CITY OF ALBUQUERQUE

CITY OF ALBUQUERQUE
PLANNING DEPARTMENT
HYDROLOGY DEVELOPMENT SECTION

DEVELOPMENT REVIEW BOARD--SPEED MEMO

DRB CASE NO/PROJECT NO: 1003714 **AGENDA ITEM NO: 9**

SUBJECT:

Site Plan for BP

ACTION REQUESTED:

REV/CMT:0 APP:(x) SIGN-OFF:0 EXTN:0 AMEND:0

P.O. Box 1293

Albuquerque

New Mexico 87103

www.cabq.gov

ENGINEERING COMMENTS:

No adverse comments.

RESOLUTION:

APPROVED ____; DENIED ____; DEFERRED indef X; COMMENTS PROVIDED ___; WITHDRAWN

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

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

FOR:

SIGNED: Bradley L. Bingham
City Engineer/AMAFCA Designee
924-3986

DATE: November 21, 2007

CITY OF ALBUQUERQUE
PLANNING DEPARTMENT
HYDROLOGY DEVELOPMENT SECTION

DEVELOPMENT REVIEW BOARD--SPEED MEMO

DRB CASE NO/PROJECT NO: 1003714 **AGENDA ITEM NO: 7**

SUBJECT:

Site Plan for BP

ACTION REQUESTED:

REV/CMT:0 APP:(x) SIGN-OFF:0 EXTN:0 AMEND:0

ENGINEERING COMMENTS:

No adverse comments.

RESOLUTION:

12-12-07

APPROVED ____; DENIED ____; DEFERRED __X__; COMMENTS PROVIDED ___; WITHDRAWN

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

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

FOR:

SIGNED: Bradley L. Bingham
City Engineer/AMAFCA Designee
924-3986

DATE: December 5, 2007

CITY OF ALBUQUERQUE

CITY OF ALBUQUERQUE
PLANNING DEPARTMENT
HYDROLOGY DEVELOPMENT SECTION

DEVELOPMENT REVIEW BOARD--SPEED MEMO

DRB CASE NO/PROJECT NO: 1003714 **AGENDA ITEM NO: 8**

SUBJECT:

Site Plan for BP

ACTION REQUESTED:

REV/CMT:0 APP:(x) SIGN-OFF:0 EXTN:0 AMEND:0

P.O. Box 1293

Albuquerque

New Mexico 87103

www.cabq.gov

ENGINEERING COMMENTS:

No adverse comments.

RESOLUTION:

APPROVED ____; DENIED _____; DEFERRED _____; COMMENTS PROVIDED ___; WITHDRAWN

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

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

FOR:

SIGNED: Bradley L. Bingham
City Engineer/AMAFCA Designee
924-3986

DATE: December 12, 2007

CITY OF ALBUQUERQUE

PLANNING DEPARTMENT
DEVELOPMENT AND BUILDING SERVICES
TRANSPORTATION SECTION

DEVELOPMENT REVIEW BOARD – SPEED MEMO

DRB CASE NO/PROJECT NO: 1003714 AGENDA ITEM NO: 7

SUBJECT:

SITE PLAN FOR BUILDING PERMIT

ENGINEERING COMMENTS:

List the width and length for all parking spaces
The handicapped spaces must include an 8-foot wide van access aisle; all other aisles should be 5 feet in width.
For passenger vehicles, the minimum end island radius is 15 feet.
Need build notes, referring to the appropriate City Standard, for all work done in the public right of way
All public sidewalk located outside of the public right of way must be located in a sidewalk easement
Proposed sidewalk must be placed at the property line, if possible
Is there a ramp at the SE corner of Westside Drive NW? Provide more details

P.O. Box 1293

Albuquerque

New Mexico 87103

www.cabq.gov

RESOLUTION:

APPROVED ___; DENIED ___; DEFERRED ___; COMMENTS PROVIDED ___; WITHDRAWN ___

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

SIGNED: Kristal D. Metro DATE: DECEMBER 5, 2007
Transportation Development 505-924-3991

CITY OF ALBUQUERQUE

CITY OF ALBUQUERQUE
PLANNING DEPARTMENT
HYDROLOGY DEVELOPMENT SECTION

DEVELOPMENT REVIEW BOARD--SPEED MEMO

DRB CASE NO/PROJECT NO: 1003714 **AGENDA ITEM NO:** 12

SUBJECT:

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

P.O. Box 1293

Albuquerque

New Mexico 87103

www.cabq.gov

ACTION REQUESTED:

REV/CMT:0 APP:0 SIGN-OFF:0 EXTN:0 AMEND:0

ENGINEERING COMMENTS:

No adverse comments

RESOLUTION:

to 12-05-07

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

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

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

FOR:

SIGNED: Bradley Bingham
City Engineer/AMAFCA Designee
924-3986

DATE: Nov 28, 07

CITY OF ALBUQUERQUE

CITY OF ALBUQUERQUE
PLANNING DEPARTMENT
HYDROLOGY DEVELOPMENT SECTION

DEVELOPMENT REVIEW BOARD--SPEED MEMO

DRB CASE NO/PROJECT NO: 1003714 **AGENDA ITEM NO: 11**

SUBJECT:

Site Plan for BP

ACTION REQUESTED:

REV/CMT:0 APP:(x) SIGN-OFF:0 EXTN:0 AMEND:0

P.O. Box 1293

Albuquerque

New Mexico 87103

www.cabq.gov

ENGINEERING COMMENTS:

No adverse comments.

RESOLUTION:

APPROVED ____; DENIED ____; DEFERRED __X__; COMMENTS PROVIDED ___; WITHDRAWN 11-21-07

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

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

FOR:

SIGNED: Bradley L. Bingham
City Engineer/AMAFCA Designee
924-3986

DATE: November 14, 2007

No Show
11/21/07

PLANNING DEPARTMENT
DEVELOPMENT AND BUILDING SERVICES
TRANSPORTATION SECTION

DEVELOPMENT REVIEW BOARD – SPEED MEMO

DRB CASE NO/PROJECT NO: 1003714 **AGENDA ITEM NO: 9**

SUBJECT:

SITE PLAN FOR BUILDING PERMIT

ENGINEERING COMMENTS:

Provide a copy of the cross lot access easements, or provide recording information
List the width and length for all parking spaces
The handicapped spaces must include an 8-foot wide van access aisle; all other aisles should be 5 feet in width.
For passenger vehicles, the minimum end island radius is 15 feet.
Show the location of all wheelchair ramps and provide details
Need build notes, referring to the appropriate City Standard, for all work done in the public right of way
All public sidewalk located outside of the public right of way must be located in a sidewalk easement
Proposed sidewalk must be placed at the property line, if possible

RESOLUTION:

APPROVED ___; DENIED ___; DEFERRED ___; COMMENTS PROVIDED ___; WITHDRAWN ___

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

SIGNED: Kristal D. Metro
Transportation Development 505-924-3981

DATE: NOVEMBER 21, 2007

CITY OF ALBUQUERQUE

CITY OF ALBUQUERQUE
PLANNING DEPARTMENT
HYDROLOGY DEVELOPMENT SECTION

DEVELOPMENT REVIEW BOARD--SPEED MEMO

DRB CASE NO/PROJECT NO: 1003714 **AGENDA ITEM NO: 9**

SUBJECT:

Site Plan for BP

ACTION REQUESTED:

REV/CMT:0 APP:(x) SIGN-OFF:0 EXTN:0 AMEND:0

P.O. Box 1293

Albuquerque

New Mexico 87103

www.cabq.gov

ENGINEERING COMMENTS:

No adverse comments.

RESOLUTION:

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

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

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

FOR:

SIGNED: Bradley L. Bingham
City Engineer/AMAFCA Designee
924-3986

DATE: November 21, 2007

PLANNING DEPARTMENT
DEVELOPMENT AND BUILDING SERVICES
TRANSPORTATION SECTION

DEVELOPMENT REVIEW BOARD – SPEED MEMO

DRB CASE NO: 1003714 AGENDA ITEM NO: 1

SUBJECT:

SIA EXTENSION – 2 YEAR

ENGINEERING COMMENTS:

Our records indicate that this site has been substantially complete for over a year. Please explain why the offsite mitigation associated with the above referenced project should not be completed at this time.

RESOLUTION:

APPROVED ___; DENIED ___; DEFERRED ___; COMMENTS PROVIDED ___; WITHDRAWN ___

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

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

SIGNED: Kristal D. Metro DATE: MARCH 4, 2009
Transportation Development 505-924-3991

OFFICIAL NOTICE OF DECISION

CITY OF ALBUQUERQUE
PLANNING DEPARTMENT
DEVELOPMENT REVIEW BOARD

March 4, 2009

1. **Project# 1003714**
09DRB-70052 MAJOR - 2 YEAR EXTENSION OF SUBDIVISION IMPROVEMENTS AGREEMENT

TIERRA WEST LLC agent(s) for LB/VCC EAGLE RANCH LLC request(s) the referenced/ above action for all or a portion of **Tract(s) C-2-A & C-3-A, ADOBE WELLS,** zoned SU-1 FOR IP, C-2 & R-2 USES, located on the east side of EAGLE RANCH RD NW BETWEEN WESTSIDE DR NW AND THE CALABACILLAS ARROYO containing approximately 7.37 acre(s). (B-13)

At the March 4, 2009, Development Review Board meeting, the 2 year extension of the Subdivision Improvements Agreement was approved.

If you wish to appeal this decision, you must do so by March 19, 2009, 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, AICP, DRB Chair

Cc: Tierra West LLC – 5571 Midway Park Place NE – Albuquerque, NM 87109
Cc: LB/VCC Eagle Ranch LLC – 125 Sir Francis Drake Boulevard, 3rd Floor - Larkspur, CA 94939
Marilyn Marldonado
File

DRB PUBLIC HEARING SIGN IN SHEETS

PROJECT #: 1003714 **AGENDA#** 1 **DATE:** 3/4/09

1. **Name:** _____ **Address:** _____ **Zip:** _____
2. **Name:** _____ **Address:** _____ **Zip:** _____
3. **Name:** _____ **Address:** _____ **Zip:** _____
4. **Name:** _____ **Address:** _____ **Zip:** _____
5. **Name:** _____ **Address:** _____ **Zip:** _____
6. **Name:** _____ **Address:** _____ **Zip:** _____
7. **Name:** _____ **Address:** _____ **Zip:** _____
8. **Name:** _____ **Address:** _____ **Zip:** _____
9. **Name:** _____ **Address:** _____ **Zip:** _____
10. **Name:** _____ **Address:** _____ **Zip:** _____
11. **Name:** _____ **Address:** _____ **Zip:** _____
12. **Name:** _____ **Address:** _____ **Zip:** _____
13. **Name:** _____ **Address:** _____ **Zip:** _____
14. **Name:** _____ **Address:** _____ **Zip:** _____
15. **Name:** _____ **Address:** _____ **Zip:** _____
16. **Name:** _____ **Address:** _____ **Zip:** _____
17. **Name:** _____ **Address:** _____ **Zip:** _____

Qwest

400 Tijeras NW
Station 520
Albuquerque, NM 87102

February 19, 2009

Ms. Angela Gomez-Administrative Assistant
Plaza Del Sol
600 Second St. NW
Planning Dept.-Development Services
Albuquerque, NM 87102

Subject: Case Number(s) Project #1003714, Appl #09 DRB-70052

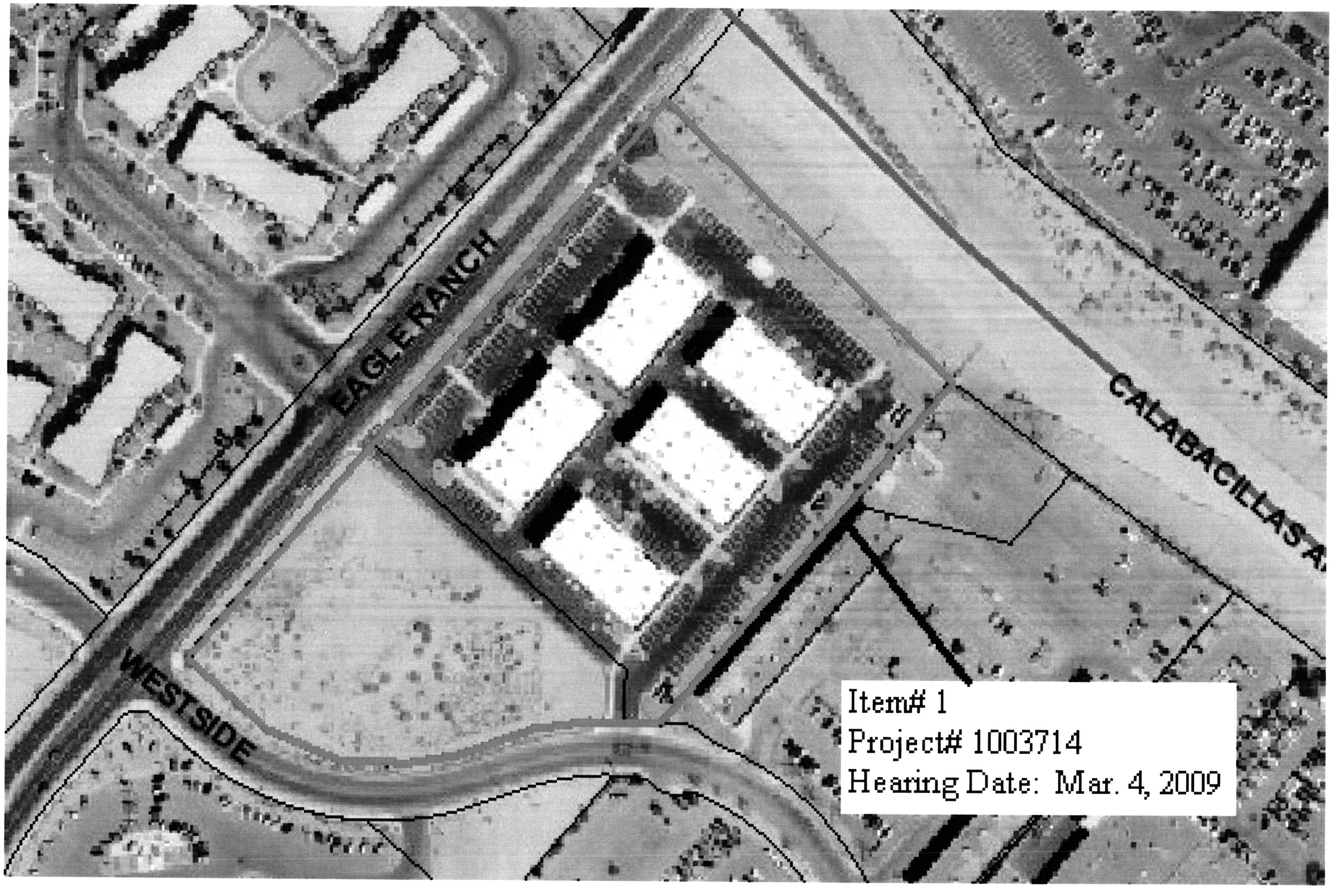
Dear Ms Gomez:

Concerning the subject case number(s), Qwest has no adverse comments at this time provided all utility easement rights are maintained. Prior to any final plat approval, we will need a copy for review.

Yours truly,

Michele Ramirez

Michele Ramirez
Qwest Corporation


EAGLE RANCH
WESTSIDE
CALABACILLAS A
Item# 1
Project# 1003714
Hearing Date: Mar. 4, 2009

CITY OF ALBUQUERQUE
PLANNING DEPARTMENT
PROPERTY OWNERSHIP LIST

Meeting Date: March 4, 2009
Zone Atlas Page: B-13
Notification Radius: 100 Ft.

Project# 10003714
App# 09DRB-70052

Cross Reference and Location: EAGLE RANCH RD NW BETWEEN WESTSIDE DR NW AND CALABACILLAS ARROYO

Applicant: LB/VCC EAGLE RANCH LLC
125 SIR FRANCIS DRAKE BLVD 3RD FL
LARKSPUR, CA 94939

Agent: TIERRA WEST LLC
5571 MIDWAY PARK PL NE
ALBUQUERQUE, NM 87109

Special Instructions:

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

Date Mailed: FEBRUARY 13, 2009
Signature: ERIN TREMLIN

Rec	UPC	OWNER	OWNADD	OWNCITY	OWNSTATE	OWNZIPCODE	PROPCLASS	TAXDIST	LEGALDESC	ACRES	OBJECTID
1	10130 65477 15240 215	V T INC C/O KE N E ANDREWS & CO.	PO BOX 8708 49	MES QUIT E	TX	751 87	C	A1 A	TRACT N1A1 PLAT OF TRS N1A1 & N1A2 S EVEN BAR RANCH REPL OF TR N1A SEVE N BAR RANCH CONT 12.6067 AC M/L	12. 593 115 62	94 53 8
2	10130 65308 11840 440	HS RENTAL PR OPERTIES INC	PO BOX 2210 0	ALBU QUE RQU E	NM	871 54	V	A1 A	TRACT C PLAT OF TRACTS A, B & C COTT ONWOOD POINTE BEINGA REPLAT OF TR ACTS E, F & G ADOBE WELLS SUBDIVISIO NCONT 6.7675 AC	6.7 710 934 5	96 33 2
3	10130 65412 02240 305	SPARTON SOU THWEST INC A TTN: ACCOUN TING	5612 JOHNS ON LAKE RD	DE L EON SPRI NGS	FL	321 74	C	A1 A	THE NORTHERLY PORTION OF A 12 ACRE TRACT AND WELLSITEWITHIN THE SE 1/4 SECTION 7, T11N, R3E CONT 7.7430 AC	7.6 887 260 5	96 35 3
4	10130 65444 10940 111	UNITED CONS TRUCTORS LT D CO	7201 LOMAS BLVD NE	ALBU QUE RQU E	NM	871 10	V	A1 A	WLY POR OF NELY POR OF TR 3 EAGLE R ANCH 2ND CORRECTED FILING OF SUMM ARY PLAT OF A POR OF PARADISE HILLS & POR OF TR IN S	0.5 406 927 8	99 30 8
5	10130 65343 17040 445	ASPEN RANCH PARTNERS LL C ATTN: CLUB HOUSE	9677 EAGLE RANCH RD N W	ALBU QUE RQU E	NM	871 14	R	A1 A	TRACT B PLAT OF TRACTS A, B & C COTT ONWOOD POINTE BEINGA REPLAT OF TR ACTS E, F & G ADOBE WELLS SUBDIVISIO N)CONT 20 2521 AC	20. 271 143 59	10 33 82
6	10130 65393 06740 344	PFT-ABQ LLC	3515 SEABRE EZE LN	COR ONA DEL MAR	CA	926 25	C	A1 A	TR C- 1 SUBD PLAT MAP FOR ADOBE WELLS SU BD CONT 19,079 SQ FT	0.4 403 774 6	10 58 59
7	10130 65415 05540 310	UNITED PROP ERTIES LTD C O	7201 LOMAS BLVD NE	ALBU QUE RQU E	NM	871 10	C	A1 A	TR 1 KEN JOHNS WESTSIDE AUTO CENTE R CONT 124,934 SQ FT	2 8 543 987 1	10 58 64
8	10130 65355 04640 342	PFT-ABQ LLC	3515 SEABRE EZE LN	COR ONA DEL MAR	CA	926 25	C	A1 A	TRACT B-1 PLAT OF TRACT B-1 AND B- 2 ADOBE WELLSSUBDIVISION CONT 5.896 5 AC	5.5 806 091 6	10 95 52
9	10130 65445 08540 115	UNITED CONS TRUCTORS LI MITED CO	7201 LOMAS BLVD NE	ALBU QUE RQU E	NM	871 10	C	A1 A	TR 2-A-1 REPL MAP FOR TRS 2-A & 2- B KEN JOHNS WESTSIDE AUTOCENTER C ONT 3.8150 AC +-	3.8 273 313 3	14 65 28
10	10130 65379 08640 143	LB/VCC EAGLE RANCH % VEN TURE CORPOR ATION	125 EAST SIR FRANCIS DR AKE BLVD FL OOR 3	SAN JOSE	CA	949 39	V	A1 A	TR C-3-A PLAT OF TRACT C-2-A & C-3- A ADOBE WELLS SUBDIVISIONCONT 2.288 9 AC	2 2 883 008 2	14 65 29
11	10130 65409 11140 142	LB/VCC EAGLE RANCH % VEN TURE CORPOR ATION	125 EAST SIR FRANCIS DR AKE BLVD FL OOR 3	SAN JOSE	CA	949 39	V	A1 A	TR C-2-A PLAT OF TRACT C-2-A & C-3- A ADOBE WELLS SUBDIVISIONCONT 5.083 8 AC	5.0 839 563 4	14 65 30
12	10130 65393 23310 110	SED DEVELOP MENT LLC	4700 MONTG OMERY BLVD NE FLOOR 2 ND	ALBU QUE RQU E	NM	871 09	C	A1 A	TR N-1-B-2-C PLAT OF TRACTS N-1-B-2- A, N-1-B-2-B & N-1-B-2-CSEVEN- BAR RANCH CONT 14.1045 AC	14. 103 939 74	14 67 27

OR CURRENT RESIDENT
101306534317040445
ASPEN RANCH PARTNERS LLC ATTN: CLUBHOUSE
9677 EAGLE RANCH RD NW
ALBUQUERQUE, NM 87114

OR CURRENT RESIDENT
101306539306740344
PFT-ABQ LLC
3515 SEABREEZE LN
CORONA DEL MAR, CA 92625

OR CURRENT RESIDENT
101306544508540115
UNITED CONSTRUCTORS LIMITED CO
7201 LOMAS BLVD NE
ALBUQUERQUE, NM 87110

Project# 1003714
THORNTON SCHWENK
Paradise Hills Civic Assoc.
5125 RUSSELL DR NW
ALBUQUERQUE, NM 87114

OR CURRENT RESIDENT
101306530811840440
HS RENTAL PROPERTIES INC
PO BOX 22100
ALBUQUERQUE, NM 87154

OR CURRENT RESIDENT
101306539323310110
SED DEVELOPMENT LLC
4700 MONTGOMERY BLVD NE FLOOR 2ND
ALBUQUERQUE, NM 87109

OR CURRENT RESIDENT
101306547715240215
V T INC C/O KEN E ANDREWS & CO.
PO BOX 870849
MESQUITE, TX 75187

Project# 1003714
TOM ANDERSON 10013
Paradise Hills Civic Assoc.
PLUNKETT DR NW
ALBUQUERQUE, NM 87114

Project# 1003714
101306537908640143
LB/VCC EAGLE RANCH VENTURE CORP
125 E. SIR FRANCIS DRAKE BLVD FL
SAN JOSE, CA 94939

OR CURRENT RESIDENT
101306541202240305
SPARTON SOUTHWEST INC ATTN: ACCOUNTING
5612 JOHNSON LAKE RD
DE LEON SPRINGS, FL 32174

Project# 1003714
TIERRA WEST LLC
5571 MIDWAY PARK PL NE
ALBUQUERQUE, NM 87109

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. It is your responsibility to provide current information – outdated information may result in a deferral of your case.

City of Albuquerque

P.O. Box 1293, Albuquerque, NM 87103

February 6, 2009

Keli Krueger
Tierra West, LLC
5571 Midway Park Place NE/87109
Phone: 505-858-3100/Fax: 505-858-1118

Dear Keli:

Thank you for your inquiry of **February 6, 2009** requesting the names of **ALL Neighborhood and/or Homeowner Associations** who would be affected under the provisions of O-92 by your proposed project at **(DRB SUBMITTAL) – C-2-A AND C-3-A. ADOBE WELLS, LOCATED ON EAGLE RANCH DRIVE NW BETWEEN WESTSIDE DRIVE NW AND CALABACILLAS ARROYO** zone map **B-13.**

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

PARADISE HILLS CIVIC ASSOC. (PHC) "R"
Thornton Schwenk
5125 Russell Dr. NW/87114 897-2382 (h) 459-9543 (c)
Tom Anderson
10013 Plunkett Dr. NW/87114 897-2593 (h) 304-0106 (c)

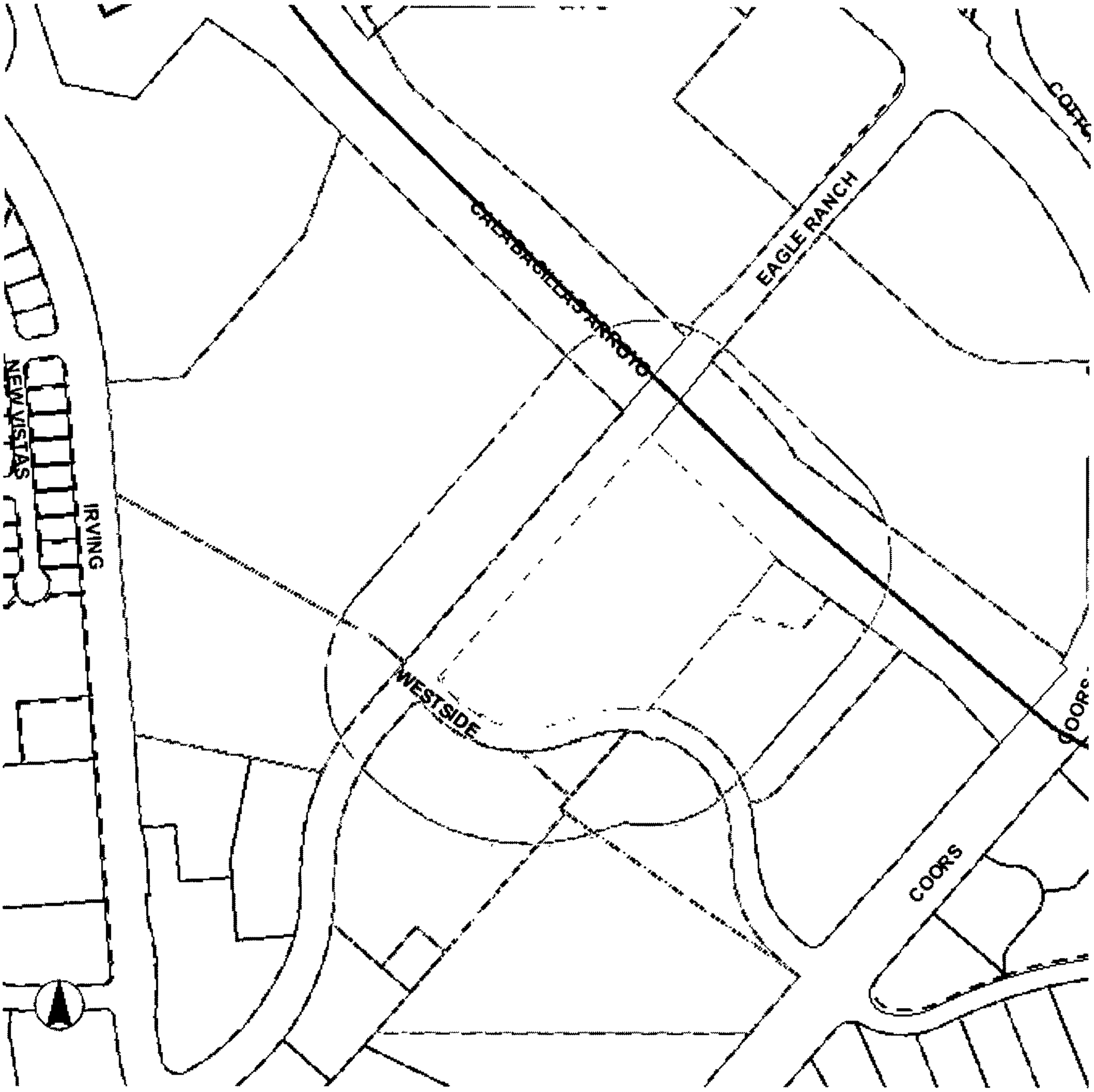
Please note that according to O-92 you are required to notify each of these contact persons by **certified mail, return receipt requested, before** the Planning Department will accept your application filing. **IMPORTANT! Failure of adequate notification may result in your Application Hearing being deferred for 30 days.** If you have any questions about the information provided, please contact me at (505) 924-3902 or via an e-mail message at swinklepleck@cabq.gov or by fax at (505) 924-3913.

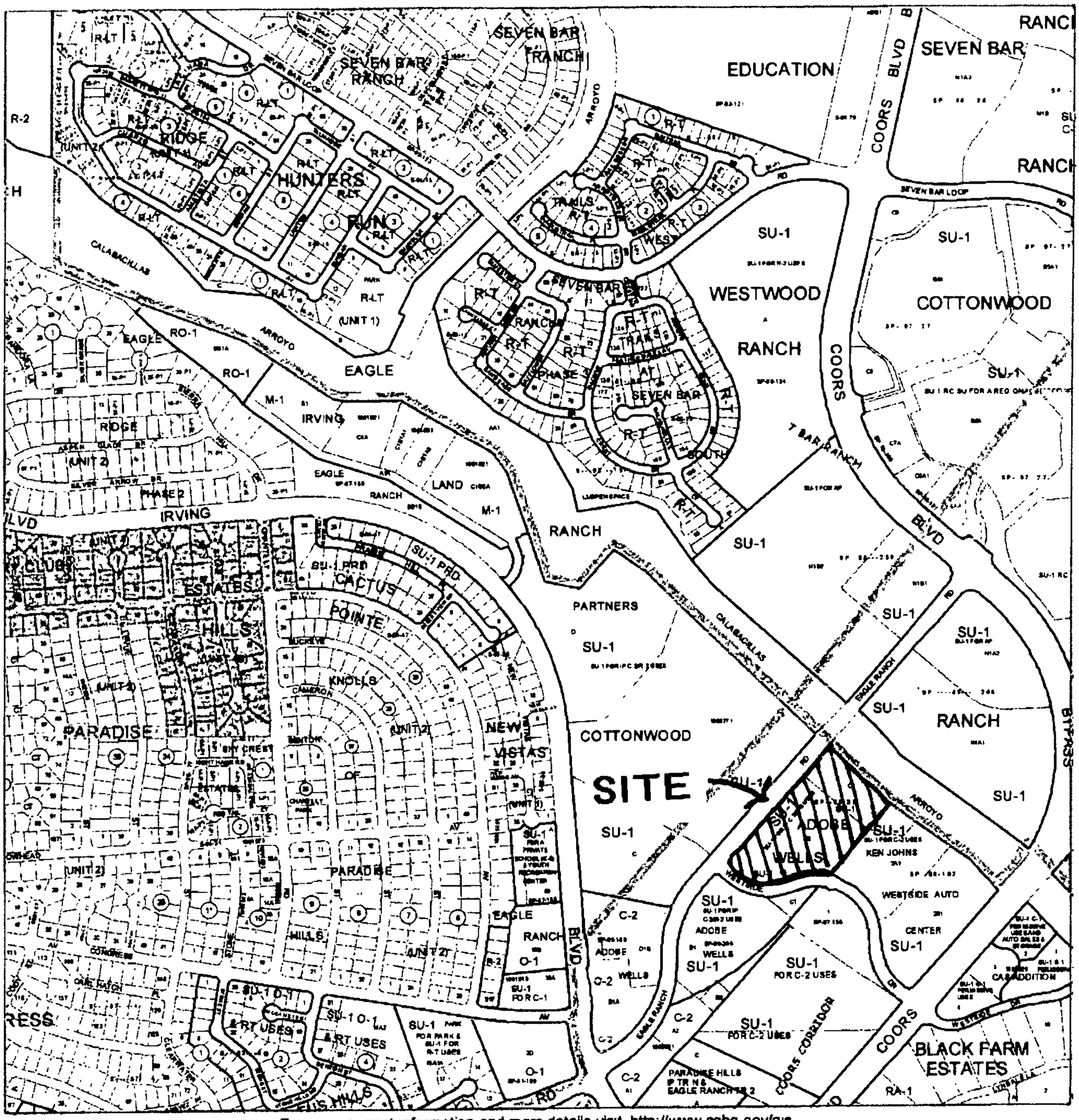
Sincerely,

Stephani Winklepleck

Stephani Winklepleck
Neighborhood Liaison
OFFICE OF NEIGHBORHOOD COORDINATION
Planning Department

LETTERS MUST BE SENT TO BOTH CONTACTS OF EACH NEIGHBORHOOD AND/OR HOMEOWNER ASSOCIATION.

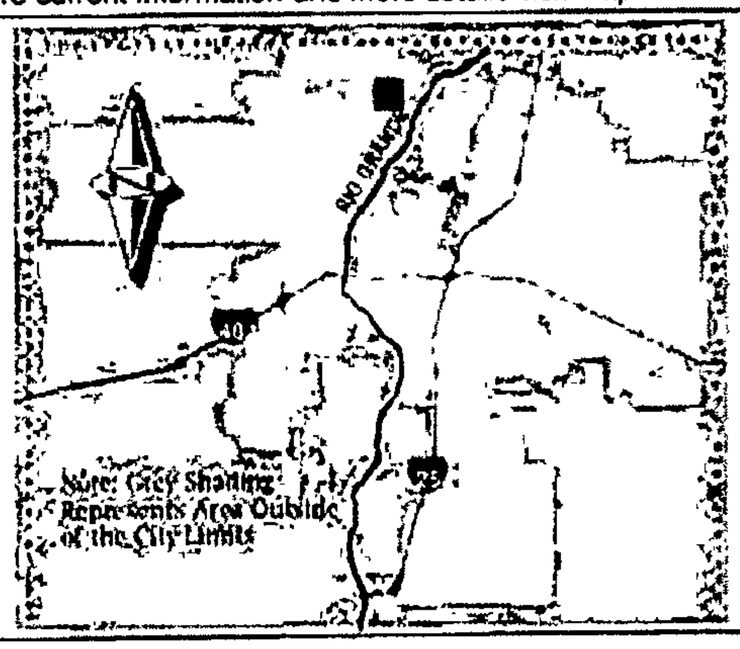

EAGLE RANCH
NEW VISTAS
IRVING
WESTSIDE
COORS



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

Albuquerque Geographic Information System

Map amended through: 5/1/2006



Zone Atlas Page:

B-13-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

0 750 1,500 Feet

CITY OF ALBUQUERQUE
PLANNING DEPARTMENT
DEVELOPMENT REVIEW BOARD

March 4, 2009

Project# 1003714
09DRB-70052 MAJOR - 2 YEAR EXTENSION OF SUBDIVISION IMPROVEMENTS AGREEMENT

TIERRA WEST LLC agent(s) for LB/VCC EAGLE RANCH LLC request(s) the referenced/ above action for all or a portion of **Tract(s) C-2-A & C-3-A, ADOBE WELLS,** zoned SU-1 FOR IP, C-2 & R-2 USES, located on the east side of EAGLE RANCH RD NW BETWEEN WESTSIDE DR NW AND THE CALABACILLAS ARROYO containing approximately 7.37 acre(s). (B-13)

AMAFCA No comment.
COG MRCOG staff have no comment on the proposed development. For information purposes, the functional classification of Eagle Ranch Rd. is that of urban collector.
TRANSIT No comment.
ZONING ENFORCEMENT No comment.
NEIGHBORHOOD COORDINATION Letters sent to: **Paradise Hills Civic Assoc. (R)**
APS This will have no adverse impacts to the APS district.
POLICE DEPARTMENT No comment.
FIRE DEPARTMENT No comment.
PNM ELECTRIC & GAS No comment.
COMCAST No comment.
QWEST No comment.
ENVIRONMENTAL HEALTH No comment.
M.R.G.C.D No adverse comments.
OPEN SPACE DIVISION No comment.

CITY ENGINEER The Hydrology section has no objection to the extension request.
TRANSPORTATION DEVELOPMENT Our records indicate that this site has been substantially complete for over a year. Please explain why the offsite mitigation associated with the above referenced project should not be completed at this time.
PARKS AND RECREATION No objection.
ABCWUA No objection to Extension request.
PLANNING DEPARTMENT Refer to comments from affected agencies (Transportation, AMAFCA, City Engineer/ Hydology) and any public hearing comments regarding proposed extension.

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

#7

Complete ag
12/21/07

DRB CASE ACTION LOG (EPC SDP – BP)

REVISED 10/08/07

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

DRB Application No.: 07DRB-70364	Project # 1003714
Project Name: ADOBE WELLS SUBDIVISION	Mr. 453-8979 385-6035
Agent: ALEXANDER FINALE	Phone No.: 205-4778

Your request was approved on 12-12-07 by the DRB with delegation of signature(s) to the following departments.

OUTSTANDING SIGNATURES COMMENTS TO BE ADDRESSED

☑ TRANSPORTATION: public Sidewalk easement.

☐ UTILITIES:

☐ CITY ENGINEER / AMAFCA:

☐ PARKS / CIP:

☑ PLANNING (Last to sign): 3 Copies

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

-The original plat and a mylar copy for the County Clerk.
-Tax certificate from the County Treasurer.
-Recording fee (checks payable to the County Clerk). **RECORDED DATE**: _____
-Tax printout from the County Assessor.

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

Created For: 12/5/07

Jpple
mary lyon

PAM
924-3994

Mattie Sue nolan Says CEO

Address _____

#9

B.P.

DRB CASE ACTION LOG (EPC SDP – SUBD)

REVISED 10/08/07

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

DRB Application No.: 07DRB-70364 Project # 1003714

Project Name: ADOBE WELLS SUBDIVISION

Agent: ALEXANDER FINALE Phone No.:

Your request was approved on 12-12-07 by the DRB with delegation of signature(s) to the following departments.

OUTSTANDING SIGNATURES COMMENTS TO BE ADDRESSED

☑ TRANSPORTATION: public sidewalk easement.

☐ UTILITIES:

☐ CITY ENGINEER / AMAFCA:

☐ PARKS / CIP:

☑ PLANNING (Last to sign): 3 Copies

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

-The original plat and a mylar copy for the County Clerk.
-Tax certificate from the County Treasurer.
-Recording fee (checks payable to the County Clerk). **RECORDED DATE**: _____
-Tax printout from the County Assessor.

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

Created On:

City of Albuquerque Planning Department

One Stop Shop – Development and Building Services

02/06/2009 Issued By: E08375

Permit Number: **2009 070 052** **Category Code 910**

Application Number: 09DRB-70052, Major - 2yr Subd Imp Agmt Ext (2yr Sia)

Address:

Location Description: EAGLE RANCH RD NW BETWEEN WESTSIDE DR NW AND CALABACILLAS ARROYO

Project Number: 1003714

Applicant
Lb/Vcc Eagle Ranch Llc

125 Sir Francis Drake Blvd 3rd Floor
Lakespur.CA 94939
415-381-1600

Agent / Contact
Tierra West Llc
Ronald Bohannan
5571 Midway Park Pl Ne
Albuquerque NM 87109

twllc@tierrawestllc.com

Application Fees

441018/4971000	Public Notification	$75.00
441032/3424000	Conflict Mgmt Fee	$20.00
441006/4983000	DRB Actions	$50.00
	TOTAL:	**$145.00**

City Of Albuquerque
Treasury Division

2/6/2009 11:06AM LOC: ANNX
WS# 007 TRANS# 0018
RECEIPT# 00110326-00110326
PERMIT# 2009070052 TRSLJS
Trans Amt $145.00
APN Fee $75.00
Conflict Manag. Fee $20.00
DRB Actions $50.00
CK $145.00
CHANGE $0.00

Thank You

City of Albuquerque

DEVELOPMENT/ PLAN REVIEW APPLICATION

Supplemental form

SUBDIVISION
- _X_ Major Subdivision action
- ____ Minor Subdivision action
- ____ Vacation
- ____ Variance (Non-Zoning)

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

STORM DRAINAGE (Form D)
- ____ Storm Drainage Cost Allocation Plan

S Z ZONING & PLANNING
- ____ Annexation
- ____ County Submittal
- **V** ____ EPC Submittal
- ____ Zone Map Amendment (Establish or Change Zoning)
- **P** ____ Sector Plan **(Phase I, II, III)**
- ____ Amendment to Sector, Area, Facility or Comprehensive Plan
- ____ Text Amendment (Zoning Code/Sub Regs)
- **D** ____ Street Name Change (Local & Collector)

L A APPEAL / PROTEST of...
- ____ Decision by: DRB, EPC, LUCC, Planning Director or Staff, ZHE, Zoning Board of Appeals

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

APPLICATION INFORMATION:

Professional/Agent (if any):__Tierra West LLC_____PHONE:__505-858-3100_____

ADDRESS:_5571 Midway Park Place NE_____FAX:__505-858-1118_____

CITY:_Albuquerque_____ STATE __NM_ ZIP___87109_____E-MAIL:_____

APPLICANT:__LB/VCC Eagle Ranch LLC_____PHONE: _415-381-1600_____

ADDRESS:_125 Sir Francis Drake Boulevard, 3rd Floor_____FAX:__415-381-8285_____

CITY:_Larkspur_____ STATE _CA_ ZIP__94939____E-MAIL:_____

Proprietary interest in site: _Owner_____ **List all owners**: _____

DESCRIPTION OF REQUEST: _Extension of Subdivision Improvements Agreements_____

_____

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

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

Lot or Tract No._Tracts C-2-A & C-3-A_____ Block:_____ Unit:_____

Subdiv/Addn/TBKA: __Adobe Wells_____

Existing Zoning:_SU-1 for IP,C-2 & R-2 Uses_____ Proposed zoning:__No Change_____ MRGCD Map No _____

Zone Atlas page(s):__B-13_____ UPC Code: _101306539510040143/101306542013040142_____

CASE HISTORY:

List **any** current or prior case number that may be relevant to your application (Proj., App., DRB-, AX_,Z_, V_, S_, etc.): __V-88-39_____

_06EPC-01306/06DRB-01645,01646,01647/07AA-10093/Project # 1003714_____

CASE INFORMATION:

Within city limits? _X__Yes Within 1000FT of a landfill? _No_____

No. of **existing** lots: ____2_____ No. of **proposed** lots: ___2_____ Total area of site (acres): __7.37 +/-_____

LOCATION OF PROPERTY BY STREETS: On or Near: __Eagle Ranch Road NW_____

Between:__Westside Drive NW_____ and ___Calabacillas Arroyo_____

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

SIGNATURE _____ DATE 2/6/09

(Print)__Ronald R. Bohannan, PE_____ Applicant: ☐ Agent: ☐

FOR OFFICIAL USE ONLY Form revised 4/07

NA ☐ **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
- NA ☐ Site is within 1000ft of a landfill
- NA ☐ F.H.D.P. density bonus
- NA ☐ F.H.D.P. fee rebate

Application case numbers	Action	S.F.	Fees
09DRB-_____-70052	SIA	___	$ 145.00
_____-_____-_____	_____	___	$ 75.00
_____-_____-_____	_____	___	$ 20.00
_____-_____-_____	_____	___	$_____
_____-_____-_____	_____	___	$_____
			Total
			$ 145.00

Hearing date March 4 2009

2.6.09
Planner signature / date

Project # 1003714

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

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

❑ **MAJOR SUBDIVISION PRELIMINARY PLAT APPROVAL (DRB13)**

__ 5 Acres or more: Certificate of No Effect or Approval
__ Proposed Preliminary Plat including the Grading Plan (folded to fit into an 8.5" by 14" pocket) **24 copies**
__ Proposed Infrastructure List
__ Signed Preliminary Pre-Development Facilities Fee Agreement for **Residential** development only
__ Design elevations & cross sections of perimeter walls **3 copies** (11" x 17" maximum)
__ Zone Atlas map with the entire property(ies) clearly outlined
__ Letter briefly describing, explaining, and justifying the request
__ Property owner's and City Surveyor's signature on the proposed plat
__ FORM DRWS Drainage Report, Water & Sewer availability statement filing information
__ Office of Community & Neighborhood Coordination inquiry response, notifying letter, certified mail receipts
__ Sign Posting Agreement
__ **Signed** Pre-Annexation Agreement if Annexation required.
__ TIS/AQIA Traffic Impact Study / Air Quality Impact Assessment form
__ Fee (see schedule)
__ List any original and/or related file numbers on the cover application

Preliminary plat approval expires after one year.
DRB Public hearings are approximately 30 DAYS after the filing deadline. Your attendance is required.

❑ **MAJOR SUBDIVISION AMENDMENT TO PRELIMINARY PLAT (DRB11) (with significant changes)**

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

__ Proposed Amended Preliminary Plat, and/or Infrastructure List, and/or Grading Plan (folded to fit into an 8.5" by 14" pocket) **24** copies
__ Original Preliminary Plat, and/or Infrastructure List, and/or Grading Plan (folded to fit into an 8.5" by 14" pocket)
__ Zone Atlas map with the entire property(ies) clearly outlined
__ Letter briefly describing, explaining, and justifying the request
__ Property owner's and City Surveyor's signature on the proposed amended plat, if applicable
__ Office of Community & Neighborhood Coordination inquiry response, notifying letter, certified mail receipts
__ Sign Posting Agreement
__ List any original and/or related file numbers are listed on the cover application

Amended preliminary plat approval expires after one year.
DRB Public hearings are approximately 30 DAYS after the filing deadline. Your attendance is required.

☒ **MAJOR SUBDIVISION IMPROVEMENTS AGREEMENT (DRB09)**

(Temporary sidewalk deferral extension use FORM-V)

_X_ Zone Atlas map with the entire property(ies) clearly outlined
_X_ Letter briefly describing, explaining, and justifying the request
_X_ Plat or plan reduced to 8.5" x 11"
_X_ Official D.R.B. Notice of the original approval
_X_ Approved Infrastructure List. If not applicable, please initial. _____
_X_ Previous SIA extension notice, if one has been issued. If not applicable, please initial. _____
_X_ Office of Community & Neighborhood Coordination inquiry response, notifying letter, certified mail receipts
_X_ Sign Posting Agreement
_X_ List any original and/or related file numbers on the cover application
_X_ Fee (see schedule)

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

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

Ronald R. Bohannan, PE
Applicant name (print)

2/6/09
Applicant signature / date

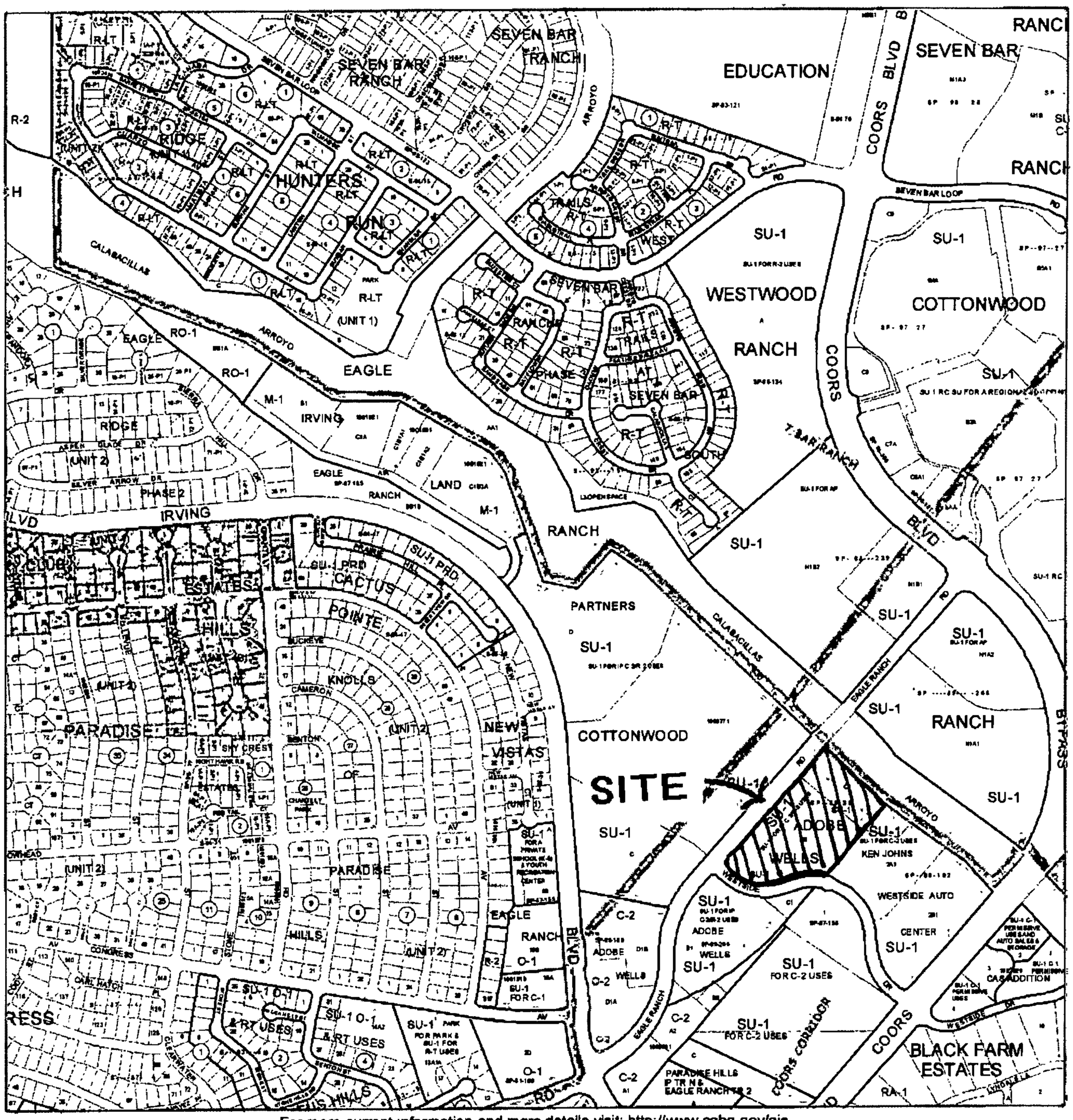
Form revised **October 2007**

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

Application case numbers
09DRB-_____-00052
_____-_____-_____
_____-_____-_____

2.6.09
Planner signature / date

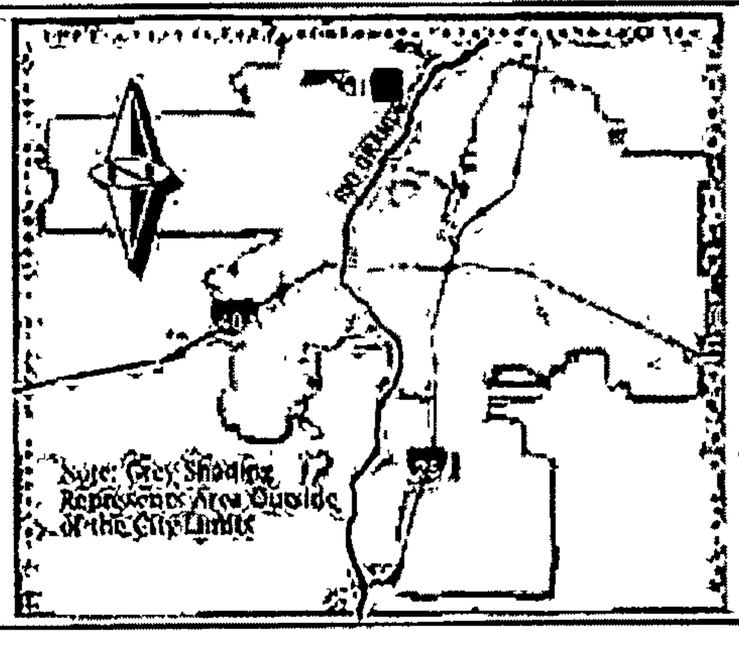
Project # 1003714



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

Albuquerque Geographic Information System

Map amended through: 5/1/2006



Zone Atlas Page:

B-13-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

0 — 750 — 1,500 Feet

TIERRA WEST, LLC

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

February 6, 2009

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

RE: Extension of Subdivision Improvements Agreement
Venture Commerce Center
DRB # 1003714
Zone Atlas Page B-13

Dear Mr. Cloud:

Tierra West LLC, on behalf of LB/VCC Eagle Ranch LLC, requests approval of a two-year extension of the Subdivision Improvements Agreement for the above-referenced project. The site is located on Eagle Ranch Drive NW, between Westside Drive NW and the Calabacillas Arroyo. The items covered on the approved Infrastructure List are deferred items and the developer is not ready to construct them.

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

Sincerely,

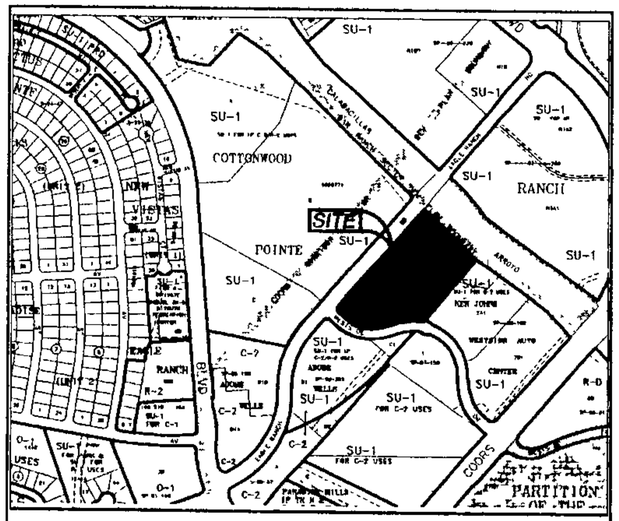
Ronald R. Bohannan, P.E.

Enclosure/s

cc: Mark Heavey
Thornton Schwenk, Paradise Hills Civic Assoc.
Tom Anderson, Paradise Hills Civic Assoc.

JN: 26034
RRB/kdk

2006 26034 SIA Extension DRB letter 020609



Location Map
Zone Atlas Map No. B-13-Z

N.T.S.

Subdivision Data:

GROSS SUBDIVISION ACREAGE. 7 3727 ACRES±
ZONE ATLAS INDEX NO: B-13-Z
NO OF TRACTS CREATED 2
NO OF LOTS CREATED 0
MILES OF FULL-WIDTH STREETS CREATED 0
DATE OF SURVEY OCTOBER 2006

Disclosure Statement:

THE PURPOSE OF THIS PLAT IS TO REPLAT THE EXISTING TWO TRACTS INTO TWO NEW TRACTS AND TO GRANT EASEMENTS

Notes:

1 MISC DATA ZONING SU-1 FOR R-2, C-2 AND IP PURPOSES

2 BEARINGS SHOWN ARE GRID BEARINGS (NEW MEXICO STATE PLANE CENTRAL ZONE – NAD 1927)

3 ALL DISTANCES ARE GROUND DISTANCES–US SURVEY FOOT

4 THIS PROPERTY LIES WITHIN PROJECTED SECTION 7, TOWNSHIP 11 NORTH, RANGE 3 EAST, ELENA GALLEGOS GRANT, N M P M., CITY OF ALBUQUERQUE, BERNALILLO COUNTY, NEW MEXICO

5 PLAT SHOWS ALL EASEMENTS OF RECORD

6 SP NO 2006453375

Easements

THIS PLAT SHOWS EXISTING RECORDED AND APPARENT EASEMENTS AS NOTED

PUBLIC UTILITY EASEMENTS SHOWN ON THIS PLAT ARE GRANTED FOR THE COMMON AND JOINT USE OF

1 PNM ELECTRIC SERVICES FOR INSTALLATION, MAINTENANCE, AND SERVICE OF OVERHEAD AND UNDERGROUND ELECTRICAL LINES, COMMUNICATION FACILITIES, TRANSFORMERS, POLES AND ANY OTHER EQUIPMENT, FIXTURES, STRUCTURES AND RELATED FACILITIES REASONABLY NECESSARY TO PROVIDE ELECTRICAL SERVICE

2 PNM GAS SERVICES FOR INSTALLATION, MAINTENANCE, AND SERVICE OF NATURAL GAS LINES, VALVES AND OTHER EQUIPMENT AND FACILITIES REASONABLY NECESSARY TO PROVIDE NATURAL GAS

3 QWEST CORPORATION FOR THE INSTALLATION, MAINTENANCE AND SERVICE OF ALL BURIED AND AERIAL COMMUNICATION LINES AND OTHER RELATED EQUIPMENT AND FACILITIES REASONABLY NECESSARY TO PROVIDE COMMUNICATION SERVICES, INCLUDING BUT NOT LIMITED TO ABOVE GROUND PEDESTALS AND CLOSURES

4 COMCAST CABLE FOR THE INSTALLATION, MAINTENANCE, AND SERVICE OF SUCH LINES, CABLE, AND OTHER RELATED EQUIPMENT AND FACILITIES REASONABLY NECESSARY TO PROVIDE CABLE TV SERVICE

INCLUDED IS THE RIGHT TO BUILD, REBUILD, CONSTRUCT, RECONSTRUCT, LOCATE, RELOCATE CHANGE, REMOVE, MODIFY, RENEW, OPERATE, AND MAINTAIN FACILITIES FOR THE PURPOSES DESCRIBED ABOVE, TOGETHER WITH FREE ACCESS TO, FROM, AND OVER SAID EASEMENTS, INCLUDING SUFFICIENT WORKING AREA SPACE FOR ELECTRIC TRANSFORMERS, WITH THE RIGHT AND PRIVILEGE TO TRIM AND REMOVE TREES, SHRUBS OR BUSHES WHICH INTERFERE WITH THE PURPOSES SET FORTH HEREIN NO BUILDING, SIGN, POOL (ABOVEGROUND OR SUBSURFACE), HOT TUB, CONCRETE OR WOOD POOL DECKING, OR OTHER STRUCTURE SHALL BE ERECTED OR CONSTRUCTED ON SAID EASEMENTS NOR SHALL ANY WELL BE DRILLED OR OPERATED THEREON PROPERTY OWNERS SHALL BE SOLELY RESPONSIBLE FOR CORRECTING ANY VIOLATIONS OF NATIONAL ELECTRICAL SAFETY CODE CAUSED BY CONSTRUCTION OF POOLS, DECKING, OR ANY STRUCTURES ADJACENT TO WITHIN OR NEAR EASEMENTS SHOWN ON THIS PLAT

EASEMENTS FOR ELECTRIC TRANSFORMERS/SWITCHGEARS, AS INSTALLED, SHALL EXTEND TEN FEET (10') IN FRONT OF TRANSFORMER/SWITCHGEAR DOOR AND FIVE FEET (5') ON EACH SIDE

IN APPROVING THIS PLAT, PNM ELECTRIC SERVICES AND GAS SERVICES (PNM) DID NOT CONDUCT A TITLE SEARCH OF THE PROPERTIES HEREON CONSEQUENTLY, PNM DOES NOT WAIVE NOR RELEASE ANY EASEMENT OR EASEMENT RIGHTS TO WHICH IT MAY BE ENTITLED

RECORDING STAMP
Maggie Toulouse Bern Co PLAT R 12 00
2007033984
Page 1 of 2
03/14/2007 04 22P
Bk-2007C Pg-64

Legal Description

TRACTS "C-2" AND "C-3" OF THE REPLAT OF TRACT LETTERED "C" OF ADOBE WELLS SUBDIVISION ALBUQUERQUE, NEW MEXICO, AS THE SAME ARE SHOWN AND DESIGNATED ON SAID REPLAT, FILED IN THE OFFICE OF THE COUNTY CLERK OF BERNALILLO COUNTY, NEW MEXICO, ON FEBRUARY 2, 1989, IN PLAT BOOK C38, FOLIO 110, NOW COMPRISING TRACTS C-2-A AND C-3-A, ADOBE WELLS SUBDIVISION, CONTAINING 7 3727 ACRES MORE OR LESS

N.M.U.I. EASEMENT NOTE

PUBLIC UTILITY EASEMENTS SHOWN ON THIS PLAT ARE ALSO GRANTED FOR NEW MEXICO UTILITIES, INC. FOR THE INSTALLATION, MAINTENANCE AND SERVICE OF UNDERGROUND WATER AND SANITARY SEWER LINES, VALVES AND OTHER EQUIPMENT AND FACILITIES REASONABLY NECESSARY TO PROVIDE WATER AND SANITARY SEWER SERVICE

Free Consent

THE REPLAT SHOWN HEREON IS WITH THE FREE CONSENT AND IN ACCORDANCE WITH THE DESIRES OF THE UNDERSIGNED OWNER AND/OR PROPRIETOR EXISTING PUBLIC UTILITY EASEMENTS SHOWN HEREON FOR THE COMMON AND JOINT USE OF GAS, ELECTRICAL POWER AND COMMUNICATION SERVICES FOR BURIED AND/OR OVERHEAD DISTRIBUTION LINES, CONDUITS, AND PIPES FOR UNDERGROUND UTILITIES WHERE SHOWN OR INDICATED, AND INCLUDING THE RIGHT OF INGRESS AND EGRESS FOR CONSTRUCTION AND MAINTENANCE, AND THE RIGHT TO TRIM INTERFERING TREES AND SHRUBS. SAID OWNER AND/OR PROPRIETOR DOES HEREBY CERTIFY THAT THIS SUBDIVISION IS THEIR FREE ACT AND DEED SAID OWNERS WARRANT THAT THEY HOLD AMONG THEM COMPLETE AND INDEFEASIBLE TITLE IN FEE SIMPLE TO THE LAND SUBDIVIDED

SAID OWNER AND/OR PROPRIETOR DOES HEREBY GRANT ALL EASEMENTS AS SHOWN HEREON WITH LISTED BENEFICIARIES AND STIPULATIONS

Todd Berryhill — 11-15-06
TODD BERRYHILL — DATE
REPRESENTATIVE
LB/VCC EAGLE RANCH, LLC, A DELAWARE LIMITED LIABILITY COMPANY

Acknowledgment

STATE OF CALIFORNIA)
COUNTY OF MARIN) SS

THIS INSTRUMENT WAS ACKNOWLEDGED BEFORE ME THIS 15th DAY OF November, 2006 BY TODD BERRYHILL, REPRESENTATIVE, LB/VCC EAGLERANCH, LLC, A DELAWARE LIMITED LIABILITY COMPANY

BY Margaret Meinberg NOTARY PUBLIC MY COMMISSION EXPIRES May 21, 2010

COMMISSION #: 1660321

Margaret Meinberg, Notary Public,

Plat of
Tract C-2-A and C-3-A

Adobe Wells Subdivision

Albuquerque, Bernalillo County, New Mexico
November 2006

Project No. ~~06 DRB-~~ 100 3714

Application No. 06 DRB-01645

Utility Approvals

PNM ELECTRIC SERVICES	DATE 1-11-07
PNM GAS SERVICES	DATE 1-11-07
QWEST TELECOMMUNICATIONS	DATE 1/11/07
COMCAST	DATE 1.11.07
NEW MEXICO UTILITIES, INC	DATE 1-17-07

City Approvals

CITY SURVEYOR	DATE 11-20-06
REAL PROPERTY DIVISION	DATE N/A
ENVIRONMENTAL HEALTH DEPARTMENT	DATE N/A
TRAFFIC ENGINEERING, TRANSPORTATION DEPARTMENT	DATE 12-6-06
WATER UTILITY DEPARTMENT	DATE 12/6/06
PARKS AND RECREATION DEPARTMENT	DATE 12/6/06
AMAFCA	DATE 3-1-07
CITY ENGINEER	DATE 3/8/07
DRB CHAIRPERSON, PLANNING DEPARTMENT	DATE 3/14/07

TREASURER'S CERTIFICATE
1013605-40143, 1013605-40142
Bernalillo County Treasurer's Office
9/14/07

Surveyor's Certificate

I, LARRY W MEDRANO, A REGISTERED PROFESSIONAL SURVEYOR UNDER THE LAWS OF THE STATE OF NEW MEXICO, HEREBY CERTIFY THAT THIS PLAT WAS PREPARED FROM FIELD NOTES OF AN ACTUAL SURVEY MEETING THE MINIMUM REQUIREMENTS FOR MONUMENTATION AND SURVEYS OF THE CITY OF ALBUQUERQUE SUBDIVISION ORDINANCE AND OF STANDARDS FOR LAND SURVEYS OF THE N M BOARD OF LICENSURE FOR ENGINEERS AND SURVEYORS AND IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF, AND THAT NO ENCROACHMENTS EXIST EXCEPT AS NOTED ABOVE AND THAT ALL IMPROVEMENTS ARE SHOWN IN THEIR CORRECT LOCATION RELATIVE TO RECORD BOUNDARIES AS LOCATED BY THIS SURVEY

11/07/06
LARRY W MEDRANO — DATE
N M P S No 11993

LARRY W. MEDRANO NEW MEXICO 11993 REGISTERED PROFESSIONAL SURVEYOR

MARGARET A MEINBERG
Commission # 1660321
Notary Public - California
Marin County
My Comm. Expires May 21, 2010

PRECISION SURVEYS, INC.
8500-A Jefferson Street, NE
Albuquerque, NM 87113
866.422.8011 TOLL FREE
505.856.5700 PHONE
505.856.7900 FAX

0683947

2007039994
Page: 2 of 2
03/14/2007 04:22P
Bk-2007C Pg-64
Maggie Toulouse Oliver Bernalillo Co PLAT R 12.00

Plat of

Tract C-2-A and C-3-A

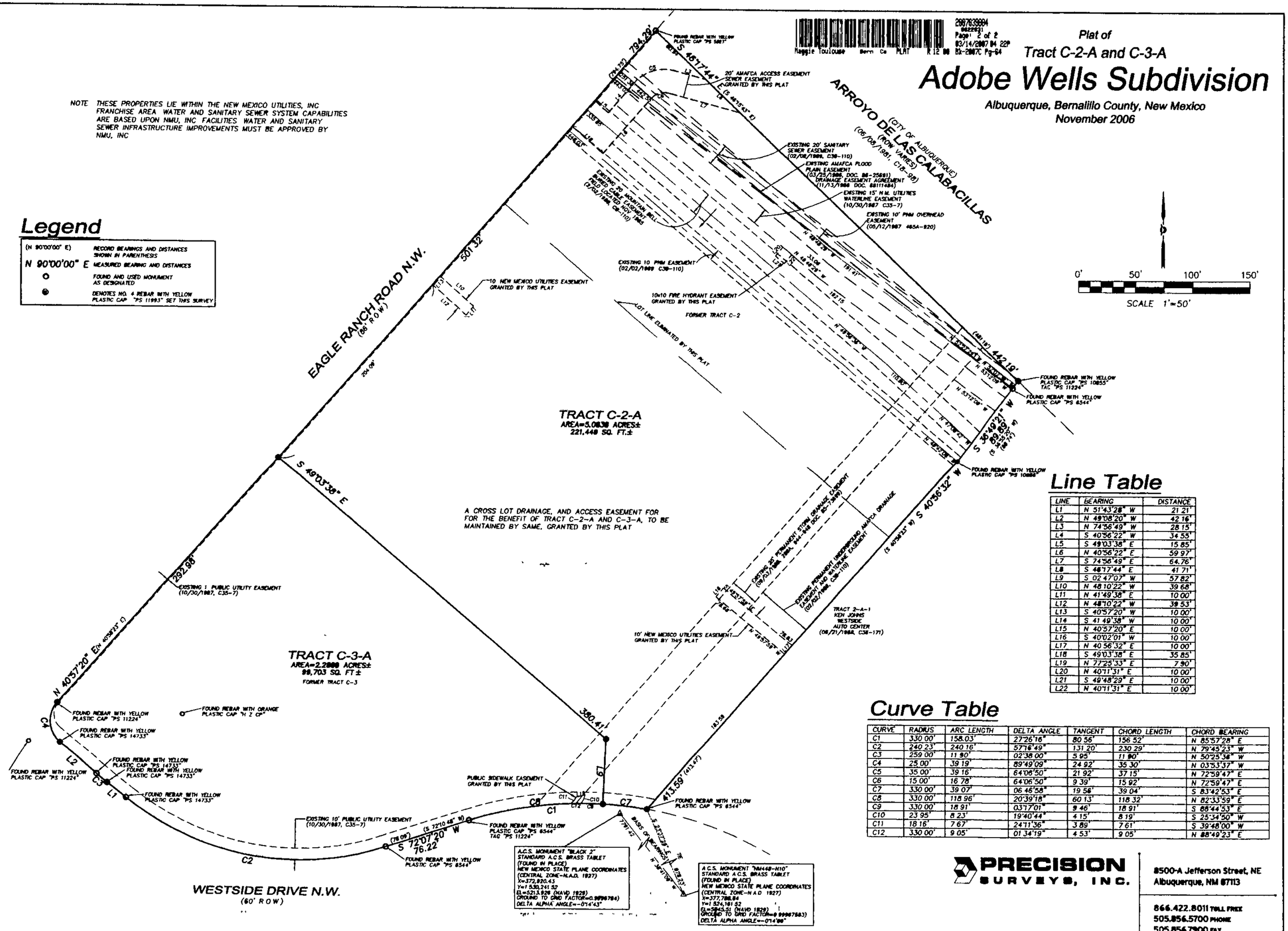
Adobe Wells Subdivision

Albuquerque, Bernalillo County, New Mexico
November 2006

NOTE THESE PROPERTIES LIE WITHIN THE NEW MEXICO UTILITIES, INC FRANCHISE AREA WATER AND SANITARY SEWER SYSTEM CAPABILITIES ARE BASED UPON NMU, INC FACILITIES WATER AND SANITARY SEWER INFRASTRUCTURE IMPROVEMENTS MUST BE APPROVED BY NMU, INC

Legend

(N 90°00'00" E)	RECORD BEARINGS AND DISTANCES SHOWN IN PARENTHESIS
N 90°00'00" E	MEASURED BEARING AND DISTANCES
○	FOUND AND USED MONUMENT AS DESIGNATED
●	DENOTES NO. 4 REBAR WITH YELLOW PLASTIC CAP "PS 11993" SET THIS SURVEY



Line Table

LINE	BEARING	DISTANCE
L1	N 51°43'28" W	21 21'
L2	N 49°08'20" W	42 16'
L3	N 74°56'49" W	28 15'
L4	S 40°56'22" W	34 55'
L5	S 49°03'38" E	15 85'
L6	N 40°56'22" E	59 97'
L7	S 74°56'49" E	64.76'
L8	S 48°17'44" E	41 71'
L9	S 02°47'07" W	57 82'
L10	N 48°10'22" W	39 68'
L11	N 41°49'38" E	10 00'
L12	N 48°10'22" W	39 53'
L13	S 40°57'20" W	10 00'
L14	S 41°49'38" W	10 00'
L15	N 40°57'20" E	10 00'
L16	S 40°02'01" W	10 00'
L17	N 40°56'32" E	10 00'
L18	S 49°03'38" E	35 85'
L19	N 77°25'33" E	7 90'
L20	N 40°11'31" E	10 00'
L21	S 49°48'29" E	10 00'
L22	N 40°11'31" E	10 00'

Curve Table

CURVE	RADIUS	ARC LENGTH	DELTA ANGLE	TANGENT	CHORD LENGTH	CHORD BEARING
C1	330 00'	158.03'	27°26'16"	80 56'	156 52'	N 85°57'28" E
C2	240 23'	240 16'	57°16'49"	131 20'	230 29'	N 79°45'23" W
C3	259 00'	11 90'	02°38 00"	5 95'	11 90'	N 50°25'36" W
C4	25 00'	39 19'	89°49'09"	24 92'	35 30'	N 03°53'37" W
C5	35 00'	39 16'	64°06'50"	21 92'	37 15'	N 72°59'47" E
C6	15 00'	16 78'	64°06'50"	9 39'	15 92'	N 72°59'47" E
C7	330 00'	39 07'	06 46'58"	19 56'	39 04'	S 83°42'53" E
C8	330 00'	118 96'	20°39'18"	60 13'	118 32'	N 82°33'59" E
C9	330 00'	18 91'	03°17'01"	9 46'	18 91'	S 88°44'53" E
C10	23 95'	6 23'	19°40'44"	4 15'	8 19'	S 25°34'50" W
C11	18 16'	7 67'	24°11'36"	3 89'	7 61'	S 39°48'00" W
C12	330 00'	9 05'	01°34'19"	4 53'	9 05'	N 88°49'23" E

PRECISION SURVEYS, INC.
8500-A Jefferson Street, NE
Albuquerque, NM 87113
866.422.8011 TOLL FREE
505.856.5700 PHONE
505.856.7900 FAX

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240034
~~EPC~~
DRB

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

Date: October 20, 2006

OFFICIAL NOTIFICATION OF DECISION

FILE: **Project # 1003714***
06EPC-01306 EPC Site Development Plan-Subdivision
06EPC-01307 EPC Site Development Plan-Building Permit

Ronald Bohannan, Tierra West LLC
5571 Midway Park Place NE
Albuq. NM 87109

LEGAL DESCRIPTION: for all or a portion of Tracts C-2 & C-3, **Adobe Wells**, zoned SU-1 for IP, C-2 & R-2 Uses, located on EAGLE RANCH ROAD NW, between WESTSIDE DR. NW and the CALABACILLAS ARROYO, containing approximately 8 acres. (B-13) Catalina Lehner, Staff Planner

On October 19, 2006 the Environmental Planning Commission voted to approve Project 1003714/ *06EPC 01306*, a Site Development Plan for Subdivision for Tracts C-2 and C-3, Adobe Wells, zoned SU-1 for R-2, C-2 and IP Uses, based on the following Findings, and subject to the following Conditions:

FINDINGS:

1. This is a request for approval of a site development plan for subdivision for Tracts C-2 and C-3, Adobe Wells, an approximately 8 acre site located on Eagle Ranch Rd., just south of the Calabacillas Arroyo, and zoned SU-1 for R-2, C-2 and IP uses.

2. This request proposes reconfiguring Tract C-2 and Tract C-3 by moving the boundary between the two southward. Tract C-2-A is the location for the proposed site development plan for building permit (06EPC 01307). The smaller Tract C-3-A is reserved for future commercial development.

3. The subject site lies within the boundaries of the West Side Strategic Plan (WSSP) and the Coors Corridor Sector Development Plan (CCSDP). The Facilities Plan for Arroyos (FPA) also applies.

4. The proposal *furthers and partially furthers* the intent of many applicable Comprehensive Plan policies. The development will increase land use variety (Policy II.B.5a) and will use existing urban services (Policy II.B.5e). The design is mostly appropriate to the Plan area (Policies II.B.5d & II.B.5l) and is located in a commercial/industrial area (Policy II.B.5i).

5. The proposal *furthers and partially furthers* the intent of applicable Comprehensive Plan Goals. The Economic Development Goal is furthered because the uses will help achieve diversified economic development on the Westside. The Transportation & Transit Goal is partially furthered. The uses may help encouraged a balanced transportation system, but the site layout emphasizes vehicles.

6. Overall the proposal *partially furthers* applicable policies in the West Side Strategic Plan (WSSP). Pedestrian opportunities are included, but not promoted (Policy 4.10). This non-residential development is located outside a designated activity center (Policy 1.1), but it already has the zoning.

7. With respect to the West Side Strategic Plan (WSSP), the proposal *partially furthers* policies regarding arroyos. Though the buildings doesn't encroach upon the Calabacillas Arroyo, they are tall (like nearby buildings). The request partially complies with the design guidelines regarding height, which intend lower buildings outside activity centers.

8. The proposal *generally furthers* the intent of the Facility Plan for Arroyos (FPA). There is a landscape setback (Policy 3) and no fence (Design Guideline Policy 4), but drought-resistant shade trees are not provided in the buffer (Policy 5).

9. Regarding the Coors Corridor Sector Development Plan (CCSDP) the proposal generally contributes to the purpose of the CCSDP design standards to ensure that development helps achieve a balance between the built and natural environments. Policies regarding new development (Policy 4.a.3), and architectural design (Policy 4.b.10) are furthered.

10. The request *does not further* two CCSDP policies: Policy 4.b.2-Building setback, height and bulk, because parking separates the building from the roadway, and Policy 4.b.5-Off-Street Parking, because architecture and landscape should be emphasized right-up near the street. Recommended conditions of approval for an accompanying site development plan for building permit (06EPC-01307) will bring the site into compliance.

11. The Street Tree Ordinance (Chapter 6, Article 6, R.O. 1974) requires that "street trees shall be placed between the curb and the public sidewalk." The trees along Eagle Ranch Rd. are located in a landscape buffer between the sidewalk and the parking lot.

12. Zoning Code §14-16-3-18 (D)(3), General Building and Site Design Regulation for Non-Residential Uses, requires that buildings with 6 or more water closets provide outdoor gathering space for employees. Such space shall be a minimum of 300 sf with seating and shade covering at least 25% of the area.

13. A Traffic Impact Study (TIS) was required and has been completed.

14. A facilitated meeting was held with the affected neighborhood organization. There is neighborhood support for the project and no known opposition.

CONDITIONS:

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

2. Prior to final DRB sign off, the applicant shall meet with the Development Review staff planner to ensure that conditions of approval are thoroughly addressed. Evidence of this meeting shall be provided to the DRB at the time of application.

3. Replatting the subject site shall be a concurrent Development Review Board (DRB) action.

On October 19, 2006 the Environmental Planning Commission voted to approve Project 1003714/ 06EPC 01307, a Site Development Plan for Building Permit for Tracts C-2 and C-3, Adobe Wells, zoned SU-1 for R-2, C-2 and IP Uses, based on the preceding Findings and subject to the following Conditions of approval.

FINDINGS:

1. This is a request for approval of a site development plan for building permit for Tracts C-2 and C-3, Adobe Wells, an approximately 8 acre site located on Eagle Ranch Rd., just south of the Calabacillas Arroyo, and zoned SU-1 for R-2, C-2 and IP uses.

2. This request proposes to develop five office/warehouse/industrial buildings on Tract C-2-A . The smaller tract C-3-A is reserved for future commercial development. The tracts are created by the associated site development plan for subdivision (06EPC –01306).

3. The subject site lies within the boundaries of the West Side Strategic Plan (WSSP) and the Coors Corridor Sector Development Plan (CCSDP). The Facilities Plan for Arroyos (FPA) also applies.

4. The proposal *furthers and partially furthers* the intent of many applicable Comprehensive Plan policies. The development will increase land use variety (Policy II.B.5a) and will use existing urban services (Policy II.B.5e). The design is mostly appropriate to the Plan area (Policies II.B.5d & II.B.5l) and is located in a commercial/industrial area (Policy II.B.5i).

5. The proposal *furthers and partially furthers* the intent of applicable Comprehensive Plan Goals. The Economic Development Goal is furthered because the uses will help achieve diversified economic development on the Westside. The Transportation & Transit Goal is partially furthered. The uses may help encouraged a balanced transportation system, but the site layout emphasizes vehicles.

6. Overall the proposal *partially furthers* applicable policies in the West Side Strategic Plan (WSSP). Pedestrian opportunities are included, but not promoted (Policy 4.10). This non-residential development is located outside a designated activity center (Policy 1.1), but it already has the zoning.

7. With respect to the West Side Strategic Plan (WSSP), the proposal *partially furthers* policies regarding arroyos. Though the buildings doesn't encroach upon the Calabacillas Arroyo, they are tall (like nearby buildings). The request partially complies with the design guidelines regarding height, which intend lower buildings outside activity centers.

8. The proposal *generally furthers* the intent of the Facility Plan for Arroyos (FPA). There is a landscape setback (Policy 3) and no fence (Design Guideline Policy 4), but drought-resistant shade trees are not provided in the buffer (Policy 5).

9. Regarding the Coors Corridor Sector Development Plan (CCSDP) the proposal generally contributes to the purpose of the CCSDP design standards to ensure that development helps achieve a balance between the built and natural environments. Policies regarding new development (Policy 4.a.3), and architectural design (Policy 4.b.10) are furthered.

10. The request *does not further* two CCSDP policies: Policy 4.b.2-Building setback, height and bulk, because parking separates the building from the roadway, and Policy 4.b.5-Off-Street Parking, because architecture and landscape should be emphasized right-up near the street.

11. The Street Tree Ordinance (Chapter 6, Article 6, R.O. 1974) requires that "street trees shall be placed between the curb and the public sidewalk". The trees along Eagle Ranch Rd. are located in a landscape buffer between the sidewalk and the parking lot.

12. Zoning Code §14-16-3-18 (D)(3), General Building and Site Design Regulation for Non-Residential Uses, requires that buildings with 6 or more water closets provide outdoor gathering space for employees. Such space shall be a minimum of 300 sf with seating and shade covering at least 25% of the area.

13. A Traffic Impact Study (TIS) was required and has been completed.

14. A facilitated meeting was held. There is neighborhood support for the project and no known opposition.

CONDITIONS:

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

2. Prior to final DRB sign off, the applicant shall meet with the Development Review staff planner to ensure that conditions of approval are thoroughly addressed. Evidence of this meeting shall be provided to the DRB at the time of application.

3. General Site Plan Note #2, regarding future development of Tract C-3-A, shall be clarified.

4. Walls/Fences
   A. The 3 ft. screen wall shall be stucco finished in an earthtone color to not detract from the arroyo setting and match the buildings.
   B. The color of the split-face CMU block shall be specified.
   C. The wall detail shall depict the screen wall as 3 ft. tall.

5. Vehicle Circulation: Striping on the pavement shall be posted on the western side of the internal parking area to warn users that they are entering a loading area.

6. Pedestrian Circulation
   A. An additional crosswalk shall be added near the subject site's northeastern corner to connect to the arroyo open space.
   B. Crosswalks shall be made of textured colored concrete and shall be indicated as such on the site plan.

7. Lighting: The lighting detail shall show height from top to grade and shall be corrected to depict that the light poles are 25 ft. high.

8. An area for tenant recycling shall be provided and coordinated with the Solid Waste Management Division (SWMD).

9. Landscaping-Trees
   A. The Arizona Ash trees shall be replaced with Purple Robe Locust or the Wisconsin variety of American Elm, or thornless, seedless locust.
   B. The Flowering Pear trees shall be replaced with Bur Oak.
   C. The Austrian Pines in the eastern landscape buffer shall be replaced with Afghan Pine.
   D. The Austrian Pines in the landscape buffer next to the arroyo shall be replaced with Bur Oak to comply with the Facility Plan for Arroyos.
   E. Street trees shall be placed between the curb and the public sidewalk to comply with the Street Tree Ordinance (Chapter 6, Article 6, R.O. 1974).
   F. The applicant/property owner shall maintain the street trees and indicate this responsibility on the landscape plan.

10. Landscaping-General
   A. A tree planting detail shall be provided.
   B. The type of wildflower shall be specified.
   C. The type of sod shall be drought resistant and specified.

11. An outdoor gathering area for employees, at least 300 sf with 25% covered with seating and shade, shall be provided to comply with Zoning Code §14-16-3-18 (D)(3).

12. The chain link fence shall be removed. If replaced, the fence shall comply with the intent of the Facility Plan for Arroyos and Policy 4: Walls, on page 59.

13. <u>RECOMMENDED CONDITIONS FROM THE ALBUQUERQUE METROPOLITAN FLOOD CONTROL AUTHORITY (AMAFCA):</u>
   A. No objection to EPC approval of Site Development Plan for Subdivision and Site Development Plan for Building Permit.
   B. As a condition of final building permit, the owner is required to enter into a funding agreement with AMAFCA for construction of bank protection on the Calabacillas Arroyo, as identified in the "Calabacillas Arroyo Prudent Line Study and Related Work" (Mussetter Engineering, Inc., 1998). The contours as shown on the Grading and Drainage Plan at the top of the bank slope are not current. This area of the arroyo sustained damage in July 2006 which required emergency repair by AMAFCA. AMAFCA's consultant is currently preparing a construction plan to prevent further erosion in the arroyo.
   C. At time of building permit, the engineer shall coordinate with AMAFCA for access from Eagle Ranch and through the site.
   D. The "Existing Permanent Underground AMAFCA Drainage Easement and Waterline Easement" shown on the Site Plan was quitclaimed to the City.

14. AUTHORITY and NMDOT:
Conditions of approval for the proposed Site Development Plan for Subdivision and Site Development Plan for Building Permit shall include:

A. All the requirements of previous actions taken by the EPC and/or the DRB must be completed and /or provided for.
B. The Developer is responsible for permanent improvements to the transportation facilities adjacent to the proposed site development plan for subdivision. Those improvements will include any additional right-of-way requirements, paving, curb and gutter, sidewalk and ADA accessible ramps that have not already been provided for. All public infrastructure constructed within public right-of-way or public easements shall be to City Standards. Those Standards will include but are not limited to sidewalks (std. dwg. 2430), driveways (std. dwg. 2425), private entrances (std. dwg. 2426) and wheel chair ramps (std. dwg. 2441).
C. Per Transportation Development Staff, completion of the required system improvements that are attributable to the development, as identified in the TIS, is required.
D. Cross access to all tracts will be provided per note on Site Plan for Building Permit and future plat.
E. Site drives shall be designed and located per TIS. Left turn and right turn deceleration lanes to be designed and provided per TIS and DPM.
F. Eagle Ranch road west site drive, across from median opening, needs to align with existing site drive on opposite site of road or centerlines to be within 10' of one another.
G. Provide truck circulation plan with turning template information.
H. Site plan shall comply and be designed per DPM Standards.

15. The applicant shall relocate the northern dumpster to the northeast corner of the site and install a minimum 450 square foot patio area at least 80 feet from the dumpster.

16. All sidewalks shall be a minimum of 6 feet wide.

IF YOU WISH TO APPEAL/PROTEST THIS DECISION, YOU MUST DO SO BY **NOVEMBER 3, 2006** IN THE MANNER DESCRIBED BELOW. A NON-REFUNDABLE FILING FEE WILL BE CALCULATED AT THE LAND DEVELOPMENT COORDINATION COUNTER AND IS REQUIRED AT THE TIME THE APPEAL IS FILED. IT I S 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.

Appeal to the City Council: Persons aggrieved with any determination of the Environmental Planning Commission acting under this ordinance and who have legal standing as defined in Section 14-16-4-4.B.2 of the City of Albuquerque Comprehensive Zoning Code may file an appeal to the City Council by submitting written application on the Planning Department form to the Planning Department within 15 days of the Planning Commission's decision. The date the determination in question is issued is not included in the 15-day period for filing an appeal, and if the fifteenth day falls on a Saturday, Sunday or holiday as listed in the Merit System Ordinance, the next working day is considered as the deadline for filing the appeal. The City Council may decline to hear the appeal if it finds that all City plans, policies and ordinances have been properly followed. If they decide that all City plans, policies and ordinances have not been properly followed, they shall hear the appeal. Such appeal, if heard, shall be heard within 45 days of its filing.

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

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

Sincerely,

CMarrone

for Richard Dineen
Planning Director

RD/CL/ac

cc: LB/VCC Eagle Ranch LLC, 125 Sir Francis Drake Blvd. 3rd Floor, Larskpur, CA 94939
Larry Weaver, Paradise Hills Civic Association, 6001 Unitas Ct. NW, Albuq. Nm 87114
Tom Anderson, Paradise Hills Civic Association, 10013 Plunkett Dr. NW, Albuq. NM 87114

Current DRC
Project Number: ORIGINAL

FIGURE 12

INFRASTRUCTURE LIST

(Rev. 9-20-06)

EXHIBIT "A"

TO SUBDIVISION IMPROVEMENTS AGREEMENT

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

Date Submitted: 11/21/06
Date Site Plan Approved: 12/06/06
Date Preliminary Plat Approved: ———
Date Preliminary Plat Expires: ———
DRB Project No.: 1003714
DRB Application No.: 06-01647

1 1-25-07

Tract C-2-A and C-3-A Adobe Wells Subdivision
PROPOSED NAME OF PLAT AND/OR SITE DEVELOPMENT PLAN

Tract C-2 and C-3 Adobe Wells Subdivision
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	Private P.E.	City Cnst Engineer
		12' F-E	Sidewalk and Curb and Gutter for westbound right turn lane (Deferred Item - Modified Procedure B)	Irving Boulevard	175' East of Eagle Ranch	Eagle Ranch	/	/	/
			* Funding Agreement with AMAFCA for arroyo improvements	Calabillas Arroyo	West Property Line	East Property Line	/	/	/
							/	/	/

1 not financially guaranteed thru City SIA process (See page 3)

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	Private P.E.	City Cnst Engineer
							/	/	/
							/	/	/

Approval of Creditable Items:
Impact Fee Administrator Signature Date

Approval of Creditable Items:
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 rquirements.

ORIGINAL

1 * This item to be coordinated with AMAFCA on Financial Guarantee Amount.

Agreement must be ratified by AMAFCA Board before release of SIA.

2 ⚠1 done 1-25-07

3

AGENT / OWNER

Sara Lavy, PE
NAME (print)

Tierra West LLC
FIRM

Sara Lavy
SIGNATURE - date

DEVELOPMENT REVIEW BOARD MEMBER APPROVALS

[signature] 12/06/06
DRB CHAIR - date

Christina Sandoval 12/6/06
PARKS & RECREATION - date

[signature] 12-6-06
TRANSPORTATION DEVELOPMENT - date

_____
AMAFCA - date

William J. Balch 12/6/06
UTILITY DEVELOPMENT - date

[signature] 12-6-06
- date

Bradley L. Brigham 12/6/6
CITY ENGINEER - date

_____
- date

DESIGN REVIEW COMMITTEE REVISIONS

REVISION	DATE	DRC CHAIR	USER DEPARTMENT	AGENT /OWNER
1	1-25-07	[signature]	Bradley L. Brigham	Kris D. Krueger

No. Of Lots **2**
Nearest Major Streets **Eagle Ranch Rd. NW**

FIGURE 12

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

AGREEMENT TO CONSTRUCT
PUBLIC AND/OR PRIVATE SUBDIVISION IMPROVEMENTS

THIS AGREEMENT is made this 5th day of March, 2007, by and between the City of Albuquerque, New Mexico ("City"), a municipal corporation, whose address is P. O. Box 1293 (One Civic Plaza), Albuquerque, New Mexico 87103, and **LB/VCC Eagle Ranch LLC** ("Subdivider"), a [state the type of business entity, for instance, "New Mexico corporation," "general partnership," "joint venture," "individual," etc.:] **Limited Liability Corporation**, whose address is **125 Sir Francis Drake Blvd, 3rd Floor, Larkspur, CA 94939** and whose telephone number is **415-381-1600**, is made in Albuquerque, New Mexico, and is entered into as of the date of final execution of this Agreement.

1. Recital. The Subdivider is developing certain lands within the City of Albuquerque, Bernalillo County, New Mexico, known as [describe:] **Tracts C-2 & C-3, Adobe Wells**, recorded on **February 2**, 19**89** in the records of the Bernalillo County Clerk at Book **C38**, Folio **110** (the "Subdivision"). The Subdivider certifies that the Subdivision is owned by [state the name of the present real property owner exactly as shown on the real estate document conveying title in the Subdivision to the present owner:] **LB/VCC Eagle Ranch LLC** ("Owner").

The Subdivider has submitted and the City has approved a preliminary plat or Site Development Plan identified as **Venture Commerce Center** describing Subdivider's Property.

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

2. Improvements and Construction Deadline. The Subdivider agrees to install and complete the public and/or private improvements described in Exhibit A, the required infrastructure listing ("Improvements"), to the satisfaction of the City, on or before the **20th** day of **February**, 20**09** ("Construction Completion Deadline"), at no cost to the City. The improvements are shown in greater detail on the Subdivider's proposed and approved plans, which have been filed with the City Engineer and are identified as Project No. **277482**.

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

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the extension.

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

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

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

Type of Fee	Amount
Engineering Fee	3.25% of Actual Construction Cost
Excavation & Sidewalk Fees	As required per City-approved estimate
Street Restoration Fees	As required per City-approved estimate (Fig. 7)

(***Note:*** *The Subdivider must pay the City all City fees which have been incurred during construction before the City will accept the Public Improvements.*)

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

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

B. Construction Inspection methods. Inspection of the construction of the Public Improvements shall be performed by **Tierra West LLC**, and inspection of the Private Improvements shall be performed by **Tierra West LLC**, both New Mexico Registered Professional Engineers. If the inspection is performed by an entity other than the City, the City may monitor the inspection and the Subdivider shall ensure that the inspecting entity provides all inspection results, reports and related data to the City, which the City requires for review. The City retains the right to perform its own general overall inspection of the construction project at any time prior to final acceptance of the Improvements, if deemed necessary or advisable by the City engineer. The Subdivider shall pay the [illegible] fee for the level of inspection

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performed by the City.

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

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

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

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

Type of Financial Guaranty: **Subdivision Bond** CWS 70909
Amount: $ **18, 392.72**
Name of Financial Institution or Surety providing Guaranty:
WESTERN INSURANCE COMPANY
Date City first able to call Guaranty: **February 20, 2009**
[Construction Completion Deadline]: **February 20, 2009**
If Guarantee other than a Bond, last day City able to call on Guaranty is:
_____
Additional information:_____

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

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

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

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

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

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

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

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

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

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

10. Indemnification. Until the Improvements are accepted by the City, the Subdivider shall be solely responsible for maintaining the premises upon which the Improvements are being constructed in a safe condition. The Subdivider agrees to defend, indemnify and hold harmless the City and its officials, agents and employees from any claims, actions, suits or other proceedings arising from or out of the negligent acts or omissions of the Subdivider, its agents, representatives, contractors or subcontractors or arising from the failure of the Subdivider, its agents, representatives, contractors or subcontractors to perform any act or duty required of the Subdivider herein; provided, however, to the extent, if at all, Section 56-7-1 NMSA 1978 is applicable to this Agreement, this Agreement to indemnify will not extend to liability, claims, damages, losses or expenses, including attorney fees, arising out of (1) the preparation or approval of maps, drawings, opinions, reports, surveys, change orders, designs or specifications by the indemnitee, or the agents or employees of the indemnitee; or (2) the giving of or the failure to give directions or instructions by the indemnitee, where such giving or failure to give directions or instructions is the primary cause of bodily injury to persons or damage to property. The indemnification required hereunder sha" [illegible] result of the specifications of

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any applicable insurance coverage. Nothing herein is intended to impair any right or immunity under the laws of the State of New Mexico.

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

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

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

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

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

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

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

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

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

20. Form not Changed. Subdi [illegible] changes to this form are not binding

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unless initialed by the Subdivider and signed by the City's Legal Department on this form.

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

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

SUBDIVIDER:
LB/VCC Eagle Ranch, LLC

By [Signature]: Todd
Name: **Todd Berryhill**
Title: **Manager**
Dated: 2/27/07

CITY OF ALBUQUERQUE

Approved by:
City Engineer
Dated: 3-05-07

Lyf 3/5/07

NV
3-1-07

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SUBDIVIDER'S NOTARY

STATE OF **New Mexico**)
) ss.
COUNTY OF **Bernalillo**)

This instrument was acknowledged before me on 27th day of February, 2007 by [name(s) of person(s):] **Todd Berryhill**,[title or capacity, for instance, "President" or "Owner":] **Manager** of [Subdivider:] **LB/VCC Eagle Ranch, LLC**.

Keli D. Krueger
Notary Public

My Commission Expires:

March 16, 2010

OFFICIAL SEAL
KELI D. KRUEGER
NOTARY PUBLIC - STATE OF NEW MEXICO
My Commission Expires: March 16, 2010

CITY'S NOTARY

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

This instrument was acknowledged before me on 5 day of March, 2007 by Richard Dourte, City Engineer, of the City of Albuquerque, a municipal corporation, on behalf of said corporation.

Claire Senova
Notary Public

My Commission Expires:

7.30.2008

OFFICIAL SEAL
CLAIRE SENOVA
NOTARY PUBLIC
STATE OF NEW MEXICO
My Commission Expires: 7.30.08

EXHIBIT A AND POWER OF ATTORNEY ATTACHED

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Current DRC
Project Number:

ORIGINAL

FIGURE 12

INFRASTRUCTURE LIST

(Rev. 9-20-05)

EXHIBIT "A"

TO SUBDIVISION IMPROVEMENTS AGREEMENT

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

Date Submitted: 11/21/06
Date Site Plan Approved: 12/06/06
Date Preliminary Plat Approved: —
Date Preliminary Plat Expires: —
DRB Project No.: 1003714
DRB Application No.: 06-01647

1 1-25-07

Tract C-2-A and C-3-A Adobe Wells Subdivision
PROPOSED NAME OF PLAT AND/OR SITE DEVELOPMENT PLAN

Tract C-2 and C-3 Adobe Wells Subdivision
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	Private P.E.	City Cnst Engineer
		12' F-E	Sidewalk and Curb and Gutter for westbound right turn lane (Deferred Item - Modified Procedure B)	Irving Boulevard	175' East of Eagle Ranch	Eagle Ranch	/	/	/
			* Funding Agreement with AMAFCA for arroyo Improvements	Calabilas Arroyo	West Property Line	East Property Line	/	/	/

1 not financially guaranteed thru City SIA process (See page 3)

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	Private P.E.	City Cnst Engineer
							/	/	/
							/	/	/

Approval of Creditable Items:
Impact Fee Administrator Signature Date

Approval of Creditable Items:
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 rquirements.

ORIGINAL

1 * This item to be coordinated with AMAFCA on Financial Guarantee Amount.

Agreement must be ratified by AMAFCA Board before release of SIA.

2 ⚠1 Done 1-25-07

3

AGENT / OWNER

Sara Lavy, PE
NAME (print)

Tierra West LLC
FIRM

SIGNATURE - date

DEVELOPMENT REVIEW BOARD MEMBER APPROVALS

DRB CHAIR - date 12/06/06

Christina Sandoval 12/6/06
PARKS & RECREATION - date

12-6-06
TRANSPORTATION DEVELOPMENT - date

AMAFCA - date 12-6-06

William J. Balch 12/6/06
UTILITY DEVELOPMENT - date

Bradley L. Brigham 12/6/6
CITY ENGINEER - date

- date

DESIGN REVIEW COMMITTEE REVISIONS

REVISION	DATE	DRC CHAIR	USER DEPARTMENT	AGENT /OWNER
1	1-25-07		Bradley L. Brigham	Kelli D. Krueger

(rev. 8-20-05)

FINANCIAL GUARANTY AMOUNT

01/30/2007

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

Project Description:

Project ID #: 277482, Venture Commerce @ Adobe Wells, Phase/Unit #: 1

Requested By: **Sara Lavy, P.E. - Tierra West, Fax 858-1118**

Approved estimate amount:		$9,082.76
Contingency Amount:	30.00%	$2,724.83
Subtotal:		$11,807.59
NMGRT	6.875%	$811.77
Subtotal:		$12,619.36
Engineering Fee	6.60%	$832.88
Testing Fee	10.00%	$1,261.94
Subotal:		$14,714.18
FINANCIAL GUARANTY RATE		1.25
Retainage Amount:		$.00
TOTAL FINANCIAL GUARANTY REQUIRED		**$18,392.72**

APPROVAL: DATE:

1/30/07

Notes: Agreement must be ratified by AMAFCA Board before ROFG

FIGURE 16
(Procedure B)
SUBDIVISION BOND

Bond No. [Surety's No:] CWS70909

SUBDIVISION IMPROVEMENTS BOND

KNOW ALL MEN BY THESE PRESENTS: That we [name of subdivider:] **LB/VCC Eagle Ranch, LLC** ("Subdivider") a [state type of business entity, for instance, "New Mexico corporation," "general partnership", "joint venture", "individual", etc:] **Limited Liability Corporation** as "Principal", and [name of surety:] WESTERN INSURANCE COMPANY, a corporation organized and existing under and by virtue of the laws of the State of Nevada and authorized to do business in the State of New Mexico, as "Surety," whose address is 580 E Plumb Lane, Reno, NV 89502 and whose telephone number is 775-829-6650 are held and firmly bound unto the CITY OF ALBUQUERQUE in the penal sum of [written amount:] **Eighteen thousand three hundred ninety-two AND 72/100** Dollars, ([amount in figures:] (**$ 18,392.72**), as amended by change orders approved by the Surety or changes to the infrastructure list approved by the City Development Review Board, the payment of which is well and truly to be made, and each of us bind ourselves, our and each of our heirs, executors, administrators, successors and assigns, jointly and severally, and firmly by these presents.

NOW, THEREFORE, the condition of the above obligation is such that:

WHEREAS, the Principal is the owner of and/or is interested in or is developing land and premises known as [name of subdivision:] **Tracts C-2 & C-3, Adobe Wells** ("Subdivision"), City Project No. **277482**; and

WHEREAS, said Subdivision is subject to the provisions and conditions of the ordinance of the CITY OF ALBUQUERQUE known as the Subdivision Ordinance, the requirements of which include the installation of various other improvements by the Principal; and

WHEREAS, the Subdivision Ordinance also requires the Principal to install and construct the following improvements at the Subdivision: [list the improvements, e.g., water, sewer, pavement, sidewalks:] **Infrastructure** ("Improvements")

All construction shall be performed in accordance with the Agreement to Construct Public and/or Private Subdivision Improvements Agreement entered into between [name of Subdivider;] **LB/VCC Eagle Ranch, LLC** and the CITY OF ALBUQUERQUE, as recorded in the office of the Clerk of Bernalillo County, New Mexico, in Book Misc. [leave blank:] A133, pages [leave blank:] 6704 through [leave blank:] 6704, as amended by change orders or amendments to the Agreement.

Bond No. [surety's No:]CWS70909

NOW, THEREFORE, if the Principal completes construction of the Improvements and facilities and performs the work herein above specified to be performed, all on or before [Construction Completion Deadline established in Agreement or as amended:] **February 20, 2009** ("the "Construction Completion Deadline"), then this obligation shall be null and void; if the Principal does not complete construction by or before the Construction Completion Deadline, the City may call on this obligation until released by the City.

IN WITNESS WHEREOF, this bond has been executed 9th day of February, 2007.

SUBDIVIDER LB/VCC Eagle Ranch, LLC

By [signature:] Todd Berghuis
Name: Todd
Title: V.P.
Dated: 12/2/07

SURETY WESTERN INSURANCE COMPANY

By [signature:] Caroline L Brown
Name: Caroline L Brown
Title: Attorney-in-Fact
Dated: February 9, 2007

STATE OF Nevada)
)ss.
COUNTY OF Clark)

Subscribed and sworn to before me this 9th day of February, 2007.

Mary M Paxson
NOTARY PUBLIC

My Commission Expires:

August 2, 2010

NOTARY PUBLIC
STATE OF NEVADA
County of Clark
MARY M. PAXSON
No: 0[illegible]
My Appointment Expires Aug. 2, 2010

*NOTE: Power of Attorney for Surety must be attached.

STATE OF **CALIFORNIA**)SS
COUNTY OF **MARIN**)

On Feb. 12, 2007 before me, **Margaret A. Meinberg, Notary Public,** personally appeared Todd Bemyill, personally known to me (~~or proved to me on the basis of satisfactory evidence~~) to be the person whose name is subscribed to the within instrument and acknowledged to me that he executed the same in his authorized capacity and that by his signature on the instrument the person or the entity upon behalf of which the person acted, executed the instrument.

WITNESS my hand and official seal.

Signature

MARGARET A. MEINBERG
Commission # 1660321
Notary Public - California
Marin County
My Comm. Expires May 21, 2010

My Commission Expires: May 21, 2010

This area for official notarial seal

Notary Name: Margaret A. Meinberg
Notary Registration Number: 1660321

Notary Phone: 415-464-2000
County of Principal Place of Business: Marin County

WESTERN INSURANCE COMPANY

306487

POWER OF ATTORNEY

KNOW ALL MEN BY THESE PRESENTS: That WESTERN INSURANCE COMPANY, a corporation organized and existing under the laws of the State of Nevada and having its principal office at the City of Reno, in the State of Nevada, does hereby constitute and appoint

Caroline L. Brown

Of the STATE OF NEVADA its true and lawful Attorney(s)-in-Fact, each in their separate capacity if more than one is named above, to sign its name as surety to, and to execute, seal and acknowledge any and all bonds, undertakings, contracts and other written instruments in the nature thereof on behalf of the Company in its business of guaranteeing the fidelity of persons; guaranteeing the performance of contracts; and executing or guaranteeing bonds and undertakings required or permitted in any actions or proceedings allowed by law.

In Witness Whereof, the said WESTERN INSURANCE COMPANY has caused this instrument to be sealed with its corporate seal, duly attested by the signatures of its President and Secretary, this 19th day of June, 2006.

WESTERN INSURANCE COMPANY

ACKNOWLEDGMENT OF CORPORATE SURETY

NOTARY PUBLIC
STATE OF NEVADA
County of Clark
MARY M. PAXSON
No: 02-77067-1
My Appointment Expires Aug. 2, 2010

STATE OF Nevada)
ss
County of Clark)

On this 9th day of February, 2007, before me appeared Caroline L. Brown to me personally known, who being by me duly sworn, did say that he is the aforesaid officer or attorney in fact of the WESTERN INSURANCE COMPANY a corporation; that the seal affixed to the foregoing instrument is the corporate seal of said corporation, and that said instrument was signed and sealed in behalf of said corporation by the aforesaid officer, by authority of its Board of Directors; and the aforesaid officer acknowledged said instrument to be the free act and deed of said corporation.

My Commission Expires

August 2, 2010

Mary M Paxson
Notary Public

Clark County, Nevada

shall be valid and binding upon the Company with respect to any bond or undertaking to which it is validly attached.

RESOLVED, that Attorney(s)-in-Fact shall have the power and authority, unless subsequently revoked and, in any case, subject to the terms and limitations of the Power of Attorney issued to them, to execute and deliver on behalf of the Company and to attach the seal of the Company to any and all bonds and undertakings, and other writings obligatory in the nature thereof, and any such instrument executed by such Attorney(s)-in-Fact shall be as binding upon the Company as if signed by an Executive Officer and sealed and attested to by the Secretary of the Company.

I, CAROL B. INGALLS, Secretary of the WESTERN INSURANCE COMPANY, do hereby certify that the foregoing is a true excerpt from the Resolution of the said Company as adopted by its Board of Directors on June 19, 2006 and that this Resolution is in full force and effect.

I, the undersigned Secretary of the WESTERN INSURANCE COMPANY do hereby certify that the foregoing Power of Attorney is in full force and effect and has not been revoked.

In Testimony Whereof, I have hereunto set my hand and the seal of the WESTERN INSURANCE COMPANY on this 9th day of February, 2007

WESTERN INSURANCE COMPANY INCORPORATED SEAL 1994 STATE OF NEVADA

Carol B. Ingalls
Secretary

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 & Type: [ ] Free-Standing Tower -OR- [ ] Concealed Tower

Private Development [ ] EPC [X] DRB [ ] LUCC [ ] Liquor Submittal

[ ] Administrative Amendments (AA's)

City Project [ ] **Special Exception Application** (ZHE) **[ ]**

CONTACT NAME: **Keli Krueger**

COMPANY NAME: **Tierra West LLC**

ADDRESS/ZIP: **5571 Midway Park Place NE Albuquerque, NM 87109**

PHONE: **505-858-3100** FAX: **505-858-1118**

LEGAL DESCRIPTION INFORMATION

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

C-2-A & C-3-A, Adobe Wells

LEGAL DESCRIPTION

LOCATED ON **Eagle Ranch Drive NW**

STREET NAME OR OTHER IDENTIFYING LANDMARK

BETWEEN **Westside Drive NW** AND

STREET NAME OR OTHER IDENTIFYING LANDMARK

Calabacillas Arroyo

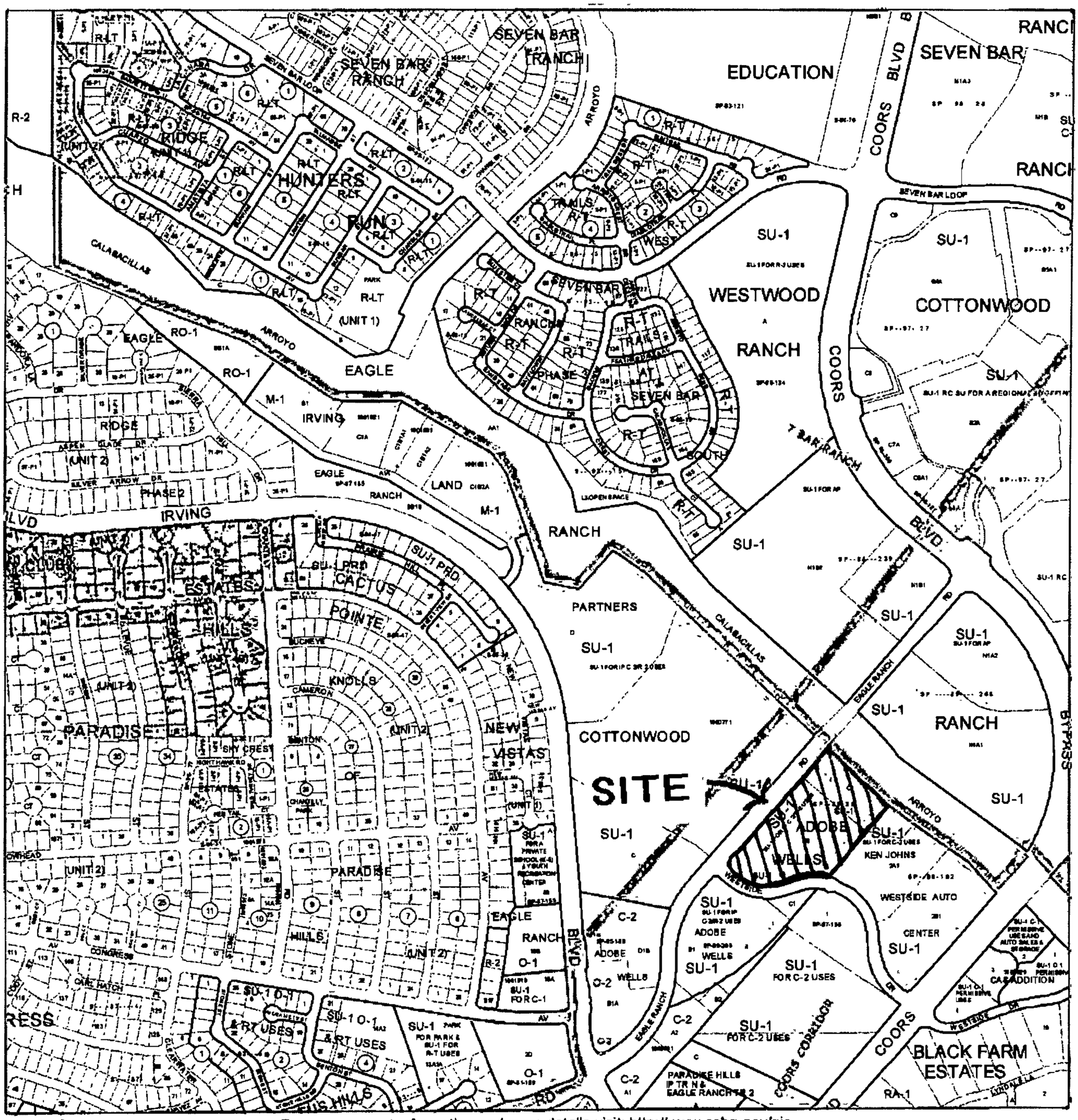
STREET NAME OR OTHER IDENTIFYING LANDMARK

THE SITE IS INDICATED ON THE FOLLOWING ZONE ATLAS PAGE (**B-13**).

(PLEASE MARK/HATCH ZONE MAP WHERE PROPERTY IS LOCATED)

(Zone Map MUST be provided with request)

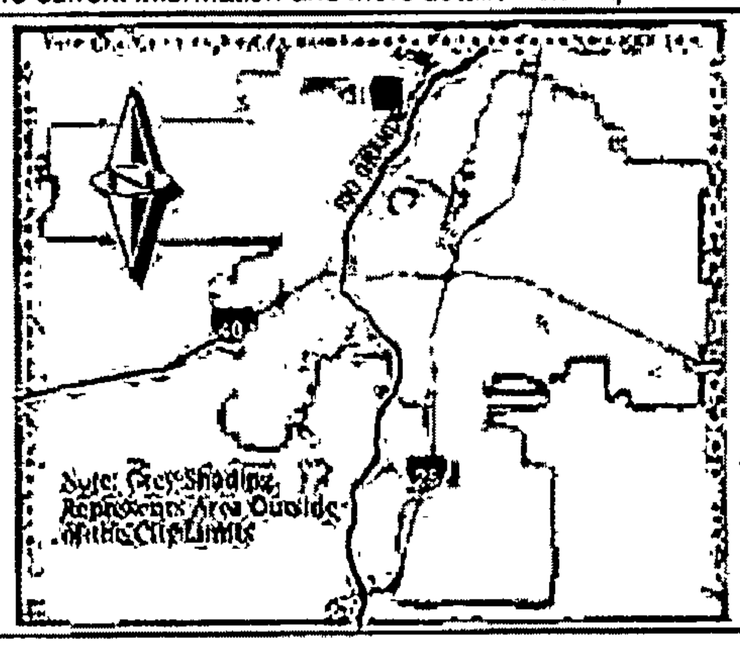
developinquirysheet (11/17/08)



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

AGIS
Albuquerque Geographic Information System

Map amended through: 5/1/2006



Zone Atlas Page:

B-13-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

0 750 1,500 Feet

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. It is your responsibility to provide current information – outdated information may result in a deferral of your case.

February 6, 2009

Keli Krueger
Tierra West, LLC
5571 Midway Park Place NE/87109
Phone: 505-858-3100/Fax: 505-858-1118

Dear Keli:

Thank you for your inquiry of **February 6, 2009** requesting the names of **ALL Neighborhood and/or Homeowner Associations** who would be affected under the provisions of O-92 by your proposed project at **(DRB SUBMITTAL) – C-2-A AND C-3-A. ADOBE WELLS, LOCATED ON EAGLE RANCH DRIVE NW BETWEEN WESTSIDE DRIVE NW AND CALABACILLAS ARROYO** zone map **B-13.**

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

PARADISE HILLS CIVIC ASSOC. (PHC) "R"
Thornton Schwenk
5125 Russell Dr. NW/87114 897-2382 (h) 459-9543 (c)
Tom Anderson
10013 Plunkett Dr. NW/87114 897-2593 (h) 304-0106 (c)

Please note that according to O-92 you are required to notify each of these contact persons by **certified mail, return receipt requested, before** the Planning Department will accept your application filing. **IMPORTANT! Failure of adequate notification may result in your Application Hearing being deferred for 30 days.** If you have any questions about the information provided, please contact me at (505) 924-3902 or via an e-mail message at 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 NEIGHBORHOOD AND/OR HOMEOWNER ASSOCIATION.

!!!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.

[X] **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.

[X] **Copies of Letters to Neighborhood and/or Homeowners Associations *(if there are associations).* A copy must be submitted with application packet.**

[X] **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.

Thank you for your cooperation on this matter.

* * * *

7005 1160 0000 1000 7534

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(Domestic Mail Only; No Insurance Coverage Provided)

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Postage	$ .42
Certified Fee	2.70
Return Receipt Fee (Endorsement Required)	2.20
Restricted Delivery Fee (Endorsement Required)	
Total Postage & Fees	$ 5.32

ALBUQUERQUE NM 87101 USPS FEB 6 2009 Postmark Here

Sent To: Tom Anderson
Paradise Hills Civic Assoc.
Street, Apt. No., or PO Box No.: 10013 Plunkett Dr. NW
City, State, ZIP+4: Albuquerque, NM 87114

PS Form 3800, June 2002 — See Reverse for Instructions

7005 1160 0000 1000 7541

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

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

OFFICIAL USE

Postage	$ .42
Certified Fee	2.70
Return Receipt Fee (Endorsement Required)	2.20
Restricted Delivery Fee (Endorsement Required)	
Total Postage & Fees	$ 5.32

ALBUQUERQUE NM 87101 USPS FEB 6 2009 Postmark Here

Sent To: Thornton Schwenk
Paradise Hills Civic Assoc.
Street, Apt. No., or PO Box No.: 5125 Russell Dr. NW
City, State, ZIP+4: Albuquerque, NM 87114

PS Form 3800, June 2002 — See Reverse for Instructions

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 February 17, 2009 March 4, 2009

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.

Keli D. Krueger, 2/16/09
(Applicant or Agent) (Date)

I issued 2 signs for this application, 2.6.09, [signature]
(Date) (Staff Member)

Rev. 11/8/90

APPLICATION NUMBER: 1003714

2

City of Albuquerque Planning Department

One Stop Shop – Development and Building Services

11/14/2007 Issued By: E08375

Permit Number: **2007 070 364** **Category Code 910**

Application Number: 07DRB-70364, Epc Approved Sdp For Build Permit

Address:

Location Description: EAGLE RANCH NE BETWEEN WESTSIDE NE AND COORS BYPASS BLVD NE

Project Number: 1003714

Applicant
Associated Home & Rv Sales, Inc
12601 Central Ave Ne
Albuquerque NM 87123
453-8979

Agent / Contact
Alexander Finale
9813 Chantilly Road Nw
Albuquerque NM 87114
205-4778

Application Fees

441018/4871000	Public Notification	
441032/3424000	Conflict Mgmt Fee	
441006/4983000	DRB Deferral Fee	$50.00
	TOTAL:	**$50.00**

City Of Albuquerque
Treasury Division

11/14/2007 3:33PM LOC: ANNX
WS# 006 TRANS# 0010
RECEIPT# 00084700-00084700
PERMIT# 2007070364 TRSCCS
Trans Amt $50.00
DRB Actions $50.00
VI $50.00
CHANGE $0.00

Thank You

City of Albuquerque Planning Department

One Stop Shop – Development and Building Services

11/05/2007 Issued By: E08375

Permit Number: **2007 070 364** **Category Code 910**

Application Number: 07DRB-70364, Epc Approved Sdp For Build Permit

Address:

Location Description: EAGLE RANCH NE BETWEEN WESTSIDE NE AND COORS BYPASS BLVD NE

Project Number: 1003714

Applicant
Associated Home & Rv Sales, Inc
12601 Central Ave Ne
Albuquerque NM 87123
453-8979

Agent / Contact
Alexander Finale
9813 Chantilly Road Nw
Albuquerque NM 87114
205-4778

Application Fees

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

City Of Albuquerque
Treasury Division

11/5/2007 1:44PM LOC: ANNX
WS# 006 TRANS# 0020
RECEIPT# 00084308-00084308
PERMIT# 2007070364 TRSCC5
Trans Amt $20.00
APN Fee $20.00
CK $20.00
CHANGE $0.00

Thank You

City of Albuquerque Planning Department

One Stop Shop – Development and Building Services

12/11/2007 Issued By: E08375

Permit Number: **2007 070 364** **Category Code 910**

Application Number: 07DRB-70364, Epc Approved Sdp For Build Permit

Address:

Location Description: EAGLE RANCH NE BETWEEN WESTSIDE NE AND COORS BYPASS BLVD NE

Project Number: 1003714

Applicant
Associated Home & Rv Sales, Inc
12601 Central Ave Ne
Albuquerque NM 87123
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9813 Chantilly Road Nw
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205-4778

Application Fees

441018/4971000	Public Notification	
441032/3424000	Conflict Mgmt Fee	
441006/4983000	DRB Actions	$50.00
	TOTAL:	**$50.00**

City Of Albuquerque
Treasury Division

12/11/2007 10:CEAM LOC: ANEX
JS4 CC8 TRANS# 0005
RELEIPT# 00085070-00085070
PERMIT# 2007070364 TRDING
Trans Amt $50.00
DRD Actions $50.00
CA $50.00
CHANGE $0.00

Thank You

Alexander Finale Architect, Ltd.

Architecture Planning Design Management

November 14, 2007

To: Sheran Matson, DRB Chair
City of Albuquerque Planning Department

From: Alexander Finale, R.A.

Re: Design Review Board (DRB) Deferral Request for DRB application #07DRB-70365

Dear Ms. Matson,

I' am hereby requesting a one week deferral for the Westside Enchantment RV Office, Retail, and Warehouse Project number 1003714 (DRB application #07DRB-70365) in order to meet the design requirements set forth by the City of Albuquerque Planning Department.

I have a meeting scheduled with Carol Toffaleti, City Planner, to go over the required revisions and corrections.

Please, feel free to contact me at (505) 205-4778 should you have any questions.

Regards,

Alexander Finale, R.A.

11/14/07
deferral fee paid.
Waiting for receipt

9813 Chantilly Road NW Albuquerque, New Mexico 87114
Tel.: (505) 899-5442 Fax: (505) 899-4964

Alexander Finale Architect, Ltd.

Architecture Planning Design Management

November 14, 2007

To: Sheran Matson, DRB Chair
City of Albuquerque Planning Department

From: Alexander Finale, R.A.

Re: Design Review Board (DRB) Deferral Request for DRB application #07DRB-70365

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I have a meeting scheduled with Carol Toffaleti, City Planner, to go over the required revisions and corrections.

Please, feel free to contact me at (505) 205-4778 should you have any questions.

Regards,

Alexander Finale, R.A.

9813 Chantilly Road NW Albuquerque New Mexico 87114
Tel.: (505) 899-5442 Fax: (505) 899-4964

To: Angela

From Mike Guier

Re Project # 1003714

We Request to Be Deffered to DRB

Meeting on 11/28/07 & Put Back on

Agenda

We will have E/C Sign OFF

on That Meeting

11/21/07

DEVELOPMENT REVIEW BOARD
FAX FORM

TO Alexander Finale

FAX NUMBER 899-4964 # PAGES 3

SENT BY: Sheran Matson, DRB Chair PHONE : 924-3880

FAX # 924-3864 PROJECT: 1003714

****

You will need Carol's initials on your original showing you have satisfied her comments.
Also the site plan sheets title should read "Site Plan for Building Permit." Needs basic site data.

If you want to defer, you may. $50 deferral fee. If not, come at 9am.

He spoke w/ Andrew on 11/13/01

City of Albuquerque

DEVELOPMENT/ PLAN REVIEW APPLICATION

Supplemental form

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

SITE DEVELOPMENT PLAN — P
- ____ for Subdivision
- ____ for Building Permit
- ____ Administrative Amendment (AA)
- ____ IP Master Development Plan — D
- ____ Cert. of Appropriateness (LUCC) — L

STORM DRAINAGE (Form D) — A
- ____ Storm Drainage Cost Allocation Plan

Z ZONING & PLANNING
- ____ Annexation
  - ____ County Submittal
  - ____ EPC Submittal
- ____ Zone Map Amendment (Establish or Change Zoning)
- ____ Sector Plan (**Phase I, II, III**)
- ____ Amendment to Sector, Area, Facility or Comprehensive Plan
- ____ Text Amendment (Zoning Code/Sub Regs)
- ____ Street Name Change (Local & Collector)

A APPEAL / PROTEST of...
- ____ Decision by: DRB, EPC, LUCC, Planning Director or Staff, ZHE, Zoning Board of Appeals

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

APPLICATION INFORMATION:

Professional/Agent (if any): Alexander Finale PHONE: (505) 205-4778
ADDRESS: 9813 Chantilly Road NW FAX: (505) 899-4964
CITY: Albuquerque STATE NM ZIP 87114 E-MAIL: alexfinale@msn.com

APPLICANT: Associated Home & RV Sales, Inc. PHONE: (505) 453-8979
ADDRESS: 12601 Central Ave NE FAX: (505) 332-1613
CITY: Albuquerque STATE NM ZIP 87123 E-MAIL: mgrier1941@aol.com
Proprietary interest in site: ____ List all owners: ____

DESCRIPTION OF REQUEST: SPBP — FINAL SIGN OFF

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 C-3-A Block: ____ Unit: ____
Subdiv/Addn/TBKA: Adobe Wells Subdivision
Existing Zoning: SU-1 for IP/C-2/R-2 Proposed zoning: ____ MRGCD Map No ____
Zone Atlas page(s): B13 UPC Code: 101306539510090143

CASE HISTORY:

List any current or prior case number that may be relevant to your application (Proj., App., DRB-, AX_,Z_, V_, S_, etc.): ____

CASE INFORMATION:

Within city limits? X Yes Within 1000FT of a landfill? No
No. of existing lots: ____ No. of proposed lots: ____ Total area of site (acres): 2.29
LOCATION OF PROPERTY BY STREETS: On or Near: NE Corner of Eagle Ranch & Westside Dr.
Between: Coors and Irving on Eagle Ranch

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

SIGNATURE [signature] DATE 11/5/07
(Print) Alexander Finale Applicant: ☐ Agent: ☒

FOR OFFICIAL USE ONLY

Form revised 4/07

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

Application case numbers	Action	S.F.	Fees
07DRB - 70364	SBP	___	$ 20.00
____ - ____ - ____	____	___	$ ____
____ - ____ - ____	____	___	$ ____
____ - ____ - ____	____	___	$ ____
____ - ____ - ____	____	___	$ ____
			Total
			$ 20.00

Hearing date Nov. 14 2007

[signature]
Planner signature / date

Project # 1003714

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)**

N/A 5 Acres or more & zoned SU-1, IP, SU-2, PC, or Shopping Center: Certificate of No Effect or Approval
✓ Site plan and related drawings (folded to fit into an 8.5" by 14" pocket) **6 copies**
✓ Approved Grading and Drainage Plan (folded to fit into an 8.5" by 14" pocket) **6 copies**
✓ Solid Waste Management Department signature on Site Plan for Building Permit *
✓ Zone Atlas map with the entire property(ies) clearly outlined ✓
✓ Letter carefully explaining how each EPC condition has been met **and** a copy of the EPC Notification of Decision * Copy
N/A Infrastructure List, if relevant to the site plan N/A BSB * MRC
✓ 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 Z Pe case *

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.

M.T. Grier CEO AHRI
Applicant name (print)
11/5/07
Applicant signature / date

Form revised **October 2007**

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

Application case numbers
07DRB - _____ - 70364
_____ - _____ - _____
_____ - _____ - _____

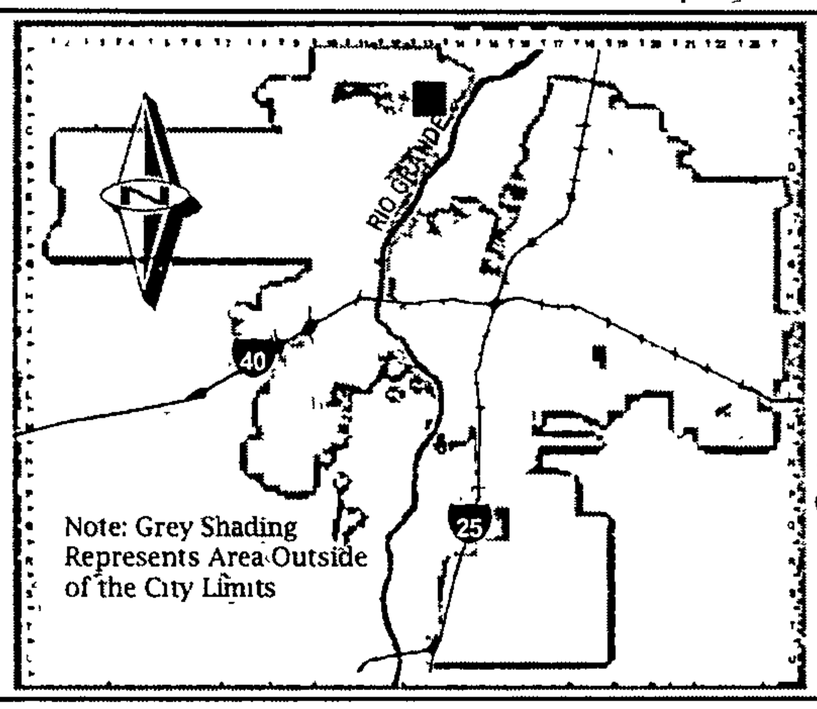
Planner signature / date

Project # 1003714

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

Albuquerque Geographic Information System

Map amended through: 5/17/2007



Zone Atlas Page:

B-13-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

0 — 750 — 1,500 Feet

Associated Home & RV Sales, Inc.

12601 Central Ave N. E. Albuquerque, NM 87123
Ph 505-332-1612 Fax 505-332-1613

November 5, 2007

Sheran Matson, AICP
Planning Manager
DRB Chair
P.O. Box 1293
600 2nd St., NW
Albuquerque, NM 87103
% Development & Building Services Div
City of Albuquerque

Reference: **Project Number 1003714**

Dear Sheran:

Please accept this letter as our explanation of how the EPC Approval (Copy attached) conditions have been met. I have attached a copy of the Architects letter (Alex Finale) explaining how all conditions were conformed too. We have conformed to each and every requested condition. Each condition has been met and carefully drawn and explained on the new Site Plan drawings submitted with this letter to the DRB. Each condition on the site plan is self explanatory as drawn.

If you have any questions feel free to contact me on my Cell Phone (505-453-8979) or contact our representative, Alex Finale at 505-899-4964.

Mr. Finale is our Professional Agent listed and will be attending the DRB hearing scheduled for November 14, 2007. He has all the knowledge needed on this project and has our full authority to act on our behalf to make any changes that possibly might be requested.

Sincerely,

M. T. Grier Sr., CEO

City of Albuquerque
Planning Department
Inter-Office Memorandum

To: Sheran Matson, DRB Chair

cc: Alexander Finale, R.A.

From: Carol Toffaleti, Planner, Development Review Division

Date: November 13, 2007

Subject: Project # 1003714 / 07EPC-00567- Enchantment RVs

On July 19, 2007, the Environmental Planning Commission approved Project #1003714 / 07EPC-00567, a Site Development Plan for Building Permit, subject to 9 findings and 19 conditions, for an approximately 2.3-acre site located on Eagle Ranch Rd NW at Westside Dr. NW, zoned SU-1 for IP, C-2 and R-2. The proposal includes a 9,000 sf building to sell and service RVs and an outdoor display area.

The DRB submittal is incomplete and there are a number of inconsistencies and omissions on the sheets that have been submitted. Staff recommends a deferral of the DRB review to allow time for the applicant to make revisions and meet again with EPC staff prior to submittal.

General comments as well as comments specific to the conditions of approval are listed below:

<u>General</u>

- Sheet C-5 is missing.
- Site elevations and signage detail are missing.
- The size and location of the refuse/recycle area are inconsistent throughout the submittal, re. the site plan (1), landscape plan (2), details 4 & 6 (3) and grading & drainage plan (C-3).
- The site layout on (1), (2) and (C-3) are inconsistent, re. the perimeter of the RV display area, the walkway around the building, the southeast corner of the site at Westside Dr.

<u>Condition 3</u>. - The crosswalks that will be provided by the applicant must be distinct from crosswalks that are existing or will be provided by the developer of adjacent Tract C-2-A.

<u>Condition 7</u>. – Re. Note 10, specify Tract C-2-A.

Condition 9. – The two details of the fence design on sheet (3) have the same number. Note 7 on sheet (1) must refer to both.

Condition 11. –The rainwater harvesting cistern or notched curb must be added to the site development plan, sheet (1). A note on notched curbs needs to be reinstated on the Grading & Drainage Plan.

Condition 14. –

a. The landscape calculations must reflect the off-site landscaped area.
e. Some larger trees remain within the 10' utility easement. They need to be relocated.
f. The notched curbs need to be shown on the landscape plan.
g. The proposed planters block the sidewalk. The trellises need to be labeled on the landscape plan.

Condition 15. - (See General comments.)

Conditions 16 – 19. (Cannot review as the elevations are missing.) Re. Condition 18, this will require an additional note on sheet (1).

If you have any questions regarding this case, please do not hesitate to call me at 924-3345.

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

Associated Home & RV Sales, Inc.
12601 Central NE
Albuq. NM 87123

Date: July 20, 2007

OFFICIAL NOTIFICATION OF DECISION

FILE: **Project # 1003714**
07EPC-00567 EPC Site Development Plan-
Building Permit

LEGAL DESCRIPTION: for all or a portion of Tracts C-3-A, **Adobe Wells**, zoned SU-1 for IP C-2/R-2, located on EAGLE RANCH ROAD NW, between EAGLE RANCH ROAD NW and WESTSIDE DRIVE NW, containing approximately 3 acres. (B-13) Carol Toffaleti, Staff Planner

On July 19, 2007 the Environmental Planning Commission voted to approve Project 1003714/07EPC 0056, a Site Development Plan for Building Permit, for C-3-A, Adobe Wells, zoned SU-1 for IP, C-2 and R-2, based on the following Findings and subject to the following Conditions:

FINDINGS:

1. The request is for a site development plan for building permit for Tract C-3-A, Adobe Wells, a site of approximately 2.29 acres located on Eagle Ranch Rd. north of Westside Drive NW. It is the second and last parcel of the Venture Commerce Center to be developed, a commercial subdivision approved by the EPC in October 2006 (#1003714), which does not include design guidelines.

2. The applicant proposes to build a 9,000 sq. ft. building, to sell and service RV's, and an outdoor display area. The proposed complies with the existing zoning, SU-1 for IP, C-2 and R-2, and with the zoning indicated on the approved site development plan for subdivision, C-2.

3. The subject site is located in the Established Urban Area of the Comprehensive Plan (CP), within the West Side Strategic Plan (WSSP) area and in Segment 3 of the Coors Corridor Sector Development Plan (CCSDP).

4. The proposal furthers the following Comprehensive Plan policies:
   a. Policy II.B.5.i: by increasing employment, retail and service uses on the City's West Side, where existing development is still skewed toward residential uses.
   b. Policy II.B.5.l because the proposed design is appropriate to the plan area.
   c. Policies II.D.2.b.and Policies II.D.3.a and b. because rainwater harvesting, stormwater infiltration and energy conserving lighting (interior and exterior) are incorporated in the proposal.
   d. Policy II.D.6.b because the proposal represents an expansion of a local business enterprise.

5. The proposal complies with several Policy 4.2 Design Guidelines of the West Side Strategic Plan because it incorporates pedestrian scale lighting, xeric landscaping, and appropriate on-premise signs and fencing.

6. It partially complies with the WSSP Policy 4.2 Design Guideline for Commercial Development by orienting the front of the building toward Eagle Ranch Rd. and Policy 4.10 and Transportation Policy 6.25 by providing perimeter sidewalks and internal walkways.

7. The proposal complies with policies and design standards of the Coors Corridor Sector Development Plan for Site Planning and Architecture concerning b.2, Building setback, height and bulk; b.4, Site landscaping; b.9 Site lighting; and b.10 Architectural design. The proposal also complies with Policy b.5 Off-street parking, except that parking separates the building from the street frontage. The site development plan conflicts with Policy b.7 because no pedestrian crosswalk is provided across the parking lot to the building entrance. The proposed signs comply with Policy d.1 and design standards for Signage in the CCSDP.

8. The site development plan for the subject site is consistent with the governing site development plan for subdivision. The proposed site layout, circulation and landscaping are compatible with those on the adjoining Tract C-2-A.

9. No comments were received from neighboring property-owners or residents.

CONDITIONS:

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

2. 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. RECOMMENDED CONDITIONS FROM CITY ENGINEER, MUNICIPAL DEVELOPMENT, WATER AUTHORITY and NMDOT: Conditions of approval for the proposed Site Development Plan for Building Permit shall include:
   a. All the requirements of previous actions taken by the EPC and/or the DRB must be completed and /or provided for.
   b. The Developer is responsible for permanent improvements to the transportation facilities adjacent to the proposed site development plan. Those improvements will include any additional right-of-way requirements, paving, curb and gutter, sidewalk and ADA accessible ramps that have not already been provided for. All public infrastructure constructed within public right-of-way or public easements shall be to City Standards. Those Standards will include but are not limited to sidewalks (std. dwg. 2430), driveways (std. dwg. 2425), private entrances (std. dwg. 2426) and wheel chair ramps (std. dwg. 2441).
   c. Site plan shall comply and be designed per DPM Standards.

4. The location and design of a recycle area shall be coordinated with the Solid Waste Department.

5. The use of the building indicated on the site development plan shall be office/retail/warehouse.

6. A pedestrian walkway and crosswalk shall link the sidewalk on the common drive in the subdivision to the customer entrance of the building.

7. The site development plan shall include a lightpole detail, which shall be compatible with the design of lightpoles on Tract C-2-A.

8. The location of lightpoles, and the number if necessary, shall be adjusted to ensure all areas of the site are adequately illuminated, including pedestrian walkways and customer parking areas.

9. A second feature, in addition to the landscaping already proposed, shall be incorporated into the fence design to add variation along the public ROWs, as per Section 14-16-3-19 (B) of the Zoning Code.

10. The site development and landscape plans shall indicate PNM easements.

11. The site development plan for building permit shall include the rainwater harvesting cistern and notched curbs shown on the landscape and drainage plans.

12. Label the future recycle area #13.

13. The motorcycle parking shall be moved closer to the building entrance.

14. The landscape plan shall be revised as follows:
    a. The landscape calculations shall reflect the off-site landscaped area, excluding the strip with street trees.
    b. Replace Sambucus mexicana (Mexican Elder) with a taller shade tree, such as Ulmus parvifolia (Lacebark Elm), along Eagle Ranch Rd and Westside Dr.
    c. Replace at least 40% of the Pinus Eldarica (Afghan Pine) with a native evergreen species, and eliminate the two pines proposed next to the detention pond on Westside Dr.
    d. Replace two of the Pinus Nigra (Austrian Pine) in the front parking lot with a deciduous shade tree species.
    e. Show the 10' utility easement around the perimeter of the site and move any larger trees currently within the easement to another location on the site.
    f. Show the notched curbs as proposed on the Drainage Plan.
    g. The applicant shall work with the City Forester and City Hydrologist to revise the grading of the RV sales area to direct a portion of the stormwater runoff to the landscape buffer along Westside Drive. The buffer shall incorporate a vegetated swale that leads to the detention pond at the east corner of the site.
    h. Vines such as English Ivy or Honeysuckle on trellises shall be added to the east and west facades. Planters shall be added on the east façade to accommodate a minimum of three trellises, of 4' wide x 16' high at a minimum. The sidewalk along the east façade shall be adjusted accordingly to maintain a minimum width of 6'.
    i. 6 more trees shall be distributed throughout the landscape beds.

15. The location of the dumpster on the Drainage Plan shall be corrected.

16. The labeling of the East Elevation shall be corrected.

17. The material of the lettering on all signs shall comply with applicable City policies and regulations and with the governing site plan for subdivision, and be indicated on the site development plan.

18. No outdoor speakers for calling sales people shall be permitted.

19. Fenestration shall be added to east façade.

IF YOU WISH TO APPEAL/PROTEST THIS DECISION, YOU MUST DO SO BY **AUGUST 3, 2007** IN THE MANNER DESCRIBED BELOW. A NON-REFUNDABLE FILING FEE WILL BE CALCULATED AT THE LAND DEVELOPMENT COORDINATION COUNTER AND IS REQUIRED AT THE TIME THE APPEAL IS FILED. IT I S 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.

Appeal to the City Council: Persons aggrieved with any determination of the Environmental Planning Commission acting under this ordinance and who have legal standing as defined in Section 14-16-4-4.B.2 of the City of Albuquerque Comprehensive Zoning Code may file an appeal to the City Council by submitting written application on the Planning Department form to the Planning Department within 15 days of the Planning Commission's decision. The date the determination in question is issued is not included in the 15-day period for filing an appeal, and if the fifteenth day falls on a Saturday, Sunday or holiday as listed in the Merit System Ordinance, the next working day is considered as the deadline for filing the appeal. The City Council may decline to hear the appeal if it finds that all City plans, policies and ordinances have been properly followed. If they decide that all City plans, policies and ordinances have not been properly followed, they shall hear the appeal. Such appeal, if heard, shall be heard within 45 days of its filing.

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

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

Sincerely,

Richard Dineen
Planning Director

RD/CT/ac

cc: Alexander Finale, 9813 Chantilly Rd. NW, Albuq. NM 87114
Larry Weaver, Paradise Hills Civic Assoc., 6001 Unitas Ct. NW, Albuq. NM 87114
Tom Anderson, Paradise Hills Civic Assoc., 10013 Plunkett Dr. NW, Albuq. NM 87114

Alexander Finale Architect, Ltd.

Architecture Planning Design Management

November 2, 2007

To: Design Review Board
City of Albuquerque Planning Department

From: Alexander Finale, R.A.

Re: Design Review Board PROJECT #1003714

Dear Design Review Board Member,

The following correspondence is provided to clearly demonstrate that the I, Alexander Finale, Architect and agent for Associated Home and RV sales have met all the requirements that were called for by the Environmental Planning Commission On July 19, 2007; which voted to approve Project 1003714/07EPC 0056, a Site Development Plan for Building Permit, for C-3-A, Adobe Wells, zoned SU-1 for IP, C-2 and R-2

1. No unauthorized changes to the site plan have been made prior to DRB review nor will be made after DRB final sign-off.

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

3. The recommended conditions from the City Engineer, Municipal Development, Water Authority, and New Mexico Department of Transportation have been met including:
   a. All the applicable requirements of previous actions taken by the EPC and/or the DRB.
   b. The Owner/Developer will be responsible for permanent improvements to the transportation facilities adjacent to the proposed site development plan as required. Those improvements will include any additional right-of-way requirements, paving, curb and gutter, sidewalk and ADA accessible ramps that have not already been provided for. All public infrastructure constructed within public right-of-way or public easements are designed to City Standards. Those Standards include but are not limited to sidewalks (std. dwg. 2430), driveways (std. dwg. 2425), private entrances (std. dwg. 2426) and wheel chair ramps (std. dwg. 2441).
   c. The Site plan shall complies and is designed to per DPM Standards.

4. The location and design of a recycle area has been coordinated and approved by the city of Albuquerque Solid Waste Department.

9813 Chantilly Road NW Albuquerque, New Mexico 87114
Tel.: (505) 899-5442 Fax: (505) 899-4964

5. The use of the building is indicated on the site development plan shall be office/retail/warehouse.

6. A pedestrian walkway and crosswalk links the sidewalk on the common drive in the subdivision to the customer entrance of the building.

7. The site development plan includes a lightpole detail, which shall be compatible with the design of light poles on Tract C-2-A.

8. Two additional light poles have been added to ensure all areas of the site are adequately illuminated, including pedestrian walkways and customer parking areas.

9. A second feature, in addition to the landscaping already proposed, has been incorporated into the fence design to add variation along the public ROWs, as per Section 14-16-3-19 (B) of the Zoning Code. This is a Zia design metal panel attached to every sixth section of fence.

10. The site development and landscape plan includes all PNM easements.

11. The site development plan for building permit includes the rainwater harvesting cistern and notched curbs shown on the landscape and drainage plans.

12. The Recycle Area is depicted on the Site Plan and has been approved by the city of Albuquerque Solid Waste Department.

13. The motorcycle parking has been moved closer to the building entrance.

14. The landscape plan has been revised as follows:
    a. The landscape calculations reflects the off-site landscaped area, excluding the strip with street trees.
    b. Sambucus mexicana (Mexican Elder) has been replaced with Ulmus parvifolia (Lacebark Elm), along Eagle Ranch Rd and Westside Dr.
    c. Pinus Eldarica (Afghan Pine) has been replaced with the native evergreen species Pinaceae Pinus Eldius (Pinyon Pine), and the two pines proposed next to the detention pond on Westside Dr. have been eliminated.
    d. The two Pinus Nigra (Austrian Pine) in the front parking lot have been replaced with a deciduous shade tree species Ulmus parvifolia (Lacebark Elm).
    e. Any larger trees within the 10' utility easement have been moved outside of the easement.
    f. The notched curbs are delineated as on the Drainage Plan.
    g. The design will direct a portion of the storm water runoff to the landscape buffer along Westside Drive. The buffer incorporates a vegetated swale that leads to the detention pond at the east corner of the site.

9813 Chantilly Road NW Albuquerque, New Mexico 87114
Tel.: (505) 899-5442 Fax: (505) 899-4964

h. Honeysuckle on trellises have been be added to the east and west facades. Planters on the east façade have been added to accommodate a minimum of three trellises, of 4' wide x 16' high at a minimum. The sidewalk along the east façade is a minimum width of 6'.

i. Six more deciduous trees have been distributed throughout the landscape beds.

15. The location of the dumpster on the Drainage Plan has been corrected.

16. The labeling of the East Elevation has been corrected.

17. The material of the lettering on all signs complies with applicable City policies and regulations and with the governing site plan for subdivision, and is indicated on the site development plan.

18. No outdoor speakers for calling sales people will been incorporated into the design.

19. Fenestration by means of two 5' by 5' windows have been added to east façade.

Thank you very much for you time and please, feel free to contact me at (505) 205-4778 should you have any questions.

Regards,

Alexander Finale, R.A.

9813 Chantilly Road NW Albuquerque, New Mexico 87114
Tel.: (505) 899-5442 Fax: (505) 899-4964

12/4/07

TO: DRB Chair

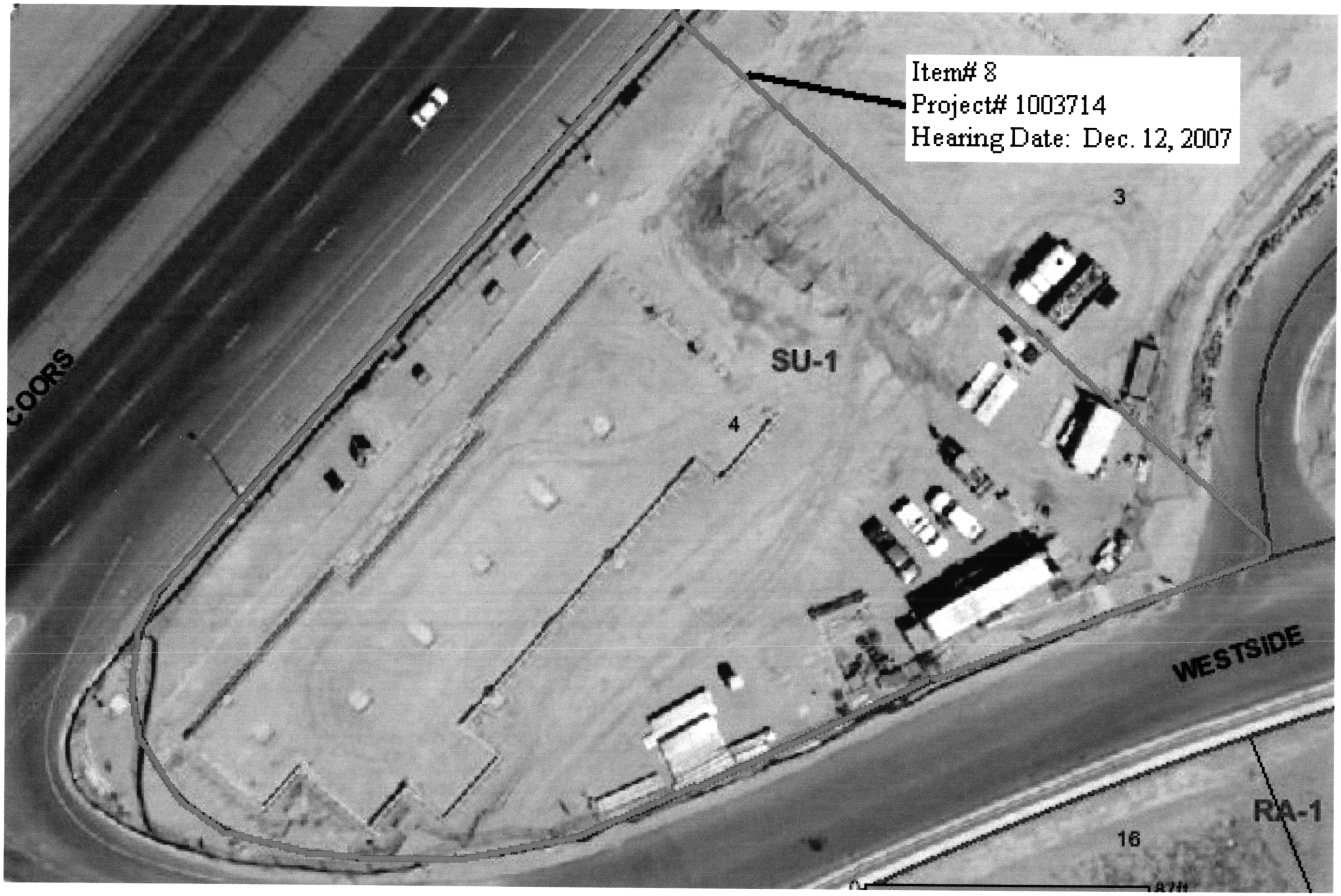
From: Associated Home + RV Sales Inc

Project Number: 1003714

We Are Requesting A Deferral For The Above project To December 12, 2007

12/4/07

CEO


Item# 8
Project# 1003714
Hearing Date: Dec. 12, 2007
COORS
SU-1
3
4
WESTSIDE
RA-1
16

completed 3-15-07 gp

DRB CASE ACTION LOG (PREL & FINAL)

REVISED 9/28/05

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

DRB Application No.: **06DRB-01645 (P&F)** Project # **1003714**

Project Name: **ADOBE WELLS**

Agent: Tierra West LLC Phone No.: 858-3100

Your request for (**SDP for SUB), (SDP for BP), (FINAL PLATS), (MASTER DEVELOP. PLAN),** was approved on 12/06/06 by the DRB with delegation of signature(s) to the following departments.

OUTSTANDING SIGNATURES COMMENTS TO BE ADDRESSED

- ☐ TRANSPORTATION: _____
- ☐ _____
- ☐ _____
- ☐ _____
- ☐ _____

- ☐ UTILITIES: _____
- ☐ _____
- ☐ _____
- ☐ _____

- ☐ CITY ENGINEER / AMAFCA: ~~Revise AMAFCA comments~~ AMAFCA must sign Bob Gaufas Signature OK OK
- ☐ _____
- ☐ _____
- ☐ _____

- ☐ PARKS / CIP: _____
- ☐ _____
- ☐ _____
- ☐ _____

- ☒ PLANNING (Last to sign): record
- ☐ _____
- ☐ _____
- ☐ _____

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

-The original plat and a mylar copy for the County Clerk.
-Tax certificate from the County Treasurer.
-Recording fee (checks payable to the County Clerk). RECORDED DATE: _____
-Tax printout from the County Assessor.

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

Project Number 1003714

Tierra West, LLC.

(505) 858-3100

5571 Midway Park Place NE, Albuquerque, NM 87109

LETTER OF TRANSMITTAL

TO Ms. Sheran Matson
Development Review Board
City of Albuquerque
600 2nd St. NW
Albuquerque, NM 87102

DATE: 3/15/2007	JOB NO: 26034
ATTENTION: Sheran	
RE: Adobe Wells	
# 1003714	
PHONE: 924-3880	

WE ARE SENDING YOU [X] Attached [ ] Under Separate cover via _____ the following items:

[ ] Shop drawings [ ] Prints [ ] Plans [ ] Samples [ ] Specifications

[ ] Copy of letter [ ] Change order [ ] _____

COPIES	DATED	NO.	DESCRIPTION
1			Recorded Plat - Adobe Wells - Tracts C-2-A & C-3A
			# 10037014

THESE ARE TRANSMITTED as checked below:

[ ] For approval [ ] Approved as submitted [ ] **FOR SIGNATURE(S)**

[ ] For your use [ ] Approved as noted [ ] _____

[X] As requested [ ] Returned for corrections

[ ] For review and comments [ ] _____

[ ] FOR BIDS DUE _____ 20 _____ [ ] PRINTS RETURNED AFTER LOAN TO US

REMARKS _____

COPY TO _____

RECEIVED BY _____ Date: _____ SIGNED **Keli D. Krueger**

FAX (505) 858-1118 **If enclosures are not as noted, kindly notify us at once** **Email: twllc@tierrawestllc.com**

DRB CASE ACTION LOG (PREL & FINAL)

REVISED 9/28/05

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

DRB Application No.: **06DRB-01645 (P&F)** Project # **1003714**

Project Name: **ADOBE WELLS**

Agent: Tierra West LLC Phone No.: 858-3100

Your request for (**SDP for SUB), (SDP for BP), (FINAL PLATS), (MASTER DEVELOP. PLAN**), was approved on 12/06/06 by the DRB with delegation of signature(s) to the following departments.

OUTSTANDING SIGNATURES COMMENTS TO BE ADDRESSED

- ☐ TRANSPORTATION:
- ☐ UTILITIES:
- ☒ CITY ENGINEER / AMAFCA: ~~Revise AMAFCA sign~~ AMAFCA must sign Bob Gaufas Signature
- ☐ PARKS / CIP:
- ☒ PLANNING (Last to sign): record

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

-The original plat and a mylar copy for the County Clerk.
-Tax certificate from the County Treasurer.
-Recording fee (checks payable to the County Clerk). RECORDED DATE: _____
-Tax printout from the County Assessor.

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

Project Number 1003714

#7

Blue Cloud Close Out COMPLETED 03/09/07 SH

DRB CASE ACTION LOG (SITE PLAN B.P.)

REVISED 9/28/05

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

DRB Application No.: **06DRB-01647 (SBP)** Project # **1003714**

Project Name **ADOBE WELLS**

Agent: Tierra West LLC Phone No.: 858-3100

Your request for (**SDP for SUB), (SDP for BP), (FINAL PLATS), (MASTER DEVELOP. PLAN),** was approved on 12/06/06 by the DRB with delegation of signature(s) to the following departments.
OUTSTANDING SIGNATURES COMMENTS TO BE ADDRESSED

- ☐ TRANSPORTATION: _____
- ☐ _____
- ☐ _____
- ☐ _____
- ☐ _____

- ☐ UTILITIES: _____
- ☐ _____
- ☐ _____
- ☐ _____

- ☐ CITY ENGINEER / AMAFCA: SIA ok BB
- ☐ _____
- ☐ _____
- ☐ _____

- ☐ PARKS / CIP: _____
- ☐ _____
- ☐ _____
- ☐ _____

- ☒ PLANNING (Last to sign): ~~5 copies~~ 3 copies
- ☐ ~~Grading & Drainage~~
- ☐ ~~Traffic Circulation~~
- ☐ DRC 3/09/07, Solid Waste Signature

☐ **Planning must record this plat. Please submit the following items:**
-The original plat and a mylar copy for the County Clerk.
-Tax certificate from the County Treasurer.
-Recording fee (checks payable to the County Clerk). RECORDED DATE: _____
-Tax printout from the County Assessor.

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

Project Number 1003714

#7

DRB CASE ACTION LOG (SITE PLAN B.P.)

REVISED 9/28/05

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

DRB Application No.: **06DRB-01647 (SBP)** Project # **1003714**

Project Name **ADOBE WELLS**

Agent: Tierra West LLC Phone No.: 858-3100

Your request for (**SDP for SUB), (SDP for BP), (FINAL PLATS), (MASTER DEVELOP. PLAN**), was approved on 12/06/06 by the DRB with delegation of signature(s) to the following departments.
OUTSTANDING SIGNATURES COMMENTS TO BE ADDRESSED

- ☐ TRANSPORTATION:
- ☐ UTILITIES:
- ☐ CITY ENGINEER / AMAFCA: SIA
- ☐ PARKS / CIP:
- ☒ PLANNING (Last to sign): ~~3 copies~~ 3 copies ~~Open Space~~ Solid Waste Signature
- ☐ **Planning must record this plat. Please submit the following items:**
  - -The original plat and a mylar copy for the County Clerk.
  - -Tax certificate from the County Treasurer.
  - -Recording fee (checks payable to the County Clerk). RECORDED DATE: _____
  - -Tax printout from the County Assessor.
- ☒ **3 copies of the approved site plan. Include all pages.**
- ☐ **County Treasurer's signature must be obtained prior to the recording of the plat with the County Clerk.**
- ☐ **Property Management's signature must be obtained prior to Planning Department's signature.**
- ☐ **AGIS DXF File approval required.**
- ☐ **Copy of recorded plat for Planning.**

Project Number 1003714

#7

Please close out. COMPLETED 03/09/07 SH

DRB CASE ACTION LOG (SITE PLAN SUBD)

REVISED 9/28/05

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

DRB Application No.: **06DRB-01646 (SPS)** Project # **1003714**

Project Name **ADOBE WELLS**

Agent: Tierra West LLC Phone No.: 858-3100

Your request for (**SDP for SUB), (SDP for BP), (FINAL PLATS), (MASTER DEVELOP. PLAN),** was approved on 12/06/06 by the DRB with delegation of signature(s) to the following departments.
OUTSTANDING SIGNATURES COMMENTS TO BE ADDRESSED

- ☐ TRANSPORTATION: _____
- ☐ _____
- ☐ _____
- ☐ _____
- ☐ _____

- ☐ UTILITIES: _____
- ☐ _____
- ☐ _____
- ☐ _____
- ☐ _____

- ☐ CITY ENGINEER / AMAFCA: _____
- ☐ _____
- ☐ _____
- ☐ _____
- ☐ _____

- ☐ PARKS / CIP: _____
- ☐ _____
- ☐ _____
- ☐ _____
- ☒ PLANNING (Last to sign): 3 copies _____
- ☐ _____
- ☐ _____
- ☐ _____

3/09/07

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

Project Number 1003714

#7

DRB CASE ACTION LOG (SITE PLAN SUBD)

REVISED 9/28/05

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

DRB Application No.: **06DRB-01646 (SPS)**	Project # **1003714**
Project Name **ADOBE WELLS**	
Agent: Tierra West LLC	Phone No.: 858-3100

Your request for (**SDP for SUB), (SDP for BP), (FINAL PLATS), (MASTER DEVELOP. PLAN**), was approved on 12/06/06 by the DRB with delegation of signature(s) to the following departments.

OUTSTANDING SIGNATURES COMMENTS TO BE ADDRESSED

- ☐ TRANSPORTATION: _____
- ☐ _____
- ☐ _____
- ☐ _____
- ☐ _____

- ☐ UTILITIES: _____
- ☐ _____
- ☐ _____
- ☐ _____

- ☐ CITY ENGINEER / AMAFCA: _____
- ☐ _____
- ☐ _____
- ☐ _____

- ☐ PARKS / CIP: _____
- ☐ _____
- ☐ _____
- ☐ _____

- ☒ PLANNING (Last to sign): Bogus
- ☐ _____
- ☐ _____

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

Project Number 1003714

DEVELOPMENT REVIEW BOARD
ACTION SHEET

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

December 6, 2006 9:00 a.m.

MEMBERS:

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

Wilfred Gallegos, Transportation Development
Brad Bingham, Alternate City Engineer

Roger Green, Utility Development
Christina Sandoval, Parks & Recreation

****

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

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

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

A. Call to Order: 9:00 A.M. Adjourned: 11:50 A.M.
B. Changes and/or Additions to the Agenda
C. New or Old Business

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

1. **Project # 1004989**
   06DRB-01411 Major-Preliminary Plat Approval
   06DRB-01412 Major-Vacation of Public Easements
   06DRB-01413 Minor-Subd Design (DPM) Variance
   06DRB-01414 Minor-Sidewalk Waiver
   06DRB-01415 Minor-Temp Defer SDWK

   BOHANNAN HUSTON INC agent(s) for MESA VERDE DEVELOPMENT CO request(s) the above action(s) for all or a portion of Tract(s) A, UNIT 2, WILDERNESS @ HIGH DESERT (to be known as WILDERNESS **CANON @ HIGH DESERT**) zoned SU-2, HD/R-R, located on HIGH DESERT PL NE, between TRAILHEAD RD NE and EMBUDITO VIEW CT NE containing approximately 4 acre(s). [REF: 06DRB-00933, 04DRB-00713, 04DRB-01723] [*Deferred from 10/25/06 & 11/8/06 & 11/15/06 & 11/22/06 & 11/29/06]* (F-23) **WITH THE SIGNING OF THE INFRASTRUCTURE LIST DATED 12/6/06 AND APPROVAL OF THE GRADING PLAN ENGINEER STAMP DATED 11/7/06 THE PRELIMINARY PLAT WAS**

APPROVED WITH FINDINGS. THE VACATIONS WERE APPROVED AS SHOWN ON EXHIBIT B IN THE PLANNING FILE. A SUBDIVISION DESIGN VARIANCE FROM MINIMUM DPM STANDARDS WAS APPROVED AS SHOWN ON EXHIBIT C IN THE PLANNING FILE. A SIDEWALK VARIANCE FOR WAIVER OF SIDEWALKS WAS APPROVED AS SHOWN ON EXHIBIT C IN THE PLANNING FILE. THE TEMPORARY DEFERRAL OF CONSTRUCTION OF SIDEWALKS ON THE INTERIOR STREETS WAS APPROVED AS SHOWN ON EXHIBIT C IN THE PLANNING FILE.

2. Project # 1004564
06DRB-01617 Major-Preliminary Plat Approval
06DRB-01691 Minor-Final Plat Approval

FORSTBAUER SURVEYING LLC agent(s) for CONTINENTAL RETIREMENT HOLDINGS INC request(s) the above action(s) for Lot(s) 19-22, Block(s) 21, TRACT A, UNIT A, **NORTH ALBUQUERQUE ACRES,** zoned SU-2/O-1, located on PALOMAS AVE NE, between WYOMING BLVD NE and BARSTOW ST NE containing approximately 4 acre(s). [REF: 06DRB-00433, 05EPC-01808] (D-19) **THE PRELIMINARY AND FINAL PLAT WAS APPROVED WITH FINAL SIGN OFF DELEGATED TO CITY ENGINEER FOR SIA FOR SITE PLAN FOR BUILDING PERMIT AND PLANNING TO RECORD THE PLAT.**

3. Project # 1005251
06DRB-01616 Major-Vacation of Pub Right-of-Way

SURVEYS SOUTHWEST LTD agent(s) for CHARLES OAKS request(s) the above action(s) for Lot(s) A, Block(s) 2O, **PARIS ADDITION** (lot adjacent to Rosemont Ave NW) located on ROSEMONT AVE NW, between 1ST ST NW and MOUNTAIN RD NW. (J-14) **THE VACATIONS WERE APPROVED AS SHOWN ON EXHIBIT B IN THE PLANNING FILE.**

4. **Project # 1004228**
06DRB-01618 Major-Vacation of Public Easements

TERRAMETRICS OF NEW MEXICO agent(s) for HEADSTART ENTERPRISES, JAMES P. GUTHRIE request(s) the above action(s) for all or a portion of Lot(s) 11-14, **SUNRISE HEIGHTS,** zoned M-1, located on MONTANO RD NE, between EDITH NE and I-25 NE containing approximately 1 acre(s). [REF: 06DRB-00937] (F-15) **THE VACATIONS WERE APPROVED AS SHOWN ON EXHIBIT B IN THE PLANNING FILE.**

5. **Project # 1004588**
06DRB-01620 Major-Vacation of Public Easements

GARCIA/KRAEMER & ASSOCIATES agent(s) for 110 SUNPORT LLC request(s) the above action(s) for all or a portion of Block(s) 11 & 12, Tract(s) A, **CLAYTON HEIGHTS,** zoned C-2, located on YALE BLVD SE, between ROSS AVE SE and GIBSON BLVD SE containing approximately 4 acre(s). (L-15) **THE VACATION WAS APPROVED AS SHOWN ON EXHIBIT B IN THE PLANNING FILE WITH THE FOLLOWING CONDITION: APPROVAL OF ALTERNATE EASEMENTS SHALL BE PROVIDED FOR REALIGNED STORM DRAIN.**

6. **Project # 1002739**
06DRB-01621 Major-Vacation of Public Easements
06DRB-01622 Major-Vacation of Pub Right-of-Way
06DRB-01623 Minor-Final Plat Approval

MARK GOODWIN & ASSOCIATES agent(s) for KB HOME NEW MEXICO INC request(s) the above action(s) for **ANDERSON HEIGHTS, UNIT 5A,** zoned RD/RLT, located on 118TH ST SW, between DENNIS CHAVES BLVD SW and COLOBEL AVE SW containing approximately 41 acre(s). [REF: 06DRB-01431] *[Deferred from 12/6/06]* (P-8) **DEFERRED AT THE AGENT'S REQUEST TO 12/13/06.**

06DRB-01635 Minor-Amnd Prelim Plat Approval
06DRB-01636 Minor-Sidewalk Waiver
06DRB-01637 Minor-Temp Defer SDWK

MARK GOODWIN & ASSOCIATES PA agent(s) for KB HOME NEW MEXICO INC request(s) the above action(s) for PARCELS 7 & 8A, **ANDERSON HEIGHTS, UNIT 5,** zoned RD, R-LT, located on 118TH ST SW, between DENNIS CHAVEZ BLVD SW and COLOBEL AVE SW containing approximately 69 acre(s). [REF: 05DRB-01832, 05DRB-01834, 05DRB-01835] *[Deferred from 11/29/06 & 12/6/06]* (P-8) **DEFERRED AT THE AGENT'S REQUEST TO 12/13/06.**

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

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

7. **Project # 1003714**
06DRB-01646 Minor-SiteDev Plan Subd/EPC
06DRB-01647 Minor-SiteDev Plan BldPermit/EPC
06DRB-01645 Minor-Prelim&Final Plat Approval

TIERRA WEST LLC agent(s) for LB/VCC EAGLE RANCH LLC request(s) the above action(s) for all or a portion of Tract(s) C-2 & C-3, **ADOBE WELLS SUBDIVISION**, VENTURE COMMERCE CENTER, zoned SU-1 FOR IP, C-2, R-2, located on EAGLE RANCH RD NW, between WESTSIDE DR NW and COORS BLVD NW containing approximately 7 acre(s). [REF: 06EPC-01306, 06EPC-01307] **[Catalina Lehner, EPC Case Planner]** *[Deferred from 11/29/06]* (B-13) **THE SITE PLAN FOR SUBDIVISION WAS APPROVED WITH FINAL SIGN OFF DELEGATED TO PLANNING FOR 3 COPIES. THE SITE PLAN FOR BUILDING PERMIT WAS APPROVED WITH FINAL SIGN OFF DELEGATED TO CITY ENGINEER FOR SIA AND PLANNING FOR 3 COPIES. THE PRELIMINARY AND FINAL PLAT WAS APPROVED WITH FINAL SIGN OFF DELEGATED TO CITY ENGINEER FOR NMU INC SIGNATURE, AMAFCA'S SIGNATURE AND PLANNING TO RECORD.**

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

8. **Project # 1004931**
06DRB-01662 Minor – Vac of Pub Easements

CEI ENGINEERING agent(s) for TARGET CORPORATION request(s) the above action(s) for all or a portion of Tract(s) 2A-3, **HORNE DEVELOPMENT ADDITION**, zoned SU-1 – PCD, located on Lomas Blvd NE between Eubank Blvd NE and Hotel Circle NE, containing approximately 8 acre(s). [REF: 06AA-01624] (K-21) **THE VACATION WAS APPROVED AS SHOWN ON EXHIBIT B IN THE PLANNING FILE WITH THE FOLLOWING CONDITION: THE EXISTING WATERLINE SHALL BE RELOCATED AND IN-SERVICE PRIOR TO FINAL PLAT APPROVAL.**

9.	**Project # 1004496** 06DRB-01666 Minor- Final Plat Approval	THOMPSON ENGINEERING CONSULTANTS, INC., agent(s) for DRAGONFLY DEVELOPMENT INC., request(s) the above action(s) for all or a portion of Lot(s) 1, 1A, 1B & 1C, Block(s) K & J, CENAROCA ADDITION (to be known as **THE BLUFFS @ ENCANTADO**) zoned SU-1/RT, located on Tramway Blvd NE between Skyline Rd NE and Encantado Rd NE, containing approximately 3 acre(s). [REF: 06DRB-00667, 06DRB-00668, 06DRB-00669, 06DRB-00671, 06DRB-00670] (K-23/L-23) **THE FINAL PLAT WAS APPROVED WITH FINAL SIGN OFF DELEGATED TO UTILITIES DEVELOPMENT FOR PUE LANGUAGE ON FRONT OF PLAT AND PLANNING FOR REAL PROPERTY'S SIGNATURE, LOTS 2P-1 AND 3P-1 MUST BE 30-FEET, CORRECTION OF RADIUS AT ENCANTADO/1P1 AND TO RECORD THE PLAT.**
10.	**Project # 1003551** 06DRB-01665 Minor-Prelim&Final Plat Approval	HARRIS SURVEYING INC., agent(s) for NAYLOR REALTY, request(s) the above action(s) for all or a portion of Lot(s) 1-13, **LA CUEVA ESTATES**, zoned RD, located on Glendale Ave NE between Barstow Ave NE and Wyoming Blvd NE, containing approximately 4 acre(s). [REF: 05DRB-01183] *[Deferred from 12/6/06]* (B-19) **DEFERRED AT THE AGENT'S REQUEST TO 12/13/06.**
11.	**Project # 1005080** 06DRB-01667 Minor-Prelim&Final Plat Approval	MARCOS MORALES, agent(s) for DAVID NIETO, request(s) the above action(s) for all or a portion of Lot(s) 132-A, **VISTA MANZANO, UNIT 2**, zoned RLT, located on Ojo Feliz SW between Coors Blvd SW and Sage SW, containing approximately 1 acre(s). [REF: 05DRB-01179] (M-10) **THE PRELIMINARY AND FINAL PLAT WAS APPROVED WITH FINAL SIGN OFF DELEGATED TO PLANNING FOR AGIS DXF FILE AND TO RECORD THE PLAT.**

12. **Project # 1004779**
06DRB-01218 Minor- Final Plat Approval

ISAACSON & ARFMAN agent(s) for 207 ALISO DRIVE LLC request(s) the above action(s) for all or a portion of Lot(s) 3A & 4, Block(s) 3, GRANADA HEIGHTS (to be known as **LOT 3A-1, BLOCK 3, GRANADA HEIGHTS**) zoned R-2 residential zone, located on ALISO DR SE, between SILVER AVE SE and ARLOTTE AVE SE containing approximately 1 acre(s). [REF: 06DRB-00393] *[Final Plat was Indef deferred for the SIA 8/30/06]* (K-17) **THE FINAL PLAT WAS APPROVED WITH FINAL SIGN OFF DELEGATED TO PLANNING FOR REAL PROPERTY'S SIGNATURE AND AGIS DXF FILE.**

13. **Project # 1005250**
06DRB-01613 Minor-Prelim&Final Plat Approval

JOSE RODRIGUEZ request(s) the above action(s) for all or a portion of Lot(s) A, B & C, Block T-1, **CARLOS REY SUBDIVISION,** zoned R-2 residential zone, located on CHURCHILL RD SW, between COORS BLVD SW and BATAAN DR SW containing approximately 1 acre(s). *[Deferred from 11/15/06 & 11/22/06 & 11/29/06 & 12/6/06]* (K-10) **DEFERRED AT THE AGENT'S REQUEST TO 12/13/06.**

THERE ARE NO SKETCH PLATS THIS WEEK . . .

14. Approval of the Development Review Board Minutes for November 22 and November 29, 2006. **THE DRB MINUTES FOR NOVEMBER 22 AND NOVEMBER 29, 2006 WERE APPROVED.**

ADJOURNED: 11:50 A.M.

CITY OF ALBUQUERQUE

PLANNING DEPARTMENT
DEVELOPMENT AND BUILDING SERVICES
HYDROLOGY DEVELOPMENT SECTION

DEVELOPMENT REVIEW BOARD – SPEED MEMO

DRB CASE NO/PROJECT NO: 1003714 **AGENDA ITEM NO: 7**

SUBJECT:

Final Plat
Preliminary Plat
Site Plan for BP
Site Plan for Subd

ACTION REQUESTED:

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

ENGINEERING COMMENTS:

AMAFCA must sign the plat prior to City Engineer signature.
An approved SIA with Financial Guarantee(s) is required prior to final plat approval.

P.O. Box 1293

Albuquerque

New Mexico 87103

www.cabq.gov

RESOLUTION:

APPROVED ___; DENIED ___; DEFERRED ___; COMMENTS PROVIDED ___; WITHDRAWN ___

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

SIGNED: Bradley L. Bingham
City Engineer / AMAFCA Designee

DATE: DECEMBER 6, 2006

DEVELOPMENT REVIEW BOARD
ACTION SHEET

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

November 29, 2006 9:00 a.m.

MEMBERS:

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

Wilfred Gallegos, Transportation Development
Brad Bingham, Alternate City Engineer
Roger Green, Utility Development
Christina Sandoval, Parks & Recreation

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

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

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

A. Call to Order: 9:00 A.M. Adjourned: 11:08 A.M.
B. Changes and/or Additions to the Agenda
C. New or Old Business

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

1. **Project # 1004989**
   06DRB-01411 Major-Preliminary Plat Approval
   06DRB-01412 Major-Vacation of Public Easements
   06DRB-01413 Minor-Subd Design (DPM) Variance
   06DRB-01414 Minor-Sidewalk Waiver
   06DRB-01415 Minor-Temp Defer SDWK

   BOHANNAN HUSTON INC agent(s) for MESA VERDE DEVELOPMENT CO request(s) the above action(s) for all or a portion of Tract(s) A, UNIT 2, WILDERNESS @ HIGH DESERT (to be known as **WILDERNESS CANON @ HIGH DESERT**) zoned SU-2, HD/R-R, located on HIGH DESERT PL NE, between TRAILHEAD RD NE and EMBUDITO VIEW CT NE containing approximately 4 acre(s). [REF: 06DRB-00933, 04DRB-00713, 04DRB-01723] [*Deferred from 10/25/06 & 11/8/06 & 11/15/06 & 11/22/06 & 11/29/06]* (F-23) **DEFERRED AT THE AGENT'S REQUEST TO 12/6/06.**

2.	**Project # 1004999** 06DRB-01578 Major-Vacation of Pub Right-of-Way	GLEN EFFERTZ request(s) the above action(s) for all or a portion of Tract(s) 316, **OLD TOWN ELEMENTARY SCHOOL,** zoned RA-1 residential zone, located on MOUNTAIN RD NW, between RIO GRANDE NW and GALBALDON NW containing approximately 1 acre(s). [REF: 06DRB-00965] (J-12) **VACATION WAS APPROVED AS SHOWN ON EXHIBIT B IN THE PLANNING FILE.**
3.	**Project # 1003369** 06DRB-01601 Major-Vacation of Pub Right-of-Way 06DRB-01602 Major-Vacation of Public Easements	ADIL RIZVI request(s) the above action(s) for all or a portion of Lot(s) 6 & 7, Block(s) 16, Tract(s) 3, Unit 3, NORTH ALBUQUERQUE ACRES (to be known as **VINTNER COURT SUBDIVISION)** zoned R-D (5 DU/acre) located on WILSHIRE NE, between VENTURA NE and CORONA NE containing approximately 2 acre(s). [REF: 04DRB-00510, 04DRB-00511, 04DRB-00513, 04DRB-00519, 04DRB-00514] (C-20) **VACATIONS WERE APPROVED AS SHOWN ON EXHIBIT B IN THE PLANNING FILE.**
4.	**Project # 1002372** 06DRB-01597 Major-Amnd Prelim Plat Approval 06DRB-01598 Minor-Sidewalk Waiver 06DRB-01599 Minor-Temp Defer SDWK	THOMPSON ENGINEERING CONSULTANTS INC agent(s) for DRAGONFLY DEVELOPMENT INC request(s) the above action(s) for all or a portion of Tract(s) 223 & 224, AIRPORT UNIT, TOWN OF ATRISCO GRANT (to be known as **LAS PLAYAS SUBDIVISION**) zoned R-2, located on GLENRIO RD NW, between 68TH ST NW and 72ND ST NW containing approximately 9 acre(s). [REF: 06DRB-01084] (J-10) **WITH THE SIGNING OF THE AMENDED INFRASTRUCTURE LIST DATED 11/29/06 AND APPROVAL OF THE AMENDED GRADING PLAN ENGINEER STAMP DATED 11/2/06 THE AMENDED PRELIMINARY PLAT WAS APPROVED. THIS AMENDMENT DOES NOT EXTEND THE EXPIRATION DATE OF THE ALREADY APPROVED PRELIMINARY PLAT. A SIDEWALK VRIANCE FOR WAIVER OF SIDEWALKS WAS APPROVED AS SHOWN ON EXHIBIT C IN THE PLANNING FILE. THE TEMPORARY DEFERRAL OF CONSTRUCTION OF SIDEWALKS ON THE INTERIOR STREETS WAS APPROVED AS SHOWN**

ON EXHIBIT C IN THE PLANNING FILE. 06DRB-01600 THE EXTENSION OF SIA FOR TEMP DEFERRAL OF SDWK WAS DELETED FROM THE AGENDA AS IT WAS NOT NEEDED.

5. Project # 1005031
06DRB-01077 Major-Vacation of Public Easements

SURV-TEK agent(s) for THE TRAILS LLC request(s) the above action(s) for all or a portion of Tract(s) 9-A, THE TRAILS, UNIT 2 (to be known as **SANTA FE 3 @ THE TRAILS, UNIT 2**) zoned SU-2-SRSL, located on WOODMONT AVE NW, between RAINBOW BLVD NW and UNIVERSE BLVD NW containing approximately 20 acre(s). [REF: 06DRB-01017, 06DRB-01018] *[Deferred from 8/23/06 & 9/13/06 & 9/27/06 & 10/4/06 & 10/25/06 & 11/29/06]* (C-9) **DEFERRED AT THE AGENT'S REQUEST TO 12/20/06.**

06DRB-01017 Major-Preliminary Plat Approval
06DRB-01018 Minor-Temp Defer SDWK

SURV TEK & WILSON & COMPANY agent(s) for THE TRAILS LLC request(s) the above action(s) for all or a portion of Tract(s) 9-A, THE TRAILS UNIT 2 (to be known as **SANTA FE 3 @ THE TRAILS, UNIT 2**) zoned SU-2-SRSL , located on WOODMONT AVE NW, between RAINBOW BLVD NW and UNIVERSE BLVD NW containing approximately 20 acre(s). (Listed as Project 1004644 in error) *[Deferred from 8/9/06 & 8/23/06 & 9/13/06 & 9/27/06 & 10/4/06 & 10/25/06 & 11/29/06]* (C-9) **DEFERRED AT THE AGENT'S REQUEST TO 12/20/06.**

06DRB-01282 Minor-Subd Design (DPM) Variance

WILSON AND COMPANY agent(s) for THE TRAILS LLC request(s) the above action(s) for all or a portion of Tract(s) 9A, THE TRAILS UNIT 2 (to be known as **SANTA FE 3 @ THE TRAILS, UNIT 2**) zoned SU-2-SRSL, located on WOODMONT AVE NW, between RAINBOW BLVD NW and UNIVERSE BLVD NW containing approximately 20 acre(s). [REF: 06DRB-01017, 06DRB-01018, DRB-01077] *Deferred from 9/13/06 & 9/27/06 & 10/4/06 & 10/25/06 & 11/29/06]* (C-9) **DEFERRED AT THE AGENT'S REQUEST TO 12/20/06.**

6. **Project # 1004428**
06DRB-01121 Major-Vacation of Public Easements
06DRB-01119 Major-Preliminary Plat Approval
06DRB-01122 Minor-Temp Defer SDWK

MARK GOODWIN & ASSOCIATES agent(s) for ALBUQUERQUE RIO BRAVO PARTNERS LLC request(s) the above action(s) for all or a portion of Tract(s) RR-3A, RR-3B, RR-3C, RR-3D and RR-3E, TOWN OF ATRISCO GRANT (to be known as **CEJA VISTA**) zoned SU-1, C-1, R-LT, located on DENNIS CHAVEZ BLVD SW, between MEADE AVE SE and 118TH ST SW containing approximately 99 acre(s). [REF: 05DRB-01460, 05DRB-01461] *[Deferred from 8/30/06 & 9/27/06 & 10/4/06 & 10/18/06 & 11/1/06 & 11/29/06]* (P-9) **DEFERRED AT THE AGENT'S REQUEST TO 12/13/06.**

7. **Project # 1005070**
06DRB-01154 Major-Preliminary Plat Approval
06DRB-01156 Minor-Sidewalk Waiver
06DRB-01155 Minor-Temp Defer SDWK

SURV-TEK INC & WILSON & COMPANY agent(s) for THE TRAILS LLC request(s) the above action(s) for all or a portion of Tract(s) 8, THE TRAILS, UNIT 2 (to be known as **TAOS @ THE TRAILS, UNIT 2**) zoned SU-2-SRLL, located on WOODMONT AVE NW, between UNIVERSE BLVD NW and RAINBOW BLVD NW containing approximately 9 acre(s). *[Deferred from 9/6/06 & 9/13/06 & 9/27/06 & 10/11/06 & 10/25/06 & 11/29/06]* (C-9) **DEFERRED AT THE AGENT'S REQUEST TO 12/20/06.**

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

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

8. **Project # 1002330**
06DRB-01642 Minor-SiteDev Plan BldPermit/EPC

JIM MEDLEY ARCHITECT AIA agent(s) for ULTIMATE CAR WASH request(s) the above action(s) for all or a portion of Tract(s) G-2-A-2, **MONTGOMERY COMPLEX,** zoned SU-1 FOR C-1, located on MONTGOMERY BLVD NE, between CARLISLE BLVD NE and I-25 containing approximately 1 acre(s). [REF: 06EPC-00954] **[Maggie Gould, EPC Case Planner]** [*Indef deferred from 11/29/06]* (F-16) **INDEFINITELY DEFERRED AT THE AGENT'S REQUEST.**

9. **Project # 1002455**
06DRB-01648 Minor-SiteDev Plan Subd/EPC
06DRB-01649 Minor-SiteDev Plan BldPermit/EPC

TAFAZZUL HUSSAIN agent(s) for DOUGLAS SIMMS request(s) the above action(s) for all or a portion of Lot(s) 2-7, **J J SUBDIVISION,** zoned SU-1 FOR C-1 USES, located on SAN ANTONIO DR NE, between I-25 and SAN PEDRO NE containing approximately 8 acre(s). [REF: 06DRB-00610, 06EPC-00458, 06EPC-01076] **[Carmen Marrone, EPC Case Planner]** [*Indef deferred from 11/29/06]* (E-18) **INDEFINITELY DEFERRED AT THE AGENT'S REQUEST.**

10. **Project # 1003714**
06DRB-01646 Minor-SiteDev Plan Subd/EPC
06DRB-01647 Minor-SiteDev Plan BldPermit/EPC
06DRB-01645 Minor-Prelim&Final Plat Approval

TIERRA WEST LLC agent(s) for LB/VCC EAGLE RANCH LLC request(s) the above action(s) for all or a portion of Tract(s) C-2 & C-3, **ADOBE WELLS SUBDIVISION**, VENTURE COMMERCE CENTER, zoned SU-1 FOR IP, C-2, R-2, located on EAGLE RANCH RD NW, between WESTSIDE DR NW and COORS BLVD NW containing approximately 7 acre(s). [REF: 06EPC-01306, 06EPC-01307] **[Catalina Lehner, EPC Case Planner]** *[Deferred from 11/29/06]* (B-13) **DEFERRED AT THE AGENT'S REQUEST TO 12/6/06.**

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

11. **Project # 1001028**
06DRB-01655 Minor-Final Plat Approval

PRECISION SURVEYS INC. agent(s) for RON AND TINA CERROS request(s) the above action(s) for all or a portion of Tract (s) 1 (to be known as **LOTS 1-A & 1-B, LANDS OF ALEJANDRO GARCIA,** zoned R-1, located on 49TH ST NW, between BLUEWATER NW and ALEJANDRO ST NW containing approximately 1 acre(s). (J-11) **THE FINAL PLAT WAS APPROVED WITH FINAL SIGN OFF DELEGATED TO PLANNING FOR RECORDED APS DOCUMENT, APS STATEMENT ON THE PLAT, AGIS DXF FILE AND TO RECORD.**

12. Project # 1004932
06DRB-01654 Minor-Prelim&Final Plat Approval

PRECISION SURVEYS INC. agent(s) for ALAN M. & LINDA MALOTT request(s) the above action(s) for all or a portion of Block(s) B (to be known as **LOT B-1, MONTE VISTA ADDITION,** zoned O-R, located on CAMPUS BLVD NE and TULANE AVE NE and containing approximately 1 acre(s). *[Indef deferred from 11/29/06]* (K-16) **INDEFINITELY DEFERRED AT THE AGENT'S REQUEST.**

13. Project # 1002739
06DRB-01635 Minor-Amnd Prelim Plat Approval
06DRB-01636 Minor-Sidewalk Waiver
06DRB-01637 Minor-Temp Defer SDWK

MARK GOODWIN & ASSOCIATES PA agent(s) for KB HOME NEW MEXICO INC request(s) the above action(s) for PARCELS 7 & 8A, **ANDERSON HEIGHTS, UNIT 5,** zoned RD, R-LT, located on 118TH ST SW, between DENNIS CHAVEZ BLVD SW and COLOBEL AVE SW containing approximately 69 acre(s). [REF: 05DRB-01832, 05DRB-01834, 05DRB-01835] *[Deferred from 11/29/06]* (P-8) **DEFERRED AT THE BOARD'S REQUEST TO 12/6/06.**

14. Project # 1005261
06DRB-01652 Minor-Vacation of Private Easements
06DRB-01651 Minor-Sketch Plat or Plan

JEFF MORTENSEN & ASSOCIATES INC agent(s) for CITY OF ALBUQUERQUE, C/O STUDIO SOUTHWEST ARCHITECTS, request(s) the above action(s) for Lot(s) 1 & 2, Block(s) 2, **BRATINA ADDITION NO. 2** & Lot(s) 1-10 & 19-21, **FRANCHINI ADDITION** & Lot(s) 1, **TOWNES ADDITION**, zoned M-1 light manufacturing zone, located on BROADWAY BLVD NE, between JOHN ST NE and ROMA AVE NE containing approximately 2 acre(s). (J-14) **THE VACATION WAS APPROVED AS SHOWN ON EXHIBIT B IN THE PLANNING FILE. THE ABOVE REQUEST WAS REVIEWED AND COMMENTS WERE GIVEN.**

15. Project # 1004161
06DRB-01650 Minor-Extension of Preliminary Plat

JEFF MORTENSEN & ASSOCIATES agent(s) for WILLIAM & BENITA BRENNAN request(s) the above action(s) for all or a portion of Lot(s) 4 & 5 (to be known as **PLAZA ESCONDIDO**) RIVERSIDE PLAZA, zoned SU-1 FOR PRD (8 du/a) located on WINTER HAVEN RD NW, between LA ORILLA RD NW and MONTANO PLAZA DR NW containing approximately 3 acre(s). [REF: 05DRB-01724, 05DRB-01725, 05DRB-01726, 05DRB-01727, 05DRB-01728] (E-12) **A ONE-YEAR EXTENSION OF THE PRELIMINARY PLAT WAS APPROVED.**

16. Project # 1004602
06DRB-01628 Minor-Prelim&Final Plat Approval

DOUG SMITH agent(s) for ROBERT JENKINS request(s) the above action(s) for all or a portion of Lot(s) G & westerly portion of Lot(s) F, **ALVARADO GARDENS NO. 2,** zoned RA-2, located on CASTANEDA RD NW, between ORO VISTA RD NW and CAMPBELL RD NW containing approximately 1 acre(s). [REF: 06DRB-01098 (G-12) **THE PRELIMINARY AND FINAL PLAT WAS APPROVED WITH FINAL SIGN OFF DELEGATED TO PLANNING FOR AGIS DXF FILE, MAINTENANCE AND BENEFICIARIES OF THE 2 EASEMENTS AND TO RECORD THE PLAT.**

17. Project # 1005250
06DRB-01613 Minor-Prelim&Final Plat Approval

JOSE RODRIGUEZ request(s) the above action(s) for all or a portion of Lot(s) A, B & C, Block T-1, **CARLOS REY SUBDIVISION,** zoned R-2 residential zone, located on CHURCHILL RD SW, between COORS BLVD SW and BATAAN DR SW containing approximately 1 acre(s). *[Deferred from 11/15/06 & 11/22/06 & 11/29/06]* (K-10) **DEFERRED AT THE AGENT'S REQUEST TO 12/6/06.**

18. Project # 1002730
06DRB-01521 Minor-Final Plat Approval

ISAACSON & ARFMAN agent(s) for INFILL SOLUTIONS II LLC request(s) the above action(s) for all or a portion of Lot(s) 13-A-1, Block(s) 6, Tract(s) 3, NORTH ALBUQUERQUE ACRES UNIT 3 (to be known as **VILLA FIRENZE**) zoned R-D, located on CORONA AVE NE, between VENTURA ST NE and MENDOCINO DR NE containing approximately 4 acre(s). [REF: 06DRB-01204] *[Deferred from 10/25/06 Indef deferred 11/8/06 & Indef deferred 11/29/06]* (C-20) **INDEFINITELY DEFERRED AT THE AGENT'S REQUEST.**

06DRB-01555 Minor-Subd Design (DPM)
Variance

ISAACSON & ARFMAN agent(s) for INFILL SOLUTIONS II LLC request(s) the above action(s) for all or a portion of Lot(s) 13-A-1, Block(s) 6, Tract(s) 3, NORTH ALBUQUERQUE ACRES UNIT 3 (to be known as **VILLA FIRENZE**) zoned R-D, located on CORONA AVE NE, between VENTURA ST NE and MENDOCINO DR NE containing approximately 4 acre(s). [REF: 06DRB-01204] *Indef deferred 11/8/06]* (C-20) **A SUBDIVISION DESIGN VARIANCE FROM THE MINIMUM DPM DESIGN STANDARDS WAS APPROVED AS SHOWN ON EXHIBIT C IN THE PLANNING FILE.**

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

19. Project # 1005262
06DRB-01653 Minor-Sketch Plat or Plan

DON GORMAN agent(s) for MIKE MIDANI request(s) the above action(s) for all or a portion of Lot(s) 4 & 5, Block(s) 7, **DALE BELLAMAH ADDITION,** zoned R-3 residential zone, located on ALVARADO DR NE, between INDIAN SCHOOL RD NE and CONSTITUTION AVE NE containing approximately 1 acre(s). (J-18) **THE ABOVE REQUEST WAS REVIEWED AND COMMENTS WERE GIVEN.**

20. **Project # 1005258**
06DRB-01640 Minor-Sketch Plat or Plan

ANGELA BLAIR agent(s) for CHRISTOPHER & JEANETTE CHAVEZ request(s) the above action(s) for all or a portion of Tract(s) 242C, **MARTINEZTOWN,** zoned SU-2/NCR, located on EDITH BLVD NE, between LOMAS NE and MOUNTAIN NE containing approximately 1 acre(s). (J-14) **THE ABOVE REQUEST WAS REVIEWED AND COMMENTS WERE GIVEN.**

21. **Project # 1005259**
06DRB-01641 Minor-Sketch Plat or Plan

AZEEZ HINDI request(s) the above action(s) for **CANYON ACRES,** zoned C-1, located on SKYLINE NE, between FIGUEROA NE and TRAMWAY BLVD NE containing approximately 2 acre(s). (L-22) **THE ABOVE REQUEST WAS REVIEWED AND COMMENTS WERE GIVEN.**

22. ADJOURNED: 11:08 A.M.

DEVELOPMENT REVIEW BOARD

TRANSPORTATION DEVELOPMENT

Standard Comment Sheet

DRB- 1003714 Item No. 10 Zone Atlas B-13

DATE ON AGENDA 11-29-06

INFRASTRUCTURE REQUIRED (X)YES ( )NO

CROSS REFERENCE: _____

TYPE OF APPROVAL REQUESTED:

( )SKETCH PLAT (X)PRELIMINARY PLAT ( )FINAL PLAT

( )SITE PLAN REVIEW AND COMMENT (X)SITE PLAN FOR SUBDIVISION

(X)SITE PLAN FOR BUILDING PERMIT

No.	Comment
1)	Where is the AMAFCA easement on the plat?
2)	Where is the truck circulation plan?
3)	Where are the notes for the work within public right-of-way?
4)	With required bikelanes along Eagle Ranch, is dedication required?
5)	Has the NMDOT approved the TIS?
6)	The parking stalls are overhanging onto the 6' sidewalks.
7)	Where is the sidewalk along Westside?

If you have any questions or comments please call Wilfred Gallegos at 924-3991. Meeting notes:

CITY OF ALBUQUERQUE

PLANNING DEPARTMENT
DEVELOPMENT AND BUILDING SERVICES
HYDROLOGY DEVELOPMENT SECTION

DEVELOPMENT REVIEW BOARD – SPEED MEMO

DRB CASE NO/PROJECT NO: 1003714 **AGENDA ITEM NO: 10**

SUBJECT:

Final Plat
Preliminary Plat
Site Plan for BP
Site Plan for Subd

ACTION REQUESTED:

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

ENGINEERING COMMENTS:

AMAFCA must sign the plat prior to City Engineer signature.
An approved SIA with Financial Guarantee(s) is required prior to final plat approval.

P.O. Box 1293

Albuquerque

New Mexico 87103

www.cabq.gov

RESOLUTION:

APPROVED ___; DENIED ___; DEFERRED X (12-6-06); COMMENTS PROVIDED ___; WITHDRAWN ___

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

SIGNED: Bradley L. Bingham
City Engineer / AMAFCA Designee

DATE: NOVEMBER 29, 2006

#10

CITY OF ALBUQUERQUE
PLANNING DEPARTMENT

INTER-OFFICE MEMO

DATE: November 27, 2006

TO: Sheran Matson, DRB Chair

FROM: Catalina Lehner, Planner

RE: Project #1003714, Venture Commerce Center

On October 19, 2006, the EPC approved a Site Development Plan for Subdivision and a Site Development Plan for Building Permit (with conditions) for Tracts C-2 and C-3, Adobe Wells. Staff met with the applicant, Sara Lavy of Tierra West, on November 13, 2006 to check for compliance with the Conditions of Approval.

To comply with the Conditions, note that a recycling station was added, street trees were placed between the curb and the sidewalk, the fence will be removed, employee gathering areas were added and a dumpster relocated.

However, at this time, the Site Development Plan for Building Permit does not satisfactorily meet all of the EPC conditions as elaborated in the Official Notice of Decision.

Conditions #11 and #15 are not completely met. Pursuant to Zoning Code 14-16-3-18(D)(3), outdoor gathering areas for employees must have a minimum 25% coverage with seating and shade. Seating and shade are not indicated on the site plan for either of the two outdoor areas, but need to be.

If you have any questions regarding this case, please call me at 924-3935.

3714

DXF Electronic Approval Form

DRB Project Case #: 1003714

Subdivision Name: ADOBE WELLS

Surveyor: LARRY W MEDRANO

Contact Person: KELI KRUEGAR

Contact Information: 858-3100

DXF Received: 11/20/2006 Hard Copy Received: 11/20/2006

Coordinate System: NMSP Grid (NAD 27)

Approved

11.21.2006
Date

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

AGIS Use Only

Copied fc **3714** to agiscov on **11/21/2006** Contact person notified on **11/21/2006**

File

Matson, Sheran A.

From: Gallegos, Lupe M.
Sent: Tuesday, March 27, 2007 11:05 AM
To: Matson, Sheran A.
Subject: RE: Re-adjustment of Assessment

DRB Project #-1003714-

From: Matson, Sheran A.
Sent: Tuesday, March 27, 2007 11:39 AM
To: Gallegos, Lupe M.
Subject: RE: Re-adjustment of Assessment

Lupe

Do you have a DRB Project # by any chance? The re-plat should have this number.

Thanks,
Sheran

From: Gallegos, Lupe M.
Sent: Tuesday, March 27, 2007 8:23 AM
To: 'larry@presurv.com'; Garcia, Andrew B.; Matson, Sheran A.
Cc: Allen, Linda D.; Wagner, Christa
Subject: Re-adjustment of Assessment

Mr. Medrano,

Special Assessments received a re-plat for Adobe Wells, and on researching this new legal description. It was brought to our attention, the new properties are in Special Assessments District 224 (SAD). When an original property is re-platted and is in a SAD, the City of Albuquerque requires an re-adjustment of assessments application. In order to continue with the re-plat, I will need to refer you to Robert MacLake from Wilson & Co. (505)348-4024 to began the processes. There will be fees assessed to the application. Please forward this information to the property owner.

If you have any questions or need further information, please feel free to contact me at the number listed below.

Lupe Gallegos
Special Assessments
Accounting Division, DFAS
(505)768-3233

TIERRA WEST, LLC

5571 Midway Park Place NE
Albuquerque, NM 87109

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

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

1003714

10/01/07 Left message - needs an A.A. JW

September 28, 2007

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

RE: Venture Commerce Center on Eagle Ranch Road
DRB #

Dear Ms. Matson:

Tierra West LLC, on behalf of Venture Corporation, requests a change to the screen wall detail that was approved at DRB. The original detail called for split face block to be stucco coated. This is contradictory – split face block would not normally be covered with stucco. The owner would like to change the detail to show just split face block and to take out the zigzag pattern with does not match the architecture of the buildings. I've attached a revised screen wall detail for your review.

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

Sincerely,

Ronald R. Bohannan, PE

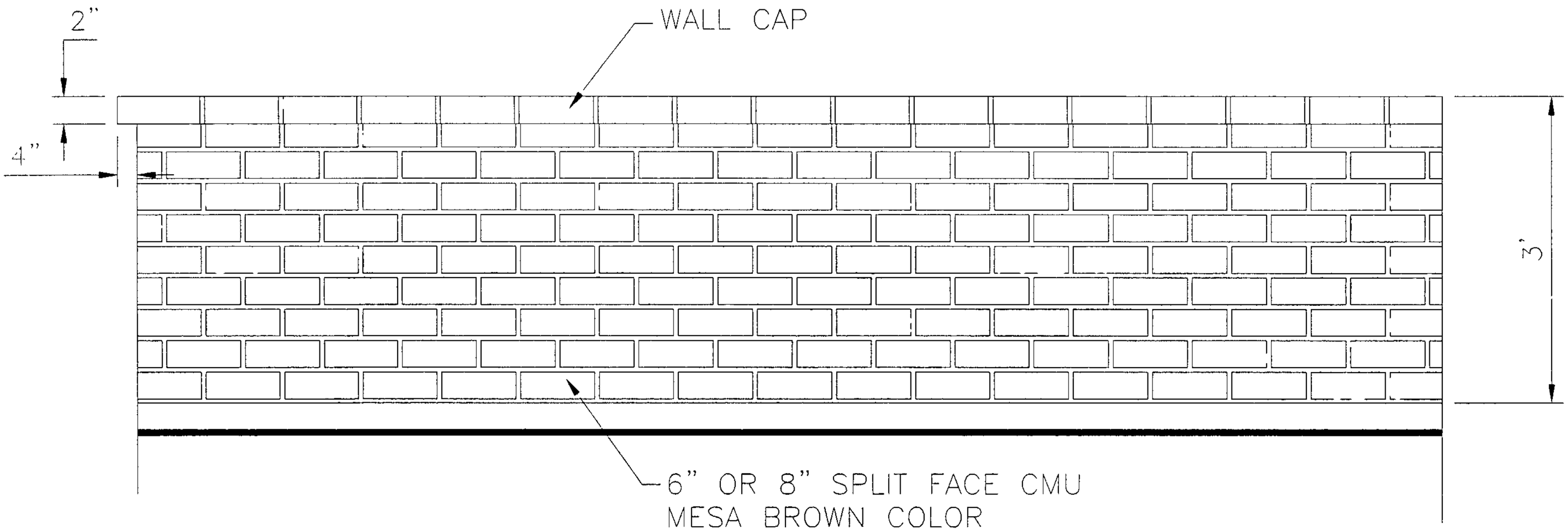
Enclosure/s

cc: Brett Dresden
Henry Chan

JN: 26034
SL/cla

2006: 26034 Sheran Matson Wall ltr 09-28-07 doc

RECEIVED
SEP 28 2007
HYDROLOGY SECTION



SCREEN WALL ELEVATION

NTS

RECEIVED
SEP 28 2007
HYDROLOGY SECTION

Kelli Jaramillo

No. Of Lots **2**
Nearest Major Streets **Eagle Ranch Rd. NW**

FIGURE 12

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

AGREEMENT TO CONSTRUCT
PUBLIC AND/OR PRIVATE SUBDIVISION IMPROVEMENTS

THIS AGREEMENT is made this 5th day of March, 2007, by and between the City of Albuquerque, New Mexico ("City"), a municipal corporation, whose address is P. O. Box 1293 (One Civic Plaza), Albuquerque, New Mexico 87103, and **LB/VCC Eagle Ranch LLC** ("Subdivider"), a [state the type of business entity, for instance, "New Mexico corporation," "general partnership," "joint venture," "individual," etc.:] **Limited Liability Corporation**, whose address is **125 Sir Francis Drake Blvd, 3rd Floor, Larkspur, CA 94939** and whose telephone number is **415-381-1600**, is made in Albuquerque, New Mexico, and is entered into as of the date of final execution of this Agreement.

1. Recital. The Subdivider is developing certain lands within the City of Albuquerque, Bernalillo County, New Mexico, known as [describe:] **Tracts C-2 & C-3, Adobe Wells**, recorded on **February 2**, 19**89** in the records of the Bernalillo County Clerk at Book **C38**, Folio **110** (the "Subdivision"). The Subdivider certifies that the Subdivision is owned by [state the name of the present real property owner exactly as shown on the real estate document conveying title in the Subdivision to the present owner:] **LB/VCC Eagle Ranch LLC** ("Owner").

The Subdivider has submitted and the City has approved a preliminary plat or Site Development Plan identified as **Venture Commerce Center** describing Subdivider's Property.

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

2. Improvements and Construction Deadline. The Subdivider agrees to install and complete the public and/or private improvements described in Exhibit A, the required infrastructure listing ("Improvements"), to the satisfaction of the City, on or before the **20th** day of **February**, 20**09** ("Construction Completion Deadline"), at no cost to the City. The improvements are shown in greater detail on the Subdivider's proposed and approved plans, which have been filed with the City Engineer and are identified as Project No. **277482**.

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

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the extension.

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

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

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

Type of Fee	Amount
Engineering Fee	3.25% of Actual Construction Cost
Excavation & Sidewalk Fees	As required per City-approved estimate
Street Restoration Fees	As required per City-approved estimate (Fig. 7)

(***Note:*** *The Subdivider must pay the City all City fees which have been incurred during construction before the City will accept the Public Improvements.*)

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

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

B. Construction Inspection methods. Inspection of the construction of the Public Improvements shall be performed by **Tierra West LLC**, and inspection of the Private Improvements shall be performed by **Tierra West LLC**, both New Mexico Registered Professional Engineers. If the inspection is performed by an entity other than the City, the City may monitor the inspection and the Subdivider shall ensure that the inspecting entity provides all inspection results, reports and related data to the City, which the City requires for review. The City retains the right to perform its own general overall inspection of the construction project at any time prior to final acceptance of the Improvements, if deemed necessary or advisable by the City engineer. The Subdivider shall pay the [illegible] fee for the level of inspection

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performed by the City.

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

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

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

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

Type of Financial Guaranty: **Subdivision Bond** C.W.S 70909
Amount: $ **18, 392.72**
Name of Financial Institution or Surety providing Guaranty:
WESTERN INSURANCE COMPANY
Date City first able to call Guaranty: **February 20, 2009**
[Construction Completion Deadline]: **February 20, 2009**
If Guarantee other than a Bond, last day City able to call on Guaranty is:

Additional information:

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

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

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

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

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

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

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

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

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

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

10. Indemnification. Until the Improvements are accepted by the City, the Subdivider shall be solely responsible for maintaining the premises upon which the Improvements are being constructed in a safe condition. The Subdivider agrees to defend, indemnify and hold harmless the City and its officials, agents and employees from any claims, actions, suits or other proceedings arising from or out of the negligent acts or omissions of the Subdivider, its agents, representatives, contractors or subcontractors or arising from the failure of the Subdivider, its agents, representatives, contractors or subcontractors to perform any act or duty required of the Subdivider herein; provided, however, to the extent, if at all, Section 56-7-1 NMSA 1978 is applicable to this Agreement, this Agreement to indemnify will not extend to liability, claims, damages, losses or expenses, including attorney fees, arising out of (1) the preparation or approval of maps, drawings, opinions, reports, surveys, change orders, designs or specifications by the indemnitee, or the agents or employees of the indemnitee; or (2) the giving of or the failure to give directions or instructions by the indemnitee, where such giving or failure to give directions or instructions is the primary cause of bodily injury to persons or damage to property. The indemnification required hereunder sha[illegible] as a result of the specifications of

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any applicable insurance c rage. Nothing herein is intended to ir r any right or immunity under the laws of the State of New Mexico.

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

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

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

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

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

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

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

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

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

20. Form not Changed. Subdi that changes to this form are not binding

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unless initialed by the Sub er and signed by the City's Legal De nent on this form.

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

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

SUBDIVIDER:
LB/VCC Eagle Ranch, LLC

By [Signature]: Todd
Name: **Todd Berryhill**
Title: **Manager**
Dated: 2/27/07

CITY OF ALBUQUERQUE

Approved by:
City Engineer
Dated: 3-05-07

Lyf 3/5/07

3-1-07

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SUBDIVIDER'S NOTARY

STATE OF **New Mexico**)
) ss.
COUNTY OF **Bernalillo**)

This instrument was acknowledged before me on 27th day of February, 2007 by [name(s) of person(s):] **Todd Berryhill**,[title or capacity, for instance, "President" or "Owner":] **Manager** of [Subdivider:] **LB/VCC Eagle Ranch, LLC**.

Keli D. Krueger
Notary Public

My Commission Expires:

March 6, 2010

OFFICIAL SEAL
KELI D. KRUEGER
NOTARY PUBLIC - STATE OF NEW MEXICO
My Commission Expires: March 6, 2010

CITY'S NOTARY

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

This instrument was acknowledged before me on 5 day of March, 2007 by Richard Dutch, City Engineer, of the City of Albuquerque, a municipal corporation, on behalf of said corporation.

Claire Senova
Notary Public

My Commission Expires:

7.30.2008

OFFICIAL SEAL
CLAIRE SENOVA
NOTARY PUBLIC
STATE OF NEW MEXICO
My Commission Expires: 7-30-08

EXHIBIT A AND POWER OF ATTORNEY ATTACHED

2007036771
6619718
Page: 7 of 7
03/07/2007 03:06P
Bk-A133 Pg-6704
Maggie Toulouse Bern. Co. REL R 21.00

Current DRC
Project Number

ORIGINAL

FIGURE 12

INFRASTRUCTURE LIST

(Rev 9-20-05)

EXHIBIT "A"

TO SUBDIVISION IMPROVEMENTS AGREEMENT

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

Date Submitted: 11/21/06
Date Site Plan Approved: 12/06/06
Date Preliminary Plat Approved: ———
Date Preliminary Plat Expires: ———
DRB Project No.: 1003714
DRB Application No.: 06-01647

1 1-25-07

Tract C-2-A and C-3-A Adobe Wells Subdivision
PROPOSED NAME OF PLAT AND/OR SITE DEVELOPMENT PLAN

Tract C-2 and C-3 Adobe Wells Subdivision
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	Private P.E.	City Cnst Engineer
		12' F-E	Sidewalk and Curb and Gutter for westbound right turn lane (Deferred Item - Modified Procedure B)	Irving Boulevard	175' East of Eagle Ranch	Eagle Ranch	/	/	/
			* Funding Agreement with AMAFCA for arroyo improvements	Calabillas Arroyo	West Property Line	East Property Line	/	/	/

1 not financially guaranteed thru City SIA process (See page 3)

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.

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Approval of Creditable Items:
Impact Fee Admistrator Signature Date

Approval of Creditable Items:
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 rquirements.

ORIGINAL

1 * This item to be coordinated with AMAFCA on Financial Guarantee Amount.
Agreement must be ratified by AMAFCA Board before release of SIA.
⚠1 done 1-25-07

2

3

AGENT / OWNER	DEVELOPMENT REVIEW BOARD MEMBER APPROVALS
Sara Lavy, PE NAME (print)	12/06/06 Christina Sandoval 12/6/06 DRB CHAIR - date / PARKS & RECREATION - date
Tierra West LLC FIRM	12-6-06 TRANSPORTATION DEVELOPMENT - date
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	Bradley L. Brigham 12/6/6 CITY ENGINEER - date
	AMAFCA - date 12-6-06 - date
	_____ - date

DESIGN REVIEW COMMITTEE REVISIONS

REVISION	DATE	DRC CHAIR	USER DEPARTMENT	AGENT /OWNER
1	1-25-07		Bradley L. Bi	Kelli D. Krueger

FINANCIAL GUARANTY AMOUNT

01/30/2007

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

Project Description:

Project ID #: 277482, Venture Commerce @ Adobe Wells, Phase/Unit #: 1

Requested By: **Sara Lavy, P.E. - Tierra West, Fax 858-1118**

Approved estimate amount:		$9,082.76
Contingency Amount:	30.00%	$2,724.83
Subtotal:		$11,807.59
NMGRT	6.875%	$811.77
Subtotal:		$12,619.36
Engineering Fee	6.60%	$832.88
Testing Fee	10.00%	$1,261.94
Subotal:		$14,714.18
FINANCIAL GUARANTY RATE		1.25
Retainage Amount:		$.00
TOTAL FINANCIAL GUARANTY REQUIRED		**$18,392.72**

APPROVAL: DATE:

1/30/07

Notes: Agreement must be ratified by AMAFCA Board before ROFG

FIGURE 16
(Procedure B)
SUBDIVISION BOND

Bond No. [Surety's No:] CWS70909

SUBDIVISION IMPROVEMENTS BOND

KNOW ALL MEN BY THESE PRESENTS: That we [name of subdivider:] **LB/VCC Eagle Ranch, LLC** ("Subdivider") a [state type of business entity, for instance, "New Mexico corporation," "general partnership", "joint venture", "individual", etc:] **Limited Liability Corporation** as "Principal", and [name of surety:] WESTERN INSURANCE COMPANY, a corporation organized and existing under and by virtue of the laws of the State of Nevada and authorized to do business in the State of New Mexico, as "Surety," whose address is 580 E Plumb Lane, Reno, NV 89502 and whose telephone number is 775-829-6650 are held and firmly bound unto the CITY OF ALBUQUERQUE in the penal sum of [written amount:] **Eighteen thousand three hundred ninety-two AND 72/100** Dollars, ([amount in figures:] (**$ 18,392.72**), as amended by change orders approved by the Surety or changes to the infrastructure list approved by the City Development Review Board, the payment of which is well and truly to be made, and each of us bind ourselves, our and each of our heirs, executors, administrators, successors and assigns, jointly and severally, and firmly by these presents.

NOW, THEREFORE, the condition of the above obligation is such that:

WHEREAS, the Principal is the owner of and/or is interested in or is developing land and premises known as [name of subdivision:] **Tracts C-2 & C-3, Adobe Wells** ("Subdivision"), City Project No. **277482**; and

WHEREAS, said Subdivision is subject to the provisions and conditions of the ordinance of the CITY OF ALBUQUERQUE known as the Subdivision Ordinance, the requirements of which include the installation of various other improvements by the Principal; and

WHEREAS, the Subdivision Ordinance also requires the Principal to install and construct the following improvements at the Subdivision: [list the improvements, e.g., water, sewer, pavement, sidewalks:] **Infrastructure** ("Improvements")

All construction shall be performed in accordance with the Agreement to Construct Public and/or Private Subdivision Improvements Agreement entered into between [name of Subdivider;] **LB/VCC Eagle Ranch, LLC** and the CITY OF ALBUQUERQUE, as recorded in the office of the Clerk of Bernalillo County, New Mexico, in Book Misc. [leave blank:] A133, pages [leave blank:] 6704 through [leave blank:] 6704, as amended by change orders or amendments to the Agreement.

Bond No. [surety's No:]CWS70909

NOW, THEREFORE, if the Principal completes construction of the Improvements and facilities and performs the work herein above specified to be performed, all on or before [Construction Completion Deadline established in Agreement or as amended:] **February 20, 2009** ("the "Construction Completion Deadline"), then this obligation shall be null and void; if the Principal does not complete construction by or before the Construction Completion Deadline, the City may call on this obligation until released by the City.

IN WITNESS WHEREOF, this bond has been executed 9th day of February, 2007.

SUBDIVIDER LB/VCC Eagle Ranch, LLC

By [signature:] Todd Berghuis
Name: Todd
Title: V.P.
Dated: 12/2/07

SURETY WESTERN INSURANCE COMPANY

By [signature:] Caroline L Brown
Name: Caroline L Brown
Title: Attorney-in-Fact
Dated: February 9, 2007

STATE OF Nevada)
)ss.
COUNTY OF Clark)

Subscribed and sworn to before me this 9th day of February, 2007.

Mary M Paxson
NOTARY PUBLIC

My Commission Expires:

August 2, 2010

NOTARY PUBLIC
STATE OF NEVADA
County of Clark
MARY M. PAXSON
No. 01-77067-1
My Appointment Expires Aug. 2, 2010

*NOTE: Power of Attorney for Surety must be attached.

STATE OF **CALIFORNIA**)SS
COUNTY OF **MARIN**)

On Feb. 12, 2007 before me, **Margaret A. Meinberg, Notary Public**, personally appeared Todd Bemyhill, personally known to me (~~or proved to me on the basis of satisfactory evidence~~) to be the person whose name is subscribed to the within instrument and acknowledged to me that he executed the same in his authorized capacity and that by his signature on the instrument the person or the entity upon behalf of which the person acted, executed the instrument.

WITNESS my hand and official seal.

Signature

MARGARET A. MEINBERG
Commission # 1660321
Notary Public - California
Marin County
My Comm. Expires May 21, 2010

My Commission Expires: May 21, 2010

This area for official notarial seal

Notary Name: Margaret A. Meinberg
Notary Registration Number: 1660321

Notary Phone: 415-464-2000
County of Principal Place of Business: Marin County

WESTERN INSURANCE COMPANY
POWER OF ATTORNEY

306487

KNOW ALL MEN BY THESE PRESENTS: That WESTERN INSURANCE COMPANY, a corporation organized and existing under the laws of the State of Nevada and having its principal office at the City of Reno, in the State of Nevada, does hereby constitute and appoint

Caroline L. Brown

Of the STATE OF NEVADA its true and lawful Attorney(s)-in-Fact, each in their separate capacity if more than one is named above, to sign its name as surety to, and to execute, seal and acknowledge any and all bonds, undertakings, contracts and other written instruments in the nature thereof on behalf of the Company in its business of guaranteeing the fidelity of persons; guaranteeing the performance of contracts; and executing or guaranteeing bonds and undertakings required or permitted in any actions or proceedings allowed by law.

In Witness Whereof, the said WESTERN INSURANCE COMPANY has caused this instrument to be sealed with its corporate seal, duly attested by the signatures of its President and Secretary, this 19th day of June, 2006.

WESTERN INSURANCE COMPANY

ACKNOWLEDGMENT OF CORPORATE SURETY

NOTARY PUBLIC
STATE OF NEVADA
County of Clark
MARY M. PAXSON
No: 02-77067-1
My Appointment Expires Aug. 2, 2010

STATE OF Nevada)
ss
County of Clark)

On this 9th **day of** February, 2007, **before me appeared** Caroline L. Brown **to me personally known, who being by me duly sworn, did say that he is the aforesaid officer or attorney in fact of the** WESTERN INSURANCE COMPANY **a corporation; that the seal affixed to the foregoing instrument is the corporate seal of said corporation, and that said instrument was signed and sealed in behalf of said corporation by the aforesaid officer, by authority of its Board of Directors; and the aforesaid officer acknowledged said instrument to be the free act and deed of said corporation.**

My Commission Expires

August 2, 2010

Notary Public

Clark **County,** Nevada

shall be valid and binding upon the Company with respect to any bond or undertaking to which it is validly attached.

RESOLVED, that Attorney(s)-in-Fact shall have the power and authority, unless subsequently revoked and, in any case, subject to the terms and limitations of the Power of Attorney issued to them, to execute and deliver on behalf of the Company and to attach the seal of the Company to any and all bonds and undertakings, and other writings obligatory in the nature thereof, and any such instrument executed by such Attorney(s)-in-Fact shall be as binding upon the Company as if signed by an Executive Officer and sealed and attested to by the Secretary of the Company.

I, CAROL B. INGALLS, Secretary of the WESTERN INSURANCE COMPANY, do hereby certify that the foregoing is a true excerpt from the Resolution of the said Company, as adopted by its Board of Directors on June 19, 2006 and that this Resolution is in full force and effect.

I, the undersigned Secretary of the WESTERN INSURANCE COMPANY do hereby certify that the foregoing Power of Attorney is in full force and effect and has not been revoked.

In Testimony Whereof, I have hereunto set my hand and the seal of the WESTERN INSURANCE COMPANY on this 9th day of February, 2007.

WESTERN INSURANCE COMPANY INCORPORATED SEAL 1994 STATE OF NEVADA

Secretary

Current DRC
Project Number:

ORIGINAL

FIGURE 12

Date Submitted: 11/21/06
Date Site Plan Approved: 12/06/06
Date Preliminary Plat Approved:
Date Preliminary Plat Expires:
DRB Project No.: 1003714
DRB Application No.: 06-01647

1 1-25-07

INFRASTRUCTURE LIST

(Rev 9-20-06)

EXHIBIT "A"

TO SUBDIVISION IMPROVEMENTS AGREEMENT

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

Tract C-2-A and C-3-A Adobe Wells Subdivision
PROPOSED NAME OF PLAT AND/OR SITE DEVELOPMENT PLAN

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			* Funding Agreement with AMAFCA for arroyo improvements	Calabillas Arroyo	West Property Line	East Property Line	/	/	/

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							/	/	/
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Impact Fee Admistrator Signature Date

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NOTES

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Street lights per City rquirements.

ORIGINAL

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Agreement must be ratified by AMAFCA Board before release of SIA.

2 ⚠1 done 1-25-07

3

AGENT / OWNER	DEVELOPMENT REVIEW BOARD MEMBER APPROVALS
Sara Lavy, PE NAME (print)	D Matteson 12/06/06 DRB CHAIR - date
Tierra West LLC FIRM	Lyle Sut 12-6-06 TRANSPORTATION DEVELOPMENT - date
Sara Lavy SIGNATURE - date	William J. Balch 12/6/06 UTILITY DEVELOPMENT - date
	Bradley L. Brigham 12/6/6 CITY ENGINEER - date

Christina Sandoval 12/6/06 PARKS & RECREATION - date	
	AMAFCA - date
	12-6-06 - date
	- date

DESIGN REVIEW COMMITTEE REVISIONS

REVISION	DATE	DRC CHAIR	USER DEPARTMENT	AGENT /OWNER
1	1-25-07		Bradley L. Bi	Kelli D. Krueger

(rev. 9-20-05)

"Lynn Mazur"
<lmazur@amafca.org>

01/25/2007 02:07 PM

Please respond to
<lmazur@amafca.org>

To "Brad Bingham" <bbingham@cabq.gov>

cc "Sara Lavy" <slavy@tierrawestllc.com>

bcc

Subject Venture Commerce Center

Re: Infrastructure List for Venture Commerce Center, DRB Project # 1003714

As you are aware, the AMAFCA Board approved the "Funding Agreement for Calabacillas Arroyo Improvements as Related to Venture Commerce Center" for a lump sum contribution of $295,000 to the AMAFCA bank stabilization project. AMAFCA would like to keep the agreement on the City Infrastructure List. I would like to emphasize that the agreement is between the property owner and AMAFCA only. The City is not a party to the agreement.

AMAFCA
Lynn M. Mazur, P.E., C.F.M.
Development Review Engineer
phone: (505) 884-2215
fax: (505) 884-0214
www.amafca.org

--
No virus found in this outgoing message.
Checked by AVG Free Edition.
Version: 7.5.432 / Virus Database: 268.17.10/651 - Release Date: 1/24/2007 6:48 PM

page 3

Current DRC
Project Number

ORIGINAL

#17

FIGURE 12

Claire

Date Submitted: 11/21/06
Date Site Plan Approved 12/06/06
Date Preliminary Plat Approved.
Date Preliminary Plat Expires
DRB Project No.: 1003714
DRB Application No 06-01647

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(Rev 9-20-05)

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Impact Fee Admistrator Signature Date

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City User Dept. Signature Date

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Street lights per City rquirements.

ORIGINAL

1 * This item to be coordinated with AMAFCA on Financial Guarantee Amount.
Agreement must be ratified by AMAFCA Board before release of SIA.

2

3

AGENT / OWNER

Sara Lavy, PE
NAME (print)

Tierra West LLC
FIRM

SIGNATURE - date

DEVELOPMENT REVIEW BOARD MEMBER APPROVALS

DRB CHAIR - 12/06/06

Christina Sandoval 12/6/06
PARKS & RECREATION - date

12-6-06
TRANSPORTATION DEVELOPMENT - date

AMAFCA - date

William J. Balch 12/6/06
UTILITY DEVELOPMENT - date

12-6-06
CITY ENGINEER - date

- date

DESIGN REVIEW COMMITTEE REVISIONS

REVISION	DATE	DRC CHAIR	USER DEPARTMENT	AGENT /OWNER

(rev 9-20-05)

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

PAID RECEIPT

APPLICANT NAME LB/VCC Eagle Ranch LLC

AGENT Tierra West LLC

ADDRESS 5571 Midway Park Pl. NE

PROJECT & APP # 1003714 / 06 DRB-01646, 01647, 01645

PROJECT NAME Venture Commerce Center

$ _____ 441032/3424000 **Conflict Management Fee**

$ 50.00 441006/4983000 **DRB Actions** – Deferral Fee

$ _____ 441006/4971000 **EPC/AA/LUCC Actions & All Appeals**

$ _____ 441018/4971000 **Public Notification**

$ _____ 441006/4983000 **DRAINAGE PLAN REVIEW OR TRAFFIC IMPACT STUDY*****
( )Major/Minor Subdivision ( )Site Development Plan ( )Bldg Permit
( ) Letter of Map Revision ( )Conditional Letter of Map Revision
( ) Traffic Impact Study

$ 50.00 **TOTAL AMOUNT DUE**

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

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

2512
95-677/1070

DATE 11/30/06

PAY TO THE ORDER OF City of Albuquerque

Fifty and

$ 50.00

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

FOR 26034 Original Fee

11/30/2006 00 11:21AM DOLLARS

Security Features Details on Back

RECEIPT# 00067821 WSN 008 TRANSN 0014
Account 441004 Fund 0110
Activity 4983000 TRSLIP
Trans Amt 50.00
JE# MISC

Donna Bohannan

"002512" "107006677" 20181"

$50.00

Current DRC
Project Number:_____

FIGURE 12

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(Rev 9-20-05)

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City User Dept. Signature Date

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Street lights per City rquirements.

1 _____

_____

2 _____

_____

3 _____

_____

AGENT / OWNER

Sara Lavy, PE
NAME (print)

Tierra West LLC
FIRM

Sara Lavy
SIGNATURE - date

DEVELOPMENT REVIEW BOARD MEMBER APPROVALS

_____
DRB CHAIR - date

_____
TRANSPORTATION DEVELOPMENT - date

_____
UTILITY DEVELOPMENT - date

_____
CITY ENGINEER - date

_____
PARKS & RECREATION - date

_____
AMAFCA - date

_____
_____ - date

_____
_____ - date

DESIGN REVIEW COMMITTEE REVISIONS

REVISION	DATE	DRC CHAIR	USER DEPARTMENT	AGENT /OWNER

(rev 9-20-05)

City of Albuquerque

DEVELOPMENT/ PLAN REVIEW APPLICATION

Supplemental form

SUBDIVISION
- ___ Major Subdivision action
- _X_ Minor Subdivision action
- ____ Vacation
- ____ Variance (Non-Zoning)

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

STORM DRAINAGE
- ____ Storm Drainage Cost Allocation Plan

S Z ZONING & PLANNING
- ____ Annexation
- ____ County Submittal
- ____ EPC Submittal

V
- ____ Zone Map Amendment (Establish or Change Zoning)

P
- ____ Sector Plan **(Phase I, II, III)**
- ____ Amendment to Sector, Area, Facility or Comprehensive Plan
- ____ Text Amendment (Zoning Code/Sub Regs)
- ____ Street Name Change (Local & Collector)

L A APPEAL / PROTEST of...

D
- ____ Decision by: DRB, EPC, LUCC, Planning Director or Staff, ZHE, Zoning Board of Appeals

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

APPLICANT INFORMATION:

NAME: __LB/VCC Eagle Ranch LLC_____ PHONE: _415-381-1600_____

ADDRESS:__125 Sir Francis Drake Boulevard, 3rd Floor _____ FAX: _415-381-8285_____

CITY:_Larskpur_____ STATE _CA_ ZIP__94939__ E-MAIL:_____

Proprietary interest in site: _Owner_____ **List all owners**: ___Same_____

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:_____

DESCRIPTION OF REQUEST: _DRB Final Sign Off of Site Plan for Subdivision and Site Plan for Building Permit & Minor Preliminary/ Final Plat_

_____

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

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

Lot or Tract No.__Tracts C-2 & C-3_____ Block:_____ Unit:_____

Subdiv. / Addn. _Adobe Wells_____ Venture Commerce Center

Current Zoning:__SU-1 for IP, C-2 & R-2 Uses_____ Proposed zoning: ___No Change_____

Zone Atlas page(s): _B-13_____ No. of **existing** lots: __2_____ No. of **proposed** lots: __2__

Total area of site (acres): __7.37_____ Density if applicable: dwellings per gross acre: _____ dwellings per net acre: _____

Within city limits? _X__Yes. No___, but site is within 5 miles of the city limits.) Within 1000FT of a landfill? _NO_____

UPC No.__101306539510040143/101306542013040142_____ MRGCD Map No._____

LOCATION OF PROPERTY BY STREETS: On or Near: ____Eagle Ranch Road NW_____

Between:___Westside Drive NW_____ and _____~~Calabacillas Arroyo~~ COORS BLVD NW

CASE HISTORY: Catalina Lehner Epc Case Planner

List **any** current or prior case number that may be relevant to your application (Proj., App., DRB-, AX_,Z_, V_, S_, etc.): _SP89-39/Z-88-104/____

_V-88-39/06EPC- 01306,01307/Project # 1003714_____

Check-off if project was previously reviewed by Sketch Plat/Plan ? , or Pre-application Review Team ? . Date of review: 11

SIGNATURE _____ DATE 11/21/06

(Print) _Ronald R. Bohannan, PE_____ ___ Applicant _X_ Agent

FOR OFFICIAL USE ONLY Form revised 4/04

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

Application case numbers	Action	S.F.	Fees
06DRB-____-01645	P&F	S(3)	$ 285.00
06DRB-____-01646	SPS	P(3)	$ 0.00
06DRB-____-01647	SBP	___	$ 0.00
____-____-____	CMF	___	$ 20.00
____-____-____	_____	___	$_____
			Total $ 305.00

Hearing date 11/29/06

Sandy Handley 11/21/06

Project # 1003714

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

❑ **SKETCH PLAN REVIEW AND COMMENT**

__ Scaled site sketch and related drawings showing proposed land use including structures, parking, Bldg. setbacks, adjacent rights-of-way and street improvements, etc. (folded to fit into an 8.5" by 14" pocket) **6** copies.
__ Zone Atlas map with the entire property(ies) precisely and clearly outlined and crosshatched (to be photocopied)
__ Letter briefly describing, explaining, and justifying the request
__ Any original and/or related file numbers are listed on the cover application

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

❑ **SITE DEVELOPMENT PLAN FOR SUBDIVISION**

__ Scaled site plan and related drawings (folded to fit into an 8.5" by 14" pocket) **6** copies.
__ Zone Atlas map with the entire property(ies) precisely and clearly outlined and crosshatched (to be photocopied)
__ Letter briefly describing, explaining, and justifying the request
__ Letter of authorization from the property owner if application is submitted by an agent
__ Copy of the document delegating approval authority to the DRB
__ Infrastructure List, if relevant to the site plan
__ Fee (see schedule)
__ Any original and/or related file numbers are listed on the cover application

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

❑ **SITE DEVELOPMENT PLAN FOR BUILDING PERMIT**

__ Site plan and related drawings (folded to fit into an 8.5" by 14" pocket) **6** copies.
__ Site Plan for Subdivision, if applicable, previously approved or simultaneously submitted. **6** copies.
__ Solid Waste Management Department signature on Site Plan
__ Zone Atlas map with the entire property(ies) precisely and clearly outlined and crosshatched (to be photocopied)
__ Letter briefly describing, explaining, and justifying the request
__ Letter of authorization from the property owner if application is submitted by an agent
__ Copy of the document delegating approval authority to the DRB
__ Infrastructure List, if relevant to the site plan
__ Completed Site Plan for Building Permit Checklist
__ Blue-line copy of Site Plan with Fire Marshal's stamp
__ Fee (see schedule)
__ Any original and/or related file numbers are listed on the cover application

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

❑ **AMENDED SITE DEVELOPMENT PLAN FOR SUBDIVISION**
❑ **AMENDED SITE DEVELOPMENT PLAN FOR BUILDING PERMIT**

__ Proposed amended Site Plan (folded to fit into an 8.5" by 14" pocket) **6** copies.
__ DRB signed Site Plan being amended (folded to fit into an 8.5" by 14" pocket) Copies as needed above
__ Zone Atlas map with the entire property(ies) precisely and clearly outlined and crosshatched (to be photocopied)
__ Letter briefly describing, explaining, and justifying the request
__ Letter of authorization from the property owner if application is submitted by an agent
__ Infrastructure List, if relevant to the site plan
__ Completed Site Plan for Building Permit Checklist (not required for amendment of SDP for Subdivision)
__ Fee (see schedule)
__ Any original and/or related file numbers are listed on the cover application

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

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

_X_ Site plan and related drawings (folded to fit into an 8.5" by 14" pocket) **6** copies.
_X_ Approved Grading and Drainage Plan (folded to fit into an 8.5" by 14" pocket) **6** copies.
_X_ Solid Waste Management Department signature on Site Plan (not required for SDP for Subdivision)
_X_ Zone Atlas map with the entire property(ies) precisely and clearly outlined and crosshatched (to be photocopied)
_X_ Letter carefully explaining how each EPC condition has been met **and** a copy of the EPC Notification of Decision
_X_ Infrastructure List, if relevant to the site plan
_X_ Blue-line copy of Site Plan with Fire Marshal's stamp (not required for SDP for Subdivision)
_X_ Any original and/or related file numbers are listed on the cover application

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

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

Ronald R. Bohannan, PE
Applicant name (print)

11/21/06
Applicant signature / date

Form revised **October 2004**

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

Application case numbers
06DRB - _____ - 01646
_____ - _____ - _____
_____ - _____ - _____

Planner signature / date

Project # 1003714

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

❑ **SKETCH PLAT REVIEW AND COMMENT** **YOUR ATTENDANCE IS REQUIRED.**

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

❑ **MAJOR SUBDIVISION EXTENSION OF PRELIMINARY PLAT** **Your attendance is required.**

__ Preliminary Plat reduced to 8.5" x 11"
__ Zone Atlas map with the entire property(ies) precisely and clearly outlined and crosshatched (to be photocopied)
__ Letter briefly describing, explaining, and justifying the request
__ Copy of previous D.R.B. approved infrastructure list
__ Copy of the LATEST Official D.R.B. Notice of approval for Preliminary Plat Extension request
__ Any original and/or related file numbers are listed on the cover application
Extensions are not reviewed through internal routing.
Extension of preliminary plat approval expires after one year.

❑ **MAJOR SUBDIVISION FINAL PLAT APPROVAL** **Your attendance is required.**

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

❑ **MINOR SUBDIVISION PRELIMINARY / FINAL PLAT APPROVAL** **Your attendance is required.**

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

❑ **AMENDMENT TO PRELIMINARY PLAT (with minor changes)** **Your attendance is required.**
❑ **AMENDMENT TO INFRASTRUCTURE LIST (with minor changes)**
❑ **AMENDMENT TO GRADING PLAN (with minor changes)**

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

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

.

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

_RONALD R. BOHANNAN, PE_____
Applicant name (print)

11/21/06
Applicant signature / date

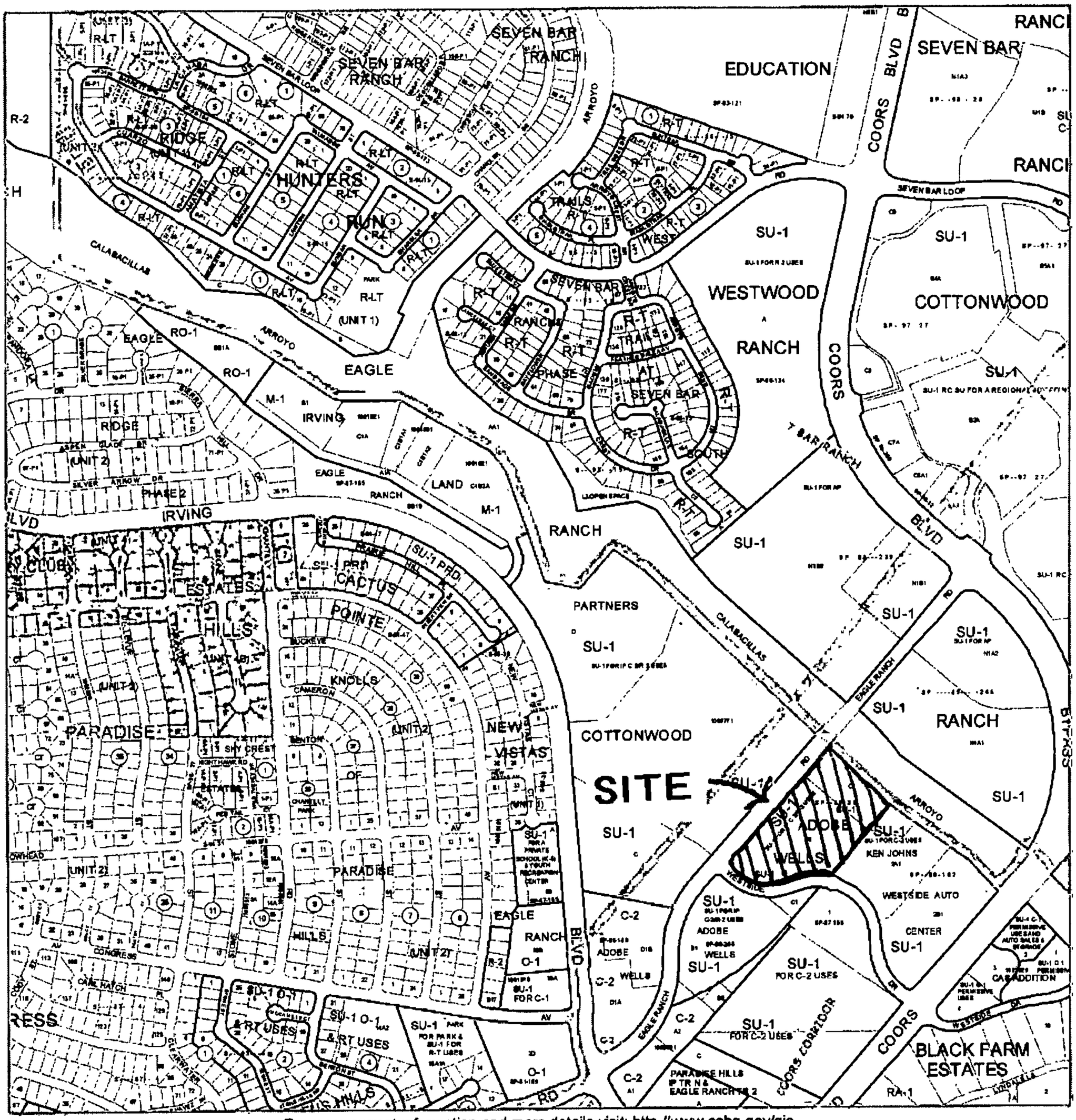
Form revised **11/04**

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

Application case numbers
06DRB-01645
_____-_____-_____
_____-_____-_____

Sandy Handley 11/21/06
Planner signature / date

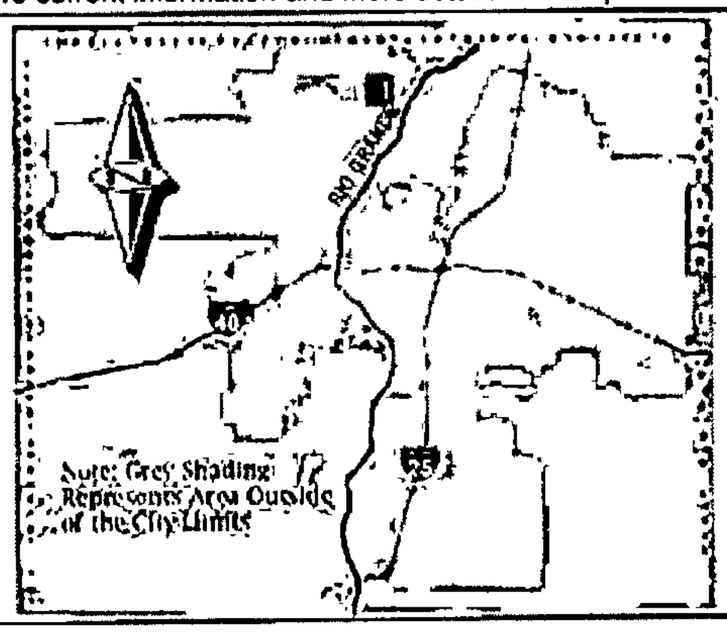
Project # 1003714



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

Albuquerque Geographic Information System

Map amended through: 5/1/2006



Zone Atlas Page:

B-13-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

0 750 1,500 Feet

TIERRA WEST, LLC

5571 Midway Park Place NE
Albuquerque, NM 87109

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

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

November 21, 2006

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

RE: Request for Site Plan for Building Permit and Site Plan for Subdivision
Tracts C2 and C3 Adobe Wells Subdivision
Zoned SU-1 for IP C-2/R-2 Uses, Zone Atlas Page B-13

Dear Ms. Matson:

Tierra West LLC, on behalf of Venture Corporation, requests EPC Final Sign-Off approval of the Site Plan for Building Permit and Site Plan for Subdivision for the above referenced site. We are also asking approval for the Preliminary Plat, which we are submitting concurrently as required by the EPC conditions. The plat divides the site into two lots; Lot 1 will consist of approximately 2.11 acres and is a future retail lot with no development proposed at this time. Lot 2 will be 5.26 acres and consists of the Venture Commerce Center. No right-of-way dedications are required for this project.

The site is located on the northeast corner of Westside Drive NW and Eagle Ranch Road NW on Albuquerque's west side. The site is currently undeveloped and consists of approximately 7.37 acres. The property is zoned SU-1 for IP C-2/R-2 Uses and we are not requesting any changes to the existing zoning. We propose to construct five new office/warehouse/light industrial buildings for a total square footage of 72,698 sf. The new buildings will be shell buildings with an office component in the front of each space. The additional space can be used for warehousing, light industrial or the space can be converted to 100% office.

The EPC conditions are addressed as follows:

Site 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. **This letter explains how all the conditions were met and all changes to the plan.**

2. Prior to final DRB sign off, the applicant shall meet with the Development Review staff planner to ensure that conditions of approval are thoroughly addressed. Evidence of this meeting shall be provided to the DRB at the time of application.
I met with Catalina Lehner on Monday, November 13 to show how the EPC conditions were met.

3. Replatting the subject site shall be a concurrent Development Review Board (DRB) action.
The preliminary plat is included with this submittal for DRB approval.

Site Plan for Building Permit

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

2. Prior to final DRB sign off, the applicant shall meet with the Development Review staff planner to ensure that conditions of approval are thoroughly addressed. Evidence of this meeting shall be provided to the DRB at the time of application.
I met with Catalina Lehner on Monday, November 13 to show how the EPC conditions were met.

3. General Site Plan Note #2, regarding future development of Tract C-3-A, shall be clarified.
Note #2 on Sheet C1 was reworded.

4. Wall/s-Fences
   A. The 3 ft. screen wall shall be stucco finished in earthtone color to not detract from the arroyo setting and match the buildings.
   The detail on Sheet 11 was changed to reflect an earthtone color.

   B. The color of the split-face CMU block shall be specified.
   The split-face block color is specified.

   C. The wall detail shall depict the screen wall as 3 ft. tall.
   The wall detail on Sheet 11 was revised to show the wall as 3-ft high.

5. Vehicle Circulation: Striping on the pavement shall be posted on the western side of the internal parking area to warn users that they are entering a loading area.
Hazard striping is shown, as required, on the western side of the parking area.

6. Pedestrian Circulation
   A. An additional crosswalk shall be added near the subject site's northeastern corner to connect to the arroyo open space.
   An additional crosswalk is shown in the northeast corner of the site.

   B. Crosswalks shall be made of textured colored concrete and shall be indicated as such on the site plan.
   This is shown as Note #9 on the Sheet C1.

7. Lighting: The lighting detail shall show height from top to grade and shall be corrected to depict that the light poles are 25 ft. high.
   The light pole detail on Sheet 11 was revised to show a 25-ft high light.

8. An area for tenant recycling shall be provided and coordinated with the Solid Waste Management Division (SWMD).
   A recycling station is shown near the southeast corner of the site.

9. Landscaping/Trees
   A. The Arizona Ash trees shall be replaced with Purple Robe Locust or the Wisconsin variety of American Elm, or thornless, seedless locust.
   The Arizona Ash trees were replaced with Purple Robe Locust trees on the Landscape Plan.

   B. The Flowering Pear trees shall be replaced with Bur Oak.
   All Flowering Pear trees were replaced with Bur Oak.

   C. The Austrian Pines in the eastern landscape buffer shall be replaced with Afghan Pine.
   The Austrian Pines were replaced by Afghan Pines.

   D. The Austrian Pines in the landscape buffer next to the arroyo shall be replaced with the Bur Oak to comply with the Facility Plan for Arroyos.
   The Austrian Pines in the landscape buffer were replaced with Bur Oak.

   E. Street trees shall be placed between the curb and the public sidewalk to comply with the Street Tree Ordinance (Chapter 6, Article 6, R.O. 1974).
   The sidewalk location was revised to allow room between the curb and sidewalk for the street trees.

   F. The applicant/property owner shall maintain the street trees and indicate this responsibility on the landscape plan.
   This is indicated by a note on the Landscape plan.

10. Landscape-General
   A. A tree planting detail shall be provided.
   A tree planting detail is shown on the Landscape Plan.

   B. The type of wildflower shall be specified.
   The wildflower specifications are noted on the Landscape Plan.

C. The type of sod shall be drought resistant and specified.
The sod type is noted on the Landscape Plan.

11. An outdoor gathering area for employees, at least 300 sf with 25% covered with seating and shade, shall be provided to comply with Zoning Code 14-16-3-18 (D)(3).
An outdoor patio area is shown between Buildings A and B and will have planters with trees to cover at least 24% of the area with shade.

12. The chain link fence shall be removed. If replaced, the fence shall compy with the intent of the Facility Plan for Arroyos and Policy 4: Walls, on page 59.
The chain link fence will be removed and 3' screen walls are shown along the north boundary that will prevent any unauthorized access to the arroyo.

13. AMAFCA CONDITIONS

A. No objection to EPC approval of Site Development Plan for Subdivision and Site Development Plan for Building Permit.

B. As a condition of final building permit, the owner is required to enter into a funding agreement with AMAFCA for construction of bank protection on the Calabacillas Arroyo, as identified in the "Calabacillas Arroyo Prudent Line Study and Related Work" (Mussetter Engineering, Inc., 1998). The contours as shown on the Grading and Drainage Plan at the top of the bank slope are not current. This area of the arroyo sustained damage in July 2006 which required emergency repair by AMAFCA. AMAFCA's consultant is currently preparing a construction plan to prevent further erosion in the arroyo.
We are working on a solution for the slope stabilization with AMAFCA, however, AMAFCA's consultant has not finished their design yet. We discussed the situation with AMAFCA and put a note on the infrastructure list that an agreement will be entered into with AMAFCA.

C. At time of building permit, the engineer shall coordinate with AMAFCA for access from Eagle Ranch and through the site.
This was coordinated and an access easement is shown in the northwest corner to the Calabacillas Arroyo.

D. The "Existing Permanent Underground AMAFCA Drainage Easement and Waterline Easement" shown on the Site Plan was quitclaimed to the City.
The easement is shown on the plat and we are looking for the quitclaim document.

14. TRAFFIC AUTHORITY AND NMDOT CONDITIONS

A. All the requirements of previous actions taken by the EPC and/or the DRB must be completed and/or provided for.
To the best our knowledge, all previous work has been completed.

B. The Developer is responsible for permanent improvements to the transportation facilities adjacent to the proposed site development plan for subdivision. Those improvements will included any additional right-of-way requirements, paving, curb and gutter, sidewalk and ADA accessible ramps that have not already been

C. provided for. All public infrastructure constructed within public right-of-way or public easements shall be to City Standards. Those Standards will included but are not limited to sidewalks (std. dwg. 2430), driveways (std. dwy 2425), private entrances (std dwg. 2426) and wheel chair ramps (std dwg. 2441).
No additional right-of-way is required. This project will construct a new sidewalk along Eagle Ranch per City standards.

D. Per Transportation Development Staff, completion of the required system improvements what are attributable to the development, as identified in the TIS, is required.
We met with Transportation Staff regarding the traffic mitigation and agreed that improvements are necessary at the Eagle Ranch/Irving intersection. An item is on the infrastructure list to this effect.

E. Cross access to all tracts will be provided per note on Site Plan for Building Permit and future plat.
This is indicated as Note #1 on the Site Plan.

F. Site drives shall be designed and located per TIS. Left turn and right turn deceleration lanes to be designed and provided per TIS and DPM.
The site drives are designed and located per the TIS. Per the traffic engineer, a deceleration lane is not required for this project.

G. Eagle Ranch road west site drive, across from median opening, needs to align with existing site drive on opposite site of road or centerlines to be within 10' of one another.
The Eagle Ranch exit across from the median opening was revised to align within 10' of the opening on the west side of the street. This is noted on the site plan.

H. Provide truck circulation plan with turning template information.
A truck circulation plan is included with this submittal.

I. Site plan shall comply and be designed per DPM standards.
The site plan was designed to comply with DPM standards.

15. The applicant shall relocate the northern dumpster to the northeast corner of the site and install a minimum 450 square foot patio area at least 80 feet from the dumpster.
The dumpster is relocated to the northeast corner and a patio area shown adjacent to the arroyo.

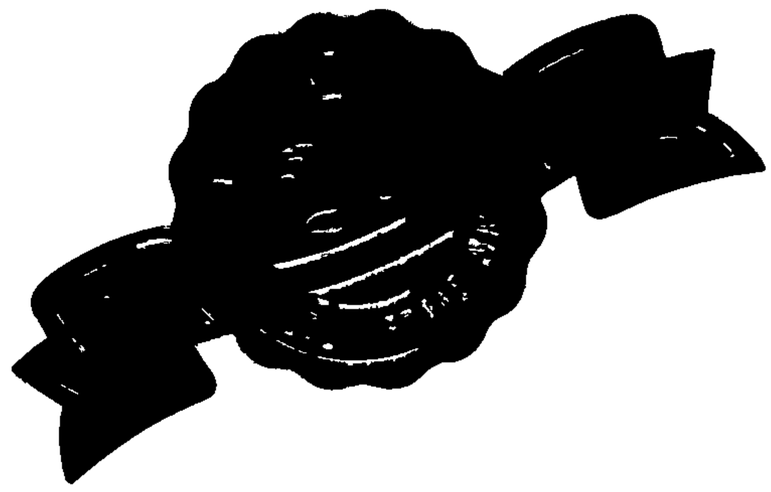
16. All sidewalks shall be a minimum of 6 feet wide.
All sidewalks are drawn at 6-ft wide and this is also noted in Note #9 on Sheet C1.

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

Sincerely,

Sara Lavy

Sara Lavy, PE



Enclosure/s

cc: Todd Berryhill

JN: 26034
SL/dg

Keli Krueger

From: Zamora, David M. [dmzamora@cabq.gov]
Sent: Tuesday, November 21, 2006 9:16 AM
To: Keli Krueger
Cc: Mario Lucero; Haikin, Glen B.
Subject: Project No. 1003714

The .dxf file for Project No. 1003714 (Adobe Wells Subd) has been approved.

Please make sure the mylar is changed to show the corrected tie.

Thank you,

David Zamora
GIS Coordinator
City of Albuquerque
Planning Dept. - AGIS
505-924-3929 phone
505-924-3812 fax
dmzamora@cabq.gov

24034
EPC
DRB

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

Date: October 20, 2006

OFFICIAL NOTIFICATION OF DECISION

FILE: **Project # 1003714***
06EPC-01306 EPC Site Development Plan-Subdivision
06EPC-01307 EPC Site Development Plan-Building Permit

Ronald Bohannan, Tierra West LLC
5571 Midway Park Place NE
Albuq. NM 87109

LEGAL DESCRIPTION: for all or a portion of Tracts C-2 & C-3, **Adobe Wells**, zoned SU-1 for IP, C-2 & R-2 Uses, located on EAGLE RANCH ROAD NW, between WESTSIDE DR. NW and the CALABACILLAS ARROYO, containing approximately 8 acres. (B-13) Catalina Lehner, Staff Planner

On October 19, 2006 the Environmental Planning Commission voted to approve Project 1003714/ *06EPC 01306*, a Site Development Plan for Subdivision for Tracts C-2 and C-3, Adobe Wells, zoned SU-1 for R-2, C-2 and IP Uses, based on the following Findings, and subject to the following Conditions:

FINDINGS:

1. This is a request for approval of a site development plan for subdivision for Tracts C-2 and C-3, Adobe Wells, an approximately 8 acre site located on Eagle Ranch Rd., just south of the Calabacillas Arroyo, and zoned SU-1 for R-2, C-2 and IP uses.

2. This request proposes reconfiguring Tract C-2 and Tract C-3 by moving the boundary between the two southward. Tract C-2-A is the location for the proposed site development plan for building permit (06EPC 01307). The smaller Tract C-3-A is reserved for future commercial development.

3. The subject site lies within the boundaries of the West Side Strategic Plan (WSSP) and the Coors Corridor Sector Development Plan (CCSDP). The Facilities Plan for Arroyos (FPA) also applies.

4. The proposal *furthers and partially furthers* the intent of many applicable Comprehensive Plan policies. The development will increase land use variety (Policy II.B.5a) and will use existing urban services (Policy II.B.5e). The design is mostly appropriate to the Plan area (Policies II.B.5d & II.B.5l) and is located in a commercial/industrial area (Policy II.B.5i).

5. The proposal *furthers and partially furthers* the intent of applicable Comprehensive Plan Goals. The Economic Development Goal is furthered because the uses will help achieve diversified economic development on the Westside. The Transportation & Transit Goal is partially furthered. The uses may help encouraged a balanced transportation system, but the site layout emphasizes vehicles.

6. Overall the proposal *partially furthers* applicable policies in the West Side Strategic Plan (WSSP). Pedestrian opportunities are included, but not promoted (Policy 4.10). This non-residential development is located outside a designated activity center (Policy 1.1), but it already has the zoning.

7. With respect to the West Side Strategic Plan (WSSP), the proposal *partially furthers* policies regarding arroyos. Though the buildings doesn't encroach upon the Calabacillas Arroyo, they are tall (like nearby buildings). The request partially complies with the design guidelines regarding height, which intend lower buildings outside activity centers.

8. The proposal *generally furthers* the intent of the Facility Plan for Arroyos (FPA). There is a landscape setback (Policy 3) and no fence (Design Guideline Policy 4), but drought-resistant shade trees are not provided in the buffer (Policy 5).

9. Regarding the Coors Corridor Sector Development Plan (CCSDP) the proposal generally contributes to the purpose of the CCSDP design standards to ensure that development helps achieve a balance between the built and natural environments. Policies regarding new development (Policy 4.a.3), and architectural design (Policy 4.b.10) are furthered.

10. The request *does not further* two CCSDP policies: Policy 4.b.2-Building setback, height and bulk, because parking separates the building from the roadway, and Policy 4.b.5-Off-Street Parking, because architecture and landscape should be emphasized right-up near the street. Recommended conditions of approval for an accompanying site development plan for building permit (06EPC-01307) will bring the site into compliance.

11. The Street Tree Ordinance (Chapter 6, Article 6, R.O. 1974) requires that "street trees shall be placed between the curb and the public sidewalk." The trees along Eagle Ranch Rd. are located in a landscape buffer between the sidewalk and the parking lot.

12. Zoning Code §14-16-3-18 (D)(3), General Building and Site Design Regulation for Non-Residential Uses, requires that buildings with 6 or more water closets provide outdoor gathering space for employees. Such space shall be a minimum of 300 sf with seating and shade covering at least 25% of the area.

13. A Traffic Impact Study (TIS) was required and has been completed.

14. A facilitated meeting was held with the affected neighborhood organization. There is neighborhood support for the project and no known opposition.

CONDITIONS:

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

2. Prior to final DRB sign off, the applicant shall meet with the Development Review staff planner to ensure that conditions of approval are thoroughly addressed. Evidence of this meeting shall be provided to the DRB at the time of application.

3. Replatting the subject site shall be a concurrent Development Review Board (DRB) action.

On October 19, 2006 the Environmental Planning Commission voted to approve Project 1003714/ 06EPC 01307, a Site Development Plan for Building Permit for Tracts C-2 and C-3, Adobe Wells, zoned SU-1 for R-2, C-2 and IP Uses, based on the preceding Findings and subject to the following Conditions of approval.

FINDINGS:

1. This is a request for approval of a site development plan for building permit for Tracts C-2 and C-3, Adobe Wells, an approximately 8 acre site located on Eagle Ranch Rd., just south of the Calabacillas Arroyo, and zoned SU-1 for R-2, C-2 and IP uses.

2. This request proposes to develop five office/warehouse/industrial buildings on Tract C-2-A . The smaller tract C-3-A is reserved for future commercial development. The tracts are created by the associated site development plan for subdivision (06EPC –01306).

3. The subject site lies within the boundaries of the West Side Strategic Plan (WSSP) and the Coors Corridor Sector Development Plan (CCSDP). The Facilities Plan for Arroyos (FPA) also applies.

4. The proposal *furthers and partially furthers* the intent of many applicable Comprehensive Plan policies. The development will increase land use variety (Policy II.B.5a) and will use existing urban services (Policy II.B.5e). The design is mostly appropriate to the Plan area (Policies II.B.5d & II.B.5l) and is located in a commercial/industrial area (Policy II.B.5i).

5. The proposal *furthers and partially furthers* the intent of applicable Comprehensive Plan Goals. The Economic Development Goal is furthered because the uses will help achieve diversified economic development on the Westside. The Transportation & Transit Goal is partially furthered. The uses may help encouraged a balanced transportation system, but the site layout emphasizes vehicles.

6. Overall the proposal *partially furthers* applicable policies in the West Side Strategic Plan (WSSP). Pedestrian opportunities are included, but not promoted (Policy 4.10). This non-residential development is located outside a designated activity center (Policy 1.1), but it already has the zoning.

7. With respect to the West Side Strategic Plan (WSSP), the proposal *partially furthers* policies regarding arroyos. Though the buildings doesn't encroach upon the Calabacillas Arroyo, they are tall (like nearby buildings). The request partially complies with the design guidelines regarding height, which intend lower buildings outside activity centers.

8. The proposal *generally furthers* the intent of the Facility Plan for Arroyos (FPA). There is a landscape setback (Policy 3) and no fence (Design Guideline Policy 4), but drought-resistant shade trees are not provided in the buffer (Policy 5).

9. Regarding the Coors Corridor Sector Development Plan (CCSDP) the proposal generally contributes to the purpose of the CCSDP design standards to ensure that development helps achieve a balance between the built and natural environments. Policies regarding new development (Policy 4.a.3), and architectural design (Policy 4.b.10) are furthered.

10. The request *does not further* two CCSDP policies: Policy 4.b.2-Building setback, height and bulk, because parking separates the building from the roadway, and Policy 4.b.5-Off-Street Parking, because architecture and landscape should be emphasized right-up near the street.

11. The Street Tree Ordinance (Chapter 6, Article 6, R.O. 1974) requires that "street trees shall be placed between the curb and the public sidewalk". The trees along Eagle Ranch Rd. are located in a landscape buffer between the sidewalk and the parking lot.

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CONDITIONS:

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2. Prior to final DRB sign off, the applicant shall meet with the Development Review staff planner to ensure that conditions of approval are thoroughly addressed. Evidence of this meeting shall be provided to the DRB at the time of application.

3. General Site Plan Note #2, regarding future development of Tract C-3-A, shall be clarified.

4. Walls/Fences
   A. The 3 ft. screen wall shall be stucco finished in an earthtone color to not detract from the arroyo setting and match the buildings.
   B. The color of the split-face CMU block shall be specified.
   C. The wall detail shall depict the screen wall as 3 ft. tall.

5. Vehicle Circulation: Striping on the pavement shall be posted on the western side of the internal parking area to warn users that they are entering a loading area.

6. Pedestrian Circulation
   A. An additional crosswalk shall be added near the subject site's northeastern corner to connect to the arroyo open space.
   B. Crosswalks shall be made of textured colored concrete and shall be indicated as such on the site plan.

7. Lighting: The lighting detail shall show height from top to grade and shall be corrected to depict that the light poles are 25 ft. high.

8. An area for tenant recycling shall be provided and coordinated with the Solid Waste Management Division (SWMD).

9. Landscaping-Trees
   A. The Arizona Ash trees shall be replaced with Purple Robe Locust or the Wisconsin variety of American Elm, or thornless, seedless locust.
   B. The Flowering Pear trees shall be replaced with Bur Oak.
   C. The Austrian Pines in the eastern landscape buffer shall be replaced with Afghan Pine.
   D. The Austrian Pines in the landscape buffer next to the arroyo shall be replaced with Bur Oak to comply with the Facility Plan for Arroyos.
   E. Street trees shall be placed between the curb and the public sidewalk to comply with the Street Tree Ordinance (Chapter 6, Article 6, R.O. 1974).
   F. The applicant/property owner shall maintain the street trees and indicate this responsibility on the landscape plan.

10. Landscaping-General
   A. A tree planting detail shall be provided.
   B. The type of wildflower shall be specified.
   C. The type of sod shall be drought resistant and specified.

11. An outdoor gathering area for employees, at least 300 sf with 25% covered with seating and shade, shall be provided to comply with Zoning Code §14-16-3-18 (D)(3).

12. The chain link fence shall be removed. If replaced, the fence shall comply with the intent of the Facility Plan for Arroyos and Policy 4: Walls, on page 59.

13. <u>RECOMMENDED CONDITIONS FROM THE ALBUQUERQUE METROPOLITAN FLOOD CONTROL AUTHORITY (AMAFCA):</u>
   A. No objection to EPC approval of Site Development Plan for Subdivision and Site Development Plan for Building Permit.
   B. As a condition of final building permit, the owner is required to enter into a funding agreement with AMAFCA for construction of bank protection on the Calabacillas Arroyo, as identified in the "Calabacillas Arroyo Prudent Line Study and Related Work" (Mussetter Engineering, Inc., 1998). The contours as shown on the Grading and Drainage Plan at the top of the bank slope are not current. This area of the arroyo sustained damage in July 2006 which required emergency repair by AMAFCA. AMAFCA's consultant is currently preparing a construction plan to prevent further erosion in the arroyo.
   C. At time of building permit, the engineer shall coordinate with AMAFCA for access from Eagle Ranch and through the site.
   D. The "Existing Permanent Underground AMAFCA Drainage Easement and Waterline Easement" shown on the Site Plan was quitclaimed to the City.

14. AUTHORITY and NMDOT:
Conditions of approval for the proposed Site Development Plan for Subdivision and Site Development Plan for Building Permit shall include:
A. All the requirements of previous actions taken by the EPC and/or the DRB must be completed and /or provided for.
B. The Developer is responsible for permanent improvements to the transportation facilities adjacent to the proposed site development plan for subdivision. Those improvements will include any additional right-of-way requirements, paving, curb and gutter, sidewalk and ADA accessible ramps that have not already been provided for. All public infrastructure constructed within public right-of-way or public easements shall be to City Standards. Those Standards will include but are not limited to sidewalks (std. dwg. 2430), driveways (std. dwg. 2425), private entrances (std. dwg. 2426) and wheel chair ramps (std. dwg. 2441).
C. Per Transportation Development Staff, completion of the required system improvements that are attributable to the development, as identified in the TIS, is required.
D. Cross access to all tracts will be provided per note on Site Plan for Building Permit and future plat.
E. Site drives shall be designed and located per TIS. Left turn and right turn deceleration lanes to be designed and provided per TIS and DPM.
F. Eagle Ranch road west site drive, across from median opening, needs to align with existing site drive on opposite site of road or centerlines to be within 10' of one another.
G. Provide truck circulation plan with turning template information.
H. Site plan shall comply and be designed per DPM Standards.

15. The applicant shall relocate the northern dumpster to the northeast corner of the site and install a minimum 450 square foot patio area at least 80 feet from the dumpster.

16. All sidewalks shall be a minimum of 6 feet wide.

IF YOU WISH TO APPEAL/PROTEST THIS DECISION, YOU MUST DO SO BY **NOVEMBER 3, 2006** IN THE MANNER DESCRIBED BELOW. A NON-REFUNDABLE FILING FEE WILL BE CALCULATED AT THE LAND DEVELOPMENT COORDINATION COUNTER AND IS REQUIRED AT THE TIME THE APPEAL IS FILED. IT I S 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.

Appeal to the City Council: Persons aggrieved with any determination of the Environmental Planning Commission acting under this ordinance and who have legal standing as defined in Section 14-16-4-4.B.2 of the City of Albuquerque Comprehensive Zoning Code may file an appeal to the City Council by submitting written application on the Planning Department form to the Planning Department within 15 days of the Planning Commission's decision. The date the determination in question is issued is not included in the 15-day period for filing an appeal, and if the fifteenth day falls on a Saturday, Sunday or holiday as listed in the Merit System Ordinance, the next working day is considered as the deadline for filing the appeal. The City Council may decline to hear the appeal if it finds that all City plans, policies and ordinances have been properly followed. If they decide that all City plans, policies and ordinances have not been properly followed, they shall hear the appeal. Such appeal, if heard, shall be heard within 45 days of its filing.

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

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

Sincerely,

CMarrone

for Richard Dineen
Planning Director

RD/CL/ac

cc: LB/VCC Eagle Ranch LLC, 125 Sir Francis Drake Blvd. 3rd Floor, Larskpur, CA 94939
Larry Weaver, Paradise Hills Civic Association, 6001 Unitas Ct. NW, Albuq. Nm 87114
Tom Anderson, Paradise Hills Civic Association, 10013 Plunkett Dr. NW, Albuq. NM 87114

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

PAID RECEIPT

APPLICANT NAME LB/VCC Eagle Ranch LLC

AGENT Tierra West LLC

ADDRESS 5571 Midway Park Place NE

PROJECT & APP # 1003714/06DRB01645, 01646, 01647

PROJECT NAME Venture Commerce Center.

$ 20.00 **441032/3424000 Conflict Management Fee**

$ 285.00 **441006/4983000 DRB Actions**

$ _____ **441006/4971000 EPC/AA/LUCC Actions & All Appeals**

$ _____ **441018/4971000 Public Notification**

$ _____ **441006/4983000 DRAINAGE PLAN REVIEW OR TRAFFIC IMPACT STUDY*****
( )Major/Minor Subdivision ( )Site Development Plan ( )Bldg Permit
( ) Letter of Map Revision ( )Conditional Letter of Map Revision
( ) Traffic Impact Study

$ 305.00 **TOTAL AMOUNT DUE**

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

11/21/2006 RECEIPT# 00069861 WSH# 006 TRANS# 0016
Account 441032 Fund 0110
Activity 3424000 TRSCCS
Trans Amt $305.00
CK $305.00
CHANGE $0.00

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

2505
95-677/1070

DATE 11.20.06

PAY TO THE ORDER OF City of Albuquerque $ 305.00

Three Hundred & Five 00/100 DOLLARS

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

FOR 26034 Submittal Fees

DUPLICATE
City Of Albuquerque
Treasury Division
11/20/2006 10:54AM OCA
RECEIPT# 00069861 WSH# 006 TRANS# 0016
Account 441032 Fund 0110
Activity 3424000 TRSCCS
Trans Amt $305.00
CK $305.00
CHANGE $0.00

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Trans Amt $305.00
CK $305.00
CHANGE $0.00

Donna Bohannan MP
$20.00

Security Features Details on Back

⑈002505⑈ ⑆107006677⑆ 20813⑈

Thank You

Thank You