



COMPLETED 09/26/05 Stt DRB CASE ACTION LOG (SITE PLAN B.P.)

REVISED 2/5/04

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

DRB Application No.: 05DRB-01290 (SBP)

Project #: 1004100

Project Name: LA CUEVA VILLAGE UNIT 1

Agent: Quik Draw Engineering LLC

Phone No.: 898-0389

Your request for (SDP for SUB) (SDP for BP), (FINAL PLATS), (MASTER DEVELOPMENT PLAN), was approved on 8/31/05 by the DRB with delegation of signature(s) to the following departments.
OUTSTANDING SIGNATURES COMMENTS TO BE ADDRESSED

TRANSPORTATION: PROVIDE X-ACCESS AGREEMENT ✓

UTILITIES: _____

CITY ENGINEER / AMAFCA: _____

PARKS / CIP: _____

PLANNING (Last to sign) Carman's Initials OK
Site Plan Signature Block

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

Project Number

1004100

#10



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TRANSPORTATION: (X) PROVIDE X-ACCESS REQUIREMENT

UTILITIES: _____

CITY ENGINEER / AMAFCA: _____

PARKS / CIP: _____

PLANNING (Last to sign) Comments Initials OK

Site Plan Signature Block

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- Copy of recorded plat for Planning.

Project Number

1004100

#10

10. ~~Project # 1004100~~
05DRB-01290 Minor-SiteDev Plan
BldPermit/EPC

QUICK DRAW ENGINEERING LLC agent(s) for SPRINGSTONE CHILDRENS LEARNING CENTER request(s) the above action(s) for all or a portion of Tract(s) F, **LA CUEVA VILLAGE - UNIT 1**, zoned C-2 (SC), located on CARMEL AVE NE, between WYOMING BLVD NE and BARSTOW NE containing approximately 1 acre(s). [REF: 05EPC00582] [**Carmen Marrone for Elvira Lopez, EPC Case Planner**] (*Deferred from 8/24/05*) (C-19) **SITE PLAN FOR BUILDING PERMIT WAS APPROVED WITH FINAL SIGN OFF DELEGATED TO TRANSPORTATION DEVELOPMENT FOR CROSS ACCESS EASEMENT AND 3 COPIES OF THE SITE PLAN.**

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

11. **Project # 1001946**
05DRB01347 Minor-Prelim & Final Plat
Approval

BOHANNAN HUSTON INC agent(s) for NEWMORE LLC request(s) the above action(s) for all or a portion of Tract(s) A, B, C & D, **HISE LANDS**, zoned M-1 (SC), located on PASEO DEL NORTE BLVD NE, between I-25 and SAN PEDRO BLVD NE containing approximately 6 acre(s). [Listed under Project #1004391 in error.] (D-18) **PRELIMINARY PLAT APPROVED WITH FINAL SIGN OFF DELEGATED TO UTILITIES DEVELOPMENT FOR PRIVATE WATER AND SANITARY SEWER SERVICE EASEMENT FOR TRACT C AND CROSS-LOT DRAINAGE EASEMENT.**

12. **Project # 1000351**
05DRB-01303 Minor-Prelim&Final Plat
Approval

CARTESIAN SURVEYS agent(s) for BOB KITTS request(s) the above action(s) for all or a portion of Tract(s) 3, 7 & 8, **LANDS OF ZIA TRADING COMPANY**, zoned SU-1 FOR IP, located on OSUNA BLVD NE, between BNSF RR TRACKS and EDITH BLVD NE containing approximately 4 acre(s). [REF: Z-99-99, AX-99-10] (*Deferred from 8/24/05 & 8/31/05*) (E-15) **DEFERRED AT THE BOARD'S REQUEST TO 9/7/05.**

8. **Project # 1003991**
05DRB-01293 Minor-SiteDev Plan
Subd/EPC
05DRB-01294 Minor-SiteDev Plan
BldPermit/EPC

TIERRA WEST LLC agent(s) for WAL MART STORES EAST LP request(s) the above action(s) for all or a portion of Tract(s) A-1, **TOWN OF ATRISCO GRANT, UNIT 7**, zoned SU-1 FOR C-1 WITH DRIVE UP PHARMACY & RLT, located on SNOW VISTA BLVD SW, between SAGE RD SW and BENAVIDES RD SW containing approximately 14 acre(s). [REF: 05EPC00365, 05EPC00366, 05EPC00367] **[Russell Brito for Elvira Lopez, EPC Case Planner]** *[Deferred from 8/17/05 & 8/31/05]* (M-9) **DEFERRED AT THE AGENT'S REQUEST TO 9/7/05.**

9. **Project # 1001946**
05DRB-01047 Minor-SiteDev Plan
BldPermit

DEKKER PERICH SABATINI agent(s) for OFFICE DEPOT request(s) the above action(s) for all or a portion of Tract(s) A-1-D, **LOS ANGELES CENTER**, zoned M-1, located on PASEO DEL NORTE NE, between SAN PEDRO NE and INTERSTATE 25 containing approximately 3 acre(s). [REF: DRB-97-224, DRB-97-372; Z-1534] *[Deferred from 6/29/05 & 7/13/05 & 7/20/05 & 7/27/05 & 8/3/05 & indef deferred on a no show 8/17/05]* (D-18) **SITE PLAN FOR BUILDING PERMIT WAS APPROVED WITH FINAL SIGN OFF DELEGATED TO PLANNING TO ADDRESS PLANNING COMMENTS AND 3 COPIES OF THE SITE PLAN.**

- 05DRB01348 Minor-SiteDev Plan
Subd/EPC

DENISH & KLINE ASSOCIATES agent(s) for LOWE'S INC request(s) the above action(s) for all or a portion of Lot(s) 27R, 28R, Block(s) 2, NORTH ALBUQUERQUE ACRES, UNIT A, Tract(s) A-1-A-1, A-1-B, A-1-C, A-1-D AND A-1-E-1, **LOS ANGELES CENTER ADDITION**, Lot(s) 5, 6, 7, 28 and 27, Block(s) 3, NORTH ALBUQUERQUE ACRES, UNIT A, zoned M-1 light manufacturing zone, located on PASEO DEL NORTE NE, between SAN PEDRO NE and I-25 containing approximately 38 acre(s). [REF: ZHE-99-025, 04EPC01032] **[Makita Hill, EPC Case Planner]** (D-18) **SITE PLAN FOR SUBDIVISION WAS APPROVED WITH FINAL SIGN OFF DELEGATED TO PLANNING FOR ENVIRONMENTAL HEALTH SIGNATURE, EPC CASE PLANNER INITIALS AND 3 COPIES OF THE SITE PLAN.**

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

RIO GRANDE ENGINEERING agent(s) for FULLER HOMES, INC request(s) the above action(s) for all or a portion of Tract(s) 355, 356 TRACTS A & B, LANDS OF HECTOR ROJO, TOWN OF ATRISCO GRANT (to be known as **AUTUMN VIEW SUBDIVISION**) zoned RD-R1, located on TOWER RD SW, between COORS BLVD SW and STINSON RD SW containing approximately 15 acre(s). [Deferred from 8/3/05 & 8/17/05 & 8/24/05] (L-10) **WITH THE SIGNING OF THE INFRASTRUCTURE LIST DATED 8/31/05 AND APPROVAL OF THE GRADING PLAN ENGINEER STAMP DATED 8/15/05 THE PRELIMINARY PLAT WAS APPROVED WITH CONDITIONS OF FINAL PLAT: ALL TERMS OF THE ANNEXATION AGREEMENT, INCLUDING APS, MUST BE MET. NEED TO REVISIT THE WIDTH OF THE DRAINAGE AND WATER AND SEWER EASEMENTS IN THE SOUTHEAST CORNER OF THE SUBDIVISION. THE TEMPORARY DEFERRAL OF CONSTRUCTION OF SIDEWALK ON THE INTERIOR STREETS WAS APPROVED AS SHOWN ON EXHIBIT C IN THE PLANNING FILE.**

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

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

7. **Project # 1001685**
05DRB01349 Minor-SiteDev Plan
Subd/EPC
05DRB01350 Minor-SiteDev Plan
BldPermit/EPC

GREAT BASIN ENGINEERING agent(s) for SMITH'S FOOD & DRUG CENTERS request(s) the above action(s) for all or a portion of Tract(s) 1B, PARADISE NORTH (to be known as **GOLF COURSE MARKET PLACE**) zoned C-2 (SC) community commercial zone, located on GOLF COURSE RD NW and MCMAHON RD NW containing approximately 9 acre(s). [REF: Z-85-119,04EPC01348, 04EPC01349, 04EPC01590] [**Carmen Marrone, EPC Case Planner**] (A-12) **INDEFINITELY DEFERRED AT THE AGENT'S REQUEST.**

ARROYO containing approximately 9 acre(s). [REF: 04EPC-00498, Z-80-74, AX-80-16, Z-85-84, AX-85-20, Z-93-131, DRB-94-146, V-96-89, 04DRB-00596, 04DRB-00912, 04DRB01242] (B-12) **THE VACATION OF PUBLIC RIGHT-OF-WAY AND VACATION OF PUBLIC EASEMENTS WERE APPROVED AS SHOWN ON EXHIBITS B-1, B-2 AND B-3 IN THE PLANNING FILE. CONDITIONS OF FINAL PLAT: A SANITARY SEWER LINE HAS BEEN RELOCATED AND ACCEPTED AND REEVALUATE GOLF COURSE ROAD RIGHT-OF-WAY.**

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

WILSON & COMPANY INC agent(s) for SCOTT SCHIABOR, SPS, LLC request(s) the above action(s) for all or a portion of Tract(s) 2, **VISTA VIEJA SUBDIVISION, UNIT 2**, zoned R-1 residential zone, located on SCENIC RD NW, between 81ST ST NW and ALBERICOQUE PL NW containing approximately 41 acre(s). [REF: 04DRB00825, 04DRB01460] [*Deferred from 8/24/05*] (D-9) **WITH THE SIGNING OF THE INFRASTRUCTURE LIST DATED 8/31/05 AND APPROVAL OF THE GRADING PLAN ENGINEER STAMP DATED 8/30/05 THE PRELIMINARY PLAT WAS APPROVED WITH CONDITIONS OF FINAL PLAT: THE HOME OWNER'S ASSOCIATION PRESIDENT MUST SIGN THE FINAL PLAT. IF NO SUCH PERSON IS AVAILABLE, THEN THE OWNER OF THE PROPERTY CAN SIGN. DRAINAGE EASEMENTS IN PARCELS B, C AND E SHALL BE VACATED AND REPLACED WITH THE NEW ALIGNMENT. THE TEMPORARY DEFERRAL OF CONSTRUCTION OF SIDEWALK ON THE INTERIOR STREETS WAS APPROVED AS SHOWN ON EXHIBIT C IN THE PLANNING FILE.**

13. **Project # 1004177**
05DRB-01280 Minor-Subd Design
(DPM) Variance

BOHANNAN HUSTON INC agent(s) for SANDIA PROPERTIES LTD CO request(s) the above action(s) for all or a portion of Tract(s) 10-13, **VENTANA RANCH WEST**, zoned R-LT residential zone, located on IRVING BLVD NW, between VENTANA RIDGE RD NW and containing approximately 74 acre(s). [REF: 05DRB01122, 01123, 01124, 00783] (*Was Indef. Deferred on 8/17/05*) (B-8) **A SUBDIVISION DESIGN VARIANCE FROM 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

14. **Project # 1004390**
05DRB01346 Minor-Sketch Plat or
Plan

BOHANNAN HUSTON INC. agent(s) for LOFLAND COMPANY request(s) the above action(s) for all or a portion of Lot(s) 1A, D and 10 through 23, Block(s) 12 and 13, **FRANCISCAN ADDITION**, zoned M-2 heavy manufacturing zone, located on 1ST ST NW, between I-40 and MANUAL BLVD NW containing approximately 4 acre(s). (H-14) **THE ABOVE REQUEST WAS REVIEWED AND COMMENTS WERE GIVEN.**

15. Approval of the Development Review Board Minutes for August 17, 2005. **THE DRB MINUTES FOR AUGUST 17, 2005 WERE APPROVED BY THE BOARD.**

ADJOURNED: 11:53 A.M.

2. **Project #1004289**
05DRB-01246 Major-Vacation of Pub
Right-of-Way

WILLIE P. GONZALES request(s) the above action(s) for all or a portion of Lot(s) 4 & 5, Block(s) 5, **JOHN BARON BURG PARK ADDITION**, zoned SR, located on 19TH ST NW, between ZEARING AVE NW and ASPEN AVE NW containing approximately 1 acre(s). [REF: 05DRB-01073] (H-13) **VACATION WAS APPROVED AS SHOWN ON EXHIBIT B IN THE PLANNING FILE.**

05DRB-01073 Minor-Prelim&Final Plat
Approval

WILLIE P. GONZALES request(s) the above action(s) for all or a portion of Lot(s) 4 & 5, Block(s) 5, **JOHN BARON BURG PARK ADDITION**, zoned SR, located on 19th ST NW, between ZEARING AVE NW and ASPEN AVE NW containing approximately 1 acre(s). *(Was Indef. Deferred 7/13/05)* (H-13) **PRELIMINARY PLAT WAS APPROVED WITH FINAL SIGN OFF DELEGATED TO PLANNING FOR AGIS DXF FILE AND 15-DAY APPEAL PERIOD.**

3. **Project #1004368**
05DRB-01267 Major-SiteDev Plan
BldPermit

JAMES COOKE agent(s) for RAIN FACTORY LLC request(s) the above action(s) for all or a portion of Tract(s) 4A-2, **NORTH RENAISSANCE CENTER**, zoned SU-1 FOR IP USES, located on CULTURE DR NE, between MONTANO RD NE and RENAISSANCE BLVD NE containing approximately 2 acre(s). [REF: PROJ. #1001118] (F-16) **SITE PLAN FOR BUILDING PERMIT WAS APPROVED WITH FINAL SIGN OFF DELEGATED TO TRANSPORTATION DEVELOPMENT FOR A SIDEWALK EASEMENT.**

4. **Project #1003366**
05DRB-01272 Major-Vacation of Pub
Right-of-Way
05DRB-01273 Major-Vacation of
Public Easements

ADVANCED ENGINEERING & CONSULTING LLC agent(s) for SHARIF (FELIX) RABADI request(s) the above action(s) for all or a portion of Tract(s) T-1-A-2, **TOWN OF ALAMEDA GRANT**, zoned SU-1 FOR PRD, located on GOLF COURSE ROAD NW, between IRVING NW and the CALABACILLAS



**DEVELOPMENT REVIEW BOARD
ACTION SHEET**

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

August 31, 2005

9:00 a.m.

MEMBERS:

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

Wilfred Gallegos, Transportation Development
Brad Bingham, Alternate City Engineer

Roger Green, Utility Development
Christina Sandoval, Parks & Recreation

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

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

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

A. Call to Order: 9:00 A.M.

Adjourned: 11:53 A.M.

B. Changes and/or Additions to the Agenda

C. New or Old Business

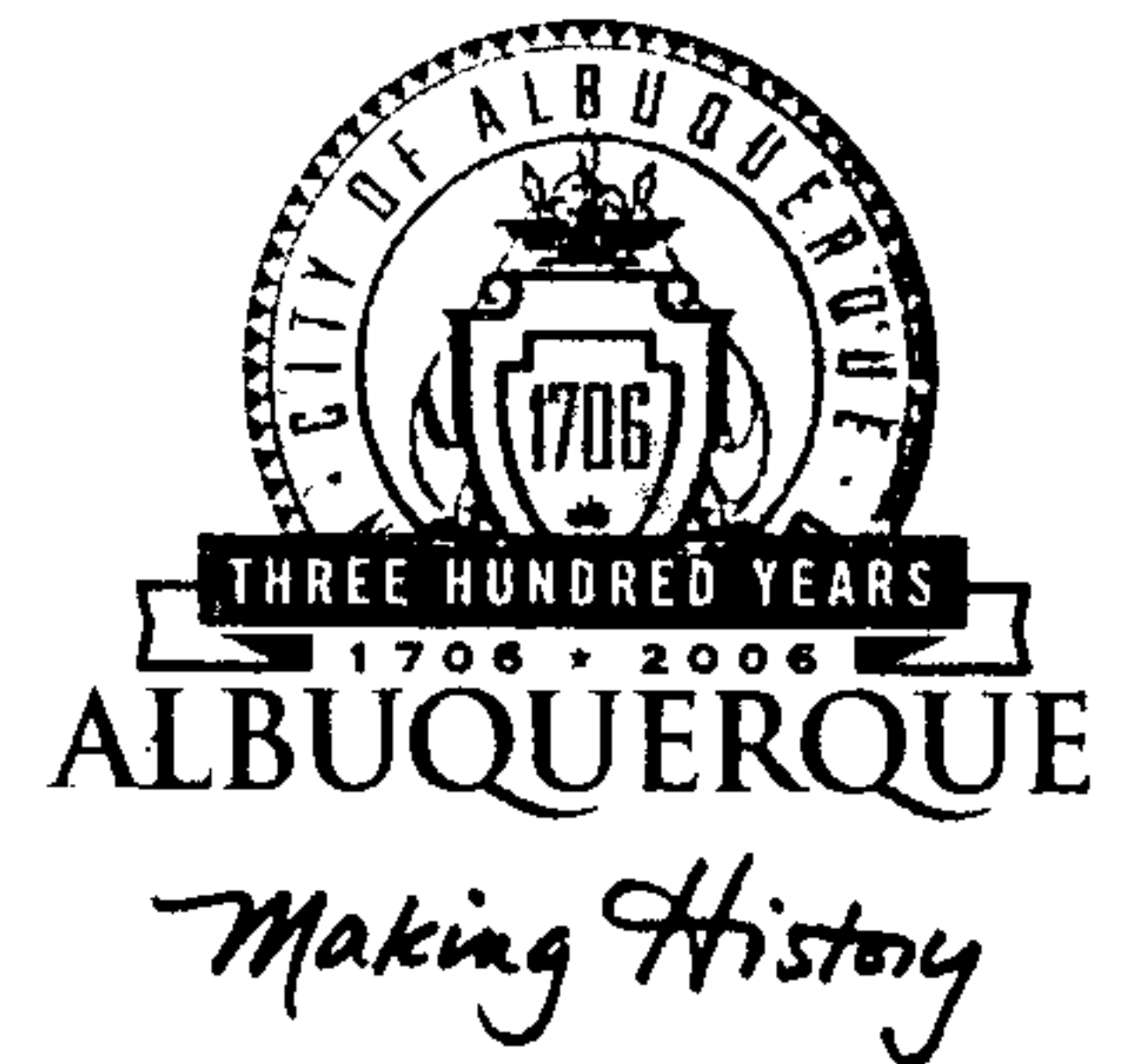
CASES WHICH REQUIRE PUBLIC NOTIFICATION

MAJOR SUBDIVISIONS, VACATIONS, SIA EXTENSIONS AND SITE DEVELOPMENT PLANS

1. **Project #1002535**
05DRB-01269 Major-Vacation of Public Easements
05DRB-01270 Minor-Prelim&Final Plat Approval

SURVEYS SOUTHWEST LTD agent(s) for CHRONIS DEVELOPMENT LIMITED request(s) the above action(s) for Lot(s) 32, 33, 34, 35 and 38, West 35-feet OF Lot(s) 37; together with Lot(s) 36-A, HUBBELL HEIGHTS ADDITION & TRACT 64, UNIT 6, TOWN OF ATRISCO GRANT, (to be known as **HUBBELL HEIGHTS ADDITION**) zoned C-2 & O-1 & R-1, located on 65TH ST SW, between CENTRAL SW and CHURCHILL SW containing approximately 6 acre(s). [REF: 1003709, Z-1211] [Deferred from 8/31/05] (K-10) **DEFERRED AT THE AGENT'S REQUEST TO 9/21/05.**

CITY OF ALBUQUERQUE



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

DEVELOPMENT REVIEW BOARD – SPEED MEMO

DRB CASE NO/PROJECT NO: 1004100

AGENDA ITEM NO: 10

SUBJECT:

Site Plan for BP

ACTION REQUESTED:

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

ENGINEERING COMMENTS:

No adverse comments.

P.O. Box 1293

RESOLUTION:

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

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

New Mexico 87103

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

FOR:

www.cabq.gov

SIGNED: Bradley L. Bingham
City Engineer / AMAFCA Designee

DATE: AUGUST 31, 2005

CITY OF ALBUQUERQUE PLANNING DEPARTMENT

INTER-OFFICE MEMO

August 22, 2005

TO: Sheran Matson, DRB Chair
FROM: Carmen Marrone, Senior Planner
RE: Project #1004100, Children's Learning Center

On July 21, 2005, the EPC approved a Site Plan for Building Permit with Conditions for Tract F, La Cueva Village, Unit 1. The applicant proposes to construct a 9,778 square foot building to house a Children's Learning Center.

The DRB submittal for the Site Plan for Building Permit generally meets all of the EPC conditions with the following exceptions:

Condition 2 calls for the refuse container to be a maximum of 5 feet in height. The site plan indicates a total height of 6 feet. Also, a note on the site plan indicates an attached letter containing further solid waste dumpster information. No such letter is in the file.

Condition 3: When measured, some of the small car spaces are less than 8 feet wide and some are more than 8 feet wide. Some adjustments may need to occur in order to obtain a minimum width of 8 feet for small car spaces. The total amount of small car spaces, as shown on the site plan, is 6 not 5 and the total amount of parking spaces is 26, not 25.

If you have any questions regarding this case, please call me at 924-3814.

Post-It® Fax Note	7671	Date	8/29	# of pages	1
To	Jose	From	Carmen		
Co./Dept.		Co.			
Phone #		Phone #	924-3814		
Fax #	897-0389	Fax #			



**DEVELOPMENT REVIEW BOARD
ACTION SHEET**

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

August 24, 2005

9:00 a.m.

MEMBERS:

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

Wilfred Gallegos, Transportation Development
Brad Bingham, Alternate City Engineer

Roger Green, Utility Development
Christina Sandoval, Parks & Recreation

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

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

1. **Project # 1000400**
05DRB-01233 Major-One Year SIA LEROY ORTIZ agent(s) for SOCIETY OF ST. PIUS X OUR LADY OF THE ROSARY, request(s) the above action(s) for all or a portion of Tract(s) 336, **TOWN OF ATRISCO GRANT UNIT 8**, zoned SU-1 CHURCH, located on OURAY NW, between COORS NW and LADERA NW containing approximately 5 acre(s). [REF: 03DRB-01033] (H-11) **A ONE-YEAR EXTENSION OF THE SIA WAS APPROVED.**

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

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

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

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

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

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

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

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

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

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

- 05DRB-00320 Minor-SiteDev Plan
BldPermit/EPC

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

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

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

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

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

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

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

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

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

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

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

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

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

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

05DRB-01286 Minor-Prelim&Final Plat
Approval

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

NO ACTION IS TAKEN ON THESE CASES:

APPLICANT - AGENT IS REQUIRED TO BE AT THE MEETING

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

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

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

ADJOURNED: 11:30 A.M.

**CITY OF ALBUQUERQUE
PLANNING DEPARTMENT**

#12

INTER-OFFICE MEMO

August 22, 2005

TO: Sheran Matson, DRB Chair
FROM: Carmen Marrone, Senior Planner
RE: **Project #1004100, Children's Learning Center**

On July 21, 2005, the EPC approved a Site Plan for Building Permit with Conditions for Tract F, La Cueva Village, Unit 1. The applicant proposes to construct a 9,778 square foot building to house a Children's Learning Center.

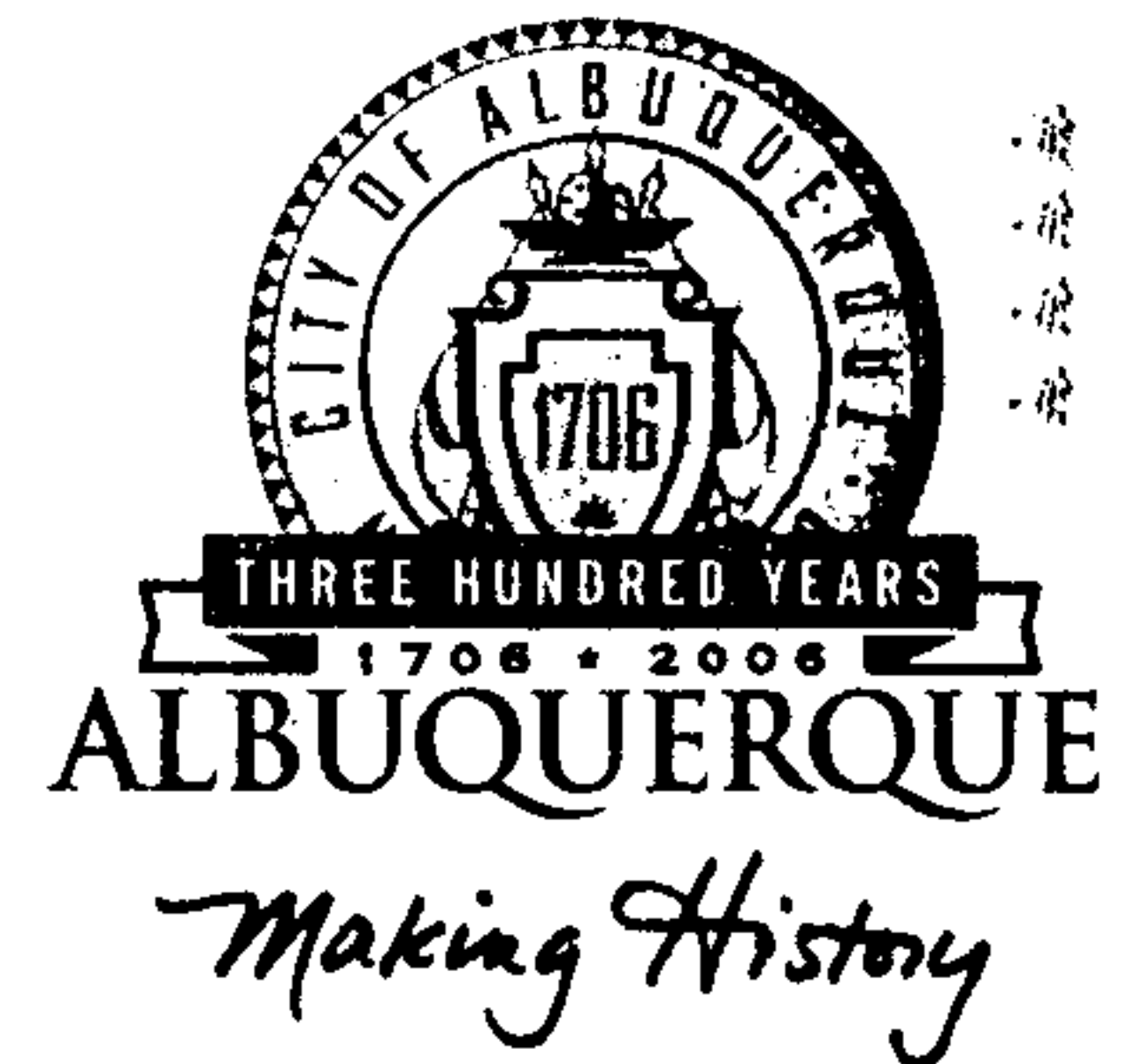
The DRB submittal for the Site Plan for Building Permit generally meets all of the EPC conditions with the following exceptions:

Condition 2 calls for the refuse container to be a maximum of 5 feet in height. The site plan indicates a total height of 6 feet. Also, a note on the site plan indicates an attached letter containing further solid waste dumpster information. No such letter is in the file.

Condition 3: When measured, some of the small car spaces are less than 8 feet wide and some are more than 8 feet wide. Some adjustments may need to occur in order to obtain a minimum width of 8 feet for small car spaces. The total amount of small car spaces, as shown on the site plan, is 6 not 5 and the total amount of parking spaces is 26, not 25.

If you have any questions regarding this case, please call me at 924-3814.

CITY OF ALBUQUERQUE



PLANNING DEPARTMENT
DEVELOPMENT AND BUILDING SERVICES
HYDROLOGY DEVELOPMENT SECTION

DEVELOPMENT REVIEW BOARD – SPEED MEMO

DRB CASE NO/PROJECT NO: 1004100

AGENDA ITEM NO: 12

SUBJECT:

Site Plan for BP

ACTION REQUESTED:

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

ENGINEERING COMMENTS:

No adverse comments.

P.O. Box 1293

RESOLUTION:

8-31-05

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

Albuquerque

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

New Mexico 87103 DELEGATED: (SEC-PLN) (SP-SUB) (SP-BP) (FP) TO: (UD) (CE) (TRANS) (PRKS) (PLNG)

FOR:

www.cabq.gov

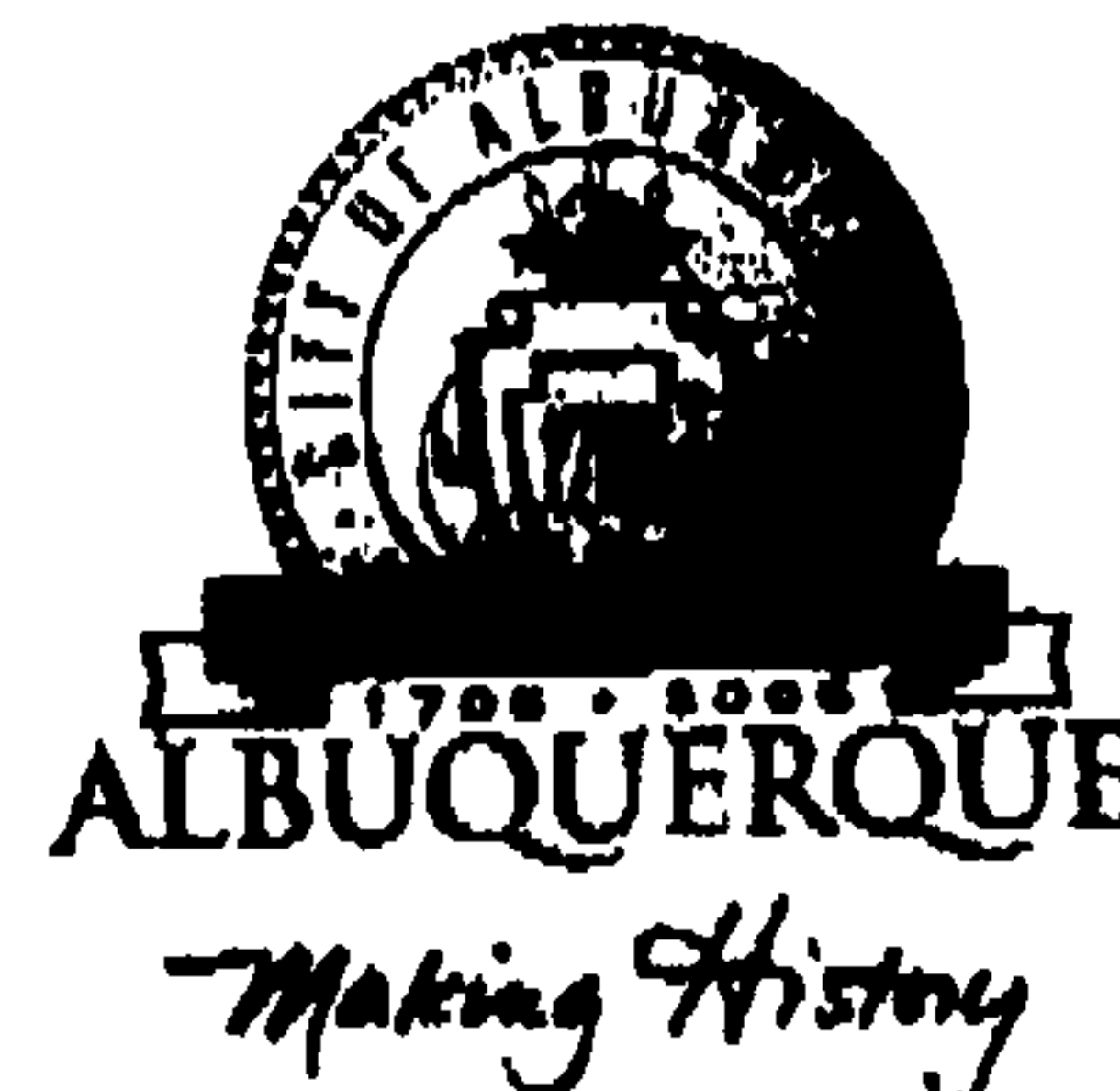
SIGNED: Bradley L. Bingham
City Engineer / AMAFCA Designee

DATE: August 24, 2005

CITY OF ALBUQUERQUE

Prj 1004100

August 15, 2005



CERTIFIED MAIL/RETURN RECEIPT REQUESTED

Dean P. Abbott
Tricia L. Abbott
5335 Stream Stone Avenue
Albuquerque, NM 87114

RE: NOTICE OF FAILURE TO COMPLETE IMPROVEMENTS, DEFAULT AND CITY'S INTENTION TO CALL FINANCIAL GUARANTY - SUBDIVISION IMPROVEMENTS AGREEMENT

PROJECT: CHILDRENS LEARNING CENTER-PARADISE BLVD.

PROJECT NO.: 671481

Dear Mr. & Mrs. Abbott:

I have been informed that DEAN AND TRICIA ABBOTT (the "Subdivider") failed to meet the August 15, 2005 "Construction Deadline" and failed to obtain timely extension from the Development Review Board ("D.R.B.") before the Construction Deadline. The Construction Deadline has passed and the requirements were not met.

P.O. Box 1293

THIS LETTER PROVIDES THE REQUIRED NOTICE TO SUBDIVIDER AND THE SURETY NAMED BELOW THAT THE SUBDIVIDER'S AGREEMENT WITH THE CITY IS IN DEFAULT, AND THE CITY HOLDS THE SUBDIVIDER AND THE SURETY JOINTLY AND SEVERALLY LIABLE. THIRTY DAYS AFTER MAILING THIS LETTER THE CITY WILL BE CALLING ON THE FINANCIAL GUARANTY PROVIDED BY THE SURETY, AND THE CITY WILL DEMAND THAT THE SURETY PAY THE CITY 125% OF THE COST OF COMPLETING THE IMPROVEMENTS.

Albuquerque

If you have any questions regarding this matter, please contact the Project Administrator Marilyn Maldonado at 924-3997, Design Review Section, Development and Building Services.

New Mexico 87103

Very truly yours,

Kevin J. Curran
Assistant City Attorney

www.cabq.gov

Cc: U.S. New Mexico Federal Credit Union, PO Box 130, Albuquerque, NM 87103-0130

THIS LETTER IS SENT TO CONFORM TO THE REQUIREMENTS OF THE SUBDIVISION ORDINANCE.

KJC/pcl #4
File

SpringStone Children's Learning Center

Main Office

6609 Santo Lina Tr. NW

Albuquerque, NM 87120

Dean Cell 250-7743

October 10th, 2005

City of Albuquerque
Planning Dept., Dev. & Bldg. Serv., Design Review
P.O. Box 1293
Albuquerque, NM 87103

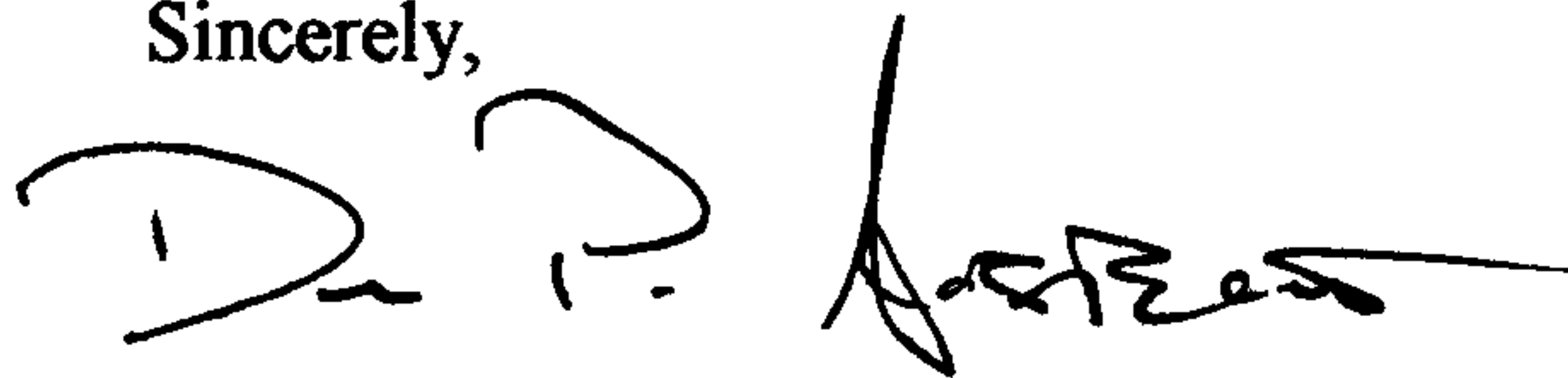
DRB,

I am writing in response to a letter dated September 19th, 2005. I have not received instruction regarding an extension for an SIA agreement.

I am becoming alarmed because I was told that the note will be due October 15th, 2005. I need to make arrangements so that this is not the issue.

Please contact me as quickly as possible.

Sincerely,



Dean P. Abbott
SpringStone Children's Learning Center
(505) 250-7743 cell

SpringStone Children's Learning Center

Main Office

6609 Santo Lina Tr. NW

Albuquerque, NM 87120

Dean Cell 250-7743

September 19, 2005

City of Albuquerque
Planning Dept., Dev. & Bldg. Serv., Design Review
P.O. Box 1293
Albuquerque, NM 87103

DRB,

I spoke with an individual regarding the SIA agreement, and she stated that I needed to discuss with DRB getting an approval for extension because I missed the deadline for submittal.

I apologize for the mix up and delay. I believe the initial problem was that the city did not have our current address so I never received the original letter regarding the extension. My bank contacted me after receiving a letter regarding the SIA agreement. I then contacted the City to receive instruction.

The following are reasons for which I am asking for special consideration to resubmit for an additional extension:

Currently the commercial lots to the east of SpringStone are undeveloped, but now at least with plans of development. At the time of the previous extension, there were no initial plans for development. Waiting for development will allow businesses and contractors to work together on this matter. At this point there are no direct or indirect consequences of this work not being completed.

By working together and sharing resources, construction timelines can be coordinated therefore increasing productivity of improvements and reducing the costs of construction by possibly using the same contractors to do multiple projects. This would be inviting to contractors as well as business owners.

As a small 501 (c) 3 organization dedicated to the emotional, physical, and educational development of young children, saving money is a benefit that we cherish. Any little bit helps. I appreciate your consideration in this matter, and I will complete and submit as my request as soon as possible. Please contact me so that we can discuss this matter.

Sincerely,

Dean P. Abbott
SpringStone Children's Learning Center
(505) 250-7743 cell

SpringStone Children's Learning Center

Main Office

6609 Santo Lina Tr. NW

Albuquerque, NM 87120

Dean Cell 250-7743

August 19, 2005

City of Albuquerque

Planning Dept., Dev. & Bldg. Serv., Design Review

P.O. Box 1293

Albuquerque, NM 87103

Arlene Portillo (Project Administrator),

I received from the U.S. New Mexico Federal Credit Union the Notice of Failure to Complete Improvements agreement sent by Kevin J. Curran. I apologize for the mix up and delay on this. I had every intention of submitting an additional request for extension. I was under the impression that I had until October 2005 to submit for extension.

I am asking for consideration to resubmit for an additional extension for the following reasons:

Currently the commercial lots to the east of SpringStone are undeveloped, but now at least with plans of development. At the time of the previous extension, there were no initial plans for development. Waiting for development will allow businesses and contractors to work together on this matter. At this point there are no direct or indirect consequences of this work not being completed.

By working together and sharing resources, construction timelines can be coordinated therefore increasing productivity of improvements and reducing the costs of construction by possibly using the same contractors to do multiple projects. This would be inviting to contractors as well as business owners.

As a small 501 (c) 3 organization dedicated to the emotional, physical, and educational development of young children, saving money is a benefit that we cherish. Any little bit helps. I appreciate your consideration in this matter, and I will complete and submit as my request as soon as possible. Please contact me so that we can discuss this matter.

Sincerely,

Dean P. Abbott

SpringStone Children's Learning Center

(505) 250-7743 cell

COURTESY RECORDING
LANDAMERICA ALBQ TITLE DOWNTOWN

Exhibit A
RECIPROCAL EASEMENT AGREEMENT

THIS RECIPROCAL EASEMENT AGREEMENT is made and entered into as of the 10th day of September, 2003, by and between BAHIA BATTAH NUSEIBEH, a single woman ("Seller"), and W. WESTON SUMNER and LESLIE L. SUMNER, his wife (together "Buyers"), for the purposes of creating a permanent reciprocal easement for ingress and egress to the property being purchased by Buyers from Seller and to certain adjoining property which is still owned by Seller.

WHEREAS, Buyers have agreed to purchase from Seller, and Seller has agreed to sell to Buyers, the following described real property in the County of Bernalillo, State of New Mexico:

Tract lettered "D" of the Subdivision Plat of LA CUEVA VILLAGE, UNIT 1, Albuquerque, New Mexico, as the same is shown and designated on the plat thereof, filed in the Office of the County Clerk of Bernalillo County, New Mexico, on September 18, 1997, in Volume 97C, Folio 282, as Document No. 97097105.

The above-described parcel of real property shall be referred to in this Agreement as Tract "D".

WHEREAS, Seller will continue to own, following the sale of Tract "D" to Buyers, the following described parcel of real property which adjoins Tract "D":

Tract lettered "E" of the Subdivision Plat of LA CUEVA VILLAGE, UNIT 1, Albuquerque, New Mexico, as the same is shown and designated on the plat thereof, filed in the Office of the County Clerk of Bernalillo County, New Mexico, on September 18, 1997, in Volume 97C, Folio 282, as Document No. 97097105.

The above-described parcel of real property shall be referred to in this Agreement as Tract "E".

WHEREAS, to facilitate ingress and egress to and from the respective properties following the sale of Tract D to Buyers, and to allow for the reciprocal use of drive areas located on both parcels of property, the parties hereby enter into this Reciprocal Easement Agreement.

NOW, THEREFORE, in consideration of the foregoing, the easements granted by each of the parties to the other in this Agreement, and for other good and valuable consideration, the parties agree as follows:

1. **EASEMENTS.** The easement described below in this Agreement being granted by Seller to Buyers shall consist of the most westerly fifteen feet (15') of Tract "E". The easement described below in this Agreement being granted by Buyers to Seller shall consist of the most easterly fifteen feet (15') of Tract "D".

2. **GRANT OF EASEMENTS.**

Post-It® Fax Note	7671	Date	# of pages (6)
To	Dr. GARZA	From	P. Medina
Co./Dept.		Co.	998-1579
Phone #	341-0426	Phone #	341-0426
Fax #		Fax #	



Knight
 Lina Trilla
 Dean Abbott
 Tricia Abbott
 6609 Santo Lina Trail NW
 Albuquerque, NM 87120
 Office 505-890-6010
 Fax 505-890-6051
 Dean cell 505-250-7743
 Tricia cell 505-250-8455
 springsonekids.com
 tabbott26@comcast.net

A. Seller hereby grants to Buyers, for the benefit of Buyers and their heirs, successors, assigns, tenants, employees, agents, customers and invitees, and the customers, employers and invitees of such tenants, and for the benefit of Tract "D", a non-exclusive right for ingress and egress to vehicular and pedestrian traffic, over and across the westerly most fifteen feet (15') of Tract "E". The easement granted by this paragraph shall run with the land for the benefit of Tract "D".

B. Buyers hereby grant to Seller for the benefit of Seller and his heirs, successors, assigns, tenants, employees, agents, customers and invitees, and the customers, employers and invitees of such tenants, and for the benefit of Tract "E", a non-exclusive right for ingress and egress to vehicular and pedestrian traffic, over and across the easterly most fifteen feet (15') of Tract "D". The easement granted by this paragraph shall run with the land for the benefit of Tract "E".

3. RECORDING. It is intended by all parties that this Agreement will be duly recorded immediately following the completion of the necessary curb cut, Access Easement improvements and trash bin enclosure for Tract "D" and Tract "E" by Buyer.

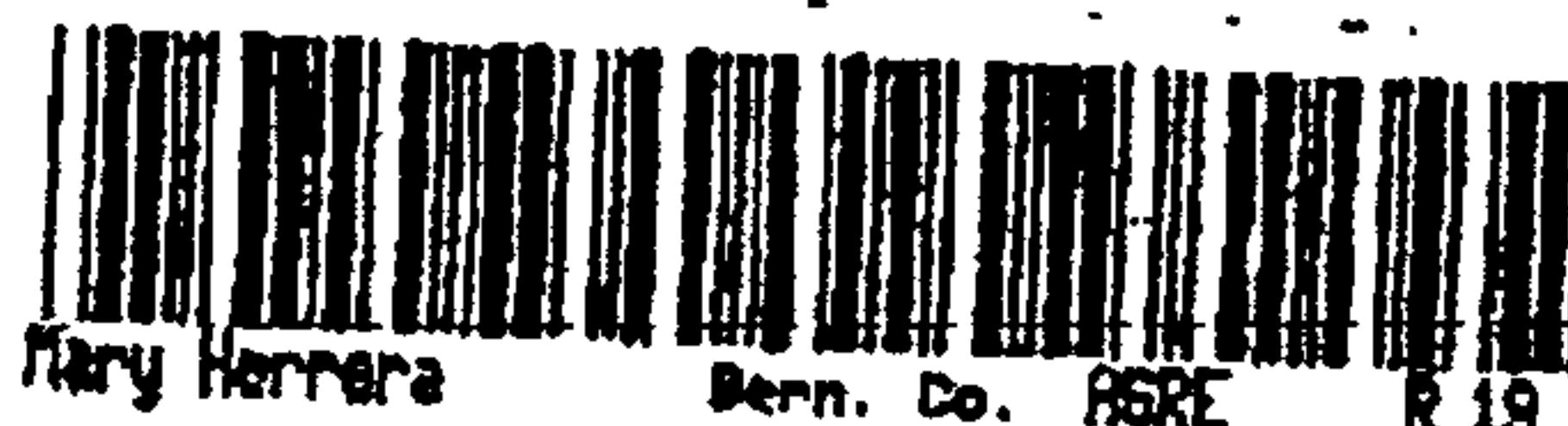
4. MAINTENANCE. Each of the parties, at his or their own cost and expense, shall maintain, insure, pay taxes assessed against, and keep in good condition and repair, the easement portion of the particular parcel owned by each party. Maintenance work under this Agreement shall not unreasonably interfere with the use of and access to the particular tract owned by the party not undertaking the work. If any party should breach his or their obligations under the preceding sentence and fail to cure such breach within thirty (30) days after receiving written notice of breach, the other party(ies) may, at his or their option, make any or all reasonably requested repairs on behalf of the party(ies) in default, who shall then promptly pay all reasonable costs incurred in making such repairs. All amounts owed under this paragraph but not paid in a timely manner shall bear interest at the rate of ten percent (10%) per annum from the date of billing by one party to the other(s).

5. RETAINED USE OF EASEMENT PROPERTY. Each party reserves the right to the full use and enjoyment of the easement portion of the parcel of land each particular party owns, except to the extent that such use would interfere with the easement rights granted to the other party(ies) under this Agreement.

6. LIABILITY INSURANCE. Each party shall maintain adequate liability insurance protection covering any claims that may arise out of the use of his or their own easement property, and the use by each party of the other party's easement property.

7. ARBITRATION. Any party to this Agreement may request arbitration as provided for in this Section, but arbitration is not required unless at least one party requests it by written notice to the other parties. If litigation is instituted by any party and arbitration is not requested by any other opposing party within the time allowed for answering the Complaint of the party instituting the litigation, then all rights to "demand" arbitration shall lapse. If arbitration is requested or demanded under this Section, the controversy or claim made subject to arbitration shall be resolved following the rules then in effect of the American Arbitration Association, provided, however, that the matter

Page 2 of 6



Mary Herrera

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Page: 2 of 6

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need not be formally submitted to the American Arbitration Association. In other words, the rules of the American Arbitration Association shall apply, but the formalities of dealing with the American Arbitration Association need not be followed. If arbitration is requested or demanded by any party, the arbitration shall take place in Albuquerque, New Mexico, and judgment upon any arbitration award made may be entered in any District Court having competent jurisdiction. If for any reason the method of arbitration described above is held not valid or enforceable, the arbitration shall be conducted as provided under the Uniform Arbitration Act of the State of New Mexico, Section 44-7-1 et. seq., N.M.S.A. 1978.

8. GENERAL.

A. In addition to any suit to recover damages for breach of this Agreement or to enforce any provision of this Agreement, each party acknowledges and agrees that any other party bringing the action shall have, in addition to any action for damages, the right of specific performance, there being matters contracted for in this Agreement which are unique and for which any breach of this Agreement may result in damages to the other party(ies) which may not be adequately and completely determined in terms of money.

B. This Agreement shall be binding upon and inure to the benefit of each of the parties and their respective personal representatives, successors and assigns.

C. This Agreement may be executed simultaneously and in several copies, each of which shall be deemed an original, but all of which together shall constitute one and the same instrument.

D. Each party shall deliver such other and further instruments and take such other and further actions as may be reasonably requested by any other party in order to carry out the provisions, purposes and intent of this Agreement, both prior to and subsequent to the effective date of this Agreement.

E. Section headings in this Agreement are for convenience and reference only and shall not be construed as part of this Agreement, nor shall they limit or define the meaning of any provision of this Agreement.

F. If any breach or alleged breach of this Agreement by any party requires the services of an attorney, reasonable attorney fees and costs shall be paid to the prevailing party(ies) by the nonprevailing party(ies), whether or not litigation is actually instituted.

G. No failure or delay by any party to take action on account of any default by any other party, or to exercise any right, remedy, power or privilege granted under this Agreement, whether in a single instance or repeatedly, shall operate as or constitute a waiver of any default of any performance required or as a waiver of the right, remedy, power or privilege not exercised. No express waiver by any party to any provision of this Agreement or of any default by any other party, nor any express waiver of any right, remedy, power or privilege granted under this Agreement, shall

Page 3 of 6



Mary Herrera

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Page: 3 of 6

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be construed as a subsequent waiver of the default by the other party or as a subsequent waiver of the right, remedy, power or privilege granted under this Agreement.

H. This Agreement contains the entire understanding of the parties regarding the transactions described and supersedes all prior negotiations, agreements, and understandings, both verbal and written, between the parties with respect to the subject matters covered.

I. No change or modification of this Agreement shall be valid unless in writing and signed by the party against whom any enforcement, waiver, change or modification is sought.

J. The invalidity or unenforceability of any particular provision of this Agreement shall not affect the other provisions, and the Agreement shall be construed in all respects as if the invalid or unenforceable provision(s) were omitted.

K. This Agreement and any document(s) executed in connection with this Agreement shall be governed by and enforced in accordance with the laws of the State of New Mexico.

L. This Agreement shall be deemed to have been jointly prepared by the parties, and no ambiguity in this Agreement shall be construed against either party based on the identity of the author of this Agreement.

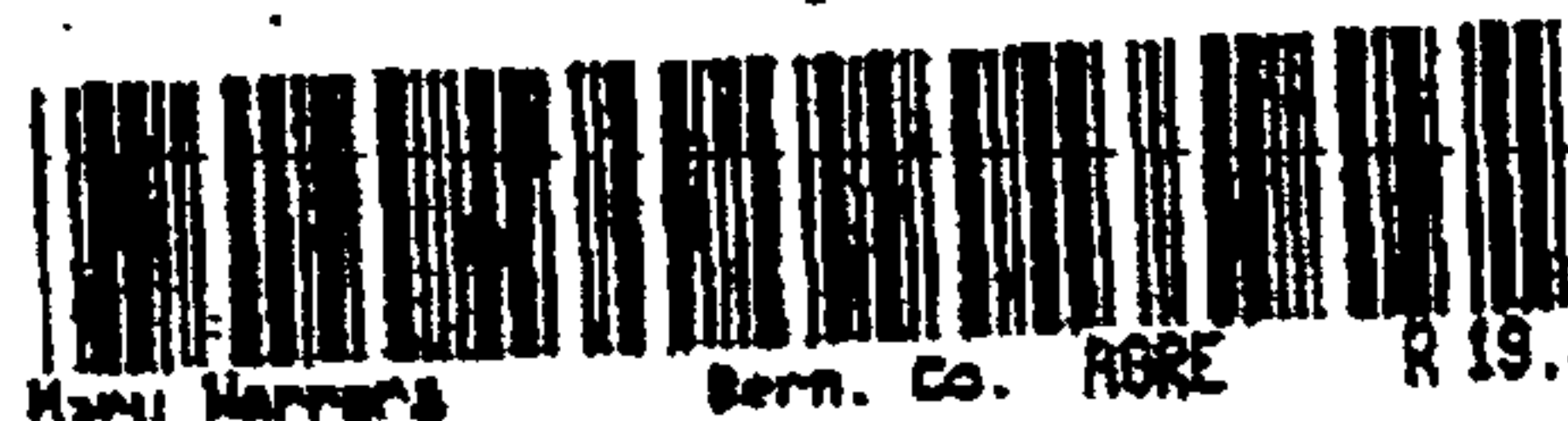
M. Whenever reference is made in this Agreement to persons, words denoting the singular number may be, and where necessary shall be, construed as denoting the plural number; and words of the plural number may be, and where necessary shall be, construed as denoting the singular number; and words of one gender may be, and where necessary shall be, construed as denoting such other gender as is appropriate.

N. Any notice required or allowed to be given under this Agreement shall be deemed to be effectively made or given by personal delivery to any other party, or by depositing the same in the United States Mail, postage prepaid, by certified or registered mail, return receipt requested, addressed to each other party at the address listed for each party on the signature page(s) of this Agreement, or at such other address or addresses as may be given by any party to the others from time to time.

IN WITNESS WHEREOF, the parties have caused this Agreement to be executed as of the day and date first written above.

SELLER:

ADDRESS:



Bahia Battah Nuseibeh
BAHIA BATTAH NUSEIBEH

BUYERS:

W. Weston Sumner
W. WESTON SUMNER

Leslie L. Sumner
LESLIE L. SUMNER

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

THE FOREGOING INSTRUMENT was acknowledged before me this 11th day of September, 2003, by Bahia Battah Nuseibeh.

[Signature]
Notary Public

Commission Expires: 10.5.03

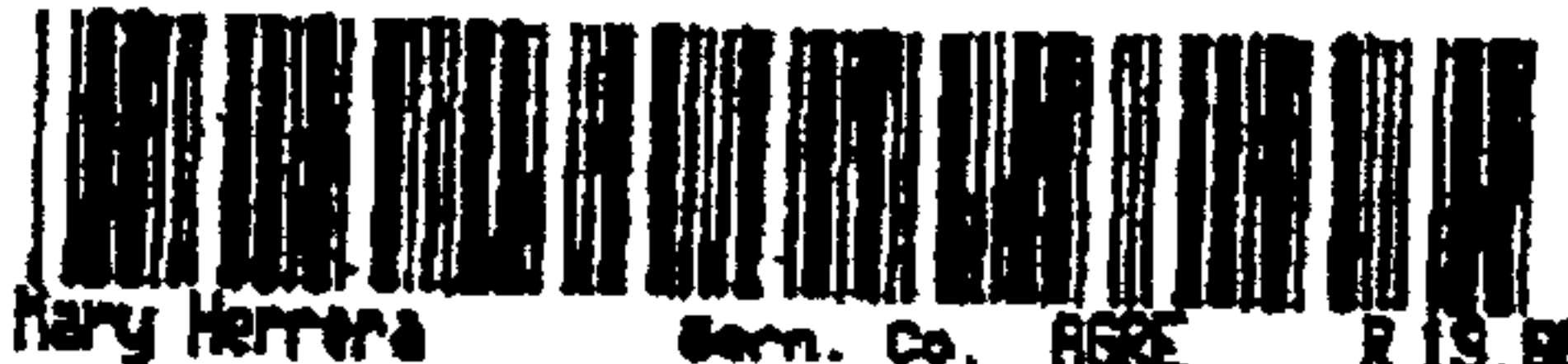
STATE OF NEW MEXICO)
)ss.
COUNTY OF BERNALILLO)

THE FOREGOING INSTRUMENT was acknowledged before me this 10th day of September, 2003, by W. Weston Sumner.

[Signature]
Notary Public

Commission Expires: 10.5.03

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



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Page: 5 of 6
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THE FOREGOING INSTRUMENT was acknowledged before me this 10th day of September, 2003, by Leslie L. Sumner.



Notary Public

My Commission Expires:



OFFICIAL SEAL

My commission expires:

10.5.03



Mary Herrera

Bern. Co. FGRE

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Page 6 of 6

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Tricia Abbott

From: RossPerkal@aol.com
Sent: Saturday, September 10, 2005 8:27 AM
To: deanabbott@comcast.net
Cc: tabbott26@comcast.net
Subject: Re: easement

dean, i'm not sure what you are up against until i learn the genesis of this problem.

it now seems possible to me that the real problem is the CITY, not Garza.

also, i'm not sure we can solve the problem, even if Garza does what you need him to do, without that other neighbor...

i'm all for keeping things simple, but this one seems more than just a simple access agreement. i may need to meet you at the site in order for me to SEE what is going on here.

ross

-

No virus found in this incoming message.

Checked by AVG Anti-Virus.

Version: 7.0.344 / Virus Database: 267.10.21/96 - Release Date: 9/10/2005

9/10/2005

DRAFT - FOR DISCUSSION PURPOSES ONLY 08-16-05

Grant of Easement Agreement

This Grant of Easement Agreement ("Agreement") is entered into this 24th day of AUGUST, 2005, by and between ELDORADO-MONTEREY, LLC, a New Mexico limited liability company ("Eldorado"), and DEAN F. ABBOTT and TRICIA L. ABBOTT, husband and wife ("Abbott").

BACKGROUND:

A. Eldorado is the owner of the tract of land described as follows:

Tract E, of La Cueva Village, Unit 1, as the same is shown and designated on the plat filed in the office of the County Clerk of Bernalillo County, New Mexico, on September 18, 1997, in Volume 97C, Folio 282 (herein "Tract E").

B. Abbott is the owner of the tract of land described as follows:

Tract F, of La Cueva Village, Unit 1, as the same is shown and designated on the plat filed in the office of the County Clerk of Bernalillo County, New Mexico, on September 18, 1997, in Volume 97C, Folio 282 (herein "Tract F").

C. Abbott has requested that Eldorado enter into this Agreement in order to provide for the rights of easement for ingress and egress set out herein.

AGREEMENT:

In consideration of the agreements contained herein, and for other valuable consideration, receipt of which is hereby acknowledged, the undersigned agree as follows:

1. Eldorado grants to Abbott, non-exclusive easements for limited vehicular ingress and egress through, over and across the driveway easement area described on **EXHIBIT "A"** (the "Driveway Easement Area"). The use shall be limited as follows:

A. Use of the Driveway Easement Area shall only be made by Abbott, and by customers, employees and invitees of businesses located on Tract F.

B. No vehicle heavier than 18,000 pounds gross vehicle weight may use the Driveway Easement Area for access to Tract F.

C. No vehicles being used for construction purposes, including, but not limited to, those being used for delivery of materials or equipment, may use the Driveway Easement Area for access to Tract F.

D. All vehicles using the Driveway Easement Area for access to Tract F shall obey such reasonable rules and directions as are established by Eldorado, and without limitation, shall limit their speed to not more than ten (10) miles per hour. Eldorado may exclude any persons/vehicles who violate any such rules or directions, or exceed a speed of ten (10) miles per hour from use of the Driveway Easement Area. No person or vehicle using the Driveway Easement Area for access to Tract F shall cause any obstruction of other vehicular or pedestrian traffic.

2. Eldorado may relocate the Driveway Easement Area, but only if such relocation does not cut off access to and from Tract F to Carmel Avenue.

3. Concurrently with the execution hereof Abbott shall pay to Eldorado the sum of ~~100~~ 13 Dollars (\$ _____), as partial reimbursement for the cost of construction of the Driveway Easement Area Improvements. Immediately upon written request, Abbott shall reimburse Eldorado for one-half (1/2) of all costs of maintenance and replacement of any of the improvements in the Driveway Easement Area.

4. Abbott, from and after the date of the first use of the rights granted under this Agreement, shall maintain, in full force and effect, comprehensive liability insurance covering all acts of Abbott, Abbott's tenants, guests and invitees, and their tenants, guests and invitees, on or about Tract F and the Driveway Easement Area, in a combined single limit amount of not less than than One Million Dollars (\$1,000,000.00), subject to increases in amount from time to time by the same percentage as the Consumer Price Index shall have increased from date hereof, such required increased amount to be in place not later than thirty (30) days following Eldorado giving notice of the increased amount. Eldorado shall be named as an additional insured under Lessee's policy, and a certificate of coverage shall be delivered to Eldorado at the commencement of the term and upon renewal of each such policy. If Abbott fails to provide such insurance or deliver certificates showing same to be in effect, Eldorado may suspend use of the Driveway Easement Area for access to Tract F until the required insurance is in force and certificate delivered.

5. Abbott shall defend, indemnify, hold and save Eldorado harmless from and against any and all losses, costs, liabilities or damages (including reasonable attorneys' fees and disbursements

and court costs) arising by reason of the injury or death of persons or damage to property arising out of the use of the Driveway Easement Area for access to Tract F.

6. The parties to this Agreement represent and warrant that they have the power and authority to enter into this Agreement in the capacities reflected herein, and that all requisites for execution hereof have been by them performed. The individuals executing this Agreement on behalf of a party represent and warrant that they have the authority to do so as the binding act of the party they purport to represent.

7. All provisions of this Agreement, including the benefits and burdens, run with the lands described above, and are binding upon and inure to the benefit of the successors and assigns of the parties hereto.

8. Any notice or document required or permitted to be delivered hereunder shall be deemed to be delivered, whether actually received or not, when deposited in the United States mail, postage prepaid, certified or registered mail, addressed to the parties hereto (or their transferees) at the respective addresses set out below, or at such other address as they have heretofore specified by written notice delivered in accordance herewith.

If to Eldorado:

Ernest Garza
Eldorado-Montgomery, LLC
8900 Henrietta Wyeth Drive N.E.
Albuquerque, New Mexico 87122

If to Abbott:

Dean and Tricia Abbott
6609 Santo Lino Trail N.W.
Albuquerque, New Mexico 87120

9. This Agreement, together with the documents referenced herein, constitutes the entire agreement of the parties with respect to the subject matter hereof, supersedes all prior agreements, oral or written, pertaining to the subject matter hereof, may be modified only by an instrument in writing signed by the party to be charged, and will be governed as to validity, interpretation, effect, enforcement, and in all other respects in accordance with the internal (without resort to principles of conflict of laws) substantive and procedural laws of the State of New Mexico, except to the extent that the laws of the United States may prevail. In the event that any one or more of the provisions contained in this Agreement shall, for any reason, be held to be invalid, illegal, or unenforceable in any respect, such invalidity, illegality, or unenforceability will not affect any other provision of this

Agreement. Failure of any party to insist, in any one or more instances, upon strict performance of any term, provision, covenant or condition of this Agreement, or to exercise any right, remedy or option herein contained, shall not be construed as a waiver, or a relinquishment for the future of such term, provision, covenant or condition, and the same shall continue and remain in full force and effect. Should any party bring any suit or action to enforce or related to this Agreement, the prevailing party shall be entitled to an award of reasonable attorneys' fees and costs as part of the judgment awarded therein, including fees and costs at trial and appellate levels.

Eldorado-Montgomery, LLC

By: _____
Name: _____
Title: _____

Dean ~~F~~ Abbott

Tricia L. Abbott



QuikDraw
Engineering, L.L.C.
Post Office Box 729
Corrales, New Mexico 87048
505-898-0389WK 505-8970389FAX
quikdrawengr@aol.com

City of Albuquerque

Planning Department / Development Review Division

P.O. Box 1293

Albuquerque, NM 87103

Re: Project # 1004100/05 / EPC-00582

Response to official notice of Decision Approval letter dated July 21,2005

CONDITIONS:

1. Letter to accompany the submittal to DRB is responsible for ensuring that all EPC Conditions have been satisfied and that other applicable city requirement have been met .
2. Refuse container will be a maximum of 5feet high by 9 feet wide. The refuse enclosure shall be a maximum of 5' in height according to Official Notice Decision.
3. Compact car space size increased from 7.5' to 8' wide in accordance with parking space definition of the zoning code (section 14-16-1-5 definitions).
4. Sidewalk relocated to side of building has been changed to 8 feet wide and the landscaping area is been moved adjacent to the building.
5. Sidewalk to eastern handicap loading area has been realigned to link to the eastern handicap loading area with sidewalk.
6. Light pole height reduce to 16' as requested to comply with the area lighting regulations of the zoning code (section 14-16-3-9) to match same design as other 16' high freestanding lights within the shopping center.
7. Update to landscape plan is completed to comply with the landscape ordinance section 14-16-3-10, additional plants have been provided adjacent to the refuse container walls.
8. Detail regarding channel lettering has been added to notes.
9. Plan does comply with all SWMD ordinances and requirements prior to DRB approval
10. All ADA requirements will be satisfied and have been added to notes. 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).

Respectfully Submitted,

Lyle C. Losack, P.E.

Lyle C. Losack, P.E.

QDE, LLC

Cc: File

Springstone Learning Center / Dean & Tricia Abbott



QuikDraw
Engineering, L.L.C.

Post Office Box 729
Corrales, New Mexico 87048
505-898-0389WK 505-8970389FAX
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9. Plan does comply with all SWMD ordinances and requirements prior to DRB approval
10. All ADA requirements will be satisfied and have been added to notes. 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).

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Springstone Learning Center / Dean & Tricia Abbott



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City of Albuquerque

Planning Department / Development Review Division

P.O. Box 1293

Albuquerque, NM 87103

Re: Project # 1004100/05 / DRB chair

Response to Carmen Marrone inter-office memo letter dated August 30, 2005

CONDITIONS .

1. Condition 2 call for the refuse container to be maximum 5 feet in height has been change to on the plan to 5 Feet. Also dumpster information letter has been deleted from the plan note.
2. Car spaces are been review and adjusted to meet the 8 feet wide for small cars and 8.5 feet to regular sizes and the total amount of parking spaces is 26 .

Respectfully Submitted,

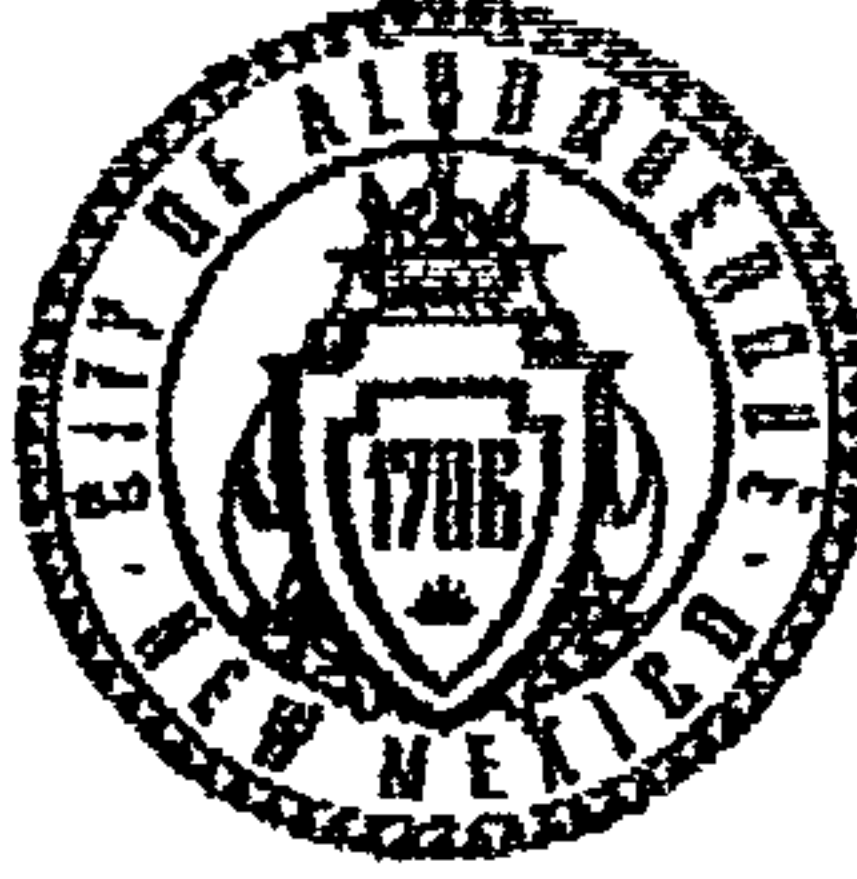
Lyle C. Losack, P.E.

Lyle C. Losack, P.E.

QDE, LLC

Cc: File

Springstone Learning Center / Dean & Tricia Abott



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

Date: July 22, 2005

OFFICIAL NOTIFICATION OF DECISION

FILE: Project # 1004100
05EPC-00582 EPC Site Development Plan-
Building Permit

Springtone-Children's Learning Center
6609 Santo Lina Trail NW
Albuq. NM 87120

LEGAL DESCRIPTION: for all or a portion of Tract(s) F, La Cueva Village Unit 1, zoned C-2 (SC), located on CARMEL AVE NE, between WYOMING Blvd. and BARSTOW St. NE, containing approximately 1 acre. (C-19) Elvira Lopez, Staff Planner

On July 21, 2005 the Environmental Planning Commission voted to approve Project 1004100/05EPC 00582 a request for approval of a site development plan for building permit for Tract F, La Cueva Village Unit 1, 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 building permit for a 9,778 SF building on an approximately 0.8 acre parcel located on Carmel Avenue NE, between Wyoming Boulevard and Barstow Street. The subject site is undeveloped and the applicant proposes to develop a children's learning center.
2. This request has been deferred several times since the May 2005 EPC hearing in order to locate the refuse container and enclosure where it will have the least visual impact.
3. The current location of the refuse container and enclosure poses a negative visual impact from within the site and poses potential harm to the children who will play in the adjacent playground.
4. There are no residences directly across the street from the subject site.
5. Relocation of the refuse container and enclosure to the northeast corner of the site will provide a greater opportunity for screening the refuse container walls with live vegetation to help minimize the container and will minimize potential negative impacts of noise, smell and pests to the children who will play in the adjacent playground.

OFFICIAL NOTICE OF DECISION

JULY 21, 2005

PROJECT #1004100

PAGE 2 OF 4

6. This request furthers applicable policies for Developing Urban Areas of the Comprehensive Plan. This request proposes development on vacant land that is contiguous to existing urban facilities and where the integrity of existing neighborhoods can be ensured (Policy 5e). This request proposes employment and service uses in a location that complements residential areas; with minor modifications, the site will be designed to minimize adverse effects of noise, lighting, pollution, and traffic on residential environments (Policy 5i). This project proposes new commercial development within a designated larger area-wide shopping center (Policy 5j). This request encourages design that is appropriate to the plan area (Policy 5l).
7. The subject site is located within a community activity center as designated by the Comprehensive Plan. This request supports pedestrian access both to and within this activity center (Comprehensive Plan, Activity Centers Policy 7a).
8. This request is consistent with the shopping center land use regulations of the Window G Sector Development Plan (page 22). The architectural style of the proposed building, including related building finishes and colors, is generally consistent with the main shopping center building of the La Cueva Town Center. In general, all sides of the proposed building are aesthetically pleasing with screened equipment and no blank walls; this enhances the appearance of the shopping center from all directions.
9. This request meets the design requirements of the approved Site Development Plan for the La Cueva Town Shopping Center (Z-98-98).
10. The Nor Este Neighborhood Association is a recognized neighborhood affected by this request. There is no known neighborhood opposition to this request.

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. Relocate the refuse container and enclosure to the northeast corner of the site as originally proposed in the May 2005 submittal. The refuse container shall be a maximum of 5 feet high by 9 feet wide. The refuse enclosure shall be a maximum of 5' in height. The refuse enclosure shall not block the 6' wide pedestrian path from the building to Carmel Street as proposed in the current submittal.

OFFICIAL NOTICE OF DECISION
JULY 21, 2005
PROJECT #1004100
PAGE 3 OF 4

3. The width of proposed compact car spaces shall be increased from 7.5' to 8' wide pursuant to Parking Space definition of the Zoning Code (Section 14-16-1-5, Definitions).
4. To minimize the use of vehicular parking areas as walkways, the proposed sidewalk adjacent to the front of the building shall be relocated and placed adjacent to the proposed parking area. The landscaping area shall be moved adjacent to the building. The proposed sidewalk shall be at least 8' wide and if the vehicular parking area is flush with the sidewalk, then concrete bumpers shall be installed to ensure a 6' wide walkway. (Section 14-16-3-1 (E) and (G)(4)).
5. The walkway connecting the public sidewalk (adjacent to Carmel Avenue) to the main entrance of the building shall be realigned to link to the eastern handicap loading area.
6. The proposed height of light poles shall be reduced to 16' to comply with the Area Lighting Regulations of the Zoning Code (Section 14-16-3-9). The proposed light poles shall be of the same design as other 16' high freestanding lights within the shopping center.
7. The Landscape Plan shall comply with the Landscape Ordinance Section 14-16-3-10. The applicant shall provide additional plants within the required landscaping area located at the northeast corner of the site along with evergreen vines or tall shrubs adjacent to the refuse container walls.
8. Building mounted signs shall have channelized letters. Box or panel signs are not permitted. The applicant shall revise the proposed building mounted signage to reflect this requirement.
9. The plan shall comply with all SWMD ordinances and requirements prior to DRB approval.
10. Conditions from City Engineer, Municipal Development, Water Authority and NMDOT:
 - 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. Provide cross access agreement between Tracts E and F.
 - d. Site plan shall comply and be designed per DPM Standards.
 - e. Vehicular entrance to the site shall be 24' in width to be consistent with the access from Tract E to the west.

OFFICIAL NOTICE OF DECISION

JULY 21, 2005

PROJECT #1004100

PAGE 4 OF 4

IF YOU WISH TO APPEAL/PROTEST THIS DECISION, YOU MUST DO SO BY AUGUST 5, 2005 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 IS NOT POSSIBLE TO APPEAL EPC RECOMMENDATIONS TO CITY COUNCIL; RATHER, A FORMAL PROTEST OF THE EPC'S RECOMMENDATION CAN BE FILED WITHIN THE 15 DAY PERIOD FOLLOWING THE EPC'S DECISION.

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,


For Richard Dineen
Planning Director

RD/EL/ac

cc: Quik Draw Engineering LLC, P.O. Box 729, Corrales, NM 87048
Leiland McGranahan, Nor Este NA, 7600 Rio Guadalupe NW, Albuquerque, NM 87122
Joe Yarduminan, Nor Este NA, 7801 RC Gorman Ave. SE, Albuquerque, NM 87122

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

PAID RECEIPT

APPLICANT NAME Springstone - Childrens Learning Center
AGENT Quick Draw Engineering LLC
ADDRESS P.O. Box 729
PROJECT & APP # 1004100 / 05 DRB 01290
PROJECT NAME Ⓢ

\$ 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.

Quikdraw Engineering, LLC
P.O. Box 729 505-898-0389
Corrales, NM 87048

95-219-281
1070
1350708258

Date: 8/30/05 1917

Pay to the Order of City of Albany

DUPLICATE
City of Albuquerque
Treasury Division
Dollars 50

WELLS FARGO
Wells Fargo Bank, N.A.
4341 Corrales Rd
Corrales, NM 87048
wellsfargo.com

8/30/2005 12:08PM LOC: ANNX
RECEIPT# 00045326 WSH 008 TRANS# 0015
Account 441006 und 0110
Activity \$5000 TRSCCS
Misc \$50.00

Counter: DRB SUB

⑆ 1070021921 ⑆ 1350708258 ⑆ 01917 ⑆

\$50.00

CK CHANGE \$50.00 \$0.00

DMA Sequence #	COA DRC Project #	Area	Type of Improvement	Location	From	To	Private Inspector	City Inspector	City Civil Engineer
<input type="checkbox"/>	<input type="checkbox"/>						1	1	1
<input type="checkbox"/>	<input type="checkbox"/>						1	1	1
<input type="checkbox"/>	<input type="checkbox"/>						1	1	1
<input type="checkbox"/>	<input type="checkbox"/>						1	1	1

NOTES
 A GRADING AND DRAINAGE CERTIFICATION OF THE APPROVED GRADING PLAN IS REQUIRED PRIOR TO THE RELEASE OF FINANCIAL GUARANTEE

1 _____
 2 _____
 3 _____

AGENT/OWNER

DEVELOPMENT REVIEW BOARD MEMBER APPROVALS

NAME (print) LYLEC. Loscove, DC

DDB CHAIR - date _____

PARCELS & GENERAL SERVICES - date _____

FIRM LDSE LLC

TRANSPORTATION DEVELOPMENT - date _____

ANAPOA - date _____

SIGNATURE - date [Signature]

UTILITY DEVELOPMENT - date _____

- date _____

MAINTAIN TIME ALLOWED TO CONSTRUCT THE IMPROVEMENTS WITHOUT A DDB EXTENSION:

CITY ENGINEER - date _____

- date _____

DESIGN REVIEW COMMITTEE REVISIONS

REVISION	DATE	DDB CHAIR	USER DEPARTMENT	AGENT/OWNER

City of Albuquerque



DEVELOPMENT/ PLAN REVIEW APPLICATION

SUBDIVISION

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

SITE DEVELOPMENT PLAN

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

STORM DRAINAGE

- Storm Drainage Cost Allocation Plan

Supplemental form

- | | | |
|----------------------------|----------------------------|---|
| <input type="checkbox"/> S | <input type="checkbox"/> Z | ZONING & PLANNING |
| <input type="checkbox"/> V | <input type="checkbox"/> P | Annexation |
| <input type="checkbox"/> L | <input type="checkbox"/> A | County Submittal |
| <input type="checkbox"/> D | <input type="checkbox"/> A | 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) |
| | | APPEAL / PROTEST of... |
| | | Decision by: DRB, EPC, LUCC, Planning Director or Staff, ZHE, Zoning Board of Appeals |

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

APPLICANT INFORMATION:

NAME: SPRINGSTONE-CHILDRENS LEARNING CENTER PHONE: (505) 250-7743
 ADDRESS: 6609 SANTO LINA TRAIL NW FAX: _____
 CITY: ALBUQUERQUE STATE NM ZIP 87120 E-MAIL: _____
 Proprietary interest in site: OWNER List all owners: _____
 AGENT (if any): QUICKDRAW ENGINEERING LLC PHONE: (505) 898-0389
 ADDRESS: P.O. BOX 729 FAX: _____
 CITY: CORRALES STATE NM ZIP 87048 E-MAIL: _____

DESCRIPTION OF REQUEST: DRB Submittal FOR BUILDING PERMIT

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

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

Lot or Tract No. TRACT F Block: _____ Unit: 1
 Subdiv. / Addn. LA CUEVA VILLAGE - UNIT 1
 Current Zoning: C-2 (SC) Proposed zoning: C-2 (SC)
 Zone Atlas page(s): C-19-2 No. of existing lots: 1 No. of proposed lots: 1
 Total area of site (acres): _____ Density if applicable: dwellings per gross acre: _____ dwellings per net acre: _____
 Within city limits? Yes. No , but site is within 5 miles of the city limits.) Within 1000FT of a landfill? NO
 UPC No. _____ MRGCD Map No. _____

LOCATION OF PROPERTY BY STREETS: On or Near: 7940 CARMEL AVE, NE
 Between: WYOMING and BARSTOW

CASE HISTORY: Elmora Lopez 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.):
K17/D36 EPC PROJECT # 1004100 / 05 EPC 00582

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

SIGNATURE Lyle C. Losack P.E. DATE 8/2/05
 (Print) LYLE C. LOSACK, P.E. Applicant Agent

FOR OFFICIAL USE ONLY		Form revised 4/04		
<input type="checkbox"/> INTERNAL ROUTING	Application case numbers	Action	S.F.	Fees
<input checked="" type="checkbox"/> All checklists are complete	<u>05 DRB - 01290</u>	<u>SBP</u>	<u>9(3)</u>	<u>\$ 0</u>
<input checked="" type="checkbox"/> All fees have been collected	_____	<u>CMF</u>	_____	<u>\$ 20.00</u>
<input checked="" type="checkbox"/> All case #s are assigned	_____	_____	_____	<u>\$</u>
<input checked="" type="checkbox"/> AGIS copy has been sent	_____	_____	_____	<u>\$</u>
<input checked="" type="checkbox"/> Case history #s are listed	_____	_____	_____	<u>\$</u>
<input checked="" type="checkbox"/> Site is within 1000ft of a landfill	_____	_____	_____	<u>\$</u>
<input checked="" type="checkbox"/> F.H.D.P. density bonus	_____	_____	_____	<u>\$</u>
<input checked="" type="checkbox"/> F.H.D.P. fee rebate	_____	_____	_____	<u>\$</u>
	Hearing date <u>8/24/05</u>			Total
				<u>\$ 20.00</u>

Andrew Garcia 8/9/05 Proj # 1004100

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
 - Completed Site Plan for Subdivision Checklist
 - 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
 - Copy of Site Plan with Fire Marshal's stamp
 - Fee (see schedule)
 - Any original and/or related file numbers are listed on the cover application
- Meetings are approximately 8 DAYS after the Tuesday noon filing deadline. **Bring the original Mylar to the meeting for sign-off. Your attendance is required.**

AMENDED SITE DEVELOPMENT PLAN FOR SUBDIVISION

AMENDED SITE DEVELOPMENT PLAN FOR BUILDING PERMIT

- Proposed amended Site Plan (folded to fit into an 8.5" by 14" pocket) 6 copies.
 - DRB signed Site Plan being amended (folded to fit into an 8.5" by 14" pocket) Copies as needed above
 - Zone Atlas map with the entire property(ies) precisely and clearly outlined and crosshatched (to be photocopied)
 - Letter briefly describing, explaining, and justifying the request
 - Letter of authorization from the property owner if application is submitted by an agent
 - Infrastructure List, if relevant to the site plan
 - Completed Site Plan for Building Permit Checklist (not required for amendment of SDP for Subdivision)
 - Fee (see schedule)
 - Any original and/or related file numbers are listed on the cover application
- Meetings are approximately 8 DAYS after the Tuesday noon filing deadline. **Bring the original Mylar to the meeting for sign-off. Your attendance is required.**

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

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

- Site plan and related drawings (folded to fit into an 8.5" by 14" pocket) 6 copies.
 - Approved Grading and Drainage Plan (folded to fit into an 8.5" by 14" pocket) 6 copies.
 - Solid Waste Management Department signature on Site Plan (not required for SDP for Subdivision)
 - Zone Atlas map with the entire property(ies) precisely and clearly outlined and crosshatched (to be photocopied)
 - Letter carefully explaining how each EPC condition has been met and a copy of the EPC Notification of Decision
 - Infrastructure List, if relevant to the site plan
 - Copy of Site Plan with Fire Marshal's stamp (not required for SDP for Subdivision)
 - 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.

Quik Draw Eng LLC
 Applicant name (print)
Kimberly Elliot for Lyke C. Losack PE
 Applicant signature / date



Form revised JUNE 2005

- Checklists complete
 - Fees collected
 - Case #s assigned
 - Related #s listed
- Application case numbers
05DRB - - 01290

Andrew Gomez 8/9/05
 Planner signature / date
Project # 1004100



QuikDraw
Engineering, L.L.C.
Post Office Box 729
Corrales, New Mexico 87048
505-898-0389WK 505-8970389FAX
quikdrawengr@aol.com

City of Albuquerque

Planning Department / Development Review Division

P.O. Box 1293

Albuquerque, NM 87103

Re: Project # 1004100/05 / EPC-00582

Response to official notice of Decision Approval letter dated July 21,2005

CONDITIONS:

1. Letter to accompany the submittal to DRB is responsible for ensuring that all EPC Conditions have been satisfied and that other applicable city requirement have been met .
2. Refuse container will be a maximum of 5feet high by 9 feet wide. The refuse enclosure shall be a maximum of 5' in height according to Official Notice Decision.
3. Compact car space size increased from 7.5' to 8' wide according to parking space definition of the zoning code (section 14-16-1-5 definitions).
4. Sidewalk relocated to side of building has been change to 8 feet wide and the landscaping area is been moved adjacent to the building wide.
5. Sidewalk realigned to eastern handicap loading area has been realigned to link to the eastern handicap loading area
6. Light pole height reduce to 16' as requested to comply with the area lighting regulations of the zoning code (section 14-16-3-9) to match same design as other 16' high freestanding lights within the shopping center.
7. Update to landscape plan is completed to comply with the landscape ordinance section 14-16-3-10, additional plants have been provided adjacent to the refuse container walls.
8. Detail regarding channel lettering has been added to notes.
9. Plan does comply with all SWMD ordinances and requirements prior to DRB approval
10. All ADA requirements will be satisfied and has been added to notes. All public infrastructure constructed within public right of way or public easements shall be to city standards those standards wil iclude 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).

Respectfully Submitted,

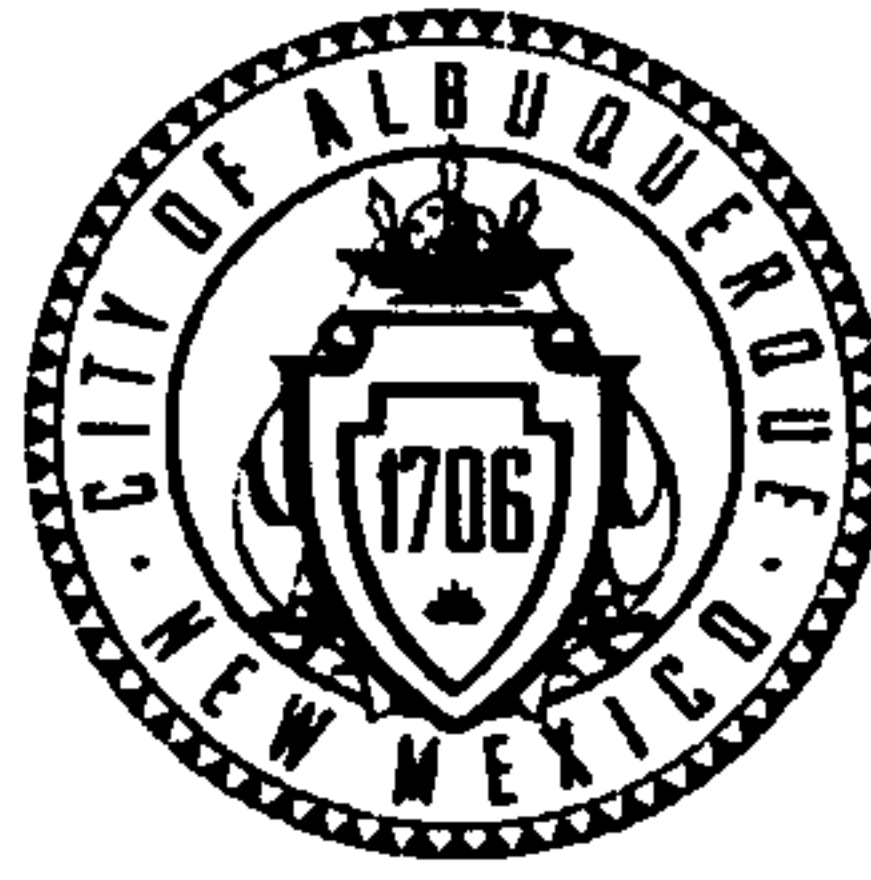
Lyle C. Losack, P.E.

Lyle C. Losack, P.E.

QDE, LLC

Cc: File

Springstone Learning Center / Dean & Tricia Abott



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

Date: July 22, 2005

OFFICIAL NOTIFICATION OF DECISION

FILE: **Project # 1004100**
05EPC-00582 EPC Site Development Plan-
Building Permit

Springtone-Children's Learning Center
6609 Santo Lina Trail NW
Albuq. NM 87120

LEGAL DESCRIPTION: for all or a portion of Tract(s) F, **La Cueva Village Unit 1**, zoned C-2 (SC), located on CARMEL AVE NE, between WYOMING Blvd. and BARSTOW St. NE, containing approximately 1 acre. (C-19) Elvira Lopez, Staff Planner

On July 21, 2005 the Environmental Planning Commission voted to approve Project 1004100/05EPC 00582 a request for approval of a site development plan for building permit for Tract F, La Cueva Village Unit 1, 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 building permit for a 9,778 SF building on an approximately 0.8 acre parcel located on Carmel Avenue NE, between Wyoming Boulevard and Barstow Street. The subject site is undeveloped and the applicant proposes to develop a children's learning center.
2. This request has been deferred several times since the May 2005 EPC hearing in order to locate the refuse container and enclosure where it will have the least visual impact.
3. The current location of the refuse container and enclosure poses a negative visual impact from within the site and poses potential harm to the children who will play in the adjacent playground.
4. There are no residences directly across the street from the subject site.
5. Relocation of the refuse container and enclosure to the northeast corner of the site will provide a greater opportunity for screening the refuse container walls with live vegetation to help minimize the container and will minimize potential negative impacts of noise, smell and pests to the children who will play in the adjacent playground.

6. This request furthers applicable policies for Developing Urban Areas of the Comprehensive Plan. This request proposes development on vacant land that is contiguous to existing urban facilities and where the integrity of existing neighborhoods can be ensured (Policy 5e). This request proposes employment and service uses in a location that complements residential areas; with minor modifications, the site will be designed to minimize adverse effects of noise, lighting, pollution, and traffic on residential environments (Policy 5i). This project proposes new commercial development within a designated larger area-wide shopping center (Policy 5j). This request encourages design that is appropriate to the plan area (Policy 5l).
7. The subject site is located within a community activity center as designated by the Comprehensive Plan. This request supports pedestrian access both to and within this activity center (Comprehensive Plan, Activity Centers Policy 7a).
8. This request is consistent with the shopping center land use regulations of the Window G Sector Development Plan (page 22). The architectural style of the proposed building, including related building finishes and colors, is generally consistent with the main shopping center building of the La Cueva Town Center. In general, all sides of the proposed building are aesthetically pleasing with screened equipment and no blank walls; this enhances the appearance of the shopping center from all directions.
9. This request meets the design requirements of the approved Site Development Plan for the La Cueva Town Shopping Center (Z-98-98).
10. The Nor Este Neighborhood Association is a recognized neighborhood affected by this request. There is no known neighborhood opposition to this request.

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. Relocate the refuse container and enclosure to the northeast corner of the site as originally proposed in the May 2005 submittal. The refuse container shall be a maximum of 5 feet high by 9 feet wide. The refuse enclosure shall be a maximum of 5' in height. The refuse enclosure shall not block the 6' wide pedestrian path from the building to Carmel Street as proposed in the current submittal.

**OFFICIAL NOTICE OF DECISION
JULY 21, 2005
PROJECT #1004100
PAGE 3 OF 4**

- 3. The width of proposed compact car spaces shall be increased from 7.5' to 8' wide pursuant to Parking Space definition of the Zoning Code (Section 14-16-1-5, Definitions).**
- 4. To minimize the use of vehicular parking areas as walkways, the proposed sidewalk adjacent to the front of the building shall be relocated and placed adjacent to the proposed parking area. The landscaping area shall be moved adjacent to the building. The proposed sidewalk shall be at least 8' wide and if the vehicular parking area is flush with the sidewalk, then concrete bumpers shall be installed to ensure a 6' wide walkway. (Section 14-16-3-1 (E) and (G)(4)).**
- 5. The walkway connecting the public sidewalk (adjacent to Carmel Avenue) to the main entrance of the building shall be realigned to link to the eastern handicap loading area.**
- 6. The proposed height of light poles shall be reduced to 16' to comply with the Area Lighting Regulations of the Zoning Code (Section 14-16-3-9). The proposed light poles shall be of the same design as other 16' high freestanding lights within the shopping center.**
- 7. The Landscape Plan shall comply with the Landscape Ordinance Section 14-16-3-10. The applicant shall provide additional plants within the required landscaping area located at the northeast corner of the site along with evergreen vines or tall shrubs adjacent to the refuse container walls.**
- 8. Building mounted signs shall have channelized letters. Box or panel signs are not permitted. The applicant shall revise the proposed building mounted signage to reflect this requirement.**
- 9. The plan shall comply with all SWMD ordinances and requirements prior to DRB approval.**
- 10. Conditions from City Engineer, Municipal Development, Water Authority and NMDOT:
 - 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. Provide cross access agreement between Tracts E and F.**
 - d. Site plan shall comply and be designed per DPM Standards.**
 - e. Vehicular entrance to the site shall be 24' in width to be consistent with the access from Tract E to the west.****

OFFICIAL NOTICE OF DECISION
JULY 21, 2005
PROJECT #1004100
PAGE 4 OF 4

IF YOU WISH TO APPEAL/PROTEST THIS DECISION, YOU MUST DO SO BY AUGUST 5, 2005 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 IS NOT POSSIBLE TO APPEAL EPC RECOMMENDATIONS TO CITY COUNCIL; RATHER, A FORMAL PROTEST OF THE EPC'S RECOMMENDATION CAN BE FILED WITHIN THE 15 DAY PERIOD FOLLOWING THE EPC'S DECISION.

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,


For Richard Dineen
Planning Director

RD/EL/ac

cc: Quik Draw Engineering LLC, P.O. Box 729, Corrales, NM 87048
Leiland McGranahan, Nor Este NA, 7600 Rio Guadalupe NW, Albuquerque, NM 87122
Joe Yarduminan, Nor Este NA, 7801 RC Gorman Ave. SE, Albuquerque, NM 87122

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

PAID RECEIPT

APPLICANT NAME Springstone - Childrens Learning Center
AGENT Quick Draw Engineering LLC
ADDRESS P.O. Box 729
PROJECT & APP # 1004100 / 05 DRB 01290
PROJECT NAME La Cueva Village - Unit 1

DUPLICATE
City of Albuquerque
Treasury Division

8/9/2005 12:23PM LOC: ANWX
RECEIPT# 00044376 WSH 008 TRANSH 0034
Account 441032 Fund 0110 TRSKAL
Activity 3424000
Trans Amt \$20.00
J24 Misc \$20.00
CK \$20.00
CHANGE \$0.00

- \$ 20.00 441032/3424000 Conflict Management Fee
- \$ _____ 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
- \$ 20.00 TOTAL AMOUNT DUE

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

MILESTONE, INC.
DBA SPRINGSTONE CHILDREN'S LEARNING CENTER
PARADISE LOCATION (505) 897-8111
4598 PARADISE BLVD NW
ALBUQUERQUE, NM 87114

U.S. NEW MEXICO FEDERAL CREDIT UNION
P.O. BOX 129
ALB. NM 87103-0129

8-9-05 4404
95-8365/3070
04

PAY TO THE ORDER OF City of ABQ \$ 20.00/-
Twenty x 00/ _____ DOLLARS

MEMO _____

MP

⑆307083652⑆ 8001500004 4404

