OFFICIAL NOTICE OF DECISION

CITY OF ALBUQUERQUE
PLANNING DEPARTMENT
DEVELOPMENT REVIEW BOARD

April 17, 2015

Project# 1004472
13DRB-70679 VACATION OF PUBLIC RIGHT-OF-WAY

ISAACSON AND ARFMAN PA agents for DOUBLE EAGLE REAL ESTATE & INVESTMENTS ET AL request the referenced/ above action for MODESTO AVENUE NE adjacent to Lots 23-29, Block 25, plus Lots 8-10 and 29-A, Block 26, **NORTH ALBUQUERQUE ACRES Tact A Unit B,** located on MODESTO AVE NE between SAN PEDRO BLVD NE and LOUISIANA BLVD NE. (B-18/ C-18)

At its April 15, 2015 meeting, the Development Review Board concluded an advertised public hearing on the proposed vacations per section 14-14-7-2(F) of the Subdivision Ordinance. After concluding its public hearing, the Board recommends APPROVAL to the City Council of the vacation requests as shown on *the attached* Exhibit "C" *and* in the Planning file, based on the following recommended Findings per sections 14-14-7-2(A)(1), (B)(1), and (B)(3) of the Subdivision Ordinance, and subject to the following recommended Conditions of Approval per sections 14-14-7-2(F)(3)(c) and 14-14-7-2(F)(4) of the Subdivision Ordinance.

(A)(1) The vacation of public right-of-way request was amended and ultimately filed by the owners of a majority of the footage of land abutting the proposed vacation.

(B)(1) Based on the required replat, the public welfare is in no way served by retaining the public way. The City of Albuquerque does not need to utilize the platted streets for roadway purposes based on the surrounding and proposed development.

(B)(3) There is no convincing evidence that any substantial property right is being abridged against the will of the owner of the right. Property owners of record abutting the proposed vacation were notified by first class mail at least six days prior to the Development Review Board hearing, *notice was published in a newspaper of general circulation 15 days before the date of the hearing,* and signs were posted on the site 15 days prior to the hearing; no objection regarding access or the abridgement of a substantial property right was raised.

CONDITIONS:

1. Final vacated right of way disposition shall be through the City Real Estate Office.
2. The vacations shall be shown on a replat approved by the Development Review Board, and the approved replat shall be filed for record with the Bernalillo County Clerk's Office within one year.

3. Adequate easements shall be retained/ provided for public utilities and infrastructure and access to abutting properties; franchised utility companies shall acknowledge the vacation and adequate easements by their signature on the replat.

PROTEST: IT IS NOT POSSIBLE TO APPEAL DRB RECOMMENDATIONS TO CITY COUNCIL; RATHER, A FORMAL PROTEST OF THE DRB's RECOMMENDATION CAN BE FILED WITHIN THE 15 DAY PERIOD FOLLOWING THE DRB's DECISION, WHICH IS BY April 30, 2015.

Protest is to the City Council. Any person aggrieved with this determination of the Development Review Board may file a protest on the Planning Department form, to the Planning Department, within 15 days of the Development Review Board's decision. The date the determination in question is issued is not included in the 15-day period for filing a protest. 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 protest. You will receive notice if any other person files a protest.

Successful applicants are reminded that other requirements of the City must be complied with, even after approval of the referenced application(s).

Jack Cloud, DRB Chair
ISAACSON AND ARFMAN PA
Cc:

City of Albuquerque
PLANNING DEPARTMENT

Richard J. Berry, Mayor

Interoffice Memorandum **April 30, 2015**

To: **Rey Garduño, President, City Council**

From: **Richard J. Berry, Mayor**

Subject: Modesto Vacation **Project# 1004472** / 15DRB-70126 VACATION OF PUBLIC RIGHT-OF-WAY

ISAACSON AND ARFMAN PA agents for DOUBLE EAGLE REAL ESTATE & INVESTMENTS ET AL request the referenced/ above action for MODESTO AVENUE NE adjacent to Lots 23-29, Block 25, plus Lots 8-10 and 29-A, Block 26, **NORTH ALBUQUERQUE ACRES Tact A Unit B,** located on MODESTO AVE NE between SAN PEDRO BLVD NE and LOUISIANA BLVD NE. (B-18/ C-18)

Request: This is a request for vacation of a platted street in North Albuquerque Acres that has not been developed. The vacation is for a little over 1,000 feet of Modesto Avenue that currently dead ends at the Sandia Memory Garden, where approximately 500 feet of Modesto was vacated and incorporated into the cemetery a long time ago (Vac. Ord. 133). Proposed development by the original applicant, as well as development of all abutting properties does not require this street for public access; utility easements will be provided with the required replat.

This request had been previously approved by City Council on April 7, 2014, but the vacation action expired before the street could be replatted. At an advertised public hearing on April 15, 2015, the Development Review Board again voted to recommend APPROVAL to the City Council of the proposed vacation as shown on the Vacation Exhibits in the Planning file, based on the recommended Findings per sections 14-14-7-2(A)(1), (B)(1), and (B)(3) of the Subdivision Ordinance, and subject to the recommended Conditions of Approval per sections 14-14-7-2(F)(3)(c) and 14-14-7-2(F)(4) of the Subdivision Ordinance.

Per section 14-14-7-2(F)(3)(b) of the Subdivision Ordinance, this matter is being forwarded to the City Council to be placed on the consent agenda to determine if the vacation shall occur.

Title/ Subject of Legislation: Modesto Vacation **Project# 1004472** / 15DRB-70126 VACATION OF PUBLIC RIGHT-OF-WAY, **DRB RECOMMENDATION FOR APPROVAL**

Approved:

Robert J. Perry **Date**
Chief Administrative Officer

Approved as to Legal Form:

Jessica M. Hernandez **Date**
City Attorney

Recommended:

Suzanne Lubar **Date**
Planning Director

CITY OF ALBUQUERQUE
PLANNING DEPARTMENT
DEVELOPMENT REVIEW BOARD

May 27, 2015

PUBLIC AGENCY COMMENTS

Project# 1004472
15DRB-70180 PRELIMINARY/ FINAL PLAT
15DRB-70181 BULK LAND VARIANCE

ISAACSON AND ARFMAN PA agents for DOUBLE EAGLE REAL ESTATE & INVESTMENTS ET. AL. request the referenced/ above actions for Lots 8, 9 and 23-29, Block 25, plus Lots 8-10 and 29-A, Block 26, **NORTH ALBUQUERQUE ACRES Tact A Unit B** zoned SU-2/ NC, located between SAN PEDRO BLVD NE and LOUISIANA BLVD NE, between GLENDALE AVE NE and EAGLE ROCK AVE NE containing approximately 19.5578 acres. (B-18 & C-18)

AMAFCA *Lynn Mazur* lmazur@amafca.org	No comment.
MRCOG *Kendra Watkins* kwatkins@mrcog-nm.gov *Andrew Gingerich* AGingerich@mrcog-nm.gov *Maida Rubin* mrubin@mrcog-nm.gov	
TRANSIT *Shabih Rizvi* srizvi@cabq.gov	
ZONING ENFORCEMENT *Vince Montano* VMontano@cabq.gov	
NEIGHBORHOOD COORDINATION *Stephani Winklepleck* SWinklepleck@cabq.gov	Affected NA/HOA's: Nor Este NA (R)
APS	This will have no adverse impacts to the APS district.

April Winters winters_a@aps.edu	
POLICE DEPARTMENT *Steve Sink* SSink@cabq.gov	This project is in the Northeast Area Command. - No Crime Prevention or CPTED comments concerning the proposed *Preliminary/Final Plat or Bulk Land Variance* requests at this time.
FIRE DEPARTMENT *Antonio Chinchilla* achinchilla@cabq.gov	Reviewed with No Comments
PNM ELECTRIC *Daniel Aragon* Daniel.Aragon@pnm.com	No adverse comments from PNM.
NEW MEXICO GAS COMPANY *Robert Gomez* Robert.gomez@nmgco.com	
COMCAST *Mike Mortus* Mike_Mortus@cable.comcast.com	
CENTURYLINK	
ENVIRONMENTAL HEALTH *Paul Olson* polson@cabq.gov	
M.R.G.C.D *Ray Gomez* michael@mrgcd.us	1. Previously reviewed 10/02/2013. 2. No Adverse Comments.
OPEN SPACE DIVISION *Kent Reed Swanson* **kswanson@cabq.gov** *Sarah Brown* *sbrowne@cabq.gov*	
TRANSPORTATION PLANNING (DMD) *John MacKenzie* **jmackenzie@cabq.gov**	Per MRCOG's Long Range Bikeway System Map, Modesto Ave. is proposed to contain on-street bicycle lanes along the former alignment of Modesto Ave., although the segment through this site is being considered for realignment.
PARKS AND RECREATION *Carol Dumont* cdumont@cabq.gov	
CITY ENGINEER/ HYDROLOGY *Rita Harmon* RHarmon@cabq.gov	
ABCWUA *Kris Cadenda* KCadena@abcwua.org	
TRANSPORTATION DEVELOPMENT *Racquel Michel* *RMichel@cabq.gov*	
PLANNING DEPARTMENT *Jack Cloud* jcloud@cabq.gov	Refer to comments from affected agencies plus any public hearing comments regarding proposed Variance; future improvments for the'Glendale Extension' need to be addressed.

DEVELOPMENT REVIEW BOARD

TRANSPORTATION DEVELOPMENT

DRB Project Number: 1004472 AGENDA ITEM NO: 01
Modesto Avenue Vacation

SUBJECT: Sketch Plat, Vacation of Public Right-of-Way

ENGINEERING COMMENTS:

1. Vacation of Public Right of Way
    a. Explain how each lot will maintain access.
    b. Clarify what portions of Modesto are already vacated.
2. Sketch Plat
    a. Provide an exhibit showing the location of sidewalk and defining the distance from back of curb to the property line. Right of way dedication may be required.
    b. Why are you showing Right of Way Dedication on Glendale?
    c. Is the 30' private access easement existing? Will it run through the existing cemetery?
    d. An infrastructure list will be required.

Disclaimer: The comments provided are based upon the information received from the applicant. If new or revised information is submitted, additional comments may be provided by Transportation Development.

RESOLUTION:

APPROVED __; DENIED __; DEFERRED __; COMMENTS PROVIDED __; WITHDRAWN __

DELEGATED: _____ TO: (TRANS) (HYD) (WUA) (PRKS) (PLNG)

SIGNED: Racquel M. Michel, P.E.
Transportation Development
505-924-3630 or rmichel@cabq.gov

DATE: April 15, 2015

DEVELOPMENT REVIEW BOARD

TRANSPORTATION DEVELOPMENT

DRB Project Number: 1002739 AGENDA ITEM NO: 02
Anderson Heights Unit 4

SUBJECT: Preliminary Plat, Sidewalk Deferral, Site Plan for Subdivision

ENGINEERING COMMENTS:

1. Infrastructure List
    a. Item #5 Bord Street needs to be 28' FF/
    b. Item #8 Barrow Road needs to add note for turnaround
    c. Item #20 Emerald Peak St. needs to add note for turnaround
    d. Item#24 Lions Head Rd. the second SW note should be for both sides
    e. Item # 26 Emerald Peak St. appears to be a duplicate
    f. Clarify the limits of offsite paving improvements.
    g. General Notes: 1) add "per exhibit"
2. Preliminary Plat
    a. Clarify the lot numbers and block numbers.
3. Sidewalk Deferral
    a. Do you want to defer the sidewalks along the north and east of Pinetown Rd. and Dundee St?
4. Site Plan For Subdivision
    a. Please show the typical width of driveway on the "Typical Lot Layout" detail.
    b. Please complete a Trip Generation Exhibit. It appears the one in our files was never completed.
    c. Please add the clear sight triangle to each subdivision entrance. Add the following note as well: "Landscaping, fencing and signing will not interfere with clear sight requirements. Therefore, signs, walls, trees, and shrubbery between 3 and 8 feet tall (as measured from the gutter pan) will not be acceptable in the clear sight triangle."

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505-924-3630 or rmichel@cabq.gov

DATE: April 15, 2015

DEVELOPMENT REVIEW BOARD

TRANSPORTATION DEVELOPMENT

DRB Project Number: 1004272 AGENDA ITEM NO: 03
El Rancho Grande

SUBJECT: SIA Extension – Sidewalk

ENGINEERING COMMENTS:

1. No objection to the request.

Disclaimer: The comments provided are based upon the information received from the applicant. If new or revised information is submitted, additional comments may be provided by Transportation Development.

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Transportation Development
505-924-3630 or rmichel@cabq.gov

DATE: April 15, 2015

DEVELOPMENT REVIEW BOARD

TRANSPORTATION DEVELOPMENT

DRB Project Number: 1009206 AGENDA ITEM NO: 04
Imperial Building

SUBJECT: Amendment to Preliminary Plat

ENGINEERING COMMENTS:

1. Add Item #7, page 2 from the original Infrastructure list and just remove "w/ permeable pavers"

Disclaimer: The comments provided are based upon the information received from the applicant. If new or revised information is submitted, additional comments may be provided by Transportation Development.

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505-924-3630 or rmichel@cabq.gov

DATE: April 15, 2015

DEVELOPMENT REVIEW BOARD

TRANSPORTATION DEVELOPMENT

DRB Project Number: 1009641 AGENDA ITEM NO: 05
Old Town Lots (Rio Grande & I40)

SUBJECT: Preliminary/ Final Plat

ENGINEERING COMMENTS:

1. Right of Way dedication is required to add a curve to the southwest corner of the property. Refer to DPM Table 23.3.3 for requirements.
2. Clarify in note # 4 whom the easement is dedicated to.
3. It appears that there is an existing irrigation ditch and channel on the property. Is an easement required to protect that infrastructure?
4. Rio Grande is classified as a Minor Arterial in this location. A work order will be required for improvements in the Right of Way.

Disclaimer: The comments provided are based upon the information received from the applicant. If new or revised information is submitted, additional comments may be provided by Transportation Development.

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DATE: April 15, 2015

DEVELOPMENT REVIEW BOARD

TRANSPORTATION DEVELOPMENT

DRB Project Number: 1010228 AGENDA ITEM NO: 06
Legacy at Journal Center

SUBJECT: Preliminary/ Final Plat

ENGINEERING COMMENTS:

1. Provide more information about the 15' floating pedestrian access easement. Who is it benefiting and where will it be located? Is there a connection to the Paseo Del Norte Trail?
2. This action will close off one of the entrances to the existing NM Cancer Center. It will also alter the location of their refuse container. Has the NM Cancer center and Solid Waste Department been informed of the proposed change?
    a. An access easement may be required.

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DATE: April 15, 2015

DEVELOPMENT REVIEW BOARD

TRANSPORTATION DEVELOPMENT

DRB Project Number: 1010404 AGENDA ITEM NO: 07
Campbell's Addition

SUBJECT: Preliminary/ Final Plat

ENGINEERING COMMENTS:

1. No objection to the request.

Disclaimer: The comments provided are based upon the information received from the applicant. If new or revised information is submitted, additional comments may be provided by Transportation Development.

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DATE: April 15, 2015

DEVELOPMENT REVIEW BOARD

TRANSPORTATION DEVELOPMENT

DRB Project Number: 1010440 AGENDA ITEM NO: 08
Emil Mann Addition

SUBJECT: Preliminary/ Final Plat

ENGINEERING COMMENTS:

1. Transportation will defer to Planning on whether a lot line can be created in the middle of an existing building.
2. Zuni is classified as a Major Arterial in this location. A work order will be required for improvements in the Right of Way.
3. All existing driveways and curb cuts should be shown on the site sketch. They should also be labeled as to remain or noted if new ones will be required.
4. Are new access points going to be established? A blanket access easement may be required.

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Transportation Development
505-924-3630 or rmichel@cabq.gov

DATE: April 15, 2015

DEVELOPMENT REVIEW BOARD

TRANSPORTATION DEVELOPMENT

DRB Project Number: 1010407 AGENDA ITEM NO: 09
Casa Escondidas

SUBJECT: Preliminary/ Final Plat

ENGINEERING COMMENTS:

1. No objection to the request.

Disclaimer: The comments provided are based upon the information received from the applicant. If new or revised information is submitted, additional comments may be provided by Transportation Development.

RESOLUTION:

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Transportation Development
505-924-3630 or rmichel@cabq.gov

DATE: April 15, 2015

DEVELOPMENT REVIEW BOARD

TRANSPORTATION DEVELOPMENT

DRB Project Number: 1002202 AGENDA ITEM NO: 10
Winrock Center Addition

SUBJECT: Preliminary/ Final Plat

ENGINEERING COMMENTS:

1. No objection to the request.

Disclaimer: The comments provided are based upon the information received from the applicant. If new or revised information is submitted, additional comments may be provided by Transportation Development.

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Transportation Development
505-924-3630 or rmichel@cabq.gov

DATE: April 15, 2015

DEVELOPMENT REVIEW BOARD

TRANSPORTATION DEVELOPMENT

DRB Project Number: 1010060 AGENDA ITEM NO: 11
Airport Center

SUBJECT: Final Plat

ENGINEERING COMMENTS:

To clarify review, can an overall site plan be prepared with both the Airport Center and Kirtland Addition sites?

1. Clarify the access to the site. It is not clear from your submittal where the proposed hammerhead will be located.
2. The entire site should be reviewed by the fire marshal including the area east of the site near Walker Rd.
3. DMD Traffic Operations should provide approval for any stub street that is proposed.
4. Clarify the "Existing Declaration of Easements" note. Has it been recorded? What does it include?
5. The neighboring property is named Kirtland Addition, not Kirkland Addition. Please revise on all documentation.

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DELEGATED: _____ TO: (TRANS) (HYD) (WUA) (PRKS) (PLNG)

SIGNED: Racquel M. Michel, P.E.
Transportation Development
505-924-3630 or rmichel@cabq.gov

DATE: April 15, 2015

DEVELOPMENT REVIEW BOARD

TRANSPORTATION DEVELOPMENT

DRB Project Number: 1010060
Kirtland Addition Unit 2

AGENDA ITEM NO: 12

SUBJECT: Preliminary/ Final Plat

ENGINEERING COMMENTS:

To clarify review, can an overall site plan be prepared with both the Airport Center and Kirtland Addition sites?

1. Cross Access, and Cross lot parking easement needs to be shown on plat.
2. Please coordinate approval of the easement document with the City Attorney.
3. Is the billboard easement on this property as well? (Located in northeast corner)

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SIGNED: Racquel M. Michel, P.E.
Transportation Development
505-924-3630 or rmichel@cabq.gov

DATE: April 15, 2015

DEVELOPMENT REVIEW BOARD

TRANSPORTATION DEVELOPMENT

DRB Project Number: 1010434 AGENDA ITEM NO: 13
3806 San Isidro St. NW

SUBJECT: Sketch Plat

ENGINEERING COMMENTS:

1. Show the existing lot line to be removed.
2. How will the proposed storage building be accessed?
3. Add a dimension from the north property line to the existing house.
4. For final plat, any access easements need to be shown with all beneficiaries and maintenance responsibilities listed.

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Transportation Development
505-924-3630 or rmichel@cabq.gov

DATE: April 15, 2015

DEVELOPMENT REVIEW BOARD

TRANSPORTATION DEVELOPMENT

DRB Project Number: 1010437 AGENDA ITEM NO: 14
Mankato Place

SUBJECT: Sketch Plat

ENGINEERING COMMENTS:

1. Right of Way dedication is required to add a curve to the northwest corner of the property. Refer to DPM Table 23.3.3 for requirements.
2. It appears parking spaces, curb, and signage are in the City of Albuquerque Right of Way. Please remove or provide a revocable Permit.
3. Transportation will defer to Planning on whether a lot line can be created in the middle of an existing building.
4. Carlisle is classified as a Minor Arterial and Central is classified as a Major Arterial in this location. A work order will be required for improvements in the Right of Way.
5. Can you clarify how the proposed parking spots will be accessed? The site plan is unclear.

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SIGNED: Racquel M. Michel, P.E.
Transportation Development
505-924-3630 or rmichel@cabq.gov

DATE: April 15, 2015

DEVELOPMENT REVIEW BOARD

TRANSPORTATION DEVELOPMENT

DRB Project Number: 1010438 AGENDA ITEM NO: 15
Huning Highland Addition

SUBJECT: Sketch Plat

ENGINEERING COMMENTS:

1. Are you proposing to take access from the Alley driveway?
2. Are you planning on paving the alley?
3. For final plat, any access easements need to be shown with all beneficiaries and maintenance responsibilities listed.
4. Lead is classified as a Major Arterial in this location. A work order will be required for improvements in the Right of Way.

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SIGNED: Racquel M. Michel, P.E.
Transportation Development
505-924-3630 or rmichel@cabq.gov

DATE: April 15, 2015

DEVELOPMENT REVIEW BOARD

TRANSPORTATION DEVELOPMENT

DRB Project Number: 1010439 AGENDA ITEM NO: 16
Panorama Addition

SUBJECT: Sketch Plat

ENGINEERING COMMENTS:

1. Are you proposing to take access from Copper, the Alley, or San Jacinto?
2. For final plat, any access easements need to be shown with all beneficiaries and maintenance responsibilities listed.
3. Provide an exhibit showing the location of sidewalk and defining the distance from back of curb to the property line. Right of way dedication may be required.

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CITY OF ALBUQUERQUE
PLANNING DEPARTMENT
DEVELOPMENT REVIEW BOARD

PUBLIC AGENCY COMMENTS

Project# 1004472
15DRB-70126 VACATION OF PUBLIC RIGHT-OF-WAY

ISAACSON AND ARFMAN PA agents for DOUBLE EAGLE REAL ESTATE & INVESTMENTS et.al. request the referenced/ above action for MODESTO AVENUE NE adjacent to Lots 23-29, Block 25, plus Lots 8-10 and 29-A, Block 26, **NORTH ALBUQUERQUE ACRES Tact A Unit B,** located on MODESTO AVE NE between SAN PEDRO BLVD NE and LOUISIANA BLVD NE. (B-18/ C-18)

AMAFCA *Lynn Mazur* lmazur@amafca.org	
MRCOG *Kendra Watkins* kwatkins@mrcog-nm.gov *Andrew Gingerich* AGingerich@mrcog-nm.gov *Maida Rubin* mrubin@mrcog-nm.gov	
TRANSIT *Shabih Rizvi* srizvi@cabq.gov	
ZONING ENFORCEMENT *Vince Montano* VMontano@cabq.gov	
NEIGHBORHOOD COORDINATION *Stephani Winklepleck* SWinklepleck@cabq.gov	**Affected NA/HOA's: Nor Este NA (R)**
APS *April Winters* winters_a@aps.edu	This will have no adverse impacts to the APS district.
POLICE DEPARTMENT *Steve Sink* SSink@cabq.gov	This project is in the Northeast Area Command. - No Crime Prevention or CPTED comments concerning the proposed Vacation of Public Right-Of-Way request at this time.

FIRE DEPARTMENT *Antonio Chinchilla* achinchilla@cabq.gov	
PNM ELECTRIC *Daniel Aragon* Daniel.Aragon@pnm.com	
NEW MEXICO GAS COMPANY *Robert Gomez* Robert.gomez@nmgco.com	
COMCAST *Mike Mortus* Mike_Mortus@cable.comcast.com	
CENTURYLINK	
ENVIRONMENTAL HEALTH *Paul Olson* polson@cabq.gov	No comment
M.R.G.C.D *Ray Gomez* michael@mrgcd.us	
OPEN SPACE DIVISION *Kent Reed Swanson* **kswanson@cabq.gov** *Sarah Brown* *sbrowne@cabq.gov*	OSD has reviewed Project #1004472 and has no comments.
TRANSPORTATION PLANNING (DMD) *John MacKenzie* **jmackenzie@cabq.gov**	Per MRCOG's Long Range Bikeway System Map and the City's new Bikeways and Trails Facility Plan, Modesto Ave. is proposed to contain on-street bicycle lanes along the segment proposed for vacation. Should DRB and City Council agree to vacate the R/W, an alternative east-west route between San Pedro and Louisiana for the public must be a condition of approval. From the application materials provided to DMD, it's not clear if the existing road on Modesto and Glendale around the east and north sides of the subject property is public access.
PARKS AND RECREATION *Carol Dumont* cdumont@cabq.gov	
CITY ENGINEER/ HYDROLOGY *Rita Harmon*	
ABCWUA *Kris Cadenda*	
TRANSPORTATION DEVELOPMENT *Racquel Michel*	
PLANNING DEPARTMENT *Jack Cloud* jcloud@cabq.gov	Refer to comments from affected agencies plus any public hearing comments regarding proposed vacation.

City of Albuquerque
PLANNING DEPARTMENT

Richard J. Berry, Mayor

Interoffice Memorandum **February 26, 2014**

To: **Ken Sanchez, President, City Council**

From: **Richard J. Berry, Mayor**

Subject: **Modesto Vacation** **Project# 1004472** / 13DRB-70679 VACATION OF PUBLIC RIGHT-OF-WAY

ISAACSON AND ARFMAN PA agents for DOUBLE EAGLE REAL ESTATE & INVESTMENTS request the referenced/ above action for MODESTO AVENUE NE adjacent to Lots 23-25, Block 25, **NORTH ALBUQUERQUE ACRES Tact A Unit B,** located on MODESTO AVE NE between SAN PEDRO BLVD NE and LOUISIANA BLVD NE. (B-18/ C-18)

Request: This is a request for vacation of a platted street in North Albuquerque Acres that has not been developed. The vacation is for a little over 1,000 feet of Modesto Avenue that currently dead ends at the Sandia Memory Garden, where approximately 500 feet of Modesto was vacated and incorporated into the cemetery a long time ago (Vac. Ord. 133). Proposed development by the original applicant, as well as development of all abutting properties does not require this street for public access; utility easements will be provided with the required replat.

At an advertised public hearing, the Development Review Board voted to recommend APPROVAL to the City Council of the proposed vacation as shown on the Vacation Exhibits in the Planning file, based on the recommended Findings per sections 14-14-7-2(A)(1), (B)(1), and (B)(3) of the Subdivision Ordinance, and subject to the recommended Conditions of Approval per sections 14-14-7-2(F)(3)(c) and 14-14-7-2(F)(4) of the Subdivision Ordinance.

Per section 14-14-7-2(F)(3)(b) of the Subdivision Ordinance, this matter is being forwarded to the City Council to be placed on the consent agenda to determine if the vacation shall occur.

Title/ Subject of Legislation: <u>Modesto Vacation</u> **Project# 1004472** / 13DRB-70679 VACATION OF PUBLIC RIGHT-OF-WAY, **DRB RECOMMENDATION FOR APPROVAL**

Approved:

_____

Robert J. Perry **Date**
Chief Administrative Officer

Approved as to Legal Form:

_____

David Tourek **Date**
City Attorney

Recommended:

_____

Suzanne Lubar **Date**
Planning Director

LOT 3 LOT 4 LOT 5 LOT 6 LOT 7

30'-40' PRIVATE ACCESS E&M'T TO BE RECORDED

GLENDESTO SUBDIVISION

LOT 10, BLOCK 25 TRACT A, UNIT B NORTH ALBUQUERQUE ACRES

BLOCK 25, TRACT A, UNIT B, NORTH ALBUQUERQUE ACRES

LOT 30 LOT 29 LOT 28 LOT 27 LOT 26 LOT 25 LOT 24 LOT 23

CEMETERY

½ (NORTHERLY) RIGHT-OF-WAY TO BE VACATED AND CONSOLIDATED INTO LOTS 23-25, BLK 25 0.3412 AC. (14,863.44 SF)

30.00'

30.00'

60.00'

N 89° 40' 46" W 330.03' N 89° 44' 15" W 165.40'

59.68'

MODESTO AVENUE N.E.

EX 8" WL

EX 8" WL

LOT 8 BLOCK 26 TRACT A, UNIT B NORTH ALBUQUERQUE ACRES

LOT 9 BLOCK 26 TRACT A, UNIT B NORTH ALBUQUERQUE ACRES

LOT 10 BLOCK 26 TRACT A, UNIT B NORTH ALBUQUERQUE ACRES

LOT 3

LOT 29-A

60' RIGHT-OF-WAY TO BE VACATED AND CONSOLIDATED INTO LOT 29-A, BLK 26 (COA: SOLID WASTE MANAGEMENT DEPARTMENT CONVENIENCE CENTER) 0.9091 AC. (39600.00 SF)

½ (SOUTHERLY) RIGHT-OF-WAY TO BE VACATED AND CONSOLIDATED INTO LOTS 8-10, BLK 26 0.3387 AC. (14755.63 SF)

KASSAN OFF/WH LOTS

COA: SWM DEPT. EAGLE ROCK CONVENIENCE CENTER

0 50 100 200 300

SCALE 1"=100'

MODESTO AVE. RIGHT-OF-WAY VACATION EXHIBIT

SHEET 1 OF 2

ISAACSON & ARFMAN, P.A.
Consulting Engineering Associates
128 Monroe Street N.E.
Albuquerque, New Mexico 87108
Ph. 505-268-8828 www.iacivil.com

1987 C-701-VACATION EXHIBIT.dwg Jan 31,2014

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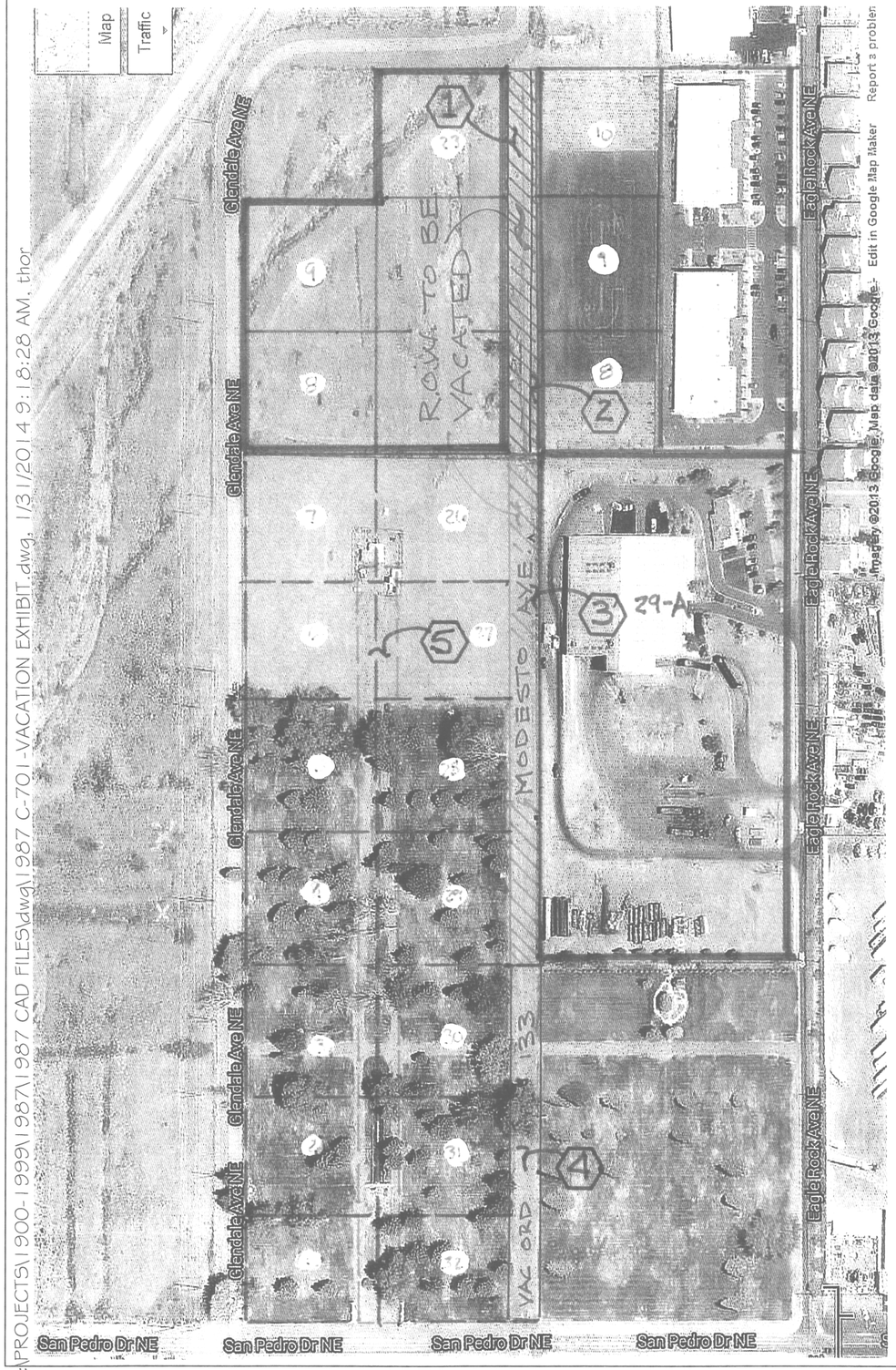

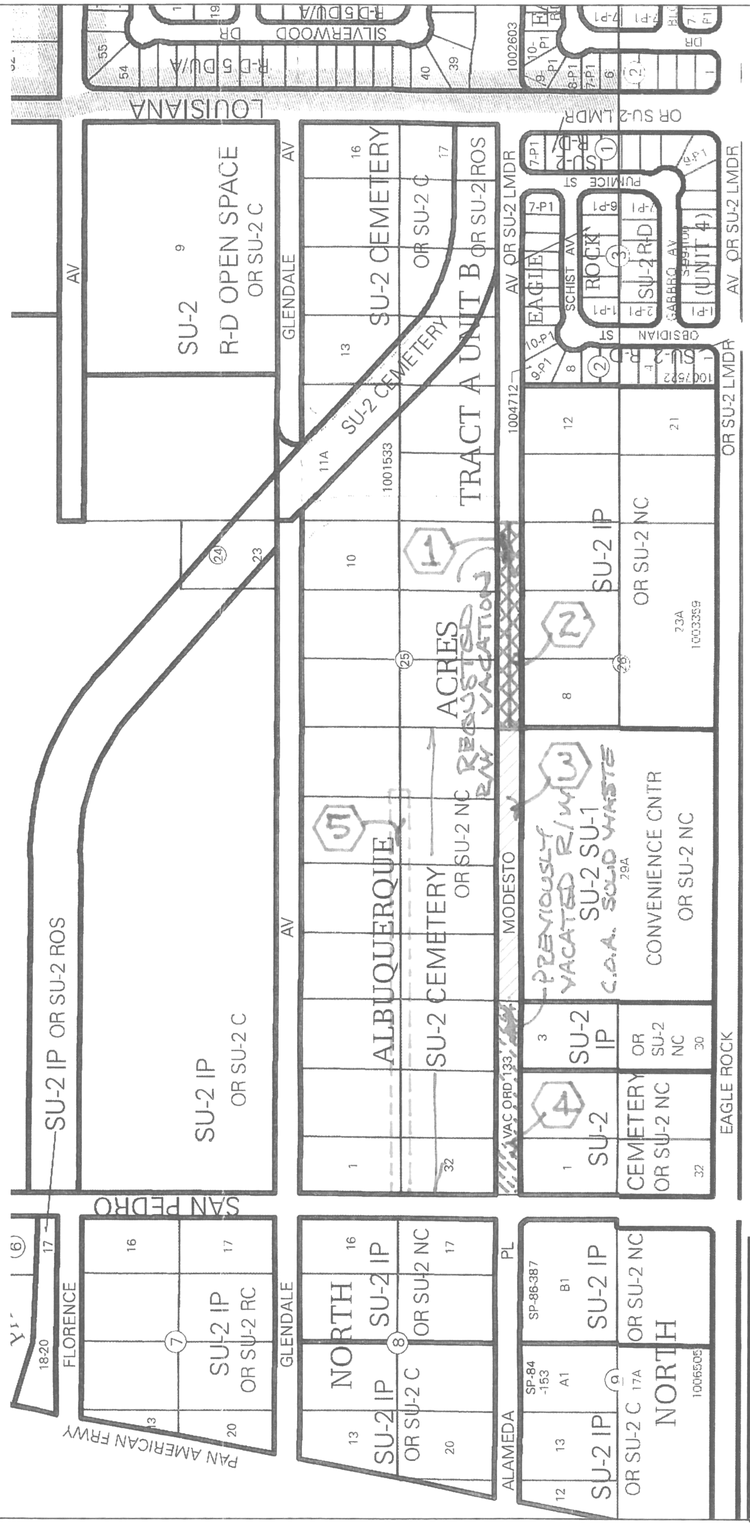

NTS

Vacation & Easement Notes

1. Northerly 30' of the vacated right-of-way to be replatted into the proposed Glendesto Subdivision (Lots 8, 9, 23 – 25, Block 25).

2. Southerly 30' of vacated right-of-way to be replatted into the adjacent property to the south (Lots 8 – 10 & 23-A, Block 26).

3. Full 60' width of vacated right-of-way to be replatted into the City Solid Waste Management Eagle Rock Convenience Center (Lot 29-A, Block 26).

4. Modesto Ave. ROW previously vacated by Vacation Ordinance 133.

5. 30' – 40' Private Access Easement to be granted to the benefit of Lots 26 – 31, Blk. 25 to provide legal access.

MODESTO AVE. RIGHT-OF-WAY VACATION EXHIBIT

SHEET 2 OF 2

ISAACSON & ARFMAN, P.A.
Consulting Engineering Associates
128 Monroe Street N.E.
Albuquerque, New Mexico 87108
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CITY OF ALBUQUERQUE
PLANNING DEPARTMENT
September 18, 2013
DRB Comments

ITEM # 7

PROJECT # 1004472 APPLICATION # 12-70676

RE: Lots 8-9 & 23-25, Tract A, Unit B, North Albuquerque Acres

A copy of the easement along the east boundary of this site is needed to determine if there are restrictions on access.
Lot sizes must be 36 feet wide for detached single family development.
The maximum number of dwellings on a stub street is limited to 3.

_____

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

667-0518

DEVELOPMENT REVIEW BOARD
AGENDA
Plaza del Sol Hearing Room, Basement, Plaza del Sol Building
January 15, 2014 9:00 a.m.
MEMBERS:

Jack Cloud, DRB Chair
Angela Gomez, Administrative Assistant

Kristal Metro, Transportation Development | **Allan Porter, ABCWUA**
Curtis Cherne, City Engineer | **Carol Dumont, Parks & Recreation**

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

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

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

1. Project# 1001920
13DRB-70804 MAJOR - 2YR SUBDIVISION IMPROVEMENT AGREEMENT EXTENSION (2YR SIA)

VIRGIL GIL requests the refernced/ above action for **VILLA SENDEROS** zoned R-LT, located on the south side of ST JOSEPH'S AVE NW between UNSER BLVD NW and 80th ST NW containing approximately 2.7022 acres. (G-10) **THE TWO YEAR EXTENSION OF THE SUBDIVISION IMPROVEMENT AGREEMENT (SIA) WAS APPROVED.**

2. Project# 1003613
13DRB-70669 MAJOR - 2YR SUBDIVISION IMPROVEMENT AGREEMENT EXTENSION (2YR SIA)

RIO GRANDE ENGINEERING agents for JOE R. HAHN request the referenced/ above action for **SUNSET VILLA SUBDIVISION,** zoned SU-1/ PRD, located on the south side of SUNSET GARDENS RD SW between ATRISCO RD SW and THE ARENAL DITCH containing approximately 14.71 acre(s). (K-17)*[Deferred from 10/2/13, 10/16/13, 10/30/13, 11/13/13, 12/11/13]* **DEFERRED TO 1/29/14.**

3. Project# 1004472
13DRB-70679 VACATION OF PUBLIC RIGHT-OF-WAY

ISAACSON AND ARFMAN PA agents for DOUBLE EAGLE REAL ESTATE & INVESTMENTS request the referenced/ above action for MODESTO AVENUE NE adjacent to Lots 23-25, Block 25, **NORTH ALBUQUERQUE ACRES Tact A Unit B,** located on MODESTO AVE NE between SAN PEDRO BLVD NE and LOUISIANA BLVD NE. (B-18/ C-18) *[deferred from 10/09/13. 11/6/13, 11/21/13, 12/11/13]* **DEFERRED TO 2/5/14.**

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

2. Project# 1000650
13DRB-70763 MAJOR – SITE DEVELOPMENT PLAN FOR BUILDING PERMIT

MODULUS ARCHITECTS INC agents for LAMONICA SHOPS LLC request the referenced/ above actions for Tracts 1-A-2-B AND 1-A-2-C, **LANDS OF LAMONICA AND WENK** zoned SU-1/ C-1 PERMISSIVE USES W/ LIQUOR SALES, located on the northeast corner of COORS BLVD SW and LAMONICA RD SW containing approximately 1.192 acres. (P-10) *[Deferred from 12/4/13]***DEFERRED TO 12/18/13.**

3. Project# 1002981
13DRB-70766 VACATION OF PUBLIC UTILITY EASEMENT(s)

SURV-TEK INC agents for 1224 BELLAMAH, LLC request the referenced/ above action for a portion of Public Waterline Easement and PNM Utility Easement on Lot B-1-A-3-A, **DUKE CITY LUMBER COMPANY ADDITION** zoned S/M-1, located on the north side of SAWMILL RD NW between 12TH ST NW and 15TH ST NW (J-13)**THE VACATION WAS APPROVED AS SHOWN ON EXHIBIT B IN THE PLANNING FILE PER SECTION 14-14-7-2(A) (1) AND (B) (1)(3) OF THE SUBDIVISION ORDINANCE.**

4. Project# 1004472
13DRB-70679 VACATION OF PUBLIC RIGHT-OF-WAY

ISAACSON AND ARFMAN PA agents for DOUBLE EAGLE REAL ESTATE & INVESTMENTS request the referenced/ above action for MODESTO AVENUE NE adjacent to Lots 23-25, Block 25, **NORTH ALBUQUERQUE ACRES Tact A Unit B,** located on MODESTO AVE NE between SAN PEDRO BLVD NE and LOUISIANA BLVD NE. (B-18/ C-18) *[deferred from 10/09/13. 11/6/13, 11/21/13]* **DEFERRED TO 1/15/13.**

5. Project# 1003613
13DRB-70669 MAJOR - 2YR SUBDIVISION IMPROVEMENT AGREEMENT EXTENSION (2YR SIA)

RIO GRANDE ENGINEERING agents for JOE R. HAHN request the referenced/ above action for **SUNSET VILLA SUBDIVISION,** zoned SU-1/ PRD, located on the south side of SUNSET GARDENS RD SW between ATRISCO RD SW and THE ARENAL DITCH containing approximately 14.71 acre(s). (K-17)*[Deferred from 10/2/13, 10/16/13, 10/30/13, 11/13/13]* **DEFERRED TO 1/15/13.**

CITY OF ALBUQUERQUE
PLANNING DEPARTMENT
DEVELOPMENT REVIEW BOARD

October 9, 2013

Project# 1004472
13DRB-70679 VACATION OF PUBLIC RIGHT-OF-WAY

ISAACSON AND ARFMAN PA agents for DOUBLE EAGLE REAL ESTATE & INVESTMENTS request the referenced/ above action for MODESTO AVENUE NE adjacent to Lots 23-25, Block 25, **NORTH ALBUQUERQUE ACRES Tact A Unit B,** located on MODESTO AVE NE between SAN PEDRO BLVD NE and LOUISIANA BLVD NE. (B-18/ C-18)

AMAFCA No Comments
COG No comments provided
TRANSIT No comments provided
ZONING ENFORCEMENT No comments provided
NEIGHBORHOOD COORDINATION
APS This will have no adverse impacts to the APS district.
POLICE DEPARTMENT This project is in the Northeast Area Command. - No Crime Prevention of CPTED comments concerning the proposed Vacation of Public Right-of-Way request at this time.
FIRE DEPARTMENT No Comments
PNM ELECTRIC & NMGCO No comments provided
COMCAST No comments provided
CENTURYLINK No comments provided
ENVIRONMENTAL HEALTH No comments provided
M.R.G.C.D 1. Previously reviewed 09/19/2008. 2. No Adverse Comments

OPEN SPACE DIVISION No comments provided
CITY ENGINEER Hydrology has no objection to the vacation.
TRANSPORTATION DEVELOPMENT Additional information must be provided regarding the remaining portions of Modesto Avenue; there appears to be a "floating" portion of right of way remaining.
PARKS AND RECREATION No Comments
ABCWUA No objection
PLANNING DEPARTMENT Refer to comments from Transportaion Development and affected agencies, plus any public hearing comments regarding proposed vacation. The vacation cannot leave portions of right of way which would not conform to DPM standards. Per the Subdivision Ordinance, this right of way vacation would require final approval by the City Council.

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

4. **Project# 1004472**
08DRB-70376 VACATION OF PUBLIC RIGHT-OF-WAY

MARK GOODWIN AND ASSOCIATES PA agent(s) for DOUBLE EAGLE REAL ESTATE request(s) vacation of the north half of Modesto Avenue NE over all or a portion of Lot(s) 23-25, Block(s) 25, **NORTH ALBUQUERQUE ACRES Tract A Unit B,** zoned SU-2 FOR CEMETERY, located on MODESTO NE BETWEEN SAN PEDRO DR NE AND LOUISIANA BLVD NE. (B-18) *[Deferred from 9/24/08, 10/8/08]***WITHDRAWN AT THE AGENTS REQUEST.**

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

5. **Project# 1002455**
08DRB-70446 EPC APPROVED SDP FOR BUILD PERMIT
08DRB-70447 EPC APPROVED SDP FOR SUBDIVISION

TIM M OTT request(s) the above action(s) for all or a portion of Lot(s) 2 & 3, **JJ SUBDIVISION** zoned SU-1 FOR C1, located on SAN ANTONIO DR NE BETWEEN I-25 AND SAN PEDRO NE containing approximately 2.6548 acre(s). (E-18) **DEFERRD TO 10/29/08 AT THE AGENT'S REQUEST.**

08DRB-70448 MINOR - PRELIMINARY/ FINAL PLAT APPROVAL

BORDENAVE DESIGNS agent(s) for TIM M OTT request(s) the above action(s) for all or a portion of Lot(s) 2 & 3, **JJ SUBDIVISION** zoned SU-1 FOR C1, located on SAN ANTONIO DR NE BETWEEN I-25 AND SAN PEDRO NE containing approximately 2.6548 acre(s). (E-18) **DEFERRD TO 10/29/08 AT THE AGENT'S REQUEST.**

6. **Project# 1007099**
08DRB-70422 EPC APPROVED SDP FOR BUILD PERMIT

VAN H GILBERT ARCHITECT agent(s) for SANDIA FOUNDATION, A NM NON-PROFIT request(s) the above action(s) for all or a portion of Lot(s) 1-11 & 33-38, Block(s) 17, **ZUNI ADDITION,** zoned C-2 / SU-1 FOR NURSERY, located on MENAUL BLVD NE BETWEEN MESILLA AND PENNSYLVANIA containing approximately 3.9197 acre(s). (H-19)*[Deferred from 10/1/08 & 10/15/08]* **THE SITE DEVELOPMENT PLAN FOR BUILDING PERMIT WAS APPROVED WITH FINAL SIGN-OFF DELEGATED TO CITY ENGINEER FOR SIA AND PLANNING TO ADDRESS STAFF PLANNERS COMMENTS AND FOR 3 COPIES OF THE APPROVED SITE PLAN.**

Stuart Paisano
Governor

Victor Montoya
Lt. Governor

(505) 867-3317
Fax (505) 867-9235

www.sandiapueblo.nsn.us

October 6, 2008

Jack Cloud, Chairman
CITY OF ALBUQUERQUE
Development Review Board
C/o Building and Planning Services Division
600 2nd Street NW
Albuquerque, New Mexico 87012

RE: Development Review Board meeting of October 8, 2008
(Project #1004472, 08DRB-70376, vacation of public right of way)

Dear Mr. Cloud:

The subject public right of way vacation request is for the north half of Modesto Avenue NE over all or a portion of Lot(s) 23-25, Block 25, North Albuquerque Acres, Tract A, Unit B. The Pueblo of Sandia owns Lots 10 through 22, Block 25, North Albuquerque Acres, Tract A, Unit B, immediately abutting the applicant's property and platted Modesto Avenue.

The Pueblo believes that the proposed vacation public right of way directly harms and diminishes our Modesto real property interests. Furthermore, the proposed vacation doesn't serve any identifiable public interest; therefore, the Pueblo of Sandia respectfully requests that Project #1004472, 08DRB-70376, vacation of public right of way be denied.

If you have questions, please contact Charles Atwood, realty officer of my staff at 771-5079.

Sincerely,

Stuart Paisano,
Governor

Cc: Melissa Torres,
Chuck Atwood, Pueblo of Sandia
File

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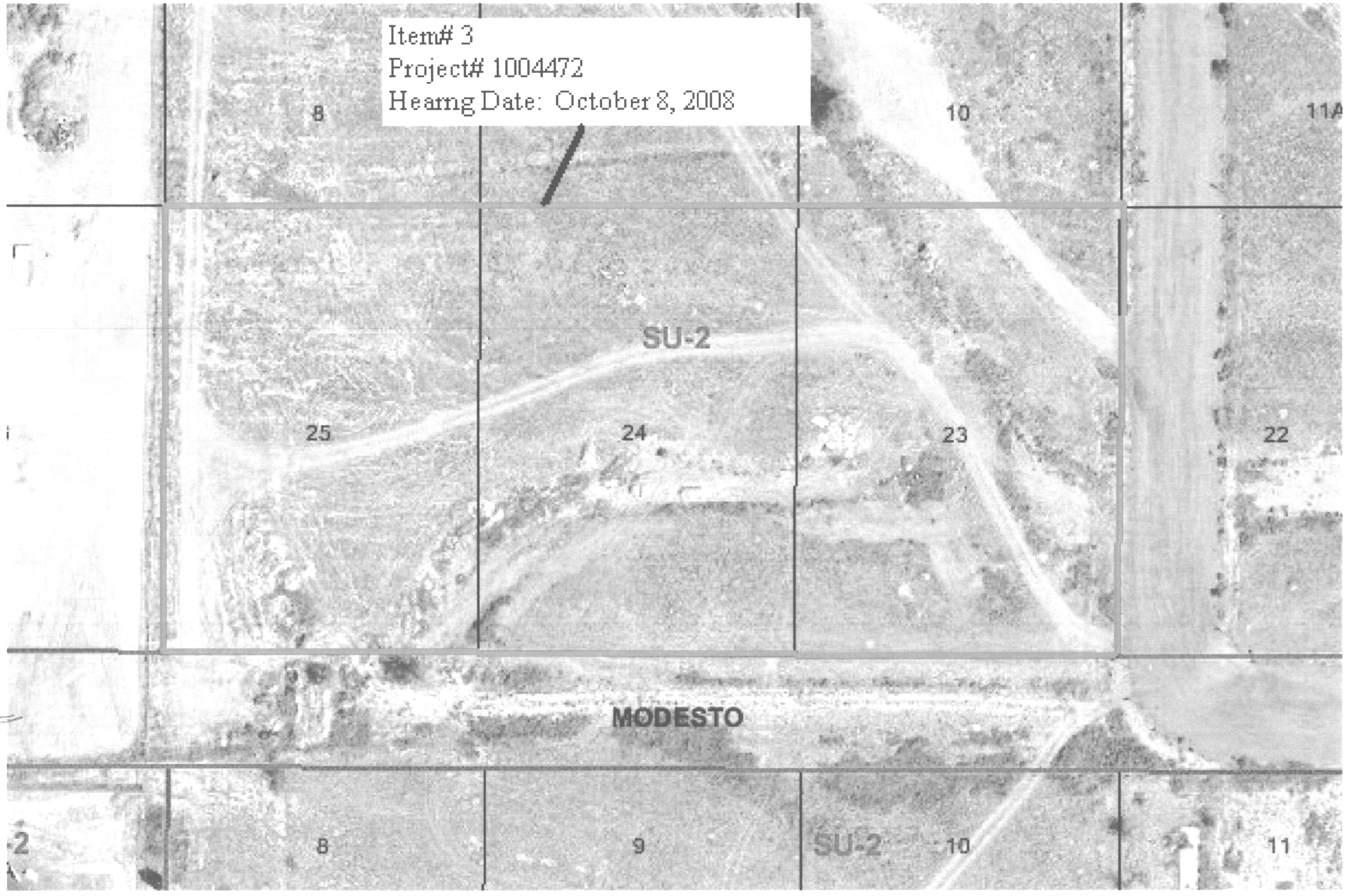

Item# 3
Project# 1004472
Hearng Date: October 8, 2008
8
10
11A
SU-2
25
24
23
22
MODESTO
2
8
9
SU-2
10
11

CITY OF ALBUQUERQUE
PLANNING DEPARTMENT
PROPERTY OWNERSHIP LIST

Meeting Date: September 24, 2008
Zone Atlas Page: B-18
Notification Radius: 100 Ft.

Project# 1004472
App# 08DRB-70376

Cross Reference and Location: MODESTO NE BETWEEN SAN PEDRO NE AND LOUISIANA NE

Applicant: DOUBLE EAGLE REAL ESTATE
PO BOX 14641
ALBUQUERQUE, NM 87191

Agent: MARK GOODWIN & ASSOCIATES
PO BOX 90606
ALBUQUERQUE, NM 87199

Special Instructions:

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

Date Mailed: SEPTEMBER 5, 2008
Signature: ERIN TREMLIN

City of Albuquerque

DEVELOPMENT/ PLAN REVIEW APPLICATION

Supplemental form

S	Z	V	P	D	L	A	

SUBDIVISION
- ___ Major Subdivision action
- ___ Minor Subdivision action
- X 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): MARK GOODWIN & ASSOCIATES PHONE: 828-2200
ADDRESS: P.O. BOX 90606 FAX:
CITY: ALBUQUERQUE STATE NM ZIP 87199 E-MAIL:

APPLICANT: DOUBLE EAGLE REAL ESTATE PHONE: 883-1414
ADDRESS: P.O. BOX 14641 FAX:
CITY: ALBUQUERQUE STATE NM ZIP 87191 E-MAIL:
Proprietary interest in site: OWNER **List all owners**:

DESCRIPTION OF REQUEST: VACATION OF RIGHT OF WAY (MODESTO AVENUE VACATION)

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

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

Lot or Tract No. LOTS 23-25 Block: 32 Unit: B
Subdiv/Addn/TBKA: NORTH ALBUQUERQUE ACRES
Existing Zoning: SU2 for CEMETERY Proposed zoning: SU2 MRGCD Map No
Zone Atlas page(s): B-18 UPC Code: 101806535002640101

CASE HISTORY:

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

CASE INFORMATION:

Within city limits? X Yes Within 1000FT of a landfill? NO
No. of **existing** lots: 3 No. of **proposed** lots: Total area of site (acres):
LOCATION OF PROPERTY BY STREETS: On or Near: MODESTO NE
Between: SAN PEDRO NE and LOUISIANA NE

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

SIGNATURE DATE 8/26/08
(Print) CURTIS McFADDEN 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
08DRB-70376	VRWI	V	$ 300.00
	ADV		$ 75.00
	CHF		$ 20.00
			$
			$
			Total $ 395.00

Hearing date 09/24/08

Sandy Handley 09/24/08
Planner signature / date

Project # 1004472

FORM V: SUBDIVISION VARIANCES & VACATIONS

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

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

☐ **VACATION OF PUBLIC EASEMENT (DRB27)**

☑ **VACATION OF PUBLIC RIGHT-OF-WAY (DRB28)**
- ✓ The complete document which created the public easement (folded to fit into an 8.5" by 14" pocket) **24 copies.** (Not required for City owned public right-of-way.)
- ✓ Drawing showing the easement or right-of-way to be vacated, etc. (not to exceed 8.5" by 11") **24 copies**
- ✓ Zone Atlas map with the entire property(ies) clearly outlined
- ✓ Letter briefly describing, explaining, and justifying the request
- ✓ Office of Community & Neighborhood Coordination inquiry response, notifying letter, certified mail receipts
- ✓ Sign Posting Agreement
- ✓ Fee (see schedule)
- ✓ List any original and/or related file numbers on the cover application

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

☐ **SIDEWALK VARIANCE (DRB20)**

☐ **SIDEWALK WAIVER (DRB21)**
- __ Scale drawing showing the proposed variance or waiver (not to exceed 8.5" by 14") **6 copies**
- __ Zone Atlas map with the entire property(ies) clearly outlined
- __ Letter briefly describing, explaining, and justifying the variance or waiver
- __ List any original and/or related file numbers on the cover application

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

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

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

☐ **TEMPORARY DEFERRAL OF SIDEWALK CONSTRUCTION (DRB19)**

☐ **EXTENSION OF THE SIA FOR TEMPORARY DEFERRAL OF SIDEWALK CONSTRUCTION (DRB07)**
- __ Drawing showing the sidewalks subject to the proposed deferral or extension (not to exceed 8.5" by 14") **6 copies**
- __ Zone Atlas map with the entire property(ies) clearly outlined
- __ Letter briefly describing, explaining, and justifying the deferral or extension
- __ List any original and/or related file numbers on the cover application

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

☐ **VACATION OF PRIVATE EASEMENT (DRB26)**

☐ **VACATION OF RECORDED PLAT (DRB29)**
- __ The complete document which created the private easement/recorded plat (not to exceed 8.5" by 14") **6 copies**
- __ Scale drawing showing the easement to be vacated (8.5" by 11") **6 copies**
- __ Zone Atlas map with the entire property(ies) clearly outlined
- __ Letter/documents briefly describing, explaining, and justifying the vacation **6 copies**
- __ Letter of authorization from the grantors and the beneficiaries (private easement only)
- __ Fee (see schedule)
- __ List any original and/or related file numbers on the cover application

Unless the vacation is shown on a DRB approved plat recorded by the County Clerk within one year, it will expire.
DRB meetings are approximately 8 DAYS after the Tuesday noon filing deadline. **Your attendance is required.**

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

CURTIS MCFADDEN
Applicant name (print)

8/27/08
Applicant signature / date

Form revised 4/07

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

Application case numbers
08DRB-70316
_____
_____

Sandy Handley 08/27/08
Planner signature / date

Project # 1004472

Rec	UPC	OWNER	OWNADD	OWNCITY	OWNSTATE	OWNZIPCODE	PROPCLASS	TAXDIST	LEGALDESC	ACRES	OBJECTID
1	10180653502554051 0	PUEBLO OF SANDIA	481 SANDIA LOOP RD	BERNALILLO	NM	87004	C	A1A	LTS 3A THRU 6A & 7 CORONADO INDUSTRIAL PARK TOGETHER WITHLTS 1, 2, 8 & 9 OF LANDS OF CORONADO AIRPORT REDIVISIONLANDS OF CORONADO AIRPORT & BLK 24 NORTH ALBUQ ACRES TR A	259.53965854	323
2	10180654490394012 2	PUEBLO OF SANDIA	481 SANDIA LOOP RD	BERNALILLO	NM	87004	V	A1A	LT 11A BLK 25 CORRECTED PLAT OF LOT 11A BLOCK 25 NORTHALBUQUERQUE ACRES TRACT A UNIT B CONT 2.0323 AC	2.0643922 5	32618
3	10180652550393020 6	BROWN JAMES & KATHY	11741 SKY VALLEY WAY	ALBUQUERQUE	NM	87111	C	A1A	* 016 008NORTH ALBUQ ACRES TR A UNIT B	0.6979878 9	32623
4	10180653500264012 01	SANDIA MEMORY GARDEN LLC	4310 SARA RD SE	RIO RANCHO	NM	87124	C	A1A	LTS 1 THRU 9 & 23 THRU 32 BLK 25, LTS 1 THRU 3 & 30 THRU 32BLK 26 & PORT OF VACATED MODESTO AVE NE TR A UNIT B NORTH ALBUQ ACRES CONT 21,51 AC M/L	22.21679957	32627
5	10180654230384012 3	PUEBLO OF SANDIA	481 SANDIA LOOP RD	BERNALILLO	NM	87004	V	A1A	* 010 025TR A UNIT B NORTH ALBUQ ACRES	0.9124083 9	32628
6	10180642524582080 8	MILLER FAMILY REAL ESTATE LLC	5995 ALAMEDA NE	ALBUQUERQUE	NM	87113	C	A1A	* 016 010NO ALBU AC TR A UNIT B	0.6939392 5	42262
7	10180642524902100 6	JR & SR LLC	7300 LOMAS BLVD NE	ALBUQUERQUE	NM	87110	V	A1A	* 017 009TRACT A UNIT B NORTH ALBUQUERQUE ACRES	0.8970734 9	44157
8	10180642455122100 8	PEARCY LARRY & KATHERINE	PO BOX 2959	CORRALES	NM	87048	V	A1A	LT B-1 (AMENDED REPLAT OF LTS A2 & B) BLK 9 TRACT A UNIT B NORTH ALBUQUERQUE ACRES CONT 70,040 SQ FT	1.6116571	47931
9	10180643474981052 6	CITY OF ALBUQUERQUE REAL ESTATE OFFICE	PO BOX 1293	ALBUQUERQUE	NM	87103	C	A1A	LOT 29-A BLOCK 26 PLAT OF LT 29-A BLK 26 NORTH ALBUQUERQUE ACRES CONT 7.0909 AC M/L OR 308,880 SQ FT M/L	7.0894423 1	47933
10	10180643865121051 25	KASSAM BUSINESS CENTER LLC	6501 AMERICAS PKWY NE SUITE 1050	ALBUQUERQUE	NM	87110	V	A1A	* 008 026TRA UB N ALBU AC	0.8450147 6	47934
11	10180644035121052 4	AK MANAGEMENT INC	8815 DANCING EAGLE CT NE	ALBUQUERQUE	NM	87113	V	A1A	* 009 026TRA UB N ALBU AC	0.8636314 3	48044
12	10180644205121052 3	AK MANAGEMENT INC	8815 DANCING EAGLE CT NE	ALBUQUERQUE	NM	87113	V	A1A	* 010 026TRA UB N ALBU AC	0.9006109 3	48046
1	1018	RESOURCE	5501 JEF	ALB	N	871	V	A	* 011 026TRA UB N ALBU AC	0.8	48

3	0644 3651 2105 22	TECHNOLOGY INC	FERSON BLVD NE SUITE 200	UQUERQUE	M	09		1A		685 6923	047
14	1018 0652 5506 9304 04	KENYON CONSTRUCTION INC	2602 N 35TH AVE	PHOENIX	AZ	85009	C	A1A	* 017 007TR A UNIT B NORTH ALBUQ AC	0.7 684 323 4	48 18 8
15	1018 0654 2306 9403 06	AMAFCA	2600 PROSPECT AVE NE	ALBUQUERQUE	NM	87107	V	A1A	* 023 024NORTH ALBUQ ACRES TR A U B	0.8 665 605 7	48 19 2
16	1018 0652 5401 6302 05	BROWN JAMES & KATHY	11741 SKY VALLEY WAY	ALBUQUERQUE	NM	87111	C	A1A	* 017 008NORTH ALBUQ ACRES TR A UNIT B	0.6 597 352 4	50 98 6
17	1018 0654 4101 6401 11	PUEBLO OF SANDIA	481 SANDIA LOOP RD	BERNALILLO	NM	87004	V	A1A	* 022 025TR A UNIT B NORTH ALBUQ ACRES	0.8 852 278	50 99 3
18	1018 0643 2045 8117 04	BAUER & LOUCKS ENTERPRISES LLC	9320 SAN PEDRO DR NE	ALBUQUERQUE	NM	87113	C	A1A	LT 4 BLK 27 TRACT A UNIT B NORTH ALBUQUERQUE ACRESCONT .8864 AC	0.8 639 005 4	78 34 9
19	1018 0643 0345 8117 03	BAUER & LOUCKS ENTERPRISES LLC	9320 SAN PEDRO DR NE	ALBUQUERQUE	NM	87113	C	A1A	LT 3 BLK 27 TRACT A UNIT B NORTH ALBUQUERQUE ACRESCONT .8864 AC	0.9 102 411 7	78 35 1
20	1018 0642 8745 8117 02	BAUER & LOUCKS ENTERPRISES LLC	9320 SAN PEDRO DR NE	ALBUQUERQUE	NM	87113	C	A1A	LT 2 BLK 27 TRACT A UNIT B NORTH ALBUQUERQUE ACRESCONT .8864 AC	0.8 955 219 5	78 35 7
21	1018 0642 7245 8117 01	BAUER & LOUCKS ENTERPRISES LLC	9320 SAN PEDRO DR NE	ALBUQUERQUE	NM	87113	C	A1A	LOT 1 BLK 27 TRACT A UNIT B NORTH ALBUQUERQUE ACRESCONT. 0.7553 AC.	0.7 160 268 2	78 35 9

OR CURRENT RESIDENT
101806440351210524
AK MANAGEMENT INC
8815 DANCING EAGLE CT NE
ALBUQUERQUE, NM 87113

OR CURRENT RESIDENT
101806525503930206
BROWN JAMES & KATHY
11741 SKY VALLEY WAY
ALBUQUERQUE, NM 87111

OR CURRENT RESIDENT
101806438651210525
KASSAM BUSINESS CENTER LLC
6501 ANERICAS PKWY NE SUITE 1050
ALBUQUERQUE, NM 87110

OR CURRENT RESIDENT
101806424551221008
PEARCY LARRY & KATHERINE
PO BOX 2959
CORRALES, NM 87048

Project# 1004472
DOUBLE EAGLE REAL ESTATE
PO BOX 14641
ALBUQUERQUE, NM 87191

Project# 1004472
JOE YARDUMIAN
Nor Este NA
7801 RC GORMAIN AVE NE
ALBUQUERQUE, NM 87122

OR CURRENT RESIDENT
101806542306940306
AMAFCA
2600 PROSPECT AVE NE
ALBUQUERQUE, NM 87107

OR CURRENT RESIDENT
101806535002640101
SANDIA MEMORY GARDEN LLC
4310 SARA RD SE
RIO RANCHO, NM 87124

OR CURRENT RESIDENT
101806525506930404
KENYON CONSTRUCTION INC
2602 N 35TH AVE
PHOENIX, AZ 85009

OR CURRENT RESIDENT
101806535025540510
PUEBLO OF SANDIA
481 SANDIA LOOP RD
BERNALILLO, NM 87004

Project# 1004472
MARK GOODWIN & ASSOC.
PO BOX 90606
ALBUQUERQUE, NM 87199

OR CURRENT RESIDENT
101806432045811704
BAUER & LOUCKS ENTERPRISES LLC
9320 SAN PEDRO DR NE
ALBUQUERQUE, NM 87113

OR CURRENT RESIDENT
101806425249021006
JR & SR LLC
7300 LOMAS BLVD NE
ALBUQUERQUE, NM 87110

OR CURRENT RESIDENT
101806425245820808
MILLER FAMILY REAL ESTATE LLC
5995 ALAMEDA NE
ALBUQUERQUE, NM 87113

OR CURRENT RESIDENT
101806443651210522
RESOURCE TECHNOLOGY INC
5501 JEFFERSON BLVD NE SUITE 200
ALBUQUERQUE, NM 87109

Project# 1004472
JEFF PETERSON
Nor Este NA
7800 EAGLE ROCK AVE NE
ALBUQUERQUE, NM 87111

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

PLEASE NOTE: The Neighborhood and/or Homeowner Association information listed in this letter is valid for one (1) month. If you haven't filed your application within one (1) month of the date of this letter – you will need to get an updated letter from our office. It is your responsibility to provide current information – outdated information may result in a deferral of your case.

August 21, 2008

Lisa Anglada
Mark Goodwin and Associates, PA
P.O. Box 90606/87199
Phone: 828-2200/Fax: 797-9539

Dear Lisa:

Thank you for your inquiry of **August 21, 2008** requesting the names of **ALL Neighborhood and/or Homeowner Associations** who would be affected under the provisions of O-92 by your proposed project at **LOTS 23-25, BLOCK 32, TRACT A, UNIT B, NORTH ALBUQUERQUE ACRES** zone map **B-18.**

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

NOR ESTE N.A. (NRE) "R"
***Jeff Peterson**
7800 Eagle Rock Ave. NE/87111 797-3477 (h)
Joe Yardumian
7801 R.C. Gorman Ave. NE/87122-2748 797-1851 (h)

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

Sincerely,

Stephani Winklepleck

Stephani Winklepleck
Neighborhood Liaison
OFFICE OF NEIGHBORHOOD COORDINATION
Planning Department

planningrnaform(11/23/07)

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

D Mark Good Associates, P.A.
Consulting Engineers
P.O. BOX 90606, ALBUQUERQUE,NM 87199
(505) 828-2200 FAX 797-9539

August 25, 2008

Mr. Jeff Peterson
Nor Este Neighborhood Association
7800 Eagle Rock Avenue NE
Albuquerque, NM 87111

Mr. Joe Yardumian
Nor Este Neighborhood Association
7801 R.C. Gorman Avenue NE
Albuquerque, NM 87122

Re: Modesto Avenue

Dear Mr. Peterson and Mr.Yardumian:

Enclosed please find a copy of the DRB Application for the Vacation of Right-of-Way for the referenced project. The anticipated date to be heard is September 24, 2008. Please contact Curtis McFadden of our office if you have any questions or concerns.

Sincerely,

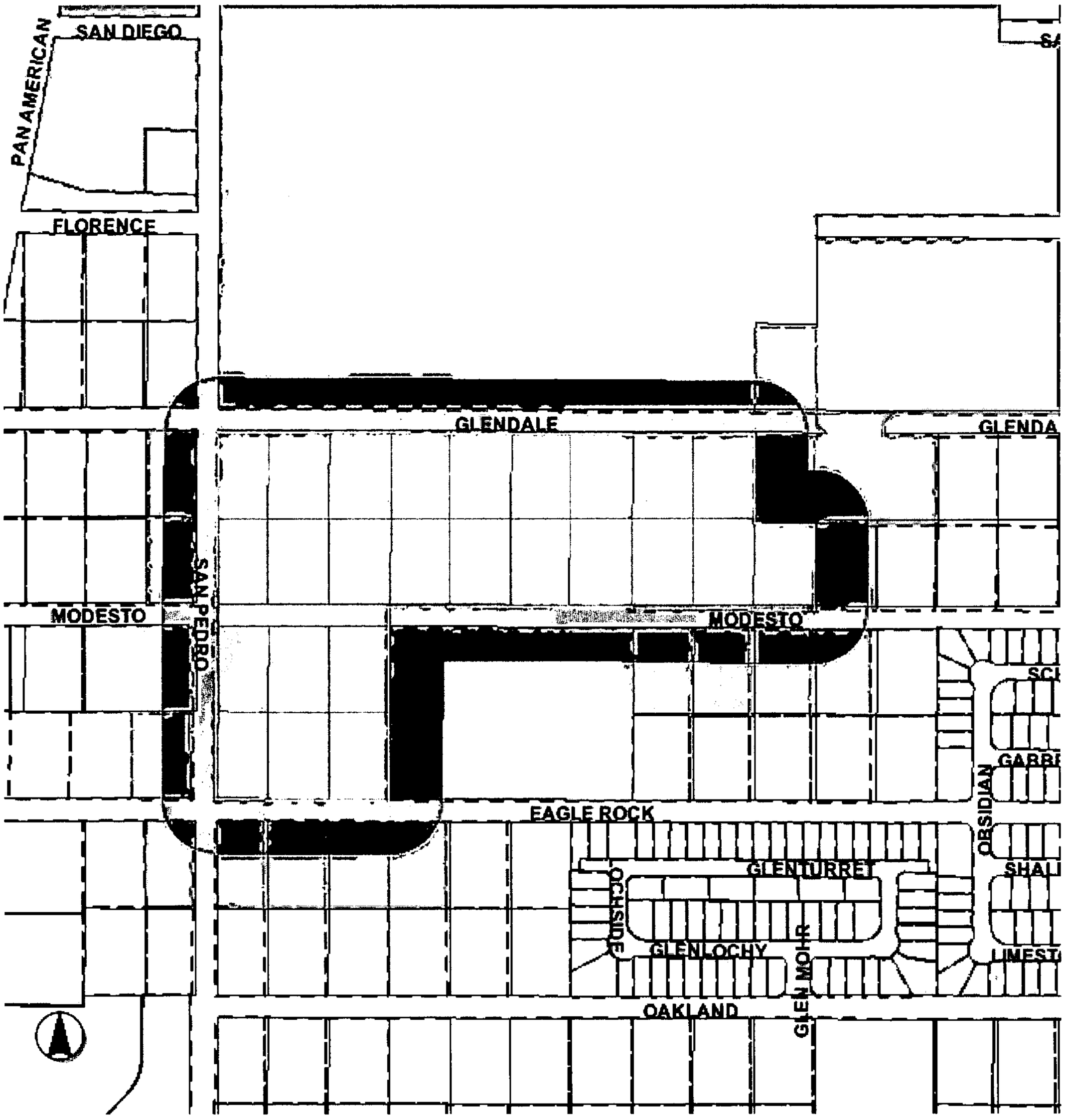
MARK GOODWIN & ASSOCIATES, PA

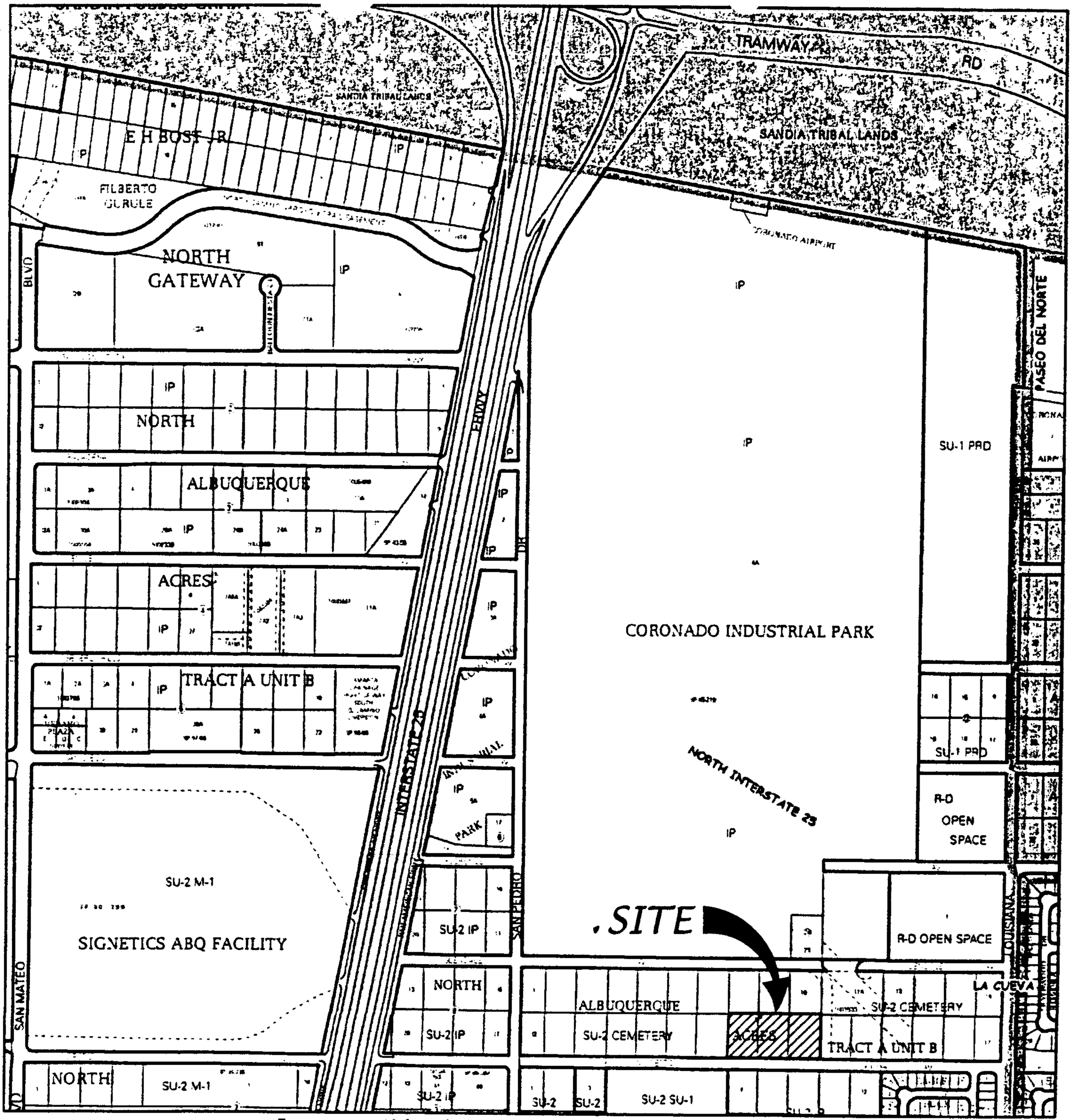
Susan Rasinski
Office Manager

/sr

Enclosure

F:\1-Projects\2008\A08050 - Modesto Ave Vacation\Neighborhood Assoc.doc

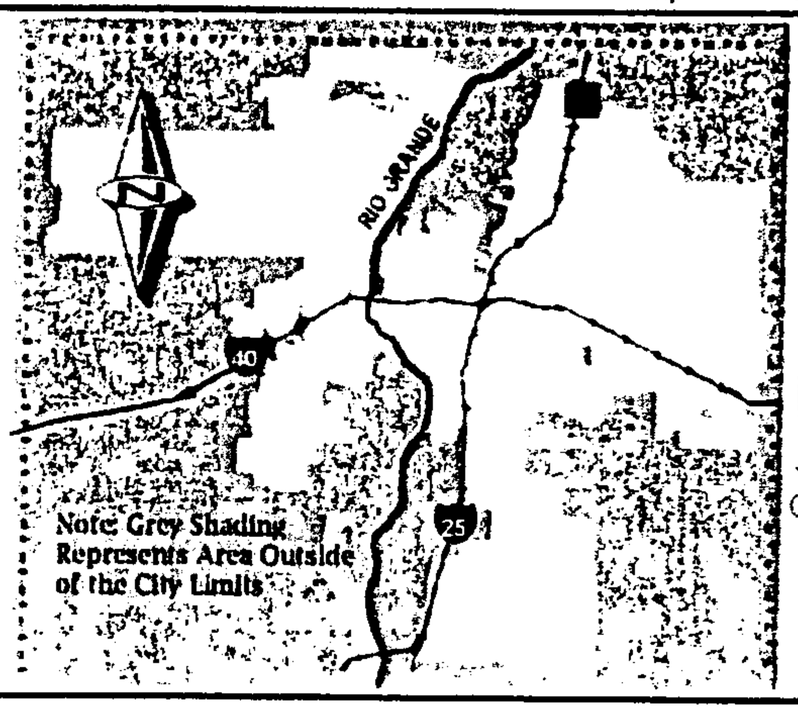

SAN DIEGO
PAN AMERICAN
FLORENCE
GLENDALE
GLENDA
MODESTO
SAN PEDRO
MODESTO
SCI
GARBI
ORSIDIAN
EAGLE ROCK
GLENTURRET
OCHSIDE
SHAI
GLENLOCHY
LIMEST
OAKLAND



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

AGIS
Albuquerque Geographic Information System

Map amended through: 6/13/2008



Zone Atlas Page:

B-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

0 250 1,500 Feet

D. Mark Goodwin & Associates, P.A.
Consulting Engineers
P.O. BOX 90606, ALBUQUERQUE,NM 87199
(505) 828-2200 FAX 797-9539

~ 2008 ACEC/NM Award Winner for Engineering Excellence, Small Firm ~

August 26, 2008

Jack Cloud
DRB Chair
City of Albuquerque
PO Box 1293
Albuquerque, NM 87103

Re: Modesto Avenue Vacation - Request Vacation of Public Easements
Block 25, Tract A, Unit B Lots 23, 24, and 25, North Albuquerque Acres

Dear Mr. Cloud:

On behalf of our client, Double Eagle Real Estate, I am requesting approval of the vacation of the public easements for the referenced project. This project is located north of the existing Modesto Avenue NE. Our client's request is to vacate the Modesto Avenue right-of-way easement that runs along the southern boundary of Lots 23, 24 and 25.

ACCESS
Access to the site is off of existing Modesto Avenue right-of-way and Glendale Ave. There is a right- of-way connection between Modesto and Glendale that runs north and south, located east of Lot 23.

UTILITIES

There is an existing sanitary sewer line part of Desert Ridge Trails utility improvements City Project # 675481 that will be required to route new SAS to connect to this line. There will be an 8" waterline in Modesto Avenue which will be installed with the Eagle Rock Business Park Project.

For your information The Desert Ridge Trails As-builts are include in this submittal.

Please call me if you have any questions.

Sincerely,

MARK GOODWIN & ASSOCIATES, P.A.

Curtis McFadden, EI
Project Engineer

CMM/sr

F:\1-Projects\2008\A08050 - Modesto Ave Vacation\DRB\ vacation_Drb_ltr

PUBLIC HEARING--DEVELOPMENT REVIEW BOARD
CITY OF ALBUQUERQUE

Notice is hereby given that the Development Review Board, City of Albuquerque, will hold a public hearing in the **Plaza del Sol Hearing Room, Basement, Plaza del Sol Building, 600 2nd St NW,** on **Wednesday, October 8, 2008,** beginning at **9:00 a.m.** for the purpose of considering the following:

Project# 1007472
08DRB-70399 VACATION OF PUBLIC EASEMENT
08DRB-70401 SKETCH PLAT REVIEW AND COMMENT

HIGH MESA CONSULTING GROUP agent(s) for ALBUQUERQUE PUBLIC SCHOOLS request(s) the above action(s) for all or a portion of Tract(s) A, **PLAT OF HIGHLAND HIGH SCHOOL** zoned O-1, located between COAL AVE SE AND ZUNI RD SE, BETWEEN JEFFERSON ST SE AND JACKSON ST SE containing approximately 23.47 acre(s). (K-17)

Project# 1007473
08DRB-70402 VACATION OF PUBLIC EASEMENT
08DRB-70403 SKETCH PLAT REVIEW AND COMMENT

HIGH MESA CONSULTING GROUP agent(s) for ALBUQUERQUE PUBLIC SCHOOLS request(s) the above action(s) for all or a portion of **UNPLATTED LAND IN SEC 10, T11N, R2E, N.M.P.M.** zoned SU-1 PRD - FAR 0.5, located on the south side of PARADISE BLVD NW BETWEEN UNIVERSE BLVD NW AND UNSER BLVD NW containing approximately 39.528 acre(s). (B-10)

Project# 1004472
08DRB-70376 VACATION OF PUBLIC RIGHT-OF-WAY

MARK GOODWIN AND ASSOCIATES PA agent(s) for DOUBLE EAGLE REAL ESTATE request(s) vacation of the north half of Modesto Avenue NE over all or a portion of Lot(s) 23-25, Block(s) 25, **NORTH ALBUQUERQUE ACRES Tract A Unit B,** zoned SU-2 FOR CEMETERY, located on MODESTO NE BETWEEN SAN PEDRO DR NE AND LOUISIANA BLVD NE. (B-18)

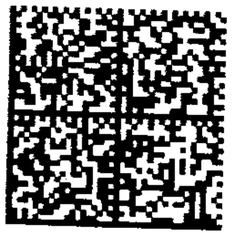
Details of the application(s) may be examined at the Development Services Center of the Planning Department, Second Floor, Plaza Del Sol Building, 600 2nd St NW, between 10:00 a.m. and 12:00 p.m. or 2:00 p.m. and 4:00 p.m. Monday through Friday except holidays INDIVIDUALS WITH DISABILITIES who need special assistance to participate at this hearing should contact Angela Gomez, Planning Department, at 924-3946 (VOICE) or teletypewriter (TTY) 924-3361 – TTY users may also access the Voice number via the New Mexico Relay Network by calling toll-free 1-800-659-8331.

Jack Cloud, AICP, DRB Chair
Development Review Board

TO BE PUBLISHED IN THE ALBUQUERQUE JOURNAL MONDAY, SEPTEMBER 22, 2008.

CITY OF ALBUQUERQUE

Planning Department



UNITED STATES POSTAGE
PITNEY BOWES
02 1M
0004261639
$ 00.42⁰
SEP 22 2008
MAILED FROM ZIP CODE 87102

OR CURRENT RESIDENT
101806440351210524
AK MANAGEMENT INC
8815 DANCING EAGLE CT NE
ALBUQUERQUE, NM 87113

DRB

NIXIE 871 CE 1 70 09/26/08
RETURN TO SENDER
ATTEMPTED - NOT KNOWN
UNABLE TO FORWARD
BC: 87103129393 *0659-06490-22-41

87113-1354
87103@1293

INTERA Incorporated
6000 Uptown Boulevard NE
Suite 100
Albuquerque, NM 87110
Telephone: 505 246 1600
Fax: 505 246 2600

MEMORANDUM

DATE: October 6, 2008

TO: Jack Cloud, Planning Department – Design Review Board

COPY: Suzanne Busch, Environmental Health Department
Donna Griffin, Legal Department
Mark Goodwin and Associates

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

SUBJECT: Project # 1004472, 08DRB-70376 Vacation of Public Right-of-Way, Lots 23-25, Block 25, North Albuquerque Acres Tract A Unit B, Located on Modesto NE Between San Pedro Dr. NE and Louisiana Blvd. NE.

The above-referenced project is within the former buffer zone of a former privately owned/operated landfill (Oakland Avenue Landfill). The landfill was removed during March 2008 and no longer provides a source for potential landfill gas impacts. Therefore, the Albuquerque Environmental Health Department has exempted the project from following the most current version of the "City of Albuquerque Interim Guidelines for Development within City Designated Landfill Buffer Zones." The project may proceed through the development process provided all other City requirements are met.

RESTRAINED JOINT LENGTH FOR BENDS, VALVES, DEAD ENDS (FT.)					
PIPE SIZE	90°	45°	22.5°	11.25°	VALVE
6"	17'	7'	3'	2'	46'
8"	22'	9'	4'	2'	60'
14"	30'	12'	6'	3'	85'

LENGTH OF RESTRAINED PIPE ON EACH SIDE OF THE BEND. RESTRAIN BRANCH AT FITTING ONLY MINIMUM ATTACHED PIPE LENGTH, RUN SIDE OF TEE. 10.00 FEET.

RESTRAINED JOINT LENGTHS FOR REDUCERS (FT.)		
PIPE SIZE	LARGE SIDE	SMALL SIDE
8" X 6"	25'	33'

RESTRAINED JOINT LENGTH FOR TEES (FT.)		
PIPE SIZE	RUN	BRANCH
14"x14"x8"	8'	5'
8"x8"x8"	13'	3'
8"x8"x6"	7'	5'
6"x6"x6"	10'	2'

NOTES

1. ALL STATIONING IS CENTERLINE STATIONING.

LEGEND

REMOVE & REUSE AS GRAVEL ROAD 4059 S.Y. EXIST. ASPHALT

LIMITS OF NEW PAVING

21+50.00 MATCHLINE (SEE SHEET #29)

21+53.88 CL NEW SAS MANHOLE #21 RIM = 55.77

26+03.68 CL NEW SAS MANHOLE #20 RIM = 62.83

26+17.68 CL NEW SAS MONITORING MANHOLE RIM = 63.18 SEE DETAIL THIS SHEET

29+75.49 CL NEW SAS MANHOLE #29 RIM = 68.11

32+56.48 CL NEW SAS MANHOLE #28 RIM = 79.79

35+72.98 10.00' LT 1 - 8" GATE VALVE 1 - TYPE "B" VALVE BOX 1 - 8" CAP RELOCATED

35+72.98 20.00' LT FL=83.49

36+02.45 20.00' LT FL=94.57

36+26.96 10.00' LT 1 - 14"x 8" TEE RELOCATED

36+41.48 CL GLENDALE AVENUE N.E. 25+82.74 CL LOUISIANA BOULEVARD N.E.

LOUISIANA BOULEVARD N.E. SEE SHEET 33

22+00 23+00 24+00 25+00 26+00 27+00 28+00 29+00 30+00 31+00 32+00 33+00 34+00 35+00 36+00

18"SAS

GLENDALE AVENUE N.E.

N 99°40'18" W

FUTURE STD. CURB & GUTTER

EXIST. EDGE OF PVMT.

TRAIL

PROPOSED LA CUEVA CHANNEL COA PROJECT #677181

PROPOSED MAINTENANCE ROAD

100' AMAFCA R/W

8" SAS

LOUISIANA BOULEVARD

14'

26+03.68 RIM= 62.83

26+17.68 RIM= 63.18

8" PVC SAS

S= 3.18%

18" SAS

29" CASING

INV= 47.65

INV= 48.10

INV= 43.99

INV= 44.09

INV= 44.54

INV= 44.64

MONITORING WELL DETAIL

NTS

35+72.97 20.00' RT FL=91.69

36+02.52 20.00' RT FL=94.89

36+41.48 CL NEW SAS MANHOLE #7 RIM = 96.21

GLENDALE AVENUE N.E.
STA. 21+50.00 TO STA. 36+41.48
SCALE: HORZ. 1" = 50'
VERT. 1" = 10'

NOTE: THIS WORK TO BE DONE AHEAD OF COA PROJECT #677181- LA CUEVA ARROYO PROJECT.

5300 5290 5280 5270 5260 5250 5240 5230

450.00 LF NEW 18" PVC SAS SLOPE = 2.45%

250.00 LF NEW 18" PVC SAS SLOPE = 2.41%

257.81 LF NEW 18" PVC SAS SLOPE = 3.8%

387.00 LF NEW 18" PVC SAS SLOPE = 3.19%

383.00 LF NEW 18" PVC SAS SLOPE = 3.19%

14.00 LF NEW 18" PVC SAS SLOPE = 3.18%

EXISTING CL GRADE OF EXISTING PAVEMENT

ALL BACKFILL TO BE AT 95%

WELD A ROUND 3/8" THICK STEEL PLATE ON END OF CASING WITH A HOLE LARGE ENOUGH TO PASS THE 18" SAS.

NEW 18"SAS

INSTALL 28" STEEL CASING

27+43.96 CL END CASING, INV.OF 18" SAS= 48.85

FUTURE SLOPE=3.60% FL LT

FUTURE SLOPE=4.20% FL RT

NEW CL SLOPE AFTER SAS IS INSTALLED

NEW CL SLOPE = 5.00% AFTER SAS IS INSTALLED

FUTURE SLOPE=5.00% FL RT & LT

NEW 8"WL

FH 15+00.00 (90.13) PM 35+22.98 (NO WL) FL=91.69

FH 33+09.45 (89.70)

PM 36+89.55 (91.97) FL=91.80

EXIST. 8" WL (94.89)

NEW 18"SAS

21+50.00 CL SAS MH #21 RIM = 55.77 INV(W) = 37.18 INV(N) = 37.66 INV(E) = 37.66 RIM = 55.77

26+03.68 CL SAS MH #20 NEW 4'ø TYPE "A" MANHOLE INV(W) = 43.39 INV(E) = 43.09 RIM = 62.83

26+17.68 CL SAS MONITORING MANHOLE SEE DETAIL THIS SHEET INV(W) = 44.54 INV(E) = 44.64 RIM = 63.18

26+52.89 CL EDGE OF R/W

27+00.80 CL PROPOSED LA CUEVA CHANNEL

27+92.55 CL EDGE OF R/W

28+39.39 CL EDGE OF COA DE SAC

29+75.49 CL SAS MH #29 NEW 4'ø TYPE "A" MANHOLE INV(W) = 52.84 INV(E) = 52.24 RIM = 68.11

32+56.48 CL SAS MH #28 NEW 4'ø TYPE "A" MANHOLE INV(W) = 65.16 INV(E) = 65.56 RIM = 79.79

36+41.48 CL SAS MH #7 NEW 4'ø TYPE "A" MANHOLE INV(W) = 77.18 INV(N) = 77.48 INV(E) = 77.99 RIM = 96.21

22+00 23+00 24+00 25+00 26+00 27+00 28+00 29+00 30+00 31+00 32+00 33+00 34+00 35+00 36+00

AS BUILT INFORMATION

CONTRACTOR — DATE
WORK STAKED BY — DATE
INSPECTORS FIELD CHANGES BY — DATE
VERIFICATION BY — DATE
CORRECTED BY — DATE

MICRO-FILM INFORMATION

RECORDED BY — DATE
NO.

BENCH MARKS

"I-B20", THE STATION IS LOCATED 9 MILES N. E. OF DOWNTOWN ALBUQUERQUE. TO REACH THE STATION FROM THE INTERSECTION OF LOUISIANA BLVD. AND LOS ANGELES DR., GO EAST ON LOS ANGELES DR. 1.0 MILE TO BARSTOW ST.; THEN NORTH ON BARSTOW ST. 1.0 MILE TO MODESTO AVE.. THE STA. IS LOCATED IN THE N.E. QUADRANT

STATION MARK IS A STANDARD ACS BRASS TABLET, STAMPED "I-B20" X = 410,237.56, Y = 1,524,082.46, C-G = 0.9996174.0

DELTA ALPHA = 0°10'23", CENTRAL ZONE, (NAD 1927)

ELEVATION = 5474.510' (SLD 1929)

SURVEY INFORMATION

FIELD NOTES

NO. | DATE | BY

ENGINEER'S SEAL

NO.	DATE	REMARKS
		REVISIONS
		DESIGN

DESIGNED BY GJK — DATE 04/01
DRAWN BY AJR — DATE 04/01
CHECKED BY DMG — DATE 04/01

MARK GOODWIN & ASSOCIATES, P.A.
CONSULTING ENGINEERS
P.O. BOX 90606
ALBUQUERQUE, NEW MEXICO 87199
(505) 828-2200, FAX (505) 797-9539

CITY OF ALBUQUERQUE
PUBLIC WORKS DEPARTMENT

TITLE: DESERT RIDGE TRAILS - UNITS 1, 2 & 3
GLENDALE AVENUE N.E.
UTILITY IMPROVEMENTS

DESIGN REVIEW COMMITTEE — APR 13 2002

RECOMMENDED FOR APPROVAL — APR 14 2002 — CITY ENGINEER

LAST DESIGN UPDATE — MO./DAY/YR

MO./DAY/YR

CITY PROJECT NO. 675481

ZONE MAP NO. C-19-Z

SHEET OF 30 54

A00129\MP\PLANS\GLENDALE-UT2\03-12-02\MJR.K.JS

CITY OF ALBUQUERQUE
PLANNING DEPARTMENT
DEVELOPMENT REVIEW BOARD

October 8, 2008

Project# 1004472
08DRB-70376 VACATION OF PUBLIC RIGHT-OF-WAY

MARK GOODWIN AND ASSOCIATES PA agent(s) for DOUBLE EAGLE REAL ESTATE request(s) vacation of the north half of Modesto Avenue NE over all or a portion of Lot(s) 23-25, Block(s) 25, **NORTH ALBUQUERQUE ACRES Tract A Unit B,** zoned SU-2 FOR CEMETERY, located on MODESTO NE BETWEEN SAN PEDRO DR NE AND LOUISIANA BLVD NE. (B-18)

AMAFCA No comment.
COG No comments provided.
TRANSIT No comments provided.
ZONING ENFORCEMENT No comments
NEIGHBORHOOD COORDINATION Letters sent to: **Nor Este NA (R)**
APS **Unplatted Land In Sec 10, T11N, R2E, NMPM,** is located on the south side of Paradise Blvd NW between Universe Blvd NW and Unser Blvd NW. The owner of the above property requests a vacation of a City of Albuquerque Drainage Easement and a vacation of various Non-Specific Easements. This will have no adverse impacts to the APS district.
POLICE DEPARTMENT No comments provided.
FIRE DEPARTMENT No comments provided.
PNM ELECTRIC & GAS VACATION OF PUBLIC RIGHT OF WAY: **AN EASEMENT MUST BE GRANTED FOR THE EXISTING 16 GAS MAIN AND THE UNDER GROUND ELECTRIC WHICH OCCUPY THE NORTH SIDE OF MODESTO. ONCE AND EASMENT IS PLACE TO PROTECT THESE PNM FACILITIES, PNM WILL AGREE TO THE REMAING VACATION**
COMCAST No comments provided.
QWEST No comments provided.
ENVIRONMENTAL HEALTH No comments provided.
M.R.G.C.D No comments provided.

OPEN SPACE DIVISION Open Space has no adverse comments
CITY ENGINEER The Hydrology section has no objection to the vacation request.
TRANSPORTATION DEVELOPMENT Additional information must be provided prior to review.
PARKS AND RECREATION Defer to Transportation regarding the vacation request.
ABCWUA No objection to Vacation request with the condition that public water and sanitary sewer easements are retained as required by the Water Authority.
PLANNING DEPARTMENT Refer to comments from affected agencies (Transportation, Hydrology, Utilities) and any Public Hearing comments regarding proposed vacation.

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

INTERA Incorporated
6000 Uptown Boulevard NE
Suite 100
Albuquerque, NM 87110
Telephone: 505 246 1600
Fax: 505 246 2600

MEMORANDUM

DATE: October 6, 2008

TO: Steven Woodall, Planning Department – Design Review Committee

COPY: Suzanne Busch, Environmental Health Department
Donna Griffin, Legal Department
Dave Thompson, Thompson Engineering
James Eisenberg, COA DMD

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

SUBJECT: CIP, CPN 530491, San Pedro Dr. Storm Drain NAA, Located on San Pedro Dr. NE Between Signal Ave and Alameda Pl. then West to I-25 Frontage Rd and San Pedro Dr. (DRC Agenda for Wednesday, October 8, 2008 – Preliminary Plan Review Session).

The above-referenced project is within the former buffer zone of a former privately owned/operated landfill (Oakland Avenue Landfill). The landfill was removed during March 2008 and no longer provides a source for potential landfill gas impacts. Therefore, the Albuquerque Environmental Health Department has exempted the project from following the most current version of the "City of Albuquerque Interim Guidelines for Development within City Designated Landfill Buffer Zones." The project may proceed through the development process provided all other City requirements are met.

INTERA Incorporated
6000 Uptown Boulevard NE
Suite 100
Albuquerque, NM 87110
Telephone: 505 246 1600
Fax: 505 246 2600

MEMORANDUM

DATE: October 6, 2008

TO: Jack Cloud, Planning Department – Design Review Board

COPY: Suzanne Busch, Environmental Health Department
Donna Griffin, Legal Department
Mark Goodwin and Associates

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

SUBJECT: Project # 1004472, 08DRB-70370 Vacation of Public Right-of-Way, Lots 23-25, Block 25, North Albuquerque Acres Tract A Unit B, Located on Modesto NE Between San Pedro Dr. NE and Louisiana Blvd. NE.

The above-referenced project is within the former buffer zone of a former privately owned/operated landfill (Oakland Avenue Landfill). The landfill was removed during March 2008 and no longer provides a source for potential landfill gas impacts. Therefore, the Albuquerque Environmental Health Department has exempted the project from following the most current version of the "City of Albuquerque Interim Guidelines for Development within City Designated Landfill Buffer Zones." The project may proceed through the development process provided all other City requirements are met.

CITY OF ALBUQUERQUE
PLANNING DEPARTMENT
DEVELOPMENT REVIEW BOARD

September 24, 2008

Project# 1004472
08DRB-70376 VACATION OF PUBLIC RIGHT-OF-WAY

MARK GOODWIN AND ASSOCIATES PA agent(s) for DOUBLE EAGLE REAL ESTATE request(s) vacation of the north half of Modesto Avenue NE over all or a portion of Lot(s) 23-25, Block(s) 32, **NORTH ALBUQUERQUE ACRES Tract A Unit B,** zoned SU-2 FOR CEMETERY, located on MODESTO NE BETWEEN SAN PEDRO DR NE AND LOUISIANA BLVD NE. (B-18)

AMAFCA No comment.
COG MRCOG staff have no comment on the proposed development.
TRANSIT No comments provided
ZONING ENFORCEMENT No Comments
NEIGHBORHOOD COORDINATION Letters sent to: **Nor Este NA (R)**
APS **North Albuquerque Acres,** Tract A Unit B, is located on Modesto NE between San Pedro Dr NE and Louisiana Blvd NE. The owner of the above property requests a vacation of public easements for a property zoned SU-2. Currently, the developer is unsure of the future development of the above mentioned property. Due to the uncertainty of the future development of the property, APS cannot determine the impacts a development on this property will have to the district.
POLICE DEPARTMENT No comments provided
FIRE DEPARTMENT No comments provided
PNM ELECTRIC & GAS No comments provided
COMCAST No comments provided
QWEST No comments provided
ENVIRONMENTAL HEALTH No comments provided
M.R.G.C.D No Comment
OPEN SPACE DIVISION Open Space has no adverse comments

CITY ENGINEER The Hydrology section has no objection to the vacation request on condition that all 3 lots are platted together in the subsequent platting action.
TRANSPORTATION DEVELOPMENT Additional information must be provided prior to a review.
PARKS AND RECREATION Defer to transportation.
ABCWUA No objection to Vacation request with the condition that public water and sanitary sewer easements are retained as required by the Water Authority.
PLANNING DEPARTMENT Refer to comments from affected agencies (Transportation, Hydrology, Utilities) and any Public Hearing comments regarding proposed vacation.

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

Cc: Mark Goodwin & Associates – P.O. Box 90606 – Albuquerque, NM 87199

Cc: Double Eagle Real Estate – P.O. Box 14641 – Albuquerque, NM 87191

PROJECT #

1004472

May 27. 2015

BLV P&F

M:\PROJECTS\1900-1999\987\1987 CAD FILES\dwg\987 C-701-EXISTING CONDITIONS.dwg, 12/31/2014 8:59:31 AM, thor

LOT 3 LOT 4 LOT 5 LOT 6 LOT 7 LOT 8 LOT 9 LOT 10

LOT 30 LOT 29 LOT 28 LOT 27 LOT 26 LOT 25 LOT 24 LOT 23 LOT 22

165' 165' 165' 165' 165' 165' 165'

VACATED MODESTO AVENUE NE

60'

MODESTO AVENUE NE

EXST. 8" WL

GAS

CHAIN LINK FENCE WITH SLATS

77' ±

108' ±

SOLID CMU WALL

EXST. GAS LINE

LOT 3 LOT 29-A LOT 8 LOT 9 LOT 10 LOT 11 LOT 23-A

SCALE 1"=100'

EXISTING CONDITIONS

MODESTO AVENUE VACATION

PROJECT #: 1004422 ; 13 DRB-70679

ISAACSON & ARFMAN, P.A.
Consulting Engineering Associates
128 Monroe Street N.E.
Albuquerque, New Mexico 87108
Ph. 505-268-8828 www.iacivil.com

987 C-701 EXISTING CONDITIONS.dwg Dec 31,2014

PROJECT: 1004472
DATE: 5-27-15 EXHIBIT

INTER-OFFICE MEMORANDUM

COMMENTING AGENCIES

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

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

PROJECT # 1004472

Board hearing date:

WEDNESDAY, May 27, 2015

City of Albuquerque

DEVELOPMENT/ PLAN REVIEW APPLICATION

Supplemental Form (SF)

S	Z		
		SUBDIVISION	
		____	Major subdivision action
		____	Minor subdivision action
		____	Vacation
	V	____	Variance (Non-Zoning)
		SITE DEVELOPMENT PLAN	
		____	for Subdivision
		____	for Building Permit
		____	Administrative Amendment/Approval (AA)
		____	IP Master Development Plan
		____	Cert. of Appropriateness (LUCC)
		STORM DRAINAGE (Form D)	
		____	Storm Drainage Cost Allocation Plan
		ZONING & PLANNING	
		____	Annexation
		____	Zone Map Amendment (Establish or Change Zoning, includes Zoning within Sector Development Plans)
P		____	Adoption of Rank 2 or 3 Plan or similar
		____	Text Amendment to Adopted Rank 1, 2 or 3 Plan(s), Zoning Code, or Subd. Regulations
D		____	Street Name Change (Local & Collector)
L	A	**APPEAL / PROTEST of...**	
		____	Decision by: DRB, EPC, LUCC, Planning Director, ZEO, ZHE, Board of Appeals, other

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

APPLICATION INFORMATION:

Professional/Agent (if any): Isaacson & Arfman, P.A. PHONE: (505) 268-8828

ADDRESS: 128 Monroe Street NE FAX:

CITY: Albuquerque STATE NM ZIP 87108 E-MAIL: fred@iacivil.com

APPLICANT: Double Eagle Real Estate & Investments (Scott B. Clark) PHONE: (505) 883-1414

ADDRESS: P.O. Box 14641 FAX:

CITY: Albuquerque STATE NM ZIP 87191 E-MAIL:

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

DESCRIPTION OF REQUEST: Approvals of Bulk Land Variance & Minor Subdivision Preliminary/Final Plat

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

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

Lot or Tract No. Lots 8 and 9; 23 thru 25; 26 thru 29, Tract A, Block 25 Lot 29-A; Lots 8 thru 10, Tract A, Block 26 Block: Unit: B

Subdiv/Addn/TBKA: North Albuquerque Acres (tbka Bulk Land Plat of Lots 8-A, 26-A and 27-A, Block 25; Lots 8-A and 29-A-1, Block 26, Tract A, Unit B, North Albuquerque Acres)

Existing Zoning: SU-2 NC Proposed zoning: See attached letter from Code Enforcement Division dated 04/22/13 MRGCD Map No NA

Zone Atlas page(s): B-18 & C-18 UPC Code: SEE ATTACHED LIST

CASE HISTORY:

List **any** current or prior case number that may be relevant to your application (Proj., App., DRB-, AX_,Z_, V_, S_, etc.): 13DRB-70676; 13DRB-70679; 15DRB-70126; 15DRB-70147

CASE INFORMATION:

Within city limits? X Yes Within 1000FT of a landfill? No

No. of **existing** lots: 13 No. of **proposed** lots: 4 Total site area (acres): 19.5578

LOCATION OF PROPERTY BY STREETS: On or Near: Eagle Rock Ave NE

Between: San Pedro Drive NE and Louisiana Blvd. NE

Check if project was previously reviewed by: Sketch Plat/Plan ☒ or Pre-application Review Team(PRT) ☐. Review Date: 09/18/2013

SIGNATURE Fred C. Arfman DATE 04-30-15

(Print Name) Fred C. Arfman Applicant: ☐ Agent: ☒

FOR OFFICIAL USE ONLY **Revised: 4/2012**

☑ **INTERNAL ROUTING**

	Application case numbers	Action	S.F.	Fees
☑ All checklists are complete	15DRB - 70180	P&F	___	$425.00
☑ All fees have been collected	-	CMF	___	$20.00
☑ All case #s are assigned	-	ADV	___	$75.00
☑ AGIS copy has been sent	- 70181	BLV	___	$145.00
☑ Case history #s are listed	-		___	$
☐ Site is within 1000ft of a landfill	-			Total
☐ F.H.D.P. density bonus				
☐ F.H.D.P. fee rebate				$665.00

Hearing date May 27, 2015

4-30-15
Staff signature & Date

Project # 1004472

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

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

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

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

Extension of preliminary plat approval expires after one year.

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

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

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

PLEASE NOTE: There are no clear distinctions between significant and minor changes with regard to subdivision amendments. Significant changes are those deemed by the DRB to require public notice and public hearing.
- ___ Proposed Amended Preliminary Plat, Infrastructure List, and/or Grading Plan (folded to fit into an 8.5" by 14" pocket) **6 copies**
- ___ Original Preliminary Plat, Infrastructure List, and/or Grading Plan (folded to fit into an 8.5" by 14" pocket) **6 copies**
- ___ Zone Atlas map with the entire property(ies) clearly outlined
- ___ Letter briefly describing, explaining, and justifying the request
- ___ Bring original Mylar of plat to meeting, ensure property owner's and City Surveyor's signatures are on the plat
- ___ List any original and/or related file numbers on the cover application

Amended preliminary plat approval expires after one year

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

Fred C. Arfman
Applicant name (print)

Fred C. Arfman 04-30-15
Applicant signature / date

Form revised **October 2007**

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

Application case numbers
15 - DRB - 70180
- -
- -

4-30-15
Planner signature / date

Project # 1004472

FORM V: SUBDIVISION VARIANCES & VACATIONS

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

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

☐ **VACATION OF PUBLIC EASEMENT (DRB27)**

☐ **VACATION OF PUBLIC RIGHT-OF-WAY (DRB28)**
- __ The complete document which created the public easement (folded to fit into an 8.5" by 14" pocket) **24 copies.** (Not required for City owned public right-of-way.)
- __ Drawing showing the easement or right-of-way to be vacated, etc. (not to exceed 8.5" by 11") **24 copies**
- __ Zone Atlas map with the entire property(ies) clearly outlined
- __ Letter briefly describing, explaining, and justifying the request
- __ Office of Community & Neighborhood Coordination inquiry response, notifying letter, certified mail receipts
- __ Sign Posting Agreement
- __ Fee (see schedule)
- __ List any original and/or related file numbers on the cover application

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

☐ **SIDEWALK VARIANCE (DRB20)**

☐ **SIDEWALK WAIVER (DRB21)**
- __ Scale drawing showing the proposed variance or waiver (not to exceed 8.5" by 14") **6 copies**
- __ Zone Atlas map with the entire property(ies) clearly outlined
- __ Letter briefly describing, explaining, and justifying the variance or waiver
- __ List any original and/or related file numbers on the cover application

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

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

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

☐ **TEMPORARY DEFERRAL OF SIDEWALK CONSTRUCTION (DRB19)**

☐ **EXTENSION OF THE SIA FOR TEMPORARY DEFERRAL OF SIDEWALK CONSTRUCTION (DRB07)**
- __ Drawing showing the sidewalks subject to the proposed deferral or extension (not to exceed 8.5" by 14") **6 copies**
- __ Zone Atlas map with the entire property(ies) clearly outlined
- __ Letter briefly describing, explaining, and justifying the deferral or extension
- __ List any original and/or related file numbers on the cover application

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

☐ **VACATION OF PRIVATE EASEMENT (DRB26)**

☐ **VACATION OF RECORDED PLAT (DRB29)**
- __ The complete document which created the private easement/recorded plat (not to exceed 8.5" by 14") **6 copies**
- __ Scale drawing showing the easement to be vacated (8.5" by 11") **6 copies**
- __ Zone Atlas map with the entire property(ies) clearly outlined
- __ Letter/documents briefly describing, explaining, and justifying the vacation **6 copies**
- __ Letter of authorization from the grantors and the beneficiaries (private easement only)
- __ Fee (see schedule)
- __ List any original and/or related file numbers on the cover application

Unless the vacation is shown on a DRB approved plat recorded by the County Clerk within one year, it will expire.
DRB meetings are approximately 8 DAYS after the Tuesday noon filing deadline. Your attendance is required.

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

Fred C. Arfman
Applicant name (print)

Fred C. Arfman 04.30.15
Applicant signature / date

Form revised 4/07

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

Application case numbers
15 - DRB - 70181
- -
- -

4-30-15
Planner signature / date

Project # 1004472

SIGN POSTING AGREEMENT

REQUIREMENTS

POSTING SIGNS ANNOUNCING PUBLIC HEARINGS

All persons making application to the City under the requirements and procedures established by the City Zoning Code or Subdivision Ordinance are responsible for the posting and maintaining of one or more signs on the property which the application describes. Vacations of public rights-of-way (if the way has been in use) als require signs. Waterproof signs are provided at the time of application. If the application is mailed, you must still stop at the Development Services Front Counter to pick up the sign.

The applicant is responsible for ensuring that the signs remain posted throughout the 15-day period prior to public hearing. Failure to maintain the signs during this entire period may be cause for deferral or denial of the application. Replacement signs for those lost or damaged are available from the Development Services Front Counter at a charge of $3.75 each.

1. LOCATION

   A. The sign shall be conspicuously located. It shall be located within twenty feet of the public sidewalk (or edge of public street). Staff may indicate a specific location.
   B. The face of the sign shall be parallel to the street, and the bottom of the sign shall be at leas two feet from the ground.
   C. No barrier shall prevent a person from coming within five feet of the sign to read it.

2. NUMBER

   A. One sign shall be posted on each paved street frontage. Signs may be required on unpaved street frontages.
   B. If the land does not abut a public street, then, in addition to a sign placed on the property, a sign shall be placed on and at the edge of the public right-of-way of the nearest paved City street. Such a sign must direct readers toward the subject property by an arrow and an indication of distance.

3. PHYSICAL POSTING

   A. A heavy stake with two crossbars or a full plywood backing works best to keep the sign in place, especially during high winds.
   B. Large headed nails or staples are best for attaching signs to a post or backing; the sign tears out less easily.

4. TIME

Signs must be posted from May 12, 2015 To May 27, 2015

5. REMOVAL

   A. The sign is not to be removed before the initial hearing on the request.
   B. The sign should be removed within five (5) days after the initial hearing.

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

Ruth Lozano — (Applicant or Agent)

4/30/15 — (Date)

I issued 2 signs for this application, _____ (Date) _____ (Staff Member)

DRB PROJECT NUMBER: _____

Rev. 1/11/05

ISAACSON & ARFMAN, P.A. *Consulting Engineering Associates*

Thomas O. Isaacson, PE(RET.) & LS(RET.) . Fred C. Arfman, PE . Åsa Nilsson-Weber, PE

April 30, 2015

Mr. Jack Cloud, Chair
Development Review Board, Planning Department
City of Albuquerque
P.O. Box 1293
Albuquerque, New Mexico 871034

Re: Bulk Land Plat Submittal
Lots 8 & 9; 23 – 25 Block 25; North Albuquerque Acres, Tract A, Unit B

Dear Mr. Cloud,

Isaacson & Arfman, PA is the consulting engineering firm and agent for the land owners as identified on the subject plat. We hereby request that the accompanying plat be entered into the DRB process for review and approval. The vacation of the Modesto Ave. public right-of-way abutting the referenced properties was re-granted at the City's DRB hearing on April 15th and will be presented to the City Council at their May 18th meeting. A condition of the previous DRB vacation action was to create and process a consolidation plat that will combine the individual sections of the vacated right-of-way into the adjacent tracts.

Lots 27-A & 26-A will have a 30' Private Access Easement which will provide legal access to San Pedro Dr. to the west. The entire block west of future Lot 8-A is the Sandia Memory Gardens owned by the Daniel's Family Funeral Services. They will have the northerly 30' of vacated Modesto Ave. assembled into Lots 27-A & 26-A.

The City of Albuquerque is the owner of Lot 29-A-1 and the southerly 30' of the vacated street has been shown to be assembled into the City property.

Lot 8-A, Block 26 is a semi developed parcel owned by Kassam Business Center, LLC and the southerly 30' of the vacate right-of-way and an irregular portion of the northeasterly corner will be consolidated into the lot.

Lot 8-A, Block 25 is owned by the Clark's and will absorb most of the northerly vacated right-of-way along its southerly frontage.

Easements will be granted to the New Mexico Gas Co. and the Albuquerque Bernalillo County Water Utility Authority for their existing and future re-routed utility lines.

Sincerely,
Isaacson & Arfman, PA

Fred C. Arfman, PE

*128 Monroe St. N.E. * Albuquerque, NM 87108 * (505) 268-8828 * Fax: (505) 268-2632 * www.iacivil.com*

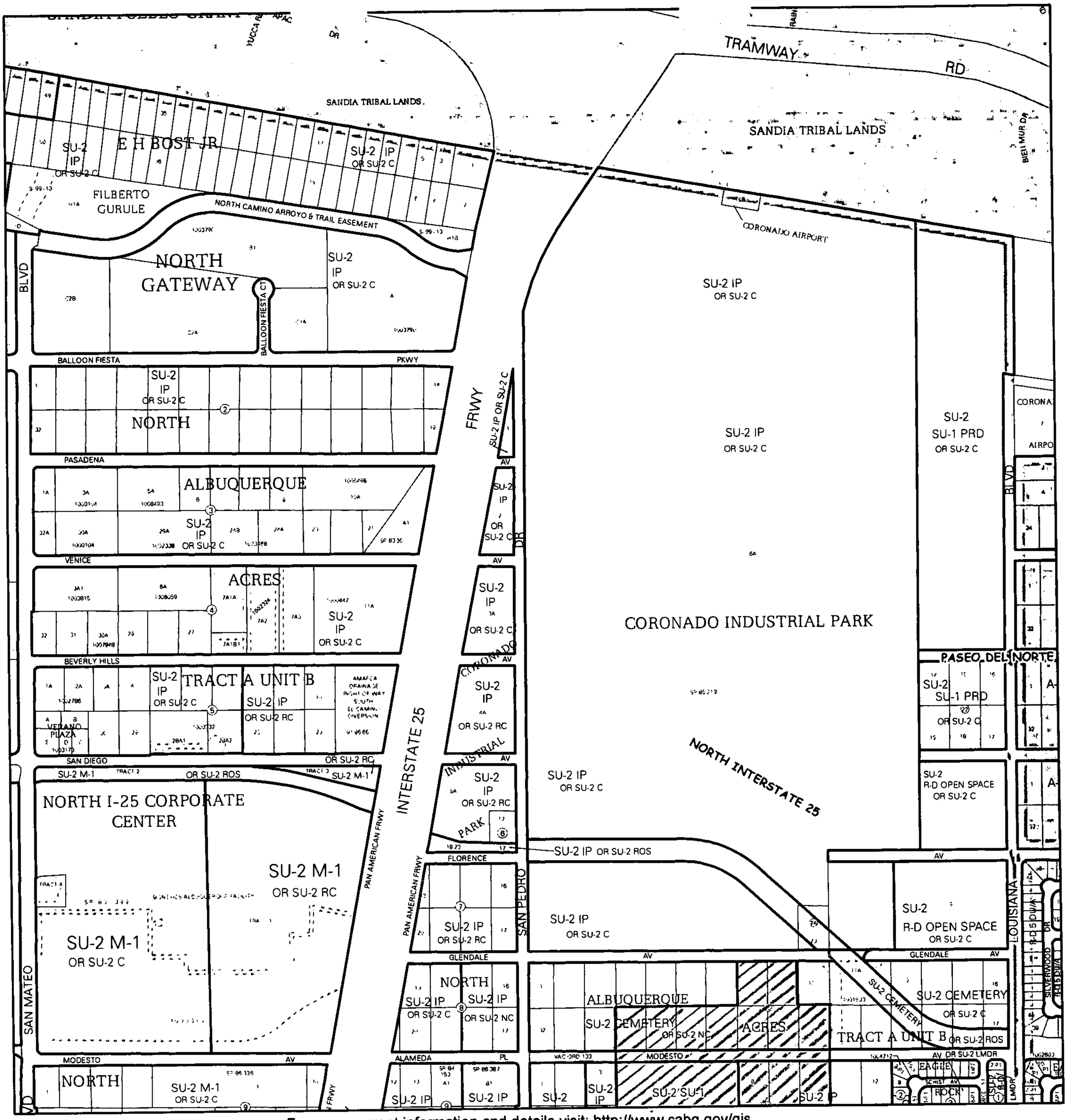
UPC NUMBERS:

Block 25, Tract A, Unit B, North Albuquerque Acres

Lot 8	1 018 065 375 032 40125
Lot 9	1 018 065 392 032 40124
Lot 23	1 018 065 408 010 40104
Lot 24	1 018 065 393 010 40103
Lot 25	1 018 065 375 010 40102
Lots 26 thru 29	1 018 065 294 021 40101

Block 26, Tract A, Unit B, North Albuquerque Acres

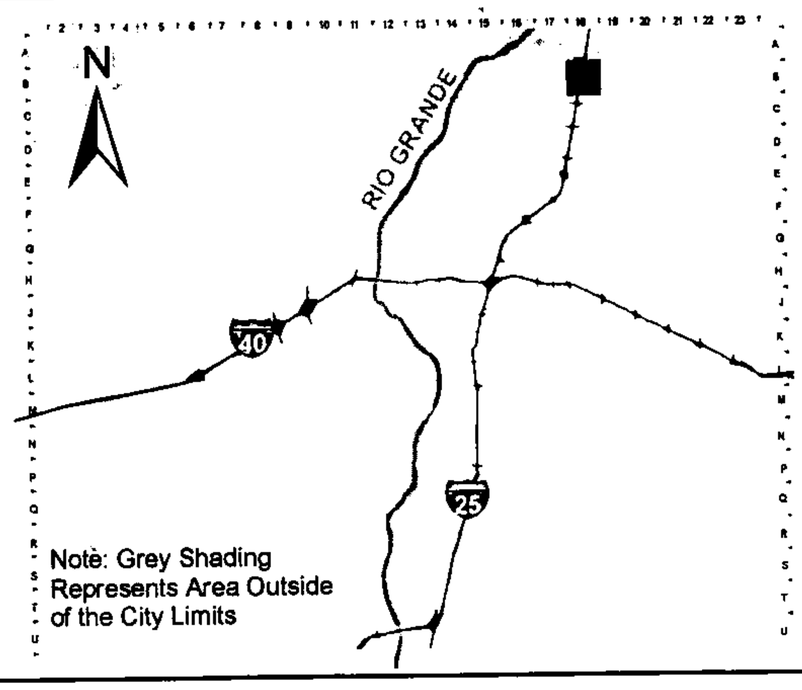
Lots 8 thru 10	1 018 064 407 510 10701
Lot 29-A	1 018 064 347 498 10526



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

Albuquerque Geographic Information System

Map amended through: 9/2/2014



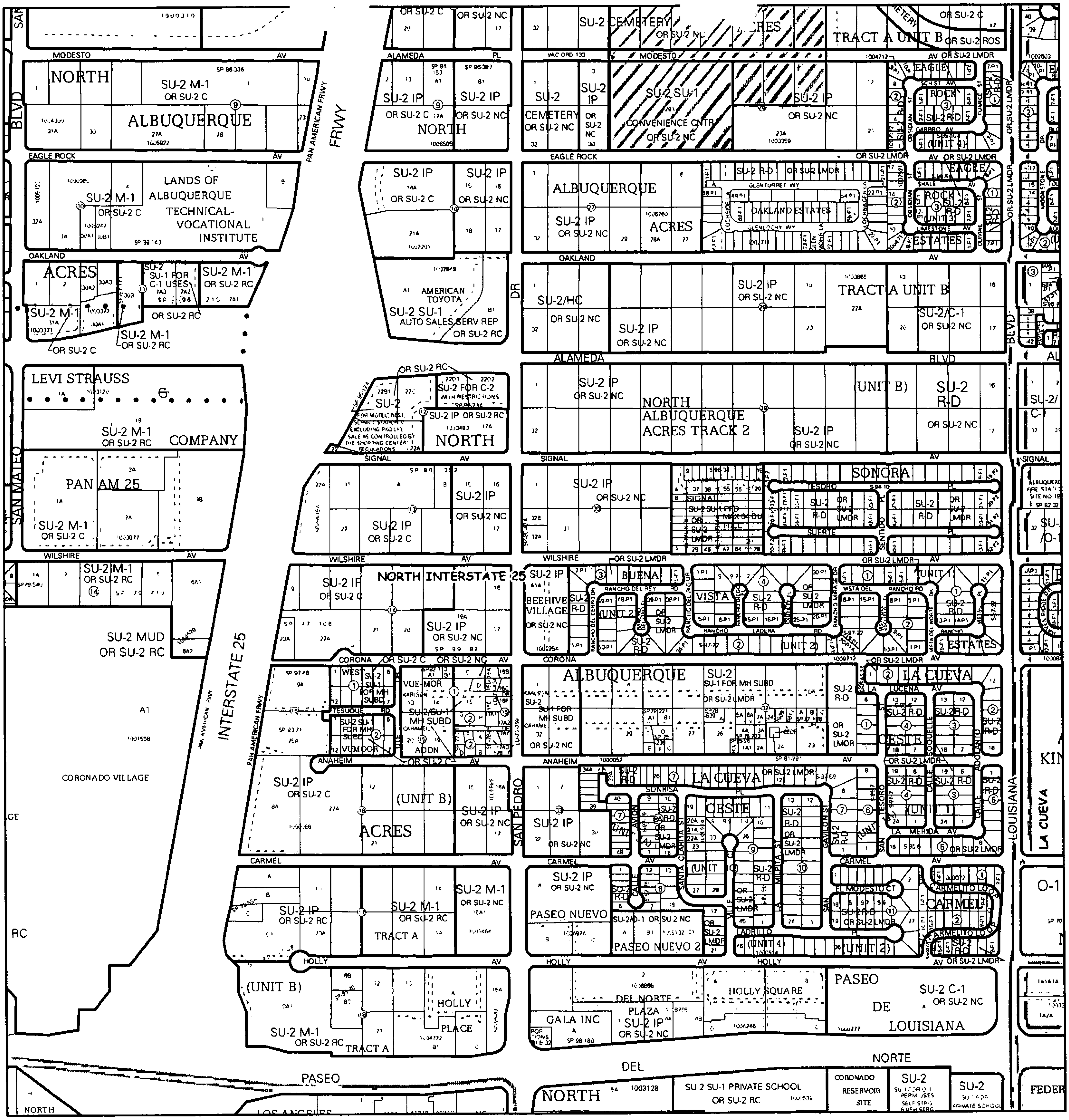
Zone Atlas Page:

B-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

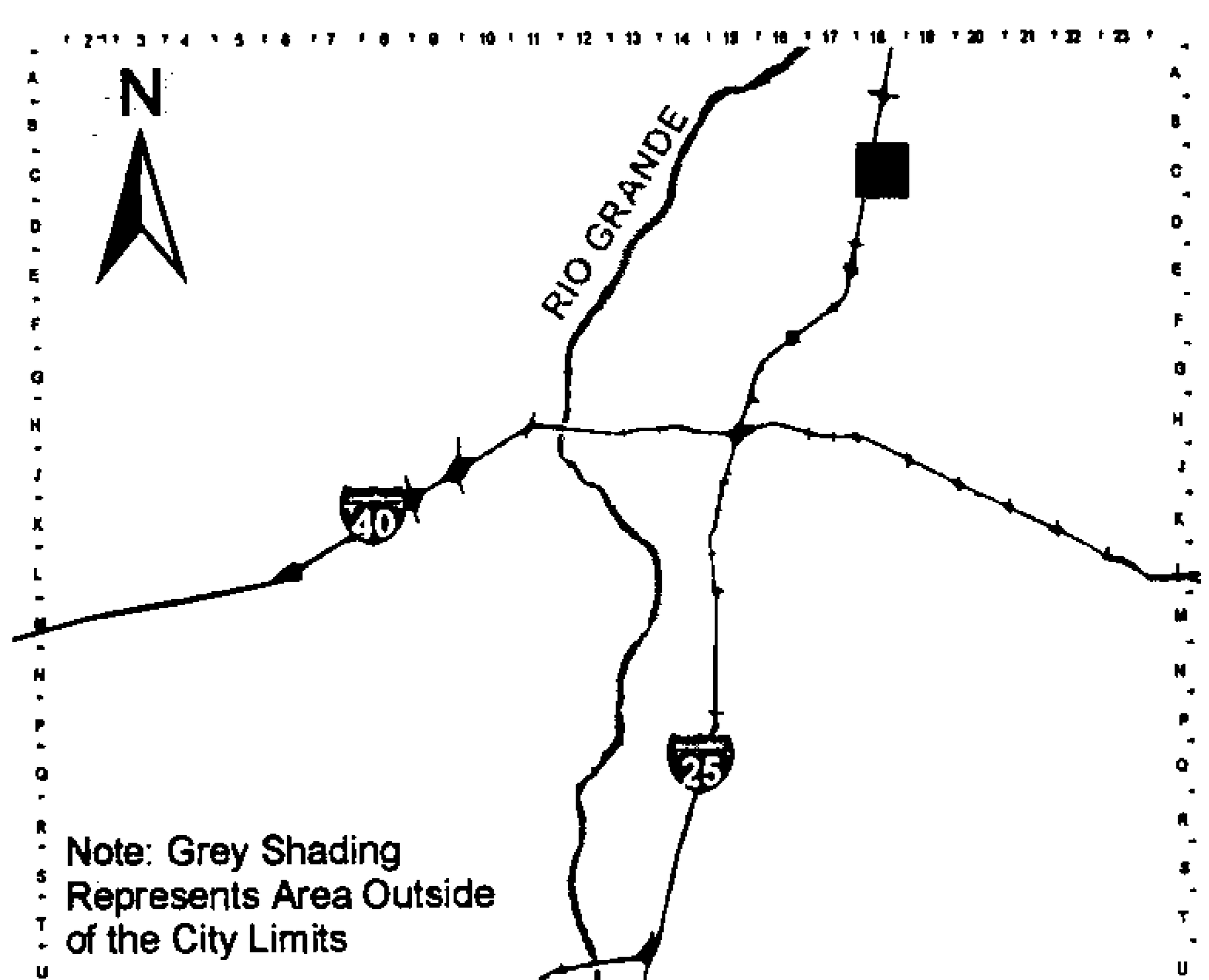
0 750 1,500 Feet



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

Albuquerque Geographic Information System

Map amended through: 9/2/2014



Zone Atlas Page:

C-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

CITY OF ALBUQUERQUE

CODE ENFORCEMENT DIVISION
Plaza Del Sol Building, Suite 500
600 2nd Street NW
Albuquerque, New Mexico 87102

Richard J. Berry, Mayor

April 22, 2013

Fred C. Arfman, PE
Isaacson & Arfman, P.A.
128 Monroe St. NE
Albuquerque, New Mexico 87108

To Whom It May Concern:

This letter will verify that according to the map on file in this office on this date, the unaddressed parcels located at the **6500 block of Glendale Avenue/Modesto Avenue**, legally described as Lots 9 & 10 and 22 – 24, Block 25, North Albuquerque Acres Subdivision, Tract A, Unit B, Albuquerque, Bernalillo County, New Mexico, is zoned **SU-2 Cemetery or SU-2 NC** and is governed by the North I-25 Sector Plan.

Provided future development of the property meets the design regulations of Chapter 4 of the sector plan, the SU-2 NC zone permissively allows activities listed as permissive in the R-T zone of the Comprehensive City Zoning Code [ref. Section 14-16-2-13 (A)(1)].

If you have additional questions regarding this matter, please feel free to contact me at (505) 924-3454 or bnwilliams@cabq.gov.

Sincerely,

Brennon Williams
Code Compliance Manager

C: freda@iacivil.com

PO Box 1293
Albuquerque
New Mexico 87103
www.cabq.gov

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

Richard J. Berry, Mayor
Administrative Officer
Date

Robert J. Perry, Chief

SUBJECT: ALBUQUERQUE ARCHAEOLOGICAL ORDINANCE—Compliance Documentation

Project Number(s):	**1004472**
Case Number(s):	**15DRB-70126**
Agent:	**Isaacson & Arfman, PA**
Applicant:	**Scott & Panela Clark**
Legal Description:	**Lots 8, 9, 23 -29, Block 25; Lots 8- 10 & 29-A, Block 26; North Albuquerque Acres, Tract A, Unit B**
Zoning:	**SU-2 for Cemetery; SU-2 NC; SU-2 IP and SU-2 SU-1**
Acreage:	**19.56 acres**
Zone Atlas Page:	**B-18 & C-18**

PROVIONAL CERTIFICATE OF NO EFFECT: Yes __X__ No _____

CERTIFICATE OF APPROVAL: Yes _____ No _____

TREATMENT PLAN REVIEW:
DISCOVERY:

SUPPORTING DOCUMENTATION:
SITE VISIT: n/a

RECOMMENDATION(S):

- ***PROVISIONAL CERTIFICATE OF NO EFFECT IS ISSUED to allow platting process to continue. Additional documentation to be submitted on history of land use.***

MFSchmader
Matthew Schmader, PhD
Superintendent, Open Space Division
City Archaeologist

City of Albuquerque

P.O. Box 1293, Albuquerque, NM 87103

PLEASE NOTE: **The Neighborhood and/or Homeowner Association information listed in this letter is valid for one (1) month. If you haven't filed your application within one (1) month of the date of this letter – you will need to get an updated letter from our office**

April 24, 2015

Ruth Lozano
Isaacson and Arfman, P.A.
128 Monroe St. NE/87108
Phone: (505) 268-8828/Fax: (505) 268-2632
E-Mail: ruthl@iacivil.com

Dear Ruth:

Thank you for your inquiry of **April 24, 2015** requesting the names of **ALL Neighborhood and/or Homeowner Associations** who would be affected under the provisions of *§14-8-2-7 of the Neighborhood Association Recognition Ordinance* by your proposed project at **(DRB SUBMITTAL) – LOTS 8,9,23THRU 25 AND LOTS 26 THRU 29, TRACT A, BLOCK 25, UNIT B, ALBUQUERQUE NORTH ACRES, LOT 29-A AND LOTS 8 THRU 10, BLOCK 26, UNIT B, ALBUQUERQUE NORTH ACRES, LOCATED ON SAN PEDRO DRIVE NE BETWEEN GLENDALE AVENUE NE AND MODESTO AVENUE NE** zone map **B-C-18.**

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

NOR ESTE N.A. "R"
Bob Smith
P.O. Box 94115/87199-0066 828-1319 (h)
Gina Martinez
P.O. Box 94115/87199-0066 238-5495 (c)

Please note that according to *§14-8-2-7 of the Neighborhood Association Recognition Ordinance* you are required to notify each of these contact persons by **certified mail, return receipt requested, before** the Planning Department will accept your application filing. **IMPORTANT! Failure of adequate notification may result in your Application Hearing being deferred.** If you have any questions about the information provided, please contact me at (505) 924-3902 or via an e-mail message at swinklepleck@cabq.gov or by fax at (505) 924-3913.

Sincerely,

Stephani Winklepleck

Stephani Winklepleck
Neighborhood Liaison
OFFICE OF NEIGHBORHOOD COORDINATION
Planning Department

LETTERS MUST BE SENT TO BOTH CONTACTS OF EACH NEIGHBORHOOD AND/OR HOMEOWNER ASSOCIATION FOR THIS PLANNING DEPARTMENT SUBMITTAL.

planningrnaform(01/02/14)

Isaacson & Arfman, P.A. Consulting Engineering Associates

Thomas O. Isaacson, PE(Ret.) & LS(Ret.) · Fred C. Arfman, PE · Åsa Nilsson-Weber, PE

April 29, 2015

CERTIFIED MAIL – 7012 0470 0001 9609 1461

Mr. Bob Smith
Nor Este Neighborhood Association
P.O. Box 94115
Albuquerque, NM 87199-0066

RE: Lots 8, 9, 23 thru 25, and 26 thru 29, Block 25;
Lots 29-A, 8 thru 10, Block 26,
Tract A, Unit B, North Albuquerque Acres (existing legal)
(DRB Project No. 1004472)

SUBJECT: Bulk Land Variance Plat

Dear: Mr. Smith:

As the consulting engineers for the above referenced site (see attached zone map), we are writing this letter to inform the Nor Este Neighborhood Association that a request for consideration of Bulk Land Variance Plat is being submitted to the City of Albuquerque Development Review Board. We have attached an exhibit for your use in understanding the consolidation of individual North Albuquerque Acre lots into larger tracts and the disbursement of the vacated Modesto Ave. right-of-way into those adjacent lots. We anticipate that this action will be heard by the City of Albuquerque Development Review Board on May 27, 2015.

Please feel free to call our office at 268-8828 if additional information is desired on this action.

Sincerely,

ISAACSON & ARFMAN, P.A.

Fred C. Arfman

Fred C. Arfman, PE
FCA/rtl
Attachments

7012 0470 0001 9609 1461

U.S. Postal Service™
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ALBUQUERQUE NM 87199 OFFICIAL USE

Postage	$ $1.19	0108
Certified Fee	$3.30	
Return Receipt Fee (Endorsement Required)	$2.70	Postmark Here APR 30 2015
Restricted Delivery Fee (Endorsement Required)	$0.00	
Total Postage & Fees	$ $7.19	04/30/2015

Sent To: Bob Smith
Street, or PO Box: Nor Este Neighborhood Association, P.O. Box 94115
City, State: Albuquerque, NM 87199-0066

PS Form 3800, August 2006 — See Reverse for Instructions

Isaacson & Arfman, P.A. Consulting Engineering Associates

Thomas O. Isaacson, PE(Ret.) & LS(Ret.) · Fred C. Arfman, PE · Asa Nilsson-Weber, PE

April 29, 2015

CERTIFIED MAIL – 7012 0470 0001 9609 1478

Ms. Gina Martinez
Nor Este Neighborhood Association
P.O. Box 94115
Albuquerque, NM 87199-0066

RE: Lots 8, 9, 23 thru 25, and 26 thru 29, Block 25;
Lots 29-A, 8 thru 10, Block 26,
Tract A, Unit B, North Albuquerque Acres (existing legal)
(DRB Project No. 1004472)

Dear: Ms. Martinez:

As the consulting engineers for the above referenced site (see attached zone map), we are writing this letter to inform the Nor Este Neighborhood Association that a request for consideration of Bulk Land Variance Plat is being submitted to the City of Albuquerque Development Review Board. We have attached an exhibit for your use in understanding the consolidation of individual North Albuquerque Acre lots into larger tracts and the disbursement of the vacated Modesto Ave. right-of-way into those adjacent lots. We anticipate that this action will be heard by the City of Albuquerque Development Review Board on May 27, 2015.

Please feel free to call our office at 268-8828 if additional information is desired on this action.

Sincerely,
ISAACSON & ARFMAN, P.A.

Fred C. Arfman, PE
FCA/rtl
Attachments

7012 0470 0001 9609 1478

U.S. Postal Service™
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ALBUQUERQUE NM 87199

Postage	$ $1.19	0108
Certified Fee	$3.30	09
Return Receipt Fee (Endorsement Required)	$2.70	Postmark Here
Restricted Delivery Fee (Endorsement Required)	$0.00	APR 30 2015
Total Postage & Fees	$ $7.19	04/30/2015

Sent To: Gina Martinez
Street, Apt. No. or PO Box: Nor Este Neighborhood Association, P.O. Box 94115
City, State: Albuquerque, NM 87199-0066

PS Form 3800, August 2006 — See Reverse for Instructions

Ruth Lozano

From: Ruth Lozano <ruthl@iacivil.com>
Sent: Thursday, April 30, 2015 11:52 AM
To: plndrs@cabq.gov
Subject: DRB Project 1004472
Attachments: DRB 1004472.pdf

Ruth Lozano
Office Manager
Isaacson & Arfman, P.A.
Consulting Engineering Associates
128 Monroe St. N.E.
Albuquerque, NM 87108
Phone: (505)268-8828
Fax: (505)268-2632
ruthl@iacivil.com

DRB Project 1004472

Submittal for: Approvals of Bulk Land Variance & Minor Subdivision Preliminary/Final Plat

Please see the attached Development/Plan Review Application submitted April 30, 2015.

City of Albuquerque Planning Department

DEVELOPMENT AND BUILDING SERVICES

STANDARD APPLICATION, Paper Plans Required

DEVELOPMENT REVIEW BOARD

Category Code 910
2015 070 147

04/07/2015 Issued By: E08375 279045

Application Number: **15DRB-70147**, Minor - Preliminary/ Final Plat Approval

Address:

Location Description: EAGLE ROCK AVE NE BETWEEN SAN PEDRO DR NE AND LOUISIANA BLVD NE

Project Number: 1004472

Applicant
DOUBLE EAGLE REAL ESTATE & INVESTMENTS
SCOTT B CLARK
PO BOX 14641
ALBUQUERQUE NM 87191
883-1414

Agent / Contact
ISAACSON AND ARFMAN PA
JENNY DONART
128 MONROE ST NE
ALBUQUERQUE NM 87108

IAMENGRS@SWCP.COM

Application Fees	
APN Fee	
Conflict Mgmt Fee	$20.00
DRB Actions	$425.00
TOTAL:	$445.00

City of Albuquerque Treasury
Date:4/7/2015 Office:ANNEX
Stat ID:WS000008 Cashier:TRSRMS
Batch: 5128 Trans #:5
Permit: 2015070147
Receipt Num 00267949
Payment Total:$445.00
0901 Conflict Manag. Fee $20.00
0903 DRB Actions $425.00
Check Tendered : $445.00

Date: 4/7/2015
Office: ANNEX
Batch: 5128
Cashier:TRSRMS
Tran #: 5

==========

DRB
9:08 AM
Station IDWS000008
Office ANNEX
Receipt #: 00267949
Permit: 2015070147
Trans Amt: $445.00

0901	Conflict Manag. Fee	$20.00
0903	DRB Actions	$425.00
	Payment Total:	$445.00

==========

Transaction Total:	$445.00
Check Tendered :	$445.00

==========

Checks presented:

ISAACSON AND ARFMAN P A
ALBUQUERQUE, NM 87108-1267

21219

DATE 4/7/15

PAY TO THE ORDER OF City of Albuquerque $ 445.00

Four Hundred Forty-Five & 10/100 DOLLARS

DR & FOR 1004472 FEB 1987

Rita Wilson-Weber

Thank you for your payment.
Have a nice day!

INTER-OFFICE MEMORANDUM

COMMENTING AGENCIES

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

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

PROJECT # 1004472

Board hearing date:

WEDNESDAY, April 15, 2015

PUBLIC HEARING--DEVELOPMENT REVIEW BOARD
CITY OF ALBUQUERQUE

Notice is hereby given that the Development Review Board, City of Albuquerque, will hold a public hearing in the **Plaza del Sol Hearing Room, Basement, Plaza del Sol Building, 600 2nd St NW,** on **Wednesday, April 15, 2015**. The Development Review Board will hold a Pre-Hearing Discussion in the Conference Room of Suite 201, Lobby Level, Plaza del Sol Building, 600 2nd St NW, Albuquerque, NM on Tuesday **April 14, 2015,**, beginning at 3:00 p.m. for the purpose of reviewing these items prior to the public hearing; no action or public comments will be taken at this Discussion.

Project# 1004472 15DRB-70126 VACATION OF PUBLIC RIGHT-OF-WAY	ISAACSON AND ARFMAN PA agents for DOUBLE EAGLE REAL ESTATE & INVESTMENTS et.al. request the referenced/ above action for MODESTO AVENUE NE adjacent to Lots 23-29, Block 25, plus Lots 8-10 and 29-A, Block 26, **NORTH ALBUQUERQUE ACRES Tact A Unit B,** located on MODESTO AVE NE between SAN PEDRO BLVD NE and LOUISIANA BLVD NE. (B-18/ C-18)

Details of the application(s) may be examined at the Development Services Center of the Planning Department, Second Floor, Plaza Del Sol Building, 600 2nd St NW, between 10:00 a.m. and 12:00 p.m. or 2:00 p.m. and 4:00 p.m. Monday through Friday except holidays INDIVIDUALS WITH DISABILITIES who need special assistance to participate at this hearing should contact Angela Gomez, Planning Department, at 924-3946 (VOICE) or teletypewriter (TTY) 924-3361 – TTY users may also access the Voice number via the New Mexico Relay Network by calling toll-free 1-800-659-8331.

Jack Cloud, DRB Chair
Development Review Board

TO BE PUBLISHED IN THE ALBUQUERQUE JOURNAL MONDAY, March 30, 2015.

City of Albuquerque

DEVELOPMENT/ PLAN REVIEW APPLICATION

Supplemental Form (SF)

S	Z		
		SUBDIVISION	
		___	Major subdivision action
		___	Minor subdivision action
		X	Vacation
		___	Variance (Non-Zoning)
		SITE DEVELOPMENT PLAN	
P		___	for Subdivision
		___	for Building Permit
		___	Administrative Amendment/Approval (AA)
		___	IP Master Development Plan
		___	Cert. of Appropriateness (LUCC)
		STORM DRAINAGE (Form D)	
		___	Storm Drainage Cost Allocation Plan

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

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

APPLICATION INFORMATION:

Professional/Agent (if any): Isaacson & Arfman, P.A. PHONE: (505) 268-8828

ADDRESS: 128 Monroe Street NE FAX:

CITY: Albuquerque STATE NM ZIP 87108 E-MAIL: fred@iacivil.com

APPLICANT: Double Eagle Real Estate & Investments (Scott B. Clark) PHONE: (505) 883-1414

ADDRESS: P.O. Box 14641 FAX:

CITY: Albuquerque STATE NM ZIP 87191 E-MAIL:

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

DESCRIPTION OF REQUEST: Approval of Vacation of Public Right-of-Way

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

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

Lot or Tract No. Lots 8 & 9 and 23 thru 29, Tract A, Block 25 Lot 29-A, Lots 8 thru 10, Tract A, Block 26 together with a Vacated Portion of Modesto Ave NE Block: Unit: B

Subdiv/Addn/TBKA: North Albuquerque Acres (tbka Lots 8-A, 26-A and 27-A, Block 25; Lots 8-A and 29-A-1, Block 26)

Existing Zoning: SU-2 Cemetery or SU-2 NC; Proposed zoning: See attached letter from Code Enforcement Division dated 04/22/13 MRGCD Map No NA

Zone Atlas page(s): B-18 & C-18 UPC Code: SEE ATTACHED LIST

SU-2 SU-1 or SU-2 NC; SU-2 IP or SU-2 NC

CASE HISTORY:

List **any** current or prior case number that may be relevant to your application (Proj., App., DRB-, AX_,Z_, V_, S_, etc.): 13DRB-70676; 13DRB-70679

CASE INFORMATION:

Within city limits? X Yes Within 1000FT of a landfill? No

No. of **existing** lots: 13 No. of **proposed** lots: 4 Total site area (acres): 19.5578

LOCATION OF PROPERTY BY STREETS: On or Near: Eagle Rock Ave NE

Between: San Pedro Drive NE and Louisiana Blvd. NE

Check if project was previously reviewed by: Sketch Plat/Plan ☒ or Pre-application Review Team(PRT) ☐. Review Date: 09/18/2013

SIGNATURE Fred C. Arfman DATE 03.19.15

(Print Name) Fred C. Arfman Applicant: ☐ Agent: ☒

FOR OFFICIAL USE ONLY **Revised: 4/2012**

☑	**INTERNAL ROUTING**	Application case numbers	Action	S.F.	Fees
☑	All checklists are complete	15DRB - 70126	VPR	___	$ 300.00
☑	All fees have been collected	___ - ___	CMF	___	$ 20.00
☑	All case #s are assigned	___ - ___	ADV	___	$ 75.00
☑	AGIS copy has been sent	___ - ___	___	___	$ ___
☑	Case history #s are listed	___ - ___	___	___	$ ___
☐	Site is within 1000ft of a landfill	___ - ___	___	___	$ ___
☐	F.H.D.P. density bonus				Total
☐	F.H.D.P. fee rebate	**Hearing date** April 15, 2015			$ 395.00

3-19-15
Staff signature & Date

Project # 1004472

FORM V: SUBDIVISION VARIANCES & VACATIONS

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

❑ **VACATION OF PUBLIC EASEMENT (DRB27)**
☒ **VACATION OF PUBLIC RIGHT-OF-WAY (DRB28)** (1)
NA The complete document which created the public easement (folded to fit into an 8.5" by 14" pocket) **24 copies.** (Not required for City owned public right-of-way.)
X Drawing showing the easement or right-of-way to be vacated, etc. (not to exceed 8.5" by 11") **24 copies**
X Zone Atlas map with the entire property(ies) clearly outlined
X Letter briefly describing, explaining, and justifying the request
X Office of Community & Neighborhood Coordination inquiry response, notifying letter, certified mail receipts
X Sign Posting Agreement
X Fee (see schedule)
X List any original and/or related file numbers on the cover application
Unless the vacation is shown on a DRB approved plat recorded by the County Clerk within one year, it will expire.
DRB Public hearings are approximately 30 DAYS after the filing deadline. Your attendance is required.

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

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

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

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

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

Fred C. Arfman
Applicant name (print)
Applicant signature / date 03.19.15

Form revised 4/07

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

Application case numbers
15 - DRB - 70126
- -
- -

Planner signature / date 3-19-15

Project # 1004472

SIGN POSTING AGREEMENT

REQUIREMENTS

POSTING SIGNS ANNOUNCING PUBLIC HEARINGS

All persons making application to the City under the requirements and procedures established by the City Zoning Code or Subdivision Ordinance are responsible for the posting and maintaining of one or more signs on the property which the application describes. Vacations of public rights-of-way (if the way has been in use) als require signs. Waterproof signs are provided at the time of application. If the application is mailed, you must still stop at the Development Services Front Counter to pick up the sign.

The applicant is responsible for ensuring that the signs remain posted throughout the 15-day period prior to public hearing. Failure to maintain the signs during this entire period may be cause for deferral or denial of the application. Replacement signs for those lost or damaged are available from the Development Services Front Counter at a charge of $3.75 each.

1. LOCATION

   A. The sign shall be conspicuously located. It shall be located within twenty feet of the public sidewalk (or edge of public street). Staff may indicate a specific location.
   B. The face of the sign shall be parallel to the street, and the bottom of the sign shall be at leas two feet from the ground.
   C. No barrier shall prevent a person from coming within five feet of the sign to read it.

2. NUMBER

   A. One sign shall be posted on each paved street frontage. Signs may be required on unpaved street frontages.
   B. If the land does not abut a public street, then, in addition to a sign placed on the property, a sign shall be placed on and at the edge of the public right-of-way of the nearest paved City street. Such a sign must direct readers toward the subject property by an arrow and an indication of distance.

3. PHYSICAL POSTING

   A. A heavy stake with two crossbars or a full plywood backing works best to keep the sign in place, especially during high winds.
   B. Large headed nails or staples are best for attaching signs to a post or backing; the sign tears out less easily.

4. TIME

Signs must be posted from March 31, 2015 To April 15, 2015

5. REMOVAL

   A. The sign is not to be removed before the initial hearing on the request.
   B. The sign should be removed within five (5) days after the initial hearing.

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

Ruth Lozano — (Applicant or Agent)

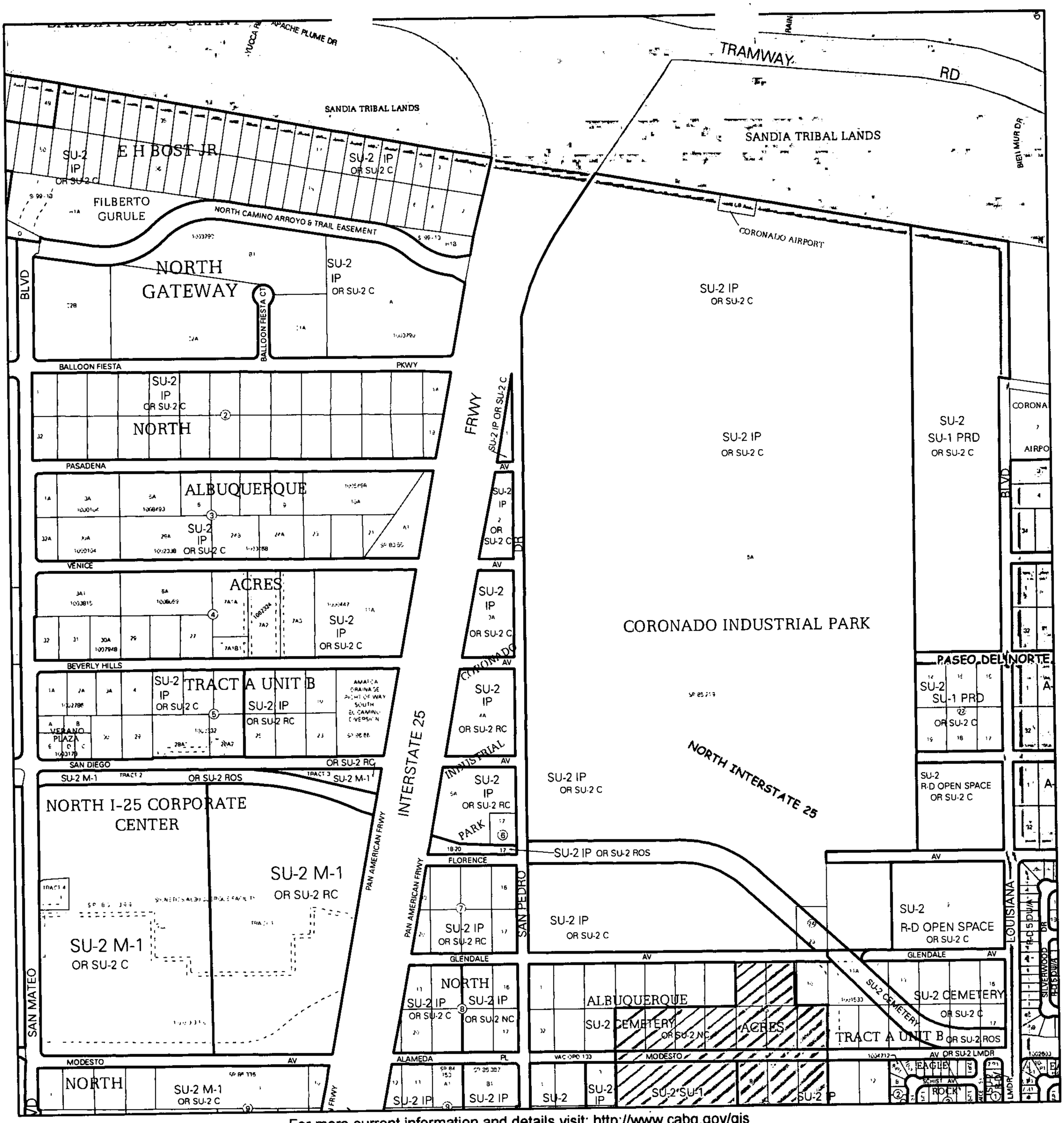
3/19/15 — (Date)

I issued 1 signs for this application, 3-19-15 (Date)

(Staff Member)

DRB PROJECT NUMBER: 1004472

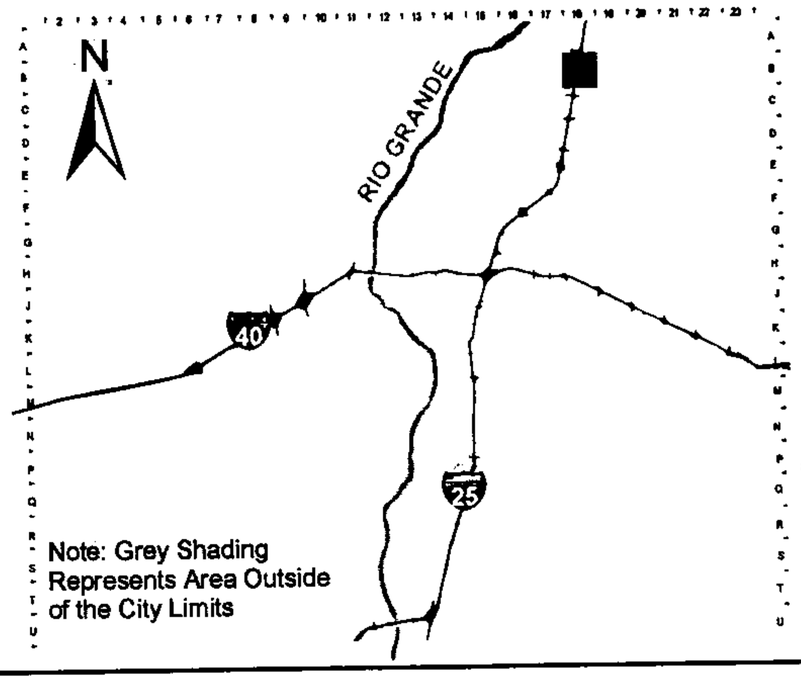
Rev. 1/11/05



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

Albuquerque Geographic Information System

Map amended through: 9/2/2014



Zone Atlas Page:

B-18-Z

Selected Symbols

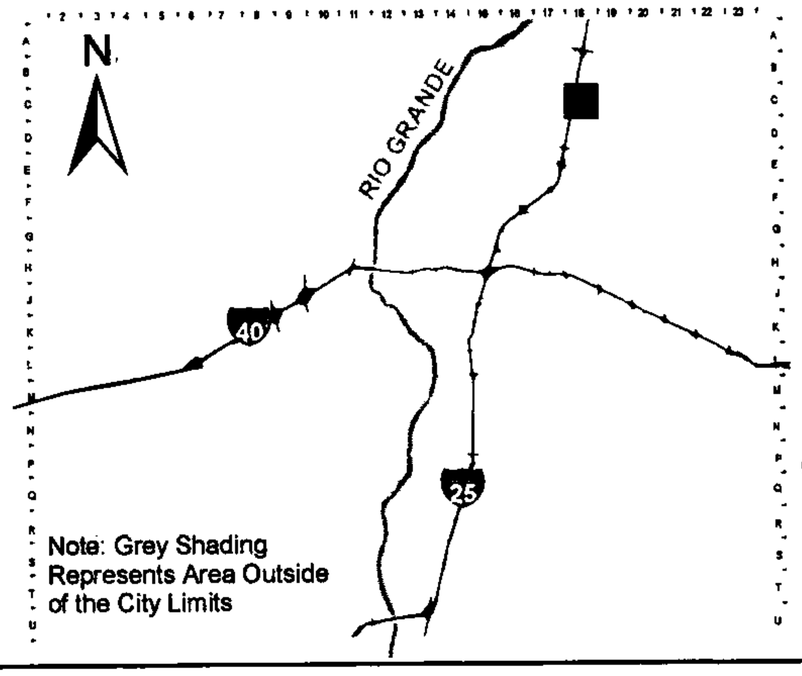
- SECTOR PLANS
- Design Overlay Zones
- City Historic Zones
- H-1 Buffer Zone
- Petroglyph Mon.
- Escarpment
- 2 Mile Airport Zone
- Airport Noise Contours
- Wall Overlay Zone

0 750 1,500 Feet

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

Albuquerque Geographic Information System

Map amended through: 9/2/2014



Zone Atlas Page:

C-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

UPC NUMBERS:

Block 25, Tract A, Unit B, North Albuquerque Acres

Lot 8	1 018 065 375 032 40125
Lot 9	1 018 065 392 032 40124
Lot 23	1 018 065 408 010 40104
Lot 24	1 018 065 393 010 40103
Lot 25	1 018 065 375 010 40102
Lots 26 thru 29	1 018 065 294 021 40101

Block 26, Tract A, Unit B, North Albuquerque Acres

Lots 8 thru 10	1 018 064 407 510 10701
Lot 29-A	1 018 064 347 498 10526

Isaacson & Arfman, P.A. Consulting Engineering Associates

*Thomas O. Isaacson, PE (Ret.) & LS (Ret.) * Fred C. Arfman, PE * Åsa Nilsson-Weber, PE*

March 19, 2015

Mr. Jack Cloud, DRB Chair
City of Albuquerque
600 2nd Street NW
Albuquerque, NM 87102

RE: Vacation of Modesto Ave. Between San Pedro Dr. & Louisiana Blvd. NE
DRB Project 1004472

Dear Mr. Cloud:

Isaacson & Arfman, P.A., as agent for Double Eagle Real Estate & Investments, LLC, (the Developer) hereby request entry into the DRB process for consideration of vacating a 1,155' length of Modesto Ave. being south of Lots 23 thru 29, Block 25, Tract A, Unit B, North Albuquerque Acres and as further designated in the attached application.

A vacation action for the same potion of the roadway was previously processed and approved through the DRB as 07DRB-70422 (Project No. 1003359). The vacation action expired after the one year time requirement to file a plat to consolidate the vacated property had elapsed. The Developer is thereby re-applying for the vacation of a portion of the Modesto Ave. right-of-way.

Background:

1. Double Eagle Real Estate & Investments, LLC is Owner and developer of the five lots to the north and adjacent to the easterly 464 feet of right-of-way as shown on the original 2013 vacation application.
2. The subject vacant right-of-way was originally shown on the original plat of North Albuquerque Acres as a roadway without any dedication or land conveyance language.
3. A 465-foot portion of Modesto Ave. immediately east of San Pedro Dr. was previously vacated by Vacation Action 133.
4. An additional section of Modesto was added to this vacation action. The additional vacation action lies to the east of the vacated ROW lies to the north of the City's Eagle Rock Solid Waste Transfer Station and south of the Daniel's Family Cemetery. The roadway is undeveloped and fenced in as part of the cemetery. The total length of the vacated ROW now totals 1,155 feet.
5. The proposed vacated ROW has two gas lines running the full length, one within the north half and one in the south half. A public 8" waterline also exists in the south half of the ROW. Adjacent to Lots 23 thru 25 the north gas line will be relocated by the Developer at the time of the subdivision improvements.

128 Monroe St. N.E. * Albuquerque, NM 87108 * (505) 268-8828 * www.iacivil.com

6. The property to the south of the proposed vacation consists of three lots (Lots 8 – 10, Block 26) that are part of the Eagle Rock Business Center and the City's Eagle Rock Solid Waste Transfer Station. These three lots have legal access rights to Eagle Rock Ave.
7. The lots adjacent to the Daniels Family Cemetery will be combined into a single tract and accessed by a 30' private access easement centered on the lot line extending west from the northwest property corner of Lot 29 to San Pedro Drive.

Reasons:

A. A vacation is appropriate in this case as the right-of-way is not used as a public thoroughfare and would be better utilized being incorporated into the adjacent properties to provide residential housing and expanded commercial services.
B. The existing closure of Modesto Ave. to the west created a dead end situation without any provisions for a turnaround. The requested ROW vacation and road closure south of the subject property benefits the City of Albuquerque by eliminating this undesirable situation. As such, the City of Albuquerque has the right to act on this request by the joint agreement between the City of Albuquerque and Bernalillo County, whereby the disbursement of vacant right-of-way deemed suitable for third party acquisition lies with the jurisdiction having the subject property within their governing limits. Therefore, the City of Albuquerque has the right to release the property right as a legal thoroughfare upon vacation approval.
C. The granting of this Vacation is appropriate to prevent the unnecessary hardship that would result if the Vacation is not allowed. In this case, if the vacation is not allowed; then the Developer would not be able to develop the property due to the north–south length restriction and its exceptional configuration.
D. The granting of the Vacation will not significantly interfere with the enjoyment of the other lands in the vicinity.
E. The granting of the Vacation would be consistent with the spirit of the Albuquerque's development process, substantial justice, and the general interest of the public. Financial gain or loss is not the sole determining factor in requesting the Vacation. The Owner is a for profit corporation; but they wish to conduct business in the City of Albuquerque within the framework of their proven development methods.

Request:

Therefore, Double Eagle Real Estate and Investments, LL respectfully request that the requested vacation be allowed in accordance to the policies established by the City of Albuquerque, Legal Department, and Real Property Division.

Sincerely,
ISAACSON & ARFMAN P.A.

Fred C. Arfman, PE
FCA/ fca

128 Monroe St. N.E. * Albuquerque, NM 87108 * (505) 268-8828 * www.iacivil.com

City of Albuquerque

P.O. Box 1293, Albuquerque, NM 87103

PLEASE NOTE: The Neighborhood and/or Homeowner Association information listed in this letter is valid for one (1) month. If you haven't filed your application within one (1) month of the date of this letter – you will need to get an updated letter from our office

March 17, 2015

Ruth Lozano
Isaacson and Arfman, P.A.
128 Monroe St. NE/87108
Phone: (505) 268-8828/Fax: (505) 268-2632
E-Mail: Ruthl@iacivil.com

Dear Ruth:

Thank you for your inquiry of **March 17, 2015** requesting the names of **ALL Neighborhood and/or Homeowner Associations** who would be affected under the provisions of *§14-8-2-7 of the Neighborhood Association Recognition Ordinance* by your proposed project at **(DRB SUBMITTAL) – LOTS 8,9,23THRU 25 AND LOTS 26 THRU 29, TRACT A, BLOCK 25, UNIT B, ALBUQUERQUE NORTH ACRES, LOT 29-A AND LOTS 8 THRU 10, BLOCK 26, UNIT B, ALBUQUERQUE NORTH ACRES, LOCATED ON SAN PEDRO DRIVE NE BETWEEN GLENDALE AVENUE NE AND MODESTO AVENUE NE** zone map **B-C-18.**

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

NOR ESTE N.A. "R"
Bob Smith
P.O. Box 94115/87199-0066 828-1319 (h)
Gina Martinez
P.O. Box 94115/87199-0066 238-5495 (c)

Please note that according to *§14-8-2-7 of the Neighborhood Association Recognition Ordinance* you are required to notify each of these contact persons by **certified mail, return receipt requested, before** the Planning Department will accept your application filing. **IMPORTANT! Failure of adequate notification may result in your Application Hearing being deferred.** If you have any questions about the information provided, please contact me at (505) 924-3902 or via an e-mail message at swinklepleck@cabq.gov or by fax at (505) 924-3913.

Sincerely,

Stephani Winklepleck

Stephani Winklepleck
Neighborhood Liaison
OFFICE OF NEIGHBORHOOD COORDINATION
Planning Department

LETTERS MUST BE SENT TO BOTH CONTACTS OF EACH NEIGHBORHOOD AND/OR HOMEOWNER ASSOCIATION FOR THIS PLANNING DEPARTMENT SUBMITTAL.

planningrnaform(01/02/14)

Isaacson & Arfman, P.A. Consulting Engineering Associates

Thomas O. Isaacson, PE(Ret.) & LS(Ret.) · Fred C. Arfman, PE · Asa Nilsson-Weber, PE

March 18, 2015

CERTIFIED MAIL – 7012 0470 0001 9609 1454

Ms. Gina Martinez
Nor Este Neighborhood Association
P.O. Box 94115
Albuquerque, NM 87199-0066

RE: Lots 23 thru 29, Tract A, Block 25, Unit B
North Albuquerque Acres (existing legal)
(DRB Project No. 1004472)

Dear: Ms. Martinez:

As the consulting engineers for the above referenced site (see attached zone map), we are writing this letter to inform the Nor Este Neighborhood Association that a request for consideration of vacating a 1,155' length of Modesto Ave. being south of Lots 23 thru 29, Block 25, Tract A, North Albuquerque Acres is being submitted to the City of Albuquerque Development Review Board. We have attached a vacation exhibit sketch for your use in understanding this action. We anticipate that this action will be heard by the City of Albuquerque Development Review Board on April 15, 2015.

Please feel free to call our office at 268-8828 if additional information is desired on this action.

Sincerely,
ISAACSON & ARFMAN, P.A.

Fred C. Arfman

Fred C. Arfman, PE
FCA/rtl
Attachments

U.S. Postal Service™
CERTIFIED MAIL™ RECEIPT
(Domestic Mail Only; No Insurance Coverage Provided)
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ALBUQUERQUE NM 87199-0066 OFFICIAL USE

Postage	$ $0.70	0108
Certified Fee	$3.30	05
Return Receipt Fee (Endorsement Required)	$2.70	Postmark Here MAR 18 2015
Restricted Delivery Fee (Endorsement Required)	$0.00	
Total Postage & Fees	$ $6.70	03/18/2015

7012 0470 0001 9609 1454

Sent To: Gina Martinez
Street, Apt. or PO Box I: Nor Este Neighborhood Association
City, State,: P.O. Box 94115
Albuquerque, NM 87199-0066

PS Form 3800, August 2006 See Reverse for Instructions

Isaacson & Arfman, P.A. Consulting Engineering Associates

Thomas O. Isaacson, PE(Ret.) & LS(Ret.) · Fred C. Arfman, PE · Asa Nilsson-Weber, PE

March 18, 2015

CERTIFIED MAIL – 7012 0470 0001 9609 1447

Mr. Bob Smith
Nor Este Neighborhood Association
P.O. Box 94115
Albuquerque, NM 87199-0066

RE: Lots 23 thru 29, Tract A, Block 25, Unit B
North Albuquerque Acres (existing legal)
(DRB Project No. 1004472)

Dear: Mr. Smith:

As the consulting engineers for the above referenced site (see attached zone map), we are writing this letter to inform the Nor Este Neighborhood Association that a request for consideration of vacating a 1,155' length of Modesto Ave. being south of Lots 23 thru 29, Block 25, Tract A, North Albuquerque Acres is being submitted to the City of Albuquerque Development Review Board. We have attached a vacation exhibit sketch for your use in understanding this action. We anticipate that this action will be heard by the City of Albuquerque Development Review Board on April 15, 2015.

Please feel free to call our office at 268-8828 if additional information is desired on this action.

Sincerely,
ISAACSON & ARFMAN, P.A.

Fred C. Arfman, PE
FCA/rtl
Attachments

7012 0470 0001 9609 1447

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Restricted Delivery Fee (Endorsement Required)	$0.00	
Total Postage & Fees	$ 6.70 $4.00	03/18/2015

Postmark Here
MAR 18 2015
US POSTAL SERVICE STATION

Sent To: Bob Smith
Nor Este Neighborhood Association
Street, or PO Box: P.O. Box 94115
City, State: Albuquerque, NM 87199-0066

PS Form 3800, August 2006 — See Reverse for Instructions

CITY OF ALBUQUERQUE

CODE ENFORCEMENT DIVISION
Plaza Del Sol Building, Suite 500
600 2nd Street NW
Albuquerque, New Mexico 87102

Richard J. Berry, Mayor

April 22, 2013

Fred C. Arfman, PE
Isaacson & Arfman, P.A.
128 Monroe St. NE
Albuquerque, New Mexico 87108

To Whom It May Concern:

This letter will verify that according to the map on file in this office on this date, the unaddressed parcels located at the **6500 block of Glendale Avenue/Modesto Avenue**, legally described as Lots 9 & 10 and 22 – 24, Block 25, North Albuquerque Acres Subdivision, Tract A, Unit B, Albuquerque, Bernalillo County, New Mexico, is zoned **SU-2 Cemetery or SU-2 NC** and is governed by the North I-25 Sector Plan.

Provided future development of the property meets the design regulations of Chapter 4 of the sector plan, the SU-2 NC zone permissively allows activities listed as permissive in the R-T zone of the Comprehensive City Zoning Code [ref. Section 14-16-2-13 (A)(1)].

If you have additional questions regarding this matter, please feel free to contact me at (505) 924-3454 or bnwilliams@cabq.gov.

Sincerely,

Brennon Williams
Code Compliance Manager

C: freda@iacivil.com

PO Box 1293
Albuquerque
New Mexico 87103
www.cabq.gov

OFFICIAL NOTICE OF DECISION

CITY OF ALBUQUERQUE
PLANNING DEPARTMENT
DEVELOPMENT REVIEW BOARD

February 5, 2014

Project# 1004472
13DRB-70679 VACATION OF PUBLIC RIGHT-OF-WAY

ISAACSON AND ARFMAN PA agents for DOUBLE EAGLE REAL ESTATE & INVESTMENTS request the referenced/ above action for MODESTO AVENUE NE adjacent to Lots 23-25, Block 25, **NORTH ALBUQUERQUE ACRES Tact A Unit B,** located on MODESTO AVE NE between SAN PEDRO BLVD NE and LOUISIANA BLVD NE. (B-18/ C-18) *[deferred from 10/09/13. 11/6/13, 11/21/13, 12/11/13, 01/15/14]*

At its February 5, 2014 meeting, the Development Review Board concluded an advertised public hearing on the proposed vacations per section 14-14-7-2(F) of the Subdivision Ordinance. After concluding its public hearing, the Board recommends APPROVAL to the City Council of the vacation requests as shown on *the attached* Exhibit "C" *and* in the Planning file, based on the following recommended Findings per sections 14-14-7-2(A)(1), (B)(1), and (B)(3) of the Subdivision Ordinance, and subject to the following recommended Conditions of Approval per sections 14-14-7-2(F)(3)(c) and 14-14-7-2(F)(4) of the Subdivision Ordinance.

(A)(1) The vacation of public right-of-way request was amended and ultimately filed by the owners of a majority of the footage of land abutting the proposed vacation.

(B)(1) Based on the required replat, the public welfare is in no way served by retaining the public way. The City of Albuquerque does not need to utilize the platted streets for roadway purposes based on the surrounding and proposed development.

(B)(3) There is no convincing evidence that any substantial property right is being abridged against the will of the owner of the right. Property owners of record abutting the proposed vacation were notified by first class mail at least six days prior to the Development Review Board hearing, *notice was published in a newspaper of general circulation 15 days before the date of the hearing,* and signs were posted on the site 15 days prior to the hearing; no objection regarding access or the abridgement of a substantial property right was raised.

CONDITIONS:

1. Final vacated right of way disposition shall be through the City Real Estate Office.
2. The vacations shall be shown on a replat approved by the Development Review Board, and the approved replat shall be filed for record with the Bernalillo County Clerk's Office within one year.
3. If there are separate plats prepared, all of the replats showing the vacations shall be processed and filed concurrently.

4. Adequate easements shall be retained/ provided for public utilities and infrastructure and access to abutting properties; franchised utility companies shall acknowledge the vacation and adequate easements by their signature on the replat.

PROTEST: IT IS NOT POSSIBLE TO APPEAL DRB RECOMMENDATIONS TO CITY COUNCIL; RATHER, A FORMAL PROTEST OF THE DRB's RECOMMENDATION CAN BE FILED WITHIN THE 15 DAY PERIOD FOLLOWING THE DRB's DECISION, WHICH IS BY February 20, 2014.

Protest is to the City Council. Any person aggrieved with this determination of the Development Review Board may file a protest on the Planning Department form, to the Planning Department, within 15 days of the Development Review Board's decision. The date the determination in question is issued is not included in the 15-day period for filing a protest. 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 protest. You will receive notice if any other person files a protest.

Successful applicants are reminded that other requirements of the City must be complied with, even after approval of the referenced application(s).

Jack Cloud, DRB Chair
ISAACSON AND ARFMAN PA
Cc:

CITY OF ALBUQUERQUE
PLANNING DEPARTMENT
DEVELOPMENT REVIEW BOARD

October 9, 2013

Project# 1004472
13DRB-70679 VACATION OF PUBLIC RIGHT-OF-WAY

ISAACSON AND ARFMAN PA agents for DOUBLE EAGLE REAL ESTATE & INVESTMENTS request the referenced/ above action for MODESTO AVENUE NE adjacent to Lots 23-25, Block 25, **NORTH ALBUQUERQUE ACRES Tact A Unit B,** located on MODESTO AVE NE between SAN PEDRO BLVD NE and LOUISIANA BLVD NE. (B-18/ C-18)

AMAFCA No Comments
COG No comments provided
TRANSIT No comments provided
ZONING ENFORCEMENT No comments provided
NEIGHBORHOOD COORDINATION
APS This will have no adverse impacts to the APS district.
POLICE DEPARTMENT This project is in the Northeast Area Command. - No Crime Prevention of CPTED comments concerning the proposed Vacation of Public Right-of-Way request at this time.
FIRE DEPARTMENT No Comments
PNM ELECTRIC & NMGCO No comments provided
COMCAST No comments provided
CENTURYLINK No comments provided
ENVIRONMENTAL HEALTH No comments provided
M.R.G.C.D 1. Previously reviewed 09/19/2008. 2. No Adverse Comments

OPEN SPACE DIVISION No comments provided
CITY ENGINEER Hydrology has no objection to the vacation.
TRANSPORTATION DEVELOPMENT Additional information must be provided regarding the remaining portions of Modesto Avenue; there appears to be a "floating" portion of right of way remaining.
PARKS AND RECREATION No Comments
ABCWUA No objection
PLANNING DEPARTMENT Refer to comments from Transportaion Development and affected agencies, plus any public hearing comments regarding proposed vacation. The vacation cannot leave portions of right of way which would not conform to DPM standards. Per the Subdivision Ordinance, this right of way vacation would require final approval by the City Council.

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

City of Albuquerque
PLANNING DEPARTMENT

Richard J. Berry, Mayor

Interoffice Memorandum **February 26, 2014**

To: **Ken Sanchez, President, City Council**

From: **Richard J. Berry, Mayor**

Subject: Modesto Vacation **Project# 1004472** / 13DRB-70679 VACATION OF PUBLIC RIGHT-OF-WAY

ISAACSON AND ARFMAN PA agents for DOUBLE EAGLE REAL ESTATE & INVESTMENTS request the referenced/ above action for MODESTO AVENUE NE adjacent to Lots 23-25, Block 25, **NORTH ALBUQUERQUE ACRES Tact A Unit B,** located on MODESTO AVE NE between SAN PEDRO BLVD NE and LOUISIANA BLVD NE. (B-18/ C-18)

Request: This is a request for vacation of a platted street in North Albuquerque Acres that has not been developed. The vacation is for a little over 1,000 feet of Modesto Avenue that currently dead ends at the Sandia Memory Garden, where approximately 500 feet of Modesto was vacated and incorporated into the cemetery a long time ago (Vac. Ord. 133). Proposed development by the original applicant, as well as development of all abutting properties does not require this street for public access; utility easements will be provided with the required replat.

At an advertised public hearing, the Development Review Board voted to recommend APPROVAL to the City Council of the proposed vacation as shown on the Vacation Exhibits in the Planning file, based on the recommended Findings per sections 14-14-7-2(A)(1), (B)(1), and (B)(3) of the Subdivision Ordinance, and subject to the recommended Conditions of Approval per sections 14-14-7-2(F)(3)(c) and 14-14-7-2(F)(4) of the Subdivision Ordinance.

Per section 14-14-7-2(F)(3)(b) of the Subdivision Ordinance, this matter is being forwarded to the City Council to be placed on the consent agenda to determine if the vacation shall occur.

Title/ Subject of Legislation: Modesto Vacation **Project# 1004472** / 13DRB-70679
VACATION OF PUBLIC RIGHT-OF-WAY, **DRB RECOMMENDATION FOR APPROVAL**

Approved:

Robert J. Perry Date
Chief Administrative Officer

Approved as to Legal Form:

David Tourek Date
City Attorney

Recommended:

Suzanne Lubar Date
Planning Director

Map

Traffic

San Pedro Dr NE

San Pedro Dr NE

San Pedro Dr NE

Glendale Ave NE

Glendale Ave NE

Glendale Ave NE

Glendale Ave NE

Glendale Ave NE

29

28

27

26

25

24

23

R.O.W. TO BE VACATED

VAC ORD 133

MODESTO AVE.

COA SOLID WASTE TRANSFER CTR

8

9

10

Eagle Rock Ave NE

Eagle Rock Ave NE

Eagle Rock Ave NE

Eagle Rock Ave NE

Imagery ©2013 Google, Map data ©2013 Google - Edit in Google Map Maker Report a problem

City of Albuquerque

DEVELOPMENT/ PLAN REVIEW APPLICATION

Supplemental Form (SF)

		S	Z	
SUBDIVISION				**ZONING & PLANNING**
___	Major subdivision action			____ Annexation
X	Minor subdivision action			
____	Vacation	V		____ Zone Map Amendment (Establish or Change Zoning, includes Zoning within Sector Development Plans)
____	Variance (Non-Zoning)			
SITE DEVELOPMENT PLAN		P		____ Adoption of Rank 2 or 3 Plan or similar
____	for Subdivision			____ Text Amendment to Adopted Rank 1, 2 or 3 Plan(s), Zoning Code, or Subd. Regulations
____	for Building Permit			
____	Administrative Amendment/Approval (AA)			
____	IP Master Development Plan	D		____ Street Name Change (Local & Collector)
____	Cert. of Appropriateness (LUCC)			
		L	A	**APPEAL / PROTEST of...**
STORM DRAINAGE (Form D)				____ Decision by: DRB, EPC, LUCC, Planning Director, ZEO, ZHE, Board of Appeals, other
____	Storm Drainage Cost Allocation Plan			

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): Isaacson & Arfman, P.A. PHONE: (505) 268-8828

ADDRESS: 128 Monroe Street NE FAX:

CITY: Albuquerque STATE NM ZIP 87108 E-MAIL: fred@iacivil.com

APPLICANT: Double Eagle Real Estate & Investments (Scott B. Clark) PHONE: (505) 883-1414

ADDRESS: P.O. Box 14641 FAX:

CITY: Albuquerque STATE NM ZIP 87191 E-MAIL:

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

DESCRIPTION OF REQUEST: Approval of Minor Subdivision Preliminary/Final Plat

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

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

Lot or Tract No. Lots 8 & 9 and 23 thru 29, Tract A, Block 25; Lot 29-A, Lots 8 thru 10, Tract A, Block 26 together with a Vacated Portion of Modesto Ave NE Block: Unit: B

Subdiv/Addn/TBKA: North Albuquerque Acres (tbka Lots 8-A, 26-A and 27-A, Block 25; Lots 8-A and 29-A-1, Block 26)

Existing Zoning: SU-2 Cemetery or SU-2 NC; SU-2 SU-1 or SU-2 NC; SU-2 IP or SU-2 NC Proposed zoning: See attached letter from Code Enforcement Division dated 04/22/13 MRGCD Map No NA

Zone Atlas page(s): B-18 & C-18 UPC Code: SEE ATTACHED LIST

CASE HISTORY:

List **any** current or prior case number that may be relevant to your application (Proj., App., DRB-, AX_,Z_, V_, S_, etc.): 13DRB-70676; 13DRB-70679; 15DRB-70126

CASE INFORMATION:

Within city limits? X Yes Within 1000FT of a landfill? No

No. of **existing** lots: 13 No. of **proposed** lots: 4 Total site area (acres): 19.5578

LOCATION OF PROPERTY BY STREETS: On or Near: Eagle Rock Ave NE

Between: San Pedro Drive NE and Louisiana Blvd. NE

Check if project was previously reviewed by: Sketch Plat/Plan ☒ or Pre-application Review Team(PRT) ☐. Review Date: 09/18/2013

SIGNATURE Fred C. Arfman DATE 04.07.15

(Print Name) Fred C. Arfman Applicant: ☐ Agent: ☒

FOR OFFICIAL USE ONLY **Revised: 4/2012**

☐ **INTERNAL ROUTING**

		Application case numbers	Action	S.F.	Fees
☒	All checklists are complete	15DRB - 70147	SK		$
☒	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				Total
☐	F.H.D.P. fee rebate	**Hearing date** April 15, 2015			$

4-7-15
Staff signature & Date

Project # 1004472

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

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

❑ **SKETCH PLAT REVIEW AND COMMENT (DRB22)** **Your attendance is required.**

__ Scale drawing of the proposed subdivision plat (folded to fit into an 8.5" by 14" pocket) 6 **copies**
__ Site sketch with measurements showing structures, parking, Bldg. setbacks, adjacent rights-of-way and street improvements, if there is any existing land use (folded to fit into an 8.5" by 14" pocket) **6 copies**
__ Zone Atlas map with the entire property(ies) clearly outlined
__ Letter briefly describing, explaining, and justifying the request
__ List any original and/or related file numbers on the cover application

❑ **EXTENSION OF MAJOR PRELIMINARY PLAT (DRB08)** **Your attendance is required.**

__ Preliminary Plat reduced to 8.5" x 11"
__ Zone Atlas map with the entire property(ies) clearly outlined
__ Letter briefly describing, explaining, and justifying the request
__ Copy of DRB approved infrastructure list
__ Copy of the LATEST Official DRB Notice of approval for Preliminary Plat Extension request
__ List any original and/or related file numbers on the cover application

Extension of preliminary plat approval expires after one year.

❑ **MAJOR SUBDIVISION FINAL PLAT APPROVAL (DRB12)** **Your attendance is required.**

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

☒ **MINOR SUBDIVISION PRELIMINARY/FINAL PLAT APPROVAL (DRB16)** **Your attendance is required.**

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

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

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

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

Amended preliminary plat approval expires after one year

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

Fred C. Arfman
Applicant name (print)

Fred C. Arfman 04.07.15
Applicant signature / date

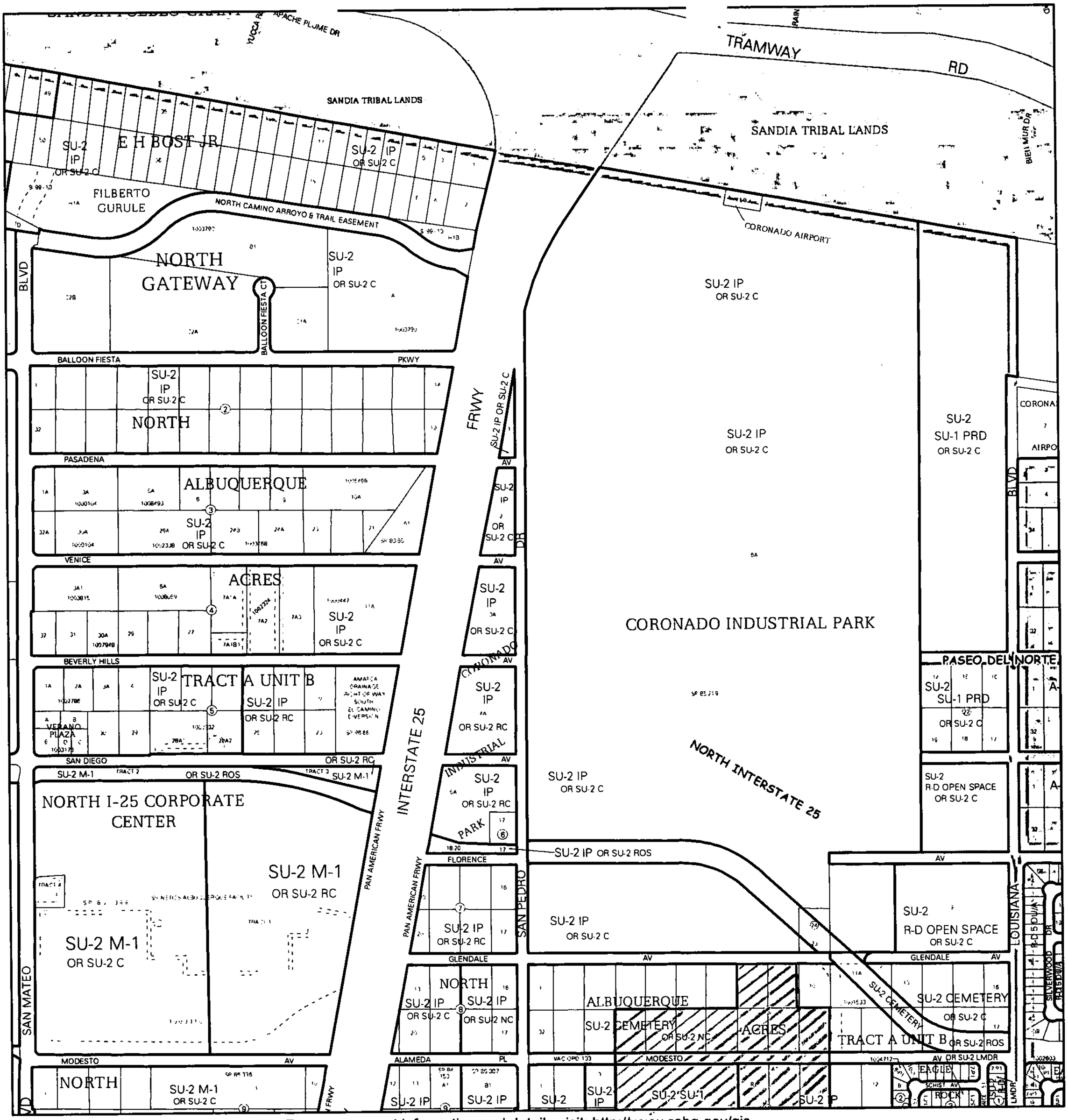
Form revised **October 2007**

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

Application case numbers
15DRB - _____ - 70147
_____ - _____ - _____
_____ - _____ - _____

4-7-15
Planner signature / date

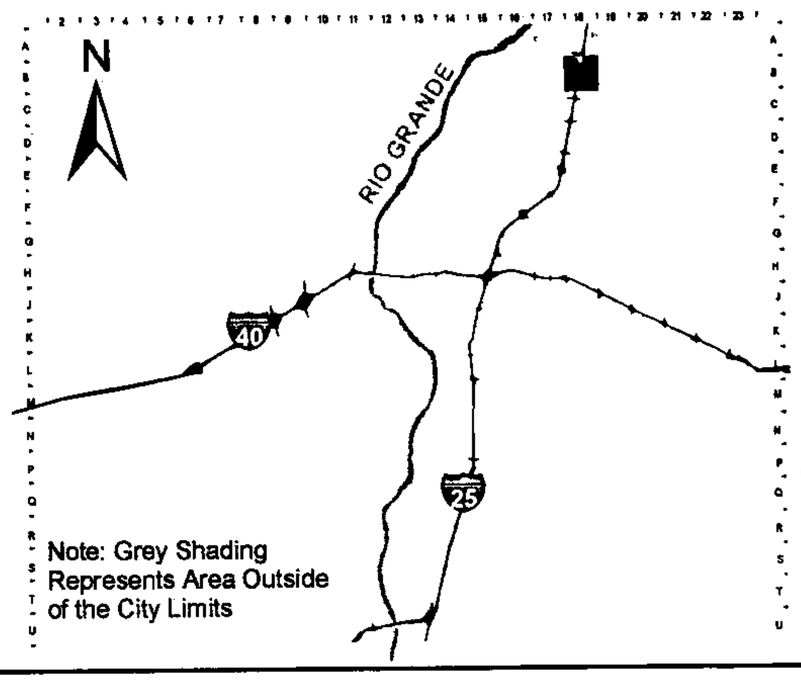
Project # 1004472



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

Albuquerque Geographic Information System

Map amended through: 9/2/2014



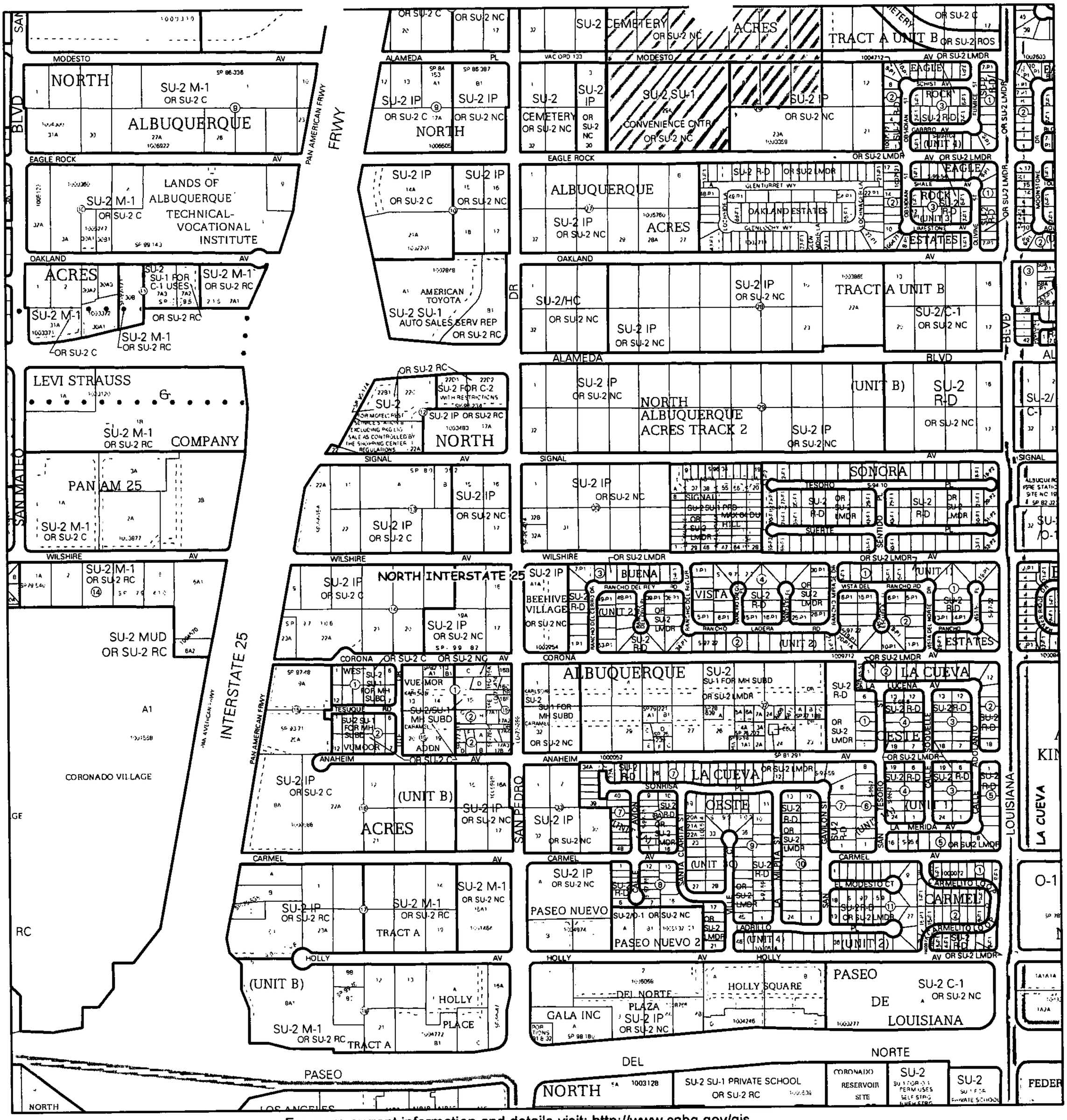
Zone Atlas Page:

B-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

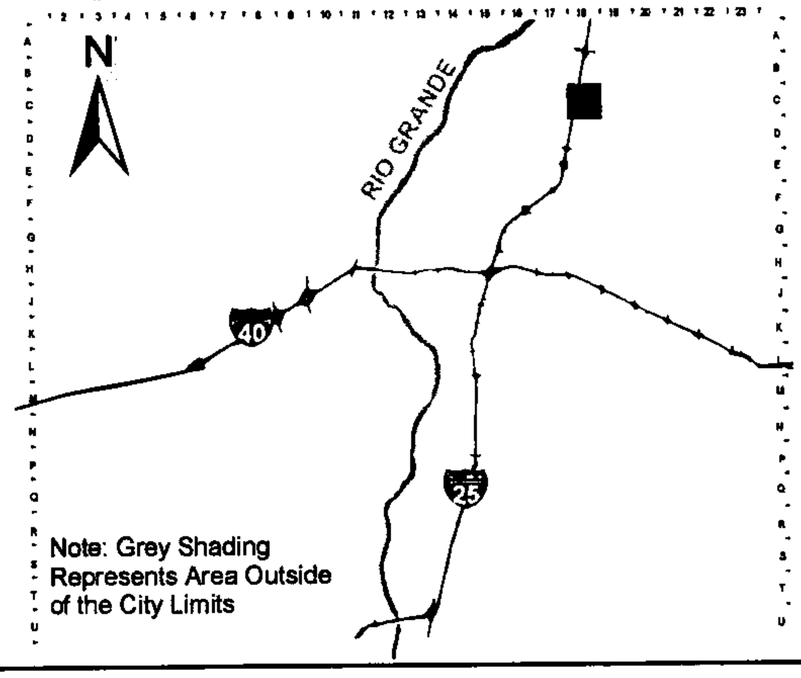
0 750 1,500 Feet



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

Albuquerque Geographic Information System

Map amended through: 9/2/2014



Zone Atlas Page:

C-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

Isaacson & Arfman, P.A. Consulting Engineering Associates

*Thomas O. Isaacson, PE (Ret.) & LS (Ret.) * Fred C. Arfman, PE * Åsa Nilsson-Weber, PE*

March 26, 2015

Mr. Jack Cloud, DRB Chair
City of Albuquerque
600 2nd St NE
Albuquerque, NM 87102

RE: Vacation Plat of Modesto Ave Between San Pedro Dr & Louisiana Blvd. NE (Project No. 1004472: 13DRB-70679 & 15DRB-70126)

Dear Mr. Cloud;

Isaacson & Arfman, P.A., as agent for Double Eagle Real Estate & Investments, LLC, (the Developer) hereby request re-entry into the DRB process for the final sign off of the consolidation plat that combines the vacated right-of-way into the adjacent tracts..

A vacation action for the same portion of the roadway was previously processed and approved through the DRB as 13DRB-70422 (Project No. 1003359 & 1004472).

All of the subject land owners have signed the plat as well as all of the utility companies. It is our request that the accompanying plat be accepted into the DRB process for consideration at the next regularly scheduled hearing.

Sincerely,
ISAACSON & ARFMAN P.A.

Fred C. Arfman, PE
FA/ fca

128 Monroe St. N.E. * Albuquerque, NM 87108 * (505) 268-8828 * Fax: (505) 268-2632 * www.iacivil.com

UPC NUMBERS:

Block 25, Tract A, Unit B, North Albuquerque Acres

Lot 8	1 018 065 375 032 40125
Lot 9	1 018 065 392 032 40124
Lot 23	1 018 065 408 010 40104
Lot 24	1 018 065 393 010 40103
Lot 25	1 018 065 375 010 40102
Lots 26 thru 29	1 018 065 294 021 40101

Block 26, Tract A, Unit B, North Albuquerque Acres

Lots 8 thru 10	1 018 064 407 510 10701
Lot 29-A	1 018 064 347 498 10526

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

Richard J. Berry, Mayor
Administrative Officer
Date

Robert J. Perry, Chief

SUBJECT: ALBUQUERQUE ARCHAEOLOGICAL ORDINANCE—Compliance Documentation
Project Number(s): 1004472
Case Number(s): 15DRB-70126
Agent: Isaacson & Arfman, PA
Applicant: Scott & Panela Clark
Legal Description: Lots 8, 9, 23 -29, Block 25; Lots 8- 10 & 29-A, Block 26;

North Albuquerque Acres, Tract A, Unit B
Zoning: SU-2 for Cemetery; SU-2 NC; SU-2 IP and SU-2 SU-1
Acreage: 19.56 acres
Zone Atlas Page: B-18 & C-18

PROVIONAL CERTIFICATE OF NO EFFECT: Yes __X__ No _____

CERTIFICATE OF APPROVAL: Yes _____ No _____

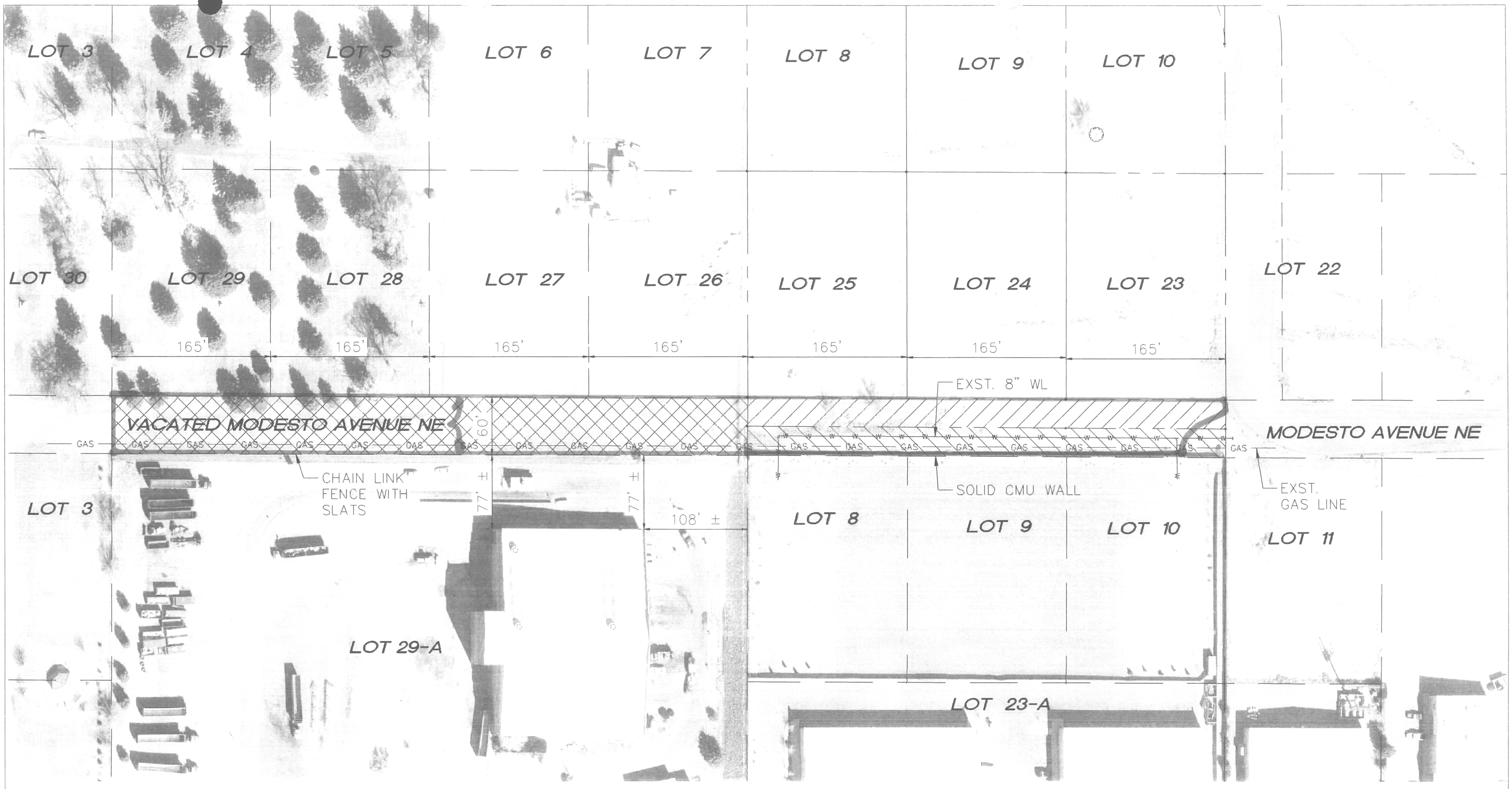
TREATMENT PLAN REVIEW:
DISCOVERY:

SUPPORTING DOCUMENTATION:
SITE VISIT: n/a

RECOMMENDATION(S):

- ***PROVISIONAL CERTIFICATE OF NO EFFECT IS ISSUED to allow platting process to continue. Additional documentation to be submitted on history of land use.***

MFSchmader
Matthew Schmader, PhD
Superintendent, Open Space Division
City Archaeologist



SCALE 1"=100'

EXISTING CONDITIONS

MODESTO AVENUE VACATION

PROJECT #: 1004422 ; 13 DRB-70679

15 DRB-70126

ISAACSON & ARFMAN, P.A.
Consulting Engineering Associates
128 Monroe Street N.E.
Albuquerque, New Mexico 87108
Ph. 505-268-8828 www.iacivil.com

1987 C-701-EXISTING CONDITIONS.dwg Dec 31,2014

M:\PROJECTS\1900-1999\1987\1987 CAD FILES\dwg\1987 C-701-EXISTING CONDITIONS.dwg, 12/31/2014 8:59:31 AM, thor

PROJECT #
100472

APRIL 15. 2015

VPR
SK

PROJECT #
100447

City of Albuquerque

Albuquerque/Bernalillo
County
Government Center
One Civic Plaza
Albuquerque, NM 87102

Action Summary

City Council

Council President, Ken Sanchez, District 1
Vice-President, Trudy E. Jones, District 8

Isaac Benton, District 2; Klarissa J. Peña, District 3
Brad Winter, District 4; Dan Lewis, District 5
Rey Garduño, District 6; Diane G. Gibson, District 7
Don Harris, District 9

Monday, April 7, 2014 **5:00 PM** **Vincent E. Griego Chambers**
One Civic Plaza
Albuquerque/Bernalillo County Government Center

TWENTY-FIRST COUNCIL - NINTH MEETING

1. ROLL CALL

Present 9 - Dan Lewis, Ken Sanchez, Isaac Benton, Klarissa Peña, Brad Winter, Rey Garduño, Diane Gibson, Trudy Jones, and Don Harris

2. MOMENT OF SILENCE

Pledge of Allegiance - Klarissa Peña, Councilor, District 3

6. APPROVAL OF JOURNAL

March 17, 2014

7. COMMUNICATIONS AND INTRODUCTIONS

10. ANNOUNCEMENTS

11. CONSENT AGENDA: {Items may be removed at the request of any Councilor}

a. EC-14-33 Approval of the Awarding of the Agent of Record Agreement with Arthur J. Gallagher

A motion was made by President Sanchez that this matter be Approved. The motion carried by the following vote:

For: 9 - Lewis, Sanchez, Benton, Peña, Winter, Garduño, Gibson, Jones, and Harris

b. EC-14-38 Approval of the FY14 Workers' Compensation Legal Services Agreement between Miller Stratvert and the City of Albuquerque

A motion was made by President Sanchez that this matter be Approved. The motion carried by the following vote:

For: 9 - Lewis, Sanchez, Benton, Peña, Winter, Garduño, Gibson, Jones, and Harris

c. EC-14-39 Recommendation for Award of Contract for Wayfinding Signs on Route 66 / Central Avenue

A motion was made by President Sanchez that this matter be Approved. The motion carried by the following vote:

For: 9 - Lewis, Sanchez, Benton, Peña, Winter, Garduño, Gibson, Jones, and Harris

d. EC-14-46 Mayor's Recommendation of Award to Color Ad for the "Albuquerque Museum of Art and History Exhibit Fabrication and Installation"

A motion was made by President Sanchez that this matter be Approved. The motion carried by the following vote:

For: 9 - Lewis, Sanchez, Benton, Peña, Winter, Garduño, Gibson, Jones, and Harris

e. EC-14-47 First Amendment to Ambulance Services Contract

A motion was made by President Sanchez that this matter be Approved. The motion carried by the following vote:

For: 9 - Lewis, Sanchez, Benton, Peña, Winter, Garduño, Gibson, Jones, and Harris

f. EC-14-49 Recommendation of Award to Service Systems Associates to Provide "BioPark Food and Beverage Concessions"

A motion was made by President Sanchez that this matter be Approved. The motion carried by the following vote:

For: 9 - Lewis, Sanchez, Benton, Peña, Winter, Garduño, Gibson, Jones, and Harris

g. EC-14-50 Model Rx Vacation (Project# 1009058/14DRB-70014) Forstbauer Surveying LLC Agents for Jack Lerner, Request Vacation of Public Right-of-Way for the East-West Public Alley and Lot A in Block 38, Monte Vista Addition, Zoned C-1, Located South of Lomas Blvd NE Between Monte Vista Blvd NE and Carlisle Blvd NE, Containing Approximately .2938 Acre

A motion was made by President Sanchez that this matter be Approved. The motion carried by the following vote:

For: 9 - Lewis, Sanchez, Benton, Peña, Winter, Garduño, Gibson, Jones, and Harris

h. EC-14-51 Modesto Vacation (Project# 1004472/13DRB-70679) Isaacson and Arfman PA Agents for Double Eagle Real Estate & Investments Request Vacation of Public Right-of-Way for Modesto Avenue NE

Adjacent to Lots 23-25, Block 25, North Albuquerque Acres, Tract A, Unit B, Located on Modesto Ave NE between San Pedro Blvd NE and Louisiana Blvd NE

A motion was made by President Sanchez that this matter be Approved. The motion carried by the following vote:

For: 9 - Lewis, Sanchez, Benton, Peña, Winter, Garduño, Gibson, Jones, and Harris

i. EC-14-52 Mayor's Appointment of Ms. Susan Mitchie-Maitlen to the Metropolitan Parks & Recreation Advisory Board

A motion was made by President Sanchez that this matter be Confirmed. The motion carried by the following vote:

For: 9 - Lewis, Sanchez, Benton, Peña, Winter, Garduño, Gibson, Jones, and Harris

j. EC-14-53 Mayor's Appointment of Dr. Jerome E Goss to the Albuquerque Museum Board of Trustees

A motion was made by President Sanchez that this matter be Confirmed. The motion carried by the following vote:

For: 9 - Lewis, Sanchez, Benton, Peña, Winter, Garduño, Gibson, Jones, and Harris

k. EC-14-54 Mayor's Appointment of Mr. Gregory G. Shuman to the Balloon Museum Board Of Trustees

A motion was made by President Sanchez that this matter be Confirmed. The motion carried by the following vote:

For: 9 - Lewis, Sanchez, Benton, Peña, Winter, Garduño, Gibson, Jones, and Harris

l. R-14-24 Approving And Authorizing Acceptance Of A Letter Of Award From The National Endowment For The Arts (NEA) And Making An Appropriation To The Cultural Services Department In Fiscal Year 2014 (Benton, by request)

A motion was made by President Sanchez that this matter be Passed. The motion carried by the following vote:

For: 9 - Lewis, Sanchez, Benton, Peña, Winter, Garduño, Gibson, Jones, and Harris

m. R-14-27 C/S Approving And Authorizing The Filing Of A Section 5317 New Freedom Grant Application With The Mid-Region Council Of Governments And Providing For An Appropriation To The Transit Department (Garduño)

A motion was made by President Sanchez that this matter be Passed. The motion carried by the following vote:

For: 9 - Lewis, Sanchez, Benton, Peña, Winter, Garduño, Gibson, Jones, and Harris

City of Albuquerque

DEVELOPMENT/ PLAN REVIEW APPLICATION

Supplemental Form (SF)

S	Z		
		SUBDIVISION	
___		Major subdivision action	
___		Minor subdivision action	
X		Vacation	
	V		
___		Variance (Non-Zoning)	
		SITE DEVELOPMENT PLAN	
	P		
___		for Subdivision	
___		for Building Permit	
___		Administrative Amendment/Approval (AA)	
___		IP Master Development Plan	
___	D	Cert. of Appropriateness (LUCC)	
		STORM DRAINAGE (Form D)	
___		Storm Drainage Cost Allocation Plan	

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

PRINT OR TYPE IN BLACK INK ONLY. The applicant or agent must submit the completed application in person to the Planning Department Development Services Center, 600 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): Isaacson & Arfman, P.A. PHONE: (505) 268-8828

ADDRESS: 128 Monroe Street NE FAX:

CITY: Albuquerque STATE NM ZIP 87108 E-MAIL: freda@iacivil.com

APPLICANT: Double Eagle Real Estate & Investments (Scott B. Clark) PHONE: (505) 883-1414

ADDRESS: P.O. Box 14641 FAX: (505) 883-0486

CITY: Albuquerque STATE NM ZIP 87191 E-MAIL:

Proprietary interest in site: Owner **List all owners**:

DESCRIPTION OF REQUEST: Approval for Vacation of Public ROW

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

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

Lot or Tract No. Lots 8, 9, 23 thru 25 , Tract A Block: 25 Unit: B

Subdiv/Addn/TBKA: North Albuquerque Acres (tbka Glendesto Subdivision)

Existing Zoning: SU-2 Cemetery or SU-2 NC Proposed zoning: See attached letter from Code Enforcement Division dated 04/22/13 MRGCD Map No NA

Zone Atlas page(s): B-18 UPC Code: Lot 8 - 101806537503240125; Lot 9 - 101806539203240124; Lot 23 - 101806540801040104; Lot 24 - 101806539301040103; Lot 25 - 101806537501040102

CASE HISTORY:

List **any** current or prior case number that may be relevant to your application (Proj., App., DRB-, AX_,Z_, V_, S_, etc.): 13DRB-70676

CASE INFORMATION:

Within city limits? X Yes Within 1000FT of a landfill? No

No. of **existing** lots: 5 No. of **proposed** lots: 38 Total site area (acres): 4.7784

LOCATION OF PROPERTY BY STREETS: On or Near: San Pedro Drive NE

Between: Glendale Ave. NE and Modesto Ave. NE

Check if project was previously reviewed by: Sketch Plat/Plan ☒ or Pre-application Review Team(PRT) ☐. Review Date: 09/18/2013

SIGNATURE Fred C. Arfman DATE 09-13-13

(Print Name) Fred C. Arfman Applicant: ☐ Agent: ☒

FOR OFFICIAL USE ONLY **Revised: 4/2012**

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

Application case numbers	Action	S.F.	Fees
13DRB - 70679	VROW		$300.00
-	ADV		$ 75.00
-	PMF		$ 20.00
-			$
-			$
			Total
			$395.00

Hearing date October 9, 2013

9-13-13
Staff signature & Date

Project # 1004472

FORM V: SUBDIVISION VARIANCES & VACATIONS

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

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

❑ **VACATION OF PUBLIC EASEMENT (DRB27)**

☒ **VACATION OF PUBLIC RIGHT-OF-WAY (DRB28)** (1)
- N/A The complete document which created the public easement (folded to fit into an 8.5" by 14" pocket) **24 copies.** (Not required for City owned public right-of-way.)
- X Drawing showing the easement or right-of-way to be vacated, etc. (not to exceed 8.5" by 11") **24 copies**
- X Zone Atlas map with the entire property(ies) clearly outlined
- X Letter briefly describing, explaining, and justifying the request
- X Office of Community & Neighborhood Coordination inquiry response, notifying letter, certified mail receipts
- X Sign Posting Agreement
- X Fee (see schedule)
- X List any original and/or related file numbers on the cover application

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

❑ **SIDEWALK VARIANCE (DRB20)**

❑ **SIDEWALK WAIVER (DRB21)**
- ___ Scale drawing showing the proposed variance or waiver (not to exceed 8.5" by 14") **6 copies**
- ___ Zone Atlas map with the entire property(ies) clearly outlined
- ___ Letter briefly describing, explaining, and justifying the variance or waiver
- ___ List any original and/or related file numbers on the cover application

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

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

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

❑ **TEMPORARY DEFERRAL OF SIDEWALK CONSTRUCTION (DRB19)**

❑ **EXTENSION OF THE SIA FOR TEMPORARY DEFERRAL OF SIDEWALK CONSTRUCTION (DRB07)**
- ___ Drawing showing the sidewalks subject to the proposed deferral or extension (not to exceed 8.5" by 14") **6 copies**
- ___ Zone Atlas map with the entire property(ies) clearly outlined
- ___ Letter briefly describing, explaining, and justifying the deferral or extension
- ___ List any original and/or related file numbers on the cover application

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

❑ **VACATION OF PRIVATE EASEMENT (DRB26)**

❑ **VACATION OF RECORDED PLAT (DRB29)**
- ___ The complete document which created the private easement/recorded plat (not to exceed 8.5" by 14") **6 copies**
- ___ Scale drawing showing the easement to be vacated (8.5" by 11") **6 copies**
- ___ Zone Atlas map with the entire property(ies) clearly outlined
- ___ Letter/documents briefly describing, explaining, and justifying the vacation **6 copies**
- ___ Letter of authorization from the grantors and the beneficiaries (private easement only)
- ___ Fee (see schedule)
- ___ List any original and/or related file numbers on the cover application

Unless the vacation is shown on a DRB approved plat recorded by the County Clerk within one year, it will expire.
DRB meetings are approximately 8 DAYS after the Tuesday noon filing deadline. Your attendance is required.

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

Fred C. Arfman
Applicant name (print)

Fred C. Arfman 09-13-13
Applicant signature / date

Form revised 4/07

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

Application case numbers
13DRB-_____-70679
_____-_____-_____
_____-_____-_____

DM 9-13-13
Planner signature / date

Project # 1004472

SIGN POSTING AGREEMENT

REQUIREMENTS

POSTING SIGNS ANNOUNCING PUBLIC HEARINGS

All persons making application to the City under the requirements and procedures established by the City Zoning Code or Subdivision Ordinance are responsible for the posting and maintaining of one or more signs o the property which the application describes. Vacations of public rights-of-way (if the way has been in use) als require signs. Waterproof signs are provided at the time of application. If the application is mailed, you must still stop at the Development Services Front Counter to pick up the sign.

The applicant is responsible for ensuring that the signs remain posted throughout the 15-day period prior to public hearing. Failure to maintain the signs during this entire period may be cause for deferral or denial of the application. Replacement signs for those lost or damaged are available from the Development Services Front Counter at a charge of $3.75 each.

1. LOCATION

   A. The sign shall be conspicuously located. It shall be located within twenty feet of the public sidewalk (or edge of public street). Staff may indicate a specific location.
   B. The face of the sign shall be parallel to the street, and the bottom of the sign shall be at leas two feet from the ground.
   C. No barrier shall prevent a person from coming within five feet of the sign to read it.

2. NUMBER

   A. One sign shall be posted on each paved street frontage. Signs may be required on unpaved street frontages.
   B. If the land does not abut a public street, then, in addition to a sign placed on the property, a sign shall be placed on and at the edge of the public right-of-way of the nearest paved City street. Such a sign must direct readers toward the subject property by an arrow and an indication of distance.

3. PHYSICAL POSTING

   A. A heavy stake with two crossbars or a full plywood backing works best to keep the sign in place, especially during high winds.
   B. Large headed nails or staples are best for attaching signs to a post or backing; the sign tear out less easily.

4. TIME

Signs must be posted from September 24, 2013 To October 9, 2013

5. REMOVAL

   A. The sign is not to be removed before the initial hearing on the request.
   B. The sign should be removed within five (5) days after the initial hearing.

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

Ruth Lozano — (Applicant or Agent)

9/13/13 — (Date)

I issued 2 signs for this application, 9-13-13 (Date) — (Staff Member)

DRB PROJECT NUMBER: 1004472

Rev. 1/11/05

City of Albuquerque

DEVELOPMENT/ PLAN REVIEW APPLICATION

Supplemental Form (SF)

SUBDIVISION		**S**	**Z** **ZONING & PLANNING**
___	Major subdivision action		____ Annexation
____	Minor subdivision action		
X	Vacation	**V**	____ Zone Map Amendment (Establish or Change Zoning, includes Zoning within Sector Development Plans)
____	Variance (Non-Zoning)		
SITE DEVELOPMENT PLAN		**P**	____ Adoption of Rank 2 or 3 Plan or similar
____	for Subdivision		____ Text Amendment to Adopted Rank 1, 2 or 3 Plan(s), Zoning Code, or Subd. Regulations
____	for Building Permit		
____	Administrative Amendment/Approval (AA)		
____	IP Master Development Plan	**D**	____ Street Name Change (Local & Collector)
____	Cert. of Appropriateness (LUCC)		
		L **A**	**APPEAL / PROTEST of...**
STORM DRAINAGE (Form D)			____ Decision by: DRB, EPC, LUCC, Planning Director, ZEO, ZHE, Board of Appeals, other
____	Storm Drainage Cost Allocation Plan		

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): Isaacson & Arfman, P.A. PHONE: (505) 268-8828

ADDRESS: 128 Monroe Street NE FAX:

CITY: Albuquerque STATE NM ZIP 87108 E-MAIL: freda@iacivil.com

APPLICANT: Double Eagle Real Estate & Investments (Scott B. Clark) PHONE: (505) 883-1414

ADDRESS: P.O. Box 14641 FAX: (505) 883-0486

CITY: Albuquerque STATE NM ZIP 87191 E-MAIL:

Proprietary interest in site: Owner **List all owners**:

DESCRIPTION OF REQUEST: Approval for Vacation of Public ROW

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

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

Lot or Tract No. Lots 8, 9, 23 thru 25 , Tract A Block: 25 Unit: B

Subdiv/Addn/TBKA: North Albuquerque Acres (tbka Glendesto Subdivision)

Existing Zoning: SU-2 Cemetery or SU-2 NC Proposed zoning: See attached letter from Code Enforcement Division dated 04/22/13 MRGCD Map No NA

Zone Atlas page(s): B-18 UPC Code: Lot 8 - 101806537503240125; Lot 9 - 101806539203240124; Lot 23 - 101806540801040104; Lot 24 - 101806539301040103; Lot 25 - 101806537501040102

CASE HISTORY:

List **any** current or prior case number that may be relevant to your application (Proj., App., DRB-, AX_,Z_, V_, S_, etc.): 13DRB-70676

CASE INFORMATION:

Within city limits? X Yes Within 1000FT of a landfill? No

No. of **existing** lots: 5 No. of **proposed** lots: 38 Total site area (acres): 4.7784

LOCATION OF PROPERTY BY STREETS: On or Near: San Pedro Drive NE

Between: Glendale Ave. NE and Modesto Ave. NE

Check if project was previously reviewed by: Sketch Plat/Plan ☒ or Pre-application Review Team(PRT) ☐. Review Date: 09/18/2013

SIGNATURE Fred C. Arfman DATE 09-13-13

(Print Name) Fred C. Arfman Applicant: ☐ Agent: ☒

FOR OFFICIAL USE ONLY **Revised: 4/2012**

☐ **INTERNAL ROUTING**	Application case numbers	Action	S.F.	Fees
☐ All checklists are complete	13DRB - 70679	VROW	___	$300.00
☐ All fees have been collected	___ - ___	ADV	___	$ 75.00
☐ All case #s are assigned	___ - ___	PMF	___	$ 20.00
☐ AGIS copy has been sent	___ - ___	___	___	$ ___
☐ Case history #s are listed	___ - ___	___	___	$ ___
☐ Site is within 1000ft of a landfill	___ - ___	___	___	$ ___
☐ F.H.D.P. density bonus				Total
☐ F.H.D.P. fee rebate	**Hearing date** October 9, 2013			$395.00

9-13-13
Staff signature & Date

Project # 1004472

FORM V: SUBDIVISION VARIANCES & VA)NS

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

❑ **VACATION OF PUBLIC EASEMENT (DRB27)**
☒ **VACATION OF PUBLIC RIGHT-OF-WAY (DRB28)** (1)
N/A The complete document which created the public easement (folded to fit into an 8.5" by 14" pocket) **24 copies.** (Not required for City owned public right-of-way.)
X Drawing showing the easement or right-of-way to be vacated, etc. (not to exceed 8.5" by 11") **24 copies**
X Zone Atlas map with the entire property(ies) clearly outlined
X Letter briefly describing, explaining, and justifying the request
X Office of Community & Neighborhood Coordination inquiry response, notifying letter, certified mail receipts
X Sign Posting Agreement
X Fee (see schedule)
X List any original and/or related file numbers on the cover application
Unless the vacation is shown on a DRB approved plat recorded by the County Clerk within one year, it will expire.
DRB Public hearings are approximately 30 DAYS after the filing deadline. Your attendance is required.

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

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

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

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

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

Fred C. Arfman
Applicant name (print)

Fred C. Arfman 09-13-13
Applicant signature / date

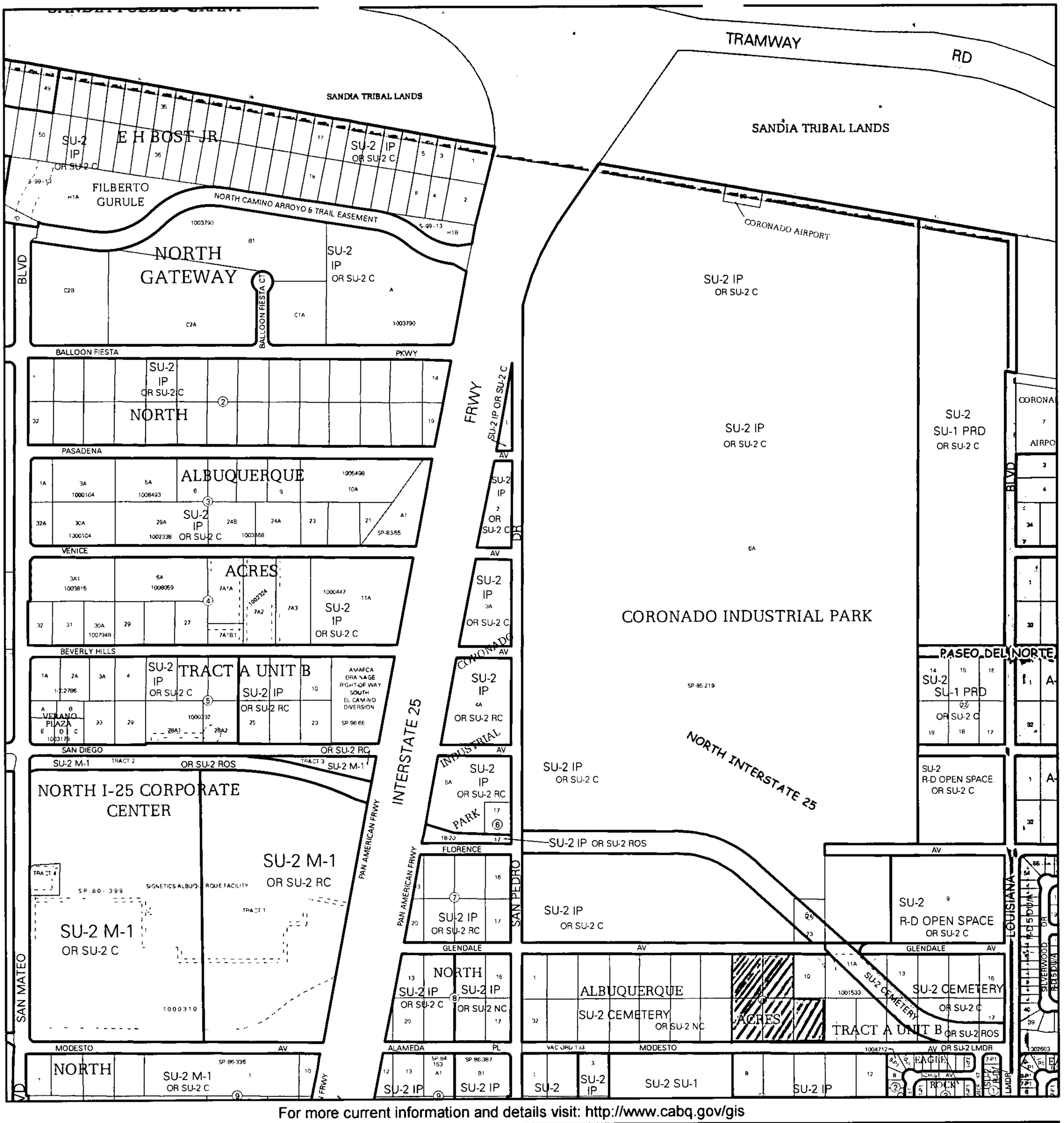
Form revised 4/07

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

Application case numbers
13DRB-_____-70679
_____-_____-_____
_____-_____-_____

DM 9-13-13
Planner signature / date

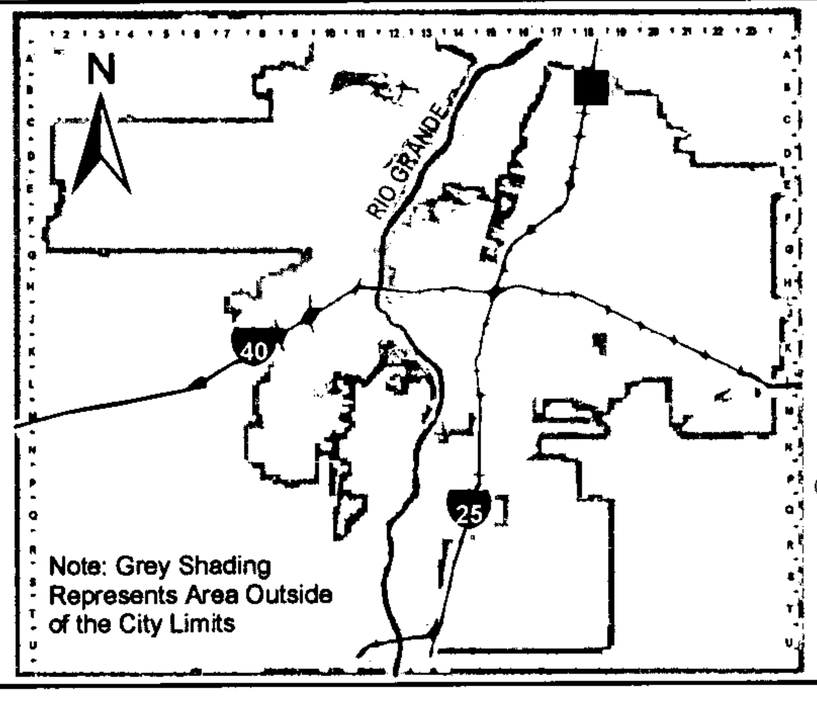
Project # 1004472



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

Albuquerque Geographic Information System

Map amended through: 1/10/2013



Zone Atlas Page:

B-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

Isaacson & Arfman, P.A. Consulting Engineering Associates

*Thomas O. Isaacson, PE (Ret.) & LS (Ret.) * Fred C. Arfman, PE * Åsa Nilsson-Weber, PE*

September 12, 2013

Mr. Jack Cloud, DRB Chair
City of Albuquerque
600 2nd St NE
Albuquerque, NM 87102

RE: Vacation of Modesto Ave. Between San Pedro Dr & Louisiana Blvd. NE

Dear Mr. Cloud;

Isaacson & Arfman, P.A., as agent for Double Eagle Real Estate & Investments, LLC, (the Developer) hereby request entry into the DRB process for consideration of vacating a 495' length of Modesto Ave. being south of Lots 23, 24 & 25, Block25, Tract A, Unit B, North Albuquerque Acres and as further designated in the attached application.

A vacation action for the same potion of the roadway was previously processed and approved through the DRB as 07DRB-70422 (Proj. No. 1003359). The vacation action expired after the one year time requirement to file a plat to consolidate the vacated property had elapsed. The Developer is thereby re-applying for the vacation of a portion of the Modesto Ave. right-of-way.

Background:

1. Double Eagle Real Estate & Investments, LLC is Owner and developer of the five lots to the north and adjacent to the subject right-of-way.
2. The subject vacant right-of-way was originally shown on the original plat of North Albuquerque Acres as a roadway without any dedication or land conveyance language.
3. A 465-foot portion of Modesto Ave immediately east of San Pedro Dr. was previously vacated by Vacation Action 133.
4. The next section of Modesto to the east of the vacated ROW lies to the north of the City's Eagle Rock Solid Waste Transfer Station and south of the Daniel's Family Cemetery. The roadway is undeveloped and fenced in as part of the cemetery.
5. The proposed vacated ROW has two gas lines running the full length, one within the north half and one in the south half. A public 8" water line also exists in the south half of the ROW. The north gas line will be relocated by the developer.
6. The property to the south of the proposed vacation consists of three lots (Lots 8 – 10, Block 26) that are part of the Eagle Rock Business Center. It is not know if these three lots have legal access rights to Eagle Rock Ave; therefore, retaining public access off of Modesto may have to be retained unless the business park owner elects to replat or provide legal access to the lots.

128 Monroe St. N.E. * Albuquerque, NM 87108 * (505) 268-8828 * Fax: (505) 268-2632 * www.iacivil.com

Reasons:

A. A vacation is appropriate in this case as the right-of-way is not used as a public thoroughfare and would be better utilized being incorporated into the adjacent properties to provide residential housing and expanded commercial services.

B. The existing closure of Modesto Ave. to the west created a dead end situation without any provisions for a turnaround. The requested ROW vacation and road closure south of the subject property benefits the City of Albuquerque by eliminating this undesirable situation. As such, the City of Albuquerque has the right to act on this request by the joint agreement between the City of Albuquerque and Bernalillo County, whereby the disbursement of vacant right-of-way deemed suitable for third party acquisition lies with the jurisdiction having the subject property within their governing limits. Therefore, the City of Albuquerque has the right to sell the property upon vacation approval.

C. The vacation request could be expanded to include that portion of Modesto Ave north of the City's solid waste transfer station. If the owners of the cemetery choose not to acquire the property, the City could then consolidate the vacated ROW into their facility by a separate replat action.

D. The south half of the ROW may be retained as public ROW to provide access to the four lots of the Daniel's Family Cemetery that front on the north side of Modesto Ave. The cemetery functions across the boundaries of the original NAA lots and legal access must be provided or the cemetery property must be replatted by others as a single tract.

E. The granting of this Vacation is appropriate to prevent the unnecessary hardship that would result if the Vacation is not allowed. In this case, if the vacation is not allowed; then the Developer would not be able to develop the property due to the north–south length restriction and its exceptional configuration.

F. The granting of the Vacation will not significantly interfere with the enjoyment of the other lands in the vicinity.

G. The granting of the Vacation would be consistent with the spirit of the Albuquerque's development process, substantial justice and the general interest of the public. Financial gain or loss is not the sole determining factor in requesting the Vacation. The Owner is a for profit corporation; but they wish to conduct business in the City of Albuquerque within the framework of their proven development methods.

Request:

Therefore, Double Eagle Real Estate and Investments, LL respectfully request that the requested vacation be allowed, whereas the Developer would compensate the City for the value of the vacant land in accordance to the value established by the City of Albuquerque, Legal Department, Real Property Division.

Sincerely,
ISAACSON & ARFMAN P.A.

Fred C. Arfman, PE

128 Monroe St. N.E. * Albuquerque, NM 87108 * (505) 268-8828 * Fax: (505) 268-2632 * www.iacivil.com

Double Eagle

Real Estate & Investments

September 5, 2013

City of Albuquerque,
Planning Department

Regards to:

Lots 8,9,23,24,25 Block 25 Tract "A" Unit "B" North Albuquerque Acres

To whom it may concern,

I have retained the services of Isaacson & Arfman, PA. as my authorized agent in the matters of the vacation and platting action associated with the said property.

If you have any questions in regards to this action please feel free to give me a call.

Sincerely,

Scott B. Clark

5600 Eubank NE Suite 120 Albuquerque, New Mexico 87111
PO Box 14641 Albuquerque, New Mexico 87191
Office: 505.883.1414 Fax: 505.883.0486

LEGACY HOSPITALITY INC.

6501 Eagle Rock Avenue NE, Suite B-5
Albuquerque, NM 87113
Phone: (505) 243.6000
Fax: (505) 243.1561

January 18, 2014

Jack Cloud, Chair
Development Review Board
Planning Department; City of Albuquerque
P.O. Box 1293
Albuquerque, NM87103

Re: Modesto Ave. Vacation

Subj: Letter of Consent

Dear Mr. Cloud,

I am the owner of Lots 8,9 & 10, Block 28, Tract A, Unit B, North Albuquerque Acres, situated to the south of the east potion of Modesto Ave. current being processed through the Development Review Board for vacation. I am in agreement with the proposed Vacation Action currently in front of the DRB and I understand that the southerly half of the vacated right-of-way fronting my property must be consolidated in with my property by a replat. In addition, I understand that the City of Albuquerque will be compensated per the valuation as set by the Real Property Division, Legal Department.

Respectfully,

Aleem M Kassam
Property Owner

Fred Arfman

From: Pena, Johnny E. [JPena@cabq.gov]
Sent: Tuesday, February 04, 2014 3:21 PM
To: Fred Arfman
Cc: Holbert, Jill R.; Locher, Eric J.
Subject: RE: Eagle Rock CC

Mr. Arfman,

The Solid Waste Management Department in principal has a willingness to participate in the vacation of the public right-of-way of Modesto Ave. adjacent to the Eagle Rock Convenience Center so long as there is no cost to the City of Albuquerque Solid Waste Management Department.

If there are any questions do not hesitate to contact me.

Thanks

Johnny Peña, Superintendent
Disposal/Processing Division
Solid Waste Management Department
City of Albuquerque
(505)761-8326 Office
(505)761-8325 Fax
jpena@cabq.gov

From: Fred Arfman [mailto:freda@iacivil.com]
Sent: Friday, January 24, 2014 9:31 AM
To: Pena, Johnny E.
Cc: 'Scott B. Clark'
Subject: Eagle Rock CC

Johnny,

We are requesting that you provide us with a reply correspondence stating the willingness of the SWM Dept. to participate in the vacation of the public right-of-way of Modesto Ave adjacent to the Eagle Rock Conv. Ctr. This is a condition of the City's Development Review Board and they must have all future benefiting parties (public & private) provide similar consents.

Your assistance in this matter is greatly appreciated and we look forward to your reply.

Thanks,

Fred

Fred C. Arfman, P.E.
Principal/ President
Isaacson & Arfman, P.A.
Consulting Engineering Associates
128 Monroe St. N.E.
Albuquerque, NM 87108
Phone: (505)268-8828

CITY OF AL UQUERQUE

CODE ENFORCEMENT DIVISION
Plaza Del Sol Building, Suite 500
600 2nd Street NW
Albuquerque, New Mexico 87102

Richard J. Berry, Mayor

April 22, 2013

Fred C. Arfman, PE
Isaacson & Arfman, P.A.
128 Monroe St. NE
Albuquerque, New Mexico 87108

To Whom It May Concern:

This letter will verify that according to the map on file in this office on this date, the unaddressed parcels located at the **6500 block of Glendale Avenue/Modesto Avenue**, legally described as Lots 9 & 10 and 22 – 24, Block 25, North Albuquerque Acres Subdivision, Tract A, Unit B, Albuquerque, Bernalillo County, New Mexico, is zoned **SU-2 Cemetery or SU-2 NC** and is governed by the North I-25 Sector Plan.

Provided future development of the property meets the design regulations of Chapter 4 of the sector plan, the SU-2 NC zone permissively allows activities listed as permissive in the R-T zone of the Comprehensive City Zoning Code [ref. Section 14-16-2-13 (A)(1)].

If you have additional questions regarding this matter, please feel free to contact me at (505) 924-3454 or bnwilliams@cabq.gov.

Sincerely,

Brennon Williams
Code Compliance Manager

C: freda@iacivil.com

PO Box 1293
Albuquerque
New Mexico 87103
www.cabq.gov

City of Albuquerque

P.O. Box 1293, Albuquerque, NM 87103

PLEASE NOTE: **The Neighborhood and/or Homeowner Association information listed in this letter is valid for one (1) month. If you haven't filed your application within one (1) month of the date of this letter – you will need to get an updated letter from our office**

September 6, 2013

Ruth Lozano
Isaacson and Arfman, P.A.
128 Monroe St. NE/87108
Phone: (505) 268-8828/Fax: (505) 268-2632
E-Mail: Ruthl@iacivil.com

Dear Ruth:

Thank you for your inquiry of **September 6, 2013** requesting the names of **ALL Neighborhood and/or Homeowner Associations** who would be affected under the provisions of O-92 by your proposed project at **(DRB SUBMITTAL) – LOTS 8,9,23 THRU 25, TRACT A, BLOCK 25, UNIT B, ALBUQUERQUE NORTH ACRES, LOCATED ON SAN PEDRO DRIVE NE BETWEEN GLENDALE AVENUE NE AND MODESTO AVENUE NE** zone map **B-18.**

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

NOR ESTE N.A. "R"
Jeff Peterson, 7800 Eagle Rock Ave. NE/87122-2723 797-3477 (h)
Joe Yardumian, 7801 R.C. Gorman Ave. NE/87122-2748 797-1851 (h)

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

Sincerely,

Stephani Winklepleck

Stephani Winklepleck
Neighborhood Liaison
OFFICE OF NEIGHBORHOOD COORDINATION
Planning Department

LETTERS MUST BE SENT TO BOTH CONTACTS OF EACH NEIGHBORHOOD AND/OR HOMEOWNER ASSOCIATION FOR THIS PLANNING DEPARTMENT SUBMITTAL.

planningrnaform(01/01/13)

Isaacson & Arfman, P.A. Consulting Engineering Associates

Thomas O. Isaacson, PE(Ret.) & LS(Ret.) • Fred C. Arfman, PE • Åsa Nilsson-Weber, PE

September 12, 2013 CERTIFIED MAIL – 7005 1160 0001 1329 9058

Jeff Peterson
Nor Este Neighborhood Association
7800 Eagle Rock Ave. NE
Albuquerque, NM 87122-2723

RE: Lots 8, 9, 23 thru 25, Tract A, Block 25, Unit B North Albuquerque Acres (existing legal) (DRB Project No. 1004472)

Dear: Mr. Peterson:

As the consulting engineers for the above referenced site (see attached zone map), we are writing this letter to inform the Nor Este Neighborhood Association that a request for Vacation of the Public Right-of-Way for the portion of Modesto Ave. immediately south of Lots 23 thru 25, Tract A is being submitted to the City of Albuquerque Development Review Board. We have attached a vacation exhibit sketch for your use in understanding this action. We anticipate that this action will be heard by the City of Albuquerque Development Review Board on October 9, 2013.

Please feel free to call our office at 268-8828 if additional information is desired on this action.

Sincerely,
ISAACSON & ARFMAN, P.A.

Fred C. Arfman, PE
FCA/rtl
Attachments

7005 1160 0001 1329 9058

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Postage	$ $0.66	0108
Certified Fee	$3.10	22
Return Receipt Fee (Endorsement Required)	$2.55	Postmark Here
Restricted Delivery Fee (Endorsement Required)	$0.00	
Total Postage & Fees	$ $6.31	09/12/2013

Sent To: Jeff Peterson
Street, Apt. No.; or PO Box No.: Nor Este Neighborhood Association
City, State, ZIP+4: 7800 Eagle Rock Ave. NE, Albuquerque, NM 87122-2723

PS Form 3800, June 2002 See Reverse for Instructions

Isaacson & Arfman, P.A. Consulting Engineering Associates

Thomas O. Isaacson, PE(Ret.) & LS(Ret.) · Fred C. Arfman, PE · Åsa Nilsson-Weber, PE

September 12, 2013 CERTIFIED MAIL – 7005 1160 0001 1329 9065

Joe Yardumian
Nor Este Neighborhood Association
7801 R.C. Gorman Ave. NE
Albuquerque, NM 87122-2748

RE: Lots 8, 9, 23 thru 25, Tract A, Block 25, Unit B North Albuquerque Acres (existing legal) (DRB Project No. 1004472)

Dear: Mr. Yardumian:

As the consulting engineers for the above referenced site (see attached zone map), we are writing this letter to inform the Nor Este Neighborhood Association that a request for Vacation of the Public Right-of-Way for the portion of Modesto Ave. immediately south of Lots 23 thru 25, Tract A is being submitted to the City of Albuquerque Development Review Board. We have attached a vacation exhibit sketch for your use in understanding this action. We anticipate that this action will be heard by the City of Albuquerque Development Review Board on October 9, 2013.

Please feel free to call our office at 268-8828 if additional information is desired on this action.

Sincerely,
ISAACSON & ARFMAN, P.A.

Fred C. Arfman, PE
FCA/rtl
Attachments

7005 1160 0001 1329 9065

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Postage	$ $0.66	0108
Certified Fee	$3.10	22
Return Receipt Fee (Endorsement Required)	$2.55	Postmark Here
Restricted Delivery Fee (Endorsement Required)	$0.00	
Total Postage & Fees	$ $6.31	09/12/2013

Sent To Joe Yardumian
Street, Apt. No.; or PO Box No. Nor Este Neighborhood Association
7801 R.C. Gorman Ave. NE
City, State, ZIP+4 Albuquerque, NM 87122-2748

PS Form 3800, June 2002 See Reverse for Instructions

INTER-OFFICE MEMORANDUM

COMMENTING AGENCIES

DEBBIE BAUMAN -	Transportation Development
SHABIH RIZVI -	Transit & Parking Department
KENDRA WATKINS/ ANDREW GINGERICH -	Council of Governments
LYNN MAZUR -	AMAFCA
STEVE SINK -	APD Crime Prevention
SUSANNAH ABBEY -	Open Space Division
ANTONIO CHINCHILLA -	Fire Department
DAVID KILPATRICK -	Zoning Enforcement Inspector
STEPHANI WINKLEPLECK -	Neighborhood Coordination
DANIEL ARAGON -	Public Service Company of New Mexico
PATRICK SANCHEZ -	New Mexico Gas Company
APRIL WINTERS -	Albuquerque Public Schools
MICHELE RAMIREZ -	CenturyLink
MIKE MORTUS -	Comcast Cable
RAY GOMEZ -	Middle Rio Grande Conservancy District (MRGCD)
SUZANNE BUSCH -	Environmental Health

Your comments on the following case(s) are requested. Board hearing date:

PROJECT # 1004472

Wednesday, October 9, 2013

Comments must be received by:

Wednesday, October 2, 2013

If comments are not received by this date, "no comments" will be listed on the staff report. Attached are copies of the requests.**If you have any questions, please contact me at 924-3946 or agomez@cabq.gov**

DEVELOPMENT REVIEW BOARD SUPPLEMENTAL SUBMITTAL

PROJECT NO. 1004472

Application No. 13 DRB-70679

TO:

X **ALL MEMBERS**

X **Jack Cloud, DRB Chairman, Planning Department** w/ LETTERS

___ **Curtis Cherne, P.E., Hydrology**
___ **Kristal Metro, P.E. , Transportation Development**
___ **Allan Porter, P.E., Albuquerque/ Bernalillo Co.WUA**
___ **Carol Dumont, Parks/Municipal Development**

NEXT HEARING DATE: Feb. 05, 2014

NOTE: REQUESTS FOR DEFERRAL OF CASES WILL BE DISCUSSED BY THE BOARD AND THE APPLICANT AND/OR AGENT AT THE BEGINNING OF THE AGENDA. BOTH PARTIES MUST AGREE UPON THE DATE OF DEFERRAL. IF THE APPLICANT/AGENT IS NOT PRESENT, THE ADMINISTRATIVE ASSISTANT MUST RECEIVE A LETTER, PRIOR TO THE HEARING DATE, REQUESTING A SPECIFIC DEFERRAL DATE. THE BOARD WILL DISCUSS AND MAKE A DECISION AT THE HEARING. THE APPLICANT/AGENT WILL THEN BE INFORMED OF THE DEFERRAL DATE AND REASON. IF THE APPLICANT IS NOT PRESENT WHEN THEIR REQUEST IS CALLED, THEN THE REQUEST MAY BE INDEFIINITELY DEFERRED ON A NO SHOW.

SUBMITTAL DESCRIPTION: Letters of Authorization and a Revised Vacation Exhibit (2 sheets)

COA: SWM DEPT. CONCURRANCE TO BE PROVIDE AT THE HEARING OR CONFIRMED BY BLAKE WHITCOMB, REP. SWM.

RECEIVED
FEB 04 2014
LAND DEVELOPMENT SECTION

CONTACT NAME: Fred C. Arfman DATE: 02-04-14

TELEPHONE: 268-8828 EMAIL: freda@iacivil.com

September 25. 2013

City of Albuquerque

DEVELOPMENT/ PLAN REVIEW APPLICATION

Supplemental Form (SF)

SUBDIVISION — **S**
- ___ Major subdivision action
- X Minor subdivision action
- ___ Vacation — **V**
- ___ Variance (Non-Zoning)

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

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

Z ZONING & PLANNING
- ___ Annexation
- ___ Zone Map Amendment (Establish or Change Zoning, includes Zoning within Sector Development Plans)
- ___ Adoption of Rank 2 or 3 Plan or similar
- ___ Text Amendment to Adopted Rank 1, 2 or 3 Plan(s), Zoning Code, or Subd. Regulations
- ___ Street Name Change (Local & Collector)

A APPEAL / PROTEST of...
- ___ Decision by: DRB, EPC, LUCC, Planning Director, ZEO, ZHE, Board of Appeals, other

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

APPLICATION INFORMATION:

Professional/Agent (if any): Isaacson & Arfman, P.A. PHONE: (505) 268-8828
ADDRESS: 128 Monroe Street NE FAX:
CITY: Albuquerque STATE NM ZIP 87108 E-MAIL: freda@iacivil.com

APPLICANT: Double Eagle Real Estate & Investments (Scott B. Clark) PHONE: (505) 883-1414
ADDRESS: P.O. Box 14641 FAX: (505) 883-0486
CITY: Albuquerque STATE NM ZIP 87191 E-MAIL:
Proprietary interest in site: Owner **List all owners**:

DESCRIPTION OF REQUEST: Approval of Sketch Plat

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

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

Lot or Tract No. Lots 8, 9, 23 thru 25 , Tract A Block: 25 Unit: B
Subdiv/Addn/TBKA: North Albuquerque Acres (tbka Glendesto Subdivision)
Existing Zoning: SU-2 Cemetery or SU-2 NC Proposed zoning: MRGCD Map No NA
Zone Atlas page(s): B-18 UPC Code: Lot 8 - 101806537503240125; Lot 9 - 101806539203240124; Lot 23 - 101806540801040104; Lot 24 - 101806539301040103; Lot 25 - 101806537501040102

CASE HISTORY:
List **any** current or prior case number that may be relevant to your application (Proj., App., DRB-, AX_,Z_, V_, S_, etc.): Project #1003359
1004472

CASE INFORMATION:
Within city limits? X Yes Within 1000FT of a landfill? No
No. of **existing** lots: 5 No. of **proposed** lots: 38 Total site area (acres): 4.7784
LOCATION OF PROPERTY BY STREETS: On or Near: San Pedro Drive NE
Between: Glendale Ave. NE and Modesto Ave. NE

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

SIGNATURE Fred C. Arfman DATE 09-10-13
(Print Name) Fred C. Arfman Applicant: ☐ Agent: ☒

FOR OFFICIAL USE ONLY **Revised: 4/2012**

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

Application case numbers	Action	S.F.	Fees
13DRB - 70676	SP		$ 0
-			$
-			$
-			$
-			$
			Total $ 0

Hearing date Sept. 18, 2013

9-10-13
Staff signature & Date

Project # 1004472

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

☒ **SKETCH PLAT REVIEW AND COMMENT (DRB22)** **Maximum Size: 24" x 36"**

X 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.
X Zone Atlas map with the entire property(ies) clearly outlined
X Letter briefly describing, explaining, and justifying the request
X 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)
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❑ **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
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❑ **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)
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I, the applicant, acknowledge that any information required but not submitted with this application will likely result in deferral of actions.

Fred C. Arfman
Applicant name (print)
Fred C. Arfman 09-10-13
Applicant signature / date

Form revised **October 2007**

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

Application case numbers
13 - DRB - 70676
____ - ____ - ____
____ - ____ - ____

9-10-13
Planner signature / date

Project # 1004472

City of Albuquerque

DEVELOPMENT/ PLAN REVIEW APPLICATION

Supplemental Form (SF)

SUBDIVISION		**S**	**Z** **ZONING & PLANNING**
___	Major subdivision action		____ Annexation
X	Minor subdivision action		
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____	for Subdivision		____ Text Amendment to Adopted Rank 1, 2 or 3 Plan(s), Zoning Code, or Subd. Regulations
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STORM DRAINAGE (Form D)			____ Decision by: DRB, EPC, LUCC, Planning Director, ZEO, ZHE, Board of Appeals, other
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Zone Atlas page(s): B-18 UPC Code: Lot 8 - 101806537503240125; Lot 9 - 101806539203240124; Lot 23 - 101806540801040104; Lot 24 - 101806539301040103; Lot 25 - 101806537501040102

CASE HISTORY:

List **any** current or prior case number that may be relevant to your application (Proj., App., DRB-, AX_,Z_, V_, S_, etc.): Project #1003359 1004472

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SIGNATURE Fred C. Arfman DATE 09-10-13

(Print Name) Fred C. Arfman Applicant: ☐ Agent: ☒

FOR OFFICIAL USE ONLY **Revised: 4/2012**

		Application case numbers	Action	S.F.	Fees
☒	**INTERNAL ROUTING**				
☒	All checklists are complete	13DRB-70676	SP	___	$ 0
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☐	AGIS copy has been sent	____-____	____	___	$ ____
☐	Case history #s are listed	____-____	____	___	$ ____
☐	Site is within 1000ft of a landfill	____-____	____	___	$ ____
☐	F.H.D.P. density bonus				Total
☐	F.H.D.P. fee rebate	**Hearing date** Sept. 18, 2013			$ 0

9-10-13
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Applicant name (print)

Fred C. Arfman 9-10-13
Applicant signature / date

Form revised **October 2007**

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Application case numbers
13 - DRB - 70676
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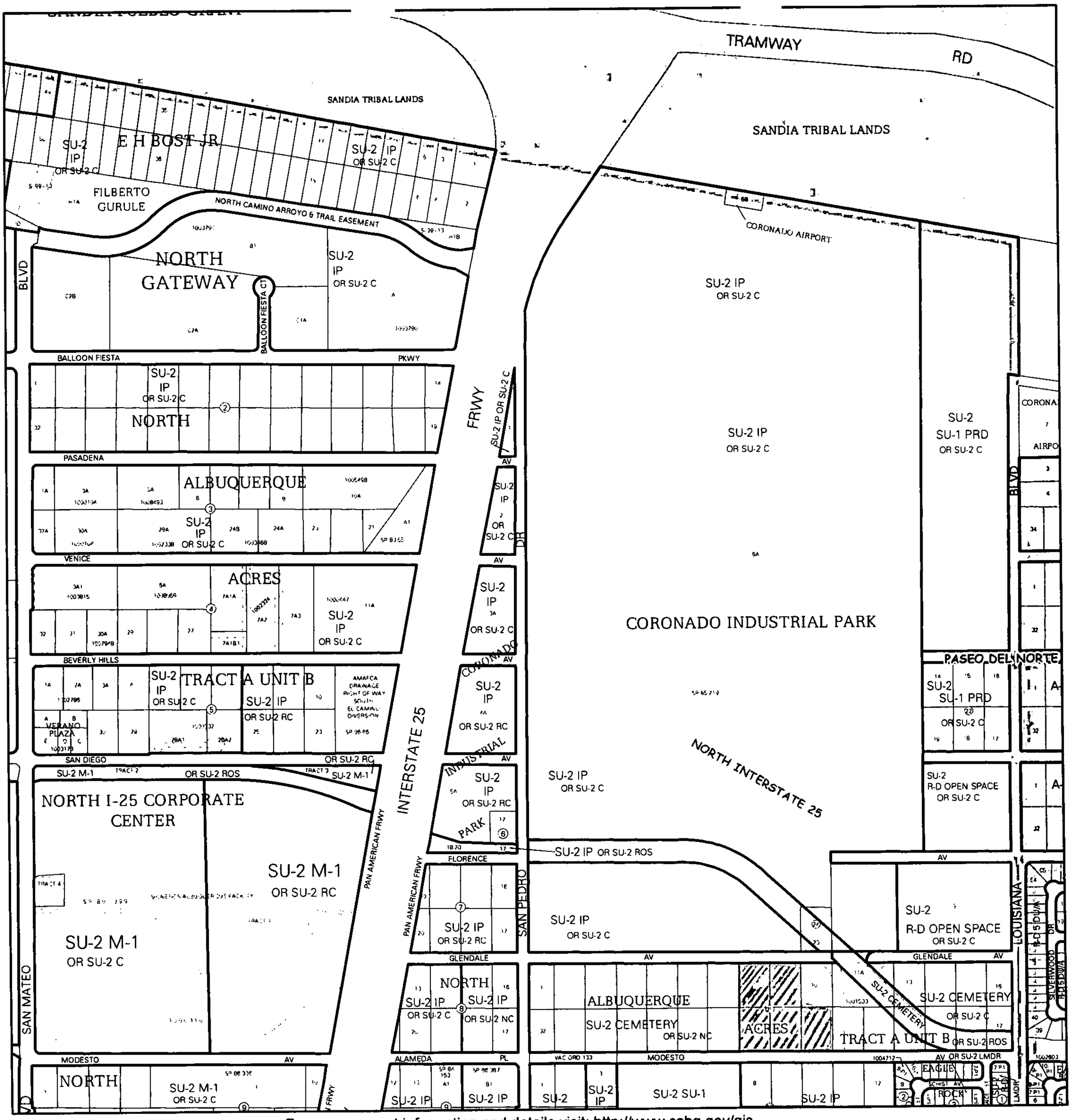
9-10-13
Planner signature / date

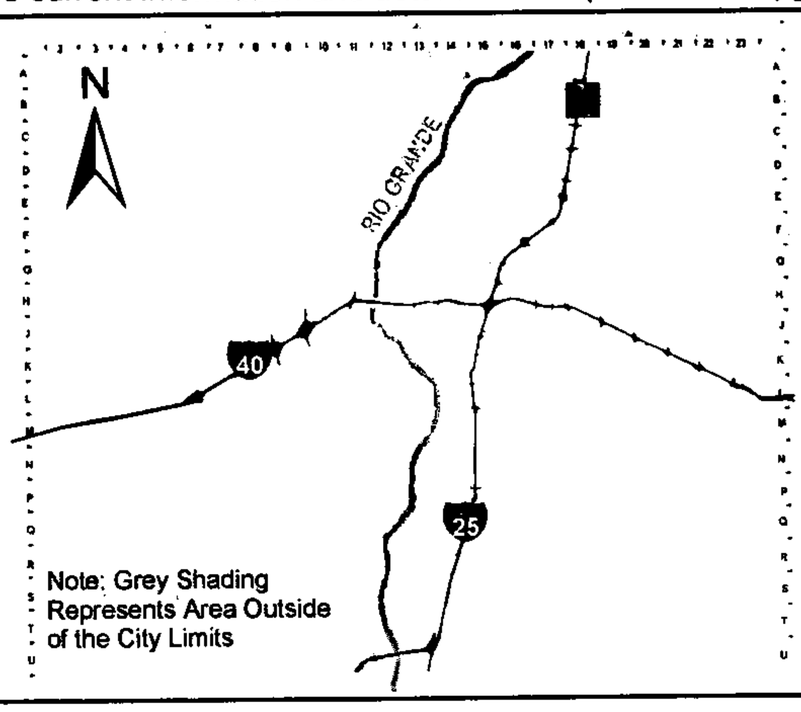
Project # 1004472



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

Albuquerque Geographic Information System

Map amended through: 1/10/2013



Zone Atlas Page:

B-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

Isaacson & Arfman, P.A.

Consulting Engineering Associates

*Thomas O. Isaacson, PE (Ret.) & LS (Ret.) * Fred C. Arfman, PE * Åsa Nilsson-Weber, PE*

September 10, 2013

Mr. Jack Could, Chairman
Development Review Board
Planning Department
City of Albuquerque
P.O. Box 1293
Albuquerque, NM 87102

RE: Glendesto Subdivision
Lots 8, 9 23 thru 25, Block 25, Tract A, Unit B
North Albuquerque Acres (B-18)

Subject: Sketch Plat Submittal

Dear Mr. Cloud:

Isaacson & Arfman, PA acting as the authorized agent for Double Eagle Real Estate & Investments, LLC request that the accompanying Sketch Plat be heard at the October 18th DRB hearing for comments. The major components of this subdivision are listed below:

- The City of Albuquerque Zoning Verification Letter dated April 22, 2013 verifying the site zoning is compatible to support the duplex townhomes.
- Vacation of that portion of Modesto Ave. adjacent to the southerly property line of the site.
- Onsite temporary storm water detention pond sited at the northwest corner of the site.
- Offsite public waterline extension 330' to the east.
- Public infrastructure improvements per the DPM.
- Site is designed to accommodate 19 duplex townhomes.

We look forward to receiving staff and other companies' comments at the hearing.

Sincerely,

Fred C. Arfman, PE
ISAACSON & ARFMAN P.A.

attachmernts

128 Monroe St. N.E. * Albuquerque, NM 87108 * (505) 268-8828 * Fax: (505) 268-2632 * www.iacivil.com

Double Eagle

Real Estate & Investments

September 5, 2013

City of Albuquerque,
Planning Department

Regards to:

Lots 8,9,23,24,25 Block 25 Tract "A" Unit "B" North Albuquerque Acres

To whom it may concern,

I have retained the services of Isaacson & Arfman, PA. as my authorized agent in the matters of the vacation and platting action associated with the said property.

If you have any questions in regards to this action please feel free to give me a call.

Sincerely,

Scott B. Clark

5600 Eubank NE Suite 120 Albuquerque, New Mexico 87111
PO Box 14641 Albuquerque, New Mexico 87191
Office: 505.883.1414 Fax: 505.883.0486

CITY OF ALBUQUERQUE

CODE ENFORCEMENT DIVISION
Plaza Del Sol Building, Suite 500
600 2nd Street NW
Albuquerque, New Mexico 87102

Richard J. Berry, Mayor

April 22, 2013

Fred C. Arfman, PE
Isaacson & Arfman, P.A.
128 Monroe St. NE
Albuquerque, New Mexico 87108

To Whom It May Concern:

This letter will verify that according to the map on file in this office on this date, the unaddressed parcels located at the **6500 block of Glendale Avenue/Modesto Avenue**, legally described as Lots 9 & 10 and 22 – 24, Block 25, North Albuquerque Acres Subdivision, Tract A, Unit B, Albuquerque, Bernalillo County, New Mexico, is zoned **SU-2 Cemetery or SU-2 NC** and is governed by the North I-25 Sector Plan.

Provided future development of the property meets the design regulations of Chapter 4 of the sector plan, the SU-2 NC zone permissively allows activities listed as permissive in the R-T zone of the Comprehensive City Zoning Code [ref. Section 14-16-2-13 (A)(1)].

If you have additional questions regarding this matter, please feel free to contact me at (505) 924-3454 or bnwilliams@cabq.gov.

Sincerely,

Brennon Williams
Code Compliance Manager

C: freda@iacivil.com

PO Box 1293
Albuquerque
New Mexico 87103
www.cabq.gov

September 18. 2013

City of Albuquerque Planning Department

One Stop Shop – Development and Building Services

08/27/2008 Issued By: PLNSDH

Permit Number: **2008 070 376** **Category Code 910**

Application Number: **08DRB-70376**, Vacation Of Public Right-Of-Way

Address:

Location Description: MODESTO NE BETWEEN SAN PEDRO NE AND LOUISIANA NE

Project Number: 1004472

Applicant
Double Eagle Real Estate

Po Box 14641
Albuquerque NM 87191
883-1414

Agent / Contact
Mark Goodwin And Associates Pa
Mark Goodwin
P.O. Box 90606
Albuquerque NM 87199

mark@goodwinengineers.com

Application Fees

441016/4971000	Public Notification	$75.00
441032/3424000	Conflict Mgmt Fee	$20.00
441006/4983000	DRB Actions	$300.00
	TOTAL:	**$395.00**

City Of Albuquerque
Treasury Division

8/27/2008 11:10AM OC: ANNX
WCH 001 TRANS# 0010
RECEIPT# 00096965-00096965
PERMIT# 2008070376 TRACK#
Trans Amt $395.00
APP Fe $75.00
Conflict Mgmt. Fe $20.00
DRB Actions $300.00
CK $395.00
CHANGE $0.00

Thank You

City of Albuquerque

DEVELOPMENT/ PLAN REVIEW APPLICATION

Supplemental form

S	Z	
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		___ Minor Subdivision action
		X Vacation
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		ZONING & PLANNING
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		___ County Submittal
		___ EPC Submittal
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		___ Amendment to Sector, Area, Facility or Comprehensive Plan
		___ Text Amendment (Zoning Code/Sub Regs)
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APPLICATION INFORMATION:

Professional/Agent (if any): MARK GOODWIN & ASSOCIATES PHONE: 828·2200

ADDRESS: P.O. BOX 90606 FAX:

CITY: ALBUQUERQUE STATE NM ZIP 87199 E-MAIL:

APPLICANT: DOUBLE EAGLE REAL ESTATE PHONE: 883·1414

ADDRESS: P.O. BOX 14641 FAX:

CITY: ALBUQUERQUE STATE NM ZIP 87191 E-MAIL:

Proprietary interest in site: OWNER **List all owners**:

DESCRIPTION OF REQUEST: VACATION OF RIGHT OF WAY (MODESTO AVENUE VACATION)

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

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

Lot or Tract No. LOTS 23-25 Block: 32 Unit: B

Subdiv/Addn/TBKA: NORTH ALBUQUERQUE ACRES

Existing Zoning: SU2 for CEMETERY Proposed zoning: SU2 MRGCD Map No

Zone Atlas page(s): B-18 UPC Code: 101806535002640101

CASE HISTORY:

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

CASE INFORMATION:

Within city limits? X Yes Within 1000FT of a landfill? NO

No. of **existing** lots: 3 No. of **proposed** lots: Total area of site (acres):

LOCATION OF PROPERTY BY STREETS: On or Near: MODESTO NE

Between: SAN PEDRO NE and LOUISIANA NE

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

SIGNATURE DATE 8/26/08

(Print) CURTIS McFADDEN 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
08DRB - ____ - 70376	VRW	V	$ 300.00
____ - ____ - ____	ADV	___	$ 75.00
____ - ____ - ____	CMF	___	$ 20.00
____ - ____ - ____	____	___	$ ____
____ - ____ - ____	____	___	$ ____
			Total $ 395.00

Hearing date 09/24/08

Sandy Handley 08/27/08
Planner signature / date

Project # 1004472

FORM V: SUBDIVISION VARIANCES & VACATIONS

❑ **BULK LAND VARIANCE (DRB04)** **(PUBLIC HEARING CASE)**

__ Application for Minor Plat on FORM S-3, including those submittal requirements. **24 copies**
__ Letter briefly describing and explaining: the request, compliance with the Development Process Manual, and all improvements to be waived.
__ Notice on the proposed Plat that there are conditions to subsequent subdivision (refer to DPM)
__ Office of Community & Neighborhood Coordination inquiry response, notifying letter, certified mail receipts
__ Sign Posting Agreement
__ Fee (see schedule)
__ List any original and/or related file numbers on the cover application

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

❑ **VACATION OF PUBLIC EASEMENT (DRB27)**

☑ **VACATION OF PUBLIC RIGHT-OF-WAY (DRB28)**

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

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

❑ **SIDEWALK VARIANCE (DRB20)**

❑ **SIDEWALK WAIVER (DRB21)**

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

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

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

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

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

❑ **TEMPORARY DEFERRAL OF SIDEWALK CONSTRUCTION (DRB19)**

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

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

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

❑ **VACATION OF PRIVATE EASEMENT (DRB26)**

❑ **VACATION OF RECORDED PLAT (DRB29)**

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

Unless the vacation is shown on a DRB approved plat recorded by the County Clerk within one year, it will expire.
DRB meetings are approximately 8 DAYS after the Tuesday noon filing deadline. Your attendance is required.

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

CURTIS MCFADDEN
Applicant name (print)

8/27/08
Applicant signature / date

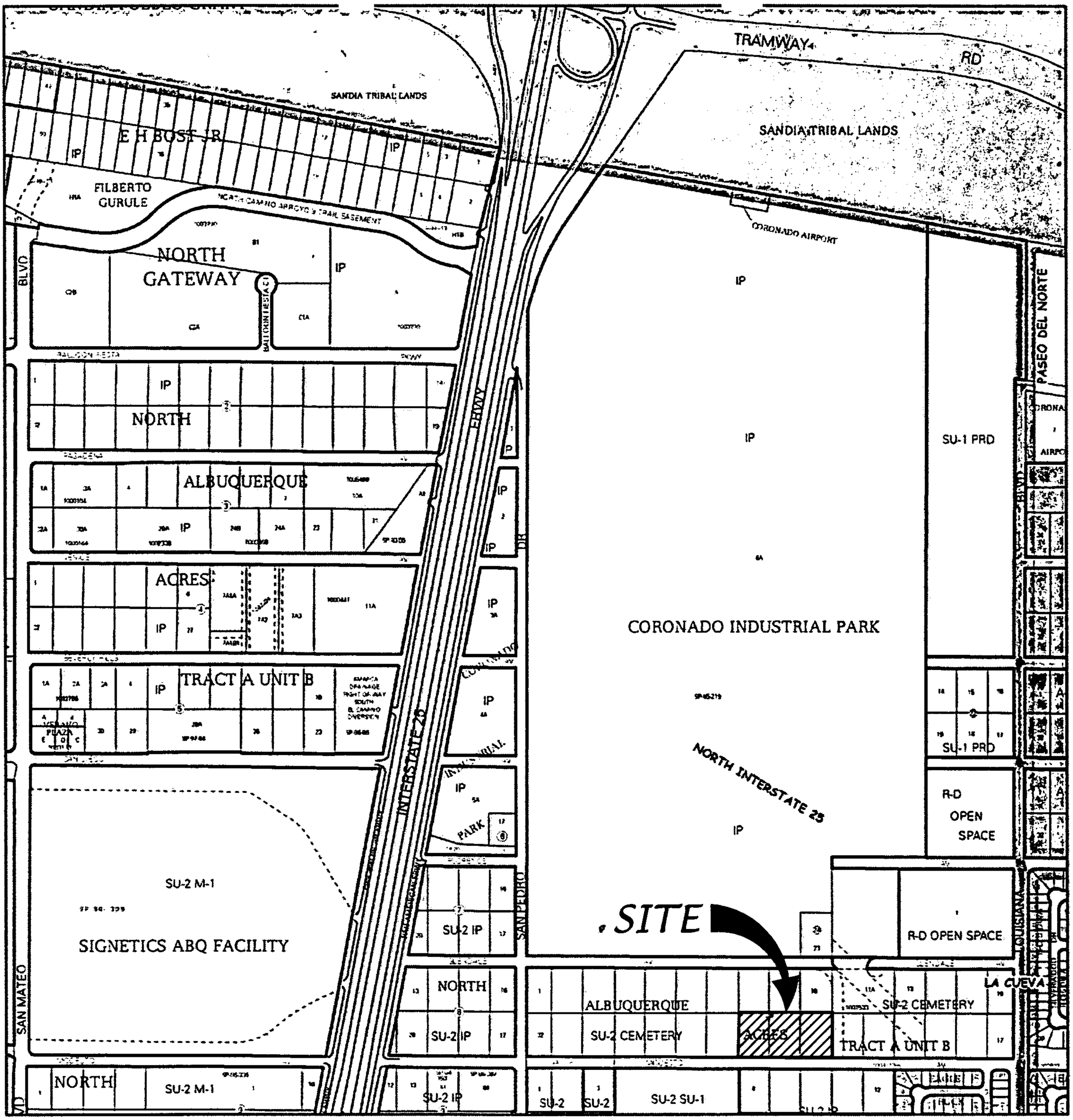
Form revised 4/07

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

Application case numbers
08DRB-_____-70376
_____-_____-_____
_____-_____-_____

Sandy Handley 08/27/08
Planner signature / date

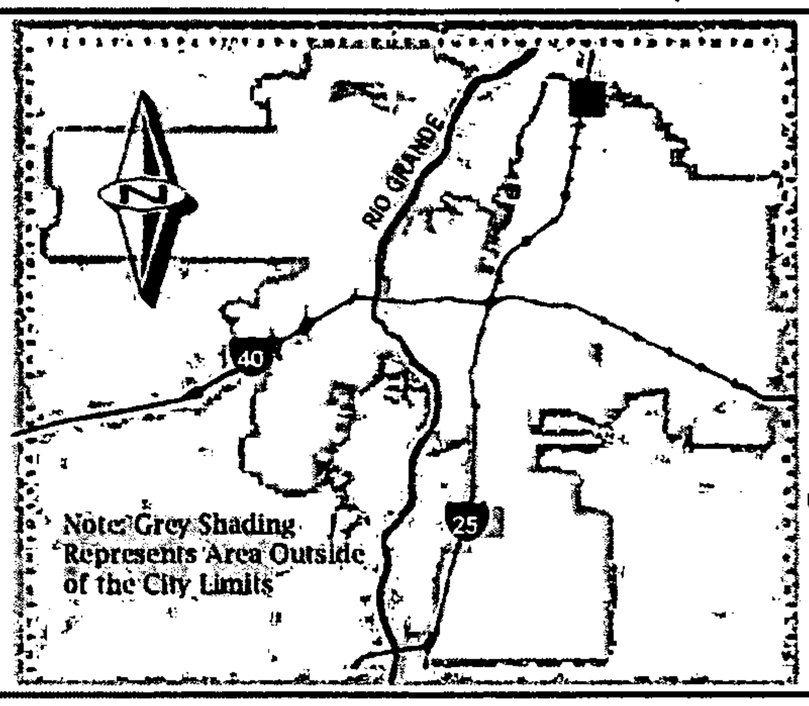
Project # 1004472



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

Albuquerque Geographic Information System

Map amended through: 6/13/2008



Zone Atlas Page:

B-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

PLANNING DEPARTMENT
DEVELOPMENT AND BUILDING SERVICES
TRANSPORTATION SECTION

DEVELOPMENT REVIEW BOARD – SPEED MEMO

DRB CASE NO: 1004472 AGENDA ITEM NO: 1

SUBJECT:

VACATION OF PUBLIC RIGHT-OF-WAY

ENGINEERING COMMENTS:

Additional information must be provided prior to a review.

RESOLUTION:

10-08-08

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

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

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

SIGNED: Kristal D. Metro DATE: SEPTEMBER 24, 2008
Transportation Development 505-924-3991

CITY OF ALBUQUERQUE
PLANNING DEPARTMENT
PROPERTY OWNERSHIP LIST

Meeting Date: September 24, 2008
Zone Atlas Page: B-18
Notification Radius: 100 Ft.

Project# 1004472
App# 08DRB-70376

Cross Reference and Location: MODESTO NE BETWEEN SAN PEDRO NE AND LOUISIANA NE

Applicant: DOUBLE EAGLE REAL ESTATE
PO BOX 14641
ALBUQUERQUE, NM 87191

Agent: MARK GOODWIN & ASSOCIATES
PO BOX 90606
ALBUQUERQUE, NM 87199

Special Instructions:

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

Date Mailed: SEPTEMBER 19, 2008
Signature: ERIN TREMLIN

City of Albuquerque

DEVELOPMENT/ PLAN REVIEW APPLICATION

Supplemental form

SUBDIVISION	S	Z	**ZONING & PLANNING**
___ Major Subdivision action			___ Annexation
___ Minor Subdivision action			___ County Submittal
X Vacation	V		___ EPC Submittal
___ Variance (Non-Zoning)			___ Zone Map Amendment (Establish or Change Zoning)
SITE DEVELOPMENT PLAN	P		___ Sector Plan **(Phase I, II, III)**
___ for Subdivision			___ Amendment to Sector, Area, Facility or Comprehensive Plan
___ for Building Permit			___ Text Amendment (Zoning Code/Sub Regs)
___ Administrative Amendment (AA)			___ Street Name Change (Local & Collector)
___ IP Master Development Plan	D		
___ Cert. of Appropriateness (LUCC)	L	A	**APPEAL / PROTEST of...**
STORM DRAINAGE (Form D)			___ Decision by: DRB, EPC, LUCC, Planning Director or Staff, ZHE, Zoning Board of Appeals
___ Storm Drainage Cost Allocation Plan			

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): MARK GOODWIN & ASSOCIATES PHONE: 828·2200
ADDRESS: P.O. BOX 90606 FAX:
CITY: ALBUQUERQUE STATE NM ZIP 87199 E-MAIL:

APPLICANT: DOUBLE EAGLE REAL ESTATE PHONE: 883·1414
ADDRESS: P.O. BOX 14641 FAX:
CITY: ALBUQUERQUE STATE NM ZIP 87191 E-MAIL:
Proprietary interest in site: OWNER **List all owners**:

DESCRIPTION OF REQUEST: VACATION OF RIGHT OF WAY (MODESTO AVENUE VACATION)

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

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

Lot or Tract No. LOTS 23-25 Block: 32 Unit: B
Subdiv/Addn/TBKA: NORTH ALBUQUERQUE ACRES
Existing Zoning: SU2 for CEMETERY Proposed zoning: SU2 MRGCD Map No
Zone Atlas page(s): B-18 UPC Code: 101806535002640101

CASE HISTORY:

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

CASE INFORMATION:

Within city limits? X Yes Within 1000FT of a landfill? NO
No. of **existing** lots: 3 No. of **proposed** lots: Total area of site (acres):
LOCATION OF PROPERTY BY STREETS: On or Near: MODESTO NE
Between: SAN PEDRO NE and LOUISIANA NE

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

SIGNATURE DATE 8/26/08
(Print) CURTIS McFADDEN Applicant: ☐ Agent: ☑

FOR OFFICIAL USE ONLY Form revised 4/07

☐ **INTERNAL ROUTING**
☑ All checklists are complete
☑ All fees have been collected
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Application case numbers	Action	S.F.	Fees
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	ADV		$ 75.00
	CHF		$ 20.00
			$
			$
			Total $ 395.00

Hearing date 09/24/08

Sandy Handley 08/27/08
Planner signature / date

Project # 1004472

Rec	UPC	OWNER	OWNADD	OWNCITY	OWNSTATE	.OWNZIPCODE	PROPCLASS	TAXDIST	ParcelDec_2007.LEGALDESC	.ACRES	OBJECTID
1	1018 0654 4903 9401 22	PUEBLO OF SANDIA	481 SANDIA LOOP RD	BERNALILLO	NM	87004	V	A1A	LT 11A BLK 25 CORRECTED PLAT OF LOT 11A BLOCK 25 NORTHALBUQUERQUE ACRES TRACT A UNIT B CONT 2.0323 AC	2.0643 9225	32618
2	1018 0652 5503 9302 06	BROWN JAMES & KATHY	11741 SKY VALLEY WAY	ALBUQUERQUE	NM	87111	C	A1A	* 016 008NORTH ALBUQ ACRES TR A UNIT B	0.6979 8789	32623
3	1018 0653 5002 6401 01	SANDIA MEMORY GARDEN LLC	4310 SARA RD SE	RIO RANCHO	NM	87124	C	A1A	LTS 1 THRU 9 & 23 THRU 32 BLK 25, LTS 1 THRU 3 & 30 THRU 32BLK 26 & PORT OF VACATED MODESTO AVE NE TR A UNIT B NORTH ALBUQ ACRES CONT 21,51 AC M/L	22.216 799 57	32627
4	1018 0654 2303 8401 23	PUEBLO OF SANDIA	481 SANDIA LOOP RD	BERNALILLO	NM	87004	V	A1A	* 010 025TR A UNIT B NORTH ALBUQ ACRES	0.9124 0839	32628
5	1018 0642 4551 2210 08	PEARCY LARRY & KATHERINE	PO BOX 2959	CORRALES	NM	87048	V	A1A	LT B-1 (AMENDED REPLAT OF LTS A2 & B) BLK 9 TRACT A UNIT B NORTH ALBUQUERQUE ACRES CONT 70,040 SQ FT	1.6116 571	47931
6	1018 0643 4749 8105 26	CITY OF ALBUQUERQUE REAL ESTATE OFFICE	PO BOX 1293	ALBUQUERQUE	NM	87103	C	A1A	LOT 29-A BLOCK 26 PLAT OF LT 29-A BLK 26 NORTH ALBUQUERQUE ACRES CONT 7.0909 AC M/L OR 308,880 SQ FT M/L	7.0894 4231	47933
7	1018 0643 8651 2105 25	KASSAM BUSINESS CENTER LLC	6501 AMERICAS PKWY NE SUITE 1050	ALBUQUERQUE	NM	87110	V	A1A	* 008 026TRA UB N ALBU AC	0.8450 1476	47934
8	1018 0644 0351 2105 24	AK MANAGEMENT INC	8815 DANCING EAGLE CT NE	ALBUQUERQUE	NM	87113	V	A1A	* 009 026TRA UB N ALBU AC	0.8636 3143	48044
9	1018 0644 2051 2105 23	AK MANAGEMENT INC	8815 DANCING EAGLE CT NE	ALBUQUERQUE	NM	87113	V	A1A	* 010 026TRA UB N ALBU AC	0.9006 1093	48046
10	1018 0644 3651 2105 22	RESOURCE TECHNOLOGY INC	5501 JEFFERSON BLVD NE SUITE 200	ALBUQUERQUE	NM	87109	V	A1A	* 011 026TRA UB N ALBU AC	0.8685 6923	48047
11	1018 0654 4101 6401 11	PUEBLO OF SANDIA	481 SANDIA LOOP RD	BERNALILLO	NM	87004	V	A1A	* 022 025TR A UNIT B NORTH ALBUQ ACRES	0.8852 278	50993
12	1018 0652 5401 6302 05	BROWN JAMES & KATHY	11741 SKY VALLEY WAY	ALBUQUERQUE	NM	87111	C	A1A	* 017 008NORTH ALBUQ ACRES TR A UNIT B	0.6597 3524	50986
1	1018	AMAFCA	2600 PRO	ALB	N	871	V	A	* 023 024NORTH ALBUQ ACRES TR A U B	0.8	48

3	0654 2306 9403 06		SPECT A VE NE	UQ UE RQ UE	M	07		1 A		665 605 7	19 2
14	1018 0652 5506 9304 04	KENYON CO NSTRUCTIO N INC	2602 N 35 TH AVE	PH OE NIX	AZ	850 09	C	A 1 A	* 017 007TR A UNIT B NORTH ALBUQ AC	0.7 684 323 4	48 18 8
15	1018 0642 5249 0210 06	JR & SR LLC	7300 LOM AS BLVD NE	ALB UQ UE RQ UE	N M	871 10	V	A 1 A	* 017 009TRACT A UNIT B NORTH ALBUQUERQUE AC RES	0.8 970 734 9	44 15 7
16	1018 0642 5245 8208 08	MILLER FAM ILY REAL ES TATE LLC	5995 ALA MEDA NE	ALB UQ UE RQ UE	N M	871 13	C	A 1 A	* 016 010NO ALBU AC TR A UNIT B	0.6 939 392 5	42 26 2
17	1018 0653 5025 5405 10	PUEBLO OF SANDIA	481 SAND IA LOOP RD	BE RN ALI LLO	N M	870 04	C	A 1 A	LTS 3A THRU 6A & 7 CORONADO INDUSTRIAL PARK TOGETHER WITHLTS 1, 2, 8 & 9 OF LANDS OF CORO NADO AIRPORT REDIVISIONLANDS OF CORONADO A IRPORT & BLK 24 NORTH ALBUQ ACRES TR A	259 .53 965 854	32 3
18	1018 0643 2045 8117 04	BAUER & LO UCKS ENTE RPRISES LL C	9320 SAN PEDRO DR NE	ALB UQ UE RQ UE	N M	871 13	C	A 1 A	LT 4 BLK 27 TRACT A UNIT B NORTH ALBUQUERQUE ACRESCONT .8864 AC	0.8 639 005 4	78 34 9
19	1018 0643 0345 8117 03	BAUER & LO UCKS ENTE RPRISES LL C	9320 SAN PEDRO DR NE	ALB UQ UE RQ UE	N M	871 13	C	A 1 A	LT 3 BLK 27 TRACT A UNIT B NORTH ALBUQUERQUE ACRESCONT .8864 AC	0.9 102 411 7	78 35 1
20	1018 0642 8745 8117 02	BAUER & LO UCKS ENTE RPRISES LL C	9320 SAN PEDRO DR NE	ALB UQ UE RQ UE	N M	871 13	C	A 1 A	LT 2 BLK 27 TRACT A UNIT B NORTH ALBUQUERQUE ACRESCONT .8864 AC	0.8 955 219 5	78 35 7
21	1018 0642 7245 8117 01	BAUER & LO UCKS ENTE RPRISES LL C	9320 SAN PEDRO DR NE	ALB UQ UE RQ UE	N M	871 13	C	A 1 A	LOT 1 BLK 27 TRACT A UNIT B NORTH ALBUQUERQU E ACRESCONT. 0.7553 AC.	0.7 160 268 2	78 35 9

OR CURRENT RESIDENT
101806440351210524
AK MANAGEMENT INC
8815 DANCING EAGLE CT NE
ALBUQUERQUE, NM 87113

OR CURRENT RESIDENT
101806542306940306
AMAFCA
2600 PROSPECT AVE NE
ALBUQUERQUE, NM 87107

OR CURRENT RESIDENT
101806432045811704
BAUER & LOUCKS ENTERPRISES LLC
9320 SAN PEDRO DR NE
ALBUQUERQUE, NM 87113

OR CURRENT RESIDENT
101806525503930206
BROWN JAMES & KATHY
11741 SKY VALLEY WAY
ALBUQUERQUE, NM 87111

OR CURRENT RESIDENT
101806425249021006
JR & SR LLC
7300 LOMAS BLVD NE
ALBUQUERQUE, NM 87110

OR CURRENT RESIDENT
101806438651210525
KASSAM BUSINESS CENTER LLC
6501 ANERICAS PKWY NE SUITE 1050
ALBUQUERQUE, NM 87110

OR CURRENT RESIDENT
101806525506930404
KENYON CONSTRUCTION INC
2602 N 35TH AVE
PHOENIX, AZ 85009

OR CURRENT RESIDENT
101806425245820808
MILLER FAMILY REAL ESTATE LLC
5995 ALAMEDA NE
ALBUQUERQUE, NM 87113

OR CURRENT RESIDENT
101806424551221008
PEARCY LARRY & KATHERINE
PO BOX 2959
CORRALES, NM 87048

OR CURRENT RESIDENT
101806544903940122
PUEBLO OF SANDIA
481 SANDIA LOOP RD
BERNALILLO, NM 87004

OR CURRENT RESIDENT
101806443651210522
RESOURCE TECHNOLOGY INC
5501 JEFFERSON BLVD NE SUITE 200
ALBUQUERQUE, NM 87109

OR CURRENT RESIDENT
101806535002640101
SANDIA MEMORY GARDEN LLC
4310 SARA RD SE
RIO RANCHO, NM 87124

Project# 1004472
JEFF PETERSON
Nor Este NA
7800 EAGLE ROCK AVE NE
ALBUQUERQUE, NM 87111

Project# 1004472
JOE YARDUMIAN
Nor Este NA
7801 RC GORMAN AVE NE
ALBUQUERQUE, NM 87122

Project# 1004472
MARKGOODWIN & ASSOCIATES
Nor Este NA
PO BOX 90606
ALBUQUERQUE, NM 87199

Project# 1004472
DOUBLE EAGLE REAL ESTATE
PO BOX 14641
ALBUQUERQUE, NM 87191

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

PLEASE NOTE: The Neighborhood and/or Homeowner Association information listed in this letter is valid for one (1) month. If you haven't filed your application within one (1) month of the date of this letter - you will need to get an updated letter from our office. It is your responsibility to provide current information – outdated information may result in a deferral of your case.

August 21, 2008

Lisa Anglada
Mark Goodwin and Associates, PA
P.O. Box 90606/87199
Phone: 828-2200/Fax: 797-9539

Dear Lisa:

Thank you for your inquiry of **August 21, 2008** requesting the names of **ALL Neighborhood and/or Homeowner Associations** who would be affected under the provisions of O-92 by your proposed project at **LOTS 23-25, BLOCK 32, TRACT A, UNIT B, NORTH ALBUQUERQUE ACRES** zone map **B-18.**

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

NOR ESTE N.A. (NRE) "R"
***Jeff Peterson**
7800 Eagle Rock Ave. NE/87111 797-3477 (h)
Joe Yardumian
7801 R.C. Gorman Ave. NE/87122-2748 797-1851 (h)

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

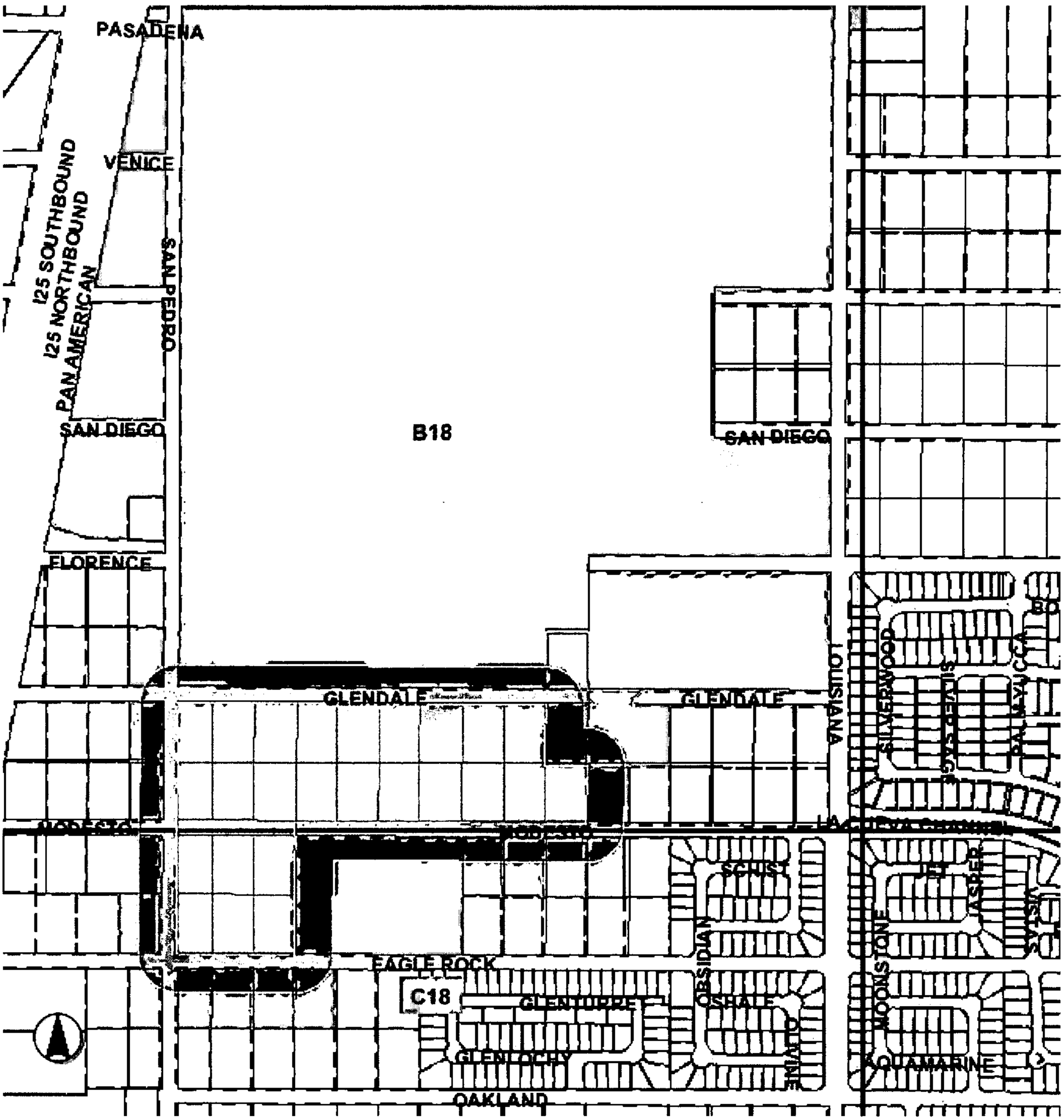
Sincerely,

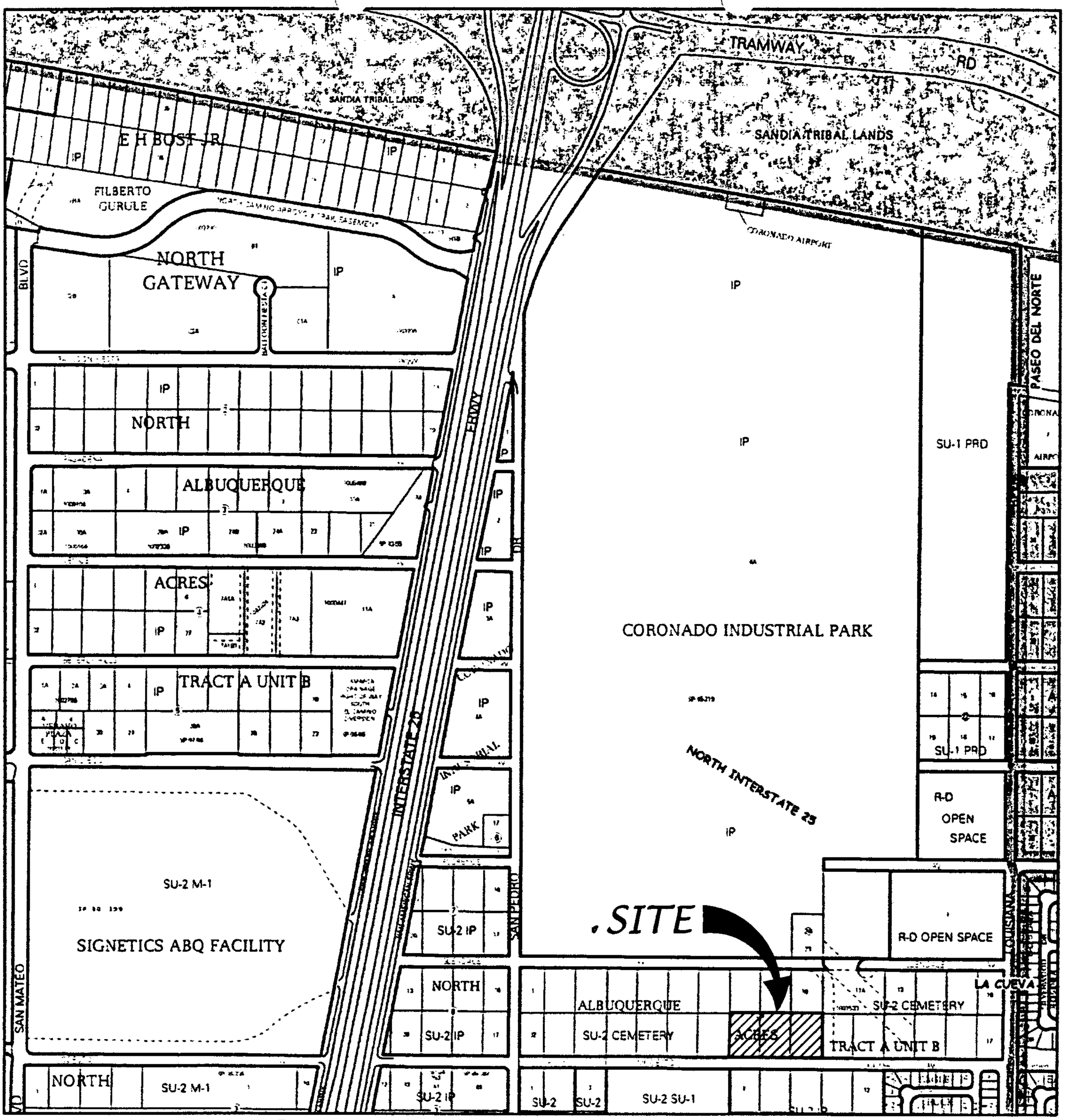
Stephani Winklepleck

Stephani Winklepleck
Neighborhood Liaison
OFFICE OF NEIGHBORHOOD COORDINATION
Planning Department

planningrnaform(11/23/07)

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

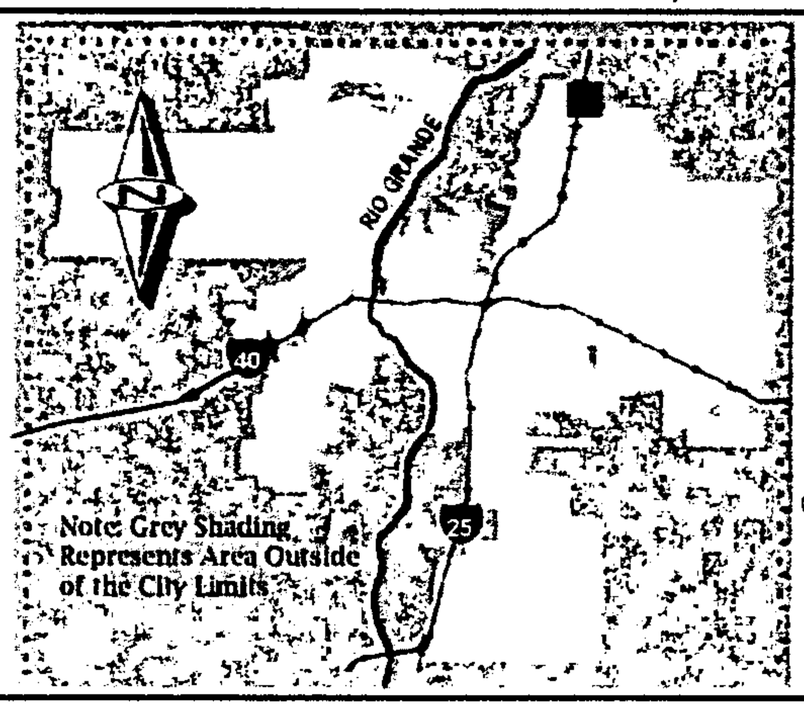

PASADENA
VENICE
I25 SOUTHBOUND
I25 NORTHBOUND
PAN AMERICAN
SAN PEDRO
SAN DIEGO
B18
SAN DIEGO
FLORENCE
GLENDALE
GLENDALE
LOUISIANA
SILVERWOOD
SILVERSIDE
SCHUST
ASPER
STONE
EAGLE ROCK
C18
GLENTURRET
GLENLOCHY
OBSIDIAN
OSHALE
MOONSTONE
AQUAMARINE
OAKLAND



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

Albuquerque Geographic Information System

Map amended through: 6/13/2008



Zone Atlas Page:

B-18-Z

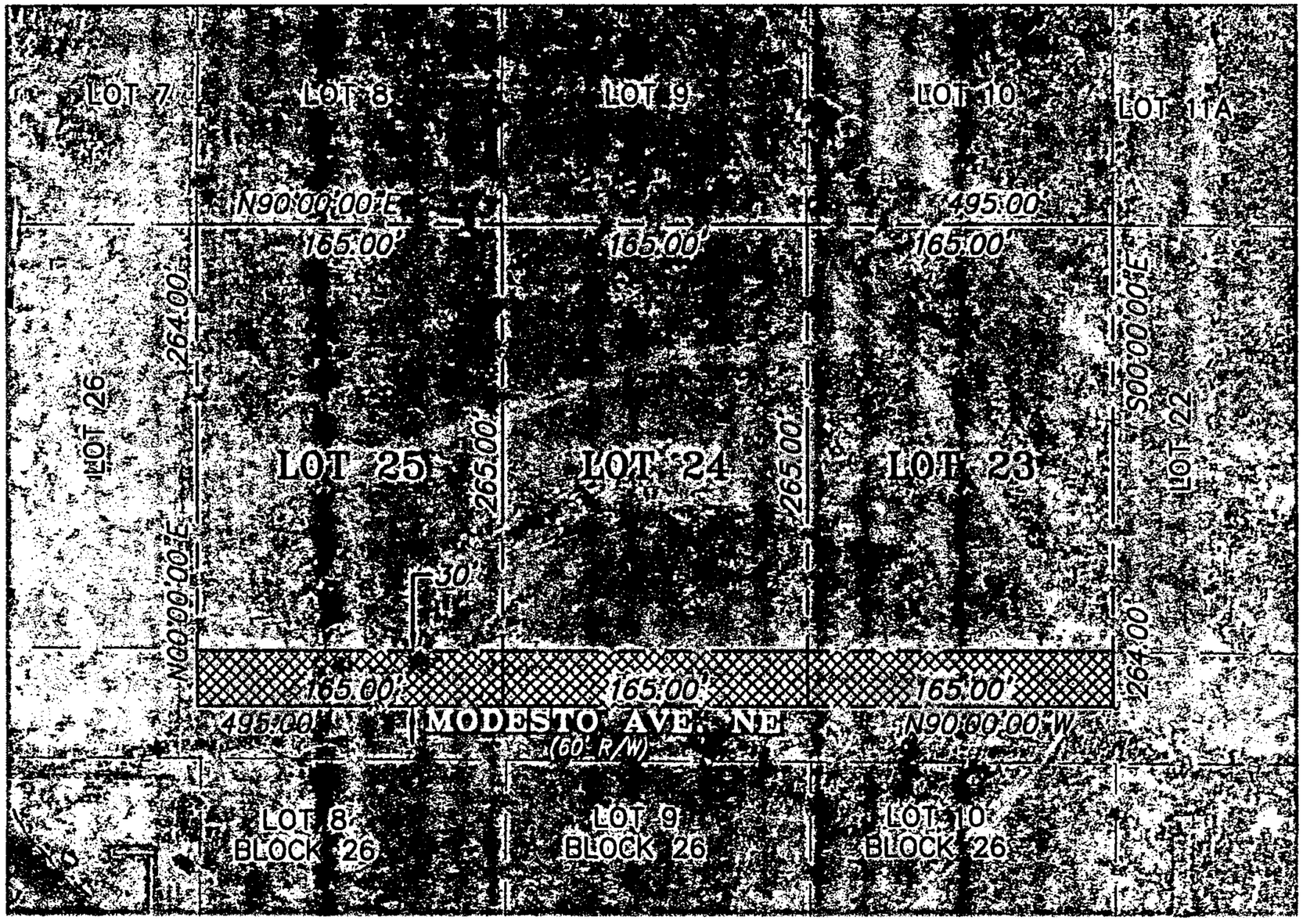
Selected Symbols

- 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

VACATION EXHIBIT

LOTS 23, 24 AND 25, BLOCK 25, TRACT A, UNIT B
NORTH ALBUQUERQUE ACRES SUBDIVISION



LEGAL

A tract of land situate within the Elena Gallegos Grant, projected Section 13, Township 11 North, Range 3 East, New Mexico Principal Meridian, City of Albuquerque, Bernalillo County, New Mexico being all of LOTS 23 THRU 25, BLOCK 25, TRACT A, UNIT B, NORTH ALBUQUERQUE ACRES as the same is shown and designated on said plat filed for record in the office of the County Clerk of Bernalillo County, New Mexico on April 24, 1936 in Volume D, Folio 130.

F:\A08JOBS\A08050 Modesto Vacation\Plats\A08050_VACATION EXHIBIT.dwg, 8/21/2008 6:56:21 AM, SPS

D. Mark Goodwin & Associates, P.A.
Consulting Engineers
P.O. BOX 90606, ALBUQUERQUE,NM 87199
(505) 828-2200 FAX 797-9539

~ 2008 ACEC/NM Award Winner for Engineering Excellence, Small Firm ~

August 26, 2008

Jack Cloud
DRB Chair
City of Albuquerque
PO Box 1293
Albuquerque, NM 87103

Re: Modesto Avenue Vacation - Request Vacation of Public Easements
Block 25, Tract A, Unit B Lots 23, 24, and 25, North Albuquerque Acres

Dear Mr. Cloud:

On behalf of our client, Double Eagle Real Estate, I am requesting approval of the vacation of the public easements for the referenced project. This project is located north of the existing Modesto Avenue NE. Our client's request is to vacate the Modesto Avenue right-of-way easement that runs along the southern boundary of Lots 23, 24 and 25.

ACCESS
Access to the site is off of existing Modesto Avenue right-of-way and Glendale Ave. There is a right- of-way connection between Modesto and Glendale that runs north and south, located east of Lot 23.

UTILITIES

There is an existing sanitary sewer line part of Desert Ridge Trails utility improvements City Project # 675481 that will be required to route new SAS to connect to this line. There will be an 8" waterline in Modesto Avenue which will be installed with the Eagle Rock Business Park Project.

For your information The Desert Ridge Trails As-builts are include in this submittal.

Please call me if you have any questions.

Sincerely,

MARK GOODWIN & ASSOCIATES, P.A.

Curtis McFadden, EI
Project Engineer

CMM/sr

F:\1-Projects\2008\A08050 - Modesto Ave Vacation\DRB\ vacation_Drb_ltr

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

PLEASE NOTE: The Neighborhood and/or Homeowner Association information listed in this letter is valid for one (1) month. If you haven't filed your application within one (1) month of the date of this letter – you will need to get an updated letter from our office. It is your responsibility to provide current information – outdated information may result in a deferral of your case.

August 21, 2008

Lisa Anglada
Mark Goodwin and Associates, PA
P.O. Box 90606/87199
Phone: 828-2200/Fax: 797-9539

Dear Lisa:

Thank you for your inquiry of **August 21, 2008** requesting the names of **ALL Neighborhood and/or Homeowner Associations** who would be affected under the provisions of O-92 by your proposed project at **LOTS 23-25, BLOCK 32, TRACT A, UNIT B, NORTH ALBUQUERQUE ACRES** zone map **B-18.**

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

NOR ESTE N.A. (NRE) "R"
***Jeff Peterson**
7800 Eagle Rock Ave. NE/87111 797-3477 (h)
Joe Yardumian
7801 R.C. Gorman Ave. NE/87122-2748 797-1851 (h)

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

Sincerely,

Stephani Winklepleck

Stephani Winklepleck
Neighborhood Liaison
OFFICE OF NEIGHBORHOOD COORDINATION
Planning Department

planningrnaform(11/23/07)

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

D. Mark Goodwir Associates, P.A.
Consulting Engineers
P.O. BOX 90606, ALBUQUERQUE,NM 87199
(505) 828-2200 FAX 797-9539

August 25, 2008

Mr. Jeff Peterson
Nor Este Neighborhood Association
7800 Eagle Rock Avenue NE
Albuquerque, NM 87111

Mr. Joe Yardumian
Nor Este Neighborhood Association
7801 R.C. Gorman Avenue NE
Albuquerque, NM 87122

Re: Modesto Avenue

Dear Mr. Peterson and Mr.Yardumian:

Enclosed please find a copy of the DRB Application for the Vacation of Right-of-Way for the referenced project. The anticipated date to be heard is September 24, 2008. Please contact Curtis McFadden of our office if you have any questions or concerns.

Sincerely,

MARK GOODWIN & ASSOCIATES, PA

Susan Rasinski
Office Manager

/sr

Enclosure

F:\1-Projects\2008\A08050 - Modesto Ave Vacation\Neighborhood Assoc.doc

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Restricted Delivery Fee (Endorsement Required)	$0.00	
Total Postage & Fees	$ $5.32	08/26/2008

7006

Sent To: J. Letterson - NO1 Este
Street, Apt. No.; or PO Box No.: 7800 Eagle Rock NE
City, State, ZIP+4: Cety 87111

PS Form 3800, August 2006 — See Reverse for Instructions

2760 0002 6187 5197

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Certified Fee	$2.70	20
Return Receipt Fee (Endorsement Required)	$2.20	Postmark Here
Restricted Delivery Fee (Endorsement Required)	$0.00	
Total Postage & Fees	$ $5.32	08/26/2008

7006

Sent To: J. Yardumian - Nor Este
Street, Apt. No.; or PO Box No.: 7801 RC Gorman NE
City, State, ZIP+4: Albuq NM 87122

PS Form 3800, August 2006 — See Reverse for Instructions

SIGN POSTING AGREEMENT

REQUIREMENTS

POSTING SIGNS ANNOUNCING PUBLIC HEARINGS

All persons making application to the City under the requirements and procedures established by the City Zoning Code or Subdivision Ordinance are responsible for the posting and maintaining of one or more signs on the property which the application describes. Vacations of public rights-of-way (if the way has been in use) also require signs. Waterproof signs are provided at the time of application. If the application is mailed, you must still stop at the Development Services Front Counter to pick up the sign.

The applicant is responsible for ensuring that the signs remain posted throughout the 15-day period prior to public hearing. Failure to maintain the signs during this entire period may be cause for deferral or denial of the application. Replacement signs for those lost or damaged are available from the Development Services Front Counter at a charge of $3.75 each.

1. LOCATION

   A. The sign shall be conspicuously located. It shall be located within twenty feet of the public sidewalk (or edge of public street). Staff may indicate a specific location.
   B. The face of the sign shall be parallel to the street, and the bottom of the sign shall be at least two feet from the ground.
   C. No barrier shall prevent a person from coming within five feet of the sign to read it.

2. NUMBER

   A. One sign shall be posted on each paved street frontage. Signs may be required on unpaved street frontages.
   B. If the land does not abut a public street, then, in addition to a sign placed on the property, a sign shall be placed on and at the edge of the public right-of-way of the nearest paved City street. Such a sign must direct readers toward the subject property by an arrow and an indication of distance.

3. PHYSICAL POSTING

   A. A heavy stake with two crossbars or a full plywood backing works best to keep the sign in place, especially during high winds.
   B. Large headed nails or staples are best for attaching signs to a post or backing; the sign tears out less easily.

4. TIME

Signs must be posted from SEPT. 9, 2008 To SEPT. 24, 2008

5. REMOVAL

   A. The sign is not to be removed before the initial hearing on the request.
   B. The sign should be removed within five (5) days after the initial hearing.

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

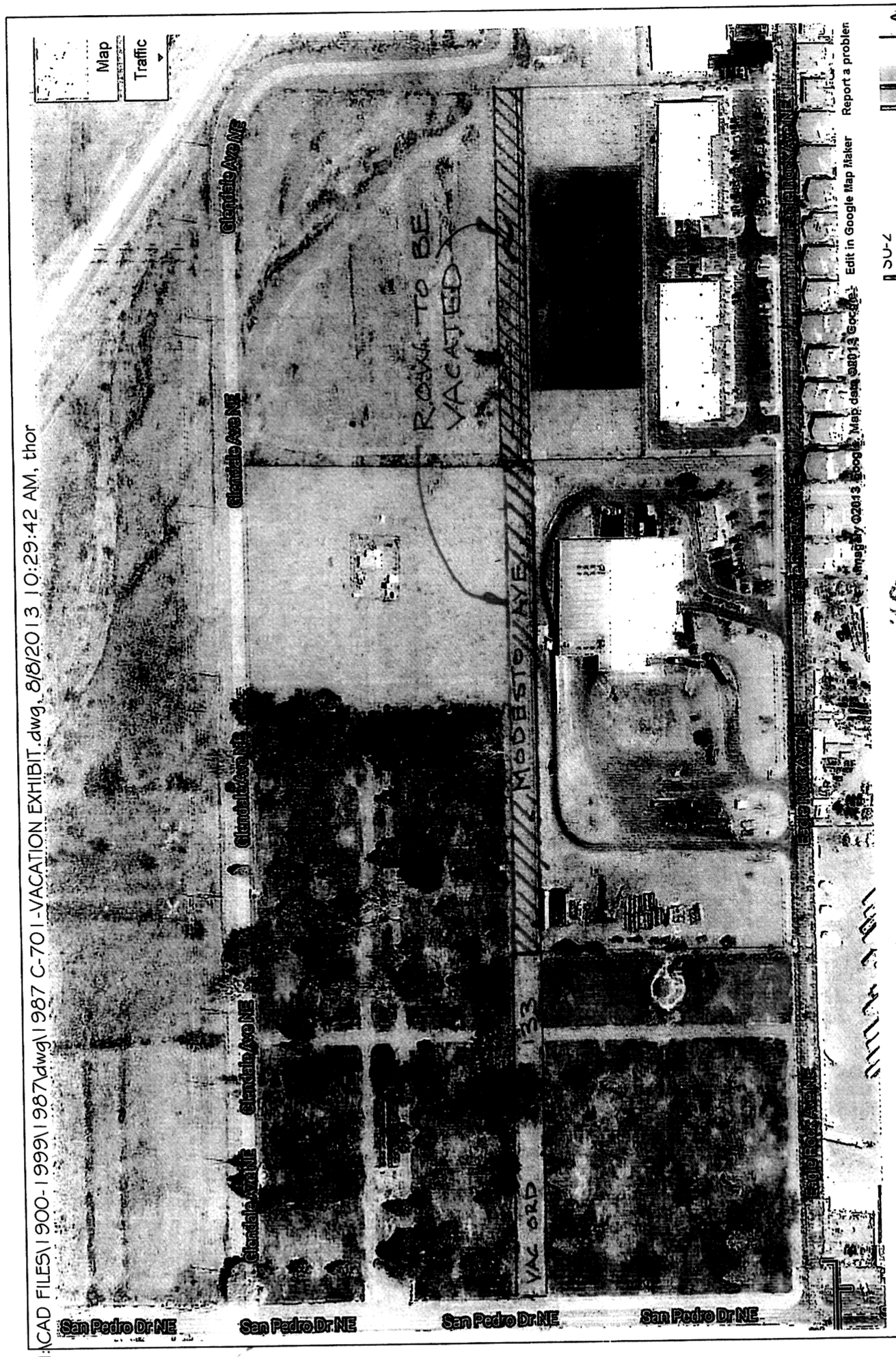
for Curtis MacDonald — 8/27/08
(Applicant or Agent) (Date)

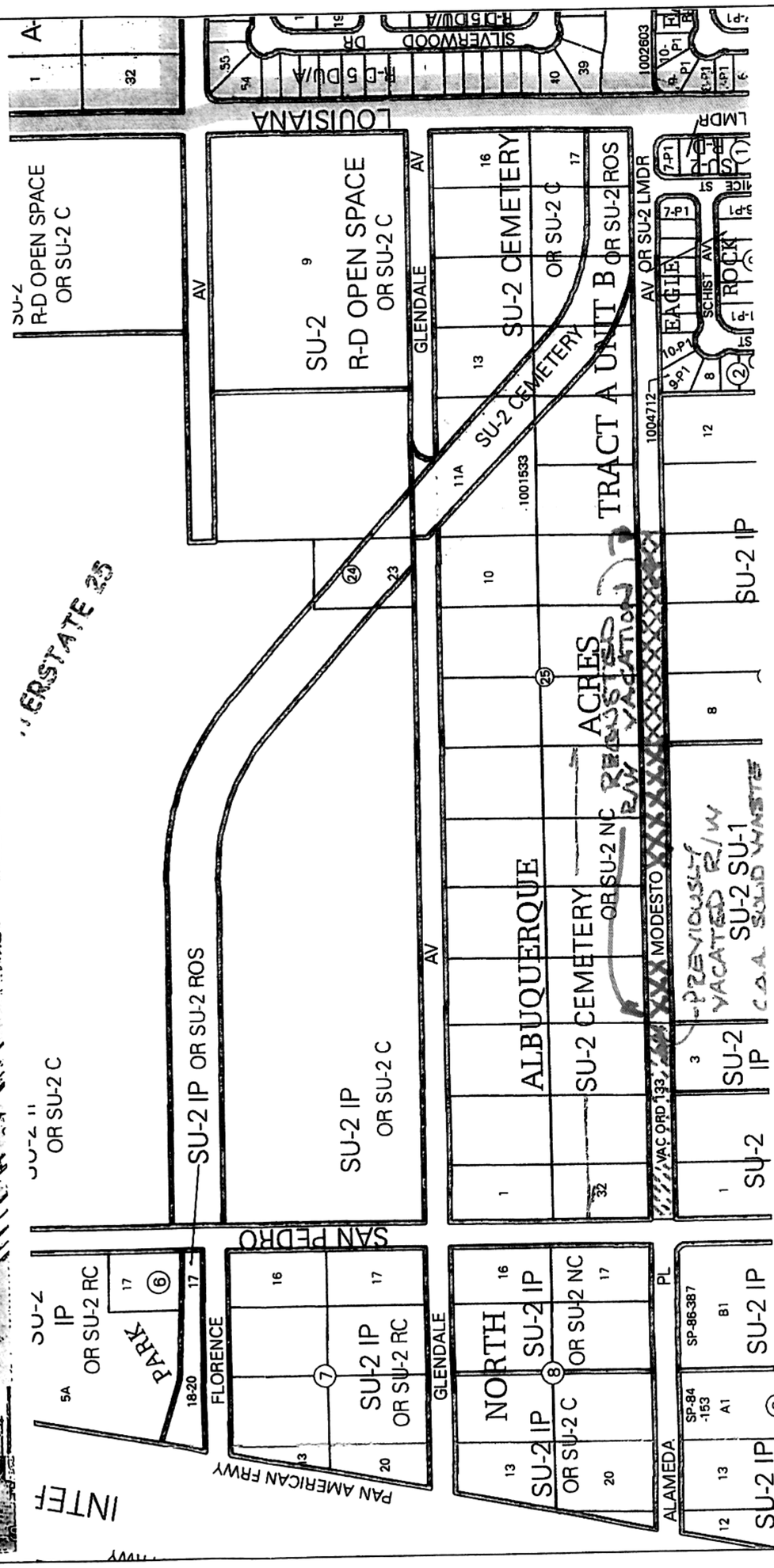
I issued 1 signs for this application, 08/27/08 Sandy Handley
(Date) (Staff Member)

DRB PROJECT NUMBER: 1004472

Rev. 1/11/05

PROJECT: 1004472
DATE: 4-15-15 (15-70120)





VACATION EXHIBIT

NTS

MODESTO AVE. RIGHT-OF-WAY VACATION EXHIBIT

SHEET 2 OF 2

ISAACSON & ARFMAN, P.A.
Consulting Engineering Associates
128 Monroe Street N.E.
Albuquerque, New Mexico 87108
Ph. 505-268-8828 www.iacivil.com

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PROJECT # 1004472
13-70679 (VROW)
10-9-13
EXHIBIT

MODESTO AVE. RIGHT-OF-WAY VACATION EXHIBIT

SHEET 2 OF 2

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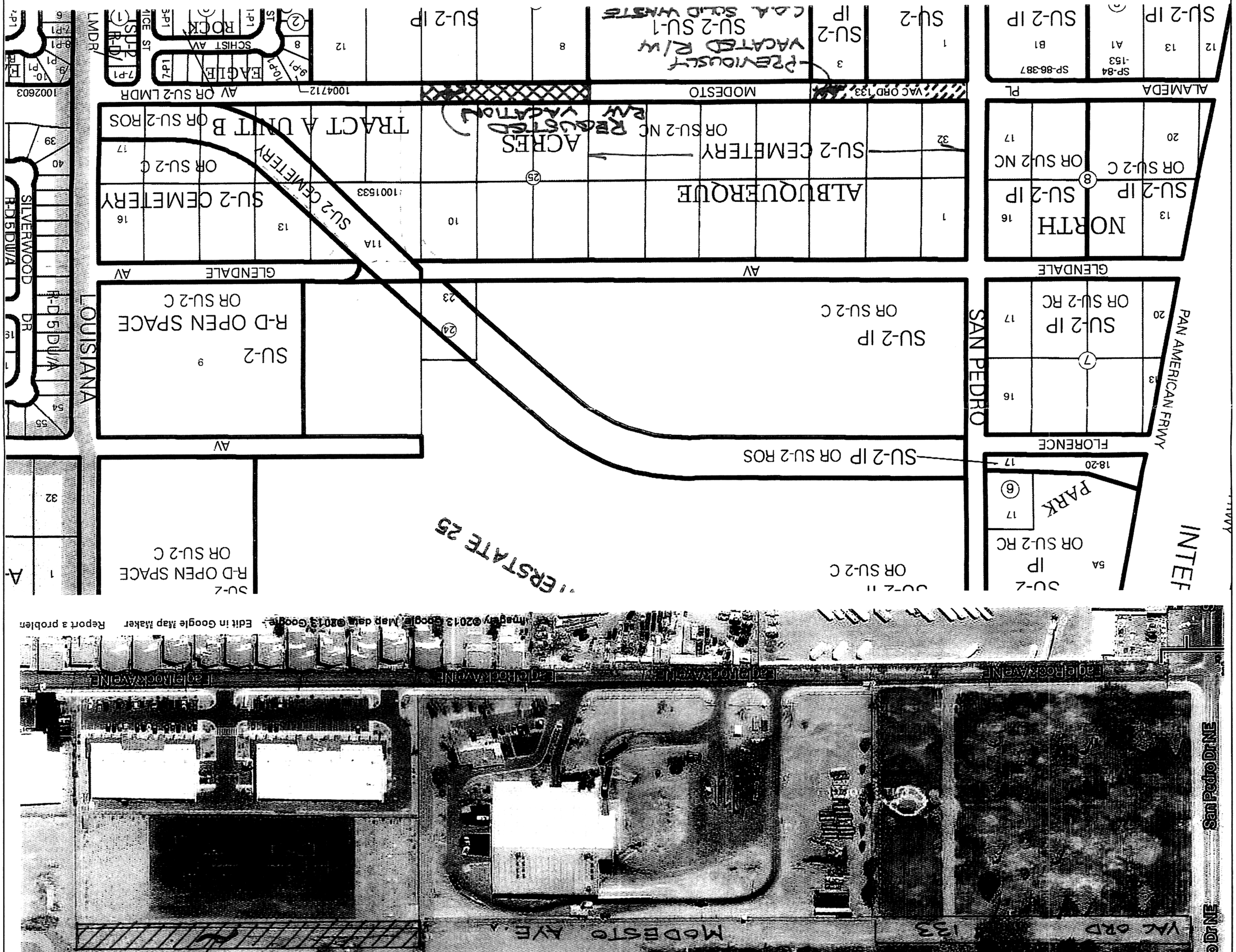
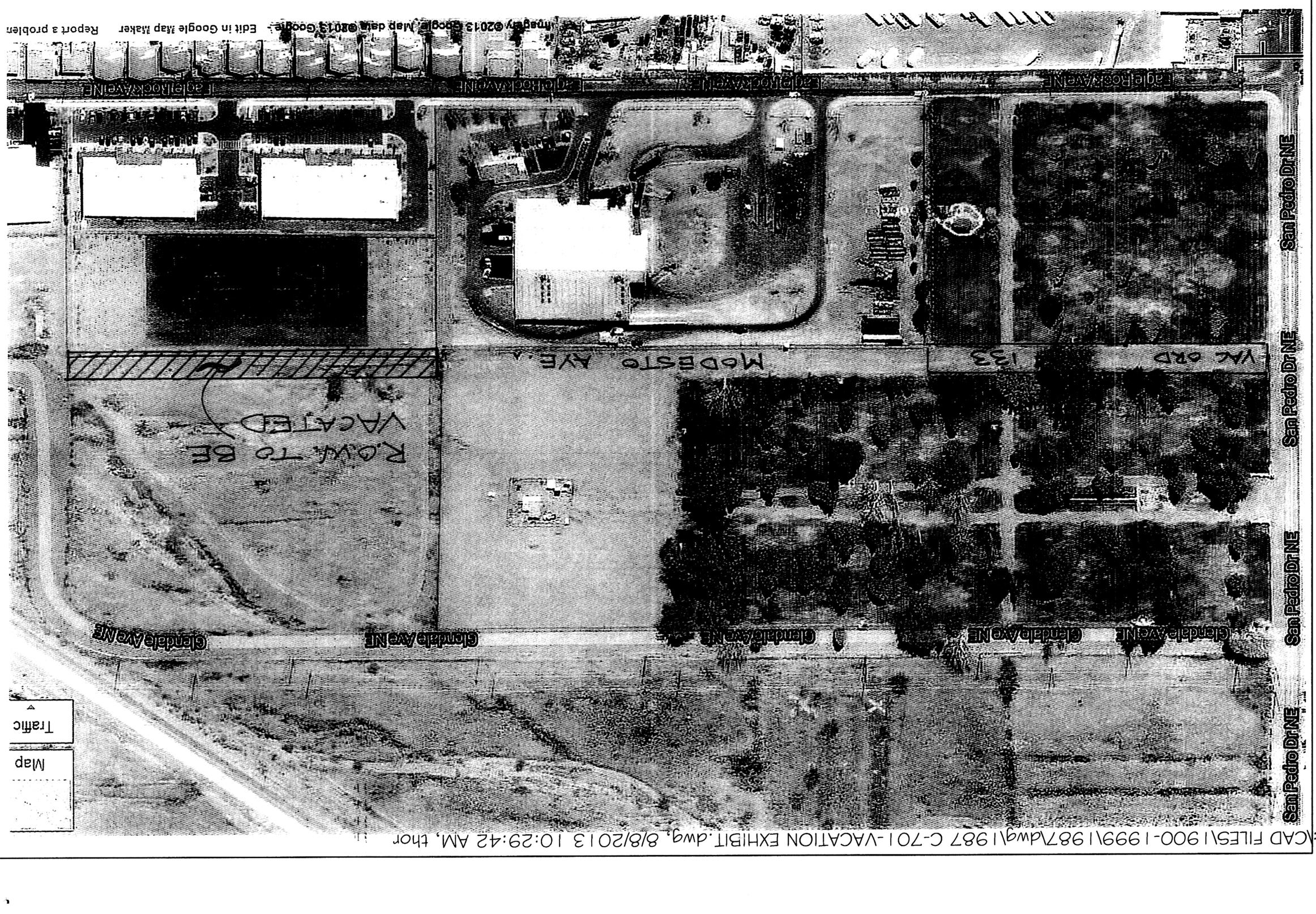
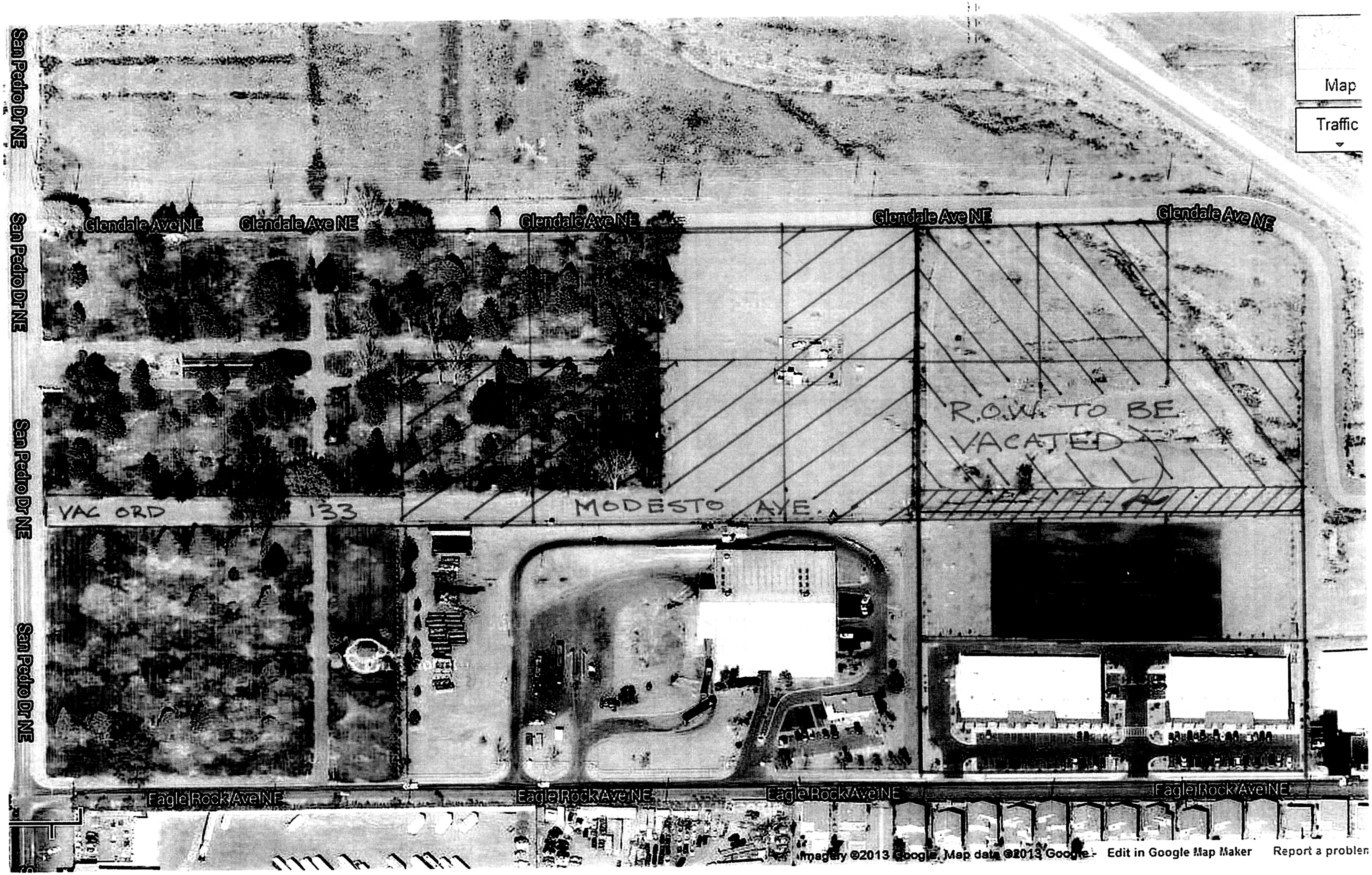
1987 C-701-VACATION EXHIBIT.dwg Aug 08,2013

NTS






Map
Traffic
San Pedro Dr NE
San Pedro Dr NE
San Pedro Dr NE
Glendale Ave NE
Glendale Ave NE
Glendale Ave NE
Glendale Ave NE
Glendale Ave NE
R.O.W. TO BE
VACATED
VAC ORD 133
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