

SITE DEVELOPMENT PLAN

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

STORM DRAINAGE (Form D)

- ___ Storm Drainage Cost Allocation Plan

P

Adoption of Rank 2 or 3 Plan or similar
Text Amendment to Adopted Rank 1, 2 or 3
Plan(s), Zoning Code, or Subd. Regulations

D

Street Name Change (Local & Collector)

L A

APPEAL / PROTEST of...

Decision by: DRB, EPC, LUCC, Planning
Director, ZEO, ZHE, Board of Appeals, other

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

APPLICATION INFORMATION:

Professional/Agent (if any): Bo K. Johnson PHONE: 450-4616
 ADDRESS: 5160m San Francisco NE, Abq., NM 87109 FAX: 875-1723
 CITY: Albuq. STATE NM ZIP 87109 E-MAIL: rick@bokayconst.com

APPLICANT: LGI Homes New Mexico--LLC PHONE: 480-882-1200
 ADDRESS: 9150 E. Del Camino Drive, Suite 118 FAX: _____
 CITY: Scottsdale STATE AZ ZIP 85258 E-MAIL: rick@bokayconst.com

Proprietary interest in site: Owner List all owners: _____

DESCRIPTION OF REQUEST: Extension of Sidewalk Deferral Agreement

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

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

Lot or Tract No. lots 15-16, Block C; 19-21 Blk E; 7-19 Blk F Block: _____ Unit: _____
 Subdiv/Addn/TBKA: El Rancho Grande Unit 17
 Existing Zoning: R-D Proposed zoning: _____ MRGCD Map No _____
 Zone Atlas page(s): N-08-Z UPC Code: _____

CASE HISTORY:

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

CASE INFORMATION:

Within city limits? **X** Yes Within 1000FT of a landfill? No
 No. of existing lots: 18 No. of proposed lots: _____ Total site area (acres): _____
 LOCATION OF PROPERTY BY STREETS: On or Near: Gibson Blvd. SW & Delgado SW
 Between: _____ and _____
 Check if project was previously reviewed by: Sketch Plat/Plan or Pre-application Review Team(PRT) Review Date: _____

SIGNATURE [Signature] DATE 3-26-15
 (Print Name) Bo K. Johnson Applicant: Agent **XX**

FOR OFFICIAL USE ONLY

Revised: 4/2012

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

Application case numbers	Action	S.F.	Fees
<u>15DRB - 70142</u>	<u>ESIA</u>	___	\$ <u>50.00</u>
_____	<u>CME</u>	___	\$ <u>20.00</u>
_____	_____	___	\$ _____
_____	_____	___	\$ _____
_____	_____	___	\$ _____
Total			\$ <u>70.00</u>

Hearing date April 15 2015

[Signature]
 Staff signature & Date 3-31-15

Project # ~~1004272~~ 1003874
1004272

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

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

- SIDEWALK VARIANCE (DRB20)**
- SIDEWALK WAIVER (DRB21)**

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

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

- SUBDIVISION DESIGN VARIANCE FROM MINIMUM DPM STANDARDS (DRB25)**

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

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

- TEMPORARY DEFERRAL OF SIDEWALK CONSTRUCTION (DRB19)**
- EXTENSION OF THE SIA FOR TEMPORARY DEFERRAL OF SIDEWALK CONSTRUCTION (DRB07)**

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

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

- VACATION OF PRIVATE EASEMENT (DRB26)**
- VACATION OF RECORDED PLAT (DRB29)**

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

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

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

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

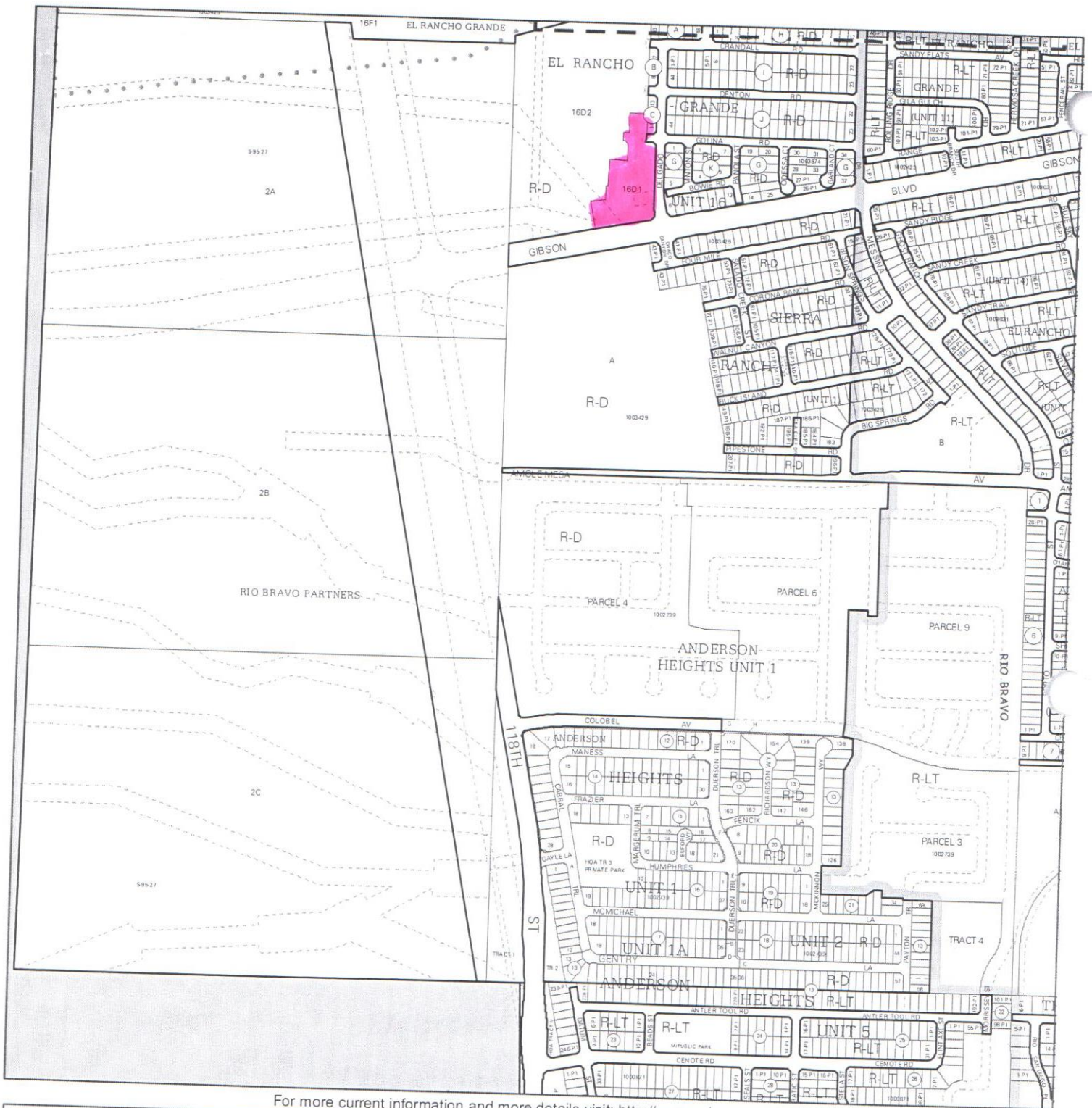
Bo K. Johnson
 Applicant name (print)
 Applicant signature / date



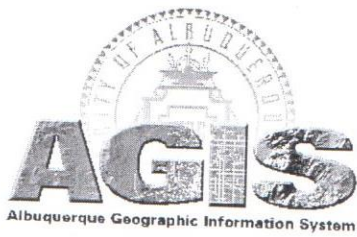
Form revised 4/07

- Checklists complete
 - Fees collected
 - Case #s assigned
 - Related #s listed
- | | |
|--------------------------|-----------------------|
| Application case numbers | 15DRR - _____ - 70142 |
| _____ | _____ |
| _____ | _____ |

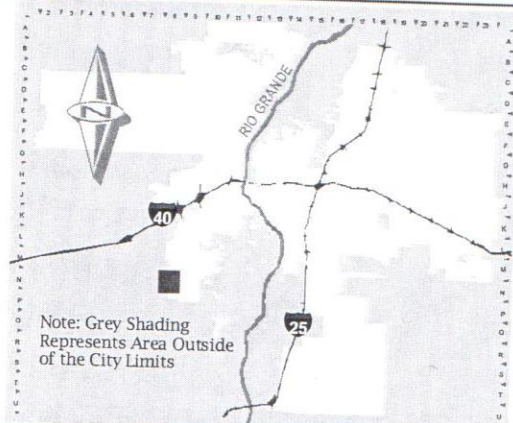
Planner signature / date
 Project # 1004272



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



Map amended through: 10/25/2006



Zone Atlas Page:

N-08-Z

Selected Symbols

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





OFFICIAL NOTICE OF DECISION

CITY OF ALBUQUERQUE
PLANNING DEPARTMENT
DEVELOPMENT REVIEW BOARD

May 23, 2007

- 1. **Project # 1004272**
- 07DRB-00547 Major-Preliminary Plat Approval
- 07DRB-00548 Major-Vacation of Public Easements
- 07DRB-00549 Minor-Sidewalk Waiver
- 07DRB-00550 Minor-Temp Defer SDWK

ISAACSON & ARFMAN PA agent(s) for CURB, INC request(s) the above action(s) for all or any portion of Tract(s) 16-D-1, EL RANCHO GRANDE UNIT 16 (to be known as EL RANCHO GRANDE, UNIT 17) zoned R-D located on GIBSON BLVD SW between MESSINA DR SW and DELGADO DR SW containing approximately 3 acre(s). [REF: 05DRB01033, 05DRB01038, 05DRB01039, 05DRB01084, 05DRB01447] (N-8)

At the May 23, 2007, Development Review Board meeting, with the issuance of the Certificate of Completion for the infrastructure and approval of the grading plan engineer stamp dated 6/15/06 the preliminary plat was approved.

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

FINDINGS:

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

CONDITIONS:

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

A sidewalk variance for waiver of sidewalks was approved as shown on Exhibit C in the Planning file. The temporary deferral of construction of sidewalks on the interior streets was approved as shown on Exhibit C in the Planning file.

07DRB-00643 Minor-Final Plat Approval

ISAACSON & ARFMAN PA agent(s) for CURB, INC request(s) the above action(s) for all or any portion of Tract(s) 16-D-1, EL RANCHO GRANDE UNIT 16 (to be known as EL RANCHO GRANDE, UNIT 17) zoned R-D located on GIBSON BLVD SW between MESSINA DR SW and DELGADO DR SW containing approximately 3 acre(s). [REF: 05DRB01033, 05DRB01038, 05DRB01039, 05DRB01084, 05DRB01447] (N-8)

The final plat was approved with final sign off delegated to Parks for Open Space payment and Planning for the subdivision design variance, 15-day appeal period and to record.

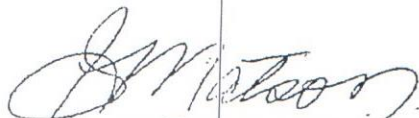
If you wish to appeal this decision, you must do so by June 7, 2007, in the manner described below.

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

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

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

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



Sheran Matson, AICP, DRB Chair

Cc: Curb Inc, 5160 San Francisco NE, 87109
Isaacson & Arfman PA, 128 Monroe St NE, 87108
Marilyn Maldonado, Planning Department, 4th Floor, Plaza del Sol Bldg.
File

CITY OF ALBUQUERQUE

March 11, 2015

CERTIFIED MAIL/RETURN RECEIPT REQUESTED



Bo K. Johnson, Vice President
Curb, Inc.
5160 San Francisco NE
Albuquerque, NM 87109

Re: Notice of upcoming deadline for completion of Improvements and City's intention to call Financial Guaranty – **Sidewalk Deferral Agreement**
Project: **El Rancho Grande, Unit 17**, Project No. **742882**

Dear Mr. Johnson:

I am the Assistant City Attorney who represents the City of Albuquerque ("City") in matters relating to construction of infrastructure by developers. As you are aware, **Curb, Inc.** ("Developer") signed a **Sidewalk Deferral Agreement** ("Agreement") requiring the developer to construct certain infrastructure improvements by **April 10, 2015** ("Construction Deadline"). The Developer has utilized the maximum period allowed by the City's Subdivision Ordinance for completion of the required sidewalk construction.

If sidewalk construction will not be completed by the Construction Deadline, the City may grant an extension of time to complete construction if the Developer obtains approval for an extension from the City's Development Review Board ("D.R.B.") *before* the Construction Deadline, in accordance with D.R.B. requirements and Section 14-14-5-3 of the City's Subdivision Ordinance as amended. If granted, the D.R.B. approval will specify the extended deadline for completion. The Developer then must immediately submit an acceptable Extension Agreement and revised financial guaranty to the Planning Department, Design Review Section. All the above steps must be successfully completed by the Construction Deadline.

This letter provides notice to the Developer that if: (1) The Sidewalk Construction is not completed by the Construction Deadline; or (2) An extension is not obtained and the related Extension Agreement and revised Financial Guaranty are not submitted by the Construction Deadline, then the City may declare the agreement to be in default and will hold the Developer liable for 125% of the cost of completing the Improvements.

Please immediately contact the Project Administrator, Christiana Montoya, at (505) 924-3996 and let her know whether: (1) the sidewalk construction will be completed by the Construction Deadline date; or (2) the Developer will be submitting a written request for extension to the D.R.B. and, if an extension is granted, will be submitting an Extension Agreement and related revised financial guaranty to the Development & Building Services, Design Review Section by the Construction Deadline date.

Very truly yours,


Nataley I. Quintana, Assistant City Attorney

NQ/cbm, #3-SW-lien

BOKAY CONSTRUCTION, INC.

5160 San Francisco Dr. NE
Albuquerque, New Mexico 87109

Telephone (505) 899-9656
Fax (505) 875-1723

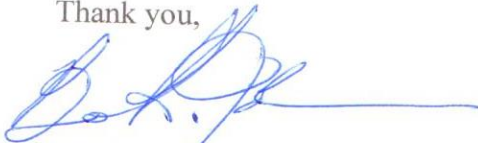
3-27-2015

To whom it may concern:

Due to the economic downturn, the lots in El Rancho Grande Unit 17 have not been sold to homebuyers as of yet. The lot owner now has an active building program for this subdivision, and is expected to build on and sell all 18 lots within the next 18 months.

Thank you,

Therefore - 2 YEAR EXTENSION REQUEST.



Bo K. Johnson
President
Bokay Construction Inc.