



DRB CASE ACTION LOG (PREL/FINAL)

REVISED 10/08/07

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

DRB Application No.: 08DRB-70325

Project # 1004989

Project Name: WILDERNESS AT HIGH DESERT to be known as WILDERNESS CANON AT HIGH DESERT

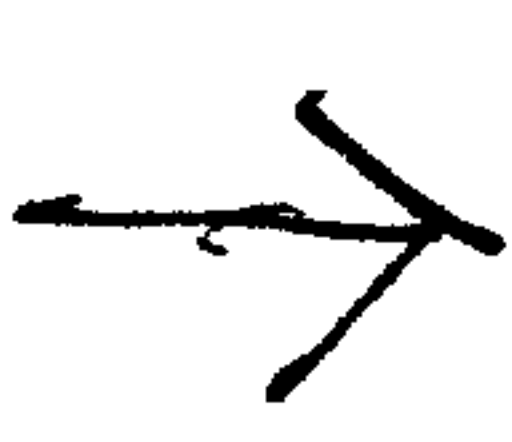
Agent: BOHANNAN HUSTON INC.

Phone No.: 823-1000

Your request was approved on 2/23/08 by the DRB with delegation of signature(s) to the following departments.

OUTSTANDING SIGNATURES COMMENTS TO BE ADDRESSED

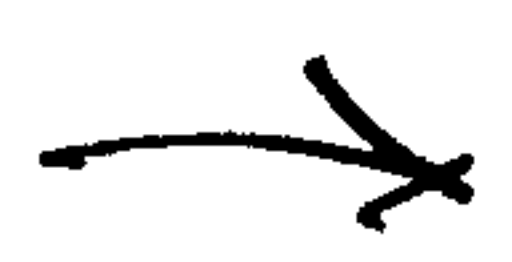
TRANSPORTATION: _____



UTILITIES: paper easement for Waterline must be submitted and routed for approval

CITY ENGINEER / AMAFCA: _____

PARKS / CIP: _____



PLANNING (Last to sign): - AMAFCA - Exhibit to Transportation Dept of need

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

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

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

Created On:



DRB CASE ACTION LOG (PREL/FINAL)

REVISED 10/08/07

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

DRB Application No.: 08DRB-70325

Project # 1004989

Project Name: WILDERNESS AT HIGH DESERT to be known as WILDERNESS CANON AT HIGH DESERT

Agent: BOHANNAN HUSTON INC.

Phone No.: 823-1000

Your request was approved on 2/23/08 by the DRB with delegation of signature(s) to the following departments.

OUTSTANDING SIGNATURES COMMENTS TO BE ADDRESSED

TRANSPORTATION: _____

UTILITIES: Paper estimate for Waterline must be submitted and routed for approval

CITY ENGINEER / AMAFCA: _____

PARKS / CIP: _____

PLANNING (Last to sign): - AMAFCA - Exhibit to Transportation Dept of need

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

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

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

Created On:

4989

DXF Electronic Approval Form

DRB Project Case #: 1004989

Subdivision Name: WILDERNESS CANON AT HIGH DESERT TRACT A1

Surveyor: ROBERT GROMATZKY

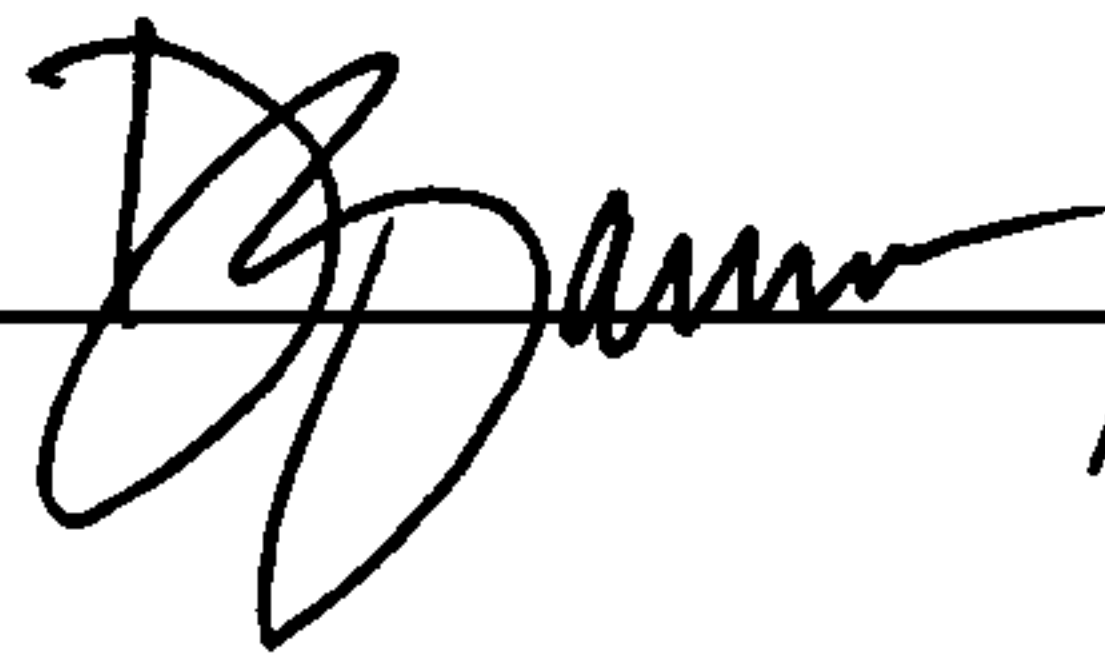
Contact Person: DONNA MEDINA

Contact Information: 798-7878

DXF Received: 8/28/2008

Hard Copy Received: 8/27/2008

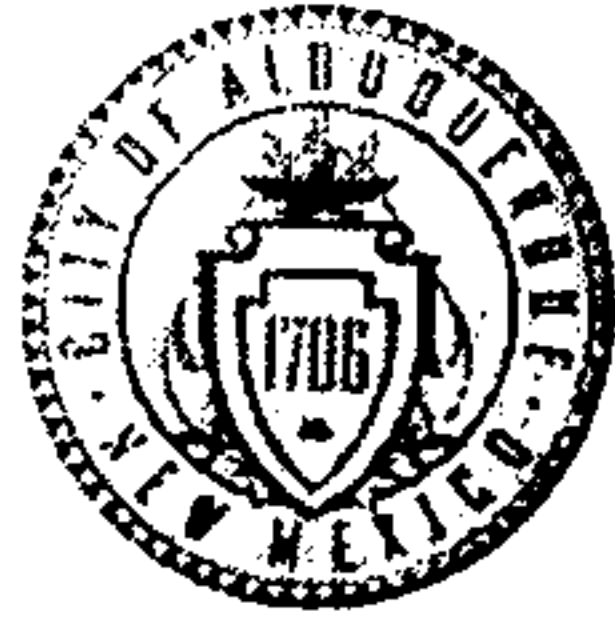
Coordinate System: NMSP Grid (NAD 27)


Approved

08.28.2008
Date

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

AGIS Use Only
Copied fc **4989** to agiscov on **8/28/2008** Contact person notified on **8/28/2008**



**DEVELOPMENT REVIEW BOARD
ACTION SHEET**

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

July 23, 2008 9:00 AM
MEMBERS:

**Jack Cloud, AICP, DRB Chairman, Planning Department
Angela Gomez, Administrative Assistant**

**Kristal Metro, P.E. , Transportation Development Roger Green, P.E., Albuquerque/ Bernalillo Co.WUA
Brad Bingham, P.E., Hydrology/ Alternate City Engineer Christina Sandoval, Parks/Municipal Development**

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

- | | |
|--|---|
| <p>1. Project# 1002962
08DRB-70292 MAJOR - 2YR SUBD IMP
AGMT EXT (2YR SIA)</p> | <p>WILSON AND COMPANY agent(s) for THE TRAILS request(s) the above action(s) for all or a portion of Tract(s) A, B, C, D & F, , SANTA FE AT THE TRAILS, TAOS & RESERVE AT THE TRAILS Unit(s) I & 2, zoned RD, located on RAINBOW RD NW BETWEEN PASEO DEL NORTE NW AND WOODMONT AVE NW containing approximately 76 acre(s). (C-9) THE TWO YEAR EXTENSION OF THE SUBDIVISION IMPROVEMENT AGREEMENT (SIA) WAS APPROVED</p> |
| <p>2. Project# 1003688
08DRB-70290 VACATION OF PUBLIC EASEMENT
08DRB-70291 VACATION OF PRIVATE EASEMENT</p> | <p>SURV-TEK INC agent(s) for THE TRAILS LLC request(s) the above action(s) for all or a portion of Tract(s) 9, THE TRAILS Unit(s) 3A, zoned SU-2 FOR SRSL 26, SU-1 FOR SCHOOL, PARK, OPEN SPACE & FUTURE ROW, located on WOODMONT AVE NW BETWEEN RAINBOW BLVD NW AND PASEO DEL NORTE NW containing approximately 25.25 acre(s). (C-9100906413032322306)DEFERRED TO 7/30/08 AT THE AGENT'S REQUEST.</p> |

3. **Project # 1005070**
 06DRB-01154 MAJOR-PRELIMINARY
 PLAT APPROVAL
 06DRB-01156 MINOR-SIDEWALK
 WAIVER
 06DRB-01155 MINOR-TEMP DEFER
 SDWK

SURV-TEK INC & WILSON & COMPANY agent(s) for THE TRAILS LLC request(s) the above action(s) for all or a portion of Tract(s) 8, **THE TRAILS, UNIT 2 (to be known as TAOS @ THE TRAILS, UNIT 2)** zoned SU-2-SRLL, located on WOODMONT AVE NW, between UNIVERSE BLVD NW and RAINBOW BLVD NW containing approximately 9 acre(s). (C-9) *[Deferred from 9/6/06, 9/13/06, 9/27/06, 10/11/06, 10/25/06, 11/29/06, 12/20/06, 1/24/07, 4/18/07, 6/20/07, 7/18/07, 08/22/07 & 09/05/07 & 09/26/07, 10/17/08, 4/16/08, 5/14/08 & 7/16/08]. DEFERRED TO 9/24/08 AT THE AGENT'S REQUEST.*

4. **Project# 1003794**
 08DRB-70238 MAJOR – SITE
 DEVELOPMENT PLAN FOR
 BUILDING PERMIT

GEORGE RAINHART & ASSOC agent(s) for PETERSON PROPERTIES request(s) the above action(s) for Lots 3 and 4, **VOLCANO POINT SHOPPING CENTER**, zoned SU-2 / PCA, located on the northwest corner of 98TH ST NW AND CENTRAL AVE NW containing approximately 1.9833 acre(s). (K-9) *Deferred from 6/25/08 & 7-9/08. DEFERRED TO 8/13/08 AT THE AGENT'S REQUEST.*

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

5. **Project# 1000650**
 08DRB-70237 EPC APPROVED SDP
 FOR BUILD PERMIT

GEORGE RAINHART & ASSOC. agent(s) for NEW MEXICO EDUCATORS FEDERAL CREDIT UNION request(s) the above action(s) for all or a portion of Lot(s) 2A, **LAMONICA & WENK**, zoned SU-1 / C-1, located on COORS BLVD AND RIO BRAVO containing approximately 1.55 acre(s). (P-10) *[Deferred from 5/28/08, 6/4/08, 6/11/08, 6/25/08, 7/9/08 & 7/23/08] DEFERRED TO 7/30/08 AT THE AGENT'S REQUEST.*

6. **Project# 1007266**
 08DRB-70322 EPC APPROVED SDP
 FOR BUILD PERMIT

R. JARROD CLINE agent(s) for JAMES TWOHIG DDS AND MARY ROSE TWOHIG DDS request(s) the above action(s) for all or a portion of Lot(s) 20, Block(s) 3, **NORTH ALBUQUERQUE ACRES Unit(s) 3**, zoned SU-2 / O-1, located on ALAMEDA BLVD BETWEEN WYOMING BLVD AND EAGLE FEATHER DR containing approximately .866 acre(s). (C-19) **INDEFINITELY DEFERRED AT THE AGENT'S REQUEST.**

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

7. **Project# 1005280**
08DRB-70317 MINOR - PRELIMINARY/
FINAL PLAT APPROVAL
- SURV-TEK INC agent(s) for JLF, LLC request(s) the above action(s) for all or a portion of Tract(s) E-1-A-1, **CREST VIEW SUBDIVISION** zoned SU-1, located on MCMAHON BLVD NW BETWEEN UNSER BLVD NW AND FINELAND DR NW containing approximately 2.3774 acre(s). (A-11) **THE PRELIMINARY/FINAL PLAT WAS APPROVED WITH FINAL SIGN OFF DELEGATED TO TRANSPORTATION FOR EXHIBIT AND TO PLANNING FOR AMAFCA SIGNATURE. PLANNING MUST RECORD THIS PLAT.**
8. **Project# 1000901**
08DRB-70315 MINOR FINAL PLAT
APPROVAL
- PRECISION SURVEYS INC agent(s) for BOSQUE SCHOOL request(s) the above action(s) for all or a portion of Tract(s) 1 & 2, **BOSQUE PREPARATORY SCHOOL & LOT 9 ANDALUCIA @ LA LUZ** located on LEARNING RD NW BETWEEN COORS BLVD NW AND MIRANDELA ST NW containing approximately 31.3093 acre(s). (E-12/F-12) [*Deferred from 7/16/08*]. **THE FINAL PLAT WAS APPROVED WITH FINAL SIGN-OFF DELEGATED TO CITY ENGINEER FOR SPECIFIC EASEMENTS THAT FIT WITH THE DESIGN AND TO PLANNING FOR 3 COPIES OF SITE PLAN AND TO RECORD.**
9. **Project# 1003612**
08DRB-70321 EXT OF MAJOR
PRELIMINARY PLAT
- THOMPSON ENGINEERING CONSULTANTS, INC agent(s) for DRAGONFLY DEVELOPMENT, INC request(s) the above action(s) for all or a portion of Tract(s) 31-33, **TOWN OF ATRISCO GRANT** zoned SU-2 / R-LT, located on ERDEE RD NW BETWEEN 98TH ST NW AND 94TH ST NW containing approximately 6.4 acre(s). (J-9) **A ONE-YEAR EXTENSION OF THE PRELIMINARY PLAT WAS APPROVED SUBJECT TO REAPPLICATION AND RE-APPROVAL OF 94TH STREET VACATION.**

10. ~~Project# 1004989~~
08DRB-70324 EXT OF MAJOR
PRELIMINARY PLAT
08DRB-70325 MINOR - PRELIMINARY/
FINAL PLAT APPROVAL

BOHANNAN HUSTON INC agent(s) for MESA VERDE DEVELOPMENT COMPANY request(s) the above action(s) for all or a portion of Tract(s) A, **WILDERNESS AT HIGH DESERT (TO BE KNOWN AS WILDERNESS CANON AT HIGH DESERT)** Unit(s) 2, zoned SU-2/HD R-R, located on TRAMWAY BLVD NE BETWEEN HIGH DESERT PLACE NE AND FOREST SERVICE LAND (F-23) **A ONE-YEAR EXTENSION OF THE PRELIMINARY PLAT WAS APPROVED. THE PRELIMINARY/FINAL PLAT WAS APPROVED WITH FINAL SIGN OFF DELEGATED TO PLANNING FOR AMAFCA SIGNATURE AND FOR EXHIBIT SUBMITTED TO TRANSPORTATION DEVELOPMENT. PLANNING MUST RECORD THIS PLAT. DELEGATION TO ABCWUA: PAPER EASEMENT FOR WATERLINE MUST BE SUBMITTED AND ROUTED FOR APPROVAL.**

11. **Project# 1005474**
08DRB-70323 MINOR - PRELIMINARY/
FINAL PLAT APPROVAL

CATHERINE HELLER request(s) the above action(s) for all or a portion of Lot(s) 7 & 8, Block(s) 3, **ROSEMONT PARK ADDITION (TO BE KNOWN AS LOT 8A)** zoned S-R, located on 11TH ST NW BETWEEN 10TH ST NW AND MOUNTAIN RD NW containing approximately .1608 acre(s). (J-13) **THE PRELIMINARY/FINAL PLAT WAS APPROVED WITH FINAL SIGN OFF DELEGATED TO PLANNING FOR AMAFCA SIGNATURE, AGIS DXF AND A COPY OF THE RECORDED PLAT.**

12. **Project# 1007383**
08DRB-70318 MINOR - PRELIMINARY/
FINAL PLAT APPROVAL

HIGH MESA CONSULTING GROUP agent(s) for REGENTS OF THE UNIVERSITY OF NEW MEXICO (REAL ESTATE) request(s) the above action(s) for all or a portion of Lot(s) 1-9 INCLUSIVE, Block(s) 4, **UNITY ADDITION** zoned C-2, located on CENTRAL AVE SE BETWEEN TEXAS ST SE AND UTAH ST SE containing approximately 1.6538 acre(s). (K-9) **THE PRELIMINARY/FINAL PLAT WAS APPROVED WITH FINAL SIGN OFF DELEGATED TO TRANSPORTATION FOR RADIUS AT CURVE C2 AND EXHIBIT AND TO CITY ENGINEER FOR INFORMATION ON FLOOD ZONE ON NORTH WEST CORNER. A NOTE MUST BE ADDED TO PLAT SHOWING FLOOD ZONE CHANGE, AND FOR AMAFCA SIGNATURE.**

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

13. **Project# 1003095**
08DRB-70320 SKETCH PLAT REVIEW
AND COMMENT

WAYJOHN SURVEYING INC agent(s) for FRANK CASALE/JAMES SELIGMAN request(s) the above action(s) for all or a portion of Lot(s) 2-A-2, **LA MIRADA SUBDIVISION TBKA LA MIRADA TOWNHOMES UNIT 1** zoned O-1 (CONDITIONAL USE), located on LA MIRADA PLACE NE BETWEEN WYOMING BLVD NE AND PENNSYLVANIA ST NE containing approximately 1.1443 acre(s). (G-19)**THE ABOVE ITEM WAS REVIEWED AND COMMENTS WERE GIVEN.**

14. Other Matters: None

ADJOURNED: 10:15



DRB CASE ACTION LOG (PREL/FINAL)

REVISED 10/08/07

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

DRB Application No.: 08DRB-70325	Project # 1004989
Project Name: WILDERNESS AT HIGH DESERT to be known as WILDERNESS CANON AT HIGH DESERT	
Agent: BOHANNAN HUSTON INC.	Phone No.: 823-1000

Your request was approved on 2/23/08 by the DRB with delegation of signature(s) to the following departments.

OUTSTANDING SIGNATURES COMMENTS TO BE ADDRESSED

TRANSPORTATION: _____

→ UTILITIES: paper easement for Waterline must be submitted and routed for approval

CITY ENGINEER / AMAFCA: _____

PARKS / CIP: _____

→ PLANNING (Last to sign): - AMAFCA @ BAB - Exhibit to Transportation Dept of need

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

Created On:

Cloud, Jack W.

From: Metro, Kristal D.
Sent: Tuesday, August 19, 2008 10:09 AM
To: Cloud, Jack W.
Subject: RE: Wilderness Canon

Jack,
The exhibits provided address my comments. I have no objection to the approval of the plat.
-Kristal

From: Cloud, Jack W.
Sent: Tuesday, August 19, 2008 8:42 AM
To: Metro, Kristal D.
Subject: FW: Wilderness Canon

Project No. 1004989, delegated to me for sign-off on July 23, but waiting for your review and approval of exhibits -

From: Kevin Patton [mailto:kpatton@bhinc.com]
Sent: Monday, August 18, 2008 3:23 PM
To: Metro, Kristal D.
Cc: Cloud, Jack W.
Subject: FW: Wilderness Canon

Kristal,

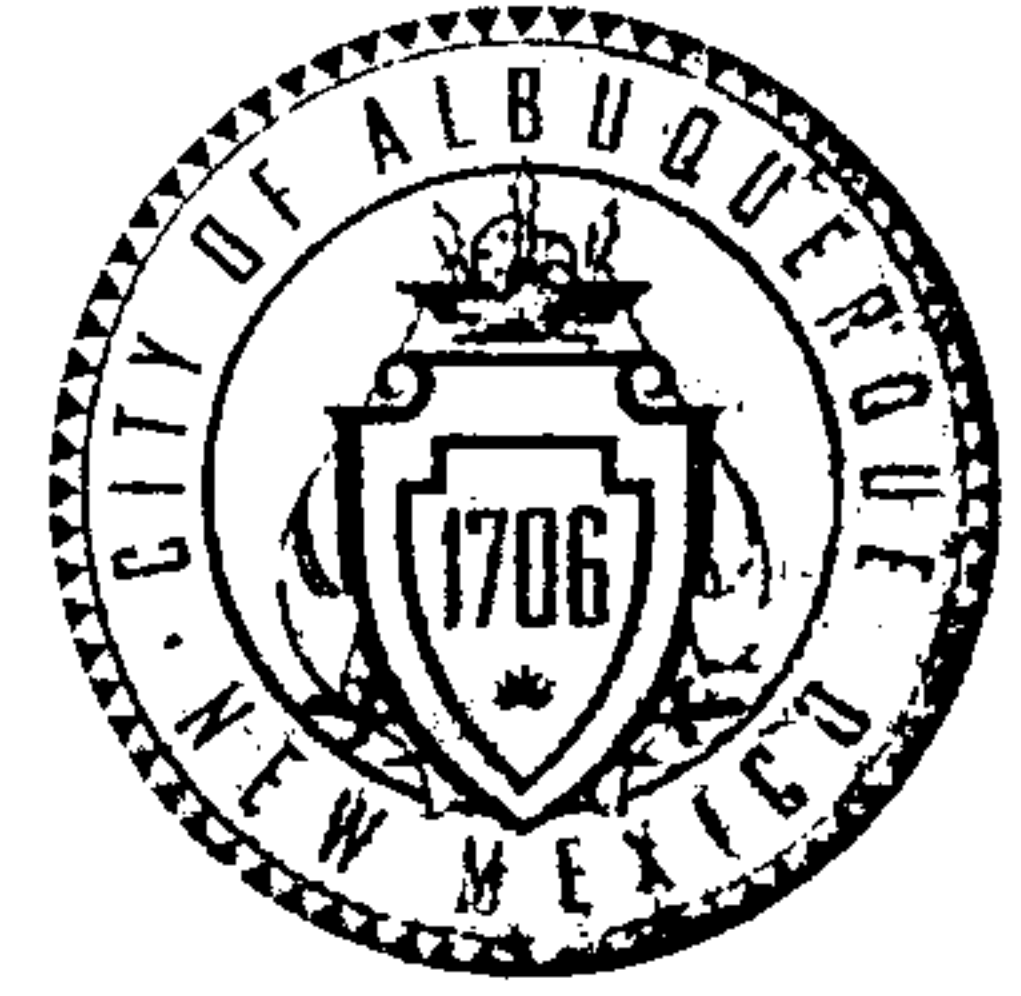
Enclosed is an aerial of the roadway adjacent to the Wilderness Canyon Site. I have also enclosed a copy of the roadway cross-section of High Desert Place from the approved and now accepted construction plans (the existing roadway in the aerial). We would like to get the bulk plat recorded and I understand you need this before it can be recorded.

Please let me know if you need anything else.

Kevin G. Patton PE

8/25/2008

CITY OF ALBUQUERQUE



CITY OF ALBUQUERQUE PLANNING DEPARTMENT HYDROLOGY DEVELOPMENT SECTION

DEVELOPMENT REVIEW BOARD MEMO

DRB CASE NO/PROJECT NO: 1004989

AGENDA ITEM NO: 10

SUBJECT:

Plat Extension
Plat Approval

ENGINEERING COMMENTS:

No adverse comments.

Grant ext - signed plat to vacate w/L easement

RESOLUTION:

PO Box 1293

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

Albuquerque

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

NM 87103

FOR:

SIGNED:

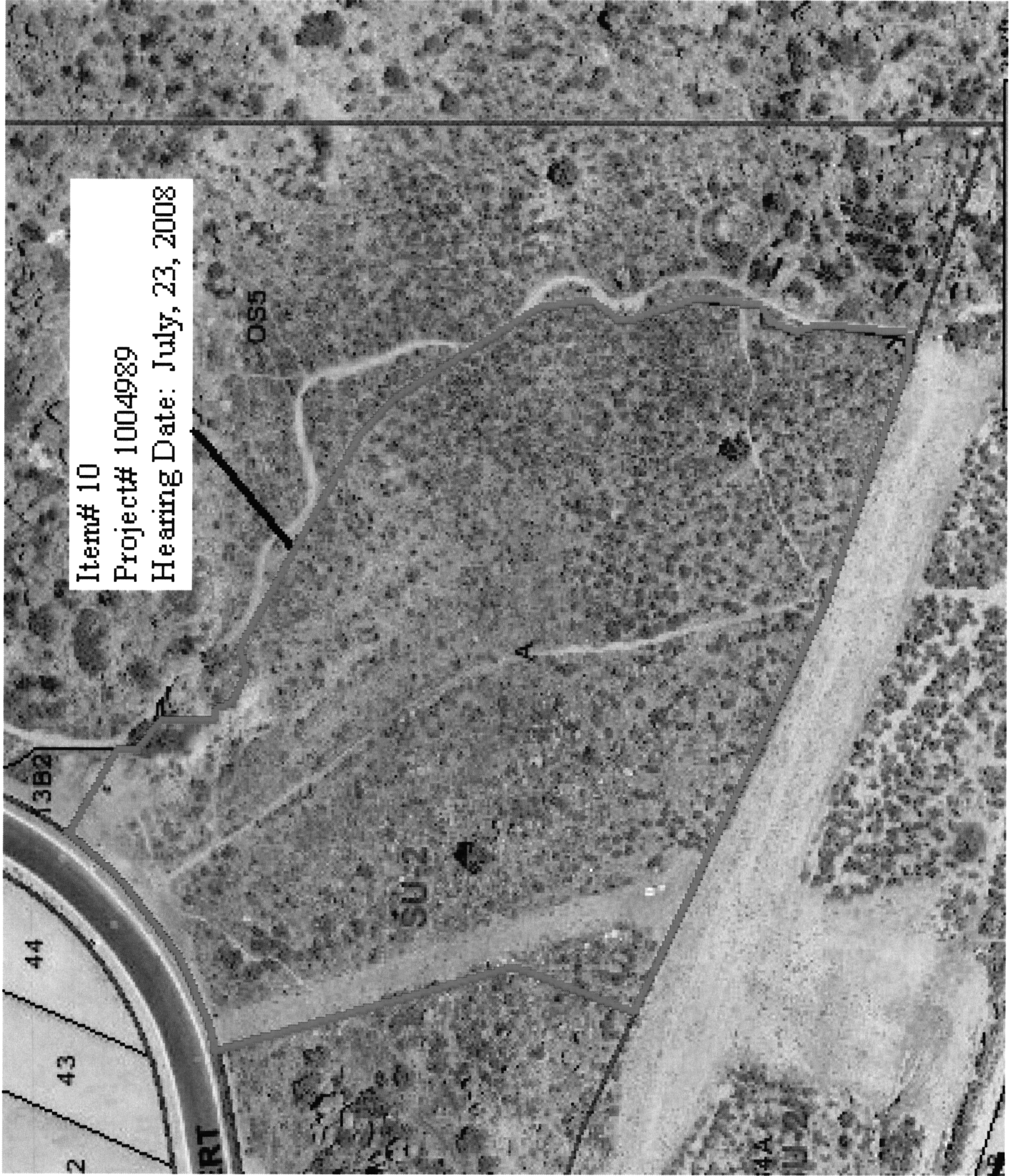
DATE: 7-23-08

www.cabq.gov

Curtis Cherne
City Engineer Designee
924-3695

*Sole purpose is to vacate w/L easement
paper easement from w/L plat*

Item# 10
Project# 1004989
Hearing Date: July, 23, 2008





OFFICIAL NOTICE OF DECISION

CITY OF ALBUQUERQUE
PLANNING DEPARTMENT
DEVELOPMENT REVIEW BOARD

December 6, 2006

1. Project # 1004989

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

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

At the December 6, 2006, Development Review Board meeting, with the signing of the infrastructure list dated 12/6/06 and approval of the grading plan engineer stamp dated 11/7/06 the preliminary plat was approved with the following findings:

1. The November 6, 2006 High Desert Residential Owners' Association Letter satisfies the intent of Section 4.A.7 of the High Desert Sector Plan based upon past High Desert Residential Owners' Association letters submitted for previous preliminary plats in High Desert.
2. Planning agrees that the preliminary plat submitted for Wilderness Canon at High Desert complies with the zoning, density and lot size requirements of the High Desert Sector Plan.
 - a. Specifically, residential uses in the SU2-HD RR zoning must conform, according to the Sector Plan, to the SU2-HD RG zone. The sector plan states the total number of dwelling units cannot exceed 300. Wilderness Canon's preliminary plat contains 25 lots or 25 dwelling units. High Desert Investment Corporation has stated for the record that the SU2-HD RR zone currently contains 110 units. So even with the addition of these 25 lots, the total is well below the 300 unit limit.



OFFICIAL NOTICE OF DECISION

PAGE 2

- b. One dwelling unit per lot as proposed also conforms to City's RT zoning category to which the SU2-HD RG zoning refers for use and lot size.
- c. The lot sizes shown on the submitted plat conform to the RT zoning category.
3. The developer must include this statement on the final plat: "The property on this plat is subject to a Pre-Development Facilities Fee Agreement with the Albuquerque Public Schools recorded at [insert recording information here]."

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

FINDINGS:

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

CONDITIONS:

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

A subdivision design variance from minimum DPM standards concerning internal streets was approved as shown on Exhibit C in the Planning file.

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

If you wish to appeal this decision, you must do so by December 21, 2006, in the manner described below.



OFFICIAL NOTICE OF DECISION

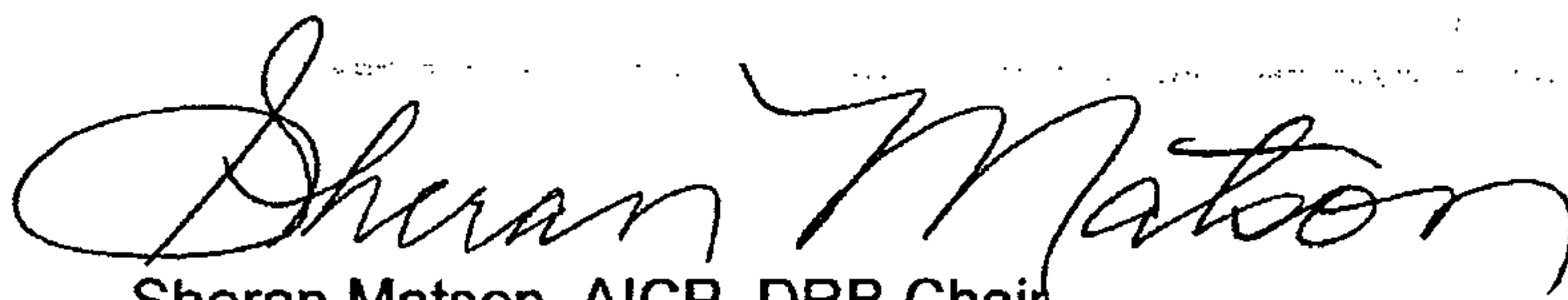
PAGE 3

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

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

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

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


Sheran Matson, AICP, DRB Chair

Cc: Bohannon Huston Inc., 7500 Jefferson NE, 87109
Mesa Verde Development Co., 8300 Carmel Ave NE, 87122
John Salazar, Rodey Law Firm, P.O. Box 1888, 87103
Kym Dicome, High Desert Investment Corp., 3791 Southern Blvd SE, Rio Rancho, NM 87124
Douglas Collister, 8524 Snakedance Ct NE, 87111
Ray Berg, 13501 Osage Orange NE, 87111
Debra & Jay Greenhood, 13409 Embudito View Ct NE, 87111
Sam & Jennie Baca, 5000 Cumbre del Sur NE, 87111



OFFICIAL NOTICE OF DECISION

PAGE 4

Arinta Liem, 13419 Wilderness PI NE, 87111
Robert Pelletier, 5123 High Desert NE, 87111
John Farrow, 2400 Meadowview NW, 87110
Keith Gainer, 5516 Carmelita NE, 87111
Conrad & Marcella Stahly, 5015 Cresta del Sur NE, 87111
Patricia Wittman, 4905 Cresta del Sur Ct NE, 87111
Rob Erickson, 2621-1/2 Granite Ave NE, 87104
Larry Garcia, P.O. Box 1576, Los Lunas, NM 87031
Pat Stovall, 6604 Rogers Ave NE, 87110
Angela Ness, 13213 Manitoba Dr NE, 87111
Charles Young, 13105 Enchantment Ln NW, 87111
Ken Wesselman, 4613 Huntington Dr NE, 87111
Anne Marie Morosin, 13109 Manitoba Dr NE, 87111
Ed Hernandez, 1219 Blue Quail NE, 87112
Alan Clipperton, 13501 Embudito View Ct NE, 87111
Jack Eichorn, 6316 Bobcat Hill Ln NE, 87111
Tarin Davies, 13209 Manitoba NE, 87111
Joe Witte, 1570 West Ella Dr NE, 87048
Armando Lara, 13415 Piedra Grande NE, 87111
Kathleen Conlin, 1021 Orchard NW, 87102
Jeni Turgeon, 720 Tramway Ln NE, #6, 87122
Janet Lentz, 5109 High Desert Place NE, 87111
Carl Fesler, 5005 Cumbre del Sur NE, 87111
Don Kellor, 5004 Cresto del Sur NE, 87111
Christine Ranier, 5016 Cresta del Sur Ct NE, 87111
Marilyn Maldonado, Planning Department, 4th Floor, Plaza del Sol Bldg.
File

CITY OF ALBUQUERQUE



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

DEVELOPMENT REVIEW BOARD – SPEED MEMO

DRB CASE NO/PROJECT NO: 1004989

AGENDA ITEM NO: 3

SUBJECT:

Preliminary Plat – Amended

ACTION REQUESTED:

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

ENGINEERING COMMENTS:

An approved grading and drainage plan dated 7-17-07 is on file for Preliminary Plat approval.

P.O. Box 1293

Albuquerque

New Mexico 87103

www.cabq.gov

RESOLUTION:

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

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

SIGNED: Bradley L. Bingham
City Engineer / AMAFCA Designee
(F-23/D012 - WILDERNESS CANON @ HIGH DESERT)

505-924-3986

DATE: SEPTEMBER 5, 2007

DRB PUBLIC HEARING SIGN IN SHEETS

PROJECT #: 1004989 AGENDA# 3 DATE: 09/05/07

- ✓ 1. Name: KEVIN PATTON Address: COURTYARD I
7500 JEFFERSON ST Zip: 87109
- ✓ 2. Name: YOLANDA MOTER Address: COURTYARD I
7500 JEFFERSON ST Zip: 87109 } AGENT
- ✓ 3. Name: MATT MARTIN Address: 8800 CARMEL
ALBUQUERQUE NM Zip: 87109 OWNER
- ✓ 4. Name: Carl Fesler
Carl Fesler Address: 5005 Cumbride Rd SW
ALB Zip: 87111 Neighbor
5. Name: _____ Address: _____ Zip: _____
6. Name: _____ Address: _____ Zip: _____
7. Name: _____ Address: _____ Zip: _____
8. Name: _____ Address: _____ Zip: _____
9. Name: _____ Address: _____ Zip: _____
10. Name: _____ Address: _____ Zip: _____
11. Name: _____ Address: _____ Zip: _____
12. Name: _____ Address: _____ Zip: _____
13. Name: _____ Address: _____ Zip: _____
14. Name: _____ Address: _____ Zip: _____
15. Name: _____ Address: _____ Zip: _____
16. Name: _____ Address: _____ Zip: _____
17. Name: _____ Address: _____ Zip: _____



CITY OF ALBUQUERQUE
 PLANNING DEPARTMENT
 DEVELOPMENT REVIEW BOARD

September 5, 2007

3. Project# 1004989
 07DRB-70183 MAJOR - AMENDMENT TO PRELIMINARY PLAT

BOHANNAN HUSTON INC. agent(s) for MESA VERDE DEVELOPMENT CO request(s) the above action(s) for all or a portion of Tract(s) A, WILDERNESS AT HIGH DESERT, UNIT 2 (to be known as WILDERNESS CANON AT HIGH DESERT) zoned SU-2 HD/R-R, located on HIGH DESERT PL NE BETWEEN TRAILHEAD RD NE AND EMBUDITO VIEW CT NE containing approximately 4.6006 acre(s). (F-23)

- AMAFCA** No adverse comments.
- COG** No comments received.
- Transit** No comments received.
- Zoning Enforcement** No adverse comments.
- Neighborhood Coordination** No associations.

APS Wilderness Canon at High Desert, Tract A, located on High Desert PI NE between Trailhead Rd NE and Embudito View Ct NE, will consist of 19 single-family residential lots. The proposed development is assigned to Georgia O'Keefe Elementary School, Eisenhower Middle School, and Eldorado High School. Georgia O'Keefe Elementary School is nearing capacity. Eisenhower Middle School and Eldorado High School have excess capacity.

Loc No	School	2007-08 Projections	2006-07 Capacity	Space Available
328	G. O'Keefe	581	613	32
480	Eisenhower	930	1,020	90
515	Eldorado	2,025	2,200	175

On August 15, 2007, Mesa Verde Development Co. entered into a **Pre-Development Facilities Fee Agreement** with the Albuquerque Public Schools to pay a facility fee for each residential unit that will be constructed in the subdivision. These fees will help with the construction and maintenance of new and existing schools within the APS district.

Police Department No crime prevention or CPTED comments at this time.

Fire Department Fire Department is not approving street widths less than 32 feet at this time. Per Ray Sanchez, AFD. All required fire hydrants shall be installed and made serviceable prior to and during construction of subdivision.

PNM Electric & Gas

No adverse comments.

Comcast

No comments received.

QWEST

No comments received.

Environmental Health

No comments received.

M.R.G.C.D.

No adverse comments.

Open Space Division

Maintenance road easement from High Desert to City owned Major Public Open Space looks to be adequate.

City Engineer

An approved drainage report is on file to support this amendment.

Transportation Development

Which infrastructure list is correct?? What has happened to the offsite improvements for transportation?

Parks & Recreation

No objection:

ABCWUA

New water line easement across Lot 13 must be 20' wide, not 15'.

Planning Department

No objection to the amended preliminary plat, infrastructure list or grading plan. Ray Berg, the President of HDROA, has signed the plat as well as HDIC.

Impact Fee Administrator

Construction of a new single family residence within the proposed subdivision will require payment of Impact Fees. Based on a house size of approximately 2,000 square feet, it is estimated that impact fees will total approximately \$1,592 for each new home on each new lot.

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

Cc: BOHANNAN HUSTON INC, 7500 Jefferson NE, 87109

MESA VERDE DEVELOPMENT CO, 8300 Carmel Ave NE, 87109

TRANSMISSION VERIFICATION REPORT

TIME : 09/04/2007 11:27
NAME :
FAX : 9243864
TEL : 5059243979
SER.# : BROL6J570919

DATE, TIME	09/04 11:26
FAX NO./NAME	97987988
DURATION	00:00:34
PAGE(S)	03
RESULT	OK
MODE	STANDARD ECM

City of Albuquerque
Planning Department
505-924-3900 (main number)
505-924-3864 (fax number - 2nd Level)
505-924-3440 (fax number - 4th Floor)
Development and Building Services (One Stop Shop)
600 2nd Street NW
Albuquerque, NM 87102

**City of Albuquerque
Planning Dept.
Dev. & Bldg. Svcs.**

Fax

To: STEPHANIE ^{OR KEVIN.} From: SANDY

Fax: 798-7988 Pages Sent: (including this page) 3

Phone: _____ Date: 09/04/07

Time: _____

Urgent For Review Please Comment Please Reply Please Recycle

Comments: #3 - 09/05/07 HEARING



**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, September 5, 2007, beginning at 9:00 a.m. for the purpose of considering the following:

Project# 1001178

07DRB-70182 MAJOR - SDP FOR BUILDING PERMIT

RON BURTON, DWL ARCHITECTS agent(s) for CHECK WITH ME LLC request(s) the above action(s) for all or a portion of Tract(s) A-1-B-3, **ACME ACRES**, zoned C-3(SC), located on CUTLER AVE NE BETWEEN CARLISLE BLVD NE AND MORNINGSIDE DR NE containing approximately 0.89 acre(s). (H-17)

Project# 1002715

07DRB-70184 VACATION OF PUBLIC RIGHT-OF-WAY
07DRB-70185 BULK LAND VARIANCE
07DRB-70186 MINOR - PRELIMINARY/
FINAL PLAT APPROVAL

ISAACSON AND ARFMAN PA agent(s) for PARADISE AT UNSER LLC request(s) the above action(s) for all or a portion of Lot(s) 1,2,3 & 4, replat of Tract H, LANDS OF HORIZON CORPORATION (**to be known as PARADISE AT UNSER**), zoned SU-1 FOR C-1 USES/ SU-1 PRD-FAR 0.5, located on UNSER BLVD NW BETWEEN PARADISE BLVD NW AND LYONS BLVD NW containing approximately 29.8336 acre(s). (B-11)

Project# 1004989

07DRB-70183 MAJOR - AMENDMENT TO PRELIMINARY PLAT, INFRASTRUCTURE LIST & GRADING PLAN

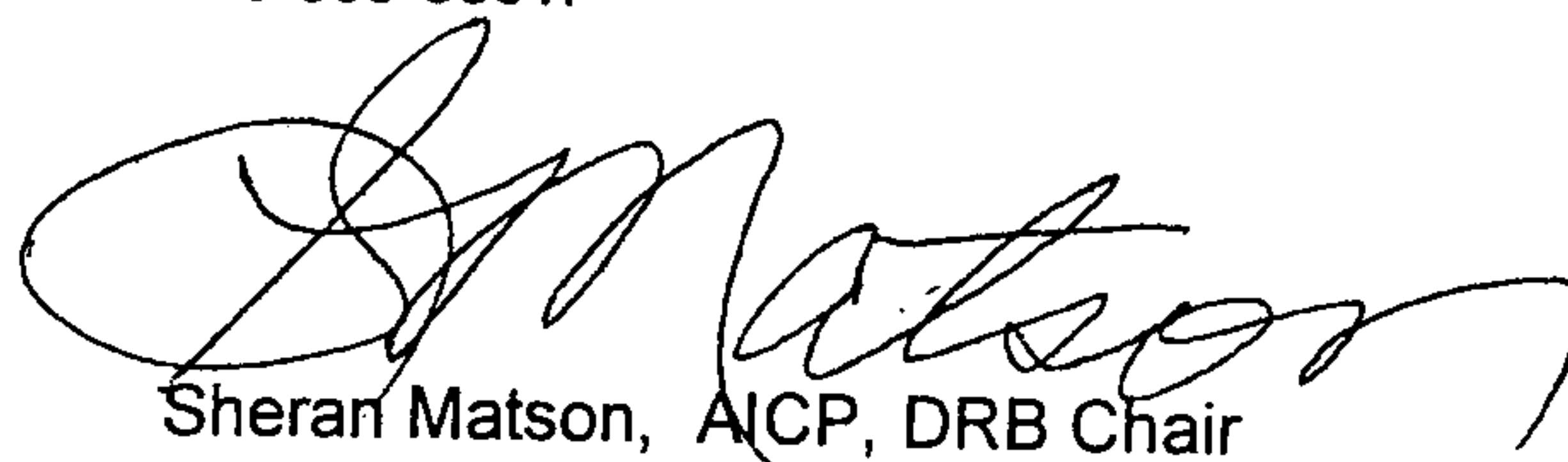
BOHANNAN HUSTON INC. agent(s) for MESA VERDE DEVELOPMENT CO request(s) the above action(s) for all or a portion of Tract(s) A, WILDERNESS AT HIGH DESERT, UNIT 2 (**to be known as WILDERNESS CANON AT HIGH DESERT**) zoned SU-2 HD/R-R, located on HIGH DESERT PL NE BETWEEN TRAILHEAD RD NE AND EMBUDITO VIEW CT NE containing approximately 4.6006 acre(s). (F-23)

Project# 1006739

07DRB-70187 VACATION OF PUBLIC RIGHT-OF-WAY

JACK'S HIGH COUNTRY INC. agent(s) for MANUEL AND MARTHA P. BARRARA request(s) the above action(s) for all or a portion of the AMOLE DEL NORTE DIVERSION FACILITY, located on SAGE RD SW BETWEEN RAELE ST SW AND 75TH ST SW containing approximately 0.32 acre(s). (L-10)

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 Claire Senova, 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.


Sheran Matson, AICP, DRB Chair
Development Review Board

TO BE PUBLISHED IN THE ALBUQUERQUE JOURNAL MONDAY, AUGUST 20, 2007.

**CITY OF PLANNING
PLANNING DEPARTMENT
PROPERTY OWNERSHIP LIST**

Meeting Date: September 5, 2007
Zone Atlas Page: F-23
Notification Radius: 100 Ft.

**Project# 1004989
App#07DRB-70183**

**Cross Reference and Location: HIGH DESERT PLACE NE BETWEEN
TRAILHEAD RD NE AND EMBUDITO VIEW CT NE**

Applicant: MESA VERDE DEVELOPMENT, CO
8300 CARMEL AVE NE
ALBUQUERQUE, NM 87109

Agent: BOHANNAN HUSTON
7500 JEFFERSON NE
ALBUQUERQUE, NM 87109

Special Instructions:

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

Date Mailed: AUGUST 17, 2007
Signature: ERIN TREMLIN

City of Albuquerque



DEVELOPMENT/ PLAN REVIEW APPLICATION

SUBDIVISION

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

SITE DEVELOPMENT PLAN

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

STORM DRAINAGE (Form D)

- Storm Drainage Cost Allocation Plan

Supplemental form

S Z ZONING & PLANNING

- Annexation
- County Submittal
- EPC Submittal
- Zone Map Amendment (Establish or Change Zoning)
- Sector Plan (Phase I, II, III)
- Amendment to Sector, Area, Facility or Comprehensive Plan
- Text Amendment (Zoning Code/Sub Regs)
- Street Name Change (Local & Collector)
- APEAL / 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): Bohannon Huston, Inc PHONE: 823-1000
 ADDRESS: 7500 Jefferson NE FAX: 798-7988
 CITY: Albuquerque STATE NM ZIP 87109 E-MAIL: kpatt@bhinc.com

APPLICANT: Mesa Verde Development Co. PHONE: 828-9900
 ADDRESS: 8300 Carmel Ave. NE FAX: 828-9901
 CITY: Albuquerque STATE NM ZIP 87122 E-MAIL: _____

Proprietary interest in site: owner List all owners: Mesa Verde

DESCRIPTION OF REQUEST: Amendments to Preliminary Plat + Grading Plan + Infrastructure List

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

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

Lot or Tract No. Tract A Block: _____ Unit: 2
 Subdiv/Addn/TBKA: Wilderness at High Desert / Hoka - Wilderness Canon at High Desert
 Existing Zoning: SU-2 HO / R-R Proposed zoning: _____ MRGCD Map No. _____
 Zone Atlas page(s): F-23 UPC Code: 1023506149424510167

CASE HISTORY:

List any current or prior case number that may be relevant to your application (Proj., App., DRB-, AX-, Z-, V-, S-, etc.): _____

DRB 1004989 / DRB-01411, 01412, 01413, 01414, 01415

CASE INFORMATION:

Within city limits? Yes Within 1000FT of a landfill? NO
 No. of existing lots: 1 No. of proposed lots: 19 Total area of site (acres): 4.6006
 LOCATION OF PROPERTY BY STREETS: On or Near: High Desert Place NE
 Between: Trailhead Rd NE and Embudo View Ct. NE

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

SIGNATURE Yolanda Morjan for DATE _____
 (Print) Kevin Patton Applicant: Agent:

FOR OFFICIAL USE ONLY

- 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
07 DRB 70183

Action
APP S.F. Fees
Adv 5(2) \$ 0
 \$ 75.00

Hearing date September 5, 2007

Total
 \$ 75.00

Andrew J. [Signature] 8-10-07
 Planner signature / date

Project # 1004989

Form revised 4/07

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

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

MAJOR SUBDIVISION PRELIMINARY PLAT APPROVAL (DRB13)

- Proposed Preliminary Plat including the Grading Plan (folded to fit into an 8.5" by 14" pocket) 24 copies
- Proposed Infrastructure List
- Signed Preliminary Pre-Development Facilities Fee Agreement for Residential development only
- Design elevations & cross sections of perimeter walls 3 copies (11" x 17" maximum)
- Zone Atlas map with the entire property(ies) clearly outlined
- Letter briefly describing, explaining, and justifying the request
- Property owner's and City Surveyor's signature on the proposed plat
- FORM DRWS Drainage Report, Water & Sewer availability statement filing information
- Office of Community & Neighborhood Coordination inquiry response, notifying letter, certified mail receipts
- Sign Posting Agreement
- Signed Pre-Annexation Agreement if Annexation required.
- TIS/AQIA Traffic Impact Study / Air Quality Impact Assessment form
- Fee (see schedule)
- List any original and/or related file numbers on the cover application

Preliminary plat approval expires after one year.

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

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

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

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

Amended preliminary plat approval expires after one year.

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

MAJOR SUBDIVISION IMPROVEMENTS AGREEMENT (DRB09)

(Temporary sidewalk deferral extension use FORM-V)

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

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

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

BRUNN PATTON

Stephanie Walker

Applicant name (print)

8-10-07

Applicant signature / date



Form revised 4/07

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

Application case numbers	
of DRB	- 70183
-	-
-	-

Andrew Garcia

8-10-07

Planner signature / date

Project # 1004989

R e c	UPC CODE	OWNER	OWNER ADDRESS	OWNE R CITY	O W N E R S T A T E	OW N E R Z I P C O D E	PRO P E R T Y C L A S S	TAX D I S T R I C T	LEGAL
1	1023061 4592324 1006	HIGH DESERT INVESTME NT CORP	PO BOX 2169 9	ALBUQ UERQ UE	NM	8715 4	V	A1A	TR OS-4-A PLAT OF TRACTS OS- 4-A & 13-C- 1 HIGH DESERT A REPLAT OF TR ACTS OS-4 & 13- C HIGH DESERT CONT 9.3919 AC
2	1023061 4602551 0105	HIGH DESERT RESIDENT IAL OWNERS ASSOC INC	PO BOX 2174 7	ALBUQ UERQ UE	NM	8715 4 17 47	V	A1A	TR 13-C-1 PLAT OF TRACTS OS- 4-A & 13-C- 1 HIGH DESERT A REPLAT OF TR ACTS OS-4 & 13- C HIGH DESERT CONT 1.4294 AC
3	1024061 2863281 0143	UNITED STATES OF AME RICA C/O USDA FOREST SERVIC	333 BROAD WAY BLVD S E	ALBUQ UERQ UE	NM	8710 2 34 98	V	X1	T11N R4E SEC 36 EXCEPT PORTI ON OUT TO TRACT A CONT 437.3 9 AC M/L
4	1023061 4502711 0154	PELLETIER ROBERT J & KATHY A	5123 HIGH DESERT PL NE	ALBUQ UERQ UE	NM	8711 1	V	A1A	LT 45 UNIT 2 PLAT OF UNIT 2 - WILDERNESS SUBDIVISION AND UNIT 3 - WILDERNESS SUBDIVISION AT HIGH DESERT A REPLAT OF TRA CT 13- B HIGH DESERT CONT .1959 AC
5	1023061 5113021 0103	CITY OF ALBUQUERQUE REAL ESTATE OFFICE	PO BOX 1293	ALBUQ UERQ UE	NM	8710 3 12 93	V	A1A	OS- 5 PLAT OF HIGH DESERT CONT 9 .4594 AC M/L OR 412,051 SQ FT M/L
6	1023061 4902941 0168	MESA VERDE DEVELOP MENT	P O BOX 914 17	ALBUQ UERQ UE	NM	8719 9	V	A1A	TR 13-B-2 PLAT OF UNIT 2 - WILDERNESS SUBDIVISION AND UNIT 3 - WILDERNESS SUBDIVISION AT HIGH DESERT A REPLAT OF TRA CT 13- B HIGH DESERT CONT .3909 AC
7	1023061 4942451 0167	LIFE INVESTMENTS LLC	8300 CARM EL NE SUIT E 401	ALBUQ UERQ UE	NM	8712 2	V	A1A	TR A PLAT OF UNIT 2 - WILDERNESS SUBDIVISION AND UNIT 3 - WILDERNESS SUBDIVISION AT HIGH DESERT A REPLAT OF TRA CT 13- B HIGH DESERT CONT 3.9653 A C
8	1023061 4602771 0151	LIFE INVESTMENTS LLC	8300 CARM EL AVE NE 401	ALBUQ UERQ UE	NM	8712 2	V	A1A	LT 42 UNIT 2 PLAT OF UNIT 2 - WILDERNESS SUBDIVISION AND UNIT 3 - WILDERNESS SUBDIVISION AT HIGH DESERT A REPLAT OF TRA CT 13- B HIGH DESERT CONT .3075 AC
9	1023061 4672781 0152	LIFE INVESTMENTS LLC	8300 CARM EL AVE NE 401	ALBUQ UERQ UE	NM	8712 2	V	A1A	LT 43 UNIT 2 PLAT OF UNIT 2 - WILDERNESS SUBDIVISION AND UNIT 3 - WILDERNESS SUBDIVISION AT HIGH DESERT A REPLAT OF TRA CT 13- B HIGH DESERT CONT .2894 AC
1 0	1023061 4752801 0153	LIFE INVESTMENTS LLC	8300 CARM EL AVE NE 401	ALBUQ UERQ UE	NM	8712 2	V	A1A	LT 44 UNIT 2 PLAT OF UNIT 2 - WILDERNESS SUBDIVISION AND UNIT 3 - WILDERNESS SUBDIVISION AT HIGH DESERT A REPLAT OF TRA CT 13- B HIGH DESERT CONT .2694 AC

Or Current Resident
HIGH DESERT INVESTMENT CORP
PO BOX 21699
ALBUQUERQUE, NM 87154

Or Current Resident
PELLETIER ROBERT J & KATHY A
5123 HIGH DESERT PL NE
ALBUQUERQUE, NM 87111

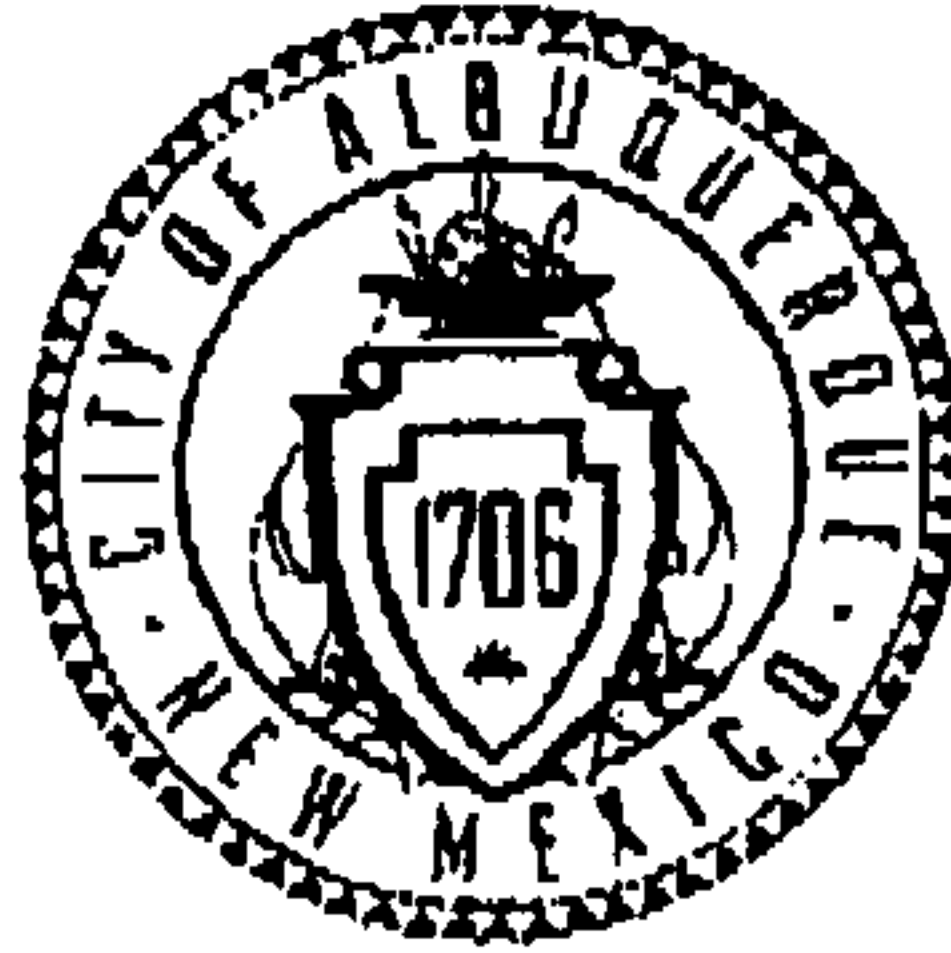
Project# 1004989
MESA VERDE DEVELOPMENT CO.
8300 CARMEL AVE NE
ALBUQUERQUE, NM 87122

Or Current Resident
LIFE INVESTMENTS LLC
8300 CARMEL NE SUITE 401
ALBUQUERQUE, NM 87122

Or Current Resident
UNITED STATES OF AMERICA C/O
USDA FOREST SERVIC
333 BROADWAY BLVD SE
ALBUQUERQUE, NM 87102 3498

Or Current Resident
MESA VERDE DEVELOPMENT
P O BOX 91417
ALBUQUERQUE, NM 87199

Project# 1004989
BOHANNAN HUSTON, INC.
7500 JEFFERSON NE
ALBUQUERQUE, NM 87109



City of Albuquerque

PLEASE NOTE: The Neighborhood 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.

Date: 9 Aug 07

Planning Department
Plaza Del Sol Building
600 Second St. NW
Second Floor (924-3860)

This letter will serve to notify you that on August 9, 2007
(date)

TO CONTACT NAME: Stephanie Walker
COMPANY/AGENCY: Bahannon Huston
ADDRESS/ZIP: 7500 Jefferson, N.E.
PHONE/FAX #: 823-1000 / 798-7988

Contacted the Office of Neighborhood Coordination requesting the contact names for any Recognized Neighborhood Associations affected by their request concerning a Zoning Action or Site Development Plan, etc. at Tract A of Unit 2 Wilderness of the
Desert (Hoka Wilderness Canyon)
zone map page(s) F-23.

Our records indicate that as of August 9, 2007 there were **no Recognized**
(date)

Neighborhood Associations in this area.

If you have any questions about the information provided, please contact our office at (505) 924-3914 or by fax at 924-3913.

Sincerely,

Stephanie D. Dinkley
OFFICE OF NEIGHBORHOOD COORDINATION

Sheran Matson
City of Albuquerque
August 9, 2007
Page 2 of 2

A request for a variance to the subdivision standards for the internal roadways was approved with the original preliminary plat on December 6, 2006. The roadways are 26' face-to-face which is allowed under the Local Access with a P-1 designation. The Local Access however calls for a 44' right-of-way. Since these will be private streets, the lot property line begins at back of curb and there is a 7' private pedestrian access easement on one side of the road with a 6' sidewalk. See enclosed Exhibit "D" for roadway sections. It is my understanding the variance to the subdivision standards remains in affect for the amended preliminary plat and that an additional request is not required. Therefore, Exhibit "D" would also be approved for the amended preliminary plat.

The previously approved preliminary plat application also requested and approved vacations of three easements, a temporary pond easement, a 20' waterline easement (which will be relocated in the proposed roadway), and a portion of The High Desert Open Space Easement. It is also my understanding the vacation action does not need to be advertised again and that the approved vacation also remained approved with the condition that they are shown on a final recorded plat before December 6, 2007.

We are provided new exhibits for the sidewalk waiver and sidewalk variance because the layout and lot numbers have changed. A wall plan for the perimeter wall was approved with the original preliminary plat which also remains in affect for the amended preliminary plat.

Please place this item on the DRB Agenda to be heard on September 5, 2007. If you have any questions or require further information, please call me at 823-1000


Sincerely,



Kevin G. Patton, P.E.
Senior Vice President and Managing Principal
Community Development and Planning Group

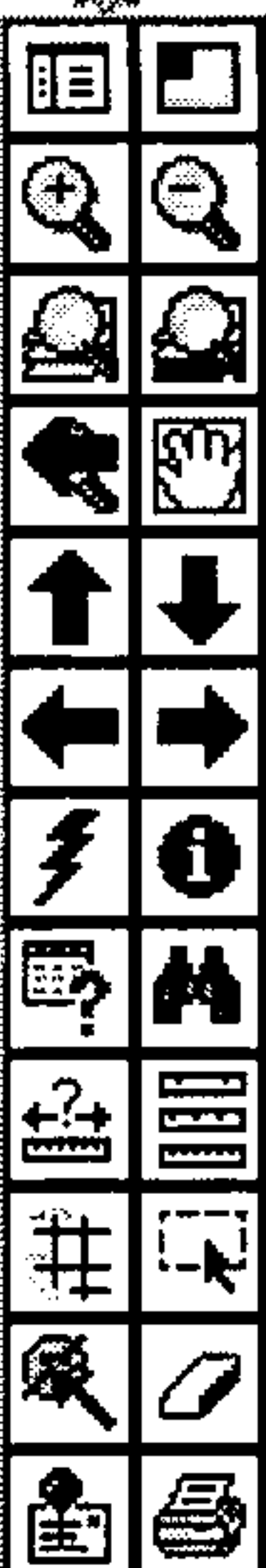
Enclosures
SW

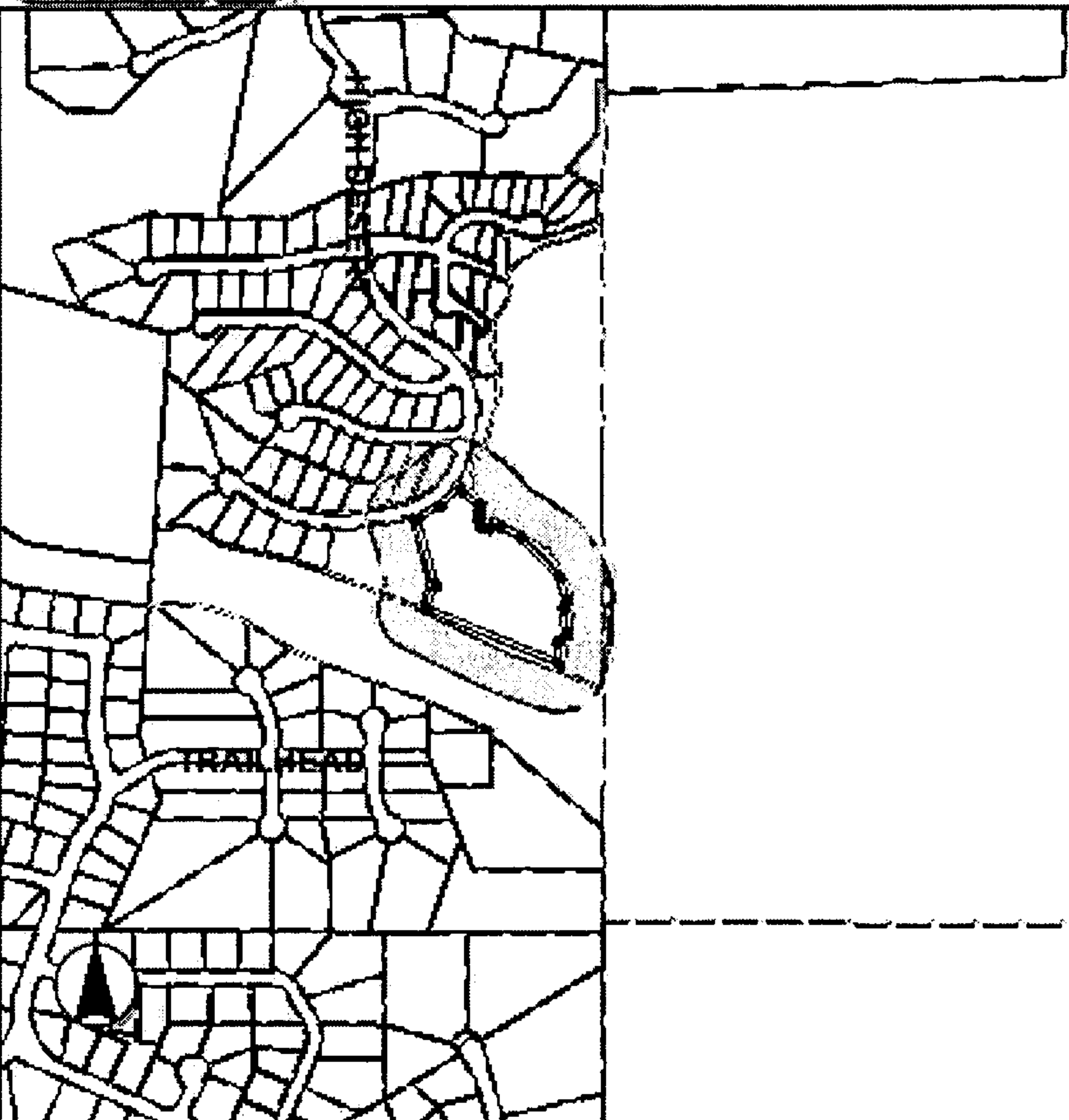
cc: Matt Martin, Mesa Verde Development (w/ enclosures)
Doug Collister, High Desert (w/ enclosures)
Yolanda Moyer, BHI (w/o enclosures)



CITY OF ALBUQUERQUE
www.cabq.gov

ALBUQUERQUE GIS DATA WEBSITE









LAYERS

- STREETS
- BASEMAP
- PARCELS
- LOT NUMBERS
- METRO ADDRESS
- ZONING
- OWNERSHIP
- 2FT CONTOUR
- ADDRESS POINTS
- LANDUSE
- INFRASTRUCTURE
- TRANSIT/SUNTRAN
- BOUNDARIES
- SITES
- ENVIRONMENT
- APS
- TRAFFIC ENG.
- AIR PHOTO
 - 2006 AIR PHOTO
 - 2004 AIR PHOTO
 - 2002 AIR PHOTO
 - 1999 AIR PHOTO

Refresh Map

Auto Refresh

Help:

-  Closed group, click to open.
-  Open group, click to close.
-  Map layer.
- Hidden group/layer, click for visible.
- Visible group/layer, click to hide.
-  Layer not visible at this scale.
- Partially visible group, click for visible.
- Inactive layer, click for active.
- The active layer.

OWNERSHIP

Rec	UPC CODE	OWNER
1	102306145923241006	HIGH DESERT INVESTMENT CORP

Pan
SEARCH CONTACT
REFRESH
HELP
INDEX PAGE

August 9, 2007

Sheran Matson, Chair
Development Review Board
City of Albuquerque
P.O. Box 1293
Albuquerque, New Mexico 87103

Re: Amended Preliminary Plat, Sidewalk Waiver, and Sidewalk Deferral for Wilderness Canon at High Desert (Tract A of Wilderness Unit 2) DRB# 1004989

Dear Sheran:

Enclosed for Development Review Board (DRB) review and approval are copies of the following information:

- Applications for Development Review
- Twenty-four (24) copies each of the Amended Preliminary Plat and Grading Plan
- One (1) copy of the Infrastructure List (Exhibit "A")
- Letter from the Office of Neighborhood Coordination
- Zone Atlas Map showing the location of the property
- Sidewalk exhibits for deferral and waiver
- Fee in the amount of \$ 75.00

On December 6, 2006 the Development Review Board approved the Preliminary Plat for Wilderness Canon, along with a grading plan (engineers stamp dated 12/6/06), vacations of three easements, a subdivision design variance (Exhibit "C"), and a sidewalk variance and deferral.. The approved preliminary plat was appealed. On August 6, 2007 the City of Albuquerque City Council remanded the appeal back to the Develop Review Board to consider the enclosed Amended Preliminary Plat.

Enclosed is our application of the Amended Preliminary Plat. The difference between the approved preliminary plat and the amended preliminary plat is that we have reduced the number of lots from 25 to 19 and we have restricted the height of the future homes on an isolated number of lots. We have also agreed to make some improvements in the City's Open Space Parcel located east of the proposed development.

As noted in our original application, Tract A at the Wilderness is located south of The Wilderness Village and Compound. It is bound by High Desert Place to the north, the Embudito Arroyo to the south, City of Albuquerque Open Space (Tract OS-5) and trail to the east and an Open Space Easement owned by High Desert Residential Owners Association, Inc to the west.

On site infrastructure will tie to existing off-site infrastructure located within High Desert Place and built with the Wilderness Village and Compound.

SIA Sequence #	COA DRC Project #

Size	Type of Improvement	Location	From	To
PUBLIC WATERLINE IMPROVEMENTS - ON-SITE				
10" DIA	WATERLINE W/ NEC. VALVES FH'S, MJ'S & RJ'S	ELEVADA TRAIL	HIGH DESERT PLACE	PIEDRA CERRO WAY
6" DIA	WATERLINE W/ NEC. VALVES FH'S, MJ'S & RJ'S	ELEVADA TRAIL	PIEDRA CERRO WAY	PIEDRA ALTA LANE
6" DIA	WATERLINE W/ NEC. VALVES FH'S, MJ'S & RJ'S	PIEDRA CANTO WAY	ELEVADA TRAIL	PIEDRA ALTA LANE
10" DIA	WATERLINE W/ NEC. VALVES FH'S, MJ'S & RJ'S	PIEDRA CERRO WAY	SOUTH PROPERTY BOUNDARY (LOT 13)	ELEVADA TRAIL
6" DIA	WATERLINE W/ NEC. VALVES FH'S, MJ'S & RJ'S	PIEDRA ALTA LANE	PIEDRA CANTO WAY	SOUTH PIEDRA ALTA ALTA TERMINUS (LOT 9)
	REMOVAL OF EXISTING 6" WATERLINE	LOTS 13-17	LOT 13	HIGH DESERT PLACE

Private Inspector	City Inspector	City Cnst Engineer
/	/	/
/	/	/
/	/	/
/	/	/
/	/	/
/	/	/

Size	Type of Improvement	Location	From	To
PUBLIC SANITARY SEWER IMPROVEMENTS - ON-SITE				
8" DIA	SANITARY SEWER W/ NEC. MH'S & SERVICES	ELEVADA TRAIL	HIGH DESERT PLACE	PIEDRA ALTA LANE
8" DIA	SANITARY SEWER W/ NEC. MH'S & SERVICES	PIEDRA CANTO WAY	PIEDRA CANTO WAY TERMINUS	ELEVADA TRAIL
8" DIA	SANITARY SEWER W/ NEC. MH'S & SERVICES	PIEDRA CERRO WAY	PIEDRA CERRO TERMINUS	ELEVADA TRAIL
8" DIA	SANITARY SEWER W/ NEC. MH'S & SERVICES	PIEDRA ALTA LANE	NORTH PIEDRA ALTA ALTA TERMINUS	SOUTH PIEDRA ALTA ALTA TERMINUS

/	/	/
/	/	/
/	/	/
/	/	/

Size	Type of Improvement	Location	From	To
PUBLIC STORM DRAIN IMPROVEMENTS - ON-SITE				
18-36" DIA	RCP W/ NEC. MH'S, LATERALS & INLETS	PIEDRA CANTO WAY/ LOT 5	NORTH PIEDRA ALTA ALTA TERMINUS (LOT 5)	ELEVADA TRAIL
18-36" DIA	RCP W/ NEC. MH'S, LATERALS & INLETS	ELEVADA TRAIL	LOT 14	HIGH DESERT PLACE
NOTE:	A GRADING AND DRAINAGE CERTIFICAITON OF THE APPROVED GRADING PLAN IS REQUIRED PRIOR TO THE RELEASE OF FINANCIAL GUARANTEES			

/	/	/
/	/	/
/	/	/

Size	Type of Improvement	Location	From	To
DRAINAGE IMPROVEMENTS - OFF-SITE				
4' - 5' WIDE	LINED SWALE	OPEN SPACE	LOT 8	EXISTING NATURAL SWALE - ACROSS FROM LOT 5
4' WIDE	TRAIL IMPROVMENTS	OPEN SPACE	LOT 9	TRACT 13-B-2 HDROA TRACT
2' WIDE	COBBLE "V"	BACK PROPERTY LINE IN OPEN SPACE ADJ. TO WALL	LOT 4	LOT 8
30" SD w/ TRIPLE GRATE TYPE "D" INLET	SEDIMENTATION POND #2 IMPROVEMENTS	TRACT 13-B-3 HDROA TRACT	HIGH DESERT PLACE	SEDIMENTATION POND #2

/	/	/
/	/	/
/	/	/
/	/	/

NOTE: PERIMETER WALL AS APPROVED BY DRB SHALL BE CERTIFIED BY A NM PE PRIOR TO THE RELEASE OF FINANCIAL GUARANTYS. THERE IS NO LANDSCAPING PROPOSED W/IN THE PUBLIC RIGHT OF WAY AT THIS TIME.

_____ / _____ / _____
_____ / _____ / _____

AGENT/OWNER _____ DEVELOPMENT REVIEW BOARD MEMBER APPROVALS _____

PREPARED BY: KEVIN G. PATTON, P.E. _____ DRB CHAIR _____ DATE _____ PARKS & GENERAL SERVICES _____ DATE _____

FIRM: BOHANNAN HUSTON INC. _____ TRANSPORTATION DEVELOPMENT _____ DATE _____

SIGNATURE _____ UTILITY DEVELOPMENT _____ DATE _____

MAXIMUM TIME ALLOW TO CONSTRUCT IMPROVEMENTS WITHOUT A DRB EXTENSION _____ CITY ENGINEER _____ DATE _____

DESIGN REVIEW COMMITTEE REVISIONS

REVISION	DATE	DRB CHAIR	USER DEPARTMENT	AGENT/OWNER

ORIGINAL

Figure 12

AMENDED INFRASTRUCTURE LIST

EXHIBIT "A"
 TO SUBDIVISION IMPROVEMENTS AGREEMENT
 DEVELOPMENT REVIEW BOARD (D.R.B.) REQUIRED INFRASTRUCTURE LIST

**WILDERNESS CANON
 (TRACTS A AT WILDERNESS UNIT 2, HIGH DESERT)**

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

SIA Sequence #	COA DRC Project #	Size	Type of Improvement	Location	From	To
PRIVATE ROADWAY IMPROVEMENTS - ON-SITE						
		22' F-F (IN) 24' F-F (OUT) W/ 6' MEDIAN	RESIDENTIAL PAVING W/ PCC CURB & GUTTER & PCC 6' WIDE SIDEWALK ON ONE SIDE*†	ELEVADA TRAIL	HIGH DESERT PLACE	LOT 17
		26' F-F	RESIDENTIAL PAVING W/ PCC CURB & GUTTER & PCC 6' WIDE SIDEWALK ON ONE SIDE*†	ELEVADA TRAIL	LOT 17	PIEDRA ALTA LANE
		26' F-F	RESIDENTIAL PAVING W/ PCC CURB & GUTTER & PCC 6' WIDE SIDEWALK ON ONE SIDE*†	PIEDRA CANTO WAY	PIEDRA CANTO WAY TERMINUS	ELEVADA TRAIL
		26' F-F	RESIDENTIAL PAVING W/ PCC CURB & GUTTER & PCC 6' WIDE SIDEWALK ON ONE SIDE*†	PIEDRA CERRO WAY	PIEDRA CERRO WAY TERMINUS	ELEVADA TRAIL
		26' F-F	RESIDENTIAL PAVING W/ PCC CURB & GUTTER & PCC 6' WIDE SIDEWALK ON ONE SIDE*†	PIEDRA ALTA LANE	NORTH PIEDRA ALTA ALTA TERMINUS	SOUTH PIEDRA ALTA ALTA TERMINUS
		2 - 14' WIDE	SPEED HUMPS W/ TRAFFIC OPS APPROVAL	HIGH DESERT PLACE	SOUTH OF PIEDRA GRANDE PLACE	SOUTH OF EMBUDITO VIEW COURT
*ALL SIDEWALKS TO BE DEFERRED						
†SIDEWALK TO BE WAIVED FRONTING LOTS 1-2, 18-19 AND ADJACENT TO LOTS 10, 12, 18, 19						
**PROVIDE / INSTALL THE NECESSARY ROADWAY SIGNAGE ASSOCIATED W/ THE DEVELOPMENT AS APPROVED BY THE CITY DRC						

Private Inspector	City Inspector	City Cnst Engineer
/	/	/
/	/	/
/	/	/
/	/	/
/	/	/
/	/	/
/	/	/

SIA Sequence #	COA DRC Project #

Size	Type of Improvement	Location	From	To
PUBLIC WATERLINE IMPROVEMENTS - ON-SITE				
10" DIA	WATERLINE W/ NEC. VALVES FH'S, MJ'S & RJ'S	ELEVADA TRAIL	HIGH DESERT PLACE	PIEDRA CERRO WAY
6" DIA	WATERLINE W/ NEC. VALVES FH'S, MJ'S & RJ'S	ELEVADA TRAIL	PIEDRA CERRO WAY	PIEDRA ALTA LANE
6" DIA	WATERLINE W/ NEC. VALVES FH'S, MJ'S & RJ'S	PIEDRA CANTO WAY	ELEVADA TRAIL	PIEDRA ALTA LANE
10" DIA	WATERLINE W/ NEC. VALVES FH'S, MJ'S & RJ'S	PIEDRA CERRO WAY	SOUTH PROPERTY BOUNDARY (LOT 13)	ELEVADA TRAIL
6" DIA	WATERLINE W/ NEC. VALVES FH'S, MJ'S & RJ'S	PIEDRA ALTA LANE	PIEDRA CANTO WAY	SOUTH PIEDRA ALTA ALTA TERMINUS (LOT 9)
	REMOVAL OF EXISTING 6" WATERLINE	LOTS 13-17	LOT 13	HIGH DESERT PLACE

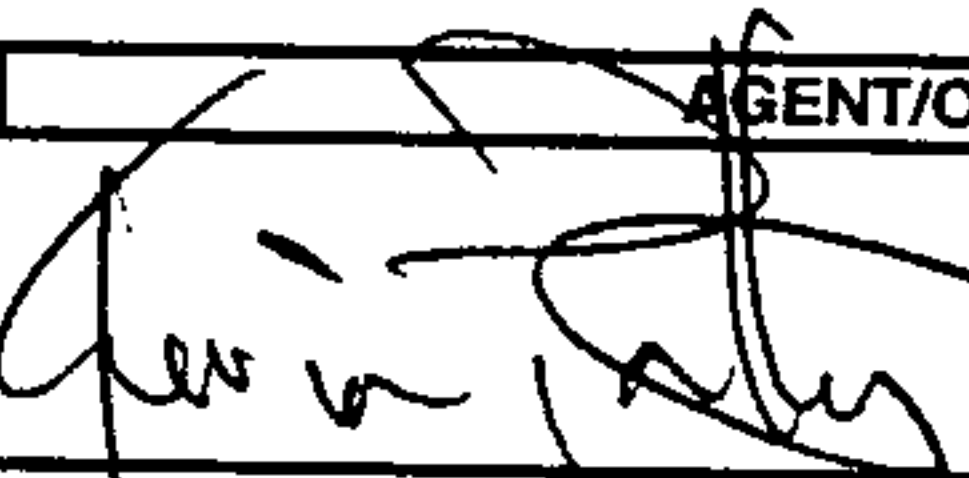
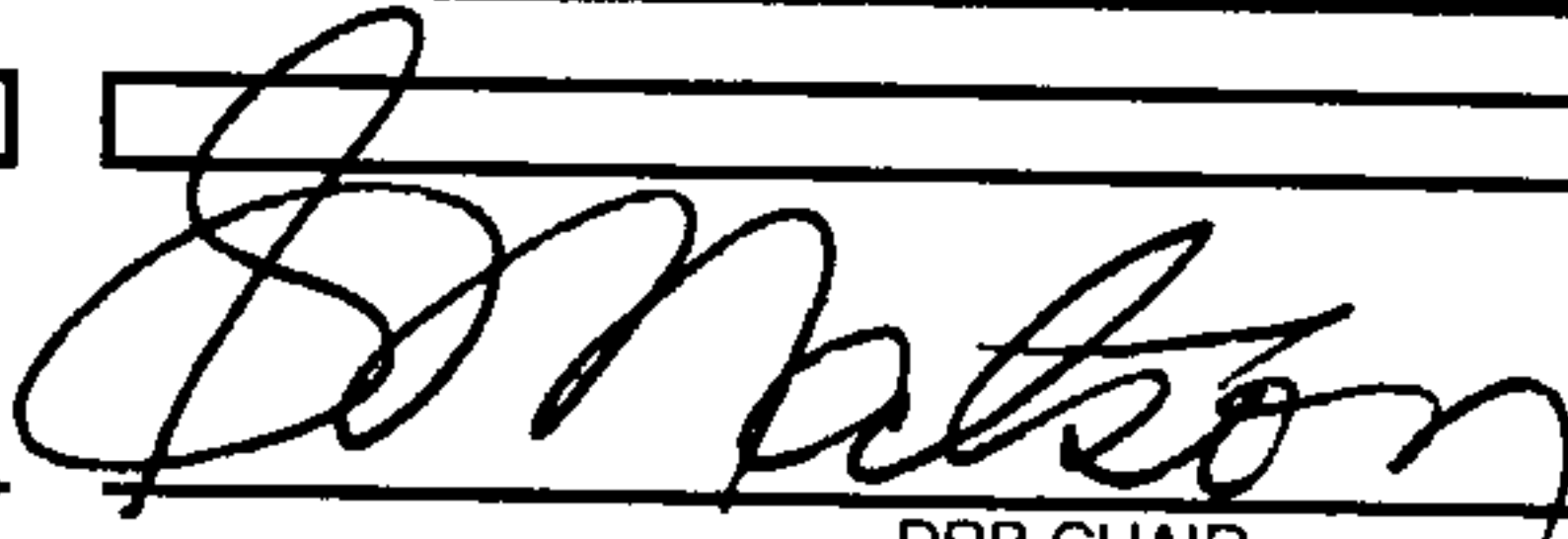




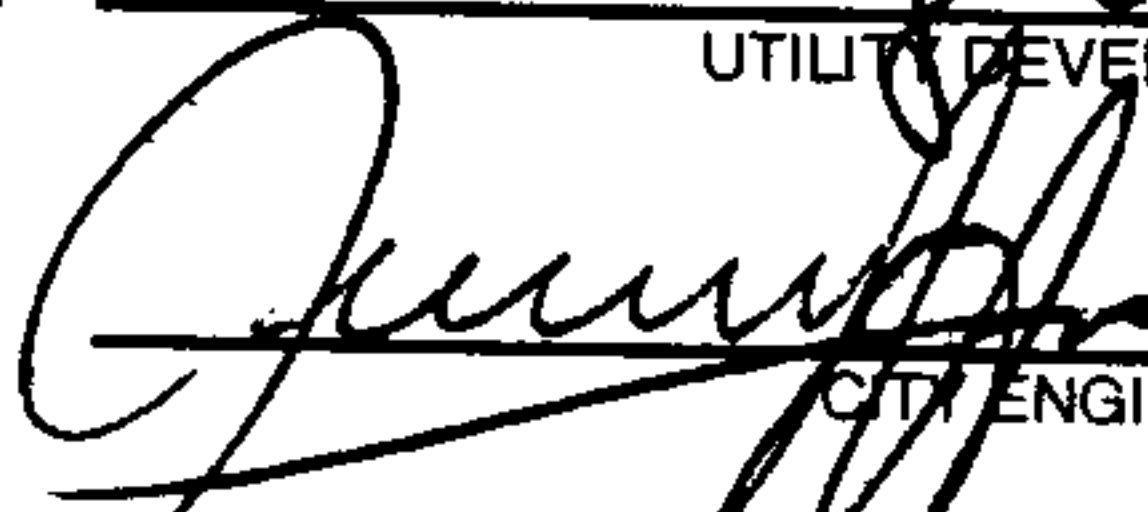
Private Inspector	City Inspector	City Cnst Engineer

Size	Type of Improvement	Location	From	To
PUBLIC SANITARY SEWER IMPROVEMENTS - ON-SITE				
8" DIA	SANITARY SEWER W/ NEC. MH'S & SERVICES	ELEVADA TRAIL	HIGH DESERT PLACE	PIEDRA ALTA LANE
8" DIA	SANITARY SEWER W/ NEC. MH'S & SERVICES	PIEDRA CANTO WAY	PIEDRA CANTO WAY TERMINUS	ELEVADA TRAIL
8" DIA	SANITARY SEWER W/ NEC. MH'S & SERVICES	PIEDRA CERRO WAY	PIEDRA CERRO TERMINUS	ELEVADA TRAIL
8" DIA	SANITARY SEWER W/ NEC. MH'S & SERVICES	PIEDRA ALTA LANE	NORTH PIEDRA ALTA ALTA TERMINUS	SOUTH PIEDRA ALTA ALTA TERMINUS

Size	Type of Improvement	Location	From	To
PUBLIC STORM DRAIN IMPROVEMENTS - ON-SITE				
18-36" DIA	RCP W/ NEC. MH'S, LATERALS & INLETS	PIEDRA CANTO WAY/ LOT 5	NORTH PIEDRA ALTA ALTA TERMINUS (LOT 5)	ELEVADA TRAIL
18-36" DIA	RCP W/ NEC. MH'S, LATERALS & INLETS	ELEVADA TRAIL	LOT 14	HIGH DESERT PLACE
NOTE:	A GRADING AND DRAINAGE CERTIFICATION OF THE APPROVED GRADING PLAN IS REQUIRED PRIOR TO THE RELEASE OF FINANCIAL GUARANTEES			

Size	Type of Improvement	Location	From	To
DRAINAGE IMPROVEMENTS - OFF-SITE				
4' - 5' WIDE	LINED SWALE	OPEN SPACE	LOT 8	EXISTING NATURAL SWALE - ACROSS FROM LOT 5 TRACT 13-B-2 HDROA TRACT
4' WIDE	TRAIL IMPROVEMENTS	OPEN SPACE	LOT 9	
2' WIDE	COBBLE "V"	BACK PROPERTY LINE IN OPEN SPACE ADJ. TO WALL	LOT 4	LOT 8
30" SD w/ TRIPLE GRATE TYPE "D" INLET	SEDIMENTATION POND #2 IMPROVEMENTS	TRACT 13-B-3 HDROA TRACT	HIGH DESERT PLACE	SEDIMENTATION POND #2

NOTE: PERIMETER WALL AS APPROVED BY DRB SHALL BE CERTIFIED BY A NM PE PRIOR TO THE RELEASE OF FINANCIAL GUARANTYS. THERE IS NO LANDSCAPING PROPOSED W/IN THE PUBLIC RIGHT OF WAY AT THIS TIME.

AGENT/OWNER		DEVELOPMENT REVIEW BOARD MEMBER APPROVALS			
 PREPARED BY: KEVIN G. PATTON, P.E.		 DRB CHAIR		 PARKS & GENERAL SERVICES	
BOHANNAN HUSTON INC. FIRM:		 TRANSPORTATION DEVELOPMENT		 DATE	
SIGNATURE		 UTILITY DEVELOPMENT		DATE	
MAXIMUM TIME ALLOW TO CONSTRUCT IMPROVEMENTS WITHOUT A DRB EXTENSION		 CITY ENGINEER		DATE	

DESIGN REVIEW COMMITTEE REVISIONS				
REVISION	DATE	DRC CHAIR	USER DEPARTMENT	AGENT/OWNER

City of Albuquerque Planning Department
One Stop Shop – Development and Building Services

08/10/2007 Issued By: PLNABG

Permit Number: 2007 070 183

Category Code 910

Application Number: 07DRB-70183, Major - Amendment To Preliminary Plat

Address:

Location Description: HIGH DESERT PL NE BETWEEN TRAILHEAD RD NE AND EMBUDITO VIEW CT NE

Project Number: 1004989

Applicant
Mesa Verde Development Co.

8300 Carmel Ave Ne
Albuquerque, NM 87109
828-9900

Agent / Contact
Bohannon Huston, Inc.

750 Jefferson Ne
Albuquerque, NM 87109
823-1000
kpatton@bhinc.com

Application Fees

441018/4971000	Public Notification	\$75.00
441032/3424000	Conflict Mgmt Fee	
441006/4983000	DRB Actions	

TOTAL: \$75.00

City Of Albuquerque
Treasury Division

8/10/2007 10:36AM LOC: ANNX
WSH 006 TRANSH 0011
RECEIPT# 00080640-00080640
PERMIT# 2007070183 TRSCCS
Trans Amt \$75.00
APN Fee \$75.00
CK \$75.00
CHANGE \$0.00

Thank You



**Pre-Development Facilities Fee (PDFF)
 Cover Sheet**

PDFF agreements received by 5PM Thursday will be ready for pick up by 8AM on the following Tuesday.

Please drop off and pick up all Pre-Development Facilities Fee agreements at APS' Capital Master Plan office. The office is located in Suite 9, 2nd floor, of the Lincoln Building at 915 Locust St SE. A map to our offices is located at: <http://construction.voteaps.com/LincolnMap.html>

DRB Project # (if already assigned) 1004989

Please check one:

Preliminary PDFF
 (Preliminary PDFF are required for preliminary plat submittals.)

Final PDFF
 (Final PDFF are required for final plat submittals and **must be recorded** prior to DRB hearing)

Project Information

Subdivision Name Wilderness Canon

Location of Project (address or major cross streets) High Desert Pl. NE, Nevada Trail NE

Proposed # of Units: 19 Single-Family _____ Multi-Family

Note: A single-family unit is a single-family, detached dwelling unit.

Contact Information

Name Stephanie Walton

Company Bohannon Huston, Inc.

Phone 823-1000

E-mail swalton@bhinc.com

Please include with your submittal:

- Zone Atlas map with the entire property(ies) precisely and clearly outlined
- Copy of a plat or plan for the proposed project
- List of legal description (e.g. lot, block) and street address for each lot (**for final plat only**)
- Please include DRB project number on the top right corner of all documents
- Please paper clip all submitted documents (for ease of making copies)

FOR OFFICIAL USE ONLY

APS Cluster Eldorado
 Preliminary PDFF Date Submitted 8/15/07
 Preliminary PDFF Date Completed 8/16/07

Final PDFF Date Submitted _____
 Final PDFF Date Completed _____

EXHIBIT A

PRELIMINARY
PRE-DEVELOPMENT FACILITIES FEE AGREEMENT

THIS AGREEMENT is made by and between the Albuquerque Municipal School District No. 12, Bernalillo and Sandoval Counties, New Mexico ("Albuquerque Public Schools" or "APS"), a public school district organized and existing pursuant to the laws of New Mexico, and

Mesa Verde Development, Co. ("Developer")
effective as of this 13 day of August, 2007, and pertains to the
subdivision commonly known as Wilderness Canon at High Desert, and
more particularly described as Tract A of Unit 2 Wilderness

(the "Subdivision".)

WHEREAS, In order to provide for APS becoming more knowledgeable of development plans within the City so that APS may better plan for future growth, the City of Albuquerque requires that APS approve the plat(s) for any new subdivision; and

WHEREAS, Developer is proposing the development of a new residential subdivision, and requires APS approval of the plat for said subdivision; and

WHEREAS, Developer is the owner of the real estate being subdivided and platted; and

WHEREAS, Developer is required by the Albuquerque Subdivision Ordinance to provide appropriate infrastructure and improvements as a condition of developing a subdivision; and

WHEREAS, as a condition of approving such plat APS requires the provision of appropriate infrastructure and facilities or the payment of a facilities fee for each new residence to be constructed to help defray the cost of school construction, expansion, or maintenance; and

WHEREAS, APS has determined that the amount of the facilities fee is reasonably related to the impact the subdivision will have on the operation of the area schools:

THEREFORE, in consideration of the mutual promises contained herein, APS and Developer agree as follows:

1. Developer agrees that a facilities fee will be paid to APS for each dwelling unit to be constructed in the Subdivision.
2. The amount of the fee shall be:
 - If the building permit is issued on or after January 1, 2007, the fee shall be \$1875 per dwelling unit.

- If the building permit is issued on or after July 1, 2008, the fee shall be \$2425 per dwelling unit.
- If the permit is issued on or after January 1, 2010, the fee shall be \$2975 per dwelling unit.

The fee for each dwelling unit in multi-family residential structures shall be sixty percent (60 %) of the fee for a single family home. "Multi-family residential structure" means any type of residential property other than single-family houses (one single family, detached dwelling unit per lot).

3. Developer agrees that the fee shall be paid to APS at or before the issuance of any building permit for any lot or other parcel of property subject to this Agreement.

4. Developer may satisfy all or part of its obligations under this contract by transferring improved or unimproved property to APS, provided that APS must agree to the transfer and to the value placed on the transferred property. APS, upon accepting such transfer, shall credit Developer with an amount equal to the agreed value, and the developer may designate the lot(s) to which such amount(s) shall be applied in satisfaction of its obligations hereunder.

5. This contract may be recorded in the office of the County Clerk of Bernalillo and/or Sandoval County, and shall serve as notice of the Developer's obligation to pay facilities fees. Developer shall include on the plat of the Subdivision a statement that "The property on this plat is subject to a Pre-Development Facilities Fee Agreement with the Albuquerque Public Schools, recorded at [recording data]."

6. APS, through its Facilities Fee Administrator, will provide a Payment Acknowledgement in the form attached hereto to the Developer reflecting receipt of the facilities fee (or equivalent compensation as described in paragraph 4 above), which form may be given to the City to show satisfaction of the fee obligation and satisfy that condition for receiving building permits. Developer may record that Payment Acknowledgment in the real estate records of Bernalillo or Sandoval County, but APS shall not be responsible for paying any recording fees nor shall APS be responsible for recording any such documents with the office of the County Clerk or any other office.

Signature

Mesa Verde Development Co.

Name (typed or printed) and title

President

Developer

STATE OF NEW MEXICO
COUNTY OF BERNALILLO

This instrument was acknowledged before me on August 15, 2007, by Scott Schiarbor as President of Mesa Verde Dev., a corporation.



OFFICIAL SEAL
JULIE A. CORDOVA
NOTARY PUBLIC-STATE OF NEW MEXICO

My commission expires: 2/27/08

[Signature]
Notary Public

My commission expires: 2/27/08

ALBUQUERQUE PUBLIC SCHOOLS

By: [Signature]
Signature

BETH KING, PLANNER, APS CMP.
Name (typed or printed) and title

STATE OF NEW MEXICO
COUNTY OF BERNALILLO

This instrument was acknowledged before me on August 16, 2007 by Betty King as Planner, APS, CMP of the Albuquerque Municipal School District No. 12, Bernalillo and Sandoval Counties, a school district organized and existing under the laws of the State of New Mexico.

(Seal)

[Signature]
Notary Public

My commission expires: May 18, 2011



Supplemental form

SUBDIVISION

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

SITE DEVELOPMENT PLAN

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

STORM DRAINAGE (Form D)

- Storm Drainage Cost Allocation Plan

S Z ZONING & PLANNING

- Annexation
- County Submittal
- EPC Submittal
- Zone Map Amendment (Establish or Change Zoning)
- Sector Plan (Phase I, II, III)
- Amendment to Sector, Area, Facility or Comprehensive Plan
- Text Amendment (Zoning Code/Sub Regs)
- Street Name Change (Local & Collector)
- APEAL / 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): Behannan Huston, Inc. PHONE: 823-1000
 ADDRESS: 7500 JEFFERSON NE FAX: 798-7988
 CITY: Albuquerque STATE NM ZIP 87109 E-MAIL: kpatt@bhinc.com

APPLICANT: Mesa Verde Development Co. PHONE: 828-9900
 ADDRESS: 8800 CARMEL AVE. NE FAX: 828-9901
 CITY: Albuquerque STATE NM ZIP 87122 E-MAIL: _____

Proprietary interest in site: owner List all owners: Mesa Verde

DESCRIPTION OF REQUEST: Amendments to Preliminary Plat + Grading Plan + Infrastructure List

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

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

Lot or Tract No. Tract A Block: _____ Unit: 2
 Subdiv/Addn/TBKA: wilderness at High Desert / Hoka - wilderness canon at High Desert
 Existing Zoning: Su-2 HO / R-R Proposed zoning: _____ MRGCD Map No _____
 Zone Atlas page(s): F-23 UPC Code: 102306149424510167

CASE HISTORY:

List any current or prior case number that may be relevant to your application (Proj., App., DRB-, AX, Z, V, S, etc.):
DRB 1004989 / DRB-01411, 01412, 01413, 01414, 01415

CASE INFORMATION:

Within city limits? Yes Within 1000FT of a landfill? NO
 No. of existing lots: 1 No. of proposed lots: 19 Total area of site (acres): 3.9653
 LOCATION OF PROPERTY BY STREETS: On or Near: High Desert Place NE
 Between: Trailhead Rd NE and Embudo View Ct. NE

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

SIGNATURE Yolanda Mayor for DATE _____
 (Print) Kevin Patton 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
07 DRB 70183

Action	S.F.	Fees
<u>APP</u>	<u>5(2)</u>	\$ <u>0</u>
<u>Adv</u>		\$ <u>75.00</u>
		\$ _____
		\$ _____
		\$ _____
		\$ _____
		Total
		\$ <u>75.00</u>

Hearing date September 5, 2007

Andrew Garcia 8-10-07
 Planner signature / date

Project # 1004989

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

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

MAJOR SUBDIVISION PRELIMINARY PLAT APPROVAL (DRB13)

- Proposed Preliminary Plat including the Grading Plan (folded to fit into an 8.5" by 14" pocket) **24 copies**
- Proposed Infrastructure List
- Signed Preliminary Pre-Development Facilities Fee Agreement for **Residential** development only
- Design elevations & cross sections of perimeter walls **3 copies** (11" x 17" maximum)
- Zone Atlas map with the entire property(ies) clearly outlined
- Letter briefly describing, explaining, and justifying the request
- Property owner's and City Surveyor's signature on the proposed plat
- FORM DRWS Drainage Report, Water & Sewer availability statement filing information
- Office of Community & Neighborhood Coordination inquiry response, notifying letter, certified mail receipts
- Sign Posting Agreement
- Signed** Pre-Annexation Agreement if Annexation required.
- TIS/AQIA Traffic Impact Study / Air Quality Impact Assessment form
- Fee (see schedule)
- List any original and/or related file numbers on the cover application

Preliminary plat approval expires after one year.

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

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

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

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

Amended preliminary plat approval expires after one year.

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

MAJOR SUBDIVISION IMPROVEMENTS AGREEMENT (DRB09)

(Temporary sidewalk deferral extension use FORM-V)

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

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

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

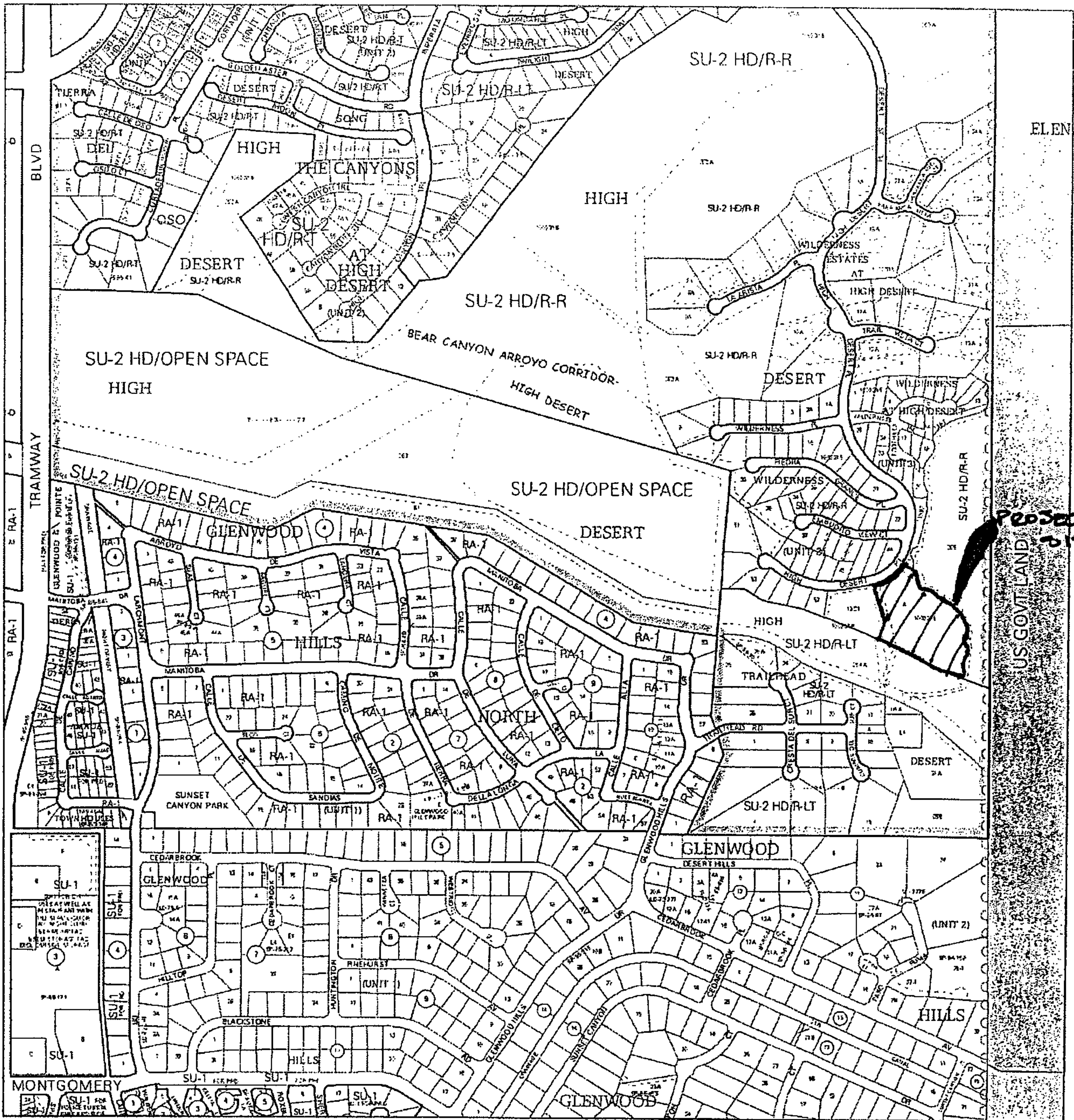
Kevin Patton Applicant name (print)
Stephanie Walker Applicant signature / date
 8-10-07



Form revised 4/07

- Checklists complete
 - Fees collected
 - Case #s assigned
 - Related #s listed
- | | |
|--------------------------|--------|
| Application case numbers | |
| 07 DRB - | -70183 |
| _____ - | _____ |
| _____ - | _____ |

Andrew Garcia Planner signature / date
 8-10-07
Project # 1004989



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

AGIS
Albuquerque Geographic Information System

Map amended through: Aug 08, 2006

Note: Grey Shading Represents Area Outside of the City Limits

Zone Atlas Page:
F-23-Z

Selected Symbols

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

0 150 1500 Feet

August 9, 2007

Sheran Matson, Chair
Development Review Board
City of Albuquerque
P.O. Box 1293
Albuquerque, New Mexico 87103

Re: Amended Preliminary Plat, Sidewalk Waiver, and Sidewalk Deferral for Wilderness Canon at High Desert (Tract A of Wilderness Unit 2) DRB# 1004989

Dear Sheran:

Enclosed for Development Review Board (DRB) review and approval are copies of the following information:

- Applications for Development Review
- Twenty-four (24) copies each of the Amended Preliminary Plat and Grading Plan
- One (1) copy of the Infrastructure List (Exhibit "A")
- Letter from the Office of Neighborhood Coordination
- Zone Atlas Map showing the location of the property
- Sidewalk exhibits for deferral and waiver
- Fee in the amount of \$ 75.00

On December 6, 2006 the Development Review Board approved the Preliminary Plat for Wilderness Canon, along with a grading plan (engineers stamp dated 12/6/06), vacations of three easements, a subdivision design variance (Exhibit "C"), and a sidewalk variance and deferral.. The approved preliminary plat was appealed. On August 6, 2007 the City of Albuquerque City Council remanded the appeal back to the Develop Review Board to consider the enclosed Amended Preliminary Plat.

Enclosed is our application of the Amended Preliminary Plat. The difference between the approved preliminary plat and the amended preliminary plat is that we have reduced the number of lots from 25 to 19 and we have restricted the height of the future homes on an isolated number of lots. We have also agreed to make some improvements in the City's Open Space Parcel located east of the proposed development.

As noted in our original application, Tract A at the Wilderness is located south of The Wilderness Village and Compound. It is bound by High Desert Place to the north, the Embudito Arroyo to the south, City of Albuquerque Open Space (Tract OS-5) and trail to the east and an Open Space Easement owned by High Desert Residential Owners Association, Inc to the west.

On site infrastructure will tie to existing off-site infrastructure located within High Desert Place and built with the Wilderness Village and Compound.

Sheran Matson
City of Albuquerque
August 9, 2007
Page 2 of 2

A request for a variance to the subdivision standards for the internal roadways was approved with the original preliminary plat on December 6, 2006. The roadways are 26' face-to-face which is allowed under the Local Access with a P-1 designation. The Local Access however calls for a 44' right-of-way. Since these will be private streets, the lot property line begins at back of curb and there is a 7' private pedestrian access easement on one side of the road with a 6' sidewalk. See enclosed Exhibit "D" for roadway sections. It is my understanding the variance to the subdivision standards remains in affect for the amended preliminary plat and that an additional request is not required. Therefore, Exhibit "D" would also be approved for the amended preliminary plat.

The previously approved preliminary plat application also requested and approved vacations of three easements, a temporary pond easement, a 20' waterline easement (which will be relocated in the proposed roadway), and a portion of The High Desert Open Space Easement. It is also my understanding the vacation action does not need to be advertised again and that the approved vacation also remained approved with the condition that they are shown on a final recorded plat before December 6, 2007.

We are provided new exhibits for the sidewalk waiver and sidewalk variance because the layout and lot numbers have changed. A wall plan for the perimeter wall was approved with the original preliminary plat which also remains in affect for the amended preliminary plat.

Please place this item on the DRB Agenda to be heard on September 5, 2007. If you have any questions or require further information, please call me at 823-1000

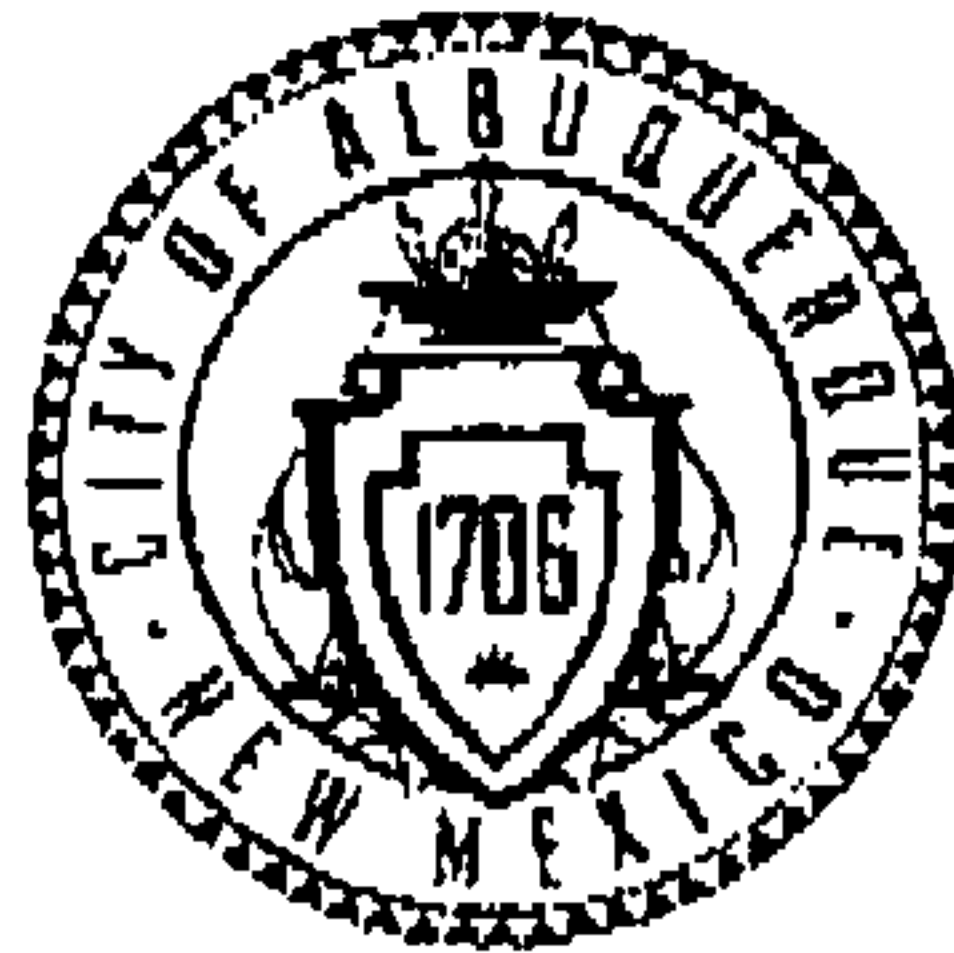
Sincerely,



Kevin G. Patton, P.E.
Senior Vice President and Managing Principal
Community Development and Planning Group

Enclosures
SW

cc: Matt Martin, Mesa Verde Development (w/ enclosures)
Doug Collister, High Desert (w/ enclosures)
Yolanda Moyer, BHI (w/o enclosures)



City of Albuquerque

PLEASE NOTE: The Neighborhood 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.

Date: 9 Aug 07

Planning Department
Plaza Del Sol Building
600 Second St. NW
Second Floor (924-3860)

This letter will serve to notify you that on August 9, 2007
(date)

TO CONTACT NAME: Stephanie Wahon
COMPANY/AGENCY: Bahannon Hutor
ADDRESS/ZIP: 7500 Jefferson, N.E
PHONE/FAX #: 823-1000 / 798-7988

Contacted the Office of Neighborhood Coordination requesting the contact names for any Recognized Neighborhood Associations affected by their request concerning a Zoning Action or Site Development Plan, etc. at Tract A of Unit 2 wilderness of High Desert (Hoka Wilderness Canyon)
zone map page(s) F-23.

Our records indicate that as of August 9, 2007 there were **no Recognized**
(date)

Neighborhood Associations in this area.

If you have any questions about the information provided, please contact our office at (505) 924-3914 or by fax at 924-3913.

Sincerely,

Stephanie Wahon
OFFICE OF NEIGHBORHOOD COORDINATION

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 8/21/07 To 09/05/07

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.

Stephanie Walton
(Applicant or Agent)

8-10-07
(Date)

I issued 3 signs for this application, 8/10/07 S. Matson
(Date) (Staff Member)

DRB PROJECT NUMBER: 100 4989



City of Albuquerque

Action Summary

City Council

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

Council President, Debbie O'Malley, District 2
Vice-President, Sally Mayer, District 7

Council Members: Ken Sanchez, District 1;
Isaac Benton, District 3 ; Brad Winter, District 4;
Michael J. Cadigan, District 5; Martin Heinrich, District 6;
Craig Loy, District 8; Don Harris, District 9;

TTY Phone # - 1-800-659-8331
For Weekly Schedule of Meetings Call: 768-4777

Monday, August 6, 2007

5:08 PM

Vincent E. Griego Chambers
One Civic Plaza
Albuquerque/Bernalillo County
Government Center

EC-07-427 Report from the Albuquerque Police Department on the Public Safety Goal 2 Priority Objective #17

Motion: *Receipt Be Noted*

Status: Passed

Votes: For: 9 - Council Members: O'Malley, Mayer, Sanchez, Benton, Winter, Cadigan, Heinrich, Loy and Harris

EC-07-431 Legal Department Quarterly Litigation Report for the period January 1, 2006 through March 31, 2006

Motion: *Receipt Be Noted*

Status: Passed

Votes: For: 9 - Council Members: O'Malley, Mayer, Sanchez, Benton, Winter, Cadigan, Heinrich, Loy and Harris

EC-07-432 Legal Department Quarterly Litigation Report for the period April 1, 2006 through June 30, 2006

Motion: *Receipt Be Noted*

Status: Passed

Votes: For: 9 - Council Members: O'Malley, Mayer, Sanchez, Benton, Winter, Cadigan, Heinrich, Loy and Harris

EC-07-433 Legal Department Quarterly Litigation Report for the period July 1, 2006 through September 30, 2006

Motion: *Receipt Be Noted*

Status: Passed

Votes: For: 9 - Council Members: O'Malley, Mayer, Sanchez, Benton, Winter, Cadigan, Heinrich, Loy and Harris

AC-07-2

Hess Yntema, Agent for Carl & Lillian Fesler, Appeals the Development Review Board's Approval of a Preliminary Plat, Vacation of Public Easements, Subdivision Design (DPM) Variance; Sidewalk Waiver; and Temporary Deferral of Sidewalk, Tract(s) A, Unit 2, Wilderness @ High Desert (to be known as Wilderness Canon @ High Desert) Zoned SU-2, HD/R-R, Located on High Desert Place NE, Between Trailhead Road NE and Embudito View Ct NE

Motion: *Remand to the Development Review Board*

Status: Passed

Votes: For: 9 - Council Members: O'Malley, Mayer, Sanchez, Benton, Winter, Cadigan, Heinrich, Loy and Harris

AC-07-3

Paul M. Kienzle III, Agent for High Desert Residential Owners Association, Appeals the Development Review Board's Approval of a Preliminary Plat, Vacation of Public Easements, Subdivision Design (DPM) Variance; Sidewalk Waiver; and Temporary Deferral of Sidewalk, Tract(s) A, Unit 2, Wilderness @ High Desert (to be known as Wilderness Canon @ High Desert) Zoned SU-2, HD/R-R, Located on High Desert Place NE, Between Trailhead Road NE and Embudito View Ct NE

Motion: *Remand to the Development Review Board*

Status: Passed

Votes: For: 9 - Council Members: O'Malley, Mayer, Sanchez, Benton, Winter, Cadigan, Heinrich, Loy and Harris

AC-07-11

Steve Wentworth, Agent for Alameda North Valley Association, Appeals the Environmental Planning Commission's Approval of a Site Development Plan for a Portion of Tract G-1, Balloon Fiesta Park, Zoned SU-2 for Balloon Fiesta Park & Museum & Related Uses, Located on Balloon Museum Drive NE Between Jefferson Street NE and Alameda Boulevard NE, containing approximately 9 acres

Motion: *To Reject the Land Use Hearing Officer Recommendation, due back on August 20, 2007*

Status: Passed

Votes: For: 7 - Council Members: O'Malley, Mayer, Benton, Winter, Cadigan, Heinrich and Harris
Against: 2 - Council Members: Sanchez and Loy

AC-07-12

Charles Zumwalt Appeals the Development Review Board's Approval of a Site Development Plan for Building Permit for Lots 7- 10 and 23-26, North Albuquerque Acres, Unit B (to be known as Holly Plaza), Zoned SU-2 for IP, Located on Paseo del Norte NE Between San Pedro Dr NE and Louisiana Boulevard NE, Containing Approximately 5 acres

Motion: *Withdrawal be Approved*

Status: Passed

Votes: For: 9 - Council Members: O'Malley, Mayer, Sanchez, Benton, Winter, Cadigan, Heinrich, Loy and Harris

AC-07-13

Diana Dorn-Jones, Agent for South Broadway Neighborhood Association (Susan Dixon, Co-Chair & Jessica Rodela, Co-Chair) Appeals the Development Review Board's Approval of a Vacation of the Northern Portion of the Alley Between Cesar Chavez SE and Trumbull SE Adjacent to Lot 6, Block 38, Eastern Addition, Zoned SU-2/NCR

City of Albuquerque Planning Department
One Stop Shop – Development and Building Services

07/16/2008 Issued By: PLNSDH

Permit Number: 2008 070 325 **Category Code 910**

Application Number: 08DRB-70325, Minor - Preliminary/ Final Plat Approval

Address:

Location Description: TRAMWAY BLVD NE BETWEEN HIGH DESERT PLACE NE AND FOREST SERVICE LAND

Project Number: 1004989

Applicant
Mesa Verde Development Company

8300 Carmel Ave Ne
Albuquerque NM 87122

Agent / Contact
Bohannon Huston Inc
Kevin Patton
7500 Jefferson Ne
Albuquerque NM 87109

kpatton@bhinc.com

Application Fees

441018/4971000	Public Notification	
441032/3424000	Conflict Mgmt Fee	
441008/4983000	DRB Actions	\$215.00
TOTAL:		\$215.00

City Of Albuquerque
Treasury Division

7/16/2008 11:57AM LOC: ANNIX
WSH 006 TRANSH 0039
RECEIPT# 00095003-00095003
PERMIT# 2008070325 TRSDMG
Trans Amt \$215.00
DRB Actions \$215.00
VI \$215.00
CHANGE \$0.00

Thank You

City of Albuquerque Planning Department
One Stop Shop – Development and Building Services

07/15/2008 Issued By: PLNSDH

Permit Number: 2008 070 324

Category Code 910

Application Number: 08DRB-70324, Ext Of Major Preliminary Plat

Address:

Location Description: TRAMWAY BLVD NE BETWEEN HIGH DESERT PLACE NE AND FOREST SERVICE LAND

Project Number: 1004989

Applicant
Mesa Verde Development Company

8300 Carmel Ave Ne
Albuquerque NM 87122

Agent / Contact
Bohannon Huston Inc
Kevin Patton
7500 Jefferson Ne
Albuquerque NM 87109

kpatton@bhinc.com

Application Fees

441018/4971000	Public Notification	
441032/3424000	Conflict Mgmt Fee	\$20.00
441006/4983000	DRB Actions	\$50.00
TOTAL:		\$70.00

City Of Albuquerque
Treasury Division

7/15/2008 12:02PM LOC: ANNX
WSH 00/ TRANS# 0003
RECEIPT# 00101332-00101332
PERMITH 2003070324 TRSLJS
Trans Amt \$70.00
Conflict Manag. Fee \$20.00
DRB Actions \$50.00
VI \$70.00
CHANGE \$0.00

Thank You

CITY OF ALBUQUERQUE



Planning Department

Richard Dineen, Director

Development Review Division

600 2nd Street NW – 3rd Floor

Albuquerque, NM 87102

AMENDED NOTICE OF HEARING

February 21, 2007

Carl & Lillian Fesler
5005 Cumbre del Sur
Albuquerque, NM 87111-2988

Robert & Kathy Pelletier
5123 High Desert Pl NE
Albuquerque, NM 87111

Eric & Janet Lentz
5109 High Desert Pl NE
Albuquerque, NM 87111

AC-07-2 – 06DRB-01411; 06DRB-01412; 06DRB-01413; 06DRB-01414; 06DRB-01415; Project #1004989 Hessel Yntema, agent for Carl & Lillian Fesler, Robert & Kathy Pelletier and Janet & Eric Lentz, appeal the Development Review Board's (DRB) approval of a Preliminary Plat for all or a portion of Tract(s) A, Unit 2, Wilderness @ High Desert (to be know as Wilderness Canon @ High Desert) zoned SU-2, HD/R-R, located on High Desert Pl. NE, between Trailhead Rd. NE and Embudito View Ct NE, containing approximately 4 acre(s). (F-23) Sheran Matson, Development Review Board Chair

P.O. Box 1293

The City of Albuquerque Land Use Hearing Officer will hear the above appealed case on **Thursday, March 15, 2007**. The hearing begins at **9:30 am** in the Vincent E. Griego Chambers, Basement Level, Albuquerque/Bernalillo County Government Center, One Civic Plaza NW.

Albuquerque

Submittal of new information or questions regarding the hearing with the Land Use Hearing Officer should be directed to Council Services, c/o Crystal Ortega, One Civic Plaza NW, 9th Floor, Albuquerque NM 87102, (505) 768-3100.

New Mexico 87103

Copies of the record submitted to the Land Use Hearing Officer will be available after March 1, 2007. Please call (505) 924-3889 prior to picking up a copy.

www.cabq.gov

Sincerely,

A handwritten signature in black ink that reads "Barbara J. Findley".

Barbara J. Findley
Administrative Assistant

cc: Hessel Yntema, Oman & Yntema, P.A., Post Office Box 1748, Albuquerque, NM 87103
Bohannon Huston, Inc., 7500 Jefferson NE, Albuquerque, NM 87109
Mesa Verde Development Co., 8300 Carmel Avenue NE, Albuquerque, NM 87122
John Salazar, Rodey Law Firm, Post Office Box 1888, Albuquerque, NM 87103
Kym Dicome, High Desert Investment Corp., 3791 Southern Blvd SE, Rio Rancho, NM 87124
Douglas Collister, 8524 Snakedance Ct NE, Albuquerque, NM 87111
Ray Berg 13501 Osage Orange NE, Albuquerque, NM 87111
Debra & Jay Greenwood, 13409 Embudito View Ct NE, Albuquerque, NM 87111
Sam & Jennie Baca, 5000 Cumbre del Sur NE, Albuquerque, NM 87111
Anita Liem, 13419 Wildernes Pl NE, Albuquerque, NM 87111
John Farrow, 2400 Meadowview NW, Albuquerque, NM 87110
Keith Gainer, 5516 Carmelita NE, Albuquerque, NM 87111
Conrad & Marcella Stahly, 5015 Cresta del Sur NE, Albuquerque, NM 87111
Patricia Wittman, 4905 Cresta del Sur Ct NE, Albuquerque, NM 87111
Rob Erickson, 2621 1/2 Granite Ave NE, Albuquerque, NM 87104
Larry Garcia, PO Box 1576, Los Lunas, NM 87031
Pat Stovall, 6604 Rogers Ave NE, Albuquerque, NM 87110
Angela Ness, 13213 Manitoba Dr NE, Albuquerque, NM 87111

Charles Young, 13105 Enchantment Ln NW, Albuquerque, NM 87111
Ken Wesselman, 4613 Huntington Dr NE, Albuquerque, NM 87111
Anne MarieMorosin, 13109 Manitoba Dr NE, Albuquerque, NM 87111
Ed Hernandez, 1219 Blue Quail NE, Albuquerque, NM 87112
Alan Clipperton, 13501 Embudito View Ct NE, Albuquerque, NM 87111
Jack Eichorn, 6316 Bobcat Hill Ln NE, Albuquerque, NM 87111
Tarin Davies, 13209 Manitoba NE, Albuquerque, NM 87111
Joe Witte, 1570 West Ella Dr, Corrales, NM 87048
Armando Lara, 13415 Piedra Grande NE, Albuquerque, NM 87111
Kathleen Conlin, 1021 Orchard NW, Albuquerque, NM 87102
Jeni Turgeon, 720 Tramway Ln NE #6, Albuquerque, NM 87122
Don Kellor, 5004 Cresto del Sur NE, Albuquerque, NM 87111
Christine Ranier, 5016 Cresta del Sur Ct NE, Albuquerque, NM 87111
Marilyn Maldonado, Planning Department - 4th Floor, 600 2nd St NW, Albuquerque, NM 87102
Crystal Ortega, Clerk to the Council, City/County Building - 9th Floor
✓ DRB File

CITY OF ALBUQUERQUE

Planning Department

Richard Dineen, Director

Development Review Division

600 2nd Street NW – 3rd Floor

Albuquerque, NM 87102



AMENDED NOTICE OF HEARING

February 21, 2007

High Desert Residential Owners Association
c/o Paul M. Kienzle
Scott & Kienzle PA
Box 587
Albuquerque, NM 87103

AC-07-3 – 06DRB-01411; 06DRB-01412; 06DRB-01413; 06DRB-01414; 06DRB-01415; Project #1004989 Paul M. Kienzle, agent for High Desert Residential Owners Association, appeal the Development Review Board's (DRB) approval of a Preliminary Plat for all or a portion of Tract(s) A, Unit 2, Wilderness @ High Desert (to be know as Wilderness Canon @ High Desert) zoned SU-2, HD/R-R, located on High Desert Pl. NE, between Trailhead Rd. NE and Embudito View Ct NE, containing approximately 4 acre(s). (F-23) Sheran Matson, Development Review Board Chair

P.O. Box 1293

The City of Albuquerque Land Use Hearing Officer will hear the above appealed case on **Thursday, March 15, 2007**. The hearing begins at **9:30 am** in the Vincent E. Griego Chambers, Basement Level, Albuquerque/Bernalillo County Government Center, One Civic Plaza NW.

Albuquerque

Submittal of new information or questions regarding the hearing with the Land Use Hearing Officer should be directed to Council Services, c/o Crystal Ortega, One Civic Plaza NW, 9th Floor, Albuquerque NM 87102, (505) 768-3100.

New Mexico 87103

Copies of the record submitted to the Land Use Hearing Officer will be available after March 1, 2007. Please call (505) 924-3889 prior to picking up a copy.

www.cabq.gov

Sincerely,

Barbara J. Findley
Administrative Assistant

cc: Paul M. Kienzle, Scott & Kienzle PA, Box 587, Albuquerque, NM 87103
Bohannon Huston, Inc., 7500 Jefferson NE, Albuquerque, NM 87109
Mesa Verde Development Co., 8300 Carmel Avenue NE, Albuquerque, NM 87122
Carl & Lillian Fesler, 5005 Cumbre del Sur, Albuquerque, NM 87111-2988
Robert & Kathy Pelletier, 5123 High Desert Place NE, Albuquerque, NM 87111
Janet & Eric Lentz, 5109 High Desert Place NE, Albuquerque, NM 87111
Hessel Yntema, Oman & Yntema, P.A., Post Office Box 1748, Albuquerque, NM 87103
John Salazar, Rodey Law Firm, Post Office Box 1888, Albuquerque, NM 87103
Kym Dicome, High Desert Investment Corp., 3791 Southern Blvd SE, Rio Rancho, NM 87124
Douglas Collister, 8524 Snakedance Ct NE, Albuquerque, NM 87111
Ray Berg 13501 Osage Orange NE, Albuquerque, NM 87111
Debra & Jay Greenhood, 13409 Embudito View Ct NE, Albuquerque, NM 87111
Sam & Jennie Baca, 5000 Cumbre del Sur NE, Albuquerque, NM 87111
Anita Liem, 13419 Wildernes Pl NE, Albuquerque, NM 87111
John Farrow, 2400 Meadowview NW, Albuquerque, NM 87110
Keith Gainer, 5516 Carmelita NE, Albuquerque, NM 87111
Conrad & Marcella Stahly, 5015 Cresta del Sur NE, Albuquerque, NM 87111

February 21, 2007

AC-07-3

Page 2 of 2

Patricia Wittman, 4905 Cresta del Sur Ct NE, Albuquerque, NM 87111
Rob Erickson, 2621 ½ Granite Ave NE, Albuquerque, NM 87104
Larry Garcia, PO Box 1576, Los Lunas, NM 87031
Pat Stovall, 6604 Rogers Ave NE, Albuquerque, NM 87110
Angela Ness, 13213 Manitoba Dr NE, Albuquerque, NM 87111
Charles Young, 13105 Enchantment Ln NW, Albuquerque, NM 87111
Ken Wesselman, 4613 Huntington Dr NE, Albuquerque, NM 87111
Anne Marie Morosin, 13109 Manitoba Dr NE, Albuquerque, NM 87111
Ed Hernandez, 1219 Blue Quail NE, Albuquerque, NM 87112
Alan Clipperton, 13501 Embudito View Ct NE, Albuquerque, NM 87111
Jack Eichorn, 6316 Bobcat Hill Ln NE, Albuquerque, NM 87111
Tarin Davies, 13209 Manitoba NE, Albuquerque, NM 87111
Joe Witte, 1570 West Ella Dr, Corrales, NM 87048
Armando Lara, 13415 Piedra Grande NE, Albuquerque, NM 87111
Kathleen Conlin, 1021 Orchard NW, Albuquerque, NM 87102
Jeni Turgeon, 720 Tramway Ln NE #6, Albuquerque, NM 87122
Don Kellor, 5004 Cresto del Sur NE, Albuquerque, NM 87111
Christine Ranier, 5016 Cresta del Sur Ct NE, Albuquerque, NM 87111
Marilyn Maldonado, Planning Department - 4th Floor, 600 2nd St NW, Albuquerque, NM 87102
Crystal Ortega, Clerk to the Council, City/County Building - 9th Floor
DRB File

CITY OF ALBUQUERQUE

Planning Department

Richard Dineen, Director

Development Review Division

600 2nd Street NW – 3rd Floor
Albuquerque, NM 87102



AMENDED NOTICE OF HEARING

January 11, 2007

Carl & Lillian Fesler
5005 Cumbre del Sur
Albuquerque, NM 87111-2988

Robert & Kathy Pelletier
5123 High Desert Pl NE
Albuquerque, NM 87111

Eric & Janet Lentz
5109 High Desert Pl NE
Albuquerque, NM 87111

AC-07-2 – 06DRB-01411; 06DRB-01412; 06DRB-01413; 06DRB-01414; 06DRB-01415; Project #1004989 Hessel Yntema, agent for Carl & Lillian Fesler, Robert & Kathy Pelletier and Janet & Eric Lentz, appeal the Development Review Board's (DRB) approval of a Preliminary Plat for all or a portion of Tract(s) A, Unit 2, Wilderness @ High Desert (to be know as Wilderness Canon @ High Desert) zoned SU-2, HD/R-R, located on High Desert Pl. NE, between Trailhead Rd. NE and Embudito View Ct. NE, containing approximately 4 acre(s). (F-23) Sheran Matson, Development Review Board Chair

P.O. Box 1293

The City of Albuquerque Land Use Hearing Officer will hear the above appealed case on **Tuesday, March 6, 2007**. The hearing begins at **9:30 am** in the Vincent E. Griego Chambers, Basement Level, Albuquerque/Bernalillo County Government Center, One Civic Plaza NW.

Albuquerque

Submittal of new information or questions regarding the hearing with the Land Use Hearing Officer should be directed to Council Services, c/o Crystal Ortega, One Civic Plaza NW, 9th Floor, Albuquerque NM 87102, (505) 768-3100.

New Mexico 87103

If you would like a copy of the record submitted to the Land Use Hearing Officer copies will be available after February 20, 2007, upon request in the Planning Department, Plaza del Sol Building, 600 2nd Street NW, 3rd Floor. Please call (505) 924-3889 to request a copy.

www.cabq.gov

Sincerely,

Barbara J. Findley
Administrative Assistant

cc: Hessel Yntema, Oman & Yntema, P.A., Post Office Box 1748, Albuquerque, NM 87103
Bohannon Huston, Inc., 7500 Jefferson NE, Albuquerque, NM 87109
Mesa Verde Development Co., 8300 Carmel Avenue NE, Albuquerque, NM 87122
John Salazar, Rodey Law Firm, Post Office Box 1888, Albuquerque, NM 87103
Kym Dicome, High Desert Investment Corp., 3791 Southern Blvd SE, Rio Rancho, NM 87124
Douglas Collister, 8524 Snakedance Ct NE, Albuquerque, NM 87111
Ray Berg 13501 Osage Orange NE, Albuquerque, NM 87111
Debra & Jay Greenhood, 13409 Embudito View Ct NE, Albuquerque, NM 87111
Sam & Jennie Baca, 5000 Cumbre del Sur NE, Albuquerque, NM 87111
Anita Liem, 13419 Wildernes Pl NE, Albuquerque, NM 87111
John Farrow, 2400 Meadowview NW, Albuquerque, NM 87110
Keith Gainer, 5516 Carmelita NE, Albuquerque, NM 87111
Conrad & Marcella Stahly, 5015 Cresta del Sur NE, Albuquerque, NM 87111
Patricia Wittman, 4905 Cresta del Sur Ct NE, Albuquerque, NM 87111
Rob Erickson, 2621 1/2 Granite Ave NE, Albuquerque, NM 87104
Larry Garcia, PO Box 1576, Los Lunas, NM 87031
Pat Stovall, 6604 Rogers Ave NE, Albuquerque, NM 87110
Angela Ness, 13213 Manitoba Dr NE, Albuquerque, NM 87111

Charles Young, 13105 Enchantment Ln NW, Albuquerque, NM 87111
Ken Wesselman, 4613 Huntington Dr NE, Albuquerque, NM 87111
Anne Marie Morosin, 13109 Manitoba Dr NE, Albuquerque, NM 87111
Ed Hernandez, 1219 Blue Quail NE, Albuquerque, NM 87112
Alan Clipperton, 13501 Embudito View Ct NE, Albuquerque, NM 87111
Jack Eichorn, 6316 Bobcat Hill Ln NE, Albuquerque, NM 87111
Tarin Davies, 13209 Manitoba NE, Albuquerque, NM 87111
Joe Witte, 1570 West Ella Dr, Corrales, NM 87048
Armando Lara, 13415 Piedra Grande NE, Albuquerque, NM 87111
Kathleen Conlin, 1021 Orchard NW, Albuquerque, NM 87102
Jeni Turgeon, 720 Tramway Ln NE #6, Albuquerque, NM 87122
Don Kellor, 5004 Cresto del Sur NE, Albuquerque, NM 87111
Christine Ranier, 5016 Cresta del Sur Ct NE, Albuquerque, NM 87111
Marilyn Maldonado, Planning Department - 4th Floor, 600 2nd St NW, Albuquerque, NM 87102
Crystal Ortega, Clerk to the Council, City/County Building - 9th Floor
DRB File

CITY OF ALBUQUERQUE

Planning Department

Richard Dineen, Director

Development Review Division

600 2nd Street NW – 3rd Floor
Albuquerque, NM 87102



AMENDED NOTICE OF HEARING

January 11, 2007

High Desert Residential Owners Association
c/o Paul M. Kienzle
Scott & Kienzle PA
Box 587
Albuquerque, NM 87103

AC-07-3 – 06DRB-01411; 06DRB-01412; 06DRB-01413; 06DRB-01414; 06DRB-01415; Project #1004989 Paul M. Kienzle, agent for High Desert Residential Owners Association, appeal the Development Review Board's (DRB) approval of a Preliminary Plat for all or a portion of Tract(s) A, Unit 2, Wilderness @ High Desert (to be know as Wilderness Canon @ High Desert) zoned SU-2, HD/R-R, located on High Desert Pl. NE, between Trailhead Rd. NE and Embudito View Ct. NE, containing approximately 4 acre(s). (F-23) Sheran Matson, Development Review Board Chair

P.O. Box 1293

The City of Albuquerque Land Use Hearing Officer will hear the above appealed case on **Tuesday, March 6, 2007**. The hearing begins at **9:30 am** in the Vincent E. Griego Chambers, Basement Level, Albuquerque/Bernalillo County Government Center, One Civic Plaza NW.

Albuquerque

Submittal of new information or questions regarding the hearing with the Land Use Hearing Officer should be directed to Council Services, c/o Crystal Ortega, One Civic Plaza NW, 9th Floor, Albuquerque NM 87102, (505) 768-3100.

New Mexico 87103

If you would like a copy of the record submitted to the Land Use Hearing Officer copies will be available after February 20, 2007, upon request in the Planning Department, Plaza del Sol Building, 600 2nd Street NW, 3rd Floor. Please call (505) 924-3889 to request a copy.

www.cabq.gov

Sincerely,

Barbara J. Findley
Administrative Assistant

cc: Paul M. Kienzle, Scott & Kienzle PA, Box 587, Albuquerque, NM 87103
Bohannon Huston, Inc., 7500 Jefferson NE, Albuquerque, NM 87109
Mesa Verde Development Co., 8300 Carmel Avenue NE, Albuquerque, NM 87122
Carl & Lillian Fesler, 5005 Cumbre del Sur, Albuquerque, NM 87111-2988
Robert & Kathy Pelletier, 5123 High Desert Place NE, Albuquerque, NM 87111
Janet & Eric Lentz, 5109 High Desert Place NE, Albuquerque, NM 87111
Hessel Yntema, Oman & Yntema, P.A., Post Office Box 1748, Albuquerque, NM 87103
John Salazar, Rodey Law Firm, Post Office Box 1888, Albuquerque, NM 87103
Kym Dicome, High Desert Investment Corp., 3791 Southern Blvd SE, Rio Rancho, NM 87124
Douglas Collister, 8524 Snakedance Ct NE, Albuquerque, NM 87111
Ray Berg 13501 Osage Orange NE, Albuquerque, NM 87111
Debra & Jay Greenwood, 13409 Embudito View Ct NE, Albuquerque, NM 87111
Sam & Jennie Baca, 5000 Cumbre del Sur NE, Albuquerque, NM 87111
Anita Liem, 13419 Wildernes Pl NE, Albuquerque, NM 87111
John Farrow, 2400 Meadowview NW, Albuquerque, NM 87110
Keith Gainer, 5516 Carmelita NE, Albuquerque, NM 87111
Conrad & Marcella Stahly, 5015 Cresta del Sur NE, Albuquerque, NM 87111

Patricia Wittman, 4905 Cresta del Sur Ct NE, Albuquerque, NM 87111
Rob Erickson, 2621 1/2 Granite Ave NE, Albuquerque, NM 87104
Larry Garcia, PO Box 1576, Los Lunas, NM 87031
Pat Stovall, 6604 Rogers Ave NE, Albuquerque, NM 87110
Angela Ness, 13213 Manitoba Dr NE, Albuquerque, NM 87111
Charles Young, 13105 Enchantment Ln NW, Albuquerque, NM 87111
Ken Wesselman, 4613 Huntington Dr NE, Albuquerque, NM 87111
Anne Marie Morosin, 13109 Manitoba Dr NE, Albuquerque, NM 87111
Ed Hernandez, 1219 Blue Quail NE, Albuquerque, NM 87112
Alan Clipperton, 13501 Embudito View Ct NE, Albuquerque, NM 87111
Jack Eichorn, 6316 Bobcat Hill Ln NE, Albuquerque, NM 87111
Tarin Davies, 13209 Manitoba NE, Albuquerque, NM 87111
Joe Witte, 1570 West Ella Dr, Corrales, NM 87048
Armando Lara, 13415 Piedra Grande NE, Albuquerque, NM 87111
Kathleen Conlin, 1021 Orchard NW, Albuquerque, NM 87102
Jeni Turgeon, 720 Tramway Ln NE #6, Albuquerque, NM 87122
Don Kellor, 5004 Cresto del Sur NE, Albuquerque, NM 87111
Christine Ranier, 5016 Cresta del Sur Ct NE, Albuquerque, NM 87111
Marilyn Maldonado, Planning Department - 4th Floor, 600 2nd St NW, Albuquerque, NM 87102
Crystal Ortega, Clerk to the Council, City/County Building - 9th Floor
DRB File

CITY OF ALBUQUERQUE



Planning Department

Richard Dineen, Director

Development Review Division

600 2nd Street NW – 3rd Floor

Albuquerque, NM 87102

NOTICE OF HEARING

January 5, 2007

High Desert Residential Owners Association
c/o Paul M. Kienzle
Scott & Kienzle PA
Box 587
Albuquerque, NM 87103

AC-07-3 – 06DRB-01411; 06DRB-01412; 06DRB-01413; 06DRB-01414; 06DRB-01415; Project #1004989 Paul M. Kienzle, agent for High Desert Residential Owners Association, appeal the Development Review Board's (DRB) approval of a Preliminary Plat for all or a portion of Tract(s) A, Unit 2, Wilderness @ High Desert (to be know as Wilderness Canon @ High Desert) zoned SU-2, HD/R-R, located on High Desert Pl. NE, between Trailhead Rd. NE and Embudito View Ct. NE, containing approximately 4 acre(s). (F-23) Sheran Matson, Development Review Board Chair

P.O. Box 1293

The City of Albuquerque Land Use Hearing Officer will hear the above appealed case on **Thursday, January 18, 2007**. The hearing begins at **9:30 am** in the Vincent E. Griego Chambers, Basement Level, Albuquerque/Bernalillo County Government Center, One Civic Plaza NW.

Albuquerque

Submittal of new information or questions regarding the hearing with the Land Use Hearing Officer should be directed to Council Services, c/o Crystal Ortega, One Civic Plaza NW, 9th Floor, Albuquerque NM 87102, (505) 768-3100.

New Mexico 87103

A copy of the record submitted to the Land Use Hearing Officer copies will be available by January 12, 2007, in the Planning Department, Plaza del Sol Building, 600 2nd Street NW, 3rd Floor. Please call (505) 924-3889 to request a copy.

www.cabq.gov

Sincerely,

Barbara J. Findley
Administrative Assistant

cc: Paul M. Kienzle, Scott & Kienzle PA, Box 587, Albuquerque, NM 87103
Bohannon Huston, Inc., 7500 Jefferson NE, Albuquerque, NM 87109
Mesa Verde Development Co., 8300 Carmel Avenue NE, Albuquerque, NM 87122
Carl & Lillian Fesler, 5005 Cumbre del Sur, Albuquerque, NM 87111-2988
Robert & Kathy Pelletier, 5123 High Desert Place NE, Albuquerque, NM 87111
Janet & Eric Lentz, 5109 High Desert Place NE, Albuquerque, NM 87111
Hessel Yntema, Oman & Yntema, P.A., Post Office Box 1748, Albuquerque, NM 87103
John Salazar, Rodey Law Firm, Post Office Box 1888, Albuquerque, NM 87103
Kym Dicome, High Desert Investment Corp., 3791 Southern Blvd SE, Rio Rancho, NM 87124
Douglas Collister, 8524 Snakedance Ct NE, Albuquerque, NM 87111
Ray Berg 13501 Osage Orange NE, Albuquerque, NM 87111
Debra & Jay Greenwood, 13409 Embudito View Ct NE, Albuquerque, NM 87111
Sam & Jennie Baca, 5000 Cumbre del Sur NE, Albuquerque, NM 87111
Anita Liem, 13419 Wildernes Pl NE, Albuquerque, NM 87111
John Farrow, 2400 Meadowview NW, Albuquerque, NM 87110
Keith Gainer, 5516 Carmelita NE, Albuquerque, NM 87111
Conrad & Marcella Stahly, 5015 Cresta del Sur NE, Albuquerque, NM 87111

January 5, 2007

AC-07-3

Page 2 of 2

Patricia Wittman, 4905 Cresta del Sur Ct NE, Albuquerque, NM 87111
Rob Erickson, 2621 1/2 Granite Ave NE, Albuquerque, NM 87104
Larry Garcia, PO Box 1576, Los Lunas, NM 87031
Pat Stovall, 6604 Rogers Ave NE, Albuquerque, NM 87110
Angela Ness, 13213 Manitoba Dr NE, Albuquerque, NM 87111
Charles Young, 13105 Enchantment Ln NW, Albuquerque, NM 87111
Ken Wesselman, 4613 Huntington Dr NE, Albuquerque, NM 87111
Anne Marie Morosin, 13109 Manitoba Dr NE, Albuquerque, NM 87111
Ed Hernandez, 1219 Blue Quail NE, Albuquerque, NM 87112
Alan Clipperton, 13501 Embudito View Ct NE, Albuquerque, NM 87111
Jack Eichorn, 6316 Bobcat Hill Ln NE, Albuquerque, NM 87111
Tarin Davies, 13209 Manitoba NE, Albuquerque, NM 87111
Joe Witte, 1570 West Ella Dr, Corrales, NM 87048
Armando Lara, 13415 Piedra Grande NE, Albuquerque, NM 87111
Kathleen Conlin, 1021 Orchard NW, Albuquerque, NM 87102
Jeni Turgeon, 720 Tramway Ln NE #6, Albuquerque, NM 87122
Don Kellor, 5004 Cresto del Sur NE, Albuquerque, NM 87111
Christine Ranier, 5016 Cresta del Sur Ct NE, Albuquerque, NM 87111
Marilyn Maldonado, Planning Department - 4th Floor, 600 2nd St NW, Albuquerque, NM 87102
Crystal Ortega, Clerk to the Council, City/County Building - 9th Floor
DRB File

CITY OF ALBUQUERQUE

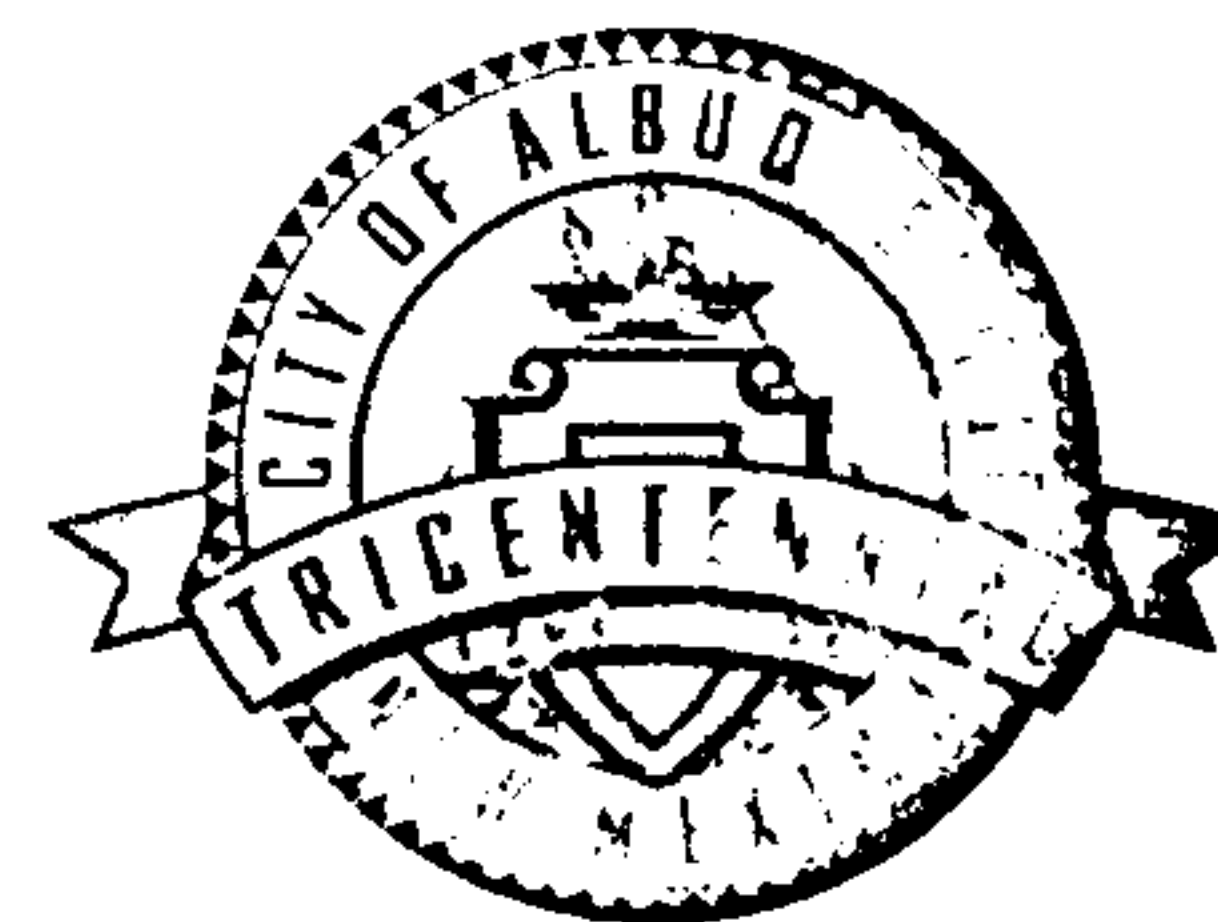
Planning Department

Richard Dineen, Director

Development Review Division

600 2nd Street NW – 3rd Floor

Albuquerque, NM 87102



NOTICE OF HEARING

January 4, 2007

Carl & Lillian Fesler
5005 Cumbre del Sur
Albuquerque, NM 87111-2988

Robert & Kathy Pelletier
5123 High Desert Pl NE
Albuquerque, NM 87111

Eric & Janet Lentz
5109 High Desert Pl NE
Albuquerque, NM 87111

AC-07-2 – 06DRB-01411; 06DRB-01412; 06DRB-01413; 06DRB-01414; 06DRB-01415;
Project #1004989 Hessel Yntema, agent for Carl & Lillian Fesler, Robert & Kathy Pelletier and Janet & Eric Lentz, appeal the Development Review Board's (DRB) approval of a Preliminary Plat for all or a portion of Tract(s) A, Unit 2, Wilderness @ High Desert (to be know as Wilderness Canon @ High Desert) zoned SU-2, HD/R-R, located on High Desert Pl. NE, between Trailhead Rd. NE and Embudito View Ct. NE, containing approximately 4 acre(s). (F-23) Sheran Matson, Development Review Board Chair

P.O. Box 1293

The City of Albuquerque Land Use Hearing Officer will hear the above appealed case on **Thursday, January 18, 2007**. The hearing begins at **9:30 am** in the Vincent E. Griego Chambers, Basement Level, Albuquerque/Bernalillo County Government Center, One Civic Plaza NW.

Albuquerque

Submittal of new information or questions regarding the hearing with the Land Use Hearing Officer should be directed to Council Services, c/o Crystal Ortega, One Civic Plaza NW, 9th Floor, Albuquerque NM 87102, (505) 768-3100.

New Mexico 87103

A copy of the record submitted to the Land Use Hearing Officer copies will be available by January 12, 2007, in the Planning Department, Plaza del Sol Building, 600 2nd Street NW, 3rd Floor. Please call (505) 924-3889 to request a copy.

www.cabq.gov

Sincerely,

Barbara J. Findley
Administrative Assistant

cc: Hessel Yntema, Oman & Yntema, P.A., Post Office Box 1748, Albuquerque, NM 87103
Bohannon Huston, Inc., 7500 Jefferson NE, Albuquerque, NM 87109
Mesa Verde Development Co., 8300 Carmel Avenue NE, Albuquerque, NM 87122
John Salazar, Rodey Law Firm, Post Office Box 1888, Albuquerque, NM 87103
Kym Dicome, High Desert Investment Corp., 3791 Southern Blvd SE, Rio Rancho, NM 87124
Douglas Collister, 8524 Snakedance Ct NE, Albuquerque, NM 87111
Ray Berg 13501 Osage Orange NE, Albuquerque, NM 87111
Debra & Jay Greenwood, 13409 Embudito View Ct NE, Albuquerque, NM 87111
Sam & Jennie Baca, 5000 Cumbre del Sur NE, Albuquerque, NM 87111
Anita Liem, 13419 Wildemes Pl NE, Albuquerque, NM 87111
John Farrow, 2400 Meadowview NW, Albuquerque, NM 87110
Keith Gainer, 5516 Carmelita NE, Albuquerque, NM 87111
Conrad & Marcella Stahly, 5015 Cresta del Sur NE, Albuquerque, NM 87111
Patricia Wittman, 4905 Cresta del Sur Ct NE, Albuquerque, NM 87111
Rob Erickson, 2621 1/2 Granite Ave NE, Albuquerque, NM 87104
Larry Garcia, PO Box 1576, Los Lunas, NM 87031
Pat Stovall, 6604 Rogers Ave NE, Albuquerque, NM 87110
Angela Ness, 13213 Manitoba Dr NE, Albuquerque, NM 87111

January 4, 2007

AC-07-2

Page 2 of 2

Charles Young, 13105 Enchantment Ln NW, Albuquerque, NM 87111
Ken Wesselman, 4613 Huntington Dr NE, Albuquerque, NM 87111
Anne Marie Morosin, 13109 Manitoba Dr NE, Albuquerque, NM 87111
Ed Hernandez, 1219 Blue Quail NE, Albuquerque, NM 87112
Alan Clipperton, 13501 Embudito View Ct NE, Albuquerque, NM 87111
Jack Eichorn, 6316 Bobcat Hill Ln NE, Albuquerque, NM 87111
Tarin Davies, 13209 Manitoba NE, Albuquerque, NM 87111
✓ Joe Witte, 1570 West Ella Dr, Corrales, NM 87048
Armando Lara, 13415 Piedra Grande NE, Albuquerque, NM 87111
Kathleen Conlin, 1021 Orchard NW, Albuquerque, NM 87102
Jeni Turgeon, 720 Tramway Ln NE #6, Albuquerque, NM 87122
Don Kellor, 5004 Cresto del Sur NE, Albuquerque, NM 87111
Christine Ranier, 5016 Cresta del Sur Ct NE, Albuquerque, NM 87111
Marilyn Maldonado, Planning Department - 4th Floor, 600 2nd St NW, Albuquerque, NM 87102
Crystal Ortega, Clerk to the Council, City/County Building - 9th Floor
DRB File

CITY OF ALBUQUERQUE



Planning Department

Richard Dineen, Director

Development Review Division

600 2nd Street NW – 3rd Floor
Albuquerque, NM 87102

NOTICE OF HEARING

January 5, 2007

High Desert Residential Owners Association
c/o Paul M. Kienzle
Scott & Kienzle PA
Box 587
Albuquerque, NM 87103

AC-07-3 – 06DRB-01411; 06DRB-01412; 06DRB-01413; 06DRB-01414; 06DRB-01415; Project #1004989 Paul M. Kienzle, agent for High Desert Residential Owners Association, appeal the Development Review Board's (DRB) approval of a Preliminary Plat for all or a portion of Tract(s) A, Unit 2, Wilderness @ High Desert (to be know as Wilderness Canon @ High Desert) zoned SU-2, HD/R-R, located on High Desert Pl. NE, between Trailhead Rd. NE and Embudito View Ct. NE, containing approximately 4 acre(s). (F-23) Sheran Matson, Development Review Board Chair

P.O. Box 1293

The City of Albuquerque Land Use Hearing Officer will hear the above appealed case on **Thursday, January 18, 2007**. The hearing begins at **9:30 am** in the Vincent E. Griego Chambers, Basement Level, Albuquerque/Bernalillo County Government Center, One Civic Plaza NW.

Albuquerque

Submittal of new information or questions regarding the hearing with the Land Use Hearing Officer should be directed to Council Services, c/o Crystal Ortega, One Civic Plaza NW, 9th Floor, Albuquerque NM 87102, (505) 768-3100.

New Mexico 87103

A copy of the record submitted to the Land Use Hearing Officer copies will be available by January 12, 2007, in the Planning Department, Plaza del Sol Building, 600 2nd Street NW, 3rd Floor. Please call (505) 924-3889 to request a copy.

www.cabq.gov

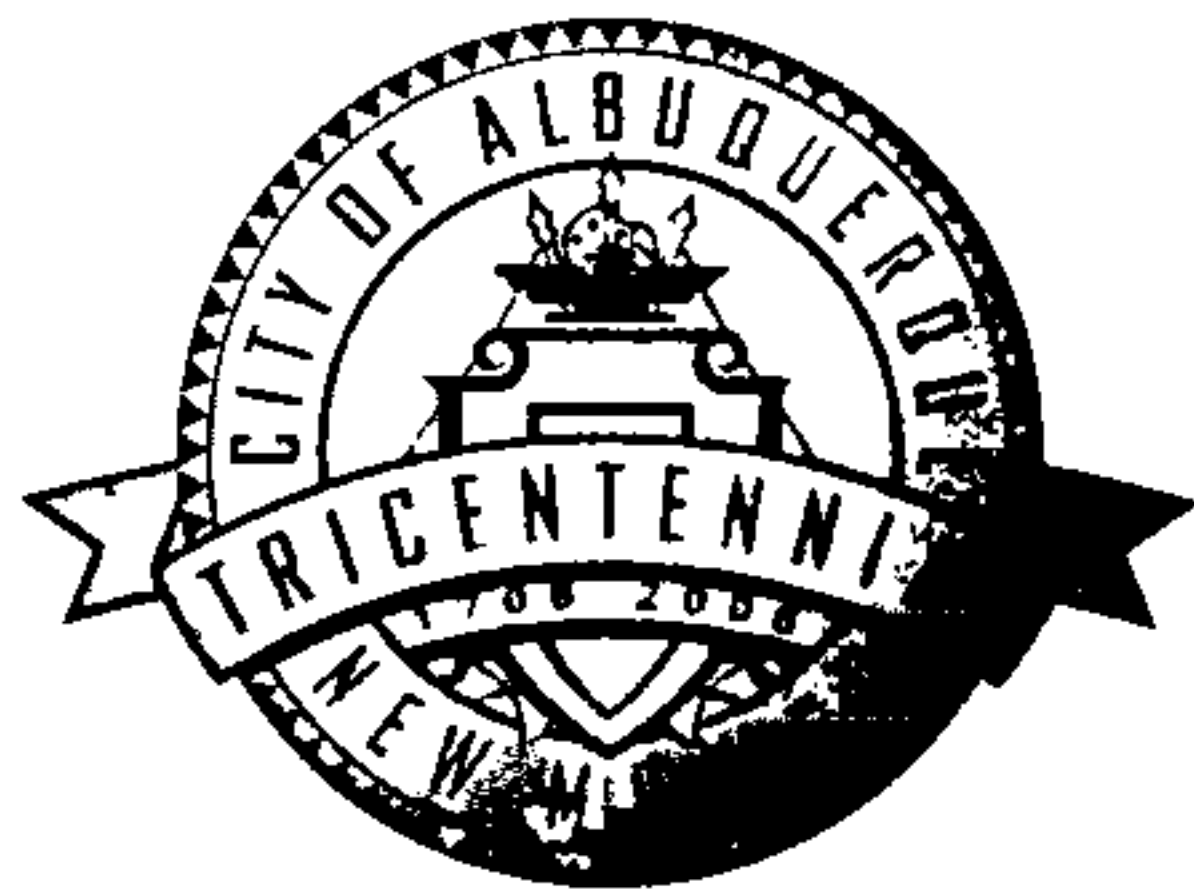
Sincerely,

Barbara J. Findley
Administrative Assistant

cc: Paul M. Kienzle, Scott & Kienzle PA, Box 587, Albuquerque, NM 87103
Bohannon Huston, Inc., 7500 Jefferson NE, Albuquerque, NM 87109
Mesa Verde Development Co., 8300 Carmel Avenue NE, Albuquerque, NM 87122
Carl & Lillian Fesler, 5005 Cumbre del Sur, Albuquerque, NM 87111-2988
Robert & Kathy Pelletier, 5123 High Desert Place NE, Albuquerque, NM 87111
Janet & Eric Lentz, 5109 High Desert Place NE, Albuquerque, NM 87111
Hessel Yntema, Oman & Yntema, P.A., Post Office Box 1748, Albuquerque, NM 87103
John Salazar, Rodey Law Firm, Post Office Box 1888, Albuquerque, NM 87103
Kym Dicome, High Desert Investment Corp., 3791 Southern Blvd SE, Rio Rancho, NM 87124
Douglas Collister, 8524 Snakedance Ct NE, Albuquerque, NM 87111
Ray Berg 13501 Osage Orange NE, Albuquerque, NM 87111
Debra & Jay Greenhood, 13409 Embudito View Ct NE, Albuquerque, NM 87111
Sam & Jennie Baca, 5000 Cumbre del Sur NE, Albuquerque, NM 87111
Anita Liem, 13419 Wildernes Pl NE, Albuquerque, NM 87111
John Farrow, 2400 Meadowview NW, Albuquerque, NM 87110
Keith Gainer, 5516 Carmelita NE, Albuquerque, NM 87111
Conrad & Marcella Stahly, 5015 Cresta del Sur NE, Albuquerque, NM 87111

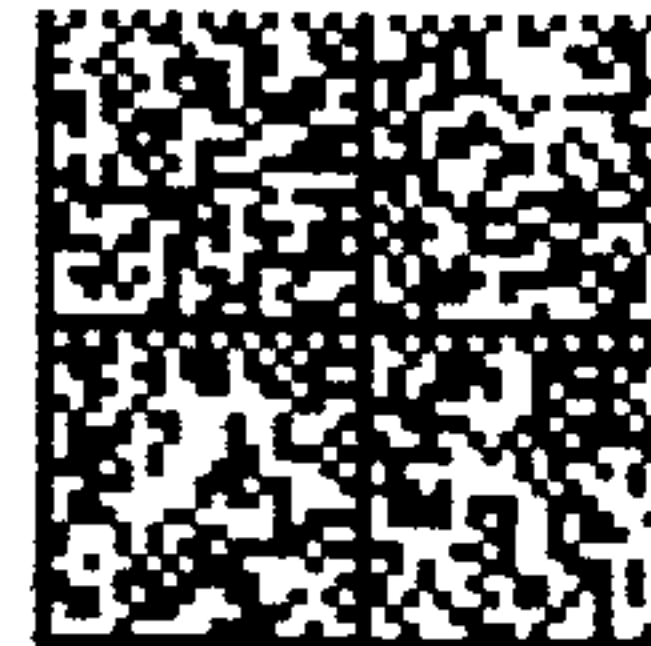
Patricia Wittman, 4905 Cresta del Sur Ct NE, Albuquerque, NM 87111
Rob Erickson, 2621 ½ Granite Ave NE, Albuquerque, NM 87104
Larry Garcia, PO Box 1576, Los Lunas, NM 87031
Pat Stovall, 6604 Rogers Ave NE, Albuquerque, NM 87110
Angela Ness, 13213 Manitoba Dr NE, Albuquerque, NM 87111
Charles Young, 13105 Enchantment Ln NW, Albuquerque, NM 87111
Ken Wesselman, 4613 Huntington Dr NE, Albuquerque, NM 87111
Anne Marie Morosin, 13109 Manitoba Dr NE, Albuquerque, NM 87111
Ed Hernandez, 1219 Blue Quail NE, Albuquerque, NM 87112
Alan Clipperton, 13501 Embudito View Ct NE, Albuquerque, NM 87111
Jack Eichorn, 6316 Bobcat Hill Ln NE, Albuquerque, NM 87111
Tarin Davies, 13209 Manitoba NE, Albuquerque, NM 87111
✓ Joe Witte, 1570 West Ella Dr, Corrales, NM 87048
Armando Lara, 13415 Piedra Grande NE, Albuquerque, NM 87111
Kathleen Conlin, 1021 Orchard NW, Albuquerque, NM 87102
Jeni Turgeon, 720 Tramway Ln NE #6, Albuquerque, NM 87122
Don Kellor, 5004 Cresto del Sur NE, Albuquerque, NM 87111
Christine Ranier, 5016 Cresta del Sur Ct NE, Albuquerque, NM 87111
Marilyn Maldonado, Planning Department – 4th Floor, 600 2nd St NW, Albuquerque, NM 87102
Crystal Ortega, Clerk to the Council, City/County Building – 9th Floor
DRB File

CITY OF ALBUQUERQUE



Planning Department

DRB APPEAL



02 1M \$ 00.39⁰
0004219022 JAN 05 2007
MAILED FROM ZIP CODE 87102

Joe Witte
1570 West Ella Dr
Corrales, NM 87048

NMR



**NO MAIL
RECEPTACLE**

NMR

870488999



CITY OF ALBUQUERQUE

Planning Department

Richard Dineen, Director

Development Review Division

600 2nd Street NW – 3rd Floor

Albuquerque, NM 87102



NOTICE OF HEARING

January 4, 2007

Carl & Lillian Fesler
5005 Cumbre del Sur
Albuquerque, NM 87111-2988

Robert & Kathy Pelletier
5123 High Desert Pl NE
Albuquerque, NM 87111

Eric & Janet Lentz
5109 High Desert Pl NE
Albuquerque, NM 87111

AC-07-2 – 06DRB-01411; 06DRB-01412; 06DRB-01413; 06DRB-01414; 06DRB-01415; Project #1004989 Hessel Yntema, agent for Carl & Lillian Fesler, Robert & Kathy Pelletier and Janet & Eric Lentz, appeal the Development Review Board's (DRB) approval of a Preliminary Plat for all or a portion of Tract(s) A, Unit 2, Wilderness @ High Desert (to be know as Wilderness Canon @ High Desert) zoned SU-2, HD/R-R, located on High Desert Pl. NE, between Trailhead Rd. NE and Embudito View Ct. NE, containing approximately 4 acre(s). (F-23) Sheran Matson, Development Review Board Chair

P.O. Box 1293

The City of Albuquerque Land Use Hearing Officer will hear the above appealed case on **Thursday, January 18, 2007**. The hearing begins at **9:30 am** in the Vincent E. Griego Chambers, Basement Level, Albuquerque/Bernalillo County Government Center, One Civic Plaza NW.

Albuquerque

Submittal of new information or questions regarding the hearing with the Land Use Hearing Officer should be directed to Council Services, c/o Crystal Ortega, One Civic Plaza NW, 9th Floor, Albuquerque NM 87102, (505) 768-3100.

New Mexico 87103

A copy of the record submitted to the Land Use Hearing Officer copies will be available by January 12, 2007, in the Planning Department, Plaza del Sol Building, 600 2nd Street NW, 3rd Floor. Please call (505) 924-3889 to request a copy.

www.cabq.gov

Sincerely,

Barbara J. Findley
Administrative Assistant

cc: Hessel Yntema, Oman & Yntema, P.A., Post Office Box 1748, Albuquerque, NM 87103
Bohannon Huston, Inc., 7500 Jefferson NE, Albuquerque, NM 87109
Mesa Verde Development Co., 8300 Carmel Avenue NE, Albuquerque, NM 87122
John Salazar, Rodey Law Firm, Post Office Box 1888, Albuquerque, NM 87103
Kym Dicome, High Desert Investment Corp., 3791 Southern Blvd SE, Rio Rancho, NM 87124
Douglas Collister, 8524 Snakedance Ct NE, Albuquerque, NM 87111
Ray Berg 13501 Osage Orange NE, Albuquerque, NM 87111
Debra & Jay Greenhood, 13409 Embudito View Ct NE, Albuquerque, NM 87111
Sam & Jennie Baca, 5000 Cumbre del Sur NE, Albuquerque, NM 87111
Anita Liem, 13419 Wildernes Pl NE, Albuquerque, NM 87111
John Farrow, 2400 Meadowview NW, Albuquerque, NM 87110
Keith Gainer, 5516 Carmelita NE, Albuquerque, NM 87111
Conrad & Marcella Stahly, 5015 Cresta del Sur NE, Albuquerque, NM 87111
Patricia Wittman, 4905 Cresta del Sur Ct NE, Albuquerque, NM 87111
Rob Erickson, 2621 1/2 Granite Ave NE, Albuquerque, NM 87104
Larry Garcia, PO Box 1576, Los Lunas, NM 87031
Pat Stovall, 6604 Rogers Ave NE, Albuquerque, NM 87110
Angela Ness, 13213 Manitoba Dr NE, Albuquerque, NM 87111

January 4, 2007

AC-07-2

Page 2 of 2

Charles Young, 13105 Enchantment Ln NW, Albuquerque, NM 87111
Ken Wesselman, 4613 Huntington Dr NE, Albuquerque, NM 87111
Anne MarieMorosin, 13109 Manitoba Dr NE, Albuquerque, NM 87111
Ed Hernandez, 1219 Blue Quail NE, Albuquerque, NM 87112
Alan Clipperton, 13501 Embudito View Ct NE, Albuquerque, NM 87111
Jack Eichorn, 6316 Bobcat Hill Ln NE, Albuquerque, NM 87111
Tarin Davies, 13209 Manitoba NE, Albuquerque, NM 87111
Joe Witte, 1570 West Ella Dr, Corrales, NM 87048
Armando Lara, 13415 Piedra Grande NE, Albuquerque, NM 87111
Kathleen Conlin, 1021 Orchard NW, Albuquerque, NM 87102
Jeni Turgeon, 720 Tramway Ln NE #6, Albuquerque, NM 87122
Don Kellor, 5004 Cresto del Sur NE, Albuquerque, NM 87111
Christine Ranier, 5016 Cresta del Sur Ct NE, Albuquerque, NM 87111
Marilyn Maldonado, Planning Department – 4th Floor, 600 2nd St NW, Albuquerque, NM 87102
Crystal Ortega, Clerk to the Council, City/County Building – 9th Floor
DRB File

CITY OF ALBUQUERQUE

Planning Department

Richard Dineen, Director

Development Review Division

600 2nd Street NW – 3rd Floor

Albuquerque, NM 87102



NOTICE OF APPEAL

January 4, 2007

TO WHOM IT MAY CONCERN:

The Planning Department received the attached appeal on December 21, 2006. You will be notified by mail as to when this appeal will be heard before the Land Use Hearing Officer.

Please refer to enclosed Bill (F/S OC-04-6, Land Use Hearing Officer Rules of Procedure and Qualifications) for any questions you may have regarding the Land Use Hearing Officer rules of procedure.

Any questions you might have regarding Land Use Hearing Officer policy or procedure that are not answered in the enclosed bill can be answered by Crystal Ortega, Clerk to the Council, (505) 768-3100.

P.O. Box 1293

CITY COUNCIL APPEAL NUMBER: AC-07-3

Albuquerque

PLANNING DEPARTMENT CASE FILE NUMBERS: Project #1004989
06DRB-01411; 01412; 01413;
01414; 01415

New Mexico 87103

APPELLANT(s): High Desert Residential Owners Association
c/o Paul M. Kienzle
Scott & Kienzle PA
Box 587
Albuquerque, NM 87103

www.cabq.gov

AGENT: Paul M. Kienzle
Scott & Kienzle PA
Box 587
Albuquerque, NM 87103

cc: High Desert Residential Owners Association, c/o Paul M. Kienzle, Scott & Kienzle PA, Box 587, Albuquerque, NM 87103
Paul M. Kienzle, Scott & Kienzle PA, Box 587, Albuquerque, NM 87103
Bohannon Huston, Inc., 7500 Jefferson NE, Albuquerque, NM 87109
Mesa Verde Development Co., 8300 Carmel Avenue NE, Albuquerque, NM 87122
Carl & Lillian Fesler, 5005 Cumbre del Sur, Albuquerque, NM 87111-2988
Robert & Kathy Pelletier, 5123 High Desert Place NE, Albuquerque, NM 87111
Janet & Eric Lentz, 5109 High Desert Place NE, Albuquerque, NM 87111
Hess Yntema, Oman & Yntema, P.A., Post Office Box 1748, Albuquerque, NM 87103
John Salazar, Rodey Law Firm, Post Office Box 1888, Albuquerque, NM 87103
Kym Dicome, High Desert Investment Corp., 3791 Southern Blvd SE, Rio Rancho, NM 87124
Douglas Collister, 8524 Snakedance Ct NE, Albuquerque, NM 87111
Ray Berg 13501 Osage Orange NE, Albuquerque, NM 87111
Debra & Jay Greenhood, 13409 Embudito View Ct NE, Albuquerque, NM 87111
Sam & Jennie Baca, 5000 Cumbre del Sur NE, Albuquerque, NM 87111
Anita Liem, 13419 Wildernes Pl NE, Albuquerque, NM 87111
John Farrow, 2400 Meadowview NW, Albuquerque, NM 87110

Keith Gainer, 5516 Carmelita NE, Albuquerque, NM 87111
Conrad & Marcella Stahly, 5015 Cresta del Sur NE, Albuquerque, NM 87111
Patricia Wittman, 4905 Cresta del Sur Ct NE, Albuquerque, NM 87111
Rob Erickson, 2621 ½ Granite Ave NE, Albuquerque, NM 87104
Larry Garcia, PO Box 1576, Los Lunas, NM 87031
Pat Stovall, 6604 Rogers Ave NE, Albuquerque, NM 87110
Angela Ness, 13213 Manitoba Dr NE, Albuquerque, NM 87111
Charles Young, 13105 Enchantment Ln NW, Albuquerque, NM 87111
Ken Wesselman, 4613 Huntington Dr NE, Albuquerque, NM 87111
Anne MarieMorosin, 13109 Manitoba Dr NE, Albuquerque, NM 87111
Ed Hernandez, 1219 Blue Quail NE, Albuquerque, NM 87112
Alan Clipperton, 13501 Embudito View Ct NE, Albuquerque, NM 87111
Jack Eichorn, 6316 Bobcat Hill Ln NE, Albuquerque, NM 87111
Tarin Davies, 13209 Manitoba NE, Albuquerque, NM 87111
Joe Witte, 1570 West Ella Dr, Corrales, NM 87048
Armando Lara, 13415 Piedra Grande NE, Albuquerque, NM 87111
Kathleen Conlin, 1021 Orchard NW, Albuquerque, NM 87102
Jeni Turgeon, 720 Tramway Ln NE #6, Albuquerque, NM 87122
Don Kellor, 5004 Cresto del Sur NE, Albuquerque, NM 87111
Christine Ranier, 5016 Cresta del Sur Ct NE, Albuquerque, NM 87111
Marilyn Maldonado, Planning Department – 4th Floor, 600 2nd St NW, Albuquerque, NM 87102
Crystal Ortega, Clerk to the Council, City/County Building – 9th Floor
DRB File

CITY OF ALBUQUERQUE

Planning Department

Richard Dineen, Director

Development Review Division

600 2nd Street NW – 3rd Floor
Albuquerque, NM 87102



NOTICE OF APPEAL

December 19, 2006

TO WHOM IT MAY CONCERN:

The Planning Department received the attached appeal on December 18, 2006. You will be notified by mail as to when this appeal will be heard before the Land Use Hearing Officer.

Please refer to enclosed Bill (F/S OC-04-6, Land Use Hearing Officer Rules of Procedure and Qualifications) for any questions you may have regarding the Land Use Hearing Officer rules of procedure.

Any questions you might have regarding Land Use Hearing Officer policy or procedure that are not answered in the enclosed bill can be answered by Crystal Ortega, Clerk to the Council, (505) 768-3100.

P.O. Box 1293

CITY COUNCIL APPEAL NUMBER: AC-07-2

Albuquerque

PLANNING DEPARTMENT CASE FILE NUMBERS: Project #1004989
06DRB-01411; 01412; 01413;
01414; 01415

New Mexico 87103

APPELLANT(s): Carl & Lillian Fesler, Robert & Kathy Pelletier, and
Eric & Janet Lentz

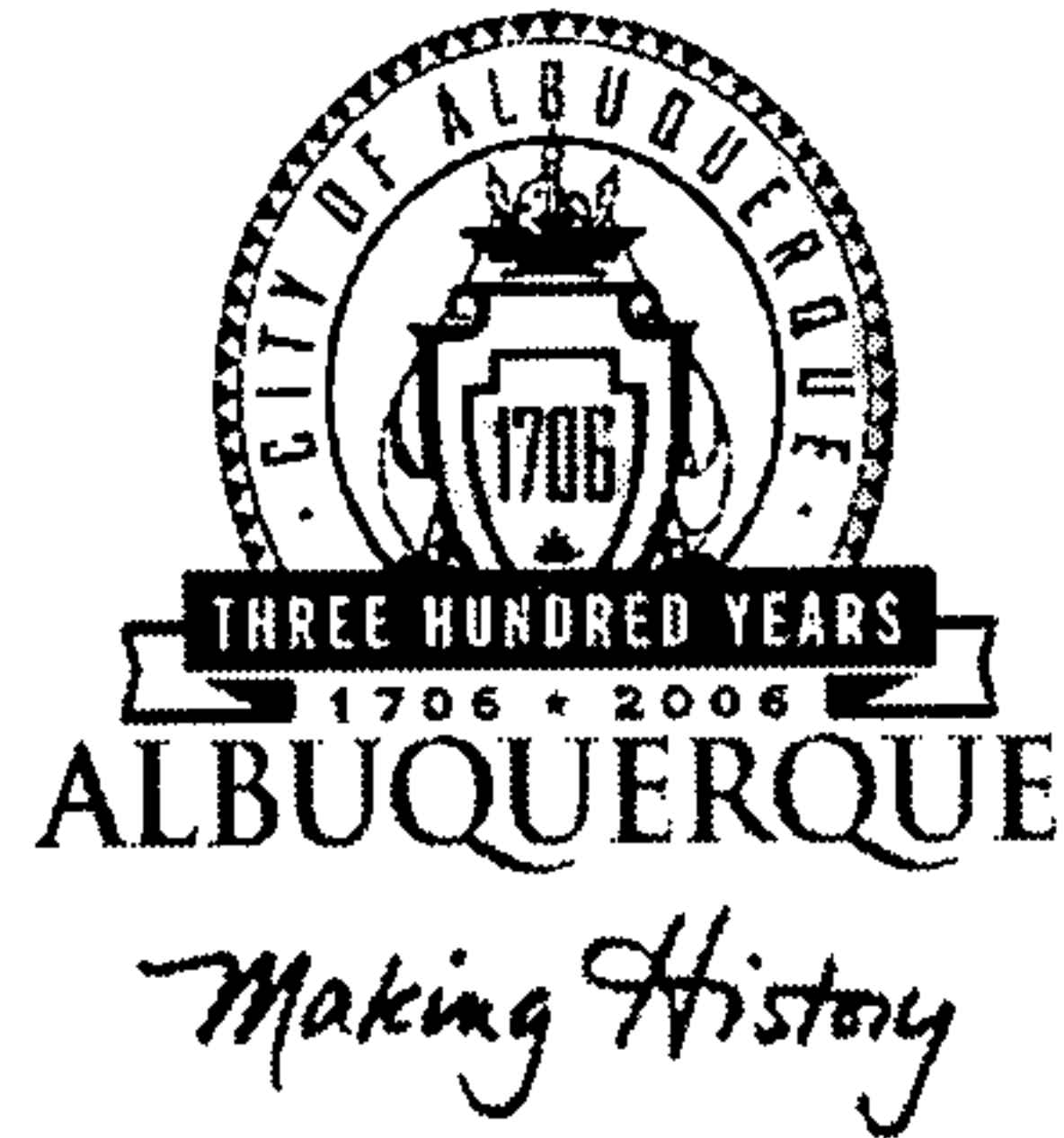
www.cabq.gov

AGENT: Hess Yntema
Oman & Yntema, P.A.
Post Office Box 1748
Albuquerque, NM 87103

cc: Carl & Lillian Fesler, 5005 Cumbre del Sur, Albuquerque, NM 87111-2988
Robert & Kathy Pelletier, 5123 High Desert Place NE, Albuquerque, NM 87111
Janet & Eric Lentz, 5109 High Desert Place NE, Albuquerque, NM 87111
Hess Yntema, Oman & Yntema, P.A., Post Office Box 1748, Albuquerque, NM 87103
Bohannon Huston, Inc., 7500 Jefferson NE, Albuquerque, NM 87109
Mesa Verde Development Co., 8300 Carmel Avenue NE, Albuquerque, NM 87122
John Salazar, Rodey Law Firm, Post Office Box 1888, Albuquerque, NM 87103
Kym Dicome, High Desert Investment Corp., 3791 Southern Blvd SE, Rio Rancho, NM 87124
Douglas Collister, 8524 Snakedance Ct NE, Albuquerque, NM 87111
Ray Berg 13501 Osage Orange NE, Albuquerque, NM 87111
Debra & Jay Greenhood, 13409 Embudito View Ct NE, Albuquerque, NM 87111
Sam & Jennie Baca, 5000 Cumbre del Sur NE, Albuquerque, NM 87111
Anita Liem, 13419 Wildernes Pl NE, Albuquerque, NM 87111
John Farrow, 2400 Meadowview NW, Albuquerque, NM 87110
Keith Gainer, 5516 Carmelita NE, Albuquerque, NM 87111
Conrad & Marcella Stahly, 5015 Cresta del Sur NE, Albuquerque, NM 87111
Patricia Wittman, 4905 Cresta del Sur Ct NE, Albuquerque, NM 87111
Rob Erickson, 2621 1/2 Granite Ave NE, Albuquerque, NM 87104
Larry Garcia, PO Box 1576, Los Lunas, NM 87031
Pat Stovall, 6604 Rogers Ave NE, Albuquerque, NM 87110
Angela Ness, 13213 Manitoba Dr NE, Albuquerque, NM 87111

Charles Young, 13105 Enchantment Ln NW, Albuquerque, NM 87111
Ken Wesselman, 4613 Huntington Dr NE, Albuquerque, NM 87111
Anne Marie Morosin, 13109 Manitoba Dr NE, Albuquerque, NM 87111
Ed Hernandez, 1219 Blue Quail NE, Albuquerque, NM 87112
Alan Clipperton, 13501 Embudito View Ct NE, Albuquerque, NM 87111
Jack Eichorn, 6316 Bobcat Hill Ln NE, Albuquerque, NM 87111
Tarin Davies, 13209 Manitoba NE, Albuquerque, NM 87111
Joe Witte, 1570 West Ella Dr, Corrales, NM 87048
Armando Lara, 13415 Piedra Grande NE, Albuquerque, NM 87111
Kathleen Conlin, 1021 Orchard NW, Albuquerque, NM 87102
Jeni Turgeon, 720 Tramway Ln NE #6, Albuquerque, NM 87122
Don Kellor, 5004 Cresto del Sur NE, Albuquerque, NM 87111
Christine Ranier, 5016 Cresta del Sur Ct NE, Albuquerque, NM 87111
Marilyn Maldonado, Planning Department – 4th Floor, 600 2nd St NW, Albuquerque, NM 87102
Crystal Ortega, Clerk to the Council, City/County Building – 9th Floor
DRB File

TO BE PUBLISHED IN THE ALBUQUERQUE JOURNAL ON MONDAY, JANUARY 8, 2007



NOTICE OF PUBLIC HEARING
CITY COUNCIL OF THE CITY OF ALBUQUERQUE

TO ALL CITIZENS AND PARTIES IN INTEREST:

Notice is hereby given that the City of Albuquerque Land Use Hearing Officer will hold a public hearing on ~~THURSDAY, JANUARY 18, 2007~~ at 9:30 a.m. in the Vincent E. Griego Chambers, Basement Level, Albuquerque/Bernalillo County Government Center, One Civic Plaza NW, to consider the following:

~~AC-07-31~~ (06DRB-01411; 06DRB-01412; 06DRB-01413; 06DRB-01414; 06DRB-01415; Project #1004989) ~~Paul M. Kienzle, Agent for~~ High Desert Residential Owners Association, Appeal the Development Review Board's (DRB) Approval of a Preliminary Plat for all or a portion of Tract(s) A, Unit 2, Wilderness @ High Desert (to be known as Wilderness Canon @ High Desert) zoned SU-2, HD/R-R, located on High Desert Pl. NE, between Trailhead Rd. NE and Embudito View Ct. NE, containing approximately 4 acre(s). (F-23) Sheran Matson, Development Review Board Chair

Details of the above may be examined at the Development Review Division of the Planning Department, 3rd Floor, Plaza del Sol Building, 600 Second St. NW, Monday thru Friday, between 9 am - 4 pm.

Debbie O'Malley
City Council President

NOTICE TO PERSONS WITH DISABILITIES: If you have a disability and require special assistance to participate in this meeting, please contact the Council office at least one day before the meeting date at 768-3100. TTY users please call New Mexico Relay Network toll free at 1-800-659-8331.

APPROVED:
Russell D. Brito, Division Manager
Development Review Division



OFFICIAL NOTICE OF DECISION

CITY OF ALBUQUERQUE
PLANNING DEPARTMENT
DEVELOPMENT REVIEW BOARD

December 6, 2006

1. Project # 1004989

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

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

At the December 6, 2006, Development Review Board meeting, with the signing of the infrastructure list dated 12/6/06 and approval of the grading plan engineer stamp dated 11/7/06 the preliminary plat was approved with the following findings:

1. The November 6, 2006 High Desert Residential Owners' Association Letter satisfies the intent of Section 4.A.7 of the High Desert Sector Plan based upon past High Desert Residential Owners' Association letters submitted for previous preliminary plats in High Desert.
2. Planning agrees that the preliminary plat submitted for Wilderness Canon at High Desert complies with the zoning, density and lot size requirements of the High Desert Sector Plan.
 - a. Specifically, residential uses in the SU2-HD RR zoning must conform, according to the Sector Plan, to the SU2-HD RG zone. The sector plan states the total number of dwelling units cannot exceed 300. Wilderness Canon's preliminary plat contains 25 lots or 25 dwelling units. High Desert Investment Corporation has stated for the record that the SU2-HD RR zone currently contains 110 units. So even with the addition of these 25 lots, the total is well below the 300 unit limit.



OFFICIAL NOTICE OF DECISION

PAGE 2

- b. One dwelling unit per lot as proposed also conforms to City's RT zoning category to which the SU2-HD RG zoning refers for use and lot size.
 - c. The lot sizes shown on the submitted plat conform to the RT zoning category.
3. The developer must include this statement on the final plat: "The property on this plat is subject to a Pre-Development Facilities Fee Agreement with the Albuquerque Public Schools recorded at [insert recording information here]."

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

FINDINGS:

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

CONDITIONS:

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

A subdivision design variance from minimum DPM standards concerning internal streets was approved as shown on Exhibit C in the Planning file.

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

If you wish to appeal this decision, you must do so by December 21, 2006, in the manner described below.



OFFICIAL NOTICE OF DECISION

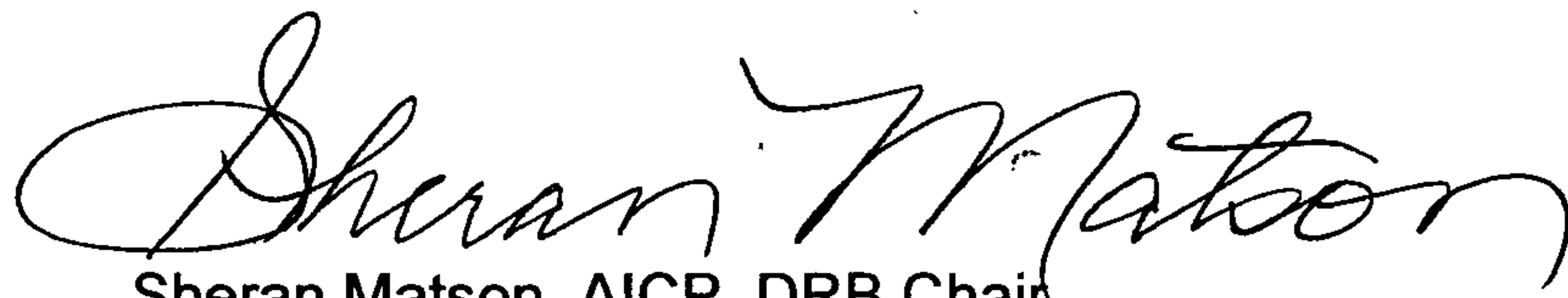
PAGE 3

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

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

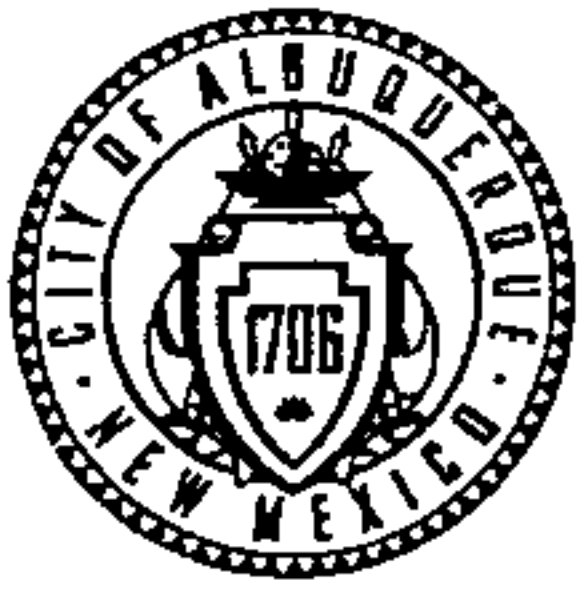
Please note that the vacation of all plats, rights-of-way, and easements are void after one year from the final appeal date referenced above if all conditions are not met (The effective date of Development Review Board approval is the hearing date plus the 15-day appeal period.) (REF: Chapter 14 Article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

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



Sheran Matson, AICP, DRB Chair

Cc: Bohannan Huston Inc., 7500 Jefferson NE, 87109
Mesa Verde Development Co., 8300 Carmel Ave NE, 87122
John Salazar, Rodey Law Firm, P.O. Box 1888, 87103
Kym Dicome, High Desert Investment Corp., 3791 Southern Blvd SE, Rio Rancho, NM 87124
Douglas Collister, 8524 Snakedance Ct NE, 87111
Ray Berg, 13501 Osage Orange NE, 87111
Debra & Jay Greenhood, 13409 Embudito View Ct NE, 87111
Sam & Jennie Baca, 5000 Cumbre del Sur NE, 87111



OFFICIAL NOTICE OF DECISION

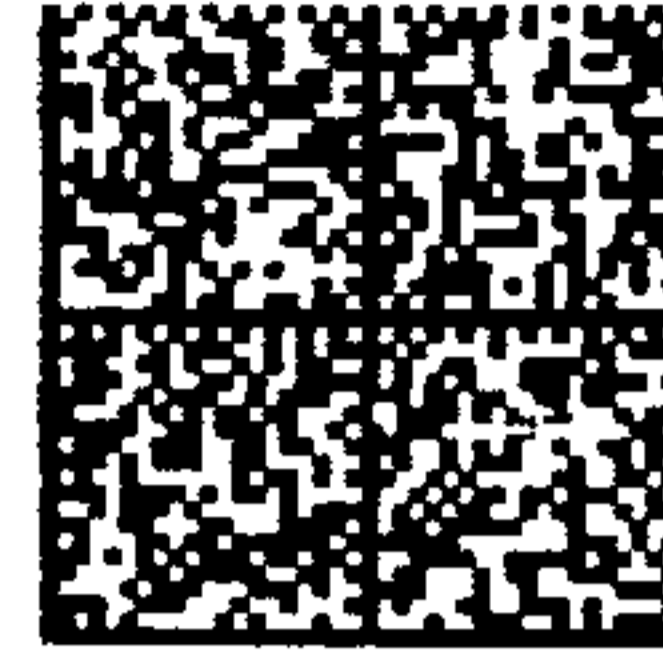
PAGE 4

Arinta Liem, 13419 Wilderness Pl NE, 87111
Robert Pelletier, 5123 High Desert NE, 87111
John Farrow, 2400 Meadowview NW, 87110
Keith Gainer, 5516 Carmelita NE, 87111
Conrad & Marcella Stahly, 5015 Cresta del Sur NE, 87111
Patricia Wittman, 4905 Cresta del Sur Ct NE, 87111
Rob Erickson, 2621-1/2 Granite Ave NE, 87104
Larry Garcia, P.O. Box 1576, Los Lunas, NM 87031
Pat Stovall, 6604 Rogers Ave NE, 87110
Angela Ness, 13213 Manitoba Dr NE, 87111
Charles Young, 13105 Enchantment Ln NW, 87111
Ken Wesselman, 4613 Huntington Dr NE, 87111
Anne Marie Morosin, 13109 Manitoba Dr NE, 87111
Ed Hernandez, 1219 Blue Quail NE, 87112
Alan Clipperton, 13501 Embudito View Ct NE, 87111
Jack Eichorn, 6316 Bobcat Hill Ln NE, 87111
Tarin Davies, 13209 Manitoba NE, 87111
Joe Witte, 1570 West Ella Dr NE, 87048
Armando Lara, 13415 Piedra Grande NE, 87111
Kathleen Conlin, 1021 Orchard NW, 87102
Jeni Turgeon, 720 Tramway Ln NE, #6, 87122
Janet Lentz, 5109 High Desert Place NE, 87111
Carl Fesler, 5005 Cumbre del Sur NE, 87111
Don Kellor, 5004 Cresto del Sur NE, 87111
Christine Ranier, 5016 Cresta del Sur Ct NE, 87111
Marilyn Maldonado, Planning Department, 4th Floor, Plaza del Sol Bldg.
File

CITY OF ALBUQUERQUE



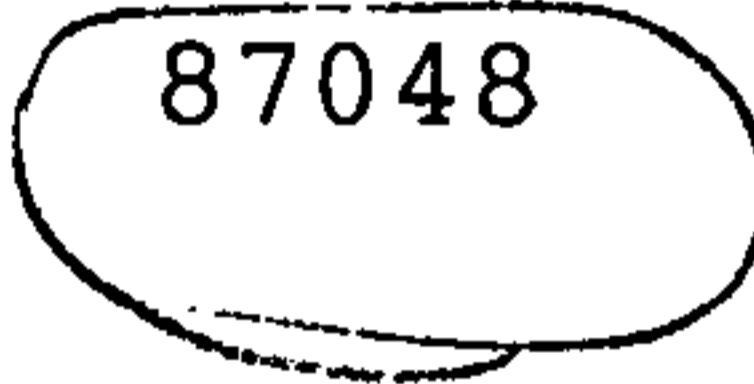
Planning Department



02 1M \$ 00.39
0004219022 DEC 07 2006
MAILED FROM ZIP CODE 87102

JOE WITTE
1570 WEST ELLA DR NE
ALBUQUERQUE, NM 87048

Handwritten initials: JW



Handwritten initials: DRB



**NO MAIL
RECEPTACLE**

87100/9999



P O Box 1293 Albuquerque, New Mexico 87103



*Schialos
Proposal*

November 1, 2006

Residents of Surrounding Neighborhoods of Wilderness Canon
Tract A, Plat of Unit 2 – Wilderness Subdivision

RE: Agreement requiring Mesa Verde Development Corporation to address certain impacts and concerns of surrounding residents, in exchange for any private resident and/or board refraining from any opposition to the development of the Wilderness Canon Subdivision.

Dear Residents:

Mesa Verde Development (MVD) Corporation is currently starting the development process to create and construct Tract A, Plat of Unit 2 within The Wilderness at High Desert. The development will be known as Wilderness Canon. As part of that process, MVD is seeking approvals from the City of Albuquerque.

This project was heard in a public meeting before the City of Albuquerque Development Review Board (DRB) at approximately 9:00 a.m., October 24, 2006. Approximately 19 residents representing various boards and neighborhoods spoke in opposition to aspects of the requested approvals, or requested deferral of the requests.

Several meetings have been held with various boards and private residents to discuss these matters. In an effort to further understand and address the concerns and questions of these individuals, MVD scheduled a meeting on October 31, 2006 at 1 p.m. at MVD office at 8300 Carmel, Ste. 401. This meeting included Sam Baca of Trailhead subdivision (500 Cumbre del Sur St.), Tarin Davies of Glenwood Hills (3209 Manitoba NE), Janet Lent of Wilderness Village (5109 High Desert Place NE), and Kathy Pelletier of Wilderness Village (5123 High Desert Place NE).

The following items were discussed and were offered by MVD in this meeting in order to address the impacts of the development and to allow for orderly processing and construction of the development.

1. MVD will limit all the two-story construction to a maximum parapet height of 24' throughout the Wilderness Canon subdivision;
2. MVD will limit the square footage size of second-story construction to no more than 75% of the total footprint area of the first floor on lots 12-15;
3. MVD will limit the square footage size of second-story construction to no more than 67% of the total footprint area of the first floor on lots 2-10;
4. MVD will limit the square footage of second story construction to no more than 50% of the total footprint area of the first floor on Lot 11;
5. MVD will restrict the residence built on Lot 1 to a single-level home;

6. MVD will limit the vertical massing of the upstairs portions, facing the trails (rear of homes) on Lots 2-10 and on Lots 12-15. The vertical massing will not exceed 2/3rds of the width of the home. The remaining 1/3 of the massing shall be set back a minimum of 6 ft.;
7. Perimeter walls along or adjacent to city open space trails shall not extend for more than 75 ft. without a visual break in the wall to minimize the visual impact of the wall;
8. MVD will create easements to preserve (3) large boulders along the trail which share their location on both the city open space and within the Wilderness Canon property. Homeowners on these lots will agree not to remove these natural monuments. Easements for boulder protection will be designated on the plat;
9. MVD has proposed to provide donations to help improving the existing trail to help with future drainage and erosion problems, reducing future maintenance of the trail. There are ongoing discussions with Ray Berg (President of HDROA) on this matter.

If the Wilderness Canon is opposed at City of Albuquerque DRB hearing on November 8, 2006, appealed by any individual, board or other entity, MVD's offer will be withdrawn and void.

Thank you for helping to resolve these issues and for taking the responsibility on behalf of the additional concerned individuals. We very much appreciate your concerns and look forward to working with you to implement this agreement.

Sincerely,

Scott Schiabor, President
Mesa Verde Development Corporation



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

DEVELOPMENT REVIEW BOARD – SPEED MEMO

DRB CASE NO/PROJECT NO: 1004989

AGENDA ITEM NO: 1

SUBJECT:

Preliminary Plat
Sidewalk Deferral
Sidewalk Waiver
Subdivision Design (DPM) Variance
Vacation of Public Easements

ACTION REQUESTED:

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

ENGINEERING COMMENTS:

No objection to Sidewalk Waiver or Sidewalk Deferral request.
No objection to Design Variance request.
No objection to Vacation request.
An approved grading and drainage plan dated 11-7-06 is on file for Preliminary Plat approval.

P.O. Box 1293

Albuquerque

New Mexico 87103

www.cabq.gov

RESOLUTION:

signed I.L.
APPROVED **X**; DENIED ___; DEFERRED ___; COMMENTS PROVIDED ___; WITHDRAWN ___

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

SIGNED: Bradley L. Bingham
City Engineer / AMAFCA Designee

DATE: DECEMBER 6, 2006

DRB PUBLIC HEARING SIGN IN SHEETS

CASE NUMBER: 1004989 AGENDA#: 1 DATE: 12/6/06

✓ 1. Name: ^{CARL} FESLER Address: 5005 Cumbre del Sur^{NE} Zip: 87111

✓ 2. Name: JOHN SAZAZAR Address: P.O. Box 1888 Zip: 87103

✓ 3. Name: CHARLES YOUNG Address: 13105 ENCHANTMENT^{LINE} Zip: 87111

✓ 4. Name: KEVIN PATTON Address: 7500 LeParsor St^{Courtyard I} Zip: 87109

Notice 5. Name: Janet Lentz Address: 5109 High Desert PINE^{ABQ, NM} Zip: 87111

Notice 6. Name: ARINTA LIEM Address: 13419 WILDERNESS PL^{NE} Zip: 87111

✓ 7. Name: RAY BERG Address: 13501 OSAGE ORANGE RD^{NE} Zip: 87111

Notice 8. Name: Christine Rancier Address: 5016 Crestadel^{SURCT NE} Zip: 87111

Notice 9. Name: Kym Dillon Address: 3791 Southm^{SE} Zip: 87124

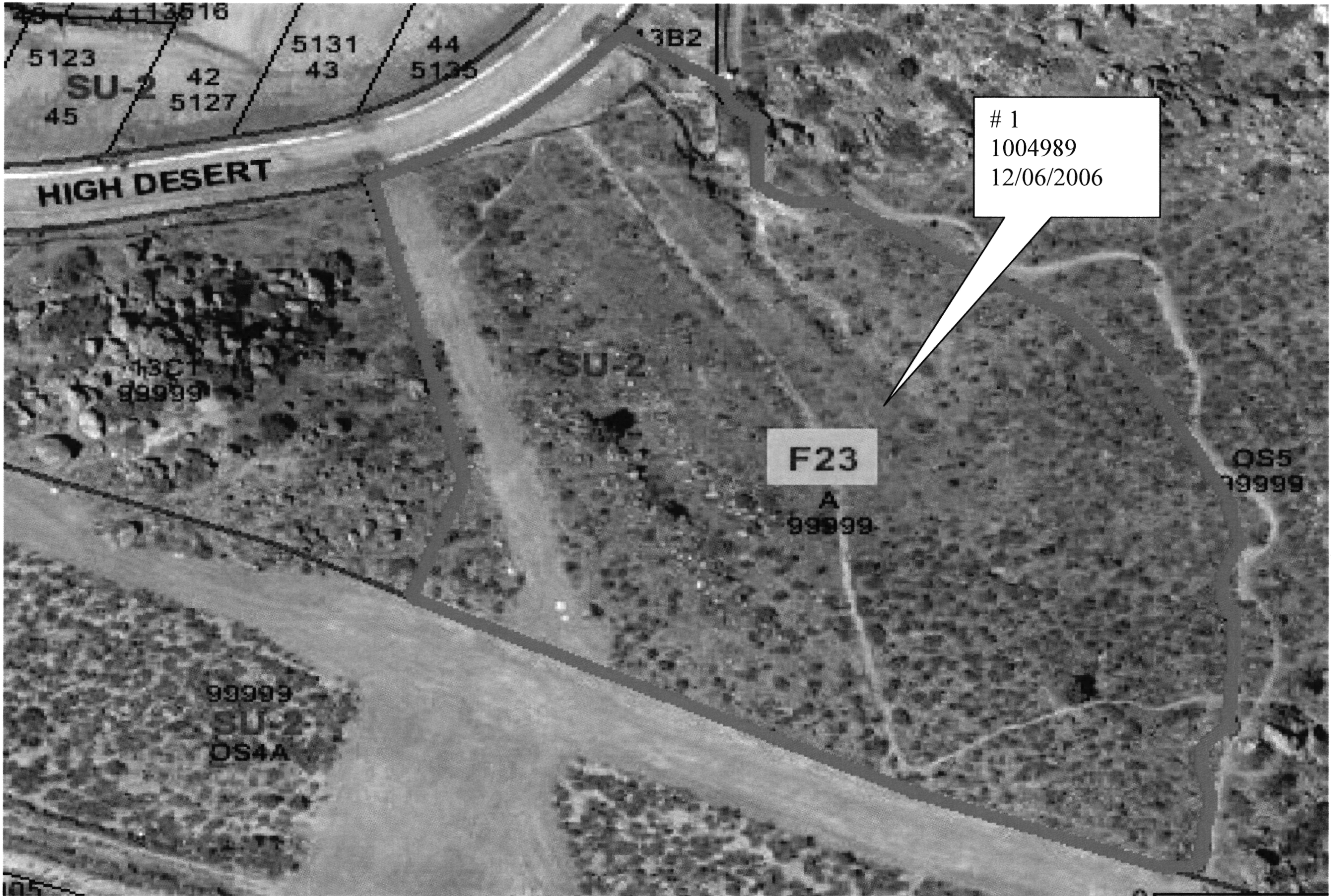
✓ 10. Name: Sam Baca Address: 5000 Cumbre del S. Zip: 87111

✓ 11. Name: ^{DEBRA} Wanda Greenhood Address: 13409 Embudo^{to} Zip: 87111

12. Name: _____ Address: _____ Zip: _____

13. Name: _____ Address: _____ Zip: _____

14. Name: _____ Address: _____ Zip: _____



*Refer
to 11.29.06*

DRB PUBLIC HEARING SIGN IN SHEETS

CASE NUMBER: 1004989 AGENDA#: 6 DATE: 11.22.06

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



**DEVELOPMENT REVIEW BOARD
ACTION SHEET**

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

November 29, 2006

9:00 a.m.

MEMBERS:

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

Wilfred Gallegos, Transportation Development
Brad Bingham, Alternate City Engineer

Roger Green, Utility Development
Christina Sandoval, Parks & Recreation

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

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

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

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

CASES WHICH REQUIRE PUBLIC NOTIFICATION

MAJOR SUBDIVISIONS, VACATIONS, SIA EXTENSIONS AND SITE DEVELOPMENT PLANS

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

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

2. **Project # 1004999**
06DRB-01578 Major-Vacation of Pub
Right-of-Way

GLEN EFFERTZ request(s) the above action(s) for all or a portion of Tract(s) 316, **OLD TOWN ELEMENTARY SCHOOL**, zoned RA-1 residential zone, located on MOUNTAIN RD NW, between RIO GRANDE NW and GALBALDON NW containing approximately 1 acre(s). [REF: 06DRB-00965] (J-12) **VACATION WAS APPROVED AS SHOWN ON EXHIBIT B IN THE PLANNING FILE.**

3. **Project # 1003369**
06DRB-01601 Major-Vacation of Pub
Right-of-Way
06DRB-01602 Major-Vacation of Public
Easements

ADIL RIZVI request(s) the above action(s) for all or a portion of Lot(s) 6 & 7, Block(s) 16, Tract(s) 3, Unit 3, NORTH ALBUQUERQUE ACRES (to be known as **VINTNER COURT SUBDIVISION**) zoned R-D (5 DU/acre) located on WILSHIRE NE, between VENTURA NE and CORONA NE containing approximately 2 acre(s). [REF: 04DRB-00510, 04DRB-00511, 04DRB-00513, 04DRB-00519, 04DRB-00514] (C-20) **VACATIONS WERE APPROVED AS SHOWN ON EXHIBIT B IN THE PLANNING FILE.**

4. **Project # 1002372**
06DRB-01597 Major-Amnd Prelim Plat
Approval
06DRB-01598 Minor-Sidewalk Waiver
06DRB-01599 Minor-Temp Defer SDWK

THOMPSON ENGINEERING CONSULTANTS INC agent(s) for DRAGONFLY DEVELOPMENT INC request(s) the above action(s) for all or a portion of Tract(s) 223 & 224, AIRPORT UNIT, TOWN OF ATRISCO GRANT (to be known as **LAS PLAYAS SUBDIVISION**) zoned R-2, located on GLENRIO RD NW, between 68TH ST NW and 72ND ST NW containing approximately 9 acre(s). [REF: 06DRB-01084] (J-10) **WITH THE SIGNING OF THE AMENDED INFRASTRUCTURE LIST DATED 11/29/06 AND APPROVAL OF THE AMENDED GRADING PLAN ENGINEER STAMP DATED 11/2/06 THE AMENDED PRELIMINARY PLAT WAS APPROVED. THIS AMENDMENT DOES NOT EXTEND THE EXPIRATION DATE OF THE ALREADY APPROVED PRELIMINARY PLAT. A SIDEWALK VRIANCE FOR WAIVER OF SIDEWALKS WAS APPROVED AS SHOWN ON EXHIBIT C IN THE PLANNING FILE. THE TEMPORARY DEFERRAL OF CONSTRUCTION OF SIDEWALKS ON THE INTERIOR STREETS WAS APPROVED AS SHOWN**

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

22. **ADJOURNED: 11:08 A.M.**

Alper
12/6/06

DRB PUBLIC HEARING SIGN IN SHEETS

CASE NUMBER: 1004989 AGENDA#: 1 DATE: 11-29-06

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



OFFICIAL NOTICE OF DECISION

CITY OF ALBUQUERQUE
PLANNING DEPARTMENT
DEVELOPMENT REVIEW BOARD

December 6, 2006

1. Project # 1004989

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

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

At the December 6, 2006, Development Review Board meeting, with the signing of the infrastructure list dated 12/6/06 and approval of the grading plan engineer stamp dated 11/7/06 the preliminary plat was approved with the following findings:

1. The November 6, 2006 High Desert Residential Owners' Association Letter satisfies the intent of Section 4.A.7 of the High Desert Sector Plan based upon past High Desert Residential Owners' Association letters submitted for previous preliminary plats in High Desert.
2. Planning agrees that the preliminary plat submitted for Wilderness Canon at High Desert complies with the zoning, density and lot size requirements of the High Desert Sector Plan.
 - a. Specifically, residential uses in the SU2-HD RR zoning must conform, according to the Sector Plan, to the SU2-HD RG zone. The sector plan states the total number of dwelling units cannot exceed 300. Wilderness Canon's preliminary plat contains 25 lots or 25 dwelling units. High Desert Investment Corporation has stated for the record that the SU2-HD RR zone currently contains 110 units. So even with the addition of these 25 lots, the total is well below the 300 unit limit.



OFFICIAL NOTICE OF DECISION

PAGE 2

- b. One dwelling unit per lot as proposed also conforms to City's RT zoning category to which the SU2-HD RG zoning refers for use and lot size.
 - c. The lot sizes shown on the submitted plat conform to the RT zoning category.
3. The developer must include this statement on the final plat: "The property on this plat is subject to a Pre-Development Facilities Fee Agreement with the Albuquerque Public Schools recorded at [insert recording information here]."

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

FINDINGS:

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

CONDITIONS:

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

A subdivision design variance from minimum DPM standards concerning internal streets was approved as shown on Exhibit C in the Planning file.

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

If you wish to appeal this decision, you must do so by December 21, 2006, in the manner described below.



OFFICIAL NOTICE OF DECISION

PAGE 3

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

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

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

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



Sheran Matson, AICP, DRB Chair

Cc: Bohannon Huston Inc., 7500 Jefferson NE, 87109
Mesa Verde Development Co., 8300 Carmel Ave NE, 87122
John Salazar, Rodey Law Firm, P.O. Box 1888, 87103
Kym Dicome, High Desert Investment Corp., 3791 Southern Blvd SE, Rio Rancho, NM 87124
Douglas Collister, 8524 Snakedance Ct NE, 87111
Ray Berg, 13501 Osage Orange NE, 87111
Debra & Jay Greenhood, 13409 Embudito View Ct NE, 87111
Sam & Jennie Baca, 5000 Cumbre del Sur NE, 87111

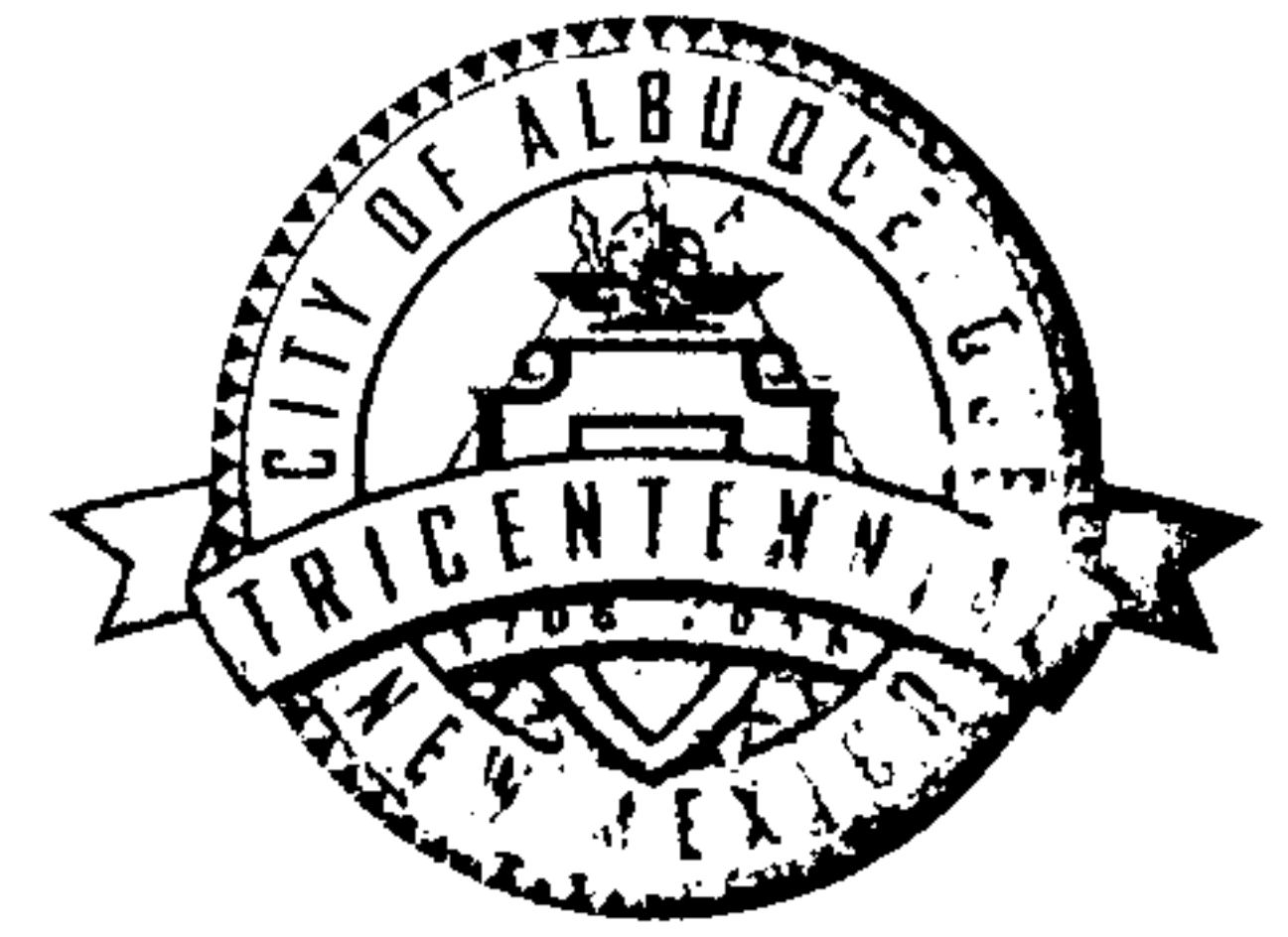


OFFICIAL NOTICE OF DECISION

PAGE 4

Arinta Liem, 13419 Wilderness Pl NE, 87111
Robert Pelletier, 5123 High Desert NE, 87111
John Farrow, 2400 Meadowview NW, 87110
Keith Gainer, 5516 Carmelita NE, 87111
Conrad & Marcella Stahly, 5015 Cresta del Sur NE, 87111
Patricia Wittman, 4905 Cresta del Sur Ct NE, 87111
Rob Erickson, 2621-1/2 Granite Ave NE, 87104
Larry Garcia, P.O. Box 1576, Los Lunas, NM 87031
Pat Stovall, 6604 Rogers Ave NE, 87110
Angela Ness, 13213 Manitoba Dr NE, 87111
Charles Young, 13105 Enchantment Ln NW, 87111
Ken Wesselman, 4613 Huntington Dr NE, 87111
Anne Marie Morosin, 13109 Manitoba Dr NE, 87111
Ed Hernandez, 1219 Blue Quail NE, 87112
Alan Clipperton, 13501 Embudito View Ct NE, 87111
Jack Eichorn, 6316 Bobcat Hill Ln NE, 87111
Tarin Davies, 13209 Manitoba NE, 87111
Joe Witte, 1570 West Ella Dr NE, 87048
Armando Lara, 13415 Piedra Grande NE, 87111
Kathleen Conlin, 1021 Orchard NW, 87102
Jeni Turgeon, 720 Tramway Ln NE, #6, 87122
Janet Lentz, 5109 High Desert Place NE, 87111
Carl Fesler, 5005 Cumbre del Sur NE, 87111
Don Kellor, 5004 Cresto del Sur NE, 87111
Christine Ranier, 5016 Cresta del Sur Ct NE, 87111
Marilyn Maldonado, Planning Department, 4th Floor, Plaza del Sol Bldg.
File

CITY OF ALBUQUERQUE



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

DEVELOPMENT REVIEW BOARD – SPEED MEMO

DRB CASE NO/PROJECT NO: 1004989

AGENDA ITEM NO: 1

SUBJECT:

Preliminary Plat
Sidewalk Deferral
Sidewalk Waiver
Subdivision Design (DPM) Variance
Vacation of Public Easements

ACTION REQUESTED:

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

ENGINEERING COMMENTS:

P.O. Box 1293

No objection to Sidewalk Waiver or Sidewalk Deferral request.
No objection to Design Variance request.
An approved grading and drainage plan dated 11-7-06 is on file for Preliminary Plat approval.

Albuquerque

New Mexico 87103

www.cabq.gov

RESOLUTION:

APPROVED ___; DENIED ___; DEFERRED ¹²⁻⁶⁻⁰⁶ X; COMMENTS PROVIDED ___; WITHDRAWN ___

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

SIGNED: Bradley L. Bingham
City Engineer / AMAFCA Designee

DATE: NOVEMBER 29, 2006

Courtyard I
7500 Jefferson St. NE
Albuquerque, NM
87109-4335

www.bhinc.com

voice: 505.823.1000
facsimile: 505.798.7988
toll free: 800.877.5332

November 28, 2006

Sheran Matson, Chair
Development Review Board
City of Albuquerque
P.O. Box 1293
Albuquerque, New Mexico 87103

Re: Wilderness Canyon at High Desert (Tract A of the Wilderness Unit 2), DRB Project # 1004989
Request for deferral to the December 6, 2006 DRB Meeting

Dear Ms. Matson:

It is our understanding that the Development Review Board (the "DRB") is requesting a deferral of the project mentioned above deferring the requested actions from the Wednesday, November 29, 2006 DRB meeting to the December 6, 2006 DRB meeting. It is our understanding the purpose of this deferral is to allow the High Desert Residential Owners Association (the "HDROA") an additional week to certify to the City that the proposed plat meets the requirements of the Sector Development Plan.

It is our belief that this certification has previously been provided to the DRB by the letter that was previously submitted into the record, addressed to Sheran Matson, dated November 6, 2006, from Raymond S. Berg, President of the Board, HDROA. This letter states the following:

Section 4.A.7 of the High Desert Sector Development Plan requires that the High Desert Residential Owner Association (HDROA) certify to the City at time of submittal for approval to the Development Review Board that any proposed plat meets requirements of the Sector Development Plan. It further requires that at time of submittal for building permit for new construction that any construction plans meet the requirements of the Sector Plan. The Association is also required certify that the number of units constructed in the zone does not exceed the maximum allowed by the Sector Plan.

HDROA has performed a review of the proposed plat through Mr. William Fanning, Fanning Bard Tatum Architects AIA Ltd. Based on that review we believe that proposed plat is consistent with the underlying zoning requirements of the Sector Development Plan. We also agree that the number of units in the proposed plat does not exceed the maximum number of units allowed.....
(Emphasis added.)

We defer to the DRB's judgment whether to defer this matter to the December 6, 2006 DRB meeting. We do ask that should the DRB defer this matter to the December 6, 2006 DRB meeting to allow additional information to be supplied to the DRB by the HDROA, that the DRB allow the applicant the opportunity to further defer this matter, if we find it necessary to review and respond to any new information that may be entered into the record at the December 6, 2006 DRB meeting.

Please call me if I can answer any questions regarding the above items.

Sincerely,


Kevin G. Patton, P.E.
Senior Vice President and Managing Principle

Kp



**DEVELOPMENT REVIEW BOARD
ACTION SHEET**

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

November 22, 2006

9:00 a.m.

MEMBERS:

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

Wilfred Gallegos, Transportation Development
Brad Bingham, Alternate City Engineer

Roger Green, Utility Development
Christina Sandoval, Parks & Recreation

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

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

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

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

Adjourned: 11:22 A.M.

B. Changes and/or Additions to the Agenda

C. New or Old Business

CASES WHICH REQUIRE PUBLIC NOTIFICATION

MAJOR SUBDIVISIONS, VACATIONS, SIA EXTENSIONS AND SITE DEVELOPMENT PLANS

1. Project # 1001946

06DRB-01557 Major-Two Year SIA

BOHANNAN HUSTON INC agent(s) for LOWE'S HOME CENTERS INC request(s) the above action(s) for all or a portion of Tract(s) A-1 & A-2, **LOS ANGELES CENTER**, zoned M-1 light manufacturing zone, located on SAN PEDRO NE between PASEO DEL NORTE NE and PINO NE containing approximately 33 acre(s). [REF:04DRB-01965] (D-18) **A TWO-YEAR SIA WAS APPROVED.**

2. **Project # 1001218**
06DRB-01558 Major-Two Year SIA

DALE & GAIL ARMSTRONG request(s) the above action(s) for all or a portion of Tract(s) 1-A, **LANDS OF LAFARGE**, zoned M-1 light manufacturing zone, located on EDITH BLVD NE, between CARMONY RD NE and MONTANO NE containing approximately 15 acre(s). (G-15) **A ONE-YEAR SIA WAS APPROVED.**

3. **Project # 1002855**
06DRB-01559 Major-Two Year SIA

VAN H GILBERT ARCHITECT PC agent(s) for EDWARD GARCIA, GARCIA AUTOMOTIVE GROUP request(s) the above action(s) for all or a portion of Lot(s) 5A, Block(s) 24, **EAST END ADDITION**, zoned SU-1 for automobile storage special use zone, located on VERMONT ST NE between LOMAS BLVD NE and MARBLE AVE NE. [REF: 05DRB-00790] (J-19) **A ONE-YEAR SIA WAS APPROVED.**

4. **Project # 1004091**
06DRB-01560 Major-Vacation of Public Easements

RIO GRANDE ENGINEERING agent(s) for IRVING PARTNERS LLC request(s) the above action(s) for UNPLATTED LANDS OF AMALGAMATED PARTNERS (to be known as **DESERT GARDEN ESTATES**) zoned R-LT residential zone, located on IRVING BLVD NW, between RAINBOW RD NW and PASEO DEL OESTE NW containing approximately 12 acre(s). [REF: 06DRB-00942, 06DRB-00943] (A-9) **THE VACATION WAS APPROVED AS SHOWN ON EXHIBIT B IN THE PLANNING FILE.**

5. **Project # 1002017**
06DRB-01540 Major-Vacation of Pub Right-of-Way

MYERS, OLIVER & PRICE PC agent(s) for DAVID & PAM MONTOYA request(s) the above action(s) for all or a portion of EDITH BLVD NE between ALAMEDA NE and FRESQUEZ NE. [Deferred from 11/15/06] (B-17) **THE VACATION WAS APPROVED AS SHOWN ON EXHIBIT B IN THE PLANNING FILE.**

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

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

7. **Project # 1005191**
06DRB-01454 Major-Preliminary Plat Approval
06DRB-01455 Major-Vacation of Pub Easements
06DRB-01456 Minor-Sidewalk Variance
06DRB-01457 Minor-Temp Defer SDWK

ADIL RIZVI request(s) the above action(s) for all or a portion of Lot(s) 13-20, Tract(s) A, Block(s) 29, NORTH ALBUQUERQUE ACRES, UNIT B (to be known as **SEVANO PLACE SUBDIVISION**) zoned R-D, located on LOUISIANA NE, between ALAMEDA NE and SIGNAL NE containing approximately 7 acre(s). [*Deferred from 11/1/06 & 11/8/06 & 11/15/06*] (C-18) **WITH THE SIGNING OF THE INFRASTRUCTURE LIST DATED 11/22/06 AND APPROVAL OF THE GRADING PLAN ENGINEER STAMP DATED 11/21/06 THE PRELIMINARY PLAT WAS APPROVED WITH CONDITIONS OF FINAL PLAT: ENVIRONMENTAL HEALTH SIGNATURE ON THE PLAT. RADIUS DEDICATIONS ARE REQUIRED PER THE DPM. ZONING SHALL BE SHOWN AS R-D ON THE PLAT. HOME OWNER'S ASSOCIATION PRESIDENT MUST SIGN THE FINAL PLAT. A 5-FOOT PUBLIC ROADWAY EASEMENT MUST BE SHOWN ON THE PLAT AS VACATED. THE VACATION WAS APPROVED AS SHOWN ON EXHIBIT B IN THE PLANNING FILE. THE SIDEWALK VARIANCE 06DRB-01456 WAS WITHDRAWN AT THE AGENT'S REQUEST. THE TEMPORARY DEFERRAL OF CONSTRUCTION OF SIDEWALKS ON THE INTERIOR STREETS WAS APPROVED AS SHOWN ON EXHIBIT C IN THE PLANNING FILE.**

8. **Project # 1000296**
06DRB-01536 Major-Vacation of Public
Easements

BOHANNAN HUSTON INC agent(s) for SCOTT PATRICK HOMES request(s) the above action(s) for all or a portion of Lot(s) 16A-P1 & 17A-P1, **OXBOW VILLAGE**, zoned SU-3, located on OXBOW VILLAGE LANE NW, between OXBOW DR NW and ST. JOSEPHS DR NW containing approximately 1 acre(s). [REF: 05DRB-00789] *[Deferred from 11/15/06]* (G-11) **THE VACATIONS WERE APPROVED AS SHOWN ON EXHIBIT B IN THE PLANNING FILE WITH CONDITIONS OF FINAL PLAT.**

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

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

9. **Project # 1004927**
06DRB-01632 Minor-SiteDev Plan
BldPermit/EPC

MULLEN HELLER ARCHITECTURE agent(s) for HARVARD MALL PARTNERS request(s) the above action(s) for all or a portion of Lot(s) 6-10 & 16-21, Block(s) 1 **UNIVERSITY HEIGHTS ADDITION**, zoned SU-1,UC, located on HARVARD DR SE, between CENTRAL AVE SE and SILVER AVE SE containing approximately 2 acre(s). [REF: 06EPC-00777] **[Stephanie Shumsky, EPC Case Planner]** *[Indef deferred from 11/22/06]* (K-15) **INDEFINITELY DEFERRED AT AGENT'S REQUEST.**

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

10. **Project # 1002633**
06DRB-01630 Minor-Prelim&Final Plat
Approval

ADVANCED ENGINEERING AND CONSULTING, LLC agent(s) for JAYEFF CONSTRUCTION request(s) the above action(s) for Lot(s) 1A, **VENTURA PLACE**, zoned SU-1 for mixed uses, located on HOLLY AVE NE, between VENTURA ST NE and BARSTOW ST NE containing approximately 10 acre(s). (C-20) **THE PRELIMINARY AND FINAL PLAT WAS APPROVED WITH FINAL SIGN OFF DELEGATED TO PLANNING FOR AGIS DXF FILE AND TO RECORD.**

11. **Project # 1005254**
06DRB-01627 Minor-Prelim&Final Plat
Approval

SURVEYS SOUTHWEST LTD agent(s) for GILBERT SANCHEZ request(s) the above action(s) for all or a portion of Lot(s) 85, **LOS ALAMOS ADDITION**, zoned SU-1 FOR APT & OFFICE, located on 4TH ST NW, between PLACITAS RD NW and SANDIA RD NW containing approximately 1 acre(s). [*Indef deferred from 11/22/06*] (F-14) **INDEFINITELY DEFERRED AT THE AGENT'S REQUEST.**

12. **Project # 1005090**
06DRB-01606 Minor-Prelim&Final Plat
Approval
06DRB-01607 Minor-Sidewalk Waiver

JAMES TORRES agent(s) for MAURO TORRES & EVANGELINA TORRES request(s) the above action(s) for all or a portion of Lot(s) 130B-1, 130B-2, 130C-1, 130C-2, M.R.G.C.D. Map #31, Tract(s) 130 (to be known as **LANDS OF MAURO TORRES**) zoned RA-2, located on TEODORO RD NW, between RIO GRANDE BLVD NW and DURANES LATERAL containing approximately 1 acre(s). [REF: 06DRB-01212] [*Deferred from 11/15/06*] (F-13) **WITHDRAWN AT THE AGENT'S REQUEST.**

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

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

14. **Project # 1004688**
06DRB-01572 Minor-Final Plat Approval

CLARK CONSULTING ENGINEERS agent(s) for JOHN ABBOTT & BILL H. BURNS request(s) the above action(s) for all or a portion of Tract(s) 2, 2a & 2b, **ALVARADO GARDENS ADDITION, UNIT 1**, zoned RA-2, located on RIO GRANDE BLVD NW between MATTHEW AVE NW and CAMPBELL RD NW, containing approximately 3 acre(s). [*Indef deferred 11/8/06*] (G-12/G-13) **THE FINAL PLAT WAS APPROVED WITH FINAL SIGN OFF DELEGATED TO PLANNING TO RECORD.**

NO ACTION IS TAKEN ON THESE CASES:

APPLICANT - AGENT IS REQUIRED TO BE AT THE MEETING

15. **Project # 1004727**
06DRB-01631 Minor-Sketch Plat or Plan

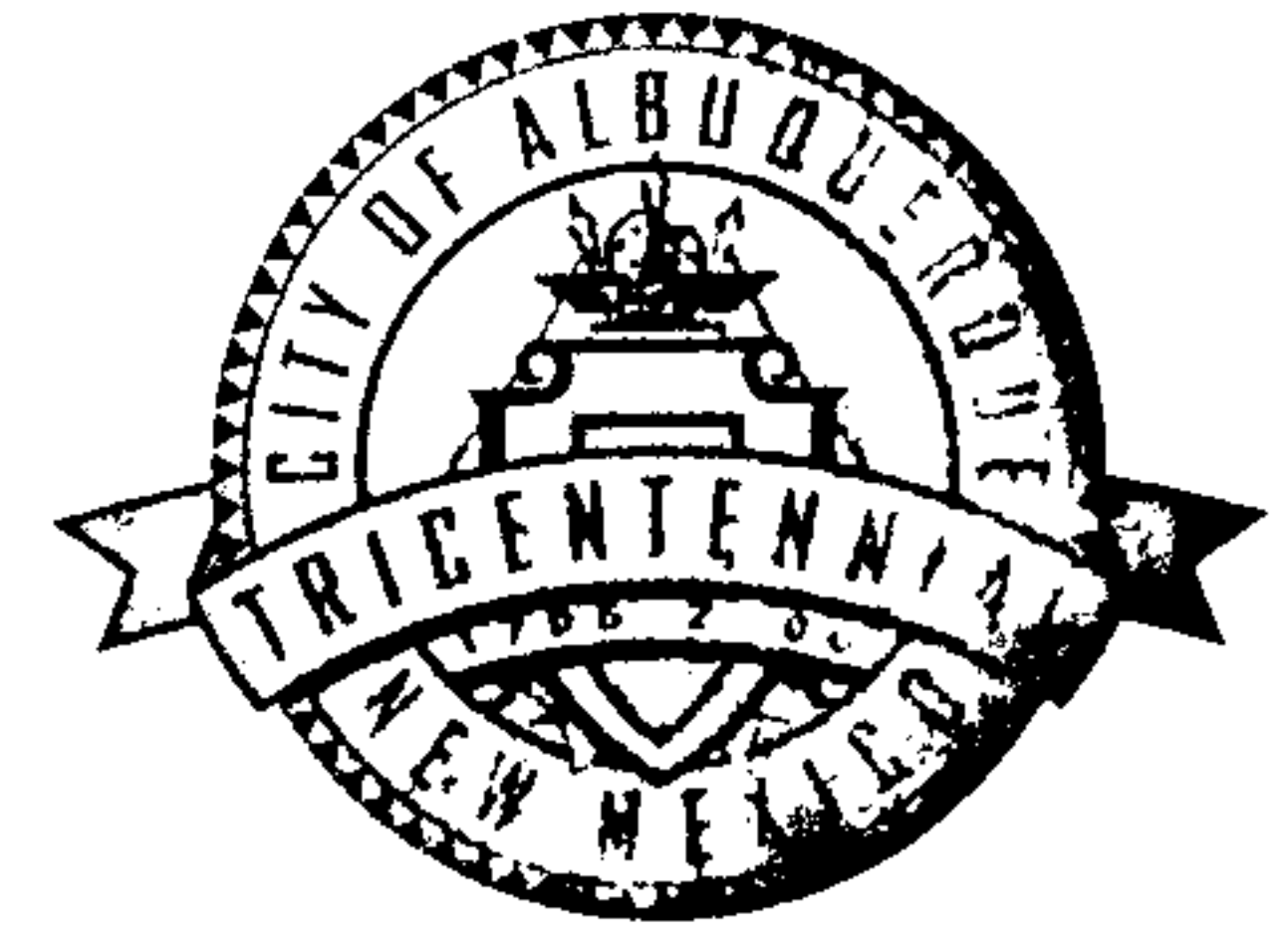
GARCIA/KRAEMER & ASSOCIATES agent(s) for ELADIO CHAVEZ request(s) the above action(s) for all or a portion of Lot(s) 2, **LANDS OF BACA & CHAVEZ**, zoned RA-2 residential and agricultural zone, located on GRIEGOS RD NW, between RIO GRANDE BLVD NW and DIETZ NW containing approximately 1 acre(s). (F-13) **THE ABOVE REQUEST WAS REVIEWED AND COMMENTS WERE GIVEN.**

16. **Project # 1005253**
06DRB-01625 Minor-Sketch Plat or Plan

LILIA GONZALEZ agent(s) for REYES FLORES request(s) the above action(s) for all or a portion of Lot(s) 2B, **LANDS OF ANDRIANO CANDELARIA**, zoned RD/R-1, located on CALLE SALINAS SW, between 90TH ST SW and 94TH ST SW containing approximately 1 acre(s). [REF: CZ-80-69] (L-9) **THE ABOVE REQUEST WAS REVIEWED AND COMMENTS WERE GIVEN.**

17. Approval of the Development Review Board Minutes for November 8 and November 15, 2006. **THE DRB MINUTES FOR 11/8 AND 11/15/06 WERE APPROVED BY THE BOARD.**

ADJOURNED: 11:22 A.M.



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

DEVELOPMENT REVIEW BOARD – SPEED MEMO

DRB CASE NO/PROJECT NO: 1004989

AGENDA ITEM NO: 6

SUBJECT:

Preliminary Plat
Sidewalk Deferral
Sidewalk Waiver
Subdivision Design (DPM) Variance
Vacation of Public Easements

ACTION REQUESTED:

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

P.O. Box 1293

ENGINEERING COMMENTS:

No objection to Sidewalk Waiver or Sidewalk Deferral request.
No objection to Design Variance request.
An approved grading and drainage plan dated 11-7-06 is on file for Preliminary Plat approval.

Albuquerque

New Mexico 87103

www.cabq.gov

RESOLUTION:

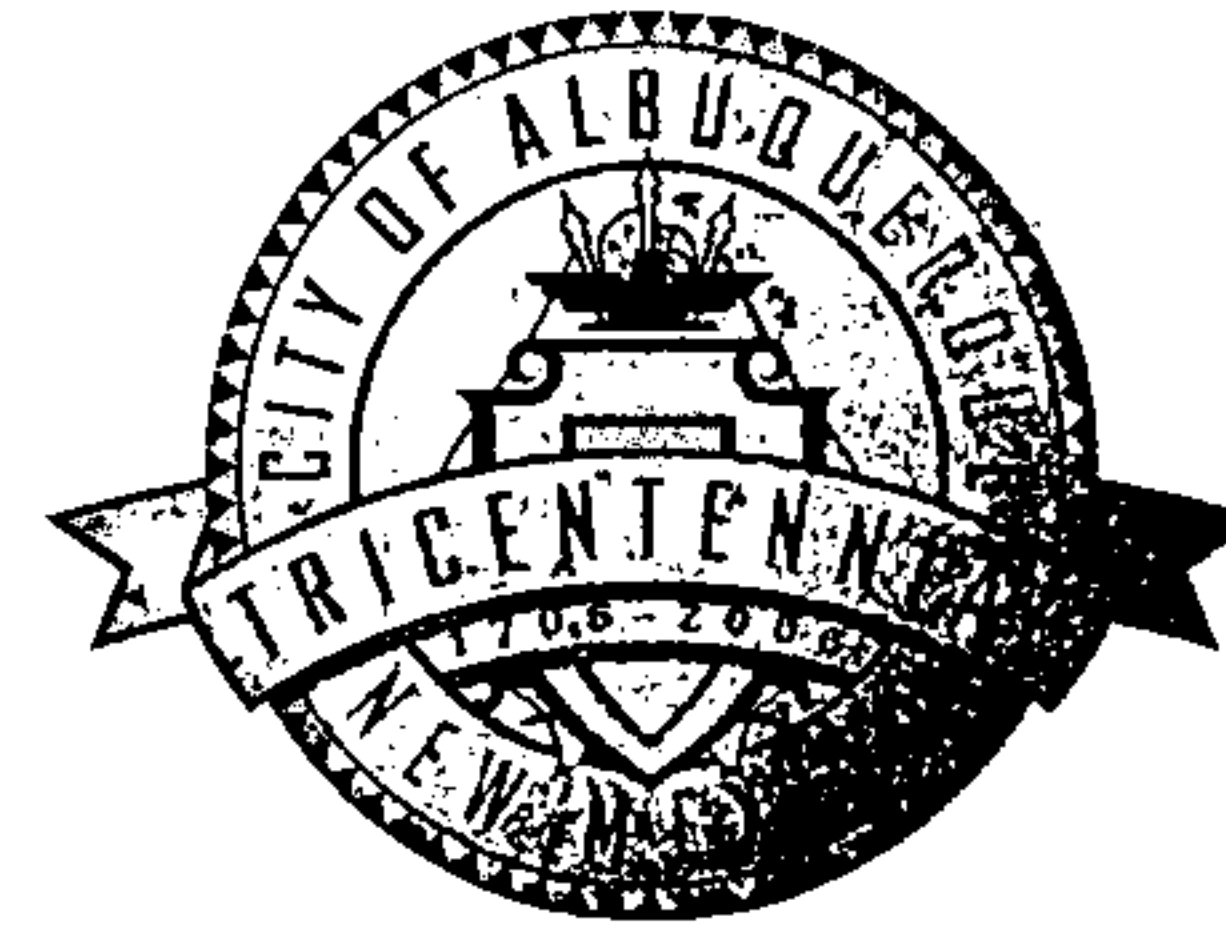
11-29-06

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

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

SIGNED: Bradley L. Bingham
City Engineer / AMAFCA Designee

DATE: NOVEMBER 22, 2006



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

DEVELOPMENT REVIEW BOARD – SPEED MEMO

DRB CASE NO/PROJECT NO: 1004989

AGENDA ITEM NO: 3

SUBJECT:

Preliminary Plat
Sidewalk Deferral
Sidewalk Waiver
Subdivision Design (DPM) Variance
Vacation of Public Easements

ACTION REQUESTED:

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

ENGINEERING COMMENTS:

No objection to Sidewalk Waiver or Sidewalk Deferral request.
No objection to Design Variance request.
An approved grading and drainage plan must be on file prior to Preliminary Plat approval.

P.O. Box 1293

Albuquerque

New Mexico 87103

www.cabq.gov

RESOLUTION:

11-8-06

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

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

SIGNED: Bradley L. Bingham
City Engineer / AMAFCA Designee

DATE: OCTOBER 25, 2006



**DEVELOPMENT REVIEW BOARD
ACTION SHEET**

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

November 15, 2006

9:00 a.m.

MEMBERS:

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

Wilfred Gallegos, Transportation Development
Brad Bingham, Alternate City Engineer

Roger Green, Utility Development
Christina Sandoval, Parks & Recreation

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

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

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

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

Adjourned: 12:25 P.M.

B. Changes and/or Additions to the Agenda

C. New or Old Business

CASES WHICH REQUIRE PUBLIC NOTIFICATION

MAJOR SUBDIVISIONS, VACATIONS, SIA EXTENSIONS AND SITE DEVELOPMENT PLANS

1. **Project # 1000296**
06DRB-01536 Major-Vacation of Public Easements

BOHANNAN HUSTON INC agent(s) for SCOTT PATRICK HOMES request(s) the above action(s) for all or a portion of Lot(s) 16A-P1 & 17A-P1, **OXBOW VILLAGE**, zoned SU-3, located on OXBOW VILLAGE LANE NW, between OXBOW DR NW and ST. JOSEPHS DR NW containing approximately 1 acre(s). [REF: 05DRB-00789] [Deferred from 11/15/06] (G-11) **DEFERRED AT THE AGENT'S REQUEST TO 11/22/06.**

2. **Project # 1000572**
06DRB-01535 Major-Vacation of Public Easements
06DRB-01538 Minor-Vacation of Private Easements

ISAACSON & ARFMAN PA agent(s) for CENTEX HOMES request(s) the above action(s) for Lot(s) 1B, 2, 3, 5A, 6, 7 & 8, **THE LENKURT PROPERTIES**, zoned SU-1 PRD, located on CHICO RD NE, between EUBANK BLVD NE and MORRIS ST NE containing approximately 23 acre(s). [REF: 06DRB-01190, 06DRB-01038, 06DRB-01040, 06DRB-01041] (K-21) **VACATION WERE APPROVED AS SHOWN ON EXHIBIT B IN THE PLANNING FILE.**

3. **Project # 1005137**
06DRB-01533 Major-Vacation of Pub Right-of-Way
06DRB-01534 Major-Vacation of Public Easements

FRANK VENAGLIA request(s) the above action(s) for Lot(s) 22, Block(s) 21 CITY RIGHT-OF WAY & LANDSCAPED MEDIAN, **NEW MEXICO TOWN COMPANY ORIGINAL TOWNSITE**, zoned SU-3 special center zone, located on GOLD AVE SW, between 7TH ST SW and 8TH ST SW containing approximately 1 acre(s). [REF: 06DRB-01326] (K-14) **VACATIONS WERE APPROVED AS SHOWN ON EXHIBIT B IN THE PLANNING FILE.**

4. **Project # 1001999**
06DRB-01528 Major-Vacation of Pub Right-of-Way

ADVANCED ENGINEERING AND CONSULTING agent(s) for MIQUEL MELENDEZ request(s) the above action(s) for all or a portion of Lot(s) 13A1 through 13A3, Block(s) 14, **RAYNOLDS ADDITION**, zoned SU-2 FOR MFR, located on 11TH ST SW, between SILVER AVE SW and GOLD AVE SW containing approximately 1 acre(s). [REF: 06DRB-01871] (K-13) **WITH THE CHANGE TO THE VACATION EXHIBIT THE VACATION WAS APPROVED AS SHOWN ON EXHIBIT B IN THE PLANNING FILE.**

5. **Project # 1002017**
06DRB-01540 Major-Vacation of Pub
Right-of-Way

MYERS, OLIVER & PRICE PC agent(s) for DAVID & PAM MONTROYA request(s) the above action(s) for all or a portion of EDITH BLVD NE between ALAMEDA NE and FRESQUEZ NE. *[Deferred from 11/15/06]* (B-17) **DEFERRED AT THE AGENT'S REQUEST TO 11/22/06.**

6. **Project # 1004075**
06DRB-01537 Major-Vacation of Pub
Right-of-Way
06DRB-01539 Major-Vacation of Public
Easements

BOHANNAN HUSTON INC agent(s) for MESA DEL SOL LLC request(s) the above action(s) for all or a portion of Tract(s) 4A, 4B, 4C and 1 through 15, **MESA DEL SOL**, zoned SU-2 PLANNED COMMUNITY, located on INTERSTATE 25 SW, between BROADWAY BLVD SW and LOS PICAROS RD SW containing approximately 2,294 acre(s). [REF: 06DRB-00744] *[Deferred from 11/15/06]* (R-16, Q-16, R-15, R-17, S-14, S-16, S-17, T-16) **DEFERRED AT THE AGENT'S REQUEST TO 12/13/06.**

3

7. **Project # 1004354**
06DRB-01541 Major-Vacation of Public
Easements

TIERRA WEST LLC agent(s) for MONAHITI LLC request(s) the above action(s) for all or a portion of Lot(s) 22-26 and a portion of Lot(s) 27, Block(s) 9, Tract(s) O, **ORIGINAL TOWNSITE OF WESTLAND**, zoned C-2, located on 98TH ST NW, between CENTRAL AVE NW and VOLCANO RD NW containing approximately 2 acre(s). [REF: 06DRB-01426, ZA-96-227] (K-9) **VACATION WAS APPROVED AS SHOWN ON EXHIBIT B IN THE PLANNING FILE.**

8. **Project # 1004851**
06DRB-01452 Major-Preliminary Plat
Approval

JEFF MORTENSEN & ASSOCIATES agent(s) for THE SAWMILL DEVELOPMENT COMPANY LLC request(s) the above action(s) for all or a portion of Tract(s) 2, LANDS OF MCCLAIN and Tract(s) A-3, LANDS OF AND WILLIAM ANDREW MCCORD (to be known as **ANTIGUA TRAVESIA**, zoned S-M1, located on ZEARING AVE NW, between RIO GRANDE BLVD NW and 19TH ST NW containing approximately 3 acre(s). [REF: 06DRB-00556, 06DRB-01095] [*Deferred from 11/1/06 & 11/8/06*] (H-13) **WITH THE SIGNING OF THE INFRASTRUCTURE LIST DATED 11/15/06 AND APPROVAL OF THE GRADING PLAN ENGINEER STAMP DATED 10/27/06 THE PRELIMINARY PLAT WAS APPROVED WITH A CONDITION OF FINAL PLAT: DEVELOPER MUST INCLUDE ON THE RESIDENTIAL SUBDIVISION FINAL PLAT THIS STATEMENT: "THE PROPERTY ON THIS PLAT IS SUBJECT TO A PRE-DEVELOPMENT FACILITIES FEE AGREEMENT WITH THE ALBUQUERQUE PUBLIC SCHOOLS RECORDED AT (INSERT RECORDING INFORMATION HERE)."**

9. **Project # 1005191**
06DRB-01454 Major-Preliminary Plat
Approval
06DRB-01455 Major-Vacation of Pub
Right-of-Way
06DRB-01456 Minor-Sidewalk Variance
06DRB-01457 Minor-Temp Defer SDWK

ADIL RIZVI request(s) the above action(s) for all or a portion of Lot(s) 13-20, Tract(s) A, Block(s) 29, NORTH ALBUQUERQUE ACRES, UNIT B (to be known as **SEVANO PLACE SUBDIVISION**) zoned R-D, located on LOUISIANA NE, between ALAMEDA NE and SIGNAL NE containing approximately 7 acre(s). [*Deferred from 11/1/06 & 11/8/06 & 11/15/06*] (C-18) **DEFERRED AT THE AGENT'S REQUEST TO 11/22/06.**

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

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

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

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

11. **Project # 1004167**
06DRB-01611 Minor-SiteDev Plan
BldPermit/EPC

CONSENSUS PLANNING agent(s) for LA ORILLA GROUP LLC request(s) the above action(s) for all or a portion of Lot(s) 10-B-1, **BOSQUE PLAZA**, zoned C-1 (SC) located on COORS BLVD NW, between LA ORILLA RD NW and BOSQUE PLAZA LANE NW containing approximately 1 acre(s). [REF: 06EPC-00066] [**Catalina Lehner, EPC Case Planner**] [Heard under Project #1004647 which is incorrect] (D-12 & E-12) **THE SITE PLAN FOR BUILDING PERMIT WAS APPROVED WITH FINAL SIGN OFF DELEGATED TO PLANNING FOR 3 COPIES.**

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

12. **Project # 1005247**
06DRB-01605 Minor-Prelim&Final Plat Approval

SURVEYS SOUTHWEST LTD agent(s) for GILBERT LOVATO, K-RAM INC request(s) the above action(s) for all or a portion of Lot(s) 30, Block(s) 10, Tract(s) A, **NORTH ALBUQUERQUE ACRES, UNIT B**, zoned SU-1 & M-1, located on OAKLAND AVE NE, between SAN MATEO BLVD NE and EAGLE AVE NE containing approximately 1 acre(s). (C-18) **INDEFINITELY DEFERRED AT THE AGENT'S REQUEST.**

13. **Project # 1004943**
06DRB-01547 Minor-Final Plat Approval

SURVEYS SOUTHWEST LTD agent(s) for JULIE GUITERREZ request(s) the above action(s) for all or a portion of Tract(s) D, VILLAGE CENTER NORTH (to be known as **PINNACLE PEAK TOWNHOMES**) zoned SU-1 for mixed use, located on PINNACLE PEAK NW, between MCMAHON BLVD NW and UNSER BLVD NW containing approximately 2 acre(s). [REF: 06DRB-01164, 06DRB-01165, 06DRB-01167] *[Deferred from 11/1/06 & 11/8/06]* (A-11) **THE FINAL PLAT WAS APPROVED WITH FINAL SIGN OFF DELEGATED TO PLANNING FOR AGIS DXF FILE, APS LANGUAGE AND TO RECORD.**

14. **Project # 1004918**
06DRB-01612 Minor-Prelim&Final Plat Approval

BOHANNAN HUSTON agent(s) for MESA DEL SOL LLC request(s) the above action(s) for all or a portion of Tract(s) 4-A-1, 4-A-2 & 4-A-3, **MESA DEL SOL, BUILDINGS 2 & 3**, zoned SU-2 Planned Community, located on I-25 SW, between BROADWAY BLVD SW and LOS PICAROS RD SW containing approximately 2,287 acre(s). [REF: 06DRB-00744] (R-16, Q-16, R-15, R-17, S-14, S-16, S-17 & T-16) **THE PRELIMINARY AND FINAL PLAT WAS APPROVED WITH FINAL PLAT DELEGATED TO TRANSPORTATION DEVELOPMENT FOR ENCROACHMENT AGREEMENT, PROOF OF RECORDED EASEMENTS & REMOVAL OF VACATION LANGUAGE AND TO PLANNING FOR AGIS DXF FILE AND TO RECORD.**

15. **Project # 1005090**
06DRB-01606 Minor-Prelim&Final Plat Approval
06DRB-01607 Minor-Sidewalk Waiver

JAMES TORRES agent(s) for MAURO TORRES & EVANGELINA TORRES request(s) the above action(s) for all or a portion of Lot(s) 130B-1, 130B-2, 130C-1, 130C-2, M.R.G.C.D. Map #31, Tract(s) 130 (to be known as **LANDS OF MAURO TORRES**) zoned RA-2, located on TEODORO RD NW, between RIO GRANDE BLVD NW and DURANES LATERAL containing approximately 1 acre(s). [REF: 06DRB-01212] *[Deferred from 11/15/06]* (F-13) **DEFERRED AT THE AGENT'S REQUEST TO 11/22/06.**

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

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

17. **Project # 1005226**
06DRB-01543 Minor-Prelim&Final Plat
Approval

ROSS HOWARD COMPANY agent(s) for ESTELLE BEATY-VAHN request(s) the above action(s) for all or a portion of Lot(s) 1-3 and vacated Garcia Street, Block(s) 42, **SKYLINE HEIGHTS SUBDIVISION**, zoned C-3 & M-1, located on ACOMA ST SE, between ALTEZ ST SE and CONCHAS ST SE containing approximately 1 acre(s). *[Indef deferred on a no show on 11/1/06 & 11/15/06]* (L-20) **INDEFINITELY DEFERRED ON A NO SHOW.**

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

18. **Project # 1004820**
06DRB-01573 Minor-Sketch Plat or Plan

EASTERLING CONSULTANTS LLC agent(s) for AQUATIC CONSULTANTS request(s) the above action(s) for all or a portion of Tract(s) D-1-B, **ADOBE WELLS SUBDIVISION**, zoned C-2, located on EAGLE RANCH NW, between IRVING NW and WESTSIDE DR NW containing approximately 4 acre(s). (B-13) **THE ABOVE REQUEST WAS REVIEWED AND COMMENTS WERE GIVEN.**

19. **Project # 1005094**
06DRB-01574 Minor-Sketch Plat or Plan

EASTERLING CONSULTANTS LLC agent(s) for J. K. DEVELOPMENT INC request(s) the above action(s) for all or a portion of Lot(s) 7, Block(s) A, **GRANDE HEIGHTS SUBDIVISION**, zoned R-1, located on VISTA GRANDE DR NW, between SEQUOIA RD NW and REDLANDS RD NW containing approximately 1 acre(s). (G-11) **THE ABOVE REQUEST WAS REVIEWED AND COMMENTS WERE GIVEN.**

20. **Project # 1005073**
06DRB-01614 Minor-Sketch Plat or Plan

MOD HAB LLC request(s) the above action(s) for all or a portion of Lot(s) 1, 2 & 3, Block(s) 11, **ROSEMONT ADDITION**, zoned S-R, located on 12TH ST NW, between ROSEMONT NW and ARIAS NW containing approximately 1 acre(s). [REF: 06DRB-01170] (J-13) **THE ABOVE REQUEST WAS REVIEWED AND COMMENTS WERE GIVEN.**

21. Approval of the Development Review Board Minutes for November 8, 2006. **APPROVAL OF DRB MINUTES WAS DEFERRED.**

ADJOURNED: 12:25 P.M.

#10

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

PAID RECEIPT

APPLICANT NAME Mesa Verde Development
AGENT Bohannon Huston, Inc.
ADDRESS 7500 Jefferson NE
PROJECT & APP # DRB# 1004989 - 01411
PROJECT NAME Wilderness Canon at High Desert

\$ 441032/3424000 Conflict Management Fee
\$ 110.00 441006/4983000 DRB Actions - Deferred
\$ 441006/4971000 EPC/AA/LUCC Actions & All Appeals
\$ 441018/4971000 Public Notification
\$ 441006/4983000 DRAINAGE PLAN REVIEW OR TRAFFIC IMPACT STUDY***
 () Major/Minor Subdivision () Site Development Plan () Bldg Permit
 () Letter of Map Revision () Conditional Letter of Map Revision
 () Traffic Impact Study
\$ 110.00 TOTAL AMOUNT DUE

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

Bohannon Huston INC

COURTYARD I, 7500 JEFFERSON STREET NE
ALBUQUERQUE, NM 87109-4335
505.823.1000

BANK OF AMERICA
ALBUQUERQUE, NEW MEXICO

95-32 / 1070

140205

11/8/2006

NO. 140205

City of Albuquerque
Treasury Division

PAY *****110

DOLLARS & *****00

CENTS

\$ *****110.00

11/14/2006

12:04PM

LOC: ANN

X

BOHANNAN-HUSTON INC.

RECEIPT# 00067087 WSH 008 TRANS# 0028

Account 441006 Fund 0110

Activity 4983000

AUTHORIZED SIGNATURE

Trans Amt \$110.00

54 M15

AUTHORIZED SIGNATURE

CHANCE

AUTHORIZED SIGNATURE

⑈ 140205 ⑈ ⑆ 107000327⑆ 002865399404⑈

Thank You

\$0.00

11
11
11

TO THE
ORDER
OF

City of Albuquerque
600 2nd Street NW
Albuquerque, NM 87102 US



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

DEVELOPMENT REVIEW BOARD – SPEED MEMO

DRB CASE NO/PROJECT NO: 1004989

AGENDA ITEM NO: 10

SUBJECT:

Preliminary Plat
Sidewalk Deferral
Sidewalk Waiver
Subdivision Design (DPM) Variance
Vacation of Public Easements

ACTION REQUESTED:

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

ENGINEERING COMMENTS:

No objection to Sidewalk Waiver or Sidewalk Deferral request.
No objection to Design Variance request.
An approved grading and drainage plan must be on file prior to Preliminary Plat approval.

P.O. Box 1293

Albuquerque

New Mexico 87103

www.cabq.gov

RESOLUTION:

11-22-06

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

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

SIGNED: Bradley L. Bingham
City Engineer / AMAFCA Designee

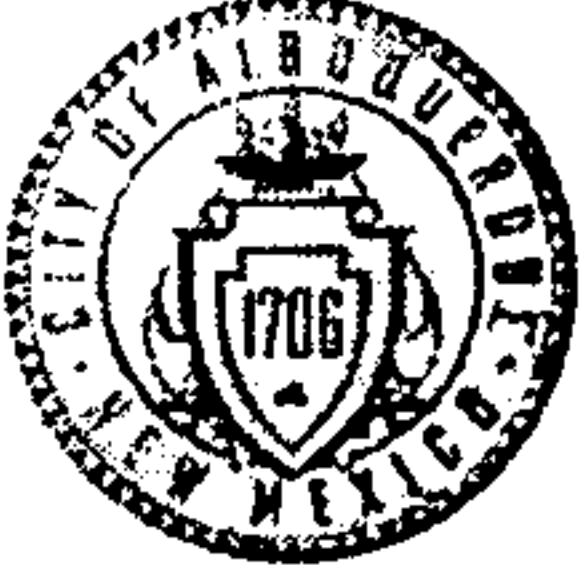
DATE: NOVEMBER 15, 2006

DRB PUBLIC HEARING SIGN IN SHEETS

CASE NUMBER: 1004989 AGENDA#: 10 DATE: 11.15.06

Present
HARRIS

- ✓ 1. Name: ARINTA LIEM Address: 13419 WILDERNESS PL NE
ABQ ~~87111~~ Zip: 87111
- ✓ 2. Name: RAYMOND BERG Address: 13501 OSAGE ORANGE RD NE
ACIQ Zip: 87111
- ✓ 3. Name: JANET LENTZ Address: 5109 High
Desert Place, NE Zip: 87111
- ✓ 4. Name: Carl Fessler Address: ~~5005~~ Cumbre de ^{DEL} Zip: 87111
5005.71 SUR NE
- ✓ 5. Name: Sant Baca Address: 5000 Cumbre de ^{NE} Zip: 87111
- ✓ 6. Name: Don Kellor Address: 5004 Cresto Del ^{SUR NE} Zip: 87111
- ✓ 7. Name: KEVIN PATTON Address: Courtyard I
7500 Jefferson Street Zip: 87109
- ✓ 8. Name: Gym Diome Address: _____ Zip: _____
- ✓ 9. Name: Doug Collier Address: _____ Zip: _____
- ✓ 10. Name: Charles Yang Address: Mesa Verde
Development Zip: 87111
owner Corp.
11. Name: _____ Address: _____ Zip: _____
12. Name: _____ Address: _____ Zip: _____
13. Name: _____ Address: _____ Zip: _____
14. Name: _____ Address: _____ Zip: _____



**DEVELOPMENT REVIEW BOARD
ACTION SHEET**

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

November 8, 2006

9:00 a.m.

MEMBERS:

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

Wilfred Gallegos, Transportation Development
Brad Bingham, Alternate City Engineer

Roger Green, Utility Development
Christina Sandoval, Parks & Recreation

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

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

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

A. Call to Order: 9:00 a.m.

Adjourned: 10:35 a.m.

B. Changes and/or Additions to the Agenda

C. New or Old Business

CASES WHICH REQUIRE PUBLIC NOTIFICATION

MAJOR SUBDIVISIONS, VACATIONS, SIA EXTENSIONS AND SITE DEVELOPMENT PLANS

1. Project # 1000965

06DRB-01500 Major-Vacation of Public Easements

BOHANNAN HUSTON INC agent(s) for ANDALUCIA DEVELOPMENT CO INC request(s) the above action(s) for all or a portion of Tract(s) 1, LANDS OF RAY GRAHAM III, **ANDALUCIA @ LA LUZ**, zoned SU-1, located on COORS NW, between NAMASTE RD NW and LA BIENVENIDA PL NW containing approximately 85 acre(s). [02DRB-00059] (F-11) **VACATION WAS APPROVED AS SHOWN ON EXHIBIT B IN THE PLANNING FILE.**

2. **Project # 1005169**
06DRB-01504 Major-Bulk Land Variance
06DRB-01505 Minor-Prelim&Final Plat
Approval

ALPHA PROFESSIONAL SURVEYING agent(s) for UNM REAL ESTATE DEPARTMENT request(s) the above action(s) for all or a portion of Tract(s) 10 & 11, **UNIVERSITY OF NEW MEXICO, AIRPORT PARCEL**, zoned M-2 located on IRA SPRECHER RD SE, between LOS PICAROS SE and the ALBUQUERQUE SUNPORT SE, containing approximately 446 acre(s). (P-16/P-17) **BULK LAND VARIANCE WAS APPROVED. THE PRELIMINARY PLAT WAS APPROVED WITH FINAL PLAT SIGN OFF DELEGATED TO CITY ENGINEER FOR A FLOODPLAIN EASEMENT TO BE GRANTED TO CITY OF ALBUQUERQUE AND PLANNING FOR NOTICE OF SUBDIVISION PLAT CONDITIONS, FEE SIMPLE LANGUAGE, 15-DAY APPEAL PERIOD AND TO RECORD THE PLAT.**

3. **Project # 1004851**
06DRB-01452 Major-Preliminary Plat
Approval

JEFF MORTENSEN & ASSOCIATES agent(s) for THE SAWMILL DEVELOPMENT COMPANY LLC request(s) the above action(s) for all or a portion of Tract(s) 2, LANDS OF MCCLAIN and Tract(s) A-3, LANDS OF AND WILLIAM ANDREW MCCORD (to be known as **ANTIGUA TRAVESIA**, zoned S-M1, located on ZEARING AVE NW, between RIO GRANDE BLVD NW and 19TH ST NW containing approximately 3 acre(s). [REF: 06DRB-00556, 06DRB-01095] [*Deferred from 11/1/06 & 11/8/06*] (H-13) **DEFERRED AT THE BOARD'S REQUEST TO 11/15/06.**

4. **Project # 1005191**
06DRB-01454 Major-Preliminary Plat
Approval
06DRB-01455 Major-Vacation of Pub
Right-of-Way
06DRB-01456 Minor-Sidewalk Variance
06DRB-01457 Minor-Temp Defer SDWK

ADIL RIZVI request(s) the above action(s) for all or a portion of Lot(s) 13-20, Tract(s) A, Block(s) 29, NORTH ALBUQUERQUE ACRES, UNIT B (to be known as **SEVANO PLACE SUBDIVISION**) zoned R-D, located on LOUISIANA NE, between ALAMEDA NE and SIGNAL NE containing approximately 7 acre(s). [*Deferred from 11/1/06 & 11/8/06*] (C-18) **DEFERRED AT THE AGENT'S REQUEST TO 11/15/06.**

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

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

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

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

6. **Project # 1004976**
06DRB-01548 Minor-SiteDev Plan Subd/EPC
06DRB-01549 Minor-SiteDev Plan BldPermit/EPC

H BARKER ARCHITECTS agent(s) for CALABACILLAS GROUP request(s) the above action(s) for all or a portion of Lot(s) A-1, B-1, C-1 & C-2, **BLACK ARROYO DAM**, zoned C-2, located on GOLF COURSE RD NW, between BENTON AVE NW and WESTSIDE BLVD NW containing approximately 12 acre(s). [REF: 06EPC-00424, 06EPC-00425] [**Catalina Lehner, EPC Case Planner**] [*Deferred from 11/1/06 & Indef deferred 11/8/06*] (A-12) **INDEFINITELY DEFERRED AT THE AGENT'S REQUEST.**

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

7. **Project # 1004688**
06DRB-01572 Minor-Final Plat Approval

CLARK CONSULTING ENGINEERS agent(s) for JOHN ABBOTT & BILL H. BURNS request(s) the above action(s) for all or a portion of Tract(s) 2, 2a & 2b, **ALVARADO GARDENS ADDITION, UNIT 1**, zoned RA-2, located on RIO GRANDE BLVD NW between MATTHEW AVE NW and CAMPBELL RD NW, containing approximately 3 acre(s). [*Indef deferred 11/8/06*] (G-12/G-13) **INDEFINITELY DEFERRED AT THE BOARD'S REQUEST.**

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

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

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

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

9. **Project # 1005233**
06DRB-01568 Minor-Prelim&Final Plat
Approval

SURVEYS SOUTHWEST LTD agent(s) for WACHOVIA DEVELOPMENT, request(s) the above action(s) for all or a portion of Tract(s) A & B, Block(s) 5, **SUNDT'S INDUSTRIAL CENTER**, zoned M-2, located on MONTBEL LOOP NE, between JOAN HILL PL NE and ALEXANDER BLVD NE containing approximately 18 acre(s). (F-15) **THE PRELIMINARY PLAT WAS APPROVED WITH FINAL SIGN OFF DELEGATED TO CITY ENGINEER FOR PRIVATE FACILITIES MAINTENANCE COVENANT, CROSS-LOT DRAINAGE EASEMENT AND TRANSPORTATION DEVELOPMENT FOR SIDEWALKS.**

10. **Project # 1004387**
06DRB-00644 Minor-Prelim&Final Plat
Approval

SURVEYS SOUTHWEST LTD agent(s) for LESLIE JENSEN request(s) the above action(s) for all or a portion of Lot(s) 31-35, Block(s) 12, **COUNTRY CLUB ADDITION**, zoned O-1, located on LAS LOMAS RD NE and ENCINO PL NE and containing approximately 1 acre(s). [REF: 05DRB-01332] [*Indef Deferred on 5/17/06*] (J-15) **WITH THE APPROVAL OF THE GRADING PLAN ENGINEER STAMP DATED 10/13/06 THE PRELIMINARY PLAT WAS APPROVED WITH FINAL PLAT DELEGATED TO CITY ENGINEER FOR APPROVED ENGINEER CERTIFICATION AND TO TRANSPORTATION DEVELOPMENT FOR PROPERTY MANAGEMENT'S SIGNATURE, PROOF THAT THE DRIVE PADS ARE CLOSED AND THE APPLICATION NUMBER OF THE VACATION ON THE PLAT.**

11. **Project # 1004943**
06DRB-01547 Minor-Final Plat Approval

SURVEYS SOUTHWEST LTD agent(s) for JULIE GUITERREZ request(s) the above action(s) for all or a portion of Tract(s) D, VILLAGE CENTER NORTH (to be known as **PINNACLE PEAK TOWNHOMES**) zoned SU-1 for mixed use, located on PINNACLE PEAK NW, between MCMAHON BLVD NW and UNSER BLVD NW containing approximately 2 acre(s). [REF: 06DRB-01164, 06DRB-01165, 06DRB-01167] [*Deferred from 11/1/06 & 11/8/06*] (A-11) **DEFERRED AT THE BOARD'S REQUEST TO 11/15/06.**

12. **Project # 1002928**
06DRB-01570 Minor-Prelim&Final Plat
Approval

SURV-TEK INC agent(s) for LONGFORD AT THE TRAILS LLC request(s) the above action(s) for all or a portion of Lot(s) 6-AP1 & 7-AP1, **TAOS @ THE TRAILS**, zoned RD, located on TREELINE AVE NW east of PILABO ST NW and containing approximately 1 acre(s). (C-9) **PRELIMINARY AND FINAL PLAT APPROVED WITH FINAL SIGN OFF DELEGATED TO PLANNING FOR AMAFCA'S SIGNATURE AND TO RECORD.**

13. **Project # 1003170**
06DRB-01564 Minor-Prelim&Final Plat
Approval

LARKIN GROUP NM INC agent(s) for CITY OF ALBUQUERQUE request(s) the above action(s) for all or a portion of Tract(s) A, **CITY OF ALBUQUERQUE WATER TREATMENT FACILITY**, zoned SU-1 M-1, located on CHAPPELL DR NE, between MISSION AVE NE and OSUNA RD NE containing approximately 163 acre(s). [REF: 04DRB-01329] (E-16/F-16) **PRELIMINARY AND FINAL PLAT WAS APPROVED WITH FINAL SIGN OFF DELEGATED TO PLANNING FOR LANGUAGE ON THE PLAT, EXTENSION OF A 20-FOOT WATERLINE EASEMENT AND TO RECORD.**

14. **Project # 1004254**
06DRB-01569 Minor-Prelim&Final Plat
Approval

WAYJOHN SURVEYING INC agent(s) for CHARLES JAEGER request(s) the above action(s) for all or a portion of Lot(s) A-1, **ALVARADO GARDENS, UNIT 3**, zoned R-2 residential zone, located on VERANDA RD NW, between RIO GRANDE BLVD NW and GLENWOOD DR NW containing approximately 1 acre(s). [REF: 05DRB-00964] [*Indef deferred 11/8/06*] (G-12) **INDEFINITELY DEFERRED AT THE BOARD'S REQUEST.**

15. **Project # 1004874**
06DRB-01571 Minor-Prelim&Final Plat
Approval

TERRAMETRICS OF NEW MEXICO agent(s) for ANDERSON PROPERTIES LLC request(s) the above action(s) for all or a portion of Lot(s) 17, 18 & 19, Block(s) 2, **MONKBRIDGE ADDITION**, zoned SU-1, located on CANDELARIA RD NW between 2nd ST NW and 4TH ST NW, containing approximately 1 acre(s). (G-14) **PRELIMINARY AND FINAL PLAT WAS APPROVED WITH FINAL SIGN OFF DELEGATED TO PLANNING FOR COPY OF NOTICE OF DECISION REGARDING ZONING, AMAFCA'S SIGNATURE AND TO RECORD.**

16. **Project # 1005229**
06DRB-01551 Minor-Prelim&Final Plat
Approval

JACK'S HIGH COUNTRY agent(s) for LESLEY RYAN & DIONISIA BURTON request(s) the above action(s) for all or a portion of Lot(s) 13A-1, 13B-1, 14A1-A2 & 17-A, **LANDS OF BURTIN & RYAN**, zoned SU-2 R-1, located on 8TH ST SW, between PACIFIC SW and CROMWELL SW containing approximately 1 acre(s). *[Deferred from 11/1/06]* (K-13) **PRELIMINARY AND FINAL PLAT WAS APPROVED WITH FINAL SIGN OFF DELEGATED TO UTILITIES DEVELOPMENT FOR WATERLINE EASEMENT LOCATION, AMAFCA'S SIGNATURE AND TO RECORD.**

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

17. **Project # 1005230**
06DRB-01552 Minor-Sketch Plat or Plan

FRANK SIERRA request(s) the above action(s) for all or a portion of Lot(s) 10 & 11A, Block(s) 2, **VAN CLEAVE ACRES**, zoned RA-2, located on VAN CLEAVE NW, between SAN ISIDRO NW and GREIGOS LATERAL containing approximately 1 acre(s). (G-13) **INDEFINITELY DEFERRED ON A NO SHOW.**

18. Approval of the Development Review Board Minutes for November 1, 2006. **THE DRB MINUTES FOR 11/1/06 WERE APPROVED BY THE BOARD.**

ADJOURNED: 10:35 A.M.

*Defer to
11/15/06*

DRB PUBLIC HEARING SIGN IN SHEETS

CASE NUMBER: 1004989 AGENDA#: 5 DATE: 11.8.06

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

CITY OF ALBUQUERQUE



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

DEVELOPMENT REVIEW BOARD – SPEED MEMO

DRB CASE NO/PROJECT NO: 1004989

AGENDA ITEM NO: 5

SUBJECT:

Preliminary Plat
Sidewalk Deferral
Sidewalk Waiver
Subdivision Design (DPM) Variance
Vacation of Public Easements

ACTION REQUESTED:

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

ENGINEERING COMMENTS:

No objection to Sidewalk Waiver or Sidewalk Deferral request.
No objection to Design Variance request.
An approved grading and drainage plan must be on file prior to Preliminary Plat approval.

P.O. Box 1293

Albuquerque

New Mexico 87103

www.cabq.gov

RESOLUTION:

11-15-06

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

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

SIGNED: Bradley L. Bingham
City Engineer / AMAFCA Designee

DATE: NOVEMBER 8, 2006



**DEVELOPMENT REVIEW BOARD
ACTION SHEET**

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

October 25, 2006 9:00 a.m.

MEMBERS:

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

Wilfred Gallegos, Transportation Development
Brad Bingham, Alternate City Engineer

Roger Green, Utility Development
Christina Sandoval, Parks & Recreation

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

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

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

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

Adjourned: 1:50 P.M.

B. Changes and/or Additions to the Agenda

C. New or Old Business

CASES WHICH REQUIRE PUBLIC NOTIFICATION

MAJOR SUBDIVISIONS, VACATIONS, SIA EXTENSIONS AND SITE DEVELOPMENT PLANS

1. **Project # 1001562**
06DRB-01408 Major-Two Year SIA

MARK GOODWIN & ASSOCIATES agent(s) for PULTE HOMES OF NEW MEXICO request(s) the above action(s) for the **RESERVE @ FOUR HILLS**, zoned R-1, located on WAGON TRAIN SE, between RATON AVE SE and RIO ARRIBA AVE SE containing approximately 17 acre(s) (M-22) **TWO YEAR SIA WAS APPROVED.**

2. **Project # 1002984**
06DRB-01386 Major-Vacation of Pub
Right-of-Way

ROBERT J. POWERS request(s) the above action(s) for all or a portion of Lot(s) 21, Block(s) 2, **VOLCANO CLIFFS, UNIT 2**, zoned R-1, located on KIMBERLITE NW, between CLIFF RD NW and POPO NW containing approximately 1 acre(s). (E-10) **VACATION WAS APPROVED AS SHOWN ON EXHIBIT B IN THE PLANNING FILE.**

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

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

4. **Project # 1005179**
06DRB-01417 Major-Amnd SiteDev Plan
BldPermit

MAHLMAN STUDIO ARCHITECTURE agent(s) for CITY OF ALBUQUERQUE OFFICE OF SENIOR AFFAIRS, request(s) the above action(s) for all or a portion of Lot(s) 1-A-2, ATRISCO BUSINESS PARK, UNIT 2 (to be known as **LOS VOLCANES FITNESS CENTER**) zoned SU-1 FOR SENIOR CENTER, located on LOS VOLCANES RD NW, between AIRPORT NW and COORS NW containing approximately 3 acre(s). (J-10) **THE AMENDED SITE PLAN FOR BUILDING PERMIT WAS APPROVED WITH FINAL SIGN OFF DELEGATED TO TRANSPORTATION DEVELOPMENT FOR PARKING ISSUES AND SIDEWALK EASEMENT QUESTION AND PLANNING FOR 3 COPIES OF THE PLAN AND COMMENTS IN THE FILE.**

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

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

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

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

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

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

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

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

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

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

- 7. Project # 1003272**
06DRB-01509 Minor-SiteDev Plan
BldPermit

CLAUDIO VIGIL ARCHITECTS agent(s) for AMERI-CONTRACTORS request(s) the above action(s) for all or a portion of Tract(s) 2-A-1-B-2-B-1, **ALBUQUERQUE WEST, UNIT 2**, zoned SU-1 FOR C-3 USES, located on EAGLE RANCH RD NW, between PASEO DEL NORTE NW and ALL SAINTS NW containing approximately 1 acre(s). [REF: 06DRB01253] (C-13) **THE SITE PLAN FOR BUILDING PERMIT WAS APPROVED WITH FINAL SIGN OFF DELEGATED TO TRANSPORTATION DEVELOPMENT FOR SIDEWALK EASEMENTS ALONG HIGH ASSETS AND EAGLE RANCH ROAD, PICTURES OF PERMANENT CURVE AND UTILITIES DEVELOPMENT FOR RESOLUTION OF SEWER SERVICE AND 3 COPIES OF THE SITE PLAN.**

- 8. Project # 1004644**
06DRB-01189 Minor-SiteDev Plan
Subd/EPC

CONSENSUS PLANNING INC agent(s) for THE TRAILS LLC request(s) the above action(s) for all or a portion of, THE TRAILS, UNIT 2, SANTA FE 3, (to be known as **THE TRAILS, UNIT 9A**) zoned SU-2-SRSL, located on WOODMONT AVE NW, between RAINBOW BLVD NW and UNIVERSE BLVD NW containing approximately 20 acre(s). [Deferred from 8/23/06 & 9/13/06 & 9/27/06 & 10/4/06] (C-9) **WITHDRAWN AT THE AGENT'S REQUEST.**

- 9. Project # 1004872**
06DRB-01491 Minor-SiteDev Plan
BldPermit/EPC

DENISH & KLINE ASSOCIATES agent(s) for FOREST CITY COVINGTON NEW MEXICO request(s) the above action(s) for all or a portion of Tract(s) within the NW ¼ of the NW ¼ of Section 22, T9N, R3E, NMPM, Mesa Del Sol Employment Center, Phase I, **MESA DEL SOL, BUILDINGS 2 & 3**, zoned SU-1/IP Uses, located on University Blvd Extension SE between Street C SE and Street D SE containing approximately 12 acre(s). [Catalina Lehner, EPC Case Planner] [Deferred from 10/18/06] (R-16) **WITH THE SIGNING OF THE**

INFRASTRUCTURE LIST DATED 10/25/06 AND APPROVAL OF THE GRADING PLAN ENGINEER STAMP DATED 10/10/06 THE SITE PLAN FOR BUILDING PERMIT WAS APPROVED WITH FINAL SIGN OFF DELEGATED TO CITY ENGINEER FOR SIA AND COMPLETION OF AMENDMENT TO UTILITY DEVELOPMENT AGREEMENT AND PLANNING FOR 3 COPIES OF THE SITE PLAN.

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

10. **Project # 1000029**
06DRB-01517 Minor-Extension of Preliminary Plat

BOHANNAN HUSTON INC agent(s) for SAWMILL COMMUNITY LAND AND TRUST request(s) the above action(s) for all or a portion of Lot(s) C and B-1A-1, **DUKE CITY LUMBER COMPANY ADDITION** and Lot(s) D-1-A, **ARBOLERA DE VIDA, PHASE 2**, zoned S-M1, S-DR, located on Bellamah Ave NW between 19th St NW and 18th St NW containing approximately 25 acre(s). [REF: 05DRB-01681] (H-13) **A ONE-YEAR EXTENSION OF THE PRELIMINARY PLAT WAS APPROVED.**

11. **Project # 1001656**
06DRB-01510 Minor-Prelim&Final Plat Approval

SANTIAGO ROMERO JR. agent(s) for CITY OF ALBUQUERQUE, AVIATION DEPARTMENT request(s) the above action(s) for all or a portion of Tract(s) A & L, Parcels 1-5, **DOUBLE EAGLE II AIRPORT**, zoned SU-1 Airport Related Facilities, located west of Paseo De Vulcan NW and north of Double Eagle II Airport containing approximately 3, 489 acre(s). [REF: 02DRB00710] (C-4, C-5, D-5, D-6, E-4, E-5, E-6, G-4, G-5 & G-6) **THE PRELIMINARY AND FINAL PLAT WAS APPROVED WITH FINAL SIGN OFF DELEGATED TO TRANSPORTATION DEVELOPMENT FOR SHOWING OF ACCESS FOR PARCELS 1-5 AND PLANNING FOR NOTICE OF SUBDIVISION PLAT CONDITIONS DOCUMENT AND TO RECORD.**

12. **Project # 1003757**
06DRB-01522 Minor-Prelim&Final Plat
Approval

ISAACSON & ARFMAN PA agent(s) for CREAMLAND LLC request(s) the above action(s) for Lot(s) 1-12, Block(s) 4, FRANCISCAN ADDITION and Lot(s) 1-7, Block(s) 2, ALVARADO ADDITION and Lot(s) 1-7, Block(s) 7, ALVARADO ADDITION and VACATED HAINES AVE RIGHT-OF-WAY (to be known as **TRACT A, LANDS OF CREAMLAND LLC**) zoned M-1 light manufacturing zone, located on MCKNIGHT AVE NW, between 2ND ST NW and 3RD ST NW containing approximately 3 acre(s). [REF: 04DRB-01688] (H-14) **WITH THE SIGNING OF THE INFRASTRUCTURE LIST DATED 10/25/06 THE PRELIMINARY PLAT WAS APPROVED. THE FINAL PLAT WAS INDEFINITELY DEFERRED FOR THE SIA.**

13. **Project # 1005219**
06DRB-01516 Minor-Prelim&Final Plat
Approval

WAYJOHN SURVEYING agent(s) for DAVID HILLSON request(s) the above action(s) for all or a portion of Tract(s) A-1, **WAGGOMAN-DENISON ADDITION**, zoned C-2, located on Wyoming Blvd SE between Central Ave SE and Zuni Rd SE containing approximately 2 acre(s). (K-20) **THE PRELIMINARY AND FINAL PLAT WAS APPROVED WITH FINAL SIGN OFF DELEGATED TO TRANSPORTATION DEVELOPMENT FOR CROSS ACCESS EASEMENTS AND DRIVE PAD CONSOLIDATION AND PLANNING FOR AGIS DXF FILE AND TO RECORD.**

14. **Project # 1005147**
06DRB-01527 Minor-Prelim&Final Plat
Approval

B. KAY SHAFER request(s) the above action(s) for all or a portion of Lot(s) 47, **UNIT 3 MCDONALD ACRES**, zoned R-1 residential zone, located on PHOENIX AVE NW, between 9TH ST NW and 10TH ST NW containing approximately 1 acre(s). [REF: 06DRB-01342] (H-14) **THE PRELIMINARY AND FINAL PLAT WAS APPROVED WITH FINAL SIGN OFF DELEGATED TO PLANNING FOR AGIS DXF FILE AND TO RECORD.**

15. **Project # 1004924**
06DRB-01514 Minor-Final Plat Approval

JEFF MORTENSEN & ASSOCIATES agent(s) for HOECH REAL ESTATE CORPORATION request(s) the above action(s) for all or a portion of Tract(s) B, **FEDERAL PLAZA**, zoned SU-1 FOR O-1 USES, located on HOMESTEAD RD NE, between MONTGOMERY BLVD NE and SAN MATEO BLVD NE containing approximately 4 acre(s). [REF: 06DRB-01181, 06DRB-01274, 06DRB-01273] (G-18) **FINAL PLAT WAS APPROVED WITH FINAL SIGN OFF DELEGATED TO TRANSPORTATION DEVELOPMENT FOR MAINTENANCE OF NOTE 14 PUBLIC SIDEWALK EASEMENT.**

16. **Project # 1004739**
06DRB-01511 Minor-Final Plat Approval

SURV-TEK INC agent(s) for THE TRAILS LLC request(s) the above action(s) for all or a portion of Tract(s) 4, Trails, Unit 2 (to be known as **SANTA FE 3 @ THE TRAILS, UNIT 2**), zoned SU-2-UR, located on Oakridge St NW between Rainbow Blvd NW and Universe Blvd NW containing approximately 19 acre(s). [REF: 06DRB-01382, 06DRB-01383, 06DRB-01384] (C-9) **FINAL PLAT WAS APPROVED WITH FINAL SIGN OFF DELEGATED TO PLANNING FOR NMU INC SIGNATURE AND TO RECORD.**

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

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

18. **Project # 1003523**
06DRB-01529 Major-Final Plat Approval

RIO GRANDE ENGINEERING agent(s) for MONTEREY LAND GROUP II, LLC request(s) the above action(s) for all or a portion of Lot(s) 30, 31, 32 & 33, LANDS OF ATRISCO GRANT, UNIT 3 (to be known as **PRIMA ENTRADA SUBDIVISION**) zoned SU-2/RLT, located on 98th St NW between Endee Rd NW and Interstate 25 containing approximately 14 acre(s). [REF: 05DRB01369] (J-8, J-9) **THE FINAL PLAT WAS APPROVED WITH FINAL SIGN OFF DELEGATED TO TRANSPORTATION DEVELOPMENT FOR VERIFICATION IF SIDEWALK WAIVER IS NOT NEEDED, ENTRADA VISTA ENTRANCE, TRACT A DRAINAGE EASEMENT TO CITY OF ALBUQUERQUE AND MAINTENANCE AND BENEFICIARIES OF ALL HOME OWNERS ASSOCIATION TRACTS (FIX NOTE), AMAFCA'S SIGNATURE AND PLANNING FOR AGIS DXF FILE AND TO RECORD.**

19. **Project # 1004675**
06DRB-01518 Minor-Final Plat Approval

MARK GOODWIN & ASSOCIATES agent(s) for MONTEREY LAND GROUP LLC request(s) the above action(s) for all or a portion of Tract(s) 1, SP KINSCHERFFLAND and SW ¼ ON NE ¼, SEC 35, T11N, R2E (to be known as **VISTA DE LA LUZ**) zoned SU-1 PRD, located on COORS BLVD NW, between WESTERN TRAIL NW and DELLYNE AVE NW containing approximately 28 acre(s). [REF: 06DRB-00836, 06DRB-01026, 01027, 01028, 01029 & 01030] (F-11) **FINAL PLAT WAS APPROVED WITH FINAL SIGN OFF DELEGATED TO PLANNING FOR AMAFCA'S SIGNATURE AND TO RECORD.**

20. **Project # 1002567**
06DRB-01523 Minor-Final Plat Approval

ADVANCED ENGINEERING & CONSULTING agent(s) for STEVE KIRK request(s) the above action(s) for all or a portion of Lot(s) 5-A & 5-B, COLEMAN ADDITION (to be known as **HACIENDA DE LOIS SUBDIVISION**) zoned R-2 residential zone, located on 12TH ST NW, between MENAUL EXTENSION NW and LA POBLANA NW containing approximately 1 acre(s). [REF: 06DRB-00726] (H-13)

FINAL PLAT WAS APPROVED WITH FINAL SIGN OFF DELEGATED TO PLANNING FOR AGIS DXF FILE AND TO RECORD.

21. Project # 1004240

06DRB-01524 Major-Final Plat Approval
06DRB-01525 Minor-Subd Design (DPM)
Variance

ADVANCED ENGINEERING AND CONSULTING agent(s) for VILLAS LAS MANANITAS DEVELOPMENT LLC request(s) the above action(s) for all or a portion of Tract(s) 87-A-1-B, 87-A-2, 87-B-1, 87-B-2, 87-B-3, 88, 89A, 89-B-1, 89-B-2-A, Lot(s) A-1 & A-2, **LANDS OF E. MAS**, zoned SU-1 for C-1 and R-1, located on Indian School Rd NW between Meadow View Dr NW and Rio Grande Blvd NW containing approximately 5 acre(s). [REF: 05DRB-00918] (H-13) **THE FINAL PLAT WAS APPROVED WITH FINAL SIGN OFF DELEGATED TO TRANSPORTATION DEVELOPMENT FOR EASEMENT ADJUSTMENTS AND A NOTE TO ADD CURB AND SIDEWALK MAINTENANCE AND PLANNING FOR AGIS DXF FILE AND TO RECORD. A SUBDIVISION DESIGN VARIANCE FROM MINIMUM DPM STANDARDS WAS APPROVED AS SHOWN ON EXHIBIT C IN THE PLANNING FILE.**

22. Project # 1003004

06DRB-01512 Minor-Final Plat Approval

TIERRA WEST LLC agent(s) for STILLBROOKE HOMES INC request(s) the above action(s) for all or a portion of Tract(s) 414, 415-B, 415-C, 415-D & 41, ATRISCO GRANT UNIT 3 (to be known as **STINSON PARK SUBDIVISION**) zoned R-D residential and related uses zone, developing area, located on TOWER RD SW, between UNSER BLVD SW and STINSON ST SW containing approximately 15 acre(s). [REF: 04DRB-01974, 04DRB-01975, 05DRB-01776] (L-10) **THE FINAL PLAT WAS APPROVED WITH FINAL SIGN OFF DELEGATED TO PARKS FOR OPEN SPACE NOTE AND PAYMENT AND TO PLANNING TO RECORD.**

23. **Project # 1003991**
06DRB-01513 Minor-Final Plat Approval

TIERRA WEST LLC agent(s) for FD SAGE MARKET PLACE LLC request(s) the above action(s) for all or a portion of Tract(s) A-1-C, TOWN OF ATRISCO GRANT, UNIT 7 (to be known as **SAGE RANCH SUBDIVISION**) zoned R-LT, located on Snow Vista Blvd SW between Sage Rd SW and Reba Ave SW containing approximately 4 acre(s). [REF: 05DRB-01293, 05DRB-01294, 06DRB-00437] (M-9) **THE FINAL PLAT WAS APPROVED WITH FINAL SIGN OFF DELEGATED TO UTILITIES DEVELOPMENT FOR RESOLVING ISSUES WITH EXISTING 20-FOOT WATER LINE EASEMENT AND 7-FOOT PUE EASEMENT ON TRACT A AND PLANNING FOR HOME OWNER'S ASSOCIATION PRESIDENT'S SIGNATURE ON THE PLAT AND TO RECORD.**

24. **Project # 1002632**
06DRB-01409 Major-Final Plat Approval

TIERRA WEST LLC agent(s) for CAPITAL ALLIANCE INVESTMENTS request(s) the above action(s) for all or a portion of Lot(s) 3-9, 12, 23 & 24, Block(s) 5, Tract(s) A & 5, SUNDANCE ESTATES, UNIT 1 (to be known as **SUNDANCE ESTATES, UNIT 1-B**) zoned R-LT, located on LYON BLVD NW, between PARADISE BLVD NW and UNSER NW containing approximately 11 acre(s). [REF: 03EPC-00690, 03DRB-01306, 04DRB-00760, 04DRB-00761, 04DRB-01761] [*Deferred from 10/11/06 & Deferred at the Board's request from 10/18/06*] (B-11) **THE FINAL PLAT WAS APPROVED WITH FINAL SIGN OFF DELEGATED TO PARKS FOR NATIONAL PARK SERVICE LETTER AND PLANNING TO RECORD. THIS PLAT IS NOT WITHIN THE BOUNDARIES OF THE PETROGLYPH NATIONAL MONUMENT.**

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

25. **Project # 1005220**
06DRB-01519 Minor-Sketch Plat or Plan

HARRIS SURVEYING INC. agent(s) for JOHN S. PALONI request(s) the above action(s) for **UNPLATTED LAND**, zoned M-1, located on MENAUL BLVD NE, between the

NORTH FRONTAGE RD NE and UNIVERSITY BLVD NE containing approximately 7 acre(s). (H-15) **THE ABOVE REQUEST WAS REVIEWED AND COMMENTS WERE GIVEN.**

26. **Project # 1005221**
06DRB-01520 Minor-Sketch Plat or Plan

PRECISION SURVEYS INC., agent(s) for JOURNAL PUBLISHING COMPANY request(s) the above action(s) for Tract(s) 5-B-1-A-1, 5-B-1-A-2, 5-B-1-B (to be known as **JOURNAL CENTER, TRACTS 5-B-1-A-1-B, 5-B-1-A-2-B & 5-B-1-B-2**) zoned IP, located on JEFFERSON ST NE and TIBURON ST NE containing approximately 12 acre(s). (D-17) **THE ABOVE REQUEST WAS REVIEWED AND COMMENTS WERE GIVEN.**

27. Approval of the Development Review Board Minutes for October 18, 2006. **THE DRB MINUTES FOR OCTOBER 18, 2006 WERE APPROVED BY THE BOARD.**

ADJOURNED: 1:50 P.M.

DRB RULES OF COMMUNICATION

BE SURE, IF YOU WISH TO SPEAK OR TO RECEIVE NOTICE, YOU SIGN IN WITH CLAIRE.

IF YOU WISH TO RECEIVE NOTICE ONLY, BE SURE TO TELL CLAIRE. SHE WILL NOTE THAT ON THE SIGN IN SHEET. YOU ARE ALLOWED TO CHANGE YOUR MIND. JUST LET ME KNOW WHEN I STATE YOUR NAME.

1. PLEASE BE COURTEOUS. WAIT FOR THE PERSON SPEAKING TO STOP SPEAKING BEFORE BEGINNING TO SPEAK.
2. IT'S OFTEN WISEST TO APPOINT A SPOKESPERSON OR TWO TO VOICE THE CONCERNS OF YOUR GROUP.
3. EACH SPEAKER IS ALLOWED A MAXIMUM OF 2 MINUTES. IN THE INTEREST OF TIME... IF THE SPEAKER REPEATS WHAT ANOTHER SPEAKER HAS ALREADY SAID, I WILL ASK THE 2ND SPEAKER TO SKIP TO A COMMENT NOT ALREADY MADE. THIS ALLOWS DRB TO FOCUS ON EACH RELEVANT POINT BETTER.
4. BECAUSE OF THE CRAMPED QUARTERS IN THIS ROOM, I MAY ASK THOSE WHO HAVE ALREADY SPOKEN TO LEAVE THE ROOM UNTIL PUBLIC COMMENT IS OVER AND DRB IS READY TO MAKE A DECISION. WE WILL COME & GET YOU WHEN WE ARE READY TO GIVE OUR COMMENTS.

IF YOU ARE OUTSIDE THE MEETING ROOM, AGAIN, PLEASE BE COURTEOUS TO STAFF WHO ARE WORKING IN THE AREA. KEEP YOUR VOICES LOW AND TRY NOT TO MAKE THE HALLS IMPASSABLE.

5. FINALLY, THE AGENT WILL REPLY TO COMMENTS MADE BY EACH SPEAKER WHEN THAT SPEAKER HAS FINISHED.

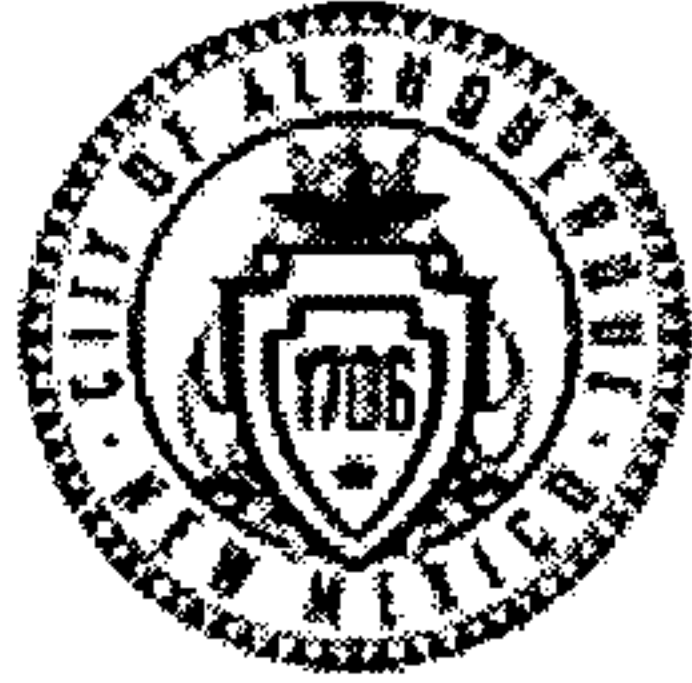
RAY BERG, THE PRESIDENT OF THE HIGH DESERT RESIDENTIAL OWNERS ASSOCIATION, HAS ASKED TO SPEAK FIRST.

When were you initially given a copy of the proposed subdivision?

DRB PUBLIC HEARING SIGN IN SHEETS

CASE NUMBER: 1004/989 AGENDA#: 3 DATE: 10/25/06

- ✓ 1. Name: DEBRA GREENHOOD Address: ¹³⁴⁰⁹ EMBUDITO VIEW CT NE Zip: 87111
- ✓ 2. Name: ARINTA LIEM Address: 13419 WILDERNESS PL NE Zip: 87111
- NOTICE ONLY ✓ 3. Name: Robert J. Pelletier Address: 5123 High Desert NE Zip: 87111
- NOTICE ONLY ✓ 4. Name: ^{JAY} GREENHOOD Address: ¹³⁴⁰⁹ EMBUDITO VIEW CT NE Zip: 87111
- ✓ 5. Name: SAM BACA Address: 5001 Cumbre del Sur NE Zip: 87111
- ✓ 6. Name: JENNIE BACA Address: " Zip: "
- # | ✓ 7. Name: ^{Neep} RAY BERR Address: 13501 OSAGE ORANGE NE ALB NM Zip: 87111
- ✓ 8. Name: John Farrow Address: 2400 Meadowview NW Zip: 87110
- ~~XXXX~~ ✓ 9. Name: Keith Gainer Address: 5516 Carmelita NE Zip: 87111
- ✓ 10. Name: Conrad Stahly Address: 5015 Cresta del Sur NE Zip: 87111
- ✓ 11. Name: Marcella B. Stahly Address: 5015 Cresta del Sur NE Zip: 87111
- # | ✓ 12. Name: Patricia K Wittman Address: 4905 Cresta del Sur CT NE Zip: 87111
- ATTORNEY ✓ 13. Name: Rob Erickson Address: 2621 1/2 Granite Ave NE Zip: 87109
- ✓ 14. Name: LARRY I. GARCIA Address: PO Box 1576 Los Lunas NM Zip: 87031



"Jean Smith"
<JSmith@rodey.com>
01/08/2007 04:46 PM

To <BFindley@cabq.gov>
cc "John Salazar" <JSalazar@rodey.com>, "Dina Venn"
<DVenn@rodey.com>
bcc

Subject RE: Project 1004989 Mesa Verde Development Appeal
record AC-07-2 and AC-07-3

History:  This message has been replied to.

That's good news. Thank you. When you get the appeal packet, can you let me know so I can look before it goes to City Council? We want to be sure it is complete.

-----Original Message-----

From: BFindley@cabq.gov [mailto:BFindley@cabq.gov]

Sent: Monday, January 08, 2007 4:45 PM

To: Jean Smith

Subject: Re: Project 1004989 Mesa Verde Development Appeal record AC-07-2 and AC-07-3

Jean:

This just in from Council Staff regarding AC-07-2 & AC-07-3

Both appeals will be heard by the LUHO on March 6, 2007 at 9:30 a.m. in the Vincent E. Griego Chambers. The introduction date remains January 17, 2007/

Please call Mandi Hinojos with any questions regarding the change.

Since the hearing has been changed, the packet will not be ready for pick up until two weeks prior to the hearing, February 20th, 2007.

Barbara J. Findley
924-3889

"Jean Smith" <JSmith@rodey.com>

01/08/2007 04:27 PM

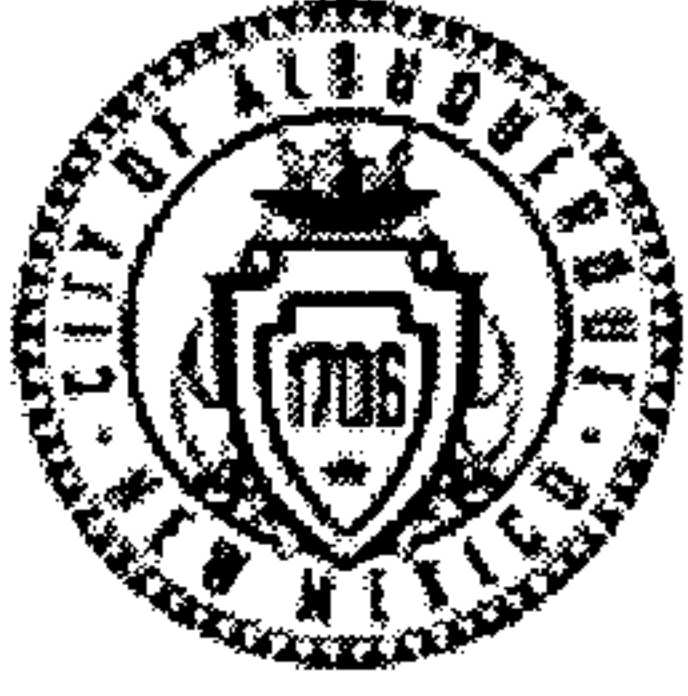
To <BFindley@cabq.gov>

cc "John Salazar" <JSalazar@rodey.com>

Subject Project 1004989 Mesa Verde Development Appeal record AC-07-2 and
AC-07-3

John Salazar wants a chance to review the appeal record before it is sent to City Council. Please let me know when the record is completed and I will come down to your office to review it. Thank

you.



Mandi M.
Hinojos@Exchange
01/08/2007 04:18 PM

To Barbara J. Findley/PLN/CABQ@COA, Bruce T.
Thompson@Exchange, Crystal Ortega@Exchange, Kevin J.
Curran@Exchange, Sheran A. Matson/PLN/CABQ@COA

cc

bcc

Subject Appeal Changes

Hi everyone,

One more appeal change regarding AC-07-2 and AC-07-3. Both of these appeals will be heard by the LUHO on March 6, 2007 at 9:30am in the Vincent E. Griego Chambers. The Introduction date remains January 17, 2007.

Please call me with any questions.

Thanks :)
Mandi

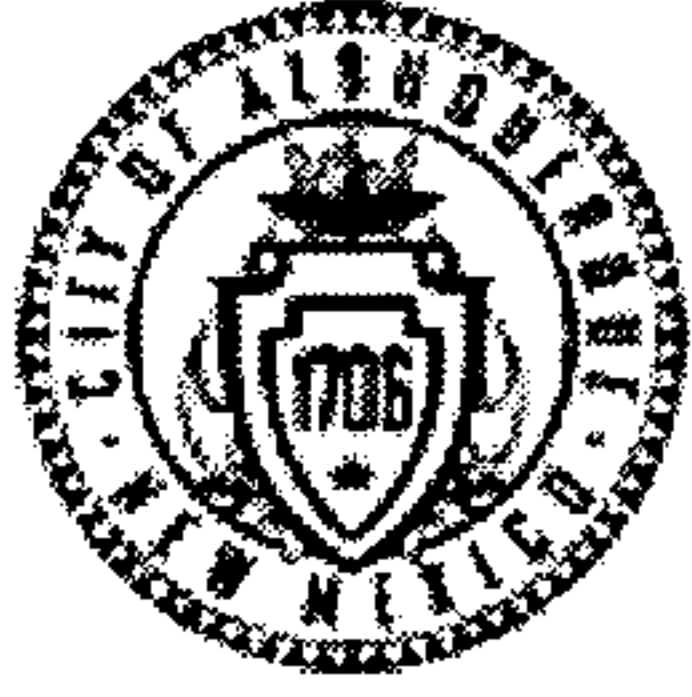
From: Hinojos, Mandi M.
Sent: Friday, January 05, 2007 9:10 AM
To: Findley, Barbara J.; Thompson, Bruce T.; Ortega, Crystal
Subject: New Appeal AC-07-3

Hi everyone,

AC-07-3 will be introduced at the Council meeting on January 17, 2007 and will be heard by the LUHO on January 18, 2007 at 9:30 am in the Vincent E. Griego Chambers. This appeal will be heard jointly with AC-07-2 as they are appealing the same case.

Please call me with any questions.

Thanks :)
Mandi



Mandi M.
Hinojos@Exchange
01/05/2007 09:10 AM

To Barbara J. Findley/PLN/CABQ@COA, Bruce T.
Thompson@Exchange, Crystal Ortega@Exchange
cc
bcc
Subject New Appeal AC-07-3

Hi everyone,

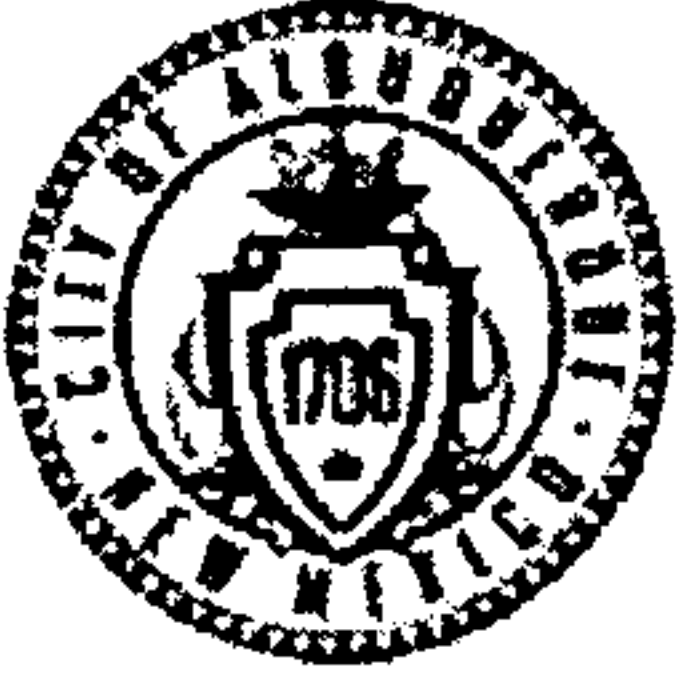
AC-07-3 will be introduced at the Council meeting on January 17, 2007 and will be heard by the LUHO on January 18, 2007 at 9:30 am in the Vincent E. Griego Chambers. This appeal will be heard jointly with AC-07-2 as they are appealing the same case.

Please call me with any questions.

Thanks :)

Mandi

AC-07-2



Mandi M.
Hinojos@Exchange
12/29/2006 10:11 AM

To Barbara J. Findley/PLN/CABQ@COA, Crystal
Ortega@Exchange, Russell D. Brito/PLN/CABQ@COA, April
M. Candelaria/PLN/CABQ@COA, Bruce T.
cc
bcc
Subject New Appeals

Hi everyone,

There has been another change. AC-06-28 will stay the same, and the Intro dates will also have no change.

AC-07-1 will now be heard by the LUHO on January 30, 2007 at 9:30 am in the Council Committee room.

~~AC-07-2~~ will now be heard by the LUHO on ~~January 18, 2007~~ at 9:30 am in the Vincent E. Griego Chambers.

Please call me with any questions.

Thank you!
Mandi

From: Hinojos, Mandi M.
Sent: Wednesday, December 20, 2006 2:54 PM
To: Findley, Barbara J.; Ortega, Crystal; Brito, Russell D.; Candelaria, April M.; Thompson, Bruce T.
Subject: New Appeals

Hi everyone,

AC-06-28 has been rescheduled and will be heard by the LUHO on January 23, 2006 at 9:30 am in the Council Committee room.

AC-07-1 will be introduced at the Council meeting on January 17, 2007 and will be heard by the LUHO on January 18, 2007 at 9:30 am in the Council Committee room.

AC-07-2 will be introduced at the Council meeting on January 17, 2007 and will be heard by the LUHO on January 30, 2007 at 9:30 am in the Vincent E. Griego Chambers.

Please call me with any questions.

AC-07-2



Crystal
Ortega@Exchange
12/28/2006 04:53 PM

To legals@abqpubco.com@SMTP@Exchange
cc April M. Candelaria/PLN/CABQ@COA, Mandi M.
Hinojos@Exchange, Russell D. Brito/PLN/CABQ@COA,
Barbara J. Findley/PLN/CABQ@COA

bcc

Subject Legal ad for 1/3/07 edition

Please advertise the attached legal ad in the
Wednesday, January 3, 2007 edition.

Also, as we discussed on the phone, please delete
the legal sent to you this morning at 9:30 am by
April Candelaria and replace it with the attached
legal.

Account #: C80583
PO#: C-18244

Please let me know if you have any questions.

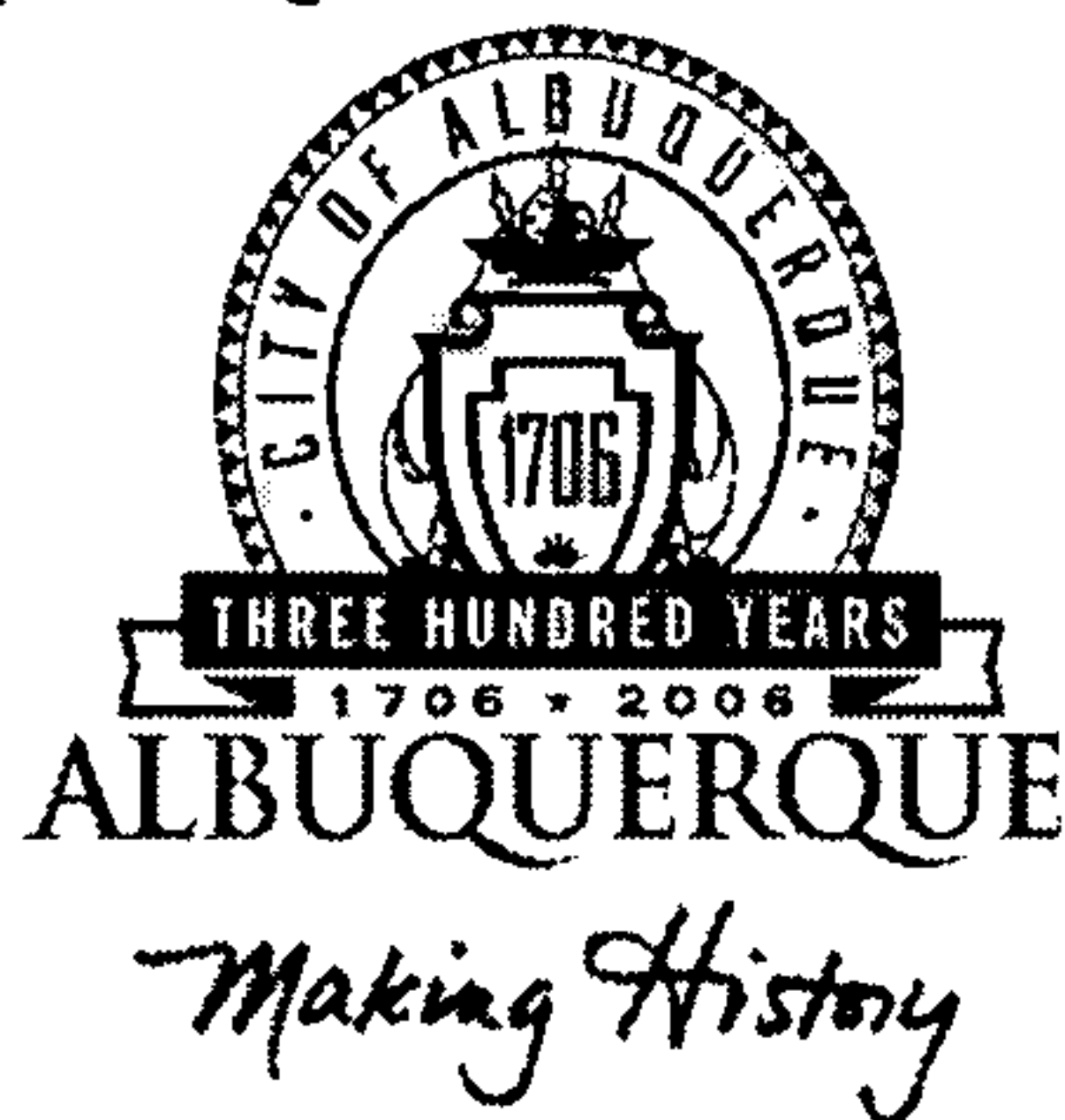
Thank you,
Crystal Ortega
768-3107

<<1-3-07 luholegalfor AC-07-2.doc>>



1-3-07 luholegalfor
AC-07-2.doc

TO BE PUBLISHED IN THE ALBUQUERQUE JOURNAL ON WEDNESDAY, JANUARY 3, 2007



**NOTICE OF PUBLIC HEARING
CITY COUNCIL OF THE CITY OF ALBUQUERQUE**

TO ALL CITIZENS AND PARTIES IN INTEREST:

Notice is hereby given that the City of Albuquerque Land Use Hearing Officer will hold a public hearing on **THURSDAY, JANUARY 18, 2007 at 9:30 a.m.** in the Vincent E. Griego Chambers, Basement Level, Albuquerque/Bernalillo County Government Center, One Civic Plaza NW, to consider the following:

AC-07-2 (06DRB-01411; 06DRB-01412; 06DRB-01413; 06DRB-01414; 06DRB-01415; Project #1004989) Hessel Yntema, Agent for Carl & Lillian Fesler, Robert & Kathy Pelletier and Janet & Eric Lentz, Appeal the Development Review Board's (DRB) Approval of a Preliminary Plat for all or a portion of Tract(s) A, Unit 2, Wilderness @ High Desert (to be known as Wilderness Canon @ High Desert) zoned SU-2, HD/R-R, located on High Desert Pl. NE, between Trailhead Rd. NE and Embudito View Ct. NE, containing approximately 4 acre(s). (F-23) Sheran Matson, Development Review Board Chair

Details of the above may be examined at the Development Review Division of the Planning Department, 3rd Floor, Plaza del Sol Building, 600 Second St. NW, Monday thru Friday, between 9 am - 4 pm.

Debbie O'Malley
City Council President

NOTICE TO PERSONS WITH DISABILITIES: If you have a disability and require special assistance to participate in this meeting, please contact the Council office at least one day before the meeting date at 768-3100. TTY users please call New Mexico Relay Network toll free at 1-800-659-8331.

APPROVED: _____

Russell D. Brito, Division Manager
Development Review Division



Sheran A.
Matson/PLN/CABQ
12/21/2006 02:21 PM

To Barbara J. Findley/PLN/CABQ@COA
cc
bcc
Subject AC-07-02 wilderness Canon @ High Desert

Hi Barbara

We received a second appeal of this same decision today as you may already be aware. We may get a third before 5pm. Kevin & I have agreed to combine the appeals together & just prepare one response.

Since I will be off from next Monday through the 2nd and we have DRB on the 3rd, I know the response will not be ready by the 4th.

According to the Zone Code, Council has 45 days from today to introduce the appeal. So, hopefully, we have a few more days to prepare the response.

The file is in my office when you need it to copy. Next week is perfect since I will be gone...that is, if you are here??

Have a great holiday!!

CITY OF ALBUQUERQUE

Planning Department

Richard Dineen, Director

Development Review Division

600 2nd Street NW – 3rd Floor
Albuquerque, NM 87102



NOTICE OF APPEAL

December 19, 2006

TO WHOM IT MAY CONCERN:

The Planning Department received the attached appeal on December 18, 2006. You will be notified by mail as to when this appeal will be heard before the Land Use Hearing Officer.

Please refer to enclosed Bill (F/S OC-04-6, Land Use Hearing Officer Rules of Procedure and Qualifications) for any questions you may have regarding the Land Use Hearing Officer rules of procedure.

Any questions you might have regarding Land Use Hearing Officer policy or procedure that are not answered in the enclosed bill can be answered by Crystal Ortega, Clerk to the Council, (505) 768-3100.

P.O. Box 1293

CITY COUNCIL APPEAL NUMBER: AC-07-2

Albuquerque

PLANNING DEPARTMENT CASE FILE NUMBERS: Project #1004989
06DRB-01411; 01412; 01413;
01414; 01415

New Mexico 87103

APPELLANT(s): Carl & Lillian Fesler, Robert & Kathy Pelletier, and
Eric & Janet Lentz

www.cabq.gov

AGENT: Hess Yntema
Oman & Yntema, P.A.
Post Office Box 1748
Albuquerque, NM 87103

cc: Carl & Lillian Fesler, 5005 Cumbre del Sur, Albuquerque, NM 87111-2988
Robert & Kathy Pelletier, 5123 High Desert Place NE, Albuquerque, NM 87111
Janet & Eric Lentz, 5109 High Desert Place NE, Albuquerque, NM 87111
Hess Yntema, Oman & Yntema, P.A., Post Office Box 1748, Albuquerque, NM 87103
Bohannon Huston, Inc., 7500 Jefferson NE, Albuquerque, NM 87109
Mesa Verde Development Co., 8300 Carmel Avenue NE, Albuquerque, NM 87122
John Salazar, Rodey Law Firm, Post Office Box 1888, Albuquerque, NM 87103
Kym Dicome, High Desert Investment Corp., 3791 Southern Blvd SE, Rio Rancho, NM 87124
Douglas Collister, 8524 Snakedance Ct NE, Albuquerque, NM 87111
Ray Berg 13501 Osage Orange NE, Albuquerque, NM 87111
Debra & Jay Greenhood, 13409 Embudito View Ct NE, Albuquerque, NM 87111
Sam & Jennie Baca, 5000 Cumbre del Sur NE, Albuquerque, NM 87111
Anita Liem, 13419 Wildernes PI NE, Albuquerque, NM 87111
John Farrow, 2400 Meadowview NW, Albuquerque, NM 87110
Keith Gainer, 5516 Carmelita NE, Albuquerque, NM 87111
Conrad & Marcella Stahly, 5015 Cresta del Sur NE, Albuquerque, NM 87111
Patricia Wittman, 4905 Cresta del Sur Ct NE, Albuquerque, NM 87111
Rob Erickson, 2621 1/2 Granite Ave NE, Albuquerque, NM 87104
Larry Garcia, PO Box 1576, Los Lunas, NM 87031
Pat Stovall, 6604 Rogers Ave NE, Albuquerque, NM 87110
Angela Ness, 13213 Manitoba Dr NE, Albuquerque, NM 87111

December 19, 2006

AC-07-2

Page 2 of 2

Charles Young, 13105 Enchantment Ln NW, Albuquerque, NM 87111
Ken Wesselman, 4613 Huntington Dr NE, Albuquerque, NM 87111
Anne Marie Morosin, 13109 Manitoba Dr NE, Albuquerque, NM 87111
Ed Hernandez, 1219 Blue Quail NE, Albuquerque, NM 87112
Alan Clipperton, 13501 Embudito View Ct NE, Albuquerque, NM 87111
Jack Eichorn, 6316 Bobcat Hill Ln NE, Albuquerque, NM 87111
Tarin Davies, 13209 Manitoba NE, Albuquerque, NM 87111
Joe Witte, 1570 West Ella Dr, Corrales, NM 87048
Armando Lara, 13415 Piedra Grande NE, Albuquerque, NM 87111
Kathleen Conlin, 1021 Orchard NW, Albuquerque, NM 87102
Jeni Turgeon, 720 Tramway Ln NE #6, Albuquerque, NM 87122
Don Kellor, 5004 Cresto del Sur NE, Albuquerque, NM 87111
Christine Ranier, 5016 Cresta del Sur Ct NE, Albuquerque, NM 87111
Marilyn Maldonado, Planning Department - 4th Floor, 600 2nd St NW, Albuquerque, NM 87102
Crystal Ortega, Clerk to the Council, City/County Building - 9th Floor
DRB File

City of Albuquerque



DEVELOPMENT/ PLAN REVIEW APPLICATION

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

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

APPLICANT INFORMATION:

+ Eric J Janet Lentz

NAME: Carl and Lillian Fester, Roberta Kathy Pelletier PHONE: see below

ADDRESS: Pelletier FAX: _____

CITY: _____ STATE _____ ZIP _____ E-MAIL: _____

Proprietary interest in site: _____ List all owners: _____

AGENT (if any): Hessol Yntema PJ PHONE: 503-9565

ADDRESS: Oman - Yntema PA Box 1748 FAX: 202-272-2879

CITY: Alb - g - eye STATE NM ZIP 87103 E-MAIL: heyoman-law.com

DESCRIPTION OF REQUEST: Appeal of DRB

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

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

Lot or Tract No. Tract A, Unit 2, Wilderness High Desert Block: _____ Unit: _____

Subdiv. / Addn. Wilderness High Desert

Current Zoning: _____ Proposed zoning: _____

Zone Atlas page(s): _____ No. of existing lots: _____ No. of proposed lots: _____

Total area of site (acres): _____ Density if applicable: dwellings per gross acre: _____ dwellings per net acre: _____

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

UPC No. _____ MRGCD Map No. _____

LOCATION OF PROPERTY BY STREETS: On or Near: _____

Between: _____ and _____

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 # 1004989, 06 DRB 01411 through 01415

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

SIGNATURE Hessol Yntema DATE 12-18-06

(Print) Hessol Yntema _____ Applicant Agent

<p>FOR OFFICIAL USE ONLY</p> <p><input type="checkbox"/> INTERNAL ROUTING</p> <p><input checked="" type="checkbox"/> All checklists are complete</p> <p><input checked="" type="checkbox"/> All fees have been collected</p> <p><input checked="" type="checkbox"/> All case #s are assigned</p> <p><input type="checkbox"/> AGIS copy has been sent</p> <p><input checked="" type="checkbox"/> Case history #s are listed</p> <p><input type="checkbox"/> Site is within 1000ft of a landfill</p> <p><input type="checkbox"/> F.H.D.P. density bonus</p> <p><input type="checkbox"/> F.H.D.P. fee rebate</p>	<p>Application case numbers</p> <p><u>0600 01768</u></p> <p>_____</p> <p>_____</p> <p>_____</p> <p>Hearing date <u>APPEAL</u></p> <p><u>12/18/06</u></p>	<p>Form revised 4/04</p> <table border="0" style="width: 100%;"> <tr> <td>Action</td> <td>S.F.</td> <td>Fees</td> </tr> <tr> <td><u>APPEAL</u></td> <td><u>AP</u></td> <td><u>\$ 190.00</u></td> </tr> <tr> <td></td> <td><u>ADV</u></td> <td><u>\$ 50.00</u></td> </tr> <tr> <td></td> <td></td> <td>\$ _____</td> </tr> <tr> <td></td> <td></td> <td>\$ _____</td> </tr> <tr> <td></td> <td></td> <td>\$ _____</td> </tr> <tr> <td></td> <td></td> <td>\$ _____</td> </tr> <tr> <td></td> <td></td> <td>Total <u>\$ 240.00</u></td> </tr> </table> <p>Planner signature / date <u>Oliver Sierra</u></p> <p>Project # <u>1004989</u></p>	Action	S.F.	Fees	<u>APPEAL</u>	<u>AP</u>	<u>\$ 190.00</u>		<u>ADV</u>	<u>\$ 50.00</u>			\$ _____			\$ _____			\$ _____			\$ _____			Total <u>\$ 240.00</u>
Action	S.F.	Fees																								
<u>APPEAL</u>	<u>AP</u>	<u>\$ 190.00</u>																								
	<u>ADV</u>	<u>\$ 50.00</u>																								
		\$ _____																								
		\$ _____																								
		\$ _____																								
		\$ _____																								
		Total <u>\$ 240.00</u>																								

FORM A: APPEAL

Appeal to the Zoning Board of Appeals regarding:

DECISION OF THE ZONING HEARING EXAMINER

___ Project number of case being appealed; _____

___ Application number of case being appealed; _____

- ___ Reason for the appeal *
- ___ Appellant's basis of standing as an appellant *
- ___ Letter of authorization from the appellant if this application for appeal is submitted by an agent
- ___ Copy of the Official Notification of Decision regarding the matter being appealed
- ___ Fee (see schedule)

Appeal to the Landmarks and Urban Conservation Commission regarding:

CERTIFICATE OF APPROPRIATENESS DECISION OF THE PLANNING DIRECTOR OR STAFF

___ Project number of case being appealed; _____

___ Application number of case being appealed; _____

- ___ Reason for the appeal *
- ___ Appellant's basis of standing as an appellant *
- ___ Letter of authorization from the appellant if this application for appeal is submitted by an agent
- ___ Copy of the Official Notification of Decision regarding the matter being appealed
- ___ Fee (see schedule)

Appeal to the Environmental Planning Commission regarding:

DECLARATORY RULING OF THE ZONING ENFORCEMENT OFFICER

___ Project number of case being appealed; _____

___ Application number of case being appealed; _____

- ___ Reason for the appeal *
- ___ Appellant's basis of standing as an appellant *
- ___ Letter of authorization from the appellant if this application for appeal is submitted by an agent
- ___ Copy of the Official Notification of Decision regarding the matter being appealed
- ___ Fee (see schedule)

Appeal to the City Council through the Land Use Hearing Officer regarding:

- ADMINISTRATIVE AMENDMENT OR DECISION OF THE PLANNING DIRECTOR OR STAFF
- DETERMINATION OR ACTION OF THE ENVIRONMENTAL PLANNING COMMISSION
- DETERMINATION OR ACTION OF THE DEVELOPMENT REVIEW BOARD
- ACTION OF THE ZONING BOARD OF APPEALS REGARDING AN APPEAL
- DECISION OF THE LANDMARKS AND URBAN CONSERVATION COMMISSION

___ Project number of case being appealed; 1004989

___ Application number of case being appealed; 06 DRB 01411 through ~~01415~~ 01415

- Reason for the appeal *
- Appellant's basis of standing as an appellant * - Nearby landowners
- Letter of authorization from the appellant if this application for appeal is submitted by an agent
- Copy of the Official Notification of Decision regarding the matter being appealed
- ___ Fee (see schedule)

* Criteria for reasonable appeals and criteria for standing as an appellant are given in Zoning Code §14-16-4-4. Any appeal must meet these criteria to be heard. The applicant should review these and other relevant documents carefully before preparing an application for appeal.

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

Hessel Yntema
Applicant name (print)
12-18-06
Applicant signature / date



Form revised 10/04 & March 2005

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

Application case numbers
06CC - 01768

Colleen Jensen 12/18/06
Planner signature / date

Project # 1004989

FESLER/PELLETIER/LENTZ

**REASONS FOR APPEAL OF DRB APPROVAL OF
PRELIMINARY PLAT (06DRB - 01411 through 014115)**

1. The DRB's decision was arbitrary and capricious because the DRB required a certification from the High Desert Residential Owners Association as to whether the proposed preliminary plat complies with the applicable High Desert Sector Plan, but then ignored the certification of the Association that the proposed preliminary plat does not comply with the Sector Plan.
2. The decision was arbitrary and capricious because the DRB could not have and did not evaluate the matters set out in the letter dated December 5, 2006 from Fanning Bard Tatum Architects AIA, Ltd.
3. The proposed preliminary plat does not comply with the Sector Plan because the Association has not certified that the proposed plat meets the requirements of the Sector Plan, and that certification is required for submission of the proposed preliminary plat.
4. The proposed preliminary plat does not meet the requirements of the Sector Plan because, among other reasons:
 - a. the proposed development is densest against forest wilderness and trails;
 - b. the proposed development is not in scale to the existing residences in the immediate area and otherwise is contrary to the spirit and intent of the Sector Plan;
 - c. the proposed development will impair views and will contrast with the existing landform;
 - d. the proposed development appears to violate the "10% Demarcation Line" set out in the Sector Plan, and the proposed development appears to violate the intent of protecting or minimizing the impact of areas with 10% or greater slope;
 - e. the proposed development will generate traffic problems contrary to the intent of the Sector Plan; and
 - f. the proposed development will generate drainage problems contrary to the intent of the Sector Plan.
5. The various grants of "variances" by the DRB do not meet the requirements of state law and City ordinances.

CARL FESLER and LILLIAN FESLER
5005 CUMBRE Del SUR
Albuquerque, NM 87111-2988

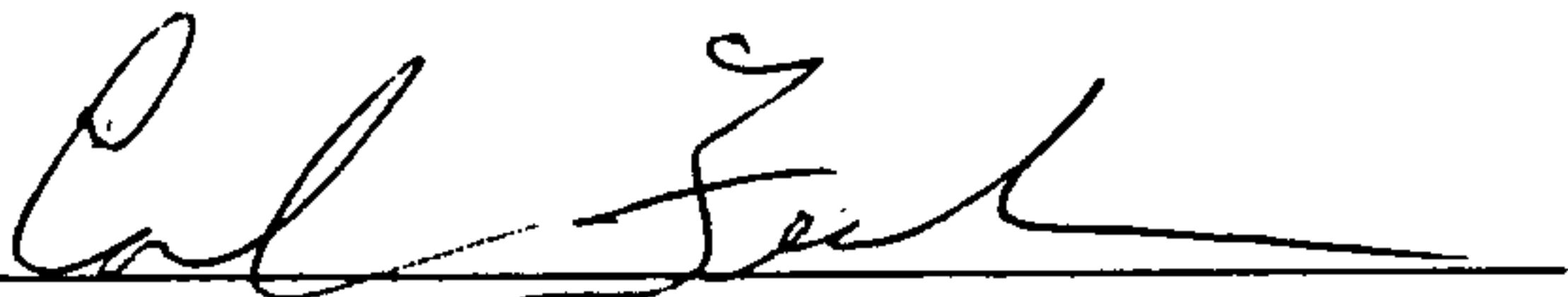
December 11, 2006

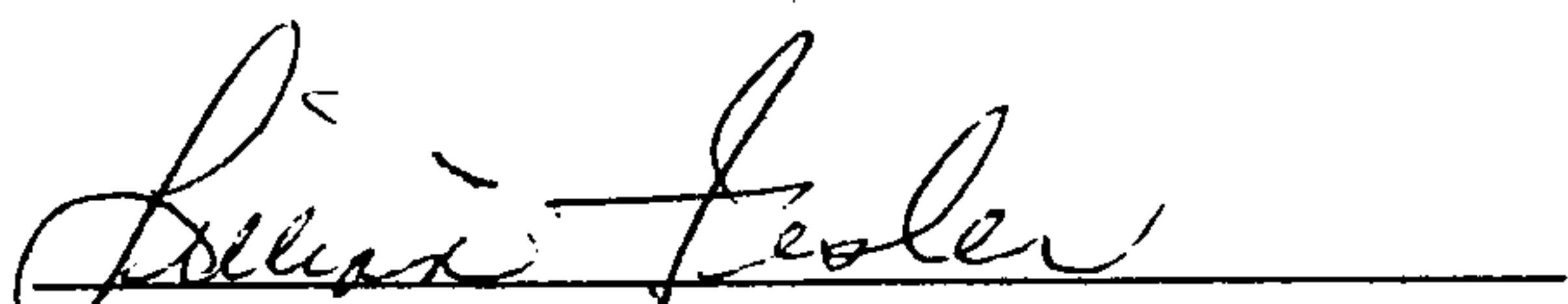
City Planning Department

Appeal
DRB Approval of Preliminary Plat
06DRB - 01411 through 014115

Ladies/Gentlemen:

This letter is to authorize Oman & Yntema P.A. (Hess Yntema) to represent us in an appeal of the DRB decision dated December 6, 2006 for Project #1004989 (Wilderness Canon at High Desert).


CARL FESLER


LILLIAN FESLER

ROBERT PELLETIER and KATHY PELLETIER
5123 High Desert Place NE
Albuquerque, NM 87111

December 11, 2006

City Planning Department

Appeal
DRB Approval of Preliminary Plat
06DRB - 01411 through 014115

Ladies/Gentlemen:

This letter is to authorize Oman & Yntema P.A. (Hess Yntema) to represent us in an appeal of the DRB decision dated December 6, 2006 for Project #1004989 (Wilderness Canon at High Desert).



ROBERT PELLETIER



KATHY PELLETIER

**JANET AND ERIC LENTZ
5109 HIGH DESERT PLACE NE
Albuquerque, NM 87111**


December 13, 2006

City Planning Department

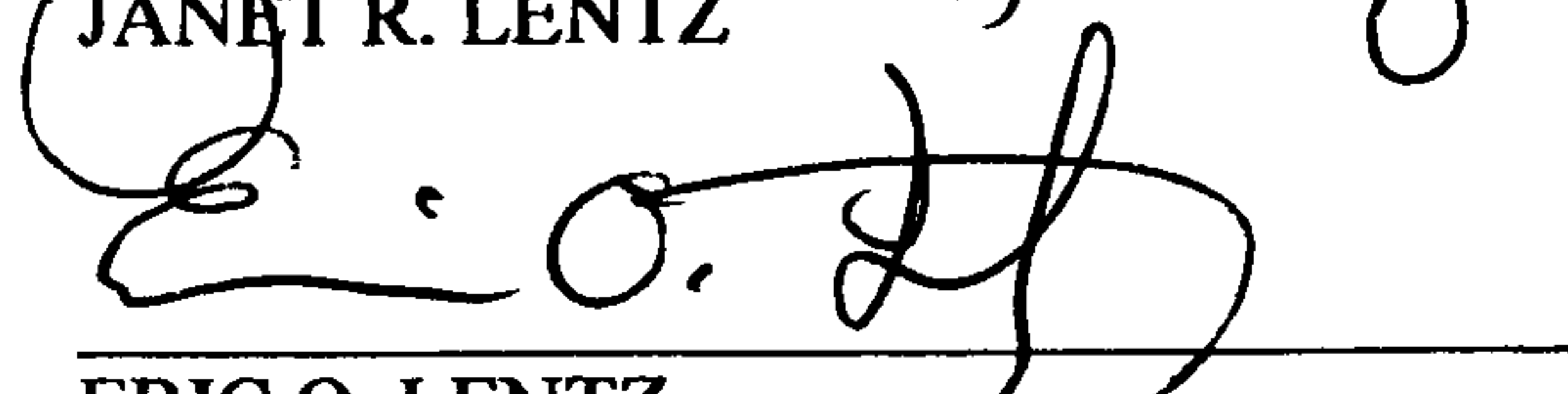
Appeal
DRB Approval of Preliminary Plat
06DRB - 01411 through 014115

Ladies/Gentlemen:

This letter is to authorize Oman & Yntema P.A. (Hess Yntema) to represent us in an appeal of the DRB decision dated December 6, 2006 for Project #1004989 (Wilderness Canon at High Desert).



JANET R. LENTZ



ERIC O. LENTZ



OFFICIAL NOTICE OF DECISION

CITY OF ALBUQUERQUE
PLANNING DEPARTMENT
DEVELOPMENT REVIEW BOARD

December 6, 2006

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

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

At the December 6, 2006, Development Review Board meeting, with the signing of the infrastructure list dated 12/6/06 and approval of the grading plan engineer stamp dated 11/7/06 the preliminary plat was approved with the following findings:

1. The November 6, 2006 High Desert Residential Owners' Association Letter satisfies the intent of Section 4.A.7 of the High Desert Sector Plan based upon past High Desert Residential Owners' Association letters submitted for previous preliminary plats in High Desert.
2. Planning agrees that the preliminary plat submitted for Wilderness Canon at High Desert complies with the zoning, density and lot size requirements of the High Desert Sector Plan.
 - a. Specifically, residential uses in the SU2-HD RR zoning must conform, according to the Sector Plan, to the SU2-HD RG zone. The sector plan states the total number of dwelling units cannot exceed 300. Wilderness Canon's preliminary plat contains 25 lots or 25 dwelling units. High Desert Investment Corporation has stated for the record that the SU2-HD RR zone currently contains 110 units. So even with the addition of these 25 lots, the total is well below the 300 unit limit.

**OFFICIAL NOTICE OF DECISION****PAGE 2**

- b. One dwelling unit per lot as proposed also conforms to City's RT zoning category to which the SU2-HD RG zoning refers for use and lot size.
- c. The lot sizes shown on the submitted plat conform to the RT zoning category.
3. The developer must include this statement on the final plat: "The property on this plat is subject to a Pre-Development Facilities Fee Agreement with the Albuquerque Public Schools recorded at [insert recording information here]."

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

FINDINGS:

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

CONDITIONS:

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

A subdivision design variance from minimum DPM standards concerning internal streets was approved as shown on Exhibit C in the Planning file.

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

If you wish to appeal this decision, you must do so by December 21, 2006, in the manner described below.

**OFFICIAL NOTICE OF DECISION****PAGE 3**

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

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

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

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

Sheran Matson, AICP, DRB Chair

Cc: Bohannon Huston Inc., 7500 Jefferson NE, 87109
Mesa Verde Development Co., 8300 Carmel Ave NE, 87122
John Salazar, Rodey Law Firm, P.O. Box 1888, 87103
Kym Dicome, High Desert Investment Corp., 3791 Southern Blvd SE, Rio Rancho, NM 87124
Douglas Collister, 8524 Snakedance Ct NE, 87111
Ray Berg, 13501 Osage Orange NE, 87111
Debra & Jay Greenhood, 13409 Embudito View Ct NE, 87111
Sam & Jennie Baca, 5000 Cumbre del Sur NE, 87111

**OFFICIAL NOTICE OF DECISION****PAGE 4**

Arinta Liem, 13419 Wildemess Pl NE, 87111
Robert Pelletier, 5123 High Desert NE, 87111
John Farrow, 2400 Meadowview NW, 87110
Keith Gainer, 5516 Carmelita NE, 87111
Conrad & Marcella Stahly, 5015 Cresta del Sur NE, 87111
Patricia Wittman, 4905 Cresta del Sur Ct NE, 87111
Rob Erickson, 2621-1/2 Granite Ave NE, 87104
Larry Garcia, P.O. Box 1576, Los Lunas, NM 87031
Pat Stovall, 6604 Rogers Ave NE, 87110
Angela Ness, 13213 Manitoba Dr NE, 87111
Charles Young, 13105 Enchantment Ln NW, 87111
Ken Wesselman, 4613 Huntington Dr NE, 87111
Anne Marie Morosin, 13109 Manitoba Dr NE, 87111
Ed Hernandez, 1219 Blue Quail NE, 87112
Alan Clipperton, 13501 Embudito View Ct NE, 87111
Jack Eichorn, 6316 Bobcat Hill Ln NE, 87111
Tarin Davies, 13209 Manitoba NE, 87111
Joe Witte, 1570 West Ella Dr NE, 87048
Armando Lara, 13415 Piedra Grande NE, 87111
Kathleen Conlin, 1021 Orchard NW, 87102
Jeni Turgeon, 720 Tramway Ln NE, #6, 87122
Janet Lentz, 5109 High Desert Place NE, 87111
Carl Fesler, 5005 Cumbre del Sur NE, 87111
Don Kellor, 5004 Cresta del Sur NE, 87111
Christine Ranier, 5016 Cresta del Sur Ct NE, 87111
Marilyn Maldonado, Planning Department, 4th Floor, Plaza del Sol Bldg.
File

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

PAID RECEIPT

APPLICANT NAME Carol & Allan Fester, Robert & Kathy Pelletier
 AGENT Mess Yntema and Eric & Janet Lentz
 ADDRESS _____
 PROJECT & APP # 1004989 (0600 01768)
 PROJECT NAME Wilderness @ High Desert

\$ _____ 441032/3424000 Conflict Management Fee
 \$ _____ 441006/4983000 DRB Actions
 \$ 190.00 441006/4971000 EPC/AA/LUCC Actions & All Appeals
 \$ 50.00 441018/4971000 Public Notification
 \$ _____ 441006/4983000 DRAINAGE PLAN REVIEW OR TRAFFIC IMPACT STUDY***
 () Major/Minor Subdivision () Site Development Plan () Bldg Permit
 () Letter of Map Revision () Conditional Letter of Map Revision
 () Traffic Impact Study
 \$ 240.00 TOTAL AMOUNT DUE

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

12/19/2006 11:59AM LOC: ANN
 X
 RECEIPT# 00068639 WSH# 008 TRANSH# 0021
 Account 441006 Fund 0110
 Activity 4971000 TRSLJS
 Trans Amt \$240.00
 J24 Misc \$190.00

DUPLICATE
 City Of Albuquerque
 Treasury Division

DUPLICATE
 City Of Albuquerque
 Treasury Division

12/19/2006 12:00PM LOC: ANN
 X
 RECEIPT# 00068640 WSH# 008 TRANSH# 0021
 Account 441018 Fund 0110
 Activity 4971000 TRSLJS
 Trans Amt \$240.00
 J24 Misc \$50.00
 CK \$240.00
 CHANGE \$0.00

Thank You

CITY OF ALBUQUERQUE

CITY COUNCIL

INTEROFFICE MEMORANDUM

TO: Michael Cadigan, President, City Council
FROM: Laura Mason
SUBJECT: Land Use Hearing Officer Rules of Procedure and Qualifications
DATE: February 18, 2004
CC: All Councilors

Pursuant to Section 14-16-4-4 ROA 1994 (the Appeal section of the Zoning Code), the Council is to adopt rules of procedure and regulations setting forth the qualifications for the Land Use Hearing Officer. The following rules are adopted for appeals of land use decisions other than appeals involving a zone map amendment:

1. Notice for any appeal hearing by the Land Use Hearing Officer ("Hearing Officer") shall be given at the City Council meeting at which the appeal is introduced or at least two weeks prior to the hearing held by the Hearing Officer.
2. The sequence and the time allowed for appeal hearings shall be as follows:
 - 25 minutes for appellant;
 - 30 minutes for party opponent(s) of the appeal;
 - 10 minutes for city staff, unless that staff spoke as opponents;
 - 5 minutes for appellant rebuttal.
3. The Hearing Officer may combine separate appeals of the same action, in which case each appeal will receive an equal share of the appellants' time. The Hearing Officer shall indicate in advance the division of opponent time if more than one private party is shown by the record to be in opposition.
4. The Hearing Officer shall follow the above maximum times unless, based on the complexity of the issues, the Hearing Officer gives notice of differing times to all parties. In all cases, the maximum time available to proponents and opponents shall be equal, in accordance with the pattern above.
5. The parties shall decide on the speakers to use the time assigned to the appellant and the opponents of the appeal.
6. Evidence:

(A) The Hearing Officer shall make his or her decision and findings on the record of the decision appealed supplemented by any evidence allowed to be presented and matters officially noticed.

(B) If the Hearing Officer determines that certain additional evidence proposed is necessary and appropriate for the proper disposition of the matter he or she may take that evidence.

(C) New evidence which could have been put in the record during the previous hearing(s) is not favored for introduction at a Hearing Officer hearing. New evidence which clarifies evidence already in the record may be allowed. New evidence which is offered to contradict evidence in the record may be allowed; if such evidence appears convincing and is on an important point, it can justify the recommendation of a remand. If new evidence is allowed, it shall be restricted to a type and subject deemed admissible by the Hearing Officer.

(D) When a hearing will be expedited and the interest of the parties will not be prejudiced substantially, the Hearing Officer may accept specific items of evidence in written form; the fact that the author of written evidence is not present for cross examination does not disallow its admission unless the Hearing Officer rules that such absence makes the particular evidence inappropriate.

(E) Witnesses shall be sworn: "Do you swear (or affirm) that you will tell the truth, the whole truth, and nothing but the truth?" Attorneys may testify on their attorney's oath.

(F) Cross-examination of witnesses is allowed concerning the evidence and opinions they have presented in testimony to the Hearing Officer in order to disclose facts truly and fully. Cross-examination questions may be asked only by parties to the appeal. Any such questions shall be asked immediately following the witnesses' testimony. Questions may be asked by an adverse party or the party's attorney or representative of record. Improper questions will be disallowed by the Hearing Officer and the Hearing Officer may impose reasonable time limits on cross-examination. The Hearing Officer may restate questions to the witness and may require that questions be addressed to the Hearing Officer. The Hearing Officer will rule irrelevant questions and unnecessarily long answers out of order.

7. With regard to any appeal that has been filed with and is pending before the City Council and referred to the Hearing Officer:

(A) Communication with Parties. No City Councilor shall communicate outside a hearing with a party or representative of a party about an appeal, and no party or representative of a party shall communicate outside a hearing with a Councilor about an appeal. Any facts or documents not in the record before the

City Council when an appeal is filed are subject to the rules regarding new evidence that are set forth herein.

(B) Communication with Persons other than Parties. No Councillor shall knowingly communicate with a member of the public or an organization about the subject of the appeal, and persons or organizations not parties to the appeal shall not communicate with any Councillor about the subject of the appeal and/or attempt to influence the outcome of the appeal. Information and correspondence that is not in the record at the time the appeal is filed is not evidence and should not be considered in making a decision regarding the outcome of the appeal unless accepted as new evidence.

(C) Communication Between Hearing Officer and Councillor. No Councillor shall knowingly communicate with the Hearing Officer about the subject of a pending appeal, and the Hearing Officer shall not communicate with any Councillor about the subject of a pending appeal other than by written findings and recommended decision as set forth herein.

(D) Communication with Parties by Hearing Officer. The Hearing Officer shall not communicate outside a hearing with a party or representative of a party about an appeal, and no party or representative of a party shall communicate outside a hearing with the Hearing Officer about an appeal. Any facts or documents not in the record before the Hearing Officer when an appeal is filed are subject to the rules regarding new evidence that are set forth herein.

(E) Communication with Persons other than Parties. The Hearing Officer shall not knowingly communicate with a member of the public or an organization about the subject of the appeal, and persons or organizations not parties to an appeal shall not communicate with the Hearing Officer about the subject of an appeal and/or attempt to influence the outcome of an appeal. Information and correspondence that is not in the record at the time an appeal is filed is not evidence and should not be considered in making a decision regarding the outcome of an appeal unless accepted as new evidence.

(F) Any correspondence regarding the subject of an appeal that is an ex parte communication and is inadvertently received by the Hearing Officer shall be kept separately from the record on the appeal. The Hearing Officer shall advise the parties to the appeal of the receipt of the ex parte written communication which shall be available for review by the parties.

(G) Notwithstanding the above, staff of the Council Services and other City departments (other than employees of a City department which is the appellant or appellee, or employees who have a personal or pecuniary interest in the outcome of the appeal) may, upon the request of the Hearing Officer, communicate with the Hearing Officer at any time and by any means.

8. The Hearing Officer shall recuse himself or herself from any proceedings in which he or she has a direct or indirect financial conflict of interest or otherwise cannot accord a fair and impartial hearing. In the event that the Hearing Officer has a conflict of interest regarding a particular appeal or a party to that appeal, the Hearing Officer shall immediately notify the Council of the conflict and the appeal shall be scheduled to be heard by the full Council.
9. The Hearing Officer shall enter his or her findings and recommended decision ("decision") within 5 days after the close of the hearing and shall forward the decision and findings to the parties and the Council within 5 days of entering the decision.
10. The Hearing Officer shall base his or her decision on a preponderance of the evidence. He or she may reweigh the evidence in the record.
11. The Hearing Officer may decide to recommend that the Council grant, in whole or in part, an appeal, deny, in whole or in part, an appeal, or remand an appeal for reconsideration if the remand is necessary to clarify or supplement the record or if remand would more expeditiously dispose of the matter.
12. When the Council receives the Hearing Officer's findings and decision, the Council shall place the decision on the agenda of the next regular full Council meeting provided that there is a period of at least 7 days between the receipt of the decision and the Council meeting. The parties may submit comments to the Council regarding the Hearing Officer's decision and findings provided such comments are in writing and received by the Council and the other parties of record four days prior to the Council meeting.
13. The Council shall vote whether to accept or reject the Hearing Officer's decision and findings. A motion to reject or accept the Hearing Officer's decision and findings must be approved by a majority of the membership of the Council.
14. The Council may accept the decision and amend the findings of the Hearing Officer if such an amendment is consistent with the decision of the Hearing Officer.
15. If the Hearing Officer's decision is rejected, the appeal shall be scheduled to be heard by the full Council no earlier than the next regular meeting of the full Council.
16. If the Hearing Officer rules are in conflict with the Zoning Code, the Zoning Code shall prevail. If the Hearing Officer rules are silent regarding an area that is addressed by the Zoning Code, the Zoning Code shall apply.

Qualifications of the Land Use Hearing Officer

1. Prior experience with administrative hearing procedures, land use law and/or City planning and zoning procedures.
2. A record that demonstrates a high level of integrity.
3. Excellent analytical, communication and drafting skills.

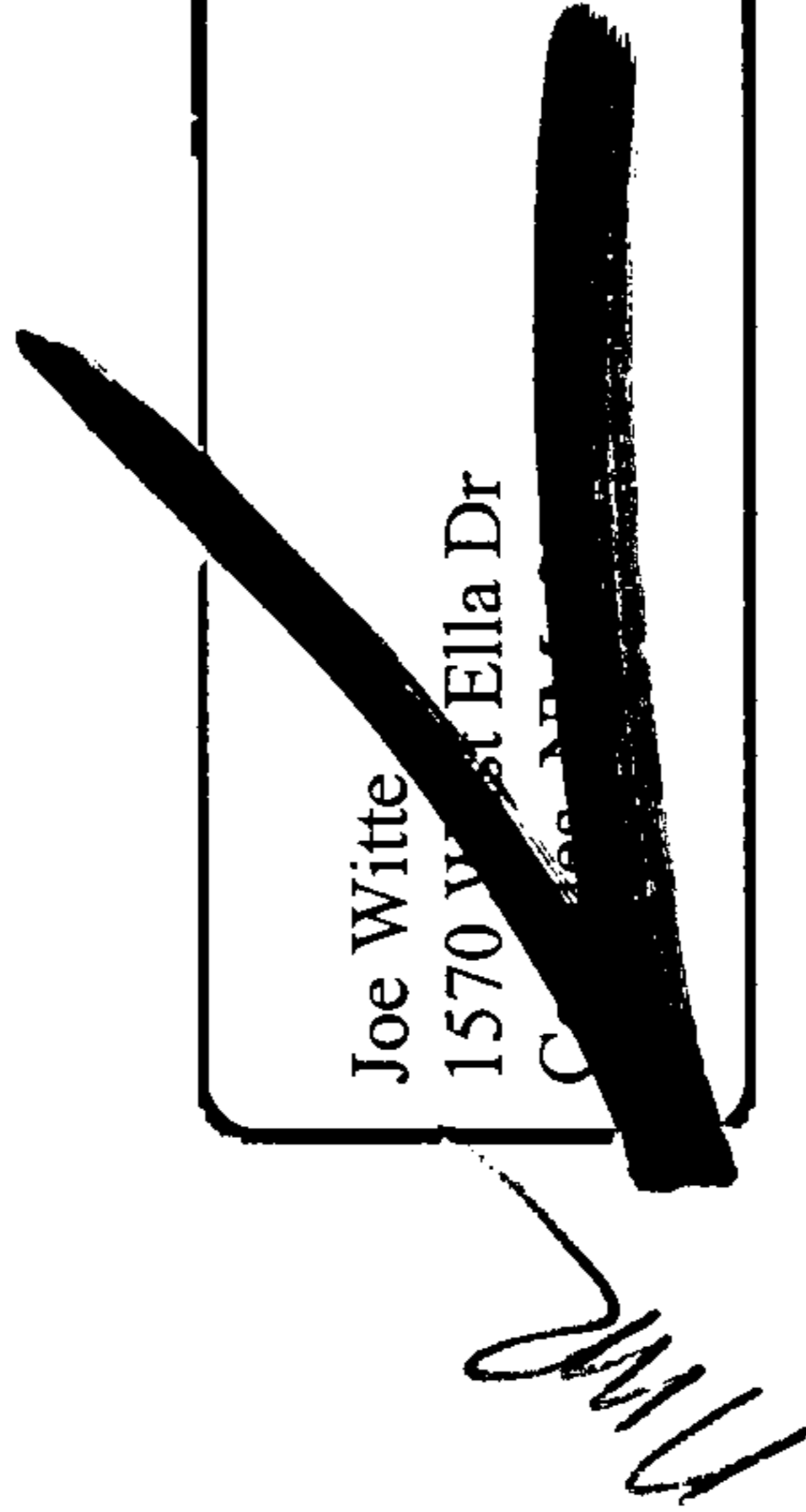
X:\SHARE\Legislation\Sixteen\OC-6fsfin.doc

OF ALBUQUERQUE
NING DEPARTMENT
MENT REVIEW DIVISION
d Street NW - 3rd Floor
buquerque, NM 87102

- Not Deliverable As Addressed
- Unable To Forward
- Insufficient Address
- Moved, Left No Address
- Unclaimed Refused
- Attempted - Not Known
- No Such Street Vacant
- No Such Number
- No Mail Receptacle
- Not Cleared - Mail Stop
- Return to Office

Joe Witte
1570 West Ella Dr
C... ..

Handwritten signature



CITY OF ALBUQUERQUE



Planning Department

Richard Dineen, Director

Development Review Division

600 2nd Street NW – 3rd Floor
Albuquerque, NM 87102

NOTICE OF APPEAL

January 4, 2007

TO WHOM IT MAY CONCERN:

The Planning Department received the attached appeal on December 21, 2006. You will be notified by mail as to when this appeal will be heard before the Land Use Hearing Officer.

Please refer to enclosed Bill (F/S OC-04-6, Land Use Hearing Officer Rules of Procedure and Qualifications) for any questions you may have regarding the Land Use Hearing Officer rules of procedure.

Any questions you might have regarding Land Use Hearing Officer policy or procedure that are not answered in the enclosed bill can be answered by Crystal Ortega, Clerk to the Council, (505) 768-3100.

P.O. Box 1293

CITY COUNCIL APPEAL NUMBER: AC-07-3

Albuquerque

PLANNING DEPARTMENT CASE FILE NUMBERS: Project #1004989
06DRB-01411; 01412; 01413;
01414; 01415

New Mexico 87103

APPELLANT(s): High Desert Residential Owners Association
c/o Paul M. Kienzle
Scott & Kienzle PA
Box 587
Albuquerque, NM 87103

www.cabq.gov

AGENT: Paul M. Kienzle
Scott & Kienzle PA
Box 587
Albuquerque, NM 87103

cc: High Desert Residential Owners Association, c/o Paul M. Kienzle, Scott & Kienzle PA, Box 587, Albuquerque, NM 87103
Paul M. Kienzle, Scott & Kienzle PA, Box 587, Albuquerque, NM 87103
Bohannon Huston, Inc., 7500 Jefferson NE, Albuquerque, NM 87109
Mesa Verde Development Co., 8300 Carmel Avenue NE, Albuquerque, NM 87122
Carl & Lillian Fesler, 5005 Cumbre del Sur, Albuquerque, NM 87111-2988
Robert & Kathy Pelletier, 5123 High Desert Place NE, Albuquerque, NM 87111
Janet & Eric Lentz, 5109 High Desert Place NE, Albuquerque, NM 87111
Hess Yntema, Oman & Yntema, P.A., Post Office Box 1748, Albuquerque, NM 87103
John Salazar, Rodey Law Firm, Post Office Box 1888, Albuquerque, NM 87103
Kym Dicome, High Desert Investment Corp., 3791 Southern Blvd SE, Rio Rancho, NM 87124
Douglas Collister, 8524 Snakedance Ct NE, Albuquerque, NM 87111
Ray Berg 13501 Osage Orange NE, Albuquerque, NM 87111
Debra & Jay Greenwood, 13409 Embudito View Ct NE, Albuquerque, NM 87111
Sam & Jennie Baca, 5000 Cumbre del Sur NE, Albuquerque, NM 87111
Anita Liem, 13419 Wildernes Pl NE, Albuquerque, NM 87111
John Farrow, 2400 Meadowview NW, Albuquerque, NM 87110

Keith Gainer, 5516 Carmelita NE, Albuquerque, NM 87111
Conrad & Marcella Stahly, 5015 Cresta del Sur NE, Albuquerque, NM 87111
Patricia Wittman, 4905 Cresta del Sur Ct NE, Albuquerque, NM 87111
Rob Erickson, 2621 ½ Granite Ave NE, Albuquerque, NM 87104
Larry Garcia, PO Box 1576, Los Lunas, NM 87031
Pat Stovall, 6604 Rogers Ave NE, Albuquerque, NM 87110
Angela Ness, 13213 Manitoba Dr NE, Albuquerque, NM 87111
Charles Young, 13105 Enchantment Ln NW, Albuquerque, NM 87111
Ken Wesselman, 4613 Huntington Dr NE, Albuquerque, NM 87111
Anne Marie Morosin, 13109 Manitoba Dr NE, Albuquerque, NM 87111
Ed Hernandez, 1219 Blue Quail NE, Albuquerque, NM 87112
Alan Clipperton, 13501 Embudito View Ct NE, Albuquerque, NM 87111
Jack Eichorn, 6316 Bobcat Hill Ln NE, Albuquerque, NM 87111
Tarin Davies, 13209 Manitoba NE, Albuquerque, NM 87111
Joe Witte, 1570 West Ella Dr, Corrales, NM 87048
Armando Lara, 13415 Piedra Grande NE, Albuquerque, NM 87111
Kathleen Conlin, 1021 Orchard NW, Albuquerque, NM 87102
Jeni Turgeon, 720 Tramway Ln NE #6, Albuquerque, NM 87122
Don Kellor, 5004 Cresto del Sur NE, Albuquerque, NM 87111
Christine Ranier, 5016 Cresta del Sur Ct NE, Albuquerque, NM 87111
Marilyn Maldonado, Planning Department - 4th Floor, 600 2nd St NW, Albuquerque, NM 87102
Crystal Ortega, Clerk to the Council, City/County Building - 9th Floor
DRB File

City of Albuquerque



DEVELOPMENT/ PLAN REVIEW APPLICATION

SUBDIVISION

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

SITE DEVELOPMENT PLAN

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

STORM DRAINAGE

- Storm Drainage Cost Allocation Plan

Supplemental form

- | | | |
|----------------------------|----------------------------|--|
| <input type="checkbox"/> S | <input type="checkbox"/> Z | ZONING & PLANNING |
| | | <input type="checkbox"/> Annexation |
| | | <input type="checkbox"/> County Submittal |
| <input type="checkbox"/> V | | <input type="checkbox"/> EPC Submittal |
| | | <input type="checkbox"/> Zone Map Amendment (Establish or Change Zoning) |
| <input type="checkbox"/> P | | <input type="checkbox"/> Sector Plan (Phase I, II, III) |
| | | <input type="checkbox"/> Amendment to Sector, Area, Facility or Comprehensive Plan |
| | | <input type="checkbox"/> Text Amendment (Zoning Code/Sub Regs) |
| | | <input type="checkbox"/> Street Name Change (Local & Collector) |
| <input type="checkbox"/> L | <input type="checkbox"/> A | APPEAL / PROTEST of... |
| <input type="checkbox"/> D | | <input checked="" type="checkbox"/> Decision by DRB, EPC, LUCC, Planning Director or Staff, ZHE, Zoning Board of Appeals |

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

APPLICANT INFORMATION:

NAME: High Desert Residential Owners Ass'n PHONE: see below
 ADDRESS: see agent below FAX: _____
 CITY: _____ STATE _____ ZIP _____ E-MAIL: _____
 Proprietary Interest in site: _____ List all owners: _____
 AGENT (if any): Scott & Kienzle PA (Paul M. Kienzle) PHONE: 505/246-8600
 ADDRESS: Box 587 FAX: 505/246-8682
 CITY: Albuquerque STATE NM ZIP 87103 E-MAIL: paul@kienzlelaw.com

DESCRIPTION OF REQUEST: Appeal of 12/06/06 DRB Decision in Project No. 1004989

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

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

Lot or Tract No. Tract A, Unit 2 Block: _____ Unit: _____
 Subdiv. / Addn. Wilderness at High Desert, Tract A, Unit 2
 Current Zoning: SU-2/HD R-R Proposed zoning: _____
 Zone Atlas page(s): F-23 No. of existing lots: 1 No. of proposed lots: 25
 Total area of site (acres): 3.9653 Density if applicable: dwellings per gross acre: _____ dwellings per net acre: _____
 Within city limits? Yes. No but site is within 5 miles of the city limits.) Within 1000FT of a landfill? _____
 UPC No. _____ MRGCD Map No. _____

LOCATION OF PROPERTY BY STREETS: On or Near: High Desert Pl. NE
 Between: Trailhead Rd. NE and Embudito View Ct. NE

CASE HISTORY: *see also related City Council Appeal No. AC-07-2
 List any current or prior case number that may be relevant to your application (Prof., App., DRB, AX, Z, V, S, etc.): Project No. 1004989, Case Nos. 06-DRB-01411 thru 06-DRB-01415

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

SIGNATURE Paul M. Kienzle III DATE 12-21-2006
 (Print) Paul M. Kienzle III Applicant Agent

FOR OFFICIAL USE ONLY

- 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
DRB C. 01776

Action SUB. S.F. Fees
APPEAL Δ \$ 190.00
ADV \$ 50.00
 Total \$ 240.00

Hearing date _____

Sandy Sandley 12/21/06
 Planner signature / date

Project # 1004989

FORM A: APPEAL

Appeal to the Zoning Board of Appeals regarding:

DECISION OF THE ZONING HEARING EXAMINER

___ Project number of case being appealed; _____

___ Application number of case being appealed; _____

___ Reason for the appeal *

___ Appellant's basis of standing as an appellant *

___ Letter of authorization from the appellant if this application for appeal is submitted by an agent

___ Copy of the Official Notification of Decision regarding the matter being appealed

___ Fee (see schedule)

Appeal to the Landmarks and Urban Conservation Commission regarding:

CERTIFICATE OF APPROPRIATENESS DECISION OF THE PLANNING DIRECTOR OR STAFF

___ Project number of case being appealed; _____

___ Application number of case being appealed; _____

___ Reason for the appeal *

___ Appellant's basis of standing as an appellant *

___ Letter of authorization from the appellant if this application for appeal is submitted by an agent

___ Copy of the Official Notification of Decision regarding the matter being appealed

___ Fee (see schedule)

Appeal to the Environmental Planning Commission regarding:

DECLARATORY RULING OF THE ZONING ENFORCEMENT OFFICER

___ Project number of case being appealed; _____

___ Application number of case being appealed; _____

___ Reason for the appeal *

___ Appellant's basis of standing as an appellant *

___ Letter of authorization from the appellant if this application for appeal is submitted by an agent

___ Copy of the Official Notification of Decision regarding the matter being appealed

___ Fee (see schedule)

Appeal to the City Council through the Land Use Hearing Officer regarding:

ADMINISTRATIVE AMENDMENT OR DECISION OF THE PLANNING DIRECTOR OR STAFF

DETERMINATION OR ACTION OF THE ENVIRONMENTAL PLANNING COMMISSION

DETERMINATION OR ACTION OF THE DEVELOPMENT REVIEW BOARD

ACTION OF THE ZONING BOARD OF APPEALS REGARDING AN APPEAL

DECISION OF THE LANDMARKS AND URBAN CONSERVATION COMMISSION

Project number of case being appealed; 1004989

Application number of case being appealed; 06-DRB-01411 thru 06-DRB-01415

Reason for the appeal *

Appellant's basis of standing as an appellant *

Letter of authorization from the appellant if this application for appeal is submitted by an agent

Copy of the Official Notification of Decision regarding the matter being appealed

___ Fee (see schedule)

* Criteria for reasonable appeals and criteria for standing as an appellant are given in *Zoning Code §14-16-4-4*. Any appeal must meet these criteria to be heard. The applicant should review these and other relevant documents carefully before preparing an application for appeal.

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

Paul M. Kienzle III

Paul M. Kienzle III

Applicant name (print)

12/21/06

Applicant signature / date



Form revised 10/04 & March 2005

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

Application case numbers

06CC - 01776

Sandy Handley 12/21/06

Planner signature / date

Project # 1004989

Land Use Hearing Officer
City Council
City of Albuquerque
Albuquerque, New Mexico

RE: APPEAL OF DECEMBER 6, 2006, DEVELOPMENT REVIEW
BOARD DECISION FOR PROJECT NO. 1004989,
PRELIMINARY PLAT APPROVAL FOR WILDERNESS CANYON

HIGH DESERT RESIDENTIAL OWNERS ASSOCIATION'S APPEAL
OF THE DEVELOPMENT REVIEW BOARD'S DECEMBER 6, 2006,
DECISION FOR PROJECT NO. 1004989

High Desert Residential Owners Association (Appellant),
through its attorneys Scott & Kienzle, P.A. (Paul M. Kienzle III)
offers the following Appeal of the December 6, 2006, Development
Review Board decision in Project No. 1004989 (Wilderness Canyon):

I. INTRODUCTION AND BACKGROUND

High Desert Residential Owners Association (the
"Association"), a City-recognized Neighborhood Association, appeals
the December 6, 2006, decision of the Development Review Board in
Project No. 1004989 (Wilderness Canyon) (the "Decision") on the
grounds that the Decision contains (1) error in applying adopted
city plans, policies, and ordinances in arriving at the decision;
(2) error in the appealed action or decision, including its stated
facts; and (3) error in acting arbitrarily or capriciously or being
manifestly abusive of discretion.

Among other things, the Development Review Board failed to
consider that the preliminary plat at issue is inconsistent and

fails to comply with the High Desert Sector Development Plan (the "Sector Plan"). Further, pursuant to the Sector Plan, approval of the proposed plat requires certification from the Association that the plat complies with the Sector Plan. However, in the Decision, the Development Review Board apparently failed to consider that the Association made clear that the proposed plat does not comply with the Sector Plan.

The proposed major subdivision in question is located at the southeast corner of the Wilderness at High Desert, a subdivision of the High Desert Sector Development Plan. It adjoins single family residential development to the north, City of Albuquerque Open Space to the northeast and east (which in turn is immediately adjacent to the Sandia Mountains Wilderness Area), an open space easement containing the Embudito Arroyo to the south, and a tract of undeveloped land to the west.

On September 29, 2006, Mesa Verde Development Corporation ("Applicant") filed its application for preliminary plat approval, sidewalk waiver, sidewalk deferral, and vacation of public easement, among other things. At the October 25, 2006, Development Review Board hearing, the board received a presentation from the Applicant and heard public comment. With the agreement of the Applicant, the Development Review Board deferred its decision on the preliminary plat in order for the Association to complete its required certification process and to supplement the record before

the Development Review Board. The Development Review Board again deferred its decision for the same reasons on November 15, 2006, November 22, 2006, and November 29, 2006. At the December 6, 2006, hearing, the Development Review Board approved the preliminary plat, with conditions, and issued its written decision of the same date. A copy of the Development Review Board's December 6, 2006, written decision is attached as Exhibit "A." The Association has standing to bring this appeal of that decision.

II. CRITERIA FOR DECISION AND STANDARDS

The criteria for decision and standards applicable to this appeal are found in the High Desert Sector Development Plan (the "Sector Plan"),¹ the Albuquerque Subdivision Regulations (the "Subdivision Ordinance"), the Albuquerque Zoning Code, the Albuquerque/Bernalillo County Comprehensive Plan, and principles of New Mexico law.

Pursuant to the Subdivision Ordinance, "[a]pproval of the preliminary plat is a commitment on the part of the city that a final plat conforming to the approved preliminary plat and any conditions will be approved" Albuquerque, N.M., Code of Ordinances § 14-14-3-4.

¹ Adopted by the City of Albuquerque on May 3, 1993, and amended on August 12, 1994, October 5, 1995, March 19, 1999, and December 20, 2001.

However, the Subdivision Ordinance requires that:

[s]ubdivisions partially or wholly within the platting jurisdiction of both the county and the city shall be approved in accordance with the terms of applicable city and county ordinances, regulations, and rules, as well as New Mexico statutes, before that plat is recorded in the Office of the County Clerk.

Id. at § 14-14-1-4; see also id. at § 14-14-9-1. Further, under "Fundamental Considerations," the Subdivision Ordinance mandates that:

[l]and may be subdivided only in accordance with procedures established by this article. The Development Review Board shall approve the subdivision of land when it determines that the land is suitable for subdivision for the purposes proposed, the subdivision complies with this article, and that the subdivision is not contrary to the best interests of the public health, safety, and general welfare.

Id. at § 14-14-2-1. The Subdivision Ordinance goes on to require that:

[t]he arrangement, character, extent, width, grade, and location of all streets and the general nature and extent of the lots and uses proposed shall conform to the Albuquerque/Bernalillo County Comprehensive Plan and any other adopted plan, ... No plat shall be approved if it contains elements clearly and significantly inconsistent with adopted plans.

Id. at § 14-14-2-2 (emphasis added).

The proposed subdivision is located in a "Semi-Urban" area of the Albuquerque/Bernalillo County Comprehensive Plan (the "Comprehensive Plan"). Pursuant to the Comprehensive Plan, "Semi-Urban" areas are:

characterized by development limitations due to topography, soil conditions, water quality, flood potential, scenic qualities and recreational potential. An overall gross housing density of three dwellings per acre is appropriate in Semi-Urban Area. Housing densities above three dwelling units per acre, except where clustered with shared open land, are likely to be especially problematic in Semi-Urban areas. Standard urban residential development patterns eliminate openness, create traffic, alter drainage conditions, limit recreation and agriculture potential, and degrade water quality when either community or City services are not available. Residents living in the areas the Plan designates Semi-Urban have preferences for the area's use. The residents expressed objectives reinforce important environmental and historical justifications for maintaining the Semi-Urban Areas' special character. Semi-Urban Area development standards (as in the Rural Area) should reflect residents' preferences, environmental constraints, and unique characteristics of these development areas.

Comprehensive Plan at p. I-21.

In regard to the required density transition of proposed subdivisions in High Desert, the Sector Plan states:

Because of its location, the project must serve as a link between natural open areas and urban activity. Thus uses within the plan area must range from very low intensity recreational and residential opportunities to the level of intensity necessary to provide essential retail and institutional services to its residents. Therefore, the land-use plan is designed around a neighborhood "center" and the transition from that center to natural open areas at its edges.

From the neighborhood center, residential land use densities transition from higher densities in the project center to lower densities at the interface with adjacent lands. For example, apartments within the project are located next to the neighborhood center. This also places the tallest buildings within the interior of the site with lower buildings along Tramway. Such a relationship provides a more visually pleasing interface

with Tramway Boulevard and responds to concerns expressed in meetings with residents of adjacent neighborhoods. The core area would be surrounded by residential areas at a density generally equivalent to the northeast heights. As development approaches the project boundaries to the north and east, the density continues to diminish, leaving the least dense residential areas (generally equivalent to similar development in Sandia Heights) as boundaries with natural open space areas.

Sector Plan at 3.2, "Land-Use Transition Concepts." The Sector Plan goes on to state:

[t]he lowest density uses are placed against the Forest, Wilderness, park access, and existing open space boundaries. The northern and southern boundaries maintain land use intensities similar to Sandia Heights and Glenwood Hills respectively.

Id. at 3.5, "Existing Development." In regard to density transition in conjunction with building heights, the Sector Plan states:

Building heights and site lighting levels will also be keyed to view preservation.

From the neighborhood center, residential land use densities transition from high densities in the project center to lower densities at the border with adjacent lands. The lowest structures, ... will be against the boundaries with the Forest Service lands....

Id. at 3.10, "Building Heights." With specific reference to density transition on the Forest Service Border, the Sector Plan states:

In the recreational/resort zone (HD-R-R), townhouses surrounded by common public or private open areas may form an adjacent land use. This will provide a low density transition to the public lands on the eastern border of the property.

Id. at 3.11, "Forest Service Boundary." Finally, the Sector Plan states: "As noted before, one of the main principles driving the High Desert Sector Plan is the transition from open areas to urban uses. Nowhere is the transition more important than at the project boundary with Simms Park Access Road, and U.S. Forest Service Lands." Id. at 4.5 (preamble).

In regard to building on severe slopes, the Sector Plan comports with the Comprehensive Plan. See Comprehensive Plan, p. II-7, at Policy "e" and High Desert Sector Development Plan at 2.2, 2.7, 3.4 and 3.7. The intent of both the Comprehensive Plan and the Sector Plan is to preserve areas in excess of 10% slope in the Sandia foothills as open space. "The Sandia foothills, where ever slopes exceed 10 percent, shall be acquired or regulated as appropriate to protect such areas from detrimental and incompatible public and private activities." Comprehensive Plan, p. II-7, at Policy "e." "Those areas corresponding to those which would be protected through imposition of the 10% Slope Demarcation Line found in the Sandia Foothills Plan are to be preserved." Sector Plan at 3.7. "Areas above the 10% Slope Demarcation Line should be protected by granting them as public open space." Id. at 2.7. "Areas of excess slope meeting the intent of the Slope Demarcation Line of the Sandia Foothills Plan are preserved either by direct dedication to public entities or by easements retained and controlled by the developer or its successors." Id. at 3.4.

Significantly, the Sector Plan requires the Association to certify that any proposed subdivision complies with the Sector Plan. In pertinent part, the Sector Plan requires that:

the zones described in this Sector Plan shall be developed in accordance with the regulations and procedures of the Subdivision Ordinance and Comprehensive City Zoning Code. Further the High Desert Homeowners's Association or its successors shall certify to the City at the time of submittal for approval to the Development Review Board that any proposed plat meets the requirements of the Sector Development Plan, The Homeowner's Association shall further certify that the number of units constructed in the zone does not exceed the maximum allowed by the Sector Plan.

Sector Plan at § 4.A.7.1 (emphasis added).

Pursuant to the Subdivision Ordinance, the Association has the right to appeal the Decision:

Any person aggrieved by a determination of the Development Review Board acting pursuant to this article may appeal to the City Council by submitting a written application which is received by the Planning Director within 15 days after the date of the city's decision.... Such appeal shall be heard and decided by the City Council or the Land Use Hearing Officer within 60 days of its filing.

Albuquerque, N.M., Code of Ordinances § 14-14-8-4.

The following persons may be considered aggrieved and may file appeals of decisions within the jurisdiction of this article being deemed to have a person or pecuniary interest or property right adversely affected by the decision, which right or interest is more than merely nominal or remote:

* * *

(B) Organized neighborhood associations which have filed their articles of incorporation, bylaws, or other documents indicating their existence ... if the

boundaries of the association include any part of the subject site or any land within 600 feet thereof

Id. at § 14-14-8-2.

Applications for appeal shall clearly articulate the reasons for the appeal; appellants shall specifically cite and explain one or more alleged errors, as follows:

(A) Error in apply adopted city plans, policies, and ordinances in arriving at the decision;

(B) Error in the appealed action or decision, including its stated facts;

(C) Error in acting arbitrarily or capriciously or being manifestly abusive of discretion.

Id. at § 14-14-8-3.

The body of New Mexico administrative law also governs the standards under which Development Review Board's decision should be reversed. A decision of an administrative body is arbitrary and capricious if it is unreasonable or if it does not have a rational basis. Snyder Ranches, Inc. v. Oil Conservation Comm'n of State of New Mexico, 110 N.M. 637, 798 P.2d 587 (1990). "Abuse of discretion" is found where the proceedings were not in the manner required by law, the decisions is not supported by the findings, or the findings are not supported by the evidence. Gallegos v. New Mexico State Corrections Department, 115 N.M. 797, 858 P.2d 1276 (Ct. App. 1992). A municipality must follow its ordinances as written unless proper procedures are followed to amend them. W. Old Town Neighborhood Ass'n v. Albuquerque, 122 N.M. 495, 927 P.2d 529 (Ct. App. 1996).

III. EVIDENCE, ARGUMENTS, AND REASONS FOR APPEAL

A. THE PROPOSED SUBDIVISION FAILS TO COMPLY WITH THE SECTOR PLAN, AS REQUIRED BY THE SUBDIVISION ORDINANCE AND THE SECTOR PLAN ITSELF.

Pursuant to the Subdivision Ordinance, approval of any plat must be done so in accordance with the terms of applicable city and county ordinances, regulations, and rules, as well as New Mexico statutes. See Albuquerque, N.M., Code of Ordinances, §§ 14-14-1-4, 14-14-2-1, 14-14-9-1. The Subdivision Ordinance expressly prohibits the approval of a plat if the plat contains elements "clearly and significantly inconsistent with adopted plans." Id. at 14-14-2-2.

1. The Decision Fails to Comply With the Sector Plan Because It Allows Greater Density at the Borders of High Desert and Greater Density Adjacent to Open Space and Forest Service Land.

In regard to density transition from the center of High Desert to the borders of High Desert, the Sector Plan requires that "as development approaches the [High Desert] boundaries to the north and the east, the density continues to diminish, leaving the least dense residential areas ... as boundaries with natural open space areas." Sector Plan at 3.2. Further, the High Desert Sector Development Plan requires that "[t]he lowest density uses are placed against the Forest, Wilderness, [and] park access" Id. at p. 3.5. Finally, the Sector Development Plan contemplates that "nowhere is the [density] transition more important than the

project boundary with ... the U.S. Forest Service Lands." Id. at 4.5 (preamble).

However, it appears that the proposed plat will achieve the opposite result. The proposed development is adjacent to City of Albuquerque Open Space to the northeast and east (which in turn is immediately adjacent to the Sandia Mountains Wilderness Area) and an open space easement containing the Embudito Arroyo to the south. The site area of the proposed subdivision is 3.9653 acres. The preliminary plat proposes 25 lots with single-family detached homes. Thus, the proposed subdivision contemplates a density of 6.30 dwelling units per acre. See id.

The proposed subdivision described in the plat lies in an area classified as "Semi-Urban" pursuant to the Comprehensive Plan. Comprehensive Plan at p. I-21. The density proposed for the proposed subdivision is higher than the overall gross density of up to three dwelling units per acre contemplated for "Semi-Urban" areas in the Comprehensive Plan. See id.

More importantly, the proposed density is more dense than that of the "center" areas. The proposed subdivision will have land use intensities far greater than those in Sandia Heights and Glenwood Hills. Indeed, the proposed development will be some of the most dense development adjacent to Open Space and the Forest Service lands in all of the Sandia foothills.

Thus, the proposed plat is inconsistent Sector Plan in regard to density transition and density adjacent to open space. See December 5, 2006, letter from H. William Fanning to Ray Berg at p. 1 ("Fanning Analysis") ("The proposal for Wilderness Canyon is not consistent with [density transition] concepts for development in that it would place a relatively high density, two story, development immediately adjacent to City Open Space."); see also December 5, 2006, letter from Ray Berg to Sheran Matson.

There is no indication in the Decision that the Development Review Board took into consideration the Fanning Analysis noted above, the December 5, 2006, letter from Ray Berg to Sheran Matson, the December 3, 2006, letter from Steve Borbas ("Borbas Analysis"), the November 15 and November 21, 2006, letters from Carl Fessler, the petition signed by 66 of the residents of High Desert, and the voluminous in-person testimony provided by concerned residents and representatives of the Association at the several hearings on this matter, all of which addressed the failure of the proposed plat to comply with the Sector Plan in regard to density transition and density adjacent to open space.

Rather, the Decision appears to indicate that the only documentary and testimonial evidence the Development Review Board considered was the November 6, 2006, High Desert Residential Owners

Association letter, which does not address density transition or building adjacent to open space.² Decision at ¶¶ 1-2.

Thus, the Decision is (1) arbitrary and capricious and (2) and an abuse of discretion and (3) is utterly in error because the Development Review Board did not correctly apply city plans, policies, and ordinances because there was apparently no consideration of the failure of proposed plat to comply with the Sector Development Plan, a city plan, in regard to density transition and density adjacent to open space.

2. The Proposed Subdivision Does Not Comport With the Sector Plan and the Comprehensive Plan In Regard To the Prohibition on Building on Slopes With 10% Or Greater Grade.

The intent of the Comprehensive Plan and the Sector Plan is to generally prohibit building on lots where the grade of the slope is 10% or greater and to preserve areas in excess of 10% slope in the Sandia foothills as open space. See Comprehensive Plan, p. II-7, at Policy "e" and High Desert Sector Development Plan at 2.2, 2.7, 3.4 and 3.7.

According to the Fanning Analysis, the proposed plat has two areas that "substantially exceed a 10% slope," including the north side along the rear of lots 4 and 5 (approximately 14% slope) and

² The Decision addresses overall density and zoning; however, the Decision fails to address density transition and density adjacent to open space.

on the southwest side along the rear of lots 19 through 21 (approximately 23% slope). Fanning Analysis at p. 3. The Borbas Analysis and the November 15, 2006, letter from Carl Fessler to Sheran Matson also make clear that the proposed plat violates the intent of the Sector Plan in regard to building on severe slopes.

Thus, the proposed plat does not comply with the intent and specific requirements of the Comprehensive Plan and the Sector Plan in regard to building on severe slopes. However, the Decision completely ignored that the proposed plat failed to comply with the Sector Plan in that regard.

Accordingly, for a second significant reason, the Decision is (1) arbitrary and capricious and (2) and an abuse of discretion and (3) is utterly in error because the Development Review Board did not correctly apply city plans, policies, and ordinances because there was apparently no consideration of the failure of proposed plat to comply with the Comprehensive Plan and Sector Plan in regard to their general prohibition on building on severe slopes in the Sandia foothills.

3. The Decision Ignores Other Significant Issues With the Proposed Plat, Including Drainage, Traffic, Street Design, and Destruction of Views.

In addition to the proposed plat's failure to comply with the Sector Plan in regard to density transition, density adjacent to open space, and building on slopes with greater than a 10% grade,

the proposed plat presents significant additional issues in regard to the Sector Plan, as demonstrated by the Fanning Analysis, the Borbas Analysis, the petition signed by 66 members of the Association, the many other letters in the record, and the extensive public comment made at the several Development Review Board hearings regarding this matter. Among other things, the proposed plat does not meet the requirements of the Sector Plan because the proposed development (1) will generate traffic problems contrary to the intent of the Sector Plan, (2) will generate drainage issues contrary to the intent of the Sector Plan, and (3) will impair views and will contrast with the existing land form. Finally, the proposed development is not in scale to the existing residences in the immediate area and is otherwise contrary to the spirit and intent of the Sector Plan.

B. THE DECISION IGNORES THE REQUIREMENT THAT THE ASSOCIATION MUST CERTIFY THAT THE PROPOSED PLAT COMPLIES WITH THE SECTOR PLAN PRIOR TO APPROVAL.

In addition to the Subdivision Regulations' requirements that a plat conform with the Sector Plan, the Sector Plan requires that the Association certify to the City at the time of submittal for approval to the Development Review Board that any proposed plat meets the requirements of the Sector Plan. See Sector Plan at § 4.A.7, page 4.4. Significantly, the Association has not certified that the preliminary plat complies with the Sector Plan. See

December 5, 2006, letter from Ray Berg to Sheran Matson. Significantly, the record reflects that the Association has stated the opposite: the preliminary plat does not comply with the Sector Plan.

The Decision appears to have considered only one item of documentary evidence in regard to the Association's required certification of the proposed plat, the November 6, 2006, letter from the Association president, Ray Berg. See Decision at ¶¶ 1-3. However, that letter does not state that the Association certifies that the proposed plat fully complies with the Sector Plan. Instead, that letter states only that the proposed plat meets certain zoning requirements.

Further, the Decision completely ignores the subsequent letter from the Association that states that the "deficiencies of the submissions are broad and pervasive, and indicate a lack of appreciation of the [Sector Plan] requirements." See December 5, 2006, letter from Ray Berg to Sheran Matson at p. 2. That letter also states that it is the opinion of the several consultants engaged by the Association to evaluate the proposed plat that the proposed plat does not meet the requirements of the Sector Plan. Id. at p. 1. Moreover, the Decision ignores the Fanning Analysis, the Borba Analysis, the additional letters and petition submitted to the DRB, and the testimonial evidence presented at the hearings,

much of which focused on the inability of the Association to certify the proposed plat due to the proposed plat's failure to comply with the Sector Plan.

The Development Review Board appears to have considered the Association's November 6, 2006, as adequate not pursuant to the requirements of the Sector Plan, but rather pursuant to the encouragement of the High Desert Investment Corporation ("HDIC"), the master developer of High Desert.

In pertinent part, the Decision states: "[t]he November 6, 2006, High Desert Residential Owners' Association Letter satisfies the intent of the Section 4.A.7. of the High Desert Sector Plan based upon past High Desert Residential Owners' Association letters submitted for previous preliminary plats in High Desert." Decision at ¶ 1. In a November 20, 2006, letter, to the Development Review Board, the president of HDIC states that "[i]n past HDROA plat approvals, at least when directors were appointed by HDIC, Section 4.A.7-1 was interpreted to pertain to assurance that any proposed plat conformed to the zoning for the site." November 20, 2006, letter from Douglas H. Collister to Sharon [sic] Matson at p. 1. Similarly, in a November 28, 2006, letter to the Development Review Board, which was apparently not copied to the Association, another senior representative of the developer writes: "It is our belief that this certification has previously been provided to the

DRB by the letter that was previously submitted into the record, addressed to Sheran Matson, dated November 6, 2006, from Raymond S. Berg, President of the Board, HDROA." November 28, 2006, letter from Kevin G. Patton to Sheran Matson.

Thus, HDIC states when it appointed the board members that conducted certifications on behalf of Association, a process less rigorous than that required by law was performed, and HDIC encourages the Development Review Board to continue to allow a cursory analysis to suffice for plat approval. However, simply because the process was conducted contrary to law in the past is no reason to continue to allow the process to continue in that fashion. Rather, the Development Review Board has an obligation to ensure that the proposed plat is approved only in compliance with the express requirements of the Sector Plan.

The Sector Plan requires a more searching review on the part of the Association than that cited by the Development Review Board. The proposed plat must comply with the entire Sector Plan, not just selected portions thereof, and certainly just not those portions selected by the developer. The Association conducted the more rigorous review as required by the Sector Plan and submitted its findings to the Development Review Board. See e.g. Fanning Analysis, Borbas Analysis, and December 6, 2006, letter from Ray Berg to Sheran Matson. However, the Development Review Board appears to have completely ignored those findings.

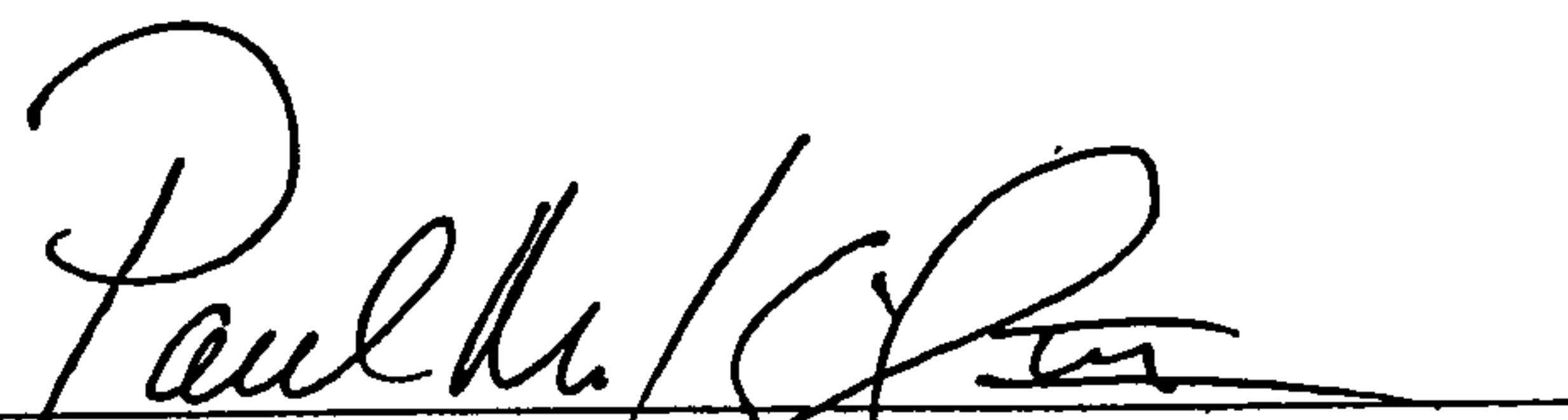
Finally, it is clear that the Development Review Board expressly based the Decision in part on evidence not before the Development Review Board in this matter. See Decision at ¶ 1 ("... based on past High Desert Residential Owners' Association letters submitted for previous preliminary plats").

Thus, the Decision is (1) arbitrary and capricious and (2) an abuse of discretion and (3) is utterly in error because the Development Review Board did not correctly apply city plans, policies, and ordinances because there was apparently no consideration of the Association's clear statement that it could not certify that the proposed plat complies with requirements of the Sector Plan (because it does not), and because the Development Review Board clearly considered evidence outside the record in this matter in reaching its Decision.

C. CONCLUSION

Based on the foregoing, High Desert Residential Owners Association strongly recommends that December 6, 2006, decision of the Development Review Board in Project No. 1004989 (Wilderness Canyon) be reversed; that the applications related to that decision be remanded to the Development Review Board with instructions that a preliminary plat may not be approved unless it fully complies with the High Desert Sector Development Plan's requirements regarding density transition, density adjacent to open space,

slopes, drainage, street design, preservation of views and all other issues described in the High Desert Sector Development Plan; that the preliminary plat may not be approved prior to High Desert Residential Owner's Association's certification of its compliance with the High Desert Sector Development Plan; and for such other different relief as appropriate.

By: 

Paul M. Kienzle III
Scott & Kienzle, P.A.
Attorneys for Appellant
High Desert Residential Owners Association
P.O. Box 587
Albuquerque, NM 87103
505/246-8600; FAX: 246-8682



OFFICIAL NOTICE OF DECISION

CITY OF ALBUQUERQUE
PLANNING DEPARTMENT
DEVELOPMENT REVIEW BOARD

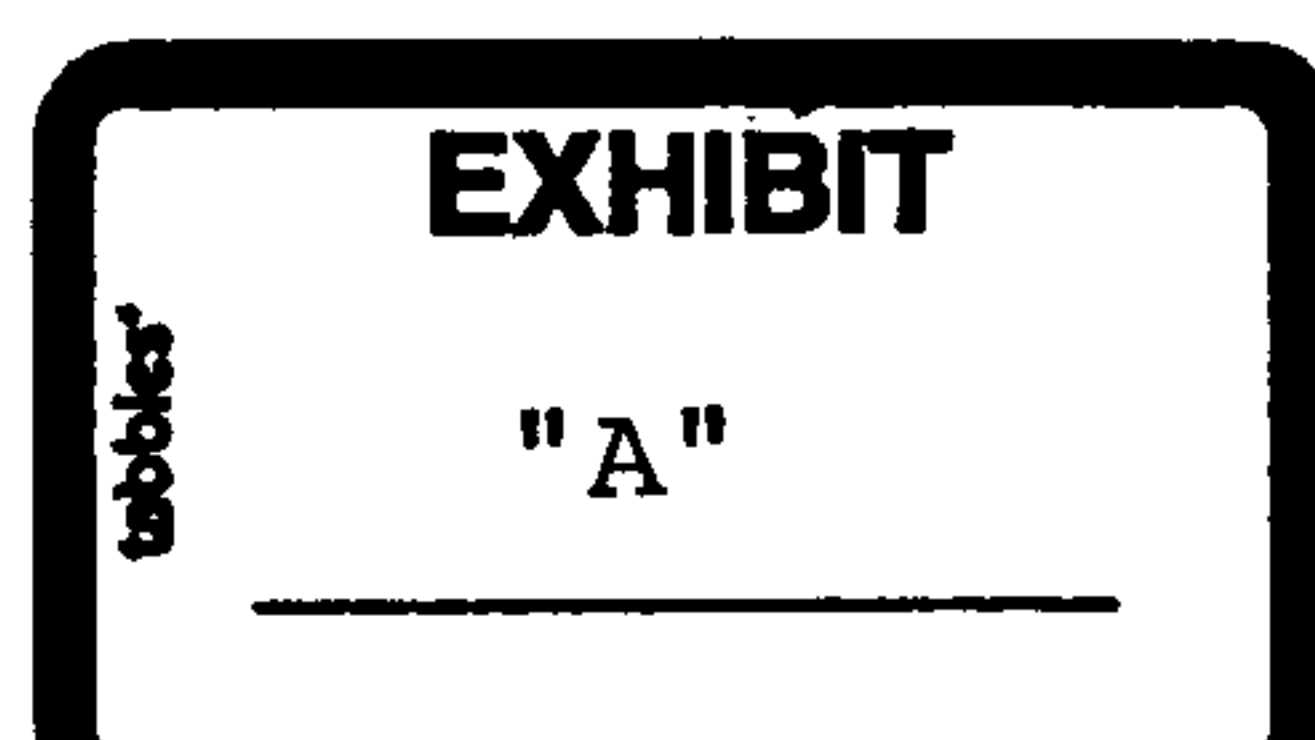
December 6, 2006

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

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

At the December 6, 2006, Development Review Board meeting, with the signing of the infrastructure list dated 12/6/06 and approval of the grading plan engineer stamp dated 11/7/06 the preliminary plat was approved with the following findings:

1. The November 6, 2006 High Desert Residential Owners' Association Letter satisfies the intent of Section 4.A.7 of the High Desert Sector Plan based upon past High Desert Residential Owners' Association letters submitted for previous preliminary plats in High Desert.
2. Planning agrees that the preliminary plat submitted for Wilderness Canon at High Desert complies with the zoning, density and lot size requirements of the High Desert Sector Plan.
 - a. Specifically, residential uses in the SU2-HD RR zoning must conform, according to the Sector Plan, to the SU2-HD RG zone. The sector plan states the total number of dwelling units cannot exceed 300. Wilderness Canon's preliminary plat contains 25 lots or 25 dwelling units. High Desert Investment Corporation has stated for the record that the SU2-HD RR zone currently contains 110 units. So even with the addition of these 25 lots, the total is well below the 300 unit limit.





OFFICIAL NOTICE OF DECISION

PAGE 2

- b. One dwelling unit per lot as proposed also conforms to City's RT zoning category to which the SU2-HD RG zoning refers for use and lot size.
 - c. The lot sizes shown on the submitted plat conform to the RT zoning category.
3. The developer must include this statement on the final plat: "The property on this plat is subject to a Pre-Development Facilities Fee Agreement with the Albuquerque Public Schools recorded at [insert recording information here]."

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

FINDINGS:

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

CONDITIONS:

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

A subdivision design variance from minimum DPM standards concerning internal streets was approved as shown on Exhibit C in the Planning file.

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

If you wish to appeal this decision, you must do so by December 21, 2006, in the manner described below.



OFFICIAL NOTICE OF DECISION

PAGE 3

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

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

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

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

Sheran Matson, AICP, DRB Chair

Cc: Bohannon Huston Inc., 7500 Jefferson NE, 87109
Mesa Verde Development Co., 8300 Carmel Ave NE, 87122
John Salazar, Rodey Law Firm, P.O. Box 1888, 87103
Kym Dicome, High Desert Investment Corp., 3791 Southern Blvd SE, Rio Rancho, NM 87124
Douglas Collister, 8524 Snakedance Ct NE, 87111
Ray Berg, 13501 Osage Orange NE, 87111
Debra & Jay Greenhood, 13409 Embudito View Ct NE, 87111
Sam & Jennie Baca, 5000 Cumbre del Sur NE, 87111



OFFICIAL NOTICE OF DECISION

PAGE 4

Arinta Liem, 13419 Wilderness Pl NE, 87111
Robert Pelletier, 5123 High Desert NE, 87111
John Farrow, 2400 Meadowview NW, 87110
Keith Gainer, 5516 Carmelita NE, 87111
Conrad & Marcella Stahly, 5015 Cresta del Sur NE, 87111
Patricia Wittman, 4905 Cresta del Sur Ct NE, 87111
Rob Erickson, 2621-1/2 Granite Ave NE, 87104
Larry Garcia, P.O. Box 1576, Los Lunas, NM 87031
Pat Stovall, 6604 Rogers Ave NE, 87110
Angela Ness, 13213 Manitoba Dr NE, 87111
Charles Young, 13105 Enchantment Ln NW, 87111
Ken Wesselman, 4613 Huntington Dr NE, 87111
Anne Marie Morosin, 13109 Manitoba Dr NE, 87111
Ed Hernandez, 1219 Blue Quail NE, 87112
Alan Clipperton, 13501 Embudito View Ct NE, 87111
Jack Eichorn, 6316 Bobcat Hill Ln NE, 87111
Tarin Davies, 13209 Manitoba NE, 87111
Joe Witte, 1570 West Ella Dr NE, 87048
Armando Lara, 13415 Piedra Grande NE, 87111
Kathleen Conlin, 1021 Orchard NW, 87102
Jeni Turgeon, 720 Tramway Ln NE, #6, 87122
Janet Lentz, 5109 High Desert Place NE, 87111
Carl Fesler, 5005 Cumbre del Sur NE, 87111
Don Kellor, 5004 Cresto del Sur NE, 87111
Christine Ranier, 5016 Cresta del Sur Ct NE, 87111
Marilyn Maldonado, Planning Department, 4th Floor, Plaza del Sol Bldg.
File

CITY OF ALBUQUERQUE

CITY COUNCIL

INTEROFFICE MEMORANDUM

TO: Michael Cadigan, President, City Council
FROM: Laura Mason
SUBJECT: Land Use Hearing Officer Rules of Procedure and Qualifications
DATE: February 18, 2004
CC: All Councilors

Pursuant to Section 14-16-4-4 ROA 1994 (the Appeal section of the Zoning Code), the Council is to adopt rules of procedure and regulations setting forth the qualifications for the Land Use Hearing Officer. The following rules are adopted for appeals of land use decisions other than appeals involving a zone map amendment:

1. Notice for any appeal hearing by the Land Use Hearing Officer ("Hearing Officer") shall be given at the City Council meeting at which the appeal is introduced or at least two weeks prior to the hearing held by the Hearing Officer.
2. The sequence and the time allowed for appeal hearings shall be as follows:
 - 25 minutes for appellant;
 - 30 minutes for party opponent(s) of the appeal;
 - 10 minutes for city staff, unless that staff spoke as opponents;
 - 5 minutes for appellant rebuttal.
3. The Hearing Officer may combine separate appeals of the same action, in which case each appeal will receive an equal share of the appellants' time. The Hearing Officer shall indicate in advance the division of opponent time if more than one private party is shown by the record to be in opposition.
4. The Hearing Officer shall follow the above maximum times unless, based on the complexity of the issues, the Hearing Officer gives notice of differing times to all parties. In all cases, the maximum time available to proponents and opponents shall be equal, in accordance with the pattern above.
5. The parties shall decide on the speakers to use the time assigned to the appellant and the opponents of the appeal.
6. Evidence:

(A) The Hearing Officer shall make his or her decision and findings on the record of the decision appealed supplemented by any evidence allowed to be presented and matters officially noticed.

(B) If the Hearing Officer determines that certain additional evidence proposed is necessary and appropriate for the proper disposition of the matter he or she may take that evidence.

(C) New evidence which could have been put in the record during the previous hearing(s) is not favored for introduction at a Hearing Officer hearing. New evidence which clarifies evidence already in the record may be allowed. New evidence which is offered to contradict evidence in the record may be allowed; if such evidence appears convincing and is on an important point, it can justify the recommendation of a remand. If new evidence is allowed, it shall be restricted to a type and subject deemed admissible by the Hearing Officer.

(D) When a hearing will be expedited and the interest of the parties will not be prejudiced substantially, the Hearing Officer may accept specific items of evidence in written form; the fact that the author of written evidence is not present for cross examination does not disallow its admission unless the Hearing Officer rules that such absence makes the particular evidence inappropriate.

(E) Witnesses shall be sworn: "Do you swear (or affirm) that you will tell the truth, the whole truth, and nothing but the truth?" Attorneys may testify on their attorney's oath.

(F) Cross-examination of witnesses is allowed concerning the evidence and opinions they have presented in testimony to the Hearing Officer in order to disclose facts truly and fully. Cross-examination questions may be asked only by parties to the appeal. Any such questions shall be asked immediately following the witnesses' testimony. Questions may be asked by an adverse party or the party's attorney or representative of record. Improper questions will be disallowed by the Hearing Officer and the Hearing Officer may impose reasonable time limits on cross-examination. The Hearing Officer may restate questions to the witness and may require that questions be addressed to the Hearing Officer. The Hearing Officer will rule irrelevant questions and unnecessarily long answers out of order.

7. With regard to any appeal that has been filed with and is pending before the City Council and referred to the Hearing Officer:

(A) Communication with Parties. No City Councilor shall communicate outside a hearing with a party or representative of a party about an appeal, and no party or representative of a party shall communicate outside a hearing with a Councilor about an appeal. Any facts or documents not in the record before the

City Council when an appeal is filed are subject to the rules regarding new evidence that are set forth herein.

(B) Communication with Persons other than Parties. No Councillor shall knowingly communicate with a member of the public or an organization about the subject of the appeal, and persons or organizations not parties to the appeal shall not communicate with any Councillor about the subject of the appeal and/or attempt to influence the outcome of the appeal. Information and correspondence that is not in the record at the time the appeal is filed is not evidence and should not be considered in making a decision regarding the outcome of the appeal unless accepted as new evidence.

(C) Communication Between Hearing Officer and Councillor. No Councillor shall knowingly communicate with the Hearing Officer about the subject of a pending appeal, and the Hearing Officer shall not communicate with any Councillor about the subject of a pending appeal other than by written findings and recommended decision as set forth herein.

(D) Communication with Parties by Hearing Officer. The Hearing Officer shall not communicate outside a hearing with a party or representative of a party about an appeal, and no party or representative of a party shall communicate outside a hearing with the Hearing Officer about an appeal. Any facts or documents not in the record before the Hearing Officer when an appeal is filed are subject to the rules regarding new evidence that are set forth herein.

(E) Communication with Persons other than Parties. The Hearing Officer shall not knowingly communicate with a member of the public or an organization about the subject of the appeal, and persons or organizations not parties to an appeal shall not communicate with the Hearing Officer about the subject of an appeal and/or attempt to influence the outcome of an appeal. Information and correspondence that is not in the record at the time an appeal is filed is not evidence and should not be considered in making a decision regarding the outcome of an appeal unless accepted as new evidence.

(F) Any correspondence regarding the subject of an appeal that is an ex parte communication and is inadvertently received by the Hearing Officer shall be kept separately from the record on the appeal. The Hearing Officer shall advise the parties to the appeal of the receipt of the ex parte written communication which shall be available for review by the parties.

(G) Notwithstanding the above, staff of the Council Services and other City departments (other than employees of a City department which is the appellant or appellee, or employees who have a personal or pecuniary interest in the outcome of the appeal) may, upon the request of the Hearing Officer, communicate with the Hearing Officer at any time and by any means.

8. The Hearing Officer shall recuse himself or herself from any proceedings in which he or she has a direct or indirect financial conflict of interest or otherwise cannot accord a fair and impartial hearing. In the event that the Hearing Officer has a conflict of interest regarding a particular appeal or a party to that appeal, the Hearing Officer shall immediately notify the Council of the conflict and the appeal shall be scheduled to be heard by the full Council.
9. The Hearing Officer shall enter his or her findings and recommended decision ("decision") within 5 days after the close of the hearing and shall forward the decision and findings to the parties and the Council within 5 days of entering the decision.
10. The Hearing Officer shall base his or her decision on a preponderance of the evidence. He or she may reweigh the evidence in the record.
11. The Hearing Officer may decide to recommend that the Council grant, in whole or in part, an appeal, deny, in whole or in part, an appeal, or remand an appeal for reconsideration if the remand is necessary to clarify or supplement the record or if remand would more expeditiously dispose of the matter.
12. When the Council receives the Hearing Officer's findings and decision, the Council shall place the decision on the agenda of the next regular full Council meeting provided that there is a period of at least 7 days between the receipt of the decision and the Council meeting. The parties may submit comments to the Council regarding the Hearing Officer's decision and findings provided such comments are in writing and received by the Council and the other parties of record four days prior to the Council meeting.
13. The Council shall vote whether to accept or reject the Hearing Officer's decision and findings. A motion to reject or accept the Hearing Officer's decision and findings must be approved by a majority of the membership of the Council.
14. The Council may accept the decision and amend the findings of the Hearing Officer if such an amendment is consistent with the decision of the Hearing Officer.
15. If the Hearing Officer's decision is rejected, the appeal shall be scheduled to be heard by the full Council no earlier than the next regular meeting of the full Council.
16. If the Hearing Officer rules are in conflict with the Zoning Code, the Zoning Code shall prevail. If the Hearing Officer rules are silent regarding an area that is addressed by the Zoning Code, the Zoning Code shall apply.

Qualifications of the Land Use Hearing Officer

1. Prior experience with administrative hearing procedures, land use law and/or City planning and zoning procedures.
2. A record that demonstrates a high level of integrity.
3. Excellent analytical, communication and drafting skills.

X:\SHARE\Legislation\Sixteen\OC-6fsfin.doc

MARKQUE
DEPARTMENT
VIEW DIVISION
W - 3rd Floor
NM 87102

- Use Information As Addressed
- Unable To Forward
- Insufficient Address
- Moved, Left No Address
- Unclaimed Refused
- Attempted - Not Known
- No Such Street Vacant
- No Mail Receipt
- Fox Closed - No Order
- Forwarding Order Expired

WMP

Joe Witte
1570 W
Ella Dr
Co

DRB PUBLIC HEARING SIGN IN SHEETS

CASE NUMBER: 1004989 AGENDA#: 3 DATE: 10/25/06

Not here

1. Name: PAT STOVALL ^{STOVALL} Address: 6604 ROGERS AVE NE
ALB N/M Zip: 87110

✓ 2. Name: Angela Ness Address: 13213 Manitoba Dr
NE Zip: 87111

✓ 3. Name: Douglas Collister ^{SNAKE DANCE CLUB} Address: 8524 Succeeded
CT 105 Zip: 87111

✓ 4. Name: KEVIN PATTON ^{Country Club I} Address: 7500 Jefferson St Zip: 87109

✓ 5. Name: CHARLES YOUNG Address: 13105 ENCHANTMENT LN Zip: 87111

✓ 6. Name: Yolanda Padilla ^{Courtyard} Address: 7500 Jefferson St Zip: 87109

✓ 7. Name: KEW WESSELMAN Address: 4613 HUNTINGTON DR NE
ALBQ NE 87111 Zip: 87111

✓ 8. Name: Anne Marie Morosini Address: 13109 Manitoba Dr NE
NE ALBQ Zip: 87111

✓ 9. Name: El Humando Address: 1219 Blue Quail Zip: 87112

✓ 10. Name: Alan Clippert Address: 13501 Embellish Zip: 87111

✓ 11. Name: JACK EICHORN Address: 6316 BOGERT HILLS NE Zip: 87111

✓ 12. Name: TARIN DAVIES Address: 13209 Manitoba NE Zip: 87111

✓ 13. Name: Kym Dionne Address: 8941 Guntun Zip: 87124

✓ 14. Name: Joe Witte Address: 1570 West Ella Dr Zip: 87048

See page 3

DRB PUBLIC HEARING SIGN IN SHEETS

CASE NUMBER: 1004989 AGENDA#: 3 DATE: 10/25/06

1. Name: ARMANDO LARA Address: 13415 Piedra Grande NE Zip: 87111

2. Name: ATHLEEN CONLIN Address: 1021 Orchard Zip: 87102

3. Name: Jeni Turgeon Address: 720-6 Truway Ln NE Zip: 87122

4. Name: _____ Address: _____ Zip: _____

5. Name: _____ Address: _____ Zip: _____

6. Name: _____ Address: _____ Zip: _____

7. Name: _____ Address: _____ Zip: _____

8. Name: _____ Address: _____ Zip: _____

9. Name: _____ Address: _____ Zip: _____

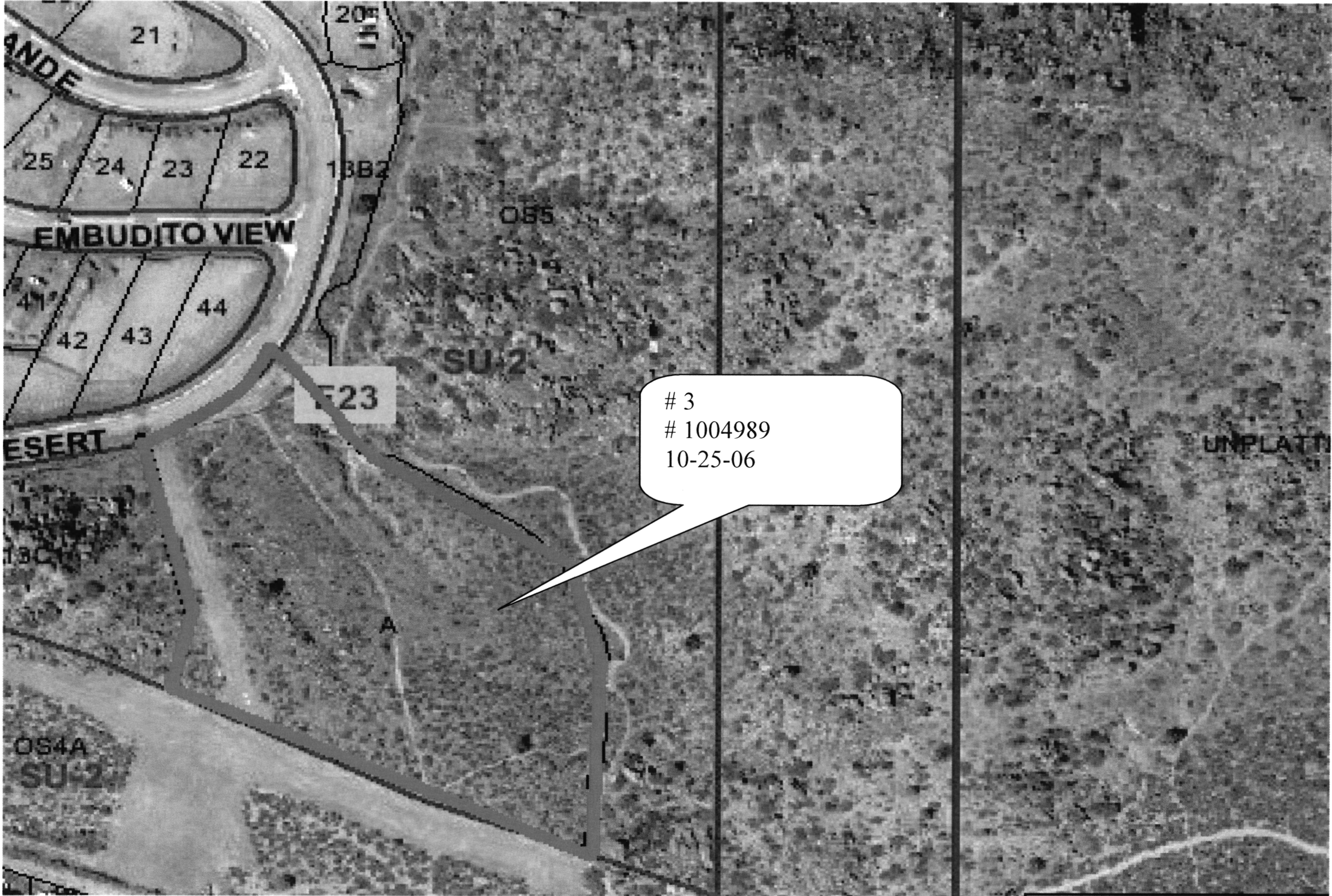
10. Name: _____ Address: _____ Zip: _____

11. Name: _____ Address: _____ Zip: _____

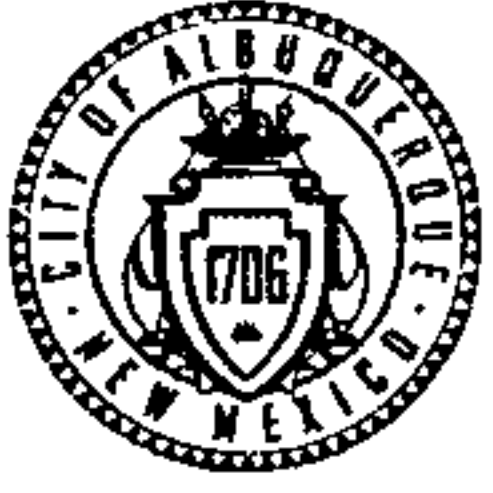
12. Name: _____ Address: _____ Zip: _____

13. Name: _____ Address: _____ Zip: _____

14. Name: _____ Address: _____ Zip: _____



3
1004989
10-25-06



CITY OF ALBUQUERQUE
 PLANNING DEPARTMENT
 DEVELOPMENT REVIEW BOARD

October 25, 2006

Project # 1004989

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

BOHANNAN HUSTON INC agent(s) for MESA VERDE DEVELOPMENT CO request(s) the above action(s) for all or a portion of Tract(s) A, UNIT 2, WILDERNESS @ HIGH DESERT (to be known as **WILDERNESS CANON @ HIGH DESERT**) zoned SU-2, HD/R-R, located on HIGH DESERT PL NE, between TRAILHEAD RD NE and EMBUDITO VIEW CT NE containing approximately 4 acre(s). [REF: 06DRB-00933, 04DRB-00713,, 04DRB-01723] (F-23)

- AMAFCA No adverse comments.
- COG No adverse comments.
- Transit No comments received.
- Zoning Enforcement No adverse comments.
- Neighborhood Coordination

Courtesy Notify Only to: High Desert Residential Owners Assoc.

APS Wilderness Canon at High Desert will consist of 25 single-family residential lots. The proposed development is assigned to Georgia O'Keefe Elementary School, Eisenhower Middle School, and Eldorado High School. All three schools should be able to absorb student growth from the proposed development.

School	2006-07 Projections	2006-07 Capacity	Space Available
G. O'Keefe	590	614	24
Eisenhower	921	1,021	100
Eldorado	2,230	2,300	70

Ray Berg
 294-4112

Police Department

A review of the following DRB case(s) indicates the following problems or crimes may occur or that the following concerns may need to be evaluated or addressed on this site or in this area. These comments do not indicate that a thorough CPTED evaluation has been done, or that other criminal activities may not occur. Lighting Issues: addition of lighting (street) especially within curves for safety. Other: encourage neighborhood watch early on.

Fire Department Fire Department is not approving street widths less than 32 feet at this time. Per Ray Sanchez, AFD. All required fire hydrants shall be installed and made serviceable prior to and during construction of subdivision.

PNM Electric & Gas Approved.

Comcast No comments received.

QWEST No comments received.

Environmental Health No comments received.

M.R.G.C.D. No comments received.

Open Space Division

No objection to vacation of public water line easement. Vacation of temporary public drain easement should be deferred until applicant and Open Space Division have determined drainage solutions from adjacent trail easement. No objection to vacation of Open Space easement.

City Engineer

An approved drainage report is required for Preliminary Plat approval. No objection to the vacation of the waterline easement but will reserve approval of the vacation of the drainage easement to the acceptance of the drainage report.

Transportation Development

No objection to the subdivision design variance. No objection to the vacation requests. No objection to the sidewalk waiver or deferral. Signage per DRC is required. Are street lights required? Where is Fire and Solid Waste approval for use of a hammerhead. Where are the maintenance and beneficiaries notes for Tract "A" and easement "A"?

Parks & Recreation

No objection to the plat. Defer to Utilities and Hydrology regarding the vacation request. Defer to Transportation regarding the Sidewalk waiver, design variance and temporary deferral of sidewalks.

Utilities Development

No objection to Vacation request. Minor comments on infrastructure list and Preliminary Plat. No objection to Sidewalk Waiver/Deferral.

Planning Department

The perimeter wall design is too "conceptual". The landscaping plants should be identified. The location of the walls should be located on a small version of the subdivision layout. There are other submittal requirements missing.

Be sure the walls are listed on the infrastructure list so that the engineer will have to certify that they were built according to the approved design. They are not financially guaranteed.

An LMA for any plants in the City RW is also a requirement.

The proposed density is within the range of the SU-2 RG-HD zoning in the plan to which the SU-2 HDRR refers for residential development.

Page 4.4 of the High Desert Sector Plan requires a signature from the High Desert Homeowners' Association certifying the plat meets the requirements of this plan. This signature should appear on the final plat.

Planing has no objections to the requested vacations, the sidewalk waiver or deferral. Defer to Transportation on the Subdivision Design Variance.

Approval of the peerimeter wall design is required before the preliminary plat is approved.

Impact Fee Administrator

Impact Fees are not applicable at this time of platting. However, Impact Fees will be required at the time a permit is issued for each home built in this subdivision. Using an average of 2000sf of heated area the estimated impact fees for each home are as follows:

1. Public Safety Facilities for the Eastside: \$552.00
2. Parks, Recs., Trails, for the Foothills SE: \$1040.00

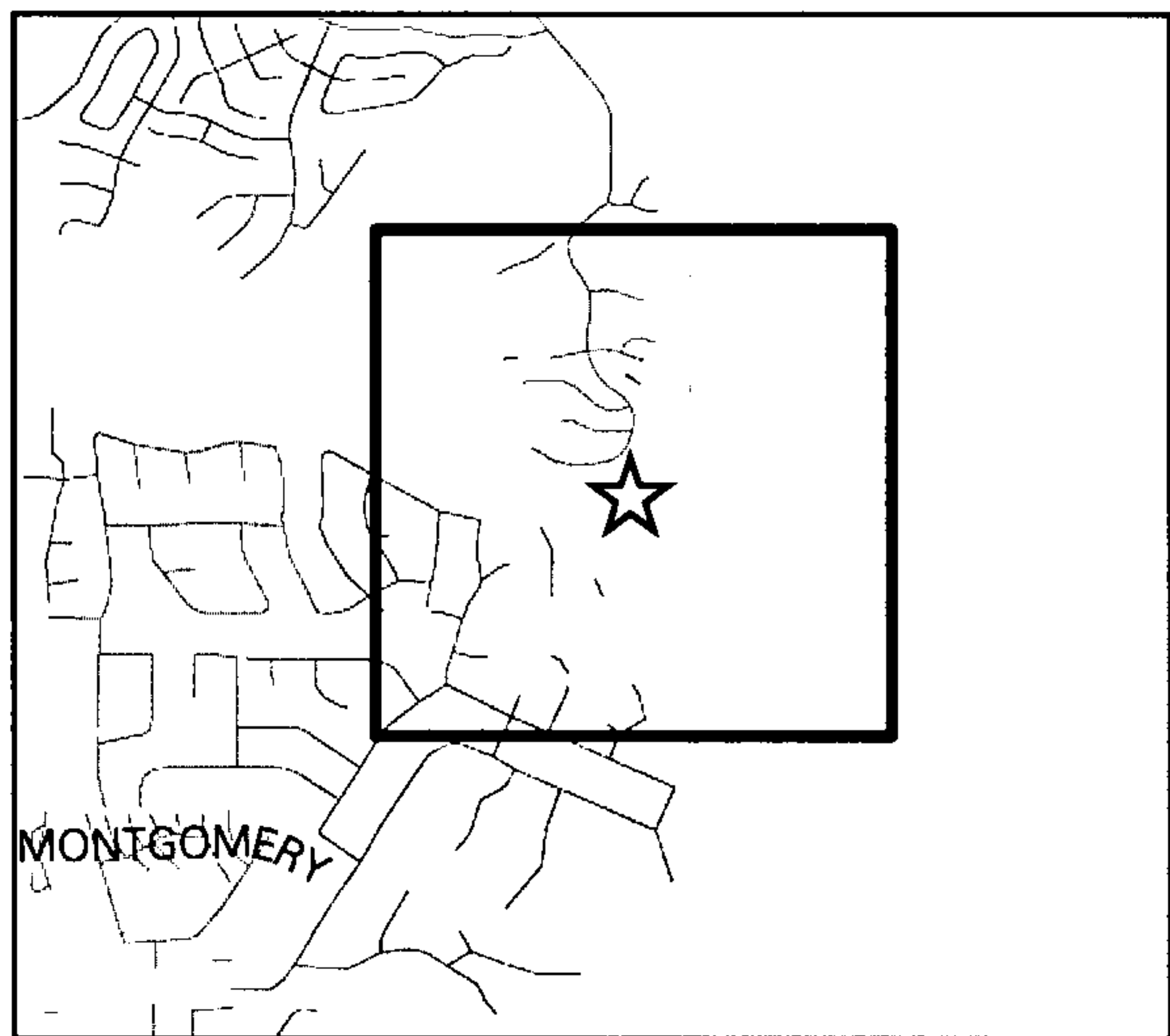
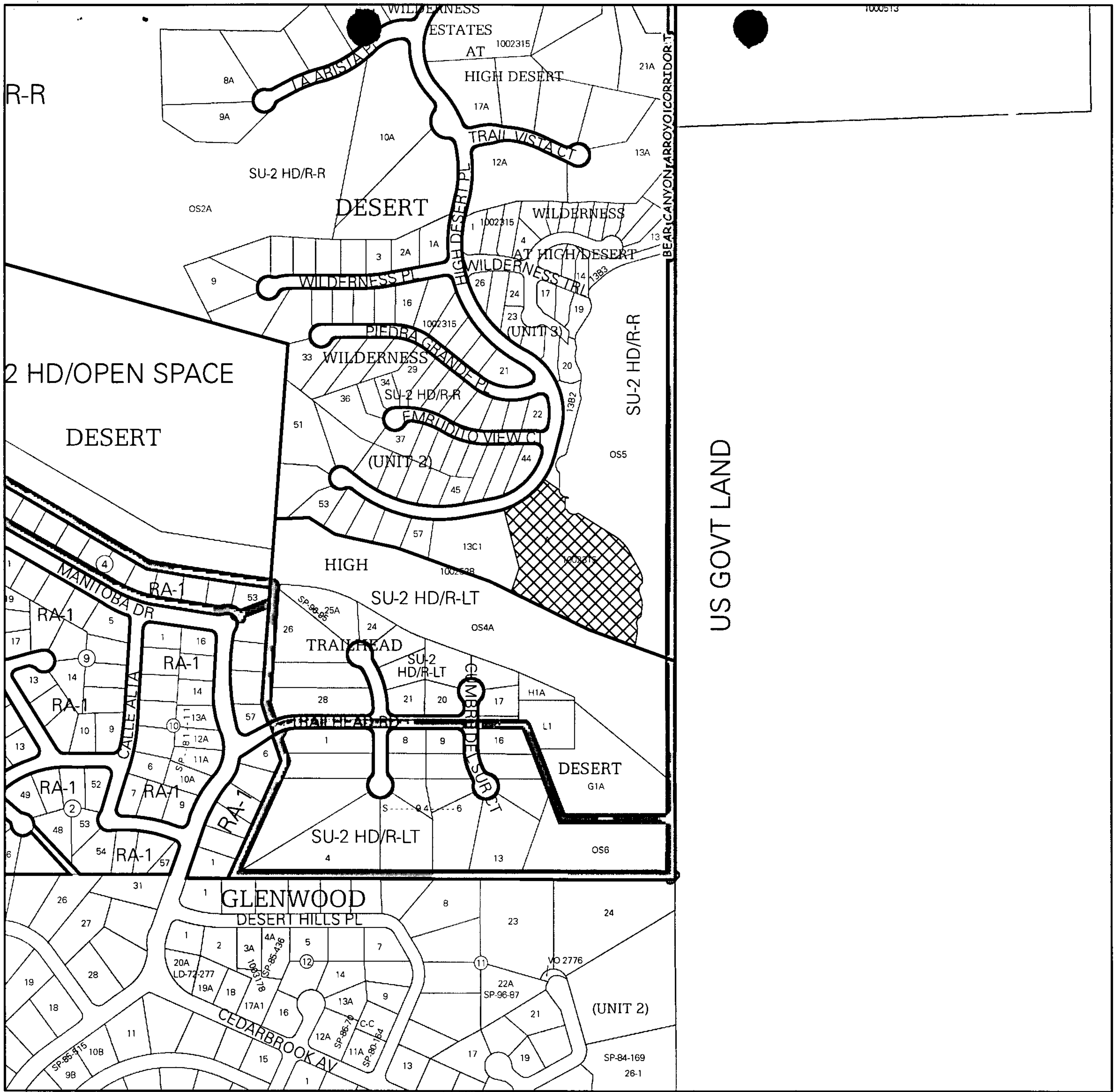
Impact Fee Administrator

Impact Fees are to be paid at the time of issuance of building permits; however, the total Impact Fees may be paid at a rate of 67% if permits are obtained by December 29, 2006.

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

Cc:Mesa Verde Development Co., 8300 Carmel Ave NE, 87122

Bohannan Huston Inc., 7500 Jefferson St NE, 87109



ZONING MAP

Note: Grey shading indicates County.



1 inch equals 500 feet

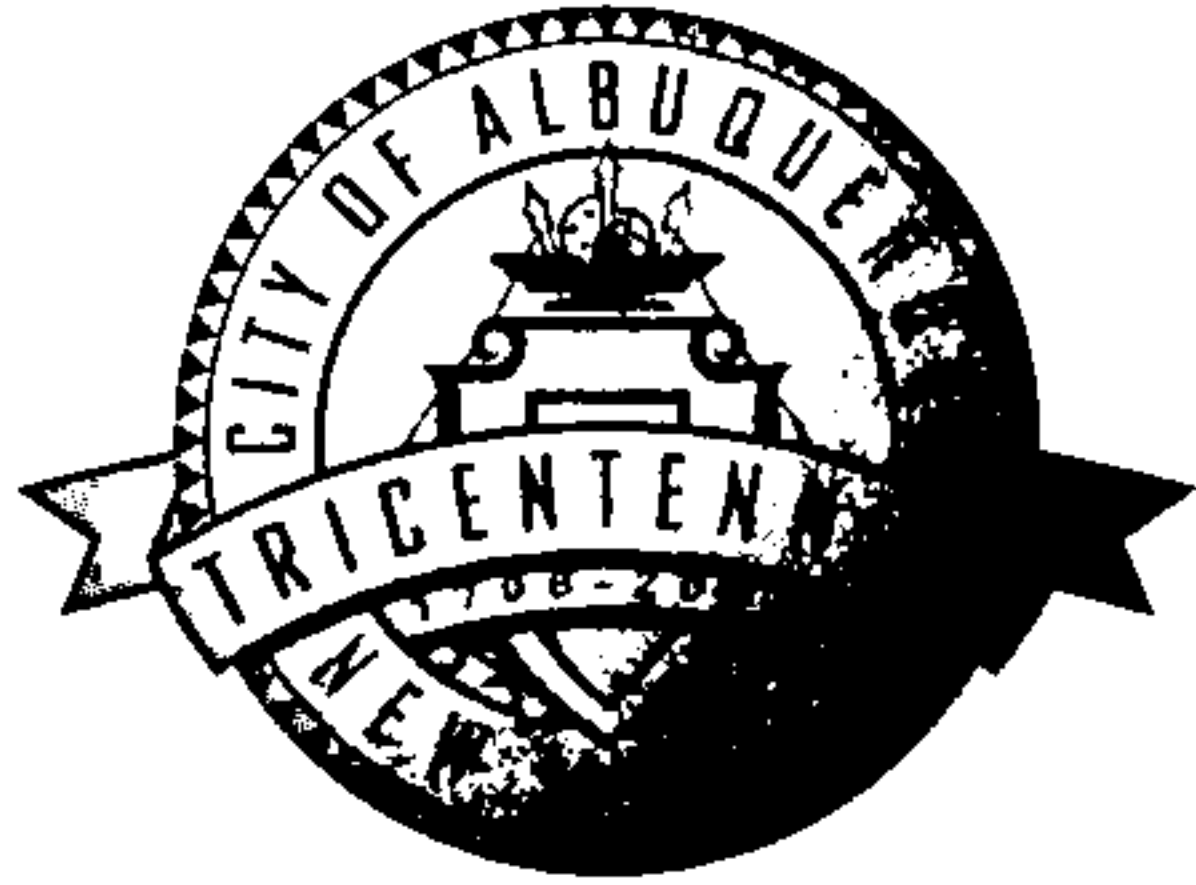
Project Number:
1004989

Hearing Date:
10/04/2006

Zone Map Page:
J-23

Additional Case Numbers:
06DRB-01411 06DRB-01412
06DRB-01413 06DRB-01414
06DRB-01415

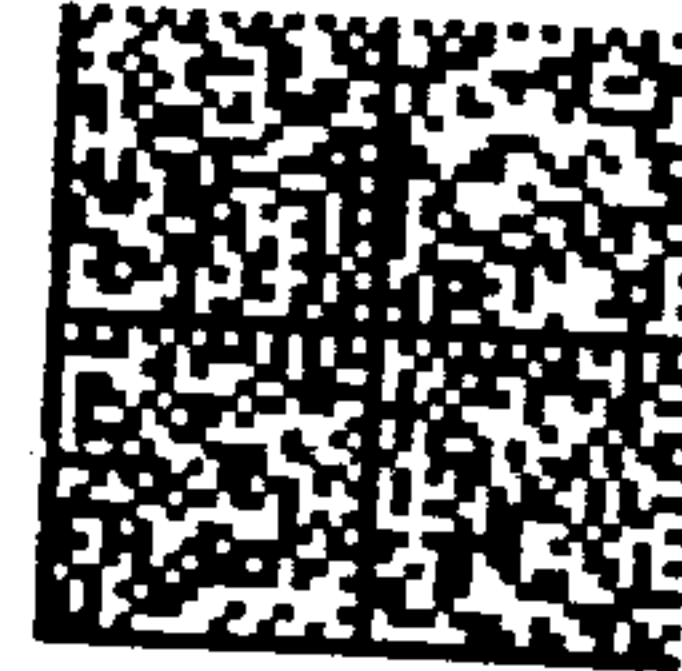
CITY OF ALBUQUERQUE



Planning Department



VACANT



02 1M
0004219022
MAILED FROM ZIP CODE 87102
\$ 00.39⁰
OCT 10 2006

Or Current Resident

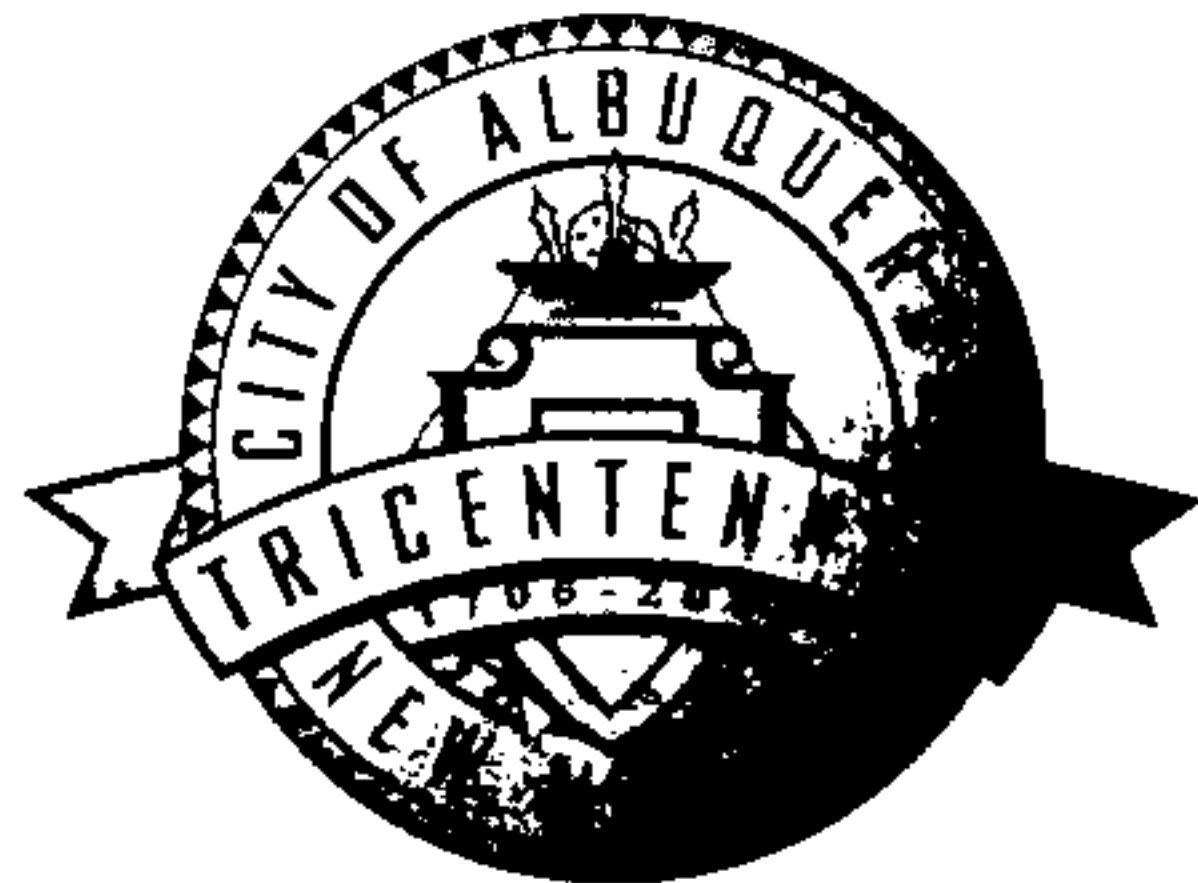
OR CURRENT RESIDENT
102306151336810179
BARR RICHARD R & LINDA L
5251 FOOTHILLS TRL NE
ALBUQUERQUE, NM 87111

VAC

DRB

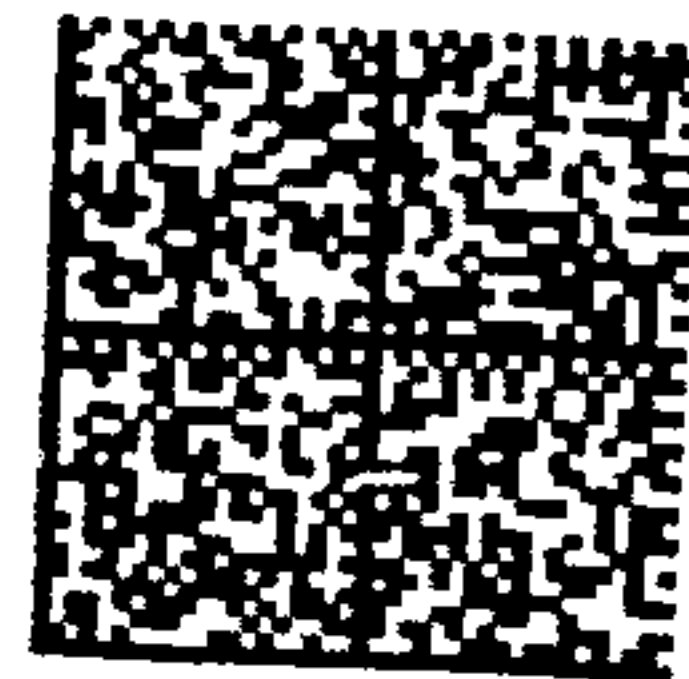
87111\$9211 C046





Planning Department

CITY OF ALBUQUERQUE



02 1M \$ 00.39⁰
0004219022 OCT 10 2006
MAILED FROM ZIP CODE 87102



VACANT

Or Current Resident

OR CURRENT RESIDENT
102306150740510303
HIGH DESERT INVESTMENT CORP
13000 ACADEMY RD NE
ALBUQUERQUE, NM 87111

VAC

DRB

87111\$8000 C039



P O Box 1293 Albuquerque, New Mexico 87103

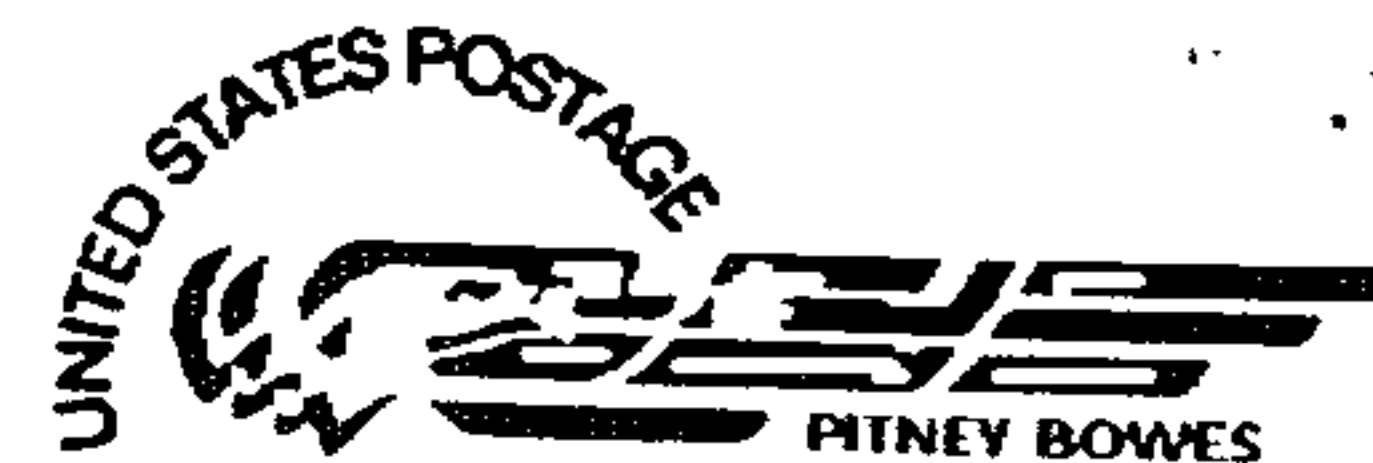
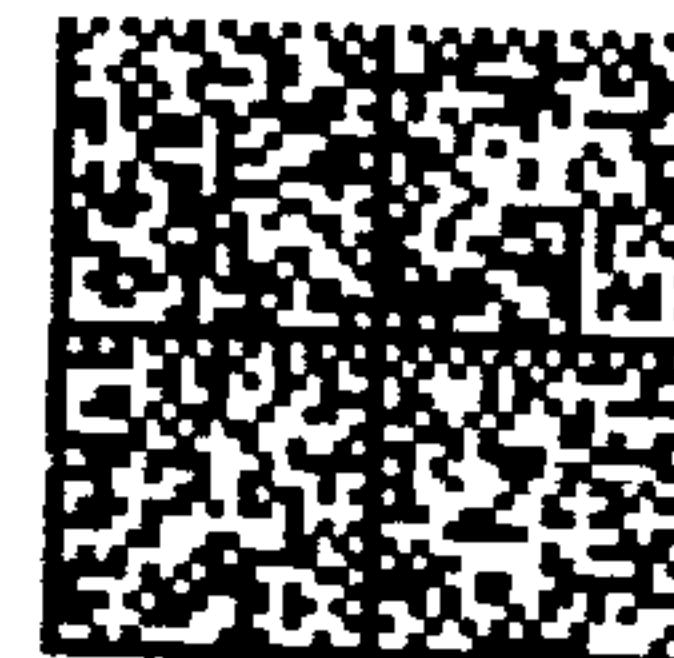
CHAM

|||||



Planning Department

CITY OF ALBUQUERQUE



02 1M \$ 00.39⁰
0004219022 OCT 10 2006
MAILED FROM ZIP CODE 87102

OR CURRENT RESIDENT
102306141822641031
RANCIER JERRY & CHRISTINE
13704 CRESTED BUTTE DR NE
ALBUQUERQUE, NM 87112

Or Current Resident

RETURN TO
ATTEMPTED,
NOT KNOWN

UTF

DRB

87112\$6645 C007



P O Box 1293 Albuquerque, New Mexico 87103



2A...

Vertical barcode or tracking marks on the left edge of the page.



**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 on the 3rd FLOOR in the **PLANNING DEPARTMENT LARGE CONFERENCE ROOM, Plaza del Sol Building, 600 2nd St NW, on Wednesday, October 25, 2006, beginning at 9:00 a.m.** for the purpose of considering the following:

Project # 1001562
06DRB-01408 Major-Two Year SIA

MARK GOODWIN & ASSOCIATES agent(s) for PULTE HOMES OF NEW MEXICO request(s) the above action(s) for the **RESERVE @ FOUR HILLS**, zoned R-1, located on WAGON TRAIN SE, between RATON AVE SE and RIO ARRIBA AVE SE containing approximately 17 acre(s) (M-22)

Project # 1002984
06DRB-01386 Major-Vacation of Pub Right-of-Way

ROBERT J. POWERS request(s) the above action(s) for all or a portion of Lot(s) 21, Block(s) 2, **VOLCANO CLIFFS, UNIT 2**, zoned R-1, located on KIMBERLITE NW, between CLIFF RD NW and POPO NW containing approximately 1 acre(s). (E-10)

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

BOHANNAN HUSTON INC agent(s) for MESA VERDE DEVELOPMENT CO request(s) the above action(s) for all or a portion of Tract(s) A, UNIT 2, **WILDERNESS @ HIGH DESERT** (to be known as **WILDERNESS CANON @ HIGH DESERT**) zoned SU-2, HD/R-R, located on HIGH DESERT PL NE, between TRAILHEAD RD NE and EMBUDITO VIEW CT NE containing approximately 4 acre(s). [REF: 06DRB-00933, 04DRB-00713,, 04DRB-01723] (F-23)

Project # 1005179
06DRB-01417 Major-Amnd SiteDev Plan BldPermit

MAHLMAN STUDIO ARCHITECTURE agent(s) for CITY OF ALBUQUERQUE OFFICE OF SENIOR AFFAIRS, request(s) the above action(s) for all or a portion of Lot(s) 1-A-2, **ATRISCO BUSINESS PARK, UNIT 2** (to be known as **LOS VOLCANES FITNESS CENTER**) zoned SU-1 FOR SENIOR CENTER, located on LOS VOLCANES RD NW, between AIRPORT NW and COORS NW containing approximately 3 acre(s). (J-10)

Details of the application(s) may be examined at the Planning Department Development Services Center One Stop Shop, Second Floor, Plaza Del Sol Building, 600 2nd St NW, between 8:00 a.m. and 4:30 p.m., Monday through Friday except holidays. INDIVIDUALS WITH DISABILITIES needing special assistance to participate in this hearing should contact Claire Senova, Planning Department, at 924-3946. TTY users may call the New Mexico Relay Network by calling toll-free 1-800-659-8331.


Sheran Matson, AICP, DRB Chair
Development Review Board

TO BE PUBLISHED IN THE ALBUQUERQUE JOURNAL MONDAY, OCTOBER 9, 2006.



**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 on the **3rd FLOOR** in the **PLANNING DEPARTMENT LARGE CONFERENCE ROOM, Plaza del Sol Building, 600 2nd St NW, on Wednesday, October 25, 2006, beginning at 9:00 a.m.** for the purpose of considering the following:

Project # 1001562

06DRB-01408 Major-Two Year SIA

MARK GOODWIN & ASSOCIATES agent(s) for PULTE HOMES OF NEW MEXICO request(s) the above action(s) for the **RESERVE @ FOUR HILLS**, zoned R-1, located on WAGON TRAIN SE, between RATON AVE SE and RIO ARRIBA AVE SE containing approximately 17 acre(s) (M-22)

Project # 1002984

06DRB-01386 Major-Vacation of Pub Right-of-Way

ROBERT J. POWERS request(s) the above action(s) for all or a portion of Lot(s) 21, Block(s) 2, **VOLCANO CLIFFS, UNIT 2**, zoned R-1, located on KIMBERLITE NW, between CLIFF RD NW and POPO NW containing approximately 1 acre(s). (E-10)

Project #:1004989-

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

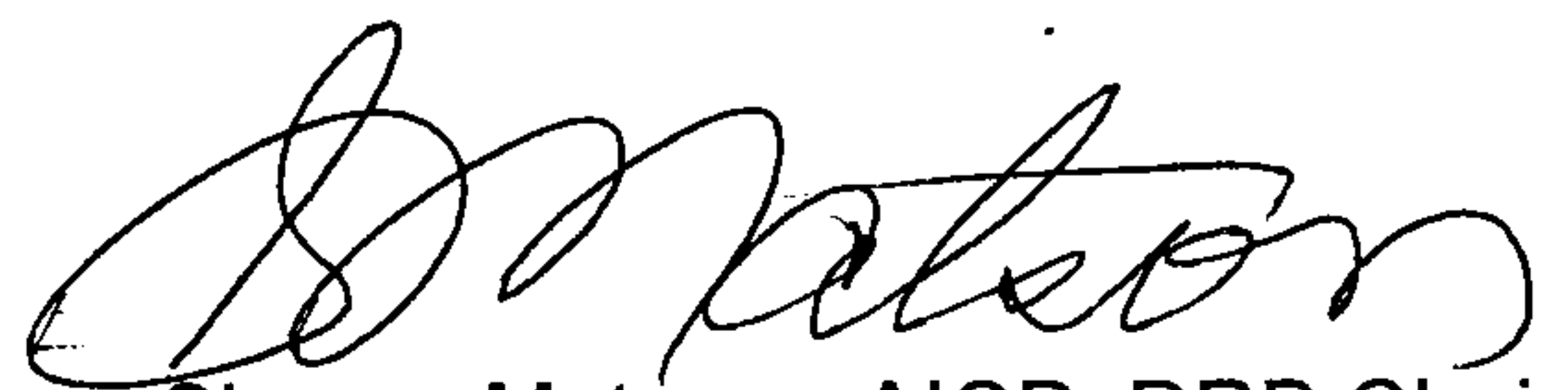
BOHANNAN HUSTON INC agent(s) for MESA VERDE DEVELOPMENT CO request(s) the above action(s) for all or a portion of Tract(s) A, UNIT 2, **WILDERNESS @ HIGH DESERT** (to be known as **WILDERNESS CANON @ HIGH DESERT**) zoned SU-2, HD/R-R, located on HIGH DESERT PL NE, between TRAILHEAD RD NE and EMBUDITO VIEW CT NE containing approximately 4 acre(s). [REF: 06DRB-00933, 04DRB-00713,, 04DRB-01723] (F-23)

Project # 1005179

06DRB-01417 Major-Amnd SiteDev Plan BldPermit

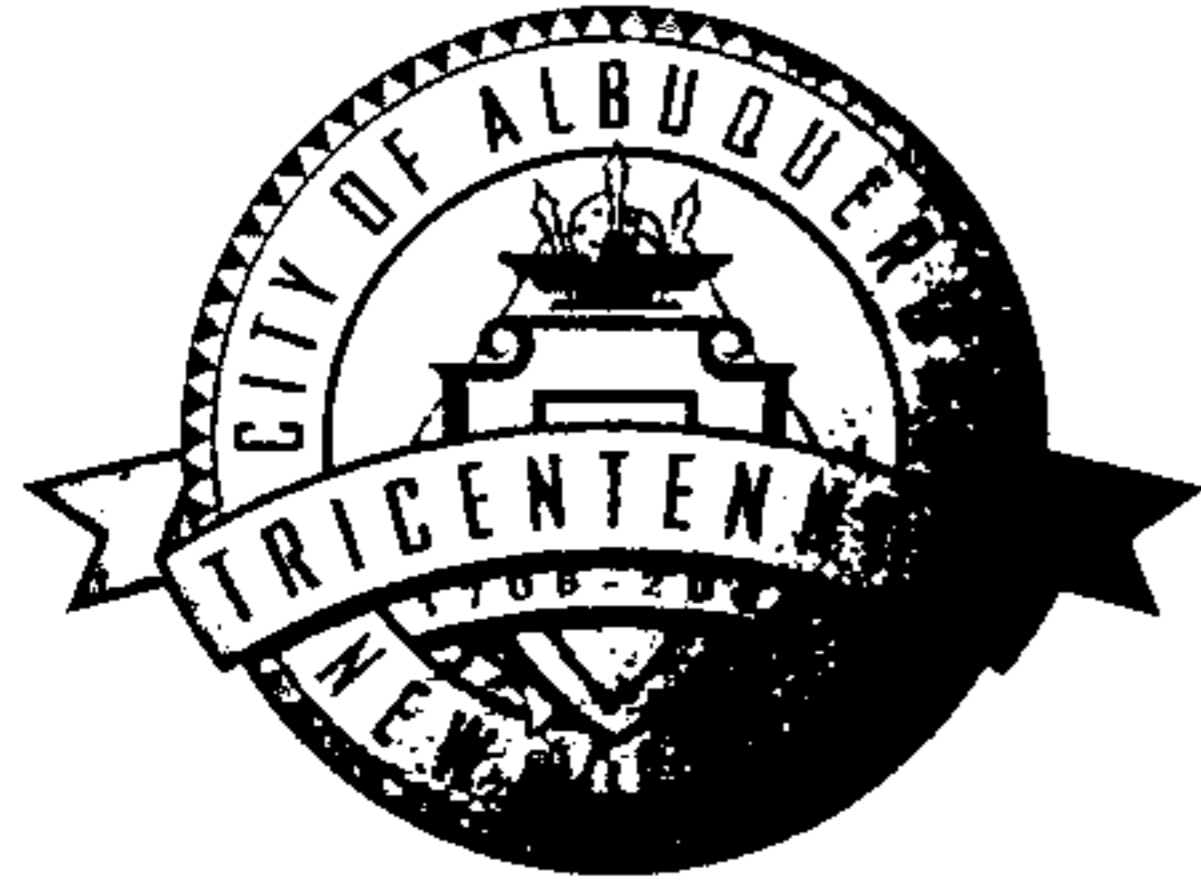
MAHLMAN STUDIO ARCHITECTURE agent(s) for CITY OF ALBUQUERQUE OFFICE OF SENIOR AFFAIRS, request(s) the above action(s) for all or a portion of Lot(s) 1-A-2, **ATRISCO BUSINESS PARK, UNIT 2** (to be known as **LOS VOLCANES FITNESS CENTER**) zoned SU-1 FOR SENIOR CENTER, located on LOS VOLCANES RD NW, between AIRPORT NW and COORS NW containing approximately 3 acre(s). (J-10)

Details of the application(s) may be examined at the Planning Department Development Services Center One Stop Shop, Second Floor, Plaza Del Sol Building, 600 2nd St NW, between 8:00 a.m. and 4:30 p.m., Monday through Friday except holidays. INDIVIDUALS WITH DISABILITIES needing special assistance to participate in this hearing should contact Claire Senova, Planning Department, at 924-3946. TTY users may call the New Mexico Relay Network by calling toll-free 1-800-659-8331.


Sheran Matson, AICP, DRB Chair
Development Review Board

TO BE PUBLISHED IN THE ALBUQUERQUE JOURNAL MONDAY, OCTOBER 9, 2006.

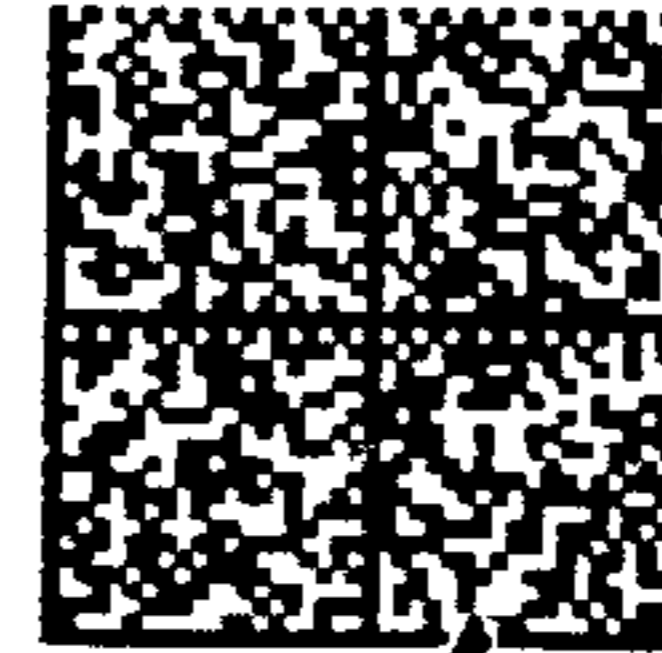
CITY OF ALBUQUERQUE



Planning Department

U T F

OR CURRENT RESIDENT
102306146320041024
BACA SAMUEL V & VERA JENNIE
500 ESPERANZA RD
BOSQUE FARMS, NM 87068



02 1M \$ 00.39⁰
0004219022 OCT 10 2006
MAILED FROM ZIP CODE 87102

Or Current Resident

NIXIE 871 1 10 10/16/06

RETURN TO SENDER
NOT DELIVERABLE AS ADDRESSED
UNABLE TO FORWARD

BC: 87103129393 *1855-00437-10-39

87068\$9220 R011
8710371293



**CITY OF PLANNING
PLANNING DEPARTMENT
PROPERTY OWNERSHIP LIST**

Meeting Date: October 25, 2006
Zone Atlas Page: F-23-Z
Notification Radius: 100 Ft.

Project# 1004989
App#06DRB-01411
06DRB-01412
06DRB-01413
06DRB-01414
06DRB-01415

Cross Reference and Location: HIGH DESERT PL NE BETWEEN TRAIL HEAD
RD NE AND EMBUDITO VIEW CT NE

Applicant: MESA VERDE DEVELOPMENT CO.
8300 CARMEL AVE NE
ALBUQUERQUE, NM 87122

Agent: BOHANNAN HUSTON, INC
7500 JEFFERSON ST NE
ALBUQUERQUE, NM 87109

Special Instructions:

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

Date Mailed: OCTOBER 8, 2006
Signature: YVONNE SAAVEDRA

OR CURRENT RESIDENT
102306146320041024
BACA SAMUEL V & VERA JENNIE
500 ESPERANZA RD
BOSQUE FARMS, NM 87068

OR CURRENT RESIDENT
102306148333910186
DAVIS RICHARD C & ELAINE C
5208 FOOTHILL TRL NE
ALBUQUERQUE, NM 87111

OR CURRENT RESIDENT
102306146025510105
HIGH DESERT INVESTMENT CORP
3791 SOUTHERN BLV SE
RIO RANCHO, NM 87124

OR CURRENT RESIDENT
102306142921141029
KELLER DONALD V
5004 CRESTA DEL SUR CT NE
ALBUQUERQUE, NM 87111

OR CURRENT RESIDENT
102306146120941025
MARTINEZ RUBEN J & KAREN E
5004 CUMBRE DEL SUR NE
ALBUQUERQUE, NM 87111 2987

OR CURRENT RESIDENT
102306151336810179
BARR RICHARD R & LINDA L
5251 FOOTHILLS TRL NE
ALBUQUERQUE, NM 87111

OR CURRENT RESIDENT
102306144521341026
FESLER WALTER C & LILLIAN
5005 CUMBRE DEL SUR NE
ALBUQUERQUE, NM 87111

OR CURRENT RESIDENT
102306150740510303
HIGH DESERT INVESTMENT CORP
13000 ACADEMY RD NE
ALBUQUERQUE, NM 87111

OR CURRENT RESIDENT
102306142721941030
LEE IHN P & PHILOMENA
5008 CRESTA DEL SUR CT NE
ALBUQUERQUE, NM 87111 2989

OR CURRENT RESIDENT
102306149029410168
MESA VERDE DEVELOPMENT
P O BOX 91417
ALBUQUERQUE, NM 87199

OR CURRENT RESIDENT
102306151538810302
CIEPIELA STEPHEN & MARIAN
12924 MANITOBA DR NE
ALBUQUERQUE, NM 87111

OR CURRENT RESIDENT
102306139322341033
GRAPIN BERTRAM & ELLEN S
5009 CRESTA DEL SUR CT NE
ALBUQUERQUE, NM 87111

OR CURRENT RESIDENT
102306151842810310
HIGH DESERT INVESTMENT CORP
3791 SOUTHERN BLV SE
RIO RANCHO, NM 87124

OR CURRENT RESIDENT
102306149424510167
LIFE INVESTMENTS LLC
8300 CARMEL NE 401
ALBUQUERQUE, NM 87122

102306149029410168
MESA VERDE DEVELOPMENT
P O BOX 91417
ALBUQUERQUE, NM 87199

OR CURRENT RESIDENT
102306141822641031
RANCIER JERRY & CHRISTINE
13704 CRESTED BUTTE DR NE
ALBUQUERQUE, NM 87112

OR CURRENT RESIDENT
102306149135210184
SCOTT PATRICK INC
8300 CARMEL AVE NE #401
ALBUQUERQUE, NM 87122

OR CURRENT RESIDENT
102306137223320453
SEGERLUND GLEN L &
5018 GLENWOOD HILLS DR NE
ALBUQUERQUE, NM 87111 2951

OR CURRENT RESIDENT
102306140323241032
STAHLY CONRAD L & MARCELLA B
5015 CRESTA DEL SUR CT NE
ALBUQUERQUE, NM 87111 2989

OR CURRENT RESIDENT
102306137222320454
STROHACKER FAMILY REVOCABLE
PO BOX 14239
ALBUQUERQUE, NM 87191 4239

OR CURRENT RESIDENT
102406230322040101
UNITED STATES OF AMERICA
333 BROADWAY BLV SE
ALBUQUERQUE, NM 87102 3498

OR CURRENT RESIDENT

OR CURRENT RESIDENT

OR CURRENT RESIDENT

OR CURRENT RESIDENT

OR CURRENT RESIDENT

OR CURRENT RESIDENT

OR CURRENT RESIDENT

OR CURRENT RESIDENT



**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 on the 3rd FLOOR in the **PLANNING DEPARTMENT LARGE CONFERENCE ROOM, Plaza del Sol Building, 600 2nd St NW, on Wednesday, October 25, 2006, beginning at 9:00 a.m.** for the purpose of considering the following:

Project # 1001562

06DRB-01408 Major-Two Year SIA

MARK GOODWIN & ASSOCIATES agent(s) for PULTE HOMES OF NEW MEXICO request(s) the above action(s) for the **RESERVE @ FOUR HILLS**, zoned R-1, located on WAGON TRAIN SE, between RATON AVE SE and RIO ARRIBA AVE SE containing approximately 17 acre(s) (M-22)

Project # 1002984

06DRB-01386 Major-Vacation of Pub Right-of-Way

ROBERT J. POWERS request(s) the above action(s) for all or a portion of Lot(s) 21, Block(s) 2, **VOLCANO CLIFFS, UNIT 2**, zoned R-1, located on KIMBERLITE NW, between CLIFF RD NW and POPO NW containing approximately 1 acre(s). (E-10)

Project # 1004989

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

BOHANNAN HUSTON INC agent(s) for MESA VERDE DEVELOPMENT CO request(s) the above action(s) for all or a portion of Tract(s) A, UNIT 2, **WILDERNESS @ HIGH DESERT** (to be known as **WILDERNESS CANON @ HIGH DESERT**) zoned SU-2, HD/R-R, located on HIGH DESERT PL NE, between TRAILHEAD RD NE and EMBUDITO VIEW CT NE containing approximately 4 acre(s). [REF: 06DRB-00933, 04DRB-00713,, 04DRB-01723] (F-23)

Project # 1005179

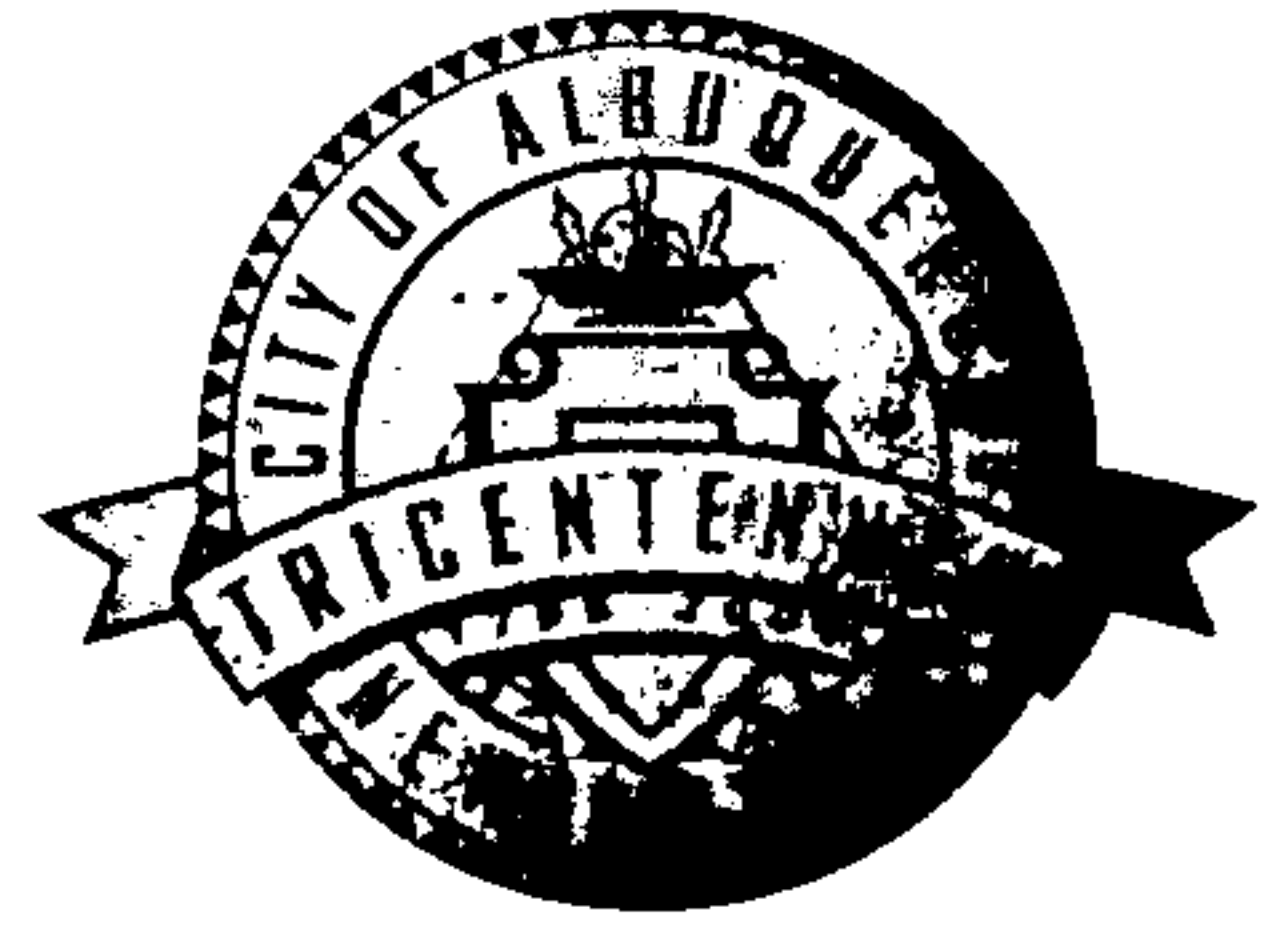
06DRB-01417 Major-Amnd SiteDev Plan BldPermit

MAHLMAN STUDIO ARCHITECTURE agent(s) for CITY OF ALBUQUERQUE OFFICE OF SENIOR AFFAIRS, request(s) the above action(s) for all or a portion of Lot(s) 1-A-2, **ATRISCO BUSINESS PARK, UNIT 2** (to be known as **LOS VOLCANES FITNESS CENTER**) zoned SU-1 FOR SENIOR CENTER, located on LOS VOLCANES RD NW, between AIRPORT NW and COORS NW containing approximately 3 acre(s). (J-10)

Details of the application(s) may be examined at the Planning Department Development Services Center One Stop Shop, Second Floor, Plaza Del Sol Building, 600 2nd St NW, between 8:00 a.m. and 4:30 p.m., Monday through Friday except holidays. INDIVIDUALS WITH DISABILITIES needing special assistance to participate in this hearing should contact Claire Senova, Planning Department, at 924-3946. TTY users may call the New Mexico Relay Network by calling toll-free 1-800-659-8331.

Sheran Matson, AICP, DRB Chair
Development Review Board

TO BE PUBLISHED IN THE ALBUQUERQUE JOURNAL MONDAY, OCTOBER 9, 2006.



"COURTESY" DRB NOTIFICATION LETTER

October 6, 2006

TO: Ray Berg and Sam V. Baca, High Desert Residential Owners Association

This letter is a **"COURTESY NOTIFICATION"** from the City of Albuquerque pertaining to a request for: Requests the following for approximately four (4) acre(s) - Major Preliminary Plat Approval; Major Vacation of Public Easements; Minor Subdivision Design Variance; Minor Sidewalk Waiver; and Minor Temporary Deferral of Sidewalks *for the Wilderness Canon at High Desert.*

Proposed by: Bohannon Huston Inc. at (505) 823-1000

Agent for: Mesa Verde Development Company

For property located: On or near High Desert Place NE between Trailhead Road NE and Embudito View Court NE.

P.O. Box 1293

The case number(s) assigned is: 06DRB- 01411, 01412, 01413, 01414 and 01415, Project # 1004989.

Albuquerque

City Planning accepted application for this request on September 29, 2006.

New Mexico 87103

The owner, applicant, and/or agent **WAS NOT** required notifying you of the proposed action by *certified mail, return receipt requested.*

www.cabq.gov

Please be advised that this application is scheduled for a hearing before the Development Review Board at 9 a.m. on Wednesday, October 25, 2006 at the Third Floor in the Planning Department, Large Conference Room, Plaza Del Sol Building, 600 Second St. NW. **(Note - Change of Location for Hearing)**

You should contact Claire Senova at 924-3946 to confirm this date, time, and to seek further information.

If you have any questions, please call Stephani Winklepleck at 924-3902 or by e-mail at swinklepleck@cabq.gov.

Sincerely,

Stephani J. Winklepleck

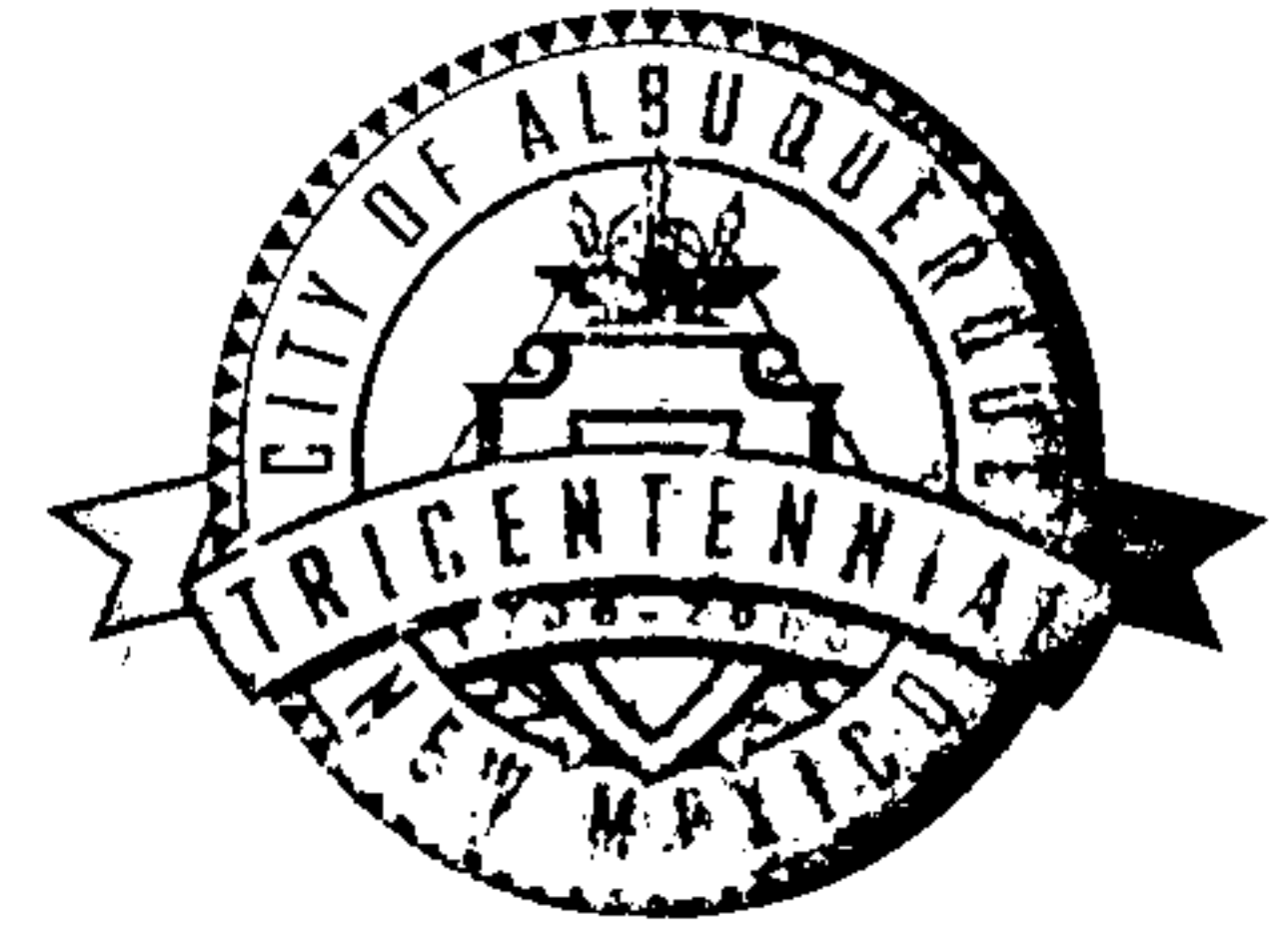
Neighborhood Program Coordinator
OFFICE OF NEIGHBORHOOD COORDINATION
PLANNING DEPARTMENT

cc: Claire Senova, DRB
Administrative Assistant

PLANNING TRACKING LOG

Date	Project Name & #	Action Request	Action Taken
7/12/06	Wilderness Subdivision Unit 2	Sketch	Comments given
10/25/06	Wilderness Subd-Unit 2 TBK Wilderness Canyon	Prel Plat Vae PE Subd DVar Subwalk Water TDS.	

TBK
WILDERNESS
CANYON
UNIT 2



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

DEVELOPMENT REVIEW BOARD--SPEED MEMO

DRB CASE NO/PROJECT NO: 1004989

AGENDA ITEM NO: 24

SUBJECT:

Sketch Plat/Plan

ACTION REQUESTED:

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

ENGINEERING COMMENTS:

An approved drainage report is required for Preliminary Plat approval.
An approved infrastructure list is required for Preliminary Plat approval.

RESOLUTION:

APPROVED ____; DENIED ____; DEFERRED ____; COMMENTS PROVIDED *discussed* WITHDRAWN

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

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

FOR:

SIGNED: Bradley L. Bingham
City Engineer/AMAFCA Designee

DATE: July 12, 2006

P.O. Box 1293

Albuquerque

New Mexico 87103

www.cabq.gov



City of Albuquerque

Action Summary

City Council

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

Council President, Debbie O'Malley, District 2
Vice-President, Sally Mayer, District 7

Council Members: Ken Sanchez, District 1;
Isaac Benton, District 3 ; Brad Winter, District 4;
Michael J. Cadigan, District 5; Martin Heinrich, District 6;
Craig Loy, District 8; Don Harris, District 9;

TTY Phone # - 1-800-659-8331
For Weekly Schedule of Meetings Call: 768-4777

Monday, August 6, 2007

5:08 PM

Vincent E. Griego Chambers
One Civic Plaza
Albuquerque/Bernalillo County
Government Center

EC-07-427 Report from the Albuquerque Police Department on the Public Safety Goal 2 Priority Objective #17

Motion: *Receipt Be Noted*

Status: Passed

Votes: For: 9 - Council Members: O'Malley, Mayer, Sanchez, Benton, Winter, Cadigan, Heinrich, Loy and Harris

EC-07-431 Legal Department Quarterly Litigation Report for the period January 1, 2006 through March 31, 2006

Motion: *Receipt Be Noted*

Status: Passed

Votes: For: 9 - Council Members: O'Malley, Mayer, Sanchez, Benton, Winter, Cadigan, Heinrich, Loy and Harris

EC-07-432 Legal Department Quarterly Litigation Report for the period April 1, 2006 through June 30, 2006

Motion: *Receipt Be Noted*

Status: Passed

Votes: For: 9 - Council Members: O'Malley, Mayer, Sanchez, Benton, Winter, Cadigan, Heinrich, Loy and Harris

EC-07-433 Legal Department Quarterly Litigation Report for the period July 1, 2006 through September 30, 2006

Motion: *Receipt Be Noted*

Status: Passed

Votes: For: 9 - Council Members: O'Malley, Mayer, Sanchez, Benton, Winter, Cadigan, Heinrich, Loy and Harris

- EC-07-434** Legal Department Quarterly Litigation Report for the period October 1, 2006 through December 31, 2006
Motion: *Receipt Be Noted*
Status: Passed
Votes: For: 9 - Council Members: O'Malley, Mayer, Sanchez, Benton, Winter, Cadigan, Heinrich, Loy and Harris
- EC-07-440** FY/07 Goal 5, Annual Objective 14 - Recreation Trails on the West Side of the Bosque
Motion: *Receipt Be Noted*
Status: Passed
Votes: For: 9 - Council Members: O'Malley, Mayer, Sanchez, Benton, Winter, Cadigan, Heinrich, Loy and Harris
- EC-07-441** FY/07 Goal 3, Annual Objective 9 - Pedestrian Safety District #3
Motion: *Receipt Be Noted*
Status: Passed
Votes: For: 9 - Council Members: O'Malley, Mayer, Sanchez, Benton, Winter, Cadigan, Heinrich, Loy and Harris
- EC-07-442** Fire Department FY/07 Priority Objective Report, Goal 2, Objective 15, APS Inspection Program
Motion: *Receipt Be Noted*
Status: Passed
Votes: For: 9 - Council Members: O'Malley, Mayer, Sanchez, Benton, Winter, Cadigan, Heinrich, Loy and Harris
- EC-07-443** Public Safety Goal 2 Priority Objective #21 - FY/07 Third Quarter Report
Motion: *Receipt Be Noted*
Status: Passed
Votes: For: 9 - Council Members: O'Malley, Mayer, Sanchez, Benton, Winter, Cadigan, Heinrich, Loy and Harris
- EC-07-444** Public Safety Goal 2 Priority Objective #16 - FY/07 Third Quarter Report
Motion: *Receipt Be Noted*
Status: Passed
Votes: For: 9 - Council Members: O'Malley, Mayer, Sanchez, Benton, Winter, Cadigan, Heinrich, Loy and Harris
- EC-07-445** FY/06 Goal 3, Annual Objective 22 - Status Report of Pavement Management Inventory Rating
Motion: *Receipt Be Noted*
Status: Passed
Votes: For: 9 - Council Members: O'Malley, Mayer, Sanchez, Benton, Winter, Cadigan, Heinrich, Loy and Harris

- EC-07-446** FY/07 Goal 3, Annual Objective 2 - Median Landscaping on Arterial Streets
Motion: *Receipt Be Noted*
Status: Passed
Votes: For: 9 - Council Members: O'Malley, Mayer, Sanchez, Benton, Winter, Cadigan, Heinrich, Loy and Harris
- EC-07-447** FY/07 Department of Family and Community Services, Goal 1, Priority Objective #20 Report to the Mayor and City Council
Motion: *Receipt Be Noted*
Status: Passed
Votes: For: 9 - Council Members: O'Malley, Mayer, Sanchez, Benton, Winter, Cadigan, Heinrich, Loy and Harris
- EC-07-450** FY/07 Department of Family and Community Services, Goal 1, Priority Objective #5 Report to the Mayor and City Council
Motion: *Receipt Be Noted*
Status: Passed
Votes: For: 9 - Council Members: O'Malley, Mayer, Sanchez, Benton, Winter, Cadigan, Heinrich, Loy and Harris
- EC-07-451** FY/07 Department of Family and Community Services, Goal 1, Priority Objective #4, Report to the Mayor and City Council
Motion: *Receipt Be Noted*
Status: Passed
Votes: For: 9 - Council Members: O'Malley, Mayer, Sanchez, Benton, Winter, Cadigan, Heinrich, Loy and Harris
- EC-07-452** Parks and Recreation Department FY/07 Priority Objective Report, Goal 1, Objective 13, Indoor Mondo Track Business Plan
Motion: *Receipt Be Noted*
Status: Passed
Votes: For: 9 - Council Members: O'Malley, Mayer, Sanchez, Benton, Winter, Cadigan, Heinrich, Loy and Harris
- EC-07-453** Parks and Recreation Department FY/07 Priority Objective Report, Goal 4, Objective 2, Funding for Heroes Park
Motion: *Receipt Be Noted*
Status: Passed
Votes: For: 9 - Council Members: O'Malley, Mayer, Sanchez, Benton, Winter, Cadigan, Heinrich, Loy and Harris
- EC-07-454** Commercial Development Site Lease and Agreement Between the City of Albuquerque and University/Aircraft, LLC for the Construction and Operation of a Fuel Station and

Food Facility

Motion: *Approve*

Status: Passed

Votes: For: 9 - Council Members: O'Malley, Mayer, Sanchez, Benton, Winter, Cadigan, Heinrich, Loy and Harris

EC-07-455 Solid Waste Goal 5, Environmental Protection and Enhancement, Priority Objective 12

Motion: *Receipt Be Noted*

Status: Passed

Votes: For: 9 - Council Members: O'Malley, Mayer, Sanchez, Benton, Winter, Cadigan, Heinrich, Loy and Harris

EC-07-456 FY 08 Holy Family Catholic Church Lease Agreement

Motion: *Approve*

Status: Passed

Votes: For: 9 - Council Members: O'Malley, Mayer, Sanchez, Benton, Winter, Cadigan, Heinrich, Loy and Harris

EC-07-458 FY/07, Goal 6, Objective 4 Update Report - Marketing of the Air Cargo Center at the Albuquerque International Sunport

Motion: *Receipt Be Noted*

Status: Passed

Votes: For: 9 - Council Members: O'Malley, Mayer, Sanchez, Benton, Winter, Cadigan, Heinrich, Loy and Harris

EC-07-459 FY/07 DFCS Goal 1, Priority Objective 19 Report to the Mayor and City Council

Motion: *Receipt Be Noted*

Status: Passed

Votes: For: 9 - Council Members: O'Malley, Mayer, Sanchez, Benton, Winter, Cadigan, Heinrich, Loy and Harris

EC-07-460 Report on Cultural Engagement Goal 7, Objective 3 - Casa San Ysidro Visitor Center & Vehicular Access

Motion: *Receipt Be Noted*

Status: Passed

Votes: For: 9 - Council Members: O'Malley, Mayer, Sanchez, Benton, Winter, Cadigan, Heinrich, Loy and Harris

EC-07-461 FY/07, Goal 2, Objective 1 Update Report - Cooperation with the Albuquerque Fire Department for a Double Eagle II Fire Fighting Facility

Motion: *Receipt Be Noted*

Status: Passed

Votes: For: 9 - Council Members: O'Malley, Mayer, Sanchez, Benton, Winter, Cadigan, Heinrich, Loy and Harris

EC-07-462 FY/07, Goal 6, Objective 1 Update Report - Marketing and Activation of the Foreign

Trade Zone at the Albuquerque International Sunport

Motion: *Receipt Be Noted*

Status: Passed

Votes: For: 9 - Council Members: O'Malley, Mayer, Sanchez, Benton, Winter, Cadigan, Heinrich, Loy and Harris

EC-07-466 Recommendation of Award to Lamar Advertising Company to Provide Advertising Concessions for ABQ Ride Vehicles & Facilities

Motion: *Approve*

Status: Passed

Votes: For: 9 - Council Members: O'Malley, Mayer, Sanchez, Benton, Winter, Cadigan, Heinrich, Loy and Harris

EC-07-467 Affiliate Airline Operating Agreement Between the City of Albuquerque and Horizon Air Industries, Inc.

Motion: *Approve*

Status: Passed

Votes: For: 9 - Council Members: O'Malley, Mayer, Sanchez, Benton, Winter, Cadigan, Heinrich, Loy and Harris

EC-07-468 Affiliate Airline Operating Agreement Between the City of Albuquerque and Shuttle America Corporation

Motion: *Approve*

Status: Passed

Votes: For: 9 - Council Members: O'Malley, Mayer, Sanchez, Benton, Winter, Cadigan, Heinrich, Loy and Harris

EC-07-469 Affiliate Airline Operating Agreement Between the City of Albuquerque and SkyWest Airlines, Inc. to Provide Regional Jet Service for Delta Airlines

Motion: *Approve*

Status: Passed

Votes: For: 9 - Council Members: O'Malley, Mayer, Sanchez, Benton, Winter, Cadigan, Heinrich, Loy and Harris

EC-07-470 Affiliate Airline Operating Agreement Between the City of Albuquerque and SkyWest Airlines, Inc. to Provide Regional Jet Service for United Airlines

Motion: *Approve*

Status: Passed

Votes: For: 9 - Council Members: O'Malley, Mayer, Sanchez, Benton, Winter, Cadigan, Heinrich, Loy and Harris

EC-07-473 Contract for Artwork on Harry Kinney Civic Plaza

Motion: *Approve*

Status: Passed

Votes: For: 9 - Council Members: O'Malley, Mayer, Sanchez, Benton, Winter, Cadigan, Heinrich, Loy and Harris

EC-07-477 Recommendation for Joint Funding Agreement (JFA) with the U.S. Geological Survey for Rainfall Runoff Hydrologic Data Collection

Motion: *Approve*

Status: Passed

Votes: For: 9 - Council Members: O'Malley, Mayer, Sanchez, Benton, Winter, Cadigan, Heinrich, Loy and Harris

EC-07-519 Mayor's Recommendation of Gannett Fleming West, Inc. for the Academy Boulevard Bike Lanes

Motion: *Approve*

Status: Passed

Votes: For: 9 - Council Members: O'Malley, Mayer, Sanchez, Benton, Winter, Cadigan, Heinrich, Loy and Harris

EC-07-520 Mayor's Appointment of Mr. Richard Abruzzo to the Balloon Museum Board of Trustees

Motion: *Confirm*

Status: Passed

Votes: For: 9 - Council Members: O'Malley, Mayer, Sanchez, Benton, Winter, Cadigan, Heinrich, Loy and Harris

EC-07-521 Mayor's Appointment of Mr. Craig H. Kennedy to the Balloon Museum Board of Trustees

Motion: *Confirm*

Status: Passed

Votes: For: 9 - Council Members: O'Malley, Mayer, Sanchez, Benton, Winter, Cadigan, Heinrich, Loy and Harris

EC-07-522 Mayor's Appointment of Ms. Elizabeth C. Wright-Smith to the Balloon Museum Board of Trustees

Motion: *Confirm*

Status: Passed

Votes: For: 9 - Council Members: O'Malley, Mayer, Sanchez, Benton, Winter, Cadigan, Heinrich, Loy and Harris

EC-07-523 Mayor's Reappointment of Mr. Frank Burcham, Jr. to the Energy Conservation Council

Motion: *Confirm*

Status: Passed

Votes: For: 9 - Council Members: O'Malley, Mayer, Sanchez, Benton, Winter, Cadigan, Heinrich, Loy and Harris

EC-07-524 Mayor's Reappointment of Ms. Suzanne Probart to the Energy Conservation Council

Motion: *Confirm*

Status: Passed

Votes: For: 9 - Council Members: O'Malley, Mayer, Sanchez, Benton, Winter, Cadigan, Heinrich, Loy and Harris

EC-07-525 Mayor's Reappointment of Mr. Howard Stephens to the Energy Conservation Council

Motion: *Confirm*

Status: Passed

Votes: For: 9 - Council Members: O'Malley, Mayer, Sanchez, Benton, Winter, Cadigan, Heinrich, Loy and Harris

EC-07-526 Mayor's Reappointment of Mr. David S. Melton to the Energy Conservation Council

Motion: *Confirm*

Status: Passed

Votes: For: 9 - Council Members: O'Malley, Mayer, Sanchez, Benton, Winter, Cadigan, Heinrich, Loy and Harris

O-07-67 Amending ROA 1994, The City of Albuquerque Comprehensive Zoning Code To Allow For Certain Outdoor Retail Uses, Special Events & Revised Sign Regulations (Benton, by request)

Motion: *Withdrawn by Sponsor*

Status: Passed

Votes: For: 9 - Council Members: O'Malley, Mayer, Sanchez, Benton, Winter, Cadigan, Heinrich, Loy and Harris

O-07-87 Amending ROA 1994 the Safe Traffic Operations Program to Reduce Fines, Provide for Community Service in Lieu of Fines, Change Time within which Hearing must be held and Create Ombudsman (Mayer, by request)

Motion: *Withdrawn by Sponsor*

Status: Passed

Votes: For: 9 - Council Members: O'Malley, Mayer, Sanchez, Benton, Winter, Cadigan, Heinrich, Loy and Harris

R-07-236 Declaring The Extension of The Paseo Del Volcan Eastern Alignment From Paseo Del Norte To Southern Boulevard In Rio Rancho As A Priority In The Capital Implementation Program, The City of Albuquerque's List of Transportation Improvement Programs And As A Request To The 2008 State Legislature; Establishing A Technical Committee (Cadigan)

Motion: *Do Pass*

Status: Passed

Votes: For: 9 - Council Members: O'Malley, Mayer, Sanchez, Benton, Winter, Cadigan, Heinrich, Loy and Harris

R-07-237 Adopting the FY '08 - FY '09 Two-Year Urban Enhancement Program and

Appropriating Funds For The Urban Enhancement Program's Projects (O'Malley)

Motion: *Do Pass*

Status: Passed

Votes: For: 9 - Council Members: O'Malley, Mayer, Sanchez, Benton, Winter, Cadigan, Heinrich, Loy and Harris

R-07-238 Directing Family and Community Services and the Sexual Assault Prevention Community to Develop a Child Care Staff Training Plan and Report Back to the City Council; Creating a Sexual Violence Advisory Council (Cadigan)

Motion: *Do Pass*

Status: Passed

Votes: For: 9 - Council Members: O'Malley, Mayer, Sanchez, Benton, Winter, Cadigan, Heinrich, Loy and Harris

R-07-240 Approving and Authorizing the Filing of Grant Application for Funds Under the Emergency Medical Services Fund Act with the State of New Mexico Department of Health and Providing for an Appropriation to the Fire Department (Winter)

Motion: *Do Pass*

Status: Passed

Votes: For: 9 - Council Members: O'Malley, Mayer, Sanchez, Benton, Winter, Cadigan, Heinrich, Loy and Harris

O-06-50 C/S Relating to Mobile Homes; Creating Provisions Relating to the Notification Requirements For Termination of Tenancy (O'Malley)

Motion: *Postpone, due back on August 20, 2007*

Status: Passed

Votes: For: 9 - Council Members: O'Malley, Mayer, Sanchez, Benton, Winter, Cadigan, Heinrich, Loy and Harris

O-07-65 F/S Adopting Provisions To Abate The Nuisance of Illegal Use of Handicapped Parking Spaces; Setting Fines; Providing Enforcement; Repealing § 8-5-1-30 and Repealing The Existing Fine For Illegally Parking In A Disabled Parking Space (Mayer, by request)

Motion: *Postpone, due back on August 20, 2007*

Status: Passed

Votes: For: 9 - Council Members: O'Malley, Mayer, Sanchez, Benton, Winter, Cadigan, Heinrich, Loy and Harris

O-07-66 C/S(2) Clarifying the Status of "Buskers" (Street Performers) as Not Within Chapter 3, Article 13, the City's Business Solicitation and Old Town Solicitation Ordinances; Amending Section 14-16-2-25 to Clarify that "Buskering" Street Performing is a Permitted Use Within Old Town (Benton)

Motion: *Postpone, due back on August 20, 2007*

Status: Passed

Votes: For: 9 - Council Members: O'Malley, Mayer, Sanchez, Benton, Winter, Cadigan,

Heinrich, Loy and Harris

O-07-68 C/S Amending ROA 1994 of The Public Purchases Ordinance To Redefine The Greater Albuquerque Metropolitan Area, To Reserve For Small Businesses 10% of All Purchases of Goods and Services Including All Purchases Under \$10,000 and To Create a 5% Preference For Small Businesses Submitting Offers in Response to Requests for Bids, Proposals and Quotes (Winter)

Motion: *Postpone, due back on August 20, 2007*

Status: Passed

Votes: For: 9 - Council Members: O'Malley, Mayer, Sanchez, Benton, Winter, Cadigan, Heinrich, Loy and Harris

O-07-78 Establishing The Balloon Fiesta Park Operations And Management Policy Board By Ordinance; Ratifying The Actions of The Existing Board And Clarifying The Board's Responsibilities (O'Malley)

Motion: *Postpone, due back on August 20, 2007*

Status: Passed

Votes: For: 9 - Council Members: O'Malley, Mayer, Sanchez, Benton, Winter, Cadigan, Heinrich, Loy and Harris

R-07-229 Nuisance Abatement at 8821 Central NW is so Ruined, Damaged and Dilapidated as to be a Menace to the Public Comfort, Health, Peace or Safety and that it is to be Required to be Removed (Sanchez)

Motion: *Postpone, due back on August 20, 2007*

Status: Passed

Votes: For: 9 - Council Members: O'Malley, Mayer, Sanchez, Benton, Winter, Cadigan, Heinrich, Loy and Harris

O-07-90 C/S Adopting Provisions to Enhance Penalties for Crimes Committed in Furtherance of Criminal Street Gang Activity (Sanchez)

Motion: *Postpone, due back on August 20, 2007*

Status: Passed

Votes: For: 9 - Council Members: O'Malley, Mayer, Sanchez, Benton, Winter, Cadigan, Heinrich, Loy and Harris

O-07-91 Adopting Provisions for Registration of Gang Members who have Committed Gang Related Crimes; Setting Forth Notification Requirements; Providing Penalties (Sanchez)

Motion: *Postpone, due back on August 20, 2007*

Status: Passed

Votes: For: 9 - Council Members: O'Malley, Mayer, Sanchez, Benton, Winter, Cadigan, Heinrich, Loy and Harris

EC-07-430 FY/07 Goal 3, Annual Objective 12 - Bel-Air Street Lighting

Motion: *Postpone, due back on August 20, 2007*

Status: Passed

Votes: For: 9 - Council Members: O'Malley, Mayer, Sanchez, Benton, Winter, Cadigan, Heinrich, Loy and Harris

AC-07-2 Hess Yntema, Agent for Carl & Lillian Fesler, Appeals the Development Review Board's Approval of a Preliminary Plat, Vacation of Public Easements, Subdivision Design (DPM) Variance; Sidewalk Waiver; and Temporary Deferral of Sidewalk, Tract(s) A, Unit 2, Wilderness @ High Desert (to be known as Wilderness Canon @ High Desert) Zoned SU-2, HD/R-R, Located on High Desert Place NE, Between Trailhead Road NE and Embudito View Ct NE

Motion: *Remand to the Development Review Board*

Status: Passed

Votes: For: 9 - Council Members: O'Malley, Mayer, Sanchez, Benton, Winter, Cadigan, Heinrich, Loy and Harris

AC-07-3 Paul M. Kienzle III, Agent for High Desert Residential Owners Association, Appeals the Development Review Board's Approval of a Preliminary Plat, Vacation of Public Easements, Subdivision Design (DPM) Variance; Sidewalk Waiver; and Temporary Deferral of Sidewalk, Tract(s) A, Unit 2, Wilderness @ High Desert (to be known as Wilderness Canon @ High Desert) Zoned SU-2, HD/R-R, Located on High Desert Place NE, Between Trailhead Road NE and Embudito View Ct NE

Motion: *Remand to the Development Review Board*

Status: Passed

Votes: For: 9 - Council Members: O'Malley, Mayer, Sanchez, Benton, Winter, Cadigan, Heinrich, Loy and Harris

AC-07-11 Steve Wentworth, Agent for Alameda North Valley Association, Appeals the Environmental Planning Commission's Approval of a Site Development Plan for a Portion of Tract G-1, Balloon Fiesta Park, Zoned SU-2 for Balloon Fiesta Park & Museum & Related Uses, Located on Balloon Museum Drive NE Between Jefferson Street NE and Alameda Boulevard NE, containing approximately 9 acres

Motion: *To Reject the Land Use Hearing Officer Recommendation, due back on August 20, 2007*

Status: Passed

Votes: For: 7 - Council Members: O'Malley, Mayer, Benton, Winter, Cadigan, Heinrich and Harris
Against: 2 - Council Members: Sanchez and Loy

AC-07-12 Charles Zumwalt Appeals the Development Review Board's Approval of a Site Development Plan for Building Permit for Lots 7- 10 and 23-26, North Albuquerque Acres, Unit B (to be known as Holly Plaza), Zoned SU-2 for IP, Located on Paseo del Norte NE Between San Pedro Dr NE and Louisiana Boulevard NE, Containing Approximately 5 acres

Motion: *Withdrawal be Approved*

Status: Passed

Votes: For: 9 - Council Members: O'Malley, Mayer, Sanchez, Benton, Winter, Cadigan, Heinrich, Loy and Harris

AC-07-13 Diana Dorn-Jones, Agent for South Broadway Neighborhood Association (Susan Dixon, Co-Chair & Jessica Rodela, Co-Chair) Appeals the Development Review Board's Approval of a Vacation of the Northern Portion of the Alley Between Cesar Chavez SE and Trumbull SE Adjacent to Lot 6, Block 38, Eastern Addition, Zoned SU-2/NCR

Motion: *To Accept the Land Use Hearing Officer Recommendation***Status:** Passed**Votes:** For: 9 - Council Members: O'Malley, Mayer, Sanchez, Benton, Winter, Cadigan, Heinrich, Loy and Harris

AC-07-16 Remand and Reversal by District Court of City Council's Grant of Appeal by Nor Este Neighborhood Association of Development Review Board's Approval of Preliminary Plat at Eagle Rock Avenue NE, Between Ventura Boulevard NE and Barstow Boulevard NE

Motion: *Postpone, due back on August 20, 2007***Status:** Passed**Votes:** For: 9 - Council Members: O'Malley, Mayer, Sanchez, Benton, Winter, Cadigan, Heinrich, Loy and Harris

EC-07-472 Recommendation of Award to SkyBridge Global, Inc. for "ERP Design and Implementation"

Motion: *Approve***Status:** Passed**Votes:** For: 8 - Council Members: O'Malley, Mayer, Sanchez, Benton, Winter, Heinrich, Loy and Harris
Against: 1 - Council Members: Cadigan

O-07-92 Removing the Provision From Sections 5-2-1, 5-2-4, 5-2-5 and 5-2-6 ROA 1994 that the Failure of the City Council to Act Within a Limited Period of Time Constitutes Council Approval for Certain Administration Actions (O'Malley)

Motion: *Do Pass***Status:** Passed**Votes:** For: 6 - Council Members: O'Malley, Benton, Winter, Cadigan, Heinrich and Harris
Against: 3 - Council Members: Mayer, Sanchez and Loy

O-07-64 Amending Enactment No. O-2006-036, Council Bill No. F/S O-06-44, Which Established Policy Guidelines For The Establishment of Tax Increment Development Districts In The City of Albuquerque, New Mexico, To Specify That Tax Increment Development Districts May Only Be Established In Fully Served Areas, Metropolitan Redevelopment Areas, or In Reserve Areas In Which One or More Tax Increment Development Districts Have Previously Been Approved (Cadigan)

Motion: *Postpone, due back on September 5, 2007***Status:** Passed**Votes:** For: 9 - Council Members: O'Malley, Mayer, Sanchez, Benton, Winter, Cadigan, Heinrich, Loy and Harris

O-07-73 C/S Amending ROA 1994 To Adopt The 2006 International Energy Conservation Code; Creating The Albuquerque High Performance Building Ordinance Establishing Certain Environmentally Sensitive Practices In Construction; Amending ROA 1994, The "Woodburning Ordinance" To Define Products That Should Not Be Burned (Benton, Cadigan, Heinrich)

Motion: *Postpone as Substituted, due back on August 20, 2007*

Status: Passed

Votes: For: 7 - Council Members: Mayer, Benton, Winter, Cadigan, Heinrich, Loy and Harris
Against: 1 - Council Members: O'Malley
Excused: 1 - Council Members: Sanchez

O-07-76 Amending the Uniform Housing Code by Adding New Definitions and a New Section Providing for Payment of Relocation Costs to Residents and Reimbursement of Such Costs by Owners in Certain Circumstances When a Residential Unit is Ordered Vacated by the Mayor (Heinrich)

Motion: *Do Pass as Substituted*

Status: Passed

Votes: For: 8 - Council Members: O'Malley, Mayer, Benton, Winter, Cadigan, Heinrich, Loy and Harris
Excused: 1 - Council Members: Sanchez

O-07-81 Creating an Independent Office of Hearings (Winter)

Motion: *Postpone as Substituted, due back on August 20, 2007*

Status: Passed

Votes: For: 8 - Council Members: O'Malley, Mayer, Benton, Winter, Cadigan, Heinrich, Loy and Harris
Excused: 1 - Council Members: Sanchez

O-07-86 Repealing ROA 1994, a Portion of The Traffic Code, Regarding The Registration of Bicycles (Heinrich)

Motion: *Do Pass*

Status: Passed

Votes: For: 8 - Council Members: O'Malley, Mayer, Benton, Winter, Cadigan, Heinrich, Loy and Harris
Excused: 1 - Council Members: Sanchez

O-07-89 Amending ROA 1994 Establishing a Procedure to Adopt the City of Albuquerque's Transportation Projects for Inclusion in the Albuquerque Metropolitan Transportation Plan and Transportation Improvement Program (Heinrich, Cadigan)

Motion: *Postpone, due back on August 20, 2007*

Status: Passed

Votes: For: 8 - Council Members: O'Malley, Mayer, Benton, Winter, Cadigan, Heinrich, Loy and Harris
Excused: 1 - Council Members: Sanchez

O-07-94 Granting a Water Utility Franchise to the New Mexico Utilities, Inc. to Develop, Lay, Re-Lay, Construct, Maintain, Operate And Remove Pipes, Systems and Other Structures and Facilities for the Purpose of Distributing Water and Wastewater Service for Domestic, Commercial, Institutional And Industrial Uses Within the City and its

Public Regulation Commission Approved Service Area; Establishing the Terms and Conditions of the Franchise; Establishing Certain Remedies for the Violation of the Franchise (Heinrich, by request)

Motion: *Postpone as Substituted, due back on August 20, 2007*

Status: Passed

Votes: For: 7 - Council Members: O'Malley, Mayer, Benton, Winter, Cadigan, Heinrich and Harris

Excused: 2 - Council Members: Sanchez and Loy

O-07-97 Authorizing The Issuance and Sale of City of Albuquerque, New Mexico General Obligation Bonds, Consisting of \$43,045,000 General Purpose General Obligation Bonds, Series 2007B, \$5,080,000 Storm Sewer General Obligation Bonds, Series 2007C (Harris)

Motion: *Do Pass as Substituted*

Status: Passed

Votes: For: 7 - Council Members: O'Malley, Benton, Winter, Cadigan, Heinrich, Loy and Harris

Excused: 2 - Council Members: Mayer and Sanchez

R-07-185 Repeal of The Nob Hill Sector Development Plan and Adoption of The Nob Hill Highland Sector Development Plan (NHSDP) and Change of Zoning For Certain Properties Within The NHSDP Boundary Area As Specified In Exhibit A (Heinrich)

Motion: *Postpone as Amended, due back on August 20, 2007*

Status: Passed

Votes: For: 8 - Council Members: O'Malley, Mayer, Benton, Winter, Cadigan, Heinrich, Loy and Harris

Excused: 1 - Council Members: Sanchez

R-07-193 Approving a Form of Master Development Agreement For Implementation of The Mesa Del Sol Tax Increment Development Districts 1 Through 5; Repealing All Actions Inconsistent With This Resolution (Benton)

Motion: *Do Pass as Amended*

Status: Passed

Votes: For: 8 - Council Members: O'Malley, Mayer, Benton, Winter, Cadigan, Heinrich, Loy and Harris

Excused: 1 - Council Members: Sanchez

R-07-284 Concerning the Recall Municipal Election for the Office of City Councillor for City Council District 9 to be Held in the City of Albuquerque, New Mexico, on Tuesday, the Second Day of October 2007 (O'Malley, by request)

Motion: *Do Pass as Amended*

Status: Passed

Votes: For: 7 - Council Members: O'Malley, Mayer, Benton, Winter, Heinrich, Loy and Harris
Against: 1 - Council Members: Cadigan

Excused: 1 - Council Members: Sanchez

- R-07-270** Approving and Authorizing a Professional Service Contract with the New Mexico Department of Health for the West Nile Virus Surveillance and Data Management Program, making an Appropriation to the Environmental Health Department (O'Malley)

Motion: *Do Pass*

Status: Passed

Votes: For: 8 - Council Members: O'Malley, Mayer, Benton, Winter, Cadigan, Heinrich, Loy and Harris
Excused: 1 - Council Members: Sanchez

- R-07-275** Designating the East Gateway Metropolitan Redevelopment Area, Making Certain Findings And Determinations Pursuant to the Metropolitan Redevelopment Code, Authorizing and Directing the Metropolitan Redevelopment Agency to Prepare a Metropolitan Redevelopment Plan for the East Gateway Metropolitan Redevelopment Area (Harris)

Motion: *Postpone as Amended, due back on August 20, 2007*

Status: Passed

Votes: For: 8 - Council Members: O'Malley, Mayer, Benton, Winter, Cadigan, Heinrich, Loy and Harris
Excused: 1 - Council Members: Sanchez

- R-07-276** Establishing the East Gateway Interim Design Regulations Area for the East Gateway Sector Planning Area; Setting A Time Period For The Applicability of Interim Design Regulations and Moratorium Until October 31, 2008 or Until the East Central Sector Plan is Adopted, Whichever First Occurs; Declaring an Emergency (Harris)

Motion: *Do Pass as Amended*

Status: Passed

Votes: For: 8 - Council Members: O'Malley, Mayer, Benton, Winter, Cadigan, Heinrich, Loy and Harris
Excused: 1 - Council Members: Sanchez

- O-06-40** F/S Amending ROA 1994, a Portion of the Zoning, Planning and Building Code, Regarding the Requirement of Stealth Technology in the Siting of Wireless Telecommunications Facilities (Harris)

Motion: *Postpone, due back on November 19, 2007*

Status: Passed

Votes: For: 8 - Council Members: O'Malley, Mayer, Benton, Winter, Cadigan, Heinrich, Loy and Harris
Excused: 1 - Council Members: Sanchez

- R-07-289** Imposing a Short Moratorium on the Issuance of New Building Permits on Property Fronting Menaul Boulevard between Carlisle Boulevard and Morris Avenue Unless the Proposed Development Meets the Height and Setback Requiements Set Forth in this Resolution and this Moratorium Shall be in Effect Until February 29, 2008 or Until the Menaul Boulevard View Preservation Study is Presented to and Acted on by the City Council, Whichever First Occurs (Mayer)

Motion: *Do Pass*

.....

Status: Passed

Votes: For: 8 - Council Members: O'Malley, Mayer, Benton, Winter, Cadigan, Heinrich, Loy and Harris
Excused: 1 - Council Members: Sanchez

R-07-272 Calling for the Council to Conduct a Public Hearing on August 20, 2007 Regarding the Approval of the Transfer of a Liquor License to JPB Holdings, Llc D/B/A All Fours (Mayer)

Motion: *Do Pass*

Status: Failed

Votes: For: 3 - Council Members: Mayer, Winter and Heinrich
Against: 5 - Council Members: O'Malley, Benton, Cadigan, Loy and Harris
Excused: 1 - Council Members: Sanchez

R-07-280 Amending the Interim Design Regulations Established in R-06-81 for the Area Around Gibson Boulevard SE and the South Campus of the University of New Mexico (Benton)

Motion: *Do Pass*

Status: Passed

Votes: For: 8 - Council Members: O'Malley, Mayer, Benton, Winter, Cadigan, Heinrich, Loy and Harris
Excused: 1 - Council Members: Sanchez

EC-07-449 FY/07 Department of Family and Community Services, Goal 1, Priority Objective #6 Report to the Mayor and City Council

Motion: *Postpone, due back on August 20, 2007*

Status:

R-07-210 F/S Establishing the Programming of Authorizing Policies, Funds and Projects For The 2008-2013 Transportation Improvement Program For The Albuquerque Metropolitan Planning Area (O'Malley)

Motion: *Postpone, due back on August 20, 2007*

Status:

R-07-235 Amending the Adopted Capital Implementation Program of the City of Albuquerque by Approving New Projects, Supplementing Current Appropriations and Changing the Scope of Existing Projects (Harris)

Motion: *Postpone, due back on August 20, 2007*

Status:

City of Albuquerque



DEVELOPMENT/ PLAN REVIEW APPLICATION

Supplemental form

SUBDIVISION

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

SITE DEVELOPMENT PLAN

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

STORM DRAINAGE (Form D)

- Storm Drainage Cost Allocation Plan

S Z

V

P

D

L A

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 Appeal

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): Bohannon Huston, Inc. PHONE: (505) 823-1000
 ADDRESS: 7500 Jefferson NE FAX (505) 898-7988
 CITY: Albuquerque STATE NM ZIP 87109 E-MAIL: _____
 APPLICANT: Mesa Verde Development Company PHONE: 828-9600
 ADDRESS: 8300 Carmel Avenue, NE FAX: _____
 CITY: Albuquerque STATE NM ZIP 87122 E-MAIL: _____
 Proprietary interest in site: Owner List all owners: _____

DESCRIPTION OF REQUEST: Minor-Subd Preliminary/final Plat Approval & Extension of Preliminary Plat

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

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

Lot or Tract No. Tract A Block: _____ Unit: _____
 Subdiv/Addn/TBKA: Tract A of Unit 2 Wilderness at High Desert TBKA Wilderness Canon at High Desert
 Existing Zoning: SU-2/HD R-R Proposed zoning: _____ MRGCD Map No _____
 Zone Atlas page(s): F-23 UPC Code: 102306149424510167

CASE HISTORY:

List any current or prior case number that may be relevant to your application (Proj., App., DRB-, AX_, Z_, V_, S_, etc.): _____
1004989

CASE INFORMATION:

Within city limits? Yes Within 1000FT of a landfill? No
 No. of existing lots: 1 No. of proposed lots: _____ Total area of site (acres): 3.9653

LOCATION PROPERTY BY STREETS: On or Near: East of Tranway Blvd. NE
 Between: South of High Desert Place and West of Tract A, Forest Service Land

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

SIGNATURE Yolanda Moyer DATE 7/15/2008
 (Print) Yolanda Moyer, P.E. Applicant Agent

FOR OFFICIAL USE ONLY

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

<input type="checkbox"/> INTERNAL ROUTING	Application case numbers	Action	S.F.	Fees
<input type="checkbox"/> All checklists are complete	<u>08DRB-70324</u>	<u>EPP</u>	<u>5(3)</u>	<u>\$ 50.00</u>
<input type="checkbox"/> All fees have been collected		<u>CME</u>		<u>\$ 20.00</u>
<input type="checkbox"/> All case #s are assigned	<u>08DRB-70325</u>	<u>P&F</u>	<u>5(3)</u>	\$
<input type="checkbox"/> AGIS copy has been sent				\$
<input type="checkbox"/> Case history #s are listed				\$
<input type="checkbox"/> Site is within 1000ft of a landfill				\$
<input type="checkbox"/> F.H.D.P. density bonus				Total
<input type="checkbox"/> F.H.D.P. fee rebate	Hearing date <u>07/23/08</u>			<u>\$ 215.00</u>

Sandy Handley 07/15/08
 Planner signature / date

Project # 1004989

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.**

- ~~NA~~ 5 Acres or more: Certificate of No Effect or Approval
- Proposed Preliminary / Final Plat (folded to fit into an 8.5" by 14" pocket) **6 copies** for unadvertised meetings
- 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**
- ~~NA~~ 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
- Bring original Mylar of plat to meeting, ensure property owner's and City Surveyor's signatures are on the plat
- ~~NA~~ Landfill disclosure and EHD signature line on the Mylar if property is within a landfill buffer
- Fee (see schedule)
- List any original and/or related file numbers on the cover application
- Infrastructure list if required (**verify with DRB Engineer**)

pending DXF file and hard copy of final plat data for AGIS is required.

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.

Yolanda Padilla Moyer
 Applicant name (print)
Yolanda Padilla Moyer
 Applicant signature / date
 7/15/08



Form revised October 2007

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

Application case numbers
 08 DRB - 70324
 08 DRB - 70325

Sandy Vandley 07/15/08
 Planner signature / date
 Project # 1004989



**Pre-Development Facilities Fee (PDFF)
Cover Sheet**

PDFF agreements received by 5PM Thursday will be ready for pick up by 8AM on the following Tuesday.

Please drop off and pick up all Pre-Development Facilities Fee agreements at APS' Capital Master Plan office. The office is located in Suite 9, 2nd floor, of the Lincoln Building at 915 Locust St SE. A map to our offices is located at: <http://construction.voteaps.com/LincolnMap.html>

DRB Project # (if already assigned) 1004989

Please check one:

Preliminary PDFF
(Preliminary PDFF are required for preliminary plat submittals.)

Final PDFF
(Final PDFF are required for final plat submittals and **must be recorded** prior to DRB hearing)

Project Information

Subdivision Name Wilderness Canyon

Location of Project (address or major cross streets) High Desert Pl. NE, Nevada Trail NE

Proposed # of Units: 19 Single-Family _____ Multi-Family

Note: A single-family unit is a single-family, detached dwelling

Doc# 2008079744

07/15/2008 11:06 AM Page: 1 of 4
AGRE R: \$15.00 M. Toulouse Oliver, Bernalillo County



Contact Information

Name Stephanie Walton

Company Bohannon Huston, Inc.

Phone 823-1000

E-mail swalton@bhinc.com

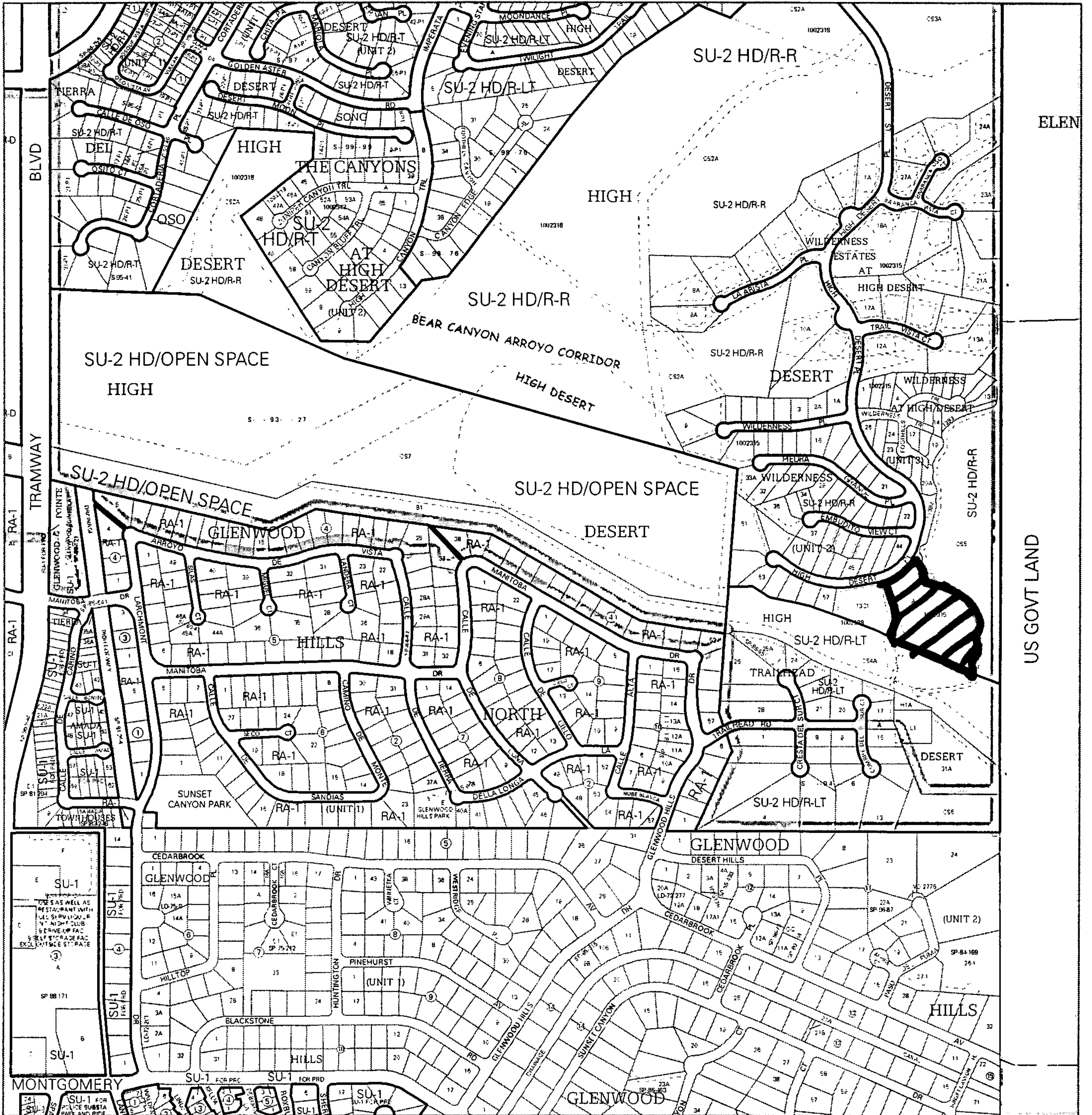
Please include with your submittal:

- Zone Atlas map with the entire property(ies) precisely and clearly outlined
- Copy of a plat or plan for the proposed project
- List of legal description (e.g. lot, block) and street address for each lot **(for final plat only)**
- Please include DRB project number on the top right corner of all documents
- Please paper clip all submitted documents (for ease of making copies)

FOR OFFICIAL USE ONLY

APS Cluster Eldorado
Preliminary PDFF Date Submitted 8/15/07
Preliminary PDFF Date Completed 8/16/07

Final PDFF Date Submitted _____
Final PDFF Date Completed _____



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

AGIS
Albuquerque Geographic Information System

Note: Grey Shading Represents Area Outside of the City Limits

Zone Atlas Page:
F-23-Z

Selected Symbols

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

0 750 1,500 Feet

Map amended through: 6/13/2008

USC & GS BRASS TABLE STAMPED "TUMBLE"
 GEOGRAPHIC POSITION (NAD 1927)
 NM STATE PLANE COORDINATES (CENTRAL ZONE)
 X=425,465.55 Y=1,513,470.01
 GROUND TO GRID FACTOR = 0.99961970
 DELTA ALPHA = -00°08'37"
 NVD 1929 SPIRT ELEVATION = 6009.155

CENTERLINE EXISTING PUBLIC
 ACCESS, WATERLINE, & SANITARY
 SEWER EASEMENT
 FILED: FEBRUARY 6, 2003
 (2003C-26)

EXISTING US FOREST SERVICE
 HAWKING & BIRNING EASEMENT
 FILED: JUNE 30, 1993
 (BK: 93-17, PGS. 2845-2853)
 DOCUMENT NO. 93-069101

TEMPORARY PUBLIC DRAINAGE EASEMENT
 TO REMAIN
 TEMPORARY PUBLIC DRAINAGE EASEMENT
 VACATED BY VACATION ACTION
 (06DRB-01412 AND SHOWN ON FINAL PLAT

PROPOSED CONSERVATION EASEMENT TO BE
 GRANTED TO THE HIGH DESERT RESIDENTIAL
 OWNERS ASSOCIATION INC
 (TO INSURE BOULDER TO REMAIN)

EXISTING US FOREST SERVICE
 40' x 40' OBSTACLE EASEMENT
 FILED: JUNE 30, 1993
 (BK: 93-17, PGS. 2845-2853)
 DOCUMENT NO. 93-069101

OS-S, HIGH DESERT
 CITY OF ALBUQUERQUE
 OPEN SPACE
 FILED: NOVEMBER 23, 1993
 (93C-325)

ACS ALUMINUM TABLE STAMPED "1-024 RESET 1973/1995"
 GEOGRAPHIC POSITION (NAD 1927)
 NM STATE PLANE COORDINATES (CENTRAL ZONE)
 X = 431,318.24 Y = 1,513,364.75
 GROUND TO GRID FACTOR = 0.99962587
 DELTA ALPHA = -00°07'56"
 ELEVATION=6261.378

ONE-STORY (18' LOTS)	TWO-STORY (24' LOTS)
1	2
5	3
6	4
7	14
8	15
9	16
10	18
11	19
12	
13	
17	

ID	DELTA	TANGENT	Curve Data			
			ARC	RADIUS	CHORD	CHORD DRG
C14	92°27'07"	26.09'	40.34'	25.00'	36.10'	S45°35'18"E
C15	57°35'08"	4.40'	8.04'	8.00'	7.71'	S63°01'18"E
C16	98°30'18"	32.87'	48.69'	28.32'	42.91'	S70°37'14"E
C17	61°33'34"	1.19'	2.15'	2.00'	2.05'	S89°05'36"E
C18	29°29'51"	39.49'	77.22'	150.00'	76.37'	S43°33'53"E
C19	36°26'31"	21.56'	42.32'	90.00'	41.93'	S15°20'41"E
C20	51°35'27"	4.83'	9.00'	10.00'	8.70'	S23°55'18"W
C21	68°40'35"	19.13'	33.56'	28.00'	31.59'	S15°22'44"W
C22	23°30'50"	14.15'	27.91'	68.00'	27.71'	S07°12'09"E
C23	56°18'27"	6.42'	11.79'	12.00'	11.32'	S32°42'30"W
C24	81°52'22"	19.08'	31.44'	22.00'	28.83'	S19°55'33"W
C25	79°28'47"	10.52'	20.58'	40.00'	20.35'	S08°16'14"E
C26	38°16'12"	94.72'	182.35'	273.00'	178.98'	N53°28'02"E

ID	BEARING	DISTANCE
T10	N90°00'00"W	12.11'
T11	N00°00'00"W	40.00'
T12	S90°00'00"W	5.30'
T13	N18°57'34"W	20.00'
T14	S04°33'17"W	34.00'
T15	S08°28'09"W	48.69'
T16	S82°30'46"W	17.03'

SURVEY NOTES:

- UNLESS OTHERWISE NOTED, ALL BOUNDARY CORNERS SHOWN THUS (●) SHALL BE MARKED BY A 1/2" REBAR STAMPED "GRWATZKY, PS 16469"
- ALL STREET CENTERLINE MONUMENTATION SHALL BE INSTALLED AT ALL CENTERLINE P.C.'S, P.T.'S, ANGLE POINTS AND STREET INTERSECTIONS AND SHOWN THUS (▲) WILL BE MARKED BY A FOUR (4") ALUMINUM CAP STAMPED "CITY OF ALBUQUERQUE CENTERLINE MONUMENTATION MARKED, DO NOT DISTURB, P.L.S. 16469"
- THE SUBDIVISION BOUNDARY WILL BE TIED TO THE NEW MEXICO STATE PLANE COORDINATE SYSTEM AS SHOWN.
- BASIS OF BEARINGS WILL BE NEW MEXICO STATE PLANE GRID BEARINGS.
- DISTANCES SHALL BE GROUND DISTANCES.
- MARKERS WILL BE OFFSET AT ALL POINTS OF CURVATURE, POINTS OF TANGENCY, STREET INTERSECTIONS AND ALL OTHER ANGLE POINTS TO ALLOW THE USE OF CENTERLINE MONUMENTATION.

APPROVED FOR MONUMENTATION AND STREET NAMES

Ray Berg
 CITY SHERIFF
 August 9, 2007
 DATE

- (A) 5' PUBLIC WATERLINE EASEMENT TO BE GRANTED TO THE CITY OF ALBUQUERQUE BY FINAL PLAT
- (B) 7' PRIVATE PEDESTRIAN ACCESS EASEMENT
- (C) FULLY ENCOMPASSED WITHIN TRACT 'A' IS A PUBLIC SANITARY SEWER AND WATERLINE EASEMENT GRANTED TO THE CITY OF ALBUQUERQUE'S & ARIZONA A PUBLIC SUBSURFACE STORM DRAIN EASEMENT SHALL BE DEDICATED TO AND MAINTAINED BY THE CITY OF ALBUQUERQUE AND A PRIVATE VEHICLE & PEDESTRIAN ACCESS AND SURFACE DRAINAGE EASEMENT GRANTED TO THE HIGH DESERT RESIDENTIAL OWNERS ASSOCIATION WITH THE FILING OF THIS PLAT. ACCESS EASEMENT TO BE MAINTAINED BY HIGH DESERT RESIDENTIAL OWNERS ASSOCIATION.
- (D) LOT 9 SIDEYARD SEIBACK ADJACENT TO OPEN SPACE SHALL BE 10 FT. NO BUILD ZONE ON SOUTHWEST SIDE OF LOT. (SEE HATCHED AREA)
- LOT 10: NO BUILD ZONE ON EAST SIDE OF LOT (SEE HATCHED AREA)
- LOT 13: SOUTH YARD SEIBACK SPLIT 30% AT 15 FT AND 70% AT 10 FT
- (E) LANDSCAPE EASEMENT TO BE GRANTED TO HIGH DESERT RESIDENTIAL ASSOCIATION WITH FINAL PLAT

THE PURPOSE OF THIS PRELIMINARY PLAT IS TO SUBDIVIDE TRACT A INTO 19 LOTS.

GENERAL NOTES

- EXISTING ZONING: SU-2 HD/R-R
 PROPOSED DEVELOPMENT: SINGLE FAMILY DETACHED
 - DESCRIPTION: TRACT 'A' OF UNIT 2 WILDERNESS AT HIGH DESERT
 FILED: DECEMBER 11, 2003, BK-2003C, PG.-373
 DOCUMENT NO 2003220908
- TOTAL SUBDIVISION ACREAGE:
 WILDERNESS CAÑON TRACT 'A' 3.9653 ACRES
 TRACT 'A' 0.6353 ACRES
- TOTAL NUMBER OF LOTS: 19
- PROPOSED DENSITY:
 UNIT 1 4.80 D.U./AC.
 MINIMUM LOT WIDTH 53'
 MINIMUM LOT AREA 5256.26 SF / 0.1207 AC.

GENERAL NOTES

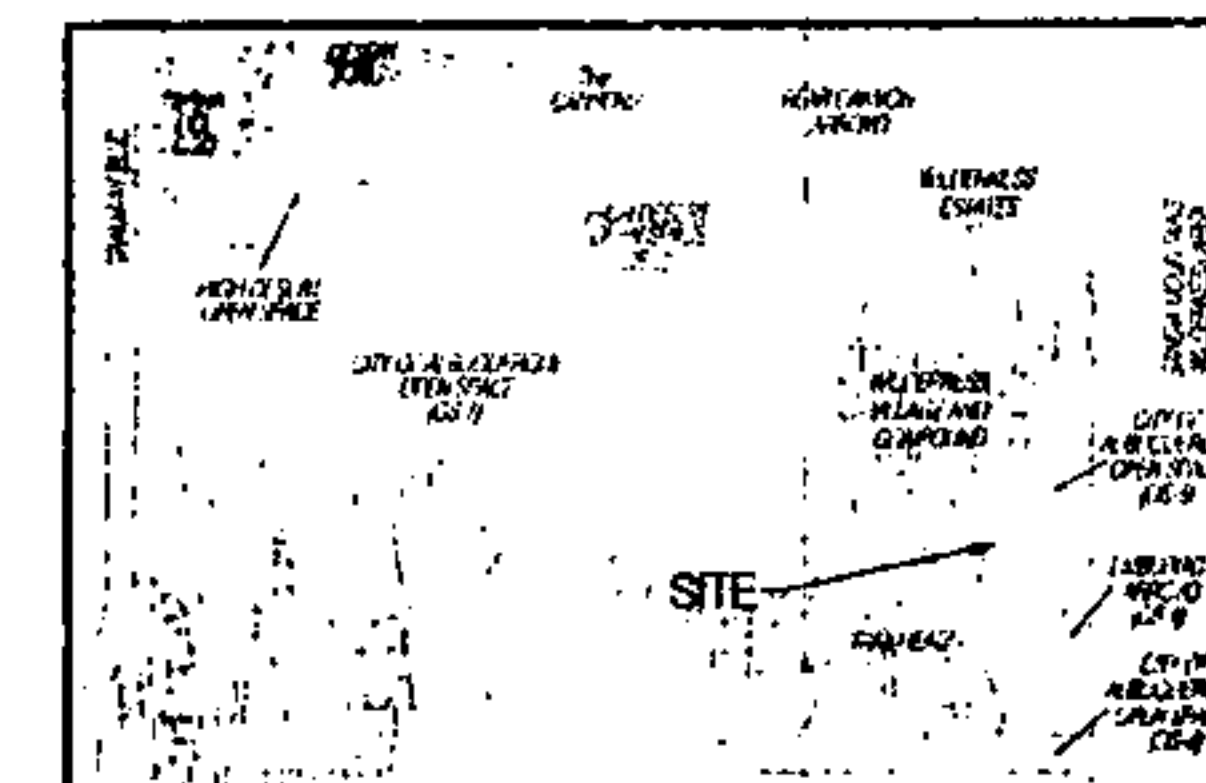
- NO WOOD BURNING FIREPLACE WILL BE PERMITTED. ALL FIREPLACES MUST BE GAS FIRED USING ARTIFICIAL LOGS.
- ALL SEIBACKS SHOWN ARE IN ACCORDANCE WITH THE R-T ZONING.
- ALL INTERIOR STREETS ARE TO BE PRIVATE AND TO BE GRANTED TO AND MAINTAINED BY THE HIGH DESERT RESIDENTIAL OWNERS ASSOCIATION (TRACT A)
- ALL SANITARY AND WATER UTILITIES IN THE TRACT A ARE TO BE PUBLIC, AND OWNED AND MAINTAINED BY THE ABCWA.
- THIS SUBDIVISION LIES WITHIN THE CITY OF ALBUQUERQUE WATER AND SANITARY SEWER CAPABILITIES ARE BASED ON THE CITY OF ALBUQUERQUE'S & ARIZONA FACILITIES. WATER AND SANITARY SEWER INFRASTRUCTURE IMPROVEMENTS MUST BE APPROVED BY THE CITY OF ALBUQUERQUE & ARIZONA.
- ALL SUBSURFACE STORM DRAINS IN TRACT A AND/OR UTILITY EASEMENTS ARE TO BE PUBLIC AND SHALL BE DEDICATED TO AND MAINTAINED BY THE CITY OF ALBUQUERQUE AS SHOWN ON FINAL PLAT.

OWNER:

 SCOTT SCHABORN

LEGEND

- SUBDIVISION BOUNDARY
- TRACT BOUNDARY LINE
- PROPOSED PROPERTY LINE
- PROPOSED RIGHT OF WAY LINE
- CROSS HATCHING REPRESENTS EXISTING EASEMENT AREAS TO BE VACATED BY VACATION ACTION AND FINAL PLAT



LOCATION MAP
 ZONE ATLAS MAP NO. F-23-2
 NOT TO SCALE

Bohannon & Huston

Surveying 1 7000 Jefferson St. NE Albuquerque, NM 87109-4338
 ENGINEERING SPATIAL DATA ADVANCED TECHNOLOGIES

AMENDED PRELIMINARY PLAT
 WILDERNESS CAÑON
 AT HIGH DESERT
 ALBUQUERQUE, NEW MEXICO
 AUGUST, 2007

HIGH DESERT RESIDENTIAL OWNERS ASSOCIATION, INC.
 A NEW MEXICO NON-PROFIT CORPORATION

Ray Berg 8/9/07
 BY: RAY BERG, ITS PRESIDENT DATE

HIGH DESERT INVESTMENT CORPORATION

Scott Schaborn 8/5/07
 DATE



August 6th, 2007

City Council returned
back to DRB

OFFICIAL NOTICE OF DECISION

CITY OF ALBUQUERQUE
PLANNING DEPARTMENT
DEVELOPMENT REVIEW BOARD

SEPTEMBER 5, 2007

3. Project# 1004989
07DRB-70183 MAJOR - AMENDMENT TO PRELIMINARY PLAT

BOHANNAN HUSTON INC. agent(s) for MESA VERDE DEVELOPMENT CO request(s) the above action(s) for all or a portion of Tract(s) A, WILDERNESS AT HIGH DESERT, UNIT 2 (to be known as WILDERNESS CANON AT HIGH DESERT) zoned SU-2 HD/R-R, located on HIGH DESERT PL NE BETWEEN TRAILHEAD RD NE AND EMBUDITO VIEW CT NE containing approximately 4.6006 acre(s). (F-23)

At the September 5, 2007, Development Review Board meeting, the amended preliminary plat, the amended grading and drainage plan dated 7/17/07 and amended infrastructure list dated 09/05/07 were approved. This amendment does not extend the expiration date of the already approved preliminary plat. That date is extended, however, for the length of the appeal period.

If you wish to appeal this decision, you must do so by September 20, 2007, in the manner described below.

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

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


Sheran Matson, AICP, DRB Chair

Cc: BOHANNAN HUSTON INC, 7500 Jefferson NE, 87109
MESA VERDE DEVELOPMENT CO, 8300 Carmel Ave NE, 87109
Marilyn Maldonado, Planning Department, 4th Floor, Plaza del Sol Bldg.
File



12-11-06A07:59 PCVD

OFFICIAL NOTICE OF DECISION

CITY OF ALBUQUERQUE
PLANNING DEPARTMENT
DEVELOPMENT REVIEW BOARD

December 6, 2006

1. Project # 1004989

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

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

At the December 6, 2006, Development Review Board meeting, with the signing of the infrastructure list dated 12/6/06 and approval of the grading plan engineer stamp dated 11/7/06 the preliminary plat was approved with the following findings:

1. The November 6, 2006 High Desert Residential Owners' Association Letter satisfies the intent of Section 4.A.7 of the High Desert Sector Plan based upon past High Desert Residential Owners' Association letters submitted for previous preliminary plats in High Desert.
2. Planning agrees that the preliminary plat submitted for Wilderness Canon at High Desert complies with the zoning, density and lot size requirements of the High Desert Sector Plan.
 - a. Specifically, residential uses in the SU2-HD RR zoning must conform, according to the Sector Plan, to the SU2-HD RG zone. The sector plan states the total number of dwelling units cannot exceed 300. Wilderness Canon's preliminary plat contains 25 lots or 25 dwelling units. High Desert Investment Corporation has stated for the record that the SU2-HD RR zone currently contains 110 units. So even with the addition of these 25 lots, the total is well below the 300 unit limit.



OFFICIAL NOTICE OF DECISION

PAGE 2

- b. One dwelling unit per lot as proposed also conforms to City's RT zoning category to which the SU2-HD RG zoning refers for use and lot size.
 - c. The lot sizes shown on the submitted plat conform to the RT zoning category.
3. The developer must include this statement on the final plat: "The property on this plat is subject to a Pre-Development Facilities Fee Agreement with the Albuquerque Public Schools recorded at [insert recording information here]."

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

FINDINGS:

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

CONDITIONS:

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

A subdivision design variance from minimum DPM standards concerning internal streets was approved as shown on Exhibit C in the Planning file.

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

If you wish to appeal this decision, you must do so by December 21, 2006, in the manner described below.



OFFICIAL NOTICE OF DECISION

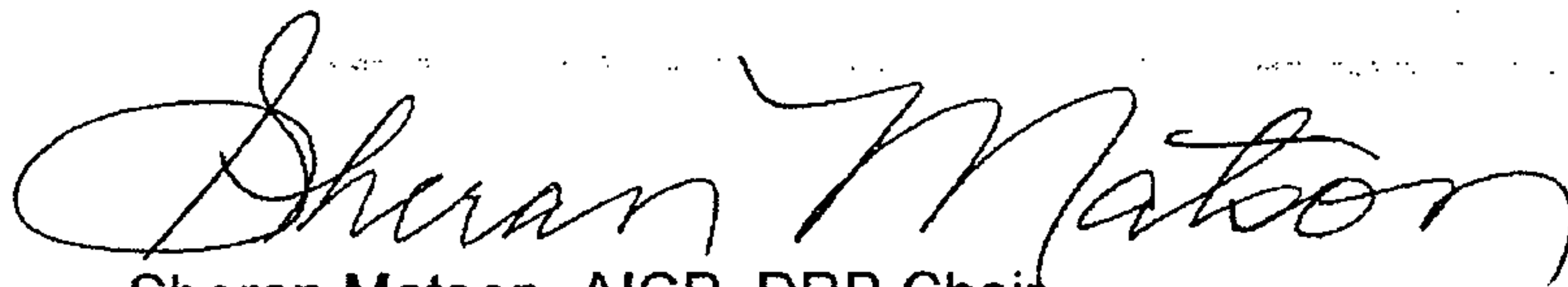
PAGE 3

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

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

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

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


Sheran Matson, AICP, DRB Chair

Cc: Bohannon Huston Inc., 7500 Jefferson NE, 87109
Mesa Verde Development Co., 8300 Carmel Ave NE, 87122
John Salazar, Rodey Law Firm, P.O. Box 1888, 87103
Kym Dicome, High Desert Investment Corp., 3791 Southern Blvd SE, Rio Rancho, NM 87124
Douglas Collister, 8524 Snakedance Ct NE, 87111
Ray Berg, 13501 Osage Orange NE, 87111
Debra & Jay Greenhood, 13409 Embudito View Ct NE, 87111
Sam & Jennie Baca, 5000 Cumbre del Sur NE, 87111



OFFICIAL NOTICE OF DECISION

PAGE 4

Arinta Liem, 13419 Wilderness Pl NE, 87111
Robert Pelletier, 5123 High Desert NE, 87111
John Farrow, 2400 Meadowview NW, 87110
Keith Gainer, 5516 Carmelita NE, 87111
Conrad & Marcella Stahly, 5015 Cresta del Sur NE, 87111
Patricia Wittman, 4905 Cresta del Sur Ct NE, 87111
Rob Erickson, 2621-1/2 Granite Ave NE, 87104
Larry Garcia, P.O. Box 1576, Los Lunas, NM 87031
Pat Stovall, 6604 Rogers Ave NE, 87110
Angela Ness, 13213 Manitoba Dr NE, 87111
Charles Young, 13105 Enchantment Ln NW, 87111
Ken Wesselman, 4613 Huntington Dr NE, 87111
Anne Marie Morosin, 13109 Manitoba Dr NE, 87111
Ed Hernandez, 1219 Blue Quail NE, 87112
Alan Clipperton, 13501 Embudito View Ct NE, 87111
Jack Eichorn, 6316 Bobcat Hill Ln NE, 87111
Tarin Davies, 13209 Manitoba NE, 87111
Joe Witte, 1570 West Ella Dr NE, 87048
Armando Lara, 13415 Piedra Grande NE, 87111
Kathleen Conlin, 1021 Orchard NW, 87102
Jeni Turgeon, 720 Tramway Ln NE, #6, 87122
Janet Lentz, 5109 High Desert Place NE, 87111
Carl Fesler, 5005 Cumbre del Sur NE, 87111
Don Kellor, 5004 Cresto del Sur NE, 87111
Christine Ranier, 5016 Cresta del Sur Ct NE, 87111
Marilyn Maldonado, Planning Department, 4th Floor, Plaza del Sol Bldg.
File

Current DRC Project No. _____

Date Submitted: 9/5/07
 Date Site Plan Approved: N/A
 Date Preliminary Plat Approved: 9/5/07
 Date Preliminary Plat Expires: 9/5/08

DRB Project No. 1004989
 App No. 07 DRB-70183
 Δ 11/14/07

ORIGINAL

Figure 12

AMENDED INFRASTRUCTURE LIST

EXHIBIT "A"
 TO SUBDIVISION IMPROVEMENTS AGREEMENT
 DEVELOPMENT REVIEW BOARD (D.R.B.) REQUIRED INFRASTRUCTURE LIST

**WILDERNESS CANON
 (TRACTS A AT WILDERNESS UNIT 2, HIGH DESERT)**

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

SIA Sequence #	COA DRC Project #	Size	Type of Improvement	Location	From	To	Private Inspector	City Inspector	City Cnst Engineer
PRIVATE ROADWAY IMPROVEMENTS - ON-SITE									
		20' F-F (IN) 20' F-F (OUT) W/ 6' MEDIAN	RESIDENTIAL PAVING W/ PCC CURB & GUTTER & PCC 6' WIDE SIDEWALK ON ONE SIDE†	ELEVADA TRAIL	HIGH DESERT PLACE	LOT 17	/	/	/
		26' F-F	RESIDENTIAL PAVING W/ PCC CURB & GUTTER & PCC 6' WIDE SIDEWALK ON ONE SIDE†	ELEVADA TRAIL	LOT 17	PIEDRA ALTA LANE	/	/	/
		26' F-F	RESIDENTIAL PAVING W/ PCC CURB & GUTTER & PCC 6' WIDE SIDEWALK ON ONE SIDE†	PIEDRA CANTO WAY	PIEDRA CANTO WAY TERMINUS	ELEVADA TRAIL	/	/	/
		26' F-F	RESIDENTIAL PAVING W/ PCC CURB & GUTTER & PCC 6' WIDE SIDEWALK ON ONE SIDE†	PIEDRA CERRO WAY	PIEDRA CERRO WAY TERMINUS	ELEVADA TRAIL	/	/	/
		26' F-F	RESIDENTIAL PAVING W/ PCC CURB & GUTTER & PCC 6' WIDE SIDEWALK ON ONE SIDE†	PIEDRA ALTA LANE	NORTH PIEDRA ALTA ALTA TERMINUS	SOUTH PIEDRA ALTA ALTA TERMINUS	/	/	/
		2 - 14' WIDE	OFF-SITE IMPROVEMENTS SPEED HUMPS W/ TRAFFIC OPS APPROVAL	HIGH DESERT PLACE	SOUTH OF PIEDRA GRANDE PLACE	SOUTH OF EMBUDITO VIEW COURT	/	/	/
*ALL SIDEWALKS TO BE DEFERRED †SIDEWALK TO BE WAIVED FRONTING LOTS 1-2; 18-19 AND ADJACENT TO LOTS 10, 12, 18, 19 **PROVIDE / INSTALL THE NECESSARY ROADWAY SIGNAGE ASSOCIATED W/ THE DEVELOPMENT AS APPROVED BY THE CITY DRC									

SIA Sequence #	COA DRC Project #

Size	Type of Improvement	Location	From	To
PUBLIC WATERLINE IMPROVEMENTS - ON-SITE				
10" DIA	WATERLINE W/ NEC. VALVES FH'S, MJ'S & RJ'S	ELEVADA TRAIL	HIGH DESERT PLACE	PIEDRA CERRO WAY
6" DIA	WATERLINE W/ NEC. VALVES FH'S, MJ'S & RJ'S	ELEVADA TRAIL	PIEDRA CERRO WAY	PIEDRA ALTA LANE
6" DIA	WATERLINE W/ NEC. VALVES FH'S, MJ'S & RJ'S	PIEDRA CANTO WAY	ELEVADA TRAIL	PIEDRA ALTA LANE
10" DIA	WATERLINE W/ NEC. VALVES FH'S, MJ'S & RJ'S	PIEDRA CERRO WAY	SOUTH PROPERTY BOUNDARY (LOT 13)	ELEVADA TRAIL
6" DIA	WATERLINE W/ NEC. VALVES FH'S, MJ'S & RJ'S	PIEDRA ALTA LANE	PIEDRA CANTO WAY	SOUTH PIEDRA ALTA ALTA TERMINUS (LOT 9)
	REMOVAL OF EXISTING 6" WATERLINE	LOTS 13-17	LOT 13	HIGH DESERT PLACE

Private Inspector	City Inspector	City Cnst Engineer
/	/	/
/	/	/
/	/	/
/	/	/
/	/	/
/	/	/

Size	Type of Improvement	Location	From	To
PUBLIC SANITARY SEWER IMPROVEMENTS - ON-SITE				
8" DIA	SANITARY SEWER W/ NEC. MH'S & SERVICES	ELEVADA TRAIL	HIGH DESERT PLACE	PIEDRA ALTA LANE
8" DIA	SANITARY SEWER W/ NEC. MH'S & SERVICES	PIEDRA CANTO WAY	PIEDRA CANTO WAY TERMINUS	ELEVADA TRAIL
8" DIA	SANITARY SEWER W/ NEC. MH'S & SERVICES	PIEDRA CERRO WAY	PIEDRA CERRO TERMINUS	ELEVADA TRAIL
8" DIA	SANITARY SEWER W/ NEC. MH'S & SERVICES	PIEDRA ALTA LANE	NORTH PIEDRA ALTA ALTA TERMINUS	SOUTH PIEDRA ALTA ALTA TERMINUS

/	/	/
/	/	/
/	/	/
/	/	/

Size	Type of Improvement	Location	From	To
PUBLIC STORM DRAIN IMPROVEMENTS - ON-SITE				
18-36" DIA	RCP W/ NEC. MH'S, LATERALS & INLETS	PIEDRA CANTO WAY/ LOT 5	NORTH PIEDRA ALTA ALTA TERMINUS (LOT 5)	ELEVADA TRAIL
18-36" DIA	RCP W/ NEC. MH'S, LATERALS & INLETS	ELEVADA TRAIL	LOT 14	HIGH DESERT PLACE
NOTE:	A GRADING AND DRAINAGE CERTIFICATION OF THE APPROVED GRADING PLAN IS REQUIRED PRIOR TO THE RELEASE OF FINANCIAL GUARANTEES			

/	/	/
/	/	/
/	/	/

Size	Type of Improvement	Location	From	To
DRAINAGE IMPROVEMENTS - OFF-SITE				
4' - 5' WIDE	LINED SWALE	OPEN SPACE	LOT 8	EXISTING NATURAL SWALE - ACROSS FROM LOT 5
4' WIDE	TRAIL IMPROVEMENTS	OPEN SPACE	LOT 9	TRACT 13-B-2 HDROA TRACT
2' WIDE	COBBLE "V"	BACK PROPERTY LINE IN OPEN SPACE ADJ. TO WALL	LOT 4	LOT 8
30" SD w/ TRIPLE GRATE TYPE "D" INLET	SEDIMENTATION POND #2 IMPROVEMENTS	TRACT 13-B-3 HDROA TRACT	HIGH DESERT PLACE	SEDIMENTATION POND #2

/	/	/
/	/	/
/	/	/
/	/	/

NOTE:

PERIMETER WALL AS APPROVED BY DRB SHALL BE CERTIFIED BY A NM PE PRIOR TO THE RELEASE OF FINANCIAL GUARANTYS. THERE IS NO LANDSCAPING PROPOSED WITH THE PUBLIC RIGHT OF WAY AT THIS TIME.

_____ / _____ / _____
_____ / _____ / _____

DEVELOPMENT REVIEW BOARD MEMBER APPROVALS

AGENT/OWNER: Kevin G. Patton DATE: 9/5/07 Christina Sandoral DATE: 9/5/07
PREPARED BY KEVIN G. PATTON, P.E. PARKS & GENERAL SERVICES

DRB CHAIR: John Ay DATE: 9-5-07

TRANSPORTATION DEVELOPMENT: Robert J. Lee DATE: 9/5/07

UTILITY DEVELOPMENT: James [Signature] DATE: 9-5-07

CITY ENGINEER: [Signature] DATE: _____

FIRM: BORANAN HUSTON INC.

SIGNATURE: [Signature]

MAXIMUM TIME ALLOW TO CONSTRUCT IMPROVEMENTS WITHOUT A DRB EXTENSION: _____

DESIGN REVIEW COMMITTEE REVISIONS

REVISION	DATE	DRG CHAIR	USER DEPARTMENT	AGENT/OWNER
<u>A</u>	<u>11-14-07</u>	<u>A Woodall</u>	<u>William G. Parker</u>	<u>[Signature]</u>

July 15, 2008

Courtyard I
7500 Jefferson St. NE
Albuquerque, NM
87109-4335

www.bhinc.com

voice: 505.823.1000
facsimile: 505.798.7988
toll free: 800.877.5332

Jack Cloud, DRB Chair
Development Review Board
City of Albuquerque
600 Second Street, NW
Albuquerque, New Mexico 87102

Re: Preliminary Plat Extension and Preliminary/Final Plat

Dear Mr. Cloud:

Enclosed for Development Review Board (DRB) review and approval are copies of the following information:

- Applications for Development Review
- Six (6) copies each of the Amended Preliminary Plat and Grading Plan
- Zone Atlas Map showing the location of the property
- Copy of DRB approved infrastructure list
- Copy of latest Official DRB Notice of Approval
- Recorded Final Pre-Development Facilities Fee Agreement
- DRB Fee

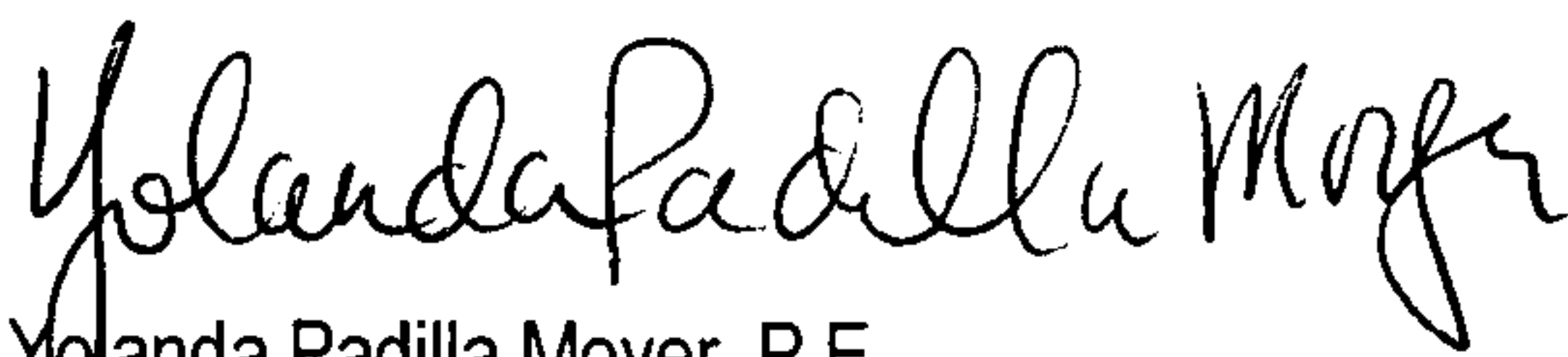
We are requesting an extension of the Preliminary Plat for Wilderness Canon which will expire on August 6, 2008

We are all submitting a Preliminary/ Final Plat, which is a condition of the vacation action to show vacations on a plat within one year of approval, the vacations also expire on August 6, 2008.

There are some items which are not applicable to this plat submittal as it is only showing the vacated easement (or dedicating new ones) and there is already an approved preliminary plat in place. A Certificate of No Effect or Approval is not necessary as the site is less than five acres. A wall plan for the perimeter wall, site sketch, landfill disclosure and infrastructure list were approved with the original preliminary plat and should be on file. However, a preliminary plat is enclosed.

Please place this item on the DRB Agenda to be heard on July 23, 2008.

Sincerely,



Yolanda Padilla Moyer, P.E.
Senior Project Manager
Community Development and Planning

Enclosures
YPM/ssc

cc: Scott Schriabor, Mesa Verde Development (w/ enclosures)
Kevin Patton, BHI (w/o enclosures)

ENGINEERING ▲

SPATIAL DATA ▲

ADVANCED TECHNOLOGIES ▲

EXHIBIT A

PRELIMINARY
PRE-DEVELOPMENT FACILITIES FEE AGREEMENT

THIS AGREEMENT is made by and between the Albuquerque Municipal School District No. 12, Bernalillo and Sandoval Counties, New Mexico ("Albuquerque Public Schools" or "APS"), a public school district organized and existing pursuant to the laws of New Mexico, and

Mesa Verde Development, Co. ("Developer")
effective as of this 13 day of August, 2007, and pertains to the
subdivision commonly known as Wilderness Canon at High Desert, and
more particularly described as Tract A of Unit 2 Wilderness

(the "Subdivision".)

WHEREAS, In order to provide for APS becoming more knowledgeable of development plans within the City so that APS may better plan for future growth, the City of Albuquerque requires that APS approve the plat(s) for any new subdivision; and

WHEREAS, Developer is proposing the development of a new residential subdivision, and requires APS approval of the plat for said subdivision; and

WHEREAS, Developer is the owner of the real estate being subdivided and platted; and

WHEREAS, Developer is required by the Albuquerque Subdivision Ordinance to provide appropriate infrastructure and improvements as a condition of developing a subdivision; and

WHEREAS, as a condition of approving such plat APS requires the provision of appropriate infrastructure and facilities or the payment of a facilities fee for each new residence to be constructed to help defray the cost of school construction, expansion, or maintenance; and

WHEREAS, APS has determined that the amount of the facilities fee is reasonably related to the impact the subdivision will have on the operation of the area schools:

THEREFORE, in consideration of the mutual promises contained herein, APS and Developer agree as follows:

1. Developer agrees that a facilities fee will be paid to APS for each dwelling unit to be constructed in the Subdivision.
2. The amount of the fee shall be:
 - If the building permit is issued on or after January 1, 2007, the fee shall be \$1875 per dwelling unit.

- If the building permit is issued on or after July 1, 2008, the fee shall be \$2425 per dwelling unit.
- If the permit is issued on or after January 1, 2010, the fee shall be \$2975 per dwelling unit.

The fee for each dwelling unit in multi-family residential structures shall be sixty percent (60 %) of the fee for a single family home. "Multi-family residential structure" means any type of residential property other than single-family houses (one single family, detached dwelling unit per lot).


3. Developer agrees that the fee shall be paid to APS at or before the issuance of any building permit for any lot or other parcel of property subject to this Agreement.

4. Developer may satisfy all or part of its obligations under this contract by transferring improved or unimproved property to APS, provided that APS must agree to the transfer and to the value placed on the transferred property. APS, upon accepting such transfer, shall credit Developer with an amount equal to the agreed value, and the developer may designate the lot(s) to which such amount(s) shall be applied in satisfaction of its obligations hereunder.

5. This contract may be recorded in the office of the County Clerk of Bernalillo and/or Sandoval County, and shall serve as notice of the Developer's obligation to pay facilities fees. Developer shall include on the plat of the Subdivision a statement that "The property on this plat is subject to a Pre-Development Facilities Fee Agreement with the Albuquerque Public Schools, recorded at [recording data]."

6. APS, through its Facilities Fee Administrator, will provide a Payment Acknowledgement in the form attached hereto to the Developer reflecting receipt of the facilities fee (or equivalent compensation as described in paragraph 4 above), which form may be given to the City to show satisfaction of the fee obligation and satisfy that condition for receiving building permits. Developer may record that Payment Acknowledgment in the real estate records of Bernalillo or Sandoval County, but APS shall not be responsible for paying any recording fees nor shall APS be responsible for recording any such documents with the office of the County Clerk or any other office.

Signature


Mesa Verde Development Co.

Name (typed or printed) and title

President

Developer

STATE OF NEW MEXICO
COUNTY OF BERNALILLO

This instrument was acknowledged before me on August 15, 2007, by Scott Schiabor as President of Mesa Verde Dev., a corporation.



OFFICIAL SEAL
JULIE A. CORDOVA
NOTARY PUBLIC-STATE OF NEW MEXICO
My commission expires: 2/27/08

[Signature]
Notary Public

My commission expires: 2/27/08

ALBUQUERQUE PUBLIC SCHOOLS

By: [Signature]
Signature

BETTY KING, PLANNER, APS CMP.
Name (typed or printed) and title

STATE OF NEW MEXICO
COUNTY OF BERNALILLO

This instrument was acknowledged before me on August 16, 2007 by Betty King as Planner, APS, CMP of the Albuquerque Municipal School District No. 12, Bernalillo and Sandoval Counties, a school district organized and existing under the laws of the State of New Mexico.

(Seal)

[Signature]
Notary Public

My commission expires: May 18, 2011



August 6th, 2007

city council amended
act to DRB

OFFICIAL NOTICE OF DECISION

CITY OF ALBUQUERQUE
PLANNING DEPARTMENT
DEVELOPMENT REVIEW BOARD

SEPTEMBER 5, 2007

3. Project# 1004989
07DRB-70183 MAJOR - AMENDMENT TO PRELIMINARY PLAT

BOHANNAN HUSTON INC. agent(s) for MESA VERDE DEVELOPMENT CO request(s) the above action(s) for all or a portion of Tract(s) A, WILDERNESS AT HIGH DESERT, UNIT 2 (to be known as WILDERNESS CANON AT HIGH DESERT) zoned SU-2 HD/R-R, located on HIGH DESERT PL NE BETWEEN TRAILHEAD RD NE AND EMBUDITO VIEW CT NE containing approximately 4.6006 acre(s). (F-23)

At the September 5, 2007, Development Review Board meeting, the amended preliminary plat, the amended grading and drainage plan dated 7/17/07 and amended infrastructure list dated 09/05/07 were approved. This amendment does not extend the expiration date of the already approved preliminary plat. That date is extended, however, for the length of the appeal period.

If you wish to appeal this decision, you must do so by September 20, 2007, in the manner described below.

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

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


Sheran Matsor, AICP, DRB Chair

Cc: BOHANNAN HUSTON INC, 7500 Jefferson NE, 87109
MESA VERDE DEVELOPMENT CO, 8300 Carmel Ave NE, 87109
Marilyn Maldonado, Planning Department, 4th Floor, Plaza del Sol Bldg.
File



12-11-06/07:59 PCVD

OFFICIAL NOTICE OF DECISION

CITY OF ALBUQUERQUE
PLANNING DEPARTMENT
DEVELOPMENT REVIEW BOARD

December 6, 2006

1. Project # 1004989

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

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

At the December 6, 2006, Development Review Board meeting, with the signing of the infrastructure list dated 12/6/06 and approval of the grading plan engineer stamp dated 11/7/06 the preliminary plat was approved with the following findings:

1. The November 6, 2006 High Desert Residential Owners' Association Letter satisfies the intent of Section 4.A.7 of the High Desert Sector Plan based upon past High Desert Residential Owners' Association letters submitted for previous preliminary plats in High Desert.
2. Planning agrees that the preliminary plat submitted for Wilderness Canon at High Desert complies with the zoning, density and lot size requirements of the High Desert Sector Plan.
 - a. Specifically, residential uses in the SU2-HD RR zoning must conform, according to the Sector Plan, to the SU2-HD RG zone. The sector plan states the total number of dwelling units cannot exceed 300. Wilderness Canon's preliminary plat contains 25 lots or 25 dwelling units. High Desert Investment Corporation has stated for the record that the SU2-HD RR zone currently contains 110 units. So even with the addition of these 25 lots, the total is well below the 300 unit limit.



OFFICIAL NOTICE OF DECISION

PAGE 2

- b. One dwelling unit per lot as proposed also conforms to City's RT zoning category to which the SU2-HD RG zoning refers for use and lot size.
 - c. The lot sizes shown on the submitted plat conform to the RT zoning category.
3. The developer must include this statement on the final plat: "The property on this plat is subject to a Pre-Development Facilities Fee Agreement with the Albuquerque Public Schools recorded at [insert recording information here]."

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

FINDINGS:

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

CONDITIONS:

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

A subdivision design variance from minimum DPM standards concerning internal streets was approved as shown on Exhibit C in the Planning file.

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

If you wish to appeal this decision, you must do so by December 21, 2006, in the manner described below.



OFFICIAL NOTICE OF DECISION

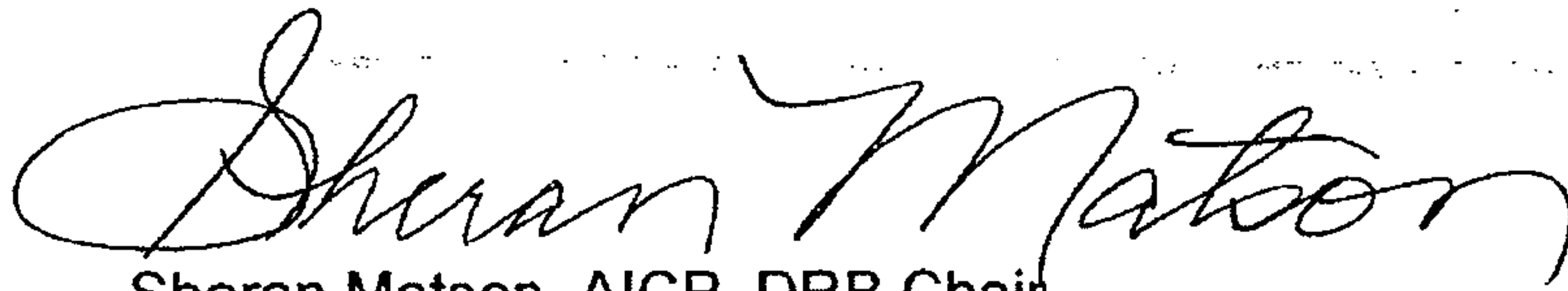
PAGE 3

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

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

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

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


Sheran Matson, AICP, DRB Chair

Cc: Bohannon Huston Inc., 7500 Jefferson NE, 87109
Mesa Verde Development Co., 8300 Carmel Ave NE, 87122
John Salazar, Rodey Law Firm, P.O. Box 1888, 87103
Kym Dicome, High Desert Investment Corp., 3791 Southern Blvd SE, Rio Rancho, NM 87124
Douglas Collister, 8524 Snakedance Ct NE, 87111
Ray Berg, 13501 Osage Orange NE, 87111
Debra & Jay Greenhood, 13409 Embudito View Ct NE, 87111
Sam & Jennie Baca, 5000 Cumbre del Sur NE, 87111



OFFICIAL NOTICE OF DECISION

PAGE 4

Arinta Liem, 13419 Wilderness Pl NE, 87111
Robert Pelletier, 5123 High Desert NE, 87111
John Farrow, 2400 Meadowview NW, 87110
Keith Gainer, 5516 Carmelita NE, 87111
Conrad & Marcella Stahly, 5015 Cresta del Sur NE, 87111
Patricia Wittman, 4905 Cresta del Sur Ct NE, 87111
Rob Erickson, 2621-1/2 Granite Ave NE, 87104
Larry Garcia, P.O. Box 1576, Los Lunas, NM 87031
Pat Stovall, 6604 Rogers Ave NE, 87110
Angela Ness, 13213 Manitoba Dr NE, 87111
Charles Young, 13105 Enchantment Ln NW, 87111
Ken Wesselman, 4613 Huntington Dr NE, 87111
Anne Marie Morosin, 13109 Manitoba Dr NE, 87111
Ed Hernandez, 1219 Blue Quail NE, 87112
Alan Clipperton, 13501 Embudito View Ct NE, 87111
Jack Eichorn, 6316 Bobcat Hill Ln NE, 87111
Tarin Davies, 13209 Manitoba NE, 87111
Joe Witte, 1570 West Ella Dr NE, 87048
Armando Lara, 13415 Piedra Grande NE, 87111
Kathleen Conlin, 1021 Orchard NW, 87102
Jeni Turgeon, 720 Tramway Ln NE, #6, 87122
Janet Lentz, 5109 High Desert Place NE, 87111
Carl Fesler, 5005 Cumbre del Sur NE, 87111
Don Kellor, 5004 Cresto del Sur NE, 87111
Christine Ranier, 5016 Cresta del Sur Ct NE, 87111
Marilyn Maldonado, Planning Department, 4th Floor, Plaza del Sol Bldg.
File

Current DRC
Project No. _____

Date Submitted: 9/5/07
 Date Site Plan Approved: N/A
 Date Preliminary Plat Approved: 9/5/07
 Date Preliminary Plat Expires: 9/5/08

ORIGINAL

Figure 12

AMENDED INFRASTRUCTURE LIST

EXHIBIT "A"
TO SUBDIVISION IMPROVEMENTS AGREEMENT
DEVELOPMENT REVIEW BOARD (D.R.B.) REQUIRED INFRASTRUCTURE LIST

DRB Project No. 1004989
 App No. 07 DRB-70183
 Δ 11/14/07

WILDERNESS CANON
(TRACTS A AT WILDERNESS UNIT 2, HIGH DESERT)

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

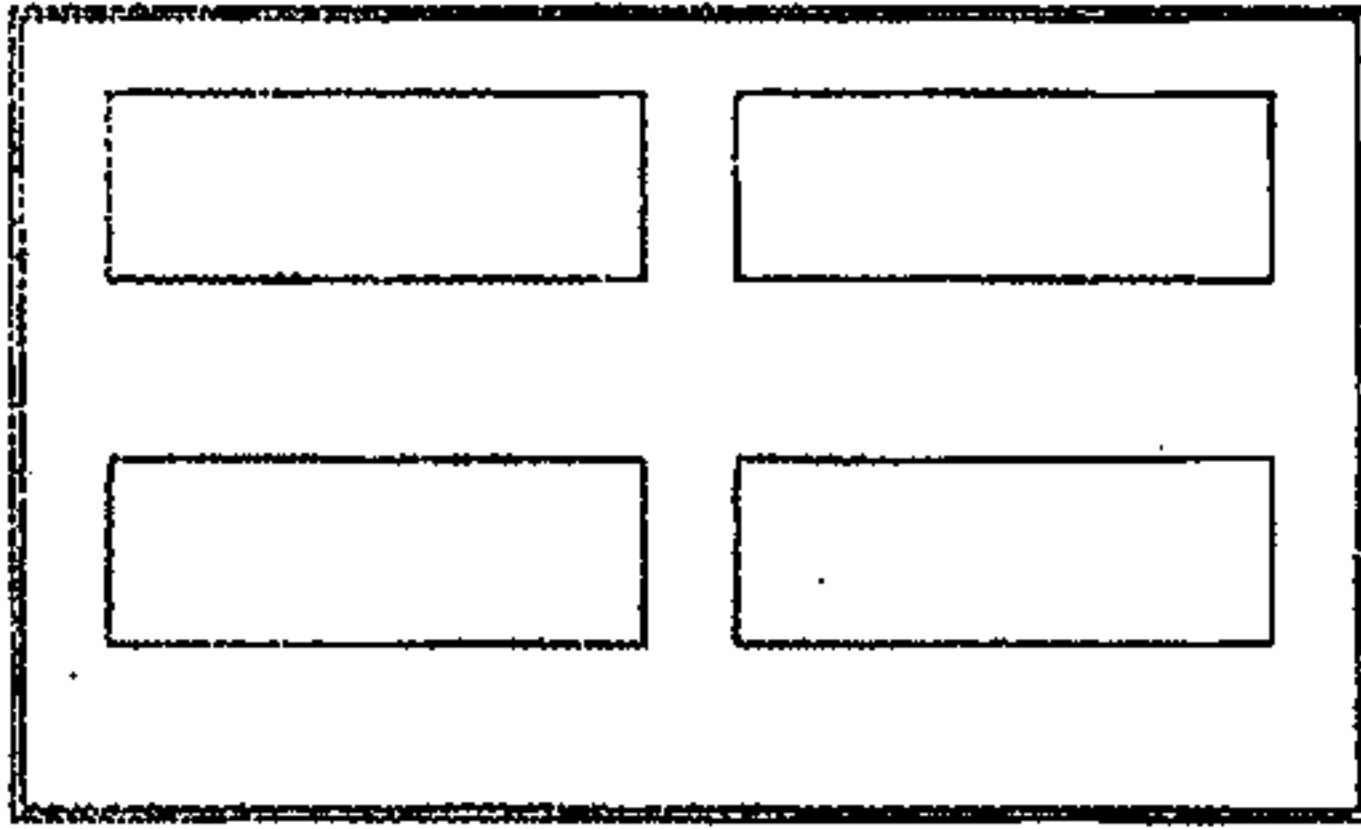
SIA Sequence #	COA DRC Project #	Size	Type of Improvement	Location	From	To	Private Inspector	City Inspector	City Cnst Engineer
PRIVATE ROADWAY IMPROVEMENTS - ON-SITE									
		20' F-F (IN) ^{22' F-F (IN)}	RESIDENTIAL PAVING W/ PCC	ELEVADA TRAIL	HIGH DESERT PLACE	LOT 17	/	/	/
		20' F-F (OUT) ^{20'}	CURB & GUTTER & PCC 6' WIDE SIDEWALK ON ONE SIDE*†						
		26' F-F	RESIDENTIAL PAVING W/ PCC CURB & GUTTER & PCC 6' WIDE SIDEWALK ON ONE SIDE*†	ELEVADA TRAIL	LOT 17	PIEDRA ALTA LANE	/	/	/
		26' F-F	RESIDENTIAL PAVING W/ PCC CURB & GUTTER & PCC 6' WIDE SIDEWALK ON ONE SIDE*†	PIEDRA CANTO WAY	PIEDRA CANTO WAY TERMINUS	ELEVADA TRAIL	/	/	/
		26' F-F	RESIDENTIAL PAVING W/ PCC CURB & GUTTER & PCC 6' WIDE SIDEWALK ON ONE SIDE*†	PIEDRA CERRO WAY	PIEDRA CERRO WAY TERMINUS	ELEVADA TRAIL	/	/	/
		26' F-F	RESIDENTIAL PAVING W/ PCC CURB & GUTTER & PCC 6' WIDE SIDEWALK ON ONE SIDE*†	PIEDRA ALTA LANE	NORTH PIEDRA ALTA ALTA TERMINUS	SOUTH PIEDRA ALTA ALTA TERMINUS	/	/	/
		2 - 14' WIDE	OFF-SITE IMPROVEMENTS SPEED HUMPS W/ TRAFFIC OPS APPROVAL	HIGH DESERT PLACE	SOUTH OF PIEDRA GRANDE PLACE	SOUTH OF EMBUDITO VIEW COURT	/	/	/
*ALL SIDEWALKS TO BE DEFERRED †SIDEWALK TO BE WAIVED FRONTING LOTS 1-2; 18-19 AND ADJACENT TO LOTS 10, 12, 18, 19 **PROVIDE / INSTALL THE NECESSARY ROADWAY SIGNAGE ASSOCIATED W/ THE DEVELOPMENT AS APPROVED BY THE CITY DRC									

SIA Sequence #	COA DRC Project #	Size	Type of Improvement	Location	From	To	Private Inspector	City Inspector	City Cnst Engineer
PUBLIC WATERLINE IMPROVEMENTS - ON-SITE									
		10" DIA	WATERLINE W/ NEC. VALVES FH'S, MJ'S & RJ'S	ELEVADA TRAIL	HIGH DESERT PLACE	PIEDRA CERRO WAY	/	/	/
		6" DIA	WATERLINE W/ NEC. VALVES FH'S, MJ'S & RJ'S	ELEVADA TRAIL	PIEDRA CERRO WAY	PIEDRA ALTA LANE	/	/	/
		6" DIA	WATERLINE W/ NEC. VALVES FH'S, MJ'S & RJ'S	PIEDRA CANTO WAY	ELEVADA TRAIL	PIEDRA ALTA LANE	/	/	/
		10" DIA	WATERLINE W/ NEC. VALVES FH'S, MJ'S & RJ'S	PIEDRA CERRO WAY	SOUTH PROPERTY BOUNDARY (LOT 13)	ELEVADA TRAIL	/	/	/
		6" DIA	WATERLINE W/ NEC. VALVES FH'S, MJ'S & RJ'S	PIEDRA ALTA LANE	PIEDRA CANTO WAY	SOUTH PIEDRA ALTA ALTA TERMINUS (LOT 9)	/	/	/
			REMOVAL OF EXISTING 6" WATERLINE	LOTS 13-17	LOT 13	HIGH DESERT PLACE	/	/	/

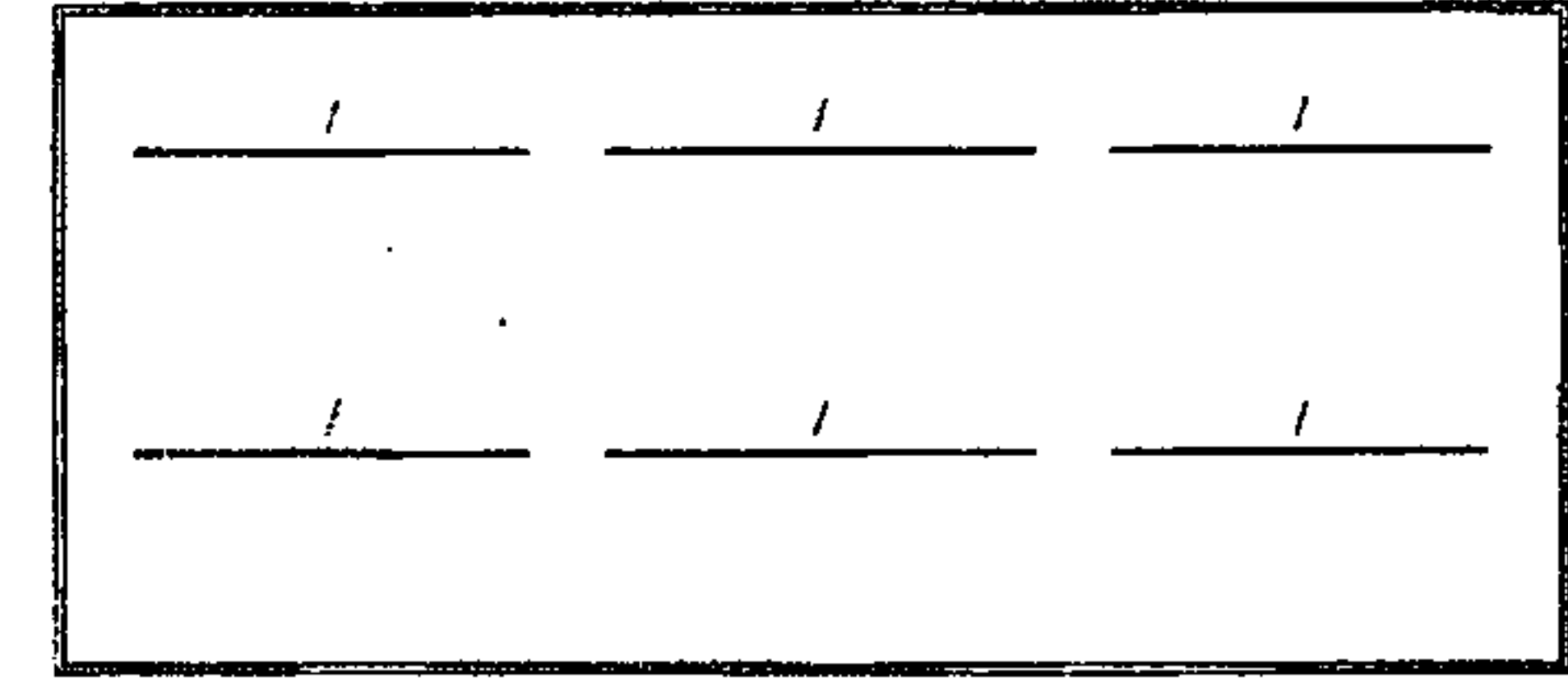
SIA Sequence #	COA DRC Project #	Size	Type of Improvement	Location	From	To	Private Inspector	City Inspector	City Cnst Engineer
PUBLIC SANITARY SEWER IMPROVEMENTS - ON-SITE									
		8" DIA	SANITARY SEWER W/ NEC. MH'S & SERVICES	ELEVADA TRAIL	HIGH DESERT PLACE	PIEDRA ALTA LANE	/	/	/
		8" DIA	SANITARY SEWER W/ NEC. MH'S & SERVICES	PIEDRA CANTO WAY	PIEDRA CANTO WAY TERMINUS	ELEVADA TRAIL	/	/	/
		8" DIA	SANITARY SEWER W/ NEC. MH'S & SERVICES	PIEDRA CERRO WAY	PIEDRA CERRO TERMINUS	ELEVADA TRAIL	/	/	/
		8" DIA	SANITARY SEWER W/ NEC. MH'S & SERVICES	PIEDRA ALTA LANE	NORTH PIEDRA ALTA ALTA TERMINUS	SOUTH PIEDRA ALTA ALTA TERMINUS	/	/	/

SIA Sequence #	COA DRC Project #	Size	Type of Improvement	Location	From	To	Private Inspector	City Inspector	City Cnst Engineer
PUBLIC STORM DRAIN IMPROVEMENTS - ON-SITE									
		18-36" DIA	RCP W/ NEC. MH'S, LATERALS & INLETS	PIEDRA CANTO WAY/ LOT 5	NORTH PIEDRA ALTA ALTA TERMINUS (LOT 5)	ELEVADA TRAIL	/	/	/
		18-36" DIA	RCP W/ NEC. MH'S, LATERALS & INLETS	ELEVADA TRAIL	LOT 14	HIGH DESERT PLACE	/	/	/
		NOTE:	A GRADING AND DRAINAGE CERTIFICATION OF THE APPROVED GRADING PLAN IS REQUIRED PRIOR TO THE RELEASE OF FINANCIAL GUARANTEES						

SIA Sequence #	COA DRC Project #	Size	Type of Improvement	Location	From	To	Private Inspector	City Inspector	City Cnst Engineer
DRAINAGE IMPROVEMENTS - OFF-SITE									
		4' - 5' WIDE	LINED SWALE	OPEN SPACE	LOT 8	EXISTING NATURAL SWALE - ACROSS FROM LOT 5	/	/	/
		4' WIDE	TRAIL IMPROVEMENTS	OPEN SPACE	LOT 9	TRACT 13-B-2 HDROA TRACT	/	/	/
		2' WIDE	COBBLE "V"	BACK PROPERTY LINE IN OPEN SPACE ADJ. TO WALL	LOT 4	LOT 8	/	/	/
		30" SD w/ TRIPLE GRATE TYPE "D" INLET	SEDIMENTATION POND #2 IMPROVEMENTS	TRACT 13-B-3 HDROA TRACT	HIGH DESERT PLACE	SEDIMENTATION POND #2	/	/	/



NOTE: PERIMETER WALL AS APPROVED BY DRB SHALL BE CERTIFIED BY A NM PE PRIOR TO THE RELEASE OF FINANCIAL GUARANTYS. THERE IS NO LANDSCAPING PROPOSED W/IN THE PUBLIC RIGHT OF WAY AT THIS TIME.



AGENT/OWNER		DEVELOPMENT REVIEW BOARD MEMBER APPROVALS			
 PREPARED BY KEVIN G. PATTON, P.E.		 DRB CHAIR	9/5/07 DATE	 PARKS & GENERAL SERVICES	9/5/07 DATE
FIRM: BOHANNAN HUSTON INC. 		 TRANSPORTATION DEVELOPMENT	9-5-07 DATE		DATE
SIGNATURE		 UTILITY DEVELOPMENT	9/5/07 DATE		DATE
MAXIMUM TIME ALLOW TO CONSTRUCT IMPROVEMENTS WITHOUT A DRB EXTENSION _____		 CITY ENGINEER	9-5-07 DATE		DATE

DESIGN REVIEW COMMITTEE REVISIONS				
REVISION	DATE	DRG CHAIR	USER DEPARTMENT	AGENT/OWNER
Δ	11-14-07	A Woodall	William J. Baker	

RODEY, DICKASON, SLOAN, AKIN & ROBB, P. A.

ATTORNEYS AT LAW

201 THIRD STREET NW, SUITE 2200
ALBUQUERQUE, NEW MEXICO 87102

P.O. BOX 1888
ALBUQUERQUE, NEW MEXICO 87103
WWW.RODEY.COM

TELEPHONE (505) 765-5900
FACSIMILE (505) 768-7395

OF COUNSEL
JACKSON G. AKIN
JOHN D. ROBB
JAMES C. RITCHIE
JO SAXTON BRAYER
ROBERT G. McCORKLE
CHARLES A. SEIBERT III

BERNARD S. RODEY (1856-1927)
PEARCE C. RODEY (1889-1958)
DON L. DICKASON (1906-1999)
WILLIAM A. SLOAN (1910-1993)

SANTA FE OFFICE
315 PASEO DE PERALTA
SANTA FE, NEW MEXICO 87501-2034
P.O. BOX 1357
SANTA FE, NEW MEXICO 87504-1357
TELEPHONE (505) 954-3900
FACSIMILE (505) 954-3942

WRITER'S DIRECT NUMBER
(505) 768-7220

J.SALAZAR@RODEY.COM

ROBERT M. ST. JOHN
MARK K. ADAMS
BRUCE HALL
JOHN P. SALAZAR
JOHN P. BURTON
REX D. THROCKMORTON
JONATHAN W. HEWES
RICHARD C. MINZNER
W. ROBERT LASATER, JR.
MARK C. MEIERING
CATHERINE T. GOLDBERG
EDWARD RICCO
W. MARK MOWERY
PATRICK M. SHAY
ELLEN T. SKRAK
TRACY M. JENKS
HENRY M. BOHNHOFF
CHARLES K. PURCELL
ANDREW G. SCHULTZ
JOHN M. BRANT
SCOTT D. GORDON
DEWITT M. MORGAN
MARK A. SMITH
NELSON FRANSE
THERESA W. PARRISH
PAUL R. KOLLER
JAMES P. BIEG
CHARLES J. VIGIL
THOMAS L. STAHL
DAVID W. BUNTING
LESLIE McCARTHY APODACA
SUSAN BARGER FOX
WILLIAM J. ARLAND
JAMES A. ASKEW
JEFFREY M. CROASDELL
SUNNY J. NIXON

JEFFREY L. LOWRY
DEBORAH E. MANN
R. TRACY SPROULS
DONALD B. MONNHEIMER
ALAN HALL
JULIE P. NEERKEN
THOMAS A. OUTLER
SETH L. SPARKS
NELSE T. SCHRECK
KARLA K. POE
LISA CHAVEZ ORTEGA
JOCELYN C. DRENNAN
MICHAEL J. BRESCIA
AARON C. VIETS
KURT B. GILBERT
DAVID H. JOHNSON
MEGHAN D. STANFORD
JESSICA M. HERNANDEZ
WILLIAM G. GILCHRIST
CHRISTOPHER M. WOLPERT
KIMBERLY N. BELL
BRYAN J. DAVIS
CHRISTOPHER D. LEE
JUSTIN A. HORWITZ
TODD E. RINNER
SANDRA L. BEERLE
WADE L. JACKSON
CARMELA D. STARACE
MARIA S. MC CULLEY
MARCOS D. MARTINEZ
MARGARET Y. ROMERO
AMBER L. CREEL
NASHA Y. MARTINEZ
AMANDA C. SANCHEZ
SOHA F. TURFLER
VALERIE S. REIGHARD

February 28, 2007

Sheran Matson, Development Review Board Chair
Development Review Division of the Planning Department
c/o Barbara Findley
3rd Floor, Plaza del Sol Building
600 Second St. NW
Albuquerque, NM 87103

RE: Appeal AC-07-2 and AC-07-3
DRB Project No. 1004989
Mesa Verde Development / Wilderness Canyon at High Desert
Documents to Include in Appeal Record

Dear Ms. Matson:

The purpose of this letter is to submit the below listed documents for inclusion in the referenced Appeal Record. We also request that a copy of the High Desert Sector Plan be included in the Appeal Record as well.

The attached documents are:

1. Copy of Original Infrastructure List Exhibit "A", with a sign off date of 12/06/07.
2. Copy of letter dated 11/14/096 from Bradley L. Bingham, PE to Yolanda Padilla, PE.
3. Copy of map titled "HIGH DESERT VISION".
4. Copy of "WILDERNESS TRACT A AT HIGH DESERT GRADING PLAN" DATED 05/2005.
5. Color map showing blowup of carve out of Tract 13.
6. Color Slope map done in 1991 for the Albuquerque Academy.

Thank you.

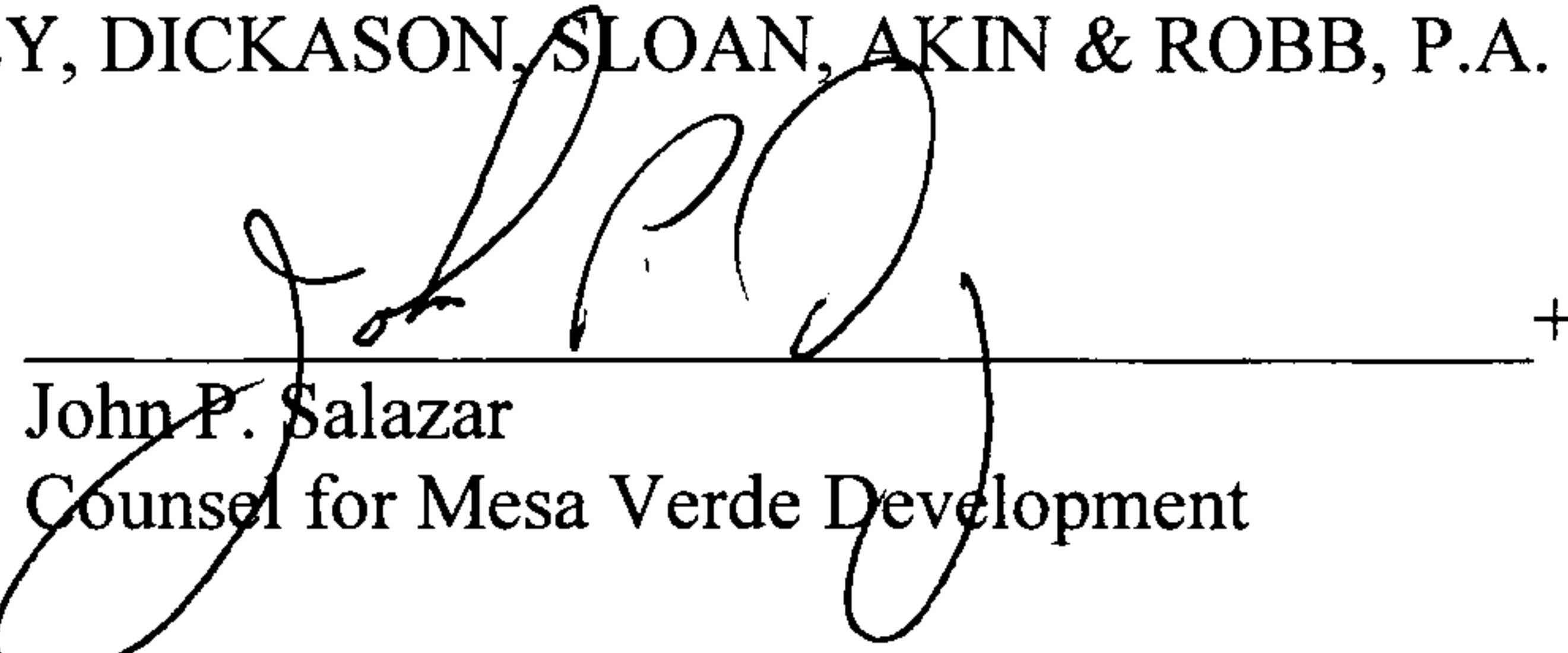
February 28, 2007

Page 2

Sincerely,

RODEY, DICKASON, SLOAN, AKIN & ROBB, P.A.

By:



_____ +

John P. Salazar
Counsel for Mesa Verde Development

Enclosures (6)

cc: Kevin Curran, City Attorney (w/o encl., via email)

ORIGINAL

Date Submitted: 12/20/06
 Date Site Plan Approved: N/A
 Date Preliminary Plat Approved: 12/20/06
 Date Preliminary Plat Expires: 12/20/07
 DRB Project No. 1004989

Figure 12

INFRASTRUCTURE LIST

EXHIBIT "A"
TO SUBDIVISION IMPROVEMENTS AGREEMENT
DEVELOPMENT REVIEW BOARD (D.R.B.) REQUIRED INFRASTRUCTURE LIST

WILDERNESS CANON
(TRACTS A AT WILDERNESS UNIT 2, HIGH DESERT)

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

SIA Sequence #	COA DRC Project #

Size	Type of Improvement	Location	From	To
PRIVATE ROADWAY IMPROVEMENTS - ON-SITE				
22' F-F (IN) 24' F-F (OUT) W/ 6' MEDIAN	RESIDENTIAL PAVING W/ PCC CURB & GUTTER & PCC 6' WIDE SIDEWALK ON ONE SIDE*†	ELEVADA TRAIL	HIGH DESERT PLACE	LOT 22
26' F-F	RESIDENTIAL PAVING W/ PCC CURB & GUTTER & PCC 6' WIDE SIDEWALK ON ONE SIDE*†	ELEVADA TRAIL	LOT 22	PIEDRA ALTA LANE
26' F-F	RESIDENTIAL PAVING W/ PCC CURB & GUTTER & PCC 6' WIDE SIDEWALK ON ONE SIDE*†	PIEDRA CANTO WAY	PIEDRA CANTO WAY TERMINUS	ELEVADA TRAIL
26' F-F	RESIDENTIAL PAVING W/ PCC CURB & GUTTER & PCC 6' WIDE SIDEWALK ON ONE SIDE*†	PIEDRA CERRO WAY	PIEDRA CERRO WAY TERMINUS	ELEVADA TRAIL
26' F-F	RESIDENTIAL PAVING W/ PCC CURB & GUTTER & PCC 6' WIDE SIDEWALK ON ONE SIDE*†	PIEDRA ALTA LANE	NORTH PIEDRA ALTA ALTA TERMINUS	SOUTH PIEDRA ALTA ALTA TERMINUS

*ALL SIDEWALKS TO BE DEFERRED
 †SIDEWALK TO BE WAIVED FRONTING LOTS 1-2; 23-25 AND ADJACENT TO LOTS 12, 15, 23, 25
 **PROVIDE / INSTALL THE NECESSARY ROADWAY SIGNAGE ASSOCIATED W/ THE DEVELOPMENT AS APPROVED BY THE CITY DRC
 ^
 AND STRIPING

Private Inspector	City Inspector	City Cnst Engineer
/	/	/
/	/	/
/	/	/
/	/	/
/	/	/
/	/	/
/	/	/

SIA Sequence #	COA DRC Project #

Size	Type of Improvement	Location	From	To
PUBLIC WATERLINE IMPROVEMENTS - ON-SITE				
10" DIA	WATERLINE W/ NEC. VALVES FH'S, MJ'S & RJ'S	ELEVADA TRAIL	HIGH DESERT PLACE	PIEDRA CERRO WAY
6" DIA	WATERLINE W/ NEC. VALVES FH'S, MJ'S & RJ'S	ELEVADA TRAIL	PIEDRA CERRO WAY	PIEDRA ALTA LANE
6" DIA	WATERLINE W/ NEC. VALVES FH'S, MJ'S & RJ'S	PIEDRA CANTO WAY	ELEVADA TRAIL	PIEDRA ALTA LANE
10" DIA	WATERLINE W/ NEC. VALVES FH'S, MJ'S & RJ'S	PIEDRA CERRO WAY	SOUTH PROPERTY BOUNDARY (LOT 16)	ELEVADA TRAIL
6" DIA	WATERLINE W/ NEC. VALVES FH'S, MJ'S & RJ'S	PIEDRA ALTA LANE	PIEDRA CANTO WAY	SOUTH PIEDRA ALTA ALTA TERMINUS (LOT 11)
	REMOVAL OF EXISTING 6" WATERLINE	LOTS 16-22	LOT 16	HIGH DESERT PLACE

Private Inspector	City Inspector	City Cnst Engineer
/	/	/
/	/	/
/	/	/
/	/	/
/	/	/
/	/	/

Size	Type of Improvement	Location	From	To
PUBLIC SANITARY SEWER IMPROVEMENTS - ON-SITE				
8" DIA	SANITARY SEWER W/ NEC. MH'S & SERVICES	ELEVADA TRAIL	HIGH DESERT PLACE	PIEDRA ALTA LANE
8" DIA	SANITARY SEWER W/ NEC. MH'S & SERVICES	PIEDRA CANTO WAY	PIEDRA CANTO WAY TERMINUS	ELEVADA TRAIL
8" DIA	SANITARY SEWER W/ NEC. MH'S & SERVICES	PIEDRA CERRO WAY	PIEDRA CERRO TERMINUS	ELEVADA TRAIL
8" DIA	SANITARY SEWER W/ NEC. MH'S & SERVICES	PIEDRA ALTA LANE	NORTH PIEDRA ALTA ALTA TERMINUS	SOUTH PIEDRA ALTA ALTA TERMINUS

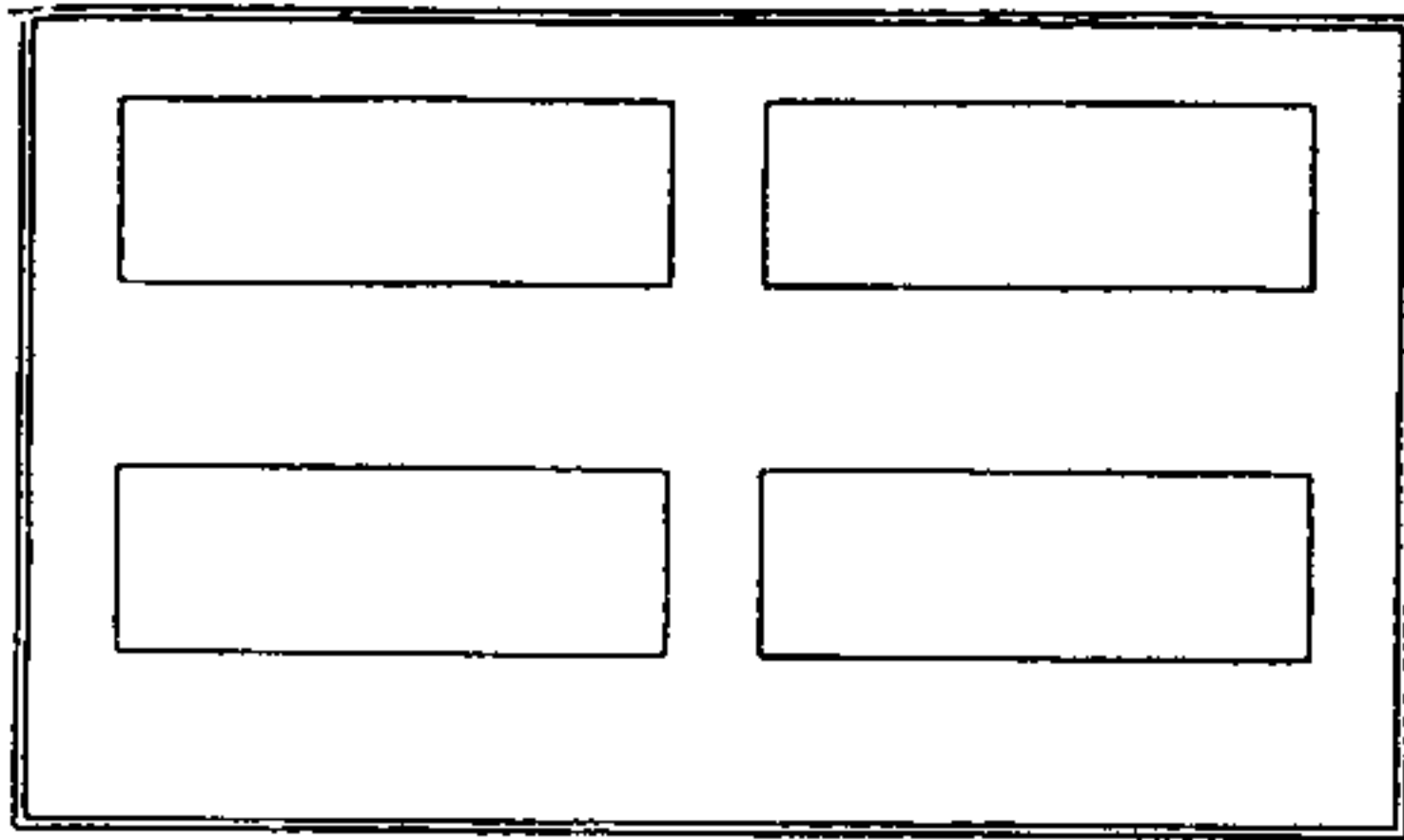
/	/	/
/	/	/
/	/	/
/	/	/

Size	Type of Improvement	Location	From	To
PUBLIC STORM DRAIN IMPROVEMENTS - ON-SITE				
18-36" DIA	RCP W/ NEC. MH'S, LATERALS & INLETS	PIEDRA CANTO WAY/ LOT 5	NORTH PIEDRA ALTA ALTA TERMINUS (LOT 5)	ELEVADA TRAIL
18-36" DIA	RCP W/ NEC. MH'S, LATERALS & INLETS	ELEVADA TRAIL	LOT 19	HIGH DESERT PLACE
NOTE:	A GRADING AND DRAINAGE CERTIFICATION OF THE APPROVED GRADING PLAN IS REQUIRED PRIOR TO THE RELEASE OF FINANCIAL GUARANTEES			

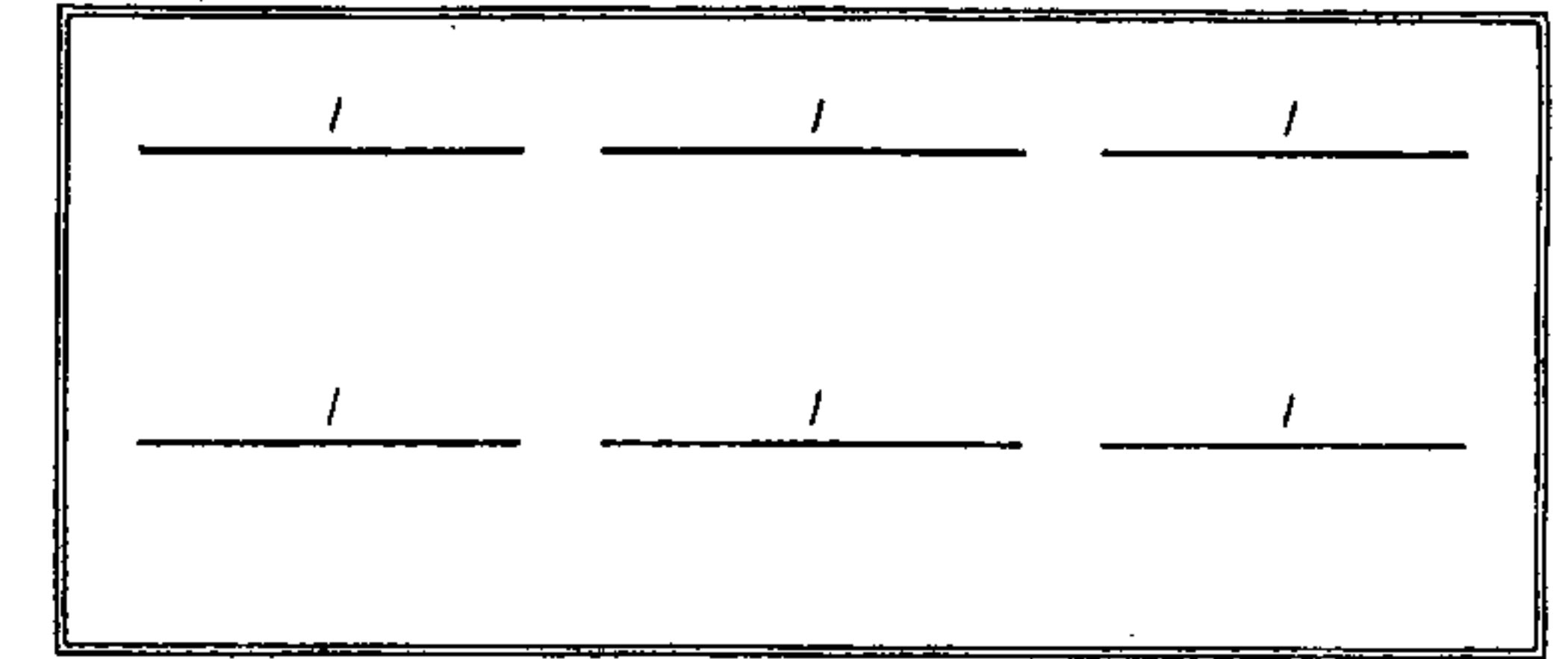
/	/	/
/	/	/
/	/	/

Size	Type of Improvement	Location	From	To
PRIVATE DRAINAGE IMPROVEMENTS - ON-SITE				
2' - 5' WIDE	PCC RIBBON CHANNEL	PRIVATE DRAINAGE EASEMENT	LOT 4	LOT 10
18" DIA	RCP	PRIVATE DRAINAGE ESMNT BTWN LOTS 3 & 4	TRACT OS-5 COA OPEN SPACE	PIEDRA CANTO WAY
NOTE:	THE DEVELOPER WILL EITHER CONSTRUCT \$5,000 WORTH OF DRAINAGE IMPROVEMENTS ON THE EXISTING CITY OPEN SPACE ADJACENT TO WILDERNESS CANON OR PROVIDE THAT AMOUNT TO THE CITY TO CONSTRUCT THEIR OWN DRAINAGE IMPROVEMENTS.			

/	/	/
/	/	/
/	/	/



NOTE: PERIMETER WALL AS APPROVED BY DRB SHALL BE CERTIFIED BY A NM PE PRIOR TO THE RELEASE OF FINANCIAL GUARANTYS. THERE IS NO LANDSCAPING PROPOSED W/IN THE PUBLIC RIGHT OF WAY AT THIS TIME. THERE ARE NO IMPROVEMENTS BEING PROPOSED W/IN THE COA PUBLIC OPEN SPACE AT THIS TIME.



AGENT/OWNER

DEVELOPMENT REVIEW BOARD MEMBER APPROVALS

KEVIN G. PATTON, P.E.
PREPARED BY: PRINT NAME

[Signature] 12/06/06
DRB CHAIR DATE

[Signature] 12-6-06
(PARKS & GENERAL SERVICES) DATE

BOHANNAN HUSTON INC.
FIRM:

[Signature] 12-6-06
TRANSPORTATION DEVELOPMENT DATE

AMAFCA DATE

[Signature] 12-6-06
SIGNATURE

[Signature] 12/6/06
UTILITY DEVELOPMENT DATE

NEW MEXICO UTILITIES INCORPORATED DATE

MAXIMUM TIME ALLOW TO CONSTRUCT IMPROVEMENTS WITHOUT A DRB EXTENSION

[Empty box for maximum time]

[Signature] 12/6/06
CITY ENGINEER DATE

DATE

DESIGN REVIEW COMMITTEE REVISIONS

REVISION	DATE	DRC CHAIR	USER DEPARTMENT	AGENT/OWNER

John E. Farrow

2400 Meadowview NW
Albuquerque, New Mexico 87104
505.249.7148
RunNM@prodigy.net

January 26, 2007

City of Albuquerque Planning Department
Development Review Division
600 2nd Street - 3rd Floor
Albuquerque, NM 87102

**Re: AC-07-2 - 06DRB-01411; 06DRB-01412; 06DRB-01413; 06DRB-01414;
06DRB-01415**

**AC-07-3 - 06DRB-01411; 06DRB-01412; 06DRB-01413; 06DRB-01414;
06DRB-01415**

Project #1004989

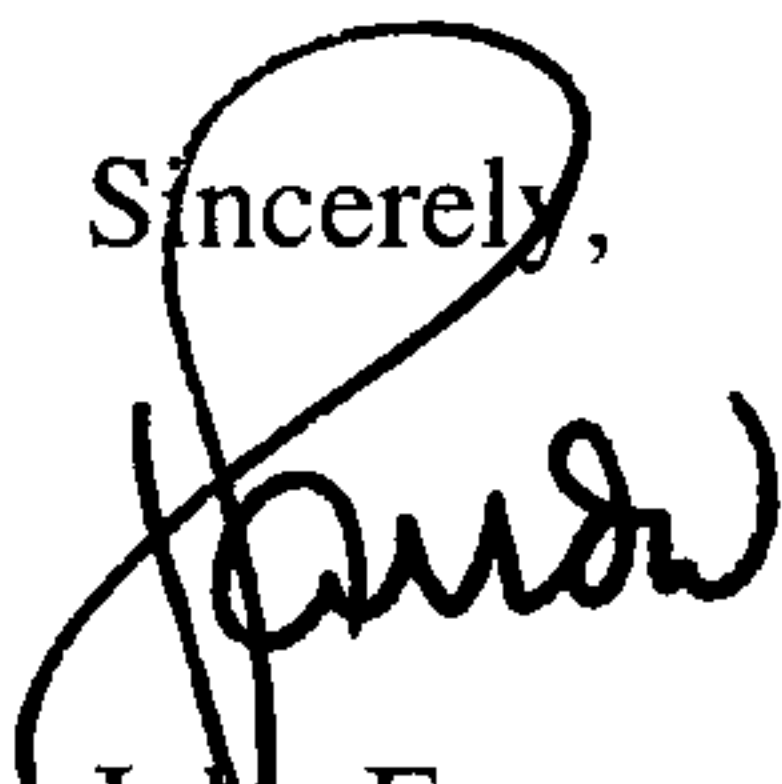
Gentlemen:

I appeared at an earlier hearing in the above matter. However, the issue in which I was interested was resolved to my satisfaction. Therefore, I have no further interest in this case.

Please remove me from your mailing list as to any further proceedings.

Thank you for your attention to this matter. Should you have any questions, please contact me at your convenience.

Sincerely,



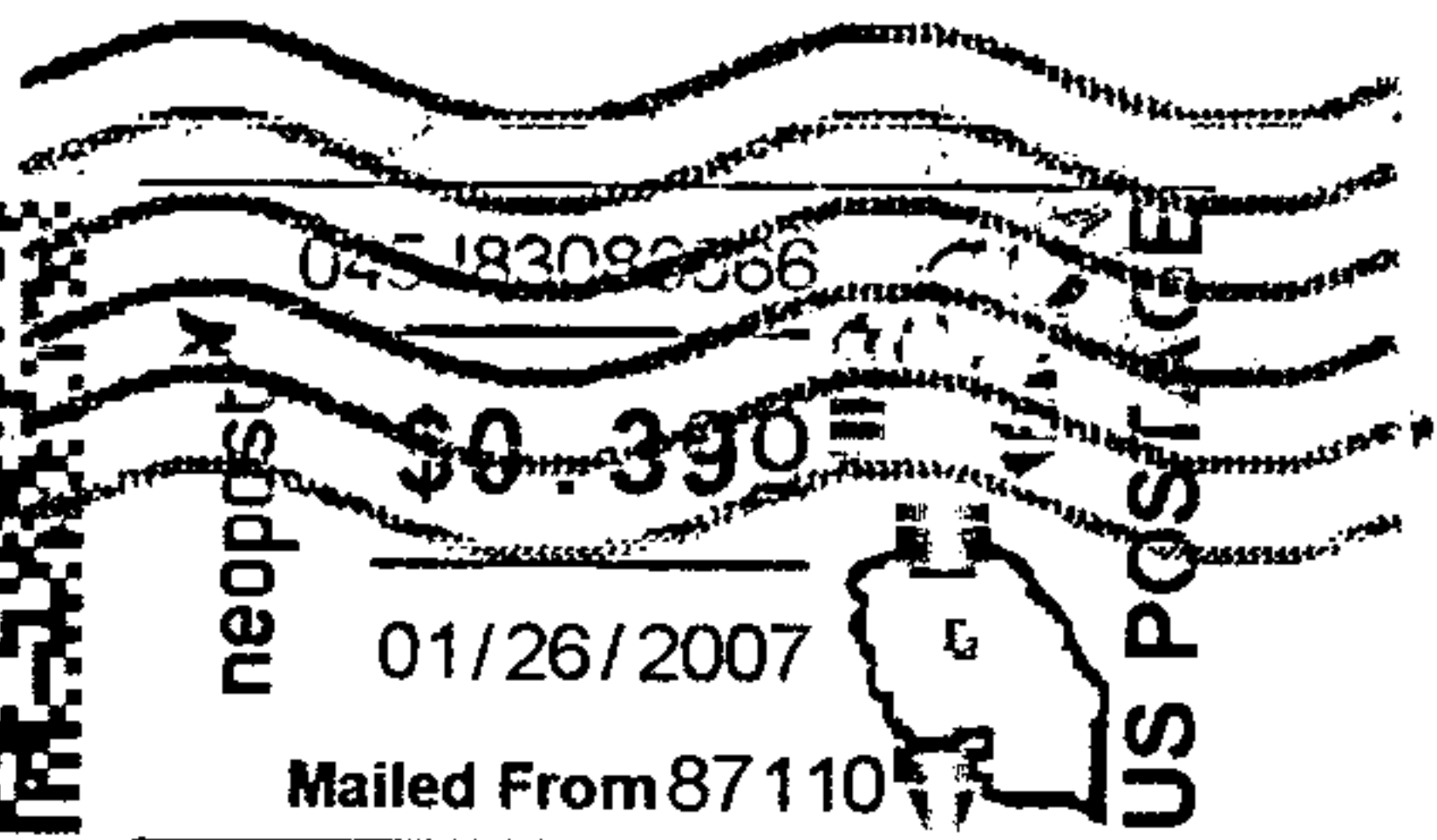
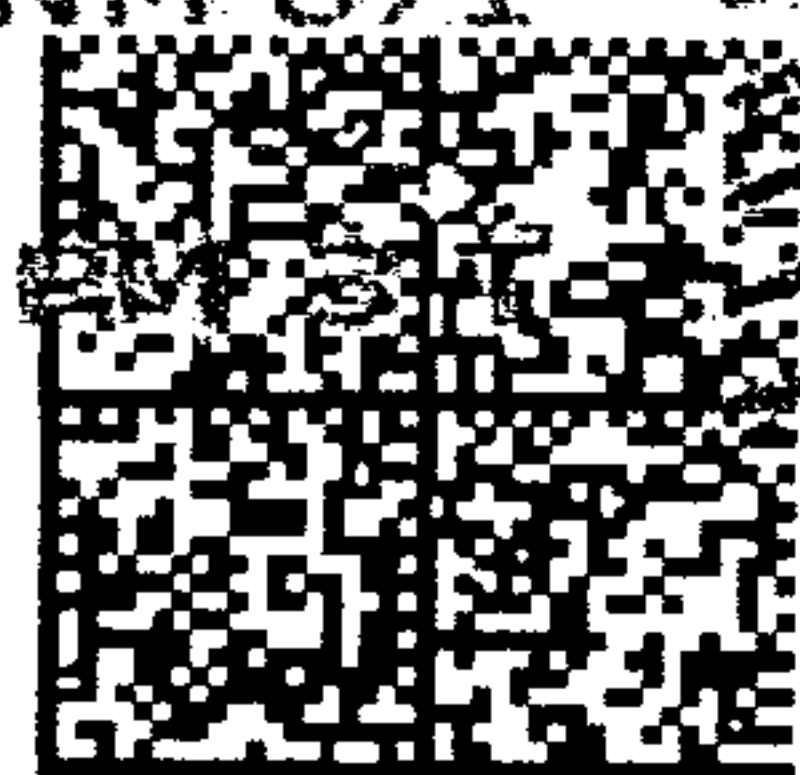
John Farrow
JEF/c

LAW OFFICES
FAIRFIELD, FARROW & STROTZ, P.C.
A PROFESSIONAL CORPORATION
POST OFFICE BOX 35400
ALBUQUERQUE, NEW MEXICO 87176-5400

Address Correction Requested

ALBUQUERQUE NM 871

26 JAN 2007



City of Albuquerque Planning Department
Development Review Division
600 2nd Street - 3rd Floor
Albuquerque, NM 87102



87102+2265



City of Albuquerque



DEVELOPMENT/ PLAN REVIEW APPLICATION

- SUBDIVISION**
- Major Subdivision action
 - Minor Subdivision action
 - Vacation
 - Variance (Non-Zoning)
- SITE DEVELOPMENT PLAN**
- for Subdivision Purposes
 - for Building Permit
 - IP Master Development Plan
 - Cert. of Appropriateness (LUCC)
- STORM DRAINAGE**
- Storm Drainage Cost Allocation Plan

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

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

APPLICANT INFORMATION:

NAME: High Desert Residential Owners Ass'n PHONE: see below

ADDRESS: see agent below FAX: _____

CITY: _____ STATE _____ ZIP _____ E-MAIL: _____

Proprietary interest in site: _____ List all owners: _____

AGENT (if any): Scott & Kienzle PA (Paul M. Kienzle) PHONE: 505/246-8600

ADDRESS: Box 587 FAX: 505/246-8682

CITY: Albuquerque STATE NM ZIP 87103 E-MAIL: paul@kienzlelaw.com

DESCRIPTION OF REQUEST: Appeal of 12/06/06 DRB Decision in Project No. 1004989

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

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

Lot or Tract No. Tract A, Unit 2, Block: _____ Unit: _____

Subdiv./Addn. Wilderness at High Desert, Tract A, Unit 2

Current Zoning: SU-2/HD R-R Proposed zoning: _____

Zone Atlas page(s): F-23 No. of existing lots: 1 No. of proposed lots: 25

Total area of site (acres): 3.9653 Density if applicable: dwellings per gross acre: _____ dwellings per net acre: _____

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

UPC No. _____ MRGCD Map No. _____

LOCATION OF PROPERTY BY STREETS: On or Near: High Desert Pl. NE

Between: Trailhead Rd. NE and Embudito View Ct. NE

CASE HISTORY: *see also related City Council Appeal No. AC-07-2

List any current or prior case number that may be relevant to your application (Proj., App., DRB-, AX, Z, V, S, etc.): Project No. 1004989, Case Nos. 06-DRB-01411 thru 06-DRB-01415

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

SIGNATURE Paul M. Kienzle III DATE 12-21-2006

(Print) Paul M. Kienzle III Applicant Agent

FOR OFFICIAL USE ONLY

Form revised 4/04

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

Application case numbers

DRB-01776

Action	SUB.	S.F.	Fees
<u>APPEAL</u>	<u>A</u>		\$ <u>190.00</u>
<u>ADY</u>			\$ <u>50.00</u>
			\$ _____
			\$ _____
			\$ _____
			\$ _____
			Total
			\$ <u>240.00</u>

Hearing date _____

Sandy Sandley 12/21/06
Planner signature / date

Project # 1004989

FORM A: APPEAL

Appeal to the Zoning Board of Appeals regarding:

DECISION OF THE ZONING HEARING EXAMINER

___ Project number of case being appealed; _____

___ Application number of case being appealed; _____

___ Reason for the appeal *

___ Appellant's basis of standing as an appellant *

___ Letter of authorization from the appellant if this application for appeal is submitted by an agent

___ Copy of the Official Notification of Decision regarding the matter being appealed

___ Fee (see schedule)

Appeal to the Landmarks and Urban Conservation Commission regarding:

CERTIFICATE OF APPROPRIATENESS DECISION OF THE PLANNING DIRECTOR OR STAFF

___ Project number of case being appealed; _____

___ Application number of case being appealed; _____

___ Reason for the appeal *

___ Appellant's basis of standing as an appellant *

___ Letter of authorization from the appellant if this application for appeal is submitted by an agent

___ Copy of the Official Notification of Decision regarding the matter being appealed

___ Fee (see schedule)

Appeal to the Environmental Planning Commission regarding:

DECLARATORY RULING OF THE ZONING ENFORCEMENT OFFICER

___ Project number of case being appealed; _____

___ Application number of case being appealed; _____

___ Reason for the appeal *

___ Appellant's basis of standing as an appellant *

___ Letter of authorization from the appellant if this application for appeal is submitted by an agent

___ Copy of the Official Notification of Decision regarding the matter being appealed

___ Fee (see schedule)

Appeal to the City Council through the Land Use Hearing Officer regarding:

ADMINISTRATIVE AMENDMENT OR DECISION OF THE PLANNING DIRECTOR OR STAFF

DETERMINATION OR ACTION OF THE ENVIRONMENTAL PLANNING COMMISSION

DETERMINATION OR ACTION OF THE DEVELOPMENT REVIEW BOARD

ACTION OF THE ZONING BOARD OF APPEALS REGARDING AN APPEAL

DECISION OF THE LANDMARKS AND URBAN CONSERVATION COMMISSION

Project number of case being appealed; 1004989

Application number of case being appealed; 06-DRB-01411 thru 06-DRB-01415

Reason for the appeal *

Appellant's basis of standing as an appellant *

Letter of authorization from the appellant if this application for appeal is submitted by an agent

Copy of the Official Notification of Decision regarding the matter being appealed

___ Fee (see schedule)

* Criteria for reasonable appeals and criteria for standing as an appellant are given in Zoning Code §14-16-4-4. Any appeal must meet these criteria to be heard. The applicant should review these and other relevant documents carefully before preparing an application for appeal.

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

Paul M. Kienzle III

Paul M. Kienzle III

Applicant name (print)

12/21/06

Applicant signature / date



Form revised 10/04 & March 2005

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

Application case numbers

06CC - 01776

Sandy Handley 12/21/06

Planner signature / date

Project # 1004989

Land Use Hearing Officer
City Council
City of Albuquerque
Albuquerque, New Mexico

RE: APPEAL OF DECEMBER 6, 2006, DEVELOPMENT REVIEW
BOARD DECISION FOR PROJECT NO. 1004989,
PRELIMINARY PLAT APPROVAL FOR WILDERNESS CANYON

HIGH DESERT RESIDENTIAL OWNERS ASSOCIATION'S APPEAL
OF THE DEVELOPMENT REVIEW BOARD'S DECEMBER 6, 2006,
DECISION FOR PROJECT NO. 1004989

High Desert Residential Owners Association (Appellant),
through its attorneys Scott & Kienzle, P.A. (Paul M. Kienzle III)
offers the following Appeal of the December 6, 2006, Development
Review Board decision in Project No. 1004989 (Wilderness Canyon):

I. INTRODUCTION AND BACKGROUND

High Desert Residential Owners Association (the
"Association"), a City-recognized Neighborhood Association, appeals
the December 6, 2006, decision of the Development Review Board in
Project No. 1004989 (Wilderness Canyon) (the "Decision") on the
grounds that the Decision contains (1) error in applying adopted
city plans, policies, and ordinances in arriving at the decision;
(2) error in the appealed action or decision, including its stated
facts; and (3) error in acting arbitrarily or capriciously or being
manifestly abusive of discretion.

Among other things, the Development Review Board failed to
consider that the preliminary plat at issue is inconsistent and

fails to comply with the High Desert Sector Development Plan (the "Sector Plan"). Further, pursuant to the Sector Plan, approval of the proposed plat requires certification from the Association that the plat complies with the Sector Plan. However, in the Decision, the Development Review Board apparently failed to consider that the Association made clear that the proposed plat does not comply with the Sector Plan.

The proposed major subdivision in question is located at the southeast corner of the Wilderness at High Desert, a subdivision of the High Desert Sector Development Plan. It adjoins single family residential development to the north, City of Albuquerque Open Space to the northeast and east (which in turn is immediately adjacent to the Sandia Mountains Wilderness Area), an open space easement containing the Embudito Arroyo to the south, and a tract of undeveloped land to the west.

On September 29, 2006, Mesa Verde Development Corporation ("Applicant") filed its application for preliminary plat approval, sidewalk waiver, sidewalk deferral, and vacation of public easement, among other things. At the October 25, 2006, Development Review Board hearing, the board received a presentation from the Applicant and heard public comment. With the agreement of the Applicant, the Development Review Board deferred its decision on the preliminary plat in order for the Association to complete its required certification process and to supplement the record before

the Development Review Board. The Development Review Board again deferred its decision for the same reasons on November 15, 2006, November 22, 2006, and November 29, 2006. At the December 6, 2006, hearing, the Development Review Board approved the preliminary plat, with conditions, and issued its written decision of the same date. A copy of the Development Review Board's December 6, 2006, written decision is attached as Exhibit "A." The Association has standing to bring this appeal of that decision.

II. CRITERIA FOR DECISION AND STANDARDS

The criteria for decision and standards applicable to this appeal are found in the High Desert Sector Development Plan (the "Sector Plan"),¹ the Albuquerque Subdivision Regulations (the "Subdivision Ordinance"), the Albuquerque Zoning Code, the Albuquerque/Bernalillo County Comprehensive Plan, and principles of New Mexico law.

Pursuant to the Subdivision Ordinance, "[a]pproval of the preliminary plat is a commitment on the part of the city that a final plat conforming to the approved preliminary plat and any conditions will be approved" Albuquerque, N.M., Code of Ordinances § 14-14-3-4.

¹ Adopted by the City of Albuquerque on May 3, 1993, and amended on August 12, 1994, October 5, 1995, March 19, 1999, and December 20, 2001.

However, the Subdivision Ordinance requires that:

[s]ubdivisions partially or wholly within the platting jurisdiction of both the county and the city shall be approved in accordance with the terms of applicable city and county ordinances, regulations, and rules, as well as New Mexico statutes, before that plat is recorded in the Office of the County Clerk.

Id. at § 14-14-1-4; see also id. at § 14-14-9-1. Further, under "Fundamental Considerations," the Subdivision Ordinance mandates that:

[l]and may be subdivided only in accordance with procedures established by this article. The Development Review Board shall approve the subdivision of land when it determines that the land is suitable for subdivision for the purposes proposed, the subdivision complies with this article, and that the subdivision is not contrary to the best interests of the public health, safety, and general welfare.

Id. at § 14-14-2-1. The Subdivision Ordinance goes on to require that:

[t]he arrangement, character, extent, width, grade, and location of all streets and the general nature and extent of the lots and uses proposed shall conform to the Albuquerque/Bernalillo County Comprehensive Plan and any other adopted plan, ... No plat shall be approved if it contains elements clearly and significantly inconsistent with adopted plans.

Id. at § 14-14-2-2 (emphasis added).

The proposed subdivision is located in a "Semi-Urban" area of the Albuquerque/Bernalillo County Comprehensive Plan (the "Comprehensive Plan"). Pursuant to the Comprehensive Plan, "Semi-Urban" areas are:

characterized by development limitations due to topography, soil conditions, water quality, flood potential, scenic qualities and recreational potential. An overall gross housing density of three dwellings per acre is appropriate in Semi-Urban Area. Housing densities above three dwelling units per acre, except where clustered with shared open land, are likely to be especially problematic in Semi-Urban areas. Standard urban residential development patterns eliminate openness, create traffic, alter drainage conditions, limit recreation and agriculture potential, and degrade water quality when either community or City services are not available. Residents living in the areas the Plan designates Semi-Urban have preferences for the area's use. The residents expressed objectives reinforce important environmental and historical justifications for maintaining the Semi-Urban Areas' special character. Semi-Urban Area development standards (as in the Rural Area) should reflect residents' preferences, environmental constraints, and unique characteristics of these development areas.

Comprehensive Plan at p. I-21.

In regard to the required density transition of proposed subdivisions in High Desert, the Sector Plan states:

Because of its location, the project must serve as a link between natural open areas and urban activity. Thus uses within the plan area must range from very low intensity recreational and residential opportunities to the level of intensity necessary to provide essential retail and institutional services to its residents. Therefore, the land-use plan is designed around a neighborhood "center" and the transition from that center to natural open areas at its edges.

From the neighborhood center, residential land use densities transition from higher densities in the project center to lower densities at the interface with adjacent lands. For example, apartments within the project are located next to the neighborhood center. This also places the tallest buildings within the interior of the site with lower buildings along Tramway. Such a relationship provides a more visually pleasing interface

with Tramway Boulevard and responds to concerns expressed in meetings with residents of adjacent neighborhoods. The core area would be surrounded by residential areas at a density generally equivalent to the northeast heights. As development approaches the project boundaries to the north and east, the density continues to diminish, leaving the least dense residential areas (generally equivalent to similar development in Sandia Heights) as boundaries with natural open space areas.

Sector Plan at 3.2, "Land-Use Transition Concepts." The Sector Plan goes on to state:

[t]he lowest density uses are placed against the Forest, Wilderness, park access, and existing open space boundaries. The northern and southern boundaries maintain land use intensities similar to Sandia Heights and Glenwood Hills respectively.

Id. at 3.5, "Existing Development." In regard to density transition in conjunction with building heights, the Sector Plan states:

Building heights and site lighting levels will also be keyed to view preservation.

From the neighborhood center, residential land use densities transition from high densities in the project center to lower densities at the border with adjacent lands. The lowest structures, ... will be against the boundaries with the Forest Service lands....

Id. at 3.10, "Building Heights." With specific reference to density transition on the Forest Service Border, the Sector Plan states:

In the recreational/resort zone (HD-R-R), townhouses surrounded by common public or private open areas may form an adjacent land use. This will provide a low density transition to the public lands on the eastern border of the property.

Id. at 3.11, "Forest Service Boundary." Finally, the Sector Plan states: "As noted before, one of the main principles driving the High Desert Sector Plan is the transition from open areas to urban uses. Nowhere is the transition more important than at the project boundary with Simms Park Access Road, and U.S. Forest Service Lands." Id. at 4.5 (preamble).

In regard to building on severe slopes, the Sector Plan comports with the Comprehensive Plan. See Comprehensive Plan, p. II-7, at Policy "e" and High Desert Sector Development Plan at 2.2, 2.7, 3.4 and 3.7. The intent of both the Comprehensive Plan and the Sector Plan is to preserve areas in excess of 10% slope in the Sandia foothills as open space. "The Sandia foothills, where ever slopes exceed 10 percent, shall be acquired or regulated as appropriate to protect such areas from detrimental and incompatible public and private activities." Comprehensive Plan, p. II-7, at Policy "e." "Those areas corresponding to those which would be protected through imposition of the 10% Slope Demarcation Line found in the Sandia Foothills Plan are to be preserved." Sector Plan at 3.7. "Areas above the 10% Slope Demarcation Line should be protected by granting them as public open space." Id. at 2.7. "Areas of excess slope meeting the intent of the Slope Demarcation Line of the Sandia Foothills Plan are preserved either by direct dedication to public entities or by easements retained and controlled by the developer or its successors." Id. at 3.4.

Significantly, the Sector Plan requires the Association to certify that any proposed subdivision complies with the Sector Plan. In pertinent part, the Sector Plan requires that:

the zones described in this Sector Plan shall be developed in accordance with the regulations and procedures of the Subdivision Ordinance and Comprehensive City Zoning Code. Further the High Desert Homeowners's Association or its successors shall certify to the City at the time of submittal for approval to the Development Review Board that any proposed plat meets the requirements of the Sector Development Plan, The Homeowner's Association shall further certify that the number of units constructed in the zone does not exceed the maximum allowed by the Sector Plan.

Sector Plan at § 4.A.7.1 (emphasis added).

Pursuant to the Subdivision Ordinance, the Association has the right to appeal the Decision:

Any person aggrieved by a determination of the Development Review Board acting pursuant to this article may appeal to the City Council by submitting a written application which is received by the Planning Director within 15 days after the date of the city's decision.... Such appeal shall be heard and decided by the City Council or the Land Use Hearing Officer within 60 days of its filing.

Albuquerque, N.M., Code of Ordinances § 14-14-8-4.

The following persons may be considered aggrieved and may file appeals of decisions within the jurisdiction of this article being deemed to have a person or pecuniary interest or property right adversely affected by the decision, which right or interest is more than merely nominal or remote:

* * *

(B) Organized neighborhood associations which have filed their articles of incorporation, bylaws, or other documents indicating their existence ... if the

boundaries of the association include any part of the subject site or any land within 600 feet thereof

Id. at § 14-14-8-2.

Applications for appeal shall clearly articulate the reasons for the appeal; appellants shall specifically cite and explain one or more alleged errors, as follows:

(A) Error in apply adopted city plans, policies, and ordinances in arriving at the decision;

(B) Error in the appealed action or decision, including its stated facts;

(C) Error in acting arbitrarily or capriciously or being manifestly abusive of discretion.

Id. at § 14-14-8-3.

The body of New Mexico administrative law also governs the standards under which Development Review Board's decision should be reversed. A decision of an administrative body is arbitrary and capricious if it is unreasonable or if it does not have a rational basis. Snyder Ranches, Inc. v. Oil Conservation Comm'n of State of New Mexico, 110 N.M. 637, 798 P.2d 587 (1990). "Abuse of discretion" is found where the proceedings were not in the manner required by law, the decisions is not supported by the findings, or the findings are not supported by the evidence. Gallegos v. New Mexico State Corrections Department, 115 N.M. 797, 858 P.2d 1276 (Ct. App. 1992). A municipality must follow its ordinances as written unless proper procedures are followed to amend them. W. Old Town Neighborhood Ass'n v. Albuquerque, 122 N.M. 495, 927 P.2d 529 (Ct. App. 1996).

III. EVIDENCE, ARGUMENTS, AND REASONS FOR APPEAL

A. THE PROPOSED SUBDIVISION FAILS TO COMPLY WITH THE SECTOR PLAN, AS REQUIRED BY THE SUBDIVISION ORDINANCE AND THE SECTOR PLAN ITSELF.

Pursuant to the Subdivision Ordinance, approval of any plat must be done so in accordance with the terms of applicable city and county ordinances, regulations, and rules, as well as New Mexico statutes. See Albuquerque, N.M., Code of Ordinances, §§ 14-14-1-4, 14-14-2-1, 14-14-9-1. The Subdivision Ordinance expressly prohibits the approval of a plat if the plat contains elements "clearly and significantly inconsistent with adopted plans." Id. at 14-14-2-2.

1. The Decision Fails to Comply With the Sector Plan Because It Allows Greater Density at the Borders of High Desert and Greater Density Adjacent to Open Space and Forest Service Land.

In regard to density transition from the center of High Desert to the borders of High Desert, the Sector Plan requires that "as development approaches the [High Desert] boundaries to the north and the east, the density continues to diminish, leaving the least dense residential areas ... as boundaries with natural open space areas." Sector Plan at 3.2. Further, the High Desert Sector Development Plan requires that "[t]he lowest density uses are placed against the Forest, Wilderness, [and] park access" Id. at p. 3.5. Finally, the Sector Development Plan contemplates that "nowhere is the [density] transition more important than the

project boundary with ... the U.S. Forest Service Lands." Id. at 4.5 (preamble).

However, it appears that the proposed plat will achieve the opposite result. The proposed development is adjacent to City of Albuquerque Open Space to the northeast and east (which in turn is immediately adjacent to the Sandia Mountains Wilderness Area) and an open space easement containing the Embudito Arroyo to the south. The site area of the proposed subdivision is 3.9653 acres. The preliminary plat proposes 25 lots with single-family detached homes. Thus, the proposed subdivision contemplates a density of 6.30 dwelling units per acre. See id.

The proposed subdivision described in the plat lies in an area classified as "Semi-Urban" pursuant to the Comprehensive Plan. Comprehensive Plan at p. I-21. The density proposed for the proposed subdivision is higher than the overall gross density of up to three dwelling units per acre contemplated for "Semi-Urban" areas in the Comprehensive Plan. See id.

More importantly, the proposed density is more dense than that of the "center" areas. The proposed subdivision will have land use intensities far greater than those in Sandia Heights and Glenwood Hills. Indeed, the proposed development will be some of the most dense development adjacent to Open Space and the Forest Service lands in all of the Sandia foothills.

Thus, the proposed plat is inconsistent Sector Plan in regard to density transition and density adjacent to open space. See December 5, 2006, letter from H. William Fanning to Ray Berg at p. 1 ("Fanning Analysis") ("The proposal for Wilderness Canyon is not consistent with [density transition] concepts for development in that it would place a relatively high density, two story, development immediately adjacent to City Open Space."); see also December 5, 2006, letter from Ray Berg to Sheran Matson.

There is no indication in the Decision that the Development Review Board took into consideration the Fanning Analysis noted above, the December 5, 2006, letter from Ray Berg to Sheran Matson, the December 3, 2006, letter from Steve Borbas ("Borbas Analysis"), the November 15 and November 21, 2006, letters from Carl Fessler, the petition signed by 66 of the residents of High Desert, and the voluminous in-person testimony provided by concerned residents and representatives of the Association at the several hearings on this matter, all of which addressed the failure of the proposed plat to comply with the Sector Plan in regard to density transition and density adjacent to open space.

Rather, the Decision appears to indicate that the only documentary and testimonial evidence the Development Review Board considered was the November 6, 2006, High Desert Residential Owners

Association letter, which does not address density transition or building adjacent to open space.² Decision at ¶¶ 1-2.

Thus, the Decision is (1) arbitrary and capricious and (2) an abuse of discretion and (3) is utterly in error because the Development Review Board did not correctly apply city plans, policies, and ordinances because there was apparently no consideration of the failure of proposed plat to comply with the Sector Development Plan, a city plan, in regard to density transition and density adjacent to open space.

2. The Proposed Subdivision Does Not Comport With the Sector Plan and the Comprehensive Plan In Regard To the Prohibition on Building on Slopes With 10% Or Greater Grade.

The intent of the Comprehensive Plan and the Sector Plan is to generally prohibit building on lots where the grade of the slope is 10% or greater and to preserve areas in excess of 10% slope in the Sandia foothills as open space. See Comprehensive Plan, p. II-7, at Policy "e" and High Desert Sector Development Plan at 2.2, 2.7, 3.4 and 3.7.

According to the Fanning Analysis, the proposed plat has two areas that "substantially exceed a 10% slope," including the north side along the rear of lots 4 and 5 (approximately 14% slope) and

² The Decision addresses overall density and zoning; however, the Decision fails to address density transition and density adjacent to open space.

on the southwest side along the rear of lots 19 through 21 (approximately 23% slope). Fanning Analysis at p. 3. The Borbas Analysis and the November 15, 2006, letter from Carl Fessler to Sheran Matson also make clear that the proposed plat violates the intent of the Sector Plan in regard to building on severe slopes.

Thus, the proposed plat does not comply with the intent and specific requirements of the Comprehensive Plan and the Sector Plan in regard to building on severe slopes. However, the Decision completely ignored that the proposed plat failed to comply with the Sector Plan in that regard.

Accordingly, for a second significant reason, the Decision is (1) arbitrary and capricious and (2) an abuse of discretion and (3) is utterly in error because the Development Review Board did not correctly apply city plans, policies, and ordinances because there was apparently no consideration of the failure of proposed plat to comply with the Comprehensive Plan and Sector Plan in regard to their general prohibition on building on severe slopes in the Sandia foothills.

3. The Decision Ignores Other Significant Issues With the Proposed Plat, Including Drainage, Traffic, Street Design, and Destruction of Views.

In addition to the proposed plat's failure to comply with the Sector Plan in regard to density transition, density adjacent to open space, and building on slopes with greater than a 10% grade,

the proposed plat presents significant additional issues in regard to the Sector Plan, as demonstrated by the Fanning Analysis, the Borbas Analysis, the petition signed by 66 members of the Association, the many other letters in the record, and the extensive public comment made at the several Development Review Board hearings regarding this matter. Among other things, the proposed plat does not meet the requirements of the Sector Plan because the proposed development (1) will generate traffic problems contrary to the intent of the Sector Plan, (2) will generate drainage issues contrary to the intent of the Sector Plan, and (3) will impair views and will contrast with the existing land form. Finally, the proposed development is not in scale to the existing residences in the immediate area and is otherwise contrary to the spirit and intent of the Sector Plan.

B. THE DECISION IGNORES THE REQUIREMENT THAT THE ASSOCIATION MUST CERTIFY THAT THE PROPOSED PLAT COMPLIES WITH THE SECTOR PLAN PRIOR TO APPROVAL.

In addition to the Subdivision Regulations' requirements that a plat conform with the Sector Plan, the Sector Plan requires that the Association certify to the City at the time of submittal for approval to the Development Review Board that any proposed plat meets the requirements of the Sector Plan. See Sector Plan at § 4.A.7, page 4.4. Significantly, the Association has not certified that the preliminary plat complies with the Sector Plan. See

December 5, 2006, letter from Ray Berg to Sheran Matson. Significantly, the record reflects that the Association has stated the opposite: the preliminary plat does not comply with the Sector Plan.

The Decision appears to have considered only one item of documentary evidence in regard to the Association's required certification of the proposed plat, the November 6, 2006, letter from the Association president, Ray Berg. See Decision at ¶¶ 1-3. However, that letter does not state that the Association certifies that the proposed plat fully complies with the Sector Plan. Instead, that letter states only that the proposed plat meets certain zoning requirements.

Further, the Decision completely ignores the subsequent letter from the Association that states that the "deficiencies of the submissions are broad and pervasive, and indicate a lack of appreciation of the [Sector Plan] requirements." See December 5, 2006, letter from Ray Berg to Sheran Matson at p. 2. That letter also states that it is the opinion of the several consultants engaged by the Association to evaluate the proposed plat that the proposed plat does not meet the requirements of the Sector Plan. Id. at p. 1. Moreover, the Decision ignores the Fanning Analysis, the Borba Analysis, the additional letters and petition submitted to the DRB, and the testimonial evidence presented at the hearings,

much of which focused on the inability of the Association to certify the proposed plat due to the proposed plat's failure to comply with the Sector Plan.

The Development Review Board appears to have considered the Association's November 6, 2006, as adequate not pursuant to the requirements of the Sector Plan, but rather pursuant to the encouragement of the High Desert Investment Corporation ("HDIC"), the master developer of High Desert.

In pertinent part, the Decision states: "[t]he November 6, 2006, High Desert Residential Owners' Association Letter satisfies the intent of the Section 4.A.7. of the High Desert Sector Plan based upon past High Desert Residential Owners' Association letters submitted for previous preliminary plats in High Desert." Decision at ¶ 1. In a November 20, 2006, letter, to the Development Review Board, the president of HDIC states that "[i]n past HDROA plat approvals, at least when directors were appointed by HDIC, Section 4.A.7-1 was interpreted to pertain to assurance that any proposed plat conformed to the zoning for the site." November 20, 2006, letter from Douglas H. Collister to Sharon [sic] Matson at p. 1. Similarly, in a November 28, 2006, letter to the Development Review Board, which was apparently not copied to the Association, another senior representative of the developer writes: "It is our belief that this certification has previously been provided to the

DRB by the letter that was previously submitted into the record, addressed to Sheran Matson, dated November 6, 2006, from Raymond S. Berg, President of the Board, HDROA." November 28, 2006, letter from Kevin G. Patton to Sheran Matson.

Thus, HDIC states when it appointed the board members that conducted certifications on behalf of Association, a process less rigorous than that required by law was performed, and HDIC encourages the Development Review Board to continue to allow a cursory analysis to suffice for plat approval. However, simply because the process was conducted contrary to law in the past is no reason to continue to allow the process to continue in that fashion. Rather, the Development Review Board has an obligation to ensure that the proposed plat is approved only in compliance with the express requirements of the Sector Plan.

The Sector Plan requires a more searching review on the part of the Association than that cited by the Development Review Board. The proposed plat must comply with the entire Sector Plan, not just selected portions thereof, and certainly just not those portions selected by the developer. The Association conducted the more rigorous review as required by the Sector Plan and submitted its findings to the Development Review Board. See e.g. Fanning Analysis, Borbas Analysis, and December 6, 2006, letter from Ray Berg to Sheran Matson. However, the Development Review Board appears to have completely ignored those findings.

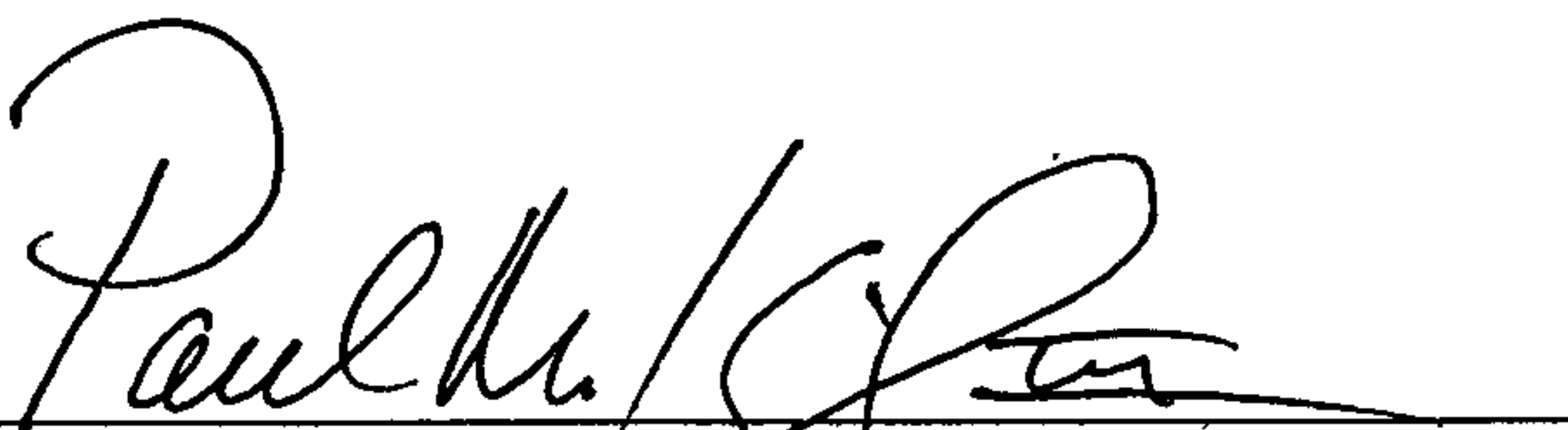
Finally, it is clear that the Development Review Board expressly based the Decision in part on evidence not before the Development Review Board in this matter. See Decision at ¶ 1 ("... based on past High Desert Residential Owners' Association letters submitted for previous preliminary plats").

Thus, the Decision is (1) arbitrary and capricious and (2) an abuse of discretion and (3) is utterly in error because the Development Review Board did not correctly apply city plans, policies, and ordinances because there was apparently no consideration of the Association's clear statement that it could not certify that the proposed plat complies with requirements of the Sector Plan (because it does not), and because the Development Review Board clearly considered evidence outside the record in this matter in reaching its Decision.

C. CONCLUSION

Based on the foregoing, High Desert Residential Owners Association strongly recommends that December 6, 2006, decision of the Development Review Board in Project No. 1004989 (Wilderness Canyon) be reversed; that the applications related to that decision be remanded to the Development Review Board with instructions that a preliminary plat may not be approved unless it fully complies with the High Desert Sector Development Plan's requirements regarding density transition, density adjacent to open space,

slopes, drainage, street design, preservation of views and all other issues described in the High Desert Sector Development Plan; that the preliminary plat may not be approved prior to High Desert Residential Owner's Association's certification of its compliance with the High Desert Sector Development Plan; and for such other different relief as appropriate.

By: 

Paul M. Kienzle III
Scott & Kienzle, P.A.
Attorneys for Appellant
High Desert Residential Owners Association
P.O. Box 587
Albuquerque, NM 87103
505/246-8600; FAX: 246-8682



OFFICIAL NOTICE OF DECISION

CITY OF ALBUQUERQUE
PLANNING DEPARTMENT
DEVELOPMENT REVIEW BOARD

December 6, 2006

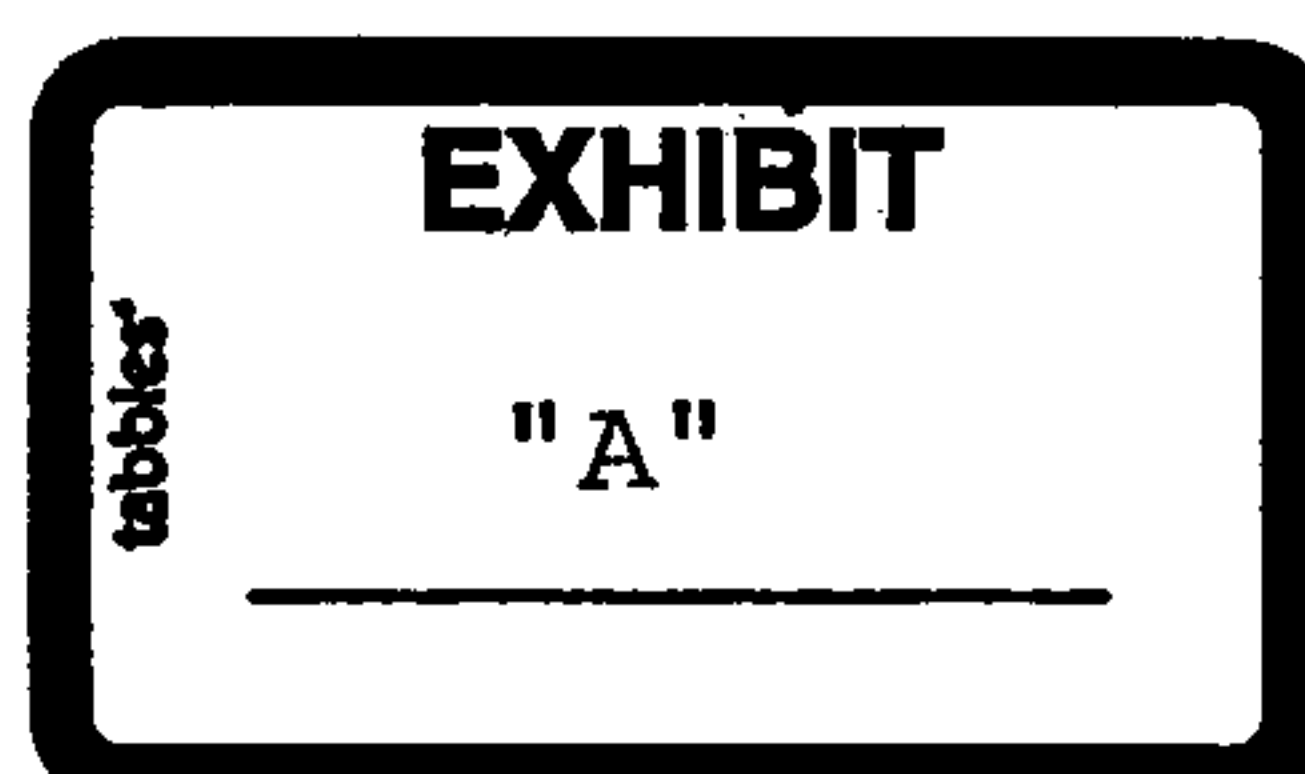
1. Project # 1004989

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

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

At the December 6, 2006, Development Review Board meeting, with the signing of the infrastructure list dated 12/6/06 and approval of the grading plan engineer stamp dated 11/7/06 the preliminary plat was approved with the following findings:

1. The November 6, 2006 High Desert Residential Owners' Association Letter satisfies the intent of Section 4.A.7 of the High Desert Sector Plan based upon past High Desert Residential Owners' Association letters submitted for previous preliminary plats in High Desert.
2. Planning agrees that the preliminary plat submitted for Wilderness Canon at High Desert complies with the zoning, density and lot size requirements of the High Desert Sector Plan.
 - a. Specifically, residential uses in the SU2-HD RR zoning must conform, according to the Sector Plan, to the SU2-HD RG zone. The sector plan states the total number of dwelling units cannot exceed 300. Wilderness Canon's preliminary plat contains 25 lots or 25 dwelling units. High Desert Investment Corporation has stated for the record that the SU2-HD RR zone currently contains 110 units. So even with the addition of these 25 lots, the total is well below the 300 unit limit.





OFFICIAL NOTICE OF DECISION

PAGE 2

- b. One dwelling unit per lot as proposed also conforms to City's RT zoning category to which the SU2-HD RG zoning refers for use and lot size.
 - c. The lot sizes shown on the submitted plat conform to the RT zoning category.
3. The developer must include this statement on the final plat: "The property on this plat is subject to a Pre-Development Facilities Fee Agreement with the Albuquerque Public Schools recorded at [insert recording information here]."

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

FINDINGS:

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

CONDITIONS:

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

A subdivision design variance from minimum DPM standards concerning internal streets was approved as shown on Exhibit C in the Planning file.

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

If you wish to appeal this decision, you must do so by December 21, 2006, in the manner described below.



OFFICIAL NOTICE OF DECISION

PAGE 3

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

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

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

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

Sheran Matson, AICP, DRB Chair

Cc: Bohannon Huston Inc., 7500 Jefferson NE, 87109
Mesa Verde Development Co., 8300 Carmel Ave NE, 87122
John Salazar, Rodey Law Firm, P.O. Box 1888, 87103
Kym Dicome, High Desert Investment Corp., 3791 Southern Blvd SE, Rio Rancho, NM 87124
Douglas Collister, 8524 Snakedance Ct NE, 87111
Ray Berg, 13501 Osage Orange NE, 87111
Debra & Jay Greenhood, 13409 Embudito View Ct NE, 87111
Sam & Jennie Baca, 5000 Cumbre del Sur NE, 87111



OFFICIAL NOTICE OF DECISION

PAGE 4

Arinta Liem, 13419 Wilderness Pl NE, 87111
Robert Pelletier, 5123 High Desert NE, 87111
John Farrow, 2400 Meadowview NW, 87110
Keith Gainer, 5516 Carmelita NE, 87111
Conrad & Marcella Stahly, 5015 Cresta del Sur NE, 87111
Patricia Wittman, 4905 Cresta del Sur Ct NE, 87111
Rob Erickson, 2621-1/2 Granite Ave NE, 87104
Larry Garcia, P.O. Box 1576, Los Lunas, NM 87031
Pat Stovall, 6604 Rogers Ave NE, 87110
Angela Ness, 13213 Manitoba Dr NE, 87111
Charles Young, 13105 Enchantment Ln NW, 87111
Ken Wesselman, 4613 Huntington Dr NE, 87111
Anne Marie Morosin, 13109 Manitoba Dr NE, 87111
Ed Hernandez, 1219 Blue Quail NE, 87112
Alan Clipperton, 13501 Embudito View Ct NE, 87111
Jack Eichorn, 6316 Bobcat Hill Ln NE, 87111
Tarin Davies, 13209 Manitoba NE, 87111
Joe Witte, 1570 West Ella Dr NE, 87048
Armando Lara, 13415 Piedra Grande NE, 87111
Kathleen Conlin, 1021 Orchard NW, 87102
Jeni Turgeon, 720 Tramway Ln NE, #6, 87122
Janet Lentz, 5109 High Desert Place NE, 87111
Carl Fesler, 5005 Cumbre del Sur NE, 87111
Don Kellor, 5004 Cresto del Sur NE, 87111
Christine Ranier, 5016 Cresta del Sur Ct NE, 87111
Marilyn Maldonado, Planning Department, 4th Floor, Plaza del Sol Bldg.
File

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

PAID RECEIPT

APPLICANT NAME HIGH DESERT RESIDENTIAL OWNER'S ASSN
AGENT SCOTT & KIENZLE PA
ADDRESS BOX 587
PROJECT & APP # 1004989/060001776
PROJECT NAME _____

\$ _____ 441032/3424000 Conflict Management Fee
\$ _____ 441006/4983000 DRB Actions
\$ 190.00 441006/4971000 EPC/AA/LUCC Actions & All Appeals
\$ 50.00 441018/4971000 Public Notification
\$ _____ 441006/4983000 DRAINAGE PLAN REVIEW OR TRAFFIC IMPACT STUDY***
() Major/Minor Subdivision () Site Development Plan () Bldg Permit
() Letter of Map Revision () Conditional Letter of Map Revision
() Traffic Impact Study
\$ 240.00 TOTAL AMOUNT DUE

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

CHARGE
LAW OFFICES OF SCOTT & KIENZLE, P.A.
BOX 587
ALBUQUERQUE, NM 87103-0587
(505) 246-8600

BANK OF ALBUQUERQUE, NA
ALBUQUERQUE, NM 87125
95-660/1070

5169

12/21/2006

\$ 240.00

PAY TO THE ORDER OF City of Albuquerque

Two Hundred Forty 00/100

City of Albuquerque

12/21/2006 12:27 PM LOCI ANN

RECEIPT# 00073490 BDN 007 TRANS# 0019
Account 441006 Fund 0110
TRSVRS
\$240.00
MP
\$120.00

MEMO 714.001/HDROA re: Appeal

005169 107006606 7827246980

Thank You

City of Albuquerque



DEVELOPMENT/ PLAN REVIEW APPLICATION

SUBDIVISION

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

SITE DEVELOPMENT PLAN

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

STORM DRAINAGE

- Storm Drainage Cost Allocation Plan

Supplemental form

S Z ZONING & PLANNING

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

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

APPLICANT INFORMATION:

NAME: Carl and Lillian Fesler, Robert & Kathy Pelletier + Eric & Janet Lentz
 ADDRESS: Pelletier PHONE: see below
 CITY: _____ STATE _____ ZIP _____ E-MAIL: _____
 Proprietary interest in site: _____ List all owners: _____
 AGENT (if any): Hessel Yntema PO PHONE: 543-9565
 ADDRESS: Oman - Yntema PA Box 1748 FAX: 2028-272-2879
 CITY: Albuquerque STATE NM ZIP 87103 E-MAIL: hey@oman-law.com

DESCRIPTION OF REQUEST: Appeal of DRB

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

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

Lot or Tract No. Tract A, Unit 2, Wilderness High Desert Block: _____ Unit: _____
 Subdiv. / Addn. Wilderness @ High Desert
 Current Zoning: _____ Proposed zoning: _____
 Zone Atlas page(s): _____ No. of existing lots: _____ No. of proposed lots: _____
 Total area of site (acres): _____ Density if applicable: dwellings per gross acre: _____ dwellings per net acre: _____
 Within city limits? Yes. No, but site is within 5 miles of the city limits.) Within 1000FT of a landfill? _____
 UPC No. _____ MRGCD Map No. _____
 LOCATION OF PROPERTY BY STREETS: On or Near: _____
 Between: _____ and _____

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 # 1004989, 06 DRB 01411 through 01415

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

SIGNATURE Hessel Yntema DATE 12-18-06
 (Print) Hessel Yntema _____ Applicant Agent

FOR OFFICIAL USE ONLY

Form revised 4/04

INTERNAL ROUTING	Application case numbers	Action	S.F.	Fees
<input checked="" type="checkbox"/> All checklists are complete	<u>0600 01768</u>	<u>APPEAL AP</u>		\$ <u>190.00</u>
<input checked="" type="checkbox"/> All fees have been collected				\$ <u>50.00</u>
<input checked="" type="checkbox"/> All case #s are assigned				\$ _____
<input type="checkbox"/> AGIS copy has been sent				\$ _____
<input checked="" type="checkbox"/> Case history #s are listed				\$ _____
<input type="checkbox"/> Site is within 1000ft of a landfill				\$ _____
<input type="checkbox"/> F.H.D.P. density bonus				\$ _____
<input type="checkbox"/> F.H.D.P. fee rebate				\$ _____
	Hearing date <u>APPEAL</u>			Total \$ <u>240.00</u>
<u>Christina</u>	<u>12/18/06</u>	Project # <u>1004989</u>		
Planner signature / date				

FORM A: APPEAL

Appeal to the Zoning Board of Appeals regarding:

DECISION OF THE ZONING HEARING EXAMINER

___ Project number of case being appealed; _____

___ Application number of case being appealed; _____

- ___ Reason for the appeal *
- ___ Appellant's basis of standing as an appellant *
- ___ Letter of authorization from the appellant if this application for appeal is submitted by an agent
- ___ Copy of the Official Notification of Decision regarding the matter being appealed
- ___ Fee (see schedule)

Appeal to the Landmarks and Urban Conservation Commission regarding:

CERTIFICATE OF APPROPRIATENESS DECISION OF THE PLANNING DIRECTOR OR STAFF

___ Project number of case being appealed; _____

___ Application number of case being appealed; _____

- ___ Reason for the appeal *
- ___ Appellant's basis of standing as an appellant *
- ___ Letter of authorization from the appellant if this application for appeal is submitted by an agent
- ___ Copy of the Official Notification of Decision regarding the matter being appealed
- ___ Fee (see schedule)

Appeal to the Environmental Planning Commission regarding:

DECLARATORY RULING OF THE ZONING ENFORCEMENT OFFICER

___ Project number of case being appealed; _____

___ Application number of case being appealed; _____

- ___ Reason for the appeal *
- ___ Appellant's basis of standing as an appellant *
- ___ Letter of authorization from the appellant if this application for appeal is submitted by an agent
- ___ Copy of the Official Notification of Decision regarding the matter being appealed
- ___ Fee (see schedule)

Appeal to the City Council through the Land Use Hearing Officer regarding:

- ADMINISTRATIVE AMENDMENT OR DECISION OF THE PLANNING DIRECTOR OR STAFF
- DETERMINATION OR ACTION OF THE ENVIRONMENTAL PLANNING COMMISSION
- DETERMINATION OR ACTION OF THE DEVELOPMENT REVIEW BOARD
- ACTION OF THE ZONING BOARD OF APPEALS REGARDING AN APPEAL
- DECISION OF THE LANDMARKS AND URBAN CONSERVATION COMMISSION

___ Project number of case being appealed; 1004989

___ Application number of case being appealed; 06 DRB 01411 through ~~01415~~ 01415

- Reason for the appeal *
- Appellant's basis of standing as an appellant * - Nearby landowners
- Letter of authorization from the appellant if this application for appeal is submitted by an agent
- Copy of the Official Notification of Decision regarding the matter being appealed
- ___ Fee (see schedule)

* Criteria for reasonable appeals and criteria for standing as an appellant are given in Zoning Code §14-16-4-4. Any appeal must meet these criteria to be heard. The applicant should review these and other relevant documents carefully before preparing an application for appeal.

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

Hessel Yntema
 Applicant name (print)

12-18-06
 Applicant signature / date



Form revised 10/04 & March 2005

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

Application case numbers
06CC - 01768
 _____ - _____
 _____ - _____

Oliver Senora 12/18/06
 Planner signature / date

Project # 1004989

FESLER/PELLETIER/LENTZ

**REASONS FOR APPEAL OF DRB APPROVAL OF
PRELIMINARY PLAT (06DRB - 01411 through 014115)**

1. The DRB's decision was arbitrary and capricious because the DRB required a certification from the High Desert Residential Owners Association as to whether the proposed preliminary plat complies with the applicable High Desert Sector Plan, but then ignored the certification of the Association that the proposed preliminary plat does not comply with the Sector Plan.
2. The decision was arbitrary and capricious because the DRB could not have and did not evaluate the matters set out in the letter dated December 5, 2006 from Fanning Bard Tatum Architects AIA, Ltd.
3. The proposed preliminary plat does not comply with the Sector Plan because the Association has not certified that the proposed plat meets the requirements of the Sector Plan, and that certification is required for submission of the proposed preliminary plat.
4. The proposed preliminary plat does not meet the requirements of the Sector Plan because, among other reasons:
 - a. the proposed development is densest against forest wilderness and trails;
 - b. the proposed development is not in scale to the existing residences in the immediate area and otherwise is contrary to the spirit and intent of the Sector Plan;
 - c. the proposed development will impair views and will contrast with the existing landform;
 - d. the proposed development appears to violate the "10% Demarcation Line" set out in the Sector Plan, and the proposed development appears to violate the intent of protecting or minimizing the impact of areas with 10% or greater slope;
 - e. the proposed development will generate traffic problems contrary to the intent of the Sector Plan; and
 - f. the proposed development will generate drainage problems contrary to the intent of the Sector Plan.
5. The various grants of "variances" by the DRB do not meet the requirements of state law and City ordinances.

CARL FESLER and LILLIAN FESLER
5005 CUMBRE Del SUR
Albuquerque, NM 87111-2988

December 11, 2006

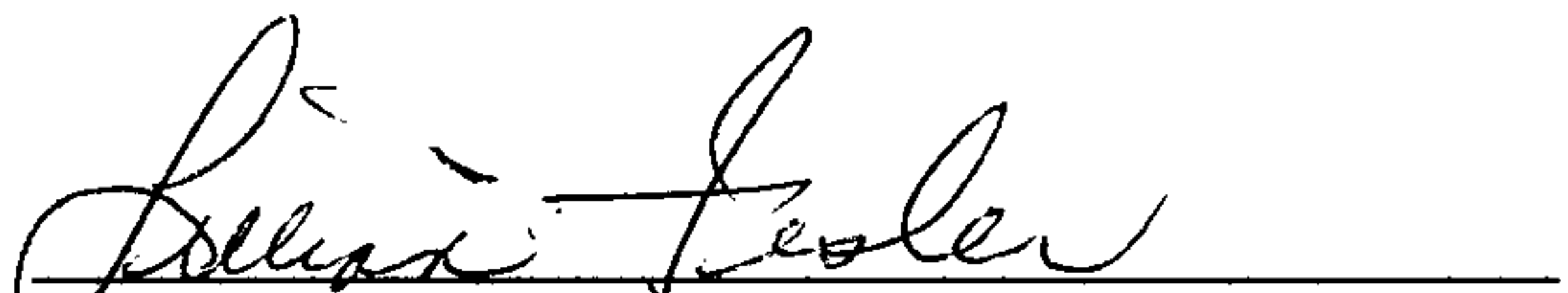
City Planning Department

Appeal
DRB Approval of Preliminary Plat
06DRB - 01411 through 014115

Ladies/Gentlemen:

This letter is to authorize Oman & Yntema P.A. (Hess Yntema) to represent us in an appeal of the DRB decision dated December 6, 2006 for Project #1004989 (Wilderness Canon at High Desert).


CARL FESLER


LILLIAN FESLER

ROBERT PELLETIER and KATHY PELLETIER
5123 High Desert Place NE
Albuquerque, NM 87111

December 11, 2006

City Planning Department

Appeal
DRB Approval of Preliminary Plat
06DRB - 01411 through 014115

Ladies/Gentlemen:

This letter is to authorize Oman & Yntema P.A. (Hess Yntema) to represent us in an appeal of the DRB decision dated December 6, 2006 for Project #1004989 (Wilderness Canon at High Desert).


ROBERT PELLETIER


KATHY PELLETIER

**JANET AND ERIC LENTZ
5109 HIGH DESERT PLACE NE
Albuquerque, NM 87111**

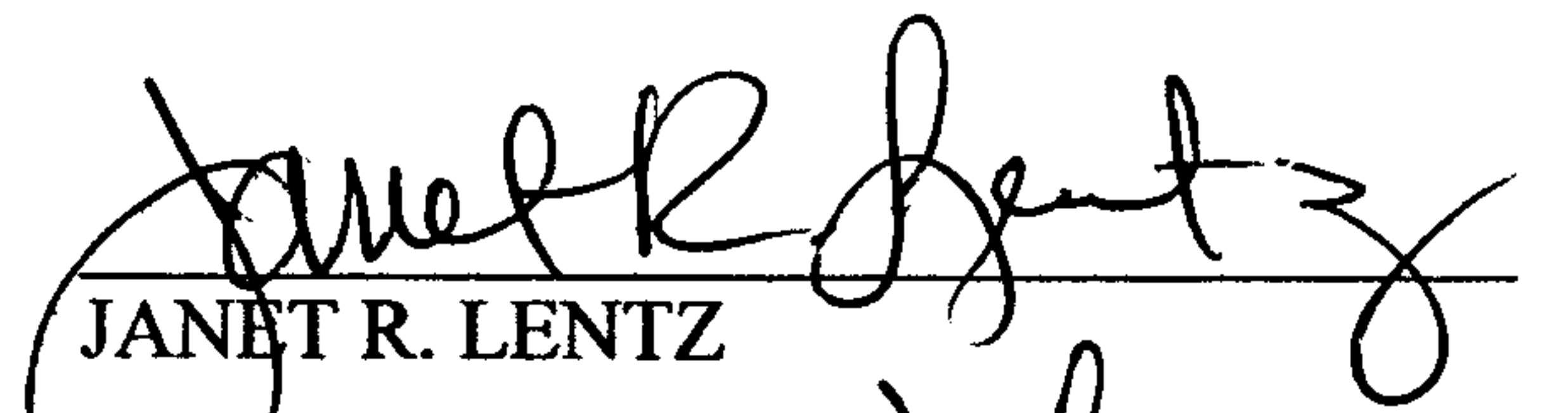
December 13, 2006

City Planning Department

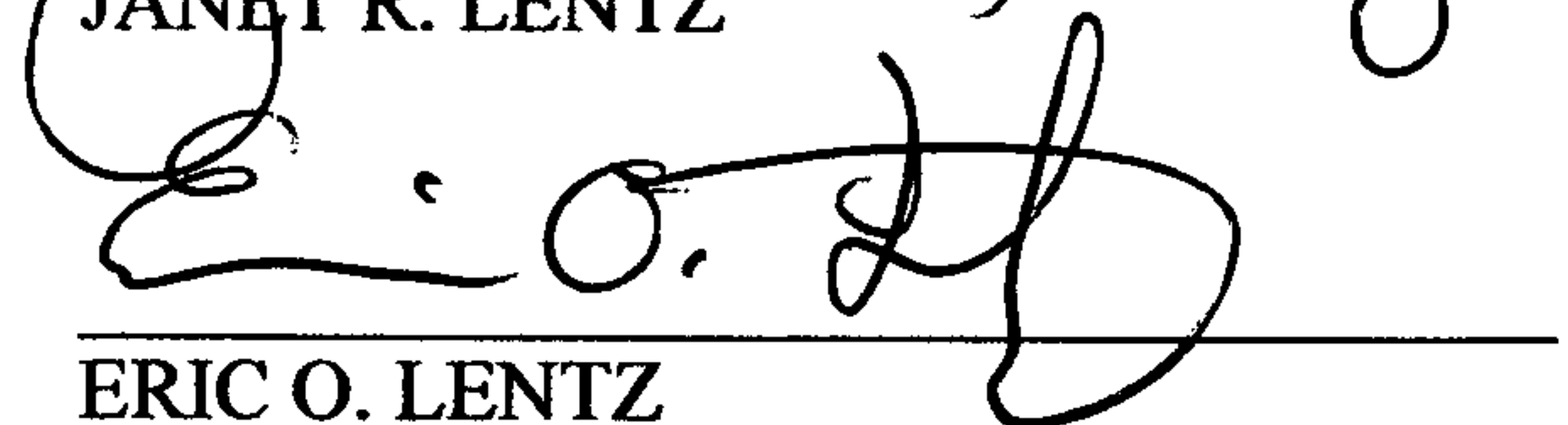
Appeal
DRB Approval of Preliminary Plat
06DRB - 01411 through 014115

Ladies/Gentlemen:

This letter is to authorize Oman & Yntema P.A. (Hess Yntema) to represent us in an appeal of the DRB decision dated December 6, 2006 for Project #1004989 (Wilderness Canon at High Desert).



JANET R. LENTZ



ERIC O. LENTZ



OFFICIAL NOTICE OF DECISION

CITY OF ALBUQUERQUE
PLANNING DEPARTMENT
DEVELOPMENT REVIEW BOARD

December 6, 2006

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

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

At the December 6, 2006, Development Review Board meeting, with the signing of the infrastructure list dated 12/6/06 and approval of the grading plan engineer stamp dated 11/7/06 the preliminary plat was approved with the following findings:

1. The November 6, 2006 High Desert Residential Owners' Association Letter satisfies the intent of Section 4.A.7 of the High Desert Sector Plan based upon past High Desert Residential Owners' Association letters submitted for previous preliminary plats in High Desert.
2. Planning agrees that the preliminary plat submitted for Wilderness Canon at High Desert complies with the zoning, density and lot size requirements of the High Desert Sector Plan.
 - a. Specifically, residential uses in the SU2-HD RR zoning must conform, according to the Sector Plan, to the SU2-HD RG zone. The sector plan states the total number of dwelling units cannot exceed 300. Wilderness Canon's preliminary plat contains 25 lots or 25 dwelling units. High Desert Investment Corporation has stated for the record that the SU2-HD RR zone currently contains 110 units. So even with the addition of these 25 lots, the total is well below the 300 unit limit.

**OFFICIAL NOTICE OF DECISION****PAGE 2**

- b. One dwelling unit per lot as proposed also conforms to City's RT zoning category to which the SU2-HD RG zoning refers for use and lot size.
 - c. The lot sizes shown on the submitted plat conform to the RT zoning category.
3. The developer must include this statement on the final plat: "The property on this plat is subject to a Pre-Development Facilities Fee Agreement with the Albuquerque Public Schools recorded at [insert recording information here]."

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

FINDINGS:

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

CONDITIONS:

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

A subdivision design variance from minimum DPM standards concerning internal streets was approved as shown on Exhibit C in the Planning file.

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

If you wish to appeal this decision, you must do so by December 21, 2006, in the manner described below.

**OFFICIAL NOTICE OF DECISION****PAGE 3**

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

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

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

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

Sheran Matson, AICP, DRB Chair

Cc: Bohannon Huston Inc., 7500 Jefferson NE, 87109
Mesa Verde Development Co., 8300 Carmel Ave NE, 87122
John Salazar, Rodey Law Firm, P.O. Box 1888, 87103
Kym Dicome, High Desert Investment Corp., 3791 Southern Blvd SE, Rio Rancho, NM 87124
Douglas Collister, 8524 Snakedance Ct NE, 87111
Ray Berg, 13501 Osage Orange NE, 87111
Debra & Jay Greenhood, 13409 Embudito View Ct NE, 87111
Sam & Jennie Baca, 5000 Cumbre del Sur NE, 87111

**OFFICIAL NOTICE OF DECISION****PAGE 4**

Arinta Liem, 13419 Wildemess Pl NE, 87111
Robert Pelletier, 5123 High Desert NE, 87111
John Farrow, 2400 Meadowview NW, 87110
Keith Gainer, 5516 Carmelita NE, 87111
Conrad & Marcella Stahly, 5015 Cresta del Sur NE, 87111
Patricia Wittman, 4905 Cresta del Sur Ct NE, 87111
Rob Erickson, 2621-1/2 Granite Ave NE, 87104
Larry Garcia, P.O. Box 1576, Los Lunas, NM 87031
Pat Stovall, 6604 Rogers Ave NE, 87110
Angela Ness, 13213 Manitoba Dr NE, 87111
Charles Young, 13105 Enchantment Ln NW, 87111
Ken Wesselman, 4613 Huntington Dr NE, 87111
Anne Marie Morosin, 13109 Manitoba Dr NE, 87111
Ed Hernandez, 1219 Blue Quail NE, 87112
Alan Clipperton, 13501 Embudito View Ct NE, 87111
Jack Eichorn, 6316 Bobcat Hill Ln NE, 87111
Tarin Davies, 13209 Manitoba NE, 87111
Joe Witte, 1570 West Ella Dr NE, 87048
Armando Lara, 13415 Piedra Grande NE, 87111
Kathleen Conlin, 1021 Orchard NW, 87102
Jeni Turgeon, 720 Tramway Ln NE, #6, 87122
Janet Lentz, 5109 High Desert Place NE, 87111
Carl Fesler, 5005 Cumbre del Sur NE, 87111
Don Kellor, 5004 Cresta del Sur NE, 87111
Christine Ranier, 5016 Cresta del Sur Ct NE, 87111
Marilyn Maldonado, Planning Department, 4th Floor, Plaza del Sol Bldg.
File

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

PAID RECEIPT

APPLICANT NAME Carol & Robert Fester, Robert & Kathy Pelletier
 AGENT Mess Yntema and Eric & Janet Lentz
 ADDRESS _____
 PROJECT & APP # 1004989 (0600 01768)
 PROJECT NAME Wilderness @ High Desert

\$ _____ 441032/3424000 Conflict Management Fee
 \$ _____ 441006/4983000 DRB Actions
 \$ 190.00 441006/4971000 EPC/AA/LUCC Actions & All Appeals
 \$ 50.00 441018/4971000 Public Notification
 \$ _____ 441006/4983000 DRAINAGE PLAN REVIEW OR TRAFFIC IMPACT STUDY***
 () Major/Minor Subdivision () Site Development Plan () Bldg Permit
 () Letter of Map Revision () Conditional Letter of Map Revision
 () Traffic Impact Study

\$ 240.00 TOTAL AMOUNT DUE

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

12/18/2006 11:59AM LOC: ANN
 X RECEIPT# 00068639 WS# 008 TRANS# 0021
 ACCOUNT 441006 Fund 0110
 Activity 4971000 TRSLJS
 Trans Amt \$240.00
 J24 Misc \$190.00

*****DUPLICATE***
City of Albuquerque
Treasury Division**

*****DUPLICATE***
City of Albuquerque
Treasury Division**

12/18/2006 12:00PM LOC: ANN
 X RECEIPT# 00068640 WS# 008 TRANS# 0021
 Account 441018 Fund 0110
 Activity 4971000 TRSLJS
 Trans Amt \$240.00
 J24 Misc \$50.00
 CK \$240.00
 CHANGE \$0.00

Thank You

Thank You

Claire

Date Submitted: 12/20/10
 Date Site Plan Approved: N/A
 Date Preliminary Plat Approved: 12/20/10
 Date Preliminary Plat Expires: 12/20/10?
 DRB Project No. 1004989

ORIGINAL

Figure 12
INFRASTRUCTURE LIST

EXHIBIT "A"
TO SUBDIVISION IMPROVEMENTS AGREEMENT
DEVELOPMENT REVIEW BOARD (D.R.B.) REQUIRED INFRASTRUCTURE LIST

WILDERNESS CANON
(TRACTS A AT WILDERNESS UNIT 2, HIGH DESERT)

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

SIA Sequence #	COA DRC Project #

Size	Type of Improvement	Location	From	To
PRIVATE ROADWAY IMPROVEMENTS - ON-SITE				
22' F-F (IN) 24' F-F (OUT) W/ 6' MEDIAN	RESIDENTIAL PAVING W/ PCC CURB & GUTTER & PCC 6' WIDE SIDEWALK ON ONE SIDE*†	ELEVADA TRAIL	HIGH DESERT PLACE	LOT 22
26' F-F	RESIDENTIAL PAVING W/ PCC CURB & GUTTER & PCC 6' WIDE SIDEWALK ON ONE SIDE*†	ELEVADA TRAIL	LOT 22	PIEDRA ALTA LANE
26' F-F	RESIDENTIAL PAVING W/ PCC CURB & GUTTER & PCC 6' WIDE SIDEWALK ON ONE SIDE*†	PIEDRA CANTO WAY	PIEDRA CANTO WAY TERMINUS	ELEVADA TRAIL
26' F-F	RESIDENTIAL PAVING W/ PCC CURB & GUTTER & PCC 6' WIDE SIDEWALK ON ONE SIDE*†	PIEDRA CERRO WAY	PIEDRA CERRO WAY TERMINUS	ELEVADA TRAIL
26' F-F	RESIDENTIAL PAVING W/ PCC CURB & GUTTER & PCC 6' WIDE SIDEWALK ON ONE SIDE*†	PIEDRA ALTA LANE	NORTH PIEDRA ALTA ALTA TERMINUS	SOUTH PIEDRA ALTA ALTA TERMINUS

*ALL SIDEWALKS TO BE DEFERRED
 †SIDEWALK TO BE WAIVED FRONTING LOTS 1-2, 23-25 AND ADJACENT TO LOTS 12, 15, 23, 25
 **PROVIDE / INSTALL THE NECESSARY ROADWAY SIGNAGE ASSOCIATED W/ THE DEVELOPMENT AS APPROVED BY THE CITY DRC
 ^
 AND STRIPING

Private Inspector	City Inspector	City Cnst Engineer

SIA Sequence #	COA DRC Project #

Size	Type of Improvement	Location	From	To
PUBLIC WATERLINE IMPROVEMENTS - ON-SITE				
10" DIA	WATERLINE W/ NEC. VALVES FH'S, MJ'S & RJ'S	ELEVADA TRAIL	HIGH DESERT PLACE	PIEDRA CERRO WAY
6" DIA	WATERLINE W/ NEC. VALVES FH'S, MJ'S & RJ'S	ELEVADA TRAIL	PIEDRA CERRO WAY	PIEDRA ALTA LANE
6" DIA	WATERLINE W/ NEC. VALVES FH'S, MJ'S & RJ'S	PIEDRA CANTO WAY	ELEVADA TRAIL	PIEDRA ALTA LANE
10" DIA	WATERLINE W/ NEC. VALVES FH'S, MJ'S & RJ'S	PIEDRA CERRO WAY	SOUTH PROPERTY BOUNDARY (LOT 16)	ELEVADA TRAIL
6" DIA	WATERLINE W/ NEC. VALVES FH'S, MJ'S & RJ'S	PIEDRA ALTA LANE	PIEDRA CANTO WAY	SOUTH PIEDRA ALTA ALTA TERMINUS (LOT 11)
	REMOVAL OF EXISTING 6" WATERLINE	LOTS 16-22	LOT 16	HIGH DESERT PLACE

Private Inspector	City Inspector	City Cnst Engineer

Size	Type of Improvement	Location	From	To
PUBLIC SANITARY SEWER IMPROVEMENTS - ON-SITE				
8" DIA	SANITARY SEWER W/ NEC. MH'S & SERVICES	ELEVADA TRAIL	HIGH DESERT PLACE	PIEDRA ALTA LANE
8" DIA	SANITARY SEWER W/ NEC. MH'S & SERVICES	PIEDRA CANTO WAY	PIEDRA CANTO WAY TERMINUS	ELEVADA TRAIL
8" DIA	SANITARY SEWER W/ NEC. MH'S & SERVICES	PIEDRA CERRO WAY	PIEDRA CERRO TERMINUS	ELEVADA TRAIL
8" DIA	SANITARY SEWER W/ NEC. MH'S & SERVICES	PIEDRA ALTA LANE	NORTH PIEDRA ALTA ALTA TERMINUS	SOUTH PIEDRA ALTA ALTA TERMINUS

Size	Type of Improvement	Location	From	To
PUBLIC STORM DRAIN IMPROVMENTS - ON-SITE				
18-36" DIA	RCP W/ NEC. MH'S, LATERALS & INLETS	PIEDRA CANTO WAY/ LOT 5	NORTH PIEDRA ALTA ALTA TERMINUS (LOT 5)	ELEVADA TRAIL
18-36" DIA	RCP W/ NEC. MH'S, LATERALS & INLETS	ELEVADA TRAIL	LOT 19	HIGH DESERT PLACE
NOTE:	A GRADING AND DRAINAGE CERTIFICAITON OF THE APPROVED GRADING PLAN IS REQUIRED PRIOR TO THE RELEASE OF FINANCIAL GUARANTEES			

Size	Type of Improvement	Location	From	To
PRIVATE DRAINAGE IMPROVMENTS - ON-SITE				
2' - 5' WIDE	PCC RIBBON CHANNEL	PRIVATE DRAINAGE EASEMENT	LOT 4	LOT 10
18" DIA	RCP	PRIVATE DRAINAGE ESMNT BTWN LOTS 3 & 4	TRACT OS-5 COA OPEN SPACE	PIEDRA CANTO WAY
NOTE:	THE DEVELOPER WILL EITHER CONSTRUCT \$5,000 WORTH OF DRAINAGE IMPROVMENTS ON THE EXISTING CITY OPEN SPACE ADJACENT TO WILDERNESS CANON OR PROVIDE THAT AMOUNT TO THE CITY TO CONSTRUCT THEIR OWN DRAINAGE IMPROVMENTS.			

ORIGINAL

NOTE: PERIMETER WALL AS APPROVED BY DRB SHALL BE CERTIFIED BY A NM PE PRIOR TO THE RELEASE OF FINANCIAL GUARANTYS. THERE IS NO LANDSCAPING PROPOSED W/IN THE PUBLIC RIGHT OF WAY AT THIS TIME. THERE ARE NO IMPROVEMENTS BEING PROPOSED W/IN THE COA PUBLIC OPEN SPACE AT THIS TIME.

AGENT/OWNER | DEVELOPMENT REVIEW BOARD MEMBER APPROVALS

KEVIN G. PATTON, P.E.
PREPARED BY: PRINT NAME

Donutson 12/06/06 DRB CHAIR DATE
David Flores 12-6-06 (PARKS & GENERAL SERVICES) DATE

BOHANNAN HUSTON INC.
FIRM:

[Signature] 12-6-06 TRANSPORTATION DEVELOPMENT DATE
 AMAFCA DATE

SIGNATURE

William J. Balch 12/6/06 UTILITY DEVELOPMENT DATE
 NEW MEXICO UTILITIES INCORPORATED DATE

MAXIMUM TIME ALLOW TO CONSTRUCT IMPROVEMENTS WITHOUT A DRB EXTENSION

Bradley L. Bigham 12/6/06 CITY ENGINEER DATE
 DATE

--

DESIGN REVIEW COMMITTEE REVISIONS

REVISION	DATE	DRC CHAIR	USER DEPARTMENT	AGENT/OWNER

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

PAID RECEIPT

APPLICANT NAME RODEY LAW FIRM

AGENT _____

ADDRESS _____

PROJECT & APP # 1004989

PROJECT NAME WILDERNESS CAÑON @ HIGH DESERT

\$ _____ 441032/3424000 Conflict Management Fee

\$ 61.50 441006/4983000 DRB Actions COPIES @ 50¢/SHEET @ 123

\$ _____ 441006/4971000 EPC/AA/LUCC Actions & All Appeals

\$ _____ 441018/4971000 Public Notification

\$ _____ 441006/4983000 DRAINAGE PLAN REVIEW OR TRAFFIC IMPACT STUDY***
() Major/Minor Subdivision () Site Development Plan () Bldg Permit
() Letter of Map Revision () Conditional Letter of Map Revision
() Traffic Impact Study

\$ 61.50 TOTAL AMOUNT DUE

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

THIS CHECK IS VOID WITHOUT A COLORED BORDER AND BACKGROUND PLUS A KNIGHT & FINGERPRINT WATERMARK ON THE BACK - HOLD AT ANGLE TO VIEW

RODEY, DICKASON, SLOAN, AKIN & ROBB, P.A.
COUNSELLORS AND ATTORNEYS AT LAW
201 3RD STREET, N.W., SUITE 2200
P.O. BOX 1888
ALBUQUERQUE, NEW MEXICO 87103

Check No. 141755
WELLS FARGO BANK, N.A.
ALBUQUERQUE, NM 87103
Date: November 17, 2006
AMOUNT OF CHECK
\$61.50
DUPLICATE
City of Albuquerque
Treasury Division
11/17/2006 12:15PM
RECEIVED BY 00071889 WSH 007 TRANS# 0030
Account 44100 TWO SIGNATURES REQUIRED IF AMOUNT
Activity 4983000 OF CHECK IS \$1000.00 or above
Trans Amt. SIGNATURE AREA CONTAINS A KNIGHT & FINGERPRINT CHECK WORDING
U.S. PATENTS 5538290, 5515518, 5741183, 5785353, 5984364, 6030000

PAY TO THE ORDER OF
City of Albuquerque
Planning Dept.
600 2nd Street NW, 3rd Floor
Albuquerque, NM 87102

Sixty-one and 50/100 DOLLARS

⑈ 141755 ⑈ ⑈ 107002192⑈ 627 ⑈ 61.50 ⑈
CHANGE \$61.50
\$0.00

Courtyard I
7500 Jefferson St. NE
Albuquerque, NM
87109-4335

www.bhinc.com

voice: 505.823.1000
facsimile: 505.798.7988
toll free: 800.877.5332

SENT VIA FAX

November 21, 2006

Sheran Matson, Chair
Development Review Board
City of Albuquerque
P.O. Box 1293
Albuquerque, New Mexico 87103

Re: Request for a 1 week deferral *to 11/29/06*
Tract A Wilderness Canon DRB# 1004989

Dear Sheran:

We request a one (1) week deferral of the following item associated with Project number DRB 1004989 (Item 6) on the November 22, 2006 agenda: Preliminary plat approval.

If you have any questions or require further information, please call me at 823-1000.

Sincerely,

Kevin Patton

Kevin Patton, P.E.
Senior Vice President
Community Development and Planning Group

SW
Enclosure

ENGINEERING ▲

SPATIAL DATA ▲

ADVANCED TECHNOLOGIES ▲

*** RX REPORT ***

RECEPTION OK

TX/RX NO	8441
CONNECTION TEL	
SUBADDRESS	
CONNECTION ID	
ST. TIME	11/21 11:11
USAGE T	00'28
PGS.	1
RESULT	OK

Courtyard I
7500 Jefferson St. NE
Albuquerque, NM
87109-4335

www.bhinc.com

voice: 505.823.1000
facsimile: 505.798.7988
toll free: 800.877.5332

November 14, 2006

Ms. Sheran Matson
Development Review Board Chair
City Of Albuquerque
P O Box 1293
Albuquerque, NM 87103

Re: Wilderness Cañon @ High Desert (Project # 1004989)

Dear Sheran:

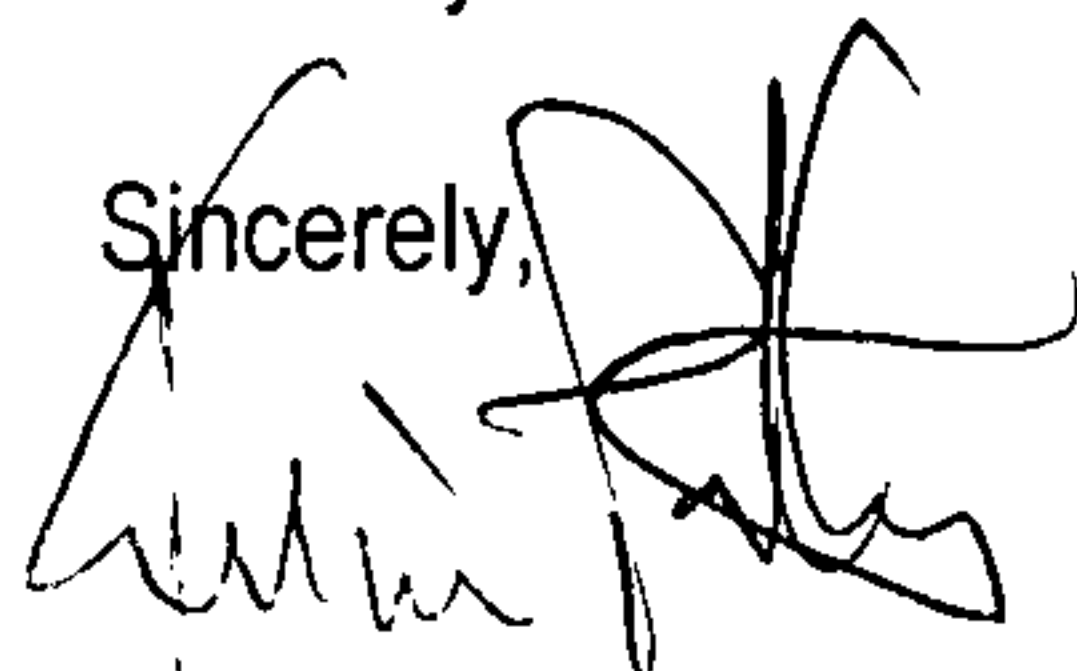
In response to comments received from the D.R.B. review, we are submitting the following revised documents associated with the subject project:

1. Preliminary Plat;
2. Infrastructure List;
3. Perimeter Wall Elevations and Plan View;
4. Grading Plan.

We believe this submittal provides sufficient information to allow the D.R.B. to approve of the subject request.

Should you have comments or questions or require additional information, do not hesitate to call.

Sincerely,



Kevin G. Patton, P.E.
Vice President
Community Development and Planning

KGP/am
Enclosures

ENGINEERING ▲

SPATIAL DATA ▲

ADVANCED TECHNOLOGIES ▲

EXHIBIT A

PRELIMINARY
PRE-DEVELOPMENT FACILITIES FEE AGREEMENT

THIS AGREEMENT is made by and between the Albuquerque Municipal School District No. 12, Bernalillo and Sandoval Counties, New Mexico ("Albuquerque Public Schools" or "APS"), a public school district organized and existing pursuant to the laws of New Mexico, and

Mesa Verde Development, Co. ("Developer")
effective as of this 14 day of November, 2006, and pertains to the
subdivision commonly known as Wilderness Canon at High Desert, and
more particularly described as Tract A of Unit 2 Wilderness

(the "Subdivision".)

WHEREAS, In order to provide for APS becoming more knowledgeable of development plans within the City so that APS may better plan for future growth, the City of Albuquerque requires that APS approve the plat(s) for any new subdivision; and

WHEREAS, Developer is proposing the development of a new residential subdivision, and requires APS approval of the plat for said subdivision; and

WHEREAS, Developer is the owner of the real estate being subdivided and platted; and

WHEREAS, Developer is required by the Albuquerque Subdivision Ordinance to provide appropriate infrastructure and improvements as a condition of developing a subdivision; and

WHEREAS, as a condition of approving such plat APS requires the provision of appropriate infrastructure and facilities or the payment of a facilities fee for each new residence to be constructed to help defray the cost of school construction, expansion, or maintenance; and

WHEREAS, APS has determined that the amount of the facilities fee is reasonably related to the impact the subdivision will have on the operation of the area schools:

THEREFORE, in consideration of the mutual promises contained herein, APS and Developer agree as follows:

1. Developer agrees that a facilities fee will be paid to APS for each dwelling unit to be constructed in the Subdivision.
2. The amount of the fee shall be:

- If the permit is issued on or after January 1, 2010, the fee shall be \$2975 per dwelling unit.

The fee for each dwelling unit in multi-family residential structures shall be sixty percent (60 %) of the fee for a single family home. "Multi-family residential structure" means any type of residential property other than single-family houses (one single family, detached dwelling unit per lot).

3. Developer agrees that the fee shall be paid to APS at or before the issuance of any building permit for any lot or other parcel of property subject to this agreement.
4. Developer may satisfy all or part of its obligations under this contract by transferring improved or unimproved property to APS, provided that APS must agree to the transfer and to the value placed on the transferred property. APS, upon accepting such transfer, shall credit Developer with an amount equal to the agreed value, and the developer may designate the lot(s) to which such amount(s) shall be applied in satisfaction of its obligations hereunder.
5. This contract may be recorded in the office of the County Clerk of Bernalillo and/or Sandoval County, and shall serve as notice of the Developer's obligation to pay facilities fees. Developer shall include on the plat of the Subdivision a statement that "The property on this plat is subject to a Pre-Development Facilities Fee Agreement with the Albuquerque Public Schools, recorded at [recording data]."
6. APS, through its Facilities Fee Administrator, will provide a Payment Acknowledgement in the form attached hereto to the Developer reflecting receipt of the facilities fee (or equivalent compensation as described in paragraph 4 above), which form may be given to the City to show satisfaction of the fee obligation and satisfy that condition for receiving building permits. Developer may record that Payment Acknowledgment in the real estate records of Bernalillo or Sandoval County, but APS shall not be responsible for paying any recording fees nor shall APS be responsible for recording any such documents with the office of the County Clerk or any other office.

DRB Project # 1004989

APS Cluster Eldorado

[Signature]
Signature

Scott Schiabor, President
Name (typed or printed) and title

Mesa Verde Development, Co.
Developer

STATE OF NEW MEXICO
COUNTY OF BERNALILLO

This instrument was acknowledged before me on 11-14-2006, by Scott Schiabor as President of Mesa Verde Development, a corporation.



OFFICIAL SEAL
STEPHANIE L. WALTON
NOTARY PUBLIC - STATE OF NEW MEXICO
My Commission Expires: 6-24-07

Stephanie L. Walton
Notary Public

My commission expires: 6-24-2007

ALBUQUERQUE PUBLIC SCHOOLS

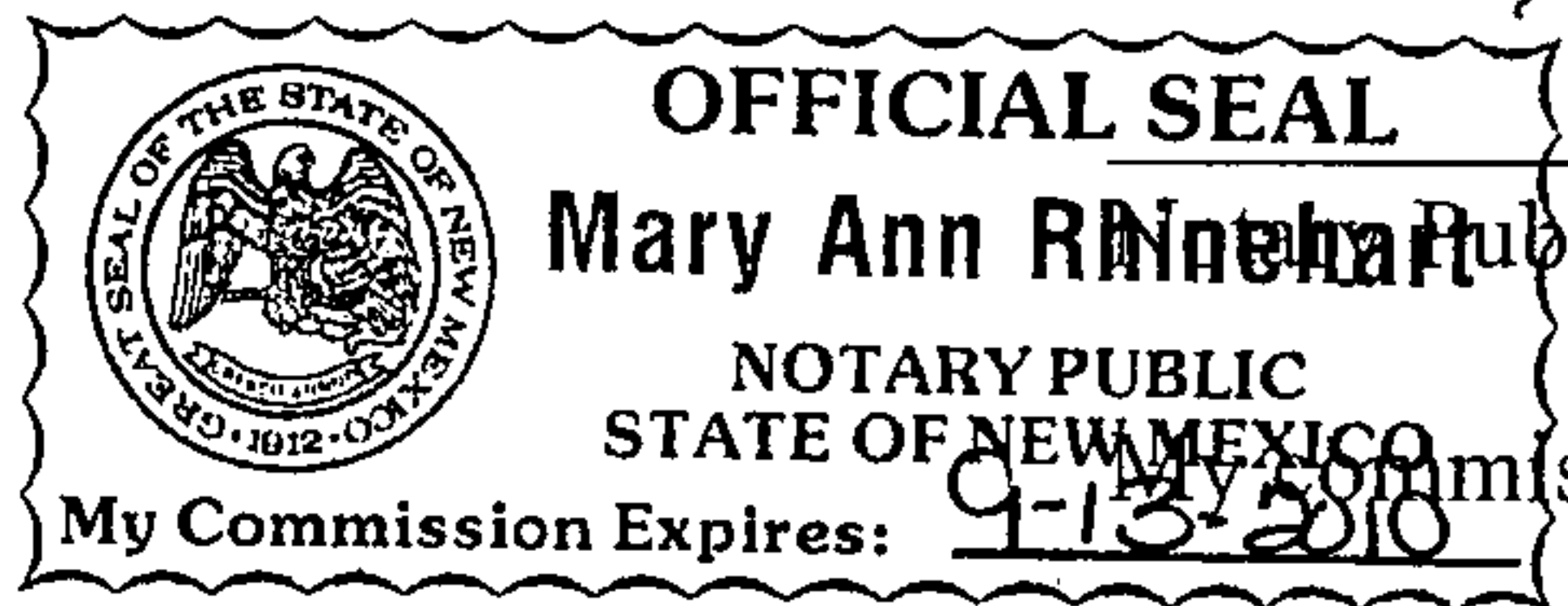
By: Brad Winters
Signature

BRAD WINTER Ex Dir Facilities
Name (typed or printed) and title

STATE OF NEW MEXICO
COUNTY OF BERNALILLO

This instrument was acknowledged before me on 11/14/06, by Brad Winters as Executive Director of the Albuquerque Municipal School District No. 12, Bernalillo and Sandoval Counties, a school district organized and existing under the laws of the State of New Mexico.

(Seal)



Mary Ann Rinehart
Notary Public
My Commission Expires: 9/13/2010

Current DRC
Project No. _____

Date Submitted: _____
Date Site Plan Approved: N/A
Date Preliminary Plat Approved: _____
Date Preliminary Plat Expires: _____

DRB Project No. 1004989

Figure 12

INFRASTRUCTURE LIST

EXHIBIT "A"
TO SUBDIVISION IMPROVEMENTS AGREEMENT
DEVELOPMENT REVIEW BOARD (D.R.B.) REQUIRED INFRASTRUCTURE LIST

WILDERNESS CANON
(TRACTS A AT WILDERNESS UNIT 2, HIGH DESERT)

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

SIA Sequence #	COA DRC Project #	Size	Type of Improvement	Location	From	To	Private Inspector	City Inspector	City Cnst Engineer
<u>PRIVATE ROADWAY IMPROVEMENTS - ON-SITE</u>									
		22' F-F (IN) 24' F-F (OUT) W/ 6' MEDIAN	RESIDENTIAL PAVING W/ PCC CURB & GUTTER & PCC 6' WIDE SIDEWALK ON ONE SIDE*†	ELEVADA TRAIL	HIGH DESERT PLACE	LOT 22	/	/	/
		26' F-F	RESIDENTIAL PAVING W/ PCC CURB & GUTTER & PCC 6' WIDE SIDEWALK ON ONE SIDE*†	ELEVADA TRAIL	LOT 22	PIEDRA ALTA LANE	/	/	/
		26' F-F	RESIDENTIAL PAVING W/ PCC CURB & GUTTER & PCC 6' WIDE SIDEWALK ON ONE SIDE*†	PIEDRA CANTO WAY	PIEDRA CANTO WAY TERMINUS	ELEVADA TRAIL	/	/	/
		26' F-F	RESIDENTIAL PAVING W/ PCC CURB & GUTTER & PCC 6' WIDE SIDEWALK ON ONE SIDE*†	PIEDRA CERRO WAY	PIEDRA CERRO WAY TERMINUS	ELEVADA TRAIL	/	/	/
		26' F-F	RESIDENTIAL PAVING W/ PCC CURB & GUTTER & PCC 6' WIDE SIDEWALK ON ONE SIDE*†	PIEDRA ALTA LANE	NORTH PIEDRA ALTA ALTA TERMINUS	SOUTH PIEDRA ALTA ALTA TERMINUS	/	/	/
		*ALL SIDEWALKS TO BE DEFERRED †SIDEWALK TO BE WAIVED FRONTING LOTS 1-2, 23-25 AND ADJACENT TO LOTS 12, 15, 23, 25							

SIA Sequence #	COA DRC Project #

Size	Type of Improvement	Location	From	To
PUBLIC WATERLINE IMPROVEMENTS - ON-SITE				
10" DIA	WATERLINE W/ NEC. VALVES FH'S, MJ'S & RJ'S	ELEVADA TRAIL	HIGH DESERT PLACE	PIEDRA CERRO WAY
6" DIA	WATERLINE W/ NEC. VALVES FH'S, MJ'S & RJ'S	ELEVADA TRAIL	PIEDRA CERRO WAY	PIEDRA ALTA LANE
6" DIA	WATERLINE W/ NEC. VALVES FH'S, MJ'S & RJ'S	PIEDRA CANTO WAY	ELEVADA TRAIL	PIEDRA ALTA LANE
10" DIA	WATERLINE W/ NEC. VALVES FH'S, MJ'S & RJ'S	PIEDRA CERRO WAY	SOUTH PROPERTY BOUNDARY (LOT 16)	ELEVADA TRAIL
6" DIA	WATERLINE W/ NEC. VALVES FH'S, MJ'S & RJ'S	PIEDRA ALTA LANE	PIEDRA CANTO WAY	SOUTH PIEDRA ALTA ALTA TERMINUS (LOT 11)
	REMOVAL OF EXISTING 6" WATERLINE	LOTS 16-22	LOT 16	HIGH DESERT PLACE

Private Inspector	City Inspector	City Cnst Engineer
/	/	/
/	/	/
/	/	/
/	/	/
/	/	/
/	/	/

Size	Type of Improvement	Location	From	To
PUBLIC SANITARY SEWER IMPROVEMENTS - ON-SITE				
8" DIA	SANITARY SEWER W/ NEC. MH'S & SERVICES	ELEVADA TRAIL	HIGH DESERT PLACE	PIEDRA ALTA LANE
8" DIA	SANITARY SEWER W/ NEC. MH'S & SERVICES	PIEDRA CANTO WAY	PIEDRA CANTO WAY TERMINUS	ELEVADA TRAIL
8" DIA	SANITARY SEWER W/ NEC. MH'S & SERVICES	PIEDRA CERRO WAY	PIEDRA CERRO TERMINUS	ELEVADA TRAIL
8" DIA	SANITARY SEWER W/ NEC. MH'S & SERVICES	PIEDRA ALTA LANE	NORTH PIEDRA ALTA ALTA TERMINUS	SOUTH PIEDRA ALTA ALTA TERMINUS

/	/	/
/	/	/
/	/	/
/	/	/

Size	Type of Improvement	Location	From	To
PUBLIC STORM DRAIN IMPROVEMENTS - ON-SITE				
18-36" DIA	RCP W/ NEC. MH'S, LATERALS & INLETS	PIEDRA CANTO WAY/ LOT 5	NORTH PIEDRA ALTA ALTA TERMINUS (LOT 5)	ELEVADA TRAIL
18-36" DIA	RCP W/ NEC. MH'S, LATERALS & INLETS	ELEVADA TRAIL	LOT 19	HIGH DESERT PLACE
NOTE:	A GRADING AND DRAINAGE CERTIFICATION OF THE APPROVED GRADING PLAN IS REQUIRED PRIOR TO THE RELEASE OF FINANCIAL GUARANTEES			

/	/	/
/	/	/
/	/	/

Size	Type of Improvement	Location	From	To
PRIVATE DRAINAGE IMPROVEMENTS - ON-SITE				
2' - 5' WIDE	PCC RIBBON CHANNEL	PRIVATE DRAINAGE EASEMENT	LOT 4	LOT 10
18" DIA	RCP	PRIVATE DRAINAGE ESMNT BTWN LOTS 3 & 4	TRACT OS-5 COA OPEN SPACE	PIEDRA CANTO WAY

/	/	/
/	/	/

NOTE: PERIMETER WALL AS APPROVED BY DRB SHALL BE CERTIFIED BY A NM PE PRIOR TO THE RELEASE OF FINANCIAL GUARANTYS. THERE IS NO LANDSCAPING PROPOSED W/IN THE PUBLIC RIGHT OF WAY AT THIS TIME. THERE ARE NO IMPROVEMENTS BEING PROPOSED W/IN THE COA PUBLIC OPEN SPACE AT THIS TIME.

AGENT/OWNER DEVELOPMENT REVIEW BOARD MEMBER APPROVALS

KEVIN G. PATTON, P.E.
PREPARED BY: PRINT NAME

DRB CHAIR DATE

PARKS & GENERAL SERVICES DATE

BOHANNAN HUSTON INC.
FIRM:

TRANSPORTATION DEVELOPMENT DATE

AMAFCA DATE

SIGNATURE

UTILITY DEVELOPMENT DATE

NEW MEXICO UTILITIES INCORPORATED DATE

MAXIMUM TIME ALLOW TO CONSTRUCT IMPROVEMENTS WITHOUT A DRB EXTENSION

CITY ENGINEER DATE

DATE

DESIGN REVIEW COMMITTEE REVISIONS

REVISION	DATE	DRC CHAIR	USER DEPARTMENT	AGENT/OWNER

Courtyard I
7500 Jefferson St. NE
Albuquerque, NM
87109-4335

www.bhinc.com

voice: 505.823.1000
facsimile: 505.798.7988
toll free: 800.877.5332

SENT VIA FAX

November 7, 2006

Sheran Matson, Chair
Development Review Board
City of Albuquerque
P.O. Box 1293
Albuquerque, New Mexico 87103

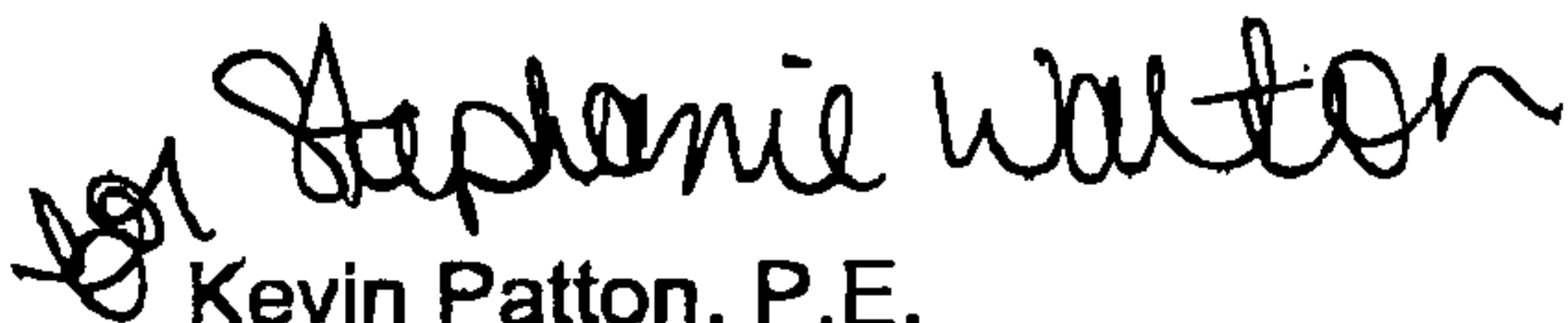
Re: Request for 1 week Deferral

Dear Sheran:

We request a 1 week deferral of the following item associated with Project number DRB 1004989 (Item 5) on the November 8, 2006 agenda: Preliminary plat, vacation of public easements, design variance, and Sidewalk waiver and deferral.

If you have any questions or require further information, please call me at 823-1000.

Sincerely,



Kevin Patton, P.E.
Vice President
Community Development and Planning Group

SW
Enclosure

Current DRC
Project No.

ORIGINAL

Date Submitted: 9.29.06
 Date Site Plan Approved: N/A
 Date Preliminary Plat Approved: _____
 Date Preliminary Plat Expires: _____
 DRB Project No. 1004989

Figure 12

INFRASTRUCTURE LIST

EXHIBIT "A"
TO SUBDIVISION IMPROVEMENTS AGREEMENT
DEVELOPMENT REVIEW BOARD (D.R.B.) REQUIRED INFRASTRUCTURE LIST

**WILDERNESS CANON
(TRACTS A AT WILDERNESS UNIT 2, HIGH DESERT)**

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

SIA Sequence #	COA DRC Project #	Size	Type of Improvement	Location	From	To	Private Inspector	City Inspector	City Cnst Engineer
PRIVATE ROADWAY IMPROVEMENTS - ON-SITE (SCOTT PATRICK HOMES)									
		23' F-F (IN) 23' F-F (OUT) W/ 6' MEDIAN	RESIDENTIAL PAVING W/ PCC CURB & GUTTER & PCC 6' WIDE SIDEWALK ON ONE SIDES*†	ELEVADA TRAIL	HIGH DESERT PLACE	LOT 22	/	/	/
		26' F-F	RESIDENTIAL PAVING W/ PCC CURB & GUTTER & PCC 6' WIDE SIDEWALK ON ONE SIDES*†	ELEVADA TRAIL	LOT 22	PIERDA ALTA LANE	/	/	/
		26' F-F	RESIDENTIAL PAVING W/ PCC CURB & GUTTER & PCC 6' WIDE SIDEWALK ON ONE SIDES*†	PIEDRA CANTO WAY	PIEDRA CANTO WAY TERMINUS	ELEVADA TRAIL	/	/	/
		26' F-F	RESIDENTIAL PAVING W/ PCC CURB & GUTTER & PCC 6' WIDE SIDEWALK ON ONE SIDES*†	PIERDA CERRO WAY	PIERDA CERRO WAY TERMINUS	ELEVADA TRAIL	/	/	/
		26' F-F	RESIDENTIAL PAVING W/ PCC CURB & GUTTER & PCC 6' WIDE SIDEWALK ON ONE SIDES*†	PIERDA ALTA LANE	NORTH PIERDA ALTA ALTA TERMINUS	SOUTH PIERDA ALTA ALTA TERMINUS	/	/	/
		*ALL SIDEWALKS TO BE DEFERRED †SIDEWALK TO BE WAIVED FRONTING LOTS 1-2; 23-25 AND ADJACENT TO LOTS 12, 15, 23, 25							



DEVELOPMENT PLAN REVIEW APPLICATION

SUBDIVISION, ZONING, SITE DEVELOPMENT PLAN, APPEAL / PROTEST of... with checkboxes for various actions and forms.

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.

APPLICANT INFORMATION:

NAME: MESA VERDE DEVELOPMENT CO. ADDRESS: 8300 CARMEL AVE. NE CITY: ALBUQUERQUE STATE NM ZIP 87122 PHONE: 828-9900 FAX: 828-9901 E-MAIL: ...

DESCRIPTION OF REQUEST: PRELIMINARY PLAT, VACATION OF PUBLIC EASEMENTS, SIDEWALK WAIVER AND DEFERRAL, SUBDIVISION DESIGN VARIANCE

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

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

Lot or Tract No. TRACT A Block: Unit: Subdiv. / Addn. TRACT A UNIT 2 WILDERNESS AT HIGH DESERT/ TBKA: WILDERNESS CANON AT HIGH DESERT Current Zoning: SU-2/ HD R-R Proposed zoning: Zone Atlas page(s): F-23 No. of existing lots: 1 No. of proposed lots: 25 Total area of site (acres): 3.9653 Density if applicable: dwellings per gross acre: dwellings per net acre: Within city limits? [X] Yes. No [], but site is within 5 miles of the city limits (DRB jurisdiction.) Within 1000FT of a landfill? No UPC No. 102306149424510167 MRGCD Map No. LOCATION OF PROPERTY BY STREETS: On or Near: HIGH DESERT PL. NE Between: TRAIL HEAD RD. NE and EMBUDITO VIEW CT. NE

CASE HISTORY:

List any current or prior case number that may be relevant to your application (Proj., App., DRB-, AX, Z, V, S, etc.): DRB 1002945, 06 DRB 00933, 04 DRB - 01723, 04 DRB 00713 Check-off if project was previously reviewed by Sketch Plat/Plan [X], or Pre-application Review Team []. Date of review: 6/28/2006

SIGNATURE [Signature] DATE 9/29/2006 (Print) KEVIN PATTON [] Applicant [X] Agent

FOR OFFICIAL USE ONLY

Form revised 9/01, 3/03

Table with columns: INTERNAL ROUTING, Application case numbers, Action, S.F., Fees. Includes checklist items and a table of case numbers and fees.

Sandy Handley 09/29/06 Planner signature / date

Project # 1004989

FORM V: SUBDIVISION VARIANCES & VACATIONS

BULK LAND VARIANCE

(PUBLIC HEARING CASE)

- ___ Application for subdivision (Plat) on FORM S-3, including those submittal requirements. **24 copies** of the plat are required. The Variance and subdivision should be applied for simultaneously.
 - ___ Letter briefly describing and explaining: the request, compliance with criteria in the Development Process Manual, and any 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) Fee is for Variance. Plat fee is listed on FORM-S.
 - ___ Any original and/or related file numbers are listed on the cover application
- DRB Public hearings are approximately ONE MONTH after the filing deadline. Your attendance is required.**

~~___~~ **VACATION OF PUBLIC RIGHT-OF-WAY**

VACATION OF PUBLIC EASEMENT

- ___ The complete document which created the public easement (folded to fit into an 8.5" by 14" pocket) **24 copies**. (Not required for dedicated and City owned public right-of-way.)
 - ___ Drawing showing the easement or right-of-way to be vacated, its relation to existing streets, etc. (not to exceed 8.5" by 14") **24 copies**
 - ___ Zone Atlas map with the entire property(ies) precisely and clearly outlined and crosshatched (to be photocopied)
 - ___ Letter briefly describing, explaining, and justifying the request
 - ___ Office of Community & Neighborhood Coordination inquiry response, notifying letter, certified mail receipts
 - ___ Sign Posting Agreement
 - ___ Fee (see schedule)
 - ___ Any original and/or related file numbers are listed 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 ONE MONTH after the filing deadline. Your attendance is required.

SUBDIVISION DESIGN VARIANCE (VARIANCE FROM MINIMUM STANDARDS OF THE DPM)

SIDEWALK DESIGN VARIANCE

SIDEWALK WAIVER

- ___ 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) precisely and clearly outlined and crosshatched (to be photocopied)
 - ___ Letter briefly describing, explaining, and justifying the variance or waiver
 - ___ Any original and/or related file numbers are listed on the cover application
- DRB meetings are approximately 8 DAYS after the Tuesday noon filing deadline. Your attendance is required.**

TEMPORARY DEFERRAL OF SIDEWALK CONSTRUCTION

EXTENSION OF THE SIA FOR TEMPORARY DEFERRAL OF SIDEWALK CONSTRUCTION

- ___ 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) precisely and clearly outlined and crosshatched (to be photocopied)
 - ___ Letter briefly describing, explaining, and justifying the deferral or extension
 - ___ Any original and/or related file numbers are listed on the cover application
- DRB meetings are approximately 8 DAYS after the Tuesday noon filing deadline. Your attendance is required.**

VACATION OF PRIVATE EASEMENT

- ___ The complete document which created the private easement (not to exceed 8.5" by 14") **6 copies**
 - ___ Scale drawing showing the easement to be vacated, its relation to existing streets, etc. (folded to fit into an 8.5" by 14" pocket) **6 copies**
 - ___ Zone Atlas map with the entire property(ies) precisely and clearly outlined and crosshatched (to be photocopied)
 - ___ Letter briefly describing, explaining, and justifying the vacation
 - ___ Letter of authorization from the grantors and the beneficiaries
 - ___ Fee (see schedule)
 - ___ Any original and/or related file numbers are listed 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.

VACATION OF RECORDED PLAT

- ___ **6 copies** of the recorded plat to be vacated.
 - ___ **6 copies** of documents justifying the vacation.
 - ___ Zone Atlas map with the entire property(ies) precisely and clearly outlined and crosshatched (to be photocopied)
 - ___ Letter briefly describing, explaining, and justifying the vacation
 - ___ Any original and/or related file numbers are listed on the cover application
- I, the applicant, acknowledge that any information required but not submitted with this application will likely result in deferral of actions.
Office of Community & Neighborhood Coordination inquiry response, notifying letter, certified mail receipts
DRB meetings are approximately 8 DAYS after the Tuesday noon filing deadline. Your attendance is required.

Applicant name (print)
Applicant signature / date



Form revised 4/03, 10/03 and APRIL 2006

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

Application case numbers
 06 DRB _____ - 01412
 06 DRB _____ - 01413
 06 DRB _____ - 01414
 06 DRB _____ 01415

Sandy Handley 09/29/06
 Planner signature / date
 Project # 1004989

Timothy 9-29-06

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

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

MAJOR SUBDIVISION PRELIMINARY PLAT APPROVAL

- Proposed Preliminary Plat including the Grading Plan (folded to fit into an 8.5" by 14" pocket) **24** copies
 - Proposed Infrastructure List
 - Design elevations & cross sections of perimeter walls **3 copies** (11" x 17" maximum)
 - Zone Atlas map with the entire property(ies) precisely and clearly outlined and crosshatched (to be photocopied)
 - Letter briefly describing, explaining, and justifying the request
 - Property owner's and City Surveyor's signature on the proposed plat
 - FORM DRWS Drainage Report, Water & Sewer availability statement filing information
 - Office of Community & Neighborhood Coordination inquiry response, notifying letter, certified mail receipts
 - Sign Posting Agreement
 - Signed** Pre-Annexation Agreement if Annexation required.
 - TIS/AQIA Traffic Impact Study / Air Quality Impact Assessment form
 - Fee (see schedule)
 - Any original and/or related file numbers are listed on the cover application
- Preliminary plat approval expires after one year.
 DRB Public hearings are approximately ONE MONTH after the filing deadline. **Your attendance is required.**

- MAJOR SUBDIVISION AMENDMENT TO PRELIMINARY PLAT (with significant changes)**
- MAJOR SUBDIVISION AMENDMENT TO INFRASTRUCTURE LIST (with significant changes)**
- MAJOR SUBDIVISION AMENDMENT TO GRADING PLAN (with significant changes)**

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

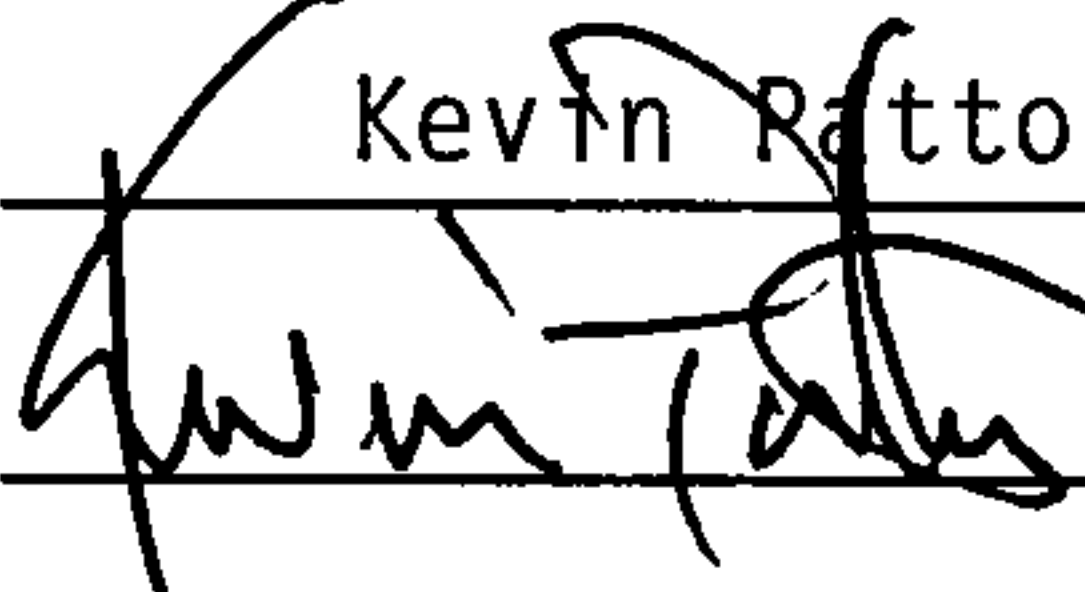
- Proposed Amended Preliminary Plat, and/or Infrastructure List, and/or Grading Plan (folded to fit into an 8.5" by 14" pocket) **24** copies
 - Original Preliminary Plat, and/or Infrastructure List, and/or Grading Plan (folded to fit into an 8.5" by 14" pocket)
 - Zone Atlas map with the entire property(ies) precisely and clearly outlined and crosshatched (to be photocopied)
 - Letter briefly describing, explaining, and justifying the request
 - Property owner's and City Surveyor's signature on the proposed amended plat, if the preliminary plat is being amended
 - Office of Community & Neighborhood Coordination inquiry response, notifying letter, certified mail receipts
 - Sign Posting Agreement
 - Any original and/or related file numbers are listed on the cover application
- Amended preliminary plat approval expires after one year.
 DRB Public hearings are approximately ONE MONTH after the filing deadline. **Your attendance is required.**

MAJOR SUBDIVISION EXTENSION OF SUBDIVISION IMPROVEMENTS AGREEMENT (Temporary sidewalk deferral uses FORM-V)

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

DRB Public hearings are approximately ONE MONTH after the filing deadline. Your attendance is required.

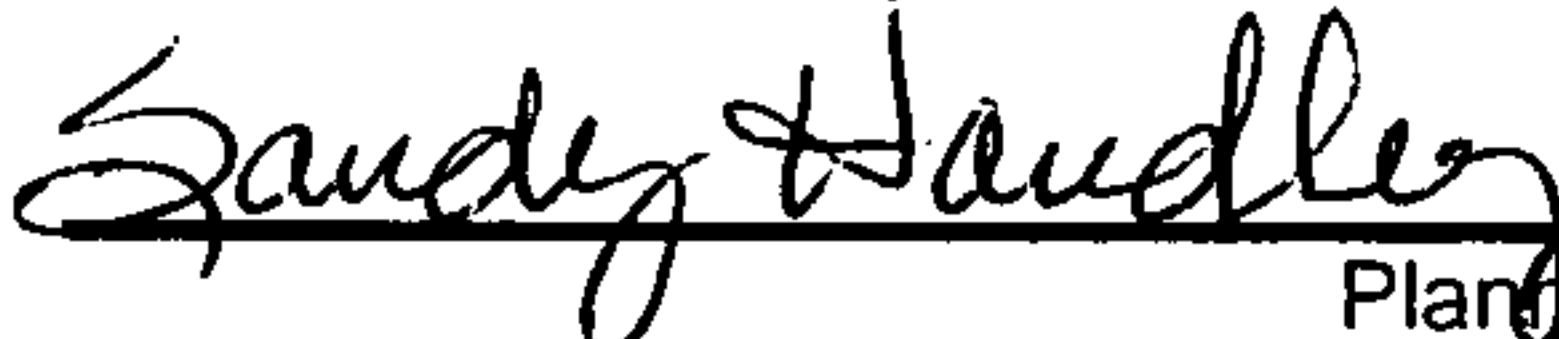
I, the applicant, acknowledge that any information required but not submitted with this application will likely result in deferral of actions.

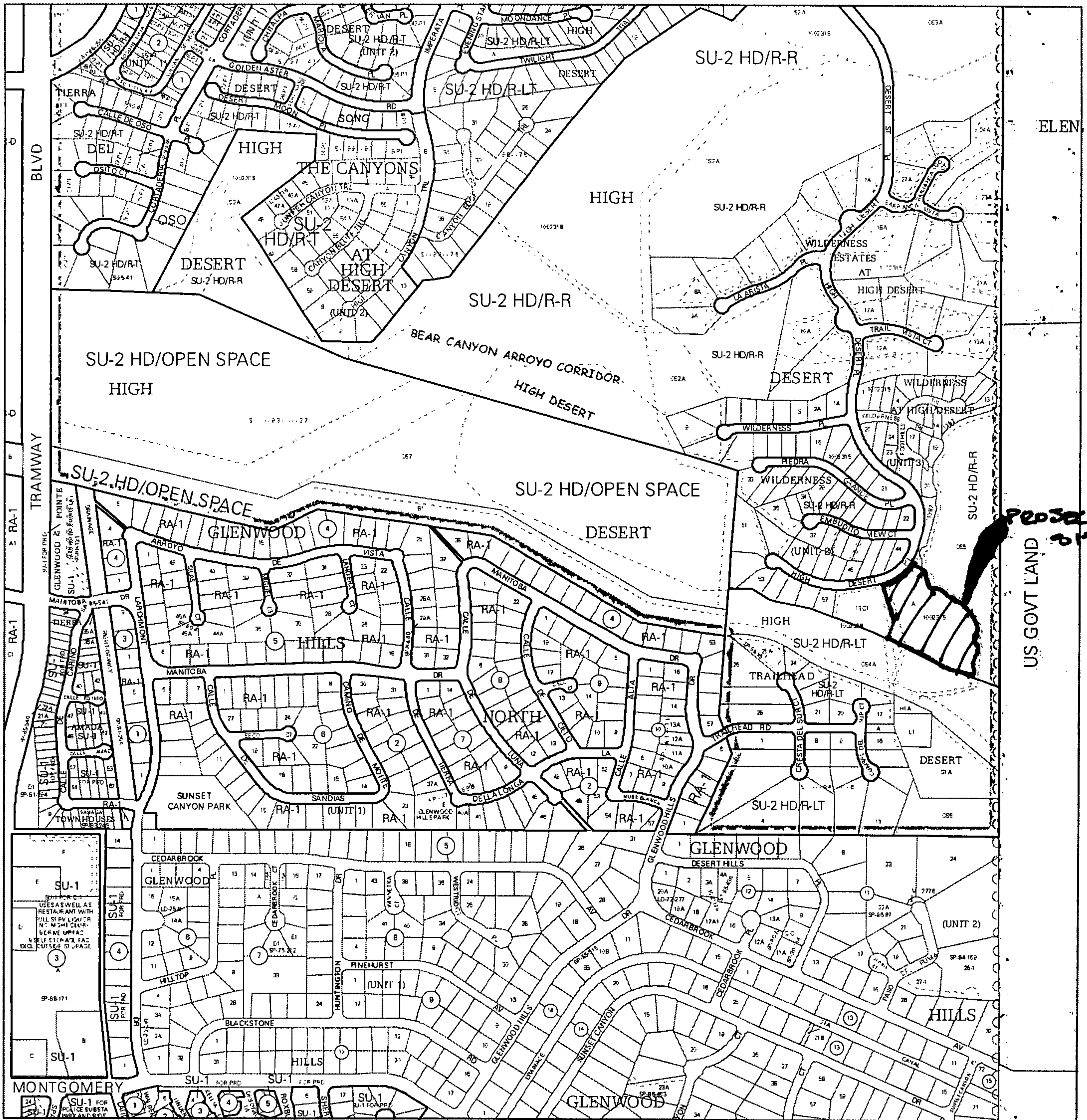
Kevin Patton
 Applicant name (print)

 Applicant signature / date
 9-29-06



Form revised 11/04 and JUNE 05

- Checklists complete
 - Fees collected
 - Case #s assigned
 - Related #s listed
- Application case numbers
 06DRB -01411


 Planner signature / date
 09/29/06
Project # 1004989



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

AGIS
Albuquerque Geographic Information System

Map amended through: Aug 08, 2006

Note: Grey Shading Represents Area Outside of the City Limits

Zone Atlas Page:
F-23-Z

Selected Symbols

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

0 750 1,500 Feet

September 29, 2006

Sheran Matson, Chair
Development Review Board
City of Albuquerque
P.O. Box 1293
Albuquerque, New Mexico 87103

Re: Preliminary Plat, Sidewalk Waiver, Sidewalk Deferral, Vacation of Public Easement, and
Variance to the Subdivision Standards
Wilderness Canon at High Desert (Tract A of Wilderness Unit 2)

Dear Sheran:

Enclosed for Development Review Board (DRB) review and approval are copies of the following information:

- Applications for Development Review
- Twenty-four (24) copies each of the Preliminary Plat and Grading Plan
- One (1) copy of the Infrastructure List (Exhibit "A")
- Twenty-four (24) copies of the Reason/Location of Request for easement vacation (Exhibit "C")
- Twenty-four (24) copies of document which created the easement
- Three (3) Design elevations of walls
- Letter from the Office of Neighborhood Coordination
- Zone Atlas Map showing the location of the property
- Sidewalk exhibits for deferral and waiver
- Request for Subdivision Standards Variance
- Fee in the amount of \$ 1425.00 Drainage fee: \$310.00

Tract A at the Wilderness is located south of The Wilderness Village and Compound. It is bound by High Desert Place to the north, the Embudito Arroyo to the south, City of Albuquerque Open Space (Tract OS-5) and trail to the east and an Open Space Easement owned by High Desert Residential Owners Association, Inc to the west.

On site infrastructure will tie to existing off-site infrastructure located within High Desert Place and built with the Wilderness Village and Compound.

We are requesting a variance to the subdivision standards for the internal roadways. The roadways are 26' face-to-face which is allowed under the Local Access with a P-1 designation. The Local Access however calls for a 44' right-of-way. Since these will be private streets, the lot property line begins at back of curb and there is a 7' private pedestrian access easement on one side of the road with a 6' sidewalk. See enclosed Exhibit "D" for roadway sections.

Sheran Matson
City of Albuquerque
September 29, 2006
Page 2 of 2

We are also requesting vacations of three easements, a temporary pond easement located on Lot 1, a 20' waterline easement located on Lots 16-12 (which will be relocated in the proposed roadway), and a portion of The High Desert Open Space Easement located on Lot 16.

Please place this item on the DRB Agenda to be heard on October 25, 2006. If you have any questions or require further information, please call me at 823-1000

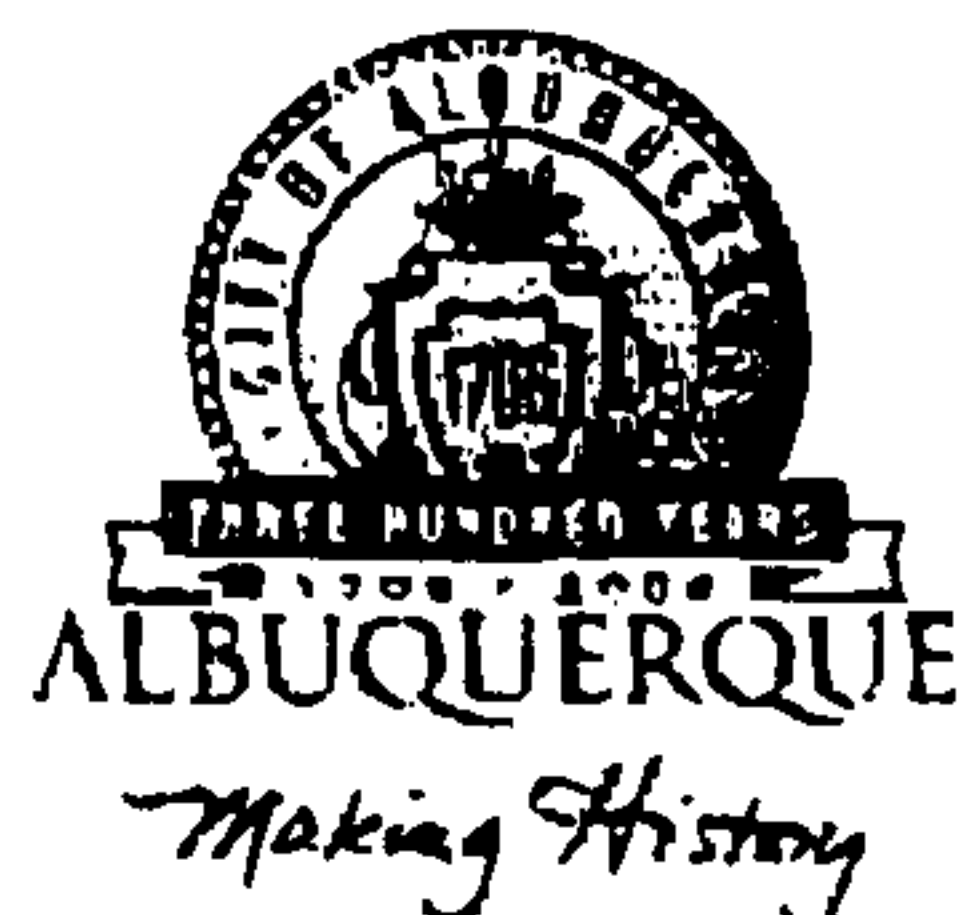
Sincerely,



Yolanda Padilla, P.E.
Project Engineer
Community Development and Planning Group

Enclosures

cc: Charles Young, SP Homes (w/ enclosures)
Doug Collister, High Desert (w/ enclosures)



City of Albuquerque

PLEASE NOTE: The Neighborhood 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.

Date: September 26, 06

Planning Department
Plaza Del Sol Building
600 Second St. NW
Second Floor (924-3860)

This letter will serve to notify you that on 9-26-06
(date)

TO CONTACT NAME: Stephanie Walton
COMPANY/AGENCY: Bohannan-Huston Engineering
ADDRESS/ZIP: 7500 Jefferson St. NE / 87109-4335
PHONE/FAX #: 823-1000 - Fax-798-7988

Contacted the Office of Neighborhood Coordination requesting the contact names for any Recognized Neighborhood Associations affected by their request concerning a Zoning Action or Site Development Plan, etc. at Tracts A Wilderness Village At High Desert
zone map page(s) F-23.

Our records indicate that as of 9-26-06, there were **no Recognized**
(date)

Neighborhood Associations in this area.

If you have any questions about the information provided, please contact our office at (505) 924-3914 or by fax at 924-3913.

Sincerely,

Dolaine Y. Carmona
OFFICE OF NEIGHBORHOOD COORDINATION

NOTICE TO APPLICANTS

Suggested Information for Neighborhood Notification Letters... Applicants for Zone Change, Site Plan, Sector Development Plan approval or an amendment to a Sector Development Plan by the EPC, DRB, LUCC, etc. are required under Council Bill O-92 to notify all affected recognized neighborhood associations **PRIOR TO FILING THE APPLICATION TO THE PLANNING DEPARTMENT**. Because the purpose of the notification is to ensure communication as a means of identifying and resolving problems early, it is essential that the notification be fully informative.

We recommend that the Notification Letter include the following information:

- The street address of the subject property.
- The legal description of the property, including lot or tract number (if any), block number (if any), and name of the subdivision.
- A physical description of the location, referenced to streets and existing land uses.
- A complete description of the actions requested of the EPC:
- If a **ZONE CHANGE OR ANNEXATION**, the name of the existing zone category and primary uses and the name of the proposed category and primary uses (i.e., "from the R-T Townhouse zone, to the C-2 Community Commercial zone").
- If a **SITE DEVELOPMENT OR MASTER DEVELOPMENT PLAN** approval or amendments describe the physical nature of the proposal (i.e., "an amendment to the approved plan to allow a drive-through restaurant to be located just east of the main shopping center entrance off Montgomery Blvd.").
- If a **SECTOR DEVELOPMENT PLAN OR PLAN AMENDMENT** a general description of the plan area, plan concept, the mix of zoning and land use categories proposed and description of major features such as location of significant shopping centers, employment centers, parks and other public facilities.
- The name, address and telephone number of the applicant and of the agent (if any). In particular the name of an individual contact person will be helpful so that neighborhood associations may contact someone with questions or comments.

Information from the Office of Neighborhood Coordination (ONC)

The following information should always be in each application packet that you submit for an EPC or DRB application. Listed below is a "Checklist" of the items needed.

- [] ONC's "Official" Letter to the applicant and "Attachment A" (if there are associations). A copy must be submitted with application packet **-OR-**
- [] The ONC "Official" Letter (if there are no associations). A copy must be submitted with application packet.
- [] Copies of Letters to Neighborhood Associations (if there are associations). A copy must be submitted with application packet.
- [] Copies of the certified receipts to Neighborhood Associations (if there are associations). A copy must be submitted with application packet.

Just a reminder - Our ONC "Official" Letter is only valid for a one (1) month period and if you haven't submitted your application by this date, you will need to get an updated letter from our office.

(Below this line for ONC use only)

Date of Inquiry: 9-26-06 Time Entered: 4:21 ONC Rep. Initials: PC

12
E. on d. c. s.
C. S. C.

Asphalt ext.

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

PAID RECEIPT

APPLICANT NAME MESA VERDE DEVELOPMENT
 AGENT BOHANNAN HUSTON INC
 ADDRESS 7500 JEFFERSON ST. NW
 PROJECT & APP # 100⁴⁹⁸⁹~~2315~~/06 DRB 0141-01415
 PROJECT NAME WILDERNESS @ HIGH DESERT

DUPLICATE
 City of Albuquerque
 Treasury Division
 LOC: ANN
 TRANS# 0021
 FUND 0110
 TRSLJS
 \$1,470.00
 \$20.00
 Thank You

- \$ 20.00 441032/3424000 Conflict Management Fee
- \$ 1375.00 441006/4983000 DRB Actions
- \$ _____ 441006/4971000 EPC/AA/LUCC Actions & All Appeals
- \$ 75.00 441018/4971000 Public Notification
- \$ _____ 441006/4983000 DRAINAGE PLAN REVIEW OR TRAFFIC IMPACT STUDY***
 () Major/Minor Subdivision () Site Development Plan () Bldg Permit
 () Letter of Map Revision () Conditional Letter of Map Revision
 () Traffic Impact Study
- \$ 1470.00 TOTAL AMOUNT DUE

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

9/29/2006
 RECEIPT# 0
 ACCOUNT 4
 ACTIVITY 4
 TRANS AMT
 J24 Misc

DATE	AMOUNT	DESCRIPTION
9/29/2006	1470.00	Conflict Management Fee
9/29/2006	1375.00	DRB Actions
9/29/2006	75.00	Public Notification
TOTAL AMOUNT DUE: 1470.00		

MESA VERDE DEVELOPMENT
 OPERATING ACCOUNT
 P.O. BOX 91417
 ALBUQUERQUE, NM 87199

95-660-1070

DATE DUPLICATE 9-28-06

PAY TO THE ORDER OF City of Albuquerque

City of Albuquerque
 Treasury Division

\$ 1425.00

ONE THOUSAND FOUR HUNDRED TWENTY FIVE EVEN

DOLLARS

RECEIPT# 00065239 WS# 008 TRANS# 002

Account 441018 Fund 0110

Activity 4971000

Trans Amt \$1,470.00

J24 Misc \$75.00

TRSLJS \$1,425.00

MP \$0.00

004146 + 1070066061 7827 209140

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 OCTOBER 10, 2006 to OCTOBER 25, 2006

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.

Stephaniel Watson
(Applicant or Agent)

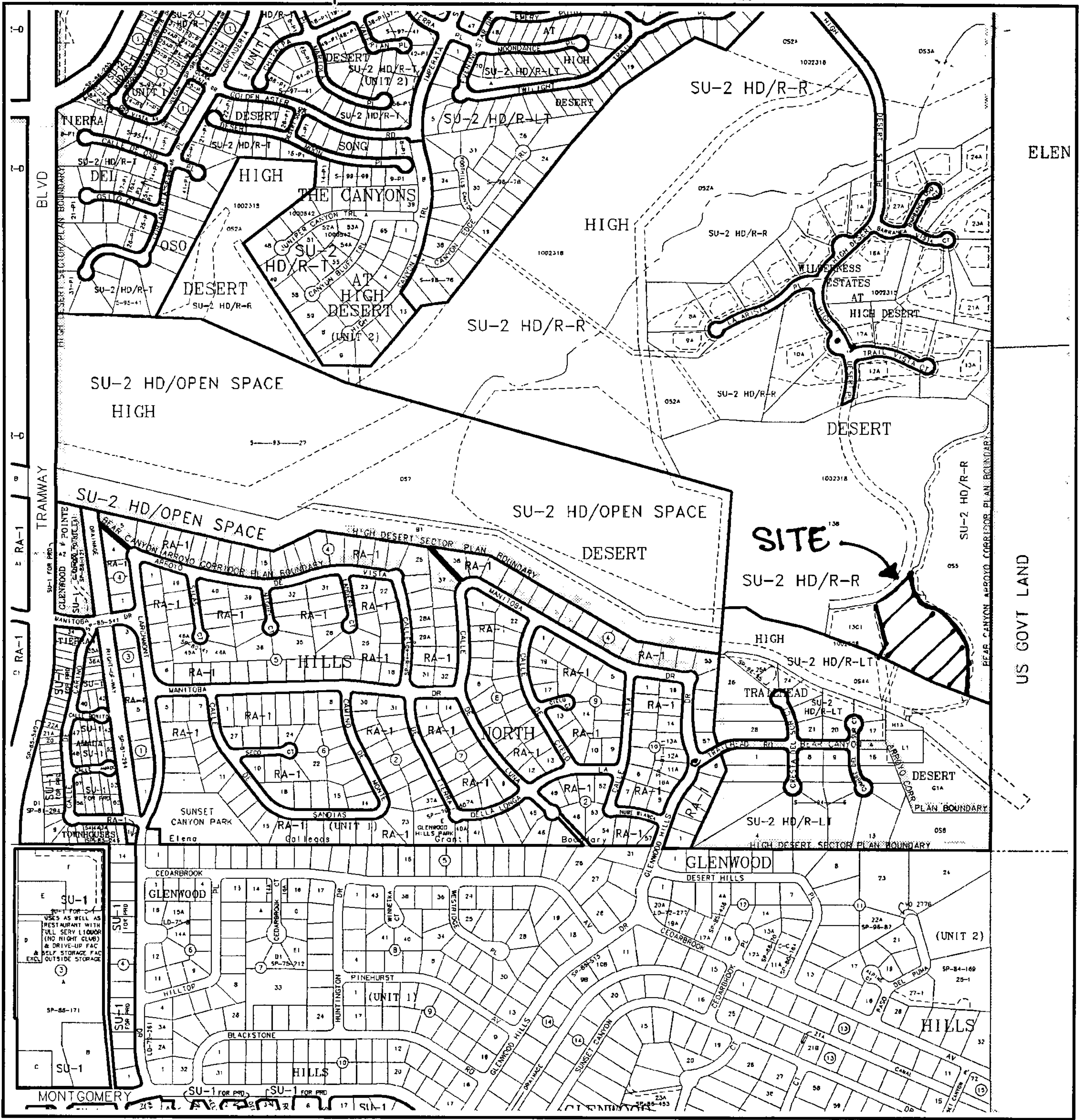
9-29-06
(Date)

I issued 3 signs for this application,

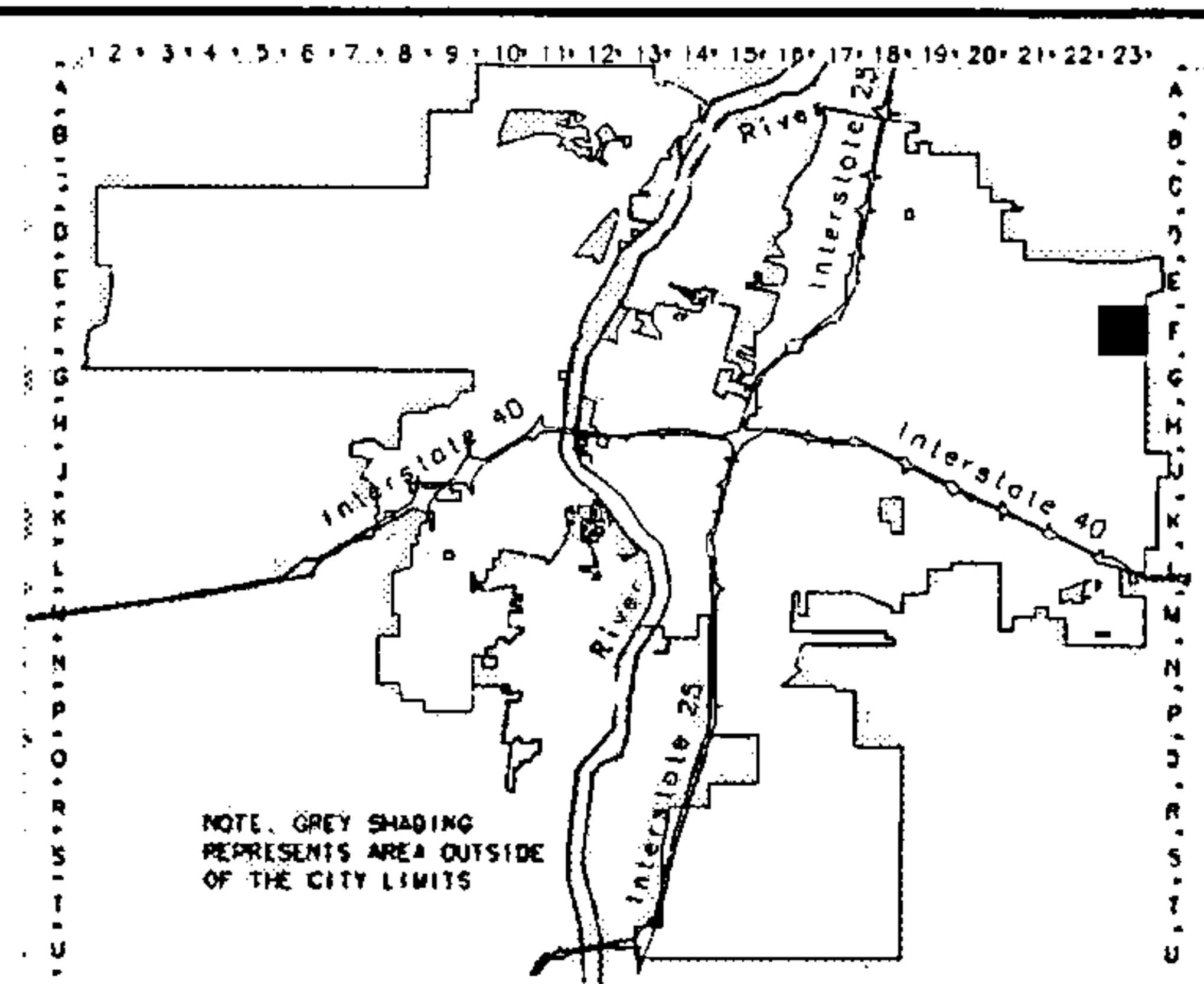
09/29/06
(Date)

Sandy Handley
(Staff Member)

DRB PROJECT NUMBER: 1004989



SU-1
 USES AS WELL AS RESTAURANT WITH FULL SERV LIQUOR (NO NIGHT CLUB) & DRIVE-UP FAC. SELF STORAGE FAC. OUTSIDE STORAGE EXCL.

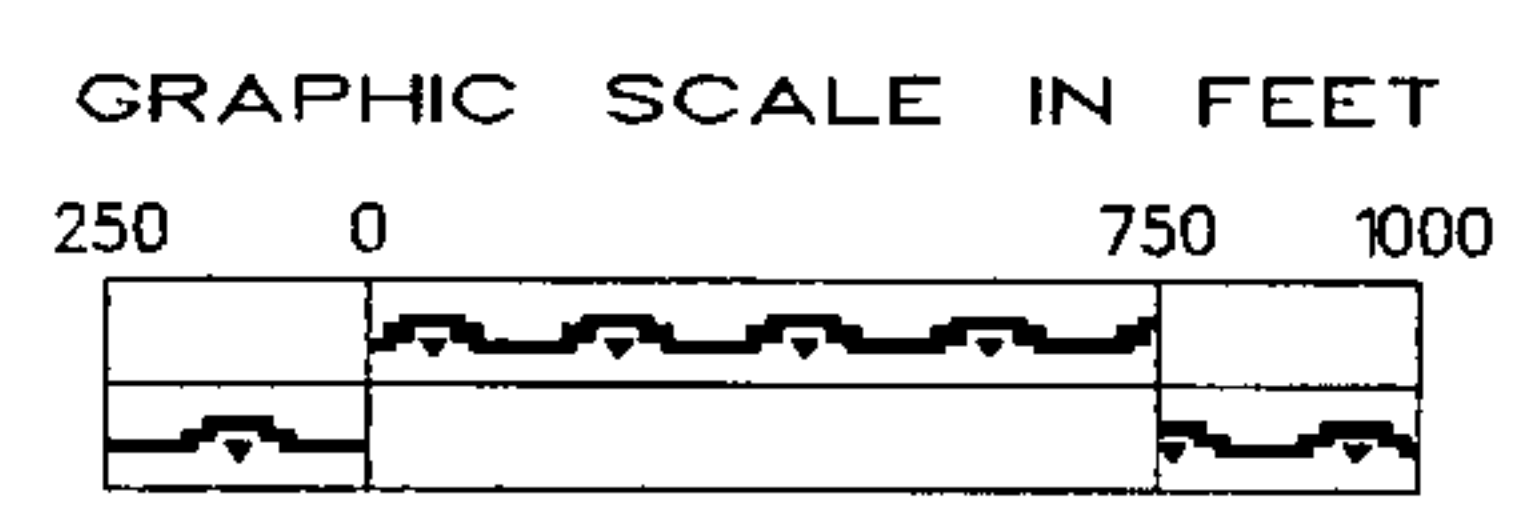


NOTE: GREY SHADING REPRESENTS AREA OUTSIDE OF THE CITY LIMITS



Albuquerque **G**eographic **I**nformation **S**ystem
PLANNING DEPARTMENT

© Copyright 2003



Zone Atlas Page

F-23-Z

Map Amended through September 02, 2003

Courtyard I
7500 Jefferson St. NE
Albuquerque, NM
87109-4335

www.bhinc.com

voice: 505.823.1000
facsimile: 505.798.7988
toll free: 800.877.5332

June 27, 2006

Sheron Matson, Chair
Development Review Board
City of Albuquerque
Albuquerque, New Mexico 87103

Re: Sketch Plat Review and Comment
Tract A of Unit 2 - Wilderness Subdivision (Wilderness Village at High Desert)

Dear Sheran:

Enclosed for Development Review Board (DRB) sketch plat review and comment are copies of the following information:

- Development Review Applications
- Six (6) copies each of the Sketch Plat, and
- Zone Atlas Map


This sketch plat is being presented to the Development Review Board for the purpose of obtaining City input and comment.

Proposed is a single-family development consisting of approximately 23, 40' -53' wide x 85' min. depth lots. The subject property consists of approximately 3.97 acres. Tract A of Unit 2 – Wilderness Subdivision is located in the southeast corner of Unit 2 – Wilderness Subdivision (aka The Wilderness Village) off of High Desert Place and adjacent to the Embudito Arroyo and is zoned SU-2 HD/ R-R

The grading and drainage for this tract will be address in a separate drainage submittal to the City Hydrology department for their review and approval. There is currently a waterline in this tract which will be re-aligned with this development to be located within private street/ public waterline easement. The sanitary sewer will drain to the existing line within High Desert Place.

I would appreciate any comments you would have on the enclosed sketch plat and the information I have mentioned above. Please place this item on the DRB Agenda to be heard on July 5, 2006

Sincerely,


Yolanda Padilla, P.E.
Project Engineer
Community Development and Planning

yp
Enclosures

ENGINEERING ▲

SPATIAL DATA ▲

ADVANCED TECHNOLOGIES ▲

City of Albuquerque



DEVELOPMENT/ PLAN REVIEW APPLICATION

Supplemental form

- SUBDIVISION** S
- Major Subdivision action
- Minor Subdivision action (*sketch*)
- Vacation V
- Variance (Non-Zoning)
- SITE DEVELOPMENT PLAN** P
- ...for Subdivision Purposes
- ...for Building Permit
- IP Master Development Plan
- Cert. of Appropriateness (LUCC) L

Supplemental form

- ZONING & PLANNING** Z
- Annexation
- 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/Subdivision Regulations)
- APPEAL / PROTEST of...** A
- Decision by: DRB, EPC, LUCC, Planning Director or Staff, ZHE, Zoning Board of Appeals

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

APPLICANT INFORMATION:

NAME: Mesa Verde Development PHONE: (505)828-9900

ADDRESS: 8300 Carmel Ave, Suite 401 FAX: _____

CITY: Albuquerque STATE NM ZIP 87122 E-MAIL: _____

Proprietary interest in site: Owner

AGENT (if any): Bohannon Huston, Inc PHONE: (505)823-1000

ADDRESS: 7500 Jefferson NE FAX: 798-7988

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

DESCRIPTION OF REQUEST: Sketch Plat Approval

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

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

Lot or Tract No. Tract A of Unit 2 - Wilderness Subdivision Block: _____ Unit: _____

Subdiv. / Addn. High Desert

Current Zoning: SU-2 HD R-R Proposed zoning: _____

Zone Atlas page(s): F-23 No. of existing lots: 1 No. of proposed lots: 23

Total area of site (acres): 3.9653 Density if applicable: dwellings per gross acre: _____ dwellings per net acre: _____

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

UPC No. _____ MRGCD Map No. _____

LOCATION OF PROPERTY BY STREETS: On or Near: HIGH DESERT PLACE NE.

Between: TRAIL HEAD RD NE and EMBUDITO VIEW NE.

CASE HISTORY:

List any current or prior case number that may be relevant to your application (Proj., App., DRB-, AX, Z, V, S, etc.): *NEW. 1002315

04DRB-00713, 04DRB 01723, 05DRB 00477,

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

SIGNATURE [Signature] DATE _____

(Print) KEVIA PATTON _____ Applicant _____ Agent

FOR OFFICIAL USE ONLY

Form revised 9/01, 3/03

INTERNAL ROUTING	Application case numbers	Action	S.F.	Fees
<input checked="" type="checkbox"/> All checklists are complete	<u>06DRB - 00933</u>	<u>SK</u>	<u>231</u>	<u>\$ -</u>
<input checked="" type="checkbox"/> All fees have been collected	_____	_____	_____	\$ _____
<input checked="" type="checkbox"/> All case #s are assigned	_____	_____	_____	\$ _____
<input checked="" type="checkbox"/> AGIS copy has been sent	_____	_____	_____	\$ _____
<input checked="" type="checkbox"/> Case history #s are listed	_____	_____	_____	\$ _____
<input checked="" type="checkbox"/> Site is within 1000ft of a landfill	_____	_____	_____	\$ _____
<input type="checkbox"/> F.H.D.P. density bonus	_____	_____	_____	Total
<input type="checkbox"/> F.H.D.P. fee rebate	_____	_____	_____	\$ <u>0</u>

Hearing date 7-12-04

Kim Sis 6/27/04
Planner signature / date

Project # 1004989.

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

SKETCH PLAT REVIEW AND COMMENT

YOUR ATTENDANCE IS REQUIRED.

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

MAJOR SUBDIVISION EXTENSION OF PRELIMINARY PLAT

Your attendance is required.

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

Extensions are not reviewed through internal routing.

Extension of preliminary plat approval expires after one year.

MAJOR SUBDIVISION FINAL PLAT APPROVAL

Your attendance is required.

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

MINOR SUBDIVISION PRELIMINARY / FINAL PLAT APPROVAL

Your attendance is required.

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

AMENDMENT TO PRELIMINARY PLAT (with minor changes)

Your attendance is required.

AMENDMENT TO INFRASTRUCTURE LIST (with minor changes)

AMENDMENT TO GRADING PLAN (with minor changes)

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

- Proposed Amended Preliminary Plat, Infrastructure List, and/or Grading Plan (folded to fit into an 8.5" by 14" pocket) 6 copies for unadvertised meetings, 4 copies for internal routing.
- Original Preliminary Plat, Infrastructure List, and/or Grading Plan (folded to fit into an 8.5" by 14" pocket) 6 copies for unadvertised meetings, 4 copies for internal routing.
- Zone Atlas map with the entire property(ies) precisely and clearly outlined and crosshatched (to be photocopied)
- Letter briefly describing, explaining, and justifying the request
- Original Mylar drawing of the proposed amended plat for internal routing only. Otherwise, bring Mylar to meeting.
- Property owner's and City Surveyor's signatures on the Mylar drawing, if the plat is being amended
- Any original and/or related file numbers are listed on the cover application

Amended preliminary plat approval expires after one year.

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

KEVIN PARRON
 Applicant name (print)
Kevin Parron
 Applicant signature / date



Form revised February 2003

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

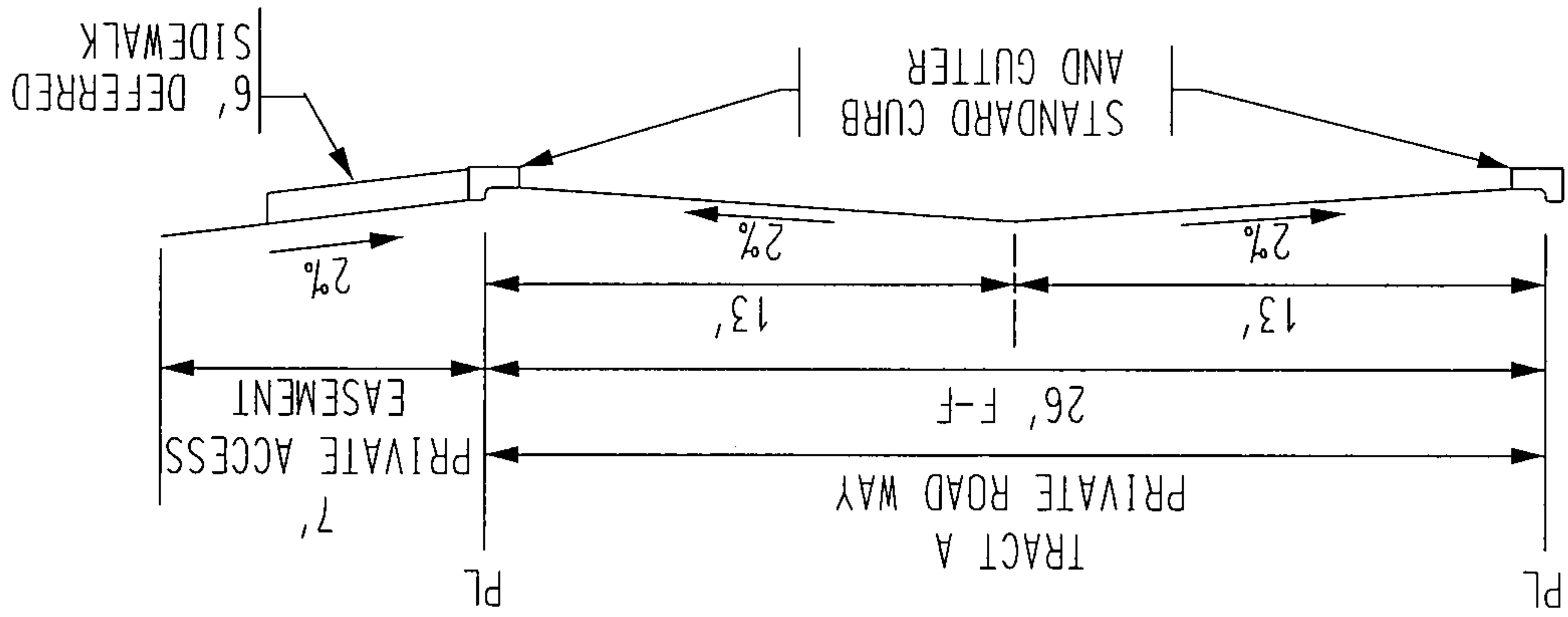
Application case numbers
 06DRB - _____ - 00933
 _____ - _____ - _____
 _____ - _____ - _____

Kevin Parron 6/27/04
 Planner signature / date
Project # 1004989

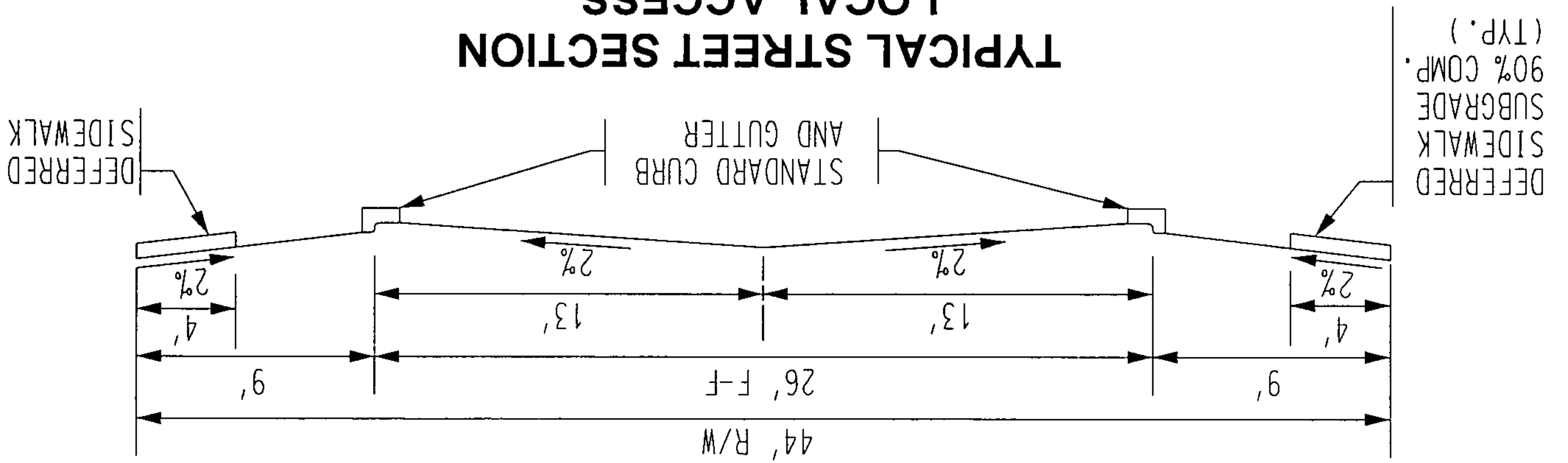
EXHIBIT "D"

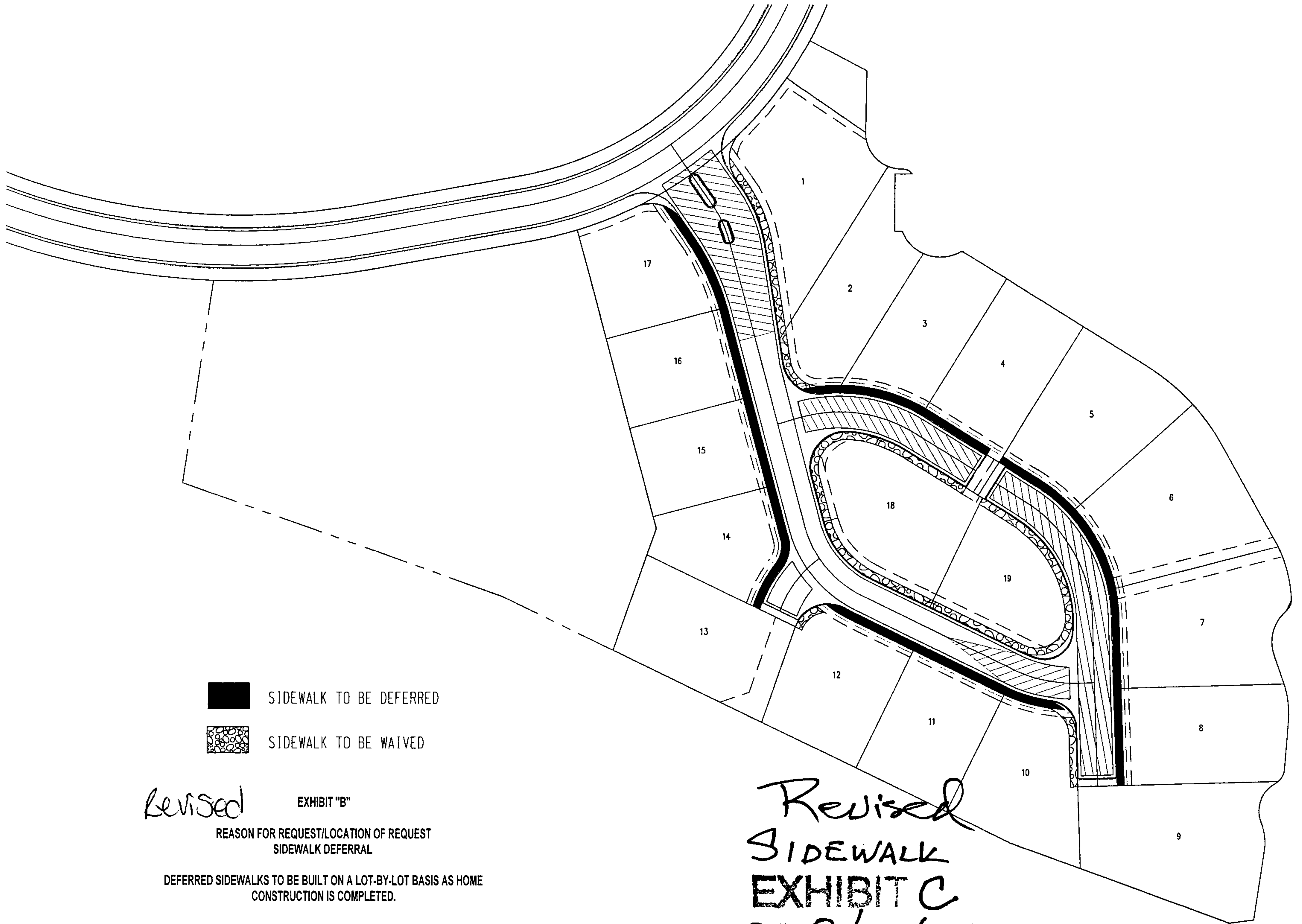
SDV
EXHIBIT D
Date 10/25/06

**TYPICAL STREET SECTION
LOCAL ACCESS VARIANCE**
NOT TO SCALE



**TYPICAL STREET SECTION
LOCAL ACCESS**
NOT TO SCALE





- SIDEWALK TO BE DEFERRED
- SIDEWALK TO BE WAIVED

Revised

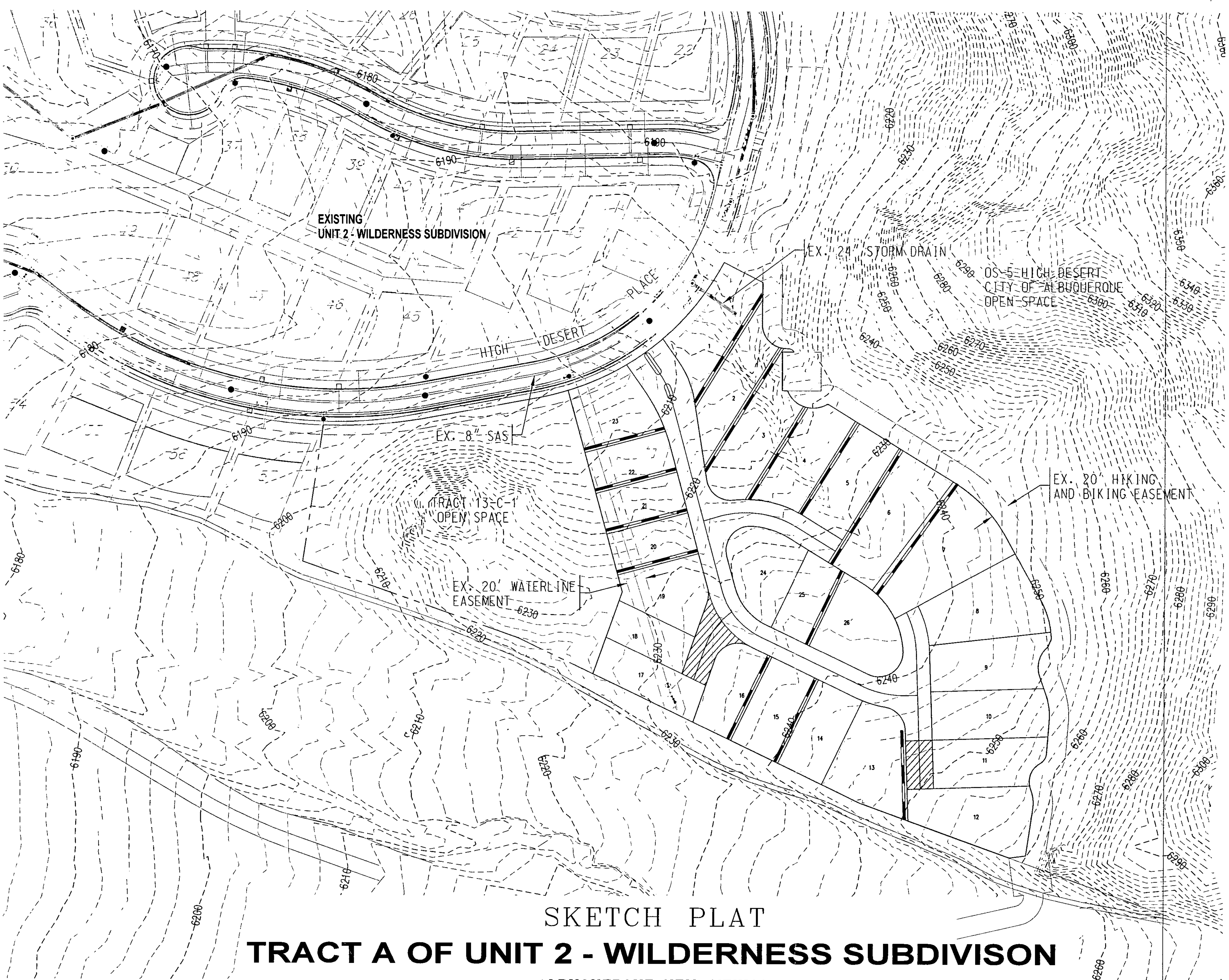
EXHIBIT "B"

REASON FOR REQUEST/LOCATION OF REQUEST
SIDEWALK DEFERRAL

DEFERRED SIDEWALKS TO BE BUILT ON A LOT-BY-LOT BASIS AS HOME
CONSTRUCTION IS COMPLETED.

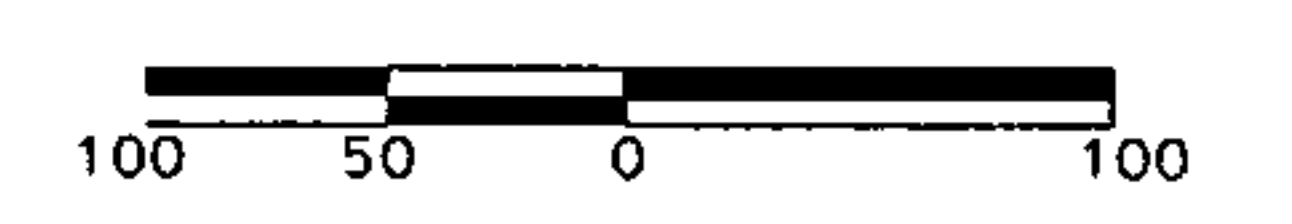
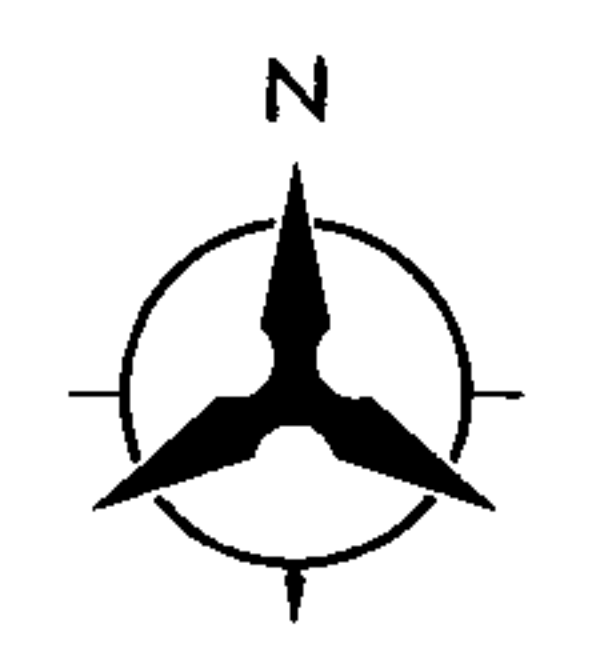
Revised
SIDEWALK
EXHIBIT C

Date 8/10/07

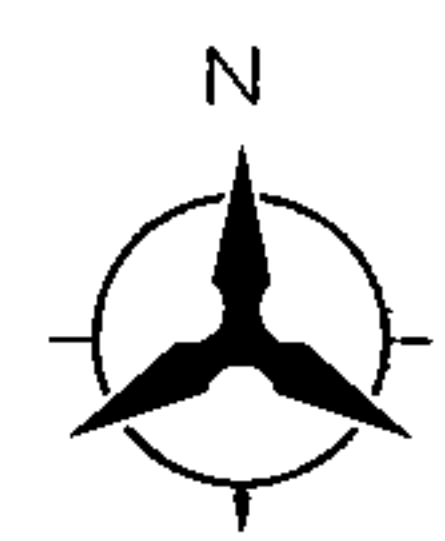
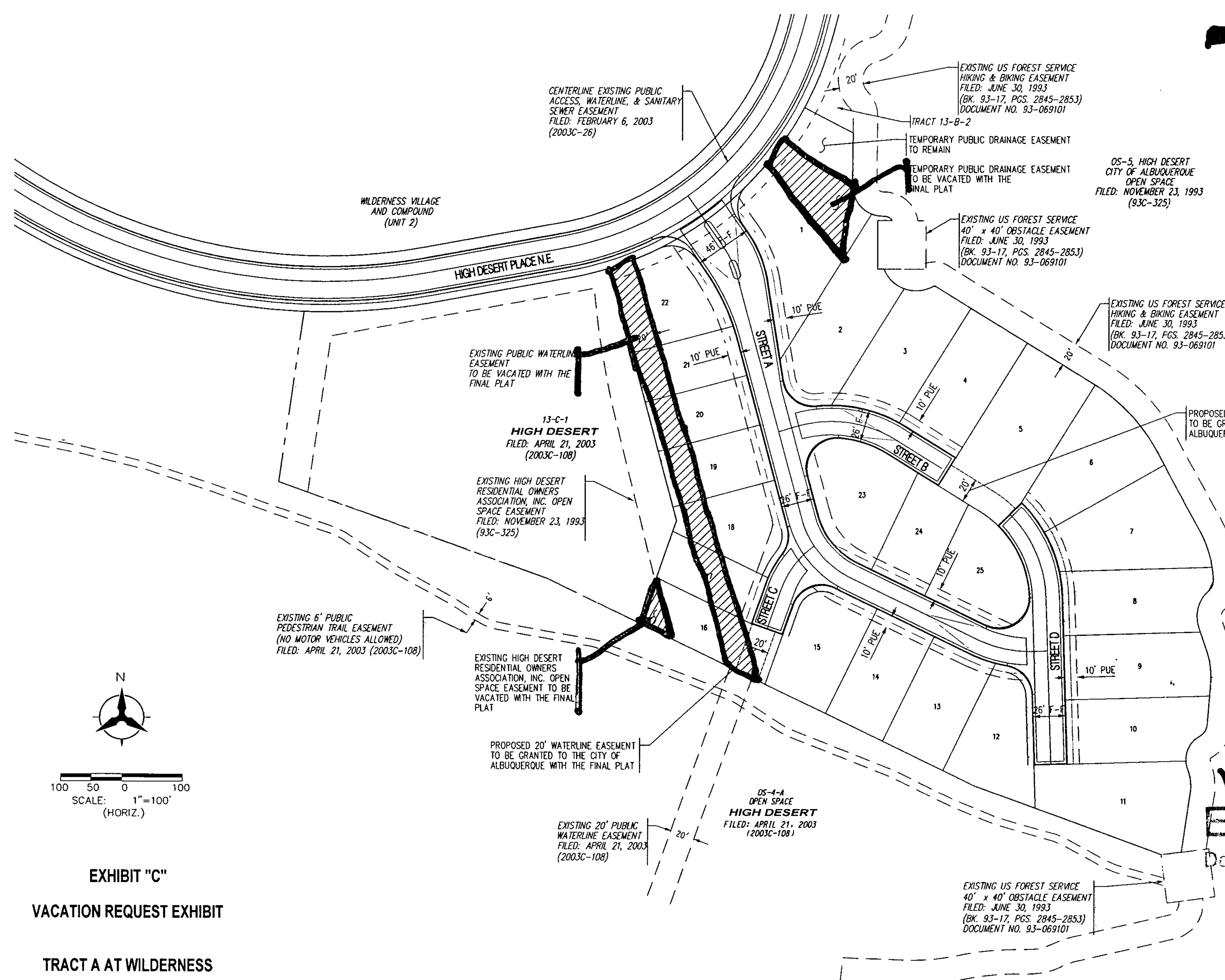


SKETCH PLAT
TRACT A OF UNIT 2 - WILDERNESS SUBDIVISION

ALBUQUERQUE, NEW MEXICO
 JUNE, 2006



portion to be vacated

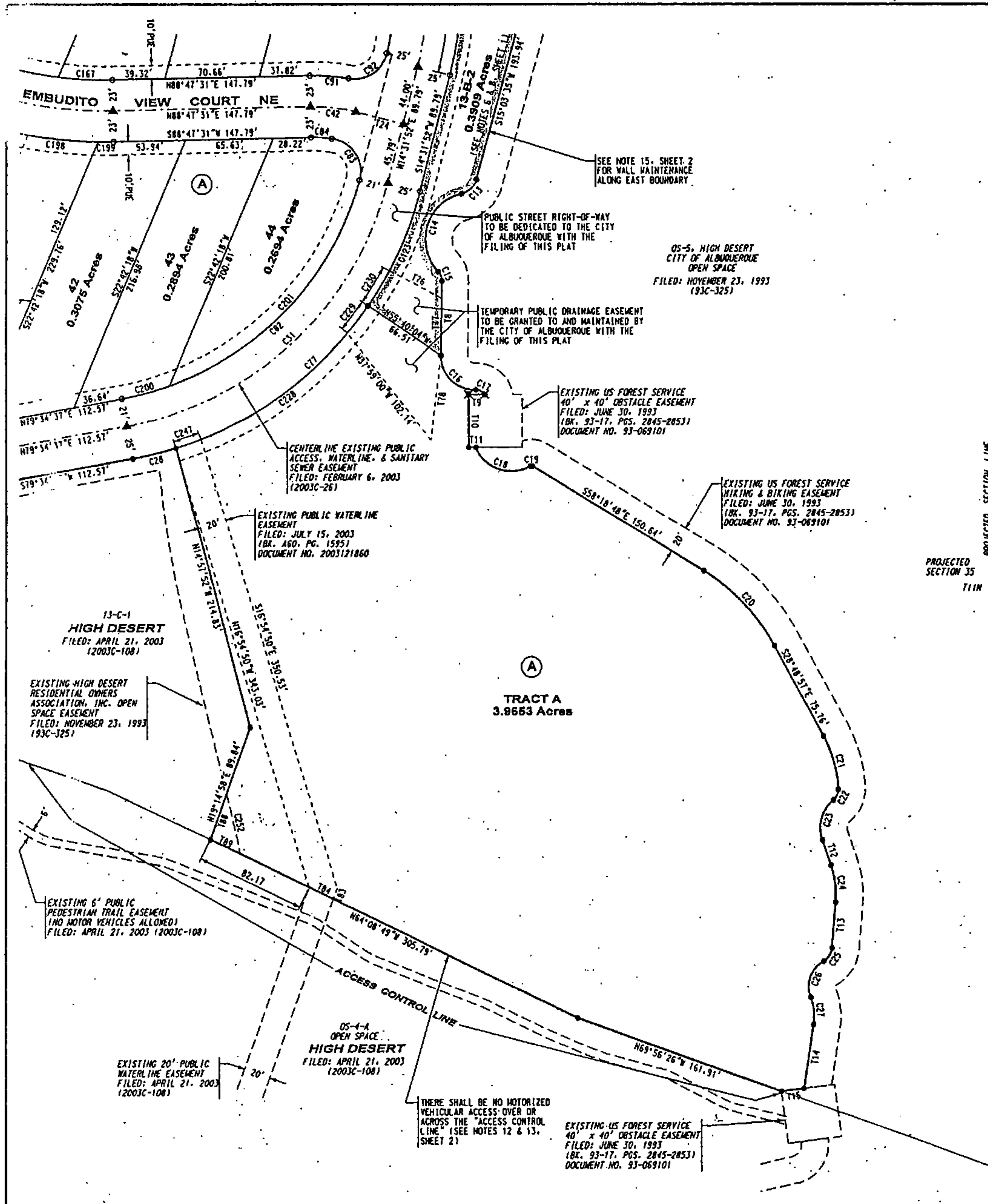
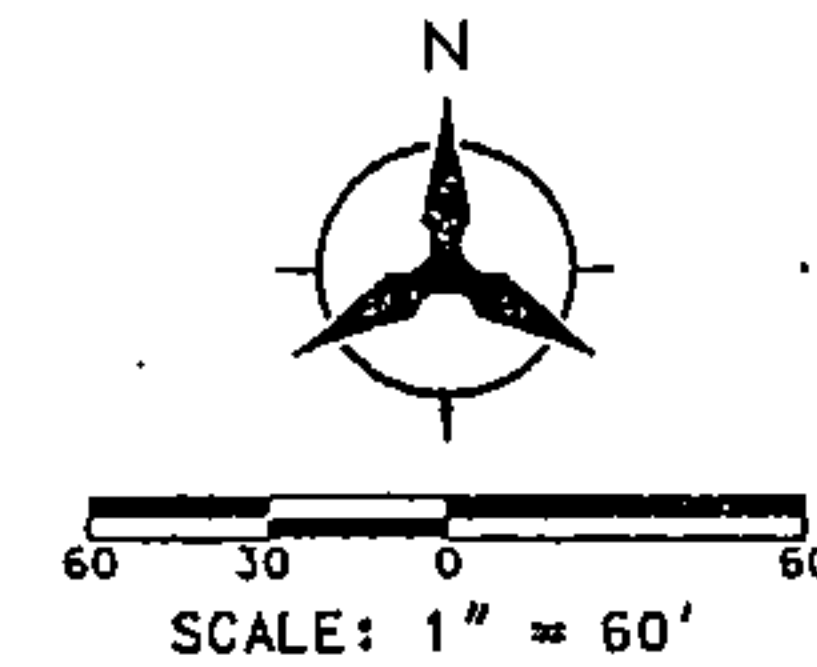


100 50 0 100
SCALE: 1"=100'
(HORIZ.)

EXHIBIT "C"
VACATION REQUEST EXHIBIT
TRACT A AT WILDERNESS

VACATION EXHIBIT B
Date 10/25/06

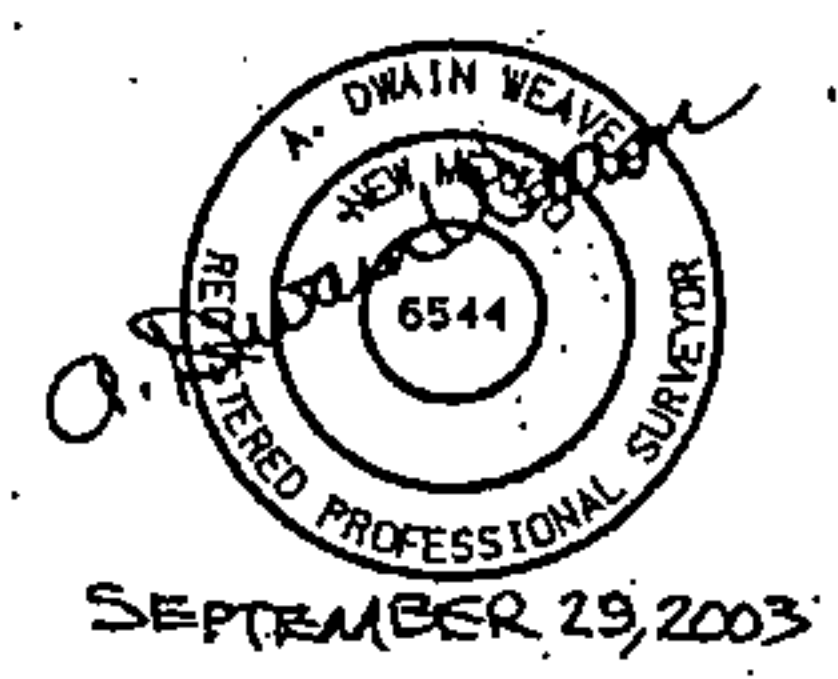
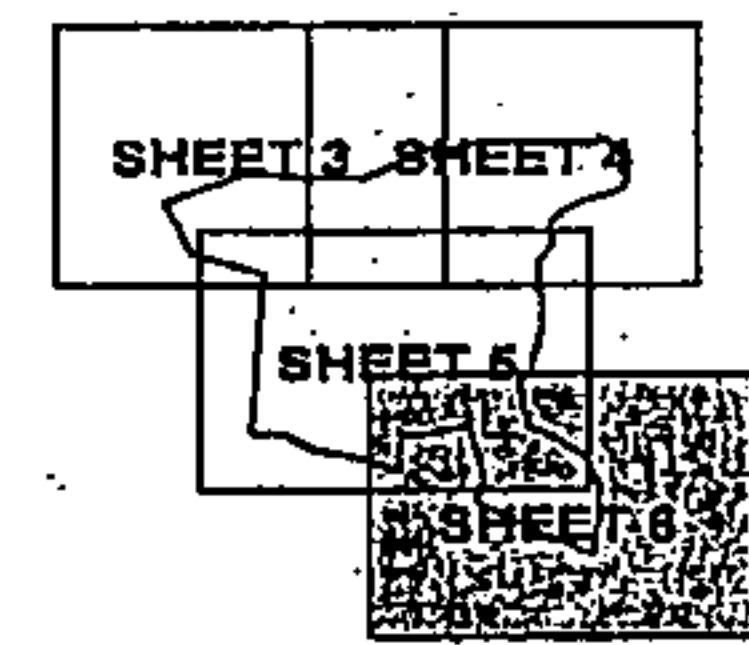
PLAT OF
**UNIT 2 - WILDERNESS SUBDIVISION
 AND
 UNIT 3 - WILDERNESS SUBDIVISION
 AT HIGH DESERT**
 (A REPLAT OF TRACT 13-B, HIGH DESERT)
 ALBUQUERQUE, NEW MEXICO
 SEPTEMBER, 2003



PROJECTED SECTION 35
 T11N
 PROJECTED SECTION 36
 R4E



LEGEND	
	SUBDIVISION BOUNDARY LINE
	NEW LOT LINE
	CENTERLINE
	PROPOSED EASEMENT LINE
	EXISTING EASEMENT LINE
	ADJOINING PROPERTY LINE
	RIGHT OF WAY
	10' PUBLIC UTILITY EASEMENT TO BE GRANTED WITH THE FILING OF THIS PLAT
	CITY OF ALBUQUERQUE CONTROL MONUMENT
	CENTERLINE MONUMENT TO BE INSTALLED
	1/2" REBAR WITH 1 1/2" YELLOW PLASTIC SURVEY CAP STAMPED "WEAVER LS 6544"
	UNIT 2 - WILDERNESS SUBDIVISION
	UNIT 3 - WILDERNESS SUBDIVISION

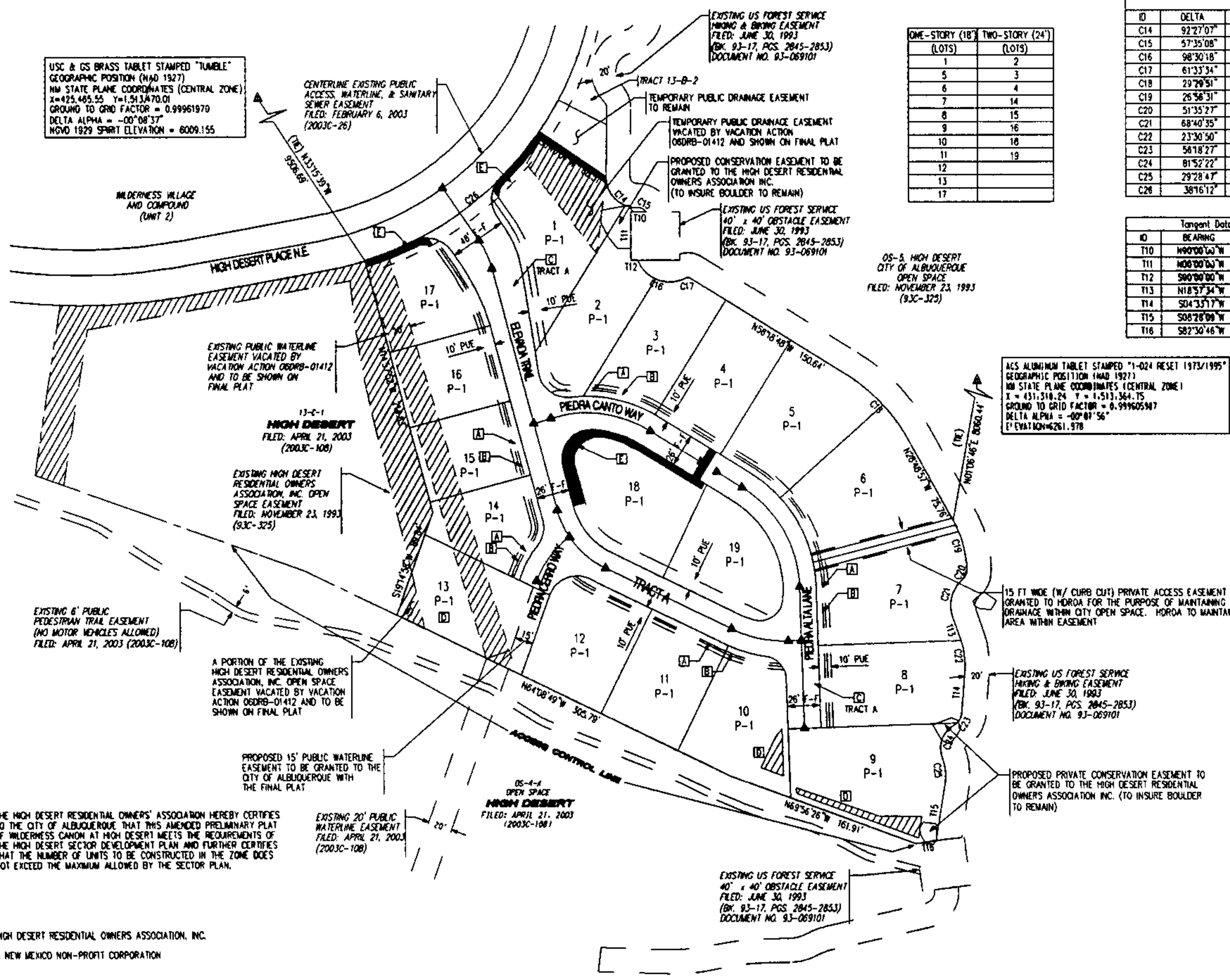


Bohannon & Huston
 Courtyard | 7500 Jefferson St. NE Albuquerque, NM 87109-4335
 ENGINEERING • SPATIAL DATA • ADVANCED TECHNOLOGIES

SHEET 6 OF 7

2779

USC & GS BRASS TABLET STAMPED "TUMBLE"
GEOGRAPHIC POSITION (MAD 1927)
NM STATE PLANE COORDINATES (CENTRAL ZONE)
X=425,485.55 Y=1,513,470.01
GROUND TO GRID FACTOR = 0.99961970
DELTA ALPHA = -00°08'37"
NAD 1929 SPHERIC ELEVATION = 6009.155



ONE-STORY (18')	TWO-STORY (24')
(LOTS)	(LOTS)
1	2
2	3
3	4
4	5
5	6
6	7
7	8
8	9
9	10
10	11
11	12
12	13
13	14
14	15
15	16
16	17

ID	DELTA	TANGENT	ARC	RADIUS	CHORD	CHORD BRG
C14	92°27'07"	26.09'	40.34'	25.00'	36.10'	S45°35'18"E
C15	57°35'08"	4.40'	8.04'	8.00'	7.71'	S63°01'18"E
C16	98°30'18"	32.87'	48.69'	28.32'	42.91'	S70°37'14"E
C17	61°33'34"	1.19'	2.15'	2.00'	2.05'	S89°45'30"E
C18	29°29'51"	30.49'	77.22'	150.00'	78.37'	S43°33'33"E
C19	26°58'31"	21.56'	42.32'	90.00'	41.93'	S15°20'41"E
C20	51°35'27"	4.83'	9.00'	10.00'	8.70'	S23°55'18"W
C21	68°40'35"	19.13'	33.56'	28.00'	31.59'	S15°22'44"W
C22	23°30'50"	14.15'	27.91'	68.00'	27.71'	S07°12'09"E
C23	58°18'27"	6.42'	11.78'	12.00'	11.32'	S32°42'30"W
C24	81°52'22"	19.08'	31.44'	22.00'	28.83'	S48°53'33"W
C25	29°28'47"	10.52'	20.56'	40.00'	20.35'	S06°14'14"E
C26	38°16'12"	94.72'	182.35'	273.00'	178.98'	N53°28'02"E

ID	BEARING	DISTANCE
T10	N00°00'00"W	12.11'
T11	N08°00'00"W	40.00'
T12	S00°00'00"W	5.30'
T13	N18°37'34"W	20.00'
T14	S04°33'17"W	34.00'
T15	S08°28'00"W	48.69'
T16	S82°30'46"W	17.03'

ACS ALUMINUM TABLET STAMPED "1-024 RESET 1973/1995"
GEOGRAPHIC POSITION (MAD 1927)
NM STATE PLANE COORDINATES (CENTRAL ZONE)
E = 431,518.24 Y = 1,513,364.75
GROUND TO GRID FACTOR = 0.99960587
DELTA ALPHA = -00°01'56"
ELEVATION = 6261.378

SURVEY NOTES:

- UNLESS OTHERWISE NOTED, ALL BOUNDARY CORNERS SHOWN THUS (●) SHALL BE MARKED BY A 1/2" REBAR STAMPED "GROMAZITZY, PS 16489".
- ALL STREET CENTERLINE MONUMENTATION SHALL BE INSTALLED AT ALL CENTERLINE P.C.'S, P.T.'S, ANGLE POINTS AND STREET INTERSECTIONS AND SHOWN THUS (▲) WILL BE MARKED BY A FOUR (4") ALUMINUM CAP STAMPED "CITY OF ALBUQUERQUE CENTERLINE MONUMENTATION MARKED. DO NOT DISTURB, P.L.S. 16489".
- THE SUBDIVISION BOUNDARY WILL BE TIED TO THE NEW MEXICO STATE PLANE COORDINATE SYSTEM AS SHOWN.
- BASES OF BEARINGS WILL BE NEW MEXICO STATE PLANE GRID BEARINGS.
- DISTANCES SHALL BE GROUND DISTANCES.
- MANHOLES WILL BE OFFSET AT ALL POINTS OF CURVATURE POINTS OF TANGENCY, STREET INTERSECTIONS AND ALL OTHER ANGLE POINTS TO ALLOW THE USE OF CENTERLINE MONUMENTATION.

APPROVED FOR MONUMENTATION AND STREET NAMES

CITY SURVEYOR _____ DATE _____

- Ⓐ 5' PUBLIC WATERLINE EASEMENT TO BE GRANTED TO THE CITY OF ALBUQUERQUE BY FINAL PLAT.
- Ⓑ 7' PRIVATE PEDESTRIAN ACCESS EASEMENT.
- Ⓒ FULLY ENCOMPASSED WITHIN TRACT 'A' IS A PUBLIC SANITARY SYSTEM AND WATERLINE EASEMENT GRANTED TO THE CITY OF ALBUQUERQUE & ABERNIA. A PUBLIC SUBSURFACE STORM DRAIN EASEMENT SHALL BE DEDICATED TO AND MAINTAINED BY THE CITY OF ALBUQUERQUE AND A PRIVATE VEHICLE & PEDESTRIAN ACCESS AND SURFACE DRAINAGE EASEMENT GRANTED TO THE HIGH DESERT RESIDENTIAL OWNER'S ASSOCIATION WITH THE FILING OF THIS PLAT. ACCESS EASEMENT TO BE MAINTAINED BY HIGH DESERT RESIDENTIAL OWNERS ASSOCIATION.
- Ⓓ LOT 9: SIDEYARD SETBACK ADJACENT TO OPEN SPACE SHALL BE 10 FT. NO BUILD ZONE ON SOUTHEAST SIDE OF LOT (SEE HATCHED AREA).
- LOT 10: NO BUILD ZONE ON EAST SIDE OF LOT (SEE HATCHED AREA).
- LOT 13: SOUTH YARD SETBACK SPLIT 30% AT 15 FT AND 70% AT 10 FT.
- Ⓔ LANDSCAPE EASEMENT TO BE GRANTED TO HIGH DESERT RESIDENTIAL ASSOCIATION WITH FINAL PLAT.

THE PURPOSE OF THIS PRELIMINARY PLAT IS TO SUBDIVIDE TRACT A INTO 19 LOTS.

GENERAL NOTES

- EXISTING ZONING: SU-2 HO/R-R
PROPOSED DEVELOPMENT: SINGLE FAMILY DETACHED
 - DESCRIPTION: TRACT 'A' OF UNIT 2 WILDERNESS AT HIGH DESERT
FILED: DECEMBER 11, 2004, BK-2003C, PG-373
DOCUMENT NO. 2003220008
- TOTAL SUBDIVISION ACREAGE:
WILDERNESS CAÑON TRACT 'A' 3.9653 ACRES
0.6353 ACRES
- TOTAL NUMBER OF LOTS 19
- PROPOSED DENSITY: 4.80 D.U./AC.
MINIMUM LOT WIDTH 53'
MINIMUM LOT AREA 5256.26 SF / 0.1207 AC.

GENERAL NOTES

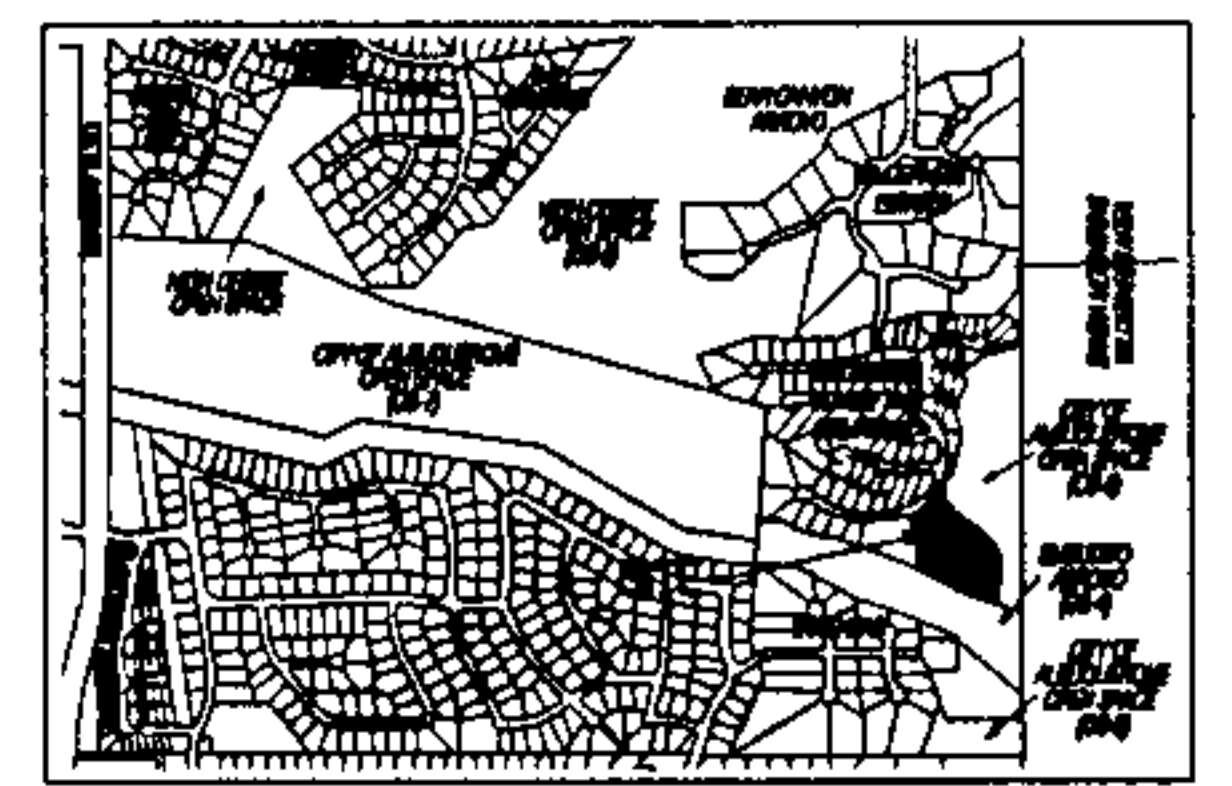
- NO WOOD BURNING FIREPLACE WILL BE PERMITTED. ALL FIREPLACES MUST BE GAS FIRED USING ARTIFICIAL LOGS.
- ALL SETBACKS SHOWN ARE IN ACCORDANCE WITH THE R-T ZONING.
- ALL INTERIOR STREETS ARE TO BE PRIVATE AND TO BE GRANTED TO AND MAINTAINED BY THE HIGH DESERT RESIDENTIAL OWNERS ASSOCIATION (TRACT A).
- ALL SANITARY AND WATER UTILITIES IN THE TRACT A ARE TO BE PUBLIC, AND OWNED AND MAINTAINED BY THE ABERNIA.
- THIS SUBDIVISION LIES WITHIN THE CITY OF ALBUQUERQUE WATER AND SANITARY SEWER CAPABILITIES ARE BASED ON THE CITY OF ALBUQUERQUE'S & ABERNIA FACILITIES. WATER AND SANITARY SEWER INFRASTRUCTURE IMPROVEMENTS MUST BE APPROVED BY THE CITY OF ALBUQUERQUE & ABERNIA.
- ALL SUBSURFACE STORM DRAINS IN TRACT A AND/OR UTILITY EASEMENTS ARE TO BE PUBLIC AND SHALL BE DEDICATED TO AND MAINTAINED BY THE CITY OF ALBUQUERQUE AS SHOWN ON FINAL PLAT.

OWNER: _____

SCOTT SCRABOR

LEGEND

- SUBDIVISION BOUNDARY
- TRACT BOUNDARY LINE
- PROPOSED PROPERTY LINE
- PROPOSED RIGHT OF WAY LINE
- CROSS HATCHING REPRESENTS EXISTING EASEMENT AREAS TO BE VACATED BY VACATION ACTION AND FINAL PLAT



LOCATION MAP
ZONE ATLAS MAP NO. F-23-2
NOT TO SCALE

THE HIGH DESERT RESIDENTIAL OWNERS' ASSOCIATION HEREBY CERTIFIES TO THE CITY OF ALBUQUERQUE THAT THIS AMENDED PRELIMINARY PLAT OF WILDERNESS CAÑON AT HIGH DESERT MEETS THE REQUIREMENTS OF THE HIGH DESERT SECTOR DEVELOPMENT PLAN AND FURTHER CERTIFIES THAT THE NUMBER OF UNITS TO BE CONSTRUCTED IN THE ZONE DOES NOT EXCEED THE MAXIMUM ALLOWED BY THE SECTOR PLAN.

HIGH DESERT RESIDENTIAL OWNERS ASSOCIATION, INC.
A NEW MEXICO NON-PROFIT CORPORATION

BY: RAY BERG, ITS PRESIDENT _____ DATE _____

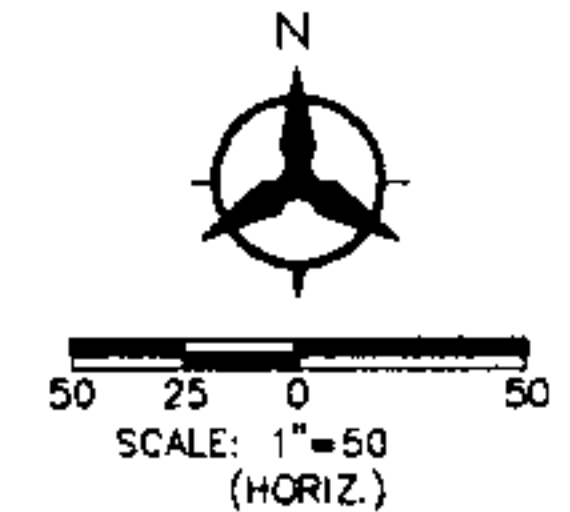
HIGH DESERT INVESTMENT CORPORATION _____ DATE _____

AMENDED PRELIMINARY PLAT

WILDERNESS CAÑON AT HIGH DESERT

(TRACT A OF UNIT 2 WILDERNESS)

ALBUQUERQUE, NEW MEXICO
AUGUST, 2007



SDON_NAME\$
BRAND\$

Bohannon & Huston
Consulting 7200 Jefferson Bl. NE Albuquerque, NM 87109-4200
ESTABLISHED • SPATIAL DATA • ADVANCED TECHNOLOGIES

L4140 3/15/07

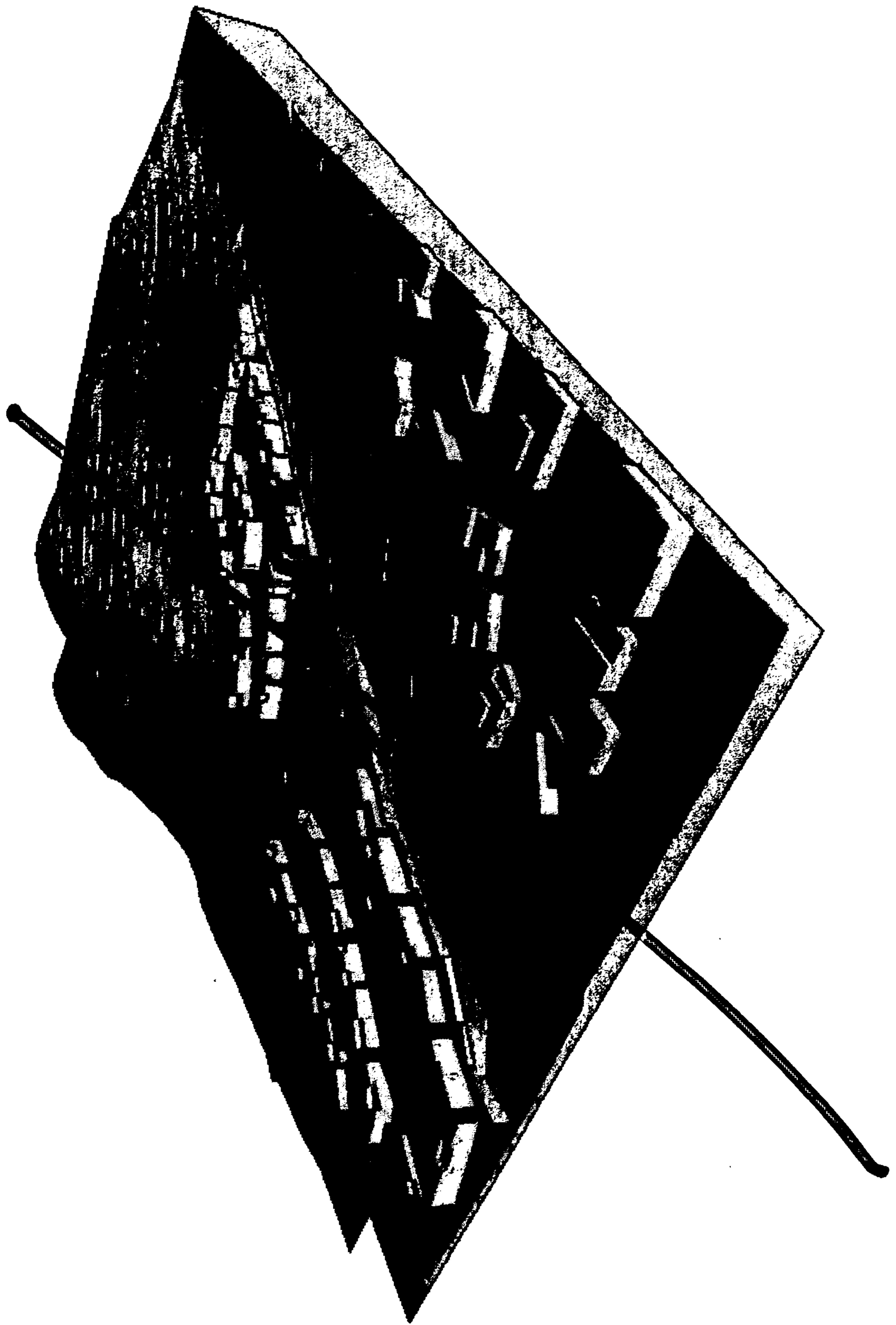
partially admitted

- only photographs
- computer generated
Photos - excluded

Dustin Kiska

Dustin Kiska is a recent graduate from the University of New Mexico Architecture and Planning Department. In the Architecture program Kiska developed a strong background in various visual representation and computer modeling techniques. Kiska was requested to produce graphical images of the proposed High Desert Wilderness Canon development and its impact on the immediate views of the residents of the existing High Desert communities of Trailhead and Wilderness Village, and the impact on users of the public open space and trails around the proposed development.

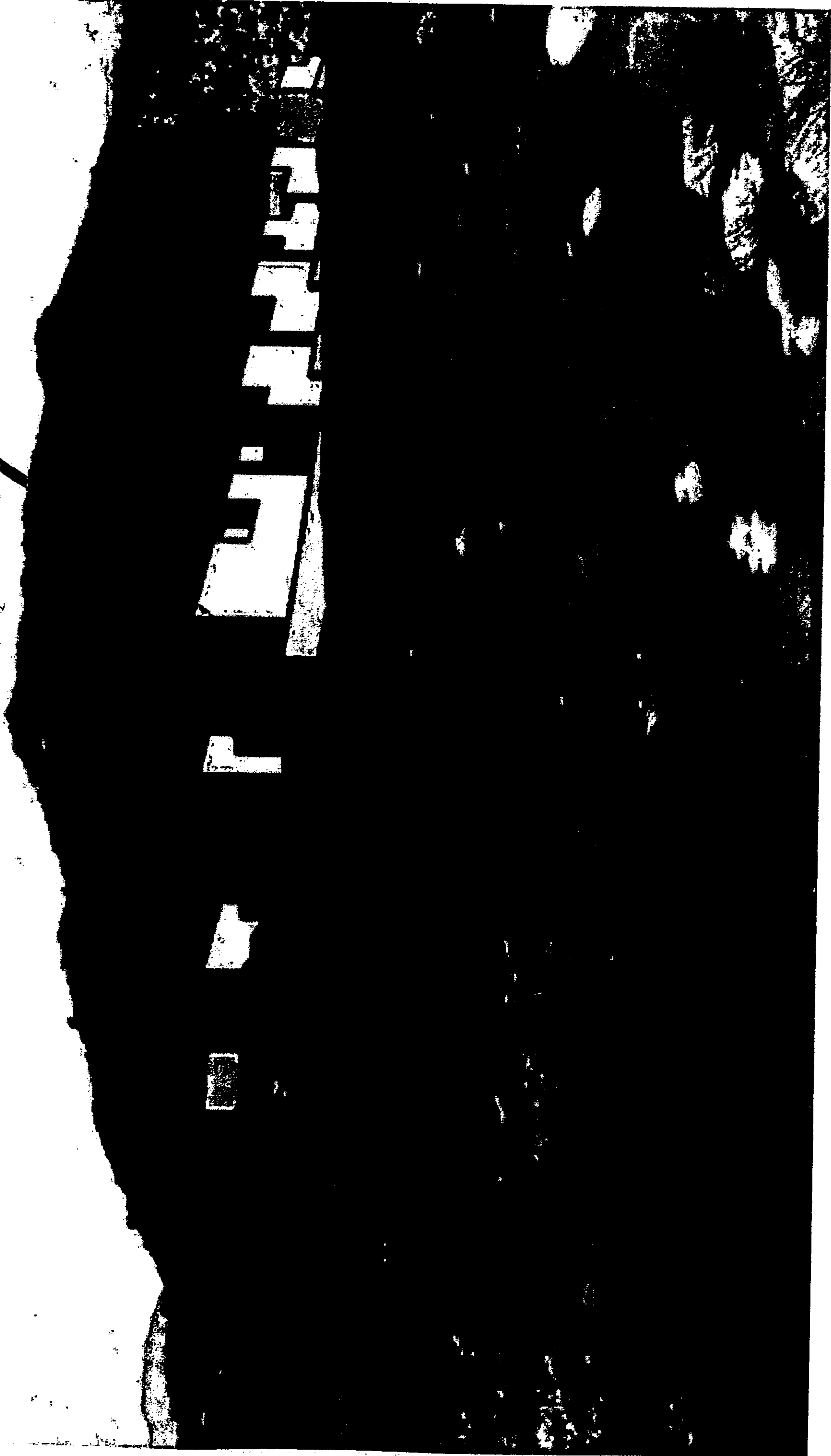
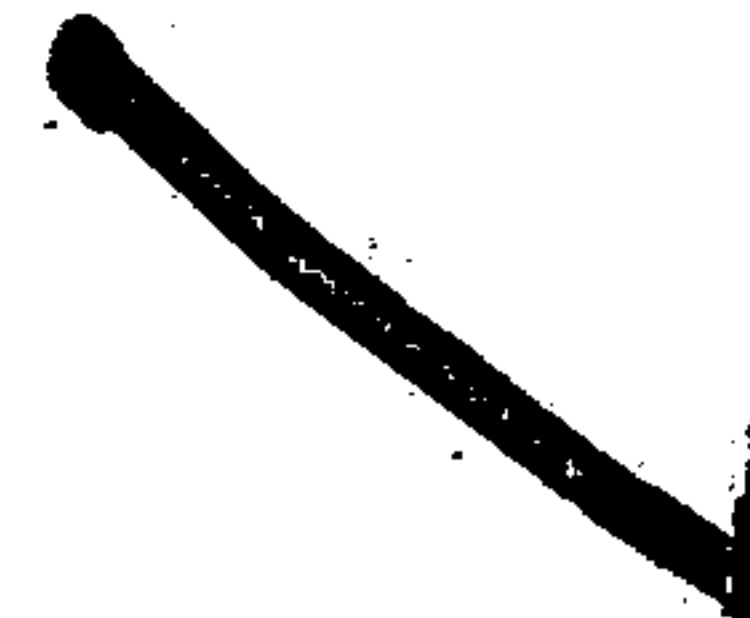
To satisfy this request, the existing site was rebuilt as a basic low level detail massing model, including existing buildings, using a three-dimensional computer software program called SketchUp home edition. The size, dimensions, elevations, etc, were all created to the closest level of accuracy possible by using GIS satellite imagery, and dimensioning tools within the GIS software. The digital model pictures were then superimposed over actual photos of the existing site to simulate the presence of the proposed development. While the exact nature of each proposed home in Wilderness Canon is not available, these Photo-Montages create a visual representation of the effect of the proposed development on the landscape.



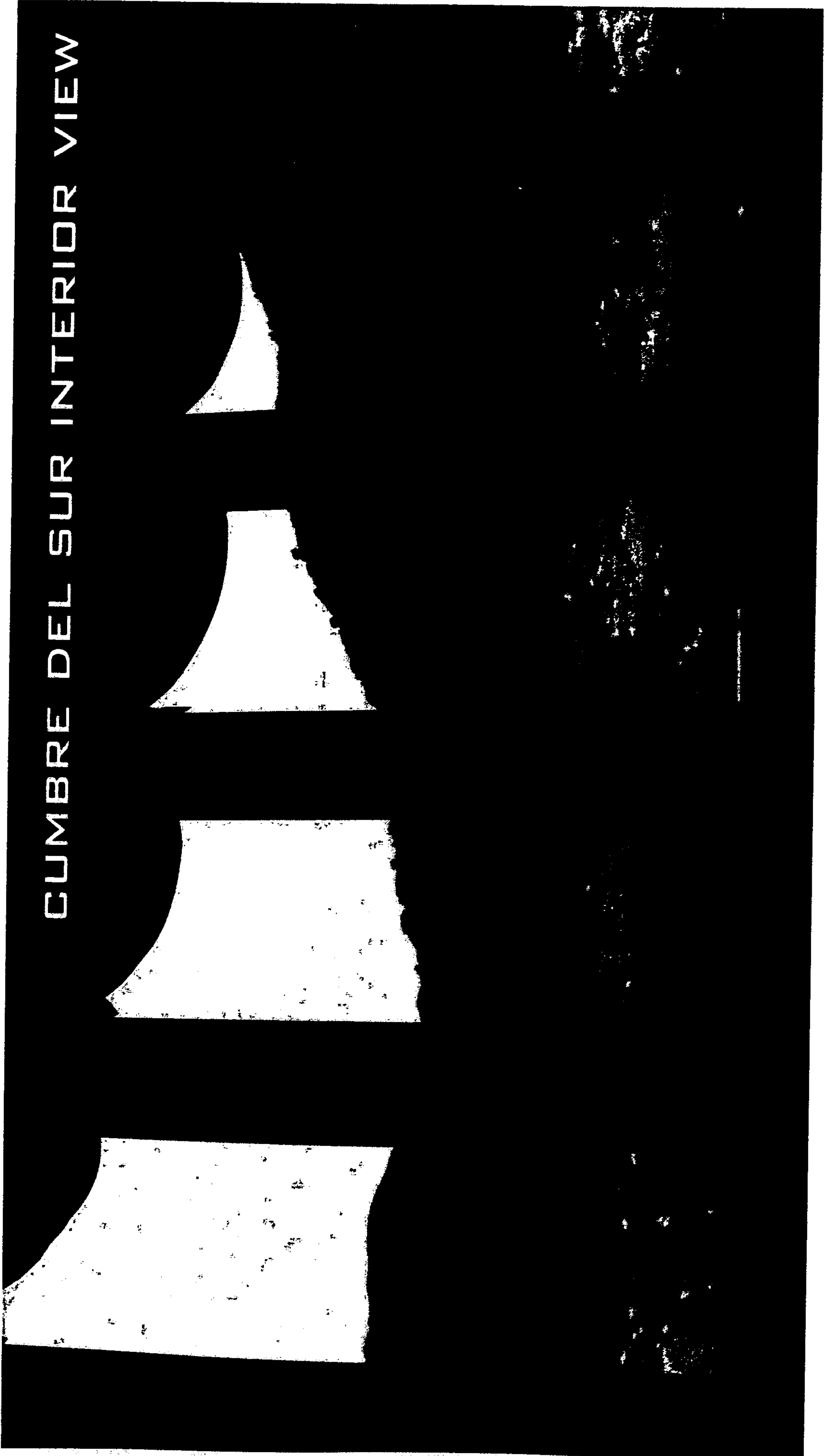
CRESTA DEL SUR EAST VIEW



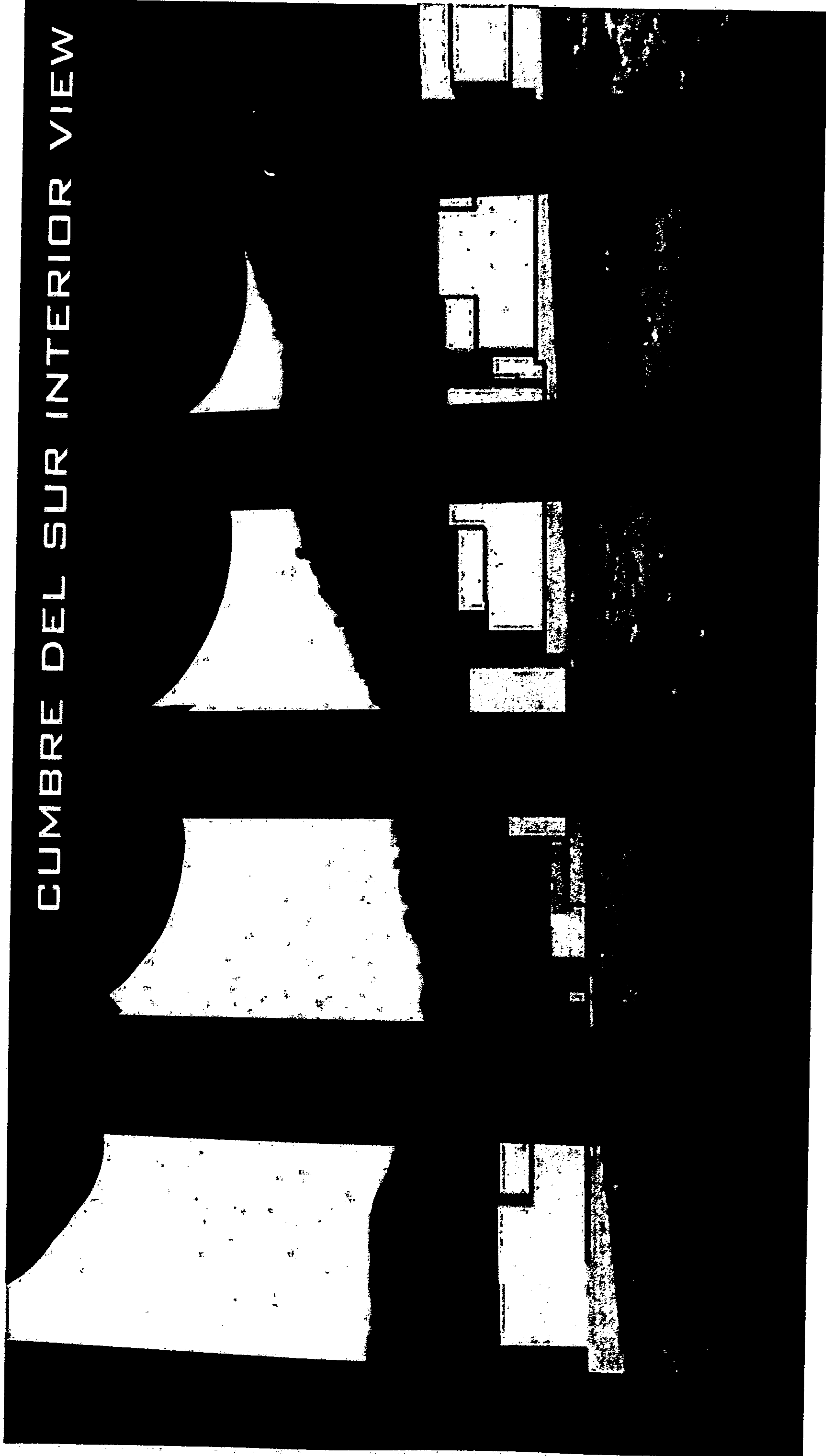
CRESTA DEL SUR EAST VIEW



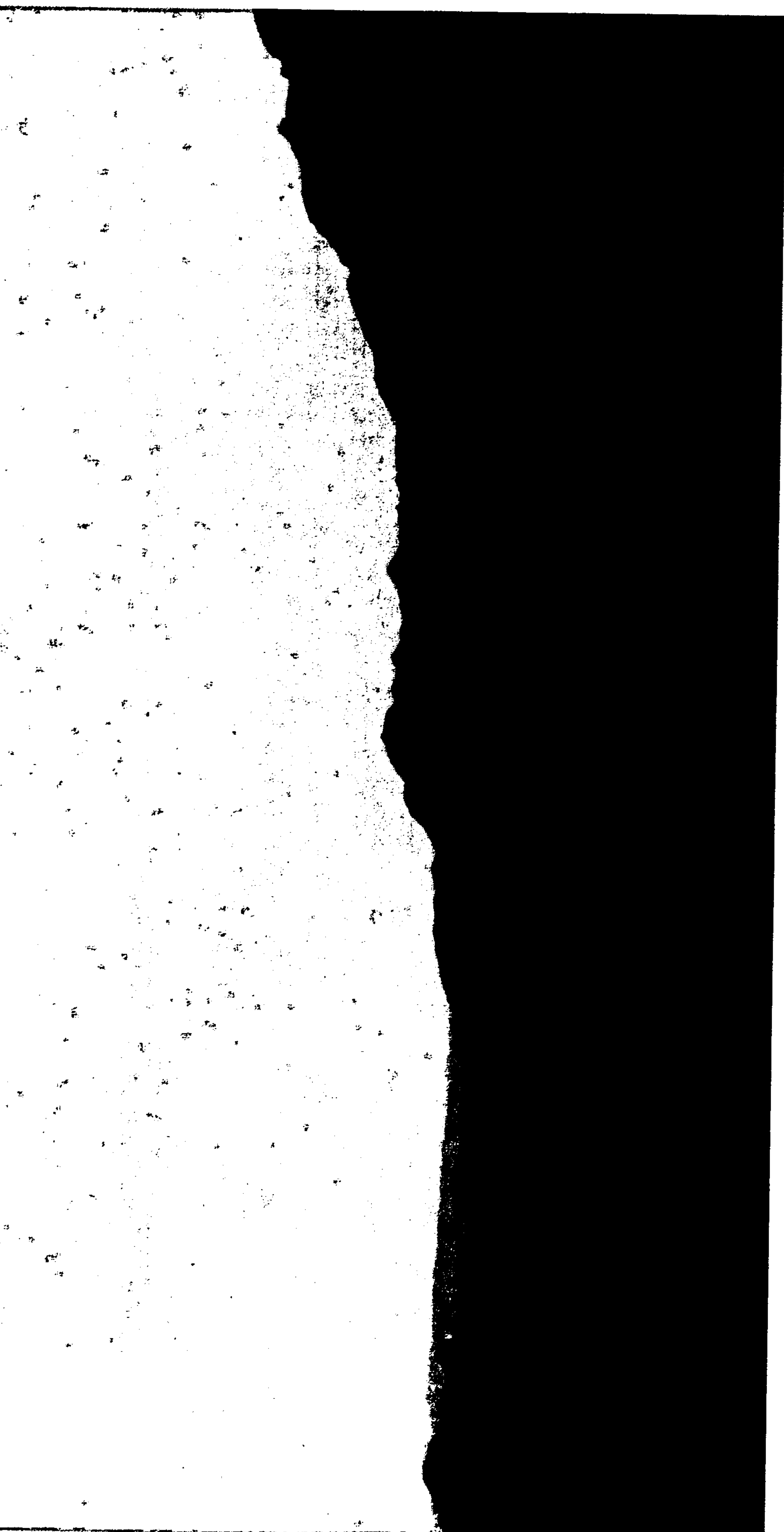
CUMBRE DEL SUR INTERIOR VIEW



CUMBRE DEL SUR INTERIOR VIEW



TRAILHEAD PUBLIC PARKING VIEW



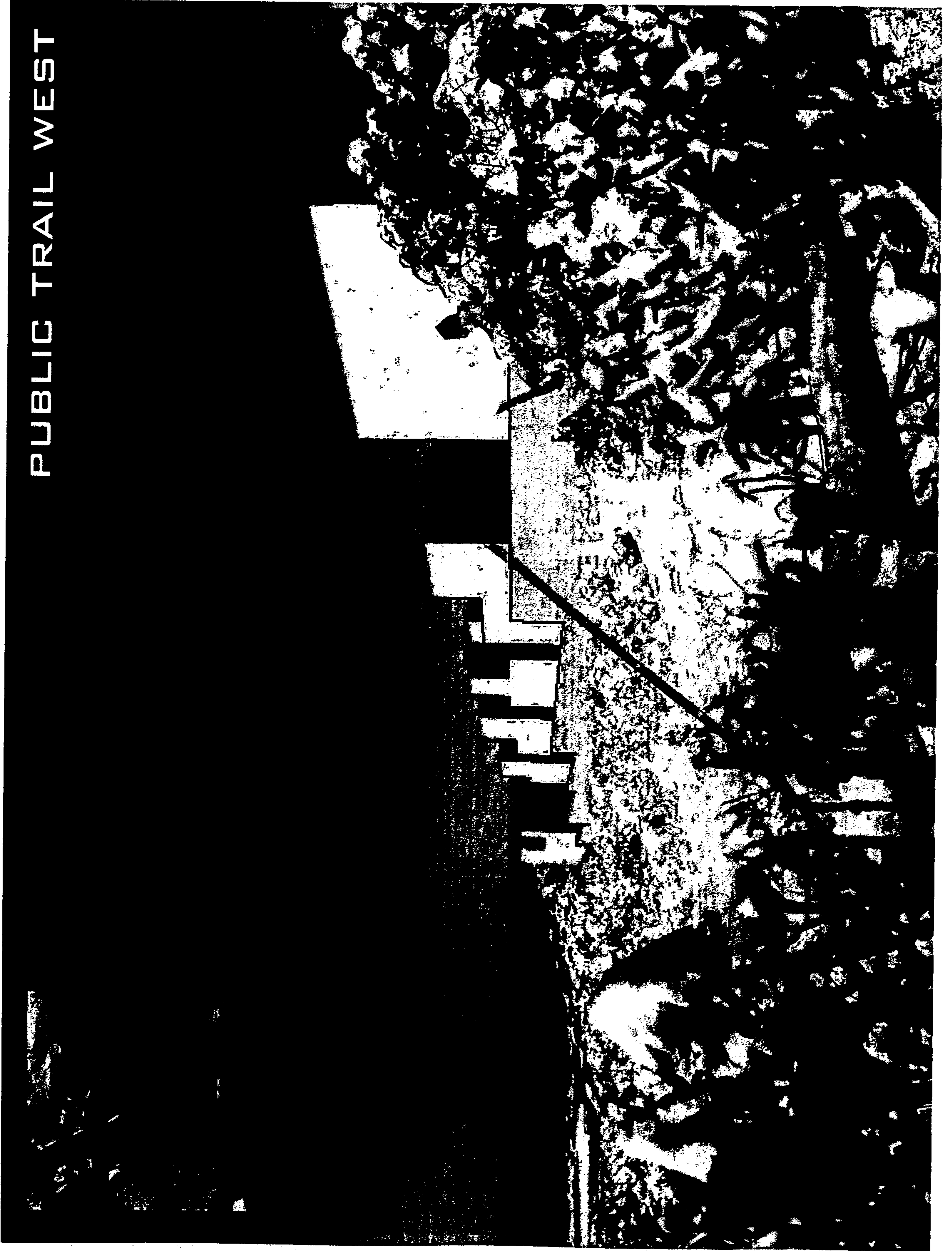
TRAILHEAD PUBLIC PARKING VIEW



PUBLIC TRAIL WEST



PUBLIC TRAIL WEST



FOOTHILLS ABOVE WILDERNESS VILLAGE
SOUTH WEST VIEW

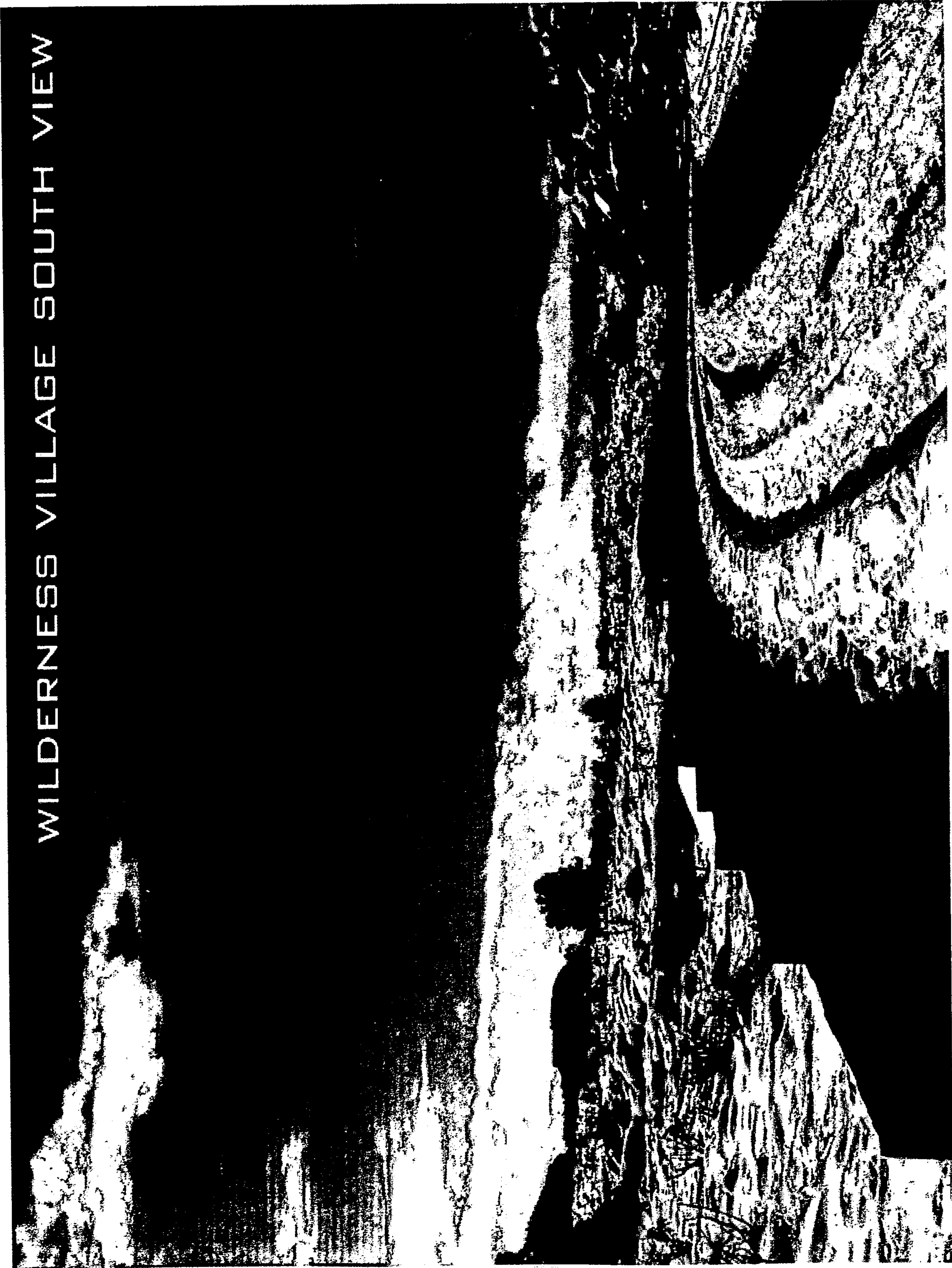


FOOTHILLS ABOVE WILDERNESS VILLAGE

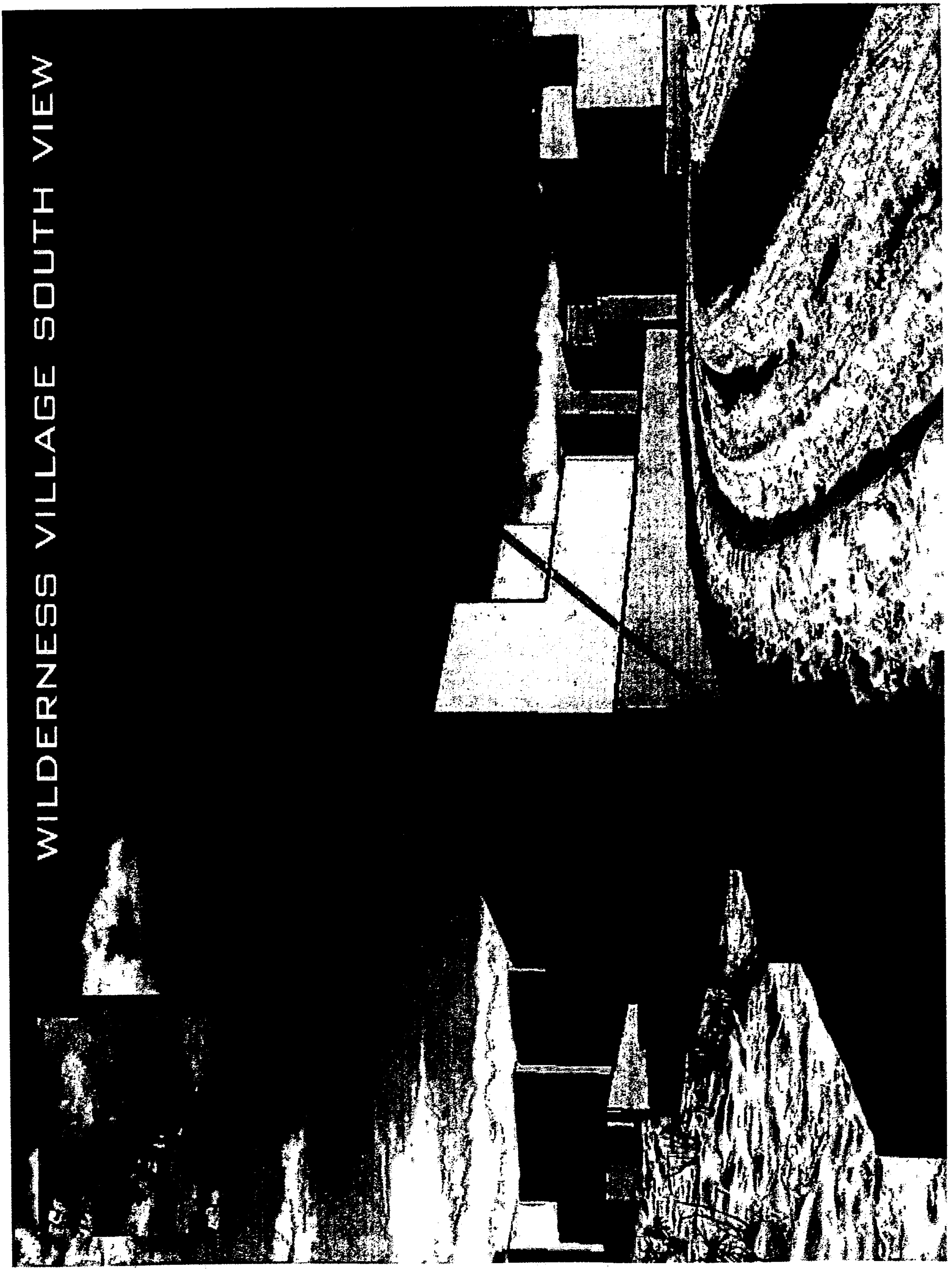
SOUTH WEST VIEW



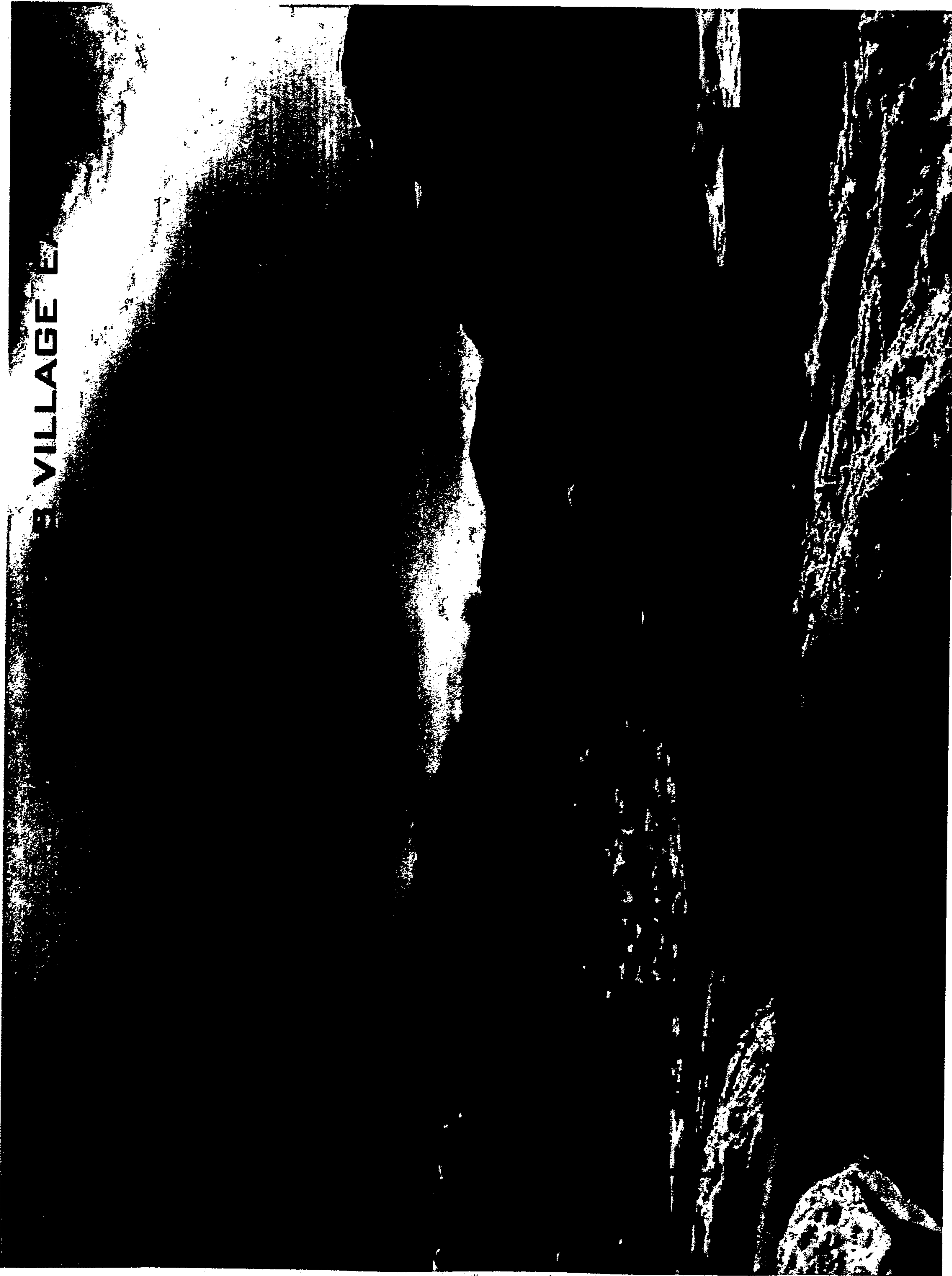
WILDERNESS VILLAGE SOUTH VIEW



WILDERNESS VILLAGE SOUTH VIEW



B VILLAGE EA



LILLAGE EA



PANORAMIC WEST VIEW

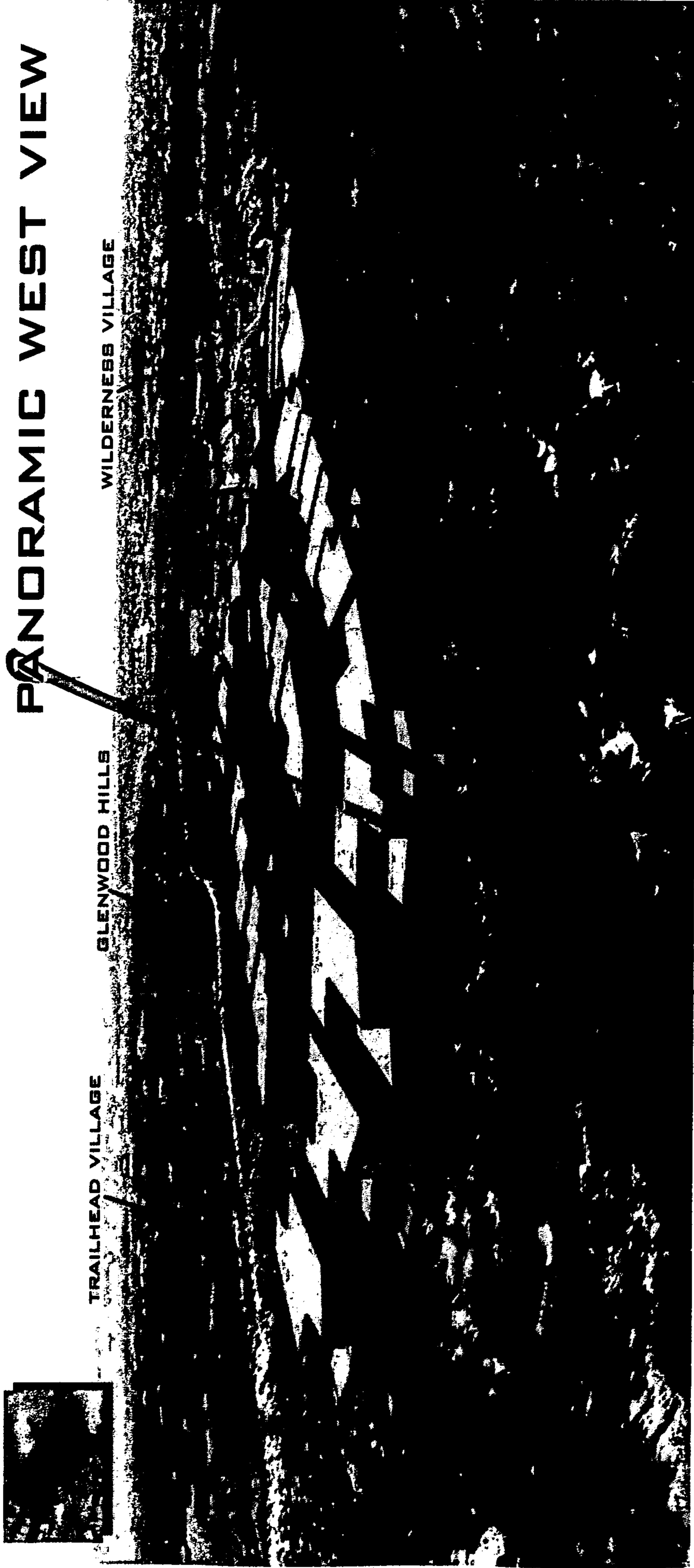


PANORAMIC WEST VIEW

TRAILHEAD VILLAGE

GLENWOOD HILLS

WILDERNESS VILLAGE



ARROYO OVERVIEW WEST

EXISTING 26' HOUSE

EXISTING 19' HOUSE

THE KNOLL

GLENWOOD HILLS

TRAILHEAD VILLAGE



2007 MAR - 7 A 8:40

CITY OF ALBUQUERQUE
LEGAL DEPT.



City of Albuquerque
www.cabq.gov



Living Visiting Busin

City Council Home

About City Council

- Councilors
- City Councilor News Reports
- Council District Maps Neighborhoods
- Frequently Asked Questions

Legistar Utilities

- Legislative File Search
- Legislative Calendar
- Office & People

Contact

Crystal Ortega
Phone: (505) 768-3100
Email: cortega@cabq.gov
Address:
 Albuquerque/Bernalillo County
 Government Center
 One Civic Plaza NW
 City Council, Room 9087
 Albuquerque, NM 87102

Keywords Ac-07-2

Search Clear

16 matches found. Showing page 2 of 2

File ID	Type	Status	Ir
AC-07-6	Appeal	Failed	3
Paula Welsh, Board Member and Agent for Isabel Cabre Clayton Heights/Lomas del Cielo Neighborhood Association Environmental Planning Commission's Approval of a Zon from R-1 to SU-1 for PRD and SU-1 for C-2...			
AC-07-5	Appeal	Remanded	2
John J. Kelly, Esq., Agent for Richard L. Gonzales, Appeals Urban Conservation Commission's Denial of a Request for Certificate of Appropriateness for Demolition of El Vado City Landmark at 2500 Ce...			
AC-07-4	Appeal	Accept	2
Consensus Planning, Inc., Agent for Daskalos Nob Hill, Appeals Board of Appeals Decision to Reverse the Zoning Hearing Approval of a Special Exception to the Nob Hill Sector PCCR, Para F.: a Conditional Use to...			
AC-07-3	Appeal	Remanded 8/6/07	1
Paul M. Kienzle III, Agent for High Desert Residential Organization Appeals the Development Review Board's Approval of a Vacation of Public Easements, Subdivision Design (DPM) Waiver; and Temporary Defer...			
AC-07-2	Appeal	Remanded 8/6/07	1
Hess Yntema, Agent for Carl & Lillian Fesler, Appeals the Review Board's Approval of a Preliminary Plat, Vacation Easements, Subdivision Design (DPM) Variance; Sidewalk Temporary Deferral of Sidewalk, Tract(s) A, ...			
AC-07-1	Appeal	Accept	1
David S. Campbell, Agent for Robert Galligan, Appeals the Decision to Remand to the Zoning Hearing Examiner a Conditional Use to Allow for Dwelling Units Constituting the Gross Floor Area on a...			

<< first < prev 10 records

powered by Daystar Computer Systems, Inc.