires March 21, 1943

(NOTARIAL SEAL)

COMPARED

(11003) ADB

No. 21167
FIRST TITLE GUARANTEE
AND TRUST COMPANY
TO
W. A. Hesse and Carrie K. Hesse

Contract Number 7315-L
Dated, February 11, 1935
NORTH ALBUQUERQUE ACRES
NORINS REALTY CO., INC.

STATE OF NEW MEXICO, County of Bernalillo } ss.
I hereby certify that this instrument was filed for record on the 24 day of May 1939, at 8:32 o'clock A.M., and was duly recorded in Book 12 of Deeds and Conveyances, page 546 on this 24 day of May, 1939.
Velma Dowdy
Probate Clerk and Ex-Officio Recorder.
May S. Scull
Deputy.

**TRUSTEE'S DEED**

THIS INDENTURE, Made this 7th day of September, 1938, between FIRST TITLE GUARANTEE AND TRUST COMPANY, a corporation in Albuquerque, New Mexico, as Trustee, and pursuant to the terms and conditions of a certain trust deed heretofore made and executed, the fifth day of December, 1932, between Mutual Investment and Agency Company, a corporation, as party of the first part, and First Title Guarantee and Trust Company, a corporation in Albuquerque, New Mexico, as Trustee, as party of the second part, and recorded in Book 140 at Page 105 of the Records of Deeds and Conveyances in the Office of the County Clerk of Bernalillo County, New Mexico, January 5th, 1933, and in part consideration of the trust reposed in this grantee, the party of the first part, in said deed, and W. A. HESSE and CARRIE K. HESSE as Joint Tenants with Full Rights of Survivorship of REDLANDS, CALIFORNIA, the part less of the second part:

WITNESSETH: That the party of the first part, for and in consideration of the sum of $1.00, lawful money of the United States, and other good and valuable consideration, to it in hand paid by the part less of the second part, the receipt whereof is hereby confessed and acknowledged, has remised, released, released and confirmed, and by these presents does remise, convey, release and confirm unto the part less of the second part, their heirs or assigns, forever, all the following described lot or parcel of land and real estate, situate, lying and being in the County of Bernalillo and State of New Mexico, to-wit: ~~containing~~

~~over ... of Nordin Albuquerque Acres in Bernalillo County, New Mexico, as per map of record in said county~~

All of lots fourteen (14), fifteen (15), sixteen (16), seventeen (17), eighteen (18), nineteen (19), Block eighteen (18), and all of lots twelve (12), thirteen (13), twenty (20), and twenty-one (21), Block nineteen (19), Tract three (3), Unit Three (3), as per map recorded September 10, 1931, in Book 2, Page 117 of Map Book, County of Bernalillo, State of New Mexico, N.M.P.M., containing ten (10) acres more or less.

($1.00 REVENUE STAMPS CANCELLED)

Together with all and singular the hereditaments and appurtenances thereunto belonging or in any wise appertaining, and the reversions and reversions, remainder and remainders, rents, issues and profits; and all the estate, right, title, interest, claim and demand whatsoever of the party of the first part, either in law or equity, of, in and to the above remised premises with the hereditaments and appurtenances;

Subject to a right of way for road purposes, also the right to build, construct and maintain and operate a telephone line or lines, and subject to all reservations of the United States Government, as contained in the original patent from the United States of America; and

~~Subject to an easement for street purposes, as the same is shown and delineated upon the official map or maps thereof now on file and of record in the office of the County Clerk of Bernalillo County, State of New Mexico; and~~

Subject to all covenants and conditions, restrictions, privileges, rights and exceptions of record, as a servitude in favor of each and every lot in said tract as a dominant tenement or tenements, which covenants and conditions, restrictions, privileges, rights and exceptions of record shall constitute and be a mutual contract between the various purchasers and buyers in said tract.

Party of the first part hereby reserves a right-of-way, with right of entry upon, over, under, along, across, and through the said land for the purpose of erecting, constructing, operating and maintaining pole lines with cross arms for the transmission of electrical energy, and for telephone poles, and/or for laying, repairing, operating and renewing, any pipe line or lines for water, gas, or sewage, and any conduits for electric or telephone wires, and reserving to the party of the first part herein the sole right to convey the rights hereby reserved.

No part of said premises shall at any time be used or occupied by any person not of the Caucasian race, except while serving, for hire, as a servant of some person of the Caucasian race; nor shall any noxious or offensive factory or business be operated or carried on upon said premises.

To have and to hold the said premises above remised and described, with the appurtenances, unto the part less of the second part, their heirs or assigns forever.

IN WITNESS WHEREOF, the party of the first part has caused these presents to be executed and its corporate seal affixed by its officers thereunto duly authorized, the day and year first above written.

FIRST TITLE GUARANTEE AND TRUST COMPANY, Trustee.

ATTEST:
W. R. Coplen, Secretary.
By M. L. Coplen, President ~~Vice-President~~
(CORPORATE SEAL)

STATE OF NEW MEXICO, County of Bernalillo } ss.
On this Tenth day of September, 1938, before me, personally appeared M. L. Coplen
to me personally known, who being by me duly sworn, did say that she is Vice-President of the FIRST TITLE GUARANTEE AND TRUST COMPANY, a New Mexico corporation, and that the seal affixed to said instrument is the corporate seal of said corporation and that said instrument was signed and sealed in behalf of said corporation by authority of its Board of Directors, and said M. L. Coplen acknowledged said instrument to be the free act and deed of said corporation.

WITNESS my hand and seal on this day and year first above written.

W. R. Coplen,
Notary Public in and for Bernalillo County, State of New Mexico.

My commission expires April 21, 1941.

(NOTARIAL SEAL)

(90534) MS

FIRST TITLE GUARANTEE
AND TRUST COMPANY
TO
Morins Realty Company, Inc.

Contract Number 7748-7099-L
Dated, - - - - - - - - - - - - , 193 - -
NORTH ALBUQUERQUE ACRES
MORINS REALTY CO., INC.

STATE OF NEW MEXICO,
County of Bernalillo } ss.

I hereby certify that this instrument was filed for record on the 11 day of December 1937, at 9:25 o'clock A. M., and was duly recorded in Book 132 of Deeds and Conveyances, page 446 on this 11th day of Dec., 1937.
Velma Dowdy
Probate Clerk and Ex-Officio Recorder.
Deputy.

TRUSTEE'S DEED

THIS INDENTURE, Made this 6th day of December, 1937, between FIRST TITLE GUARANTEE AND TRUST COMPANY, a corporation in Albuquerque, New Mexico, as Trustee, and pursuant to the terms and conditions of a certain warranty deed heretofore made and dated the 20th day of December, 1926, between Mutual Investment and Agency Company, a corporation, as party of the first part, and First Title Guarantee and Trust Company, a corporation in Albuquerque, New Mexico, as Trustee, as party of the second part, and recorded in Book 140 at Page 106 of the Records of Deeds and Conveyances in the Office of the County Clerk of Bernalillo County, New Mexico, January 12th, 1927, and in great excess of the trust expressed in this grantor, the party of the first part, in said deed, and

MORINS REALTY COMPANY, INC.
OF LOS ANGELES, CALIFORNIA

the party of the second part;

WITNESSETH: That the party of the first part, for and in consideration of the sum of $1.00, lawful money of the United States, and other good and valuable consideration, to it in hand paid by the part y of the second part, the receipt whereof is hereby confessed and acknowledged, has released, conveyed, released and confirmed, and by these presents does release, convey, release and confirm unto the part y of the second part, its heirs or assigns, forever, all the following described lot or parcel of land and real estate, situate, lying and being in the County of Bernalillo and State of New Mexico, to-wit: containing acres, more or less, of North Albuquerque Acres in Bernalillo County, New Mexico, as per map of record in said county.

All of lots twenty-three (23), twenty-four (24), twenty-five (25), twenty-six (26), twenty-seven (27), twenty-eight (28), twenty-nine (29), thirty (30), thirty-one (31), and thirty-two (32), Block fifteen (15), Tract two (2), Unit three (3), as per map recorded September 10, 1931, in Book 2, Page 116 of Map Book; Also all of Lots thirty-one (31), thirty-two (32), Block seventeen (17), and all of lots one (1), two (2), seven (7), ten (10), fifteen (15), sixteen (16), seventeen (17), eighteen (18), Block nineteen (19), Tract three (3), Unit three (3), as per map recorded September 10, 1931, in Book 2, Page 117 of Map Book, County of Bernalillo, State of New Mexico, N.M.P.M., containing twenty (20) acres more or less.

(50¢ revenue stamps attached and cancelled)

Together with all and singular the hereditaments and appurtenances thereunto belonging or in any wise appertaining, and the reversion and reversions, remainder and remainders, rents, issues and profits; and all the estate, right, title, interest, claim and demand whatsoever of the party of the first part, either in law or equity, of, in and to the above remised premises with the hereditaments and appurtenances;

Subject to a right of way for road and pipe-line purposes, also the right to build, construct and maintain and operate a telephone line or lines, and subject to all reservations of the United States Government, as contained in the original patent from the United States of America; and for said Grant lands.

Subject to an easement for street purposes, as the same is shown and delineated upon the official map or maps thereof now on file and of record in the office of the County Clerk of Bernalillo County, State of New Mexico; and

Subject to all covenants and conditions, restrictions, privileges, rights and exceptions of record, as a servitude in favor of each and every lot in said tract as a dominant tenement or tenements, which covenants and conditions, restrictions, privileges, rights and exceptions of record shall constitute and be a mutual contract between the various purchasers and buyers in said tract.

Party of the first part hereby reserves a right-of-way, viz., right of entry upon, over, under, along, across, and through the said land for the purpose of erecting, constructing, operating and maintaining pole lines with cross arms for the transmission of electrical energy, and/or telephone poles, and/or for laying, repairing, operating and removing, any pipe lines or lines for water, gas, or sewage, and any conduits for electric or telephone wires, and reserving to the party of the first part herein the sole right to convey the rights hereby reserved.

No part of said premises shall at any time be used or occupied by any person not of the Caucasian race, except while working, for hire, as a servant of some person of the Caucasian race; nor shall any noxious or offensive factory or business be operated or carried on upon said premises.

To have and to hold the said premises above remised and described, with the appurtenances, unto the part y of the second part, its heirs or assigns forever.

IN WITNESS WHEREOF, the party of the first part has caused these presents to be executed and its corporate seal affixed by its officers thereunto duly authorized, the day and year first above written.

FIRST TITLE GUARANTEE AND TRUST COMPANY, Trustee.

By E. L. Coplan
President.

ATTEST:
E. R. Coplan
Secretary.

(Corporate Seal)

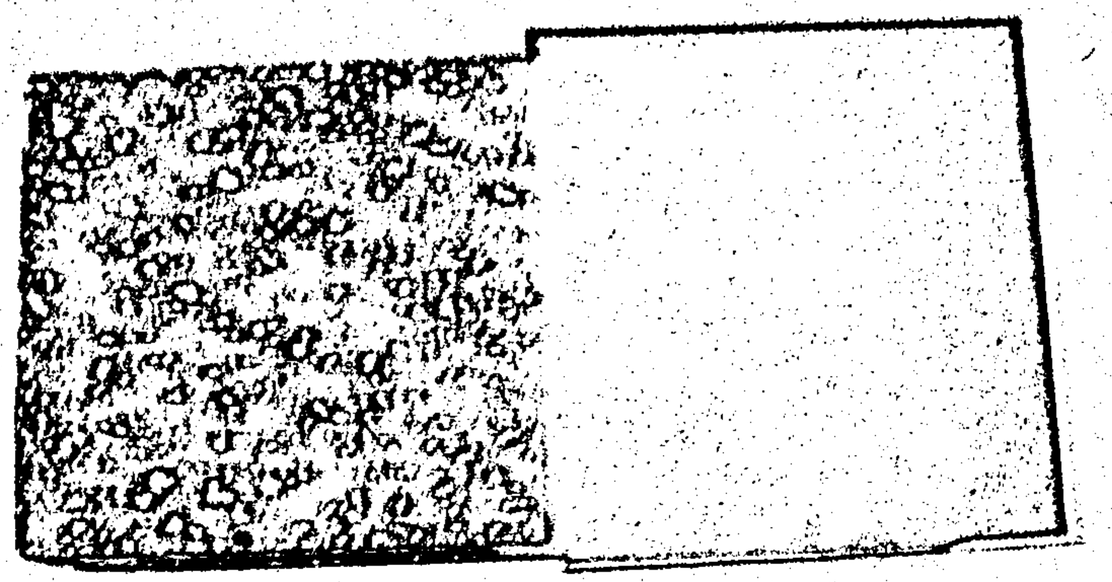
STATE OF NEW MEXICO,
County of Bernalillo } ss.

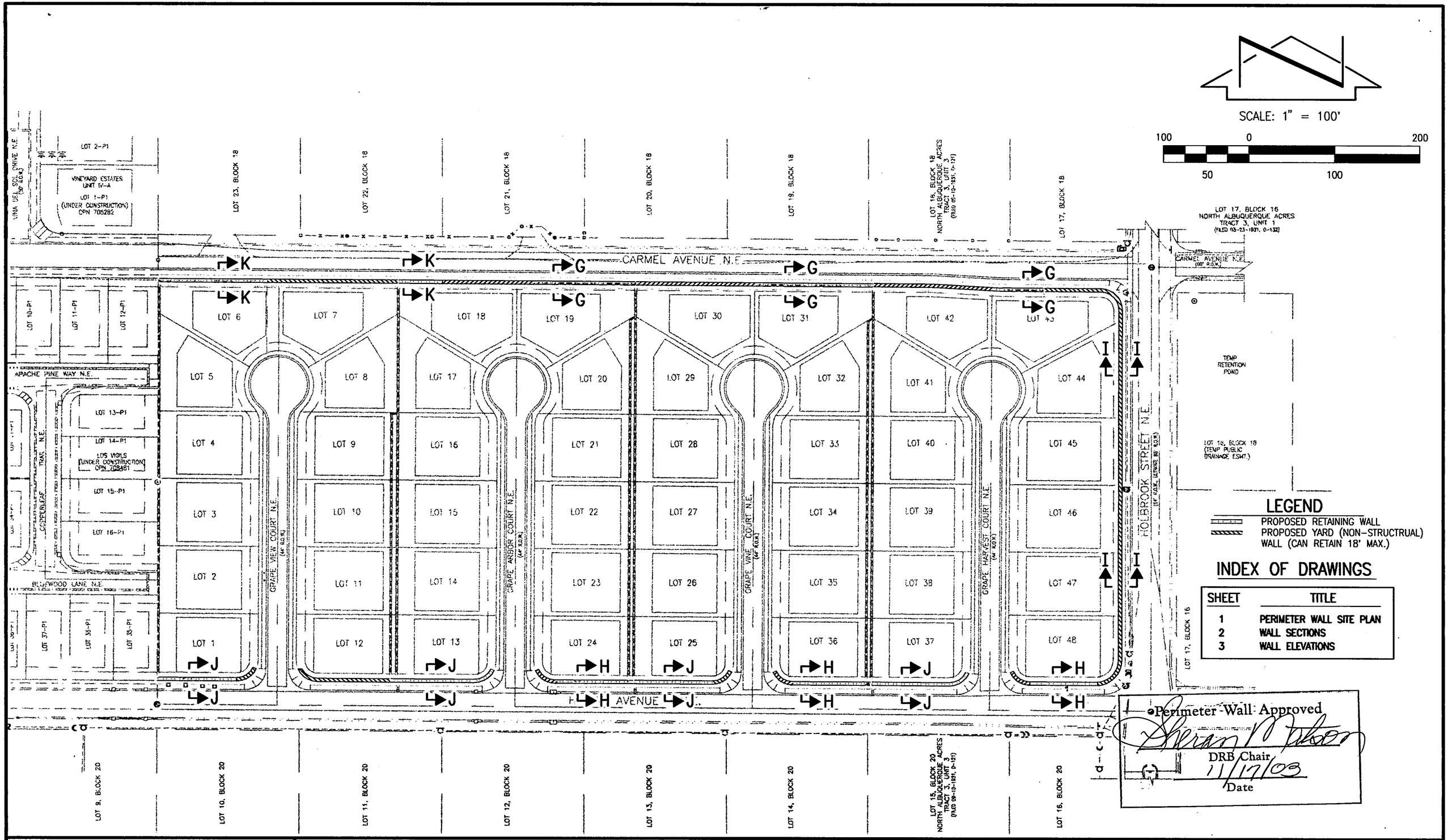
On this Tenth day of December, 1937, before me personally appeared E. L. Coplan

FIRST TITLE GUARANTEE AND TRUST COMPANY, a corporation, and that the instrument was signed and sealed in behalf of said corporation by authority of its board of directors, and said E. L. Coplan acknowledged said instrument to be the voluntary act and deed of said corporation, for the purposes therein mentioned, and that the seal affixed is the corporate seal of said corporation.

Witness my hand and official seal the day and year last above written.

My commission expires [illegible]





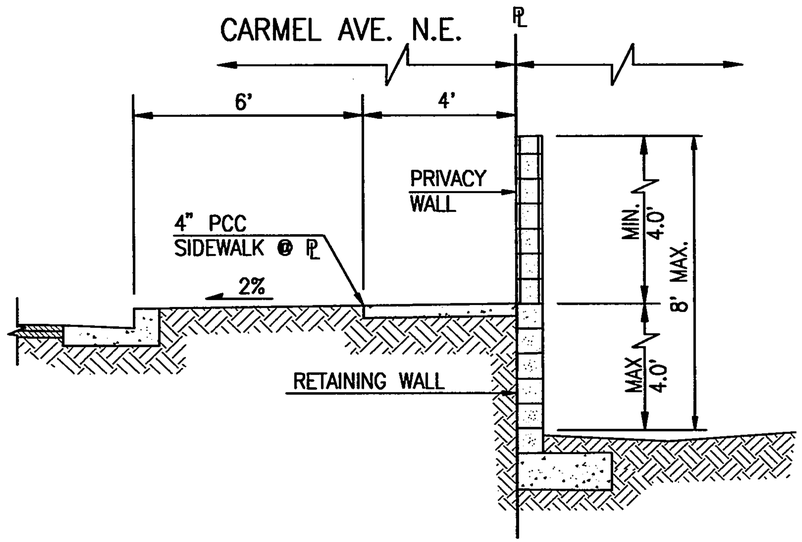

JEFF MORTENSEN & ASSOCIATES, INC.
6010-B MIDWAY PARK BLVD. N.E.
ALBUQUERQUE NEW MEXICO 87109
ENGINEERS SURVEYORS (505) 345-4250
FAX: 505 345-4254 Email: jmainc@swcp.com

# VINEYARD COURT ESTATES - DRB PROJECT #1002525
## PERIMETER WALL SITE PLAN

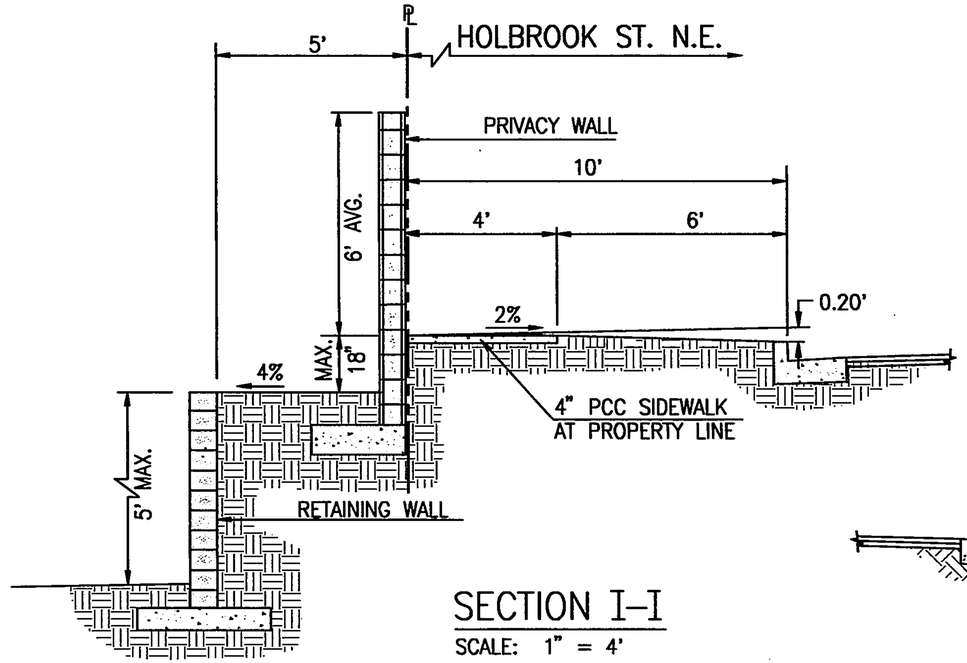
| | |
|---|---|
| DESIGNED BY | G.M. |
| DRAWN BY | J.P. |
| APPROVED BY | G.M. |

| NO. | DATE | BY | REVISIONS |
|---|---|---|---|
| | | | |

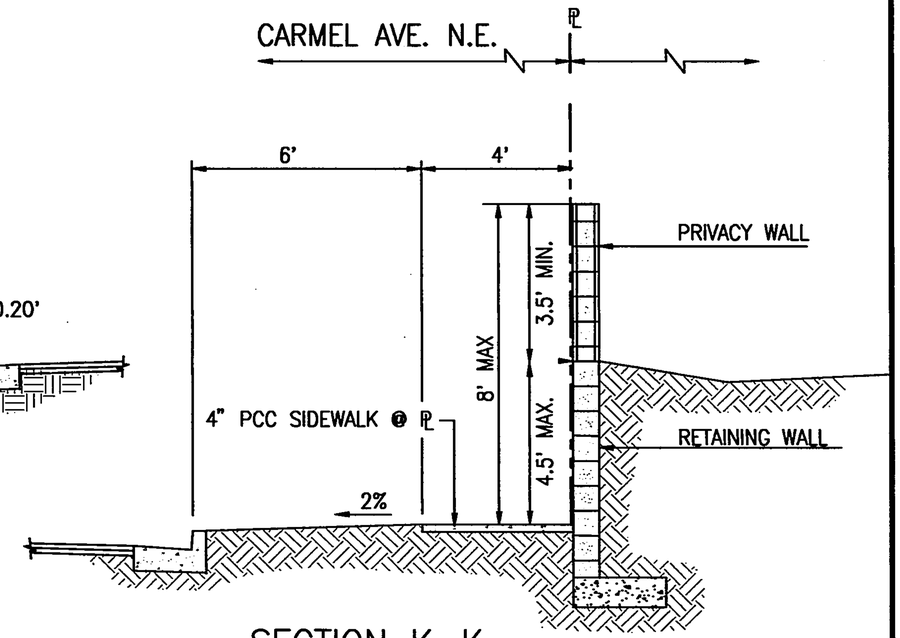
| | |
|---|---|
| JOB NO. | 2003.074.1 |
| DATE | 10-2003 |
| SHEET | 1 OF 3 |



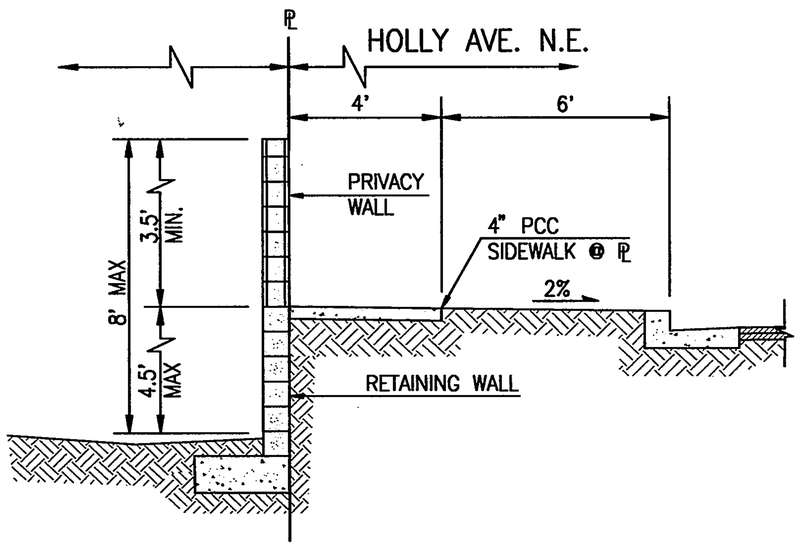

SECTION G–G
SCALE: 1"=4'



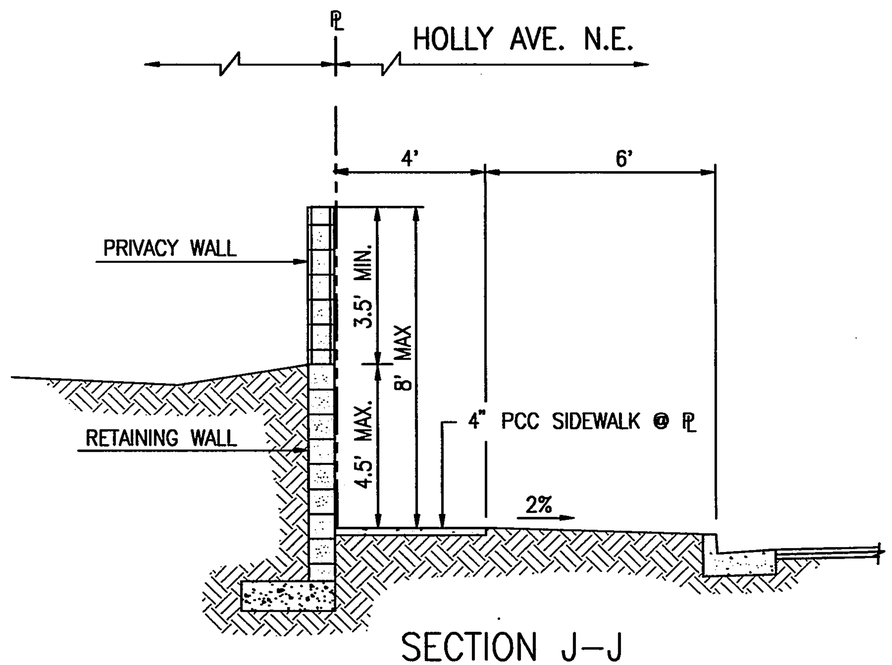

SECTION I–I
SCALE: 1" = 4'




SECTION K–K
SCALE: 1" = 4'




SECTION H–H
SCALE: 1"=4'




SECTION J–J
SCALE: 1" = 4'

NOTE: WALL SECTIONS SHOWN HEREON ARE FROM DRB APPROVED GRADING PLAN DATED 07/23/2003

JEFF MORTENSEN & ASSOCIATES, INC.
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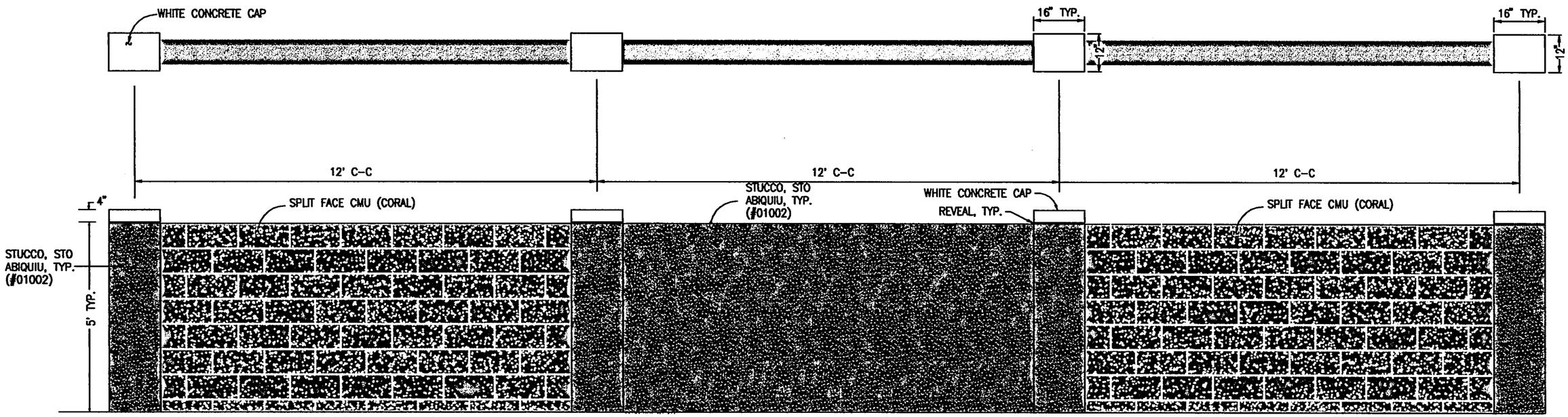
**VINEYARD COURT ESTATES - DRB PROJECT #1002525**
**WALL SECTIONS**

| | | | | | |
|---|---|---|---|---|---|
| DESIGNED BY | G.M. | NO. | DATE | BY | REVISIONS |
| DRAWN BY | J.P. | | | | |
| APPROVED BY | G.M. | | | | |

JOB NO. 2003.074.1
DATE 10-2003
SHEET 2 OF 3

# DETAIL




Note: Every Third Wall Panel Will be Stucco

## WALL ELEVATION

SCALE: 1" = 3'-0"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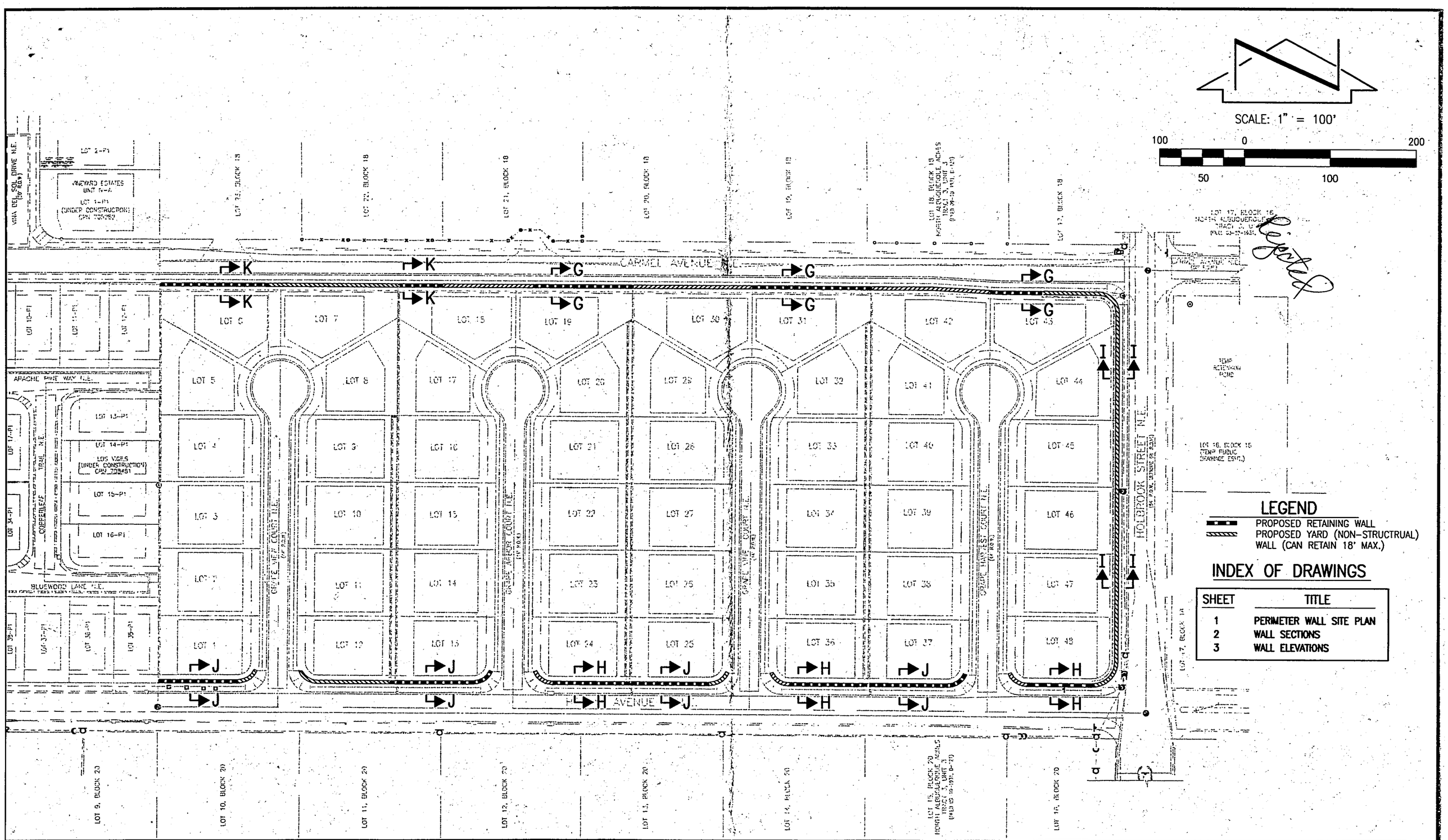
**VINEYARD COURT ESTATES - DRB PROJECT #1002525**

**WALL ELEVATION AND DETAIL**

| | |
|---|---|
| DESIGNED BY | HREC |
| DRAWN BY | SGH |
| APPROVED BY | GM |

| NO. | DATE | BY | REVISIONS |
|---|---|---|---|
| | | | |

| | |
|---|---|
| JOB NO. | 2003.074.1 |
| DATE | 11-2003 |
| SHEET | 3 OF 3 |

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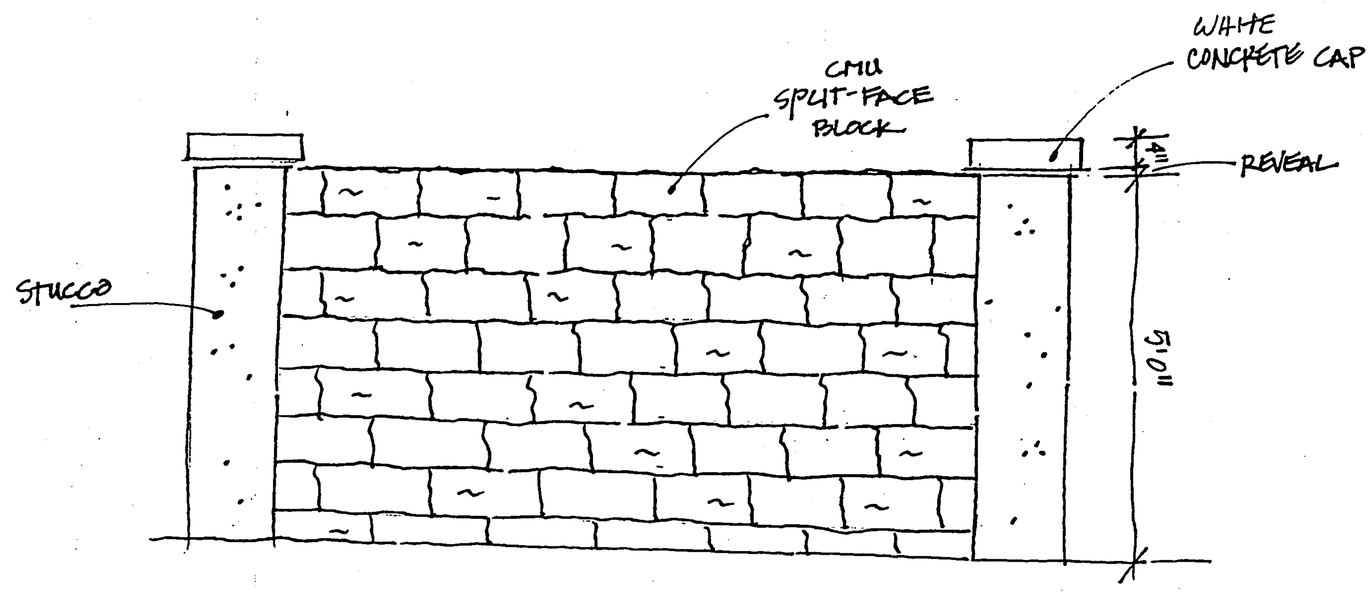
# VINEYARD COURT ESTATES - DRB PROJECT #1002525
## PERIMETER WALL SITE PLAN

| | |
|---|---|
| DESIGNED BY | GM |
| DRAWN BY | JLP |
| APPROVED BY | GM |

| NO. | DATE | BY | REVISIONS |
|---|---|---|---|
| | | | |

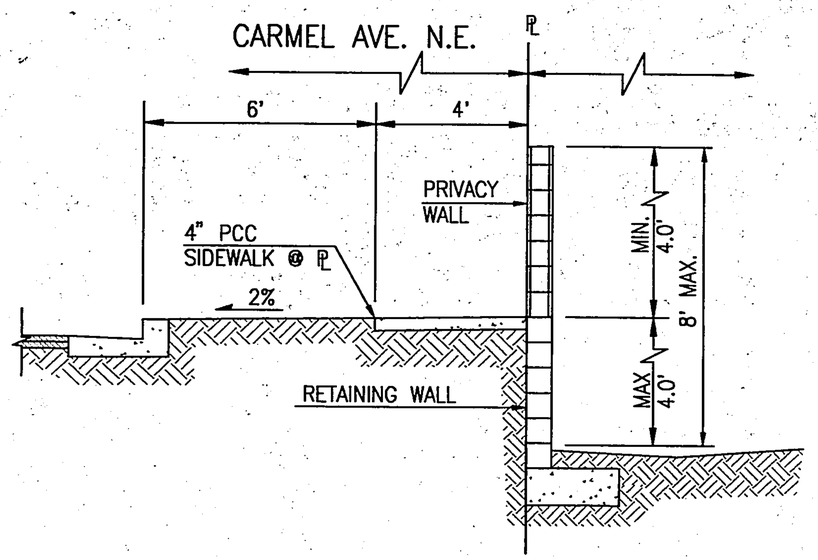
| | |
|---|---|
| JOB NO. | 2003.074.1 |
| DATE | 10-2003 |
| SHEET | 1 OF 3 |



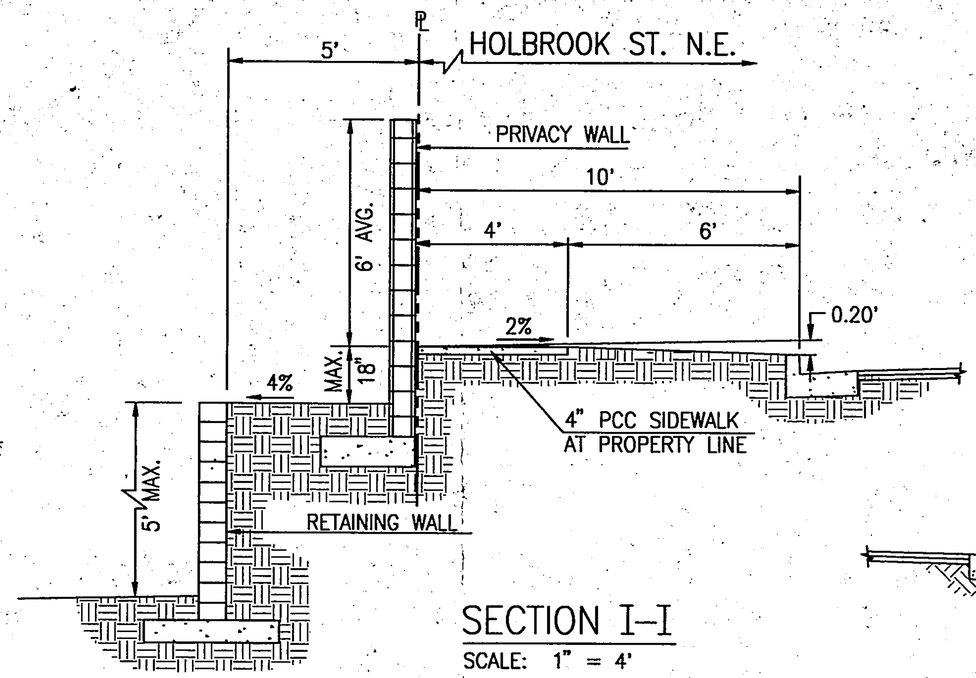

PILASTER IS STUCCO COLOR #to SUEDE
SPLIT FACE BLOCK IS CORAL

**PERIMETER WALL ELEVATION**
**VINEYARD COURT ESTATES**
**DRB PROJECT #1002525**

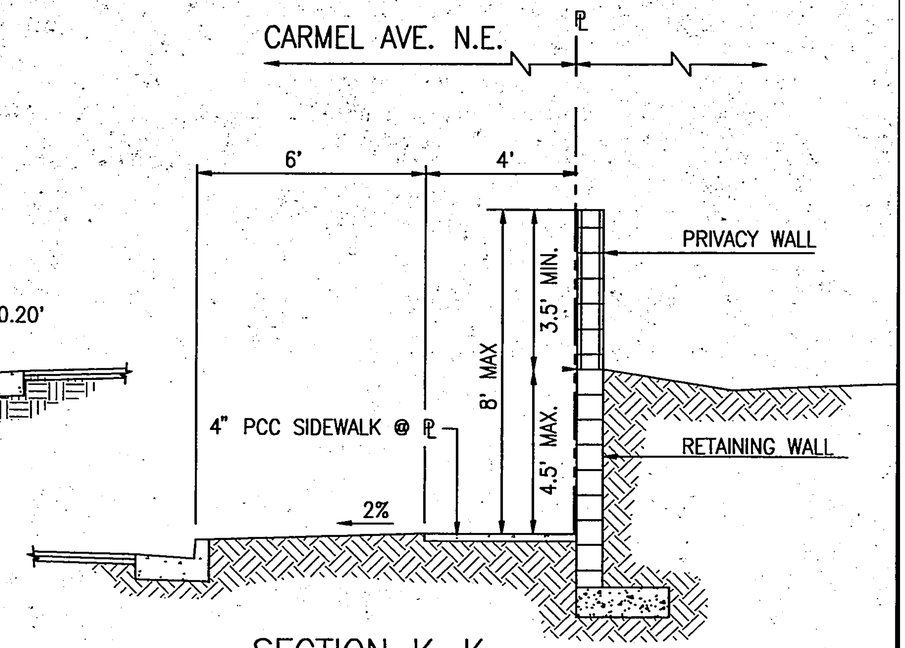
**SHEET 3 OF 3**



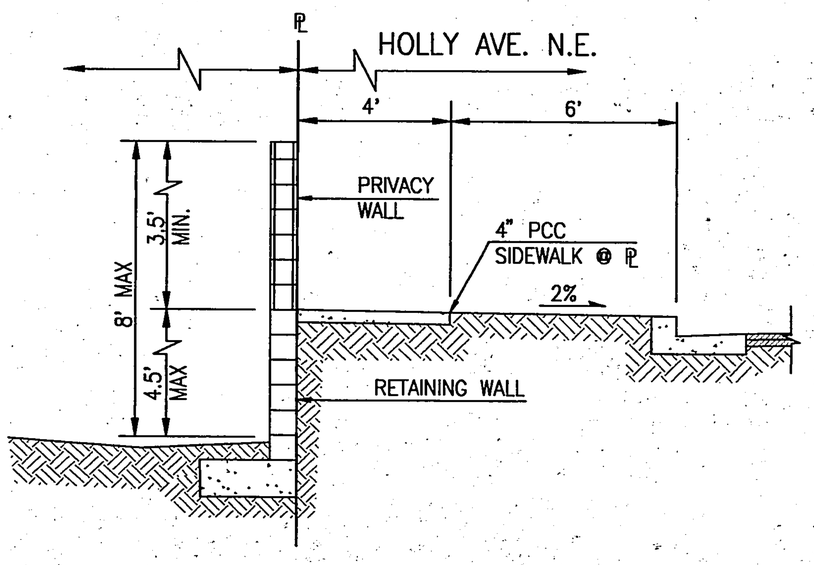

SECTION G–G
SCALE: 1"=4'



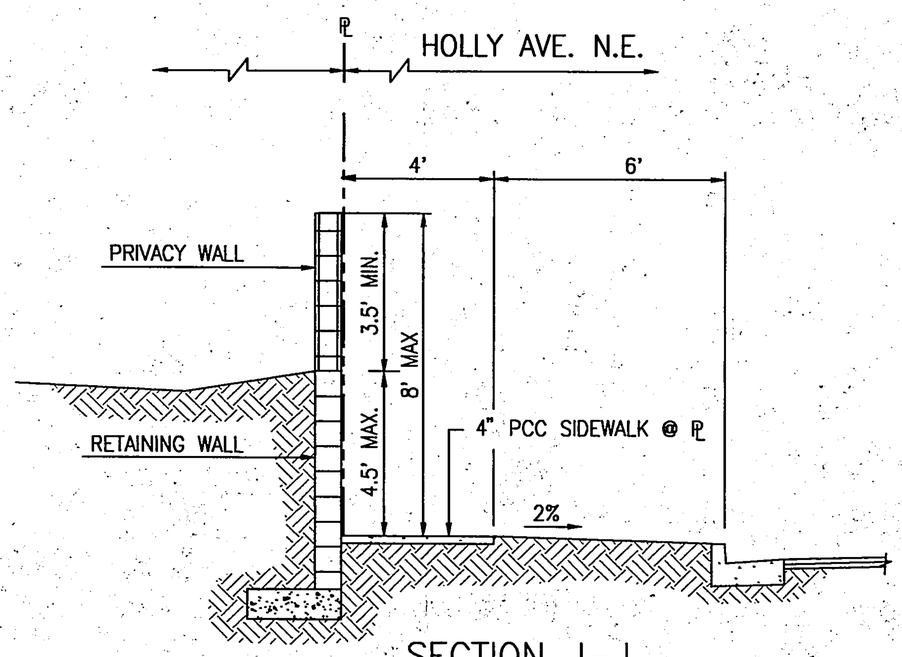

SECTION I–I
SCALE: 1" = 4'




SECTION K–K
SCALE: 1" = 4'




SECTION H–H
SCALE: 1"=4'




SECTION J–J
SCALE: 1" = 4'

NOTE: WALL SECTIONS SHOWN HEREON ARE FROM DRB APPROVED GRADING PLAN DATED 07/23/2003

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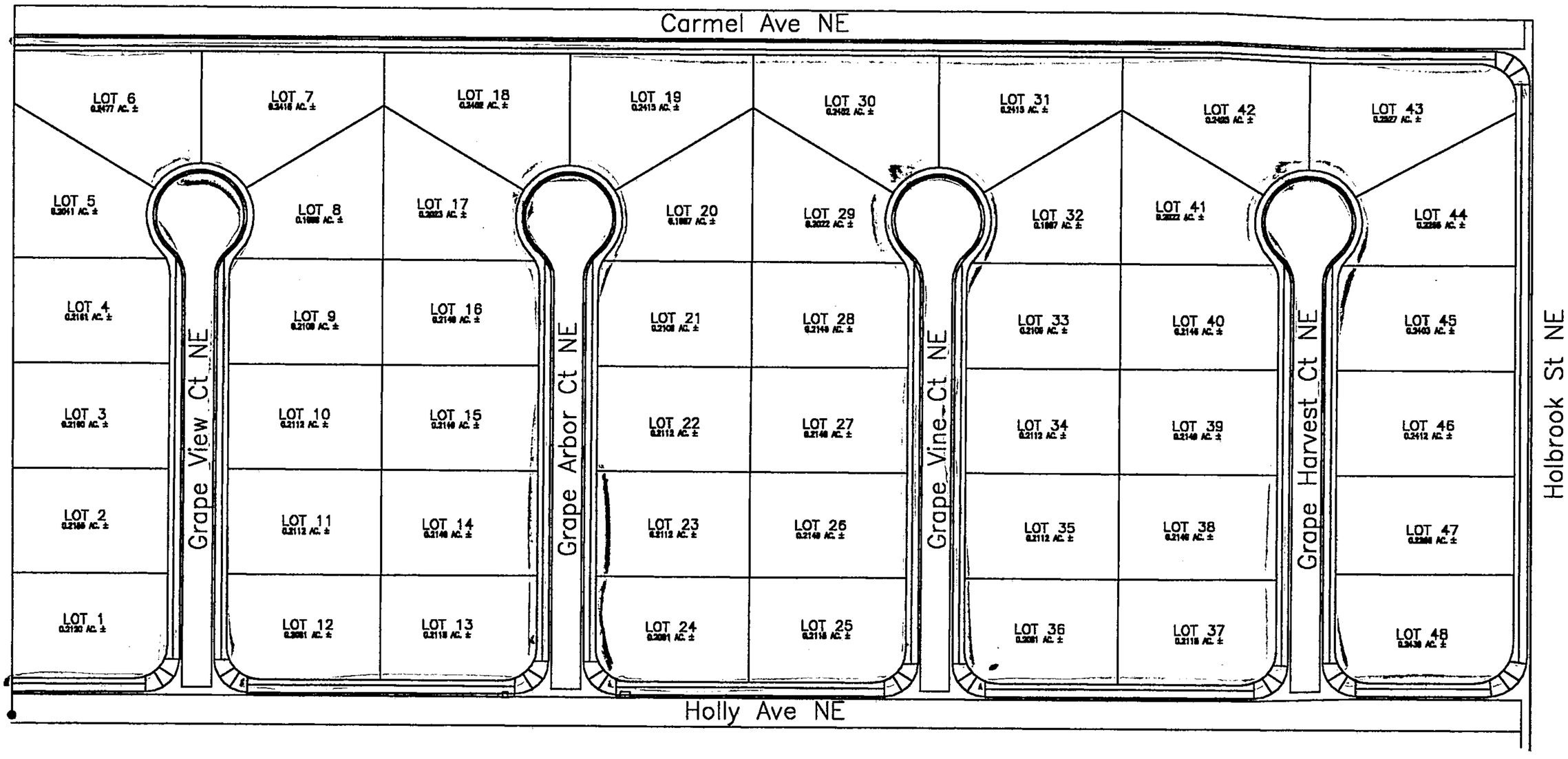
**VINEYARD COURTS ESTATES - DRB PROJECT #1002525**
**WALL SECTIONS**

| | |
|---|---|
| DESIGNED BY | GH |
| DRAWN BY | JP |
| APPROVED BY | GH |

| NO. | DATE | BY | REVISIONS |
|---|---|---|---|
| | | | |

| | |
|---|---|
| JOB NO. | 2003.074.1 |
| DATE | 10-2003 |
| SHEET | 2 OF 3 |

6 sw Exhibits




DESERT RIDGE PLACE
SIDEWALK DEFERRAL EXHIBIT (nts)

EXHIBIT C
Date 8/20/03

LEGEND

SIDEWALK TO BE GUARANTEED AND CONSTRUCTED BY WORK ORDER

SIDEWALK TO BE GUARANTEED AND TEMPORARILY DEFERRED