# Acity of Albuquerque



# **DEVELOPMENT/ PLAN** REVIEW APPLICATION Updated 4/16/15

		Supplem						
SUBDI	VISION Major subdivision action	·	S	Z	ZONIN	IG & PLANNING Annexation		
	Minor subdivision action					Alliexation		
	Vacation Variance (Non-Zoning)		V			Zone Map Amenda Zoning, includes Zo Development Plans	oning within	
SITE D	EVELOPMENT PLAN		P			Adoption of Rank 2		r similar
	for Subdivision for Building Permit					Text Amendment to Plan(s), Zoning Coo		
	Administrative Amendmen					Plants), Zoning Co	ie, or Subu.	. Regulations
	Administrative Approval (I IP Master Development P		Đ			Street Name Chang	ro (Loon) &	Collector)
	Cert. of Appropriateness (			_				Conector)
STORM	I DRAINAGE (Form D) Storm Drainage Cost Allo	cation Plan	L	A	APPE#	AL / PROTEST of  Decision by: DRB, I  Director, ZEO, ZHE	EPC, LUCC	
PRINT OR TYPE Planning Depart	PE IN BLACK INK ONLY tment Development Ser aid at the time of applica	Y. The applicant ovices Center, 600 attom. Refer to sun	or age 2 <sup>nd</sup> St	nt mu reet N	ust subn IW, Albu	nit the completed a uquerque, NM 871	application 02.	in person to th
APPLICATION INI		attori. Neter to sup	picitio	SI IKÇII	011113 10	1 Subitifical Tequile	Herits.	
		a Survovina LLC	Con	Crite	ako.		HONE. FO	E 900 4076
	Agent (if any): Alpha Pro							
	1436 32nd Circle SE							
	Rancho							
	Land Advisors Orginiz							
ADDRESS:	6565 Americas Parkwa	ay NE, Suite 200				FAX:	505-563-3	301
CITY: Albu	querque	STATE	NM	ZIP_	87110	E-MAIL:	,	
Proprietary int	erest in site: receiver for M	lesa del Sol	List a	li own	ers:			
	REQUEST: Minor Subd							
Lot or Tract N	ON: ACCURACY OF THE EX							r if NECESSARY.
	гвка: <u>Mesa del Sol Inc</u>							
Existing Zonin	g:	Propose	d zonin	g:			MRGCD Mar	P No
Zone Atlas pa	ge(s): R15, R16, R17, s	S15, S16, UPC Co	de: <u>1</u> .	-016-	050-26	0-274-201-01	······	
CASE HISTORY: List any curre	S17, T16, T17  nt or prior case number that n	nay be relevant to your	applica	ation (l	Proj., App	., DRB-, AX_,Z_, V_, S	5_, etc.):	
	1006539, Application	•		•	•		•	
CASE INFORMAT	ION:	Vithin 1000FT of a land						
No. of existing						e area (acres): <u>17</u>	64.76	
	F PROPERTY BY STREETS:							
Check if project	ct was previously reviewed by	ZSKetCii Plat/Plati □ 0	or Pre-a	applica	tion Revie	w ream(PRI) ⊔. R	aview Date: _	<del></del>
	Lary & Le	•					E <u>Feb. 2,</u>	
(Print Name)_	Gary Gritsko		····		<del>.</del>	Арр	licant: 🗆 Ag	jent: ☑
FOR OFFICIAL US	SE ONLY						Revi	sed: 11/2014
☐ INTERNAL RO		Application case n	umber	s		Action	S.F. F	ees
☐ All checklists a ☐ All fees have b	•						\$_	
All case #s are		-						······································
☐ AGIS copy has	s been sent							<del></del>
Case history #								
☐ Site is within 1☐ F.H.D.P. dens	000ft of a landfill ity bonus		·					otal
F.H.D.P. fee re	-	Hearing date						otal
		nearny vate					Φ_	<u></u>
				Proj	ect#			

Staff signature & Date

## 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)  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)  equired.  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.	
<b>a</b>	MAJOR SUBDIVISION FINAL PLAT APPROVAL (DRB12)  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.  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 ensure property owner's and City Surveyor's signatures are on the plat prior to submittal  Signed & recorded Final Pre-Development Facilities Fee Agreement for Residential development only Design elevations and cross sections of perimeter walls (11" by 17" maximum) 3 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  Bring original Mylar of plat to meeting, ensure property owner's and City Surveyor's signatures are on the plat 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)  DXF file and hard copy of final plat data for AGIS is required.	
<b>_</b>	MENDMENT 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 mendments. 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 mended preliminary plat approval expires after one year	<b>;</b>
nfo vith	applicant, acknowledge that any nation required but not submitted this application will likely result in ral of actions.  Gary Gritsko  Xapplicant name (print)  Applicant signature / date  Form revised October 2007	
	thecklists complete Application case numbers ees collected ————————————————————————————————————	_
	ees collected Planner signature / dat	. <del>.</del>



Dear Ms. Dicome and Members of the City of Albuquerque Design Review Board:

Re: Request for a Bulk Land Variance for subdivision of Mesa del Sol Innovation Park Track A1

Please accept this letter and attachments from the University of New Mexico (UNM) and New Mexico Land Advisors Organization, LLC, as supplemental support of the application for a Bulk Land Variance for Subdivision of the proposed Mesa del Sol Innovation Park Track A1. Rick Bressan of Land Advisors Organization, LLC, dba New Mexico Land Advisors, LLC, is the Receiver for approximately 2,800 acres at Mesa del Sol (MdS) and was appointed by the District Court of New Mexico in Case No. D-202-CV-05844, PNC Bank, National Association, Plaintiff v. Mesa Del Sol, LLC, Defendant ("Receiver, Bressan").

The following is intended to provide some critical background for the City of Albuquerque Design Review Board ("DRB") to understand the context of this important request. Forest City Covington (FCC) through its limited liability company, Mesa Del Sol, LLC, the former developer and owner of the subject property as well as the surrounding approximately 2,800 acres at MdS defaulted on its loan with PNC Bank, National Association (PNC) and PNC filed a foreclosure action against the ± 2,800 at MdS and FCC. In an effort to protect the interest of the University, UNM claimed an interest in the litigation and filed a successful Motion to Intervene. UNM had invested in the construction of a condominium interest in 5700 University Blvd, The Aperture Center (office building across from the proposed Tract 28 of the subject property which building was previously owned and operated by a FCC entity) and has placed the Interdisciplinary Film & Digital Media School (IFDM) in the above mentioned UNM owned condominium interest portion of the building. As part of the master plan concept established by the Level B entitlement in MdS, (new urbanism - approved by the City of Albuquerque, "CoA") UNM accepted the concept of "shared parking" and it was assumed by all (UNM, FCC and the CoA) that parking at the IFDM School would be accommodated by certain dedicated parking as well as additional "shared" parking as it was developed in the immediate area and therefore, the normal required parking spaces were not dedicated to the IFDM School. Given the current circumstances of ownership and the fact that FCC is no longer involved in the ownership of the Aperture Center building or the surrounding property (presently, Receiver Bressan on behalf of PNC), the assurance of adequate future parking upon full occupancy of the IFDM school and as future development in the immediate area occurs is not certain. These are the facts that have prompted the need for UNM to have ownership and associated control of the subject property in Tract 28. The IFDM is not fully occupied and therefore there is presently, sufficient parking.

Additionally, UNM was to have been compensated for its efforts at MdS by FCC through the development of the MdS lands which anticipated compensation are being lost as a result of FCC's default and this subsequent foreclosure. Therefore, through negotiations between PNC and UNM, a settlement of UNM's claims was reached and said settlement was approved by the Court through a Court Order. Pursuant to that Court Order, Receiver, Bressan shall transfer the subject property to UNM but at no expense to PNC nor Receiver, Bressan – thus UNM is responsible for all cost associated with obtaining this subdivision approval. UNM, a New Mexico public entity is subject to the "anti-donation" clause of the New Mexico Constitution and therefore, cannot expend public monies for the benefit of a



private entity, including the present nor future owner of the subject property. UNM needs the proposed Tract 28 of the subject property to both assure that it has enough parking for its School of Film and Digital Media, if/when fully occupied and to partially compensate it for its loss as a result of FCC's failure; however, it has no immediate plans or need to develop the property and is willing to so state and accept as a restriction on any approval by the DRB as a condition of approval. Further UNM agrees that any other conditions placed thereon must be complied with before any further sub-division, site planning, new zoning or development can occur.

We believe that a Bulk Land Variance is appropriate under § 14-14-6-1 (A) (2 & 4) because of the aforementioned "anti-donation" clause of the New Mexico Constitution and the fact that UNM has no immediate plans to develop the property but has the immediate need to obtain the property while PNC and Receiver, Bressan are still the owners of the property and are subject to the Court Order (obviously, they plan to sell the entire MdS property to another entity and actually have it under present contract) as "... extraordinary hardship or practical difficulty may result from strict compliance with the minimum standards" and as "... use of the land for building purposes is not expected...." exist and no "...further subdivision or zoning site development plan approval" is expected until or unless all conditions are completed.

Based on the above, we request a Bulk Land Variance for Subdivision of Mesa del Sol Innovation Park Track A1 and would agree to all necessary conditions placed thereupon for future development, site planning, zoning and/or further subdivision.

Respectfully,

Manny Barrera, PE

Ravens Wing Consulting, LLC



September 28, 2017

RE: Agent Authorization Letter – Bulk Land Variance Tract 28 Mesa del Sol Innovation Park

DRB Chair - Jack Cloud

City of Albuquerque 600 2<sup>nd</sup> St NW Albuquerque, NM 87102

Dear Mr. Cloud,

Please find this letter as Authorization for the DRB action of the Bulk Land Variance of Mesa del Sol's Innovation Park creating a 9.39 Acre Parcel near Albuquerque Studios to be represented by J Manuel Barrera, PE of Ravens Wing Consulting, LLC in conjunction with Mr. Gary Gritsco, PS of Alpha Pro Surveying.

Feel free to contact me if you have any questions or concerns.

Respectfully,

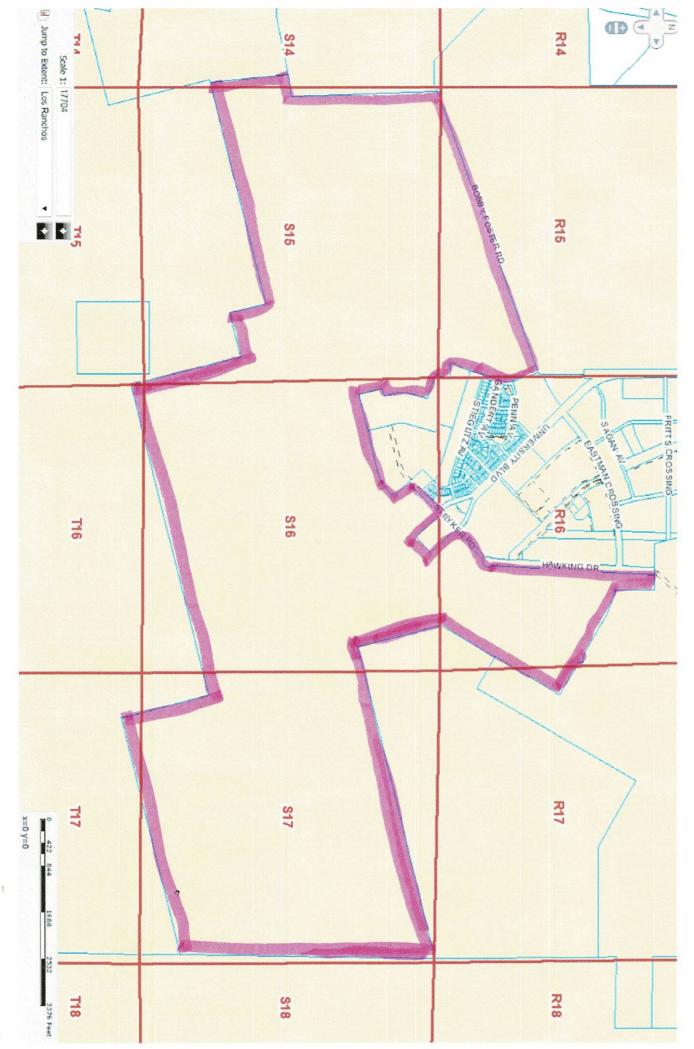
LAND ADVISORS ORGANIZATION, LLC d/b/a New Mexico Land Advisors, LLC, an Arizona limited liability company

By:

Richard T. Bressan, Agent,

As Court Appointed Receiver for Mesa del Sol, LLC, a New Mexico limited liability company, in Bernalillo County District Court Cause No. D-202-CV-2015-05944

ZONE ATLAS PAGES





### Alpha Pro Surveying LLC 1436 32ND Circle SE Rio Rancho, New Mexico 87124 Office (505) 892-1076

e-mail: gary@alphaprosurveying.com

Mesa del Sol Neighborhood Association lov Ziener 5601 Addis Avenue SE Albuquerque, New Mexico 87105

February 1, 2018

RE: Bulk Land Plat of Tract 28 and A-1-A, Mesa del Sol Innovation Park at University Blvd. SE and Stryker Road SE

The enclosed plat has been submitted to the City Development Review Board. The request is to subdivide Tract A-1 to create Tract 28. UNM is purchasing Tract 28, 9.35 acres, for future development.

This letter serves as notification to your neighborhood association, as required by Section 14-8-2-7 of the Neighborhood Association Recognition Ordinance.

Please call me if you have any questions about this request.

Sincerely,

Lary & Lutolo Gary E. Gritsko NMPS No. 8686

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ALBUQUERQUE. NR 874U6 LM m D. Extra Services & Fees (check box, add fee a promptete) \$0.00 \$0.00 Certified Mail Restricted Delivery \$0.00 Adult Signature Restricted Delivery \$ 7000 SOL N.A.

## Alpha Pro Surveying LLC 1436 32ND Circle SE Rio Rancho, New Mexico 87124 Office (505) 892-1076

e-mail: gary@alphaprosurveying.com

Mesa del Sol Neighborhood Association lames Thompson 2227 Stieglitz Avenue SE Albuquerque, New Mexico 87105

February 1, 2018

RE: Bulk Land Plat of Tract 28 and A-1-A, Mesa del Sol Innovation Park at University Blvd. SE and Stryker Road SE

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Sincerely,

Lary & Litoto Gary E. Gritsko NMPS No. 8686

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Return Receipt (electronic) \$0.00 **, Espide**rk 1 5018 \$0.00 Certified Mail Restricted Delivery Adult Signature Required \$0.00 Adult Signature Restricted Delivery \$ \$1.42 02/01/2018 \$ Total Postage and \$695.62 7017 N.A. SE



Gary Gritsko <gary@alphaprosurveying.com>

#### Fwd: Notification Inquiry\_University Blvd and Stryker Rd\_DRB

1 message

Manny Barrera <mannybarrera@ravenswingconsulting.com> To: "gary@alphaprosurveying.com" <gary@alphaprosurveying.com> Mon, Jan 29, 2018 at 7:30 AM

Gary

Please see the attached.

Thanks

From: Quevedo, Vicente M. <vquevedo@cabq.gov> Sent: Tuesday, January 23, 2018 9:50:48 AM To: 'mannybarrera@ravenswingconsulting.com'

Subject: Notification Inquiry\_University Blvd and Stryker Rd\_DRB

Manny,

See contact information below and attached related to your upcoming DRB submittal. Please also review that attached instruction sheet.

Association Name	First Name	Last Name	Address Line 1	City	State	Zip	Mobile Phone	Email
Mesa Del Sol NA	Joy	Ziener	5601 Addis Avenue SE	Albuquerque	NM	87106	5053316449	independencedayjoy@gmail.com
Mesa Del Sol NA	James	Thompson	2227 Stieglitz Avenue SE	Albuquerque	NM	87106	2088696638	jamesrthompson8@gmail.com

Respectfully,

Vicente M. Quevedo, MCRP

Neighborhood Liaison, Office of Neighborhood Coordination

City of Albuquerque - City Council

(505) 768-3332

cabq.gov/neighborhoods

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From: webmaster=cabq.gov@mailgun.org [mailto:webmaster=cabq.gov@mailgun.org] On Behalf Of webmaster@cabq.gov

Sent: Monday, January 22, 2018 5:55 PM

To: Office of Neighborhood Coordination <onc@cabq.gov> Subject: Notification Inquiry Sheet Submission

Notification Inquiry For:

Development Review Board Submittal

If you selected "Other" in the question above, please describe what you are seeking a Notification Inquiry for below:

Contact Name

Manny Barrera, PE

Company Name

Ravenswing Consulting, LLC

Address

3102 10TH ST NW

City

**ALBUQUERQUE** 

State

NM

ZIP

87107

Telephone Number

5053143346

**Email Address** 

mannybarrera@ravenswingconsulting.com

Anticipated Date of Public Hearing (if applicable):

February 21, 2018

Describe the legal description of the subject site for this project:

Tract A-1 of Bulk Land Plat of Tracts A-1 Thru A-6 Mesa Del Sol Innovation Park

Located on/between (physical address, street name or other identifying mark):

University Blvd SE and Stryker Rd. Across from Albuquerque Studios Mesa del Sol

This site is located on the following zone atlas page:

R-16-Z

#### 3 attachments





INSTRUCTION SHEET FOR APPLICANTS.pdf 290K