



COMPLETED 11/13/09 SH
DRB CASE ACTION LOG (SITE PLAN - BUILD P.)
 REVISED 10/08/07

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

DRB Application No. 09DRB-70267 Project # 1004375
 Project Name: J&P
 Agent: Land Development Planning Phone No. _____

Your request was approved on 8-25-09 by the DRB with delegation of signature(s) to the following departments.

OUTSTANDING SIGNATURES COMMENTS TO BE ADDRESSED

TRANSPORTATION: Written Comments

UTILITIES: _____

CITY ENGINEER / AMAFCA: SIA, check w/ planning

PARKS / CIP: _____

PLANNING (Last to sign): _____

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



DRB CASE ACTION LOG

REVISED 10/08/07

(SITE PLAN - BUILD P.)

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. 09DRB-702.67 Project # 1004375
 Project Name: JLP
 Agent: Land Development Planning Phone No. _____

Your request was approved on 8-25-09 by the DRB with delegation of signature(s) to the following departments.

OUTSTANDING SIGNATURES COMMENTS TO BE ADDRESSED

TRANSPORTATION: Written Comments

UTILITIES: _____

CITY ENGINEER / AMAFCA: SIA, check w/ Planning

PARKS / CIP: _____

PLANNING (Last to sign): _____

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



**DEVELOPMENT REVIEW BOARD
AGENDA**

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

August 26, 2009 9:00 AM

MEMBERS:

Jack Cloud, AICP, DRB Chairman, Planning Department

Angela Gomez, Administrative Assistant

**Kristal Metro, P.E. , Transportation Development
Brad Bingham, P.E., Hydrology/ Alternate City Engineer**

**Roger Green, P.E., Albuquerque/ Bernalillo Co.WUA
Christina Sandoval, Parks/Municipal Development**

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

- 1. Project# 1004375**
09DRB-70267 EPC APPROVED SDP
FOR BUILD PERMIT

LAND DEVELOPMENT PLANNING agent(s) for PARKS CONSTRUCTION request(s) the above action(s) for all or a portion of Lot(s) 1A, **J & P**, zoned SU-1 PRD, located on SAN ANTONIO DR NE BETWEEN SAN PEDRO DR NE AND LOUISIANA NE containing approximately 3.082 acre(s). (E-18) **WITH THE SIGNING OF THE INFRASTRUCTURE LIST, DATED 8/26/09, THE SITE DEVELOPMENT PLAN FOR BUILDING PERMIT WAS APPROVED WITH FINAL SIGN-OFF DELEGATED TO TRANSPORTATION FOR WRITTEN COMMENTS AND TO CITY ENGINEER FOR SIA AND TO CHECK WITH PLANNING.**

- 2. Project# 1007412**
09DRB-70268 EPC APPROVED SDP
FOR BUILD PERMIT

JOHN D. RUPLEY agent(s) for HOFFMANTOWN CHURCH request(s) the above action(s) for all or a portion of Tract(s) A, B-1 & B-2, **YORBA LINDA SUBDIVISION**, zoned SU-1 FOR CHURCH & RELATED FACILITIES, located on HARPER RD NE BETWEEN VENTURA ST NE AND WYOMING NE containing approximately 58.9102 acre(s). (E-20) **THE SITE DEVELOPMENT PLAN FOR BUILDING PERMIT WAS APPROVED WITH FINAL SIGN-OFF DELEGATED TO PLANNING FOR 3 COPIES AND TO RECORD.**

City of Albuquerque
Planning Department
Inter-Office Memorandum

TO: Jack Cloud, DRB Chair

FROM: Randall Falkner, Planner

SUBJECT: Project # 1004375

On March 19, 2009, the Environmental Planning Commission approved Project # 1004375 08EPC-40108, a zone map amendment from SU-1 PRD to SU-1 SSF, and 08EPC-40124, a Site Development Plan for Building Permit, for all or a portion of Lot 1A, P & J Subdivision, located on San Antonio NE between San Pedro NE and Louisiana NE containing approximately 3.0824 acres. The EPC also accepted the withdrawal of 08EPC-40109, a request for a site development plan for subdivision.

The applicant has satisfied all of the EPC conditions of approval for the site development plan for building permit.

Compliance with City Engineer conditions should be verified with the City Engineer. If you should have any questions regarding this case, please do not hesitate to call me at 924-3933.

Thank you.



LAND DEVELOPMENT CONSULTANTS

Engineers ♦ Planners ♦ Construction Management

P.O. Box 94086 ♦ Albuquerque, New Mexico 87199-4086
Phone: (505)797-4120 ♦ Fax: (505)798-1959 ♦ Email: ldc_llc@msn.com

August 4, 2009,

Development Review Board
City of Albuquerque
600 2nd Street NW
Albuquerque, Ne3w Mexico 87102

Re: San Antonio Self Storage
Project #1004375
Case # 08EPC 40108/Zone Map Amendment
40109 Site Development Plan for Subdivision
40124 Site Development/ Building Permit

In Response to a March 19, 2009 Environmental Planning Commission decision to approve the above referenced cases. The following comments are provided to conditions set for the approval.

- Condition 1: Modifications to the site development plans submitted to DRB have been satisfied ensuring compliance with EPC as follows.
- Condition 2: A preliminary meeting has been held with Randall Falkner, Case Planner, noting compliance with all conditions of approval.
- Condition 3: Design standards on the site plan for subdivision and sign details have been modified to comply with City of Albuquerque standards.
- Condition 4: The sidewalk along San Antonio Drive has been modified to 8' (eight feet) wide per section 14-16-3-18 (c) (1) of the zoning code.
- a) All requirements of previous actions of EPC have been addressed within the development plans provided for DRB approvals.
 - b) The development plans identify permanent improvements to the transportation facilities adjacent to the site development. These improvements include curb and gutter, sidewalks, ADA accessible ramps within new sidewalk crossings. Public infrastructure constructed within public right of way or easements will be constructed to City standards.
 - c) Concurrence from City of Albuquerque Fire department is noted on the development sign off.
 - d) Site plan design is in compliance with development Project management Standards.

Condition 5: The height of the iron gate on the building elevations has been modified to 7 feet instead of 6 feet.

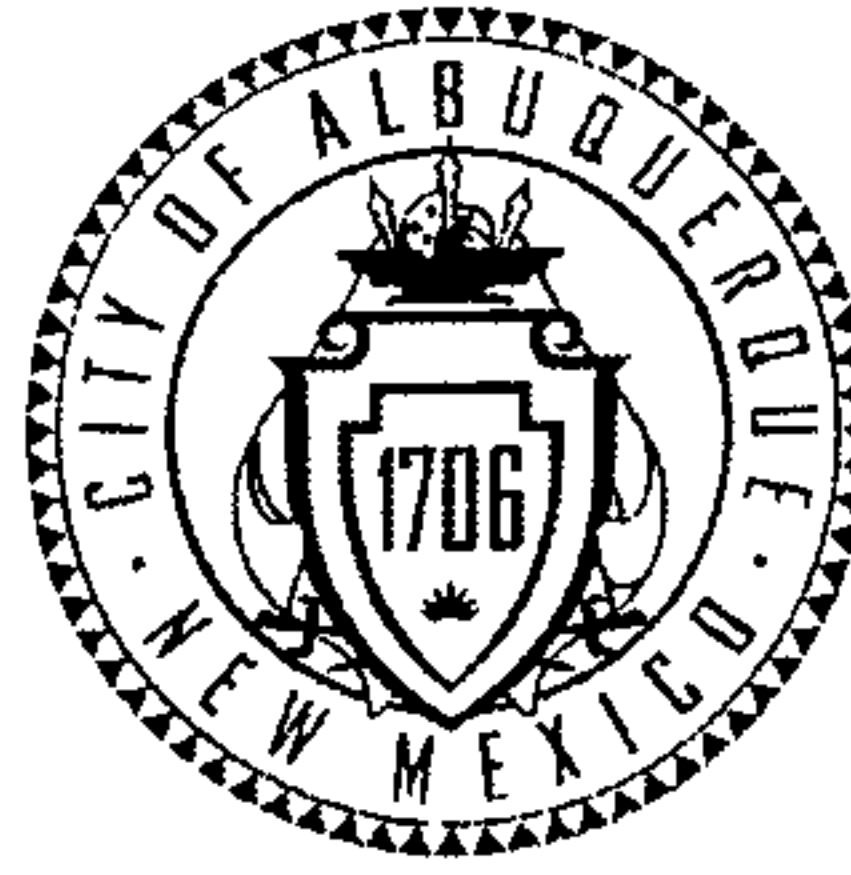
Condition 6: The site plan has a note stating all lighting shall comply with lighting regulations of Section 14-16-3-9 of the Zoning Code.

This response is provided in coordination with EPC conditions. Should further information be required we are readily available to provide additional comments.

Sincerely,

A handwritten signature in black ink, appearing to read 'Danny Martinez', with a large circular flourish at the end.

Danny Martinez,
Senior Planner, Land Development Consultants



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

Date: March 20, 2009

OFFICIAL NOTIFICATION OF DECISION

FILE: **Project # 1004375**
08EPC 40108 Zone Map Amendment
08EPC 40109 Site Development Plan for Subdivision
08EPC-40124 Site Development - BUILDG PRMT

Parks Construction – Jay Parks
7121 Washington Ave. NE
Albuquerque, NM 87109

LEGAL DESCRIPTION: LAND
DEVELOPMENT CONSULTANTS, LLC agents for
PARKS CONSTRUCTION - JAY PARKS requests the
above actions for all or a portion of lots 1A, P&J
SUBDIVISION zoned SU-1 PRD to SU-1 SSF (SELF
STORAGE FACILITIES) located on SAN ANTONIO
NE BETWEEN SAN PEDRO NE AND LOUISIANA
NE containing approximately 3.0824 acres. (E-18)
Randall Falkner, Staff Planner

On March 19, 2009 the Environmental Planning Commission voted to **APPROVE** Project 1004375/
08EPC-40108, a request for a zone map amendment for all or a portion of lots 1A, P&J SUBDIVISION zoned
SU-1 PRD to SU-1 SSF (SELF STORAGE FACILITIES), based on the following Findings and subject to the
following Conditions:

1. This is a request for a zone map amendment from SU-1 for PRD to SU-1 for Self Storage Facility (SSF), on a 3.082 acre parcel of land located on San Antonio Drive between San Pedro Drive and Louisiana Drive. The site comprises Tract 1A, P & J Subdivision.
2. The subject site is within the area designated Established Urban by the Comprehensive Plan.
3. The following Comprehensive Plan policies for Established Urban Areas are supported by the proposal:
 - a. Policy II.B.5a – This zone change request would allow a full range of urban land uses in this area, which includes commercial, vacant, and multifamily. The corridor along San Antonio Drive does allow for a mix of uses.

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- a. Additional testing (12 separate test dates) of the landfill was performed from December 2008 through February of 2009. AEHD approved the landfill gas survey on March 10, 2009, based upon the Letter of Commitment to construct the recommended mitigation measures identified in the report as required in the Guidance for Compliance with the City of Albuquerque Environmental Health Department Interim Guidelines for Development within City Designated Landfill Buffer Zones. A detailed venting system (shown in pages 7 and 8 of the site plan and labeled as Landfill Gas Mitigation Plan and Landfill Gas Mitigation Details) would allow the capture of gases into the venting system and distribution through a series of above ground venting that would be architecturally integrated to fit into the building system design. The two-story buildings have been located to the interior of the site, away from residential and adjacent sites in order to minimize view obstruction. The one-story nine foot high buildings are arranged along the perimeter of the site to buffer the two-story buildings. A zone change to SU-1 for Self-Storage Facility would have minimal traffic impacts on the site. A multi-family residential development or retail facility would have higher traffic volume than a self-storage facility. The security of the site would be controlled with video cameras, lighting, a full-time care-taker living at the site, and with controlled access and operation hours. The AANNA has identified the number of storage facilities and their locations in the surrounding area; however, they have not provided data that demonstrate how an abundance of self storage facilities in the surrounding area affect the neighborhood or how their home values may be impacted. The proposed zone change is found to be consistent with the health, safety, morals, and general welfare of the City.
- b. The current zoning of the site is SU-1 for PRD while the proposed zoning is SU-1 for Self Storage Facility. SU-1 zoning is the predominate zoning along San Antonio Road near the subject site. SU-1 for PRD zoning is found to the south and east of the subject site, SU-1 for C-1 Uses is found west of the site, while SU-1 for Post Office Sub-Station is found north of the site. The self storage facility will be approximately 80 feet from the residential area to the south (150 feet from two-story buildings). The San Antonio Condominiums are located to the north across San Antonio Drive. Condos similar to these with the same height standards could be built on the subject site in a SU-1 for PRD zone. A self storage facility would have fewer traffic and visual impacts than a multifamily facility or a retail center.
- c. The zone change request is not in conflict with policies of the Comprehensive Plan. Applicable goals and policies of the Comprehensive Plan have been cited by the applicant. Policies cited that further the Comprehensive Plan include the following: II.B.5a, II.B.5d, II.B.5e, II.B.5l, II.B.5m, II.C.1a, II.D.4d, and II.D.9d.
- d. The self storage facility would have a low level of service with minimal impacts to traffic and intrusion to adjoining residential developments. The existing zone, SU-1 PRD, allows multi-family residential or various commercial developments, which would both create considerably higher traffic volumes than the proposed zoning, SU-1 for SSF. The applicant declares that a self storage facility maintains an average daily traffic flow of less than fifty trips per day, versus a multi-family facility of 50 units where an average daily traffic flow of six hundred tips per day could occur, or four hundred tips per day for a twenty thousand square foot retail center (references taken from the Institute of Transportation Engineers Trip Generation 6th edition). The requested development does not require full excavation of the site and would provide venting techniques that would mitigate the landfill gases and would not create a big disturbance to the area. Removing 80,000 cubic yards of landfill waste would take approximately 2,500 trips over six months to complete at great expense and with notable disruption to the area. The applicant has

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cited many policies of the Comprehensive Plan that adequately justify the zone change request by showing that it is more advantageous to the community than the existing residential zoning.

- e. The subject site is surrounded by SU-1 zoning (SU-1 for PRD to the south and east, SU-1 for Post Office to the north, and SU-1 for C1 Uses to the west). The requested zoning, SU-1 for Self Storage Facility would fit in well with the other SU-1 uses. The applicant will install a venting system to mitigate landfill gases. The venting system and the landfill gas assessment have been approved by AEHD. The applicant has moved two-story buildings to the middle of the site to maintain unique vistas. The traffic impact on the neighborhood will be minimal, when compared to a multi-family residential or commercial use. The applicant will provide video cameras and lighting to increase safety behind the building along the pedestrian walking path to the south. A full-time caretaker will watch over the site and live in a residential building over the office. The applicant is providing low water use landscaping that will shield the walls surrounding the facility. Street trees have been placed between the street and the sidewalk to conform to the Street Tree Ordinance and provide a buffer for pedestrians.
 - f. The property is already served by City infrastructure and does not require major and un-programmed capital expenditures by the City.
 - g. Economic considerations were not a factor in the proposed development such as, cost of the land, development landfill mitigation, or economic conditions in the request for rezoning.
 - h. The subject site is located on San Antonio Drive, which is not a major street, but rather a minor arterial. Location on San Antonio Drive is not the determining factor for this request.
 - i. The request creates a spot zone; however, the applicant cites multiple policies in the Comprehensive Plan that supports the request for a zone change.
 - j. The request does not constitute a strip zone.
6. A facilitated meeting was held on July 24, 2008 at the Church of the Nazarene, 8401 Paseo del Norte NE. There were many neighborhood concerns with the project, including the following: development over the San Antonio landfill and environmental issues, views and height of development, security and crime issues, storage units, and impact on property values. An additional facilitated meeting was held on December 12, 2008 at the Covenant United Methodist Church as 8510 Wyoming NE. The neighbors attending the meeting were opposed to the project.
 7. The Facility Plan for Arroyos, the Albuquerque/Bernalillo County Comprehensive Plan and Comprehensive City Zoning Code are incorporated herein by reference and made part of the record for all purposes.
 8. The Landfill Gas Surveys dated December 1, 2008, January 6, 2009, and March 5, 2009 are incorporated herein by reference and made part of the record for all purposes.

CONDITION:

1. Final DRB sign-off accompanying site development for building permit (08EPC-40124)
-

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On March 19, 2009 the Environmental Planning Commission voted to accept the **WITHDRAWAL** of Project 1004375/08EPC-40109, a request for a site development plan for subdivision for all or a portion of lots 1A, P&J SUBDIVISION zoned SU-1 PRD to SU-1 SSF (SELF STORAGE FACILITIES).

On March 19, 2009 the Environmental Planning Commission voted to **APPROVE** Project 1004375/08EPC-40124, a request for a site development plan for building permit for the above actions for all or a portion of lots 1A, P&J SUBDIVISION zoned SU-1 PRD to SU-1 SSF (SELF STORAGE FACILITIES), based on the following Findings and subject to the following Conditions:

FINDINGS:

1. This is a request for a site development plan for building permit, on a 3.082 acre parcel of land located on San Antonio Drive between San Pedro Drive and Louisiana Drive. The site comprises Tract 1A, P & J Subdivision.
2. The subject site is within the area designated Established Urban by the Comprehensive Plan.
3. The following Comprehensive Plan policies for Established Urban Areas are supported by the proposal:
 - a. Policy II.B.5a – This zone change request would allow a full range of urban land uses in this area, which includes commercial, vacant, and multifamily. The corridor along San Antonio Drive does allow for a mix of uses.
 - b. Policy II.B.5d – Additional testing (12 separate test dates) of the landfill was performed from December 2008 through February of 2009. AEHD approved the landfill gas survey on March 10, 2009, based upon the Letter of Commitment to construct the recommended mitigation measures identified in the report as required in the Guidance for Compliance with the City of Albuquerque Environmental Health Department Interim Guidelines for Development within City Designated Landfill Buffer Zones. The applicant would use innovative design techniques for structural build out by incorporating post tension design, which would eliminate the need to remove existing landfill debris under non-occupied storage buildings. A detailed venting system (shown in pages 7 and 8 of the site plan and labeled as Landfill Gas Mitigation Plan and Landfill Gas Mitigation Details) would allow the capture of gases into the venting system and distribution through a series of above ground venting that would be architecturally integrated to fit into the building system design. There has been considerable opposition from neighbors, including the Academy Acres North Neighborhood Association (AANNA). The two-story buildings have been located to the interior of the site, away from residential and adjacent sites in order to minimize view obstruction. The one-story nine foot high buildings are arranged along the perimeter of the site to buffer the two-story buildings. A zone change to SU-1 for Self-Storage Facility would have minimal traffic impacts on the site. A multi-family residential development or retail facility would have higher traffic volume than a self-storage facility. The security of the site would be controlled with video cameras, lighting, a full-time care-taker living at the site, and with controlled access and operation hours.

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- c. Policy II.B.5e – The site itself and the surrounding area to the immediate east and west are vacant and urban services are contiguous to the site. The proposed subject would provide infill development on land that is currently vacant. AEHD has determined that the landfill gas assessment will meet the requirements of the Interim Guidelines for Development within City Designated Landfill Buffer Zones, ensuring the integrity of the existing neighborhood through proper venting, which will mitigate the landfill gases and their effects. Two facilitated meetings have been held in an effort to work with the neighbors and the Albuquerque Acres North Neighborhood Association.
 - d. Policy II.B.5l – The architectural design is a Spanish mission concept with exterior stucco walls on the upper levels of the two-story structures, a mission tile roof on the office/residential building along with earth-tone colored metal roofing and exterior earth-tone stucco. The two-story buildings have been placed in the center of the project to increase the distance between the tall structures and the adjacent neighborhood. Landscaping provides natural beauty and helps to shield the site from the street. In accordance with the Street Tree Ordinance, the applicant has placed trees in between the street and the sidewalk, providing a buffer zone for pedestrians.
 - e. Policy II.B.5m – The height of the two story office/residence is 26'4" and the height of the two-story storage building is 25'8". The two-story buildings are located to the interior of the site, away from residential and adjacent sites in order to minimize view obstruction. The one-story nine foot high buildings are arranged along the perimeter of the site to buffer the two-story buildings. The northeast and northwest corners have a small twelve foot high one-story to enhance the streetscape on San Antonio Drive. The perimeter one-story buildings have varying heights and setbacks to enhance the streetscape. Landscaping surrounds the site on all four sides to help to screen the perimeter of the site. Warm earth tone stucco colors such as light tan and brown have been used to match the brown Spanish tile roofs and light tan stucco walls. The residences to the south are separated from the proposed development by the Pino Arroyo, and are approximately 150 feet away from the proposed two-story buildings and 80 feet away from the proposed one-story structures. The average finish grade elevation of the proposed development lies approximately 4 feet lower than existing grades within the residential lots, which allows views to the east towards the Sandia mountains and to the west towards Mount Taylor. As a result of the site design and distance from the residential neighbors to the south, there would be minimal impact on the visual environment of local neighborhoods.
4. The request partially furthers Air Quality Policy II.C.1a. The self storage facility would be built over the former San Antonio landfill. The current request would install a venting system to mitigate impacts of the landfill. The existing waste underneath the office/residential unit would be removed from the site and replaced with imported engineer backfill. Numerous landfill gas assessments have been performed by the applicant at the request of AEHD. According to AEHD, potentially harmful landfill gases could be mitigated with a venting system that meets the requirements of the Interim Guidelines for Development within City Designated Landfill Buffer Zones. These mitigation measures would help to improve air quality by meeting the requirements of AEHD that safeguard public health and welfare.
 5. The request partially furthers the following Transportation and Transit Policy of the Comprehensive Plan:

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- a. Policy II.D.4d – San Antonio Drive is a minor arterial, which would require a spacing frequency of one or two drives per 200'. The site plan shows 3 driveways along San Antonio. The west driveway, (which is labeled as an exit) is approximately 155' from the center driveway (an entrance and exit). The east driveway (which is labeled as an exit) is approximately 235' from the center driveway. The driveways meet the spacing frequency requirement of one or two drives per 200' on minor arterials.
6. The request furthers the following Public Safety Policy of the Comprehensive Plan:
 - a. Policy II.D.9d – The applicant will install security cameras and lighting throughout the facility and along the perimeter south facing the pedestrian walkway. A full time caretaker will also live in the two-story office residence. Emergency and routine crime efforts are being continued and improved.
7. A facilitated meeting was held on July 24, 2008 at the Church of the Nazarene, 8401 Paseo del Norte NE. There were many neighborhood concerns with the project, including the following: development over the San Antonio landfill and environmental issues, views and height of development, security and crime issues, storage units, and impact on property values. An additional facilitated meeting was held on December 12, 2008 at the Covenant United Methodist Church as 8510 Wyoming NE. The neighbors attending the meeting were opposed to the project.
8. The request furthers Multiple Use Policy 6, Appropriate Access of the Facility Plan for Arroyos. Access to the bicycle/pedestrian trail (which is immediately north of the South Pino Arroyo) is available along Forest Hills Drive, which is approximately 200 feet to the west of the proposed development. The site itself does not provide direct access to the bicycle/pedestrian trail, because it is a secure facility that wants to prevent access to the storage facility along the south wall.
9. The request partially complies with Policy 1, Building orientation of the Facility Plan for Arroyos, given its specialized use and limited access requirements. The proposed development is adjacent to the South Pino Arroyo trail; however, the buildings are storage facilities, and because of security concerns do not have windows facing the arroyo right-of-way. The two-story office/residence has windows on the north side, but not the south side facing the arroyo. If windows were included on the south side of the two-story office/residence they would be visually obstructed from the bicycle/pedestrian trail by the 8'8" high block wall to the south. The site itself does not provide direct access to the bicycle/pedestrian trail, because it is a secure facility that wants to protect the storage facilities and its contents by preventing access to the storage facility. There is access to the trail via Forest Hills Drive approximately 200 feet to the west. Indirect pedestrian access will be available for the on-site manager, but customers will be accessing the site by vehicle.

10. The request partially furthers Policy 4, Walls of the Facility Plan for Arroyos. There are special design features designed into the south wall to enhance the pedestrian path and residential view of the site. The special features include 7' high see-through black iron fencing at the southeast and southwest corners of the wall, 1'4" wide by 2" pilasters every 20', and security and pedestrian safety lighting that is built into the wall at a height of 4' every 80'. The finish of the 8'8" block wall is stucco earth tone to blend in with the surrounding design in the area. The site development plan also shows three security cameras that are pointed toward the pedestrian trail to provide greater security for those that access the trail.
11. The request partially furthers Policy 1, Landscaping adjacent to the arroyo right-of-way of the Facility Plan for Arroyos. The landscape plan shows shrubs/groundcovers along the south wall, consisting of Chamisa and Three Leaf Sumac, which are native low water use plants. The owner has a note on the landscape plan that they will maintain the landscape. There are no trees along the south wall because they could obstruct the view of the pedestrian path, especially regarding the security cameras.
12. The Facility Plan for Arroyos, the Albuquerque/Bernalillo County Comprehensive Plan and Comprehensive City Zoning Code are incorporated herein by reference and made part of the record for all purposes.
13. The Landfill Gas Surveys dated December 1, 2008 January 6, 2009, and March 5, 2009 are incorporated herein by reference and made part of the record for all purposes.

CONDITIONS:

1. The EPC delegates final sign-off authority of this site development plan to the Development Review Board (DRB). The DRB is responsible for ensuring that all EPC Conditions have been satisfied and that other applicable City requirements have been met. A letter shall accompany the submittal, specifying all modifications that have been made to the site plan since the EPC hearing, including how the site plan has been modified to meet each of the EPC conditions. Unauthorized changes to this site plan, including before or after DRB final sign-off, may result in forfeiture of approvals.
2. Prior to application submittal to the DRB, the applicant shall meet with the staff planner to ensure that all conditions of approval are met.
3. The design standards on the site plan for subdivision (Sheet 1) and sign detail on the building elevations (Sheet 5) shall be consistent concerning the sign face of the 16 foot tall free standing sign.
4. The 6' wide sidewalk along San Antonio Drive shall be 8' wide per Section 14-16-3-18(C)(1) of the Zoning Code.
5. RECOMMENDED CONDITIONS FROM CITY ENGINEER, MUNICIPAL DEVELOPMENT and NMDOT:

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- a. All the requirements of previous actions taken by the EPC and/or the DRB must be completed and /or provided for.
 - b. The Developer is responsible for permanent improvements to the transportation facilities adjacent to the proposed site development plan. Those improvements will include any additional right-of-way requirements, paving, curb and gutter, sidewalk and ADA accessible ramps that have not already been provided for. All public infrastructure constructed within public right-of-way or public easements shall be to City Standards. Those Standards will include but are not limited to sidewalks (std. dwg. 2430), driveways (std. dwg. 2425), private entrances (std. dwg. 2426) and wheel chair ramps (std. dwg. 2441).
 - c. Provide concurrence from Fire Department.
 - d. Site plan shall comply and be designed per DPM Standards
6. The height of the iron gate on the building elevations sheet (sheet 5-8) shall be 7 feet instead of 6 feet.
 7. The site plan for building permit shall state that all lighting shall comply with the lighting regulations of Section 14-16-3-9 of the Zoning Code.

PROTEST: 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, WHICH IS BY **APRIL 3, 2009.**

APPEAL: IF YOU WISH TO APPEAL A FINAL DECISION, YOU MUST DO SO BY **APRIL 3, 2009 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.**

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).

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

Sincerely,

Richard Dineen
Planning Director

RD/RF/ma

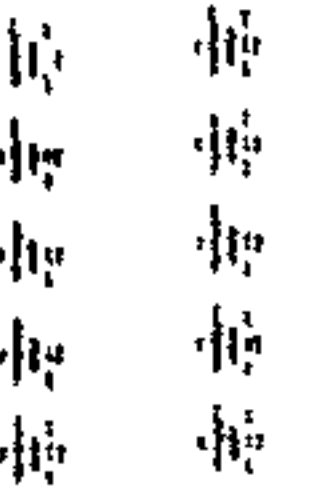
cc: Parks Construction – Jay Parks, 7121 Washington Ave. NE, Albuquerque, NM 87109
Land Development Consultants LLC, 5620 B. San Francisco NE, Albuquerque, NM 87109
Jody Lynch, Academy Acres North NA, P.O. Box 94387, Albuquerque, NM 87199
Irene Minke, Academy Acres North NA, 6504 Dungan NE, Albuquerque, NM 87109
Charlotte Boyer, San Antonio Condominium HOA, 2823 Richmond Dr. NE, Albuquerque, NM 87107
Jon McCormick, San Antonio Condominium HOA, 2823 Richmond Dr. NE, Albuquerque, NM 87107
Joseph & Jenni Jablonski, 6751 Forrest Hills Dr. NE, Albuquerque, NM 87109
Georgena Felicia, 6837 Glendora Dr. NE, Albuquerque, NM 87109
Walter Wesselman, 6759 Forest Hills Dr. NE, Albuquerque, NM 87109
Leslie Miller, 6405 Colleen NE, Albuquerque, NM 87110
Jacob Tellier, Academy Acres North NA, 6208 Leslie Pl. NE, Albuquerque, NM 87109
Ken Hunter, 3909 General Bradley St. NE, Albuquerque, NM 87111

#19



COMPLETED 09/14/05 stt DRB CASE ACTION LOG (PREL & FINAL)

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-01306 (P&F)

Project # 1004375

Project Name: P & J SUBDIVISION

Agent: Land Development Consultants

Phone No.: 858-2441

Your request for (SDP for SUB), (SDP for BP), (FINAL PLATS) (MASTER DEVELOP. PLAN), was approved on 8/24/05 by the DRB with delegation of signature(s) to the following departments.

OUTSTANDING SIGNATURES COMMENTS TO BE ADDRESSED

- TRANSPORTATION: X DEDICATION ROAD SENT RETURN TO
- HAVE CURB FACE 13' FROM PROPERTY LINE
-
-
-

- UTILITIES:
-
-
-

- CITY ENGINEER / AMAFCA:
- Remove public drainage esmt. B&B
- AGIS DXF PLAT
-

- PARKS / CIP:
-
-
-

- PLANNING (Last to sign):
-
-
-

- 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

1004375

Richard
OK to sign,
but delegate
to Planning, if you
have 3 other signatures

2014/1/17

2014/1/17

x

1.

#19



DRB CASE ACTION LOG (PREL & FINAL)

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.: <u>05DRB-01306 (P&F)</u>	Project # <u>1004375</u>
Project Name: <u>P & J SUBDIVISION</u>	
Agent: <u>Land Development Consultants</u>	Phone No.: <u>858-2441</u>

Your request for (SDP for SUB), (SDP for BP) (FINAL PLATS) (MASTER DEVELOP. PLAN), was approved on 8/24/05 by the DRB with delegation of signature(s) to the following departments.
OUTSTANDING SIGNATURES COMMENTS TO BE ADDRESSED

- TRANSPORTATION: X DEDICATION MADE SAN ANTONIO TO
HAVE CLEAR EDGE 13' FROM PROPERTY LINE
-
-
-
-
- UTILITIES: _____
-
-
-
- CITY ENGINEER / AMAFCA: _____
- Remove public drainage esmt.
- AGIS DXF
-
- PARKS / CIP: _____
-
-
-
- PLANNING (Last to sign): _____
-
-
-

- 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.**

Okay

Project Number 1004375

4375

DXF Electronic Approval Form

DRB Project Case #: 1004375

Subdivision Name: P&J SUBDIVISION TRACTS 1A & 1B

Surveyor: RICHARD BORGEL

Contact Person: DANIEL MARTINEZ

Contact Information: 858-2441

DXF Received: 8/31/2005

Hard Copy Received: 8/29/2005

Coordinate System: NMSP Grid (NAD 27)


Approved

09-01-2005
Date

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

AGIS Use Only

Copied fc **4375** to agiscov on **9/1/2005** Contact person notified on **9/1/2005**




Intera Incorporated
One Park Square
6501 Americas Parkway NE
Suite 820
Albuquerque, NM 87110
Telephone: 505 246 1600
Fax: 505 246 2600

MEMORANDUM

DATE: August 23, 2005

TO: Sheran Matson, Planning Department (DRB)

COPY: Marcia A. Pincus, Environmental Health Department
Kevin Curran, Legal Department
Danny Martinez, Land Development Consultants

FROM: Jim Joseph, P.E., INTERA Inc. 

SUBJECT: Project # 1004375; **P & J Subdivision**, Tract 1, on San Antonio Boulevard NE between San Pedro Drive NE and Louisiana Boulevard NE (August 24, 2005 DRB Agenda Item – 05DRB-01306 Minor-Prelim & Final Plat approval)

There is the potential for above named project to be impacted by the presence of landfill gas generated by a former City owned/operated landfill (San Antonio Landfill). The developers of this site are required to follow the most current version of the "Interim Guidelines for Development within City Designated Landfill Buffer Zones." A review and approval of the Site Plan(s), the proposed construction, design drawings, and a certification of construction will be required by the Environmental Health Department, Environmental Services Division, Groundwater and Landfill Section.

**CITY OF ALBUQUERQUE
PLANNING DEPARTMENT
August 24, 2005**

Item # 19

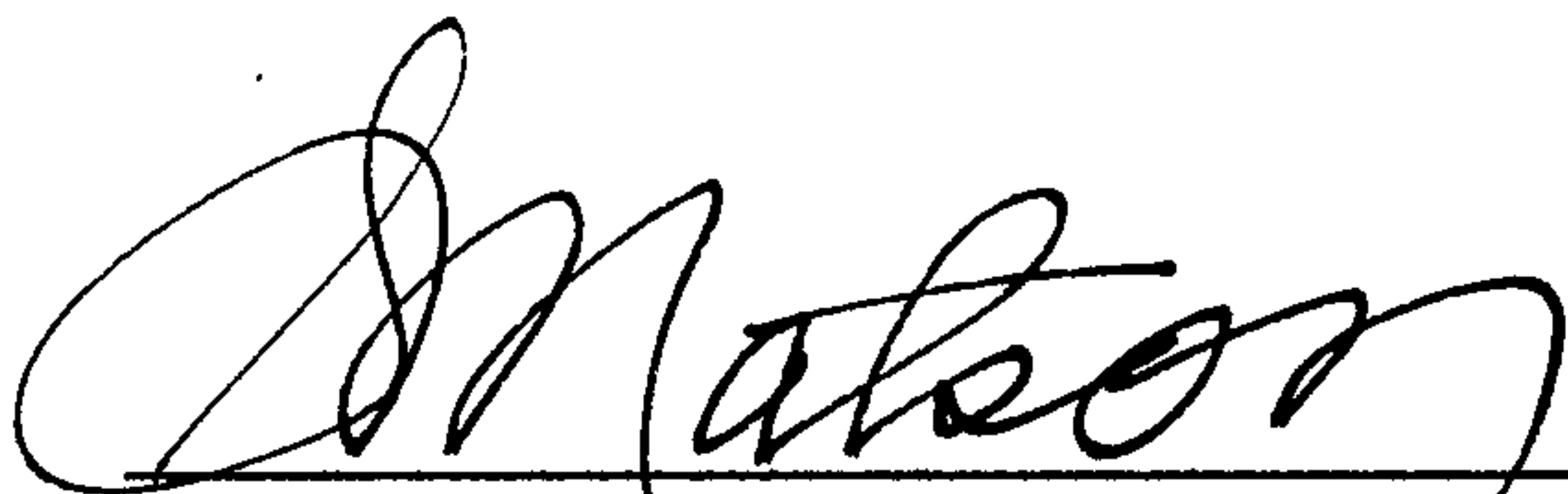
Project # 1004375 Application # 05-01306

RE: P & J Subdivision/preliminary & final plat

Planning has no objection to this request.

AGIS dxf is not on file .

The site lies within 1000' of a landfill site. Be sure to contact Environmental Health prior to applying for a building permit. Marcia Pincus at 768-2618.



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



**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

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: 11:30 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

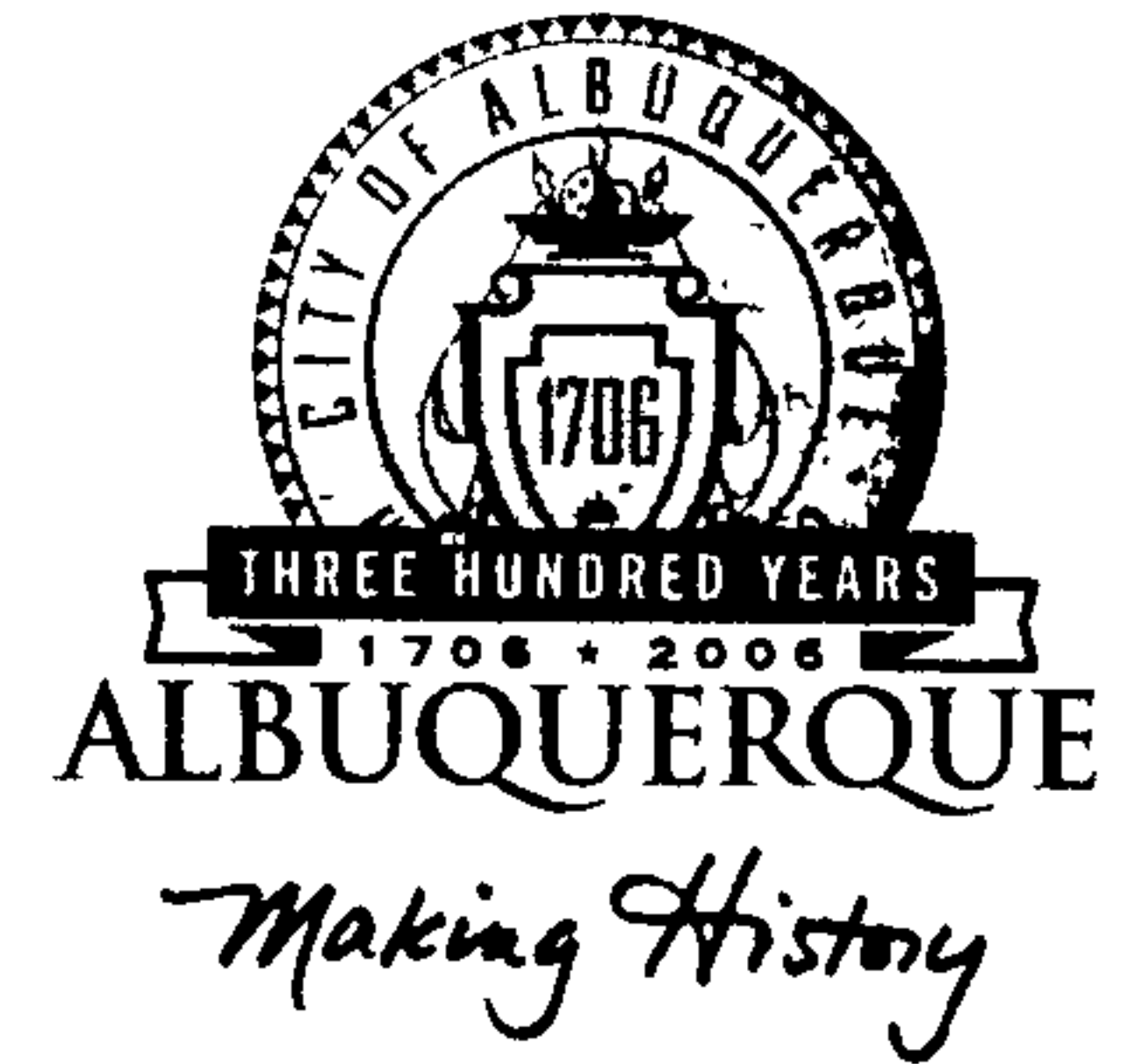
21. **Project # 1004378**
05DRB-01310 Minor-Sketch Plat or
Plan

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
DEVELOPMENT AND BUILDING SERVICES
HYDROLOGY DEVELOPMENT SECTION

DEVELOPMENT REVIEW BOARD – SPEED MEMO

DRB CASE NO/PROJECT NO: 1004375

AGENDA ITEM NO: 19

SUBJECT:

Final Plat
Preliminary Plat

ACTION REQUESTED:

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

ENGINEERING COMMENTS:

Minor plat comments.

P.O. Box 1293

RESOLUTION:

Albuquerque

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

New Mexico 87103

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

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

Current DRC _____
 Project Number: _____

INFRASTRUCTURE LIST

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

SAN ANTONIO SELF STORAGE
LOT 1A OF P&J Subdivision
 PROPOSED NAME OF PLAT AND/OR SITE DEVELOPMENT PLAN
 EXISTING LEGAL DESCRIPTION PRIOR TO PLATTING ACTION

FIGURE 12
 (Rev. 9-20-05)
 EXHIBIT "A"
 Date Submitted: 8/4/09
 Date Site Plan Approved: 3/19/09
 Date Preliminary Plat Approved: _____
 Date Preliminary Plat Expires: _____
 DRB Project No.: _____
 DRB Application No.: _____

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

Financially Guaranteed	Constructed Under	DRC #	DRC #	Size	Type of Improvement	Location	From	To	Construction Certification		
									Private Inspector	P.E.	City Const Engineer
<input type="checkbox"/>	<input type="checkbox"/>			8"	Water Line	San Antonio Dr.	Forest Hills	Devcl. Bndy	1	1	1
<input type="checkbox"/>	<input type="checkbox"/>			8"	Sanitary Sewer	Within Devcl.			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
<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
<input type="checkbox"/>	<input type="checkbox"/>								1	1	1
<input type="checkbox"/>	<input type="checkbox"/>								1	1	1

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

Financially Guaranteed DRC #	Constructed Under DRC #	Size	Type of Improvement	Location	From	To	Construction Certification	
							Private Inspector	City Crst Engineer
<input type="text"/>	<input type="text"/>						/	/
<input type="text"/>	<input type="text"/>						/	/
<input type="text"/>	<input type="text"/>						/	/

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

- 1 _____
- 2 _____
- 3 _____

AGENT / OWNER _____ **DEVELOPMENT REVIEW BOARD MEMBER APPROVALS**

NAME (print) _____ DRB CHAIR - date _____ PARKS & RECREATION - date _____

FIRM _____ TRANSPORTATION DEVELOPMENT - date _____ AMAFCA - date _____

SIGNATURE - date _____ UTILITY DEVELOPMENT - date _____

CITY ENGINEER - date _____ - date _____

DESIGN REVIEW COMMITTEE REVISIONS

REVISION	DATE	DRC CHAIR	USER DEPARTMENT	AGENT JOHNER

City of Albuquerque



DEVELOPMENT/ PLAN REVIEW APPLICATION

Supplemental form

SUBDIVISION

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

SITE DEVELOPMENT PLAN

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

STORM DRAINAGE (Form D)

- Storm Drainage Cost Allocation Plan

ZONING & PLANNING

- Annexation
- County Submittal
- EPC Submittal
- Zone Map Amendment (Establish or Change Zoning)
- Sector Plan (Phase I, II, III)
- Amendment to Sector, Area, Facility or Comprehensive Plan
- Text Amendment (Zoning Code/Sub Regs)
- Street Name Change (Local & Collector)
- APPEAL / PROTEST of...**
- Decision by: DRB, EPC, LUCC, Planning Director or Staff, ZHE, Zoning Board of Appeals

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

APPLICATION INFORMATION:

Professional/Agent (if any): LAND DEVELOPMENT PLANNING PHONE: 797-4120
 ADDRESS: P.O. Box 94086 FAX: 821-0392
 CITY: ALO. STATE NM ZIP 87199 E-MAIL: ldc-llc@msn.com

APPLICANT: Parks Construction-Jay Parks PHONE: 798-9301
 ADDRESS: 7121 Washington Ave NE FAX: 798-9302
 CITY: ALO. STATE NM ZIP 87109 E-MAIL: Susan@ParksCustom.com
 Proprietary interest in site: _____ List all owners: Herman + Peggy Pohl

DESCRIPTION OF REQUEST: Final sign off for EPC Approved SDP for Building Permit (DRBOS)

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

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

Lot or Tract No. lot 1A P+S Subdivision. Block: --- Unit: ---
 Subdiv/Addn/TBKA: _____
 Existing Zoning: SUI PRD Proposed zoning: SUISSE MRGCD Map No N/A
 Zone Atlas page(s): E-18 UPC Code: 101806238050210210

CASE HISTORY:

List any current or prior case number that may be relevant to your application (Proj., App., DRB-, AX_Z_, V_, S_, etc.)
EPC 1004375

CASE INFORMATION:

Within city limits? Yes Within 1000FT of a landfill?
 No. of existing lots: 1 No. of proposed lots: 1 Total area of site (acres): 3.082
 LOCATION OF PROPERTY BY STREETS: On or Near: San Antonio Dr. NE
 Between: San Pedro Dr. NE and Louisiana Dr. NE

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

SIGNATURE [Signature] DATE 8/10/09
 (Print) Cathy Willis Applicant: Agent:

FOR OFFICIAL USE ONLY

Form revised 4/07

- 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>09 PRB 70267</u>	<u>SBP</u>	<u>---</u>	<u>\$ 0</u>
<u>---</u>	<u>CMF</u>	<u>---</u>	<u>\$ 20.00</u>
<u>---</u>	<u>---</u>	<u>---</u>	<u>\$</u>
<u>---</u>	<u>---</u>	<u>---</u>	<u>\$</u>
<u>---</u>	<u>---</u>	<u>---</u>	<u>\$</u>
<u>---</u>	<u>---</u>	<u>---</u>	<u>\$</u>
			Total
			<u>\$ 20.00</u>

Hearing date 08/19/09
Sandy Handley 08/10/09 Project # 1004375
 Planner signature / date

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

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

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

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

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

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

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


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

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

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

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

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


 Applicant name (print) Danny Willis


 Applicant signature / date 8/10/09

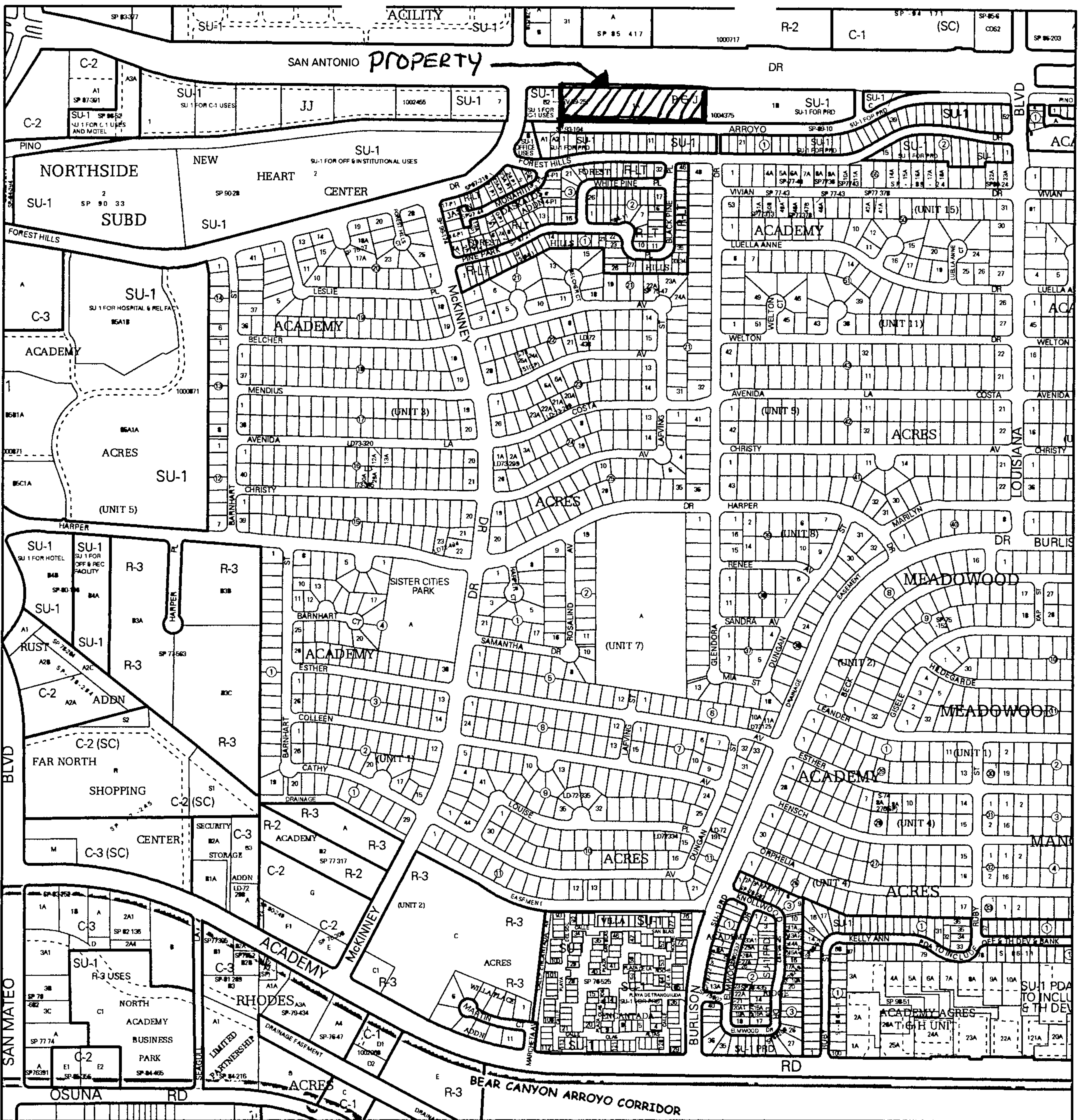


Form revised October 2007

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

Application case numbers
09DRB-70267


 Planner signature / date
 Project # 1004375



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

AGIS
Albuquerque Geographic Information System

Map amended through: 3/10/2009

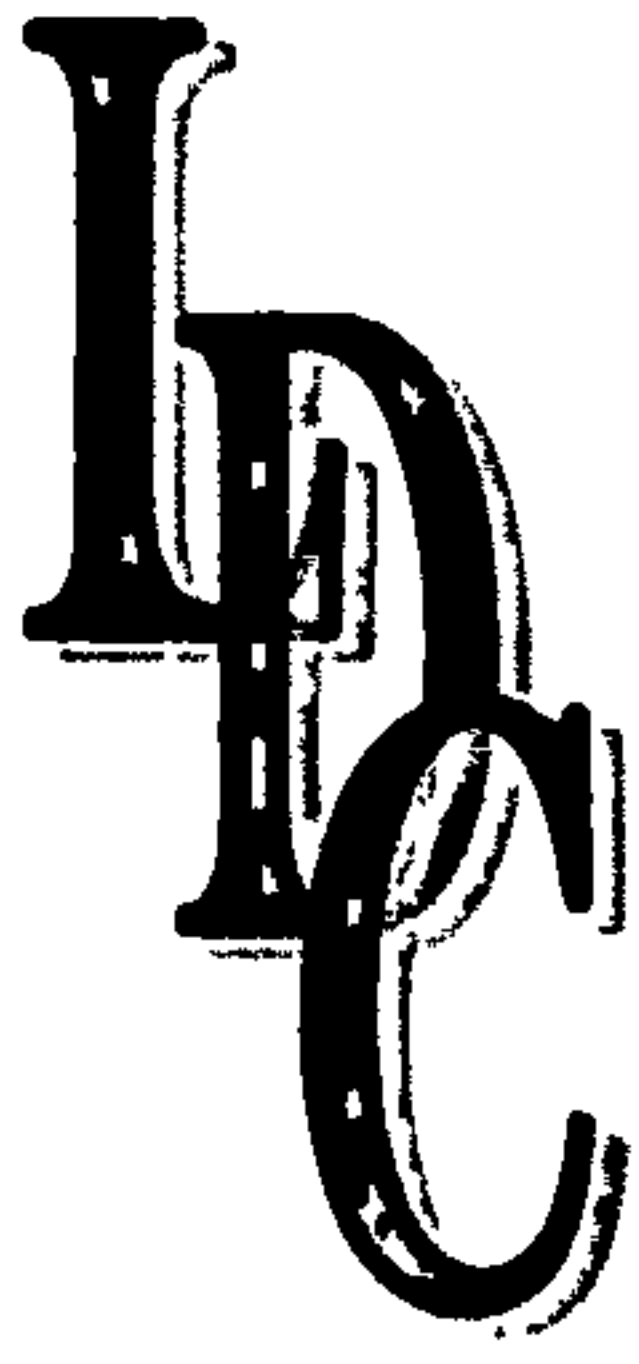
Note: Grey Shading Represents Area Outside of the City Limits

Zone Atlas Page:
E-18-Z

Selected Symbols

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

0 750 1,500 Feet



LAND DEVELOPMENT CONSULTANTS

Engineers ♦ Planners ♦ Construction Management

P.O. Box 94086 ♦ Albuquerque, New Mexico 87199-4086
Phone: (505)797-4120 ♦ Fax: (505)798-1959 ♦ Email: ldc_llc@msn.com

August 4, 2009,

Development Review Board
City of Albuquerque
600 2nd Street NW
Albuquerque, Ne3w Mexico 87102

Re: San Antonio Self Storage
Project #1004375
Case # 08EPC 40108/Zone Map Amendment
40109 Site Development Plan for Subdivision
40124 Site Development/ Building Permit

In Response to a March 19, 2009 Environmental Planning Commission decision to approve the above referenced cases. The following comments are provided to conditions set for the approval.

- Condition 1: Modifications to the site development plans submitted to DRB have been satisfied ensuring compliance with EPC as follows.
- Condition 2: A preliminary meeting has been held with Randall Falkner, Case Planner, noting compliance with all conditions of approval.
- Condition 3: Design standards on the site plan for subdivision and sign details have been modified to comply with City of Albuquerque standards.
- Condition 4: The sidewalk along San Antonio Drive has been modified to 8' (eight feet) wide per section 14-16-3-18 (c) (1) of the zoning code.
- a) All requirements of previous actions of EPC have been addressed within the development plans provided for DRB approvals.
 - b) The development plans identify permanent improvements to the transportation facilities adjacent to the site development. These improvements include curb and gutter, sidewalks, ADA accessible ramps within new sidewalk crossings. Public infrastructure constructed within public right of way or easements will be constructed to City standards.
 - c) Concurrence from City of Albuquerque Fire department is noted on the development sign off.
 - d) Site plan design is in compliance with development Project management Standards.

Condition 5: The height of the iron gate on the building elevations has been modified to 7 feet instead of 6 feet.

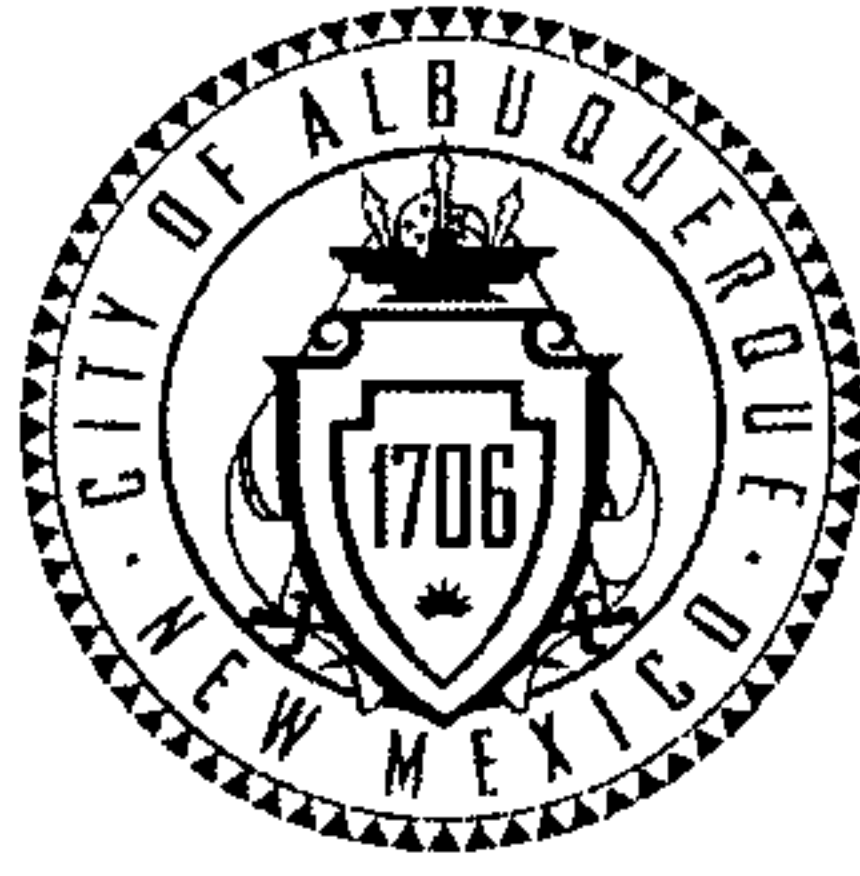
Condition 6: The site plan has a note stating all lighting shall comply with lighting regulations of Section 14-16-3-9 of the Zoning Code.

This response is provided in coordination with EPC conditions. Should further information be required we are readily available to provide additional comments.

Sincerely,

A handwritten signature in black ink, appearing to be 'D. Martinez', written over the printed name.

Danny Martinez,
Senior Planner, Land Development Consultants



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

Date: March 20, 2009

OFFICIAL NOTIFICATION OF DECISION

FILE: **Project # 1004375**
08EPC 40108 Zone Map Amendment
08EPC 40109 Site Development Plan for Subdivision
08EPC-40124 Site Development - BUILDG PRMT

Parks Construction – Jay Parks
7121 Washington Ave. NE
Albuquerque, NM 87109

LEGAL DESCRIPTION: LAND
DEVELOPMENT CONSULTANTS, LLC agents for
PARKS CONSTRUCTION - JAY PARKS requests the
above actions for all or a portion of lots 1A, P&J
SUBDIVISION zoned SU-1 PRD to SU-1 SSF (SELF
STORAGE FACILITIES) located on SAN ANTONIO
NE BETWEEN SAN PEDRO NE AND LOUISIANA
NE containing approximately 3.0824 acres. (E-18)
Randall Falkner, Staff Planner

On March 19, 2009 the Environmental Planning Commission voted to **APPROVE** Project 1004375/
08EPC-40108, a request for a zone map amendment for all or a portion of lots 1A, P&J SUBDIVISION zoned
SU-1 PRD to SU-1 SSF (SELF STORAGE FACILITIES), based on the following Findings and subject to the
following Conditions:

1. This is a request for a zone map amendment from SU-1 for PRD to SU-1 for Self Storage Facility (SSF), on a 3.082 acre parcel of land located on San Antonio Drive between San Pedro Drive and Louisiana Drive. The site comprises Tract 1A, P & J Subdivision.
2. The subject site is within the area designated Established Urban by the Comprehensive Plan.
3. The following Comprehensive Plan policies for Established Urban Areas are supported by the proposal:
 - a. Policy II.B.5a – This zone change request would allow a full range of urban land uses in this area, which includes commercial, vacant, and multifamily. The corridor along San Antonio Drive does allow for a mix of uses.

OFFICIAL NOTICE OF DECISION

MARCH 19, 2009

PROJECT #1004375

PAGE 2 OF 10

- b. Policy II.B.5d – Additional testing (12 separate test dates) of the landfill was performed from December 2008 through February of 2009. AEHD approved the landfill gas survey on March 10, 2009, based upon the Letter of Commitment to construct the recommended mitigation measures identified in the report as required in the Guidance for Compliance with the City of Albuquerque Environmental Health Department Interim Guidelines for Development within City Designated Landfill Buffer Zones. The applicant would use innovative design techniques for structural build out by incorporating post tension design, which would eliminate the need to remove existing landfill debris under non-occupied storage buildings. A detailed venting system (shown in pages 7 and 8 of the site plan and labeled as Landfill Gas Mitigation Plan and Landfill Gas Mitigation Details) would allow the capture of gases into the venting system and distribution through a series of above ground venting that would be architecturally integrated to fit into the building system design. There has been considerable opposition from neighbors, including the Academy Acres North Neighborhood Association (AANNA). The two-story buildings have been located to the interior of the site, away from residential and adjacent sites in order to minimize view obstruction. The one-story, nine foot high buildings are arranged along the perimeter of the site to buffer the two-story buildings. A zone change to SU-1 for Self-Storage Facility would have minimal traffic impacts on the site. A multi-family residential development or retail facility would have higher traffic volume than a self-storage facility. The security of the site would be controlled with video cameras, lighting, a full-time care-taker living at the site, and with controlled access and operation hours.
 - c. Policy II.B.5e – The site itself and the surrounding area to the immediate east and west are vacant and urban services are contiguous to the site. The proposed subject would provide infill development on land that is currently vacant. AEHD has determined that the landfill gas assessment will meet the requirements of the Interim Guidelines for Development within City Designated Landfill Buffer Zones, ensuring the integrity of the existing neighborhood through proper venting, which will mitigate the landfill gases and their effects. Two facilitated meetings have been held in an effort to work with the neighbors and the Albuquerque Acres North Neighborhood Association.
4. The request partially furthers Air Quality Policy II.C.1a. The self storage facility would be built over the former San Antonio landfill. The current request would install a venting system to mitigate impacts of the landfill. The existing waste underneath the office/residential unit would be removed from the site and replaced with imported engineer backfill. Numerous landfill gas assessments have been performed by the applicant at the request of AEHD. According to AEHD, potentially harmful landfill gases could be mitigated with a venting system that meets the requirements of the Interim Guidelines for Development within City Designated Landfill Buffer Zones. These mitigation measures would help to improve air quality by meeting the requirements of AEHD that safeguard public health and welfare.
5. The applicant has adequately justified the zone change request pursuant to Resolution 270-1980:

OFFICIAL NOTICE OF DECISION

MARCH 19, 2009

PROJECT #1004375

PAGE 3 OF 10

- a. Additional testing (12 separate test dates) of the landfill was performed from December 2008 through February of 2009. AEHD approved the landfill gas survey on March 10, 2009, based upon the Letter of Commitment to construct the recommended mitigation measures identified in the report as required in the Guidance for Compliance with the City of Albuquerque Environmental Health Department Interim Guidelines for Development within City Designated Landfill Buffer Zones. A detailed venting system (shown in pages 7 and 8 of the site plan and labeled as Landfill Gas Mitigation Plan and Landfill Gas Mitigation Details) would allow the capture of gases into the venting system and distribution through a series of above ground venting that would be architecturally integrated to fit into the building system design. The two-story buildings have been located to the interior of the site, away from residential and adjacent sites in order to minimize view obstruction. The one-story nine foot high buildings are arranged along the perimeter of the site to buffer the two-story buildings. A zone change to SU-1 for Self-Storage Facility would have minimal traffic impacts on the site. A multi-family residential development or retail facility would have higher traffic volume than a self-storage facility. The security of the site would be controlled with video cameras, lighting, a full-time care-taker living at the site, and with controlled access and operation hours. The AANNA has identified the number of storage facilities and their locations in the surrounding area; however, they have not provided data that demonstrate how an abundance of self storage facilities in the surrounding area affect the neighborhood or how their home values may be impacted. The proposed zone change is found to be consistent with the health, safety, morals, and general welfare of the City.
- b. The current zoning of the site is SU-1 for PRD while the proposed zoning is SU-1 for Self Storage Facility. SU-1 zoning is the predominate zoning along San Antonio Road near the subject site. SU-1 for PRD zoning is found to the south and east of the subject site, SU-1 for C-1 Uses is found west of the site, while SU-1 for Post Office Sub-Station is found north of the site. The self storage facility will be approximately 80 feet from the residential area to the south (150 feet from two-story buildings). The San Antonio Condominiums are located to the north across San Antonio Drive. Condos similar to these with the same height standards could be built on the subject site in a SU-1 for PRD zone. A self storage facility would have fewer traffic and visual impacts than a multifamily facility or a retail center.
- c. The zone change request is not in conflict with policies of the Comprehensive Plan. Applicable goals and policies of the Comprehensive Plan have been cited by the applicant. Policies cited that further the Comprehensive Plan include the following: II.B.5a, II.B.5d, II.B.5e, II.B.5l, II.B.5m, II.C.1a, II.D.4d, and II.D.9d.
- d. The self storage facility would have a low level of service with minimal impacts to traffic and intrusion to adjoining residential developments. The existing zone, SU-1 PRD, allows multi-family residential or various commercial developments, which would both create considerably higher traffic volumes than the proposed zoning, SU-1 for SSF. The applicant declares that a self storage facility maintains an average daily traffic flow of less than fifty trips per day, versus a multi-family facility of 50 units where an average daily traffic flow of six hundred tips per day could occur, or four hundred tips per day for a twenty thousand square foot retail center (references taken from the Institute of Transportation Engineers Trip Generation 6th edition). The requested development does not require full excavation of the site and would provide venting techniques that would mitigate the landfill gases and would not create a big disturbance to the area. Removing 80,000 cubic yards of landfill waste would take approximately 2,500 trips over six months to complete at great expense and with notable disruption to the area. The applicant has

OFFICIAL NOTICE OF DECISION

MARCH 19, 2009

PROJECT #1004375

PAGE 4 OF 10

cited many policies of the Comprehensive Plan that adequately justify the zone change request by showing that it is more advantageous to the community than the existing residential zoning.

- e. The subject site is surrounded by SU-1 zoning (SU-1 for PRD to the south and east, SU-1 for Post Office to the north, and SU-1 for C1 Uses to the west). The requested zoning, SU-1 for Self Storage Facility would fit in well with the other SU-1 uses. The applicant will install a venting system to mitigate landfill gases. The venting system and the landfill gas assessment have been approved by AEHD. The applicant has moved two-story buildings to the middle of the site to maintain unique vistas. The traffic impact on the neighborhood will be minimal, when compared to a multi-family residential or commercial use. The applicant will provide video cameras and lighting to increase safety behind the building along the pedestrian walking path to the south. A full-time caretaker will watch over the site and live in a residential building over the office. The applicant is providing low water use landscaping that will shield the walls surrounding the facility. Street trees have been placed between the street and the sidewalk to conform to the Street Tree Ordinance and provide a buffer for pedestrians.
 - f. The property is already served by City infrastructure and does not require major and un-programmed capital expenditures by the City.
 - g. Economic considerations were not a factor in the proposed development such as, cost of the land, development landfill mitigation, or economic conditions in the request for rezoning.
 - h. The subject site is located on San Antonio Drive, which is not a major street, but rather a minor arterial. Location on San Antonio Drive is not the determining factor for this request.
 - i. The request creates a spot zone; however, the applicant cites multiple policies in the Comprehensive Plan that supports the request for a zone change.
 - j. The request does not constitute a strip zone.
6. A facilitated meeting was held on July 24, 2008 at the Church of the Nazarene, 8401 Paseo del Norte NE. There were many neighborhood concerns with the project, including the following: development over the San Antonio landfill and environmental issues, views and height of development, security and crime issues, storage units, and impact on property values. An additional facilitated meeting was held on December 12, 2008 at the Covenant United Methodist Church as 8510 Wyoming NE. The neighbors attending the meeting were opposed to the project.
 7. The Facility Plan for Arroyos, the Albuquerque/Bernalillo County Comprehensive Plan and Comprehensive City Zoning Code are incorporated herein by reference and made part of the record for all purposes.
 8. The Landfill Gas Surveys dated December 1, 2008, January 6, 2009, and March 5, 2009 are incorporated herein by reference and made part of the record for all purposes.

CONDITION:

1. Final DRB sign-off accompanying site development for building permit (08EPC-40124)
-

OFFICIAL NOTICE OF DECISION

MARCH 19, 2009

PROJECT #1004375

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On March 19, 2009 the Environmental Planning Commission voted to accept the **WITHDRAWAL** of Project 1004375/08EPC-40109, a request for a site development plan for subdivision for all or a portion of lots 1A, P&J SUBDIVISION zoned SU-1 PRD to SU-1 SSF (SELF STORAGE FACILITIES).

On March 19, 2009 the Environmental Planning Commission voted to **APPROVE** Project 1004375/08EPC-40124, a request for a site development plan for building permit for the above actions for all or a portion of lots 1A, P&J SUBDIVISION zoned SU-1 PRD to SU-1 SSF (SELF STORAGE FACILITIES), based on the following Findings and subject to the following Conditions:

FINDINGS:

1. This is a request for a site development plan for building permit, on a 3.082 acre parcel of land located on San Antonio Drive between San Pedro Drive and Louisiana Drive. The site comprises Tract 1A, P & J Subdivision.
2. The subject site is within the area designated Established Urban by the Comprehensive Plan.
3. The following Comprehensive Plan policies for Established Urban Areas are supported by the proposal:
 - a. Policy II.B.5a – This zone change request would allow a full range of urban land uses in this area, which includes commercial, vacant, and multifamily. The corridor along San Antonio Drive does allow for a mix of uses.
 - b. Policy II.B.5d – Additional testing (12 separate test dates) of the landfill was performed from December 2008 through February of 2009. AEHD approved the landfill gas survey on March 10, 2009, based upon the Letter of Commitment to construct the recommended mitigation measures identified in the report as required in the Guidance for Compliance with the City of Albuquerque Environmental Health Department Interim Guidelines for Development within City Designated Landfill Buffer Zones. The applicant would use innovative design techniques for structural build out by incorporating post tension design, which would eliminate the need to remove existing landfill debris under non-occupied storage buildings. A detailed venting system (shown in pages 7 and 8 of the site plan and labeled as Landfill Gas Mitigation Plan and Landfill Gas Mitigation Details) would allow the capture of gases into the venting system and distribution through a series of above ground venting that would be architecturally integrated to fit into the building system design. There has been considerable opposition from neighbors, including the Academy Acres North Neighborhood Association (AANNA). The two-story buildings have been located to the interior of the site, away from residential and adjacent sites in order to minimize view obstruction. The one-story nine foot high buildings are arranged along the perimeter of the site to buffer the two-story buildings. A zone change to SU-1 for Self-Storage Facility would have minimal traffic impacts on the site. A multi-family residential development or retail facility would have higher traffic volume than a self-storage facility. The security of the site would be controlled with video cameras, lighting, a full-time care-taker living at the site, and with controlled access and operation hours.

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- c. Policy II.B.5e – The site itself and the surrounding area to the immediate east and west are vacant and urban services are contiguous to the site. The proposed subject would provide infill development on land that is currently vacant. AEHD has determined that the landfill gas assessment will meet the requirements of the Interim Guidelines for Development within City Designated Landfill Buffer Zones, ensuring the integrity of the existing neighborhood through proper venting, which will mitigate the landfill gases and their effects. Two facilitated meetings have been held in an effort to work with the neighbors and the Albuquerque Acres North Neighborhood Association.
 - d. Policy II.B.5l – The architectural design is a Spanish mission concept with exterior stucco walls on the upper levels of the two-story structures, a mission tile roof on the office/residential building along with earth-tone colored metal roofing and exterior earth-tone stucco. The two-story buildings have been placed in the center of the project to increase the distance between the tall structures and the adjacent neighborhood. Landscaping provides natural beauty and helps to shield the site from the street. In accordance with the Street Tree Ordinance, the applicant has placed trees in between the street and the sidewalk, providing a buffer zone for pedestrians.
 - e. Policy II.B.5m – The height of the two story office/residence is 26'4" and the height of the two-story storage building is 25'8". The two-story buildings are located to the interior of the site, away from residential and adjacent sites in order to minimize view obstruction. The one-story nine foot high buildings are arranged along the perimeter of the site to buffer the two-story buildings. The northeast and northwest corners have a small twelve foot high one-story to enhance the streetscape on San Antonio Drive. The perimeter one-story buildings have varying heights and setbacks to enhance the streetscape. Landscaping surrounds the site on all four sides to help to screen the perimeter of the site. Warm earth tone stucco colors such as light tan and brown have been used to match the brown Spanish tile roofs and light tan stucco walls. The residences to the south are separated from the proposed development by the Pino Arroyo, and are approximately 150 feet away from the proposed two-story buildings and 80 feet away from the proposed one-story structures. The average finish grade elevation of the proposed development lies approximately 4 feet lower than existing grades within the residential lots, which allows views to the east towards the Sandia mountains and to the west towards Mount Taylor. As a result of the site design and distance from the residential neighbors to the south, there would be minimal impact on the visual environment of local neighborhoods.
4. The request partially furthers Air Quality Policy II.C.1a. The self storage facility would be built over the former San Antonio landfill. The current request would install a venting system to mitigate impacts of the landfill. The existing waste underneath the office/residential unit would be removed from the site and replaced with imported engineer backfill. Numerous landfill gas assessments have been performed by the applicant at the request of AEHD. According to AEHD, potentially harmful landfill gases could be mitigated with a venting system that meets the requirements of the Interim Guidelines for Development within City Designated Landfill Buffer Zones. These mitigation measures would help to improve air quality by meeting the requirements of AEHD that safeguard public health and welfare.
 5. The request partially furthers the following Transportation and Transit Policy of the Comprehensive Plan:
Plan:

- a. Policy II.D.4d – San Antonio Drive is a minor arterial, which would require a spacing frequency of one or two drives per 200'. The site plan shows 3 driveways along San Antonio. The west driveway, (which is labeled as an exit) is approximately 155' from the center driveway (an entrance and exit). The east driveway (which is labeled as an exit) is approximately 235' from the center driveway. The driveways meet the spacing frequency requirement of one or two drives per 200' on minor arterials.
6. The request furthers the following Public Safety Policy of the Comprehensive Plan:
 - a. Policy II.D.9d – The applicant will install security cameras and lighting throughout the facility and along the perimeter south facing the pedestrian walkway. A full time caretaker will also live in the two-story office residence. Emergency and routine crime efforts are being continued and improved.
7. A facilitated meeting was held on July 24, 2008 at the Church of the Nazarene, 8401 Paseo del Norte NE. There were many neighborhood concerns with the project, including the following: development over the San Antonio landfill and environmental issues, views and height of development, security and crime issues, storage units, and impact on property values. An additional facilitated meeting was held on December 12, 2008 at the Covenant United Methodist Church as 8510 Wyoming NE. The neighbors attending the meeting were opposed to the project.
8. The request furthers Multiple Use Policy 6, Appropriate Access of the Facility Plan for Arroyos. Access to the bicycle/pedestrian trail (which is immediately north of the South Pino Arroyo) is available along Forest Hills Drive, which is approximately 200 feet to the west of the proposed development. The site itself does not provide direct access to the bicycle/pedestrian trail, because it is a secure facility that wants to prevent access to the storage facility along the south wall.
9. The request partially complies with Policy 1, Building orientation of the Facility Plan for Arroyos, given its specialized use and limited access requirements. The proposed development is adjacent to the South Pino Arroyo trail; however, the buildings are storage facilities, and because of security concerns do not have windows facing the arroyo right-of-way. The two-story office/residence has windows on the north side, but not the south side facing the arroyo. If windows were included on the south side of the two-story office/residence they would be visually obstructed from the bicycle/pedestrian trail by the 8'8" high block wall to the south. The site itself does not provide direct access to the bicycle/pedestrian trail, because it is a secure facility that wants to protect the storage facilities and its contents by preventing access to the storage facility. There is access to the trail via Forest Hills Drive approximately 200 feet to the west. Indirect pedestrian access will be available for the on-site manager, but customers will be accessing the site by vehicle.

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10. The request partially furthers Policy 4, Walls of the Facility Plan for Arroyos. There are special design features designed into the south wall to enhance the pedestrian path and residential view of the site. The special features include 7' high see-through black iron fencing at the southeast and southwest corners of the wall, 1'4" wide by 2" pilasters every 20', and security and pedestrian safety lighting that is built into the wall at a height of 4' every 80'. The finish of the 8'8" block wall is stucco earth tone to blend in with the surrounding design in the area. The site development plan also shows three security cameras that are pointed toward the pedestrian trail to provide greater security for those that access the trail.
11. The request partially furthers Policy 1, Landscaping adjacent to the arroyo right-of-way of the Facility Plan for Arroyos. The landscape plan shows shrubs/groundcovers along the south wall, consisting of Chamisa and Three Leaf Sumac, which are native low water use plants. The owner has a note on the landscape plan that they will maintain the landscape. There are no trees along the south wall because they could obstruct the view of the pedestrian path, especially regarding the security cameras.
12. The Facility Plan for Arroyos, the Albuquerque/Bernalillo County Comprehensive Plan and Comprehensive City Zoning Code are incorporated herein by reference and made part of the record for all purposes.
13. The Landfill Gas Surveys dated December 1, 2008 January 6, 2009, and March 5, 2009 are incorporated herein by reference and made part of the record for all purposes.

CONDITIONS:

1. The EPC delegates final sign-off authority of this site development plan to the Development Review Board (DRB). The DRB is responsible for ensuring that all EPC Conditions have been satisfied and that other applicable City requirements have been met. A letter shall accompany the submittal, specifying all modifications that have been made to the site plan since the EPC hearing, including how the site plan has been modified to meet each of the EPC conditions. Unauthorized changes to this site plan, including before or after DRB final sign-off, may result in forfeiture of approvals.
2. Prior to application submittal to the DRB, the applicant shall meet with the staff planner to ensure that all conditions of approval are met.
3. The design standards on the site plan for subdivision (Sheet 1) and sign detail on the building elevations (Sheet 5) shall be consistent concerning the sign face of the 16 foot tall free standing sign.
4. The 6' wide sidewalk along San Antonio Drive shall be 8' wide per Section 14-16-3-18(C)(1) of the Zoning Code.
5. RECOMMENDED CONDITIONS FROM CITY ENGINEER, MUNICIPAL DEVELOPMENT and NMDOT:

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- a. All the requirements of previous actions taken by the EPC and/or the DRB must be completed and /or provided for.
 - b. The Developer is responsible for permanent improvements to the transportation facilities adjacent to the proposed site development plan. Those improvements will include any additional right-of-way requirements, paving, curb and gutter, sidewalk and ADA accessible ramps that have not already been provided for. All public infrastructure constructed within public right-of-way or public easements shall be to City Standards. Those Standards will include but are not limited to sidewalks (std. dwg. 2430), driveways (std. dwg. 2425), private entrances (std. dwg. 2426) and wheel chair ramps (std. dwg. 2441).
 - c. Provide concurrence from Fire Department.
 - d. Site plan shall comply and be designed per DPM Standards
6. The height of the iron gate on the building elevations sheet (sheet 5-8) shall be 7 feet instead of 6 feet.
 7. The site plan for building permit shall state that all lighting shall comply with the lighting regulations of Section 14-16-3-9 of the Zoning Code.

PROTEST: 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, WHICH IS BY **APRIL 3, 2009.**

APPEAL: IF YOU WISH TO APPEAL A FINAL DECISION, YOU MUST DO SO BY **APRIL 3, 2009 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.**

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).

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

Sincerely,

Richard Dineen
Planning Director

RD/RF/ma

cc: Parks Construction – Jay Parks, 7121 Washington Ave. NE, Albuquerque, NM 87109
Land Development Consultants LLC, 5620 B. San Francisco NE, Albuquerque, NM 87109
Jody Lynch, Academy Acres North NA, P.O. Box 94387, Albuquerque, NM 87199
Irene Minke, Academy Acres North NA, 6504 Dungan NE, Albuquerque, NM 87109
Charlotte Boyer, San Antonio Condominium HOA, 2823 Richmond Dr. NE, Albuquerque, NM 87107
Jon McCormick, San Antonio Condominium HOA, 2823 Richmond Dr. NE, Albuquerque, NM 87107
Joseph & Jenni Jablonski, 6751 Forrest Hills Dr. NE, Albuquerque, NM 87109
Georgena Felicia, 6837 Glendora Dr. NE, Albuquerque, NM 87109
Walter Wesselman, 6759 Forest Hills Dr. NE, Albuquerque, NM 87109
Leslie Miller, 6405 Colleen NE, Albuquerque, NM 87110
Jacob Tellier, Academy Acres North NA, 6208 Leslie Pl. NE, Albuquerque, NM 87109
Ken Hunter, 3909 General Bradley St. NE, Albuquerque, NM 87111



No. of Lots: One
Nearest Major Streets:
San Antonio NE
San Pedro NE

FIGURE 12

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

**AGREEMENT TO CONSTRUCT
PUBLIC AND/OR PRIVATE SUBDIVISION IMPROVEMENTS**

THIS AGREEMENT is made this 10th day of November, 2009, by and between the City of Albuquerque, New Mexico ("City"), a municipal corporation, whose address is P. O. Box 1293 (One Civic Plaza), Albuquerque, New Mexico 87103, and San Antonio Self Storage LLC ("Subdivider"), a [state the type of business entity, for instance, "New Mexico corporation," "general partnership," "joint venture," "individual," etc.:] _____, whose address is 7121 Washington Ave NE Suite B and whose telephone number is 505-798-9301, is made in Albuquerque, New Mexico, and is entered into as of the date of final execution of this Agreement.

1. Recital. The Subdivider is developing certain lands within the City of Albuquerque, Bernalillo County, New Mexico, known as [existing legal description:] Tract 1-A of P & J Subd., Albuq. N.M., recorded on Sept 14, 2005 in the records of the Bernalillo County Clerk at Book 2005C, pages 303 through _____ (the "Subdivision"). The Subdivider certifies that the Subdivision is owned by [state the name of the present real property owner exactly as shown on the real estate document conveying title in the Subdivision to the present owner:] San Antonio Self Storage LLC ("Owner").

The Subdivider has submitted and the City has approved a preliminary plat or Site Development Plan identified as San Antonio Self Storage describing Subdivider's Property.

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

2. Improvements and Construction Deadline. The Subdivider agrees to install and complete the public and/or private improvements described Exhibit A, the required infrastructure listing ("Improvements"), to the satisfaction of the City, on or before the 10 day of August, 2010 ("Construction Completion Deadline"), at no cost to the City. The Improvements are shown in greater detail on the Subdivider's proposed and approved plans, which have been filed with the City Engineer and are identified as Project No. 735185.

Note: To compute the Construction Completion Deadline: If a final plat will be filed after Subdivider meets the requirements of this Agreement, the Construction Completion Deadline can be no later than two years after execution of this Agreement. (See Subdivision Ordinance Section 14-14-3.) If a final plat will not be filed pursuant to this Agreement, the Construction Completion Deadline can be no later than one year after approval of the preliminary plat by the Development Review Board ("DRB"), unless the DRB grants an extension, not to

exceed one additional year per extension, and the Subdivider processes an amendment to the Agreement. (See Subdivision Ordinance Section 14-14-3.) If this Agreement, with any amendments does not utilize the maximum time allowed for completion of construction, the Subdivider may obtain an extension of the Construction Completion Deadline if Subdivider shows adequate reason for the extension.

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

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

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

<u>Type of Fee</u>	<u>Amount</u>
<u>Engineering Fee</u>	<u>3.25% of Actual Construction Cost as required per City-approved estimate.</u>
<u>Excavation and Sidewalk Ordinance, Street Restoration Fees</u>	<u>(Figure 7).</u>

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

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

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

B. Construction Inspection Methods. Inspection of the construction of the public Improvements shall be performed by David Soule, PE, and inspection of the private Improvements shall be performed by Joe Simons, AIA, both New Mexico Registered Professional Engineers. If the inspection is

performed by an entity other than the City, the City may monitor the inspection and the Subdivider shall ensure that the inspecting entity provides all inspection results, reports and related data to the City which the City requires for review. The City retains the right to perform its own general overall inspection of the construction project at any time prior to final acceptance of the Improvements, if deemed necessary or advisable by the City Engineer. The Subdivider shall pay the City a reasonable fee for the level of inspection performed by the City.

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

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

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

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

Type of Financial Guaranty: Loan Reserve Letter
Amount: \$ 178,540.44
Name of Financial Institution or Surety providing Guaranty: New Mexico Bank & Trust
Date City first able to call Guaranty: August 10, 2010
[Construction Completion Deadline]: August 10, 2010
If Guaranty other than a Bond, last day City able to call Guaranty is: October 10, 2010
Additional information: _____

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

7. Completion, Acceptance and Termination. When the City receives Subdivider's final acceptance package, the City shall review it for completeness and accuracy. (See DPM Volume 1, Chapter 5, Work Order Process, Step 9.) If the package is acceptable, the City shall approve the package and issue a Certificate of Completion and Acceptance for the public Improvements and a Certificate of

Completion for the private Improvements. Thereafter, the Subdivider's obligations to the City pursuant to this Agreement shall terminate, with the exception of the bond or other guarantee which the Subdivider has provided to assure the materials and workmanship, as required by the Subdivision Ordinance. After the City approves the final acceptance package, the City will promptly release this Agreement and the Financial Guaranty.

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

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

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

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

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

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

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

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

10. Indemnification. Until the Improvements are accepted by the City, the Subdivider shall be solely responsible for maintaining the premises upon which the Improvements are being constructed in a safe condition. The Subdivider agrees to defend, indemnify and hold harmless the City and its officials, agents and employees from any claims, actions, suits or other proceedings arising from or out of the negligent acts or omissions of the Subdivider, its agents, representatives, contractors or subcontractors or arising from the failure of the Subdivider, its agents, representatives, contractors or subcontractors to perform any act or duty required of the Subdivider herein; provided, however, to the extent, if at all, Section 56-7-1 NMSA 1978 is applicable to this Agreement, this Agreement to indemnify will not extend to liability, claims, damages, losses or

expenses, including attorney fees, arising out of (1) the preparation or approval of maps, drawings, opinions, reports, surveys, change orders, designs or specifications by the indemnitee, or the agents or employees of the indemnitee; or (2) the giving of or the failure to give directions or instructions by the indemnitee, where such giving or failure to give directions or instructions is the primary cause of bodily injury to persons or damage to property. The indemnification required hereunder shall not be limited as a result of the specifications of any applicable insurance coverage. Nothing herein is intended to impair any right or immunity under the laws of the State of New Mexico.

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

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

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

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

15. Notice. For purposes of giving formal written notice, including notice of change of address, the Subdivider's and the City's addresses are as stated in the first paragraph of this Agreement. Notice may be given either in person or by certified U.S. mail, postage paid. Notice will be considered to have been received within six (6) days after the notice is mailed if there is no actual evidence of receipt.

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

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

18. Construction and Severability. If any part of this Agreement is held to

be invalid or unenforceable, the remainder of the Agreement will remain valid and enforceable if the remainder is reasonably capable of completion.

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

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

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

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

SUBDIVIDER:

By [Signature] Jay M. Parks
Name: JAY M. PARKS
Title: Pres/Managing Member
Dated: 10-10-09

CITY OF ALBUQUERQUE

[Signature]
City Engineer
Dated: 11-10-09
HE 11/10/09 11-06-09

SUBDIVIDER'S NOTARY

STATE OF NM)
) ss.
COUNTY OF Bernalillo

This instrument was acknowledged before me on 10th day of Oct, 2009 by [name of person:] Jay M Parks, [title or capacity, for instance, "President" or "Owner":] Managing Member of [Subdivider:] San Antonio Self Storage LLC

My Commission Expires:
August 11, 2012



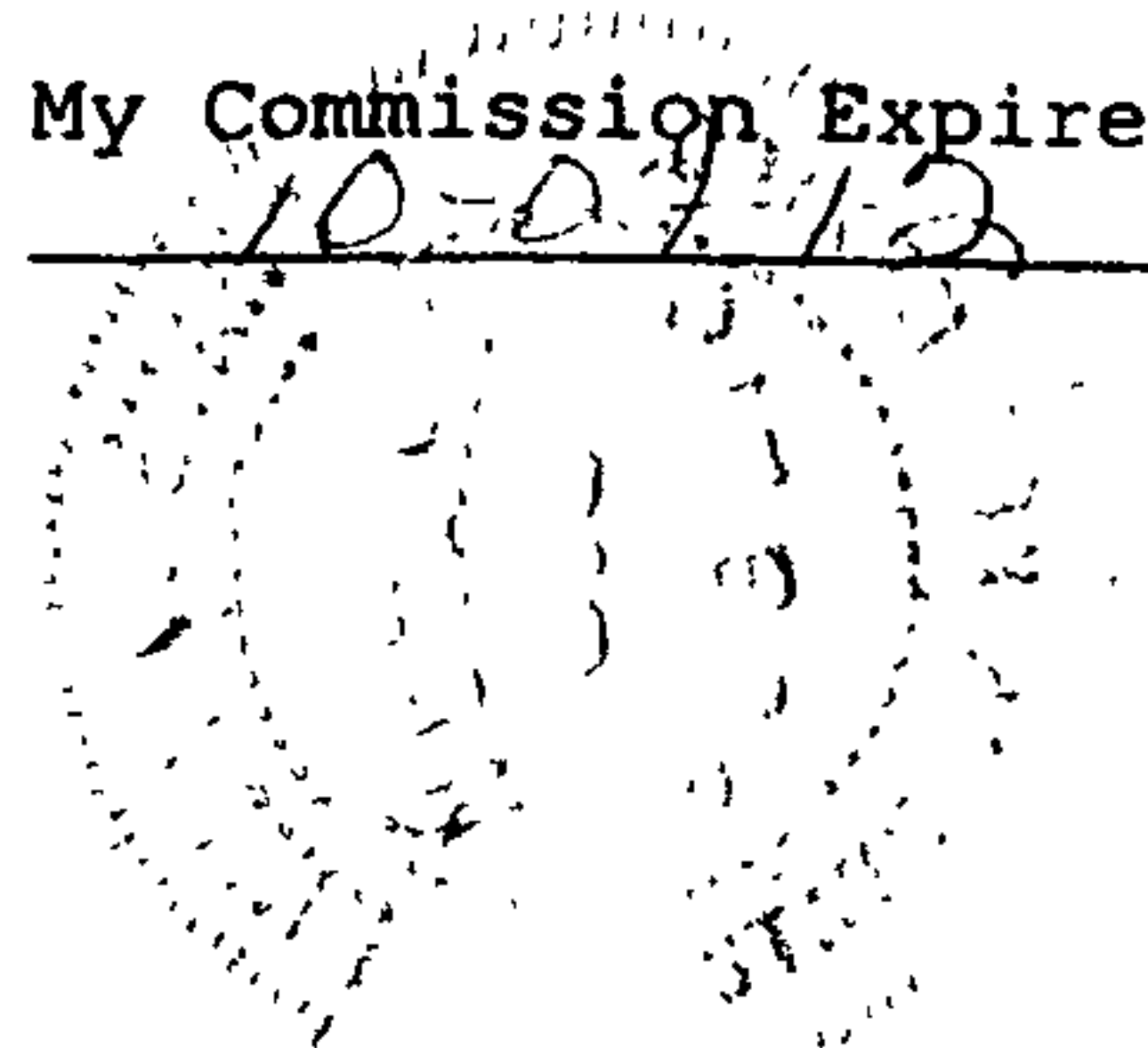
CITY'S NOTARY

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

This instrument was acknowledged before me on 10th day of November, 2009 by Richard Douste, City Engineer of the City of Albuquerque, a municipal corporation, on behalf of said corporation.

[Signature]
Notary Public

My Commission Expires:
10-07-12



Current DRC
Project Number: _____

FIGURE 12

Date Submitted: 8/4/09
 Date Site Plan Approved: 3/19/09
 Date Preliminary Plat Approved: _____
 Date Preliminary Plat Expires: _____
 DRB Project No.: 1004375
 DRB Application No.: 8/19/09

INFRASTRUCTURE LIST

(Rev. 8-20-05)

EXHIBIT "A"

TO SUBDIVISION IMPROVEMENTS AGREEMENT

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

San Antonio Self Storage

PROPOSED NAME OF PLAT AND/OR SITE DEVELOPMENT PLAN

Lot 1A of P & J Subdivision

EXISTING LEGAL DESCRIPTION PRIOR TO PLATTING ACTION

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

Financially Guaranteed DRC #	Constructed Under DRC #	Size	Type of Improvement	Location	From	To	Construction Certification		
							Private Inspector	P.E.	City Cnst Engineer
		8"	Water Main Line	Along San Antonio Dr.	Forrest Hills Rd	East Pl	/	/	/
		8"	Sanitary Sewer Main Line	Pino Arroyo	Existing Stub Forrest Hills	East Pl	/	/	/
		8' Wide	Concrete Sidewalk	San Antonio Rd.	West Pl	East Pl	/	/	/
							/	/	/
							/	/	/
							/	/	/
							/	/	/
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The items listed below are on the CCIP and approved for Impact Fee credits. Signatures from the Impact Fee Administrator and the City User Department is required prior to DRB approval of this listing. The items listed below are subject to the standard SIA requirements.

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<input type="text"/>	<input type="text"/>						/	/	/		
Approval of Creditable Items:							Approval of Creditable Items:				
Impact Fee Administrator Signature							Date		City User Dept. Signature		Date

NOTES

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

- 1 _____
- 2 _____
- 3 _____

AGENT / OWNER	DEVELOPMENT REVIEW BOARD MEMBER APPROVALS		
<u>Danny Martinez</u> NAME (print)	<u>Paul Duke</u> 8-26-09 DRB CHAIR - date	<u>Christina Sandoval</u> 8/26/09 PARKS & RECREATION - date	
<u>Land Development Planning</u> FIRM	<u>[Signature]</u> 8/26/09 TRANSPORTATION DEVELOPMENT - date		AMAFCA - date
<u>[Signature]</u> SIGNATURE - date	<u>[Signature]</u> 8-26-09 UTILITY DEVELOPMENT - date		- date
	<u>Ante A. Chene</u> 8-26-09 CITY ENGINEER - date		- date

DESIGN REVIEW COMMITTEE REVISIONS

REVISION	DATE	DRC CHAIR	USER DEPARTMENT	AGENT / OWNER

FINANCIAL GUARANTY AMOUNT

09/30/2009

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

Project Description:

Project ID #: 735185, San Antonio Stroage Water & SAS, Phase/Unit #: 1

Requested By: David Soule, PE w/ Rio Grande Engineering

Approved estimate amount:		\$111,873.68
Contingency Amount:	10.00%	\$11,187.37
Subtotal:		\$123,061.05
NMGRT	6.875%	\$8,460.45
Subtotal:		\$131,521.50
Engineering Fee	6.60%	\$8,680.42
Testing Fee	2.00%	\$2,630.43
Subtotal:		\$142,832.35
FINANCIAL GUARANTY RATE		1.25
Retainage Amount:		\$0.00
TOTAL FINANCIAL GUARANTY REQUIRED		<u>\$178,540.44</u>

APPROVAL:

DATE:

A Woodall

9-30-09

Notes: 10% contingency, Plans and Final Eng est have not been approved, Street Lights per City requirements prior to release of FG.



Post Office Box 1048
Albuquerque, New Mexico 87103-1048

LOAN RESERVE LETTER

October 22, 2009

Chief Administrative Officer
City of Albuquerque
PO Box 1293
Albuquerque, NM 87103

Re: San Antonio Self-Storage, LLC
Project Name: Tract 1 of P & J Subdivision, Albuquerque NM
Project # 735185

To Whom It May Concern:

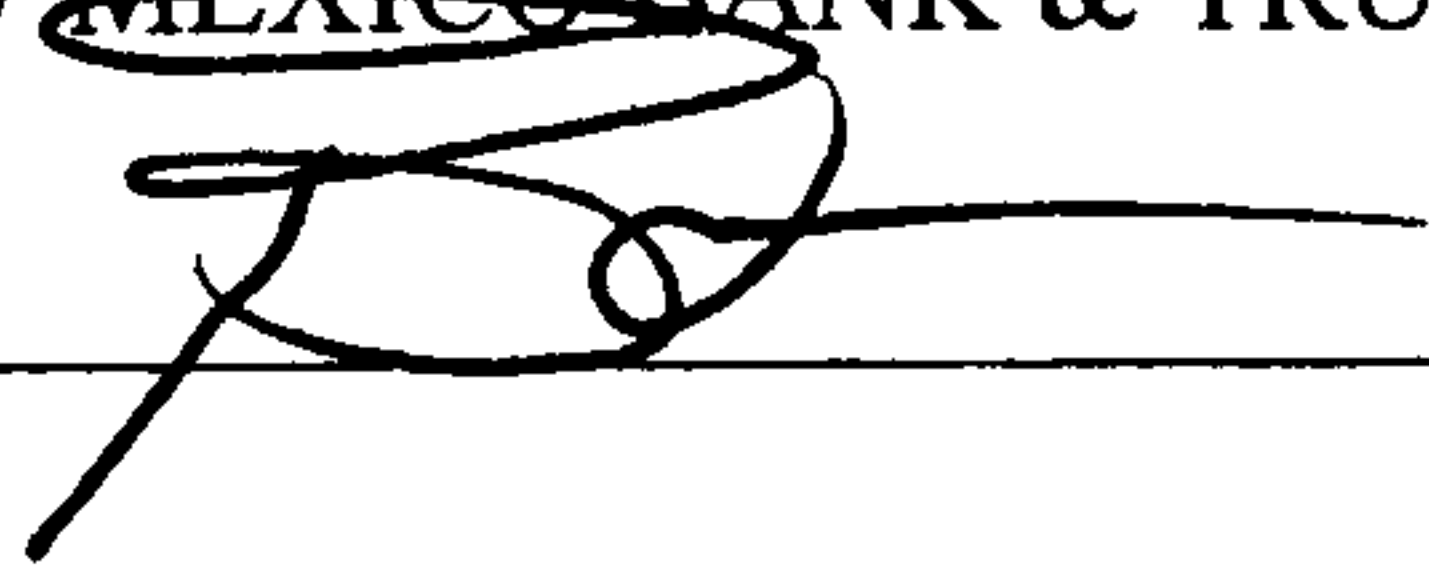
This letter is to advise City of Albuquerque ("City") that at the request of San Antonio Self Storage, LLC, New Mexico Bank & Trust holds as loan reserve the sum of One Hundred Seventy Eight Thousand Five Hundred Forty Dollars and 44/100 (\$178,540.44) "Reserve" for purpose of providing a financial guarantee which City of Albuquerque of San Antonio Self-Storage, LLC "Developer" for the installation of the infrastructure improvements on Tract 1 of P & J Subdivision located at San Antonio and San Pedro NE, Albuquerque New Mexico. The amount of Reserve is 125% of the estimated cost of the Project. These improvement are identified in the subdivision improvements agreement between City of Albuquerque and Developer, recorded on Nov. 12, 2009, in the records of Bernalillo County, in Document # 2009124793 ("Agreement").

1. Reduction of Reserve. If the City of Albuquerque or that person's authorized designee, determines that it is appropriate to release a specified amount of the loan reserves as a result of the Developers construction of a portion of the required infrastructure, then the Chief Administrative Officer or that person's authorized designee, may execute "Authorization to Release" which will authorize the Financial Institution to release a specified amount from the loan reserves. The Authorization to Release will state the amount of the "Reduced Loan Reserve Balance" which must be maintained following the reduction. The Reduced Loan Reserve Balance shall not be reduced by more than 90% of the City's estimated cost of the Project until the Project is accepted by the City of Albuquerque. When the Financial Institution receives the Authorization to

Release, which has been signed by the City, the Financial Institution may reduce the loan reserve to the Reduced Loan Reserve Balance.

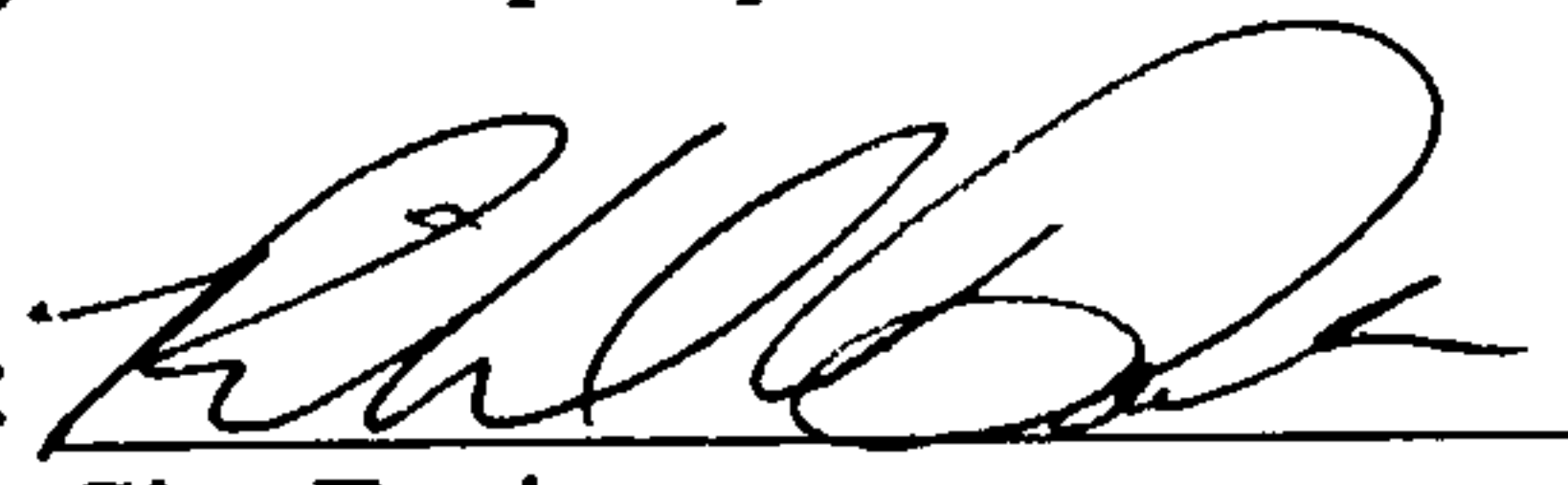
2. **Liability of Financial Institution.** Although the City of Albuquerque may approve the Financial Institution's release of a part of the loan reserves, the approval will not constitute the City's final acceptance of part or the entire Project. However, no matter what agreement exists between the Developer and the City, the total liability of the Financial Institution to the City with respect to the loan reserves established pursuant to this Loan Reserve letter shall at all times be limited to the lesser of the amount stated in this Loan Reserve Letter or the latest Reduced Loan Reserve Balance authorized in writing by the City, and the Financial Institution's liability to the City under this Loan Reserve Letter shall cease upon termination of the loan reserve as provided in Section 4 herein.
3. **Draw on Reserve.** If by August 10, 2010, the improvements described in the Agreement have not been fully installed, inspected, approved and accepted by the City, then, upon presentation between August 10, 2010, and October 10, 2010, inclusive, the City may demand payment from the Financial Institution up to the lesser of the amount stated in this Loan Reserve Letter or the latest Reduced Loan Reserve Balance authorized in writing by the City. The City may demand payment by delivering to the Financial Institution a certified "Demand for Payment" executed by CAO, or the CAO's authorized designee, which shall state that the Subdivider has failed to comply with the terms of the Agreement and also shall state the estimated cost of completing the improvements specified in the Agreement ("Estimated Cost of Completion"). Upon receipt of the Demand for Payment, the Financial Institution promptly shall draw from the loan reserves by cashier's check to the City of Albuquerque the amount of 125% of the estimated cost of completion, not to exceed the lesser of the total Loan Reserve amount stated in this Loan Reserve Letter or the latest Reduced Loan Reserve Balance authorized in writing by the City. The Financial Institution will deliver the cashier's check promptly to the City.
4. **Termination of Reserve.** This loan reserve is for the benefit of the City and shall be irrevocable until the occurrence of one of the following:
 - A. Sixty (60) days after the City accepts the completed improvements specified in the Agreement; or
 - B. City delivery of Demand for Payment and the Financial Institution's payment to the City by cashier's check as required in Section 3 herein; or
 - C. Expiration of the date October 10, 2010; or
 - D. Written termination of this Loan Reserve Letter, signed by the City Engineer of the City.

Very truly yours,
NEW MEXICO BANK & TRUST

By:  _____

Title: SENIOR VICE PRESIDENT

ACCEPTED:
City of Albuquerque

By:  _____
City Engineer

Age 11/9/09

Dated: 11-10-09

11-6-09




Intera Incorporated
One Park Square
6501 Americas Parkway NE
Suite 820
Albuquerque, NM 87110
Telephone: 505 246 1600
Fax: 505 246 2600

MEMORANDUM

DATE: August 23, 2005

TO: Sheran Matson, Planning Department (DRB)

COPY: Marcia A. Pincus, Environmental Health Department
Kevin Curran, Legal Department
Danny Martinez, Land Development Consultants

FROM: Jim Joseph, P.E., INTERA Inc. 

SUBJECT: Project # 1004375; **P & J Subdivision**, Tract 1, on San Antonio Boulevard NE
between San Pedro Drive NE and Louisiana Boulevard NE (August 24, 2005
DRB Agenda Item – 05DRB-01306 Minor-Prelim & Final Plat approval)

There is the potential for above named project to be impacted by the presence of landfill gas generated by a former City owned/operated landfill (San Antonio Landfill). The developers of this site are required to follow the most current version of the "Interim Guidelines for Development within City Designated Landfill Buffer Zones." A review and approval of the Site Plan(s), the proposed construction, design drawings, and a certification of construction will be required by the Environmental Health Department, Environmental Services Division, Groundwater and Landfill Section.

City of Albuquerque



DEVELOPMENT/ PLAN REVIEW APPLICATION

<p style="text-align:center">Supplemental form</p> <p>SUBDIVISION S</p> <p><input checked="" type="checkbox"/> Major Subdivision action</p> <p><input checked="" type="checkbox"/> Minor Subdivision action</p> <p><input type="checkbox"/> Vacation V</p> <p><input type="checkbox"/> Variance (Non-Zoning)</p> <p>SITE DEVELOPMENT PLAN P</p> <p><input type="checkbox"/> ...for Subdivision Purposes</p> <p><input type="checkbox"/> ...for Building Permit</p> <p><input type="checkbox"/> IP Master Development Plan</p> <p><input type="checkbox"/> Cert. of Appropriateness (LUCC) L</p>	<p style="text-align:center">Supplemental form</p> <p>ZONING & PLANNING Z</p> <p><input type="checkbox"/> Annexation</p> <p><input type="checkbox"/> County Submittal</p> <p><input type="checkbox"/> EPC Submittal</p> <p><input type="checkbox"/> Zone Map Amendment (Establish or Change Zoning)</p> <p><input type="checkbox"/> Sector Plan (Phase I, II, III)</p> <p><input type="checkbox"/> Amendment to Sector, Area, Facility or Comprehensive Plan</p> <p><input type="checkbox"/> Text Amendment (Zoning Code/Sub Regs)</p> <p>APPEAL / PROTEST of... A</p> <p><input type="checkbox"/> Decision by: DRB, EPC, LUCC, Planning Director or Staff, ZHE, Zoning Board of Appeals</p>
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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: Inelda Jaramillo PHONE: 821-1391

ADDRESS: 212 Alder St. NE FAX: _____

CITY: Albuquerque STATE NM ZIP 87109 E-MAIL: _____

Proprietary interest in site: _____ List all owners: Inelda Jaramillo & Herman & Peggy Pohl

AGENT (if any): Land Development Consultants PHONE: 858-2441

ADDRESS: 5620-B Modesto Ave NE FAX: 858-2445

CITY: Albuquerque STATE NM ZIP 87113 E-MAIL: LDC-LLC@msn.com

DESCRIPTION OF REQUEST: To re-plot the existing one (1) tract into two (2) new tracts & grant easements

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 1 Block: N/A Unit: N/A

Subdiv. / Addn. P & J Subdivision

Current Zoning: SU-1 PRD Proposed zoning: _____

Zone Atlas page(s): 2-18 No. of existing lots: 1 No. of proposed lots: 2

Total area of site (acres) 6.2917 Density if applicable: dwellings per gross acre: N/A dwellings per net acre: N/A

Within city limits? Yes. No , but site is within 5 miles of the city limits.) Within 1000FT of a landfill? Yes

UPC No. 101806238050210210 MRGCD Map No. N/A

LOCATION OF PROPERTY BY STREETS: On or Near: San Antonio Dr. NE

Between: San Pedro NE and Louisiana, NE

CASE HISTORY:

List any current or prior case number that may be relevant to your application (Proj., App., DRB-, AX_, Z_, V_, S_, etc.): DRB-92-241, SP-92-85

Check-off if project was previously reviewed by Sketch Plat/Plan , or Pre-application Review Team . Date of review: 8/16/05

SIGNATURE B. Martinez DATE 8/16/05

(Print) Bernadette Martinez Applicant Agent

FOR OFFICIAL USE ONLY

Form revised 9/01, 3/03, 7/03, 10/03, 3/04

<p><input checked="" type="checkbox"/> INTERNAL ROUTING</p> <p><input checked="" type="checkbox"/> All checklists are complete</p> <p><input checked="" type="checkbox"/> All fees have been collected</p> <p><input checked="" type="checkbox"/> All case #s are assigned</p> <p><input checked="" type="checkbox"/> AGIS copy has been sent</p> <p><input checked="" type="checkbox"/> Case history #s are listed</p> <p><input checked="" type="checkbox"/> Site is within 1000ft of a landfill</p> <p><input checked="" type="checkbox"/> F.H.D.P. density bonus</p> <p><input checked="" type="checkbox"/> F.H.D.P. fee rebate</p>	<p>Application case numbers</p> <p><u>05DRB - 01306</u></p> <p>Action <u>P&F</u></p> <p><u>CMF</u></p> <p>S.F. <u>563</u></p> <p>Fees <u>\$ 285.00</u></p> <p><u>\$ 20.00</u></p> <p><u>\$</u></p> <p><u>\$</u></p> <p><u>\$</u></p> <p><u>\$</u></p> <p>Total <u>\$ 305.00</u></p> <p>Hearing date <u>8/24/05</u></p>	<p><u>8/16/05</u></p>
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Kim Sims 8/16/05 **Project #** 1004375

Planner signature / date

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

SKETCH PLAT REVIEW AND COMMENT

YOUR ATTENDANCE IS REQUIRED.

- Scale drawing of the proposed subdivision plat (folded to fit into an 8.5" by 14" pocket) 6 copies for unadvertised meetings. Sketches are not reviewed through internal routing.
- Site sketch with measurements showing structures, parking, Bldg. setbacks, adjacent rights-of-way and street improvements, etcetera, if there is any existing land use (folded to fit into an 8.5" by 14" pocket) 6 copies.
- Zone Atlas map with the entire property(ies) precisely and clearly outlined and crosshatched (to be photocopied)
- Letter briefly describing, explaining, and justifying the request
- Any original and/or related file numbers are listed on the cover application

MAJOR SUBDIVISION EXTENSION OF PRELIMINARY PLAT

Your attendance is required.

- Preliminary Plat reduced to 8.5" x 11"
- Zone Atlas map with the entire property(ies) precisely and clearly outlined and crosshatched (to be photocopied)
- Letter briefly describing, explaining, and justifying the request
- Copy of previous D.R.B. approved infrastructure list
- Copy of the LATEST Official D.R.B. Notice of approval for Preliminary Plat Extension request
- Any original and/or related file numbers are listed on the cover application

Extensions are not reviewed through internal routing.

Extension of preliminary plat approval expires after one year.

MAJOR SUBDIVISION FINAL PLAT APPROVAL

Your attendance is required.

- Proposed Final Plat (folded to fit into an 8.5" by 14" pocket) 6 copies for unadvertised meetings, 4 copies for internal routing.
- Design elevations & cross sections of perimeter walls
- Zone Atlas map with the entire property(ies) precisely and clearly outlined and crosshatched (to be photocopied)
- Original Mylar drawing of the proposed plat for internal routing only. Otherwise, bring Mylar to meeting.
- Property owner's and City Surveyor's signatures on the Mylar drawing
- SIA financial guaranty verification
- Landfill disclosure and EHD signature line on the Mylar drawing if property is within a landfill buffer
- Any original and/or related file numbers are listed on the cover application
- DXF FILE AND HARD COPY OF FINAL PLAT DATA FOR AGIS IS REQUIRED.**

MINOR SUBDIVISION PRELIMINARY / FINAL PLAT APPROVAL

Your attendance is required.

- Proposed Preliminary / Final Plat (folded to fit into an 8.5" by 14" pocket) 6 copies for unadvertised meetings, 4 copies for internal routing.
- Site sketch with measurements showing structures, parking, Bldg. setbacks, adjacent rights-of-way and street improvements, etcetera, if there is any existing land use (folded to fit into an 8.5" by 14" pocket) 6 copies.
- Zone Atlas map with the entire property(ies) precisely and clearly outlined and crosshatched (to be photocopied)
- Letter briefly describing, explaining, and justifying the request
- Original Mylar drawing of the proposed plat for internal routing only. Otherwise, bring Mylar to meeting
- Property owner's and City Surveyor's signatures on the Mylar drawing
- Landfill disclosure and EHD signature line on the Mylar drawing if property is within a landfill buffer
- Fee (see schedule)
- Any original and/or related file numbers are listed on the cover application
- Infrastructure list if required (verify with DRB Engineer) **NO INTERNAL ROUTING**
- DXF FILE AND HARD COPY OF FINAL PLAT DATA FOR AGIS IS REQUIRED.** *Pending*

AMENDMENT TO PRELIMINARY PLAT (with minor changes)

Your attendance is required.

AMENDMENT TO INFRASTRUCTURE LIST (with minor changes)

AMENDMENT TO GRADING PLAN (with minor changes)

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

- Proposed Amended Preliminary Plat, Infrastructure List, and/or Grading Plan (folded to fit into an 8.5" by 14" pocket) 6 copies for unadvertised meetings.
 - Original Preliminary Plat, Infrastructure List, and/or Grading Plan (folded to fit into an 8.5" by 14" pocket) 6 copies for unadvertised meetings
 - Zone Atlas map with the entire property(ies) precisely and clearly outlined and crosshatched (to be photocopied)
 - Letter briefly describing, explaining, and justifying the request
 - Original Mylar drawing of the proposed amended plat for internal routing only. Otherwise, bring Mylar to meeting.
 - Property owner's and City Surveyor's signatures on the Mylar drawing, if the plat is being amended
 - Any original and/or related file numbers are listed on the cover application
- Amended preliminary plat approval expires after one year.

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

Bernadette Martinez
 Applicant name (print)
B Martinez
 Applicant signature / date
 8/16/05



Form revised 3/03, 8/03 and 11/03

- Checklists complete
 - Fees collected
 - Case #s assigned
 - Related #s listed
- Application case numbers
 05DRB- 01306

Kim Sins
 Planner signature / date
 8/16/05
Project # 1004375

City of Albuquerque Planning Department

One Stop Shop – Development and Building Services

08/10/2009 Issued By: PLNSDH

**
**
**
**
**

Permit Number: 2009 070 267 **Category Code 910**

Application Number: 09DRB-70267, Epc Approved Sdp For Build Permit

Address:

Location Description: SAN ANTONIO DR NE BETWEEN SAN PEDRO DR NE AND LOUISIANA NE

Project Number: 1004375

Applicant
Parks Construction
Jay Parks
7121 Washington Ave Ne
Albuquerque NM 87109
798-9301

Agent / Contact
Land Development Planning

Po Box 94086
Albuquerque NM 87199
797-4120

Application Fees

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

City of Albuquerque
Treasury Division

8/10/2009 11:21 AM LDD: AWP
407 048 TRANS# 0001
RECEIPT# 00109063-00109063
PERMIT# 2009070267 TRF0XC
Trans. Amt \$20.00
Conflict Mgmt Fee \$20.00
CF \$20.00
TOTAL \$0.00

Thank You

ORIGINAL

INFRASTRUCTURE LIST

(Rev. 8-20-05)

EXHIBIT "A"

TO SUBDIVISION IMPROVEMENTS AGREEMENT

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

San Antonio Self Storage

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NOTES

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Street lights per City requirements.

- 1 _____
- 2 _____
- 3 _____

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<u>[Signature]</u> SIGNATURE - date	<u>[Signature]</u> 8-26-09 UTILITY DEVELOPMENT - date	_____ - date	
	<u>Ante A. Chere</u> 8-26-09 CITY ENGINEER - date	_____ - date	

DESIGN REVIEW COMMITTEE REVISIONS

REVISION	DATE	DRC CHAIR	USER DEPARTMENT	AGENT / OWNER

ORIGINAL

INFRASTRUCTURE LIST

(Rev. 9-20-05)

EXHIBIT "A"

TO SUBDIVISION IMPROVEMENTS AGREEMENT

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

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Street lights per City requirements.

- 1 _____
- 2 _____
- 3 _____

AGENT / OWNER DEVELOPMENT REVIEW BOARD MEMBER APPROVALS

Danny Martinez
NAME (print)
Land Development Planning
FIRM
Dy
SIGNATURE - date

Phil Duke 8-26-09
DRB CHAIR - date
KAS 8/26/09
TRANSPORTATION DEVELOPMENT - date
George A. Jones 8-26-09
UTILITY DEVELOPMENT - date
Ante A. Jones 8-26-09
CITY ENGINEER - date

Christina Sandoval 8/26/09
PARKS & RECREATION - date

AMAFCA - date

- date

- date

DESIGN REVIEW COMMITTEE REVISIONS

REVISION	DATE	DRC CHAIR	USER DEPARTMENT	AGENT / OWNER
Δ	2-16-10	D Woodell 3/3/10	UTILITY DEVELOPMENT	Dy Martinez 3/3/10

ORIGINAL

INFRASTRUCTURE LIST

(Rev. 9-20-05)

EXHIBIT "A"

TO SUBDIVISION IMPROVEMENTS AGREEMENT

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

San Antonio Self Storage

PROPOSED NAME OF PLAT AND/OR SITE DEVELOPMENT PLAN

Lot 1A of P & J Subdivision

EXISTING LEGAL DESCRIPTION PRIOR TO PLATTING ACTION

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

Financially Guaranteed DRC #	Constructed Under DRC #	Size	Type of Improvement	Location	From	To	Construction Certification		
							Private Inspector	P.E.	City Cnst Engineer
		8"	Water Main Line	Along San Antonio Dr.	Forrest Hills Rd	East Pl	/	/	/
		8"	Sanitary Sewer Main Line	ONSITE ^Δ <u>2-16-10</u> Pino Arroyo	Existing Stub	East Pl	/	/	/
		8' Wide	Concrete Sidewalk	San Antonio Rd.	West Pl	East Pl	/	/	/
							/	/	/
							/	/	/
							/	/	/
							/	/	/
							/	/	/
							/	/	/
							/	/	/

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

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

NOTES

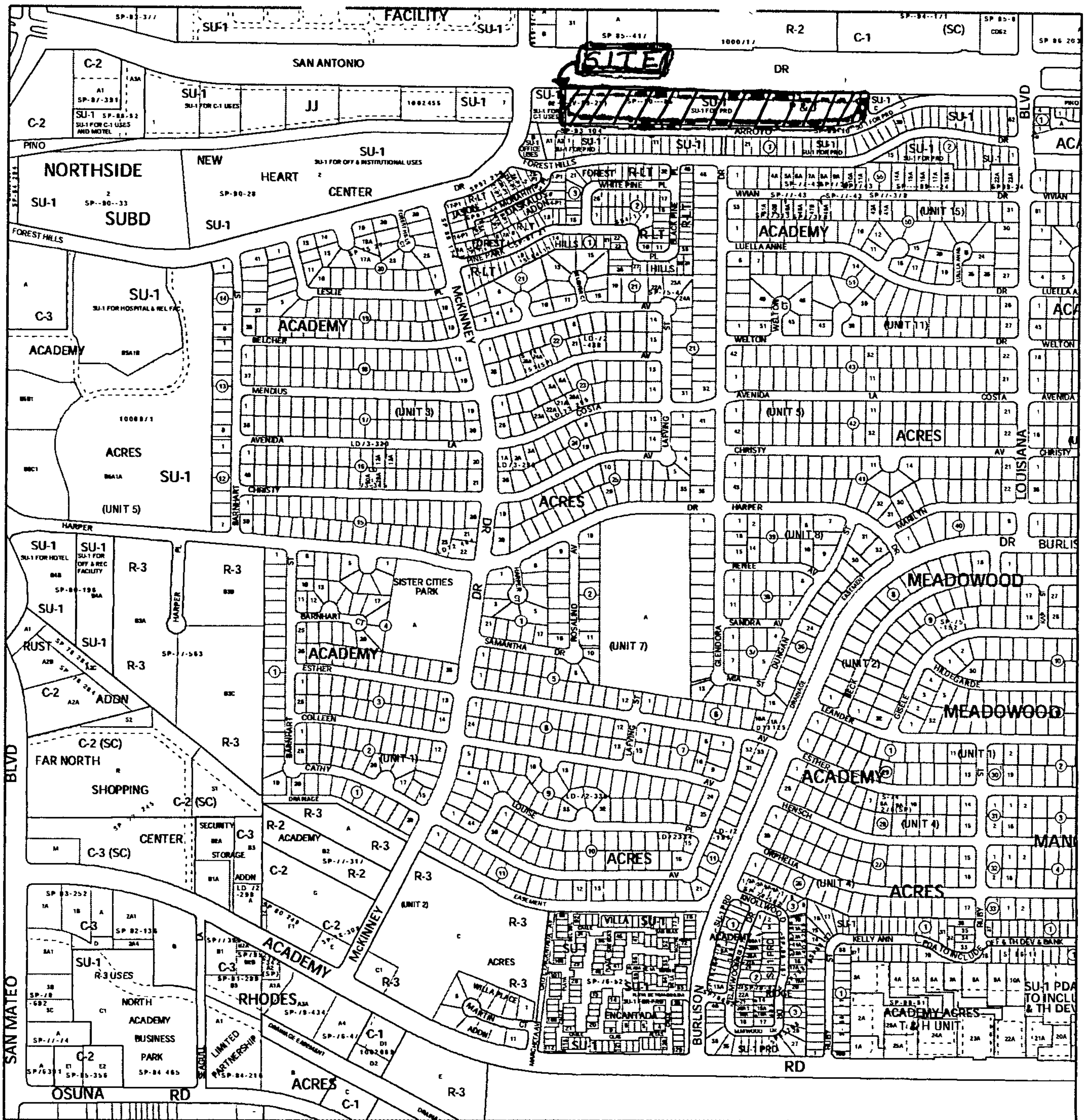
If the site is located in a floodplain, then the financial guarantee will not be released until the LOMR is approved by FEMA.
Street lights per City requirements.

- 1 _____
- 2 _____
- 3 _____

AGENT / OWNER	DEVELOPMENT REVIEW BOARD MEMBER APPROVALS		
<u>Danny Martinez</u> NAME (print)	<u>Phil Duke</u> 8-26-09 DRB CHAIR - date	<u>Christina Sandoval</u> 8/26/09 PARKS & RECREATION - date	
<u>Land Development Planning</u> FIRM	<u>[Signature]</u> 8/26/09 TRANSPORTATION DEVELOPMENT - date		AMAFCA - date
<u>[Signature]</u> SIGNATURE - date	<u>[Signature]</u> 8-26-09 UTILITY DEVELOPMENT - date		- date
	<u>[Signature]</u> 8-26-09 CITY ENGINEER - date		- date

DESIGN REVIEW COMMITTEE REVISIONS

REVISION	DATE	DRC CHAIR	USER DEPARTMENT	AGENT / OWNER
1	2-16-10		UTILITY DEVELOPMENT	



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

AGIS
Albuquerque Geographic Information System

Map amended through: Apr 22, 2005

Note: Grey Shading Represents Area Outside of the City Limits

Zone Atlas Page:
E-18-Z

Selected Symbols

0 750 1500 Feet



LAND DEVELOPMENT CONSULTANTS, LLC

5620 B. Modesto NE, Albuquerque, New Mexico 87113

Phone: 505- 858-2441 • Fax: 505- 858-2445 • E-Mail LDC_LLC@msn.com

Professional Land surveying, Civil Engineering and Landuse Planning Consultants

August 15, 2005

Ms. Sheran Matson, AICP
Chair, Development Review Board
Planning/Development Services Division
600 2nd Street NW
Albuquerque, NM 87102

**RE: REQUEST FOR MINOR SUBDIVISION FOR TRACT "1" OF P & J SUBDIVISION,
LOCATED ON SAN ANTONIO DR NE, ZONE ATLAS PAGE E-18**

Dear Ms. Matson,

On behalf of our client, Ms. Inelda Jaramillo, we are submitting an application for minor subdivision to re-plot the existing one (1) tract into two (2) new tracts and to grant a 15' public utility easement.

Enclosed are the required submittals.

If you have any questions or need additional information, please do not hesitate to contact me at 858-2441.

Sincerely,



Bernadette Martinez
Public Liaison

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

PAID RECEIPT

City of Albuquerque
Treasury Division

8/16/2005 11:33AM LOC: ANIX
RECEIPT# 00044631 US# 008 TRANSH 0012
ACCOUNT# 441006 Fund 0110
Activity 4983000 TRSCCS
Trans Amt \$305.00
J24 Misc

\$285.00

CK CHANGE

Thank You

APPLICANT NAME JANELDA JARAMILLO
AGENT LAND DEVELOPMENT CONSULTANTS
ADDRESS 5620 B MODESTO AVE. NE
PROJECT & APP # 1004375 / 01306
PROJECT NAME P&J Subdivision

- \$ 20.00 441032/3424000 Conflict Management Fee
- \$ 285.00 441006/4983000 DRB Actions
- \$ _____ 441006/4971000 EPC/AA/LUCC Actions & All Appeals
- \$ _____ 441018/4971000 Public Notification
- \$ _____ 441006/4983000 DRAINAGE PLAN REVIEW OR TRAFFIC IMPACT STUDY***
 Major/Minor Subdivision Site Development Plan Bldg Permit
 Letter of Map Revision Conditional Letter of Map Revision
 Traffic Impact Study
- \$ 305.00 TOTAL AMOUNT DUE

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

LDC LAND DEVELOPMENT CONSULTANTS LLC
5620B MODESTO NE
ALBUQUERQUE, NM 87113
PH. (505) 858-2441

1040
95-145-1070

PAY TO THE ORDER OF City of Albuquerque DATE 8/15/05

\$ 305.00

Three hundred and five dollars 00/100

FIRST STATE BANK
www.fsbnm.com

FOR 05-7015 App. Fee RABergui

DOLLARS

Activity 4983000 TRSCCS

\$20.00
Thank You