


3. **Project# 1010373**  
15DRB-70066 VACATION OF PUBLIC  
UTILITY EASEMENT  
15DRB-70087 MINOR - PRELIMINARY/  
FINAL PLAT APPROVAL 

CARTESIAN SURVEYS INC agents for HYLINE LLC request the referenced/ above action on a portion of Lot 22-A, Block 109, SNOW HEIGHTS ADDITION zoned C-1, located on the south side of MENAUL BLVD NE between MORRIS ST NE and PROSPECT AVE NE containing approximately 2.0157 acres. (H-21) **THE VACATION WAS APPROVED AS SHOWN ON EXHIBIT B IN THE PLANNING FILE PER SECTION 14-14-7-2(A) (1) AND (B) (1)(3) OF THE SUBDIVISION ORDINANCE WITH THE CONDITION THAT UTILITY COMPANIES ACKNOWLEDGE VIA SIGNATURE. THE PRELIMINARY/FINAL PLAT WAS APPROVED WITH FINAL SIGN OFF DELEGATED TO PLANNING FOR EXPIRATION OF 15 DAY APPEAL PERIOD.**

4. **Project# 1003445**  
15DRB-70020 – SITE DEVELOPMENT  
PLAN FOR BUILDING PERMIT 

MULLEN HELLER ARCHITECTURE agents for THR PROPERTIES LLC request the referenced/ above action for Tract H, FOUNTAIN HILLS PLAZA zoned SU-1/ PDA, located on the northwest corner of EAGLE RANCH RD NW and PASEO DEL NOTRE NW containing approximately .9755 acre. (C-12) *[Deferred from 2/25/15]* **DEFERRED TO 3/18/15.**

5. **Project# 1002202**  
15DRB-70070 – SITE DEVELOPMENT  
PLAN FOR BUILDING PERMIT 

MODULUS ARCHITECTS agents for WINROCK PARTNERS LLC requests the referenced/ above action for a portion of Parcel A-1-A-1-A, WINROCK CENTER ADDITION zoned SU-3, located on the east side of LOUISIANA BLVD NE between I-40 and INDIAN SCHOOL RD NE. (J-19) *[Deferred from 2/25/15]* **DEFERRED TO 3/25/15.**

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

6. **Project# 1003275**  
15DRB-70089 MINOR - PRELIMINARY/  
FINAL PLAT APPROVAL 

TIERRA WEST LLC agent(s) for WESTERN ALBUQUERQUE LAND HOLDINGS, LLC request(s) the above action(s) for all or a portion of Tract(s) 1A1 PLAT OF TRS 1A1 & 1B1, EL RANCHO ATRISCO PHASE 3 zoned SU-1, located on UNSER BETWEEN LADERA AND MARKET containing approximately 10.9281 acre(s). (H-9 & 10) **THE PRELIMINARY/FINAL PLAT WAS APPROVED WITH FINAL SIGN OFF DELEGATED TO CITY ENGINEER FOR COMMENTS AND TO PLANNING FOR UTILITY COMPANY SIGNATURES AND FOR AGIS DXF.**



DEVELOPMENT REVIEW BOARD

Agenda

Plaza del Sol Building  
Basement Hearing Room

February 18, 2015

MEMBERS:

Jack Cloud..... DRB Chair  
Kristal Metro..... Transportation Development  
Allan Porter..... ABCWUA  
Curtis Cherne.....City Engineer  
Carol Dumont..... Parks & Recreation

*Angela Gomez ~ Administrative Assistant*

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

1. **Project# 1003275**  
15DRB-70051 EPC APPROVED SDP FOR BUILD PERMIT  
15DRB-70052 EPC APPROVED SDP FOR SUBDIVISION  
TIERRA WEST LLC agent(s) for WESTERN ALBUQUERQUE LAND HOLDINGS, LLC request(s) the above action(s) for all or a portion of Tract(s) 1A1 PLAT OF TRS 1A1 & 1B1, **EL RANCHO ATRISCO PHASE 3** zoned SU-1, located on UNSER BETWEEN LADERA AND MARKET containing approximately 19.98 acre(s). (H-9 & 10) **DEFERRED TO 2/25/15.**
  
2. **Project# 1010297**  
15DRB-70058 EPC APPROVED SDP FOR BUILD PERMIT  
15DRB-70059 MINOR - PRELIMINARY/FINAL PLAT APPROVAL  
CONSENSUS PLANNING & SURV-TEK INC agent(s) for 528 & ELLISON LLC request(s) the above action(s) for all or a portion of Lot(s) C-6A-1 & C-6A-2, **SEVEN BAR RANCH** zoned SU-1 / IP, located on NM 528 AND ELLISON DRIVE containing approx 1.83 acre(s). (A-14) **THE SITE DEVELOPMENT PLAN FOR BUILDING PERMIT WAS INDEFINITELY DEFERRED. THE PRELIMINARY/FINAL PLAT WAS APPROVED WITH FINAL SIGN OFF DELEGATED TO ABCWUA AND TO PLANNING.**

**CITY OF ALBUQUERQUE  
PLANNING DEPARTMENT  
February 18, 2015  
DRB Comments**

**ITEM # 1**

**PROJECT # 1003275**

**APPLICATION # 15-70051/ 70052**

**RE: El Rancho Atrisco Phase 3**

A new signature block is needed in order to sign-off the Site Plan for Subdivision App. No. 15DRB-70052.

A separate DRB App. No. is needed for each Site Plan for Building Permit.

---

Jack Cloud, DRB Chairman  
924-3880/ jcloud@cabq.gov



## OFFICIAL NOTICE OF DECISION

CITY OF ALBUQUERQUE  
PLANNING DEPARTMENT  
DEVELOPMENT REVIEW BOARD

January 14, 2015

**Project# 1003275**  
14DRB-70358 PRELIMINARY/FINAL PLAT  
14DRB-70359 BULK LAND VARIANCE

TIERRA WEST LLC and CONSENSUS PLANNING agents for WESTERN ALBUQUERQUE LAND HOLDINGS, LLC request the referenced/ above actions for Tract 1A1, **EL RANCHO ATRISCO PHASE 3** zoned SU-1, located on the south of LADERA DR NW between UNSER BLVD NW and MARKET ST NW containing approximately 19.98 acres. (H-9 & H-10) [*deferred from 11/12/14, 11/19/14, 12/3/14, 12/10/14, 12/31/14, 1/7/15*]

At the January 14, 2015 Development Review Board meeting, the Bulk Land Variance was approved subject to the Findings and Conditions of the Subdivision Ordinance as follows:

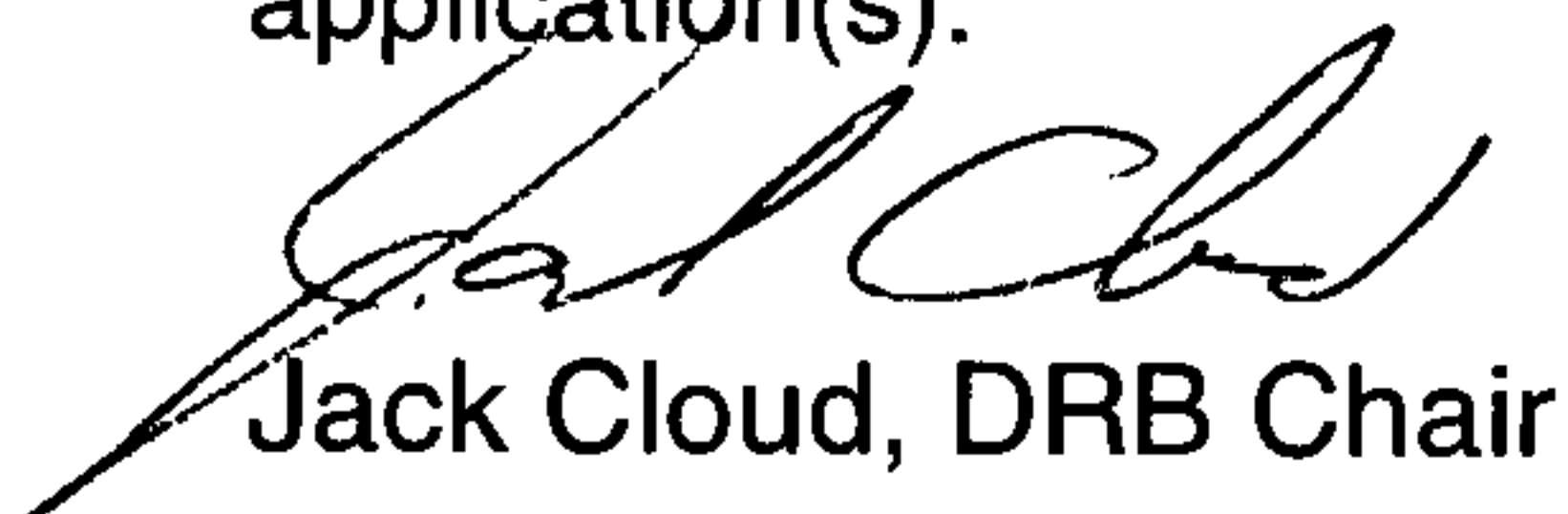
**BULK LAND VARIANCE:**

1. The variance will not be injurious to the public safety, health or welfare, or to adjacent property, the neighborhood or the community.
2. The variance will not conflict significantly with the goals and provisions of any City, County or AMAFCA adopted plan or policy; the applicable zoning ordinance, or any other City code or ordinance.
3. The variance will not permit, encourage or make possible undesired development in the 100-year floodplain.
4. The variance will not hinder future planning, public right-of-way acquisition, or the financing or building of public infrastructure improvements.

The Preliminary/ Final Plat was approved with final sign off delegated to planning for AGIS .dxf, utility company signatures and expiration of the 15 day appeal period. If you wish to appeal this decision, you must do so by January 29, 2015 in the manner described below.

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

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

  
Jack Cloud, DRB Chair

DRB CASE ACTION LOG - BLUE SHEET

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

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

*Site Plans:* It is the responsibility of the applicant/agent/developer/owner to insert the DRB approved Site Plan for Subdivision and/or Site Plan for Building Permit in each copy of building permit plansets. If the building permit plans have been submitted prior to the Site Plan for Subdivision and/or Site Plan for Building Permit being signed-off, then it is the responsibility of the applicant/agent/developer/owner to insert a copy of the signed-off Site Plan for Subdivision and/or Site Plan for Building Permit in each copy of the building permit plansets.

Project #: 1003275 Application #: 14DRB-70858  
14DRB-70869  
 Project Name: El Rancho Amisco Phase 3  
 Agent: Tierra West / Consensus Planning Phone #:

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

- TRANSPORTATION:
- ABCWUA:
- CITY ENGINEER / AMAFCA:
- PARKS / CIP:
- PLANNING (Last to sign): - Public Workshop E-mail  
- remove 'ordin' reference




**PLATS:**

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

**ALL SITE PLANS:**

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

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

2. **Project# 1010289**  
14DRB-70389 VACATION OF PUBLIC ALLEY RIGHT-OF-WAY 
- MYERS, OLIVER & PRICE, P.C. agents for RUSSELL GARNER ET. AL. request the referenced/ above vacation of the remaining 16 foot Alley in Block A, **ATLANTIC-PACIFIC ADDITION** located between 1ST and 2ND STREETS SW and COAL and IRON AVENUES SW. (K-14) **THE VACATION WAS RECOMMENDED FOR APPROVAL BY THE CITY COUNCIL. THIS RECOMMENDATION WAS BASED ON EXHIBIT B IN THE PLANNING FILE PER SECTION 14-14-7-2(A) (1) AND (B) (1)(3) OF THE SUBDIVISION ORDINANCE.**
3. **Project# 1004404**  
14DRB-70365 VACATION/ PUBLIC EASEMENT  
14DRB-70366 - TEMP DEFR SIDEWLK CONST  
14DRB-70367 - PRELIMINARY PLAT APPROVAL  
14DRB-70394 MINOR - SDP FOR SUBDIVISION 
- BOHANNAN HUSTON INC & CONSENSUS PLANNING agents for WOODMONT PASEO, LLC request the referenced/ above actions for all or a portion of Tracts 9 & 10, **TRAILS UNIT 3A (proposed Tract F VALLE PRADO UNIT 1 and Tract A VALLE PRADO UNIT 2)** zoned SU-2/ VTSL, located at the western terminus of TREE LINE AVE NW west of RAINBOW BLVD NW and north of WOODMONT AVE NW containing approximately 14.56 acres. (C-9) [*deferred from 11/19/14*]**DEFERRED TO 12/17/14**
4. **Project# 1003275**  
14DRB-70358 PRELIMINARY/FINAL PLAT  
14DRB-70359 BULK LAND VARIANCE  
14DRB-70369 EPC APPROVED SDP FOR SUBDIVISION 
- TIERRA WEST LLC and CONSENSUS PLANNING agents for WESTERN ALBUQUERQUE LAND HOLDINGS, LLC request the referenced/ above actions for Tract 1A1, **EL RANCHO ATRISCO PHASE 3** zoned SU-1, located on the south of LADERA DR NW between UNSER BLVD NW and MARKET ST NW containing approximately 19.98 acres. (H-9 & H-10) [*deferred from 11/12/14, 11/19/14, 12/3/14*] **THE PRELIMINARY/FINAL PLAT AND THE BULK LAND VARIANCE WAS DEFERRED TO 12/31/14. THE SITE DEVELOPMENT PLAN FOR SUBDIVISION WAS APPROVED WITH FINAL SIGN-OFF DELEGATED TO PLANNING FOR REVISION OF PUBLIC WATERLINE EASEMENT AND FOR REMOVAL OF REFERENCE OF VACATION ACTION.**

3. **Project# 1006864**  
14DRB-70415 MAJOR - PRELIMINARY  
PLAT APPROVAL  
14DRB-70417 SIDEWALK WAIVER  
14DRB-70420 SUBDIVISION DESIGN  
VARIANCE FROM MIN DPM STDS  
14DRB-70423 MINOR - TEMP  
DEFERRAL SIDEWALK  
CONSTRUCTION

BOHANNAN HUSTON INC agents for PULTE request the referenced/ above actions for all or a portion of Tract(s) N-2-A-2 and N-2-A-18 thru 21, **DEL WEBB AT MIREHAVEN PHASE 1** zoned SU-2/ PDA, located on DEL WEBB LANE NW west of TIERRA PINTADA BLVD NW containing approximately 13.58 acre(s). (H-8) **WITH AN APPROVED GRADING AND DRAINAGE PLAN ENGINEER STAMP DATED 3/20/14, AND WITH THE SIGNING OF THE INFRASTRUCTURE LIST DATED 1/14/15, THE PRELIMINARY PLAT WAS APPROVED. THE SIDEWALK WAIVER WAS APPROVED AS SHOWN ON EXHIBIT C IN THE PLANNING FILE. A SUBDIVISION DESIGN VARIANCE FROM MINIMUM DPM DESIGN STANDARDS WAS APPROVED AS SHOWN ON EXHIBIT IN THE PLANNING FILE. THE TEMPORARY DEFERRAL OF CONSTRUCTION OF SIDEWALKS ON THE INTERIOR STREETS WAS APPROVED AS SHOWN ON EXHIBIT IN THE PLANNING FILE.**

4. **Project# 1004725**  
14DRB-70413 MAJOR – SITE  
DEVELOPMENT PLAN FOR BUILDING  
PERMIT

RICHARD DINEEN agent for JOHN & KATHLEEN BATTAGLIA requests the referenced/ above action for Lot Q-6-A-1-A, **ATRISCO BUSINESS PARK UNIT 4** zoned SU-1/ PLANNED INDUSTRIAL PARK, located on the west side of COORS BLVD NW between LOS VOLCANES RD NW and FORTUNA RD NW containing approximately .80 acre. (J-10) **DEFERRED TO 1/21/15.**

5. **Project# 1003275**  
14DRB-70358 PRELIMINARY/FINAL  
PLAT  
14DRB-70359 BULK LAND VARIANCE

TIERRA WEST LLC and CONSENSUS PLANNING agents for WESTERN ALBUQUERQUE LAND HOLDINGS, LLC request the referenced/ above actions for Tract 1A1, **EL RANCHO ATRISCO PHASE 3** zoned SU-1, located on the south of LADERA DR NW between UNSER BLVD NW and MARKET ST NW containing approximately 19.98 acres. (H-9 & H-10) *[deferred from 11/12/14, 11/19/14, 12/3/14, 12/10/14, 12/31/14, 1/7/15]* **THE BULK LAND VARIANCE WAS APPROVED. THE PRELIMINARY/FINAL PLAT WAS APPROVED WITH FINAL SIGN OFF DELEGATED TO PLANNING FOR AGIS DXF, UTILITY COMPANY SIGNATURES AND EXPIRATION OF THE 15 DAY APPEAL PERIOD.**



CITY OF ALBUQUERQUE  
 PLANNING DEPARTMENT  
 DEVELOPMENT REVIEW BOARD

November 12, 2014

## PUBLIC AGENCY COMMENTS

**Project# 1003275**  
 14DRB-70358 - PRELIMINARY/ FINAL PLAT  
 14DRB-70359 BULK LAND VARIANCE

TIERRA WEST LLC agents for WESTERN ALBUQUERQUE LAND HOLDINGS, LLC request the referenced/ above actions for Tract 1A1, **EL RANCHO ATRISCO PHASE 3** zoned SU-1, located on the south side of LADERA DR NW between UNSER BLVD NW and MARKET ST NW containing approximately 19.98 acres. (H-9 & H-10)

<b>AMAFCA</b>  <i>Lynn Mazur</i>	No comment.
<b>COG</b> <i>Kendra Watkins</i> <i>Andrew Gingerich</i>	No comments provided.
<b>TRANSIT</b>  <i>Shabih Rizvi</i>	<p><b>Project # 1003275</b>          14 DRB-70358-PRELIMINARY FINAL PLAT          14DRB-70359 BULK VARIANCE</p> <p>Adjacent and nearby routes          Route #92, Taylor Ranch Commuter route and Route #94, Unser Express Commuter route, pass the site on Unser.</p> <p>Adjacent bus stops          There is an existing bus stop, adjacent to the property, 265' south from the north west corner of the property, on Unser serving the above-mentioned routes</p> <p>Site plan requirements          None</p> <p>Large site TDM suggestions          None.</p> <p>Other information          None.</p>
<b>ZONING ENFORCEMENT</b> <i>Vince Montano</i>	No comments provided.
<b>NEIGHBORHOOD COORDINATION</b>  <i>Stephani Winklepleck</i>	<p><b>Affected NA/HOA's: Ladera West NA (R), Laurelwood NA (R), Parkway NA (R), Tres Volcanes NA (R)</b></p>
<b>APS</b>  <i>April Winters</i>	No comments provided.



<b>POLICE DEPARTMENT</b>  <i>Steve Sink</i>	This project is in the Northwest Area Command. - No Crime Prevention or CPTED comments concerning the proposed <i>Minor Subdivision Preliminary/Final Plat Approval</i> request at this time.
<b>FIRE DEPARTMENT</b>  <i>Antonio Chinchilla</i>	No comments provided.
<b>PNM ELECTRIC</b>  <i>Daniel Aragon</i>	No comments provided.
<b>New Mexico Gas Company</b>  <i>Patrick Sanchez</i>	No comments provided.
<b>COMCAST</b>  <i>Mike Mortus</i>	No comments provided.
<b>CENTURYLINK</b>	No comments provided.
<b>ENVIRONMENTAL HEALTH</b>  <i>Paul Olson</i>	No comments provided.
<b>M.R.G.C.D</b>  <i>Ray Gomez</i>	No comments provided.
<b>OPEN SPACE DIVISION</b>  <i>Kent Reed Swanson</i> <i>Sarah Brown</i>	Open Space Division has reviewed and has no comments.
<b>TRANSPORTATION PLANNING (DMD)</b>  <i>John MacKenzie</i>	Per the MGCOC-Adopted Interim Long Range Roadway System map, Unser Blvd. is a Limited-access Principal Arterial and Ladera Dr. is a Minor Arterial. Access to and from Unser Blvd. requires approval from the MRCOG's Transportation Coordinating Committee. See further comments from the NMDOT regarding Unser Blvd. since they maintain this facility and they also administer its access between I-40 and Ladera Dr. Per the Long Range Bikeway System map, Unser Blvd. contains bike lanes and a multi-use trail on its east side. Ladera Dr. is planned to contain on-street bike lanes, which do not presently existing across the site frontage.
<b>PARKS AND RECREATION</b>  <i>Carol Dumont</i>	no comments
<b>CITY ENGINEER/ HYDROLOGY</b>  <i>Curtis Cherne</i>	
<b>ABCWUA</b>  <i>Allan Porter</i>	<ol style="list-style-type: none"> <li>1. Please submit a request for an Availability Statement.</li> <li>2. Unless there is a stub out from the 18" CCYL in Unser, an alternative waterline loop needs to be made for the distribution system internal to the development.</li> </ol>
<b>TRANSPORTATION DEVELOPMENT</b>  <i>Kristal Metro</i>	
<b>PLANNING DEPARTMENT</b>  <i>Jack Cloud</i>	Refer to comments from affected agencies plus any public hearing comments regarding proposed variance.

## Dicome, Kym

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**From:** Dicome, Kym  
**Sent:** Wednesday, November 05, 2014 5:02 PM  
**To:** Cloud, Jack W.  
**Subject:** Project #1003275; Case #13EPC-40148

Chair;

I have reviewed the Site Development Plan for Subdivision for Project #1003275/13EPC-40148 and have the following comments:

1. The wording of Condition 4 must be on the Site Development Plan page 1 under the Note about the cross access easement as follows "Future Development on the site will require EPC review of a Site Development for Building Permit(s)"
2. The wording of Condition 8 shall be added as a note on the cover sheet under PEDESTRAIN AND VEHICULAR INGRESS AND EGRESS. Add as the last sentence to that paragraph.
3. The project # and case number's must be filled in on the Signature Block.

Everything else is in compliance. Let me know if you need anything else. I will drop off the marked up site plan to you tomorrow.

Kym E. Dicome  
Current Planning Manager  
Urban Design and Development  
Planning Department  
City of Albuquerque  
505-924-3814 direct

# DRB CASE ACTION LOG - BLUE SHEET

- Preliminary/Final Plat (P&F)
- Site Plan for Subdivision (SPS)
- Site Plan for Building Permit (SBP)

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

**Site Plans:** It is the responsibility of the applicant/agent/developer/owner to insert the DRB approved Site Plan for Subdivision and/or Site Plan for Building Permit in each copy of building permit plansets. If the building permit plans have been submitted prior to the Site Plan for Subdivision and/or Site Plan for Building Permit being signed-off, then it is the responsibility of the applicant/agent/developer/owner to insert a copy of the signed-off Site Plan for Subdivision and/or Site Plan for Building Permit in each copy of the building permit plansets.

**Project# 1003275**

15DRB-70273 MINOR - PRELIMINARY/ FINAL PLAT APPROVAL

**AGENT:** SURV-TEK, INC

\*\*Your request was approved on 8-26-15 by the DRB with delegation of signature(s) to the following departments - outstanding comments to be addressed as follows:\*\*

**Transportation:**

**ABCWUA:**

**City Engineer:**

**Parks and Recreation :**

**Planning:**

AMNF CA dst 15 day approval

**PLATS:**

**Planning must record this plat. Please submit the following items:**

- The original plat and a mylar copy for the County Clerk.
- Tax certificate from the County Treasurer.
- Recording fee (checks payable to the County Clerk). **RECORDED DATE:**
- Tax printout from the County Assessor.
- County Treasurer's signature must be obtained prior to the recording of the plat with County Clerk.

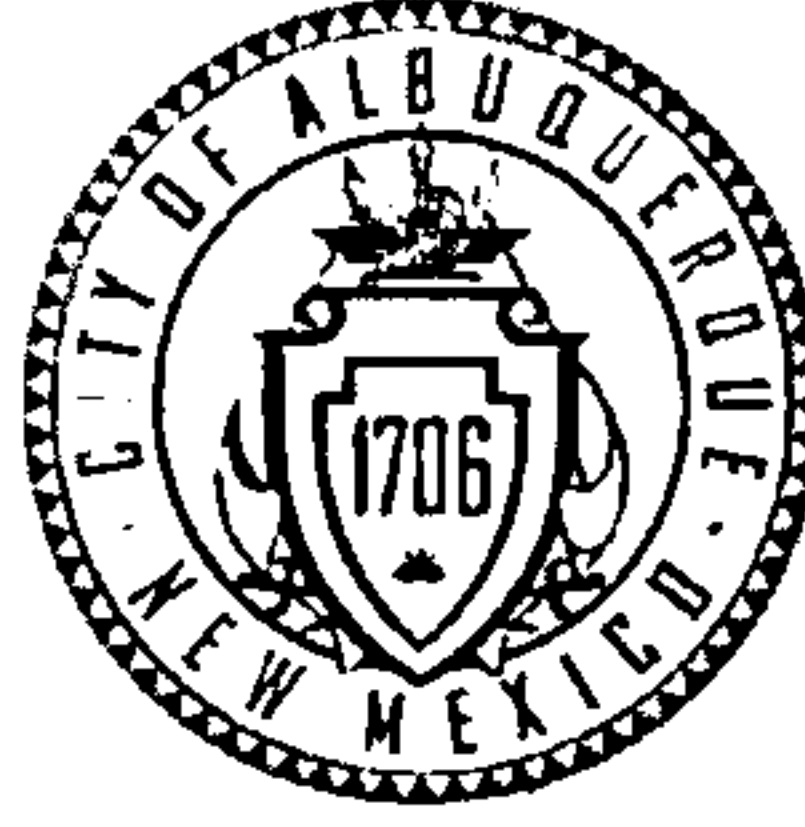
Property Management's signature must be obtained prior to Planning Department's signature.

AGIS DXF File approval required.

Copy of recorded plat for Planning.

**ALL SITE PLANS:**

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



**INTER-OFFICE MEMORANDUM**

**COMMENTING AGENCIES**

TRANSPORTATION DEVELOPMENT .....*John MacKenzie*  
TRANSIT & PARKING DEPARTMENT .....*Shabih Rizvi*  
COUNCIL OF GOVERNMENTS.....*Kendra Watkins/Andrew Gingerich*  
AMAFCA.....*Lynn Mazur*  
APD CRIME PREVENTION.....*Steve Sink*  
OPEN SPACE DIVISION.....*Kent Reed Swanson/Sarah Brown*  
FIRE DEPARTMENT.....*Antonio Chinchilla*  
ZONING ENFORCEMENT INSPECTOR.....*Vince Montano*  
NEIGHBORHOOD COORDINATION.....*Stephani Winklepleck*  
PNM.....*Daniel Aragon*  
NEW MEXICO GAS COMPANY.....*Patrick Sanchez*  
ALBUQUERQUE PUBLIC SCHOOLS.....*April Winters*  
COMCAST CABLE.....*Mike Mortus*  
Mid.Rio Grande Conserv. Dist. (MRGCD).....*Ray Gomez*  
ENVIRONMENTAL HEALTH.....*Paul Olson*

*Your comments on the following case(s) are requested.*

PROJECT # 1003275

**Board hearing date:**

**WEDNESDAY, August 26, 2015**



Supplemental Form (SF)

**SUBDIVISION**

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

**SITE DEVELOPMENT PLAN**

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

**STORM DRAINAGE (Form D)**

- Storm Drainage Cost Allocation Plan

**S Z ZONING & PLANNING**

- Annexation
- Zone Map Amendment (Establish or Change Zoning, includes Zoning within Sector Development Plans)
- Adoption of Rank 2 or 3 Plan or similar
- Text Amendment to Adopted Rank 1, 2 or 3 Plan(s), Zoning Code, or Subd. Regulations
- Street Name Change (Local & Collector)
- L A APPEAL / PROTEST of...**
  - Decision by: DRB, EPC, LUCC, Planning Director, ZEO, ZHE, Board of Appeals, other

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 2<sup>nd</sup> Street NW, Albuquerque, NM 87102. Fees must be paid at the time of application. Refer to supplemental forms for submittal requirements.

**APPLICATION INFORMATION:**

Professional/Agent (if any): SURV-TEK, INC PHONE: 897-3366  
 ADDRESS: 9384 VALLEY VIEW NW FAX: 897-3377  
 CITY: ALB STATE NM ZIP 87114 E-MAIL: RUSSHUGG@SURVTEK.COM

APPLICANT: WESTERN ALBUQUERQUE LAND HOLDINGS LLC PHONE: \_\_\_\_\_  
 ADDRESS: PO BOX 56790 FAX: \_\_\_\_\_  
 CITY: ALBUQ STATE NM ZIP 87187 E-MAIL: \_\_\_\_\_  
 Proprietary interest in site: OWNERS List all owners: \_\_\_\_\_

DESCRIPTION OF REQUEST: VACATION OF PUBLIC WATERLINE AND STORM DRAIN EASEMENTS AND MINOR PRELIMINARY/FINAL PLAT APPROVAL

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

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

Lot or Tract No. TRACT B, HERITAGE MARKET PLACE Block: \_\_\_\_\_ Unit: \_\_\_\_\_  
 Subdiv/Addn/BKA: TRACT B-1, HERITAGE MARKET PLACE  
 Existing Zoning: SU-1 For Commercial Proposed zoning: SAME MRGCD Map No. \_\_\_\_\_  
 Zone Atlas page(s): H-9 UPC Code: 100905950900240105

**CASE HISTORY:**

List any current or prior case number that may be relevant to your application (Proj., App., DRB-, AX\_Z\_, V\_, S\_, etc.):  
1003275 14-70059

**CASE INFORMATION:**

Within city limits?  Yes Within 1000FT of a landfill? N/A  
 No. of existing lots: 1 No. of proposed lots: 1 Total site area (acres): 9.0540  
 LOCATION OF PROPERTY BY STREETS: On or Near: LADERA DRIVE NW  
 Between: UNSER BLVD NW and MARKET STREET NW

Check if project was previously reviewed by: Sketch Plat/Plan  or Pre-application Review Team(PRT)  Review Date: \_\_\_\_\_

SIGNATURE [Signature] DATE 7/28/15  
 (Print Name) RUSSHUGG Applicant:  Agent:

**FOR OFFICIAL USE ONLY**

Revised: 4/2012

<input type="checkbox"/> INTERNAL ROUTING	Application case numbers	Action	S.F.	Fees
<input type="checkbox"/> All checklists are complete	<u>15 DRB - 70272</u>	<u>VPE</u>		<u>90.00</u>
<input type="checkbox"/> All fees have been collected		<u>P&amp;F</u>		<u>215.00</u>
<input type="checkbox"/> All case #s are assigned		<u>CMF</u>		<u>20.00</u>
<input type="checkbox"/> AGIS copy has been sent		<u>ADV</u>		<u>75.00</u>
<input type="checkbox"/> Case history #s are listed				
<input type="checkbox"/> Site is within 1000ft of a landfill				
<input type="checkbox"/> F.H.D.P. density bonus				
<input type="checkbox"/> F.H.D.P. fee rebate				
	Hearing date <u>August 26, 2015</u>			Total
	<u>7-31-15</u>			<u>\$ 400.00</u>

Staff signature & Date [Signature] Project # 1003275

**FORM V: SUBDIVISION VARIANCES & VACATIONS**

- BULK LAND VARIANCE (DRB04)** (PUBLIC HEARING CASE)
    - \_\_\_ Application for Minor Plat on FORM S-3, including those submittal requirements. 24 copies
    - \_\_\_ Letter briefly describing and explaining: the request, compliance with the Development Process Manual, and all improvements to be waived.
    - \_\_\_ Notice on the proposed Plat that there are conditions to subsequent subdivision (refer to DPM)
    - \_\_\_ Office of Community & Neighborhood Coordination inquiry response, notifying letter, certified mail receipts
    - \_\_\_ Sign Posting Agreement
    - \_\_\_ Fee (see schedule)
    - \_\_\_ List any original and/or related file numbers on the cover application
- DRB Public hearings are approximately 30 DAYS after the filing deadline. Your attendance is required.**

- VACATION OF PUBLIC EASEMENT (DRB27) - 2**
  - VACATION OF PUBLIC RIGHT-OF-WAY (DRB28)**
    - The complete document which created the public easement (folded to fit into an 8.5" by 14" pocket) **24 copies.**  
(Not required for City owned public right-of-way.)
    - Drawing showing the easement or right-of-way to be vacated, etc. (not to exceed 8.5" by 11") **24 copies**
    - Zone Atlas map with the entire property(ies) clearly outlined
    - Letter briefly describing, explaining, and justifying the request
    - Office of Community & Neighborhood Coordination inquiry response, notifying letter, certified mail receipts
    - Sign Posting Agreement
    - \_\_\_ Fee (see schedule)
    - List any original and/or related file numbers on the cover application
- Unless the vacation is shown on a DRB approved plat recorded by the County Clerk within one year, it will expire.  
**DRB Public hearings are approximately 30 DAYS after the filing deadline. Your attendance is required.**

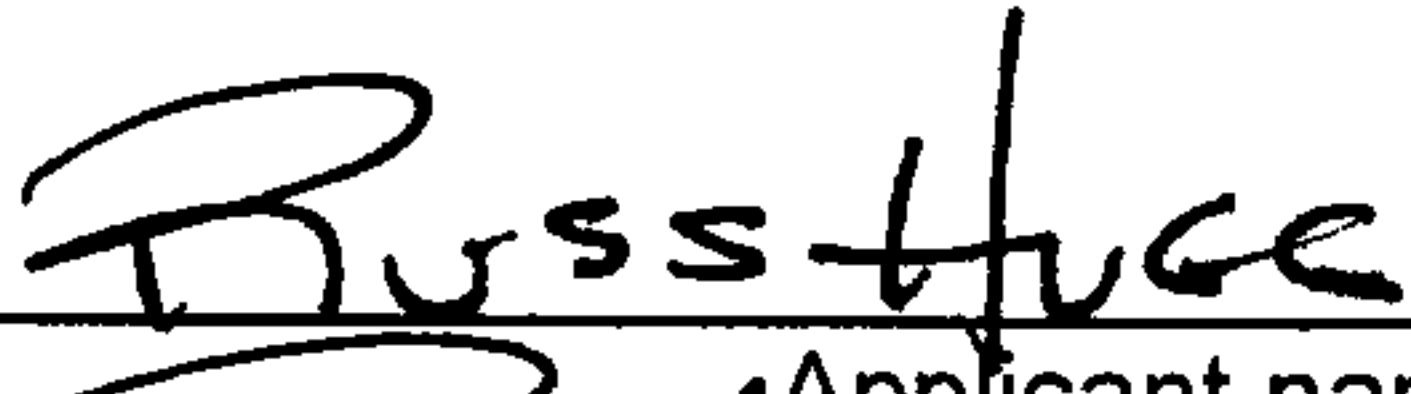

- SIDEWALK VARIANCE (DRB20)**
  - SIDEWALK WAIVER (DRB21)**
    - \_\_\_ Scale drawing showing the proposed variance or waiver (not to exceed 8.5" by 14") 6 copies
    - \_\_\_ Zone Atlas map with the entire property(ies) clearly outlined
    - \_\_\_ Letter briefly describing, explaining, and justifying the variance or waiver
    - \_\_\_ List any original and/or related file numbers on the cover application
- DRB meetings are approximately 8 DAYS after the Tuesday noon filing deadline. Your attendance is required.**

- SUBDIVISION DESIGN VARIANCE FROM MINIMUM DPM STANDARDS (DRB25)**
    - \_\_\_ Scale drawing showing the location of the proposed variance or waiver (not to exceed 8.5" by 14") **24 copies**
    - \_\_\_ Zone Atlas map with the entire property(ies) clearly outlined
    - \_\_\_ Letter briefly describing, explaining, and justifying the variance
    - \_\_\_ Office of Community & Neighborhood Coordination inquiry response, notifying letter, certified mail receipts
    - \_\_\_ Sign Posting Agreement
    - \_\_\_ Fee (see schedule)
    - \_\_\_ List any original and/or related file numbers on the cover application
- DRB meetings are approximately 30 DAYS after the filing deadline. Your attendance is required.**

- TEMPORARY DEFERRAL OF SIDEWALK CONSTRUCTION (DRB19)**
  - EXTENSION OF THE SIA FOR TEMPORARY DEFERRAL OF SIDEWALK CONSTRUCTION (DRB07)**
    - \_\_\_ Drawing showing the sidewalks subject to the proposed deferral or extension (not to exceed 8.5" by 14") **6 copies**
    - \_\_\_ Zone Atlas map with the entire property(ies) clearly outlined
    - \_\_\_ Letter briefly describing, explaining, and justifying the deferral or extension
    - \_\_\_ List any original and/or related file numbers on the cover application
- DRB meetings are approximately 8 DAYS after the Tuesday noon filing deadline. Your attendance is required.**

- VACATION OF PRIVATE EASEMENT (DRB26)**
  - VACATION OF RECORDED PLAT (DRB29)**
    - \_\_\_ The complete document which created the private easement/recorded plat (not to exceed 8.5" by 14") **6 copies**
    - \_\_\_ Scale drawing showing the easement to be vacated (8.5" by 11") **6 copies**
    - \_\_\_ Zone Atlas map with the entire property(ies) clearly outlined
    - \_\_\_ Letter/documents briefly describing, explaining, and justifying the vacation **6 copies**
    - \_\_\_ Letter of authorization from the grantors and the beneficiaries (private easement only)
    - \_\_\_ Fee (see schedule)
    - \_\_\_ List any original and/or related file numbers on the cover application
- Unless the vacation is shown on a DRB approved plat recorded by the County Clerk within one year, it will expire.  
**DRB meetings are approximately 8 DAYS after the Tuesday noon filing deadline. Your attendance is required.**

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


  
 Applicant name (print) \_\_\_\_\_  
 7/28/15  
 Applicant signature / date \_\_\_\_\_



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

Application case numbers  
 5 - DRB - 70072  
 \_\_\_\_\_  
 \_\_\_\_\_

Form revised 4/07

 7-31-15  
 Planner signature / date \_\_\_\_\_  
 Project # 1003275

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

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

- SKETCH PLAT REVIEW AND COMMENT (DRB22)** **Your attendance is required.**
  - Scale drawing of the proposed subdivision plat (folded to fit into an 8.5" by 14" pocket) **6 copies**
  - Site sketch with measurements showing structures, parking, Bldg. setbacks, adjacent rights-of-way and street improvements, 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) clearly outlined
  - Letter briefly describing, explaining, and justifying the request
  - List any original and/or related file numbers on the cover application

- EXTENSION OF MAJOR PRELIMINARY PLAT (DRB08)** **Your attendance is required.**
  - Preliminary Plat reduced to 8.5" x 11"
  - Zone Atlas map with the entire property(ies) clearly outlined
  - Letter briefly describing, explaining, and justifying the request
  - Copy of DRB approved infrastructure list
  - Copy of the LATEST Official DRB Notice of approval for Preliminary Plat Extension request
  - List any original and/or related file numbers on the cover application

**Extension of preliminary plat approval expires after one year.**

- MAJOR SUBDIVISION FINAL PLAT APPROVAL (DRB12)** **Your attendance is required.**
  - Proposed Final Plat (folded to fit into an 8.5" by 14" pocket) **6 copies**
  - Signed & recorded Final Pre-Development Facilities Fee Agreement for Residential development only
  - Design elevations & cross sections of perimeter walls **3 copies**
  - Zone Atlas map with the entire property(ies) clearly outlined
  - Bring original Mylar of plat to meeting, ensure property owner's and City Surveyor's signatures are on the plat
  - Copy of recorded SIA
  - Landfill disclosure and EHD signature line on the Mylar if property is within a landfill buffer
  - List any original and/or related file numbers on the cover application
  - DXF file and hard copy of final plat data for AGIS is required.

- MINOR SUBDIVISION PRELIMINARY/FINAL PLAT APPROVAL (DRB16)** **Your attendance is required.**
  - 5 Acres or more: Certificate of No Effect or Approval
  - Proposed Preliminary / Final Plat (folded to fit into an 8.5" by 14" pocket) **6 copies** for unadvertised meetings ensure property owner's and City Surveyor's signatures are on the plat prior to submittal
  - Signed & recorded Final Pre-Development Facilities Fee Agreement for Residential development only
  - Design elevations and cross sections of perimeter walls (11" by 17" maximum) **3 copies**
  - Site sketch with measurements showing structures, parking, Bldg. setbacks, adjacent rights-of-way and street improvements, 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) clearly outlined
  - Letter briefly describing, explaining, and justifying the request
  - Bring original Mylar of plat to meeting, ensure property owner's and City Surveyor's signatures are on the plat
  - Landfill disclosure and EHD signature line on the Mylar if property is within a landfill buffer
  - Fee (see schedule)
  - List any original and/or related file numbers on the cover application
  - Infrastructure list if required (**verify with DRB Engineer**)
  - DXF file and hard copy of final plat data for AGIS is required.

- AMENDMENT TO PRELIMINARY PLAT (with minor changes) (DRB03)** **Your attendance is required.**

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**
  - Original Preliminary Plat, Infrastructure List, and/or Grading Plan (folded to fit into an 8.5" by 14" pocket) **6 copies**
  - Zone Atlas map with the entire property(ies) clearly outlined
  - Letter briefly describing, explaining, and justifying the request
  - Bring original Mylar of plat to meeting, ensure property owner's and City Surveyor's signatures are on the plat
  - List any original and/or related file numbers 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.

Russ Huce  
Applicant name (print)  
[Signature] 7/28/15  
Applicant signature / date



Form revised October 2007

<input type="checkbox"/> Checklists complete	Application case numbers	<u>15 - DRB - 70272</u>	<u>[Signature]</u> <u>7-31-15</u>
<input type="checkbox"/> Fees collected			Planner signature / date
<input type="checkbox"/> Case #s assigned			Project # <u>1003275</u>
<input type="checkbox"/> Related #s listed			

# 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 \$3.75 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 8-11-15 To 8-26-15

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.

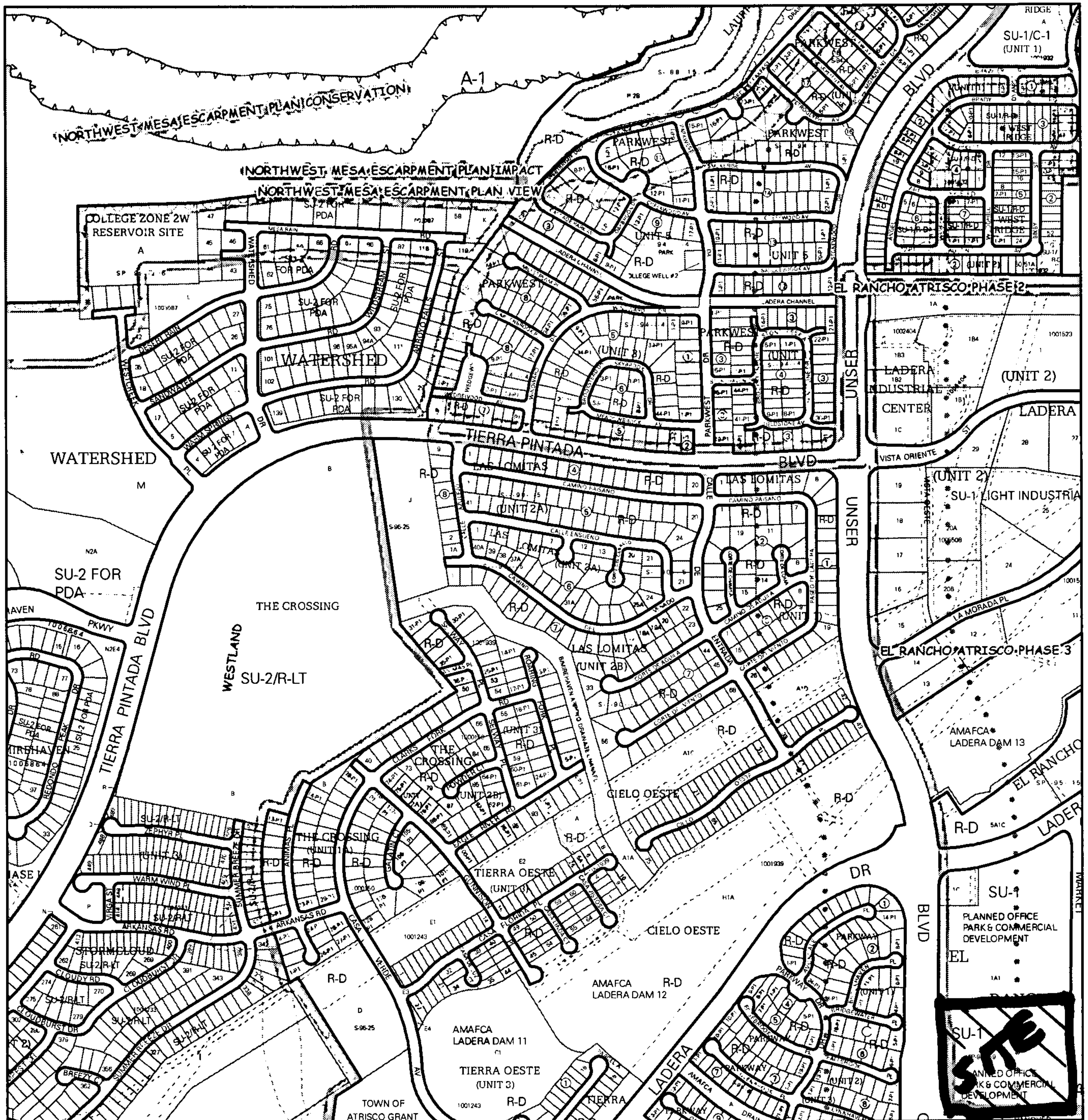
I have read this sheet and discussed it with the Development Services Front Counter Staff. I understand (A) my obligation to keep the sign(s) posted for (15) days and (B) where the sign(s) are to be located. I am being given a copy of this sheet.

[Signature] 7-31-15  
(Applicant or Agent) (Date)


I issued 4 signs for this application, 7-31-15 [Signature]  
(Date) (Staff Member)

DRB PROJECT NUMBER: 1003275

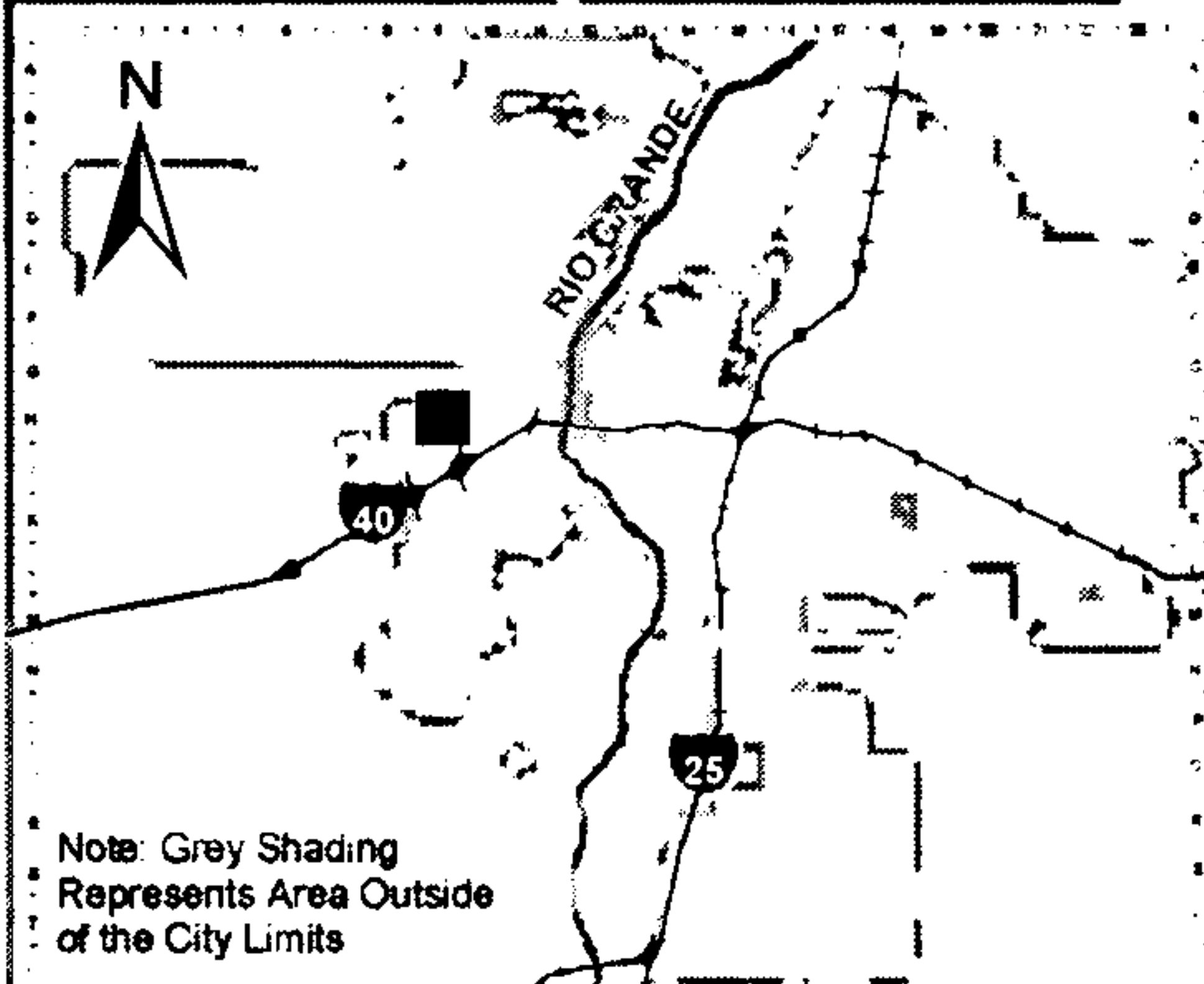




For more current information and details visit: <http://www.cabq.gov/gis>












Map amended through: 9/2/2014

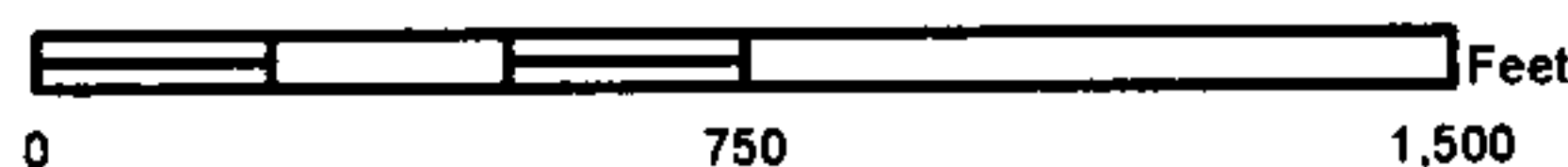


Note: Grey Shading Represents Area Outside of the City Limits

Zone Atlas Page:  
**H-09-Z**

Selected Symbols

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



# SURV TEK, INC.

## Consulting Surveyors

9384 Valley View Drive, NW Albuquerque, New Mexico 87114  
Phone: 505-897-3366 Fax: 505-897-3377 E-mail: russhugg@survtek.com

June 12, 2015

Albuquerque Development Review Board  
PO Box 1293  
Albuquerque, New Mexico 87103

Attention: Mr. Jack Cloud, Chair

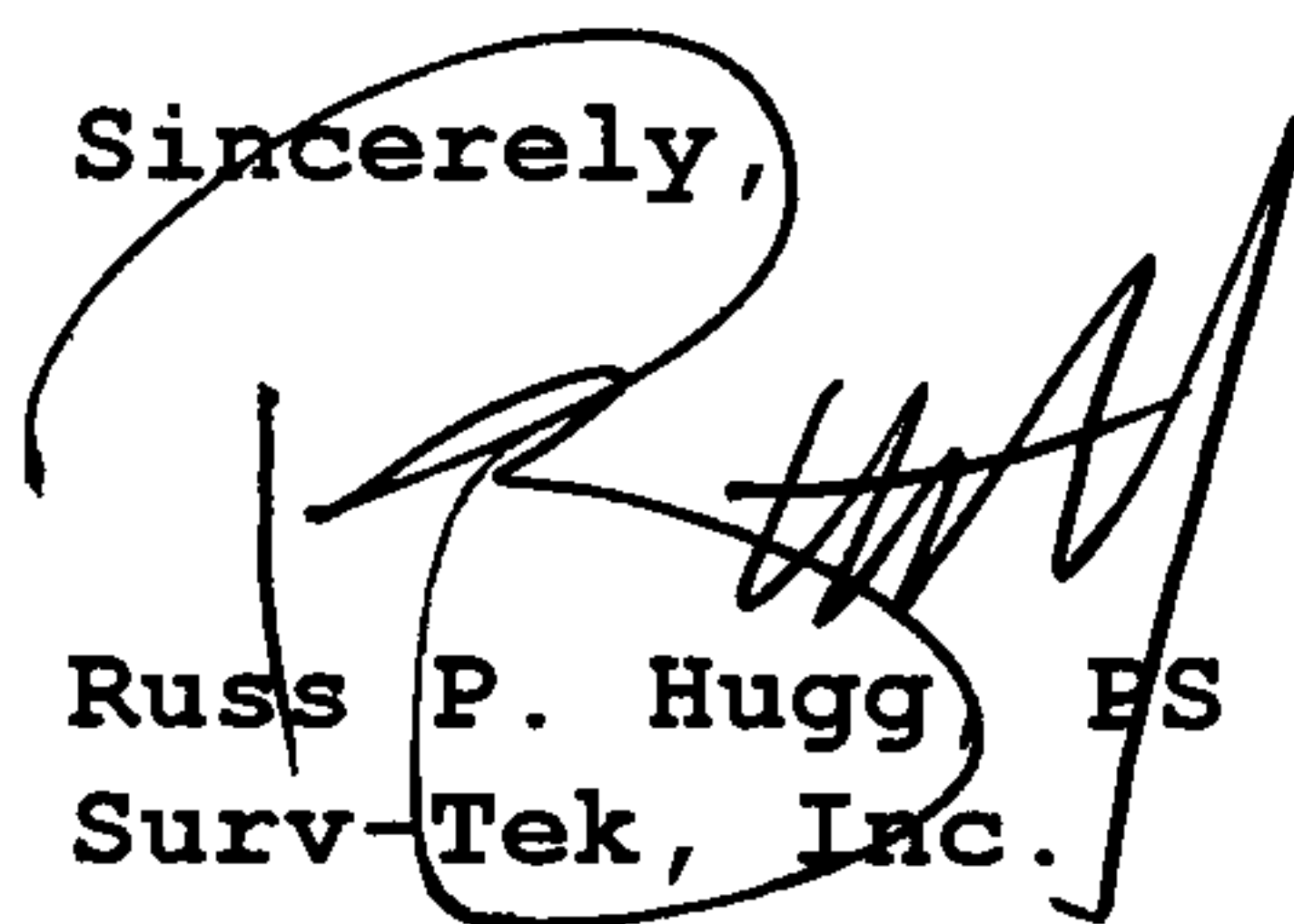
RE: *Vacation of Public Waterline and Storm Drain Easements and a Minor Preliminary/Final Plat of Tract B, Heritage Marketplace, City of Albuquerque, Bernalillo County, New Mexico. City Zone Atlas page H-9.*

Dear Mr. Cloud

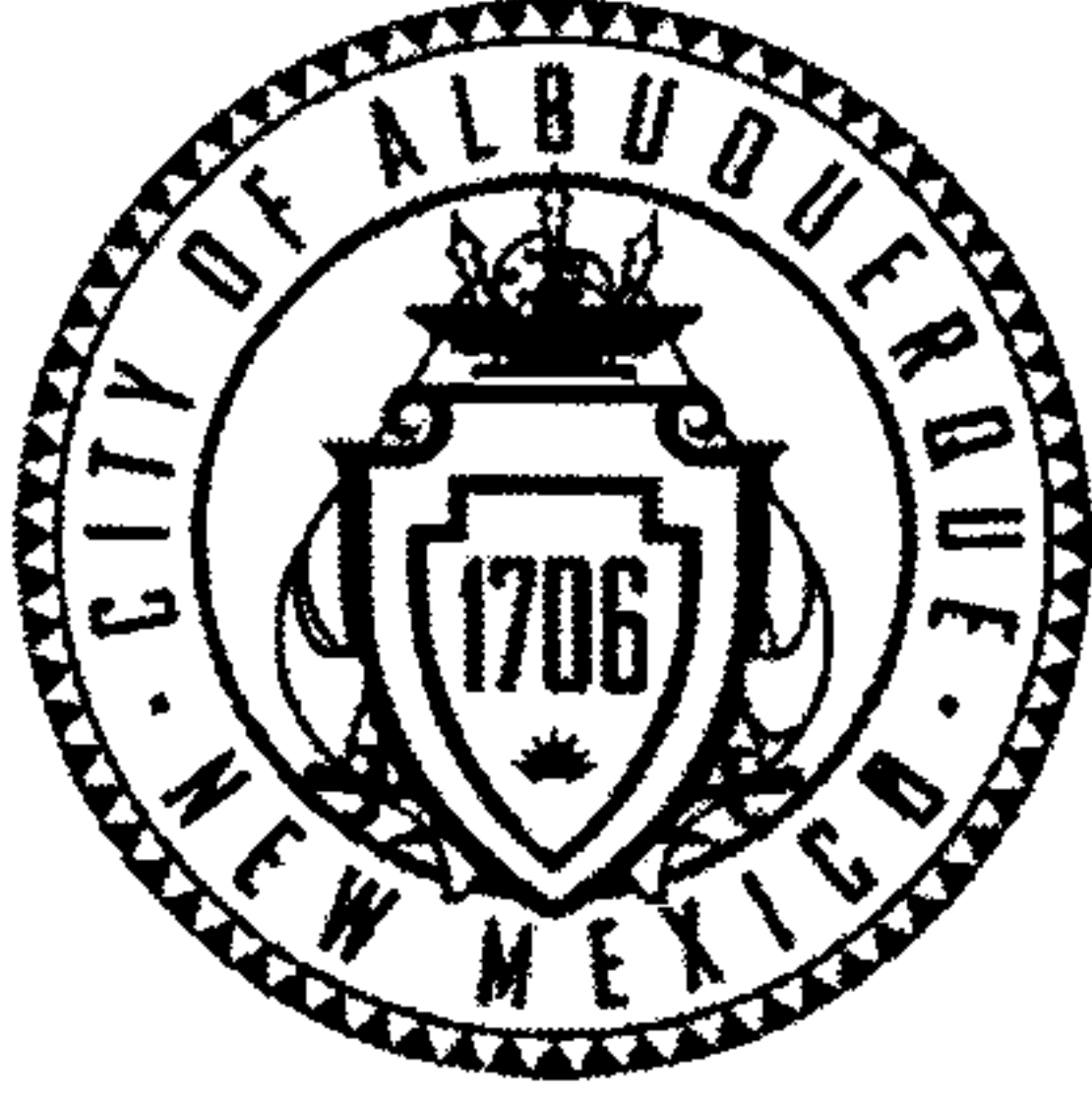
The owners of the above captioned property, Western Albuquerque Land Holdings, LLC are hereby filing application with the City of Albuquerque Development Review Board for Vacation of a *Public Waterline and Storm Drain Easement* and Preliminary/Final Plat of Tract B, Heritage Marketplace to show said vacated easements. The plat will also show the new Public Waterline and Private Storm Drain Easements which will replace the vacated easements as shown on the vacation exhibit and preliminary plat attached.

If you have any questions concerning this request, please feel free to contact me at your convenience.

Sincerely,



Russ P. Hugg, ES  
Surv-Tek, Inc.



City of Albuquerque  
P.O. Box 1293 Albuquerque, New Mexico 87103  
**Planning Department**  
Suzanne Lubar, Director

**Richard J. Berry, Mayor**  
August 21, 2013

**Robert J. Perry, CAO**

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**SUBJECT:** ALBUQUERQUE ARCHAEOLOGICAL ORDINANCE—Compliance Documentation

**Case Number(s):** \_\_\_\_\_  
**Agent:** Consensus Planning, Inc.  
**Applicant:** Western Albuquerque Land Holdings, LLC  
**Legal Description:** Tract 1A1, Plat of Tracts 1A1 & 1B1, El Rancho Atrisco Phase 3  
**Zoning:** R-D  
**Acreage:** 19.98 acres  
**Zone Atlas Page:** H-09

**CERTIFICATE OF NO EFFECT:** Yes  No \_\_\_\_\_

**CERTIFICATE OF APPROVAL:** Yes \_\_\_\_\_ No \_\_\_\_\_

**SUPPORTING DOCUMENTATION:** A Cultural Resource Survey of Approximately 20 Acres near the intersection of Ladera Drive and Unser Boulevard in Albuquerque, Bernalillo County, New Mexico, prepared by Gary Funkhouser and R. Stanley Kerr, (Marron & Associates, Toni Goar P.I.; NMCRIS #128219), August, 2013

**SITE VISIT:** N/A

**RECOMMENDATION(S):**

- ***CERTIFICATE OF NO EFFECT IS ISSUED (ref O-07-72 Section 4B(1)-- no significant sites in project area)***

**NOTE:** One site identified—LA 157788, a post WW 2 trash dump determined to be not eligible for National Register listing.

**SUBMITTED:**  
Matthew Schmader, PhD  
Superintendent, Open Space Division  
City Archaeologist

**GARRETT DEVELOPMENT CORPORATION**

1130 Lanes End NW  
Albuquerque, NM 87114  
505-897-8599  
[ggi@swcp.com](mailto:ggi@swcp.com)

April 7, 2015

Mr. Russ P. Hugg  
Surv-Tek, Inc.  
9384 Valley View Drive NW  
Rio Rancho, New Mexico 87114

Dear Russ:

By this letter, I hereby authorize you to act as agent on behalf of Garrett Development Corporation for the purpose of Vacation of Public Easements and Preliminary/Final Plat of Tract B, Heritage Marketplace, City of Albuquerque, Bernalillo County, New Mexico.

Please call me if you have any further questions.

Sincerely,

Garrett Development Corporation



By: Ted E. Garrett, CCIM  
Title: Vice President

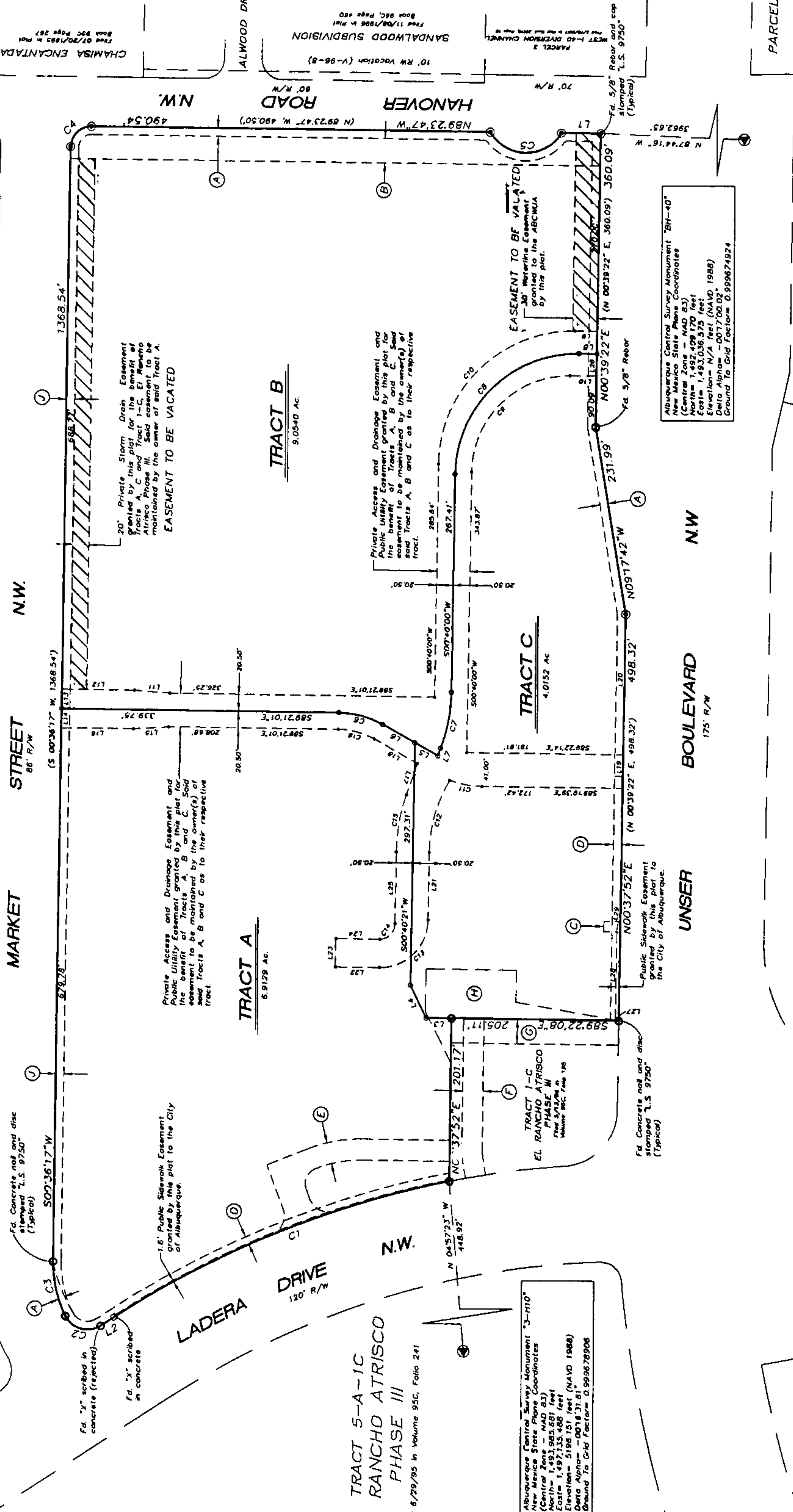
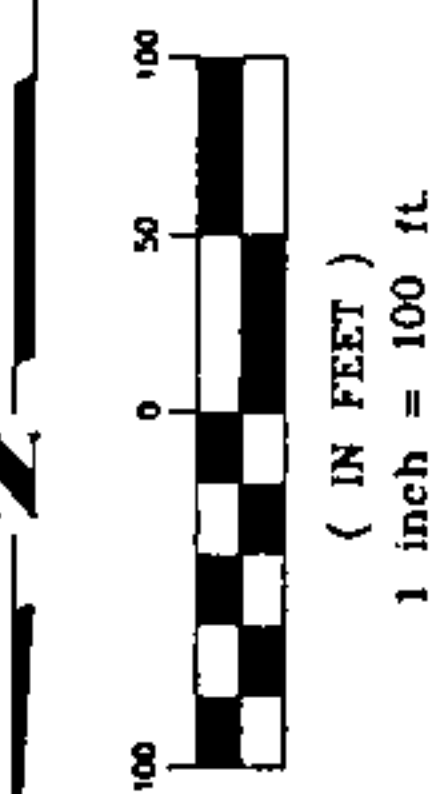
VACATION EXHIBIT  
TRACT B

HERITAGE MARKETPLACE  
(BEING A REPLAT OF TRACT 1-A-1, EL RANCHO ATRISCO PHASE III)  
WITHIN

THE TOWN OF ATRISCO GRANT  
PROJECTED SECTIONS 9, 10, 15 AND 16, TOWNSHIP 10 NORTH, RANGE 2 EAST  
NEW MEXICO PRINCIPAL MERIDIAN  
CITY OF ALBUQUERQUE  
BERNALILLO COUNTY, NEW MEXICO  
APRIL, 2015

TRACT 1-B-1  
EL RANCHO ATRISCO  
PHASE III

Filed 06/11/90 in Volume 98C, Folio 238



**LINE TABLE**

LINE	LENGTH	BEARING
L1	48.19	N89°23'47\"W
L2	19.30	N55°42'44\"E
L3	31.60	S89°22'08\"E
L4	44.75	S25°52'31\"E
L5	32.72	S81°02'32\"E
L6	45.73	S81°05'32\"E
L7	9.97	S19°12'47\"W
L8	22.19	N89°20'38\"W
L9	27.18	S89°20'46\"E
L10	32.19	S87°20'42\"E
L11	42.78	S45°19'44\"E
L12	89.14	S89°21'01\"E
L13	23.50	S71°36'17\"W
L14	23.50	S90°36'17\"W
L15	42.89	N86°38'20\"E
L16	86.27	S89°21'01\"E
L17	40.80	S19°12'47\"W
L18	61.18	S61°05'32\"E
L19	41.13	S90°37'52\"W
L20	172.17	S90°37'52\"W
L21	82.93	N00°40'21\"E
L22	53.45	S89°23'02\"E
L23	35.03	S71°36'17\"W
L24	54.45	N89°23'43\"W
L25	87.93	S00°39'22\"W
L26	27.50	S00°39'22\"W
L27	27.50	S00°38'22\"W
L28	3.99	S89°22'08\"E
L29	171.32	S00°38'15\"W
L30	28.11	S61°45'45\"W

- EXISTING EASEMENT LEGEND**
- (A) Existing 10' Public Utility Easement per plat filed 03/13/90 in Plat Book 96C, Page 183.
  - (B) Existing 30' Drainage Easement per plat filed 05/13/82 in Volume C18, Folio 143.
  - (C) Existing 20'x13' Public Service Company of New Mexico Underground Easement per plat filed 05/13/82 in Volume C18, Folio 143, as Document No. 97034811.
  - (D) Existing 10' Public Utility Easement per plat filed 03/13/90 in Book BCR 92-12, Page 3874.
  - (E) Existing Temporary Private Common Reciprocal Cross Access Easement per plat filed 5/13/96 in Volume 98C, Folio 195.
  - (F) Existing 25' Private Common Reciprocal Cross Access Easement per plat filed 5/13/96 in Volume 98C, Folio 195.
  - (G) Existing 30' Private Common Reciprocal Cross Access Easement for the benefit of Tract 1-A-1, C-1-C to be maintained by Volume 98C, Folio 195.
  - (H) Existing 30' Private Common Reciprocal Cross Access Easement for the benefit of Tract 1-A-1, C-1-C to be maintained by Volume 98C, Folio 195.
  - (I) Existing Temporary Drainage Facility Area per Drainage Agreement dated 10-2-1996, in Book 98-26, Page 8798, as Document 96109302.
  - (J) Existing 10' Public Utility Easement per plat filed 08/11/98 in Plat Book 96C, Page 238.

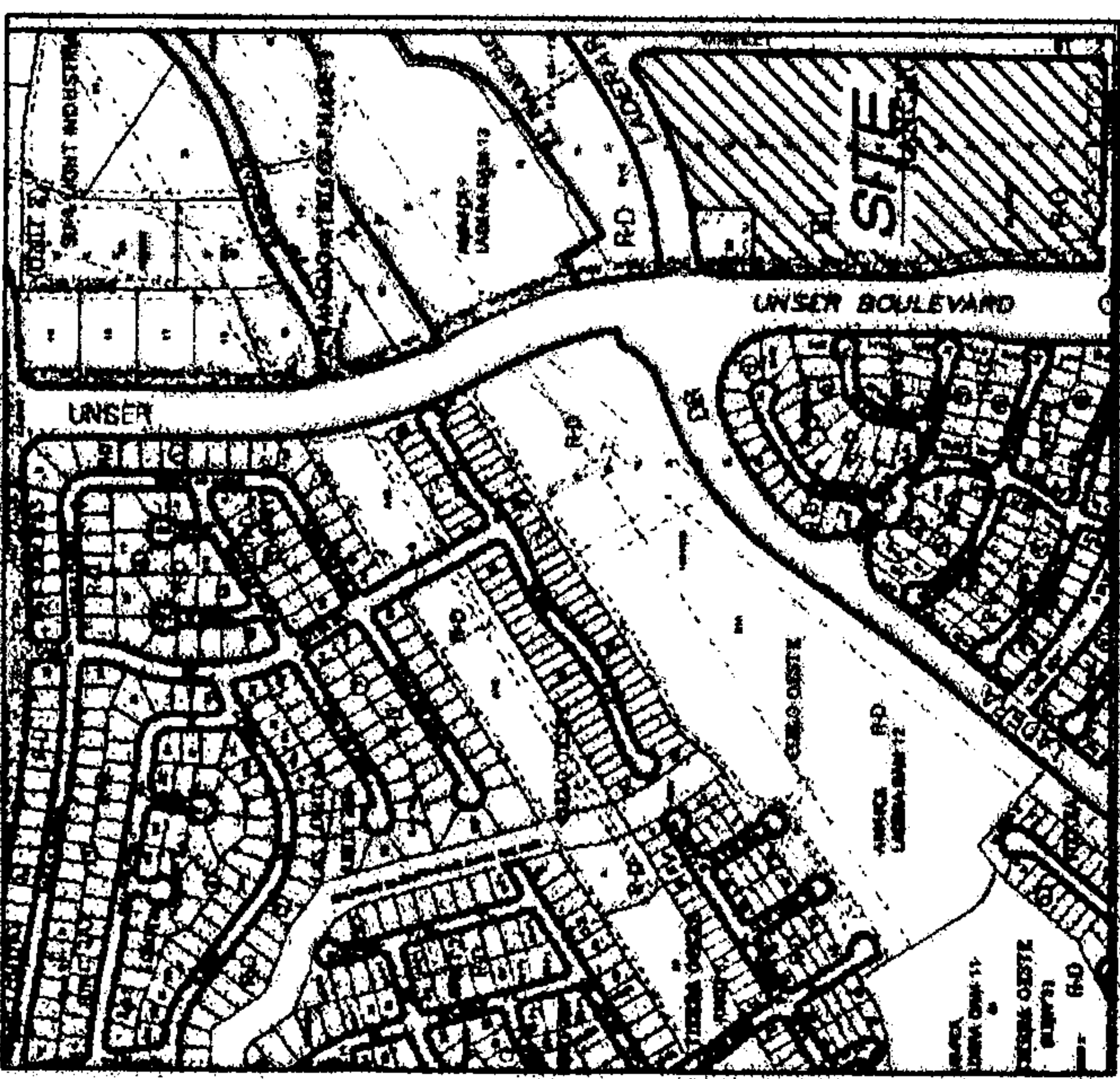
**CURVE TABLE**

CURVE	LENGTH	RADIUS	TANGENT	CHORD	CHORD BEARING	DELTA
C1	442.77'	1,160.00'	225.71'	445.00'	N67°45'29\"E	227°01'
C2	50.77'	30.00'	33.89'	44.93'	N74°48'15\"W	96°35'40\"
C3	69.21'	147.27'	35.26'	68.57'	N12°51'29\"W	26°35'34\"
C4	39.27'	25.00'	35.35'	35.35'	N45°36'15\"E	89°59'57\"
C5	105.44'	51.00'	85.41'	87.69'	N89°23'47\"W	181°3'42\"
C6	58.72'	115.00'	28.45'	36.14'	S75°13'17\"E	28°15'29\"
C7	53.72'	200.00'	35.42'	69.37'	S10°39'15\"W	19°58'28\"
C8	235.61'	150.00'	149.99'	212.12'	N45°32'31\"E	89°3'42\"
C9	187.69'	119.50'	119.48'	168.08'	N45°32'41\"E	89°59'21\"
C10	259.94'	165.50'	165.47'	234.03'	N79°37'26\"W	192°4'26\"
C11	40.82'	120.50'	20.61'	40.62'	N45°39'41\"E	89°59'21\"
C12	92.97'	179.50'	47.55'	91.94'	N15°30'39\"E	28°40'37\"
C13	93.39'	52.50'	52.43'	84.10'	S45°33'19\"W	89°55'56\"
C14	29.60'	179.50'	18.57'	26.84'	S44°09'36\"W	86°58'41\"
C15	71.35'	220.50'	35.99'	71.04'	N09°56'34\"E	18°32'26\"
C16	46.61'	94.50'	23.79'	46.14'	S75°13'17\"E	28°15'29\"

TRACT H-1-A  
CIELO OESTE  
UNIT 3  
Filed 12/10/2002 in Plat Book 2002C, Page 393

**SURVOTEK, INC.**  
Consulting Surveyors  
9084 Valley View Drive, N.W. Albuquerque, New Mexico 87114 Phone: 505-897-3369 Fax: 505-897-3577

DOC# 2015013421  
 02/17/2014 08:27:56 AM  
 10/14/2014 08:27:56 AM



**VICINITY MAP**  
 Not to Scale

- GENERAL NOTES**
- Bearings are grid based on the New Mexico State Plane Coordinates System, Central Zone (NAD 83).
  - Distances are ground.
  - Distances shown along curved lines are arc lengths.
  - Record Plat or Deed bearings and distances, where they differ from those established by this field survey, are in parentheses ( ).
  - All corners that were set are either a 5/8" rebar with cap stamped "HUGO L.S. 9750" or a concrete nail with brass disk stamped "HUGO L.S. 9750" unless otherwise indicated herein.
  - All corners found in place and held were tagged with a brass disk stamped "HUGO L.S. 9750" unless otherwise indicated herein.
  - City of Albuquerque Zone Atlas Page: H-9-Z

**SUBDIVISION DATA**  
 Total number of existing Tracts: 1  
 Total number of new Tracts created: 3  
 Gross Subdivision acreage: 19.9021 acres

**SHEET INDEX**

SHEET 1 - General Notes, Approvals, Surveyors Certification  
 SHEET 2 - Legal Description, Free Consent and Dedication  
 SHEET 3 - Existing Boundary and easements  
 SHEET 4 - New Tracts created

**TREASURERS CERTIFICATION**

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

100905950900240105  
 Western Alba Land Holdings LLC  
 RTD  
 Bernalillo County Treasurer  
 2-19-15  
 Date

**PUBLIC UTILITY EASEMENTS**

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

- Public Service Company of New Mexico ("PNM"), a New Mexico corporation, (PNM Electric) for installation, maintenance, and service of overhead and underground electrical lines, transformers, and other equipment and related facilities reasonably necessary to provide electrical services.
  - New Mexico Gas Company for installation, maintenance, and service of natural gas lines, valves and other equipment and facilities reasonably necessary to provide natural gas services.
  - Quest for the installation, maintenance, and service of such lines, cable, and other related equipment and facilities reasonably necessary to provide communication services.
  - Cable TV for the installation, maintenance, and service of such lines, cable, and other related equipment and facilities reasonably necessary to provide Cable services.
- Included is the right to build, rebuild, construct, reconstruct, locate, relocate, change, remove, replace, modify, renew, operate and maintain facilities for purposes described above, together with free access to, from, and over said easements, with the right and privilege of going upon, over and across adjoining lands of Grantor for the purposes set forth herein and with the right to utilize the right of way and easement to extend services to customers of Grantee, including sufficient working area space for electric transformers, with the right and privilege to trim and remove trees, shrubs or bushes which interfere with the purposes herein. No building, sign, pool (aboveground or subterranean), hot tub, concrete or masonry deck, or other structure shall be erected or constructed on said Property unless it shall be solely responsible for correcting any violations of National Electrical Safety Code by construction of pools, decks, or any structures adjacent to or near easements shown on this plat.
- Easements for electric transformer/switchgear, as installed, shall extend ten (10) feet in front of transformer/switchgear doors and five (5) feet on each side.

**DISCLAIMER**

In approving this plat, Public Service Company of New Mexico (PNM) and New Mexico Gas Company (NMGC) did not conduct a Title Search of the properties shown hereon. Consequently, PNM and NMGC do not warrant or release any easement or easement rights which may have been granted by prior plat, replat or other document and which are not shown on this plat.

**PURPOSE OF PLAT:**

- The Purpose of this plat is to:
- Divide 1 existing Tract into 3 new Tracts.
  - Grant the Private and Public easements as shown hereon.

**BULK LAND FLAT OF TRACTS A, B AND C HERITAGE MARKETPLACE**  
 (BEING A REPLAT OF TRACT 1-A-1, EL RANCHO ATRISCO PHASE III) WITHIN

THE TOWN OF ATRISCO GRANT  
 PROJECTED SECTIONS 9, 10, 15 AND 16, TOWNSHIP 10 NORTH, RANGE 2 EAST  
 NEW MEXICO PRINCIPAL MERIDIAN  
 CITY OF ALBUQUERQUE  
 BERNALILLO COUNTY, NEW MEXICO  
 OCTOBER, 2014

PROJECT NUMBER: 10032115  
 Application Number: 14-70059

**PLAT APPROVAL**

**UTILITY APPROVALS**

Public Service Company of New Mexico  
 1-21-15  
 Date  
 PNM Electric  
 1-21-15  
 Date  
 New Mexico Gas Company  
 1/22/15  
 Date  
 OWest Corporation d/b/a CenturyLink OC  
 Comcast  
 1/21/15  
 Date

**CITY APPROVALS**

City Surveyor  
 Department of Municipal Development  
 10/17/14  
 Date  
 MHA  
 Real Property Division  
 2-19-15  
 Date  
 NHA  
 Environmental Health Department  
 2-19-15  
 Date  
 PLS  
 Traffic Engineering, Transportation Division  
 01-14-15  
 Date  
 ABB  
 01/14/15  
 Date  
 Carol S. Dement  
 Parks and Recreation Department  
 1-14-15  
 Date  
 Curtis A. Chou  
 XUTAFCA  
 1-14-15  
 Date  
 Curtis A. Chou  
 City Engineer  
 1-14-15  
 Date  
 Chad Old  
 DRB Chairperson, Planning Department  
 2-19-15  
 Date

**SURVEYORS CERTIFICATION**

I, Russ P. Hugg, New Mexico Professional Surveyor Number 9750, hereby certify that this plat of survey was prepared from field notes or an actual ground survey performed by me or under my direct supervision, that it meets the Standards for Land Surveys in the State of New Mexico, that it is a true and correct representation of the land shown thereon, that I am a duly Licensed Professional Surveyor, that it meets the minimum requirements for the preparation of a plat of survey as set forth in the Albuquerque Subdivision Ordinance, that I have a true and correct record, and that it is true and correct to the best of my knowledge and belief.

Russ P. Hugg  
 NMPS No. 9750  
 October 7, 2014



**SURVOTEK, INC.**  
 Consulting Surveyors  
 5201 Valley View Drive, N.W. Albuquerque, New Mexico 87114  
 Phone: 505-897-5388  
 Fax: 505-897-5377

BOOK 2015013421

82191913 08:22 AM 2015 2 of 4  
COUNTY CLERK, BERNALILLO COUNTY  
14207 N 25th St, Suite 100, Bernalillo, NM 87106  
505.833.8800

BULK LAND FLAT OF  
TRACTS A, B AND C  
HERITAGE MARKETPLACE  
(BEING A REPLAT OF TRACT 1-A-1, EL RANCHO ATRISCO PHASE III)  
WITHIN  
THE TOWN OF ATRISCO GRANT  
PROJECTED SECTIONS 8, 10, 15 AND 16, TOWNSHIP 10 NORTH, RANGE 2 EAST  
NEW MEXICO PRINCIPAL MERIDIAN  
CITY OF ALBUQUERQUE  
BERNALILLO COUNTY, NEW MEXICO  
OCTOBER, 2014

**LEGAL DESCRIPTION**

Tract 1-A-1 of Plat of Tracts 1-A-1 & 1-B-1, EL RANCHO ATRISCO, PHASE III, situated within projected Sections 8, 10, 15 & 16, T. 10 N., R. 2 E., M. 2 E., Albuquerque, New Mexico, as the same is shown and designated on said plat filed in the office of the County Clerk of Bernalillo County, New Mexico, on August 11, 1998, recorded in Plot Book 98-C, Page 238.

Said parcel contains 19.9821 acres, more or less.

**FREE CONSENT AND DEREGISTRATION**

SURVEYED AND REPLATED and now comprising "PLAT OF TRACTS A, B AND C, HERITAGE MARKETPLACE (BEING A REPLAT OF TRACT 1-A-1, EL RANCHO ATRISCO PHASE III) WITHIN THE TOWN OF ATRISCO GRANT IN PROJECTED SECTIONS 8, 10, 15 AND 16, TOWNSHIP 10 NORTH, RANGE 2 EAST, NEW MEXICO PRINCIPAL MERIDIAN, CITY OF ALBUQUERQUE, BERNALILLO COUNTY, NEW MEXICO, is with the free consent of and in accordance with the wishes and desires of the undersigned owner(s) and proprietor(s). Said owner(s) and proprietor(s) do hereby grant the private of public easements as shown hereon. Said owner(s) and proprietor(s) do hereby warrant that they hold among them complete and undivided title in fee simple to this land subdivided. Said owner(s) and proprietor(s) do hereby consent to all of the foregoing and do hereby certify that they are so authorized to act.

**OWNER**  
WESTERN ALBUQUERQUE LAND HOLDINGS, LLC  
a Delaware Limited Liability Company

By: *[Signature]*  
as Secretary

By: *[Signature]*  
Vice President

**ACKNOWLEDGMENT**

STATE OF NEW YORK)  
COUNTY OF NEW YORK) SS  
The foregoing instrument was acknowledged before me this 13th day of January 2015, by *Mark Wolf* as *Vice President*

*[Signature]*  
Notary Public My commission expires August 11, 2018

BERNALILLO COUNTY  
Notary Public Seal of New York  
No. 017920203  
Qualified in New York County  
Commission Expires August 11, 2018

**NOTICE OF SUBDIVISION PLAT CONDITIONS**

TRACTS A, B AND C  
HERITAGE MARKETPLACE

The plat of TRACTS A, B AND C, HERITAGE MARKETPLACE has been granted a variance or waiver from certain subdivision requirements pursuant to Section 7 of the City of Albuquerque Subdivision Ordinance.

Future subdivision of lands within this plat, zoning Site Development Plan approvals, and development permits may be conditioned upon dedication of right-of-way and easements, and/or upon infrastructure improvements by the owner for water, sanitary sewer, streets, drainage, grading, and parks in accordance with current regulations, ordinances, and policies in effect at the time for any specific proposal.

The City and AMAFCA (with reference to drainage) may require and/or permit easements to be added, modified, or removed when future plats and/or Site Development Plans are approved.

By its approval of this subdivision, the City makes no representation or warranties as to availability of utilities, or final approval of all requirements including (but not limited to) the following items: water and sanitary sewer, availability of future street dedications and/or improvements; and/or open space requirements; drainage requirements; and/or other easements and encroachment requirements. Any person intending to subdivide lands within this subdivision is cautioned to investigate the status of these items.

At such time as all such conditions have been satisfactorily met, the City Engineer shall approve a recordable document, removing such conditions from all of from a portion of the area within the subject subdivision.

Note: There is a Notice of subdivision plat conditions for TRACTS A, B AND C, HERITAGE MARKETPLACE, filed in the office of the County Clerk of Bernalillo County, New Mexico on \_\_\_\_\_ 2015

Book \_\_\_\_\_ page \_\_\_\_\_ as Document Number 2015 \_\_\_\_\_

**SECTION 14-4-7. PROHIBITION ON PRIVATE RESTRICTIONS ON THE INSTALLATION OF SOLAR COLLECTORS**

"No property within the area of this plat shall at any time be subject to a deed restriction, covenant, or binding agreement prohibiting solar collectors from being installed on buildings or erected on the lots or parcels within the area of proposed plat. The foregoing requirement shall be a condition to approval of this plat."

**BULK LAND FLAT OF TRACTS A, B AND C HERITAGE MARKETPLACE**  
 (BEING A REPLAT OF TRACT 1-A-1, EL RANCHO ATRISCO PHASE III) WITHIN THE TOWN OF ATRISCO GRANT PROJECTED SECTIONS 9, 10, 15 AND 16, TOWNSHIP 10 NORTH, RANGE 2 EAST NEW MEXICO PRINCIPAL MERIDIAN CITY OF ALBUQUERQUE BERNALILLO COUNTY, NEW MEXICO OCTOBER, 2014

DOC# 2015013421  
 08/19/15 08:27:20  
 08/19/15 08:27:20

TRACT 1-B-1  
 EL RANCHO ATRISCO PHASE III  
 Filed 08/11/06 in Volume 92C, Page 238

MARKET STREET  
 88' R/W  
 (S 00°36'17" W, 1266.54')

TRACT 1-A-1  
 EL RANCHO ATRISCO PHASE III  
 Filed 08/11/06 in Volume 92C, Page 238

TRACT 5-A-1C  
 EL RANCHO ATRISCO PHASE III  
 Filed 6/29/00 in Volume 92C, Page 241

PARKWAY UNIT 1  
 Filed 08/11/02 in Volume 92C, Page 171

PARKWAY UNIT 2  
 Filed 12/10/92 in Volume 92C, Page 266

PARKWAY UNIT 3  
 Filed 04-15/93 in Volume 92C, Page 105

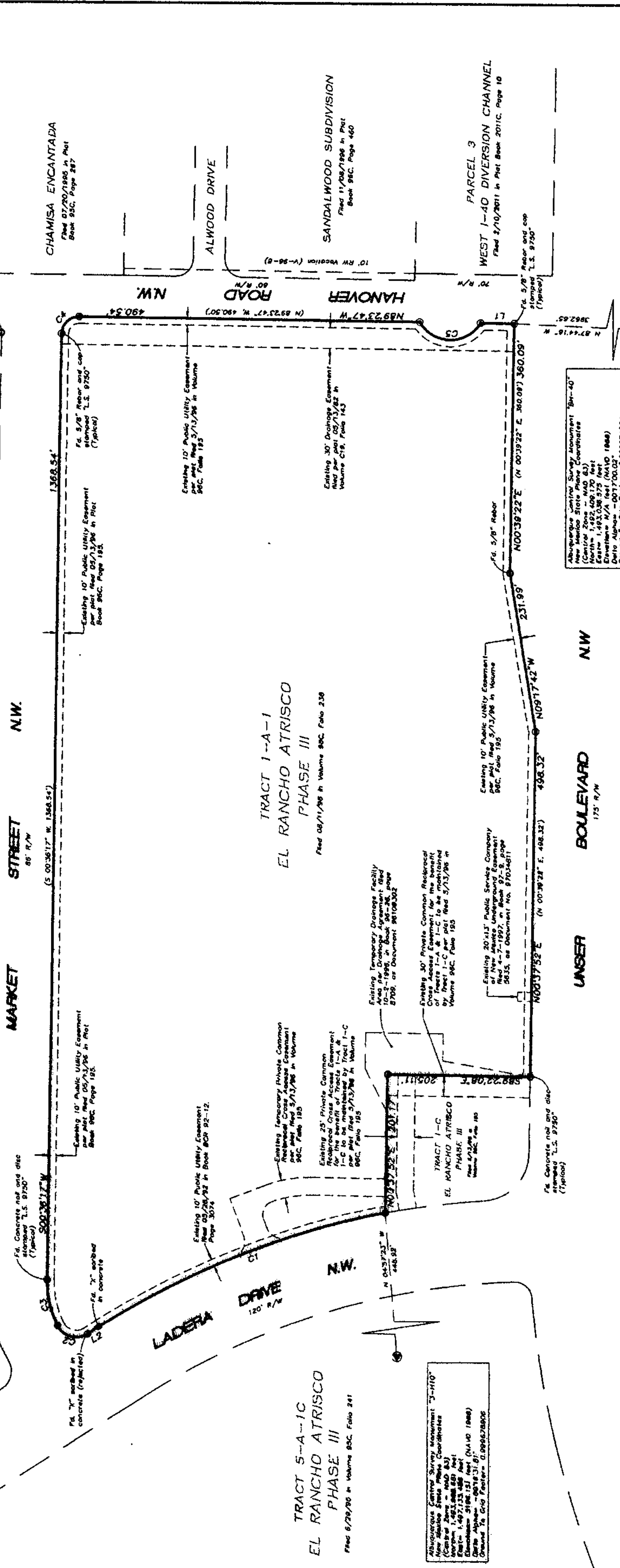
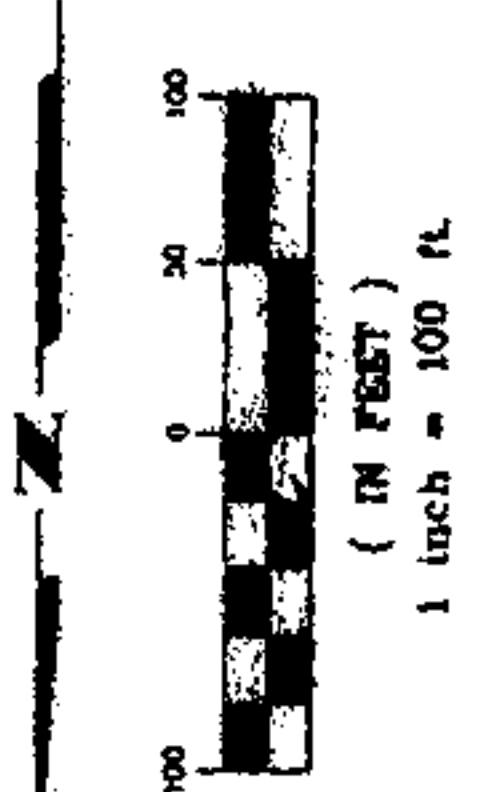
**CURVE TABLE**

CURVE	LENGTH	RADIUS	TANGENT	CHORD	CHORD BEARING	DELTA
C1	452.77	1168.00	228.71	445.00	N67°45'29"E	220°01'
C2	50.77	30.00	33.89	44.93	N74°48'16"W	96°58'00"
C3	68.21	147.27	35.28	68.67	N12°31'29"W	28°53'34"
C4	39.27	25.00	25.00	35.35	N45°38'15"W	89°39'46"
C5	105.42	51.09	85.41	87.69	N89°23'47"W	118°13'42"

**LINE TABLE**

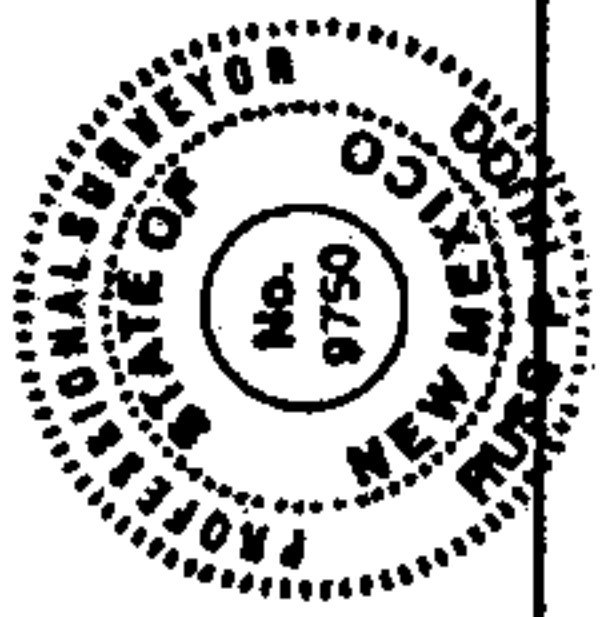
LINE	LENGTH	BEARING
L1	48.19	N89°23'47"W
L2	19.30	N56°42'44"E

Curve and Line Table data show net effect from that shown on the plat of record Plat 8-11-1998 in Book 92C, Page 238 unless otherwise noted herein.



Abuquerque Central Survey Monument "Sri-40"  
 (Center Point - MAD 43)  
 Coordinates  
 North = 1,492,409.170 feet  
 Easting = 318,448.280 feet  
 Elevation = 5,141.000 feet (NAVD 1988)  
 Delta Alpha = 0011°00'03"  
 Ground to Grid Factor = 0.999874924

Abuquerque Central Survey Monument "Sri-110"  
 (New Mexico State Plane Coordinates)  
 Coordinates  
 North = 1,497,133.488 feet  
 Easting = 318,448.280 feet  
 Elevation = 5,141.000 feet (NAVD 1988)  
 Delta Alpha = 0011°00'03"  
 Ground to Grid Factor = 0.999874924



**SURVOTEK, INC.**  
 Consulting Surveyors  
 8084 Valley View Drive, N.E. Albuquerque, New Mexico 87114 Phone: 505-887-8586 Fax: 505-887-8377



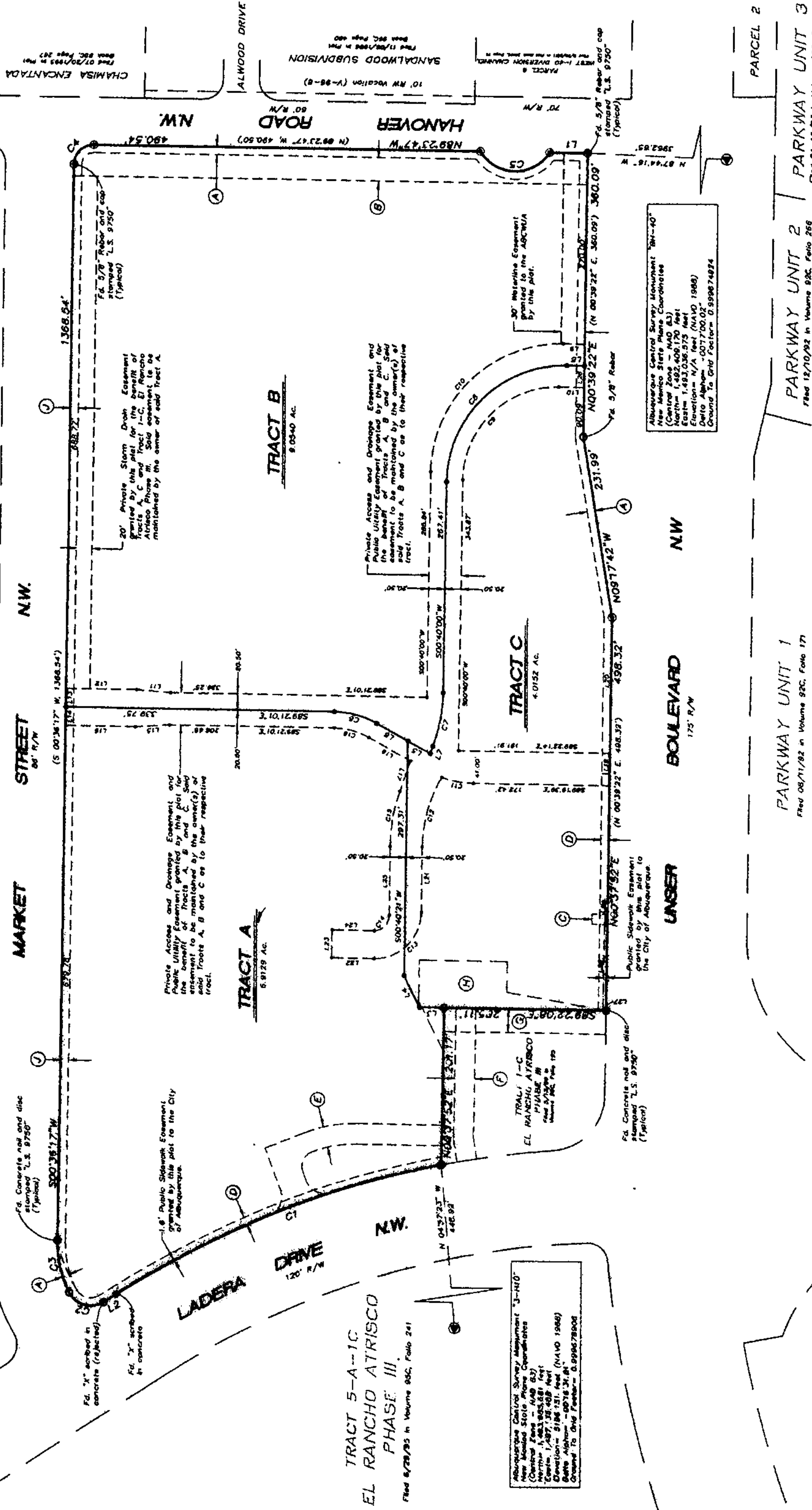
**BULK LAND FLAT OF TRACTS A, B AND C HERITAGE MARKETPLACE**  
 (BEING A REPLAT OF TRACT 1-A-1, EL RANCHO ATRISCO PHASE III)

THE TOWN OF ATRISCO GRANT  
 PROJECTED SECTIONS 9, 10, 15 AND 16, TOWNSHIP 10 NORTH, RANGE 2 EAST  
 NEW MEXICO PRINCIPAL MERIDIAN  
 CITY OF ALBUQUERQUE  
 BERNALILLO COUNTY, NEW MEXICO  
 OCTOBER, 2014

**DRAINAGE NOTE**  
 A Private Blanket Drainage Easement over Tracts A and C, excluding any future buildings to be hereby granted by the Plat. The easement shall be for the benefit of Tract 1-C, El Rancho Atrisco, and Tract 1-B-1, El Rancho Atrisco, and the maintenance of said easement to be the responsibility of the owners of said tracts as to their respective tract.

TRACT 1-B-1  
 EL RANCHO ATRISCO  
 PHASE III  
 Filed 06/11/08 in Volume 93C, Page 239

1 inch = 100 ft.



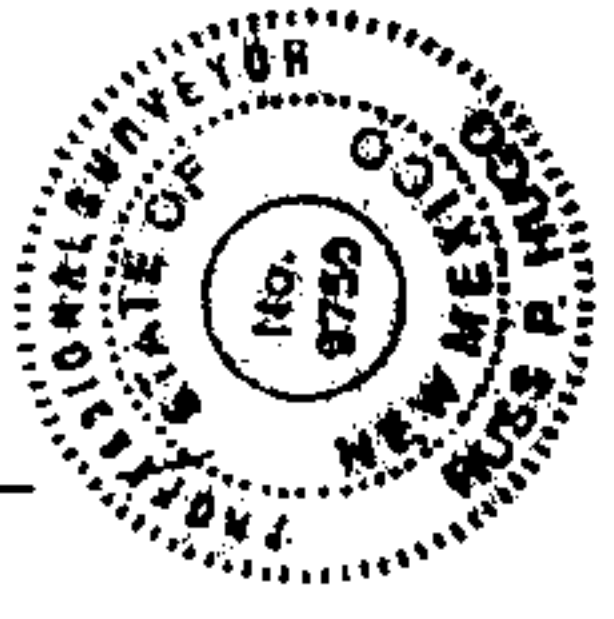
**LINE TABLE**

LINE	LENGTH	BEARING
L1	48.19	N89°23'47"W
L2	19.30	N58°42'44"E
L3	31.60	S00°22'04"E
L4	44.75	S25°52'31"E
L5	32.75	S81°05'32"E
L6	45.73	S81°05'32"E
L7	0.97	S18°12'47"W
L8	22.19	N69°20'38"W
L9	27.18	S68°20'46"E
L10	33.19	S68°20'46"E
L11	42.78	S63°19'44"E
L12	69.14	S89°21'01"E
L13	23.50	S00°36'17"W
L14	23.50	S00°36'17"W
L15	42.69	N68°38'20"E
L16	84.27	S89°21'01"E
L17	40.60	S18°12'47"W
L18	61.18	S81°05'32"E
L19	41.13	S00°37'52"W
L20	172.17	S00°37'52"W
L21	82.93	N09°40'21"E
L22	35.43	S89°23'02"E
L23	35.03	S00°36'17"W
L24	54.45	N68°23'43"W
L25	87.93	S00°40'21"W
L26	27.50	S00°38'22"W
L27	27.50	S00°38'22"W
L28	3.99	S89°22'08"E
L29	110.32	S00°36'15"W
L30	28.11	S88°45'45"W

- EXISTING EASEMENT LEGEND**
- (A) Existing 10' Public Utility Easement per plat 05/13/96 in Plat Book 93C, Page 195
  - (B) Existing 30' Drainage Easement and 10' Access Easement per plat 05/13/96 in Volume C18, Page 143
  - (C) Existing 20'13' Public Service Company of New Mexico Underground Easement per plat 05/13/96 in Volume C18, Page 143, as amended by 97-5, page 3653, as amended by 97-34611
  - (D) Existing 10' Public Utility Easement per plat 05/29/92 in Book BDR 82-12, Page 3974
  - (E) Existing Temporary Private Common Reciprocal Cross Access Easement per plat 05/13/96 in Volume C18, Page 195
  - (F) Existing 25' Private Common Reciprocal Cross Access Easement for the benefit of Tracts 1-A & 1-C to be maintained by Tract 1-C per plat 05/13/96 in Volume 93C, Page 195
  - (G) Existing 30' Private Common Reciprocal Cross Access Easement for the benefit of Tracts 1-A & 1-C to be maintained by Tract 1-C per plat 05/13/96 in Volume 93C, Page 195
  - (H) Existing Temporary Drainage Facility Easement per plat 05/13/96 in Volume 93C, Page 195
  - (I) Existing 10' Public Utility Easement per plat 05/13/96 in Plat Book 93C, Page 238

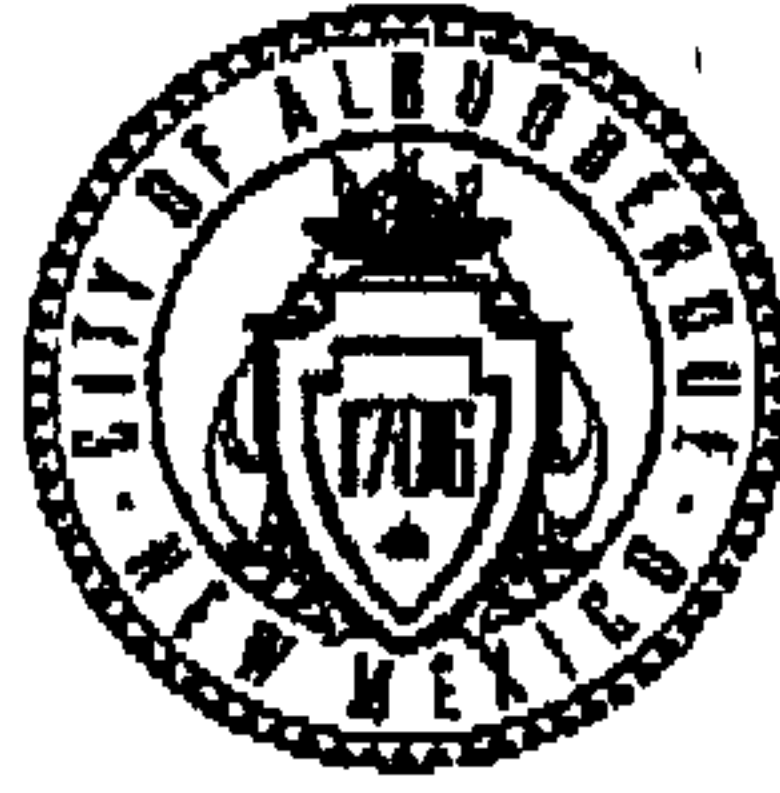
**CURVE TABLE**

CURVE	LENGTH	RADIUS	TANGENT	CHORD	CHORD BEARING	DELTA
C1	447.77	1180.00	226.71	445.00	N67°45'29"E	232°40'00"
C2	50.77	30.00	13.89	44.93	N74°34'16"W	83°38'00"
C3	69.21	147.27	33.28	68.37	N72°51'29"W	28°33'34"
C4	39.27	23.00	23.00	35.35	N45°36'19"E	89°39'57"
C5	105.42	51.09	65.41	87.69	N62°23'47"W	118°13'42"
C6	56.72	115.00	28.85	56.14	S75°31'7"E	28°15'28"
C7	69.72	200.00	33.22	69.37	S10°39'15"W	19°56'28"
C8	235.81	150.00	148.99	212.12	N45°39'31"E	89°39'42"
C9	127.69	118.50	118.48	168.88	N45°39'41"E	89°39'21"
C10	239.84	165.50	234.07	165.47	N79°32'26"W	19°24'28"
C11	40.82	124.50	20.61	40.62	N15°30'39"E	28°40'37"
C12	93.87	178.50	47.55	91.94	S45°38'19"W	89°33'56"
C13	93.87	178.50	47.55	91.94	S45°38'19"W	89°33'56"
C14	29.60	19.50	18.50	28.84	S44°02'16"W	65°38'31"
C15	21.35	200.50	34.92	21.04	N09°26'54"E	16°32'23"
C16	46.61	94.50	23.79	46.14	S75°31'7"E	28°15'28"



**SURVOTEK, INC.**  
 Consulting Surveyors  
 4804 Valley View Drive, N.E. Albuquerque, New Mexico 87114  
 Phone: 505-897-5886  
 Fax: 505-897-5887

SHEET 4 OF 4



**City of Albuquerque**  
P.O. Box 1293, Albuquerque, NM 87103

**PLEASE NOTE: The Neighborhood and/or Homeowner 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.**

June 10, 2015

Russ Hugg  
Surv-Tek, Inc.  
9384 Valley View Dr. NW/87114  
Phone: 505-897-3366/Fax: 505-897-3377

Dear Russ:

Thank you for your inquiry of **June 10, 2015** requesting the names of **ALL Neighborhood and/or Homeowner Associations** who would be affected under the provisions of §14-8-2-7 of the *Neighborhood Association Recognition Ordinance* by your proposed project at **(DRB SUBMITTAL) - TRACT B, HERITAGE MARKET PLACE, LOCATED ON UNSER BOULEVARD NW BETWEEN LADERA DRIVE NW AND HANOVER ROAD NW** zone map H-9.

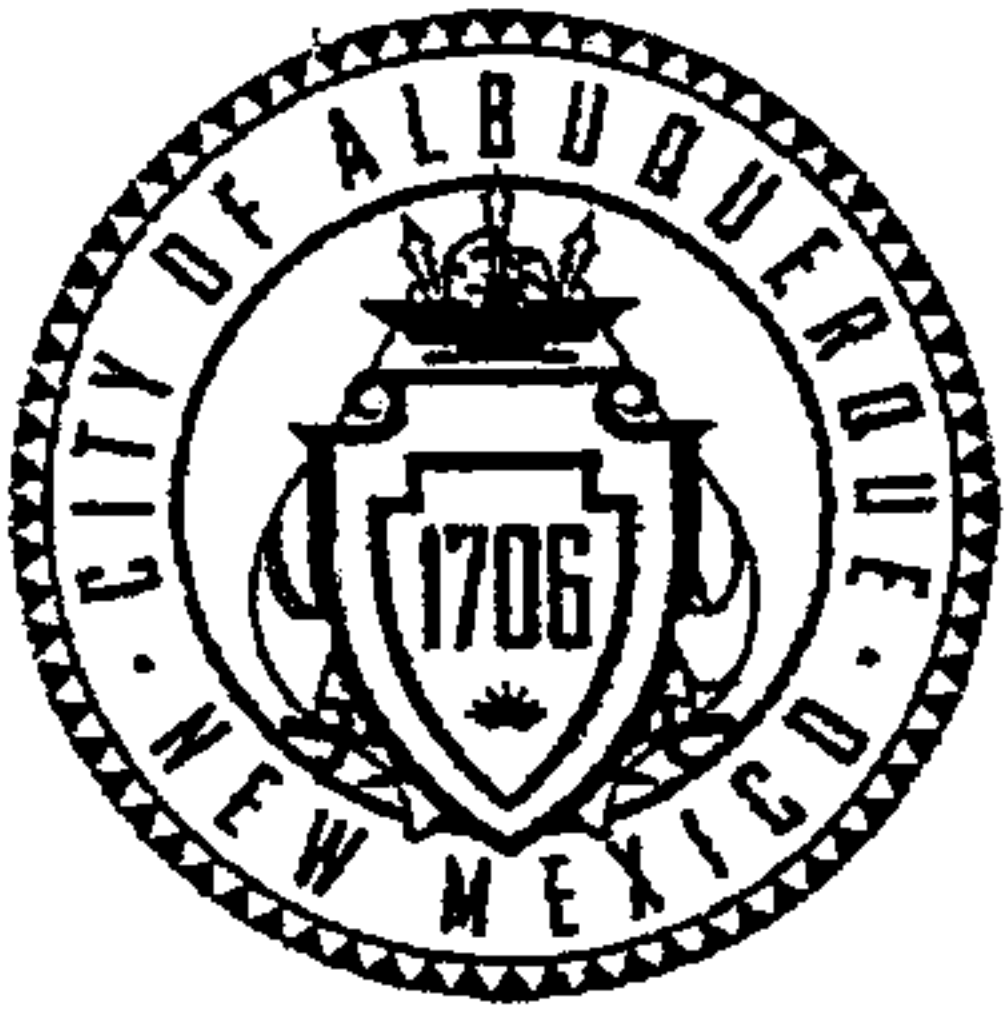
Our records indicate that the **Neighborhood and/or Homeowner Associations** affected by this submittal and the contact names are as follows:

**SEE "ATTACHMENT A" FOR THE NAMES OF THE NA/HOA'S THAT NEED TO BE CONTACTED IN REGARDS TO THIS PLANNING SUBMITTAL - please attach this letter and "Attachment A" to your Application Packet ALONG with copies of the letters and certified mail receipts to the NA/HOA's - siw.**

Please note that according to §14-8-2-7 of the *Neighborhood Association Recognition Ordinance* 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.** If you have any questions about the information provided, please contact me at (505) 924-3902 or via an e-mail message at [swinklepleck@cabq.gov](mailto:swinklepleck@cabq.gov) or by fax at (505) 924-3913.

Sincerely,  
**Stephani Winklepleck**  
Stephani Winklepleck  
Neighborhood Liaison  
OFFICE OF NEIGHBORHOOD COORDINATION  
Planning Department

**LETTERS MUST BE SENT TO BOTH CONTACTS OF EACH NA/HOA FOR THIS PLANNING SUBMITTAL.**



# DEVELOPER INQUIRY SHEET

(To be completed prior to application submittal)

The Office of Neighborhood Coordination (ONC) located in Room 120 (basement) of the Plaza Del Sol Building, 600 Second Street NW, Fax: (505) 924-3913 – will need the following information **BEFORE** neighborhood and/or homeowner association information will be released to the applicant/agent on any project being presented to the Planning Department of the City of Albuquerque. If you have any questions, please feel free to contact our office at (505) 924-3914. Your Developer inquiry is for the following:

- Cell Tower Submittal:  Free-Standing Tower -OR-  Concealed Tower
- EPC Submittal  DRB Submittal  LUCC Submittal  Liquor Submittal
- Administrative Amendments (AA's) Submittal  City Project Submittal

CONTACT NAME: Russ Huges

COMPANY NAME: SURV-TEK, INC

ADDRESS/ZIP: 9384 VALLEY VIEW DR NW 87114

PHONE: 897-3366 FAX: 897-3377

### LEGAL DESCRIPTION INFORMATION

PLEASE FORWARD INFORMATION ON ANY NEIGHBORHOOD AND/OR HOMEOWNER ASSOCIATION IN THE AREA OF THE PROPERTY DESCRIBED BELOW:

TRACT B, HERITAGE MARKET PLACE

LEGAL DESCRIPTION

LOCATED ON UNSER BOULEVARD NW

STREET NAME OR OTHER IDENTIFYING LANDMARK

BETWEEN LADERA DRIVE NW AND

STREET NAME OR OTHER IDENTIFYING LANDMARK

HANOVER ROAD NW

STREET NAME OR OTHER IDENTIFYING LANDMARK

THE SITE IS INDICATED ON THE FOLLOWING ZONE ATLAS PAGE (H-9).  
(PLEASE MARK/HATCH ZONE MAP WHERE PROPERTY IS LOCATED)  
(Zone Map **MUST** be provided with request)

# **"ATTACHMENT A"**

**(DRB SUBMITTAL) - TRACT B, HERITAGE MARKET PLACE, LOCATED ON UNSER BOULEVARD NW BETWEEN LADERA DRIVE NW AND HANOVER ROAD NW zone map H-9 FOR RUSS HUGG, SURV-TEK, INC.**

**PARKWAY N.A. "R"**

**\*Ruben Aleman**

8005 Fallbrook NW/87120 385-2189 (c)

Mary Loughran

8015 Fallbrook NW/87120 836-7841 (h)

**LAURELWOOD N.A. "R"**

**\*Candelaria Patterson**

7608 Elderwood Dr. NW/87120 321-1761 (c)

Greg Huston

7600 Sherwood Dr. NW/87120 229-569-0088 (c)

**\*President of NA/HOA**

When recorded, return to:

Garrett Development Corporation  
Attention: Jeff Garrett  
6991 East Camelback Road, Suite D-212  
Scottsdale, Arizona 85251

Return to Stewart Title

File# 01147-129687D

**DECLARATION OF COVENANTS, CONDITIONS,  
RESTRICTIONS AND EASEMENTS**

This Declaration of Covenants, Conditions, Restrictions and Easements (the "Declaration") is made as of April 9<sup>th</sup>, 2015, by and between Western Albuquerque Land Holdings LLC, a Delaware limited liability company ("WALH") and ABQ Heritage Marketplace, LLC, an Arizona limited liability company ("Heritage").

**RECITALS:**

A. WALH is the owner of "Tract B" as shown on the Bulk Land Plat of Tracts A, B and C Heritage Marketplace ("Plat"), recorded in the Official Records of Bernalillo County, New Mexico on February 19, 2015 as document number 2015-013421 ("WALH Parcel").

B. Heritage is the owner of "Tract A" and "Tract C" as shown on the Plat, which have been replatted into "Tract A-1," "Tract A-2" and "Tract A-3," and "Tract C-1," "Tract C-2" and "Tract C-3," respectively, as shown on the Plat of Tracts A-1 thru A-3 and C-1 thru C-3, Heritage Marketplace, ("Supplemental Plat") recorded in the Official Records of Bernalillo County, New Mexico on April 7, 2015 as document number 2015-028498 (collectively, the "Heritage Parcel"). The WALH Parcel and the Heritage Parcel are sometimes individually referred to herein as a "Parcel" and collectively as the "Parcels". The Parcels are located in the City of Albuquerque ("City"), New Mexico. The Plat and Supplemental Plat are sometimes collectively referred to herein as the "Plats".

C. The owner of fee title to a Parcel, or any portion thereof, is referred herein to as an "Owner", and the owners of all of the Parcels are referred to herein collectively as the "Owners".

D. The Owners desire to impose certain covenants, conditions, restrictions and easements for the mutual and reciprocal benefit and complement of the Parcels and the present and future owners and occupants thereof, on the terms and conditions hereinafter set forth.

**AGREEMENT:**

NOW, THEREFORE, for good and valuable consideration, the receipt and adequacy of which are hereby acknowledged, the parties agree as follows:

1. Easements.

(a) Main Driveway, Right to Connect. Subject to the terms and conditions hereinafter set forth, WALH and Heritage, as the Owners of all of the Parcels, hereby grant and establish, for the use and benefit of the Owners and their agents, employees, licensees, and invitees and the tenants and occupants of the Parcels (collectively, "Permittees"), a non-exclusive perpetual easement and right-of-way for ingress and egress for vehicular and pedestrian traffic over and across the main driveway ("Main Driveway") in the location depicted on sheet 4 of the Plat as the 41-foot wide (total) "Private Access and Drainage Easement and Public Utility Easement". Each Owner has the right, at its sole cost, to connect the arterial driveways on its Parcel to the Main Driveway. To the extent reasonably necessary to perform such work, the Owner performing such work and its agents have the right to enter upon the Main Driveway and to modify the Main Driveway at the applicable connection points to allow the arterial driveways to connect to the Main Driveway, provided that, in exercising this right, the Owner performing such work and its agents will not unreasonably interfere with the use of the Main Driveway by the Permittees and shall promptly restore the Main Driveway (and any improvements thereon) to substantially the same condition existing prior to performing such work (other than any necessary modifications at the connection point).

(b) Storm Water Pipe Easement. Subject to the terms and conditions hereinafter set forth, WALH, as the Owner of the WALH Parcel, hereby grants and establishes, for the use and benefit of Heritage, as the Owner of the Heritage Parcel and their respective successor Owners and Permittees, a non-exclusive perpetual easement for installation, operation, maintenance, repair, removal and replacement of a storm water pipe ("Storm Water Pipe") over and across the WALH Parcel in the location set forth in Exhibit A attached hereto ("Storm Water Pipe Easement"), relocating the original "Private Storm Drain Easement" set forth in the Plats. The Owner of the WALH Parcel shall also have the right to tap into and use the Storm Water Pipe for the benefit of the WALH Parcel; provided that nothing herein shall be construed as permitting the Owner of the WALH Parcel to exceed the projected volumes for the WALH Parcel set forth in the original approved plans for the Storm Water Pipe. However, if future studies reasonably prove to the Owner of Tract C-1 that additional or excess capacity is available in the Storm Water Pipe without causing any material and adverse effect upon the longevity or integrity of the Storm Water Pipe or increase in the maintenance costs incurred by the Owner of Tract C-1, then the amount of such additional or excess capacity reasonably determined by the Owner of Tract C-1 to be available maybe used by the Owner of the WALH Parcel.

(c) Water Pipe Easement. Subject to the terms and conditions hereinafter set forth, WALH, as the Owner of the WALH Parcel, hereby grants and establishes, for the use and benefit of Heritage, as the Owner of the Heritage Parcel and their respective successor Owners and Permittees, a non-exclusive perpetual easement for installation, operation, maintenance, repair, removal and replacement of a water pipe ("Water Pipe") over and across the WALH Parcel in the location set forth in Exhibit B attached hereto ("Water Pipe Easement"), relocating the original private "Waterline Easement" set forth in the Plats. The Owner of the WALH Parcel shall also have the right to tap into and use the Water Pipe for the benefit of the WALH Parcel; provided that nothing herein shall be construed as permitting the Owner of the WALH Parcel to exceed the projected volumes for the WALH Parcel set forth in the original approved plans for the Storm

Water Pipe. However, if future studies reasonably prove to the Owner of Tract C-1 that additional or excess capacity is available in the Water Pipe without causing any material and adverse effect upon the longevity or integrity of the Water Pipe or increase in the maintenance costs incurred by the Owner of Tract C-1, then the amount of such additional or excess capacity reasonably determined by the Owner of Tract C-1 to be available maybe used by the Owner of the WALH Parcel.

(d) Use and Additional Easements. Nothing contained in this Agreement shall prohibit WALH from using and/or conveying additional easements for access, utilities or any other purposes through, over, under, upon, in, across and along the Storm Water Pipe Easement area or the Water Pipe Easement area, provided that no such use and/or additional rights or easements shall unreasonably impair the beneficial use of the Storm Water Pipe Easement or the Water Pipe Easement by Heritage granted herein. No such use and/or additional rights or easement that materially and adversely affects the Storm Water Pipe Easement or the Water Pipe Easement, as applicable, by the Owners of the Heritage Parcel or the maintenance expenses to be allocated as provided herein shall be permitted without the prior written approval of the Owner of Tract C-1, which may be given or withheld in its sole discretion. The Owners agree that the Example Site Plan for Tract B attached herein as **Exhibit C** does not unreasonably impair the beneficial use of the Storm Water Pipe Easement or the Water Pipe Easement by Heritage.

(e) Relocation of Storm Water Pipe Easement and Water Pipe Easement. The Owner of the WALH Parcel reserves the right, at its sole cost and expense, to relocate the Storm Water Pipe Easement and/or the Water Pipe Easement to a different location after completion of the initial construction of the Storm Water Pipe and Water Pipe, provided that such right shall be subject to: (i) the Owner of the WALH Parcel and/or an Approving Authority granting a new easement area ("**New Easement Area**"), (ii) receipt by the Owner of the WALH Parcel of any necessary approvals from the applicable Approving Authorities, to the relocation of the easement area for the Storm Water Pipe Easement and/or the Water Pipe Easement and recording of instruments identifying the approved New Easement Area in form and substance reasonably acceptable to the Owner of Tract C-1 and, and (iii) the obligation of the Owner of the WALH Parcel to reconstruct the Storm Water Pipe and/or the Water Pipe, as applicable, using materials and design standards which equal or exceed those originally used and without any interruption of service. Upon the approval of the New Easement Area, the recording of the mutually agreeable instrument identifying the New Easement Area, and the relocation of the Storm Water Pipe and/or Water Pipe as provided herein, the original Storm Water Pipe Easement area and/or Water Pipe Easement area shall be deemed superseded by the New Easement Area, as applicable. Notwithstanding such automatic termination, the Owners of the Heritage Parcel will cooperate with the Owner of the WALH Parcel in the termination and vacation of the Storm Water Pipe Easement and/or Water Pipe Easement following the granting of the New Easement Area. No such relocation that materially and adversely affects the beneficial use of the Storm Water Pipe Easement or the Water Pipe Easement, as applicable, by the Owners of the Heritage Parcel or the maintenance expenses to be allocated as provided herein shall be permitted without the prior written approval of the Owner of Tract C-1, which may be given or withheld in its sole discretion.

(f) No Relocation of Main Driveway. Upon the completion of construction of the Main Driveway, the location of the Main Driveway including the curb cuts connecting the Main

Driveway to Unser Boulevard NW and Market Street NW will not be materially modified without the prior written consent of the Owners of Tract C-1 and the WALH Parcel.

(g) Vacation of Plat Easements. The Storm Water Pipe Easement or the Water Pipe Easement are intended to replace the (i) the 30-foot wide "Waterline Easement" running along Unser Boulevard from Hanover Road to the Main Driveway across Tract B depicted on sheet 4 of the Plat, and (ii) the 20-foot wide "Private Storm Drain Easement" running along Market Street from Hanover Road to the Main Driveway across Tract B depicted on sheet 4 of the Plat ("Plat Easements"). The Owners agree to take all action, and execute and record all further instruments, reasonably required to vacate and terminate the Plat Easements. WALH shall be solely responsible for all costs of preparing and recording the further instruments required to vacate and terminate the Plat Easements.

2. Maintenance of Main Driveway, Storm Water Pipe and Water Pipe.

(a) Maintenance of Main Driveway. Upon the completion of construction of the Main Driveway, the Owner of Tract C-1 will thereafter maintain the Main Driveway, including curb cuts connecting the Main Driveway to Unser Boulevard NW and Market Street NW, in good and safe condition and repair, which includes resurfacing the Main Driveway when reasonably necessary, and the associated expenses may be allocated among the Owners of the Heritage Parcel (but not to the Owner of the WALH Parcel, unless such expenses are incurred as the direct result of any damage caused by the gross negligence or intentional misconduct of the Owners or Permittees of the WALH Parcel) in such manner as the Owner of Tract C-1 may reasonably determine. To the extent reasonably necessary to perform such work, the Owner of Tract C-1 and its agents have the right to enter upon the WALH Parcel, provided that, in exercising this right, the Owner of Tract C-1 and its agents will not unreasonably interfere with any business operations on the WALH Parcel and shall promptly restore the WALH Parcel (including any improvements located thereon) to substantially the same condition existing prior to the Owner of Tract C-1 performing such work.

(b) Maintenance of Storm Water Pipe. Upon the completion of construction and/or relocation of the Storm Water Pipe, the Owner of Tract C-1 will thereafter maintain the Storm Water Pipe in good condition and repair and in the manner required by the City, and the associated expenses may be allocated among the Owners of the Heritage Parcel (but not to the Owner of the WALH Parcel, unless such expenses are incurred as the direct result of any damage caused by the gross negligence or intentional misconduct of the Owners or Permittees of the WALH Parcel) in such manner as the Owner of Tract C-1 may reasonably determine. To the extent reasonably necessary to perform such work, the Owner of Tract C-1 and its agents have the right to enter upon the WALH Parcel, provided that, in exercising this right, the Owner of Tract C-1 and its agents will not unreasonably interfere with any business operations on the WALH Parcel and shall promptly restore the WALH Parcel (including any improvements located thereon) to substantially the same condition existing prior to the Owner of Tract C-1 performing such work.

(c) Maintenance of Water Pipe. Upon the completion of construction and/or relocation of the Water Pipe, the Owner of Tract C-1 will thereafter maintain the Water Pipe in good condition and repair and in the manner required by the City and/or Albuquerque Bernalillo County Water Utility Authority, and the associated expenses may be allocated among the Owners of



the Heritage Parcel (but not to the Owner of the WALH Parcel, unless such expenses are incurred as the direct result of any damage caused by the gross negligence or intentional misconduct of the Owners or Permittees of the WALH Parcel) in such manner as the Owner of Tract C-1 may reasonably determine. To the extent reasonably necessary to perform such work, the Owner of Tract C-1 and its agents have the right to enter upon the WALH Parcel, provided that, in exercising this right, the Owner of Tract C-1 and its agents will not unreasonably interfere with any business operations on the WALH Parcel and shall promptly restore the WALH Parcel (including any improvements located thereon) to substantially the same condition existing prior to the Owner of Tract C-1 performing such work.

3. Construction of Improvements. The Owners shall cause the Main Driveway, Storm Water Pipe and Water Pipe to be constructed pursuant to the terms of a separate Site Development Agreement between the Owners, a memorandum of which is being recorded contemporaneously with this Declaration.

4. Failure to Perform. If the Owner of Tract C-1 fails to perform any obligations as required under this Agreement and such failure continues for a period of 30 days after any Owner has given the Owner of Tract C-1 written notice of such failure (or fails to promptly perform a repair in the event of any emergency), then the noticing Owner ("**Curing Owner**") will have the right, but not the obligation, to perform such obligation, in which event the Owner of Tract C-1 shall, within 30 days after its receipt of an invoice therefor, reimburse the Curing Owner for the reasonable cost of performing such obligation, provided that Owner of Tract C-1 shall have the right to allocate and collect such reimbursement from the Owners of the Heritage Parcel in accordance with prevailing practice. All reimbursements due under this **Article 4** that are not paid within five (5) days following notice from Curing Owner that such amounts are past due shall bear interest at the rate of eighteen percent (18%) per annum from the due date until paid in full (the "**Interest**"). Any costs of collection, including, without limitation, reasonable attorneys' fees and court costs, shall be added to the amount due and shall bear Interest as provided above from the date incurred until paid in full. All reimbursements due under this **Article 4**, together with such Interest, and such costs of collection, shall not only be the personal obligation of the Owner of Tract C-1, but shall also be a charge and continuing lien upon Tract C-1 ("**Lien**"). The Lien may be foreclosed upon in the same manner provided by law for a realty mortgage or mechanic's lien. Nothing herein shall be construed as permitting the recording of a Lien against any other portion of the Heritage Parcel, other than Tract C-1.

5. Use Restrictions.

(a) General. Each Parcel shall be used for lawful purposes in conformance with all restrictions imposed by all applicable governmental laws, ordinances, codes, and regulations, and no use or operation shall be made, conducted or permitted on or with respect to all or any portion of a Parcel which is illegal. In addition, no Parcel shall be leased or occupied by or conveyed to any person for any of the following uses: (i) any business or facility used in growing, delivering, transferring, supplying, dispensing, dispersing, distributing or selling marijuana, whether by prescription, medical recommendation or otherwise, and whether consisting of live plants, seeds, seedlings or processed or harvested portions of the marijuana plant, (ii) theatre, bowling alley, billiard parlor, night club or other place of recreation in excess of 5,000 square feet (which shall not be construed to prohibit a limited number of electronic or video games as an ancillary part of a retail

or restaurant business on a Parcel, (iii) so-called "adult" uses (including, without limitation, any establishment primarily engaged in the sale, rental, distribution or exhibition of pornographic images, whether by means of books, magazines, motion pictures, tapes, electronic media or other methods of any kind whatsoever, or offering sexually explicit entertainment, whether by means of live performances or massage, escort, modeling, "swinger's club" or similar services which are limited to adults only); (iv) any collateral use (e.g., parking, drainage or service drives) in support of any of the foregoing uses, or (v) any combination of the foregoing uses.

(b) Additional WALH Parcel Restrictions. As long as Wal-Mart Stores East, LP, a Delaware limited partnership ("Wal-Mart"), or any of Wal-Mart's affiliates, has any right, title or interest in any portion of the Heritage Parcel, as Owner or Permittee, no space in or portion of the WALH Parcel shall be leased or occupied by or conveyed to any other party for any of the following uses: (A) a facility dispensing gasoline or fuel from pumps, (B) a convenience store, (C) a Grocery Store, as such term is defined below, (D) a discount department store greater than 10,000 square feet (not including category retailers), (E) a membership warehouse club or wholesale club, (F) a drug store or pharmacy, or (G) any collateral use (e.g., parking, drainage or service drives) in support of any of the foregoing uses, or (H) any combination of the foregoing uses. "Grocery Store" shall mean a food store or a food department containing more than 10,000 square feet of building space used for the purpose of selling food for off premises consumption, which shall include but not be limited to the sale of dry, refrigerated or frozen groceries, meat, seafood, poultry, produce, delicatessen or bakery products, refrigerated or frozen dairy products, or any grocery products normally sold in such stores or departments. For the sake of clarity, the restrictions set forth herein shall not apply to or prevent any uses associated with the operation of an assisted living facility, the operation of a senior living facility, the operation of any medical facility, office facility, and/or a multi-family residential use.

(c) Additional tHeritage Parcel Restrictions. No portion of the Heritage Parcel shall be used for an assisted living facility, a senior living facility, and/or a multi-family residential use, except as may be incidental to a non-prohibited use.

(d) No Restriction on Residential Uses. For the avoidance of doubt, this Declaration is not intended to restrict the Parcels from being used for single family residential purposes, subject to obtaining all required governmental approvals for such use.

(e) Irreparable Harm. In the event of a violation or threat thereof of any of the restrictions set forth in this Article 5, each Owner agrees that such violation or threat thereof shall cause the non-defaulting Owner and/or its Permittees to suffer irreparable harm and such non-defaulting Owner and its Permittees shall have no adequate remedy at law. As a result, in the event of a violation or threat thereof of any of the provisions of this Article 5, the non-defaulting Owner, in addition to all remedies available at law or otherwise under this Agreement, shall be entitled to injunctive or other equitable relief to enjoin a violation or threat thereof of this Article 5.

6. Establishment of Owners Association. For purposes of this Section, the term "Owners Association" shall mean any homeowners' association or property owners' association

established for the WALH Parcel (or any portion thereof) pursuant to a recorded declaration of covenants, conditions and restrictions, which charges such association with responsibility for (among other things) the management, maintenance, and care of common areas within the WALH Parcel (or portion thereof). If an Owners Association is established with respect to the WALH Parcel (or a portion thereof), then the Owner of the WALH Parcel (or applicable portion thereof) may assign to such Owners Association all of its rights and obligations under this Declaration; provided, however, that such assignment shall be conditioned upon the execution by the Owner of the WALH Parcel (or applicable portion thereof) and such Owners Association of a written and recorded instrument of assignment specifically referring to this Declaration and the recording information therefor, under which the Owners Association (through its board of directors and without requiring approval of all lot owners or members of the Owners Association) assumes all of the obligations of the Owner of the WALH Parcel (or the applicable portion thereof) under this Declaration and agrees to be bound by all of the terms, conditions and provisions hereof applicable to the Owner of the WALH Parcel (or the applicable portion thereof). Upon any such assignment and assumption (i) each Owner of the WALH Parcel (or the applicable portion thereof) shall be released from all further liability and obligation under this Declaration, and (ii) the assignee Owners Association shall be deemed to be the "Owner" of the WALH Parcel (or the applicable portion thereof) for all purposes under this Agreement (whether or not one or more other persons hold fee simple title to any portion of the WALH Parcel and/or would otherwise be considered an "Owner" hereunder).

7. Multiple Owners of a Parcel. If, at any time, fee title to a particular Parcel ("Particular Parcel") is vested in more than one Owner, then such Owners will be jointly and severally responsible for the obligations of the "Owner" of such Particular Parcel, but will designate one of them ("**Designated Party**") to act on behalf of all such Owners in the performance of the provisions of this Agreement. Any such designation ("**Notice of Designation**") must be in writing, duly executed and acknowledged by each such Owner and a copy of such Designation must be given to the Owner(s) of the other Parcel(s) in accordance with the notice provisions of this Agreement and recorded in the Official Records of Bernalillo County, New Mexico. The Owners of such Particular Parcel will have the right, from time to time, to change the Designated Party made by executing, acknowledging, delivering and recording a new Notice of Designation in the same manner set forth above. The Notice of Designation may allocate among the various Owners of the Particular Parcel the obligations of the Owner of the Particular Parcel under this Declaration; provided, however, such allocation shall only be enforceable as between the Owners of such Particular Parcel and each Owner of a Parcel comprising the Particular Parcel shall remain jointly and severally responsible to the Owners of the other Parcels for the obligations of the "Owner" of such Particular Parcel.

8. Notices. Notices given by any Owner under this Declaration may be given to any other Owner at the recipient's business address. If an Owner is unable to locate a business address of any other Owner, then the notice may be sent to the address of the recipient which is on file with the applicable governmental entity responsible for sending statements of real property taxes. Nothing herein shall be construed to require notice to individual lot owners of any residential subdivision developed on the WALH Parcel without an Owners Association.

9. No Public Dedication. The provisions of this Declaration will not constitute nor be construed as a dedication for public use, and the rights and easements granted herein are private and solely for the benefit of the Permittees.

10. Enforcement. Each of the easements, covenants and restrictions in this Declaration will be enforceable by the Owners by injunction, specific performance or by any other appropriate course of action. If any Owner commences an action to enforce any of the terms of this Declaration, the prevailing Owner will be entitled to recover the reasonable attorneys' fees and expenses incurred in connection therewith, as awarded by a judge and not a jury. No person or entity other than the Owners will have any right to enforce the provisions of this Declaration or bring any action under this Declaration. The remedies specified herein shall be cumulative and in addition to all other remedies permitted at law or in equity. No waiver of any default of any obligation by any party hereto shall be implied from any omission by the other party to take any action with respect to such default.

11. Exhibits. The Exhibits attached to this Declaration are incorporated herein by this reference.

12. Captions. Captions and paragraph headings used in this Declaration are for convenience of reference only, will not be deemed to define, limit or alter any provision of this Declaration, and will not be deemed relevant in construing this Declaration.

13. Amendment. This Declaration may be amended by, and only by, a written agreement executed by: (i) the Owner of Tract C-1, who shall be deemed to have sole authority to act on behalf of and bind all Owners of the Heritage Parcel without any requirement of notice or further action on their part; provided, however, that so long as Wal-Mart has any interest in any portion of the Heritage Parcel, no amendment that would materially alter or have a direct and adverse effect upon the express rights of Wal-Mart under its ground lease or ECR (as defined in the ground lease) shall be effective without the prior written consent of Wal-Mart, which shall not be unreasonably withheld, delayed or conditioned upon payment of processing fees or other monetary compensation; and (ii) the Owner of the WALH Parcel; provided, however, if an assignment and assumption of obligations has been recorded in accordance with Article 6, then the Owners Association shall be deemed to have the sole authority to act on behalf of and bind the Owners of the WALH Parcel without any requirement of notice of further action on their part. Any amendments or modifications hereof, whenever made, will have the same priority as this Declaration as if such amendment or modification had been executed concurrently herewith. Nothing herein shall be deemed to preclude the recording of supplemental declarations pertaining to all or any portion of the Tracts, as between the respective Owners thereof, as long as they are not in direct conflict with any provisions of this Declaration.

14. Binding Effect. This Declaration inures to the benefit of and is binding on the parties hereto and their respective heirs, legal representatives, successors (including successors-in-title to all or any portion of the Parcels) and assigns.

15. Covenants to Run with Land. It is intended that each of the covenants, conditions, restrictions, rights and obligations set forth herein shall run with the land and create equitable

servitudes in favor of the real property benefited thereby, shall bind every person having any fee, leasehold or other interest therein and shall inure to the benefit of the respective parties and their successors, assigns, heirs, and personal representatives. However, no covenant, condition, restriction, or other right or benefit accruing hereunder in favor of any Parcel is assignable, transferable or otherwise delegable to or for the benefit of neighboring real property that is not a Parcel covered by this Declaration.

16. Severability. Each provision of this Declaration and the application thereof to the Parcels are hereby declared to be independent of and severable from the remainder of this Declaration. If any provision contained herein shall be held to be invalid or to be unenforceable or not to run with the land, such holding shall not affect the validity or enforceability of the remainder of this Declaration. In the event the validity or enforceability of any provision of this Declaration is held to be dependent upon the existence of a specific legal description, the parties agree to promptly cause such legal description to be prepared. Ownership of Parcels by the same person or entity shall not terminate this Declaration nor in any manner affect or impair the validity or enforceability of this Declaration.

17. Estoppel Certificate. Each Owner shall, without cost and within 30 days following receipt of a written request of any other Owner, issue to such requesting Owner, or its prospective mortgagee or transferee, an estoppel certificate stating to the best of the issuer's knowledge as of such date: (a) that this Declaration, including any amendments thereto, is in full force and effect; and (b) that there are no defaults under this Declaration other than those specified in detail in such estoppel certificate. Such statement shall act as a waiver (for the benefit of any bona fide encumbrance or purchaser for value without knowledge of facts contrary to those contained in the statement and who has acted in reasonable reliance upon the statement) of any claim by the issuing Owner to the extent such claim is based upon matters contrary to those asserted in the statement.

18. Governing Law. The laws of the State in which the Parcels are located shall govern the interpretation, validity, performance, and enforcement of this Declaration.

19. Term. The covenants, conditions, restrictions and easements contained in this Declaration shall be effective commencing on the date of recordation of this Declaration in the office of the Bernalillo County Recorder and shall remain in full force and effect for a period of 99 years, whereupon they shall automatically terminate and be of no further force or effect, unless extended by an amendment to this Declaration.

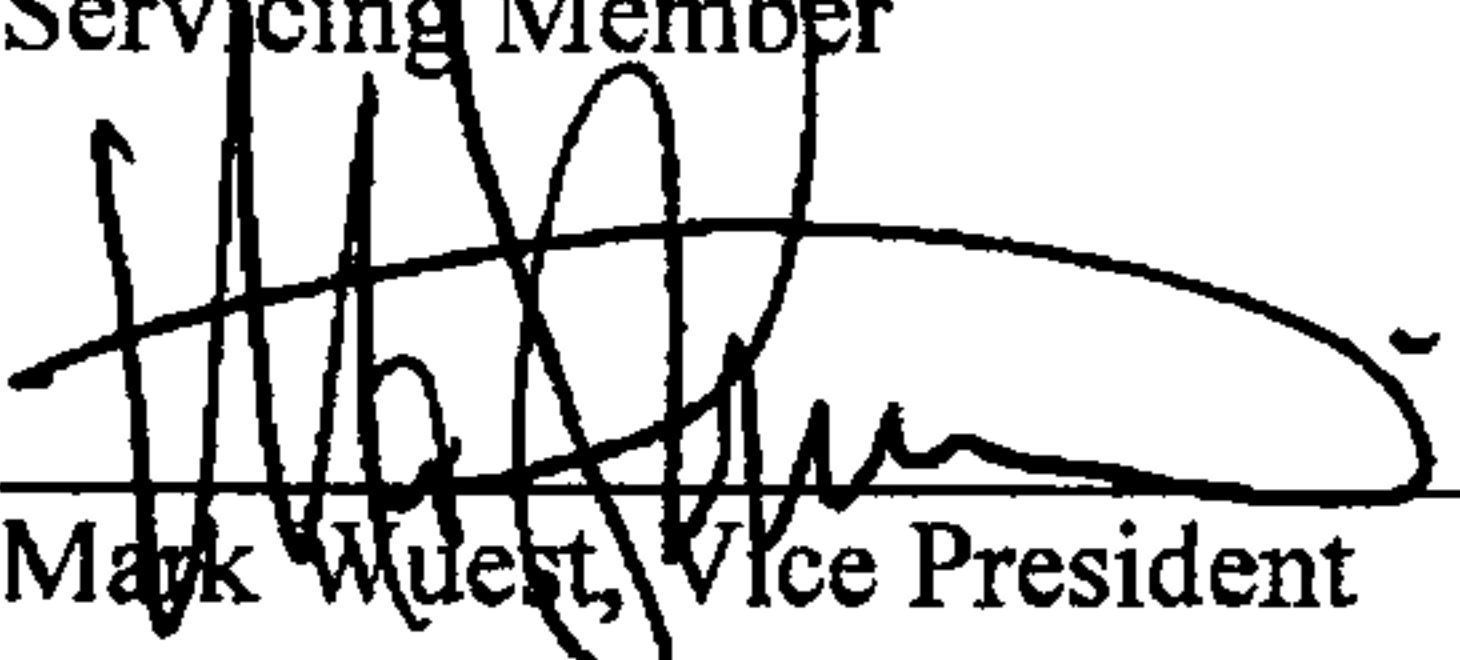
[Signature Page Follows]

IN WITNESS WHEREOF, the undersigned has executed this Declaration as of the date set forth above.

**WALH:**

Western Albuquerque Land Holdings LLC, a Delaware limited liability company


By: Barclays Capital Real Estate, Inc., a Delaware corporation  
 Its: Servicing Member

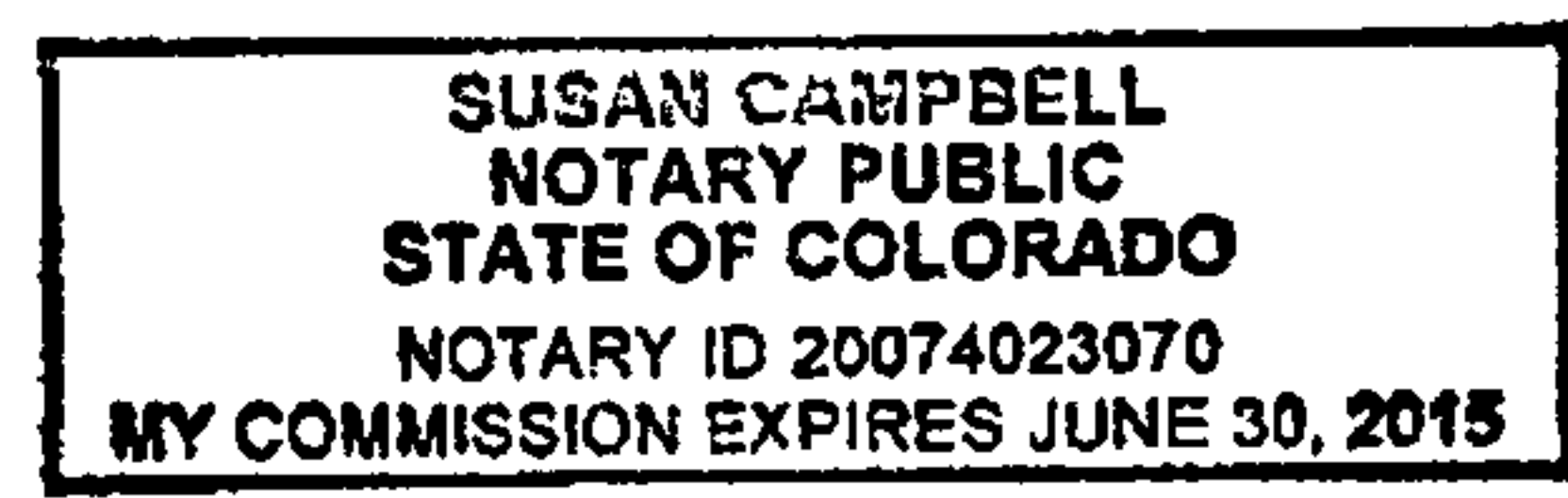
By:   
 Mark Wuest, Vice President

STATE OF COLORADO )  
 ) ss.  
 County of ELDER )

This instrument was acknowledged before me this 9<sup>th</sup> day of APRIL, 2015, by Mark Wuest, the Vice President of Barclays Capital Real Estate Inc. the aforementioned corporation which executed the foregoing instrument as the Servicing Member of Western Albuquerque Land Holdings LLC; and that he signed his name there to with the authority of the Board of Directors of said corporation.

6/30/2015  
 My commission expires:

  
 Notary Public



**HERITAGE:**

ABQ Heritage Marketplace, LLC, an Arizona limited liability company

By: FD Heritage Marketplace, LLC, an Arizona limited liability company  
Its: Manager

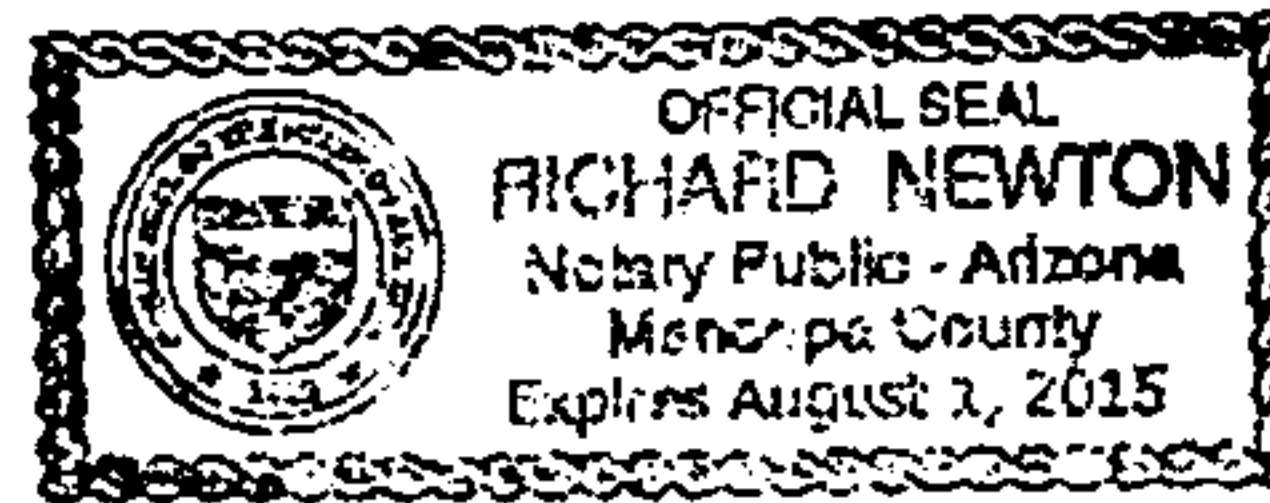
By: J.R.S.  
Jay R. Schneider, Manager

STATE OF ARIZONA                    )  
  ) ss.  
County of Maricopa                )

This instrument was acknowledged before me this 7 day of April, 2015, by Jay R. Schneider, the Manager of FD Heritage Marketplace, LLC, an Arizona limited liability company, the Manager of ABQ Heritage Marketplace, LLC, an Arizona limited liability company, for and on behalf of the company.

8/1/2015  
My commission expires:

[Signature]  
Notary Public



**EXHIBIT A**

**LEGAL DESCRIPTION OF STORM WATER PIPE EASEMENT**



**LEGAL DESCRIPTION- Private Drainage Easement**

An Easement situate within the Town of Atrisco Grant in Projected Sections 10 and 15, Township 10 North, Range 2 East, New Mexico Principal Meridian, Bernalillo County, New Mexico comprising a Southeasterly portion of Tract B, Heritage Marketplace as the same is shown and designated on the plat entitled "BULK LAND PLAT OF TRACTS A, B AND C, HERITAGE MARKETPLACE (BEING A REPLAT OF TRACT 1-A-1, EL RANCHO ATRISCO PHASE III) WITHIN THE TOWN OF ATRISCO GRANT PROJECTED SECTIONS 9, 10, 15, AND 16, TOWNSHIP 10 NORTH, RANGE 2 EAST, NEW MEXICO PRINCIPAL MERIDIAN, CITY OF ALBUQUERQUE, NEW MEXICO" filed in the office of the County Clerk of Bernalillo County, New Mexico on February 19, 2015 in Plat Book 2015C, Page 14, more particularly described by survey performed by Russ P. Hugg, New Mexico Professional Surveyor Number 9750 using New Mexico State Plane Coordinate System, Central Zone (NAD 83) grid bearings and ground distances as follows:

BEGINNING at the Northeast corner of the Easement herein described, a point on the Southerly Easement line of an existing Private Access and Drainage and Public Utility Easement granted by plat filed February 19, 2015 in Plat Book 2015C, Page 14, whence the Northeast corner of said Tract B bears N 69° 46' 41" E, 65.96 feet distant; Thence,

S 80° 07' 51" W, 48.39 feet to a point; Thence,

S 00° 36' 17" W, 648.23 feet to a point on the Northerly line of an existing 30' Drainage Easement granted by plat filed May 13, 1982 in Volume C19, Folio 143, said point being the Southeast corner of the easement herein described; Thence,

N 89° 23' 47" W, 20.00 feet along said Northerly line of an existing 30' Drainage Easement to the Southwest corner of the easement herein described; Thence,

N 00° 36' 17" E, 649.02 feet to a point; Thence,

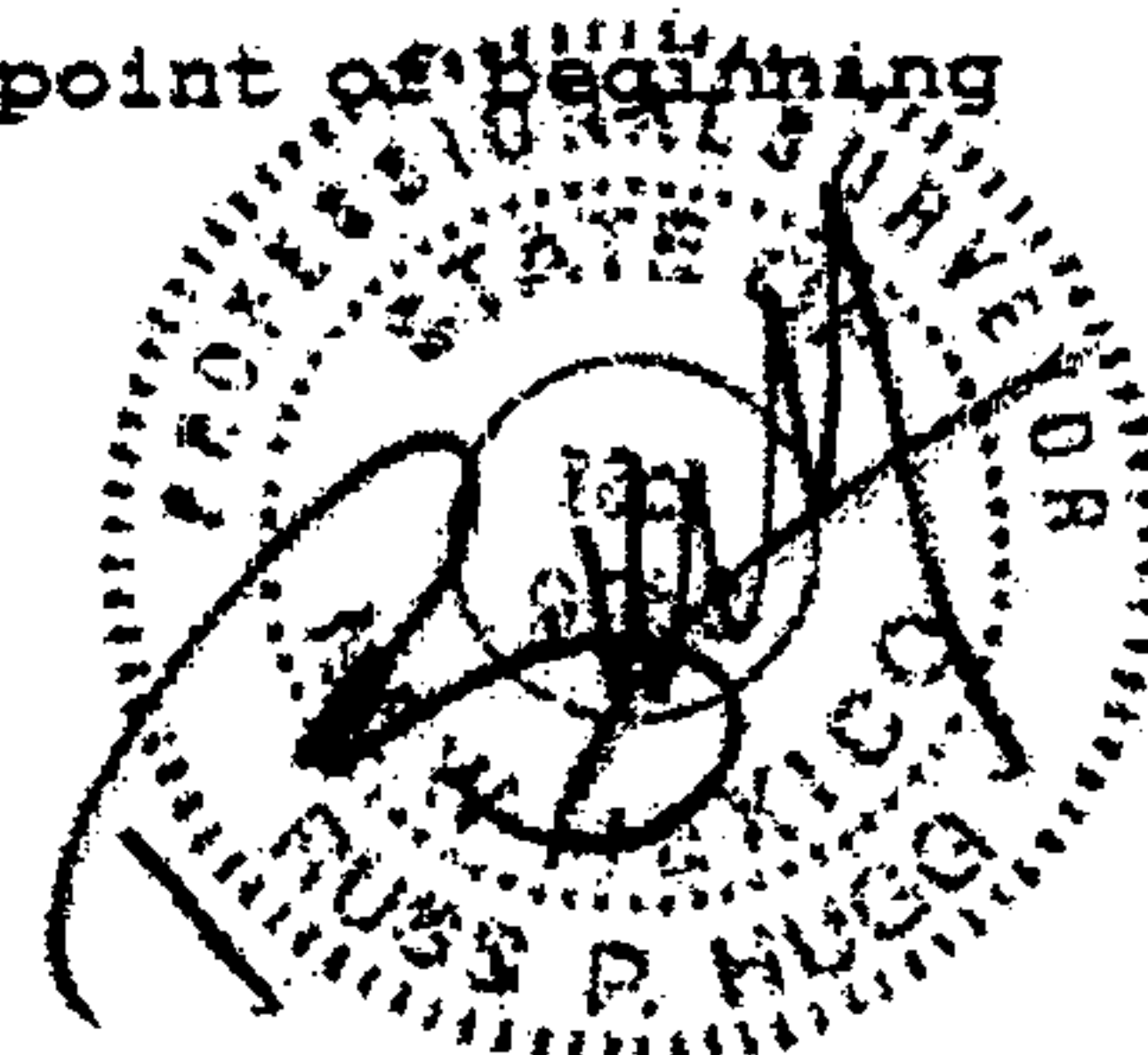
N 82° 13' 00" W, 35.03 feet to a point on said Southerly Easement line of an existing Private Access and Drainage and Public Utility Easement granted by plat filed February 19, 2015 in Plat Book 2015C, Page 14, said point being the Northwest corner of the easement herein described; Thence Southeasterly along said Southerly Easement line of an existing Private Access and Drainage and Public Utility Easement for the following three (3) courses:

S 89° 21' 01" E, 32.95 feet to a point; Thence,

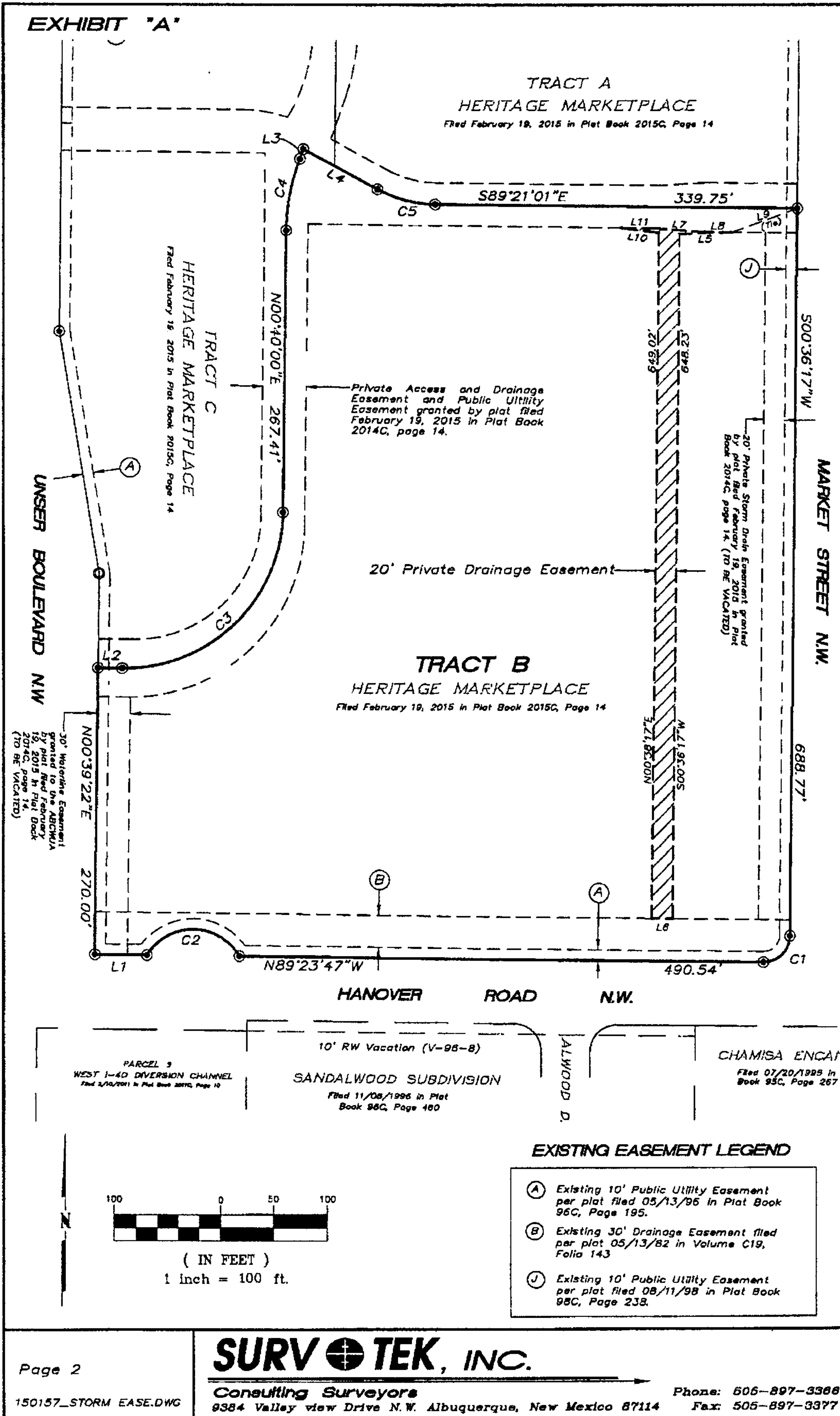
S 85° 19' 44" E, 42.78 feet to a point; Thence,

S 89° 21' 01" E, 27.49 feet to the Northeast corner and point of beginning of the easement herein described.

Said easement contains 0.3029 acres, more or less



**EXHIBIT "A"**



**EXHIBIT "A"**

LINE TABLE		
LINE	LENGTH	BEARING
L1	48.19	N89°23'47"W
L2	22.19	S89°20'38"E
L3	9.97	N19°12'47"E
L4	78.48	S61°05'32"E
L5	48.39	S88°07'51"W
L6	20.00	N89°23'47"W
L7	42.78	S85°19'44"E
L8	27.49	S89°21'01"E
L9	65.96	N69°46'41"E
L10	35.03	N82°13'00"W
L11	32.95	S89°21'01"E

CURVE TABLE						
CURVE	LENGTH	RADIUS	TANGENT	CHORD	CHORD BEARING	DELTA
C1	39.27'	25.00'	25.00'	35.35'	N45°36'15"E	89°59'56"
C2	105.42'	51.09'	85.41'	87.69'	N89°23'47"W	118°13'42"
C3	235.61'	150.00'	149.99'	212.12'	N45°39'31"E	89°59'42"
C4	69.72'	200.00'	35.22'	69.37'	S10°39'14"W	19°58'28"
C5	56.72'	115.00'	28.95'	56.14'	S75°13'17"E	28°15'29"
C6	23.64'	165.50'	11.84'	23.62'	N58°31'04"E	87°1'02"
C7	22.72'	51.09'	11.55'	22.53'	N61°56'01"W	25°28'31"

**EXHIBIT B**

**LEGAL DESCRIPTION OF WATER PIPE EASEMENT**

## LEGAL DESCRIPTION- Public Waterline Easement

An Easement situate within the Town of Atrisco Grant in Projected Section 16, Township 10 North, Range 2 East, New Mexico Principal Meridian, Bernalillo County, New Mexico comprising a Southwesterly portion of Tract B, Heritage Marketplace as the same is shown and designated on the plat entitled "BULK LAND PLAT OF TRACTS A, B AND C, HERITAGE MARKETPLACE (BEING A REPLAT OF TRACT 1-A-1, EL RANCHO ATRISCO PHASE III) WITHIN THE TOWN OF ATRISCO GRANT PROJECTED SECTIONS 9, 10, 15, AND 16, TOWNSHIP 10 NORTH, RANGE 2 EAST, NEW MEXICO PRINCIPAL MERIDIAN, CITY OF ALBUQUERQUE, NEW MEXICO" filed in the office of the County Clerk of Bernalillo County, New Mexico on February 19, 2015 in Plat Book 2015C, Page 14, more particularly described by survey performed by Russ P. Hugg, New Mexico Professional Surveyor Number 9750 using New Mexico State Plane Coordinate System, Central Zone (NAD 83) grid bearings and ground distances as follows:

BEGINNING at the Northwest corner of the Easement herein described, a non-tangent point on curve on the Southerly Easement line of an existing Private Access and Drainage and Public Utility Easement granted by plat filed February 19, 2015 in Plat Book 2015C, Page 14, whence the Southwest corner of said Tract B bears S 22° 30' 00" W, 282.20 feet distant; Thence,

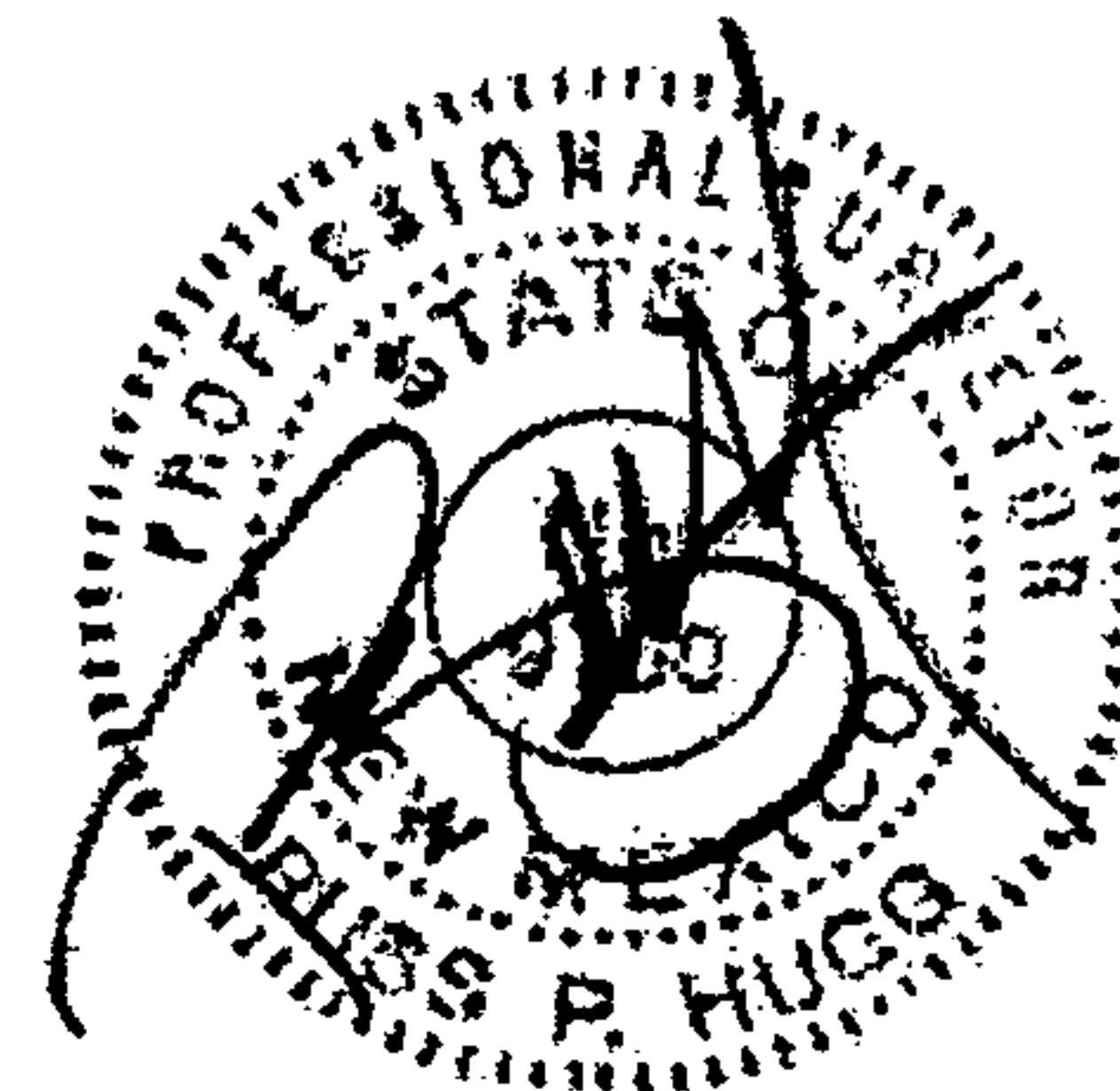
Northeasterly, 23.64 feet along said Southerly Easement line of an existing Private Access and Drainage and Public Utility Easement on the arc of a curve to the left (said curve having a radius of 165.50 feet, a central angle of 08°11'02" and a chord which bears N 58°31'04" E, 23.62 feet) to the Northeast corner of the easement herein described; Thence,

S 00° 39' 22" W, 261.59 feet to a non-tangent point on curve on the Northerly right of way line of Hanover Road N.W. and the Southeast corner of the easement herein described; Thence,

Northwesterly, 22.72 feet along said Northerly right of way line of Hanover Road N.W. on the arc of a curve to the left (said curve having a radius of 51.09 feet, a central angle of 25°28'31" and a chord which bears N 61°56'01" W, 22.53 feet) to a non-tangent point on curve and the Southwest corner of the easement herein described; Thence,

N 00° 39' 22" E, 238.65 to the Northwest corner and point of beginning of the easement herein described.

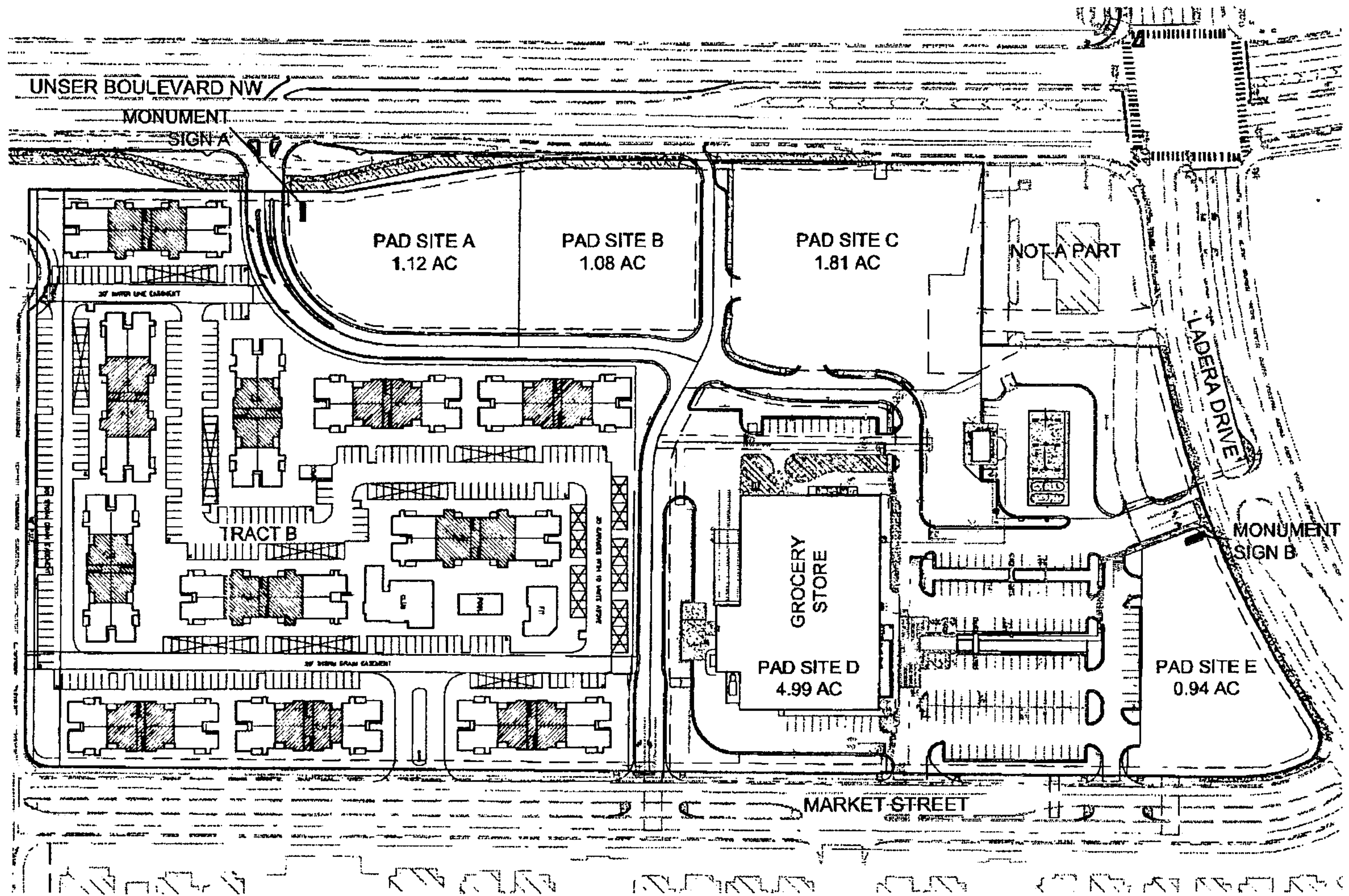
Said easement contains 0.1143 acres, more or less



**EXHIBIT C**

**EXAMPLE SITE PLAN FOR TRACT B**

EXHIBIT C





**Consulting Surveyors**

9384 Valley View Drive, NW Albuquerque, New Mexico 87114  
Phone: 505-897-3366 Fax: 505-897-3377 E-mail: russhugg@survtek.com

June 11, 2015

**CERTIFIED MAIL - RETURN RECEIPT**

Laurelwood Neighborhood Association  
7608 Elderwood Drive NW  
Albuquerque, NM 87120  
Attention: Candelaria Patterson

RE: Vacation of Public Waterline and Storm Drain Easements and a Minor Preliminary/Final Plat of Tract B, Heritage Marketplace, City of Albuquerque, Bernalillo County, New Mexico. City Zone Atlas page H-9.

The owners of the above captioned property, Western Albuquerque Land Holdings, LLC are hereby filing application with the City of Albuquerque Development Review Board for Vacation of a Public Waterline and Storm Drain Easement and Preliminary/Final Plat of Tract B, Heritage Marketplace to show said vacated easements. The plat will also show the new Public Waterline and Private Drain Easements which will replace the vacated easements as shown on the vacation exhibit and preliminary plat attached.

The application will require a public hearing before the Development Review Board in the DRB Meeting Room in the basement floor of the Plaza Del Sol Building at Second and Roma N.W. The Chair of the Development Review Board, Mr. Jack Cloud, may be contacted at 924-3880 or by mail at P.O. Box 1293, Albuquerque, New Mexico 87103.

If you have any questions or comments on this matter please contact:

Russ P. Hugg, PS, Agent

Surv-Tek, Inc.  
9384 Valley View Drive N.W.  
Albuquerque, New Mexico 87114  
505 897 3366

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ALBUQUERQUE, NM 87120

Postage	\$ 3.45
Certified Fee	\$2.80
Return Receipt Fee (Endorsement Required)	\$0.00
Restricted Delivery Fee (Endorsement Required)	N/A
Total Postage & Fees	\$7.45

Postmark here  
06/12/2015

Sent To  
Laurelwood Neighborhood Association  
Street, Apt. No. or PO Box No. 7608 Elderwood Dr. NW  
City, State, ZIP+4  
Albuquerque NM 87120

PS Form 3800, August 2006 See Reverse for Instructions

7014 0510 0001 1187 8394  
HEEP 28TT 1000 0150 4T02





**Consulting Surveyors**

9384 Valley View Drive, NW Albuquerque, New Mexico 87114  
Phone: 505-897-3366 Fax: 505-897-3377 E-mail: russhugg@survtek.com

June 11, 2015

**CERTIFIED MAIL - RETURN RECEIPT**

Laurelwood Neighborhood Association  
7600 Sherwood Drive NW  
Albuquerque, NM 87120  
Attention: Greg Huston

RE: *Vacation of Public Waterline and Storm Drain Easements and a Minor Preliminary/Final Plat of Tract B, Heritage Marketplace, City of Albuquerque, Bernalillo County, New Mexico. City Zone Atlas page H-9.*

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The application will require a public hearing before the Development Review Board in the DRB Meeting Room in the basement floor of the Plaza Del Sol Building at Second and Roma N.W. The Chair of the Development Review Board, Mr. Jack Cloud, may be contacted at 924-3880 or by mail at P.O. Box 1293, Albuquerque, New Mexico 87103.

If you have any questions or comments on this matter please contact:

Russ P. Hugg, PS, Agent

Surv-Tek, Inc.  
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Albuquerque, New Mexico 87114  
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Restricted Delivery Fee (Endorsement Required)		\$0.00
Total Postage & Fees	\$	\$6.20

0118  
 JUN 12 2015  
 0678/2015  
 PINO STATION

Sent To  
 Laurelwood Neighborhood Association  
 Street, Apt. No., or PO Box No. 7600 Elderwood Dr. NW  
 City, State, ZIP+4  
 Albuquerque NM 87120

PS Form 3800, August 2006 See Reverse for Instructions

0049 28TT 1187 8400  
7014 0510 0001 1187 8400

# SURV TEK, INC.

## Consulting Surveyors

9384 Valley View Drive, NW Albuquerque, New Mexico 87114  
Phone: 505-897-3366 Fax: 505-897-3377 E-mail: russhugg@survt

June 11, 2015

## CERTIFIED MAIL - RETURN REC

Parkway Neighborhood Association  
8005 Fallbook Drive NW  
Albuquerque, NM 87120  
Attention: Ruben Aleman

RE: *Vacation of Public Waterline and Storm Drain Easements and a Minor Preliminary/Final Plat of Tract B, Heritage Marketplace, City of Albuquerque, Bernalillo County, New Mexico. City Zone Atlas page H-9.*

The owners of the above captioned property, Western Albuquerque Land Holdings, LLC are hereby filing application with the City of Albuquerque Development Review Board for Vacation of a *Public Waterline and Storm Drain Easement* and Preliminary/Final Plat of Tract B, Heritage Marketplace to show said vacated easements. The plat will also show the new Public Waterline and Private Storm Drain Easements which will replace the vacated easements as shown on the vacation exhibit and preliminary plat attached.

The application will require a public hearing before the Development Review Board in the DRB Meeting Room in the basement floor of the Plaza Del Sol Building at Second and Roma N.W. The Chair of the Development Review Board, Mr. Jack Cloud, may be contacted at 924-3880 or by mail at P.O. Box 1293, Albuquerque, New Mexico 87103.

If you have any questions or comments on this matter please contact:

Russ P. Hugg, PS, Agent

Surv-Tek, Inc.  
9384 Valley View Drive N.W.  
Albuquerque, New Mexico 87114  
505 897 3366

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ALBUQUERQUE NM 87120

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Certified Fee		\$2.80
Return Receipt Fee (Endorsement Required)		\$0.00
Restricted Delivery Fee (Endorsement Required)		N/A
Total Postage & Fees	\$	\$7.45

ALBUQUERQUE NM 87120  
0118  
09 Postmark Here  
JUN 12 2015  
PINO STATION

Sent To  
*Parkway Neighborhood Association*  
Street, Apt. No.,  
or PO Box No. *8005 Fallbrook Dr. NW*  
City, State, ZIP+4  
*Albuquerque NM 87120*

PS Form 3800, August 2006 See Reverse for Instructions

7014 0510 0001 1187 8417



**Consulting Surveyors**

9384 Valley View Drive, NW Albuquerque, New Mexico 87114  
Phone: 505-897-3366 Fax: 505-897-3377 E-mail: russhugg@survte

June 11, 2015

**CERTIFIED MAIL - RETURN RECEIPT**

Parkway Neighborhood Association  
8015 Fallbook Drive NW  
Albuquerque, NM 87120  
Attention: Mary Loughran

RE: *Vacation of Public Waterline and Storm Drain Easements and a Minor Preliminary/Final Plat of Tract B, Heritage Marketplace, City of Albuquerque, Bernalillo County, New Mexico. City Zone Atlas page H-9.*

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If you have any questions or comments on this matter please contact:

Russ P. Hugg, PS, Agent

Surv-Tek, Inc.  
9384 Valley View Drive N.W.  
Albuquerque, New Mexico 87114  
505 897 3366

4249 2877 1187 8424  
7014 0510 0001 1187 8424

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Certified Fee		\$2.80
Return Receipt Fee (Endorsement Required)		\$0.00
Restricted Delivery Fee (Endorsement Required)		N/A
Total Postage & Fees	\$	\$7.45

Postmark Here: JUN 12 2015 09 00/12/2015

Sent To: Parkway Neighborhood Association  
 Street, Apt. No.; or PO Box No. 8015 Fallbrook Dr. NW  
 City, State, ZIP+4 Albuquerque NM 87120

PS Form 3800, August 2006 See Reverse for Instructions

# !!!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 neighborhood and/or homeowner 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 describes 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.
  - d) 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.

## Information from the Office of Neighborhood Coordination

The following information should always be in each application packet that you submit for an EPC or DRB application. Listed below is a "Checklist" of the items needed.

- ONC's "Official" Letter to the applicant (if there are associations). A copy must be submitted with application packet -OR-**
- The ONC "Official" Letter (if there are no associations). A copy must be submitted with application packet.
- Copies of Letters to Neighborhood and/or Homeowners Associations (if there are associations). A copy must be submitted with application packet.**
- Copies of the certified receipts to Neighborhood and/or Homeowners Associations (if there are associations). A copy must be submitted with application packet.**

**Just a reminder - Our ONC "Official" Letter is only valid for a one (1) month period and if you haven't submitted your application by this date, you will need to get an updated letter from our office.**

Any questions, please feel free to contact Stephani at 924-3902 or via an e-mail message at [swinklepleck@cabq.gov](mailto:swinklepleck@cabq.gov).

Thank you for your cooperation on this matter.

.....

(below this line for ONC use only)

Date of Inquiry: **06/10/15** Entered: **8:50 a.m.** ONC Rep. Initials: **siw**

PROJECT#  
1003275

AUGUST 26. 2015

VIDE  
Pct



Supplemental Form (SF)

**SUBDIVISION**

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

**SITE DEVELOPMENT PLAN**

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

**STORM DRAINAGE (Form D)**

- Storm Drainage Cost Allocation Plan

**S Z ZONING & PLANNING**

- Annexation
- Zone Map Amendment (Establish or Change Zoning, includes Zoning within Sector Development Plans)
- Adoption of Rank 2 or 3 Plan or similar
- Text Amendment to Adopted Rank 1, 2 or 3 Plan(s), Zoning Code, or Subd. Regulations
- Street Name Change (Local & Collector)
- APPEAL / PROTEST of...**
- Decision by: DRB, EPC, LUCC, Planning Director, ZEO, ZHE, Board of Appeals, other

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 2<sup>nd</sup> Street NW, Albuquerque, NM 87102. Fees must be paid at the time of application. Refer to supplemental forms for submittal requirements.

**APPLICATION INFORMATION:**

Professional/Agent (if any): Tierra West, LLC PHONE: 505-858-3100

ADDRESS: 5571 Midway Park Place, NE FAX: 505-858-1118

CITY: Albuquerque STATE NM ZIP 87109 E-MAIL: rrb@tierrawestllc.com

APPLICANT: Western Albuquerque Land Holdings, LLC PHONE: 505-897-8599

ADDRESS: P.O. Box 56790 FAX: \_\_\_\_\_

CITY: Albuquerque STATE NM ZIP 87187 E-MAIL: ggi@swcp.com

Proprietary interest in site: Owner List all owners: \_\_\_\_\_

DESCRIPTION OF REQUEST: Minor Subdivision Preliminary/Final Plat Approval

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

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

Lot or Tract No. TR 1A1 Plat of TRS 1A1 & 1B1 Block: \_\_\_\_\_ Unit: \_\_\_\_\_

Subdiv/Addn/TBKA: El Rancho Atrisco Phase 3

Existing Zoning: SU-1 Proposed zoning: SU-1 MRGCD Map No \_\_\_\_\_

Zone Atlas page(s): H-09/ H-10 UPC Code: 100905950900240105

**CASE HISTORY:**

List any current or prior case number that may be relevant to your application (Proj., App., DRB-, AX\_, Z\_, V\_, S\_, etc.): \_\_\_\_\_  
 \*1003275, 1010220

**CASE INFORMATION:**

Within city limits?  Yes Within 1000FT of a landfill?  N/A

No. of existing lots: 2 No. of proposed lots: 6 Total site area (acres): 10.9281 acres

LOCATION OF PROPERTY BY STREETS: On or Near: Unser Blvd

Between: Ladera and Market Street

Check if project was previously reviewed by: Sketch Plat/Plan  or Pre-application Review Team(PRT)  Review Date: 03/3/2015

SIGNATURE [Signature] DATE 3/3/15

(Print Name) Ronald R. Bohannon Applicant:  Agent:

**FOR OFFICIAL USE ONLY**

Revised: 4/2012

<input checked="" type="checkbox"/> INTERNAL ROUTING	Application case numbers	Action	S.F.	Fees
<input checked="" type="checkbox"/> All checklists are complete	<u>15 DRB - 70089</u>	<u>P&amp;F</u>	_____	<u>\$565.00</u>
<input checked="" type="checkbox"/> All fees have been collected	_____	<u>CMF</u>	_____	<u>\$20.00</u>
<input checked="" type="checkbox"/> All case #s are assigned	_____	_____	_____	\$ _____
<input checked="" type="checkbox"/> AGIS copy has been sent	_____	_____	_____	\$ _____
<input checked="" type="checkbox"/> Case history #s are listed	_____	_____	_____	\$ _____
<input type="checkbox"/> Site is within 1000ft of a landfill	_____	_____	_____	\$ _____
<input type="checkbox"/> F.H.D.P. density bonus	_____	_____	_____	\$ _____
<input type="checkbox"/> F.H.D.P. fee rebate	_____	_____	_____	\$ _____
				Total
				<u>\$585.00</u>

Hearing date March 11, 2015

3-3-15  
Staff signature & Date

Project # 1003275

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

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

- SKETCH PLAT REVIEW AND COMMENT (DRB22)** **Your attendance is required.**
- Scale drawing of the proposed subdivision plat (folded to fit into an 8.5" by 14" pocket) **6 copies**
  - Site sketch with measurements showing structures, parking, Bldg. setbacks, adjacent rights-of-way and street improvements, 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) clearly outlined
  - Letter briefly describing, explaining, and justifying the request
  - List any original and/or related file numbers on the cover application

- EXTENSION OF MAJOR PRELIMINARY PLAT (DRB08)** **Your attendance is required.**
- Preliminary Plat reduced to 8.5" x 11"
  - Zone Atlas map with the entire property(ies) clearly outlined
  - Letter briefly describing, explaining, and justifying the request
  - Copy of DRB approved infrastructure list
  - Copy of the LATEST Official DRB Notice of approval for Preliminary Plat Extension request
  - List any original and/or related file numbers on the cover application
- Extension of preliminary plat approval expires after one year.**

- MAJOR SUBDIVISION FINAL PLAT APPROVAL (DRB12)** **Your attendance is required.**
- Proposed Final Plat (folded to fit into an 8.5" by 14" pocket) **6 copies**
  - Signed & recorded Final Pre-Development Facilities Fee Agreement for **Residential** development only
  - Design elevations & cross sections of perimeter walls **3 copies**
  - Zone Atlas map with the entire property(ies) clearly outlined
  - Bring original Mylar of plat to meeting, ensure property owner's and City Surveyor's signatures are on the plat
  - Copy of recorded SIA
  - Landfill disclosure and EHD signature line on the Mylar if property is within a landfill buffer
  - List any original and/or related file numbers on the cover application
  - DXF file and hard copy of final plat data for AGIS is required.

- MINOR SUBDIVISION PRELIMINARY/FINAL PLAT APPROVAL (DRB16)** **Your attendance is required.**
- 5 Acres or more: Certificate of No Effect or Approval
  - Proposed Preliminary / Final Plat (folded to fit into an 8.5" by 14" pocket) **6 copies** for unadvertised meetings
  - Signed & recorded Final Pre-Development Facilities Fee Agreement for **Residential** development only
  - Design elevations and cross sections of perimeter walls (11" by 17" maximum) **3 copies**
  - Site sketch with measurements showing structures, parking, Bldg. setbacks, adjacent rights-of-way and street improvements, 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) clearly outlined
  - Letter briefly describing, explaining, and justifying the request
  - Bring original Mylar of plat to meeting, ensure property owner's and City Surveyor's signatures are on the plat
  - Landfill disclosure and EHD signature line on the Mylar if property is within a landfill buffer
  - Fee (see schedule)
  - List any original and/or related file numbers on the cover application
  - Infrastructure list if required (**verify with DRB Engineer**)
  - DXF file and hard copy of final plat data for AGIS is required.

- AMENDMENT TO PRELIMINARY PLAT (with minor changes) (DRB03)** **Your attendance is required.**
- 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**
  - Original Preliminary Plat, Infrastructure List, and/or Grading Plan (folded to fit into an 8.5" by 14" pocket) **6 copies**
  - Zone Atlas map with the entire property(ies) clearly outlined
  - Letter briefly describing, explaining, and justifying the request
  - Bring original Mylar of plat to meeting, ensure property owner's and City Surveyor's signatures are on the plat
  - List any original and/or related file numbers on the cover application
- Amended preliminary plat approval expires after one year**

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

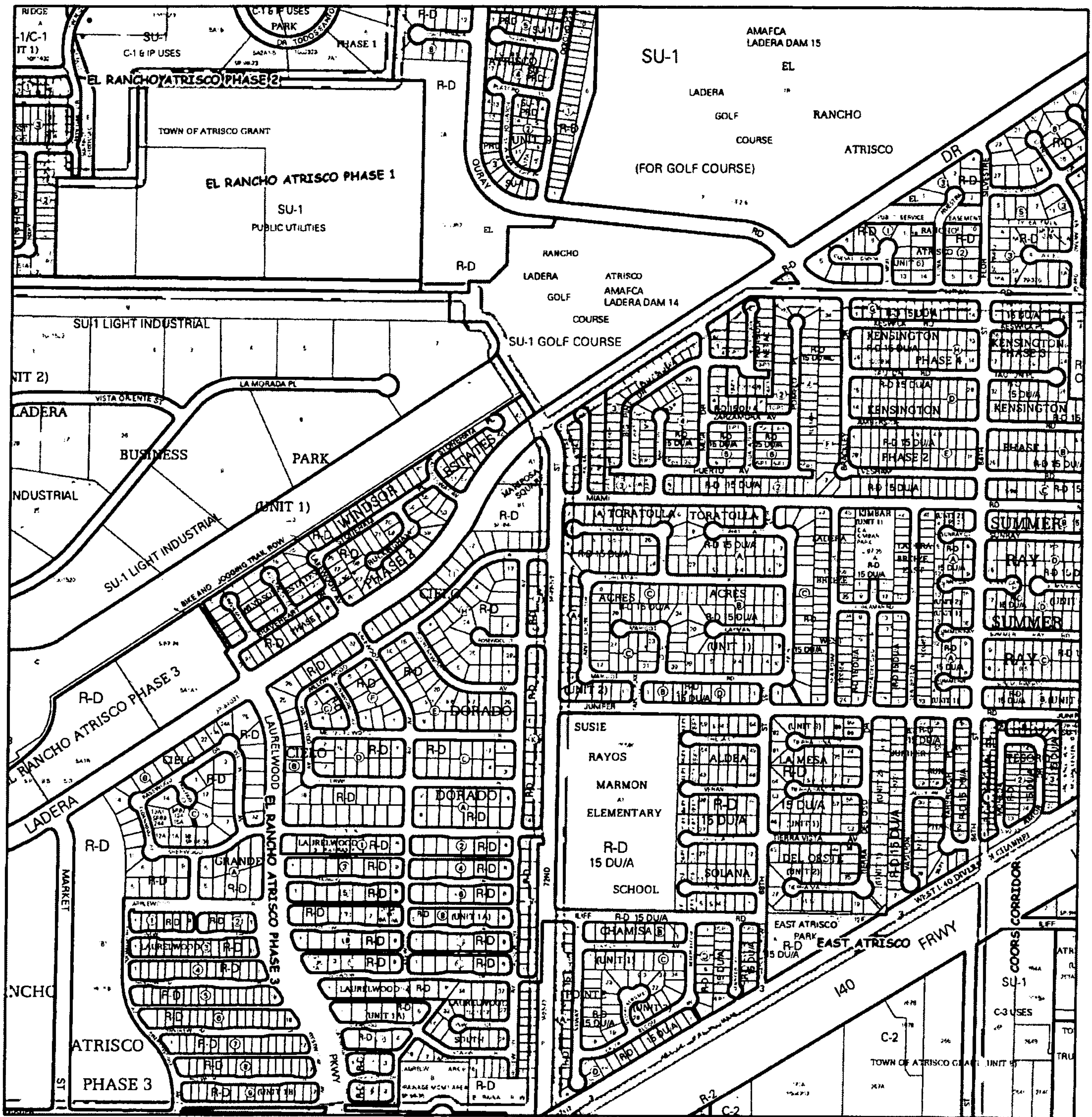
Ronald R. Bohannon  
 \_\_\_\_\_  
 Applicant name (print)  
 03/03/2015  
 \_\_\_\_\_  
 Applicant signature / date



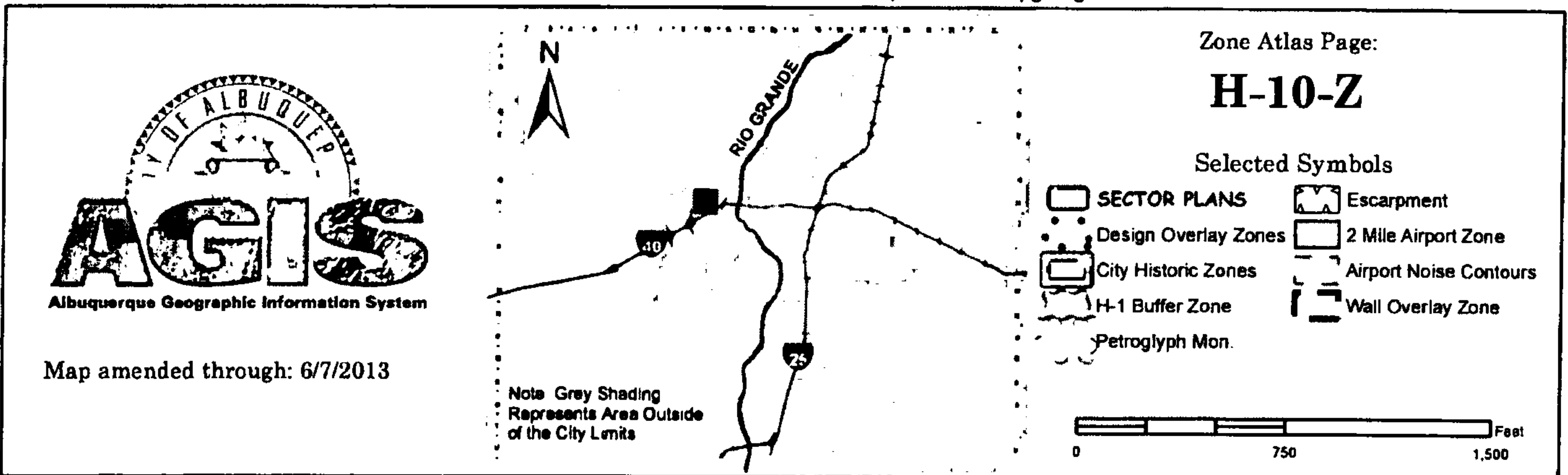
Form revised October 2007

- Checklists complete
  - Fees collected
  - Case #s assigned
  - Related #s listed
- Application case numbers  
 15 - DRB - 70089

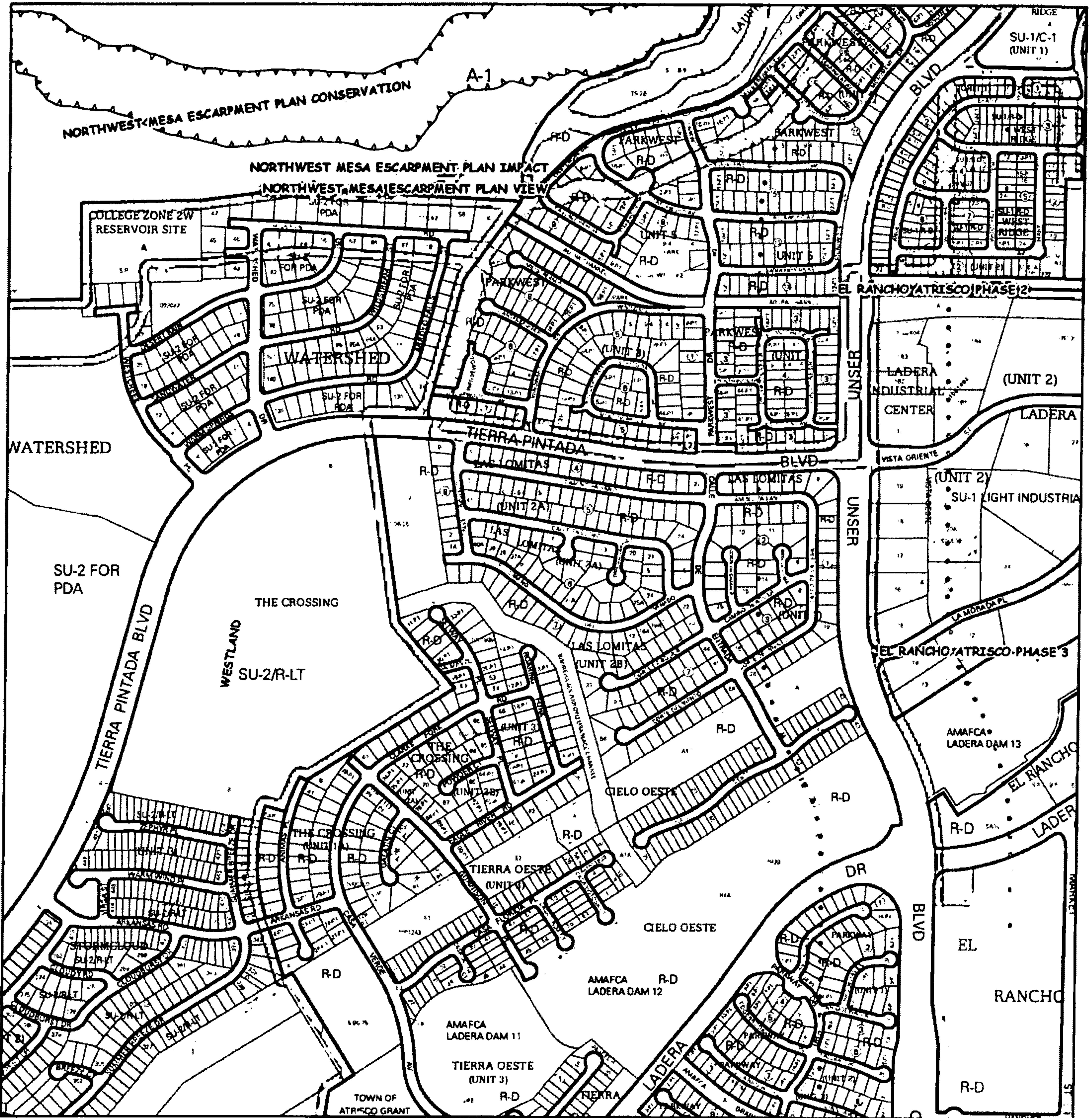
\_\_\_\_\_ 3-3-15  
 Planner signature / date  
 Project # 1003275




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





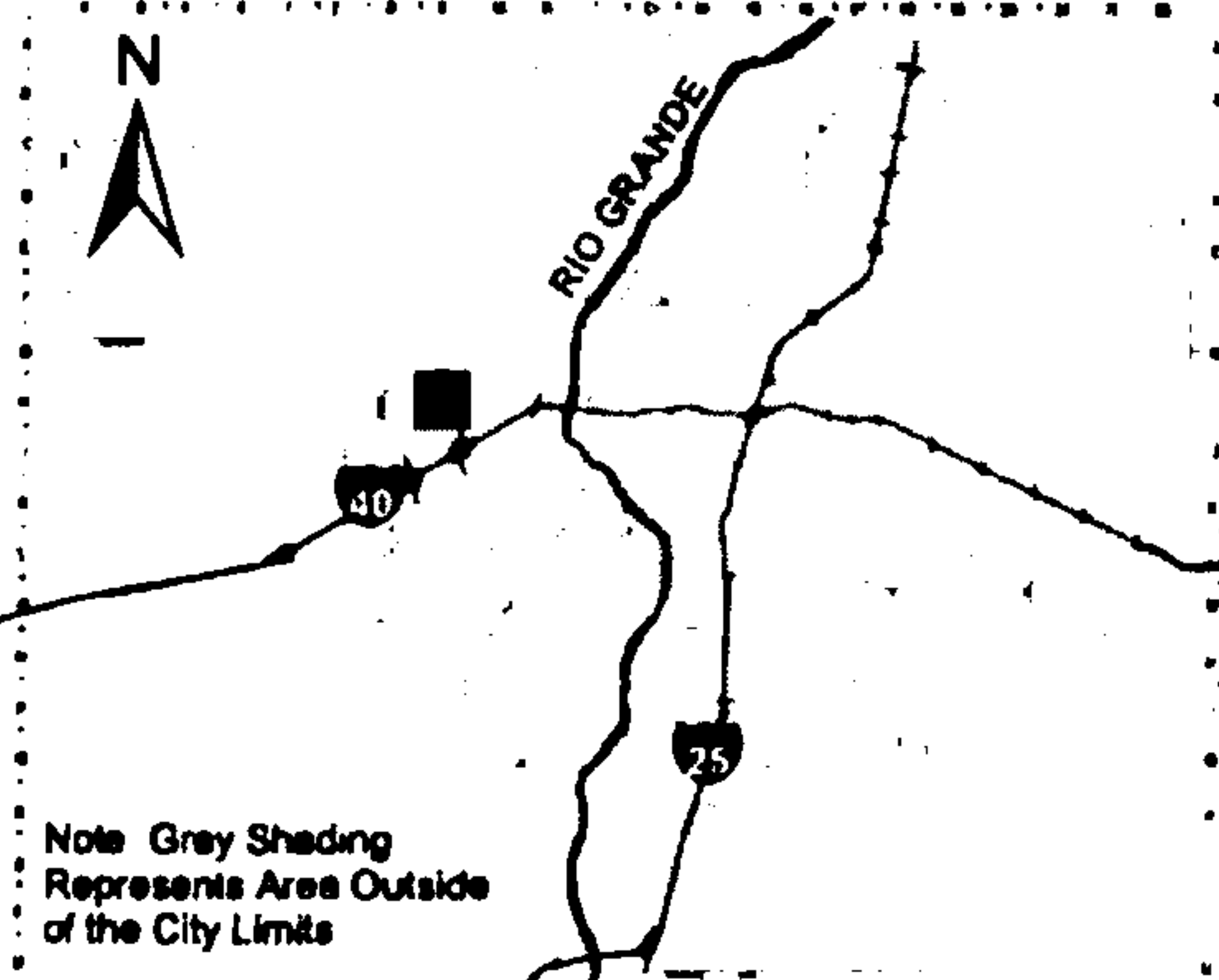


For more current information and details visit: <http://www.cabq.gov/gis>



**AGIS**  
Albuquerque Geographic Information System

Map amended through: 6/7/2013



**Note:** Gray Shading Represents Area Outside of the City Limits

Zone Atlas Page:  
**H-09-Z**

**Selected Symbols**

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

0 750 1,500 Feet

JW

# TIERRA WEST, LLC

March 3, 2015

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

**RE: MINOR SUBDIVISION FINAL PLAT APPROVAL  
TRACTS A, B, AND C HERITAGE PLAZA**

Dear Mr. Cloud:

Tierra West LLC, on behalf of our clients, requests approval of a Minor Subdivision for Preliminary and Final Plat for the above referenced site. The Site Plan for Subdivision was approved by the EPC on February 13, 2014 along with the infrastructure list. An SIA is being processed for the final plat. The purpose of the plat is to subdivide the property into six (6) tracts for future commercial use in accordance with the El Rancho Atrisco Phase III

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

Sincerely,



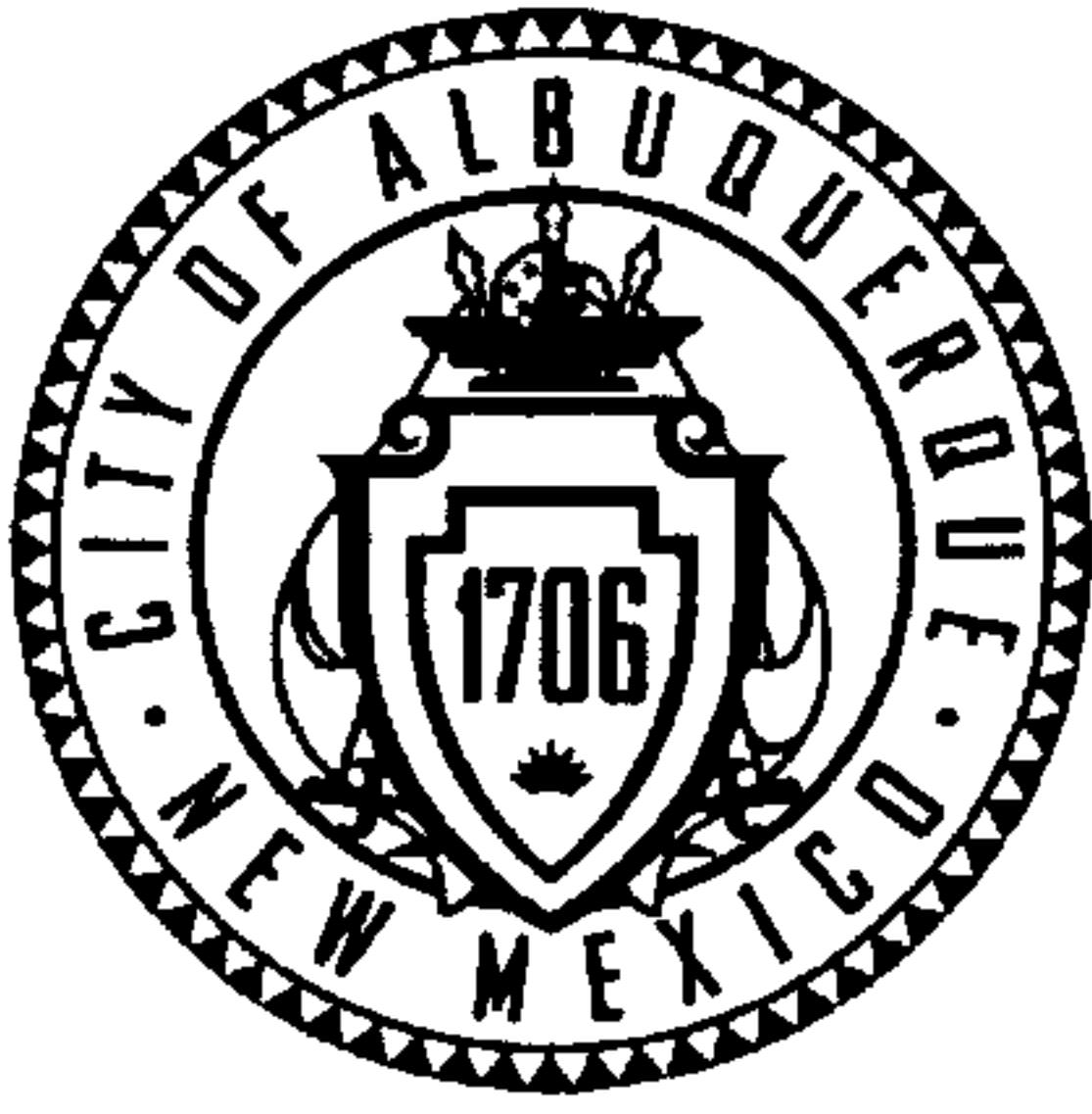
Ronald R. Bohannon, PE

Enclosure/s

cc: Ted Garrett

JN: 2014029  
RRB/jn/jg

5571 Mickey Park Place NE Albuquerque, NM 87109  
(505) 658-3100 Fax (505) 858-1118 1-800-245-3102  
tierrawest.com



City of Albuquerque  
P.O. Box 1293 Albuquerque, New Mexico 87103  
**Planning Department**  
Suzanne Lubar, Director

**Richard J. Berry, Mayor**  
August 21, 2013

**Robert J. Perry, CAO**

---

**SUBJECT:** ALBUQUERQUE ARCHAEOLOGICAL ORDINANCE—Compliance  
Documentation

**Case Number(s):**

**Agent:** Consensus Planning, Inc.  
**Applicant:** Western Albuquerque Land Holdings, LLC  
**Legal Description:** Tract 1A1, Plat of Tracts 1A1 & 1B1, El Rancho  
**Atrisco Phase 3**  
**Zoning:** R-D  
**Acreage:** 19.98 acres  
**Zone Atlas Page:** H-09

**CERTIFICATE OF NO EFFECT:** Yes  No

**CERTIFICATE OF APPROVAL:** Yes  No

**SUPPORTING DOCUMENTATION:** A Cultural Resource Survey of Approximately 20 Acres near the intersection of Ladera Drive and Unser Boulevard in Albuquerque, Bernalillo County, New Mexico, prepared by Gary Funkhouser and R. Stanley Kerr, (Marron & Associates, Toni Goar P.I.; NMCRIS #128219), August, 2013

**SITE VISIT:** N/A

**RECOMMENDATION(S):**

- **CERTIFICATE OF NO EFFECT IS ISSUED (ref O-07-72 Section 4B(1)-- no significant sites in project area)**

**NOTE:** One site identified—LA 157788, a post WW 2 trash dump determined to be not eligible for National Register listing.

**SUBMITTED:**

Matthew Schmader, PhD  
Superintendent, Open Space Division  
City Archaeologist

ORIGINAL

**INFRASTRUCTURE LIST**

(Rev 9-20-05)

**EXHIBIT "A"**

**TO SUBDIVISION IMPROVEMENTS AGREEMENT**

**DEVELOPMENT REVIEW BOARD (D.R.B.) REQUIRED INFRASTRUCTURE LIST**

**HERITAGE MARKETPLACE-PAD D**

**PROPOSED NAME OF SITE DEVELOPMENT PLAN**

**TRACTS A AND C, BULK LAND PLAT OF TRACTS A, B, AND C HERITAGE MARKETPLACE**

**EXISTING LEGAL DESCRIPTION PRIOR TO PLATTING ACTION**

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

Financially Guaranteed DRC #	Constructed Under DRC #	Size	Type of Improvement	Location	From	To	Construction Certification		
							Private Inspector	P.E.	City Cnst Engineer
		8"	Sanitary Sewer	Within Subdivision	Tract C	Tract A/B Property Line at Market St.	/	/	/
		8"	Waterline	Within Subdivision	Tract C at Unser Blvd	Tract A/B Property Line at Market St.	/	/	/
		n/a	Signal Modification	Ladera Drive/Unser Blvd	Unser /Ladera Intersection	Unser /Ladera Intersection	/	/	/
		12 ft	Right Turn Lane	Ladera Drive/Unser Blvd	Eastbound Ladera Blvd	Unser Blvd Intersection	/	/	/
		12 ft	Median Turn Lane Extension	Ladera	West DL	Median Opening	/	/	/
		60 ft	Median Opening	Market Street	Pad E	Pad D	/	/	/
		60 ft	Median Opening	Market Street	Pad D	Tract B	/	/	/
		8ft	Manhole	Hanover	n/a	n/a	/	/	/
		n/a	Signal Modification	Ladera Drive/Unser Blvd.	Unser Blvd Intersection	Unser Blvd Intersection	/	/	/

Current DRC

Project Number: 529882

FIGURE 12

Date Submitted: February 20, 2015

**INFRASTRUCTURE LIST**

(Rev 9-20-05)

**EXHIBIT "A"**

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

Date Site Plan Approved: \_\_\_\_\_

Date Preliminary Plat Approved: \_\_\_\_\_

Date Preliminary Plat Expires: \_\_\_\_\_

DRB Project No.: \_\_\_\_\_

DRB Application No.: \_\_\_\_\_

**HERITAGE MARKETPLACE-PAD D**

**PROPOSED NAME OF SITE DEVELOPMENT PLAN**

**TRACTS A AND C, BULK LAND PLAT OF TRACTS A, B, AND C HERITAGE MARKETPLACE  
EXISTING LEGAL DESCRIPTION PRIOR TO PLATTING ACTION**

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Financially Guaranteed DRC #	Constructed Under DRC #	Size	Type of Improvement	Location	From	To	Construction Certification		
							Private Inspector	P.E.	City Cnst Engineer
<input type="text"/>	<input type="text"/>	6'-8'	Sidewalk	Market Street	Ladera Drive	Tract A/B Property Line at Market St.	/	/	/
<input type="text"/>	<input type="text"/>	6'-8'	Sidewalk	Ladera Drive	Tract 1-C/TractA Property Line	Market Street	/	/	/
<input type="text"/>	<input type="text"/>	12'	Multi-Use Trail	Unser Blvd	Hanover	Pad C	/	/	/
<input type="text"/>	<input type="text"/>						/	/	/
<input type="text"/>	<input type="text"/>						/	/	/
<input type="text"/>	<input type="text"/>						/	/	/
<input type="text"/>	<input type="text"/>						/	/	/
<input type="text"/>	<input type="text"/>						/	/	/
<input type="text"/>	<input type="text"/>						/	/	/
<input type="text"/>	<input type="text"/>						/	/	/

The items listed below are on the CCIP and approved for Impact Fee credits. Signatures from the Impact Fee Administrator and the City User Department is required prior to DRB approval of this listing. The items listed below are subject to the standard SIA requirements.

Financially Guaranteed DRC #	Constructed Under DRC #	Size	Type of Improvement	Location	From	To	Construction Certification			
							Private Inspector	P.E.	City Cnst Engineer	
<input type="text"/>	<input type="text"/>						/	/	/	
<input type="text"/>	<input type="text"/>						/	/	/	
Approval of Creditable Items:							Approval of Creditable Items:			
Impact Fee Administrator Signature							Date	City User Dept. Signature		Date

NOTES

If the site is located in a floodplain, then the financial guarantee will not be released until the LOMR is approved by FEMA.  
Street lights per City requirements.

- 1 \_\_\_\_\_
- 2 \_\_\_\_\_
- 3 \_\_\_\_\_

AGENT / OWNER      DEVELOPMENT REVIEW BOARD MEMBER APPROVALS

Ronald R. Bohannon  
NAME (print)

Tierra West, LLC  
FIRM

 2/25/15  
SIGNATURE - date

 2-25-15  
DRB CHAIR - date

 02-25-15  
TRANSPORTATION DEVELOPMENT - date

 02/25/15  
UTILITY DEVELOPMENT - date

 2-25-15  
CITY ENGINEER - date

 2-25-15  
PARKS & RECREATION - date

\_\_\_\_\_  
AMAFCA - date

\_\_\_\_\_  
- date

\_\_\_\_\_  
- date

DESIGN REVIEW COMMITTEE REVISIONS

REVISION	DATE	DRC CHAIR	USER DEPARTMENT	AGENT / OWNER

PROJECT #

1008275

March 11, 2015

RIF

Current DRC  
Project Number: \_\_\_\_\_

FIGURE 12

Date Submitted: October 17, 2014

**INFRASTRUCTURE LIST**

(Rev. 9-20-05)

**EXHIBIT "A"**

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

Date Site Plan Approved: \_\_\_\_\_  
Date Preliminary Plat Approved: \_\_\_\_\_  
Date Preliminary Plat Expires: \_\_\_\_\_  
DRB Project No.: \_\_\_\_\_  
DRB Application No.: \_\_\_\_\_

**TRACTS A,B, AND C HERITAGE PLAZA**

PROPOSED NAME OF PLAT

TRACT 1-A-1, EL RANCHO ATRISCO PHASE III

EXISTING LEGAL DESCRIPTION PRIOR TO PLATTING ACTION

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Financially Guaranteed DRC #	Constructed Under DRC #	Size	Type of Improvement	Location	From	To	Construction Certification		
							Private Inspector	P.E.	City Cnst Engineer
		12 ft.	Deceleration Lane	Unser Boulevard	595' South of Proposed S'ly Entrance	Proposed Northerly Entrance	/	/	/
		6 ft	Bike Lane	Unser Boulevard	Existing 8" Main in Transport St	Existing Decel Lane south of Ladera	/	/	/
		12' Wide	Multi-use Trail	Unser Blvd Frontage	South PL of New Tract B	North PL of New Tract C	/	/	/
		8"	Sanitary Sewer	Within Subdivision	Tract C	Tract A/B Property Line at Market St.	/	/	/
		8"	Waterline	Within Subdivision	Tract C at Unser Blvd	Tract A/B Property Line at Market St.	/	/	/
		12 ft.	Left Turn Lane	Unser Boulevard	423' North of Proposed S'ly Entrance	Proposed Southerly Entrance	/	/	/
		30"	Storm Drain	Within Subdivision	Tract C	Public Storm Drain Tract B at Hanover	/	/	/
		12 ft	Right Turn Lane	Ladera Drive/Unser Blvd	Eastbound Ladera	Unser Blvd Intersection	/	/	/
		n/a	Signal Modification	Ladera Drive/Unser Blvd	Unser Blvd Intersection	Unser Blvd Intersection	/	/	/



The items listed below are on the CCIP and approved for Impact Fee credits. Signatures from the Impact Fee Administrator and the City User Department is required prior to DRB approval of this listing. The items listed below are subject to the standard SIA requirements.

Financially Guaranteed DRC #	Constructed Under DRC #	Size	Type of Improvement	Location	From	To	Construction Certification		
							Private Inspector	P.E.	City Cnst Engineer
<input type="text"/>	<input type="text"/>						/	/	/
<input type="text"/>	<input type="text"/>						/	/	/
Approval of Creditable Items:							Approval of Creditable Items:		
Impact Fee Administrator Signature      Date							City User Dept. Signature      Date		

**NOTES**

If the site is located in a floodplain, then the financial guarantee will not be released until the LOMR is approved by FEMA.  
Street lights per City requirements.

- 1 \_\_\_\_\_
- 2 \_\_\_\_\_
- 3 \_\_\_\_\_

**AGENT / OWNER**

**Ronald R. Bohannon**

NAME (print)

**Tierra West, LLC**

FIRM

  
SIGNATURE - date

**DEVELOPMENT REVIEW BOARD MEMBER APPROVALS**

DRB CHAIR - date

PARKS & RECREATION - 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



Supplemental Form (SF)

**SUBDIVISION**

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

**SITE DEVELOPMENT PLAN**

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

**STORM DRAINAGE (Form D)**

- Storm Drainage Cost Allocation Plan

**S Z ZONING & PLANNING**

- Annexation
- Zone Map Amendment (Establish or Change Zoning, includes Zoning within Sector Development Plans)
- Adoption of Rank 2 or 3 Plan or similar
- Text Amendment to Adopted Rank 1, 2 or 3 Plan(s), Zoning Code, or Subd. Regulations
- Street Name Change (Local & Collector)
- APPEAL / PROTEST of...**
- Decision by: DRB, EPC, LUCC, Planning Director, ZEO, ZHE, Board of Appeals, other

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 2<sup>nd</sup> Street NW, Albuquerque, NM 87102. Fees must be paid at the time of application. Refer to supplemental forms for submittal requirements.

**APPLICATION INFORMATION:**

Professional/Agent (if any): Tierra West, LLC PHONE: 505-858-3100  
 ADDRESS: 5571 Midway Park Place, NE FAX: \_\_\_\_\_  
 CITY: Albuquerque STATE NM ZIP 87109 E-MAIL: rrb@tierrawestllc.com

APPLICANT: Western Albuquerque Land Holdings, LLC PHONE: 505-897-8599  
 ADDRESS: 3131 Camelback Road, Suite 200 FAX: \_\_\_\_\_  
 CITY: Phoenix STATE AZ ZIP 85016 E-MAIL: jeff@gdc-az.com

Proprietary interest in site: Owner List all owners: \_\_\_\_\_

DESCRIPTION OF REQUEST: Site Development Plan for Building Permit, ~~Site Development Plan for~~ Subdivision.

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

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

Lot or Tract No. TR 1A1 Plat of TRS 1A1 & 1B1 Block: \_\_\_\_\_ Unit: \_\_\_\_\_  
 Subdiv/Addn/TBKA: El Rancho Atrisco Phase 3  
 Existing Zoning: SU-1 Proposed zoning: SU-1 MRGCD Map No \_\_\_\_\_  
 Zone Atlas page(s): H-09/H-10 UPC Code: 100905950900240105

**CASE HISTORY:**

List any current or prior case number that may be relevant to your application (Proj., App., DRB-, AX\_Z\_, V\_, S\_, etc.): \_\_\_\_\_  
1003275, 1010220

**CASE INFORMATION:**

Within city limits?  Yes Within 1000FT of a landfill? N/A  
 No. of existing lots: 1 No. of proposed lots: 1 Total site area (acres): 19.98  
 LOCATION OF PROPERTY BY STREETS: On or Near: Unser Blvd  
 Between: Ladera and Market Street

Check if project was previously reviewed by: Sketch Plat/Plan  or Pre-application Review Team(PRT)  Review Date: 10-07-14

SIGNATURE Donna J. Bohannan DATE 02/03/2015

(Print Name) Donna J. Bohannan. Applicant:  Agent:

**FOR OFFICIAL USE ONLY**

Revised: 4/2012

INTERNAL ROUTING	Application case numbers	Action	S.F.	Fees
<input checked="" type="checkbox"/> All checklists are complete	<u>15DRB - 70051</u>	<u>SBP</u>	_____	\$ <u>0</u>
<input checked="" type="checkbox"/> All fees have been collected	<u>_____ - 70052</u>	<u>SPS</u>	_____	\$ <u>0</u>
<input checked="" type="checkbox"/> All case #s are assigned	<u>_____ - 70074</u>	<u>CMF</u>	_____	\$ <u>20.00</u>
<input checked="" type="checkbox"/> AGIS copy has been sent	_____	<u>SBP</u>	_____	\$ <u>0</u>
<input checked="" type="checkbox"/> Case history #s are listed	_____	_____	_____	\$ _____
<input type="checkbox"/> Site is within 1000ft of a landfill	_____	_____	_____	\$ _____
<input type="checkbox"/> F.H.D.P. density bonus	_____	_____	_____	\$ _____
<input type="checkbox"/> F.H.D.P. fee rebate	_____	_____	_____	\$ _____
	Hearing date <u>Feb. 18, 2015</u>			Total <u>\$20.00</u>

[Signature]  
 Staff signature & Date 2-6-15

Project # 1003275

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

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

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

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

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

- SITE DEVELOPMENT PLAN FOR BUILDING PERMIT (DRB17)** **Maximum Size: 24" x 36"**
  - 5 Acres or more & zoned SU-1, IP, SU-2, PC, or Shopping Center: Certificate of No Effect or Approval
  - Site plan and related drawings (folded to fit into an 8.5" by 14" pocket) **6 copies**
  - Site Plan for Subdivision, if applicable, previously approved or simultaneously submitted. **6 copies.**
  - Solid Waste Management Department signature on Site Plan
  - Zone Atlas map with the entire property(ies) clearly outlined
  - Letter briefly describing, explaining, and justifying the request
  - Letter of authorization from the property owner if application is submitted by an agent
  - Copy of the document delegating approval authority to the DRB
  - Infrastructure List, if relevant to the site plan
  - Completed Site Plan for Building Permit Checklist
  - Copy of Site Plan with Fire Marshal's stamp
  - Fee (see schedule)
  - List any original and/or related file numbers on the cover application

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

- AMENDED SITE DEVELOPMENT PLAN FOR BUILDING PERMIT (DRB01)** **Maximum Size: 24" x 36"**
- AMENDED SITE DEVELOPMENT PLAN FOR SUBDIVISION (DRB02)** **Maximum Size: 24" x 36"**
  - Proposed amended Site Plan (folded to fit into an 8.5" by 14" pocket) **6 copies**
  - DRB signed Site Plan being amended (folded to fit into an 8.5" by 14" pocket) **6 copies**
  - Zone Atlas map with the entire property(ies) clearly outlined
  - Letter briefly describing, explaining, and justifying the request
  - Letter of authorization from the property owner if application is submitted by an agent
  - Infrastructure List, if relevant to the site plan
  - Completed Site Plan for Building Permit Checklist (not required for amendment of SDP for Subdivision)
  - Fee (see schedule)
  - List any original and/or related file numbers on the cover application

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

- 2 -  **FINAL SIGN-OFF FOR EPC APPROVED SDP FOR BUILDING PERMIT (DRB05)**
- 1 -  **FINAL SIGN-OFF FOR EPC APPROVED SDP FOR SUBDIVISION (DRB06)**
  - Site plan and related drawings (folded to fit into an 8.5" by 14" pocket) **6 copies**
  - Approved Grading and Drainage Plan (folded to fit into an 8.5" by 14" pocket) **6 copies**
  - Solid Waste Management Department signature on Site Plan for Building Permit
  - Zone Atlas map with the entire property(ies) clearly outlined
  - Letter carefully explaining how each EPC condition has been met **and** a copy of the EPC Notification of Decision
  - Infrastructure List, if relevant to the site plan
  - Copy of Site Plan with Fire Marshal's stamp (not required for SDP for Subdivision)
  - List any original and/or related file numbers on the cover application

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

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

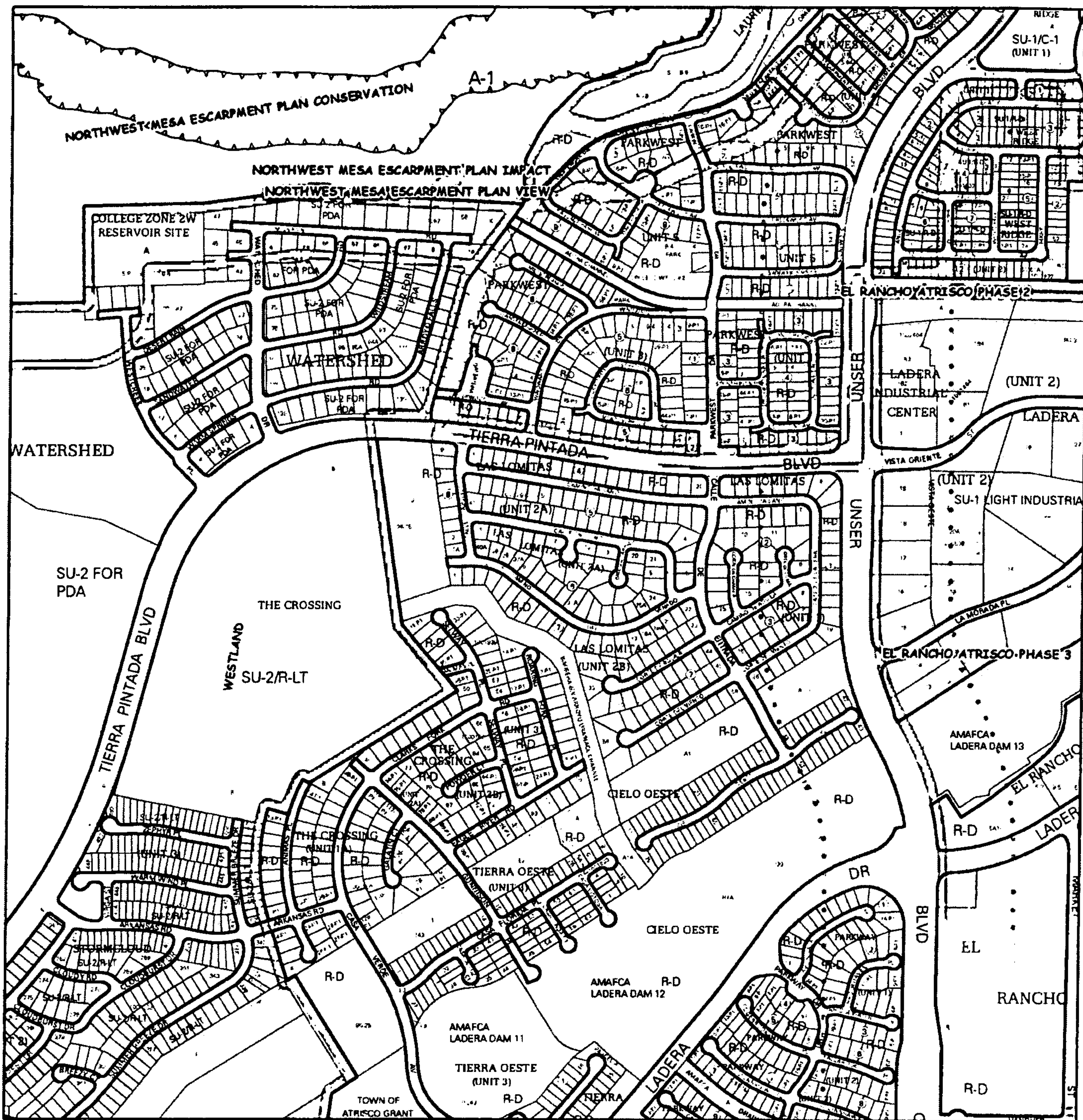
Donna J. Bohannon.  
 Applicant name (print)  
Donna J. Bohannon  
 Applicant signature / date



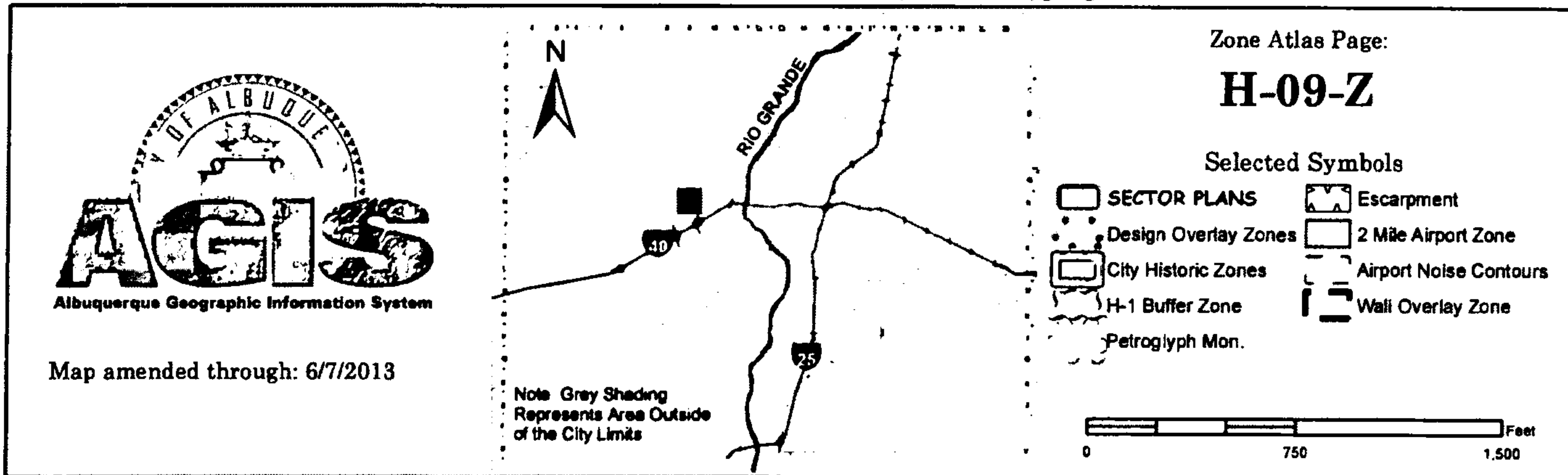
Form revised October 2007

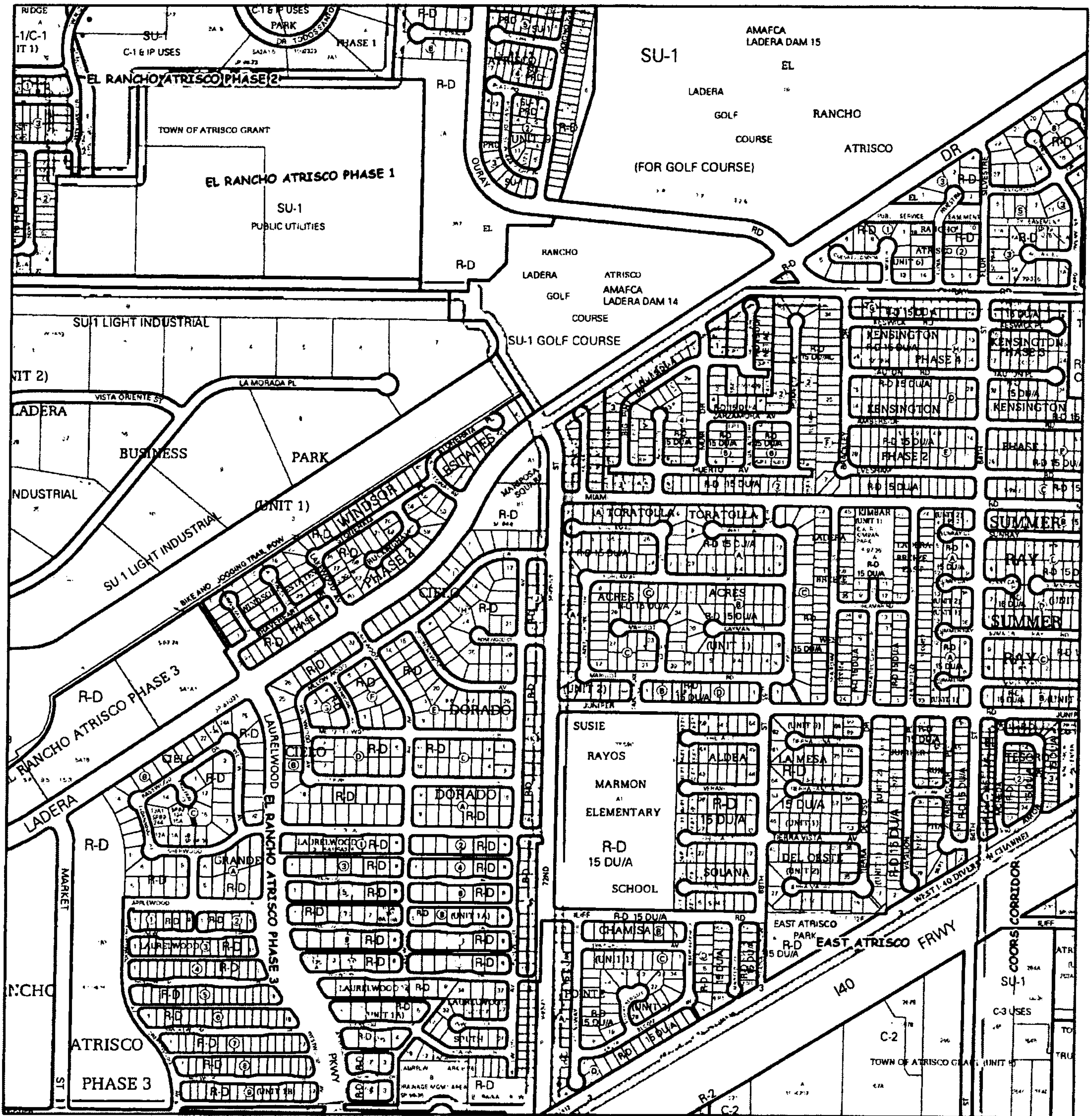
- Checklists complete
  - Fees collected
  - Case #s assigned
  - Related #s listed
- Application case numbers  
 15 - DRB - 70051  
 - - - - - 70052

[Signature] 2-6-15  
 Planner signature / date  
 Project # 1003275




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


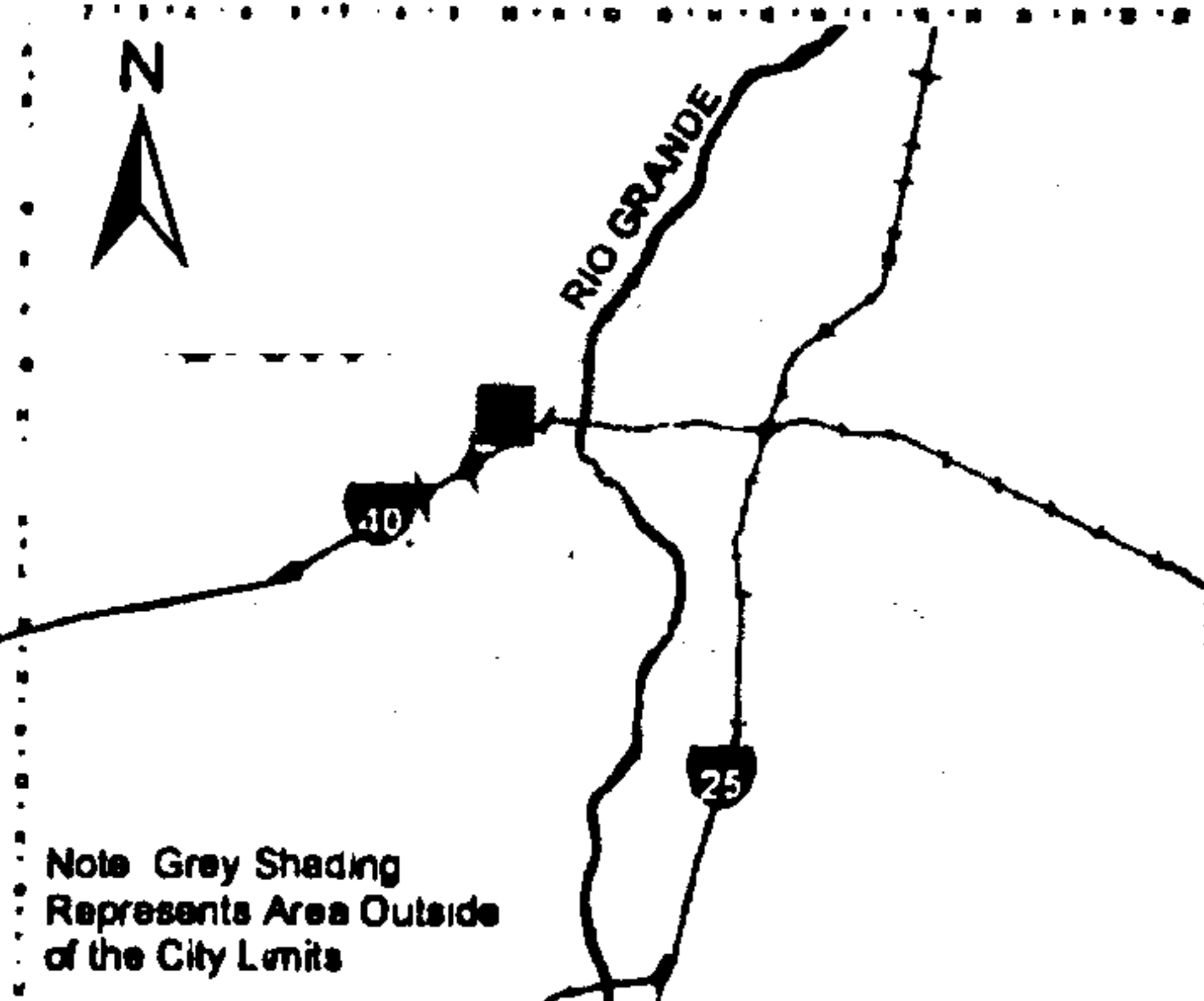




For more current information and details visit: <http://www.cabq.gov/gis>












Map amended through: 6/7/2013

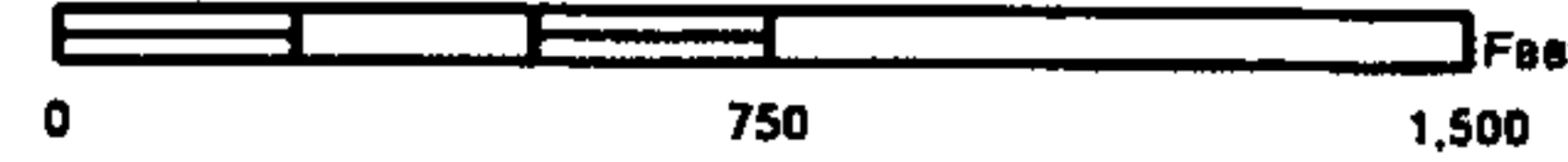



Note: Gray Shading Represents Area Outside of the City Limits

Zone Atlas Page:  
**H-10-Z**

Selected Symbols

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



gaw

# TIERRA WEST, LLC

January 26, 2015

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

**RE: EPC FINAL SIGN-OFF REQUEST FOR PROJECT # 1003275  
TRACTS A, B, AND C HERITAGE MARKET PLACE  
14EPC-40079 SITE DEVELOPMENT PLAN FOR BUILDING PERMIT  
ZONE ATLAS H-09 AND H-10 PAGES**

Dear Chairman Cloud:

On December 11, 2014, the Environmental Planning Commission (EPC), voted to approve Project# 1003275, 14EPC-40079, a Site Development Plan for Building Permit with conditions. The Condition of Approval are addressed as follows:

**CONDITIONS OF APPROVAL: 14EPC-40079 SITE DEVELOPMENT PLAN FOR BUILDING PERMIT**

1. The EPC delegates final sign-off authority of this site development plan to the Development Review Board (DRB). The DRB is responsible for ensuring that all EPC Conditions have been satisfied and that other applicable City requirements have been met. A letter shall accompany the submittal, specifying all modifications that have been made to the site plan since the EPC hearing, including how the site plan has been modified to meet each of the EPC conditions. Unauthorized changes to this site plan, including before or after DRB final sign-off, may result in forfeiture of approvals.

**Response: The Site Development Plan is submitted herewith for approval.**

2. Prior to application submittal to the DRB, the applicant shall meet with the staff planner to ensure that all conditions of approval are met.

**Response: A meeting with the Staff Planner will be conducted prior to the hearing. Architectural changes have been addressed via email.**

3. Add two additional bike racks near the front of the store.

**Response: We modified the Site Development Plan to add two additional bike racks.**

4. The applicant will continue to work with City Engineer/Transportation Development to address the comments provided for this project.

**Response: We met with Transportation Development and will continue to coordinate with DMD as necessary throughout the approval process.**

5. Conditions based on comments from PNM.

1. Existing underground electric distribution facilities are located on the west, south and north boundaries of the subject property. The applicant is responsible to abide by any conditions or terms of those easements.

**Response: We designed the proposed improvements to protect existing electrical infrastructure in place.**

5571 N. Jway Park Place NE Albuquerque, N.M 87109  
(505) 858-3100 Fax (505) 858-1118 1-800-245-3102  
t:crwestllc.com

2. It is necessary for the developer to contact PNM's New Service Delivery Department to coordinate electric service regarding this project. Any existing or proposed public utility easements are to be indicated on the site plan utility sheet prior to DRB review. PNM's standard for public utility easements for distribution is 10 feet in width to ensure adequate safe clearances

Contact.

PNM- Electric Service  
Mike Moyer  
4201 Edith Boulevard NE, Albuquerque, NM 87107  
Phone: (505) 241-3697

**Response: The master utility plan includes the proposed transformer location. We contacted PNM's New Service Delivery Department to coordinate new service delivery.**

1. Ground- mounted equipment screening will be designed to allow for access to utility facilities. All screening and vegetation surrounding ground-mounted transformers and utility pads are to allow 10 feet of clearance in front of the equipment door and 5-6 feet of clearance on the remaining three sides for safe operation, maintenance and repair purposes. Refer to the PNM Electric Service Guide at [www.pnm.com](http://www.pnm.com) for specifications.

**Response: Ground mounted equipment is designed to maintain required clearances.**

6. The front façade shall be modified so that it is better articulated with the addition of color, texture, breaks, and extended canopy or other features.

**Response: The architectural elevation was modified to include the additional articulation required and was reviewed by the Staff Planner.**

7. Dedicated bicycle trails along Unser Blvd. and Ladera Dr. shall be installed by the applicant in coordination with the department of Municipal Development.

**Response: The bicycle land and multi-use trail along Unser is shown on the infrastructure plans and installation of bicycle improvements will be coordinated with the DMID project.**

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

Sincerely,

*for*   
Ronald R. Bohannon, P.E.

Enclosure/s

cc: Jay Schneider  
Ted Garrett

JN 2014038  
RRB/d/jg

g w

# TIERRA WEST, LLC

February 6, 2015

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

**RE: EPC FINAL SIGN-OFF REQUEST FOR PROJECT #1003275  
TRACTS A, B, AND C HERTIAGE MARKET PLACE  
14EPC-40076, A ZONE MAP AMENDMENT  
14EPC-40077, A SITE DEVELOPMENT PLAN FOR BUILDING PERMIT  
14EPC-40078, AN AMENDMENT TO A SITE DEVELOPMENT PLAN FOR SUBDIVION  
ZONE ATLAS H-09 AND H-10 PAGES**

Dear Chairman Cloud:

On December 11, 2014, the Environmental Planning Commission (EPC), voted to approve Project #1003275, 14EPC-40076, a Zone Map Amendment, Project 14EPC-40077, a Site Development Plan for Building Permit, and 14EPC-40078, an Amendment to a Site Development Plan for Subdivision with conditions. The conditions of approval have been addressed as follows:

**CONDITIONS OF APPROVAL: 14EPC-40076 ZONE MAP AMENDMENT**

1. The zone map amendment does not become effective until the accompanying site development plan is approved by the DRB, pursuant to 14-16-4-1(C) (16) of the Zone Code. If such requirement is not met within six months after the date of EPC approval, the zone map amendment is void. The Planning Director may extend this time limit up to an additional six months upon request by the applicant.

**Response: The Site Development Plan is submitted herewith for approval.**

**CONDITIONS OF APPROVAL: 14EPC-40077 SITE DEVELOPMENT PLAN FOR SUBDIVISION**

1. The EPC delegates final sign-off authority of this site development plan to the Development Review Board (DRB). The DRB is responsible for ensuring that all EPC Conditions have been satisfied and that other applicable City requirements have been met. A letter shall accompany the submittal, specifying all modifications that have been made to the site plan since the EPC hearing, including how the site plan has been modified to meet each of the EPC conditions. Unauthorized changes to this site plan, including before or after DRB final sign-off, may result in forfeiture of approvals.

**Response: This letter outlines the changes, as required.**

2. Prior to application submittal to the DRB, the applicant shall meet with the staff planner to ensure that all conditions of approval are met

**Response: A meeting with the Staff Planner will be conducted prior to the hearing.**

3. The zoning for the specific pad sites shall be listed in Section 1, Land Use on the Site Development Plan for Subdivision.

**Response: We revised the Site Development Plan Sheet 2 of 3 (Design Standards) to include the required text.**

557' Midway Park NE Albuquerque, NM: 87109  
(505) 858-3100 Fax (505) 858-1118 1-800-245-3102  
tierrawest.com



4. The Site Development Plan for Subdivision Design Standards shall be modified as follows:

Sections 4.D.4 add, "Major Facades shall break up the vertical mass (height) in addition to the horizontal mass.

**Response: We revised the Site Development Plan Sheet 2 of 3 (Design Standards) to include the required text.**

Section 4.D.6 add, "and or color" after inset.

**Response: We revised the Site Development Plan Sheet 2 of 3 (Design Standards) to include the required text.**

Section 4.F.2 add, "If buildings are earth tone colors then the accent colors cannot be earth tone colors.

**Response: We revised the Site Development Plan Sheet 2 of 3 (Design Standards) to include the required text.**

**CONDITIONS OF APPROVAL: 14EPC-40077-SITE DEVELOPMENT PLAN FOR BUILDING PERMIT**

1. The EPC delegates final sign-off authority of this site development plan for the Development Review Board (DRB). The DRB is responsible for ensuring that all EPC Conditions have been satisfied and that other applicable City requirements have been met. A letter shall accompany the submittal, specifying all modifications that have been made to the site plan since the EPC hearing, including how the site plan has been modified to meet each of the EPC conditions. Unauthorized changes to this site plan, including before or after DRB final sign-off, may result in forfeiture of approvals.

**Response: This letter outlines the changes, as required.**

2. Prior to application submittal to the DRB, the applicant shall meet with the staff planner to ensure that all conditions of approval are met.

**Response: A meeting with the Staff Planner will be conducted prior to the hearing. Architectural changes have been addressed via email.**

3. Provide 2 additional bike racks for the retail spaces.

**Response: We modified the Site Development Plan to add two additional bike racks.**

4. The applicant will continue to work with City Engineer/Transportation Development to address the comments provided for this project.

**Response: We met with Transportation Development and will continue to coordinate with DMD as necessary throughout the approval process.**

5. The Developer is responsible for permanent improvements to the transportation facilities adjacent to the proposed development site plan, as required by Development Review Board.

**Response: The infrastructure list and development plans include the required permanent improvements to the transportation facilities adjacent to the site.**

6. Conditions of Approval base on comments from PNM:

1. Existing underground electric distribution facilities are located on the west, south and north boundaries of the subject property. The applicant is responsible to abide by any conditions or terms of those easements.

**Response: We designed the proposed improvements to protect existing electrical infrastructure in place.**

2. It is necessary for the developer to contact PNM's New Service Delivery Department to coordinate electric service regarding this project. Any existing or

proposed public utility easements are to be indicated on the site plan utility sheet prior to DRB review. PNM's standard for public utility easements for distribution is 10 feet in width to ensure adequate, safe clearances.

Contact:  
PNM – Electric  
Mike Moyer Phone: (505) 241-3697  
4201 Edith Boulevard NE, Albuquerque, NM 87107

**Response: The master utility plan includes the proposed transformer location. We contacted PNM's New Service Delivery Department to coordinate new service delivery.**

3. Ground-mounted equipment screening will be designed to allow for access to utility facilities. All screening and vegetation surrounding ground-mounted transformers and utility pads are to allow 10 feet of clearance in front of the equipment door and 5-6 feet of clearance on the remaining three sides for safe operation, maintenance and repair purposes. Refer to the PNM Electric Service Guide at [www.pnm.com](http://www.pnm.com) for specifications.


**Response: Ground mounted equipment is designed to maintain required clearances.**

7. Dedicated bicycle trails along Unser Blvd. and Ladera Dr. shall be installed by the applicant in coordination with the Department of Municipal Development.

**Response: The bicycle land and multi-use trail along Unser is shown on the infrastructure plans and installation of bicycle improvements will be coordinated with the DMD project.**

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

Sincerely,

*for*   
Ronald R. Bohannon, P.E.

Enclosure/s

cc: Jay Schneider  
Ted Garrett

JN: 2014038  
RRB/jh/jg

Current DRC  
Project Number: \_\_\_\_\_

**FIGURE 12**

Date Submitted: October 17, 2014

**INFRASTRUCTURE LIST**

(Rev. 9-20-05)

**EXHIBIT "A"**

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

Date Site Plan Approved: \_\_\_\_\_  
Date Preliminary Plat Approved: \_\_\_\_\_  
Date Preliminary Plat Expires: \_\_\_\_\_  
DRB Project No.: \_\_\_\_\_  
DRB Application No.: \_\_\_\_\_

**TRACTS A,B, AND C HERITAGE PLAZA**

PROPOSED NAME OF PLAT

**TRACT 1-A-1, EL RANCHO ATRISCO PHASE III  
EXISTING LEGAL DESCRIPTION PRIOR TO PLATTING ACTION**

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

Financially Guaranteed DRC #	Constructed Under DRC #	Size	Type of Improvement	Location	From	To	Construction Certification		
							Private Inspector	P.E.	City Cnst Engineer
		12 ft.	<u>Deceleration Lane</u>	<u>Unser Boulevard</u>	<u>595' South of Proposed S'y Entrance</u>	<u>Proposed Northerly Entrance</u>	/	/	/
		6 ft	<u>Bike Lane</u>	<u>Unser Boulevard</u>	<u>Existing 8" Main in Transport St</u>	<u>Existing Decel Lane south of Ladera</u>	/	/	/
		12' Wide	<u>Multi-use Trail</u>	<u>Unser Blvd Frontage</u>	<u>South PL of New Tract B</u>	<u>North PL of New Tract C</u>	/	/	/
		8"	<u>Sanitary Sewer</u>	<u>Within Subdivision</u>	<u>Tract C</u>	<u>Tract A/B Property Line at Market St.</u>	/	/	/
		8"	<u>Waterline</u>	<u>Within Subdivision</u>	<u>Tract C at Unser Blvd</u>	<u>Tract A/B Property Line at Market St.</u>	/	/	/
		12 ft.	<u>Left Turn Lane</u>	<u>Unser Boulevard</u>	<u>423' North of Proposed S'y Entrance</u>	<u>Proposed Southerly Entrance</u>	/	/	/
		30"	<u>Storm Drain</u>	<u>Within Subdivision</u>	<u>Tract C</u>	<u>Public Storm Drain Tract B at Hanover</u>	/	/	/
		12 ft	<u>Right Turn Lane</u>	<u>Ladera Drive/Unser Blvd</u>	<u>Eastbound Ladera</u>	<u>Unser Blvd Intersection</u>	/	/	/
		n/a	<u>Signal Modification</u>	<u>Ladera Drive/Unser Blvd</u>	<u>Unser Blvd Intersection</u>	<u>Unser Blvd Intersection</u>	/	/	/

The items listed below are on the CCIP and approved for Impact Fee credits. Signatures from the Impact Fee Administrator and the City User Department is required prior to DRB approval of this listing. The items listed below are subject to the standard SIA requirements.

Financially Guaranteed DRC #	Constructed Under DRC #	Size	Type of Improvement	Location	From	To	Construction Certification			
							Private Inspector	P.E.	City Cnst Engineer	
<input type="text"/>	<input type="text"/>						/	/	/	
<input type="text"/>	<input type="text"/>						/	/	/	
Approval of Creditable Items:							Approval of Creditable Items:			
Impact Fee Administrator Signature							Date	City User Dept. Signature		Date

**NOTES**

If the site is located in a floodplain, then the financial guarantee will not be released until the LOMR is approved by FEMA.  
Street lights per City requirements.

1  
2  
3

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**AGENT / OWNER**

**DEVELOPMENT REVIEW BOARD MEMBER APPROVALS**

**Ronald R. Bohannon**  
NAME (print)

DRB CHAIR - date

PARKS & RECREATION - date

**Tierra West, LLC**  
FIRM

TRANSPORTATION DEVELOPMENT - date

AMAFCA - date

SIGNATURE - date

UTILITY DEVELOPMENT - date

- date

CITY ENGINEER - date

- date

**DESIGN REVIEW COMMITTEE REVISIONS**

REVISION	DATE	DRC CHAIR	USER DEPARTMENT	AGENT / OWNER

# CITY OF ALBUQUERQUE

PLANNING DEPARTMENT  
URBAN DESIGN & DEVELOPMENT DIVISION  
600 2nd Street NW, 3rd Floor, 87102  
P.O. Box 1293, Albuquerque, NM 87103  
Office (505) 924-3860 Fax (505) 924-3339



## OFFICIAL NOTIFICATION OF DECISION

December 12, 2014

Western Albuquerque Land Holdings  
3131 Camelback Road, Suite 200  
Phoenix, AZ 85016

**Project# 1003275**  
14EPC-40079 Site Development Plan for Building Permit

### LEGAL DESCRIPTION:

For all or a portion of tract Tract 1A1 Plat of Tracts 1A1 & 1B1, El Rancho Atrisco Phase 3, zoned SU-2\SU-1 Planned Office Park and Commercial Development located on Unser Blvd., between Ladera Dr. and Market St., containing approximately 6 acres. (H-9 & H-10)  
Staff Planner: Maggie Gould

PO Box 1293

On December 11, 2014, the Environmental Planning Commission (EPC), voted to **APPROVE** Project# 1003275, 14EPC-40079, a Site Development Plan for Building Permit, based on the following findings:

1. This is a request for a Site Development Plan for Building Permit for a 41,000 square foot Grocery Store and a Fuel Station with 6 pumps and 700 square foot convenience store for (for Tract 1A1 Plat of Tracts 1A1 and 1B1, El Rancho Atrisco unit Phase 3 located on Unser Blvd. between Ladera Drive and Market Street and containing approximately 6 acres Describe purpose of request.
2. The Zoning Hearing Examiner approved a conditional for a Drive up service window and a conditional use for the 6 gas pumps in October of 2014.
3. The subject is within the boundaries of Albuquerque/Bernalillo County Comprehensive Plan, Westside Strategic Plan, El Rancho Atrisco Phase III Sector Plan.
4. The Albuquerque/Bernalillo County Comprehensive Plan, Westside Strategic Plan, El Rancho Atrisco Phase 3 Sector Development Plan and the City of Albuquerque Zoning Code are incorporated herein by reference and made part of the record for all purposes.

**OFFICIAL NOTICE OF DECISION**

**Project #1003275 14EPC-40079**

**December 11, 2014**

**Page 2 of 10**

5. The subject site is within the Developing Urban Area of the Comprehensive Plan. The request is in general compliance with the following applicable goals and policies of the Comprehensive Plan:

- A. Policy II.B.5.d: The location, intensity, and design of new development shall respect existing neighborhood values, natural environmental conditions and carrying capacities, scenic resources, and resources of other social, cultural, recreational concern.

Neighborhood values are respected with the requests. The surrounding area is currently under-served by neighborhood commercial and service businesses. The new retail will provide additional options for west side residents and will be within walking distance of existing residential development. The additional uses, alcohol sales, will add to these options without adversely impacting the neighborhood. The development design standards of the SPS – for architecture, landscaping, and signage – will result in a building and site design theme consistent and complimentary to development in the surrounding area. The changes to the SPS are minimal and will not alter the overall intent of the regulations. The request further Policy II.B.5.d.

- B. Policy II.B.5.e: New growth shall be accommodated through development in areas where vacant land is contiguous to existing or programmed urban facilities and services and where the integrity of existing neighborhoods can be assured.

The site has access to a full range of existing urban services, including roads, electricity, transit and water and sewer. The proposed development will be compatible with the existing neighborhood development because it will offer needed services and will designed to lessen the impact on the neighborhoods. The request further Policy II.B.5.e.

- C. Policy II.B.5.i: Employment and service uses shall be located to complement residential areas and shall be sited to minimize adverse effects of noise, lighting, pollution, and traffic on residential environments.

New development will add to the services available to area residents and provide job opportunities. The design standards in the SPS provide protection to the existing residential areas by limiting lighting near residential development and providing design standards to insure quality. Traffic will access the site from Unser Blvd. and Ladera Dr., away from the residential areas. Additional access points on Market Street may impact the existing multi-family development, but are separated from the development by an 86 foot wide street. The request further Policy II.B.5.i.

D. Policy II.B.5.j: When new commercial development occurs, it should generally be located in existing commercially zoned areas:

- In small neighborhood-oriented centers provided with pedestrian and bicycle access within reasonable distance of residential areas for walking or bicycling
- In larger area-wide shopping centers located at intersections of arterial streets and provided with access via mass transit

The subject site is within a Neighborhood Center designated in the West Side Strategic Plan; the closest designated Major Activity Center is at Central Ave. and Unser Blvd. There is residential development to the east and south within walking and biking distance of the site. Bike racks will be provided with the retail development. The request furthers Policy II.B.5.j.

#### **Activity Centers**

E. Policy II.B.7.f: The most intense uses in Activity Centers shall be located away from nearby low-density residential development and shall be buffered from those residential uses by a transition area of less intensive development.

The subject site is within a Neighborhood Center designated in the West Side Strategic Plan; the closest designated Major Activity Center is at Central Ave. and Unser Blvd. There is existing multi-family development between the proposed development and the existing single family development. The proposed building is not adjacent to the existing residential area, but will be accessible by area residents. The request furthers Policy II.B.7.f.

#### **Transportation**

F. Policy II.D.4.a: Ideal policy objectives for street design, transit service, and development form consistent with Transportation Corridors and Activity Centers as shown on the Comprehensive Plan's Activity Centers and Transportation Corridors map in the Activity Centers section.

The subject site is within a designated Neighborhood Center. Unser Blvd. is a designated Express Transit Corridor. The proposed new construction would be consistent with the Development Form details for an Express Transit corridor, including minimum sidewalk width and on-site pedestrian circulation. The SPS design standards are consistent with the Zoning Code general design standards for non-residential development. Staff finds the request furthers Policy II.D.4.a.

#### **Economic Development**

- G. Policy II.D.6.a: New employment opportunities which will accommodate a wide range of occupational skills and salary levels shall be encouraged and new jobs created convenient to areas of most need.

The subject site is located on the west side of Albuquerque, an area deficient in jobs relative to housing. The proposed non-residential uses, including retail, restaurant and service uses would provide a range of jobs potentially available to residents of the west side. The site is also served by transit, providing commuting options for future employees and residents at the site. Staff finds the request further Policy II.D.6.a.

6. The request partially furthers goals and policies of the Comprehensive Plan:

- A. Policy II.B.5k: Land adjacent to arterial streets shall be planned to minimize harmful effects of traffic; livability and safety of established residential neighborhoods shall be protected in transportation planning and operations.

The site takes access from Unser Boulevard, this helps to route traffic away from the neighborhoods to the east and south. The site also takes access from Ladera and Market Street, closer to existing residential development. These access points also allow neighborhood entry to the site. The request partially furthers Policy II.B.5k.

7. The request is in general compliance with the following applicable goals and policies of the Westside Strategic Plan.

- A. Plan Objective 8: Promote job opportunities and business growth in appropriate areas of the West Side.

The request will allow the development of new business and additional job opportunities on the west side. The request further objective 8.

- B. Policy 1.1: Thirteen distinct Communities shall constitute the existing and future urban form of the West Side. Communities shall develop with areas of higher density (in Community and Neighborhood Centers), surrounded by areas of lower density. Bernalillo County and the City of Albuquerque Planning Commissions shall require that high density and non-residential development occur within Community and Neighborhood Centers. Low density residential development (typical 3-5 du/acre subdivisions, or large lot rural subdivisions) shall not be approved within the Centers.

These requests allow the development of commercial activity (non-residential development) within a neighborhood center as designated by the Westside Strategic Plan. The requests further Policy 1.1

- C. Policy 1.5: Community and Neighborhood Centers shall be required to provide pedestrian/bicycle access to key activity areas. Parking lots shall be carefully designed to facilitate trail access and pedestrian access between buildings.



**OFFICIAL NOTICE OF DECISION**

**Project #1003275 14EPC-40079**

**December 11, 2014**

**Page 5 of 10**

The proposed SPS design standards include a requirement for linking building entrances to the Unser Blvd. trail via six foot sidewalks. The Site Plan for Building Permit shows bike racks in front of the proposed retail buildings and a sidewalk connection to Unser Blvd. There is direct access from the bike lane along Unser Blvd. to the site. Staff finds the request further Policy 1.5.

- D. Policy 1.6: Large areas dedicated to employment uses shall be preserved on the West Side at Seven Bar Ranch, Atrisco Business Park, and Double Eagle II Airport. Additional employment center development is also encouraged. The City of Albuquerque and Bernalillo County economic development programs shall actively encourage employers to locate in these employment centers.

Commercial development on this portion site preserves the commercial use and adds to the job possibilities on the west side. The remainder of the site will be developed with residential uses and these uses will be compatible and complimentary to the commercial development. The requests further Policy 1.6.

- E. Policy 1.9: In the Established and Developing Urban areas mapped by the Albuquerque/Bernalillo County Comprehensive Plan, future neighborhood and community centers may be designated and developed at appropriate locations, determined as follows:

Neighborhood centers should be located to serve approximately 15,000 population within about one mile radius of the center. Uses typical of community centers would likely be accessed on a weekly basis, whereas those in a neighborhood center might be used almost daily. Neighborhood Centers should be less automobile oriented, located on minor arterial and/or collector streets, and connected to public transit service as well as informal pedestrian and bicycle ways. Both community and neighborhood centers shall be very accommodating to the pedestrian even within predominantly off-street parking areas. Neighborhood centers should also have small blocks, but with small clusters of shared parking as well as on-street parking. Both community and neighborhood centers shall have outdoor areas that encourage gathering; both shall include bicycle parking and both shall provide safe pedestrian connections among buildings and between buildings and parking areas.

The subject site is within a designated Neighborhood Center. The site vicinity has very limited commercial and service businesses available to surrounding residents; most daily needs must be met from businesses along Coors Blvd. Neighborhood-oriented commercial and service uses would be accommodated with development on the site. Two arterial roadways, Unser Blvd. and Ladera Rd., provide access to the project. Access is also from Market St. a collector street. The SPS identifies shared parking for commercial uses, and pedestrian connections to buildings as integral features of parking standards. Staff finds the request further Policy 1.1

- F. Policy 1.15: Neighborhood Centers of 15 to 35 acres shall contain generally small parcels and buildings; on-street parking is permitted, with smaller off-street parking areas shared among businesses and institutions. The neighborhood center shall have a built scale very accommodating to pedestrians and bicyclists, including outdoor seating for informal gatherings. Services such as childcare, dry cleaners, drug stores and small

restaurants along with a park and/or school should be located central to surrounding neighborhoods.

The site is divided into smaller individual pad sites. There is access to the bike lane along Unser Blvd. and sidewalks are provided throughout the site. Policy 1.15 is furthered.

- G. Policy 1.16: Neighborhood Centers shall be located on local collector and sometimes arterial streets. While their primary access may be by auto, pedestrian and bicycle connections shall be provided to all adjacent neighborhoods, parks and to the larger open space system. Convenient transit services shall be connected with community-wide and regional transit development.

The site is accessed from a collector street (Market St.) and two arterial streets (Unser Blvd. and Ladera Dr.). The development would provide internal sidewalk connections to the multi-use trail existing along Unser Blvd. and to sidewalks leading to single family residential neighborhoods to the east, south and west of the subject property. Staff finds the request further Policy 1.16.

- H. Policy 3.16: Multifamily development, public uses, educational and institutional facilities, and commercial or employment uses are all appropriate in the Community or Neighborhood Centers. Mixed-use and multi-modal access shall be incorporated into the design for these areas.

The site is a designated neighborhood center in the WSSP, the proposed development will provide commercial and employment uses in a center with multi-modal access. The request further Policy 3.16.

- I. Policy 3.23: Location of commercial services, multifamily development, and public facilities shall be encouraged on the western side of the Ladera Community or in its central area to reduce trips to Coors Boulevard and provide easier access to services for neighborhoods west of the Ladera Golf Course. This development would occur in Neighborhood Centers designed to relate to the surrounding neighborhoods and be consistent with design guidelines for the area near the escarpment. Strip commercial development will not be allowed in this area.

The site is within a designated Neighborhood Center. The site vicinity is currently served by a limited number of neighborhood commercial businesses, consisting of some chain franchise businesses along the east side of Unser Blvd. approximately one-quarter mile north of Ladera Rd., however the majority of commercial shopping in the area occurs on Coors Blvd. The proposed site development would increase the number of retail and service businesses on a designated Neighborhood Center site west of the Ladera Golf Course, thereby increasing the available options for surrounding residents in closer proximity. The proposed development will include stand-alone retail and a group of shops; not a strip commercial development. Staff finds the request further Policy 3.23.

**OFFICIAL NOTICE OF DECISION**

**Project #1003275 14EPC-40079**

**December 11, 2014**

**Page 7 of 10**

- J. Policy 3.25: Proposals for new development and rezonings in this area should be carefully analyzed to avoid negative impacts on the National Monument and other surrounding properties. Review of proposed projects should consider the design and site layout implications of any new development on surrounding properties.

The site is well away from the National Monument boundary, and its development would not impact publicly-available views of the Escarpment from major public roads or City parks and open space. Staff finds the request does not conflict with Policy 3.25.

- K. Policy 6.23: Require trail access to the regional trail network, through the Community Centers, Employment Centers, Neighborhood Centers, and parks and open space identified in the Plan. Require trail access through neighborhoods according to "transit friendly" subdivision design policy in 6.13 above. Proposed trails west of 118th Street are largely not mapped, but they should generally follow open space areas, drainage ways, major land forms or limited access arterials. Generally, an attempt shall be made to provide trails at approximately 1.5 mile intervals. Dedication of right of- way and/or construction of trails may be required pursuant to Planned Communities Criteria and subject to impact fee policies.

8. A Zone Map Amendment ( 14EPC 40076)Site Development Plan for Subdivision Amendment (14 ECP-40077) will be heard by the EPC prior to this request. If these request are not approved the applicant may need to revise the applicable portions of the Site Development Plan for Building Permit.
9. The site is within the boundaries of the El Rancho Atrisco Phase 3 Sector Development Plan; the proposed development is consistent with the allowed commercial uses in the plan.
10. Alcohol sales on the site are contingent on the approval of 14 EPC 40076 and if approved are subject to all applicable federal, state and local regulations regarding alcohol sales.
11. A facilitated meeting occurred on December 1st. Meeting attendees expressed both support for and opposition to the request.

**CONDITIONS of APPROVAL:**

1. The EPC delegates final sign-off authority of this site development plan to the Development Review Board (DRB). The DRB is responsible for ensuring that all EPC Conditions have been satisfied and that other applicable City requirements have been met. A letter shall accompany the submittal, specifying all modifications that have been made to the site plan since the EPC hearing, including how the site plan has been modified to meet each of the EPC conditions. Unauthorized changes to this site plan, including before or after DRB final sign-off, may result in forfeiture of approvals.

**OFFICIAL NOTICE OF DECISION**

**Project #1003275 14EPC-40079**

**December 11, 2014**

**Page 8 of 10**

2. Prior to application submittal to the DRB, the applicant shall meet with the staff planner to ensure that all conditions of approval are met.
3. Add two additional bike racks near the front of the store.
4. The applicant will continue to work with City Engineer/Transportation Development to address the comments provided for this project.
5. Conditions based on comments from PNM.

1. Existing underground electric distribution facilities are located on the west, south and north boundaries of the subject property. The applicant is responsible to abide by any conditions or terms of those easements.

2. It is necessary for the developer to contact PNM's New Service Delivery Department to coordinate electric service regarding this project. Any existing or proposed public utility easements are to be indicated on the site plan utility sheet prior to DRB review. PNM's standard for public utility easements for distribution is 10 feet in width to ensure adequate, safe clearances. Contact:

PNM – Electric Service

Mike Moyer

4201 Edith Boulevard NE, Albuquerque, NM 87107

Phone: (505) 241-3697

3. Ground-mounted equipment screening will be designed to allow for access to utility facilities. All screening and vegetation surrounding ground-mounted transformers and utility pads are to allow 10 feet of clearance in front of the equipment door and 5-6 feet of clearance on the remaining three sides for safe operation, maintenance and repair purposes. Refer to the PNM Electric Service Guide at [www.pnm.com](http://www.pnm.com) for specifications.
6. The front façade shall be modified so that it is better articulated with the addition of color, texture, breaks, an extended canopy or other features.
7. Dedicated bicycle trails along Unser Blvd and Ladera Dr. shall be installed by the applicant in coordination with the department of Municipal Development.

**APPEAL:** If you wish to appeal this decision, you must do so within 15 days of the EPC's decision or by **December 26, 2014.** The date of the EPC's decision is not included in the 15-day period for filing an

**OFFICIAL NOTICE OF DECISION**

**Project #1003275 14EPC-40079**

**December 11, 2014**

**Page 9 of 10**

appeal, and if the 15<sup>th</sup> day falls on a Saturday, Sunday or Holiday, the next working day is considered as the deadline for filing the appeal.

For more information regarding the appeal process, please refer to Section 14-16-4-4 of the Zoning Code. A Non-Refundable filing fee will be calculated at the Land Development Coordination Counter and is required at the time the appeal is filed. It is not possible to appeal EPC Recommendations to City Council; rather, a formal protest of the EPC's Recommendation can be filed within the 15 day period following the EPC's decision.

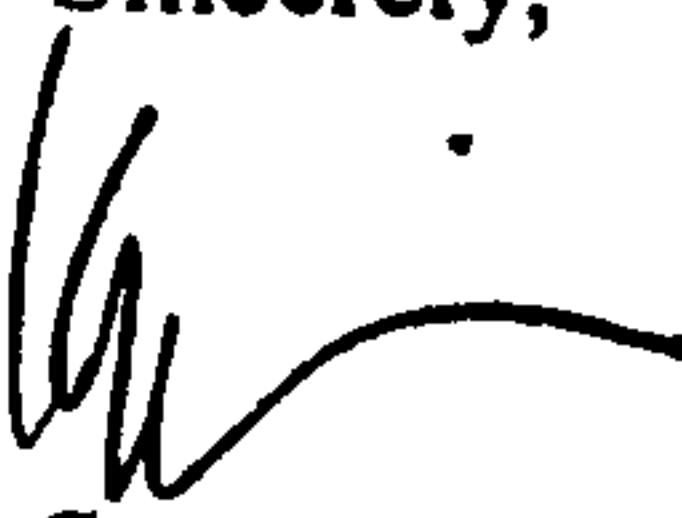
You will receive notification if any person files an appeal. If there is no appeal, you can receive Building Permits at any time after the appeal deadline quoted above, provided all conditions imposed at the time of approval have been met. Successful applicants are reminded that other regulations of the City Zoning Code must be complied with, even after approval of the referenced application(s).

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

**SITE DEVELOPMENT PLANS:** Pursuant to Zoning Code Section 14-16-3-11(C)(1), if less than one-half of the approved square footage of a site development plan has been built or less than one-half of the site has been developed, the plan for the undeveloped areas shall terminate automatically seven years after adoption or major amendment of the plan: within six months prior to the seven-year deadline, the property owners shall request in writing through the Planning Director that the Planning Commission extend the plan's life an additional five years. Additional design details will be required as a project proceeds through the Development Review Board and through the plan check of Building Permit submittals for construction. Planning staff may consider minor, reasonable changes that are consistent with an approved Site Development Plan so long as they can be shown to be in conformance with the original, approved intent.

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

Sincerely,

  
for Suzanne Lubar  
Planning Director

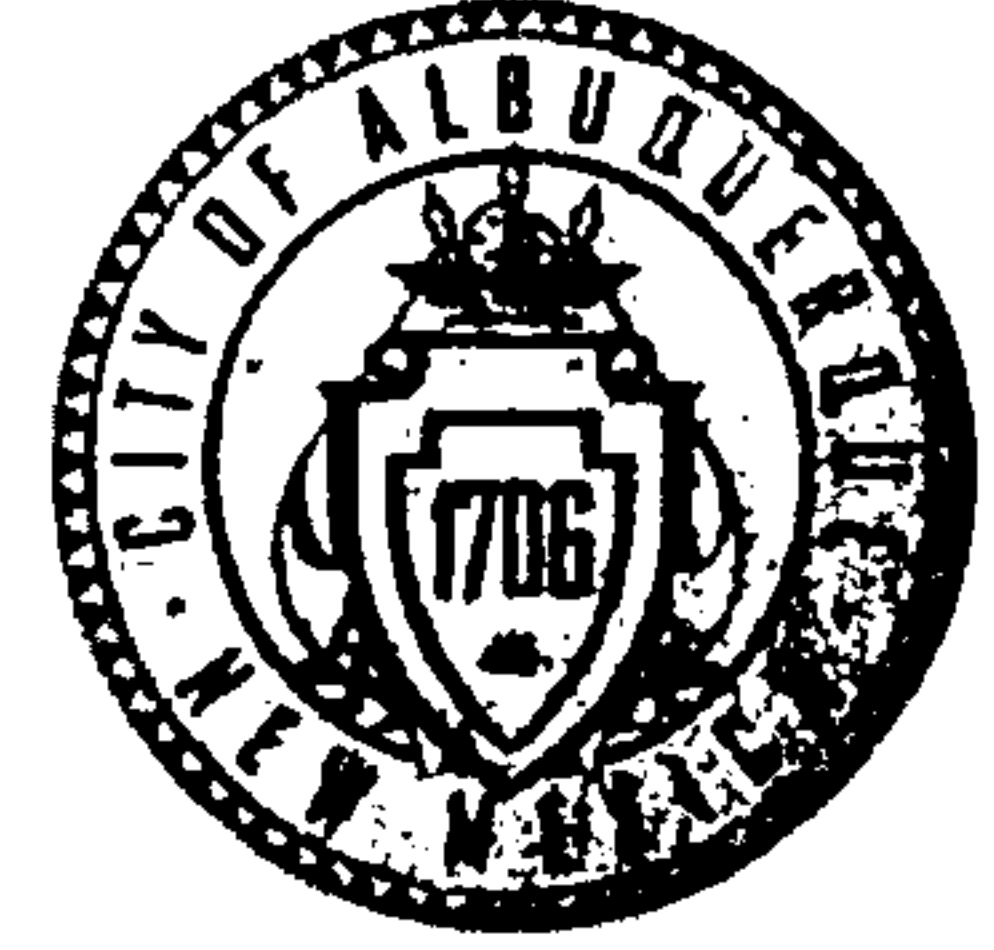
SL/MG

**OFFICIAL NOTICE OF DECISION**  
**Project #1003275 14EPC-40079**  
**December 11, 2014**  
**Page 10 of 10**

**cc:**

<b>Western Albuquerque Land Holdings,</b>	<b>3131 Camelback Road, Suite 200,</b>	<b>Phoenix, AZ</b>	<b>85016</b>
<b>Tierra West, LLC,</b>	<b>5571 Midway Park Place, NE,</b>	<b>ABQ, NM</b>	<b>87109</b>
<b>John Vrabec</b>	<b>7721 Pinewood Dr. NE</b>	<b>ABQ, NM</b>	<b>87120</b>
<b>Frank Comfort</b>	<b>7608 Elderwood Dr NW</b>	<b>ABQ, NM</b>	<b>87120</b>
<b>Candelaria Patterson</b>	<b>7608 Elderwood Dr. NW</b>	<b>ABQ, NM</b>	<b>87120</b>
<b>Shariesse Taylor McCannon</b>	<b>2808 El Tesoro Escondido NW</b>	<b>ABQ, NM</b>	<b>87120</b>

# CITY OF ALBUQUERQUE



**PLANNING DEPARTMENT**  
**URBAN DESIGN & DEVELOPMENT DIVISION**  
600 2nd Street NW, 3rd Floor, 87102  
P.O. Box 1293, Albuquerque, NM 87103  
Office (505) 924-3860 Fax (505) 924-3339

## OFFICIAL NOTIFICATION OF DECISION

December 12, 2014

Western Albuquerque Land Holdings  
3131 Camelback Road, Suite 200  
Phoenix, AZ 85016

**Project# 1003275**  
14EPC-40076, a Zone Map Amendment  
14EPC-40077, a Site Development Plan for Building Permit  
14EPC-40078, an Amendment to a Site Development Plan  
for Subdivision

### LEGAL DESCRIPTION:

For all or a portion of tract Tract 1A1 Plat of Tracts 1A1 & 1B1, El Rancho Atrisco Phase 3, zoned SU-2\SU-1 Planned Office Park and Commercial Development located on Unser Blvd., between Ladera Dr. and Market St., containing approximately 6 acres. (H-9 & H-10)  
Staff Planner: Maggie Gould

PO Box 1293

Albuquerque

New Mexico 87103

On December 11, 2014, the Environmental Planning Commission (EPC), voted to **APPROVE** Project# 1003275, 14EPC-40076, a Zone Map Amendment, Project 14EPC-40077, a Site Development Plan for Building permit and 14EPC 40078, an Amendment to a Site development Plan for Subdivision, based on the following findings:

### FINDINGS 14EPC- 40076, Zone Map Amendment

[www.cabq.gov](http://www.cabq.gov)

1. This is a request for a Zone Map Amendment from SU-2/SU-1 for Planned Office Park and Commercial Development to SU-2/SU-1 for Planned Office Park and Commercial Development to include sales of Package Liquor in association with a grocery store. Permittee shall not sell distilled spirits in any package that contains less than 750 milliliters (minibottles) and beer in any single container containing 16 or fewer ounces (singles) for Tract 1A1 Plat of Tracts 1A1 and 1B1, El Rancho Atrisco Phase 3 located on Unser Blvd. between Ladera Drive and Market Street and containing approximately 10 acres.
2. The request adds full service alcohol sales to a sit down restaurant use for pad sites A, B and C and E.

**OFFICIAL NOTICE OF DECISION**

**Project #1003275 14EPC-40079**

**December 11, 2014**

**Page 2 of 24**

3. The request adds sales of alcohol for off-premise consumption associated with a grocery store on pad site D.
4. The subject site is part of a larger 20 acre site governed by a Site Development Plan for Subdivision.
5. A Site Development Plan for Subdivision Amendment ( 14 EPC-40078) and a Site Development Plan for Building Permit (14 EPC-40077) are heard concurrently with this request.
6. The Albuquerque/Bernalillo County Comprehensive Plan, Westside Strategic Plan and El Rancho Atrisco Phase 3 Sector Development Plan and the City of Albuquerque Zoning Code are incorporated herein by reference and made part of the record for all purposes.
7. The subject site is within the Developing Urban Area of the Comprehensive Plan. The request is in general compliance with the following applicable goals and policies of the Comprehensive Plan:

- A. Policy II.B.5.d: The location, intensity, and design of new development shall respect existing neighborhood values, natural environmental conditions and carrying capacities, scenic resources, and resources of other social, cultural, recreational concern.

Neighborhood values are respected with the requests. The surrounding area is currently under-served by neighborhood commercial and service businesses. The new retail will provide additional options for west side residents and will be within walking distance of existing residential development. The additional uses, alcohol sales, will add to these options without adversely impacting the neighborhood. The development design standards of the SPS – for architecture, landscaping, and signage – will result in a building and site design theme consistent and complimentary to development in the surrounding area. The changes to the SPS are minimal and will not alter the overall intent of the regulations. The request further Policy II.B.5.d.

- B. Policy II.B.5.e: New growth shall be accommodated through development in areas where vacant land is contiguous to existing or programmed urban facilities and services and where the integrity of existing neighborhoods can be assured.

The site has access to a full range of existing urban services, including roads, electricity, transit and water and sewer. The proposed development will be compatible with the existing neighborhood development because it will offer needed services and will designed to lessen the impact on the neighborhoods. The request further Policy II.B.5.e.

- C. Policy II.B.5.i: Employment and service uses shall be located to complement residential areas and shall be sited to minimize adverse effects of noise, lighting, pollution, and traffic on residential environments.



New development will add to the services available to area residents and provide job opportunities. The design standards in the SPS provide protection to the existing residential areas by limiting lighting near residential development and providing design standards to insure quality. Traffic will access the site from Unser Blvd. and Ladera Dr., away from the residential areas. Additional access points on Market Street may impact the existing multi-family development, but are separated from the development by an 86 foot wide street. The request further Policy II.B.5.i.

D. Policy II.B.5.j: When new commercial development occurs, it should generally be located in existing commercially zoned areas:

- In small neighborhood-oriented centers provided with pedestrian and bicycle access within reasonable distance of residential areas for walking or bicycling
- In larger area-wide shopping centers located at intersections of arterial streets and provided with access via mass transit.

The subject site is within a Neighborhood Center designated in the West Side Strategic Plan; the closest designated Major Activity Center is at Central Ave. and Unser Blvd. There is residential development to the east and south within walking and biking distance of the site. Pedestrian access to the site provided via sidewalks around the perimeter of the site and walkways and sidewalks within the site Bike racks will be provided with the retail development. The request further Policy II.B.5.j.

#### **Activity Centers**

E. Policy II.B.7.f: The most intense uses in Activity Centers shall be located away from nearby low-density residential development and shall be buffered from those residential uses by a transition area of less intensive development.

The subject site is within a Neighborhood Center designated in the West Side Strategic Plan; the closest designated Major Activity Center is at Central Ave. and Unser Blvd. There is existing multi-family development between the proposed development and the existing single family development. The proposed building is not adjacent to the existing low density residential area, but will be accessible by area residents. The request further Policy II.B.7.f.

#### **Transportation**

F. Policy II.D.4.a: Ideal policy objectives for street design, transit service, and development form consistent with Transportation Corridors and Activity Centers as shown on the Comprehensive Plan's Activity Centers and Transportation Corridors map in the Activity Centers section.

The subject site is within a designated Neighborhood Center. Unser Blvd. is a designated Express Transit Corridor. The proposed new construction would be consistent with the Development Form details for an Express Transit corridor, including minimum sidewalk width and on-site pedestrian circulation. The SPS design standards are consistent with the Zoning Code general design standards for non-residential development. Staff finds the request furthers Policy II.D.4.a.

### **Economic Development**

- G. Policy II.D.6.a: New employment opportunities which will accommodate a wide range of occupational skills and salary levels shall be encouraged and new jobs created convenient to areas of most need.

The subject site is located on the west side of Albuquerque, an area deficient in jobs relative to housing. The proposed non-residential uses, including retail, restaurant and service uses would provide a range of jobs potentially available to residents of the west side. The site is also served by transit, providing commuting options for future employees and residents at the site. Staff finds the request furthers Policy II.D.6.a.

8. The request partially furthers goals and policies of the Comprehensive Plan:

- A. Policy II.B.5k: Land adjacent to arterial streets shall be planned to minimize harmful effects of traffic; livability and safety of established residential neighborhoods shall be protected in transportation planning and operations.

The site takes access from Unser Boulevard, which helps to route traffic away from the neighborhoods to the east and south. The site also takes access from Ladera Drive and Market Street, closer to existing residential development. These access points also allow neighborhood entry to the site. The request partially furthers Policy II.B.5k.

9. The request is in general compliance with the following applicable goals and policies of the Westside Strategic Plan.

- A. Plan Objective 8: Promote job opportunities and business growth in appropriate areas of the West Side.

The request will allow the development of new business and additional job opportunities on the west side. The request furthers objective 8.

- B. Policy 1.1: Thirteen distinct Communities shall constitute the existing and future urban form of the West Side. Communities shall develop with areas of higher density (in Community and Neighborhood Centers), surrounded by areas of lower density. Bernalillo County and the City of Albuquerque Planning Commissions shall require that high density and non-residential

development occur within Community and Neighborhood Centers. Low density residential development (typical 3-5 du/acre subdivisions, or large lot rural subdivisions) shall not be approved within the Centers.

These requests allow the development of commercial activity (non-residential development) within a neighborhood center as designated by the Westside Strategic Plan. The requests further Policy 1.1

- C. Policy 1.5: Community and Neighborhood Centers shall be required to provide pedestrian/bicycle access to key activity areas. Parking lots shall be carefully designed to facilitate trail access and pedestrian access between buildings.

The proposed SPS design standards include a requirement for linking building entrances to the Unser Blvd. trail via six foot sidewalks. The Site Plan for Building Permit shows bike racks in front of the proposed retail buildings and a 6 foot sidewalk connection to Unser Blvd. There is direct access from the bike lane along Unser Blvd. to the site. Staff finds the request further Policy 1.5.

- D. Policy 1.6: Large areas dedicated to employment uses shall be preserved on the West Side at Seven Bar Ranch, Atrisco Business Park, and Double Eagle II Airport. Additional employment center development is also encouraged. The City of Albuquerque and Bernalillo County economic development programs shall actively encourage employers to locate in these employment centers.

Commercial development on this portion site preserves the commercial use and adds to the job possibilities on the west side. The remainder of the site will be developed with residential uses and these uses will be compatible and complimentary to the commercial development. The requests further Policy 1.6.

- E. Policy 1.9: In the Established and Developing Urban areas mapped by the Albuquerque/Bernalillo County Comprehensive Plan, future neighborhood and community centers may be designated and developed at appropriate locations, determined as follows:

Neighborhood centers should be located to serve approximately 15,000 population within about one mile radius of the center. Uses typical of community centers would likely be accessed on a weekly basis, whereas those in a neighborhood center might be used almost daily. Neighborhood Centers should be less automobile oriented, located on minor arterial and/or collector streets, and connected to public transit service as well as informal pedestrian and bicycle ways. Both community and neighborhood centers shall be very accommodating to the pedestrian even within predominantly off-street parking areas. Neighborhood centers should also have small blocks, but with small clusters of shared parking as well as on-street parking. Both community and neighborhood centers shall have outdoor areas that encourage gathering; both shall include bicycle parking and both shall provide safe pedestrian connections among buildings and between buildings and parking areas.

The subject site is within a designated Neighborhood Center. The site vicinity has very limited commercial and service businesses available to surrounding residents; most daily needs

must be met from businesses along Coors Blvd. Neighborhood-oriented commercial and service uses would be accommodated with development on the site. Two arterial roadways, Unser Blvd. and Ladera Rd., provide access to the project. Access is also from Market St. a collector street. The SPS identifies shared parking for commercial uses, and pedestrian connections to buildings as integral features of parking standards. Staff finds the request further Policy 1.9

- F. Policy 1.15: Neighborhood Centers of 15 to 35 acres shall contain generally small parcels and buildings; on-street parking is permitted, with smaller off-street parking areas shared among businesses and institutions. The neighborhood center shall have a built scale very accommodating to pedestrians and bicyclists, including outdoor seating for informal gatherings. Services such as childcare, dry cleaners, drug stores and small restaurants along with a park and/or school should be located central to surrounding neighborhoods.

The site is divided into smaller individual pad sites. There is access to the bike lane along Unser Blvd. and sidewalks are provided throughout the site. Policy 1.15 is furthered.

- G. Policy 1.16: Neighborhood Centers shall be located on local collector and sometimes arterial streets. While their primary access may be by auto, pedestrian and bicycle connections shall be provided to all adjacent neighborhoods, parks and to the larger open space system. Convenient transit services shall be connected with community-wide and regional transit development.

The site is accessed from a collector street (Market St.) and two arterial streets (Unser Blvd. and Ladera Dr.). The development would provide internal sidewalk connections to the multi-use trail existing along Unser Blvd. and to sidewalks leading to single family residential neighborhoods to the east, south and west of the subject property. Staff finds the request further Policy 1.16.

- H. Policy 3.16: Multifamily development, public uses, educational and institutional facilities, and commercial or employment uses are all appropriate in the Community or Neighborhood Centers. Mixed-use and multi-modal access shall be incorporated into the design for these areas.

The site is a designated Neighborhood Center in the WSSP, the proposed development will provide commercial and employment uses in a center with multi-modal access. The request further Policy 3.16.

- I. Policy 3.23: Location of commercial services, multifamily development, and public facilities shall be encouraged on the western side of the Ladera Community or in its central area to reduce trips to Coors Boulevard and provide easier access to services for neighborhoods west of the Ladera Golf Course. This development would occur in Neighborhood Centers designed to relate to the surrounding neighborhoods and be consistent with design guidelines for the area near the escarpment. Strip commercial development will not be allowed in this area.

The site is within a designated Neighborhood Center. The site vicinity is currently served by a limited number of neighborhood commercial businesses, consisting of some chain franchise businesses along the east side of Unser Blvd., approximately one-quarter mile north of Ladera

Drive, however the majority of commercial shopping in the area occurs on Coors Blvd. The proposed site development would increase the number of retail and service businesses on a designated Neighborhood Center site west of the Ladera Golf Course, thereby increasing the available options for surrounding residents in closer proximity. The proposed development will include stand-alone retail and a group of shops; not a strip commercial development. Staff finds the request further Policy 3.23.

- J. Policy 3.25: Proposals for new development and rezonings in this area should be carefully analyzed to avoid negative impacts on the National Monument and other surrounding properties. Review of proposed projects should consider the design and site layout implications of any new development on surrounding properties.

The site is well away from the National Monument boundary, and its development would not impact publicly-available views of the Escarpment from major public roads or City parks and open space. Staff finds the request does not conflict with Policy 3.25.

- K. Policy 6.23: Require trail access to the regional trail network, through the Community Centers, Employment Centers, Neighborhood Centers, and parks and open space identified in the Plan. Require trail access through neighborhoods according to "transit friendly" subdivision design policy in 6.13 above. Proposed trails west of 118th Street are largely not mapped, but they should generally follow open space areas, drainage ways, major land forms or limited access arterials. Generally, an attempt shall be made to provide trails at approximately 1.5 mile intervals. Dedication of right of- way and/or construction of trails may be required pursuant to Planned Communities Criteria and subject to impact fee policies.

The site is adjacent to a bike lane along Unser Blvd and a proposed bike lane along Ladera.

10. The site is within the boundaries of the El Rancho Atrisco Phase 3 Sector Development Plan; the proposed uses add to the allowed commercial uses in the plan and do not change the allowance of 50% of the site for commercial a development.

11. The applicant has justified the zone change request pursuant to R-270-1980 as follows:

- A. A proposed zone change must be found to be consistent with the health, safety, morals, and general welfare of the city.

The proposed uses are consistent with the health, safety, morals and general welfare of the city because the new uses will provide needed services, retail and restaurant uses and the new uses will allow these businesses to be successful and serve the community. The new uses are at a neighborhood scale and low intensity and will not disturb the surrounding residents.

- B. Stability of land use and zoning is desirable; therefore the applicant must provide a sound justification for the change. The burden is on the applicant to show why the change should be made, not on the city to show why the change should not be made.

The allowed uses are found in many neighborhood scale shopping centers city wide. The additional uses do not drastically alter the underlying zoning and may help the area to develop in more stable way by attracting and retaining tenants.

- C. A proposed change shall not be in significant conflict with adopted elements of the Comprehensive Plan or other city master plans and amendments thereto, including privately developed area plans which have been adopted by the city.

The request is not in significant conflict with the applicable goals and policies and, in fact, clearly facilitates these goals and policies. The request furthers many policies of the Comprehensive Plan especially those regarding economic development, new growth and provision of services. The request furthers many goals of the WSSP, including those regarding jobs housing balance, economic development and activity centers. The applicant cites Comprehensive Plan policies II.B.5a, II.B.5d, II.B.5e, II.B.5i, II.B.5j, II.B.5k, II.B.5l, II.B.5m, II.B.7f, II.C.1b, the Noise goal, II.D.6.a, II.D.4a. The applicant cites WSSP objective 8, WSSP policies 1.5 1.9, 1.15, 1.16, 1.17, 3.16, 3.23, 4.6h, 4.10, 6.23 and 6.25 in support of the request.

Staff agrees with the majority of the policy justification. However, Comprehensive plan policy II.B.5l is not relevant because although the development will be appropriate for the site, it is not necessarily innovative. WSSP Policy 1.17 encourages the location of public facilities in neighborhood center and is not relevant to the request.  
*Refer to policy analysis section for more detail.*

- D. The applicant must demonstrate that the existing zoning is inappropriate because:
1. There was an error when the existing zone map pattern was created; or
  2. Changed neighborhood or community conditions justify the change; or
  3. A different use category is more advantageous to the community, as articulated in the Comprehensive Plan or other city master plan, even though (D)(1) or (D)(2) above do not apply.

The proposed zoning is more advantageous to the community because it will allow the provision of services that are lacking in the area (full service grocery and restaurant) and provide employment opportunities and enhance the viability of the shopping center. The requests further and clearly facilitate goals and policies of the comprehensive plan and the West side Strategic Plan

- E. A change of zone shall not be approved where some of the permissive uses in the zone would be harmful to adjacent property, the neighborhood, or the community.

The existing alcohol regulations at the State level provide a measure of security for area residents. The SU-1 zone requires that future development or significant changes to the site undergo review by the EPC. The proposed uses are found in shopping areas throughout the city in close proximity to residential areas and are compatible with that development.

- F. A proposed zone change which, to be utilized through land development, requires major and unprogrammed capital expenditures by the city may be:

1. Denied due to lack of capital funds; or
2. Granted with the implicit understanding that the city is not bound to provide the capital improvements on any special schedule.

All of the required site improvements will be constructed by the developer. All of the required utilities exist surrounding the site.

- G. The cost of land or other economic considerations pertaining to the applicant shall not be the determining factor for a change of zone.

The request furthers goals and policies of the applicable plans. The cost of land is not part of the justification.

- H. Location on a collector or major street is not in itself sufficient justification for apartment, office, or commercial zoning.

The location on the arterial is an important consideration. However, the request is not justified based solely on location. The request furthers goals and policies of the applicable plans and is not justified solely by location.

- I. A zone change request which would give a zone different from surrounding zoning to one small area, especially when only one premise is involved, is generally called a "spot zone." Such a change of zone may be approved only when:

1. The change will clearly facilitate realization of the Comprehensive Plan and any applicable adopted sector development plan or area development plan; or
2. The area of the proposed zone change is different from surrounding land because it could function as a transition between adjacent zones; because the site is not suitable for the uses allowed in any adjacent zone due to topography, traffic, or special adverse land uses nearby; or because the nature of structures already on the premises makes the site unsuitable for the uses allowed in any adjacent zone.

The request is not a spot zone because it is integrated into the shopping center design. It is not a change to one small area but to multiple parcels in a commercial center that will add additional uses to the existing commercial zoning on the site.

- J. A zone change request, which would give a zone different from surrounding zoning to a strip of land along a street is generally called "strip zoning." Strip commercial zoning will be approved only where:

1. The change will clearly facilitate realization of the Comprehensive Plan and any adopted sector development plan or area development plan; and
2. The area of the proposed zone change is different from surrounding land because it could function as a transition between adjacent zones or because the site is not suitable for the uses allowed in any adjacent zone due to traffic or special adverse land uses nearby.

The proposed zone does not create a strip of land with a different zone. It is surrounded by land with similar zoning.

12. The affected neighborhoods and property owners within 100 feet were notified.
13. A facilitated meeting occurred on December 1st. Meeting attendees expressed both support for and opposition to the request.

**CONDITIONS OF APPROVAL: 14EPC-40076 ZONE MAP AMENDMENT**

1. The zone map amendment does not become effective until the accompanying site development plan is approved by the DRB, pursuant to §14-16-4-1(C)(16) of the Zoning Code. If such requirement is not met within six months after the date of EPC approval, the zone map amendment is void. The Planning Director may extend this time limit up to an additional six months upon request by the applicant.

**FINDINGS : 14 EPC-40078 SITE DEVELOPMENT PLAN for SUBDIVISION AMENDMENT**

1. This is a request for an amendment to the approved Site Development Plan for Subdivision for Tract 1A1 Plat of Tracts 1A1 and 1B1, El Rancho Atrisco unit Phase 3 located on Unser Blvd. between Ladera Drive and Market Street and containing approximately 20 acres.
2. The Site Development Plan for Subdivision was approved by the EPC in February of 2014 and was approved by the DRB in December of 2014.
3. The proposed changes will allow 3 signs on the commercial façade, small recesses and projections on building facades adjacent to drive-up windows, allow colored split face block as a building material, allow illumination of logos and allow light poles up to 28 feet in height.
4. The Albuquerque/Bernalillo County Comprehensive Plan, Westside Strategic Plan, El Rancho Atrisco Phase 3 Sector Development Plan and the City of Albuquerque Zoning Code are incorporated herein by reference and made part of the record for all purposes.
5. The request is consistent with and furthers goals and policies of the Comprehensive Plan:
  - A. Policy II.B.5.d: The location, intensity, and design of new development shall respect existing neighborhood values, natural environmental conditions and carrying capacities, scenic resources, and resources of other social, cultural, recreational concern.

Neighborhood values are respected with the requests. The surrounding area is currently underserved by neighborhood commercial and service businesses. . The new retail will provide additional options for west side residents and will be within walking distance of existing residential development. The additional uses, alcohol sales, will add to these options without adversely impacting the neighborhood. The development design standards of the SPS – for architecture, landscaping, and signage – will result in a building and site design theme consistent and complimentary to development in the surrounding area. The changes to the SPS



are minimal and will not alter the overall intent of the regulations. The request further Policy II.B.5.d.

- B. Policy II.B.5.e: New growth shall be accommodated through development in areas where vacant land is contiguous to existing or programmed urban facilities and services and where the integrity of existing neighborhoods can be assured.

The site has access to a full range of existing urban services, including roads, electricity, transit and water and sewer. The proposed development will be compatible with the existing neighborhood development because it will offer needed services and will be designed to lessen the impact on the neighborhoods. The request further Policy II.B.5.e.

- C. Policy II.B.5.i: Employment and service uses shall be located to complement residential areas and shall be sited to minimize adverse effects of noise, lighting, pollution, and traffic on residential environments.

New development will add to the services available to area residents and provide job opportunities. The design standards in the SPS provide protection to the existing residential areas by limiting lighting near residential development and providing design standards to insure quality. Traffic will access the site from Unser Blvd. and Ladera Dr., away from the residential areas. Additional access points on Market Street may impact the existing multi-family development, but are separated from the development by an 86 foot wide street. The request further Policy II.B.5.i.

- D. Policy II.B.5.j: When new commercial development occurs, it should generally be located in existing commercially zoned areas:

- In small neighborhood-oriented centers provided with pedestrian and bicycle access within reasonable distance of residential areas for walking or bicycling

- In larger area-wide shopping centers located at intersections of arterial streets and provided with access via mass transit

The subject site is within a Neighborhood Center designated in the West Side Strategic Plan; the closest designated Major Activity Center is at Central Ave. and Unser Blvd. There is residential development to the east and south within walking and biking distance of the site. Pedestrian access to the site provided via sidewalks around the perimeter of the site and walkways and sidewalks within the site. Bike racks will be provided with the retail development. The request further Policy II.B.5.j.

#### Activity Centers

- E. Policy II.B.7.f: The most intense uses in Activity Centers shall be located away from nearby low-density residential development and shall be buffered from those residential uses by a transition area of less intensive development.

The subject site is within a Neighborhood Center designated in the West Side Strategic Plan; the closest designated Major Activity Center is at Central Ave. and Unser Blvd. There is existing multi-family development between the proposed development and the existing single family development. The proposed building is not adjacent to the existing low density residential area, but will be accessible by area residents. The request furthers Policy II.B.7.f.

#### **Transportation**

- F. Policy II.D.4.a: Ideal policy objectives for street design, transit service, and development form consistent with Transportation Corridors and Activity Centers as shown on the Comprehensive Plan's Activity Centers and Transportation Corridors map in the Activity Centers section.

The subject site is within a designated Neighborhood Center. Unser Blvd. is a designated Express Transit Corridor. The proposed new construction would be consistent with the Development Form details for an Express Transit corridor, including minimum sidewalk width and on-site pedestrian circulation. The SPS design standards are consistent with the Zoning Code general design standards for non-residential development. Staff finds the request furthers Policy II.D.4.a.

#### **Economic Development**

- G. Policy II.D.6.a: New employment opportunities which will accommodate a wide range of occupational skills and salary levels shall be encouraged and new jobs created convenient to areas of most need.

The subject site is located on the west side of Albuquerque, an area deficient in jobs relative to housing. The proposed non-residential uses, including retail, restaurant and service uses would provide a range of jobs potentially available to residents of the west side. The site is also served by transit, providing commuting options for future employees and residents at the site. Staff finds the request furthers Policy II.D.6.a.

6. The request partially furthers goals and policies of the Comprehensive Plan:

- A. Policy II.B.5k: Land adjacent to arterial streets shall be planned to minimize harmful effects of traffic; livability and safety of established residential neighborhoods shall be protected in transportation planning and operations.

The site takes access from Unser Boulevard, this helps to route traffic away from the neighborhoods to the east and south. The site also takes access from Ladera Drive and Market Street, closer to existing residential development. These access points also allow neighborhood entry to the site. The request partially furthers Policy II.B.5k.

7. The request is in general compliance with the following applicable goals and policies of the Westside Strategic Plan.

A. Plan Objective 8: Promote job opportunities and business growth in appropriate areas of the West Side.

The request will allow the development of new business and additional job opportunities on the west side. The request furthers objective 8.

B. Policy 1.1: Thirteen distinct Communities shall constitute the existing and future urban form of the West Side. Communities shall develop with areas of higher density (in Community and Neighborhood Centers), surrounded by areas of lower density. Bernalillo County and the City of Albuquerque Planning Commissions shall require that high density and non-residential development occur within Community and Neighborhood Centers. Low density residential development (typical 3-5 du/acre subdivisions, or large lot rural subdivisions) shall not be approved within the Centers.

These requests allow the development of commercial activity (non-residential development) within a neighborhood center as designated by the Westside Strategic Plan. The requests further Policy 1.1

C. Policy 1.5: Community and Neighborhood Centers shall be required to provide pedestrian/bicycle access to key activity areas. Parking lots shall be carefully designed to facilitate trail access and pedestrian access between buildings.

The proposed SPS design standards include a requirement for linking building entrances to the Unser Blvd. trail via six foot sidewalks. The Site Plan for Building Permit shows bike racks in front of the proposed retail buildings and a six foot sidewalk connection to Unser Blvd. There is direct access from the bike lane along Unser Blvd. to the site. Staff finds the request furthers Policy 1.5.

D. Policy 1.6: Large areas dedicated to employment uses shall be preserved on the West Side at Seven Bar Ranch, Atrisco Business Park, and Double Eagle II Airport. Additional employment center development is also encouraged. The City of Albuquerque and Bernalillo County economic development programs shall actively encourage employers to locate in these employment centers.

Commercial development on this portion site preserves the commercial use and adds to the job possibilities on the west side. The remainder of the site will be developed with residential uses and these uses will be compatible and complimentary to the commercial development. The requests further Policy 1.6.

E. Policy 1.9: In the Established and Developing Urban areas mapped by the Albuquerque/Bernalillo County Comprehensive Plan, future neighborhood and community centers may be designated and developed at appropriate locations, determined as follows:

Neighborhood centers should be located to serve approximately 15,000 population within about one mile radius of the center. Uses typical of community centers would likely be accessed on a weekly basis, whereas those in a neighborhood center might be used almost daily. Neighborhood Centers should be less automobile oriented, located on minor arterial and/or collector streets, and connected to public transit service as well as informal pedestrian and bicycle ways. Both community and neighborhood centers shall be very accommodating to the pedestrian even within predominantly off-street parking areas. Neighborhood centers should also have small blocks, but with small clusters of shared parking as well as on-street parking. Both community and neighborhood centers shall have outdoor areas that encourage gathering; both shall include bicycle parking and both shall provide safe pedestrian connections among buildings and between buildings and parking areas.

The subject site is within a designated Neighborhood Center. The site vicinity has very limited commercial and service businesses available to surrounding residents; most daily needs must be met from businesses along Coors Blvd. Neighborhood-oriented commercial and service uses would be accommodated with development on the site. Two arterial roadways, Unser Blvd. and Ladera Rd., provide access to the project. Access is also from Market St. a collector street. The SPS identifies shared parking for commercial uses, and pedestrian connections to buildings as integral features of parking standards. Staff finds the request further Policy 1.9

- F. Policy 1.15: Neighborhood Centers of 15 to 35 acres shall contain generally small parcels and buildings; on-street parking is permitted, with smaller off-street parking areas shared among businesses and institutions. The neighborhood center shall have a built scale very accommodating to pedestrians and bicyclists, including outdoor seating for informal gatherings. Services such as childcare, dry cleaners, drug stores and small restaurants along with a park and/or school should be located central to surrounding neighborhoods.

The site is divided into smaller individual pad sites. There is access to the bike lane along Unser Blvd. and sidewalks are provided throughout the site. Policy 1.15 is furthered.

- G. Policy 1.16: Neighborhood Centers shall be located on local collector and sometimes arterial streets. While their primary access may be by auto, pedestrian and bicycle connections shall be provided to all adjacent neighborhoods, parks and to the larger open space system. Convenient transit services shall be connected with community-wide and regional transit development. The site is accessed from a collector street (Market St.) and two arterial streets (Unser Blvd. and Ladera Dr.). The development would provide internal sidewalk connections to the multi-use trail existing along Unser Blvd. and to sidewalks leading to single family residential neighborhoods to the east, south and west of the subject property. Staff finds the request further Policy 1.16.

- H. Policy 3.16: Multifamily development, public uses, educational and institutional facilities, and commercial or employment uses are all appropriate in the Community or Neighborhood Centers. Mixed-use and multi-modal access shall be incorporated into the design for these areas.

The site is a designated Neighborhood Center in the WSSP, the proposed development will provide commercial and employment uses in a center with multi-modal access. The request further Policy 3.16.

- I. Policy 3.23: Location of commercial services, multifamily development, and public facilities shall be encouraged on the western side of the Ladera Community or in its central area to reduce trips to Coors Boulevard and provide easier access to services for neighborhoods west of the Ladera Golf Course. This development would occur in Neighborhood Centers designed to relate to the surrounding neighborhoods and be consistent with design guidelines for the area near the escarpment. Strip commercial development will not be allowed in this area.

The site is within a designated Neighborhood Center. The site vicinity is currently served by a limited number of neighborhood commercial businesses, consisting of some chain franchise businesses along the east side of Unser Blvd., approximately one-quarter mile north of Ladera Drive, however the majority of commercial shopping in the area occurs on Coors Blvd. The proposed site development would increase the number of retail and service businesses on a designated Neighborhood Center site west of the Ladera Golf Course, thereby increasing the available options for surrounding residents in closer proximity. The proposed development will include stand-alone retail and a group of shops; not a strip commercial development. Staff finds the request furthers Policy 3.23.

- J. Policy 3.25: Proposals for new development and rezonings in this area should be carefully analyzed to avoid negative impacts on the National Monument and other surrounding properties. Review of proposed projects should consider the design and site layout implications of any new development on surrounding properties.

The site is well away from the National Monument boundary, and its development would not impact publicly-available views of the Escarpment from major public roads or City parks and open space. Staff finds the request does not conflict with Policy 3.25.

- K. Policy 6.23: Require trail access to the regional trail network, through the Community Centers, Employment Centers, Neighborhood Centers, and parks and open space identified in the Plan. Require trail access through neighborhoods according to "transit friendly" subdivision design policy in 6.13 above. Proposed trails west of 118th Street are largely not mapped, but they should generally follow open space areas, drainage ways, major land forms or limited access arterials. Generally, an attempt shall be made to provide trails at approximately 1.5 mile intervals. Dedication of right of- way and/or construction of trails may be required pursuant to Planned Communities Criteria and subject to impact fee policies.

8. The site is within the boundaries of the El Rancho Atrisco Phase 3 Sector Development Plan; the proposed uses add to the allowed commercial uses in the plan and do not change the allowance of 50% of the site for commercial a development.
9. The site is adjacent to a bike lane along Unser Blvd and a proposed bike lane along Ladera.

10. A Zone Map Amendment ( 14EPC 40076)Site Development Plan for Building Permit ( 14 ECP-40077) are heard concurrently with this request.
11. Alcohol sales on the site are contingent on the approval of 14 EPC 40076 and if approved are subject to all applicable federal, state and local regulation regarding alcohol sales.
12. A facilitated meeting occurred on December 1st. Meeting attendees expressed both support for and opposition to the request.

**CONDITIONS OF APPROVAL: 14 EPC-40077 SITE DEVELOPMENT PLAN for SUBDIVISION**

1. The EPC delegates final sign-off authority of this site development plan to the Development Review Board (DRB). The DRB is responsible for ensuring that all EPC Conditions have been satisfied and that other applicable City requirements have been met. A letter shall accompany the submittal, specifying all modifications that have been made to the site plan since the EPC hearing, including how the site plan has been modified to meet each of the EPC conditions. Unauthorized changes to this site plan, including before or after DRB final sign-off, may result in forfeiture of approvals.
2. Prior to application submittal to the DRB, the applicant shall meet with the staff planner to ensure that all conditions of approval are met.
3. The zoning for the specific pad sites shall be listed in Section 1, Land Use on the Site Development Plan for Subdivision.
4. The Site Development Plan for Subdivision Design standards shall be modified as follows:  
Section 4.D.4 add, " Major Facades shall break up the vertical mass ( height) in addition to the horizontal mass.  
Section 4.D.6 add, "and or color " after inset.  
Section 4.F.2 add , " If buildings are earth tone colors then the accent colors cannot be earth tone colors."

**FINDINGS: 14 EPC-40077 -SITE DEVELOPMENT PLAN for BUILDING PERMIT**

1. This is a request for a Site Development Plan for Building Permit Tract 1A1 Plat of Tracts 1A1 and 1B1, El Rancho Atrisco unit Phase 3 located on Unser Blvd. between Ladera Drive and Market Street and containing approximately 10 acres.
2. The applicant proposes to construct a 10,000 square foot retail building for multiple tenants.

3. The Albuquerque/Bernalillo County Comprehensive Plan, Westside Strategic Plan, El Rancho Atrisco Phase 3 Sector Development Plan and the City of Albuquerque Zoning Code are incorporated herein by reference and made part of the record for all purposes.
4. The subject site is within the Developing Urban Area of the Comprehensive Plan. The request is in general compliance with the following applicable goals and policies of the Comprehensive Plan:

- A. Policy II.B.5.d: The location, intensity, and design of new development shall respect existing neighborhood values, natural environmental conditions and carrying capacities, scenic resources, and resources of other social, cultural, recreational concern.

Neighborhood values are respected with the requests. The surrounding area is currently underserved by neighborhood commercial and service businesses. . The new retail will provide additional options for west side residents and will be within walking distance of existing residential development. The additional uses, alcohol sales, will add to these options without adversely impacting the neighborhood. The development design standards of the SPS – for architecture, landscaping, and signage – will result in a building and site design theme consistent and complimentary to development in the surrounding area. The changes to the SPS are minimal and will not alter the overall intent of the regulations. The request further Policy II.B.5.d.

- B. Policy II.B.5.e: New growth shall be accommodated through development in areas where vacant land is contiguous to existing or programmed urban facilities and services and where the integrity of existing neighborhoods can be assured.

The site has access to a full range of existing urban services, including roads, electricity, transit and water and sewer. The proposed development will be compatible with the existing neighborhood development because it will offer needed services and will designed to lessen the impact on the neighborhoods. The request further Policy II.B.5.e.

- C. Policy II.B.5.i: Employment and service uses shall be located to complement residential areas and shall be sited to minimize adverse effects of noise, lighting, pollution, and traffic on residential environments.

New development will add to the services available to area residents and provide job opportunities. The design standards in the SPS provide protection to the existing residential areas by limiting lighting near residential development and providing design standards to insure quality. Traffic will access the site from Unser Blvd. and Ladera Dr., away from the residential areas. Additional access points on Market Street may impact the existing multi-family development, but are separated from the development by an 86 foot wide street. The request further Policy II.B.5.i.

D. Policy II.B.5.j: When new commercial development occurs, it should generally be located in existing commercially zoned areas:

- In small neighborhood-oriented centers provided with pedestrian and bicycle access within reasonable distance of residential areas for walking or bicycling

- In larger area-wide shopping centers located at intersections of arterial streets and provided with access via mass transit

The subject site is within a Neighborhood Center designated in the West Side Strategic Plan; the closest designated Major Activity Center is at Central Ave. and Unser Blvd. There is residential development to the east and south within walking and biking distance of the site. Pedestrian access to the site provided via sidewalks around the perimeter of the site and walkways and sidewalks within the site. Bike racks will be provided with the retail development. The request further Policy II.B.5.j.

#### **Activity Centers**

E. Policy II.B.7.f: The most intense uses in Activity Centers shall be located away from nearby low-density residential development and shall be buffered from those residential uses by a transition area of less intensive development.

The subject site is within a Neighborhood Center designated in the West Side Strategic Plan; the closest designated Major Activity Center is at Central Ave. and Unser Blvd. There is existing multi-family development between the proposed development and the existing single family development. The proposed building is not adjacent to the existing low density residential area, but will be accessible by area residents. The request furthers Policy II.B.7.f.

#### **Transportation**

F. Policy II.D.4.a: Ideal policy objectives for street design, transit service, and development form consistent with Transportation Corridors and Activity Centers as shown on the Comprehensive Plan's Activity Centers and Transportation Corridors map in the Activity Centers section.

The subject site is within a designated Neighborhood Center. Unser Blvd. is a designated Express Transit Corridor. The proposed new construction would be consistent with the Development Form details for an Express Transit corridor, including minimum sidewalk width and on-site pedestrian circulation. The SPS design standards are consistent with the Zoning Code general design standards for non-residential development. Staff finds the request further Policy II.D.4.a.

#### **Economic Development**



- G. Policy II.D.6.a: New employment opportunities which will accommodate a wide range of occupational skills and salary levels shall be encouraged and new jobs created convenient to areas of most need.

The subject site is located on the west side of Albuquerque, an area deficient in jobs relative to housing. The proposed non-residential uses, including retail, restaurant and service uses would provide a range of jobs potentially available to residents of the west side. The site is also served by transit, providing commuting options for future employees and residents at the site. Staff finds the request further Policy II.D.6.a.

5. The request partially furthers goals and policies of the Comprehensive Plan:

- A. Policy II.B.5k: Land adjacent to arterial streets shall be planned to minimize harmful effects of traffic; livability and safety of established residential neighborhoods shall be protected in transportation planning and operations.

The site takes access from Unser Boulevard, this helps to route traffic away from the neighborhoods to the east and south. The site also takes access from Ladera Drive and Market Street, closer to existing residential development. These access points also allow neighborhood entry to the site. The request partially furthers Policy II.B.5k.

6. The request is in general compliance with the following applicable goals and policies of the Westside Strategic Plan.

- A. Plan Objective 8: Promote job opportunities and business growth in appropriate areas of the West Side.

The request will allow the development of new business and additional job opportunities on the west side. The request further objective 8.

- B. Policy 1.1: Thirteen distinct Communities shall constitute the existing and future urban form of the West Side. Communities shall develop with areas of higher density (in Community and Neighborhood Centers), surrounded by areas of lower density. Bernalillo County and the City of Albuquerque Planning Commissions shall require that high density and non-residential development occur within Community and Neighborhood Centers. Low density residential development (typical 3-5 du/acre subdivisions, or large lot rural subdivisions) shall not be approved within the Centers.

These requests allow the development of commercial activity (non-residential development) within a neighborhood center as designated by the Westside Strategic Plan. The requests further Policy 1.1

- C. Policy 1.5: Community and Neighborhood Centers shall be required to provide pedestrian/bicycle access to key activity areas. Parking lots shall be carefully designed to facilitate trail access and pedestrian access between buildings.

The proposed SPS design standards include a requirement for linking building entrances to the Unser Blvd. trail via six foot sidewalks. The Site Plan for Building Permit shows bike racks in front of the proposed retail buildings and a 6 foot sidewalk connection to Unser Blvd. There is direct access from the bike lane along Unser Blvd. to the site. Staff finds the request further Policy 1.5.

- D. Policy 1.6: Large areas dedicated to employment uses shall be preserved on the West Side at Seven Bar Ranch, Atrisco Business Park, and Double Eagle II Airport. Additional employment center development is also encouraged. The City of Albuquerque and Bernalillo County economic development programs shall actively encourage employers to locate in these employment centers.

Commercial development on this portion site preserves the commercial use and adds to the job possibilities on the west side. The remainder of the site will be developed with residential uses and these uses will be compatible and complimentary to the commercial development. The requests further Policy 1.6.

- E. Policy 1.9: In the Established and Developing Urban areas mapped by the Albuquerque/Bernalillo County Comprehensive Plan, future neighborhood and community centers may be designated and developed at appropriate locations, determined as follows:

Neighborhood centers should be located to serve approximately 15,000 population within about one mile radius of the center. Uses typical of community centers would likely be accessed on a weekly basis, whereas those in a neighborhood center might be used almost daily. Neighborhood Centers should be less automobile oriented, located on minor arterial and/or collector streets, and connected to public transit service as well as informal pedestrian and bicycle ways. Both community and neighborhood centers shall be very accommodating to the pedestrian even within predominantly off-street parking areas. Neighborhood centers should also have small blocks, but with small clusters of shared parking as well as on-street parking. Both community and neighborhood centers shall have outdoor areas that encourage gathering; both shall include bicycle parking and both shall provide safe pedestrian connections among buildings and between buildings and parking areas.

The subject site is within a designated Neighborhood Center. The site vicinity has very limited commercial and service businesses available to surrounding residents; most daily needs must be met from businesses along Coors Blvd. Neighborhood-oriented commercial and service uses would be accommodated with development on the site. Two arterial roadways, Unser Blvd. and Ladera Rd., provide access to the project. Access is also from Market St. a collector street. The SPS identifies shared parking for commercial uses, and pedestrian connections to buildings as integral features of parking standards. Staff finds the request further Policy 1.9

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The site is divided into smaller individual pad sites. There is access to the bike lane along Unser Blvd. and sidewalks are provided throughout the site. Policy 1.15 is furthered.

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- H. Policy 3.16: Multifamily development, public uses, educational and institutional facilities, and commercial or employment uses are all appropriate in the Community or Neighborhood Centers. Mixed-use and multi-modal access shall be incorporated into the design for these areas. The site is a designated Neighborhood Center in the WSSP, the proposed development will provide commercial and employment uses in a center with multi-modal access. The request further Policy 3.16.
- I. Policy 3.23: Location of commercial services, multifamily development, and public facilities shall be encouraged on the western side of the Ladera Community or in its central area to reduce trips to Coors Boulevard and provide easier access to services for neighborhoods west of the Ladera Golf Course. This development would occur in Neighborhood Centers designed to relate to the surrounding neighborhoods and be consistent with design guidelines for the area near the escarpment. Strip commercial development will not be allowed in this area. The site is within a designated Neighborhood Center. The site vicinity is currently served by a limited number of neighborhood commercial businesses, consisting of some chain franchise businesses along the east side of Unser Blvd., approximately one-quarter mile north of Ladera Drive, however the majority of commercial shopping in the area occurs on Coors Blvd. The proposed site development would increase the number of retail and service businesses on a designated Neighborhood Center site west of the Ladera Golf Course, thereby increasing the available options for surrounding residents in closer proximity. The proposed development will include stand-alone retail and a group of shops; not a strip commercial development. Staff finds the request further Policy 3.23.
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The site is well away from the National Monument boundary, and its development would not impact publicly-available views of the Escarpment from major public roads or City parks and open space. Staff finds the request does not conflict with Policy 3.25.

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7. The site is within the boundaries of the El Rancho Atrisco Phase 3 Sector Development Plan; the proposed development is consistent with allowed commercial uses in the plan.
  8. A Zone Map Amendment ( 14EPC 40076) and Site Development Plan for Subdivision Amendment ( 14 ECP-40077) are heard concurrently with this request.
  9. A facilitated meeting occurred on December 1<sup>st</sup>. Meeting attendees expressed both support for and opposition to the request.

**CONDITIONS OF APPROVAL – 14EPC 40077- Site Development Plan for Building Permit**

1. The EPC delegates final sign-off authority of this site development plan to the Development Review Board (DRB). The DRB is responsible for ensuring that all EPC Conditions have been satisfied and that other applicable City requirements have been met. A letter shall accompany the submittal, specifying all modifications that have been made to the site plan since the EPC hearing, including how the site plan has been modified to meet each of the EPC conditions. Unauthorized changes to this site plan, including before or after DRB final sign-off, may result in forfeiture of approvals.
2. Prior to application submittal to the DRB, the applicant shall meet with the staff planner to ensure that all conditions of approval are met.
3. Provide 2 additional bikes racks for the retail spaces.
4. The applicant will continue to work with City Engineer/Transportation Development to address the comments provided for this project.
5. The Developer is responsible for permanent improvements to the transportation facilities adjacent to the proposed development site plan, as required by the Development Review Board
6. Conditions of Approval based on comments from PNM:

1. Existing underground electric distribution facilities are located on the west, south and north boundaries of the subject property. The applicant is responsible to abide by any conditions or terms of those easements.
2. It is necessary for the developer to contact PNM's New Service Delivery Department to coordinate electric service regarding this project. Any existing or proposed public utility easements are to be indicated on the site plan utility sheet prior to DRB review. PNM's standard for public utility easements for distribution is 10 feet in width to ensure adequate, safe clearances.  
Contact:  
PNM – Electric Service  
Mike Moyer Phone: (505) 241-3697  
4201 Edith Boulevard NE, Albuquerque, NM 87107
3. Ground-mounted equipment screening will be designed to allow for access to utility facilities. All screening and vegetation surrounding ground-mounted transformers and utility pads are to allow 10 feet of clearance in front of the equipment door and 5-6 feet of clearance on the remaining three sides for safe operation, maintenance and repair purposes. Refer to the PNM Electric Service Guide at [www.pnm.com](http://www.pnm.com) for specifications.
7. Dedicated bicycle trails along Unser Blvd. and Ladera Dr. shall be installed by the applicant in coordination with the Department of Municipal Development.

**APPEAL:** If you wish to appeal this decision, you must do so within 15 days of the EPC's decision or by **December 26, 2014**. The date of the EPC's decision is not included in the 15-day period for filing an appeal, and if the 15<sup>th</sup> day falls on a Saturday, Sunday or Holiday, the next working day is considered as the deadline for filing the appeal.

For more information regarding the appeal process, please refer to Section 14-16-4-4 of the Zoning Code. A Non-Refundable filing fee will be calculated at the Land Development Coordination Counter and is required at the time the appeal is filed. It is not possible to appeal EPC Recommendations to City Council; rather, a formal protest of the EPC's Recommendation can be filed within the 15 day period following the EPC's decision.

You will receive notification if any person files an appeal. If there is no appeal, you can receive Building Permits at any time after the appeal deadline quoted above, provided all conditions imposed at the time of approval have been met. Successful applicants are reminded that other regulations of the City Zoning Code must be complied with, even after approval of the referenced application(s).

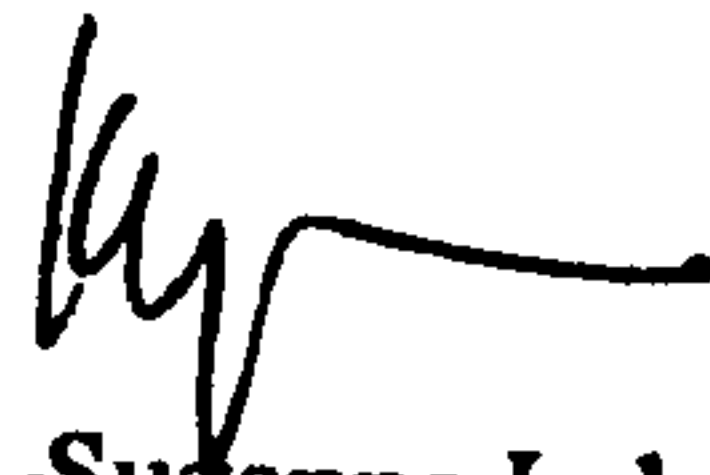
**ZONE MAP AMENDMENTS:** Pursuant to Zoning Code Section 14-16-4-1(C)(16), a change to the zone map does not become official until the Certification of Zoning (CZ) is sent to the applicant and any other

person who requests it. Such certification shall be signed by the Planning Director after appeal possibilities have been concluded and after all requirements prerequisite to this certification are met. If such requirements are not met within six months after the date of final City approval, the approval is void. The Planning Director may extend this time limit up to an additional six months.

**SITE DEVELOPMENT PLANS:** Pursuant to Zoning Code Section 14-16-3-11(C)(1), if less than one-half of the approved square footage of a site development plan has been built or less than one-half of the site has been developed, the plan for the undeveloped areas shall terminate automatically seven years after adoption or major amendment of the plan: within six months prior to the seven-year deadline, the property owners shall request in writing through the Planning Director that the Planning Commission extend the plan's life an additional five years. Additional design details will be required as a project proceeds through the Development Review Board and through the plan check of Building Permit submittals for construction. Planning staff may consider minor, reasonable changes that are consistent with an approved Site Development Plan so long as they can be shown to be in conformance with the original, approved intent.

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

Sincerely,



for Suzanne Lubar  
Planning Director

SL/MG

cc:

Western Albuquerque Land Holdings,  
Tierra West, LLC,  
John Vrabec  
Frank Comfort  
Candelaria Patterson  
Shariesse Taylor McCannon

3131 Camelback Road, Suite 200,  
5571 Midway Park Place, NE,  
7721 Pinewood Dr. NE  
7608 Elderwood Dr NW  
7608 Elderwood Dr. NW  
2808 El Tesoro Escondido NW

Phoenix, AZ	85016
ABQ, NM	87109
ABQ, NM	87120
ABQ, NM	87120
ABQ, NM	87120
ABQ, NM	87120

PROJECT#

1003275

February 18.2015

SBS  
SBS



Supplemental Form (SF)

**SUBDIVISION**

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

**SITE DEVELOPMENT PLAN**

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

**STORM DRAINAGE (Form D)**

- Storm Drainage Cost Allocation Plan

**S Z ZONING & PLANNING**

- Annexation
- Zone Map Amendment (Establish or Change Zoning, includes Zoning within Sector Development Plans)
- Adoption of Rank 2 or 3 Plan or similar
- Text Amendment to Adopted Rank 1, 2 or 3 Plan(s), Zoning Code, or Subd. Regulations
- Street Name Change (Local & Collector)
- APPEAL / PROTEST of...**
- Decision by: DRB, EPC, LUCC, Planning Director, ZEO, ZHE, Board of Appeals, other

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 2<sup>nd</sup> Street NW, Albuquerque, NM 87102. Fees must be paid at the time of application. Refer to supplemental forms for submittal requirements.

**APPLICATION INFORMATION:**

Professional/Agent (if any): Consensus planning PHONE: 505.764.9801  
 ADDRESS: 302 8th St. NW FAX: \_\_\_\_\_  
 CITY: Albuquerque STATE NM ZIP 87102 E-MAIL: cp@consensusplanning.com  
 APPLICANT: Western Albuquerque Land Holdings, LLC (WALH) PHONE: 505.897.8599  
 ADDRESS: 1130 Lanes End NW FAX: \_\_\_\_\_  
 CITY: Albuquerque STATE NM ZIP 87114 E-MAIL: ggi@swxp.com  
 Proprietary interest in site: owner List all owners: \_\_\_\_\_

DESCRIPTION OF REQUEST: DRB Final Sign off - Site Development plan for Subdivision

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

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

Lot or Tract No. 1-A-1 Block: \_\_\_\_\_ Unit: \_\_\_\_\_  
 Subdiv/Addn/TBKA: EL Rancho Atrisco phase III  
 Existing Zoning: SU-1-Office & commercial Proposed zoning: N/A MRGCD Map No \_\_\_\_\_  
 Zone Atlas page(s): H9 UPC Code: 100905950900240105

**CASE HISTORY:**

List any current or prior case number that may be relevant to your application (Proj., App., DRB-, AX, Z, V, S, etc.): \_\_\_\_\_  
Project NO. 1003275, 13EPC40148

**CASE INFORMATION:**

Within city limits?  Yes Within 1000FT of a landfill? NO  
 No. of existing lots: 1 No. of proposed lots: 2 Total site area (acres): 19.98  
 LOCATION OF PROPERTY BY STREETS: On or Near: East side of Unser Blvd. NW  
 Between: Hanover Rd. NW and Ladera Dr. NW

Check if project was previously reviewed by: Sketch Plat/Plan  or Pre-application Review Team(PRT)  Review Date: \_\_\_\_\_

SIGNATURE [Signature] DATE 10.28.14  
 (Print Name) James A Stozier Applicant:  Agent:

**FOR OFFICIAL USE ONLY**

**INTERNAL ROUTING**

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

Application case numbers

14 DRB - 70369  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

Action

SPS  
CAF  
 \_\_\_\_\_  
 \_\_\_\_\_

S.F.

\_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

Fees

\$ 0  
 \$ 20.00  
 \$ \_\_\_\_\_  
 \$ \_\_\_\_\_  
 \$ \_\_\_\_\_  
 Total  
 \$ 20.00

Hearing date Nov 12, 2014

[Signature]  
10-28-14  
 Staff signature & Date

Project # 1003275

Revised: 4/2012



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

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

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

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

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

- SITE DEVELOPMENT PLAN FOR BUILDING PERMIT (DRB17)** **Maximum Size: 24" x 36"**
  - 5 Acres or more & zoned SU-1, IP, SU-2, PC, or Shopping Center: Certificate of No Effect or Approval
  - Site plan and related drawings (folded to fit into an 8.5" by 14" pocket) **6 copies**
  - Site Plan for Subdivision, if applicable, previously approved or simultaneously submitted. **6 copies.**
  - Solid Waste Management Department signature on Site Plan
  - Zone Atlas map with the entire property(ies) clearly outlined
  - Letter briefly describing, explaining, and justifying the request
  - Letter of authorization from the property owner if application is submitted by an agent
  - Copy of the document delegating approval authority to the DRB
  - Infrastructure List, if relevant to the site plan
  - Completed Site Plan for Building Permit Checklist
  - Copy of Site Plan with Fire Marshal's stamp
  - Fee (see schedule)
  - List any original and/or related file numbers on the cover application

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

- AMENDED SITE DEVELOPMENT PLAN FOR BUILDING PERMIT (DRB01)** **Maximum Size: 24" x 36"**
- AMENDED SITE DEVELOPMENT PLAN FOR SUBDIVISION (DRB02)** **Maximum Size: 24" x 36"**
  - Proposed amended Site Plan (folded to fit into an 8.5" by 14" pocket) **6 copies**
  - DRB signed Site Plan being amended (folded to fit into an 8.5" by 14" pocket) **6 copies**
  - Zone Atlas map with the entire property(ies) clearly outlined
  - Letter briefly describing, explaining, and justifying the request
  - Letter of authorization from the property owner if application is submitted by an agent
  - Infrastructure List, if relevant to the site plan
  - Completed Site Plan for Building Permit Checklist (not required for amendment of SDP for Subdivision)
  - Fee (see schedule)
  - List any original and/or related file numbers on the cover application

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

- FINAL SIGN-OFF FOR EPC APPROVED SDP FOR BUILDING PERMIT (DRB05)**
- FINAL SIGN-OFF FOR EPC APPROVED SDP FOR SUBDIVISION (DRB06)**
  - Site plan and related drawings (folded to fit into an 8.5" by 14" pocket) **6 copies**
  - Approved Grading and Drainage Plan (folded to fit into an 8.5" by 14" pocket) **6 copies - SPBP**
  - Solid Waste Management Department signature on Site Plan for Building Permit
  - Zone Atlas map with the entire property(ies) clearly outlined
  - Letter carefully explaining how each EPC condition has been met **and** a copy of the EPC Notification of Decision
  - Infrastructure List, if relevant to the site plan
  - Copy of Site Plan with Fire Marshal's stamp (not required for SDP for Subdivision)
  - List any original and/or related file numbers on the cover application

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

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

James K. Strozier, AICP  
 Applicant name (print)  
[Signature] 10.28.14  
 Applicant signature / date

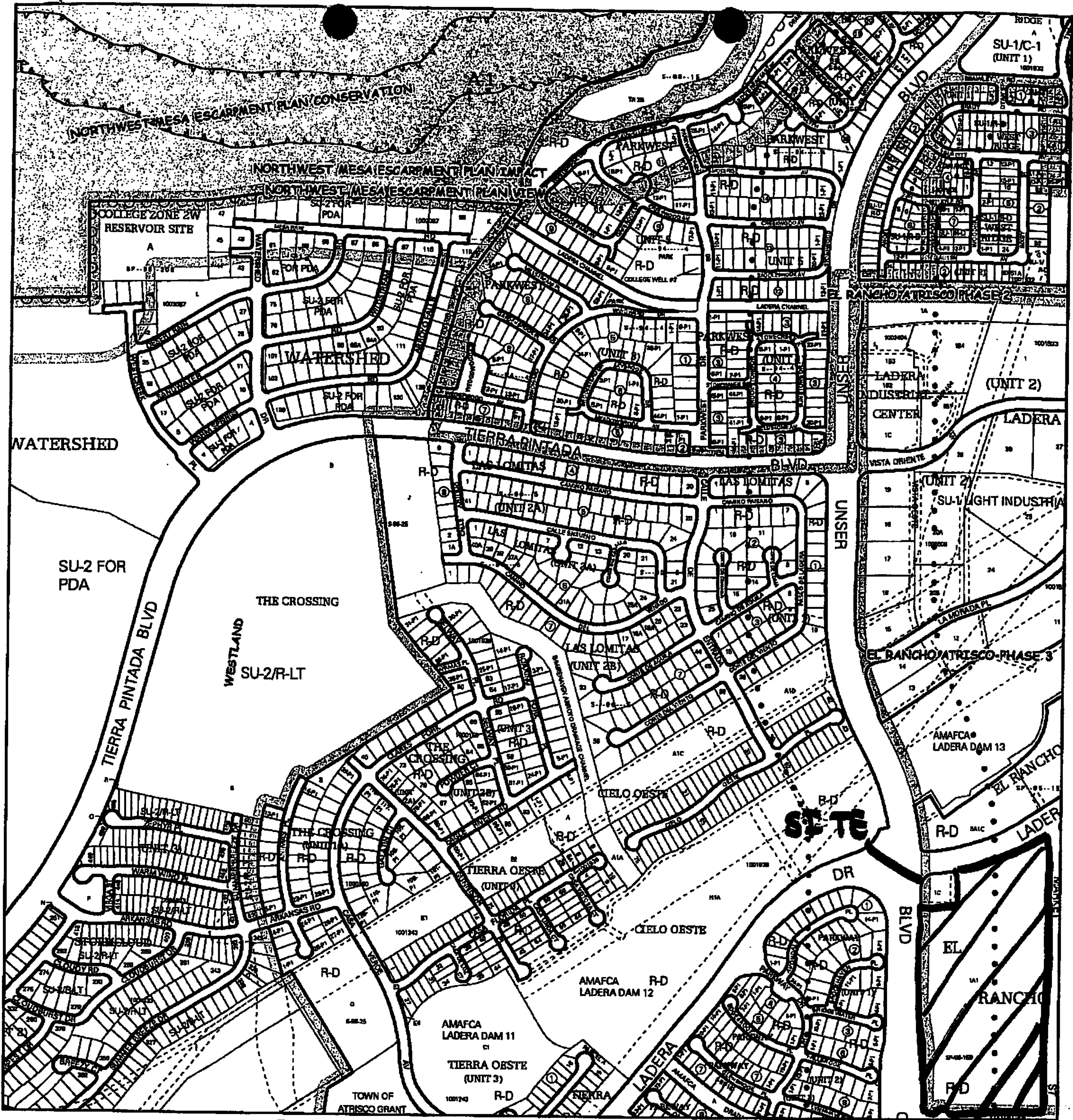


Form revised October 2007

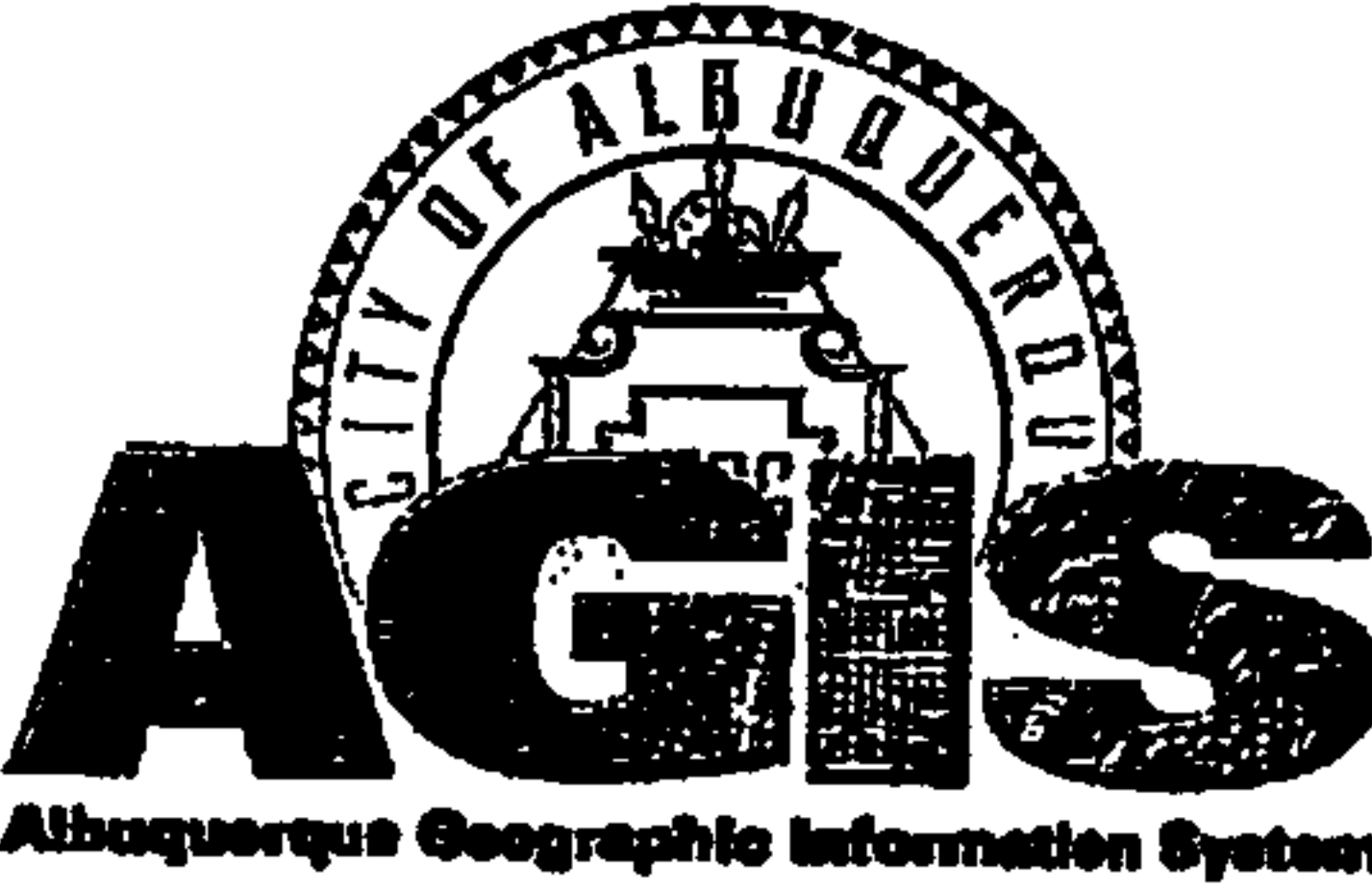
- Checklists complete
- Fees collected
- Case #s assigned
- Related #s listed

Application case numbers  
14 - DRB - 70369  
 \_\_\_\_\_  
 \_\_\_\_\_

[Signature] 10-28-14  
 Planner signature / date  
 Project # 1003275

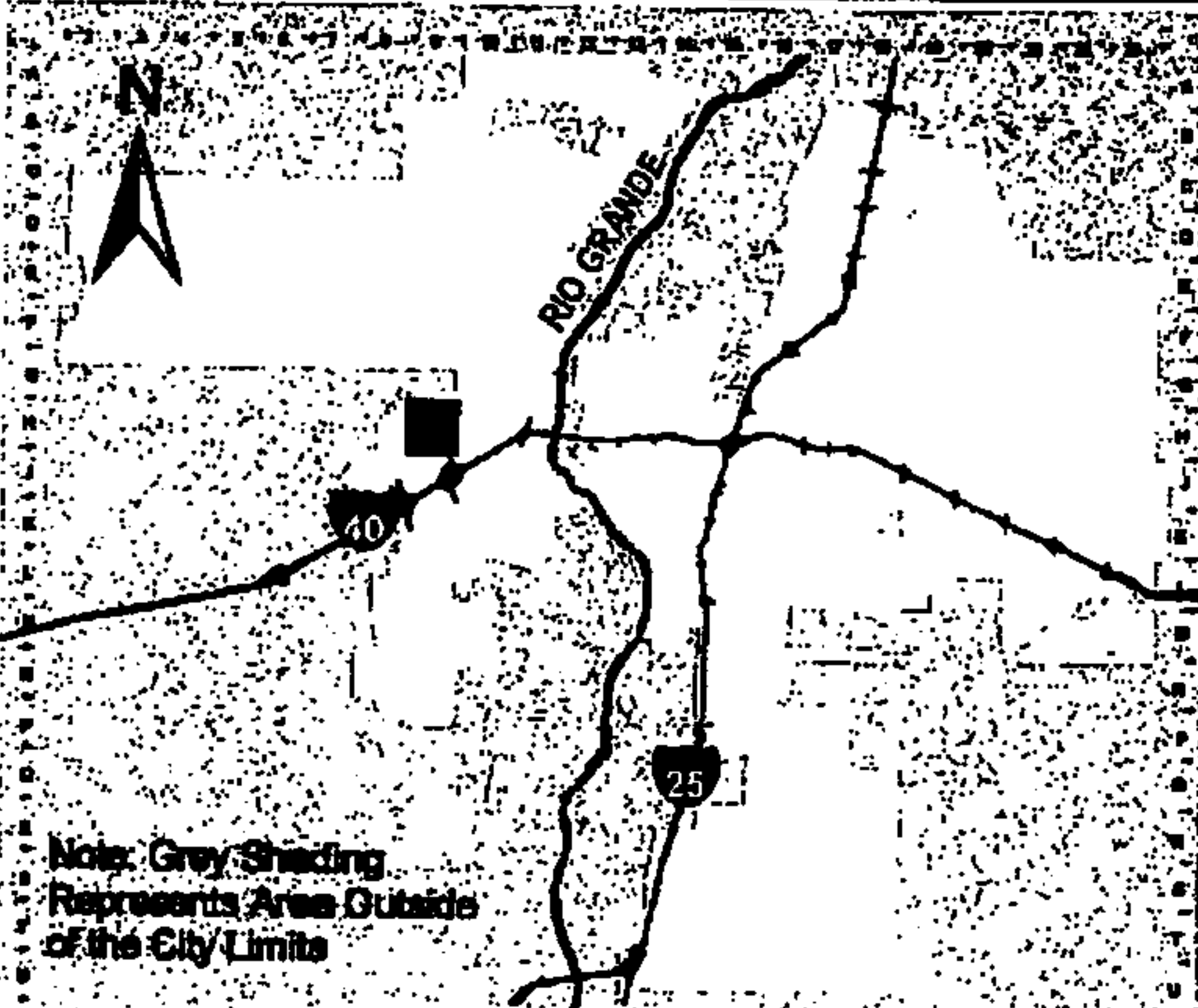


For more current information and details visit: <http://www.cabq.gov/gis>



**AGIS**  
Albuquerque Geographic Information System

Map amended through: 1/10/2013












North arrow pointing up.

Scale bar: 0, 750, 1,500 Feet

Zone Atlas Page:  
**H-09-Z**

Selected Symbols

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

**WESTERN ALBUQUERQUE LAND HOLDINGS LLC  
c/o Barclays Capital Real Estate Inc., as Servicing Member  
200 Park Ave.  
New York, NY 10166**

April 16, 2012

City of Albuquerque  
P.O. Box 1293  
Albuquerque, NM 87103

**Re: Letter of Authorization for Entitlement & Permit Applications for Stormcloud Subdivision Units 3, 4 & 5, Watershed & Inspiration Subdivision, Heritage Marketplace (SEC Unser & Ladera), Town Center, Town Center Village, City Regional Park, Plat of Parcels C & D of Westland North ("Properties") and the Westland Master Plan & Westland Sector Plan for the Lower Petroglyphs/Upper Petroglyphs ("Westland Master & Sector Plans")**

To Whom it May Concern:

Western Albuquerque Land Holdings LLC, a Delaware limited liability company ("WALH"), hereby authorizes Garrett Development Corporation, Myers, Oliver & Price, P.C., Consensus Planning and Bohannan Huston to obtain information and submit entitlement and permit applications for the above referenced Properties and the Westland Master & Sector Plans, and act as WALH's agent for the limited purpose of entitling, permitting and subdividing the above referenced Properties owned by WALH and the Westland Master & Sector Plans. Any acts with respect to other property owned by WALH shall require a separate authorization letter.

Sincerely,

WESTERN ALBUQUERQUE LAND HOLDINGS LLC  
By: Barclays Capital Real Estate Inc., as Servicing Member

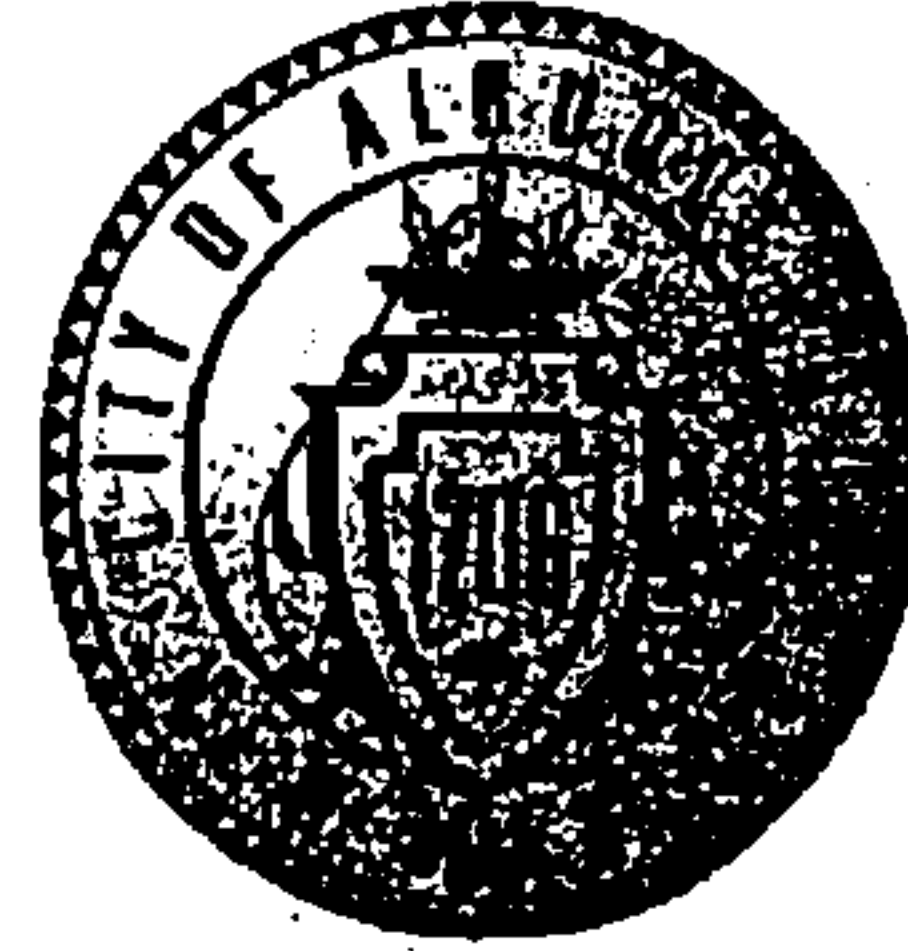
By:   
Mark Wuest, Vice President

Notice address re: these Properties:

Western Albuquerque Land Holdings LLC  
C/O Garrett Development Corporation  
3131 Camelback Road, Suite 200  
Phoenix, Arizona 85016  
Phone: 480-236-5059  
Email: jeff@gdc-az.com

With a copy to: John A. Myers, Esq.  
Myers, Oliver & Price, P.C.  
1401 Central Avenue NW  
Albuquerque, NM 87104  
(505) 247-9080  
jmyers@moplaw.com

# CITY OF ALBUQUERQUE



**PLANNING DEPARTMENT**  
**URBAN DESIGN & DEVELOPMENT DIVISION**  
600 2nd Street NW, 3rd Floor, 87102  
P.O. Box 1293, Albuquerque, NM 87103  
Office (505) 924-3860 Fax (505) 924-3339

## OFFICIAL NOTIFICATION OF DECISION

February 18, 2014

Western Albuquerque Land Holdings  
1130 Lanes End NW  
Albuquerque, NM 87114

**Project# 1003275**  
13EPC-40148 Site Development Plan for  
Subdivision

### LEGAL DESCRIPTION:

For all or a portion of lot 1-A-1, El Rancho Atrisco Phase III, located on Unser Blvd NW between Hanover Rd NW and Ladera Dr NW containing approximately 19.98 acres.

Staff Planner: Chris Glore

PO Box 1293

Albuquerque

On February 13, 2014, the Environmental Planning Commission (EPC), voted to APPROVE Project 1003275, 13EPC-40148, a request for a Site Development Plan for Subdivision, based on the following Findings and Conditions:

New Mexico 87103

### FINDINGS:

www.cabq.gov

1. This is a request for a Site Development Plan for Subdivision for Tract 1-A-1, Plat of Tracts 1-A-1 and I-B-1, El Rancho Atrisco Phase 3, containing approximately 19.98 acres located at the SE Corner of Unser Blvd. NW and Ladera Dr. NW.
2. The request involves design and development standards for Heritage Marketplace development, a mixed commercial, office and residential project. The applicant proposes to re-subdivide the property into two tracts, of which Tract A would be developed with office and/or multi-family residential uses and Tract B with commercial uses.
3. The subject site is located in the Developing Urban Area of the Comprehensive Plan, the Unser/Ladera Neighborhood Center of the West Side Strategic Plan, and the El Rancho Atrisco Phase III Sector Plan. The proposal must comply with the Zoning Regulations and General Regulations of the Zoning Code.

**OFFICIAL NOTICE OF DECISION**

**Project #1003275**

**February 13, 2014**

**Page 2 of 8**

4. The Albuquerque/Bernalillo County Comprehensive Plan, the West Side Strategic Plan, and the El Rancho Atrisco Phase III Sector Plan and the City of Albuquerque Zoning Code are incorporated herein by reference and made part of the record for all purposes.
5. The Site Development Plan for Subdivision request furthers the following Comprehensive Plan policies:

**Policy II.B.5.a: Full range of urban land uses.** The request would provide urban-scale commercial and office/residential uses within an area with a range of residential density and few commercial uses. The subject property is adjacent to two arterial streets and has good access to the multi-modal transportation system.

**Policy II.B.5.d: Development respects neighborhood values, environmental conditions, and scenic resources.** The area is currently under-served by neighborhood commercial and service businesses. The SPS design standards would reflect design theme consistent and complimentary to the surrounding development.

**Policy II.B.5.e: New growth shall be in areas contiguous to existing or programmed urban facilities and services and neighborhood integrity assured.** Urban facilities and services consist of fully developed arterial roadways on two sides of the property, and the full range of utilities within surrounding streets. Project traffic would not need to travel through surrounding neighborhoods.

**Policy II.B.5.h: Higher density housing is most appropriate with excellent access to major streets; mixed density pattern; similar or higher density development; and transition.** The subject site is within the designated Unser/Ladera Neighborhood Center of the WSSP. The site is surrounded by residential land uses and existing infrastructure is in place. A mixed residential density exists in the surrounding area.

**Policy II.B.5.j: Commercial development in centers with pedestrian and bicycle access; intersections of arterial streets and transit.** The SPS commercial development would be at the intersection of two arterial streets and within an area of residential development.

**Policy II.B.5.l: Quality and innovation in design.** The SPS design requirements include the Zoning Code General Building and Site Design Regulations for Non-Residential Uses.

**Policy II.B.5.m: Design improves the quality of the visual environment.** The SPS would regulate building architecture, lighting, landscaping and signage in compliance with the Zoning Code.

**Policy II.B.7.b: Net densities above 30 dwelling units per acre within Major Activity Centers.** The site is designated Unser/Ladera Neighborhood Center per the WSSP. The SPS proposes maximum residential density of 30 dwelling units per acre.

**Policy II.B.7.f: Intense uses in Activity Centers located away from low-density residential and buffered by a transition area.** The subject site is bordered by two arterial roads, and multi-family residential and/or office uses would buffer adjacent lower intensity uses.

**OFFICIAL NOTICE OF DECISION**

**Project #1003275**

**February 13, 2014**

**Page 3 of 8**

**Policy II.B.7.i: Multi-unit housing appropriate in Neighborhood, Community and Major Activity Centers.** The SPS would allow multi-family residential development in a designated Neighborhood Center.

**Policy II.C.1.b: Balanced land use/transportation system of housing, employment and services.** The request would add commercial, services and housing within an area under-served by commercial and service uses.

**Noise Goal: Protect the public health and welfare and quality of life.** The multi-family residential and neighborhood-serving commercial uses would not operate at a level of intensity disturbing to surrounding residents.

**Policy II.D.4.c: Dwelling units close to Major Transit and Enhanced Transit streets.** Unser Blvd. is a designated Express Transit Corridor. The request would allow additional dwelling units along the Transit Corridor.

**Policy II.D.6.a: New jobs created convenient to areas of need.** The City's west side is deficient in jobs relative to housing. The proposed commercial and office uses would provide jobs on the west side.

6. The Site Development Plan for Subdivision request partially furthers the following Comprehensive Plan policies:

**Policy II.B.5.i: Employment and service uses located to complement residential areas and minimize adverse effects of noise, lighting, pollution, and traffic.** The SPS would be consistent with the intended land uses of a Neighborhood Center. Commercial and office development would be convenient to surrounding residents. A Traffic Impact Study is under review by the NMDOT. Traffic generated by the developments would potentially impact single-family residential from vehicular access at Hanover Rd.

**Policy II.B.5.k: Minimize harmful effects of traffic; livability and safety of residential neighborhoods.** Unser Blvd. is a Principal Urban Arterial. The SPS proposes multi-direction access to Unser Blvd. which is under State jurisdiction. The proposed access is a concern of City staff, MRCOG and the NMDOT and a concern of the neighborhood.

**Policy II.D.4.a: Street design, transit service, and development form consistent with Corridors and Activity Centers.** The site is within a Neighborhood Center. Unser Blvd. is a designated Express Transit Corridor. The SPS design standards would be consistent with the Comprehensive Plan Development Form details. The SPS does not propose internal connecting sidewalks leading to public gathering spaces.

7. The Site Development Plan for Subdivision request furthers the following goals and policies of the West Side Strategic Plan:

**Policy 1.1: Develop higher density in Community and Neighborhood Centers, surrounded by lower density.**

**OFFICIAL NOTICE OF DECISION**

**Project #1003275**

**February 13, 2014**

**Page 4 of 8**

**Policy 3.8: The highest density in the Community and Neighborhood Centers. Multifamily housing and employment facilities are appropriate with commercial services.**

**Policy 3.16: Multifamily development and commercial or employment uses are appropriate in the Community or Neighborhood Centers. Mixed-use and multi-modal access shall be incorporated.**

**Policy 4.6.f: Locate multiple-family residential within Community and Neighborhood Centers and allow higher density so they serve as transit hubs.**

**Policy 4.10: Promote and establish land uses and urban patterns whose design support bicycle and pedestrian travel, and public transportation.**

Higher density residential and commercial development on the site would be within a designated Neighborhood Center. The SPS proposes a mix of commercial, office and multi-family residential development up to 30 dwelling units per acre. The development would be adjacent to Arterial roadways (Unser Blvd. and Ladera Dr.), a regional trail and two ABQ Ride express transit lines

**Policy 1.9: In the Established and Developing Urban areas neighborhood and community centers may be developed at appropriate locations.**

**Policy 1.16: Neighborhood Centers on collector and arterial streets. Primary access by auto, with pedestrian and bicycle connections to adjacent neighborhoods.**

The site is within a Neighborhood Center and would be accessed from a Collector street (Market St.) and Arterial streets (Unser Blvd. and Ladera Dr.) The development would provide sidewalk connections to the Unser Blvd. trail and to surrounding single family residential neighborhoods.

**Policy 1.17: Encourage public services, parks, retail and commercial services in Activity Centers.** There are no public facilities proposed. Retail and service uses and offices would be on a site within a Neighborhood Center.

**Policy 3.23: Location of commercial services, multifamily development, and public facilities to reduce trips to Coors Boulevard and provide easier access.** The development would increase retail and service businesses and would allow multi-family residential development on property in a Neighborhood Center west of Coors Blvd.

**Policy 6.23: Require trail access to the regional trail network, through the Community Centers, Employment Centers, Neighborhood Centers, and parks and open space.** The SPS would require buildings to be linked via sidewalk to the Unser Blvd. trail and to existing sidewalks.

8. The Site Development Plan for Subdivision request partially furthers the following goals and policies of the West Side Strategic Plan:

**Policy 1.15: Neighborhood Centers shall contain scale accommodating to pedestrians and bicyclists, including outdoor seating.** Shared parking is proposed. The SPS does not commit to outdoor spaces for gathering aside from restaurant outdoor space.

**OFFICIAL NOTICE OF DECISION**

Project #1003275

February 13, 2014

Page 5 of 8

**Policy 1.5: Community and Neighborhood Centers shall provide pedestrian/bicycle access to key activity areas.** The SPS design standards require linking building entrances to the Unser Blvd. trail, however, there is not sufficient detail regarding access within parking lots and between buildings.

**Policy 4.6.g: Commercial developments accessible by transit locate buildings adjacent to street frontages and parking to the rear or sides.** The development would provide shopping and housing options for potential transit users. The location of buildings relative to street frontage and parking lots is not addressed by the SPS.

**Policy 4.6.h: Limit parking spaces to 10% above Code requirements and provide safe, attractive, and efficient routes to streets and transit.** The SPS references the Zoning Code for parking minimums and does not impose maximum parking. Through-site access is not addressed in the SPS.

**Policy 6.25: Internal bicycle/pedestrian trails link to the primary trails network. Demonstrate connectivity of trails.** The SPS design standards do not provide detail as to how internal pedestrian access would be accomplished.

9. The SPS proposed land uses are consistent with the El Rancho Atrisco Phase III Sector Plan designation for the subject site of Planned Office Park and Commercial Development – Not More Than 50% To Be Developed Commercially. Proposed uses including residential are consistent with the C-1 Zone.
10. At the Facilitated Meeting on January 28, 2014 Neighborhood Association members expressed concerns regarding the proposed vehicle access on Unser Blvd., potential multi-family residential development, and pedestrian and bicycle access.
11. ~~The applicant requests delegation of approval authority Site Development Plan for Building Permit applications to the DRB.~~

**CONDITIONS OF APPROVAL:**

1. The EPC delegates final sign-off authority of this site development plan to the Development Review Board (DRB). The DRB is responsible for ensuring that all EPC Conditions have been satisfied and that other applicable City requirements have been met. A letter shall accompany the submittal, specifying all modifications that have been made to the site plan since the EPC hearing, including how the site plan has been modified to meet each of the EPC conditions. Unauthorized changes to this site plan, including before or after DRB final sign-off, may result in forfeiture of approvals.
2. Prior to application submittal to the DRB, the applicant shall meet with the staff planner to ensure that all conditions of approval are met.
3. The Site Development Plan shall comply with the General Regulations of the Zoning Code and all other applicable design regulations, except as specifically approved by the EPC.



**OFFICIAL NOTICE OF DECISION**

**Project #1003275**

**February 13, 2014**

**Page 6 of 8**

4. Future development on the site will require EPC review of a Site Development Plan for Building Permit.
5. The Developer is responsible for permanent improvements to the transportation facilities adjacent to the proposed site development plan, as required by the Development Review Board (DRB).
6. The section of Unser Blvd referenced in the SPS is under the jurisdiction of the New Mexico Department of Transportation (NMDOT). Prior to DRB approval of any Site Development Plan for Building Permit, NMDOT shall have determined whether or not the requested access points on Unser Blvd. will be allowed, and if allowed the access request shall have been approved through the MRCOG Transportation Coordinating Committee process.
7. Site plan shall comply and be in accordance with all applicable City of Albuquerque requirements, including the *Development Process Manual* and current ADA criteria.
8. New median cuts must be requested in writing to the Traffic Engineer, Development & Review Services. The construction of appropriate left turn lanes must be included with any new median-cuts.
9. Access points must meet DPM's minimum distances from intersections. Proposed access 'H' must provide minimum of 100 ft. setback and proposed access 'G' must be a minimum of 200 ft. setback from projected intersecting flow lines.
10. Concurrent Platting Action required at Development Review Board (DRB).
11. A cross access easement and shared parking agreement shall be part of the platting process.
- ~~12. The text "Landscaping and signing will not interfere with clear sight requirements. Therefore, signs, walls, trees, and shrubbery between 3 and 8 feet tall (as measured from the gutter pan) will not be acceptable in this area" shall be added to Design Standards, Section 3 Landscape and Section 5 Signage, to demonstrate that the signs and landscaping will not interfere with the sight distance of the entrances.~~
13. Revise Site Plan sheet 1, under Building Heights and Setbacks, to delete the first two sentences and replace with the following: "Maximum building heights for all buildings shall be per the SU-1 zone."
14. Revise Design Standards sheet 2, under Architecture, to delete 4.C.2 in its entirety and replace the first sentence of 4.C.1 with the following: "Maximum building heights for all buildings shall be per the SU-1 zone."
15. The design of access to Unser Blvd. shall demonstrate consistency with AASHTO guidelines for bicycle safety.

**OFFICIAL NOTICE OF DECISION**

Project #1003275

February 13, 2014

Page 7 of 8

**APPEAL:** If you wish to appeal this decision, you must do so within 15 days of the EPC's decision or by **FEBRUARY 28, 2014**. The date of the EPC's decision is not included in the 15-day period for filing an appeal, and if the 15<sup>th</sup> day falls on a Saturday, Sunday or Holiday, the next working day is considered as the deadline for filing the appeal.

For more information regarding the appeal process, please refer to Section 14-16-4-4 of the Zoning Code. A Non-Refundable filing fee will be calculated at the Land Development Coordination Counter and is required at the time the appeal is filed. It is not possible to appeal EPC Recommendations to City Council; rather a formal protest of the EPC's Recommendation can be filed within the 15 day period following the EPC's decision.


You will receive notification if any person files an appeal. If there is no appeal, you can receive Building Permits at any time after the appeal deadline quoted above, provided all conditions imposed at the time of approval have been met. Successful applicants are reminded that other regulations of the City Zoning Code must be complied with, even after approval of the referenced application(s).

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

**SITE DEVELOPMENT PLANS:** Pursuant to Zoning Code Section 14-16-3-11(C)(1), if less than one-half of the approved square footage of a site development plan has been built or less than one-half of the site has been developed, the plan for the undeveloped areas shall terminate automatically seven years after adoption or major amendment of the plan: within six months prior to the seven-year deadline, the property owners shall request in writing through the Planning Director that the Planning Commission extend the plan's life an additional five years. Additional design details will be required as a project proceeds through the Development Review Board and through the plan check of Building Permit submittals for construction. Planning staff may consider minor, reasonable changes that are consistent with an approved Site Development Plan so long as they can be shown to be in conformance with the original, approved intent.

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

Sincerely,

  
Suzanne Lubar  
Planning Director

**OFFICIAL NOTICE OF DECISION**

**Project #1003275**

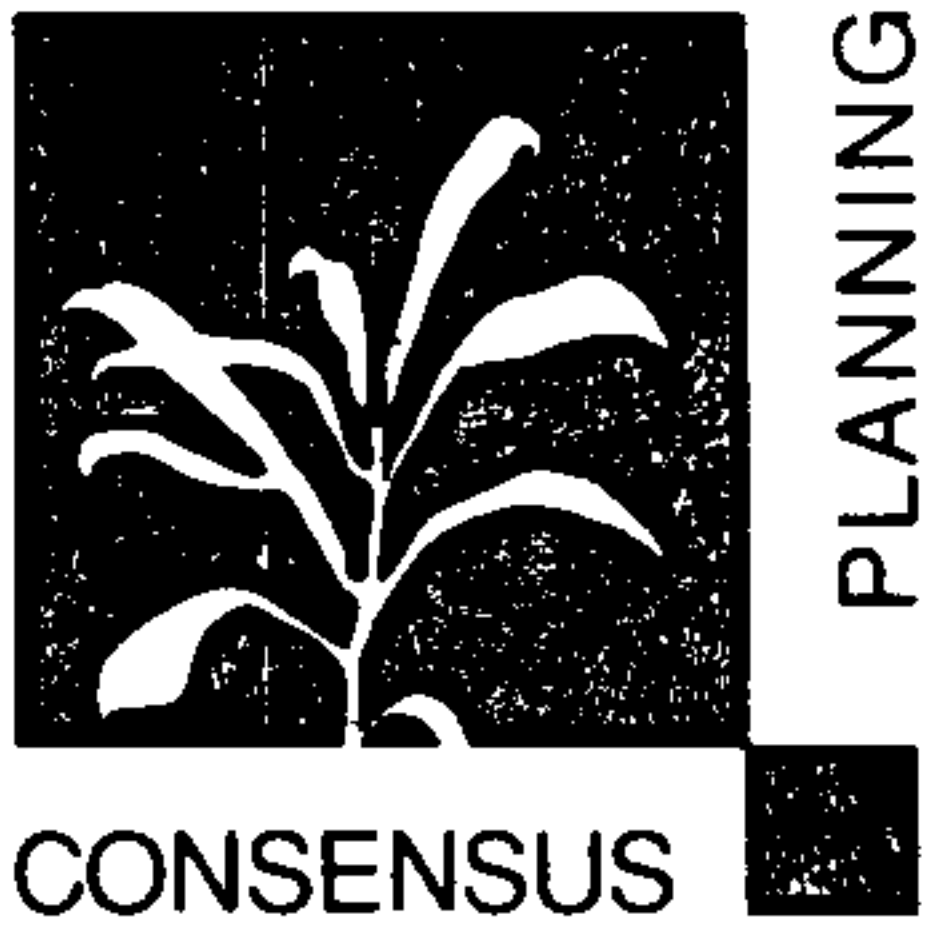
**February 13, 2014**

**Page 8 of 8**

**SL/CG/mc**

**cc: Steve Collins, 7517 Vista Alegre NW, Albuquerque NM 87120**  
**Sharise McCannon, 2808 El Tesoro Escondido NW, Albuquerque NM 87120**  
**Mary Loughran, 8015 Fallbrook NW, Albuquerque NM 87120**  
**James Larkin, 7304 Inwood NW, Albuquerque NM 87120**  
**John Vrabec, 7721 Pinewood Dr. NW, Albuquerque NM 87120**  
**Thomas Borst, 1908 Selway Pl. NW, Albuquerque NM 87120**  
**Jason Stone, 1136 Makian Pl. NW, Albuquerque NM 87120**  
**Candelaria Patterson, 7608 Elderwood NW, Albuquerque NM 87120**  
**Harry Hendrickson, 10592 Rio del Sol Ct. NW, Albuquerque NM 87120**  
**Jerry Worrall, 1039 Pinatubo Pl. NW, Albuquerque, NM 87120**

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October 28, 2014

Jack Cloud, Chairman  
Development Review Board  
City of Albuquerque  
PO Box 1293  
Albuquerque, NM 87103

Landscape Architecture  
Urban Design  
Planning Services

RE: Project #1003275; Case#13EPC-40148

Dear Mr. Chairman:

302 Eighth St. NW  
Albuquerque, NM 87102  
(505) 764-9801  
Fax 842-5495  
cp@consensusplanning.com  
www.consensusplanning.com

The purpose of this letter is to explain how we have addressed the Environmental Planning Commission's (EPC) conditions of approval for Project #1003275; 13EPC-40148, a Site Development Plan for Subdivision, which was approved on February 13, 2014. The Site Plan for Subdivision has been submitted to coincide with a bulk land plat application to be heard together at DRB.

Each condition is listed below and the response as to how it was satisfied follows:

1. The EPC delegates final sign-off authority of this site development plan to the Development Review Board (DRB). The DRB is responsible for ensuring that all EPC Conditions have been satisfied and that other applicable City requirements have been met. A letter shall accompany the submittal, specifying all modifications that have been made to the site plan since the EPC hearing, including how the site plan has been modified to meet each of the EPC conditions. Unauthorized changes to this site plan, including before or after DRB final sign-off, may result in forfeiture of approvals.

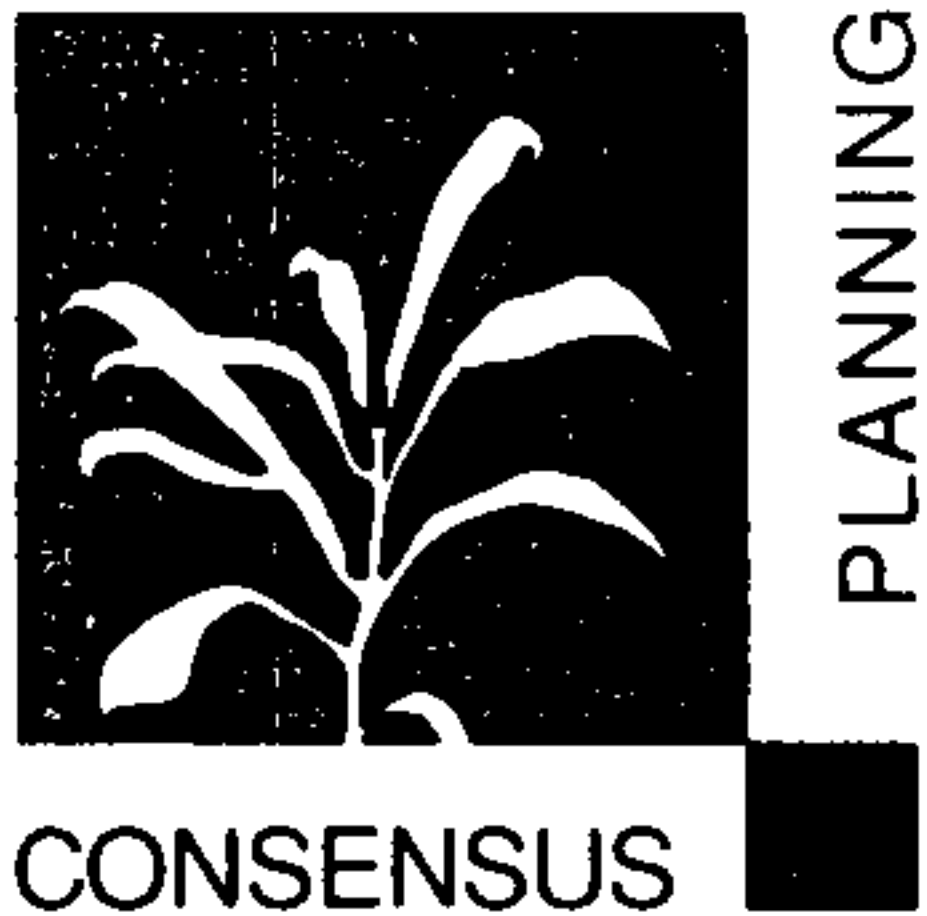
*We agree.*

2. Prior to application submittal to the DRB, the applicant shall meet with the staff planner to ensure that all conditions of approval are met.  
*We have met with Chris Glore to review the Site Plan. Chris has since retired. The unresolved issues at that time were the bicycle facilities and approval of the Unser access locations. These issues have been addressed, see responses to Conditions #6 and #15 below.*

#### PRINCIPALS

James K. Strozter, AICP  
Christopher J. Green, PLA, ASLA, LEED-AP  
Jacqueline Fishman, AICP  
Laurie Firor, PLA, ASLA

3. The Site Development Plan shall comply with the General Regulations of the Zoning Code and all other applicable design regulations, except as specifically approved by the EPC.



*We agree.*

4. Future development on the site will require EPC review of a Site Development Plan for Building Permit.

*We agree.*

5. The Developer is responsible for permanent improvements to the transportation facilities adjacent to the proposed site development plan, as required by the Development Review Board (DRB).

*We agree.*

6. The section of Unser Blvd referenced in the SPS is under the jurisdiction of the New Mexico Department of Transportation (NMDOT). Prior to DRB approval of any Site Development Plan for Building Permit, NMDOT shall have determined whether or not the requested access points on Unser Boulevard will be allowed, and if allowed the access request shall have been approved through the MRCOG Transportation Coordinating Committee process.

*The access was approved by the TCC on August 1, 2014, R-14-01 TCC (see attached).*

7. Site plan shall comply and be in accordance with all applicable City of Albuquerque requirements, including the *Development Process Manual* and current ADA criteria.

*We agree.*

8. New median cuts must be requested in writing to the Traffic Engineer, Development & Review Services. The construction of appropriate left turn lanes must be included with any new median cuts.

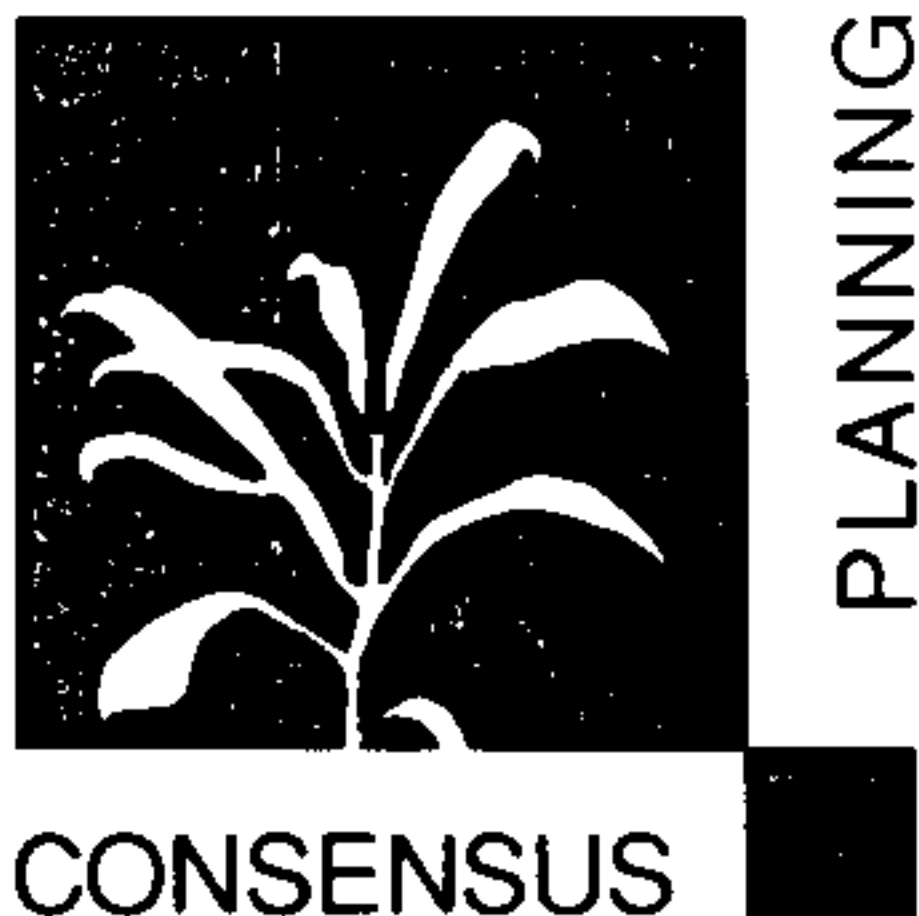
*We agree.*

9. Access points must meet DPM's minimum distances from intersections. Proposed access 'H' must provide minimum 100 ft. setback and proposed access 'G' must be a minimum of 200 ft. setback from projected intersecting flow lines.

*The access points have been revised.*

10. Concurrent Platting Action required at Development Review Board (DRB).

*The Bulk Land Plat has been submitted by Tierra West, LLC (14DRB-70358) and is scheduled to be heard by the DRB at the hearing on November 5, 2014.*



11. A cross access easement and shared parking agreement shall be part of the platting process.

*A note has been added to sheet 1, the easement and the shared parking agreement have been submitted as part of the bulk land application.*

12. The text "Landscaping and signing will not interfere with clear sight requirements. Therefore, signs, walls, trees, and shrubbery between 3 and 8 feet tall (as measured from the gutter plan) will not be acceptable in this area" shall be added to Design Standards, Section 3 Landscape and Section 5 Signage, to demonstrate that the signs and landscaping will not interfere with the sight distance of the entrances.

*Note was added to sheet 2.*

13. Revise Site Plan sheet 1, under Building Heights and Setbacks, to delete the first two sentences and replace with the following: "Maximum building heights for all buildings shall be per the SU-1 zone."

*Revision was made and note was added to sheet 1.*

14. Revise Design Standards sheet 2, under Architecture, to delete 4.C.2 in its entirety and replace the first sentence of 4.C.1 with the following: "Maximum building heights for all buildings shall be per the SU-1 zone."

*Sheet 2 has been revised and note has been added.*

15. The design of access to Unser Blvd. shall demonstrate consistency with AASHTO guidelines for bicycle safety.

*The access to Unser Boulevard was coordinated with GABAC, the City of Albuquerque, and NMDOT and complies with AASHTO guidelines. We will continue to coordinate these improvements as the project moves forward with design and construction.*

Please feel free to call me if you have any questions or need additional information.

Sincerely,

A handwritten signature in black ink, appearing to read "James K. Strozier".

James K. Strozier, AICP  
Principal

Attachment: Mid-Region Council of Governments Resolution 14-01 TCC

1 RESOLUTION

2 of the

3 TRANSPORTATION COORDINATING COMMITTEE

4 of the

5 METROPOLITAN TRANSPORTATION BOARD

6 of the

7 MID-REGION COUNCIL OF GOVERNMENTS OF NEW MEXICO

8 (R-14-01 TCC)

9 **MODIFYING ACCESS ON UNSER BOULEVARD SOUTH OF LADERA DRIVE TO**  
10 **PROVIDE NORTHBOUND RIGHT-IN ACCESS AND ADDITIONAL ACCESS**  
11 **FURTHER SOUTH TO PROVIDE NORTHBOUND RIGHT-IN, RIGHT-OUT, AND**  
12 **SOUTHBOUND LEFT-IN ACCESS**  
13

14 WHEREAS, Resolution UTPPB R-84-15 designated Unser Boulevard from Gun  
15 Club Road to US 550 as a high-capacity limited access principal arterial with access  
16 limited to approximately one-quarter mile at-grade intersections; and

17 WHEREAS, Resolution R-05-09 MTB adopted policies for determining roadway  
18 access modifications in the Albuquerque Metropolitan Planning Area; and

19 WHEREAS it is the responsibility of the Transportation Coordinating Committee  
20 of the Metropolitan Transportation Board to affect any changes to the Limited Access  
21 Roadways in the Albuquerque Metropolitan Planning Area; and

22 WHEREAS this resolution would provide additional access on Unser Boulevard.

23 NOW, THEREFORE BE IT RESOLVED by the Transportation Coordinating  
24 Committee of the Metropolitan Transportation Board of the Mid-Region Council of  
25 Governments of New Mexico that the Roadway Access Policies for the Albuquerque  
26 Metropolitan Planning Area are amended to permit on the eastside of Unser Boulevard  
27 northbound right-in only access with deceleration lane approximately five hundred

28 twenty-nine [529] feet south of Ladera Drive, and to permit northbound right-in access  
29 with deceleration lane along with northbound right-out egress and southbound left-in  
30 access with southbound deceleration lane to the access point approximately one  
31 thousand, forty [1,040] feet south of Ladera Drive.

32 BE IT FURTHER RESOLVED the driveways and deceleration lanes shall be  
33 constructed to the design criteria and sight-distance criteria of the New Mexico  
34 Department of Transportation (NMDOT) and subject to their approval. Additionally,  
35 NMDOT shall include a clause in their access permit that reserves the right of NMDOT  
36 to close this access in the future should safety concerns develop as determined by the  
37 NMDOT District 3 Engineer.

38 PASSED, APPROVED, AND ADOPTED this 1st day of August 2014 by the  
39 Transportation Coordinating Committee of the Metropolitan Transportation Board of the  
40 Mid-Region Council of Governments of New Mexico.


41

42

43

44

45

  
\_\_\_\_\_  
Melissa Lozoya, Chair  
Transportation Coordinating Committee

46

47 ATTEST:

48

49

50

51

52

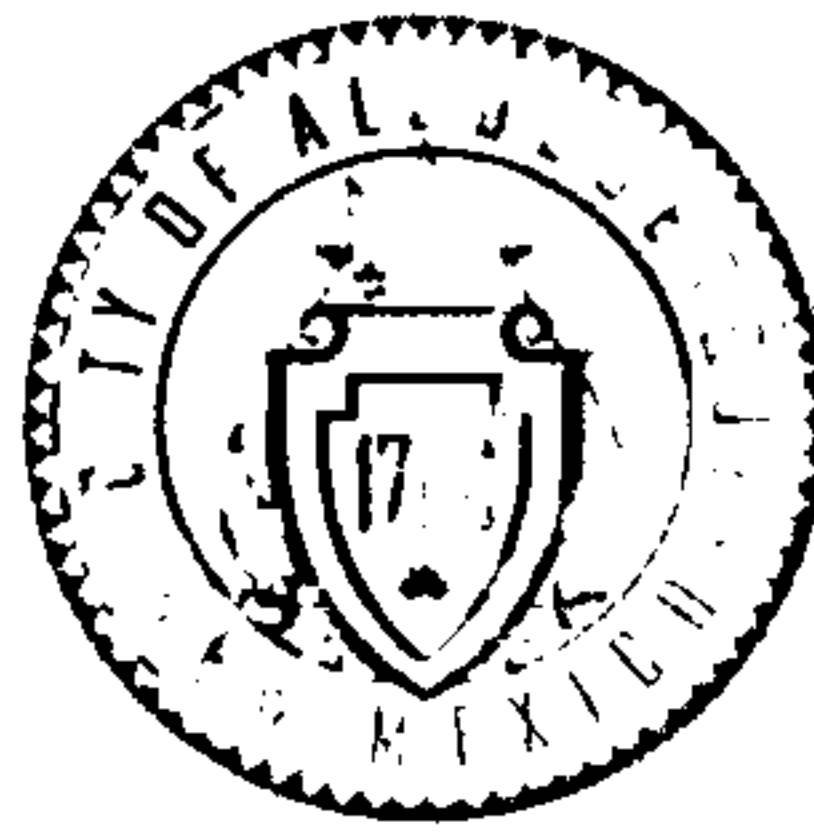
  
\_\_\_\_\_  
Dewey V. Cave  
Executive Director of the Mid-Region Council of Governments



PROJECT #  
1008275

NOVEMBER 12. 2014

SFS



**INTER-OFFICE MEMORANDUM**

**COMMENTING AGENCIES**

TRANSPORTATION DEVELOPMENT .....*John MacKenzie*  
TRANSIT & PARKING DEPARTMENT .....*Shabih Rizvi*  
COUNCIL OF GOVERNMENTS.....*Kendra Watkins/Andrew Gingerich*  
AMAFCA.....*Lynn Mazur*  
APD CRIME PREVENTION.....*Steve Sink*  
OPEN SPACE DIVISION.....*Kent Reed Swanson/Sarah Brown*

FIRE DEPARTMENT.....*Antonio Chinchilla*  
ZONING ENFORCEMENT INSPECTOR.....*Vince Montano*  
NEIGHBORHOOD COORDINATION.....*Stephani Winklepleck*  
PNM.....*Daniel Aragon*  
NEW MEXICO GAS COMPANY.....*Patrick Sanchez*  
ALBUQUERQUE PUBLIC SCHOOLS.....*April Winters*  
COMCAST CABLE.....*Mike Mortus*  
Mid.Rio Grande Conserv. Dist. (MRGCD).....*Ray Gomez*  
ENVIRONMENTAL HEALTH.....*Paul Olson*

*Your comments on the following case(s) are requested.*

PROJECT # 1003275

Board hearing date:

**WEDNESDAY, November 12, 2014**

Comments must be received by:

**November 5, 2014**



Supplemental Form (SF)

**SUBDIVISION**

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

**SITE DEVELOPMENT PLAN**

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

**STORM DRAINAGE (Form D)**

- Storm Drainage Cost Allocation Plan

**S Z ZONING & PLANNING**

- Annexation
- Zone Map Amendment (Establish or Change Zoning, includes Zoning within Sector Development Plans)
- Adoption of Rank 2 or 3 Plan or similar
- Text Amendment to Adopted Rank 1, 2 or 3 Plan(s), Zoning Code, or Subd. Regulations
- Street Name Change (Local & Collector)
- L A APPEAL / PROTEST of...**
  - Decision by: DRB, EPC, LUCC, Planning Director, ZEO, ZHE, Board of Appeals, other

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 2<sup>nd</sup> Street NW, Albuquerque, NM 87102. Fees must be paid at the time of application. Refer to supplemental forms for submittal requirements.

**APPLICATION INFORMATION:**

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

APPLICANT: Western Albuquerque Land Holdings, LLC PHONE: 505-897-8599  
 ADDRESS: P.O. Box 56790 FAX: \_\_\_\_\_  
 CITY: Albuquerque STATE NM ZIP 87187 E-MAIL: ggi@swcp.com  
 Proprietary interest in site: Owner List all owners: \_\_\_\_\_

DESCRIPTION OF REQUEST: Minor Subdivision Preliminary/Final Plat Approval- Bulk Land Variance

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

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

Lot or Tract No. TR 1A1 Plat of TRS 1A1 & 1B1 Block: \_\_\_\_\_ Unit: \_\_\_\_\_  
 Subdiv/Addn/TBKA: El Rancho Atrisco Phase 3  
 Existing Zoning: SU-1 Proposed zoning: SU-1 MRGCD Map No \_\_\_\_\_  
 Zone Atlas page(s): H-09/ H-10 UPC Code: 100905950900240105

**CASE HISTORY:**

List any current or prior case number that may be relevant to your application (Proj., App., DRB-, AX\_Z\_, V\_, S\_, etc.): \_\_\_\_\_  
1003275, 1010220

**CASE INFORMATION:**

Within city limits?  Yes Within 1000FT of a landfill? N/A  
 No. of existing lots: 1 No. of proposed lots: 1 Total site area (acres): 19.98  
 LOCATION OF PROPERTY BY STREETS: On or Near: Unser Blvd  
 Between: Ladera and Market Street  
 Check if project was previously reviewed by: Sketch Plat/Plan  or Pre-application Review Team(PRT)  Review Date: 10-07-2014

SIGNATURE [Signature] DATE \_\_\_\_\_  
 (Print Name) Ronald R. Bohannon Applicant:  Agent:

**FOR OFFICIAL USE ONLY**

Revised: 4/2012

<input type="checkbox"/> INTERNAL ROUTING	Application case numbers	Action	S.F.	Fees
<input type="checkbox"/> All checklists are complete	<u>140RB - 70358</u>	<u>P&amp;F</u>	_____	<u>\$215.00</u>
<input type="checkbox"/> All fees have been collected	<u>- 70359</u>	<u>BLK</u>	_____	<u>\$145.00</u>
<input type="checkbox"/> All case #s are assigned	_____	<u>CMF</u>	_____	<u>\$20.00</u>
<input type="checkbox"/> AGIS copy has been sent	_____	<u>ADV</u>	_____	<u>\$75.00</u>
<input type="checkbox"/> Case history #s are listed	_____	_____	_____	<u>\$</u>
<input type="checkbox"/> Site is within 1000ft of a landfill	_____	_____	_____	<u>\$</u>
<input type="checkbox"/> F.H.D.P. density bonus	_____	_____	_____	<u>Total</u>
<input type="checkbox"/> F.H.D.P. fee rebate	Hearing date <u>Nov. 12, 2014</u>	_____	_____	<u>\$ 455.00</u>

[Signature]  
10-17-14  
 Staff signature & Date

Project # 1003275

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

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

**SKETCH PLAT REVIEW AND COMMENT (DRB22)** **Your attendance is required.**

- Scale drawing of the proposed subdivision plat (folded to fit into an 8.5" by 14" pocket) **6 copies**
- Site sketch with measurements showing structures, parking, Bldg. setbacks, adjacent rights-of-way and street improvements, 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) clearly outlined
- Letter briefly describing, explaining, and justifying the request
- List any original and/or related file numbers on the cover application

**EXTENSION OF MAJOR PRELIMINARY PLAT (DRB08)** **Your attendance is required.**

- Preliminary Plat reduced to 8.5" x 11"
- Zone Atlas map with the entire property(ies) clearly outlined
- Letter briefly describing, explaining, and justifying the request
- Copy of DRB approved infrastructure list
- Copy of the LATEST Official DRB Notice of approval for Preliminary Plat Extension request
- List any original and/or related file numbers on the cover application

**Extension of preliminary plat approval expires after one year.**

**MAJOR SUBDIVISION FINAL PLAT APPROVAL (DRB12)** **Your attendance is required.**

- Proposed Final Plat (folded to fit into an 8.5" by 14" pocket) **6 copies**
- Signed & recorded Final Pre-Development Facilities Fee Agreement for **Residential** development only
- Design elevations & cross sections of perimeter walls **3 copies**
- Zone Atlas map with the entire property(ies) clearly outlined
- Bring original Mylar of plat to meeting, ensure property owner's and City Surveyor's signatures are on the plat
- Copy of recorded SIA
- Landfill disclosure and EHD signature line on the Mylar if property is within a landfill buffer
- List any original and/or related file numbers on the cover application
- DXF file and hard copy of final plat data for AGIS is required.

**MINOR SUBDIVISION PRELIMINARY/FINAL PLAT APPROVAL (DRB16)** **Your attendance is required.**

- 5 Acres or more: Certificate of No Effect or Approval
- Proposed Preliminary / Final Plat (folded to fit into an 8.5" by 14" pocket) **6 copies** for unadvertised meetings
- Signed & recorded Final Pre-Development Facilities Fee Agreement for **Residential** development only
- Design elevations and cross sections of perimeter walls (11" by 17" maximum) **3 copies**
- Site sketch with measurements showing structures, parking, Bldg. setbacks, adjacent rights-of-way and street improvements, 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) clearly outlined
- Letter briefly describing, explaining, and justifying the request
- Bring original Mylar of plat to meeting, ensure property owner's and City Surveyor's signatures are on the plat
- Landfill disclosure and EHD signature line on the Mylar if property is within a landfill buffer
- Fee (see schedule)
- List any original and/or related file numbers on the cover application
- Infrastructure list if required (**verify with DRB Engineer**)
- DXF file and hard copy of final plat data for AGIS is required.

**AMENDMENT TO PRELIMINARY PLAT (with minor changes) (DRB03)** **Your attendance is required.**


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**
- Original Preliminary Plat, Infrastructure List, and/or Grading Plan (folded to fit into an 8.5" by 14" pocket) **6 copies**
- Zone Atlas map with the entire property(ies) clearly outlined
- Letter briefly describing, explaining, and justifying the request
- Bring original Mylar of plat to meeting, ensure property owner's and City Surveyor's signatures are on the plat
- List any original and/or related file numbers on the cover application

**Amended preliminary plat approval expires after one year**

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

Ronald R. Bohannon


 Applicant name (print)  
Applicant signature / date



Form revised October 2007

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

Application case numbers  
14 - DRB - 70358  
\_\_\_\_\_  
\_\_\_\_\_

 10-17-14  
Planner signature / date  
Project # 1003275

**FORM V: SUBDIVISION VARIANCES & VACATIONS**

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

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

**VACATION OF PUBLIC EASEMENT (DRB27)**

**VACATION OF PUBLIC RIGHT-OF-WAY (DRB28)**

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

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

**SIDEWALK VARIANCE (DRB20)**

**SIDEWALK WAIVER (DRB21)**

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

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

**SUBDIVISION DESIGN VARIANCE FROM MINIMUM DPM STANDARDS (DRB25)**

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

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

**TEMPORARY DEFERRAL OF SIDEWALK CONSTRUCTION (DRB19)**

**EXTENSION OF THE SIA FOR TEMPORARY DEFERRAL OF SIDEWALK CONSTRUCTION (DRB07)**

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

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

**VACATION OF PRIVATE EASEMENT (DRB26)**

**VACATION OF RECORDED PLAT (DRB29)**

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

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

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

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

Ronald R. Bohannon

Applicant name (print)

Applicant signature / date



Form revised 4/07

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

Application case numbers  
14 - DRB - 70359

[Signature] 10-17-14  
Planner signature / date  
Project # 1003275

# SIGN POSTING REQUIREMENTS

## POSTING SIGNS ANNOUNCING PUBLIC HEARINGS

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

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

### 1. LOCATION

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

### 2. NUMBER

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

### 3. PHYSICAL POSTING

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

### 4. TIME

Signs must be posted from Oct. 28, 2014 To Nov. 12, 2014

### 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.

\_\_\_\_\_  
(Applicant or Agent) \_\_\_\_\_ (Date)

I issued 4 signs for this application, 10-17-14 \_\_\_\_\_  
(Date) (Staff Member)

g w

# TIERRA WEST, LLC

October 17, 2014

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

**RE: MINOR SUBDIVISION PRELIMINARY/FINAL PLAT APPROVAL  
BULK LAND PLAT VARIANCE REQUEST  
TRACTS A,B, AND C HERITAGE PLAZA**

Dear Mr. Cloud:

Tierra West LLC, on behalf of our clients, requests approval of a Minor Subdivision for Preliminary and Final Plat and a Bulk Land Variance for the above referenced site. The Site Plan for Subdivision was approved by the EPC on February 13, 2014. The purpose of the plat is to subdivide the property into three tracts for future commercial and multi-family/office uses in accordance with the El Rancho Atrisco Phase III. We are also requesting a Bulk Land Plat Variance to address the infrastructure requirements in more detail with the Site Development Plan for Building Permit which will be required to be approved by the EPC prior to any development.

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

Sincerely,



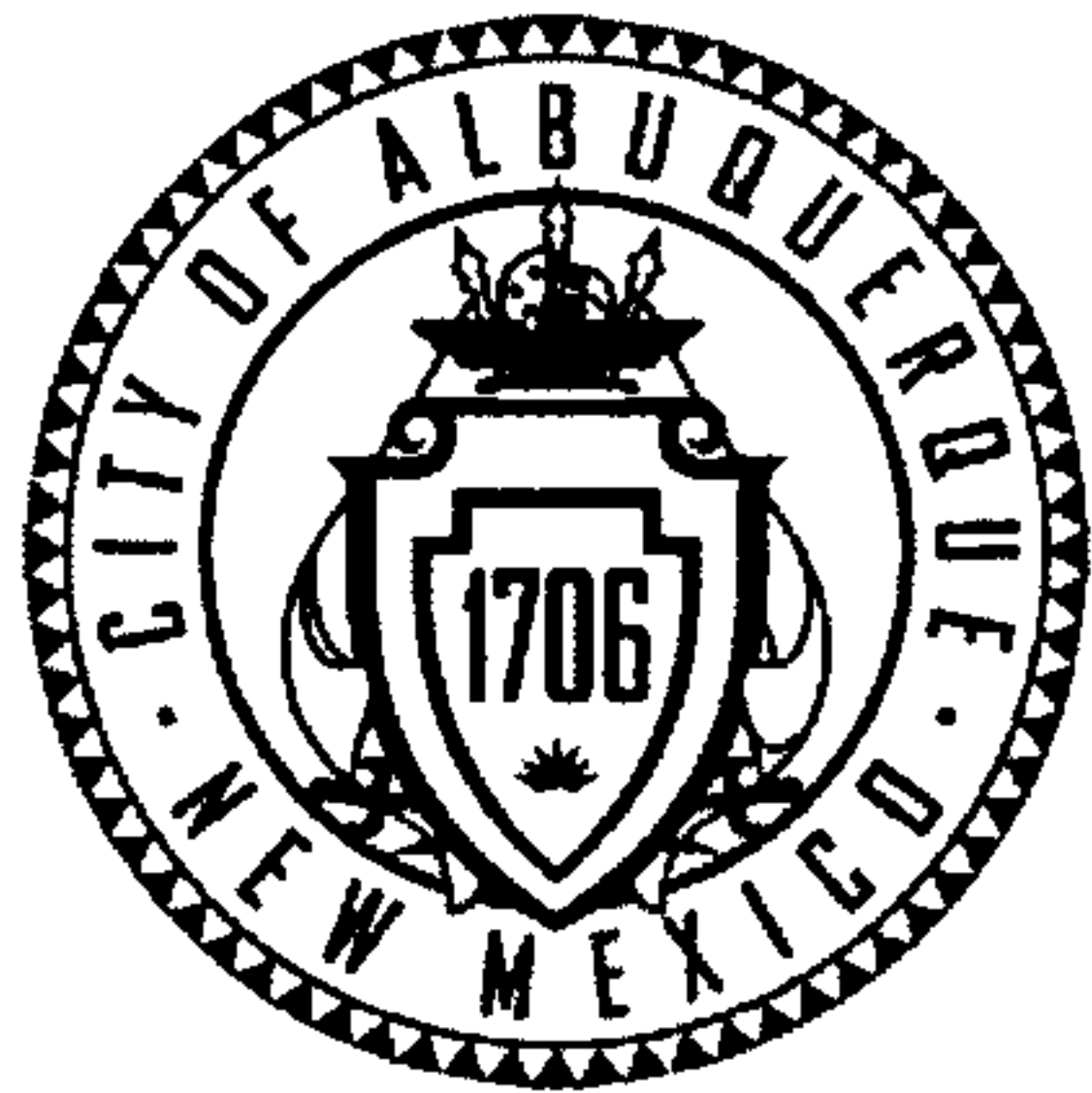
Ronald R. Bohannon, P.E.

Enclosure/s

cc: Ted Garrett

JN: 2014029  
RRB/jn/jg

5571 Mickey Park Place NE Albuquerque, NM 87109  
(505) 858-3100 Fax (505) 858-1118 1-800-245-3102  
tierrawestllc.com



# City of Albuquerque

P.O. Box 1293 Albuquerque, New Mexico 87103

## Planning Department

Suzanne Lubar, Director

**Richard J. Berry, Mayor**

August 21, 2013

**Robert J. Perry, CAO**

---

**SUBJECT:** ALBUQUERQUE ARCHAEOLOGICAL ORDINANCE—Compliance Documentation

**Case Number(s):** \_\_\_\_\_

**Agent:**

**Consensus Planning, Inc.**

**Applicant:**

**Western Albuquerque Land Holdings, LLC**

**Legal Description:**

**Tract 1A1, Plat of Tracts 1A1 & 1B1, El Rancho**

**Atrisco Phase 3**

**Zoning:**

**R-D**

**Acreage:**

**19.98 acres**

**Zone Atlas Page:**

**H-09**

**CERTIFICATE OF NO EFFECT: Yes  No**

**CERTIFICATE OF APPROVAL: Yes  No**

**SUPPORTING DOCUMENTATION: A Cultural Resource Survey of Approximately 20 Acres near the intersection of Ladera Drive and Unser Boulevard in Albuquerque, Bernalillo County, New Mexico, prepared by Gary Funkhouser and R. Stanley Kerr, (Marron & Associates, Toni Goar P.I.; NMCRIS #128219), August, 2013**

**SITE VISIT: N/A**

**RECOMMENDATION(S):**

- ***CERTIFICATE OF NO EFFECT IS ISSUED (ref O-07-72 Section 4B(1)-- no significant sites in project area)***

**NOTE:** One site identified—LA 157788, a post WW 2 trash dump determined to be not eligible for National Register listing.

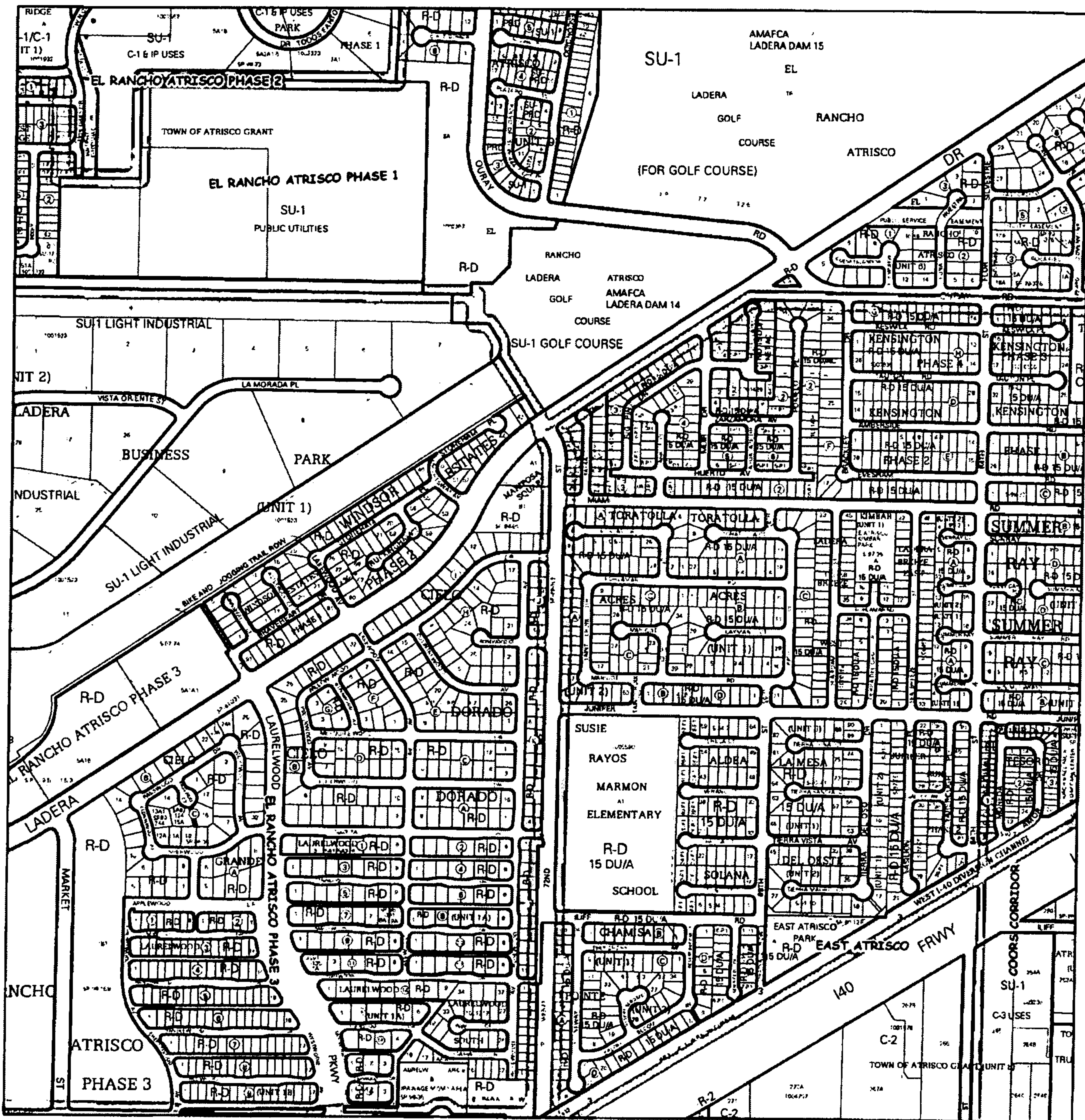
**SUBMITTED:**

Matthew Schmader, PhD

Superintendent, Open Space Division

City Archaeologist





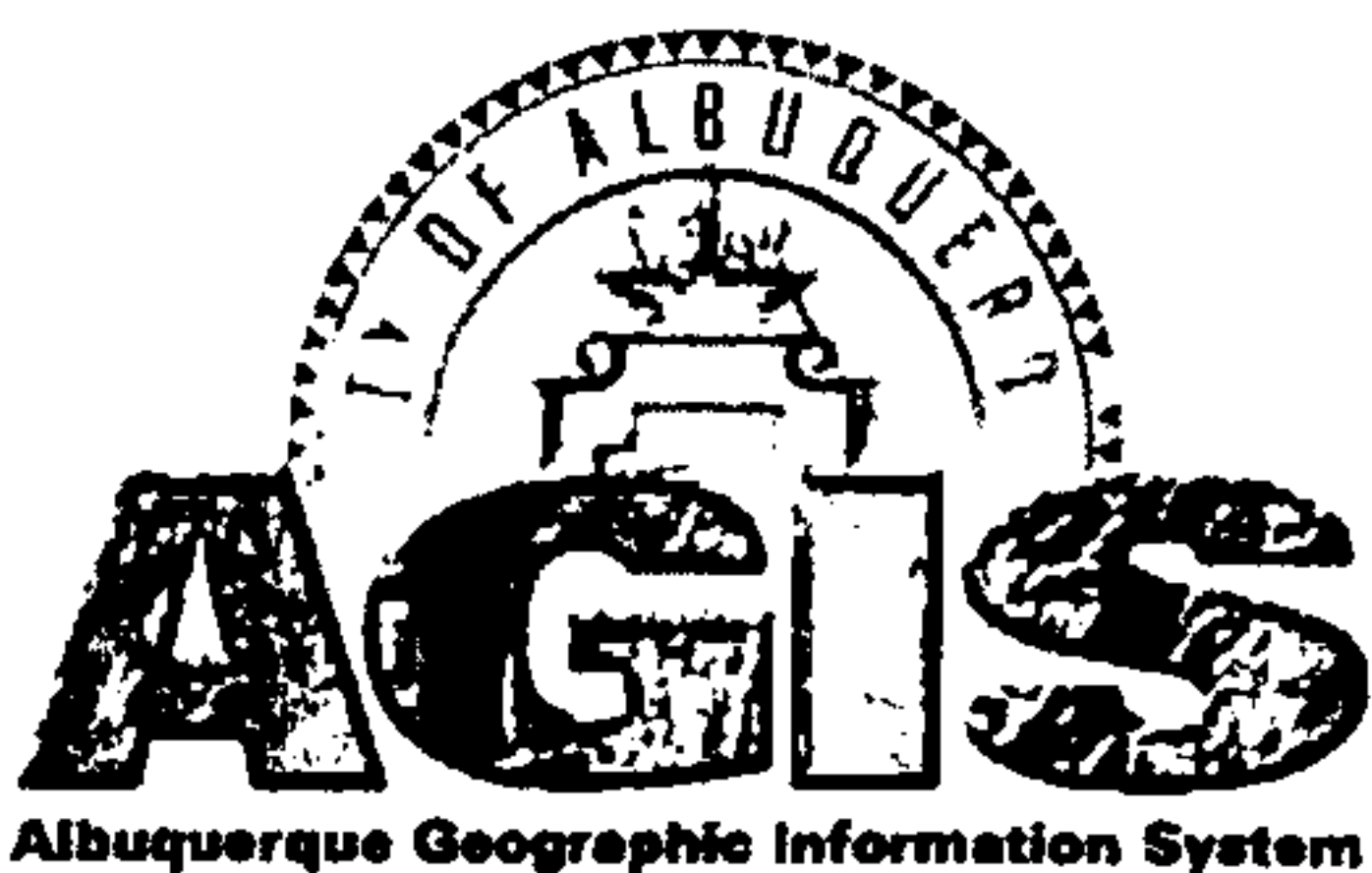
For more current information and details visit: <http://www.cabq.gov/gis>

Zone Atlas Page:

**H-10-Z**

Selected Symbols

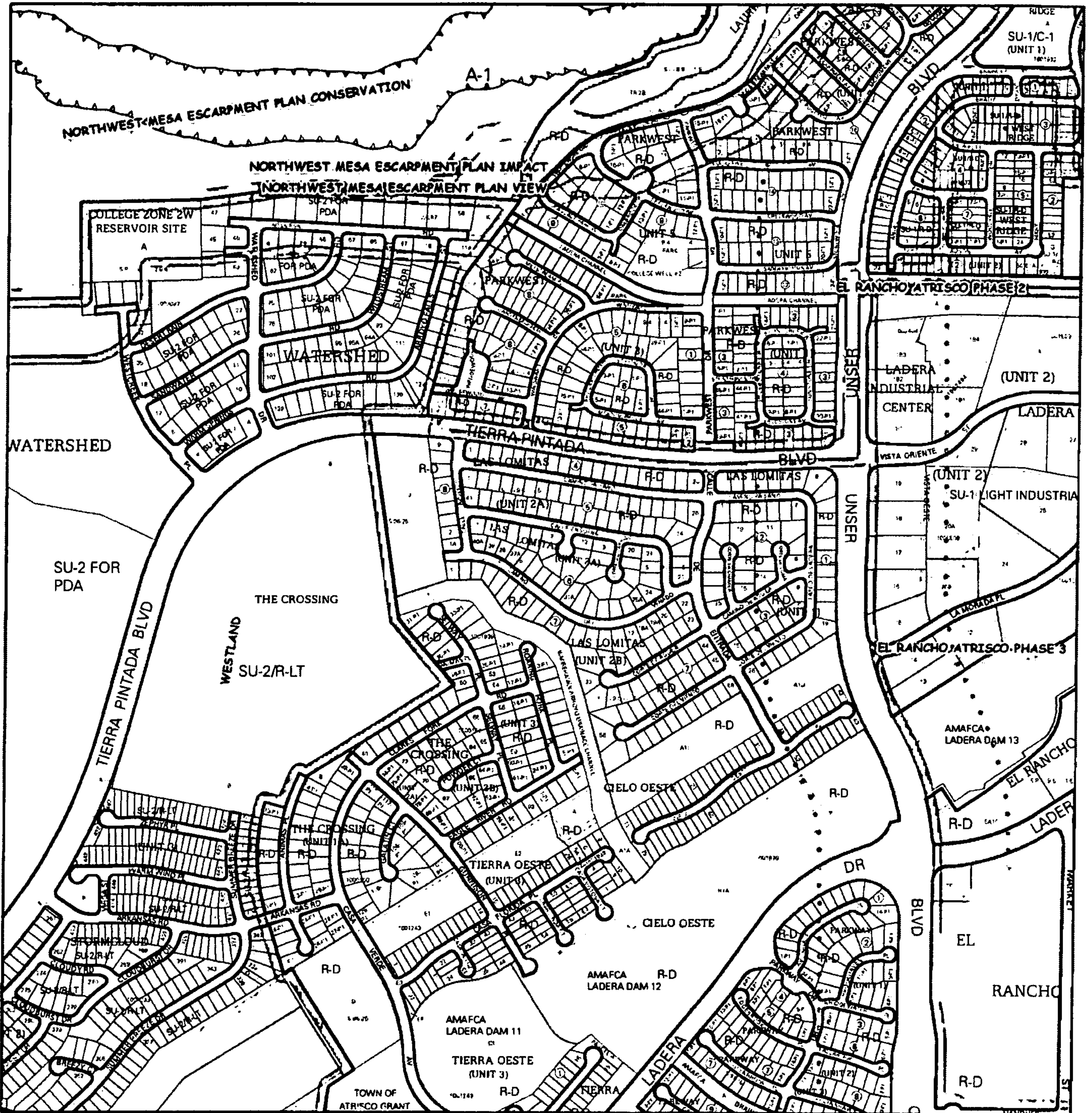
- SECTOR PLANS
- Design Overlay Zones
- City Historic Zones
- H-1 Buffer Zone
- Petroglyph Mon.
- Escarpment
- 2 Mile Airport Zone
- Airport Noise Contours
- Wall Overlay Zone




Map amended through: 6/7/2013

Note Grey Shading  
Represents Area Outside  
of the City Limits

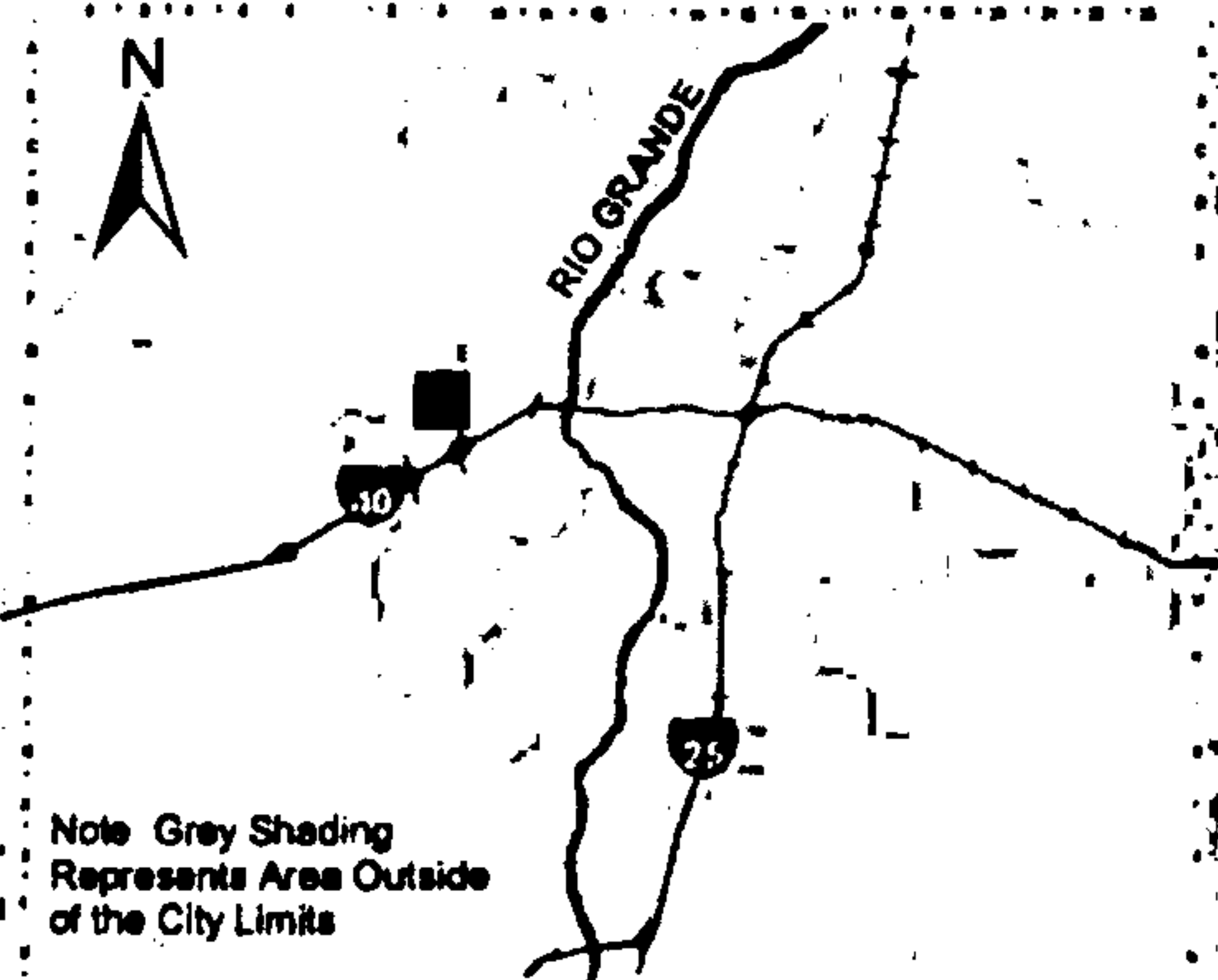




For more current information and details visit: <http://www.cabq.gov/gis>



Map amended through: 6/7/2013



Note Grey Shading Represents Area Outside of the City Limits

Zone Atlas Page:  
**H-09-Z**

Selected Symbols

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

0 750 1,500 Feet

4064 5E22 2735 6881

**CERTIFIED MAIL RECEIPT**  
(Domestic Mail Only; No Insurance Coverage Provided)

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

**OFFICIAL USE**

Postage	\$ 2.66
Certified Fee	3.30
Return Receipt Fee (Endorsement Required)	2.70
Restricted Delivery Fee (Endorsement Required)	
Total Postage & Fees	\$ 8.66

Sent To: Mr. Ruben A. [redacted]  
8005 Fallbrook NW  
Albuquerque, NM 87120

PS Form 3800, August 2006 See Reverse for Instructions

1899 5E22 2735 6881

**CERTIFIED MAIL RECEIPT**  
(Domestic Mail Only; No Insurance Coverage Provided)

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

**OFFICIAL USE**

Postage	\$ 2.66
Certified Fee	3.30
Return Receipt Fee (Endorsement Required)	2.70
Restricted Delivery Fee (Endorsement Required)	
Total Postage & Fees	\$ 8.66

Sent To: Mr. Jim Larkin  
7304 Inwood NW  
Albuquerque, NM 87120

PS Form 3800, August 2006 See Reverse for Instructions

7479 5E22 2735 6876

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Certified Fee	3.30
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Restricted Delivery Fee (Endorsement Required)	
Total Postage & Fees	\$ 8.66

Sent To: Ms. Shariessa McCannon  
2808 El Tesoro Escondido NW  
Albuquerque, NM 87120

PS Form 3800, August 2006 See Reverse for Instructions

9699 5E22 2735 6881

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Certified Fee	3.30
Return Receipt Fee (Endorsement Required)	2.70
Restricted Delivery Fee (Endorsement Required)	
Total Postage & Fees	\$ 8.66

Sent To: Mr. John M. Vrabec  
7721 Pinewood Drive  
Albuquerque, NM 87120

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9269 5E22 2735 6926

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Restricted Delivery Fee (Endorsement Required)	
Total Postage & Fees	\$ 8.66

Sent To: Mr. Thomas Borst  
1908 Selway Pl. NW  
Albuquerque, NM 87120

PS Form 3800, August 2006 See Reverse for Instructions

7011 3500 0003 2735 6935

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Restricted Delivery Fee (Endorsement Required)	
Total Postage & Fees	\$ 8.66

Sent To: Mr. Steven [redacted]  
7517 Vista Alegre NW  
Albuquerque, NM 87120

PS Form 3800, August 2006 See Reverse for Instructions

1169 5E22 2735 6911

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Certified Fee	3.30
Return Receipt Fee (Endorsement Required)	2.70
Restricted Delivery Fee (Endorsement Required)	
Total Postage & Fees	\$ 8.66

Sent To: Ms. Mary Loughran  
8015 Fallbrook NW  
Albuquerque, NM 87120

PS Form 3800, August 2006 See Reverse for Instructions

7011 3500 0003 2735 6935

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Postage	\$ 2.66
Certified Fee	3.30
Return Receipt Fee (Endorsement Required)	2.70
Restricted Delivery Fee (Endorsement Required)	
Total Postage & Fees	\$ 8.66

Sent To: Ms. Antionette Lopez  
9774 Summer Shower Pl. NW  
Albuquerque, NM 87120

PS Form 3800, August 2006 See Reverse for Instructions

PROJECT #  
1003270

PfF  
BLV

NOVEMBER-12.2014



DEVELOPMENT REVIEW BOARD SUPPLEMENTAL SUBMITTAL

PROJECT NO. 1003275

TO: Application No. 13EPC-4014B

ALL MEMBERS

Jack Cloud, DRB Chairman, Planning Department

Curtis Cherne, P.E., Hydrology

Kristal Metro, P.E., Transportation Development

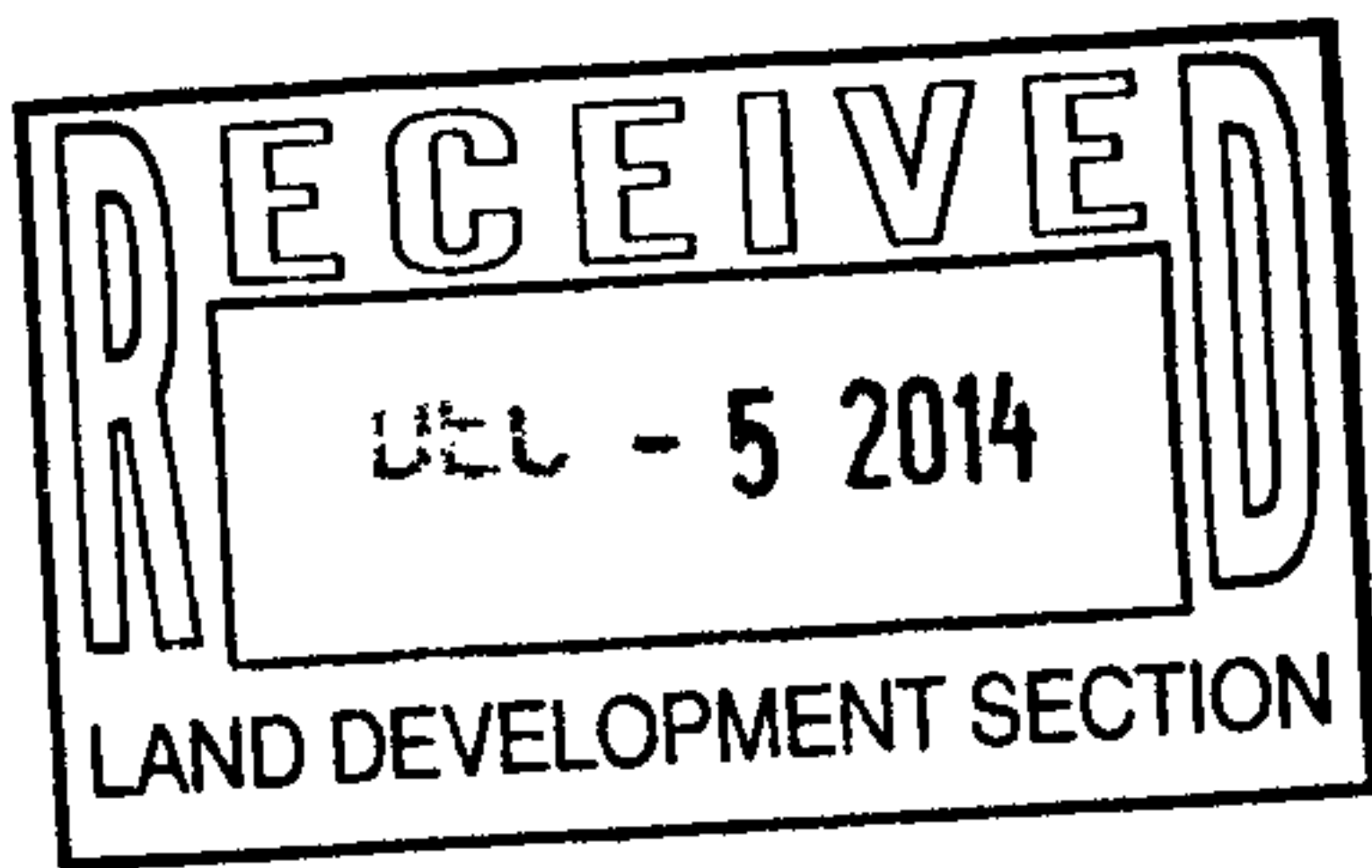
Allan Porter, P.E., Albuquerque/Bernalillo Co. WUA

Carol Dumont, Parks/Municipal Development

NEXT HEARING DATE: 12.10.14

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

SUBMITTAL DESCRIPTION: Updated Site Plan for  
Subdivision - Sheet 1 to match  
the 3 tracts proposed with the plat.



CONTACT NAME: Jim Stovier

TELEPHONE: 764-9801 EMAIL: ap@consensusplanning.com



DEVELOPMENT REVIEW BOARD SUPPLEMENTAL SUBMITTAL

TO:

PROJECT NO. 1003275

ALL MEMBERS

Jack Cloud, DRB Chairman, Planning Department

Curtis Cherne, P.E., Hydrology

Kristal Metro, P.E., Transportation Development

Allan Porter, P.E., Albuquerque/ Bernalillo Co. WUA

Christina Sandoval, Parks/Municipal Development

NEXT HEARING DATE: 1/14/15

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

SUBMITTAL DESCRIPTION: BULK LAND PLAT UPDATE

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Ken  
3.3

CONTACT NAME: JOEL HERNANDEZ

TELEPHONE: ~~(505)~~  
505. 858. 3100

EMAIL: JDHERNANDEZ@TIERRAVESTLLC.COM