





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

8. **Project# 1003359**
12DRB-70090 MINOR - PRELIMINARY/
FINAL PLAT APPROVAL
- RIO GRANDE ENGINEERING agent(s) for LEGACY HOSPITALITY LLC request(s) the above action(s) for all or a portion of Lot(s) 23 - 25 Block(s) 26 **TRACT A UNIT B NORTH ALBUQUERQUE ACRES** zoned SU-2 located on EAGLE ROCK BETWEEN LOUISIANA AND SAN PEDRO containing approximately 3 acre(s). (C-18) **THE PRELIMINARY/FINAL PLAT WAS APPROVED WITH FINAL SIGN OFF DELEGATED TO PLANNING FOR VERIFICATION OF MILES OF STREET CREATED AND FOR AGIS DXF.**
9. **Project# 1004360**
12DRB-70086 EXT OF SIA FOR TEMP
DEFER SDWK CONST 
- RIO GRANDE ENGINEERING agent(s) for ALFELD, LLC request(s) the above action(s) for all or a portion of **ENTRADA DEL BOSQUE** zoned RA-2, located on MOUNTAIN BETWEEN GABALDON AND LUCERO (J-12) **A TWO YEAR EXTENSION TO THE AGREEMENT FOR THE DEFERRAL OF SIDEWALKS WAS APPROVED.**
10. **Project# 1004530**
12DRB-70084 EXT OF SIA FOR TEMP
DEFER SDWK CONST 
- CUSTOM GRADING, INC. agent(s) for DWAYE PINO, AMERI-CONTRACTORS request(s) the above action(s) for all or a portion of **LAS MIRADAS TOWNHOMES** zoned SU-1 FOR PDA INCL C-3, located on PARADISE BETWEEN MARNA LYNN AND DAVEPORT containing approximately 1.7132 acre(s). (C-12) **A TWO YEAR EXTENSION TO THE AGREEMENT FOR THE DEFERRAL OF SIDEWALKS WAS APPROVED.**
11. **Project# 1007095**
12DRB-70089 MINOR - PRELIMINARY/
FINAL PLAT APPROVAL 
- ALPHA PROFESSIONAL SURVEYING, INC. agent(s) for EIGHTY SIXTH LLIMITED PARTNERSHIP request(s) the above action(s) for all or a portion of Lot(s) 1, **LANDS OF L.W. BARRETT** zoned SU-1 FOR DAY CARE, located on SAN YGNACIO AND 86TH ST containing approximately .9987 acre(s). (L-9) **WITH THE SIGNING OF THE INFRASTRUCTURE LIST DATED 3/21/12, THE PRELIMINARY PLAT WAS APPROVED. THE FINAL PLAT WAS INDEFINITELY DEFERRED FOR THE SIA.**
12. **Project# 1007766**
12DRB-70088 MINOR - PRELIMINARY/
FINAL PLAT APPROVAL 
- SURV-TEK INC agent(s) for MATTEUCCI TRUST, ET. AL. request(s) the above action(s) for all or a portion of Lot(s) SEE APPLICATION, **TRACT A, LANDS OF MATTEUCCI TRUST** zoned SU-2/HM, located on COMMERCIAL BETWEEN BACA AND MCKIGHT containing approximately 3.9712 acre(s). (J-14) **THE PRELIMINARY/FINAL PLAT WAS APPROVED WITH FINAL SIGN OFF DELEGATED TO TRANSPORTATION FOR ENCROACHMENTS AND TO PLANNING FOR AGIS DXF.**

DRB CASE ACTION LOG - BLUE SHEET

- ~~Preliminary~~/Final Plat [FP]
- Site Plan - Subdivision [SPS]
- Site Plan - Building Permit [SBP]

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

Project #: 1007095 Application #: 12.DRB-70089
Project Name: Lands of L. W. Barrett
Agent: Alpha Professional Surveying Phone #:

Your request was approved on 4-25-12 by the DRB with delegation of signature(s) to the following departments - outstanding comments to be addressed

- TRANSPORTATION: _____
- ABCWUA: _____
- CITY ENGINEER / AMAFCA: _____
- PARKS / CIP: _____
- PLANNING (Last to sign): dzel

PLATS:

- 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.
 - County Treasurer's signature must be obtained prior to the recording of the plat with 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.

ALL SITE PLANS:

- 3 copies of the approved site plan. Include all pages.



**DEVELOPMENT REVIEW BOARD
Action Sheet**

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




February 15, 2012 9:00 AM
MEMBERS:

Jack Cloud, DRB Chair
Angela Gomez, Administrative Assistant

Kristal Metro, Transportation Development
Curtis Cherne, City Engineer

Allan Porter, ABCWUA
Carol Dumont, Parks & Recreation

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

1. **Project# 1007095**
12DRB-70038 EPC APPROVED SDP
FOR BUILD PERMIT 
J. KORY BAKER, ARCHITECT agent(s) for EIGHTY SIXTH LIMITED PARTNERSHIP request(s) the above action(s) for all or a portion of Lot(s) 1, **LANDS OF BARRETT** zoned SU-2/RD 9 DU/AC, located on 86TH ST SW BETWEEN SAN IGNACIO SW AND SAGE SW containing approximately .994 acre(s). (L-9)**DEFERRED TO 2/29/12 AT THE AGENT'S REQUEST.**
2. **Project# 1002650**
12DRB-70024 EPC APPROVED SDP
FOR BUILD PERMIT
12DRB-70025 EPC APPROVED SDP
FOR SUBDIVISION
12DRB-70029 MINOR - PRELIMINARY/
FINAL PLAT APPROVAL 
BOHANNAN HUSTON, INC, and DEKKER PERICH SABATINI agent(s) for SOUTH UNSER, LLC request(s) the referenced/ above action(s) for all or a portion of Tract A, **VIDAS SUBDIVISION** zoned C-2 (SC), located on the west side of SAN MATEO BLVD NE between CUTLER AVE NE and PROSPECT AVE NE containing approximately 5.58 acre(s). (H-17)[*Deferred from 2/8/12*]**DEFERRED TO 2/22/12 AT THE AGENT'S REQUEST.**
3. **Project# 1007316**
11DRB-70284 AMENDED SITE
DEVELOPMENT PLAN FOR
BUILDING PERMIT 
DEKKER/PERICH/SABATINI agent(s) for HUNT UPTOWN II, LLC request(s) the referenced/ above action(s) Tract A, **HUNT-SPECTRUM DEVELOPMENT SITE** zoned SU-3 MU-UPT, located on the south side of INDIAN SCHOOL RD NE between LOUISIANA BLVD NE and UPTOWN LOOP RD NE containing approximately 7.467 acre(s). (J-19)**DEFERRED TO 2/22/12 AT THE AGENT'S REQUEST.**

**CITY OF ALBUQUERQUE
PLANNING DEPARTMENT
February 15, 2012
DRB Comments**

ITEM # 1

PROJECT # 1007095

APPLICATION # 12-70038

RE: Lot 1, Lands of Baret

Letter of withdrawal for previous site plan is needed from owner. Please refer to the Development Process Manual for proper Infrastructure List format (Volume I, Chapter 5, at the end of Figure 12 after INFRASTRUCTURE LIST GUIDE SHEET).

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

City of Albuquerque
Planning Department
Inter-Office Memorandum

TO: Jack Cloud, DRB Chair

FROM: Randall Falkner, Planner

SUBJECT: Project # 1007095

On November 10, 2011, the Environmental Planning Commission approved Project #1007095 11EPC 40065/40064, an amendment to a site development plan for subdivision and a site development plan for building permit, for all or a portion of Lot 1, Lands of L.W. Barret, located on 86th Street SW, between San Ygnacio Road SW and Sage Road SW, containing approximately 1 acre.

The applicant has satisfied all of the EPC conditions of approval.

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

Thank you.



DRB CASE ACTION LOG (SDP – BUILD. P)

REVISED 10/08/07

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

DRB Application No.: 09DRB-70021

Project # 1007095

Project Name: LANDS OF L W BARRETT

Agent: J KORY BAKER ARCHITECT

Phone No.: 374-3112

Your request was approved on 2-11-09 by the DRB with delegation of signature(s) to the following departments.

OUTSTANDING SIGNATURES COMMENTS TO BE ADDRESSED

TRANSPORTATION: - Roadway Easement

UTILITIES: _____

CITY ENGINEER / AMAFCA: - SIA, 3 copies

PARKS / CIP: _____

PLANNING (Last to sign): _____

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

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

3 copies of the approved site plan. Include all pages.

- County Treasurer's signature must be obtained prior to the recording of the plat with the County Clerk.
- Property Management's signature must be obtained prior to Planning Department's signature.
- AGIS DXF File approval required.
- Copy of recorded plat for Planning.

7. **Project# 1007140**
 08DRB-70297 VACATION OF PUBLIC EASEMENT
 08DRB-70300 SIDEWALK WAIVER
 08DRB-70301 MINOR - TEMP DEFR SWDK CONST
 08DRB-70302 MAJOR - SDP FOR SUBDIVISION
 08DRB-70303 MAJOR - PRELIMINARY PLAT APPROVAL

MARK GOODWIN AND ASSOCIATES PA agent(s) for JUAN TABO HILLS, LLC request(s) the above action(s) for all or a portion of Tract(s) 2-A, A-C, **JUAN TABO HILLS, UNIT 1**, zoned AD, SU-1, located on JUAN TABO BLVD BETWEEN VIA POSADA RD AND JULFSTREAM DR containing approximately 41.0242 acre(s). (M-22) [*Deferred from 7/30/08, 8/20/08 8/27/08, 9/3/08, 9/17/08, 10/1/08, 10/22/08, 11/5/08, 11/26/08, 12/3/08, 12/14/09*] **DEFERRED TO 3/11/09 AT THE AGENT'S REQUEST.**

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

8. ~~**Project# 1007095**~~
 09DRB-70021 EPC APPROVED SDP FOR BUILD PERMIT

J KORY BAKER ARCHITECT agent(s) for 86TH LTD PARTNERSHIP request(s) the above action(s) for all or a portion of Lot(s) 1, **LANDS OF L W BARRETT** zoned SU-2 FOR RD, located on 86TH ST SW BETWEEN SAN IGNACIO SW AND SAGE SW containing approximately .994 acre(s). (L-9) [*Deferred from 1/28/09, 2/4/09*] **WITH THE SIGNING OF THE INFRASTRUCTURE LIST, THE SITE PLAN FOR BUILDING PERMIT WAS APPROVED WITH FINAL SIGN OFF DELEGATED TO TRANSPORTATION FOR ROADWAY EASEMENT AND TO THE CITY ENGINEER FOR SIA AND FOR 3 COPIES.**

9. **Project# 1007551**
 09DRB-70019 EPC APPROVED SDP FOR BUILD PERMIT

GREAT BASIN ENGINEERING agent(s) for SMITH'S FOOD AND DRUG CENTERS, INC request(s) the above action(s) for all or a portion of Lot(s) B-1-B, **HUBBELL PLAZA**, zoned C-2, located on CENTRAL AVE NW BETWEEN COORS NW AND AIRPORT RD NW containing approximately 2.26 acre(s). (K-10) [*Deferred from 1/28/09 – to be deferred to 2/11/09, 2/4/09*] **DEFERRED TO 3/18/09 AT THE AGENT'S REQUEST.**

10. **Project# 1003565**
 08DRB-70534 EPC APPROVED SDP FOR BUILD PERMIT

JOSH SKARSGARD agent(s) for ART GARDENSWARTZ request(s) the above action(s) for all or a portion of Lot(s) 1 & 2, Block(s) 8, **MIRAMONTES PARK Unit(s) 1**, zoned C-1, SU-1 C-2 USES AND WAREHOUSE, located on SAN MATEO BLVD NE BETWEEN CLAREMONT AVE NE AND PHOENIX AVE NE (H-1)[*Deferred from 1/7/09, 1/28/09, 2/4/09*] **INDEFINITELY DEFERRED AT THE AGENT'S REQUEST.**

City of Albuquerque
Planning Department
Inter-Office Memorandum

TO: Jack Cloud, DRB Chair

FROM: Randall Falkner, Planner

SUBJECT: Project # 1007095

On March 20, 2008, the Environmental Planning Commission approved Project # 1007095, 08EPC-40011, a site development plan for building permit, and 08EPC-40013, an amendment to the sector development plan map from RD9DU/AC to SU-2/SU-1 for day care center, for all or a portion of lot 1, lands of LW Barrett, containing approximately 0.5 acre.

The applicant has not satisfied the EPC condition of approval for amendment to the sector development plan map that the accompanying site development for building permit must receive final DRB sign-off within 6 months of the action of an amendment to the sector development plan map. The applicant must receive an extension before going to DRB.

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

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

Thank you.

Complete
5-4-12

DRB CASE ACTION LOG - BLUE SHEET

- Preliminary/Final Plat [FP]
- Site Plan - Subdivision [SPS]
- Site Plan - Building Permit [SBP]

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

Project #: 1007095 Application #: 12DRB-70089
 Project Name: Lands of L.W. Barrett
 Agent: Alpha Professional Surveying Phone #:

Your request was approved on 4-25-12 by the DRB with delegation of signature(s) to the following departments - outstanding comments to be addressed

TRANSPORTATION:

ABCWUA:

CITY ENGINEER / AMAFCA:

PARKS / CIP:

PLANNING (Last to sign): [Signature]

PLATS:

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.
- County Treasurer's signature must be obtained prior to the recording of the plat with 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.

ALL SITE PLANS:

3 copies of the approved site plan. Include all pages.



DEVELOPMENT REVIEW BOARD SUPPLEMENTAL SUBMITTAL

PROJECT NO. 1007095

TO: Application No. _____

ALL MEMBERS

Jack Cloud, DRB Chairman, Planning Department

Curtis Cherne, P.E., Hydrology

Kristal Metro, P.E., Transportation Development

Allan Porter, P.E., Albuquerque/ Bernalillo Co. WUA

Carol Dumont, Parks/Municipal Development

NEXT HEARING DATE: 4.25.12

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

SUBMITTAL DESCRIPTION: 2 COPIES EA OF SIA (PROCEDURE B)

& SIA (PROCEDURE C) TO FINALIZE REPEAT

(R.O.W. DEDICATION) & SITE DEVELOPMENT

PLAN

CONTACT NAME: KORY BAKER

TELEPHONE: 384.3112 EMAIL: kbaker@higherspeed.net

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

AGREEMENT TO CONSTRUCT
PUBLIC AND/OR PRIVATE SUBDIVISION IMPROVEMENTS

THIS AGREEMENT is made this 10th day of April, 2012, by and between the City of Albuquerque, New Mexico ("City"), a municipal corporation, whose address is P. O. Box 1293 (One Civic Plaza), Albuquerque, New Mexico 87103, and EIGHTY SIXTH LIMITED PARTNERSHIP ("Subdivider"), a [state the type of business entity, for instance, "New Mexico corporation," "general partnership," "joint venture," "individual," etc.], LIMITED PARTNERSHIP, whose address is 142 WALDEN ROAD, CORRALES, NM 87048 and whose telephone number is 505.897.8511, is made in Albuquerque, New Mexico, and is entered into as of the date of final execution of this Agreement.

1. Recital. The Subdivider is developing certain lands within the City of Albuquerque, Bernalillo County, New Mexico, known as [existing legal description:] LOT NUMBERED ONE (1), LANDS OF L.W. BARRETT, recorded on MAY 3, 1976 in the records of the Bernalillo County Clerk at Book C11, pages 56 through _____ (the "Subdivision"). The Subdivider certifies that the Subdivision is owned by [state the name of the present real property owner exactly as shown on the real estate document conveying title in the Subdivision to the present owner:] EIGHTY SIXTH LIMITED PARTNERSHIP ("Owner").

The Subdivider has submitted and the City has approved a preliminary plat or Site Development Plan identified as LOT 1-A, LANDS OF L.W. BARRETT describing Subdivider's Property ("Subdivider's Property").

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

2. Improvements and Construction Deadline. The Subdivider agrees to install and complete the public and/or private improvements described in Exhibit A, the required infrastructure listing ("Improvements"), to the satisfaction of the City, on or before the APRIL 2, 2013, ("Construction Completion Deadline"), at no cost to the City. The Improvements are shown in greater detail on the Subdivider's proposed and approved plans, which have been filed with the City Engineer and are identified as Project No. 499181.

Doc# 2012036498

1 of 9

04/11/2012 10 04 AM Page 1 of 10
AGRE R \$25 00 M Toulouse Oliver, Bernalillo County

Note: To compute the Construction Completion Deadline: If a final plat will be filed after Subdivider meets the requirements of this Agreement, the Construction Completion Deadline can be no later than two years after execution of this Agreement. (See S.O. Section 14-14-3.) If a final plat will not be filed pursuant to this Agreement, the Construction Completion Deadline can be no later than one year after approval of the preliminary plat by the City's Development Review Board ("DRB"), unless the DRB grants an extension, not to exceed one additional year per extension, and the Subdivider processes an amendment to the Agreement. (See S.O. Section 14-14-3.) If this Agreement, with any amendments does not utilize the maximum time allowed for completion of construction, the Subdivider may obtain an extension of the Construction Completion Deadline if Subdivider shows adequate reason for the extension.

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

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

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

<u>Type of Fee</u>	<u>Amount</u>
Engineering fee	3.25 % of actual construction cost
Excavation permit fees, Sidewalk Ordinance fees, and Street Restoration fees as required by City	approved estimate (Figure 7)

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

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

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

B. Construction Inspection Methods. Inspection of the construction of the public Improvements shall be performed by CITY PERMITS & ALBUQUA MINI WORK ORDER and inspection of the private Improvements shall be performed by N/A, both New Mexico Registered Professional Engineers. If the inspection is performed by an entity other than the City, the City may monitor the inspection and the Subdivider shall ensure that the inspecting entity provides all inspection results, reports and related data to the City which the City requires for review. The City retains the right to perform its own general overall inspection of the construction project at any time prior to final acceptance of the Improvements, if deemed necessary or advisable by the City Engineer. The Subdivider shall pay the City a reasonable fee for the level of inspection performed by the City.

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

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

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

To meet the City's S.O. requirements, the Subdivider has acquired, or is able to acquire, the following Financial Guaranty:

Type of Financial Guaranty: LOAN RESERVE
Amount: \$ 20,568²⁷
Name of Financial Institution or Surety providing Guaranty:
COMMUNITY BANK
Date City first able to call Guaranty: APRIL 2, 2013
[Construction Completion Deadline]: APRIL 2, 2013
If Guaranty other than a Bond, last day City able to call Guaranty is: JUNE 2, 2013
Additional information: _____

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

7. Completion, Acceptance and Termination. When the City receives Subdivider's final acceptance package, the City shall review it for completeness and accuracy. (See DPM Volume 1, Chapter 5, Work Order Process, Step 9.) If the package is acceptable, the City shall approve the package and issue a Certificate of Completion and Acceptance for the public Improvements and a Certificate of Completion for the private Improvements. Thereafter, the Subdivider's obligations to the City pursuant to this Agreement shall terminate, with the exception of the bond or other guarantee which the Subdivider has provided to assure the materials and workmanship, as required by the S.O. After the City approves the final acceptance package, the City will promptly release this Agreement and the Financial Guaranty.

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

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

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

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

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

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

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

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

10. Indemnification. Until the Improvements are accepted by the City, the Subdivider shall be solely responsible for maintaining the premises upon which the Improvements are being constructed in a safe condition. The Subdivider agrees to indemnify and hold harmless the City and its officials, agents and employees and, if the Improvements include water and wastewater infrastructure, the ABCWUA, its employees, officers and agents, from any claims, actions, suits or other proceedings arising from or out of the acts or omissions of the Subdivider, its agents, representatives, contractors or subcontractors or arising from the failure of the Subdivider, its agents, representatives, contractors or subcontractors to perform any act or duty required of the Subdivider herein. The indemnification required hereunder shall not be limited as a result of the specifications of any applicable insurance coverage. Nothing herein is intended to impair any right or immunity under the laws of the State of New Mexico.

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

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

the Subdivider's successor in interest has provided a substitute financial guaranty acceptable to the City, the City will release this Agreement and any related Financial Guaranty.

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

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

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

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

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

18. Construction and Severability. If any part of this Agreement is held to be invalid or unenforceable, the remainder of the Agreement will remain valid and enforceable if the remainder is reasonably capable of completion.

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

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

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

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

SUBDIVIDER: EIGHTY SIXTH LIMITED PARTNERSHIP CITY OF ALBUQUERQUE

By [Signature]: [Signature]
Name [Print]: ROBERT BOGARD Partner
Title: Partner Eighty Sixth Limited Partnership
Dated: 03/30/2012

By: [Signature]
for Richard Dourte, City Engineer
Dated: 04-10-12

(RD)
4-10-12 on
4-5-2012

SUBDIVIDER'S NOTARY

STATE OF New Mexico)
COUNTY OF Bernalillo) ss.

This instrument was acknowledged before me on this 30 day of March, 2012, by
[name of person:] Robert Bogan, [title or capacity, for instance, "President"
or "Owner":] Partner of [Subdivider:]
B Eighty sixth Limited Partnership.

(SEAL) 

Christine Montoya
Notary Public

My Commission Expires:
06/25/14

CITY'S NOTARY

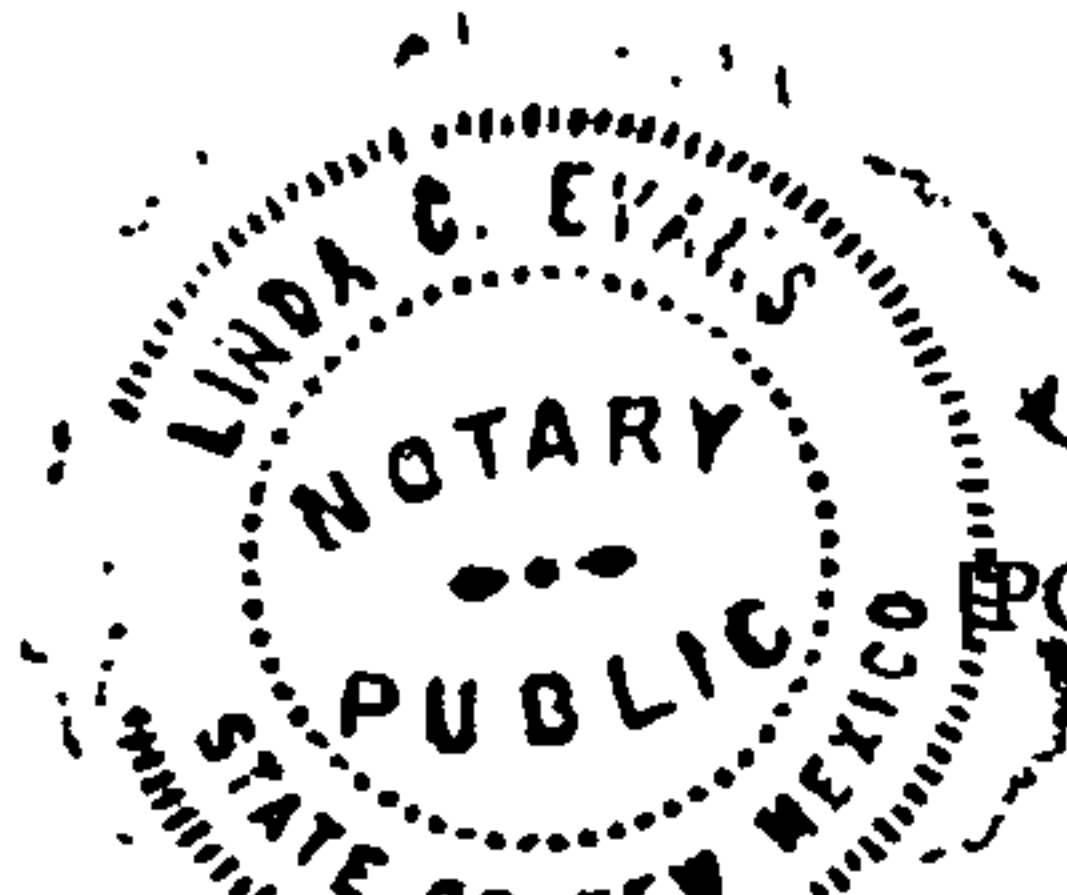
STATE OF NEW MEXICO)
COUNTY OF BERNALILLO) ss.

Kristal Mc...
This instrument was acknowledged before me on this 10th day of April, 2012, by
Richard Dourte, City Engineer of the City of Albuquerque, a municipal corporation, on behalf of said
corporation.

(SEAL)

Linda C. Evans
Notary Public

My Commission Expires:
10-07-12



[EXHIBIT A ATTACHED]
POWER OF ATTORNEY ATTACHED IF SUBDIVIDER
IS NOT THE OWNER OF THE SUBDIVISION]

Current DRC Project Number: 1007095

FIGURE 12

INFRASTRUCTURE LIST

Date Submitted: _____
 Date Site Plan Approved: 3-24-12
 Date Preliminary Plat Approved: 9-21-19
 Date Preliminary Plat Expires: _____
 DRB Project No.: 1007095
 DRB Application No.: _____

ORIGINAL

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

PROPOSED NAME OF PLAT: LOT 1A LANDS OF C. W. BARRETT

LOT 1, LANDS OF C. W. BARRETT
 EXISTING LEGAL DESCRIPTION PRIOR TO PLATTING ACTION

Following is a summary of PUBLIC/PRIVATE Infrastructure required to be constructed or amended 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 unforseen items and/or unforseen items have not been included in the infrastructure listing, the DRC Chair may include those items in the listing and related financial guarantees. Likewise, if the DRC Chair determines that unforseen 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 applicant. If such approvals are obtained, these revisions to the listing will be incorporated administratively. In addition, any unforseen 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.

Financiality Guaranteed	Constructed Under	Size	Type of Improvement	Location	From	To	Construction Certification	
							Inspector	City Grant Engineer
<u>499181</u> D		<u>4.61' WIDE</u>	<u>REMOVAL OF EXISTING COAK SIDEWALK</u>	<u>W. SIDE OF 85TH ST. S. OF SAN IGNACIO</u>	<u>EXISTING ADA HACK</u>	<u>S. SIDE OF</u>	/	/
<u>499181</u> B		<u>6' WIDE</u>	<u>NEW 6' COA SIDEWALK IN P.O.L. REPLICATION</u>	<u>↑ SAME</u>	<u>↑ SAME</u>	<u>↑ SAME</u>	/	/
<u>499181</u> D		<u>20' OR 6" PIPE</u>	<u>FIRE HYDRANT & PER. PIPE & VALVES</u>	<u>S. SIDE OF SAN IGNACIO</u>			/	/
<u>499181</u> C MOD		<u>18" PBL "A"</u>	<u>INLET & 24" LATERAL</u>	<u>W. SIDE OF 85TH ST</u>	<u>ALL CORNER OF 85TH & SAGE</u>		/	/
			<u>PROCEEDURE C. MODIFIED \$4,820.00</u>				/	/
							/	/
							/	/
							/	/
							/	/

1007095

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

Financially Guaranteed DRG #	Construction Under DRG #	Type of Improvement	Location	From	To	Construction Certification	
						Inspector	City Chief Engineer
						/	/
						/	/

Approval of Creditable Items:
Impact Fee Administrator Signature _____ Date _____
City User Dept. Signature _____ Date _____

NOTES

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

- 1 _____
- 2 _____
- 3 _____

AGENT / OWNER: _____

NAME (print): GARY GAITSKO

FIRM: Alpha Professional Survey

SIGNATURE - date: [Signature] 3/21/12

DEVELOPMENT REVIEW BOARD MEMBER APPROVALS

DRB CHAIR - date: [Signature] 3-21-12
PARKS & RECREATION - date: Carol S. Dumont 3/21/12

TRANSPORTATION DEVELOPMENT - date: [Signature] 03-21-12
AMAFCA - date: _____

UTILITY DEVELOPMENT - date: [Signature] 03/21/12
CITY ENGINEER - date: Wanda C. Chen 3-21-12

DESIGN REVIEW COMMITTEE REVISIONS

REVISION	DATE	DRG CHAIR	USER DEPARTMENT	AGENT / OWNER

FINANCIAL GUARANTY AMOUNT

03/27/2012

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

Project Description:

Project ID #: 499181, Lot 1, Lands Of L.W. Barrett, Phase/Unit #: 1

Requested By: J. Kory Baker

Approved estimate amount:		\$11,381.12
Contingency Amount:	20.00%	\$2,276.22
Subtotal:		\$13,657.34
NMGRT	7.00%	\$956.01
Subtotal:		\$14,613.35
Engineering Fee	6.60%	\$964.48
Testing Fee	6.00%	\$876.80
Subtotal:		\$16,454.63
FINANCIAL GUARANTY RATE		1.25
Retainage Amount:		\$.00
TOTAL FINANCIAL GUARANTY REQUIRED		<u>\$20,568.29</u>

APPROVAL:

DATE:



Notes: 20% Contingency, Engineers Estimate and Plans Have Not Been Approved.

COMMUNITY BANK

LOAN RESERVE LETTER

April, 2, 2012

Robert J. Perry
Chief Administrative Officer
City of Albuquerque
P.O. Box 1293
Albuquerque, NM 87103

RE: Loan Reserve for Eighty Sixth Limited Partnership

City of Albuquerque Project No.: 499181

Project Name: Lot 1, Lands of L.W. Barrett, Phase/Unit #:1

Dear Mr. Perry:

This is to advise the City of Albuquerque ("City") that, at the request of Eighty Sixth Limited Partnership, Community Bank of Santa Fe New Mexico, holds as a loan reserve the sum of Twenty Thousand Five Hundred Sixty Eight & 29/100 (\$ 20,568.29) ("Loan Reserve") for the exclusive purpose of providing the financial guaranty which the City requires Eighty Sixth Limited Partnership ("Subdivider") to provide for the installation of the improvements which must be constructed at Lot 1, Lands of L.W. Barrett, Phase/Unit #:1, Project No.499181 ("Project"). The amount of the Loan Reserve is 125% of the City's estimated cost of the Project, as required by the City's Subdivision Ordinance. The improvements are identified in the agreement between the City of Albuquerque and Subdivider, which was recorded on April 11, 2012 in the records of the Clerk of Bernalillo County, New Mexico in Book Misc 2012036478 pages 1 to 10 ("Agreement").

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

2. Liability of Financial Institution. Although the City may approve the Financial Institution's release of a part of the loan reserves, the approval will not constitute the City's final acceptance of part or all of the Project. However, no matter what agreement exists between the Subdivider and the City, the total liability of the Financial Institution to the City with respect to the loan reserves established pursuant to this Loan Reserve Letter shall at all times be limited to the lesser of the amount stated in this Loan

Figure 17 - Page 1

9/06

Reserve Letter or the latest Reduced Loan Reserve Balance authorized in writing by the City, and the Financial Institution's liability to the City

under this Loan Reserve Letter shall cease upon termination of the loan reserve as provided in Section 4. herein.

3. Draw on Reserve. If by April 2, 2013, the improvements described in the Agreement have not been fully installed, inspected, approved and accepted by the City, then, upon presentation between April 2, 2013, and June 2, 2013, inclusive, the City may demand payment from the Financial Institution up to the lesser of the amount stated in this Loan Reserve Letter or the latest Reduced Loan Reserve Balance authorized in writing by the City. The City may demand payment by delivering to the Financial Institution a certified "Demand for Payment" executed by the CAO or the CAO's authorized designee, which shall state that the Subdivider has failed to comply with the terms of the Agreement and also shall state the estimated cost of completing the improvements specified in the Agreement ("Estimated Cost of Completion"). Upon receipt of the Demand for Payment, the Financial Institution promptly shall draw from the loan reserves by cashier's check to the City of Albuquerque the amount of 125% of the estimated cost of completion, not to exceed the lesser of the total Loan Reserve amount stated in this Loan Reserve Letter or the latest Reduced Loan Reserve Balance authorized in writing by the City. The Financial Institution shall deliver the cashier's check promptly to the City.

4. Termination of Reserve. This loan reserve is for the benefit of the City and shall be irrevocable until the occurrence of one of the following:

- A. Sixty (60) days after the City accepts the completed improvements specified in the Agreement; or
- B. City delivery of the Demand for Payment and the Financial Institution's payment to the City by cashier's check as required in Section 3 herein; or
- C. Expiration of the date June 2, 2013; or
- D. Written termination of this Loan Reserve Letter, signed by the City Engineer of the City.

Very truly yours,
Community Bank


By: Fernando G. Baca
Title: Vice President

ACCEPTED:
CITY OF ALBUQUERQUE

By: _____
City Engineer
Dated: _____

4-5-2012

499181

\$ 7690.91

(Procedure C - Modified)

PUBLIC IMPROVEMENTS AGREEMENT

FIGURE 13

**AGREEMENT TO CONSTRUCT
PUBLIC IMPROVEMENTS BY CITY CONTRACT**

THIS AGREEMENT is made this 29th day of MARCH, 2011, by and between the City of Albuquerque, New Mexico ("City"), whose address is P.O. Box 1293 (One Civic Plaza), Albuquerque, New Mexico, 87103, and EIGHTY SIXTH LIMITED PARTNERSHIP ("Developer"), a [state type of business entity, for instance, "New Mexico corporation," "general partnership," "joint venture," "individual," etc.:] LIMITED PARTNERSHIP, whose address is 142 WALDEN ROAD, CORRALES, NM 87048, and whose telephone number is 505.897.8511, is made in Albuquerque, New Mexico, and is entered into as of the date of final execution of this Agreement.

1. Recital. The Developer owns certain lands within the City of Albuquerque, Bernalillo Count, New Mexico, known as: [describe]: LOT 1, LANDS OF L. W. BARRETT

("Developer's Property"). The Developer's Property is owned by [state the name of the present real property owner exactly as shown on the real estate document conveying title in Developer's Property to the present owner] EIGHTY SIXTH LIMITED PARTNERSHIP ("Owner").

The Developer of the property is seeking [describe: "preliminary/final plat", "site development plan", etc.] PLAT approval. The City and the property Developer have agreed that it would be beneficial to all parties and the general public to make certain improvements to the public roadways and that it is appropriate that the Developer contribute to the cost of the improvements.

Developer's Property will benefit from the construction of certain improvements detailed below, which will be located on public right-of-way, and the City is willing to construct those improvements with the participation of the Developer.

THEREFORE, the City and the Developer agree:

2. Improvements. The City agrees to install and complete the following public improvements, identified as Project No. 7690.91 : PBL "A" INLET AND 24" LATERAL ("Improvements").

3. Developer's Estimated Cost. The Developer's share has been determined to be Forty-Eight Hundred Twenty dollars and Eighty-Four cents (\$ 4820.84) ("Developer's Share"), as detailed in the attached City-approved estimate which is attached as Exhibit A. The estimate includes City fees and contingencies and is the only amount Developer will be required to contribute for this project.

4. Payment. All payments will be made only in the following form: cash, certified check, cashier's check or other form of payment approved by the City.

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

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

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

8. Construction and Severability. If any part of this Agreement is held to be invalid or unenforceable, the remainder of the Agreement will remain valid and enforceable if the remainder is reasonably capable of completion.

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

10. Authority to Execute: If the Developer signing below is not the Owner of the Developer's Property, the City may require the Developer to provide the City with satisfactory proof of the Developer's authority to execute this Agreement.

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

DEVELOPER:

EIGHTY SIXTH LIMITED PARTNERSHIP

By [signature]: Robert T. Bogan
Name [print]: Robert T BOGAN Partner
Title: Partner
Dated: 23 March 2012

CITY OF ALBUQUERQUE:

By: [Signature]
Richard Dourte, City Engineer
Dated: 3-27-12

3-27-2012
3/27/12

DEVELOPER'S NOTARY

STATE OF New Mexico)
) ss.
COUNTY OF Bernalillo)

This instrument was acknowledged before me on this 23 day of March, 2012 by [name of person:] Robert T Bogan, or capacity, for instance, "President" or "Owner":] Partner of CHRISTINE MONTOYA Eighty Sixth Limited Partnership.



NOTARY PUBLIC - STATE OF NEW MEXICO
My Commission Expires: 6/25/14

Christine U Montoya
Notary Public

My Commission Expires:
6/25/14

CITY'S NOTARY

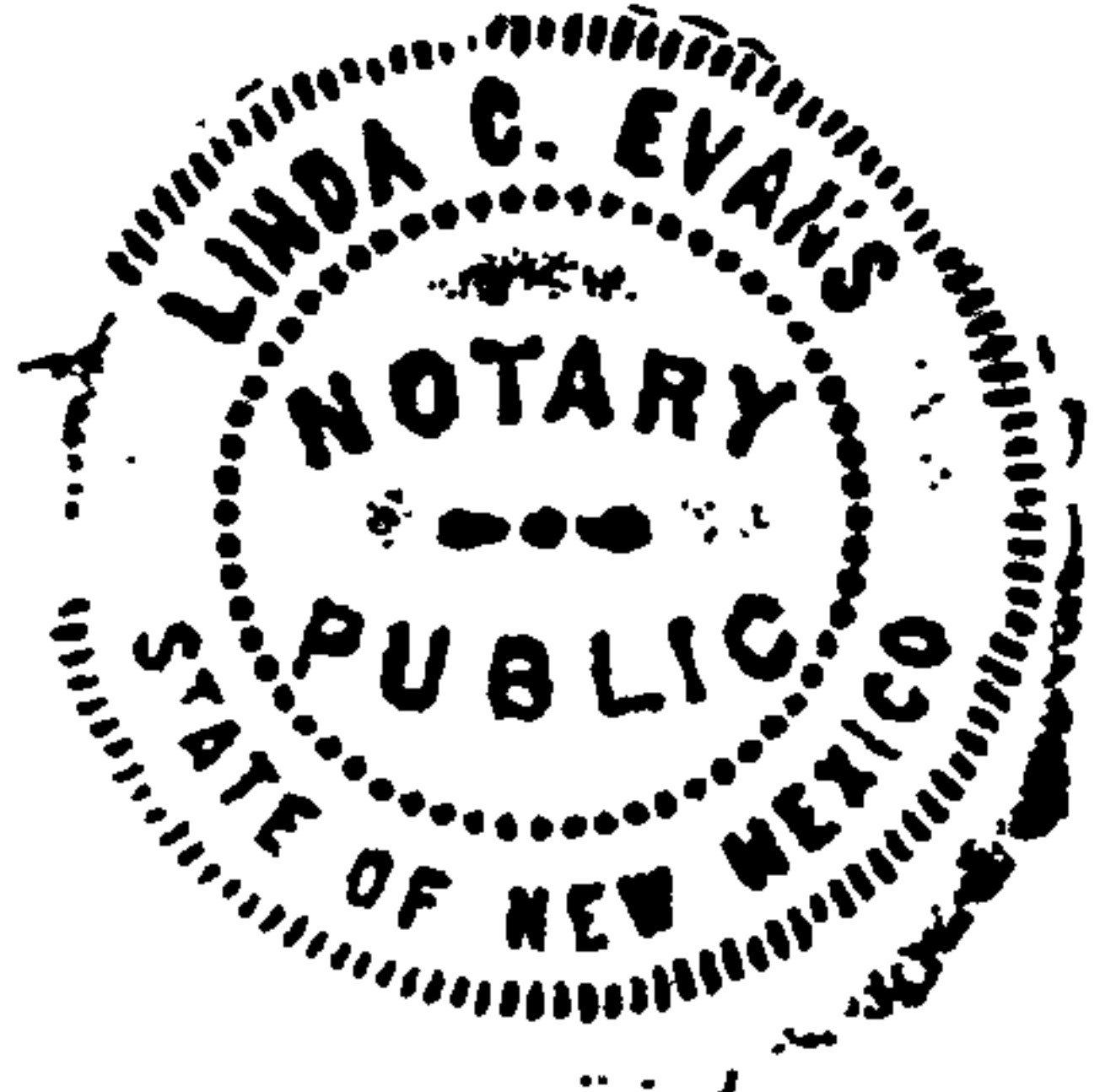
STATE OF NEW MEXICO)
) ss.
COUNTY OF BERNALILLO)

This instrument was acknowledged before me on this 21st day of March, 2012 by Richard Dourte, Engineer of the City of Albuquerque, a municipal corporation, on behalf of said corporation.

(SEAL)

Linda G. Evans
Notary Public

My Commission Expires:
10-07-12



(Exhibit A attached)
[POWER OF ATTORNEY ATTACHED IF DEVELOPER IS NOT THE OWNER OF THE SUBDIVISION]

Current DRC **499181**
 Project Number: **1007095**

FIGURE 12

INFRASTRUCTURE LIST
(Rev. 6-2005)

EXHIBIT "A"

Date Submitted: _____
 Date Site Plan Approved: **3-29-12**
 Date Preliminary Plat Approved: **7-21-19**
 Date Preliminary Plat Expires: _____
 DRB Project No.: **1007095**
 DRB Application No.: _____

ORIGINAL

TO SUBDIVISION IMPROVEMENTS AGREEMENT
 DEVELOPMENT REVIEW BOARD (D.R.B.) REQUIRED INFRASTRUCTURE LIST
 PROPOSED NAME OF PLAT **LOT 14 LANDS OF L.M. BARRETT**
 EXISTING LEGAL DESCRIPTION PRIOR TO PLATTING ACTION **LOT 1, LANDS OF L.M. BARRETT**

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 equipment 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 equipment or non-essential items can be deleted from the listing, those items may be deleted as well as the related portions of the financial guarantee. All such revisions require approval by the DRC Chair, the User Department and owner/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 does not by the City.

Financially Guaranteed DRC #	Constructed Under DRC #	Size	Type of Improvement	Location	From	To	Construction Certification	
							Inspector	City Const Engineer
		4.61'	REMOVAL OF EXISTING COA SIDEWALK	N. SIDE OF 86TH ST. S. OF SAN IGNACIO	EXISTING ADA WALK	S. PROP AT N. COCKER LINE	/	/
		6'	NEW 6' COA SIDEWALK IN P.O.D. DEDICATION	S. SIDE OF SAN IGNACIO	SAME	SAME	/	/
		20' OR 5" PIPE	FIRE HYDRANT & RES. PIPE & VALVES	N. SIDE OF 86TH ST	NW CORNER OF 86TH & SAGA		/	/
		1.06L "A"	INSTALL 24" AREA & MODIFIED C. MODIFIED \$4,820.84				/	/
							/	/
							/	/
							/	/
							/	/
							/	/
							/	/

1007095

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

Financially Guaranteed DRC #	Constructed Under DRC #	Size	Type of Improvement	Location	From	To	Construction Certification		
							Private	City Const Inspector	P.E. Engineer
<input type="checkbox"/>	<input type="checkbox"/>								
<input type="checkbox"/>	<input type="checkbox"/>								
<input type="checkbox"/>	<input type="checkbox"/>								

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

AGENT / OWNER	DEVELOPMENT REVIEW BOARD MEMBER APPROVALS
GARY GALITSKO NAME (print) Alpha Professional Survey FIRM Signature: <i>[Signature]</i> SIGNATURE - date: 3/20/12	Signature: <i>[Signature]</i> DRB CHAIR date: 3-21-12 TRANSPORTATION DEVELOPMENT - date: 03-21-12 UTILITY DEVELOPMENT - date: 03/21/12 CITY ENGINEER - date: 3-21-12 Signature: <i>[Signature]</i> PARKS & RECREATION - date: 3/21/12 AMAFCA - date: _____ _____ - date: _____

DESIGN REVIEW COMMITTEE REVISIONS			
REVISION	DATE	DRC CHAIR	AGENT OWNER

FINANCIAL GUARANTY AMOUNT

03/26/2012

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

Project Description:

Project ID #: 499181, Lot 1, Lands Of L.W. Barrett, Phase/Unit #: 1

Requested By:

TOTAL FINANCIAL GUARANTY REQUIRED \$4,820.84

APPROVAL:

DATE:

Notes: DRB: 1007095 Dbl A and 24 in. Storm Drain Imp. @ NWC of 86th & Sage

TREASURER'S REPORT OF DEPOSITS

Remitter: Eighty Sixth Limited Partnership	Project Name: Lot 1, lands of L.W. Barrett
Check No. 106047	CPN: 499181
Comments: Financial Guaranty SIA C-Modified , will be built under Project #769091	Account: 531501 Activity: 7357350 Fund: 305 Amount: <u>\$4,820.84</u>

Total Amount: \$4,820.84
Verified By: Marilyn Maldonado
Phone Number: (505)924-3997
Deposit Date: March 26, 2012

City of Albuquerque Planning Department

DEVELOPMENT AND BUILDING SERVICES

STANDARD APPLICATION, Paper Plans Required

DEVELOPMENT REVIEW BOARD

02/07/2012 Issued By: E08375 135714

Category Code **910**
2012 070 038

Application Number: 12DRB-70038, Epc Approved Sdp For Build Permit

Address:

Location Description: 86TH ST SW BETWEEN SAN IGNACIO SW AND SAGE SW

Project Number: 1007095

Applicant

EIGHTY SIXTH LIMITED PARTNERSHIP

142 WALDEN RD
CORRALES NM 87048
897-8511

Agent / Contact

J. KORY BAKER, ARCHITECT

PO BOX 254
ESTANCIA NM 87016
384-3112

Application Fees

441018/4943000	APN Fee	
441032/3416000	Conflict Mgmt Fee	\$20.00
441006/4958000	DRB Actions	
TOTAL:		\$20.00

City Of Albuquerque
Treasury Division

2/7/2012 11:48AM LDC: ANNX
WS# 007 TRANS# 0016
RECEIPT# 00153579-00153579
PERMIT# 2012070038 TRSSVG
Trans Amt \$20.00
Conflict Manaq. Fee \$20.00
VI \$20.00
CHANGE \$0.00

Thank You

City of Albuquerque Planning Department

DEVELOPMENT AND BUILDING SERVICES

STANDARD APPLICATION, Paper Plans Required

DEVELOPMENT REVIEW BOARD

07/24/2012 Issued By: BLDAVM 155615

Category Code **910**
2012 070 214

Application Number: 12DRB-70214, Epc Approved Sdp For Subdivision

Address:

Location Description: 7402 MENAUL BLVD NE

Project Number: 1007099

Applicant

SANDIA FOUNDATION

6211 SAN MATEO BLVD NE SUITE 100
ALBUQUERQUE NM 87109

Agent / Contact

CONSENSUS PLANNING

JACQUILINE FISHMAN

302 8TH ST NW

ALBUQUERQUE NM 87102

CP@CONSENSUSPLANNING

Application Fees

APN Fee

Conflict Mgmt Fee **\$20.00**

DRB Actions

TOTAL: \$20.00

City of Albuquerque Treasury
Date: 7/24/2012 Office: ANNEX
Stat ID: W5000008 Cashier: TRSCCS
Batch: 516 Trans #: 8
Permit: 2012070214
Receipt Num 00037065
Payment Total: \$20.00
0901 Conflict Mgmt. Fee
VISA Tendered : \$20.00

City of Albuquerque Planning Department

DEVELOPMENT AND BUILDING SERVICES

STANDARD APPLICATION, Paper Plans Required

DEVELOPMENT REVIEW BOARD

07/06/2012 Issued By: X00966 153561

Category Code **910**
2012 070 190

Application Number: 12DRB-70190, Vacation Of Public Right-Of-Way

Address:

Location Description: MENAUL BLVD NE OFF PROSPECT AVE NE

Project Number: 1007099

Applicant

SANDIA FOUNDATION
BOB GOODMAN
128 MONROE STREET NE
ALBUQUERQUE NM 87108

Agent / Contact

ISAACSON AND ARFMAN PA
128 MONROE ST NE
ALBUQUERQUE NM 87108
FREDA@IACIVIL.COM

Application Fees

APN Fee

Conflict Mgmt Fee

DRB Actions

\$345.00

TOTAL: \$345.00

City of Albuquerque Treasury
Date: 7/6/2012 Office: ANNEX
Stat ID: W5000007 Cashier: TRSBLC
Batch: 441 Trans #: 31
Permit: 2012070190
Receipt Num 00032022
Payment Total: \$345.00
0903 DRB Actions
Check Tendered : \$345.00

City of Albuquerque Planning Department

DEVELOPMENT AND BUILDING SERVICES

STANDARD APPLICATION, Paper Plans Required

DEVELOPMENT REVIEW BOARD

07/06/2012 Issued By: X00966 153560

Category Code **910**
2012 070 189

Application Number: 12DRB-70189, Vacation Of Public Easement

Address:

Location Description: MENAUL BLVD NE OFF PROSPECT AVE NE

Project Number: 1007099

Applicant

SANDIA FOUNDATION
BOB GOODMAN
128 MONROE STREET NE
ALBUQUERQUE NM 87108

Agent / Contact

ISAACSON AND ARFMAN PA

128 MONROE ST NE
ALBUQUERQUE NM 87108

FREDA@IACIVIL.COM

Application Fees

APN Fee	\$75.00
Conflict Mgmt Fee	\$20.00
DRB Actions	\$345.00
TOTAL:	\$440.00

City of Albuquerque Treasury
Date: 7/6/2012 Office: ANNEX
Stat ID: W5000007 Cashier: TRSBLC
Batch: 441 Trans #: 18
Permit: 2012070189
Receipt Num 00031907
Payment Total: \$440.00
0900 APN Fee \$75.00
0901 Conflict Mgmt. Fee \$20.00
0903 DRB Actions \$345.00
Check Tendered : \$440.00

City of Albuquerque Planning Department

DEVELOPMENT AND BUILDING SERVICES

STANDARD APPLICATION, Paper Plans Required

DEVELOPMENT REVIEW BOARD

03/06/2012 Issued By: BLDAVM 138469

Category Code **910**
2012 070 089

Application Number: 12DRB-70089, Minor - Preliminary/ Final Plat Approval

Address:

Location Description: SAN YGNACIO AND 86TH ST

Project Number: 1007095

Applicant

EIGHTY SIXTH LLIMITED PARTNERSHIP
BOB BOGAN
142 WALDEN RD
CORRALES NM 87048

Agent / Contact

ALPHA PROFESSIONAL SURVEYING, INC.
GARY GRITSKO
PO BOX 46316
RIO RANCHO NM 87174
892-1076

Application Fees

441018/4943000	APN Fee	
441032/3416000	Conflict Mgmt Fee	\$20.00
441006/4958000	DRB Actions	\$215.00
TOTAL:		\$235.00

*****DUPLICATE*****
City Of Albuquerque
Treasury Division

3/6/2012 11:22AM LOC: ANNX
WS# 007 TRANS# 0018
RECEIPT# 00155084-00155084
PERMIT# 2012070089 TRSLJS
Trans Amt \$235.00
Conflict Manag. Fee \$20.00
DRB Actions \$215.00
CK \$235.00
CHANGE \$0.00

Thank You

City of Albuquerque Planning Department

DEVELOPMENT AND BUILDING SERVICES

STANDARD APPLICATION, Paper Plans Required

DEVELOPMENT REVIEW BOARD

08/07/2012 Issued By: PLNTES 157577

Category Code **910**
2012 070 243

Application Number: 12DRB-70243, Minor - Preliminary/ Final Plat Approval

Address:

Location Description: MENAUL BETWEEN PENNSYLVANIA AND MESILLA

Project Number: 1007099

Applicant

SANDIA FOUNDATION

6211 VALLEY VIEW DR NW
ALBUQUERQUE NM 87114

Agent / Contact

SURV-TEK INC
RUSS HUGG
9384 VALLEY VIEW DR NW
ALBUQUERQUE NM 87114

RUSSHUGG@SURVTEK.COM

Application Fees

APN Fee

Conflict Mgmt Fee \$20.00

DRB Actions \$215.00

TOTAL: \$235.00

City of Albuquerque Treasury
Date: 8/7/2012 Office: ANNEX
Stat ID: W5000006 Cashier: TRSFXG
Batch: 579 Trans #: 6
Permit: 2012070243
Receipt Num 00041340
Payment Total: \$235.00
0901 Conflict Manag. Fee \$20.00
0903 DRB Actions \$215.00
Check Tendered : \$235.00

City of Albuquerque Planning Department

DEVELOPMENT AND BUILDING SERVICES

STANDARD APPLICATION, Paper Plans Required

DEVELOPMENT REVIEW BOARD

04/25/2013 Issued By: E08375 188501

Category Code **910**
2013 070 526

Application Number: 13DRB-70526, Major - 2yr Subd Imp Agmt Ext (2yr Sia)

Address:

Location Description: MENAUL BLVD NE BETWEEN MESILLA ST NE AND PENNSYLVANIA ST NE

Project Number: 1007099

Applicant

SANDIA FOUNDATION
BOB GOODMAN
6211 SAN MATEO BLVD NE SUITE 100
ALBUQUERQUE NM 87109
242-2684

Agent / Contact

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

IAMENGRS@SWCP.COM

Application Fees

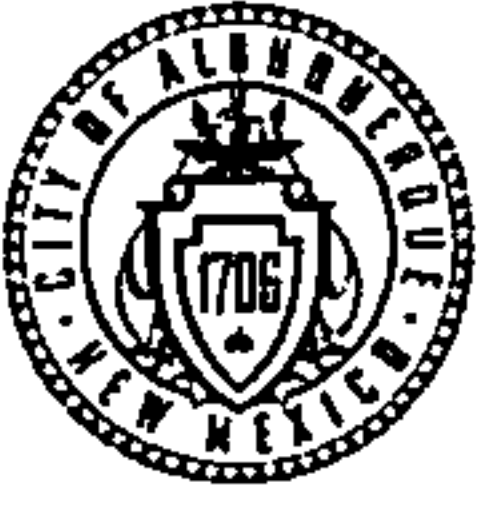
APN Fee

Conflict Mgmt Fee \$20.00

DRB Actions \$50.00

TOTAL: \$70.00

City of Albuquerque Treasury
Date: 4/29/2013 Office: ANNEX
Stat ID: W5000008 Cashier: TRSSIV
Batch: 1864 Trans #: 12
Permit: 2013070526
Receipt Num: 00121949
Payment Total: \$70.00
0901 Conflict Mgmt Fee \$20.00
0903 DRB Actions \$50.00
Check Tendered: \$70.00



CITY OF ALBUQUERQUE
 PLANNING DEPARTMENT
 DEVELOPMENT REVIEW BOARD

August 1, 2012

Project# 1007099

12DRB-70189 VACATION OF PUBLIC ROADWAY EASEMENT

12DRB-70190 VACATION OF PUBLIC WATERLINE EASEMENT

ISAACSON AND ARFMAN PA agent(s) for SANDIA FOUNDATION request(s) the referenced/ above action(s) to eliminate public access through Tract A, Block(s) 16 & 17, **ZUNI ADDITION** zoned SU-1 FOR C-2 PERMISSIVE USES W/ RESTRICTIONS, located on MENAUL BLVD NE at PROSPECT AVE NE containing approximately 4.183 acre(s). (H-19)

AMAFCA

No comments

COG

No comments provided

TRANSIT

Project # 1007099

12DRB-70189

VACATION OF PUBLIC ROADWAY EASEMENT

12DRB-70190

VACATION OF PUBLIC WATERLINE EASEMENT

Adjacent and nearby routes Route #8, Menaul route, passes the site on Menaul.
 Adjacent bus stops Existing bus stop adjacent to the property serving the above mentioned bus route in the eastbound direction is located 210' from NW corner of the property.
 Site plan requirements The owner was requested during the EPC to place a bus shelter at the existing bus stop mentioned above.
 Large site TDM suggestions None.
 Other information None.

ZONING ENFORCEMENT

No comments provided

NEIGHBORHOOD COORDINATION

Letters sent to: *Affected NA/HOA's - Uptown NA List* consisting of the following: ABQ-Park NA (R), Alvarado Park NA (R), Classic Uptown NA (R), Inez NA (R), Jerry Cline Park NA (R), Mark Twain NA (R), Quigley Park NA (R), Snow Heights NA (R), Uptown Progress Team, Inc., Winrock South NA (R)

APS

Zuni Addition, Tract A, Blocks 16 and 17, is located on Menaul Blvd NE at Prospect Ave NE. The owner of the above property requests a Vacation of Public Roadway Easement and a Vacation of Public Waterline Easement for a development that will consist of 149 single family homes. This will impact Navajo Elementary School, Harrison Middle School, and Atrisco Heritage Academy High

CENTURLINK No Objection
ENVIRONMENTAL HEALTH No comments provided
M.R.G.C.D No Adverse Comments.
OPEN SPACE DIVISION
CITY ENGINEER Hydrology has no objection. Drainage easement will be required.
TRANSPORTATION DEVELOPMENT
PARKS AND RECREATION Parks and Recreation has no comments.
ABCWUA
PLANNING DEPARTMENT In accordance with the Subdivision Ordinance, the DRB must hold an advertised public hearing and find that the public welfare is in no way served by retaining the easement(s), or that the development made possible is more beneficial than any detriment resulting from the vacation. Additionally, the DRB must find that there is no convincing evidence that any substantial property right is being abridged against the will of the owner of the right. Refer to comments from affected agencies plus any public hearing comments regarding the proposed vacation(s).

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

ORIGINAL

INFRASTRUCTURE LIST

(Rev. 9-20-05)

EXHIBIT "A"

TO SUBDIVISION IMPROVEMENTS AGREEMENT

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

LOT 1A LANDS OF L. W. BARRETT
 PROPOSED NAME OF PLAT ~~AND/OR SUBDIVISION PLAN~~
LOT 1, LANDS OF L. W. BARRETT
 EXISTING LEGAL DESCRIPTION PRIOR TO PLATTING ACTION

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

Financially Guaranteed DRC #	Constructed Under DRC #	Size	Type of Improvement	Location	From	To	Construction Certification		
							Private Inspector	P.E.	City Cnst Engineer
		4.61' WIDE	REMOVAL OF EXISTING COA SIDEWALK	W. SIDE OF 86TH ST. S. OF SAN IGNACIO	EXISTING ADA WALK AT N. CORNER	S. PROP LINE	/	/	/
		6' WIDE	NEW 6' COA SIDEWALK IN P.O.W. DEDICATION	SAME	SAME	SAME	/	/	/
		20' OR 6" PIPE	FIRE HYDRANT & REQ. PIPE & VALVES	S. SIDE OF SAN IGNACIO			/	/	/
		DBL "A"	INLET & 24" LATERAL PROCEDURE C. MODIFIED \$4,820 ⁸⁴	W. SIDE OF 86TH ST	NW CORNER OF 86TH & SAGE		/	/	/
							/	/	/
							/	/	/
							/	/	/
							/	/	/
							/	/	/

1007095



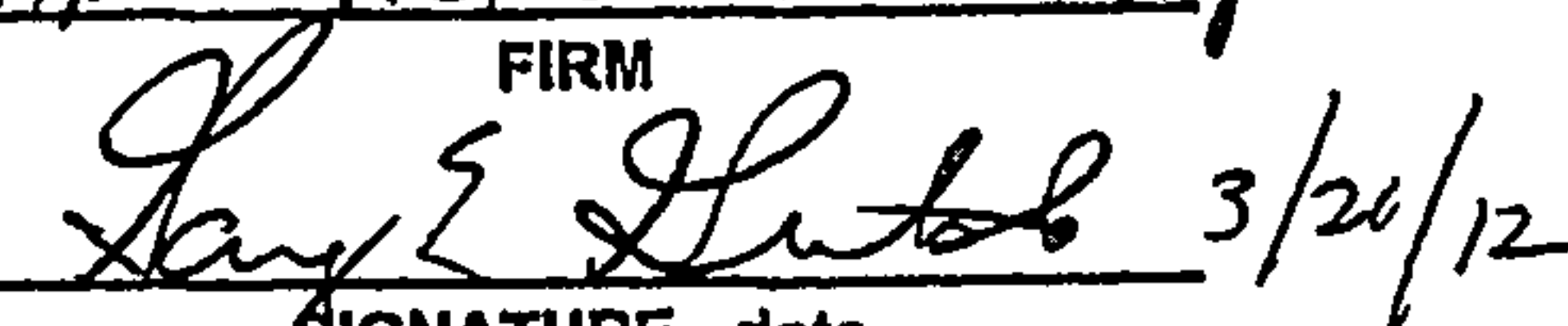
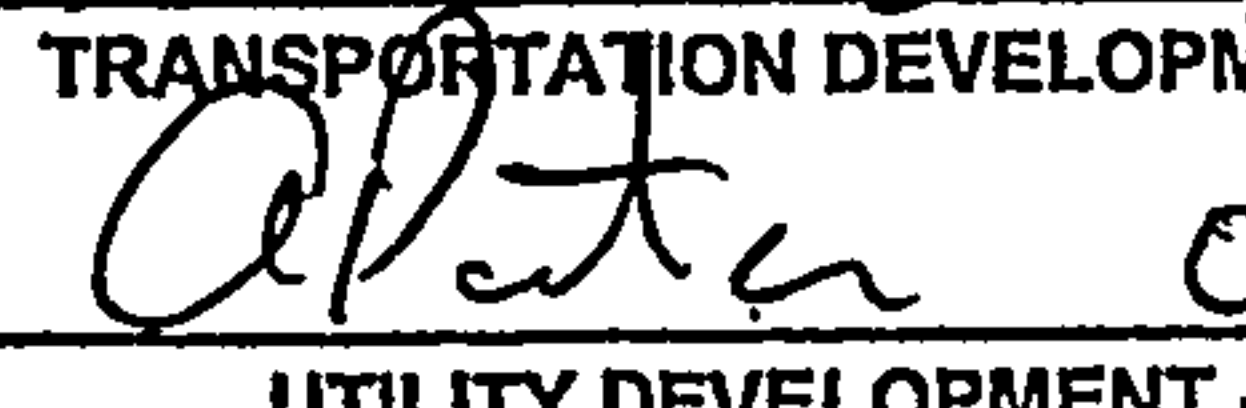

The Items listed below are on the CCIP and approved for Impact Fee credits. Signatures from the Impact Fee Administrator and the City User Department is required prior to DRB approval of this listing. The Items listed below are subject to the standard SIA requirements.

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

NOTES

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

- 1 _____
- 2 _____
- 3 _____

AGENT / OWNER	DEVELOPMENT REVIEW BOARD MEMBER APPROVALS		
GARY GAITSKO NAME (print)	 DRB CHAIR - date	3-21-12	Carol S. Dumont PARKS & RECREATION - date
Alpha Professional Surveying FIRM	 TRANSPORTATION DEVELOPMENT - date	03-21-12	_____ - date
 SIGNATURE - date	 UTILITY DEVELOPMENT - date	03/21/12	_____ - date
	 CITY ENGINEER - date	3-21-12	_____ - 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

01/20/2009 Issued By: PLNSDH

Permit Number: 2009 070 021

Category Code 910

Application Number: 09DRB-70021, Epc Approved Sdp For Build Permit

Address:

Location Description: 88TH ST SW BETWEEN SAN IGNACIO SW AND SAGE SW

Project Number: 1007095

Applicant
88th Ltd Partnership
Robert Bogan
142 Walden Rd
87
897-8511

Agent / Contact
J Kory Baker Architect

Po Box 254
Estancia NM 87016
384-3112

Application Fees

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

City of Albuquerque
Treasury Division

1/20/2009 11:35AM LCC: ANMX
WSH 007 TRANS# 0037
RECEIPT# 00109534-00109534
PERMITH 2007070021 TRELJE
Trans Amt \$20.00
Conflict Manag. Fee \$20.00
RC \$20.00
CHANGE \$0.00

Thank You

City of Albuquerque Planning Department

One Stop Shop – Development and Building Services

05/03/2011 Issued By: E08375 108072

STANDARD APPLICATION, Paper Plans Required

Permit Number: 2011 070 111 **Category Code 910**

Application Number: 11DRB-70111, Major - 2yr Subd Imp Agmt Ext (2yr Sia)

Address:

Location Description: MENAUL BETWEEN MESILLA AND PENNSYLVANIA

Project Number: 1007099

Applicant
SANDIA FOUNDATION

Agent / Contact
Sandia Foundation

6211 SAN MATEO NE SUITE 100
ALBUQUERQUE NM 87109
242-2684

6211 San Mateo Ne Suite 100
Albuquerque NM 87109
242-2684

Application Fees

441018/4943000	APN Fee	
441032/3416000	Conflict Mgmt Fee	\$20.00
441006/4958000	DRB Actions	\$50.00
TOTAL:		\$70.00

City Of Albuquerque
Treasury Division

5/3 2011 12:14PM LGC: ANX
 WS# 007 TRANS# 0004
 RECEIPT# 00143553-00143653
 PERMIT# 2011070111 TR300S
 Trans Amt \$70.00
 Conflict Manag. Fee \$20.00
 DRB Actions \$50.00
 CR \$50.00
 CA \$20.00
 CHANGE \$0.00

7095

DXF Electronic Approval Form

DRB Project Case #: 1007095

Subdivision Name: LOT 1A, LANDS OF L.W. BARRETT

Surveyor: GARY E GRITSKO

Contact Person: GARY E GRITSKO

Contact Information: 892-1076

DXF Received: 3/9/2012

Hard Copy Received: 3/9/2012

Coordinate System: NMSP Grid (NAD 83)


Approved

3-9-2012
Date

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

AGIS Use Only
Copied fc 7095 to agiscov on 3/9/2012 Contact person notified on 3/9/2012



Supplemental form

SUBDIVISION

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

PRELIM/FINAL

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)

D 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.

APPLICATION INFORMATION:

Professional/Agent (if any): ALPHA PROFESSIONAL Surveying, Inc. / Gary Gritsko PHONE: 892-1076

ADDRESS: P.O. Box 46316 FAX: 891-0471

CITY: Rio Rancho STATE NM ZIP 87174 E-MAIL: Gary@ALPHAPROSURVEYING.COM

APPLICANT: Eighty Sixth Limited Partnership / Bob Bogal PHONE: 897-8511

ADDRESS: 142 WALDEN TRD FAX: _____

CITY: CORRALES STATE NM ZIP 87048 E-MAIL: _____

Proprietary interest in site: Owner List all owners: N/A

DESCRIPTION OF REQUEST: DEDICATE ADDITIONAL Right-of-Way to the City OF ALBUQUERQUE.

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. 1 Block: N/A Unit: N/A

Subdiv/Addn/TBKA: LANDS OF L.W. Barrett

Existing Zoning: SU-1 for Day Care Proposed zoning: N/A MRGCD Map No N/A

Zone Atlas page(s): L-9-Z UPC Code: 1-009-056-440-066-41307

CASE HISTORY:

List any current or prior case number that may be relevant to your application (Proj., App., DRB-, AX_Z, V, S, etc.): Proj # 1007095

CASE INFORMATION:

Within city limits? Yes Within 1000FT of a landfill? N/A

No. of existing lots: 1 No. of proposed lots: 1 Total area of site (acres): 0.9987 AC.

LOCATION OF PROPERTY BY STREETS: On or Near: SAN YGNACIO Rd SW

Between: 86th Street SW and _____

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

SIGNATURE Gary E Gritsko DATE 3/6/12

(Print) GARY E. GRITSKO 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 12 - DRB - 70089

Action PRF
CMF

S.F. Fees
\$ 215.00
\$ 20.00

Hearing date March 21, 2012

Total
\$ 235.00

Project #

[Signature] 3-6-12

1007095

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.**

- 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.

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.

Applicant name (print)

Applicant signature / date



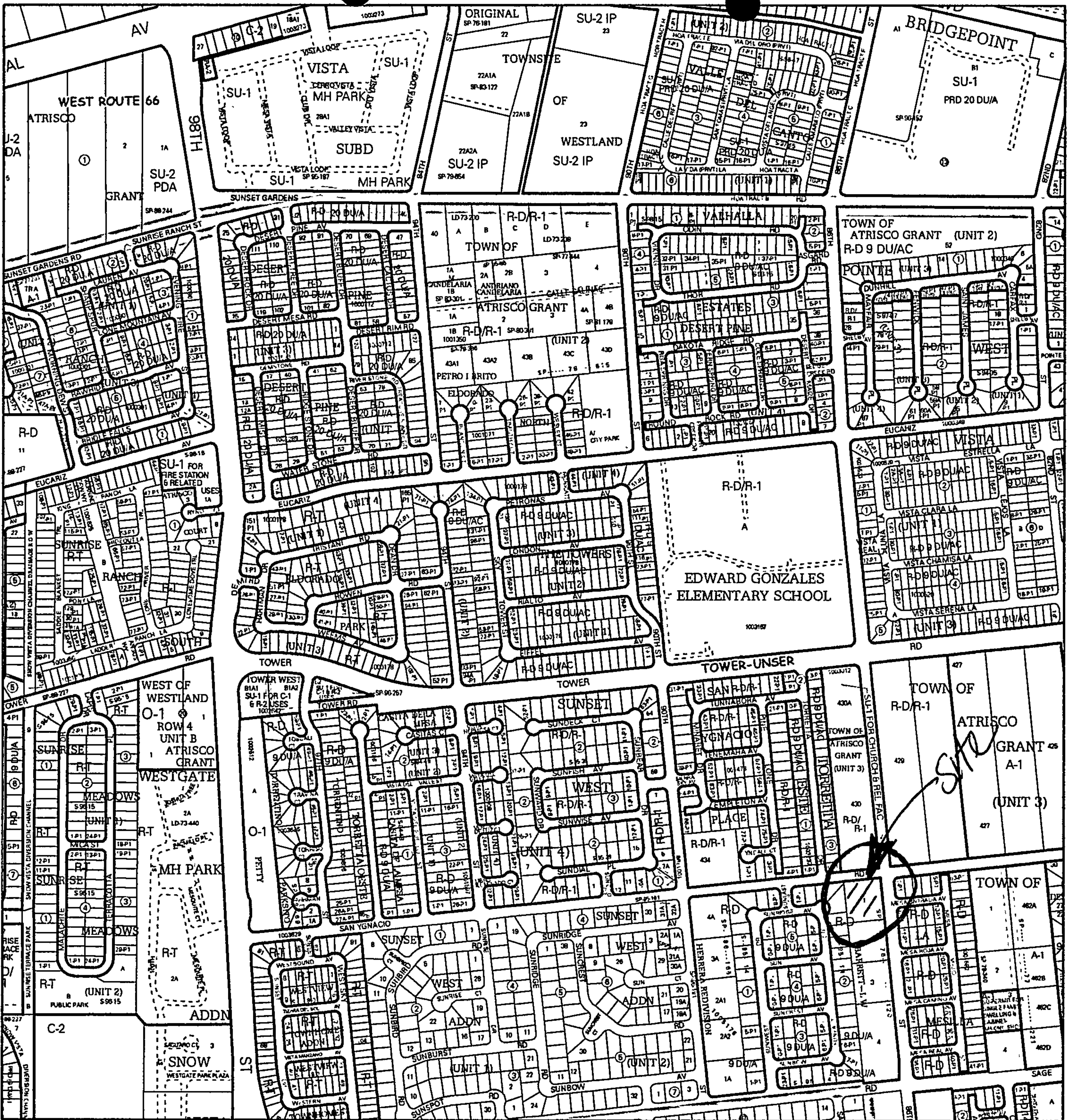
Form revised **October 2007**

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

Application case numbers
12 - DRB - 200891

 Project # 1007095

 Planner signature / date 3-6-12



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

Map amended through: 2/4/2010

Note: Grey Shading Represents Area Outside of the City Limits

Zone Atlas Page:
L-09-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

Alpha Professional Surveying Inc.
P.O. Box 46316
Rio Rancho, New Mexico 87174
Office (505) 892-1076 Fax (505) 891-0471
Email: gary@alphaprosurveying.com

February 1, 2011

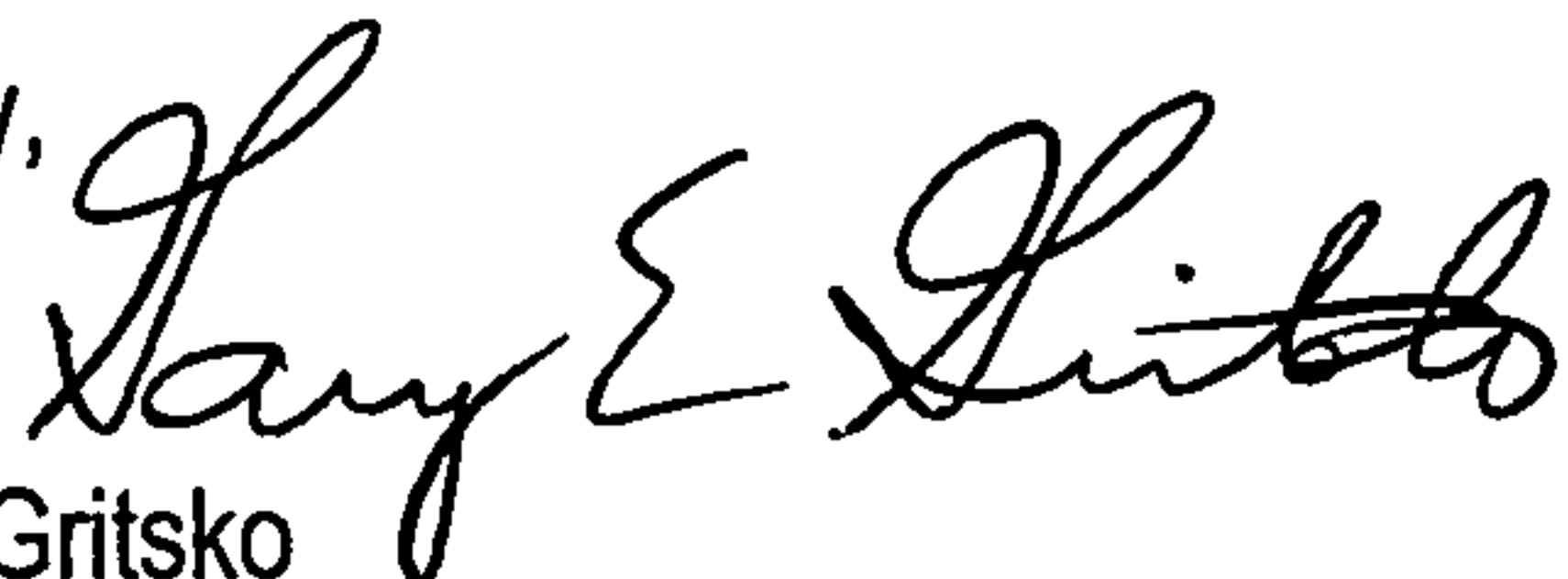
City of Albuquerque
Development Review Board
Plaza del Sol
600 Second Street NW
Albuquerque, NM 87102

REF: LOT 1, LANDS OF L.W. BARRETT

Eighty Sixth Limited Partnership is requesting a re-plat of their property. The re-plat dedicates Ten feet (10') additional public right of way along 86th Street S.W. The street right of way dedication is a requirement of Site Plan approval (Project 1007095).

If you have any questions please feel free to contact me.

Sincerely,



Gary E. Gritsko
NMPS No. 8686

CITY OF ALBUQUERQUE



CITY OF ALBUQUERQUE PLANNING DEPARTMENT HYDROLOGY DEVELOPMENT SECTION DEVELOPMENT REVIEW BOARD MEMO

DRB PROJECT NO: 1007095

AGENDA ITEM NO: 7

SUBJECT:

Final Plat Approval

ENGINEERING COMMENTS:

The SIA has been recorded. No objection.

RESOLUTION/COMMENTS:

PO Box 1293

Albuquerque

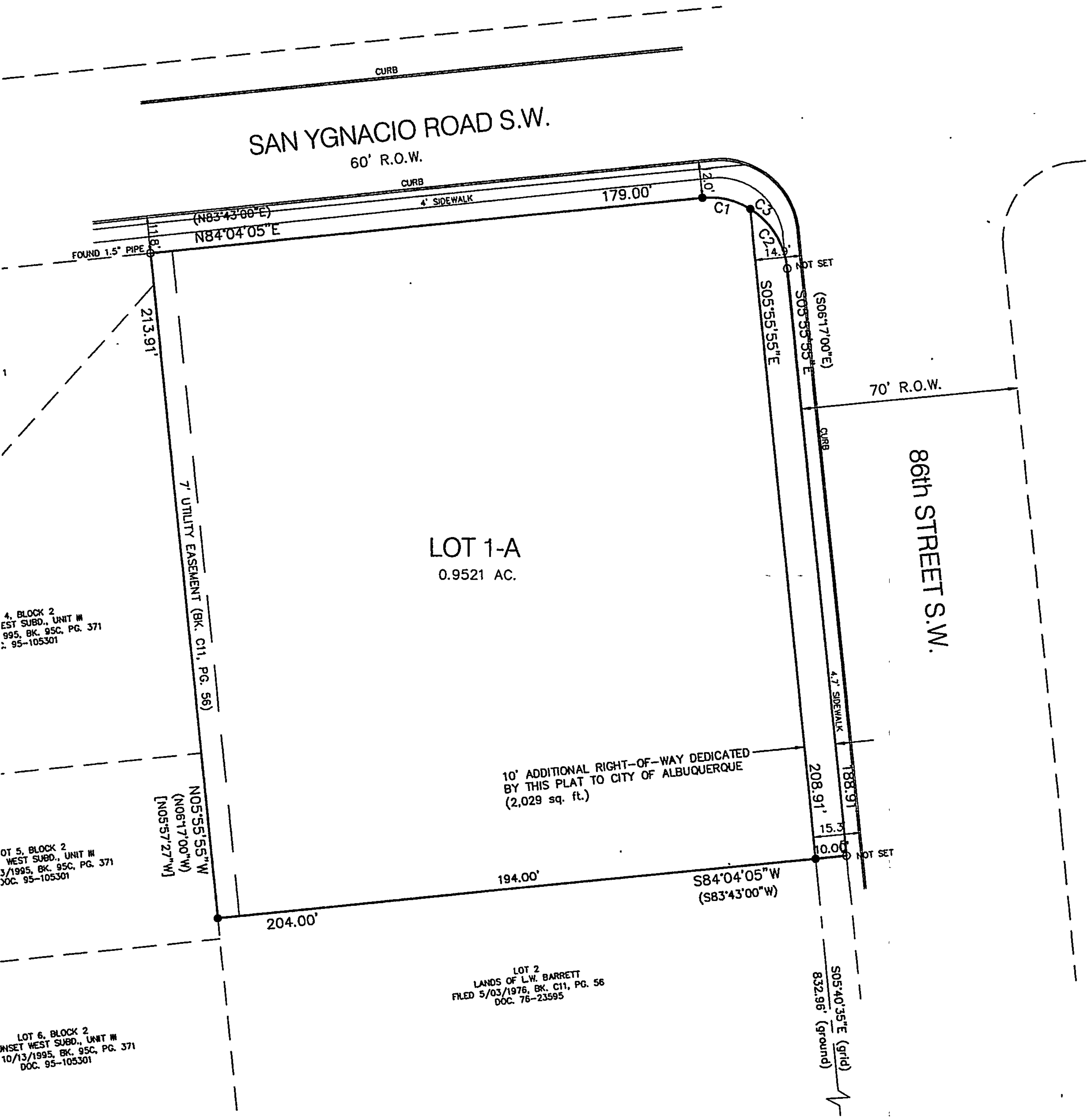
NM 87103

www.cabq.gov

SIGNED:

Curtis Cherne
Hydrology Section
City Engineer Designee
AMAFCA Designee
924-3986

DATE: 4-25-12



SAN YGNACIO ROAD S.W.
60' R.O.W.

LOT 1-A
0.9521 AC.

86th STREET S.W.

10' ADDITIONAL RIGHT-OF-WAY DEDICATED
BY THIS PLAT TO CITY OF ALBUQUERQUE
(2,029 sq. ft.)

4. BLOCK 2
EST SUBD., UNIT #
995, BK. 95C, PG. 371
DOC. 95-105301

LOT 5, BLOCK 2
WEST SUBD., UNIT #
3/1995, BK. 95C, PG. 371
DOC. 95-105301

LOT 6, BLOCK 2
INSET WEST SUBD., UNIT #
10/13/1995, BK. 95C, PG. 371
DOC. 95-105301

LOT 2
LANDS OF L.W. BARRETT
FILED 5/03/1976, BK. C11, PG. 56
DOC. 76-23595

CURB

CURB

4' SIDEWALK

FOUND 1.5" PIPE

(N83°43'00"E)
N84°04'05"E

179.00'

S05°55'55"E
S05°55'55"E
(S06°17'00"E)

70' R.O.W.

213.91'

7' UTILITY EASEMENT (BK. C11, PG. 56)

N05°55'55"W
(N06°17'00"W)
[N05°57'27"W]

204.00'

194.00'

S84°04'05"W
(S83°43'00"W)

S05°40'35"E (grid)
832.96' (ground)

208.91'

188.91'

15.3'

10.00'

NOT SET

NOT SET

C1
C2
C3

SAN YGNACIO ROAD S.W.
60' R.O.W.

86th STREET S.W.
70' R.O.W.

LOT 1-A
0.9521 AC.

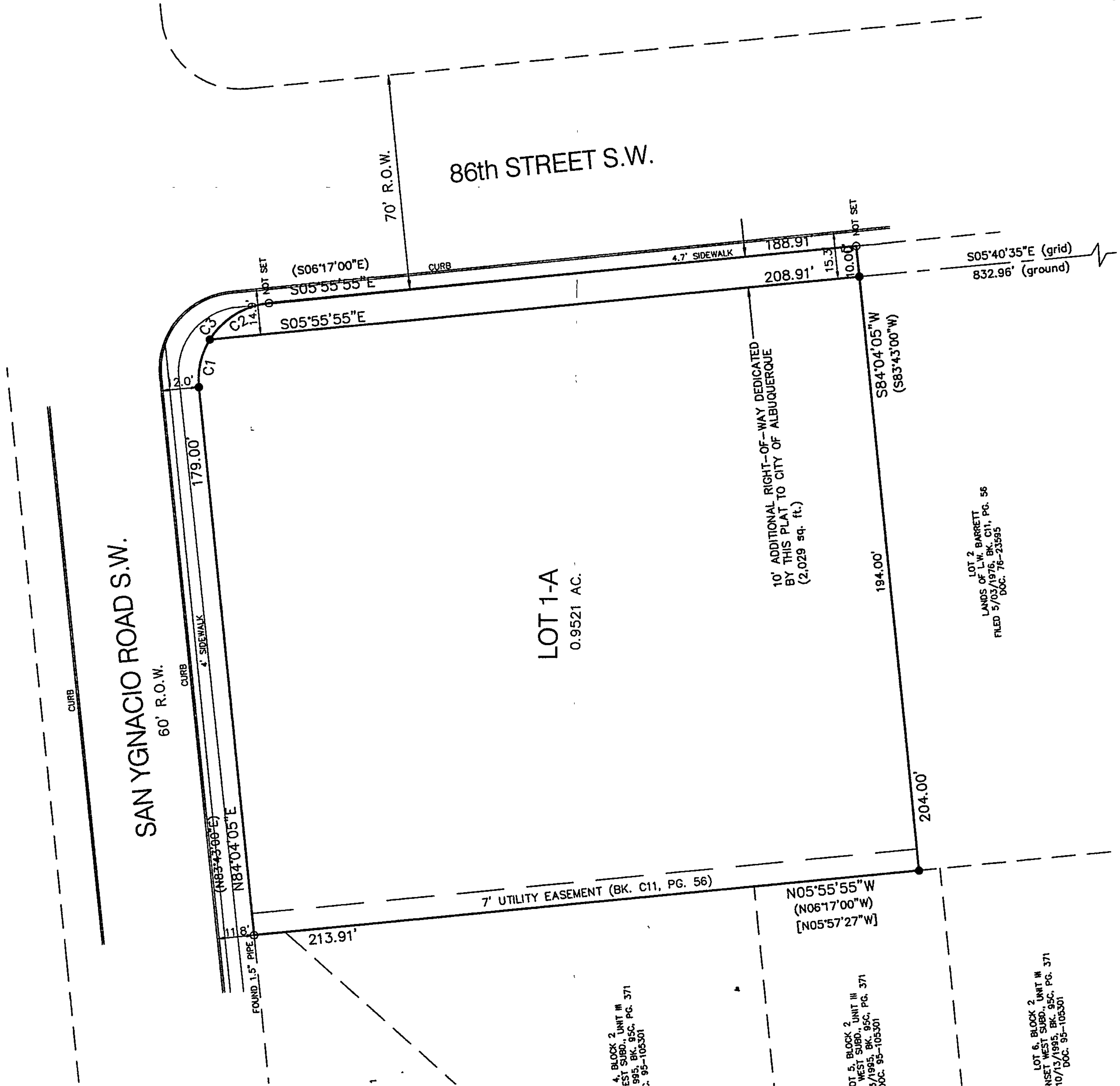
10' ADDITIONAL RIGHT-OF-WAY DEDICATED
BY THIS PLAT TO CITY OF ALBUQUERQUE
(2,029 sq. ft.)

LOT 2
LANDS OF L.W. BARRETT
FILED 5/03/1976, BK. C11, PG. 56
DOC. 76-23595

LOT 6, BLOCK 2, UNIT III
NSET WEST SUBD., UNIT III
10/13/1995, BK. 95C, PG. 371
DOC. 95-105301

4. BLOCK 2, UNIT III
EST SUBD., UNIT III
5/1995, BK. 95C, PG. 371
DOC. 95-105301

DT 5, BLOCK 2, UNIT III
WEST SUBD., UNIT III
5/1995, BK. 95C, PG. 371
DOC. 95-105301



(S06°17'00"E)
S05°55'55"E
S05°55'55"E

S05°40'35"E (grid)
832.96' (ground)

(N83°43'06"E)
N84°04'05"E

N05°55'55"W
(N06°17'00"W)
(N05°57'27"W)

S84°04'05"W
(S83°43'00"W)

118.8'
213.91'

204.00'

2.0'
179.00'

188.91'
208.91'

NOT SET

NOT SET

FOUND 1.5" PIPE

CURB


4.7' SIDEWALK

4' SIDEWALK

CURB

CURB

C1
C2
C3

Project# 1003272
11DRB-70074 MAJOR – SITE
DEVELOPMENT PLAN FOR
BUILDING PERMIT 

DAC ENTERPRISES, INC agent(s) for LEGACY HOSPITALITY request(s) the referenced/ above action(s) for all or a portion of Lot(s) 4-A-1-A, **ALBUQUERQUE WEST Unit(s) 2**, zoned SU-1 PDA & C-3, located on HIGH ASSETS WAY NW bewteen ALL SAINTS RD NW and EAGLE RANCH RD NW, south of PASEO DEL NORTE NW containing approximately 1.5401 acre(s). (C-13) [*Deferred from 4/27/11, 5/11/11, 6/1/11, 6/8/11, 6/15/1, 7/13/11, 7/27/11, 8/10/11, 8/24/11, 8/31/11, 9/28/11, 10/12/11, 11/2/11, 11/30/11, 12/7/11, 1/4/12, 2/1/12*] **DEFERRED TO 3/7/12 AT THE AGENT’S REQUEST.**


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

7. **Project# 1007095**
12DRB-70038 EPC APPROVED SDP
FOR BUILD PERMIT 

J. KORY BAKER, ARCHITECT agent(s) for EIGHTY SIXTH LIMITED PARTNERSHIP request(s) the above action(s) for all or a portion of Lot(s) 1, **LANDS OF BARRETT** zoned SU-2/RD 9 DU/AC, located on 86TH ST SW BETWEEN SAN IGNACIO SW AND SAGE SW containing approximately .994 acre(s). (L-9)[*Deferred from 2/15/12*]**THE SITE PLAN FOR BUILDING PERMIT WAS APPROVED WITH DELEGATION TO PLANNING FOR THE FILING OF THE PLAT. THE INFRASTRUCTURE LIST WILL BE TIED TO THE PLAT**

8. **Project# 1009089**
12DRB-70049 EPC APPROVED SDP
FOR BUILD PERMIT

CAUWELS & STUVE REALTY & DEVELOPMENT ADVISORS L.L.C. agent(s) for NM ALBUQUERQUE REALTY LLC request(s) the above action(s) for all or a portion of Block(s) A Tract(s) 45, **HUNNING HIGHLANDS** zoned SU-1, located on MARTIN LUTHER KING BETWEEN ELM AND HIGH containing approximately 1.277 acre(s). (K-15) [*Deferred from 2/22/12*] **DEFERRED TO 3/7/12 AT THE AGENT’S REQUEST.**

9. **Project# 1001206**
12DRB-70002 MINOR - SDP FOR
BUILDING PERMIT 

TARA ROTHERWELL-CLARK agent(s) for WELLS FARGO CORPORATE PROPERTIES request(s) the above action(s) for all or a portion of Lot(s) 3G2, **BLACK RANCH**, zoned SU-1, located on SE CORNER OF COORS AND IRVING containing approximately .578 acre(s). (C-13) [*Deferred from 1/11/12, 1/25/12, 2/1/12, 2/8/12, 2/15/12, 2/22/12*] **THE SITE PLAN FOR BUILDING PERMIT WAS APPROVED.**

DRB CASE ACTION LOG - BLUE SHEET

- Preliminary/Final Plat [FP]
- Site Plan - Subdivision [SPS]
- Site Plan - Building Permit [SBP]

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

Project #: 1007095 Application #: 12DRB-70038
Project Name: Lands of Barrett
Agent: J. Kory Baker Phone #:

Your request was approved on 2.29.12 by the DRB with delegation of signature(s) to the following departments - outstanding comments to be addressed

- TRANSPORTATION:
- ABCWUA:
- CITY ENGINEER / AMAFCA:
- PARKS / CIP:
- PLANNING (Last to sign): filing of plat w/ 51A)

PLATS:

- 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.
 - County Treasurer's signature must be obtained prior to the recording of the plat with 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.

ALL SITE PLANS:

3 copies of the approved site plan. Include all pages.



DEVELOPMENT REVIEW BOARD SUPPLEMENTAL SUBMITTAL

PROJECT NO. 1007095

TO: ALL MEMBERS

Application No. 12DRB 70038

Jack Cloud, DRB Chairman, Planning Department

Curtis Cherne, P.E., Hydrology

Kristal Metro, P.E., Transportation Development

Allan Porter, P.E., Albuquerque/ Bernalillo Co.WUA

Carol Dumont, Parks/Municipal Development

NEXT HEARING DATE: 2.29.12

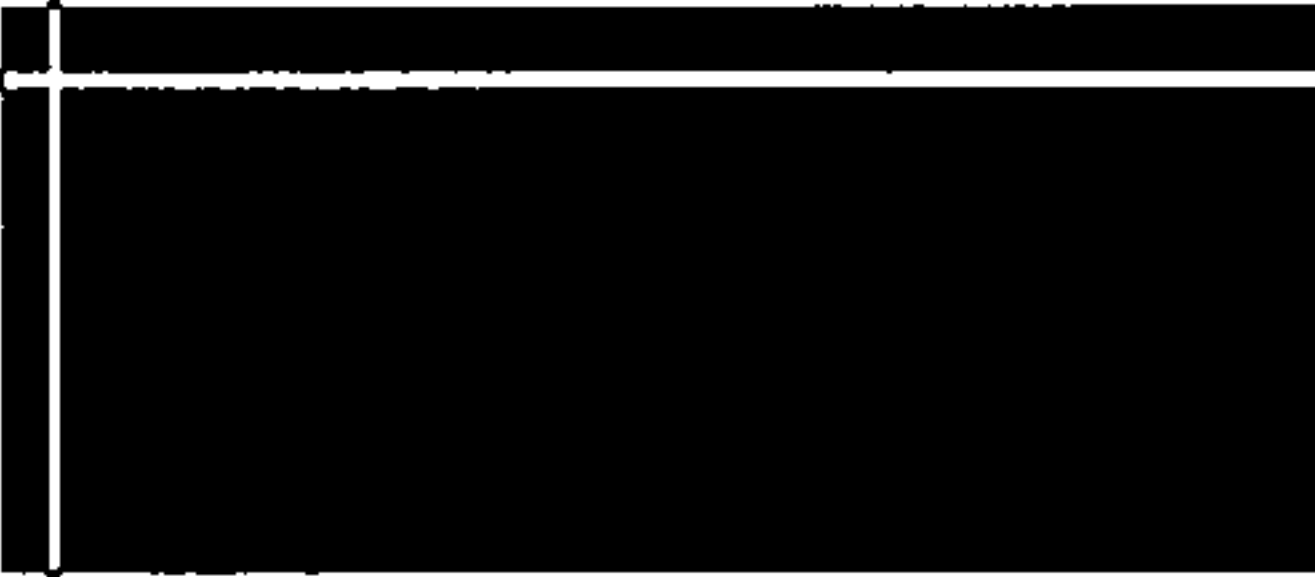
NOTE: REQUESTS FOR DEFERRAL OF CASES WILL BE DISCUSSED BY THE BOARD AND THE APPLICANT AND/OR AGENT AT THE BEGINNING OF THE AGENDA. BOTH PARTIES MUST AGREE UPON THE DATE OF DEFERRAL. IF THE APPLICANT/AGENT IS NOT PRESENT, THE ADMINISTRATIVE ASSISTANT MUST RECEIVE A LETTER, PRIOR TO THE HEARING DATE, REQUESTING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

SUBMITTAL DESCRIPTION: ADDITIONAL INFORMATION &

REVISIONS FOR DRB CASE # 1007095

CONTACT NAME: KORY BAKER

TELEPHONE: 384.3112 EMAIL: fbaker@higherspeed.net



J. Kory Baker ————— **Architect**

P.O. Box 254
Estancia, NM 87016

Phone: 505-384-3112
Fax: 505-384-1853
Email: kbaker@higherspeed.net

February 21, 2012

Development Review Board
City of Albuquerque
Albuquerque, New Mexico

DRB Case #1007095 was heard at the DRB meeting on February 15, 2012 and is scheduled to be reheard on February 29, 2012. The purpose of this submittal is to provide the additional information requested by the DRB.

The site plan has been revised to address the following issues:

Right of way dedication is required following discussion with DMD. The process of re-plat has been initiated and should be on the schedule for the March 7, 2012 DRB meeting.

The R.O.W. dedication is shown on the site plan along with back of curb to property line dimensions.

A letter from the property owner withdrawing the previous Site Plan for Building Permit and Infrastructure List is included herewith.

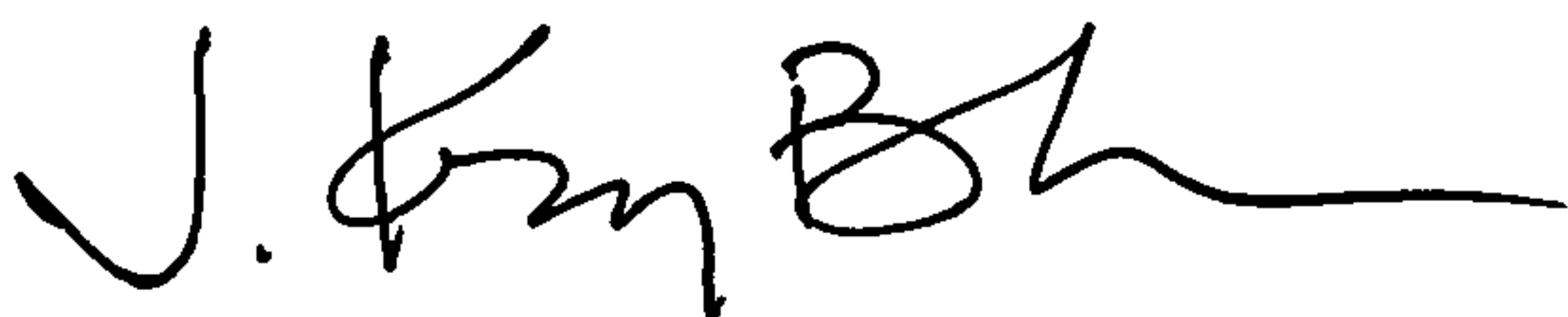
A revised infrastructure list is included herewith and a Procedure C-Modified and a Financial Guaranty are being coordinated with DMD.

City Standard build notes are provided for all items built with the City right of way.

Entrance off of 86th Street is to be built to C.O.A. Std. Dtl. 2425.

The 6-foot wide pedestrian connection to the roadway is now noted as being built with this project.

Thank you for your consideration,



J. Kory Baker

86th LTD Partnership

142 Walden Road
Corrales, NM 87048

February 21, 2012

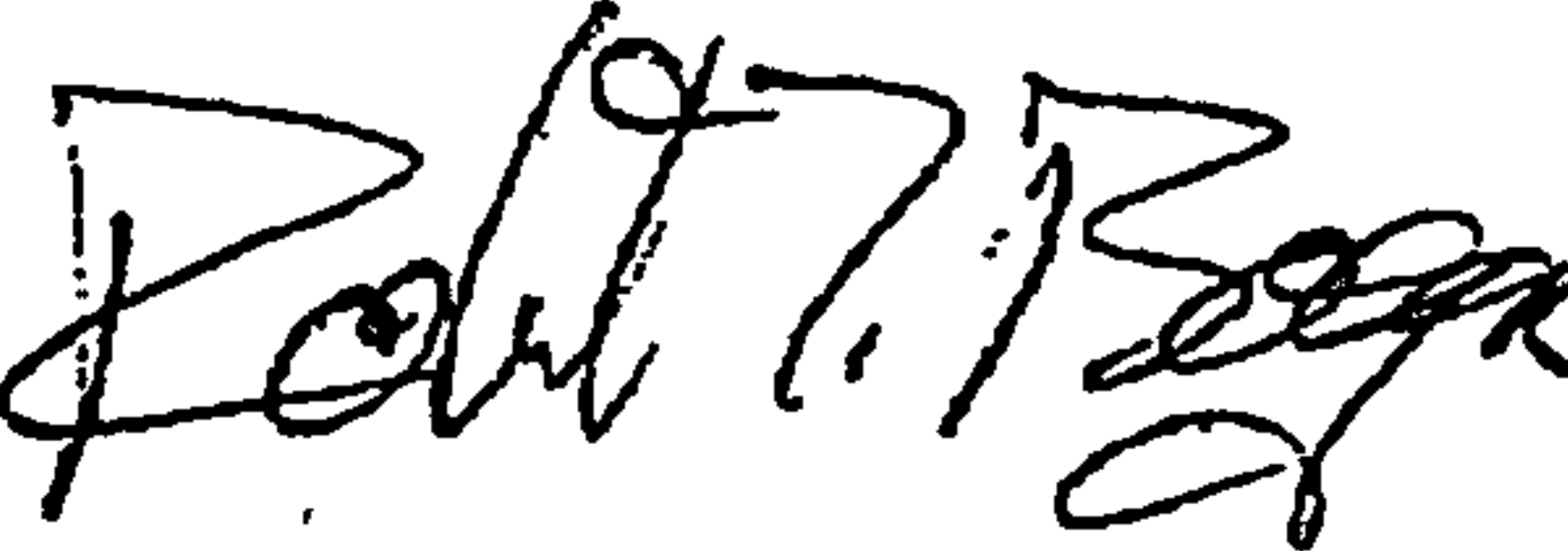
City of Albuquerque Development Review Board

To whom it may concern,

I hereby withdraw the previous Site Plan for Building Permit and Infrastructure list from 2009 for DRB Case #1007095.

I am the owner of the property described as Lot Numbered One of the Lands of L. W. Barrett which is the subject property for the submittal of a revised Site Development Plan for Building Permit (current DRB Case #1007095).

Sincerely,

 Gen Partner 86th LTD Partnership

Robert T. Bogan
86th LTD Partnership

Current DRC

Project Number: 1007095

FIGURE 12

INFRASTRUCTURE LIST

(Rev. 9-20-05)

EXHIBIT "A"

TO SUBDIVISION IMPROVEMENTS AGREEMENT

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

LOT 1, LANDS OF L.W. BARRETT

PROPOSED NAME OF PLAT AND/OR SITE DEVELOPMENT PLAN

LOT 1, LANDS OF L.W. BARRETT

EXISTING LEGAL DESCRIPTION PRIOR TO PLATTING ACTION

Date Submitted: _____

Date Site Plan Approved: _____

Date Preliminary Plat Approved: _____

Date Preliminary Plat Expires: _____

DRB Project No.: _____

DRB Application No.: _____

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

Financially Guaranteed DRC #	Constructed Under DRC #	Size	Type of Improvement	Location	From	To	Construction Certification		
							Private Inspector	P.E.	City Cnst Engineer
		865 SF	REMOVAL OF EXISTING COA SIDEWALK	W. SIDE OF 86TH ST. S. OF SAN IGNACIO	N. PROP LINE	S. PROP LINE	/	/	/
		1140 SF	NEW 6' COA SIDEWALK	SAME	↑ SAME	↑ SAME	/	/	/
		20' OF 6" PIPE	FIRE HYDRANT & REQ. PIPE & VALVES	S. SIDE OF SAN IGNACIO			/	/	/
		DBL "A"	INLET & 24" LATERAL	W. SIDE OF 86TH ST	NW CORNER OF 86TH & SAGE		/	/	/
			PROCEDURE C MODIFIED \$4,820 ST				/	/	/
							/	/	/
							/	/	/
							/	/	/
							/	/	/
							/	/	/
							/	/	/

1007095

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

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

NOTES

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

- 1 _____
- 2 _____
- 3 _____

AGENT / OWNER DEVELOPMENT REVIEW BOARD MEMBER APPROVALS

NAME (print)

FIRM

SIGNATURE - date

DRB CHAIR - date

TRANSPORTATION DEVELOPMENT - date

UTILITY DEVELOPMENT - date

CITY ENGINEER - date

PARKS & RECREATION - date

AMAFCA - date

- date

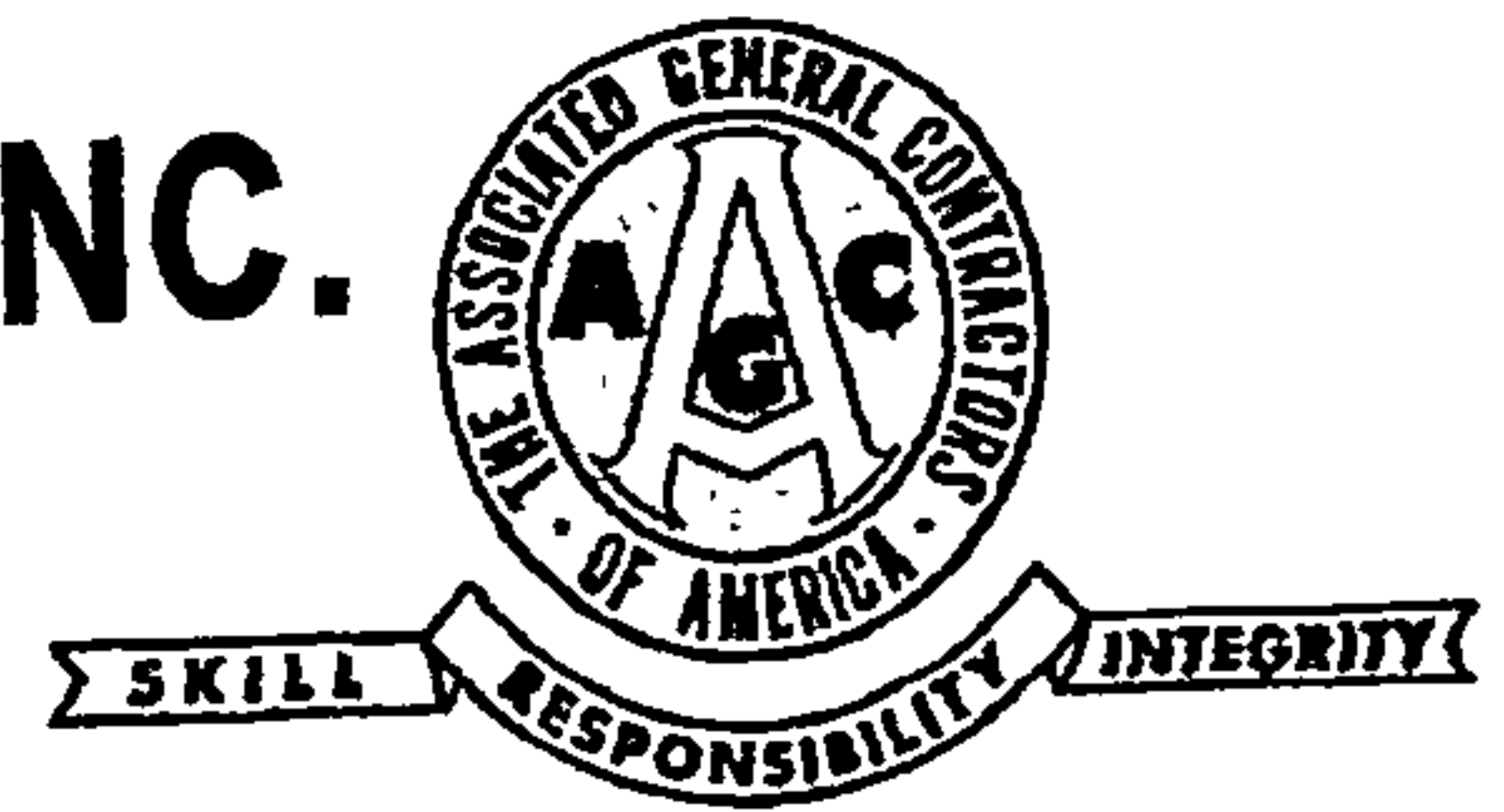
- date

DESIGN REVIEW COMMITTEE REVISIONS

REVISION	DATE	DRC CHAIR	USER DEPARTMENT	AGENT / OWNER

MOUNTAIN STATES CONSTRUCTORS, INC.

3601 Pan American Frwy, NE • #111 • Albuquerque, NM 87107
Tel: 505 292 0108 • Fax: 505 292 5311



February 1, 2012

Attn: Juan Carlos Samuel, Project Manager

City of Albuquerque
Department of Municipal Development

Project: 86th and Sage Road Improvements, No. 7690.91
Re: Change Order #3 – Installation of Additional Type "A" Catch Basin and Upsizing of 18" RCP Lateral to 24" RCP

Mr. Samuel,

Below is the pricing for installation of the additional type "A" catch basin with double grate and the cost to upsize the 18" lateral to a 24" lateral per your request on January 30th.

Bid Item	Description	Unit	Est. Qty.	Price	Total Estimated Cost
1	24" RCP Class IV Placed in Open Trench	LF	36	\$36.00	\$1,296.00
2	Catch Basin Type "A", Double Grate	EA	1	\$4,200.00	\$4,200.00
	10% Prime Contractor Markup			\$549.60	
	Subtotal			\$4,749.60	
	1.5% Increase in Insurance and Bond			\$71.24	
	Total	EA	1	\$4,820.84	\$4,820.84

Should you have any questions please do not hesitate to contact me.

Sincerely,

Neil Jackson

Neil Jackson, Estimator
Mountain States Constructors, Inc.

J. Kory Baker

Architect

P.O. Box 254
Estancia, NM 87016

Phone: 505-384-3112

Fax: 505-384-1853

Email: kbaker@higherspeed.net

February 7, 2012

Development Review Board
City of Albuquerque
Albuquerque, New Mexico

This request is for review and approval of a site development plan for building permit for Lot 1, Lands of L.W. Barrett, located on the southwest corner of San Ignacio Road SW and 86th Street SW.

The EPC reviewed this project under Project #1007095:

11EPC-40064 Site Development – Building Permit

and

11EPC-40065 Amend Sector Development Plan

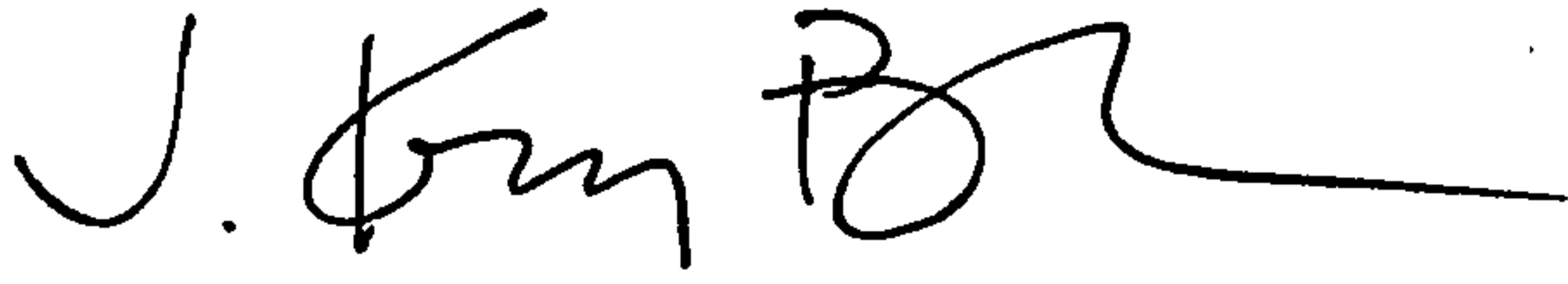
There was no opposition to the plan and the EPC found that this plan furthers the City's development goals for the area. The following conditions were placed upon the EPC approval:

- Condition 1. The EPC delegated final sign-off authority of this site development plan to the DRB, and required this letter explaining how the following EPC conditions have been met:
- Condition 2. Applicant's agent, J. Kory Baker, Architect, met with Randall Faulkner, Staff Planner and reviewed the changes made to the plans to ensure that all conditions of approval had been met.
- Condition 3. A detail for the 16 foot parking lot light is shown on the detail sheet accompanying the site development plan.
- Condition 4. Parking lot lighting was reviewed and found not to be in conflict with landscaping..
- Condition 5.
 - a. All existing utility easements are shown and developer will abide by all conditions and terms.
 - b. Developer will coordinate with PNM for electric service and abide by all easements & clearances.
 - c. Developer will coordinate with PNM regarding tree species and locations.
- Condition 6.
 - a. Developer is coordinating with DMD and Transportation and has included an infrastructure list based on those discussions. Developer will comply with all City Standards.
 - b. All easements are shown and labeled on the Site Plan.
 - c. Previous Site Development Plan for Building Permit and Infrastructure will be withdrawn prior to DRB approval.

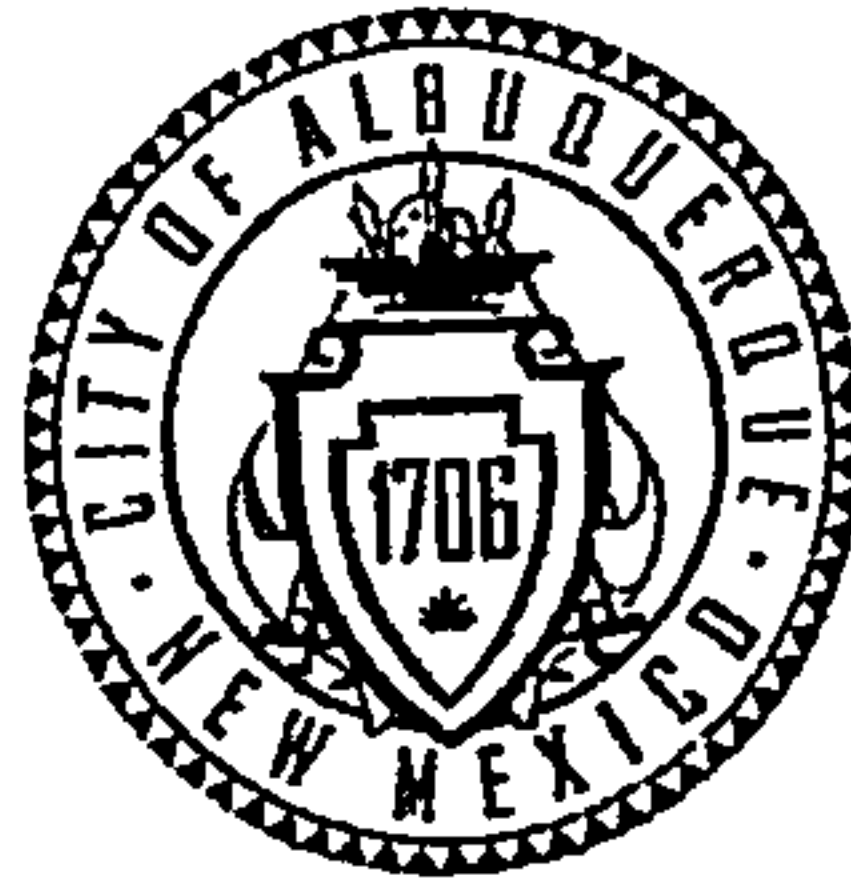
d. All previous actions of EPC/DRB are completed or provided for.

e. Site Plan will comply with DPM and ADA Standards.

Thank you for your consideration,

A handwritten signature in black ink, appearing to read "J. Kory Baker". The signature is fluid and cursive, with a long horizontal stroke extending to the right.

J. Kory Baker



City of Albuquerque
Planning Department
Urban Design & Development Division
P.O. Box 1293
Albuquerque, New Mexico 87103

Date: November 10, 2011

OFFICIAL NOTIFICATION OF DECISION

FILE: Project # 1007095
11EPC-40064 Site Development Plan for
Building Permit
11EPC-40065 Sector Development Plan Map
Amendment (Zone Change)

Eighty Sixth Limited Partnership
901 86th St. SW
Albuquerque, NM, 87102

LEGAL DESCRIPTION:

J Kory Baker, Architect, agent for Eighty Sixth Limited Partnership, requests the above actions for all or a portion of lot 1, Lands of L.W. Barrett, zoned SU-2 RD 9 DU/AC to SU-2/SU-1 for Day Care Center, located on 86th St. SW between San Ygnacio Rd. SW and Sage Rd. SW containing approximately 1 acre. (L-9) Randall Falkner, Staff Planner

On November 10, 2011, the Environmental Planning Commission voted to APPROVE Project 1007095 11EPC-40065, a request for a Sector Development Plan Map Amendment (Zone Change) based on the following Findings and subject to the following Conditions:

FINDINGS:

1. This proposal is a request to amend the Tower/Unser Sector Development Plan Zone map from SU-2/RD 9 du/ac to SU-2/SU-1 for Day Care Center for all or a portion of lot 1, Lands of L.W. Barrett, a site of approximately 1 acre, located on 86th Street SW, between San Ygnacio Road SW and Sage Road SW.
2. The applicant intends to build an 11,343 square foot day care center on the property.

OFFICIAL NOTICE OF DECISION

PROJECT #1007095

NOVEMBER 10, 2011

Page 2 of 8

3. The Environmental Planning Commission (EPC) is hearing the case because zone map amendments must receive approval from the EPC, and development of an SU-1 zone may only occur in conformance with an approved site development plan.
4. A request for a site development plan for building permit (11EPC 40064) accompanies this request.
5. The subject site is within the area designated Developing Urban by the Comprehensive Plan, and within the boundaries of the West Side Strategic Plan, and the Tower/Unser Sector Development Plan.
6. The Albuquerque/Bernalillo County Comprehensive Plan, the West Side Strategic Plan, the Tower/Unser Sector Development Plan, and the City of Albuquerque Zoning Code are incorporated herein by reference and made part of the record for all purposes.
7. In March 2008 the EPC approved a similar request to amend the zone map from SU-2/RD 9 du/ac to SU-2/SU-1 for Day Care Center (08EPC 40013) and a site development plan for building permit (08EPC 40011) at the subject site. However, the site was never developed and a certificate of zoning was never issued. Many of the findings and justifications for that approval remain applicable at this time.
8. The applicant provided an adequate justification for the zone change request pursuant to Resolution 270-1980:
 - a. The zone change request is consistent with the health, safety, morals, and general welfare of the City. The request would be controlled through an EPC approved site plan, which is beneficial to the City. The request would provide infill development on a site that is vacant and provide more "eyes on the street", potentially helping to prevent criminal activity. The day care center will provide a safe place for children and working parents.
 - b. The applicant has demonstrated that the requested zoning will not destabilize land use and zoning. The request will allow development of a complementary use (day care center) that will not result in major impacts to the surrounding land uses. The request could also contribute to stabilization by providing infill development and acting as a stimulus for economic development.
 - c. The request furthers applicable policies of the Comprehensive Plan, the West Side Strategic Plan, and Tower Unser Sector Development Plan, including the following:
 - i. Policy II.B.5a – There is residential zoning on all four sides of the subject site. The zone change request to add SU-2/SU-1 for Day Care Center would increase land use variety in a neighborhood that is predominantly residential. A day care center would allow for a greater range of urban land uses.

- ii. Policy II.B.5d – The zone change request will respect existing neighborhood values by adding more security (eyes on the street), providing infill development, encouraging economic development, and by implementing a design that will minimize any adverse impacts on residential neighborhoods.
 - iii. Policy II.B.5e – The zone change request would provide infill development on a site that is currently vacant and is contiguous to existing urban facilities and services. The integrity of the neighborhood would be ensured by developing a vacant site and by providing a much needed use (day care center) and jobs.
 - iv. Economic Development Goal and Policy II.D.6b – The zone change request will help to achieve steady and diversified economic development balanced with other important social, cultural, and environmental goals. The request for a day care center would help to develop a local business and help to expand the existing employment base. The surrounding neighborhood is nearly all residential and could benefit by diversifying with some small scale economic development.
 - v. WSSP Policy 3.40 – The zone change request would provide an urban style service (day care center) that would be appropriate in this community. The request is for a relatively small building (11,343 square feet) on a 1 acre parcel of land that would not negatively impact the surrounding neighborhood. The surrounding area has been developed almost entirely with residential uses, and is devoid of urban style services such as a day care center.
 - vi. WSSP Goal 10 – The zone change request for a day care center would help to build a community by adding an important resource (day care center) that would allow citizens in this area to live, work, and play together. The Westgate N.A. supports the request.
 - vii. WSSP Objective 1 – The zone change request for a day care center would help to provide for a more complete mix of land uses in this West Side neighborhood, and would provide jobs and help area residents from traveling further than necessary to find work and child care.
 - viii. WSSP Objective 8 – The addition of a day care center would promote job opportunities and business growth in an area that is in need of this kind of amenity. The request would provide jobs for those in both the day care and construction industries.
 - ix. TUSDP Executive Summary Development Concept #3 – The zone change request would add to the mixture of land uses at a neighborhood scale and would not develop high density residential. The request would help to develop a “de facto” activity center.
- d. The applicant has shown that the proposed zoning is more advantageous to the community by providing a complimentary and necessary service to the adjacent residential uses.
 - e. There are no permissive uses that would be harmful to the adjacent property, the neighborhood or the community. The proposed zoning (SU-2/SU-1 for Day Care Center) creates a very predictable impact on the neighborhood and limits the potential for unintended consequences.

- f. The proposed zone change requires no major or unprogrammed capital expenditures on behalf of the City in order to be developed.
 - g. Neither the cost of land nor other economic considerations are the determining factor for this zone change.
 - h. San Ygnacio is a local street, and 86th Street is a collector street. The subject site's location on a collector street is not the determining factor for the zone change request.
 - i. The request would result in a spot zone; however, the applicant cites a myriad of policies in the Comprehensive Plan, WSSP, and TUSDP that support the request for SU-2/SU-1 for Day Care Center.
 - j. The request would not result in a strip zone.
9. There is no known neighborhood or other opposition. A Westgate Heights Neighborhood Association meeting was held on September 22, 2011 in which the N.A. stated that they support the request. A letter supporting the project has been received from the Westgate Heights N.A.

CONDITIONS:

1. The accompanying site development plan for building permit must receive final DRB sign off within 6 months of this EPC action (Section 14-16-4-1) (C)(10).

On November 10, 2011, the Environmental Planning Commission voted to APPROVE Project 1007095 / 11EPC-40064, a request for a Site Development Plan for Building Permit based on the following Findings and subject to the following Conditions:

FINDINGS:

1. This is a request for a site development plan for building permit for all or a portion of Lot 1, Lands of L.W. Barrett, a site of approximately 1 acre, located on 86th Street SW, between San Ygnacio Road SW and Sage Road SW.
2. The applicant intends to build an 11,343 square foot day care center on the property.
3. A request for a sector development plan zone map amendment (11EPC 40065) accompanies this request.
4. The subject site is within the area designated Developing Urban by the Comprehensive Plan, and within the boundaries of the West Side Strategic Plan, and the Tower/Unser Sector Development Plan.

5. The Albuquerque/Bernalillo County Comprehensive Plan, the West Side Strategic Plan, the Tower/Unser Sector Development Plan, and the City of Albuquerque Zoning Code are incorporated herein by reference and made part of the record for all purposes.
6. In March 2008 the EPC approved a similar request to amend the zone map from SU-2/RD 9 du/ac to SU-2/SU-1 for Day Care Center (08EPC 40013) and a site development plan for building permit (08EPC 40011) at the subject site. However, the site was never developed and a certificate of zoning was never issued. Many of the findings and conditions of approval of the 2008 request remain in effect at this time.
7. The request furthers applicable policies of the Comprehensive Plan, the West Side Strategic Plan, and the Tower/Unser Sector Development Plan:
 - a. Policy II.B.5d – The request will respect existing neighborhood values by implementing a design that will minimize adverse impacts on residential neighborhoods. The request will also add more security (eyes on the street), provide infill development and jobs, and encourage economic development.
 - b. Policy II.B.5e – The request is proposed on land that is currently vacant, but is contiguous to existing urban facilities and services where the integrity of the existing neighborhoods can be ensured through the design of the site plan.
 - c. Policy II.B.5i – The request will complement the surrounding residential area and has been sited to minimize the effects of noise, lighting, pollution, and traffic on a residential environment.
 - d. Policy II.B.5m – The request would maintain and enhance unique vistas. The height of the building (18'10") is less than what is allowed (26'). The request would keep the building in scale with the rest of the surrounding neighborhood.
8. There is no known neighborhood or other opposition. A Westgate Heights Neighborhood Association meeting was held on September 22, 2011 in which the N.A. stated that they support the request. A letter supporting the project has been received from the Westgate Heights N.A.

CONDITIONS:

1. The EPC delegates final sign-off authority of this site development plan to the Development Review Board (DRB). The DRB is responsible for ensuring that all EPC Conditions have been satisfied and that other applicable City requirements have been met. A letter shall accompany the submittal, specifying all modifications that have been made to the site plan since the EPC hearing, including how the site plan has been modified to meet each of the EPC conditions. Unauthorized changes to this site plan, including before or after DRB final sign-off, may result in forfeiture of approvals.

OFFICIAL NOTICE OF DECISION

PROJECT #1007095

NOVEMBER 10, 2011

Page 6 of 8

2. Prior to application submittal to the DRB, the applicant shall meet with the staff planner to ensure that all conditions of approval are met.
3. A light detail for the 16 foot parking lot light shall be shown on the site development plan for building permit. The parking lot light shall be fully shielded.
4. Parking lot lighting and landscaping shall not be in conflict with one another.
5. Conditions from Public Service Company of New Mexico:
 - a. As a condition, it is the applicant's obligation to determine if existing utility easements cross the property and to abide by any conditions or terms of those easements.
 - b. As a condition, it is necessary for the developer to contact PNM's New Service Delivery Department to coordinate electric service and options for the location of electric service connection regarding this project. Any existing or proposed public utility easements are to be indicated on the site plan utility sheet. PNM's standard for public utility easements is 10 feet in width to ensure adequate, safe clearances.
 - c. Existing overhead electric distribution infrastructure is located on the northeast corner of the subject property at San Ignacio SW and 86th Street SW. As a condition, it is necessary for the applicant to coordinate with PNM's New Service Delivery Department regarding the proposed tree species noted on the Landscape Plan, tree placement and height at maturity, sign location and height, and lighting height in order to ensure sufficient safety clearances and to avoid interference with the existing facilities. PNM's standard is for trees to be planted outside the PNM easement. Any relocation, changes or realignment of existing electric utilities will be the developer's expense. PNM recommends a shorter street tree at the northeast corner of San Ignacio SW and 86th Street SW near the existing facilities.
6. Conditions from City Engineer, Municipal Development, Water Authority and NMDOT:
 - a. The Developer is responsible for permanent improvements to the transportation facilities adjacent to the proposed site development plan. Those improvements will include any additional right-of-way requirements, paving, curb and gutter, sidewalk and ADA accessible ramps that have not already been provided for. All public infrastructure constructed within public right-of-way or public easements shall be to City Standards. Those Standards will include but are not limited to sidewalks (std. dwg. 2430), driveways (std. dwg. 2425), private entrances (std. dwg. 2426) and wheel chair ramps (std. dwg. 2441).
 - b. All easements need to be shown and labeled on Site Plan.
 - c. Prior to DRB approval, the previous Site Development Plan for Building Permit and Infrastructure must be withdrawn.
 - d. All the requirements of previous actions taken by the EPC and/or the DRB must be completed and/or provided for.

- e. Site plan shall comply and be designed per DPM Standards and ADA Standards/requirements.

IF YOU WISH TO APPEAL/PROTEST THIS DECISION, YOU MUST DO SO BY NOVEMBER 28, 2011 IN THE MANNER DESCRIBED BELOW. A NON-REFUNDABLE FILING FEE WILL BE CALCULATED AT THE LAND DEVELOPMENT COORDINATION COUNTER AND IS REQUIRED AT THE TIME THE APPEAL IS FILED. IT IS NOT POSSIBLE TO APPEAL EPC RECOMMENDATIONS TO CITY COUNCIL; RATHER, A FORMAL PROTEST OF THE EPC'S RECOMMENDATION CAN BE FILED WITHIN THE 15 DAY PERIOD FOLLOWING THE EPC'S DECISION.

Persons aggrieved with any determination of the Environmental Planning Commission (EPC) and who have legal standing as defined in Section 14-16-4-4.B.2 of the City of Albuquerque Comprehensive Zoning Code may file an appeal to the City Council by submitting written application on the Planning Department form to the Planning Department **within 15 days** of the Planning Commission's decision. The date of the EPC's decision is not included in the 15-day period for filing an appeal, and if the fifteenth day falls on a Saturday, Sunday or holiday, the next working day is considered as the deadline for filing the appeal. Such appeal, if heard, shall be heard within 45 days of its filing.

YOU WILL RECEIVE NOTIFICATION IF ANY PERSON FILES AN APPEAL. IF THERE IS NO APPEAL, YOU CAN RECEIVE BUILDING PERMITS AT ANY TIME AFTER THE APPEAL DEADLINE QUOTED ABOVE, PROVIDED ALL CONDITIONS IMPOSED AT THE TIME OF APPROVAL HAVE BEEN MET. SUCCESSFUL APPLICANTS ARE REMINDED THAT OTHER REGULATIONS OF THE CITY ZONING CODE MUST BE COMPLIED WITH, EVEN AFTER APPROVAL OF THE REFERENCED APPLICATION(S).

ZONE MAP AMENDMENTS: Pursuant to Zoning Code Section 14-16-4-1(C)(11), a change to the zone map does not become official until the Certification of Zoning is sent to the applicant and any other person who requests it. Such certification shall be signed by the Planning Director after appeal possibilities have been concluded and after all requirements prerequisite to this certification are met. If such requirements are not met within six months after the date of final City approval, the approval is void. The Planning Director may extend this time limit up to an additional six months.

SITE DEVELOPMENT PLANS: Pursuant to Zoning Code Section 14-16-3-11(C)(1), if less than one-half of the approved square footage of a site development plan has been built or less than one-half of the site has been developed, the plan for the undeveloped areas shall terminate automatically seven years after adoption or major amendment of the plan: within six months prior to the seven-year deadline, the property owners shall request in writing thorough the Planning Director that the Planning Commission extend the plan's life an additional five years.

DEFERRAL FEES: Pursuant to Zoning Code Section 14-16-4-1(B), deferral at the request of the applicant is subject to a \$110.00 fee.

Sincerely,

CM Anone

for

Deborah Stover
Planning Director

DS/RF/mc

cc: Robert Bogan, 86th LTD Partnership, 901 86th St. SW, Albuquerque, NM 87121
J. Kory Baker, P.O. Box 254, Estancia, NM 87016
Jerry Parsons, Torretta Oeste/Este H.O.A., P.O. Box 93488, Albuquerque, NM 87199
Andres Lazo, South Valley Coalition of N.A.'s, 3220 Grasshopper Dr. SW, Albuquerque, NM 87121
Marcia Fernandez, South Valley Coalition of N.A.'s, 2401 Violet SW, Albuquerque, NM 87105
Klarissa Pena, SWAN, 6525 Sunset Gardens SW, Albuquerque, NM 87121
Louis Tafoya, SWAN, 6411 Avalon Rd. NW, Albuquerque, NM 87105
Gerald C. Worrall, Westside Coalition of N.A.'s, 1039 Pinatubo Pl. NW, Albuquerque, NM 87120
Candy Patterson, Westside Coalition of N.A.'s, 7608 Elderwood NW, Albuquerque, NM 87120



Supplemental Form (SF)

SUBDIVISION	S Z ZONING & PLANNING
<input type="checkbox"/> Major subdivision action	<input type="checkbox"/> Annexation
<input type="checkbox"/> Minor subdivision action	
<input type="checkbox"/> Vacation	V <input type="checkbox"/> Zone Map Amendment (Establish or Change Zoning, includes Zoning within Sector Development Plan boundaries)
<input type="checkbox"/> Variance (Non-Zoning)	
SITE DEVELOPMENT PLAN	P <input type="checkbox"/> Sector Plan (Phase I, II, III)
<input type="checkbox"/> for Subdivision	<input type="checkbox"/> Amendment to Sector, Area, Facility or Comprehensive Plan
<input checked="" type="checkbox"/> for Building Permit	<input type="checkbox"/> Text Amendment (Zoning Code/Sub Regs)
<input type="checkbox"/> Administrative Amendment/Approval (AA)	<input type="checkbox"/> Street Name Change (Local & Collector)
<input type="checkbox"/> IP Master Development Plan	
<input type="checkbox"/> Cert. of Appropriateness (LUCC)	L A APPEAL / PROTEST of...
STORM DRAINAGE (Form D)	<input type="checkbox"/> Decision by: DRB, EPC, LUCC, Planning Director or Staff, ZHE, Board of Appeals
<input type="checkbox"/> Storm Drainage Cost Allocation Plan	

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

APPLICATION INFORMATION:

NAME: J. KORY BAKER, ARCHITECT PHONE: 384.3112
 ADDRESS: P.O. Box 254 FAX: 384-1853
 CITY: Estancia, NM STATE NM ZIP 87016 E-MAIL: kbaker@higherspeed.net

APPLICANT: Eighty Sixth Limited Partnership PHONE: 897-8511
 ADDRESS: 142 Walden Road FAX: _____
 City: Corrales STATE: NM ZIP: 87048 E-MAIL: rbogan@comcast.net
 Proprietary interest in site: Owner List all owners: Eighty Sixth Limited Partnership

DESCRIPTION OF REQUEST: Review and approval of Site Development Plan for Building Permit. EPC has approved Site Development/ Building Permit Plan & Sector Development Plan Zone Map Amendment

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

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

Lot or Tract No. Lot #1 of the Lands of Barrett Block: _____ Unit: _____
 Subdiv/Addn/TBKA: See attached page for complete legal description
 Existing Zoning: SU-2/RD9 du/ac Proposed zoning: SU-2/SU-1 for Day Care Center MRGCD Map No _____
 Zone Atlas page(s): L-9-Z UPC Code: 100905644006641307

CASE HISTORY:

List any current or prior case number that may be relevant to your application (Proj., App., DRB-, AX, Z, V, S, etc.): _____
 EPC: 11EPC-40064/11EPC-40065 Project #: 1007095

CASE INFORMATION:

Within city limits? Yes Within 1000FT of a landfill? No
 No. of existing lots: 1 No. of proposed lots: 1 Total site area (acres): 0.994 acres

LOCATION OF PROPERTY BY STREETS: On or Near: 86th Street SW (SW corner of 86th and San Ignacio)
 Between: San Ignacio SW and Sage SW

Check if project was previously reviewed by: Sketch Plat/Plan or Pre-application Review Team(PRT) Review Date: _____

SIGNATURE J. Kory Baker DATE 2.7.12
 (Print Name) J. KORY BAKER Applicant Agent

FOR OFFICIAL USE ONLY

Revised: 6/2011

<input type="checkbox"/> INTERNAL ROUTING	Application case numbers	Action	S.F.	Fees
<input checked="" type="checkbox"/> All checklists are complete	<u>12DRB - 70038</u>	<u>SBP</u>	_____	<u>\$20.00</u>
<input checked="" type="checkbox"/> All fees have been collected	_____	<u>CMF</u>	_____	<u>\$</u>
<input checked="" type="checkbox"/> All case #s are assigned	_____	_____	_____	<u>\$</u>
<input checked="" type="checkbox"/> AGIS copy has been sent	_____	_____	_____	<u>\$</u>
<input checked="" type="checkbox"/> Case history #s are listed	_____	_____	_____	<u>\$</u>
<input type="checkbox"/> Site is within 1000ft of a landfill	_____	_____	_____	<u>\$</u>
<input type="checkbox"/> F.H.D.P. density bonus	_____	_____	_____	<u>\$</u>
<input type="checkbox"/> F.H.D.P. fee rebate	_____	_____	_____	<u>\$</u>
	Hearing date <u>February 15, 2012</u>			Total <u>\$20.00</u>

[Signature] 2-7-12 Project # 1007095
 Staff signature & Date

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

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

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

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

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

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

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

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

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

- FINAL SIGN-OFF FOR EPC APPROVED SDP FOR BUILDING PERMIT (DRB05)**
- FINAL SIGN-OFF FOR EPC APPROVED SDP FOR SUBDIVISION (DRB06)**
 - 5 Acres or more & zoned SU-1, IP, SU-2, PC, or Shopping Center: Certificate of No Effect or Approval
 - Site plan and related drawings (folded to fit into an 8.5" by 14" pocket) 6 copies
 - Approved Grading and Drainage Plan (folded to fit into an 8.5" by 14" pocket) 6 copies
 - Solid Waste Management Department signature on Site Plan for Building Permit
 - Zone Atlas map with the entire property(ies) clearly outlined
 - Letter carefully explaining how each EPC condition has been met and a copy of the EPC Notification of Decision
 - Infrastructure List, if relevant to the site plan
 - Copy of Site Plan with Fire Marshal's stamp (not required for SDP for Subdivision)
 - List any original and/or related file numbers on the cover application

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

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

J. Kory Baker
Applicant name (print)
J. Kory Baker 2-7-12
Applicant signature / date

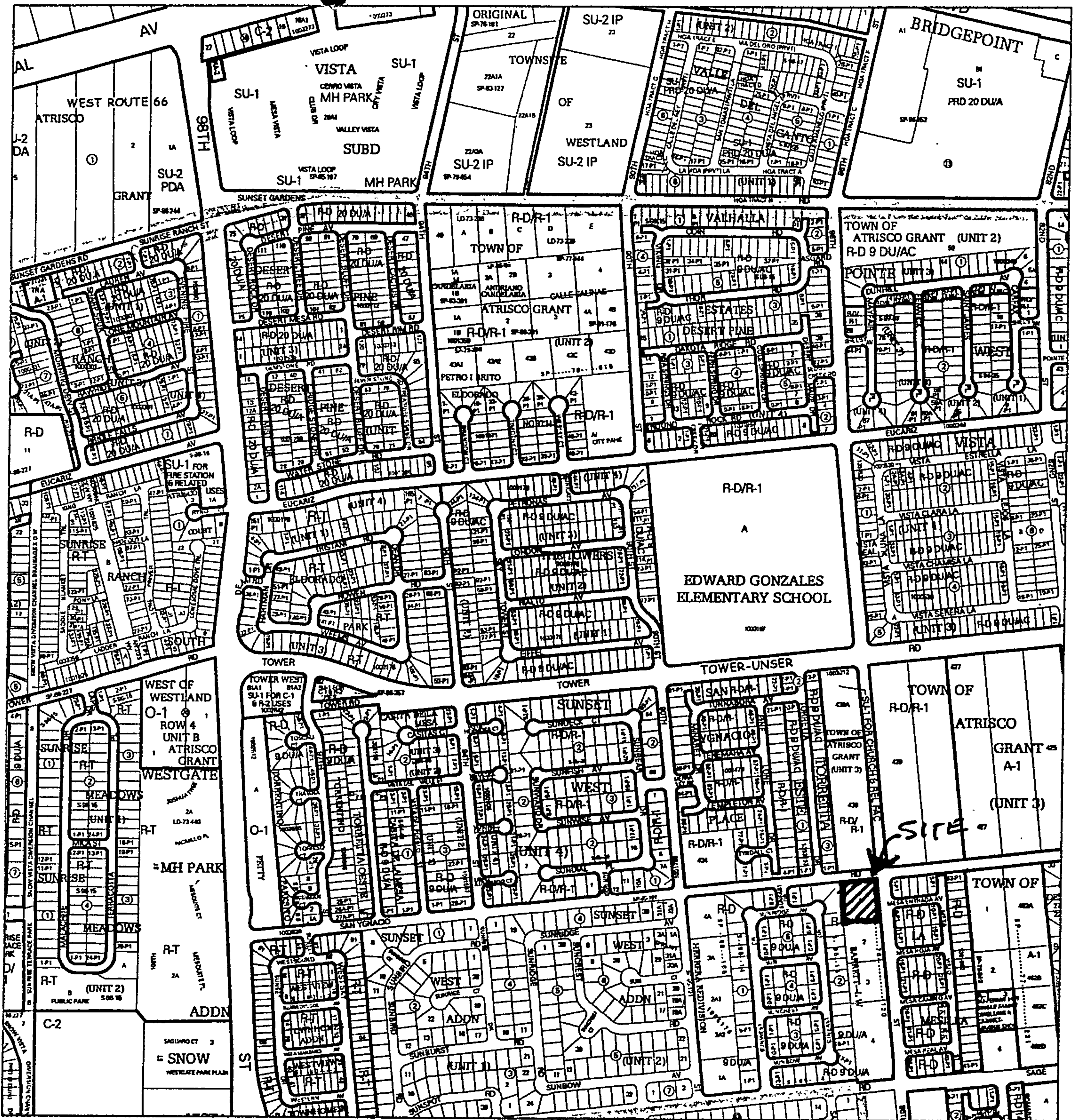


Form revised October 2007

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

Application case numbers
2 DRB - 70038

[Signature] 2-7-12
Planner signature / date
Project # 1007095



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

Map amended through: 1/24/2011

Note: Grey Shading Represents Area Outside of the City Limits

Zone Atlas Page:
L-09-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

Legal Description

Lot numbered one (1) of the Lands of L.W. Barrett, as the same is shown and designated on the plat thereof filed in the Office of the County Clerk of Bernalillo County, New Mexico on May 3, 1976 in Map Book C11, Folio 56.

UPC #: 100905644006641307

86th LTD Partnership

142 Walden Road
Corrales, NM 87048

October 5, 2011

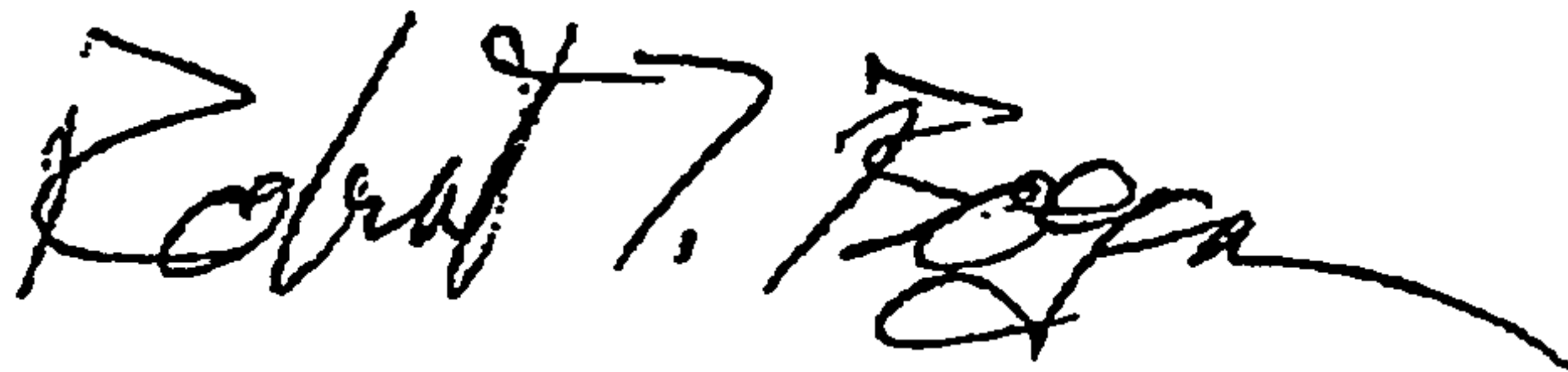
City of Albuquerque Environmental Planning Commission

To whom it may concern,

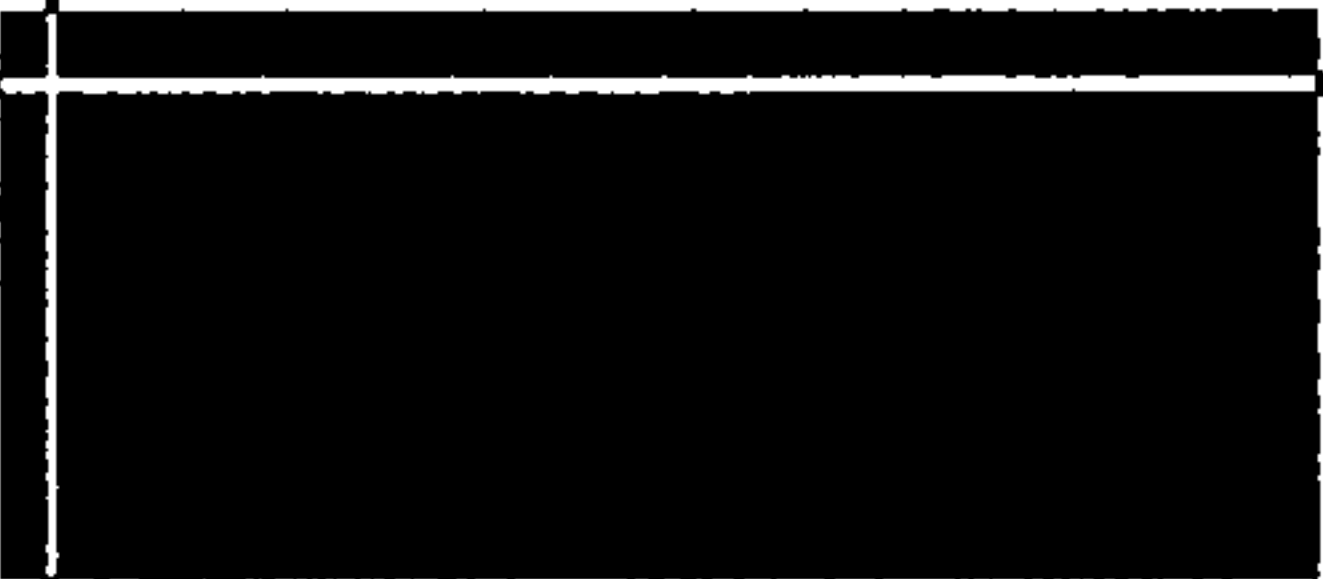
This letter hereby authorizes J. Kory Baker, Architect, to act as my agent in the submittal of a Development/Plan Review Application and supporting documents to the City of Albuquerque Environmental Planning Commission.

I am the owner of the property described as Lot Numbered One of the Lands of L. W. Barrett which is the subject property for the submittal of an Amendment to Zone Map/Site Development Plan for Building Permit.

Sincerely,

A handwritten signature in black ink, appearing to read "Robert T. Bogan". The signature is fluid and cursive, with a long horizontal stroke extending to the right.

Robert T. Bogan
86th LTD Partnership



J. Kory Baker ————— **Architect**

■ ■ ■ ■
P.O. Box 254
Estancia, NM 87016

Phone: 505-384-3112
Fax: 505-384-1853
Email: kbaker@higherspeed.net

February 7, 2012

Development Review Board
City of Albuquerque
Albuquerque, New Mexico

This request is for review and approval of a site development plan for building permit for Lot 1, Lands of L.W. Barrett, located on the southwest corner of San Ignacio Road SW and 86th Street SW.

The EPC reviewed this project under Project #1007095:

11EPC-40064 Site Development – Building Permit

and

11EPC-40065 Amend Sector Development Plan

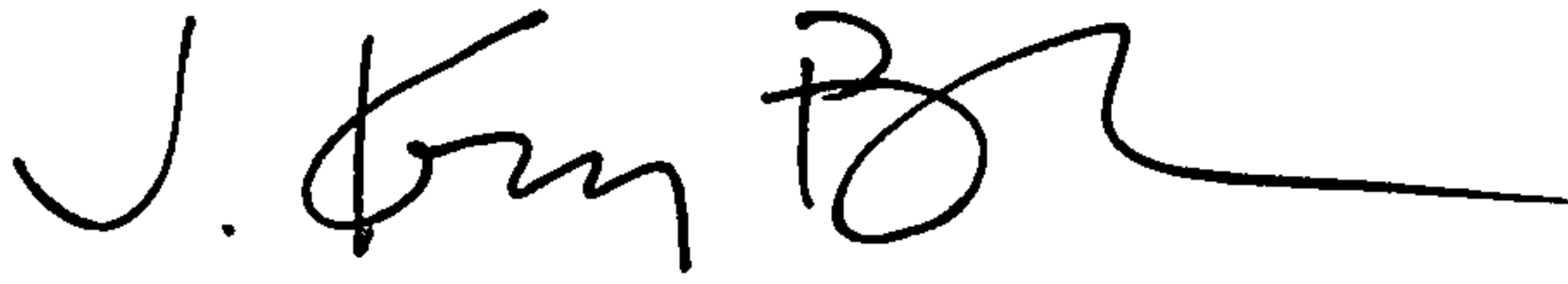
There was no opposition to the plan and the EPC found that this plan furthers the City's development goals for the area. The following conditions were placed upon the EPC approval:

- Condition 1. The EPC delegated final sign-off authority of this site development plan to the DRB, and required this letter explaining how the following EPC conditions have been met:
- Condition 2. Applicant's agent, J. Kory Baker, Architect, met with Randall Faulkner, Staff Planner and reviewed the changes made to the plans to ensure that all conditions of approval had been met.
- Condition 3. A detail for the 16 foot parking lot light is shown on the detail sheet accompanying the site development plan.
- Condition 4. Parking lot lighting was reviewed and found not to be in conflict with landscaping..
- Condition 5.
- a. All existing utility easements are shown and developer will abide by all conditions and terms.
 - b. Developer will coordinate with PNM for electric service and abide by all easements & clearances.
 - c. Developer will coordinate with PNM regarding tree species and locations.
- Condition 6.
- a. Developer is coordinating with DMD and Transportation and has included an infrastructure list based on those discussions. Developer will comply with all City Standards.
 - b. All easements are shown and labeled on the Site Plan.
 - c. Previous Site Development Plan for Building Permit and Infrastructure will be withdrawn prior to DRB approval.

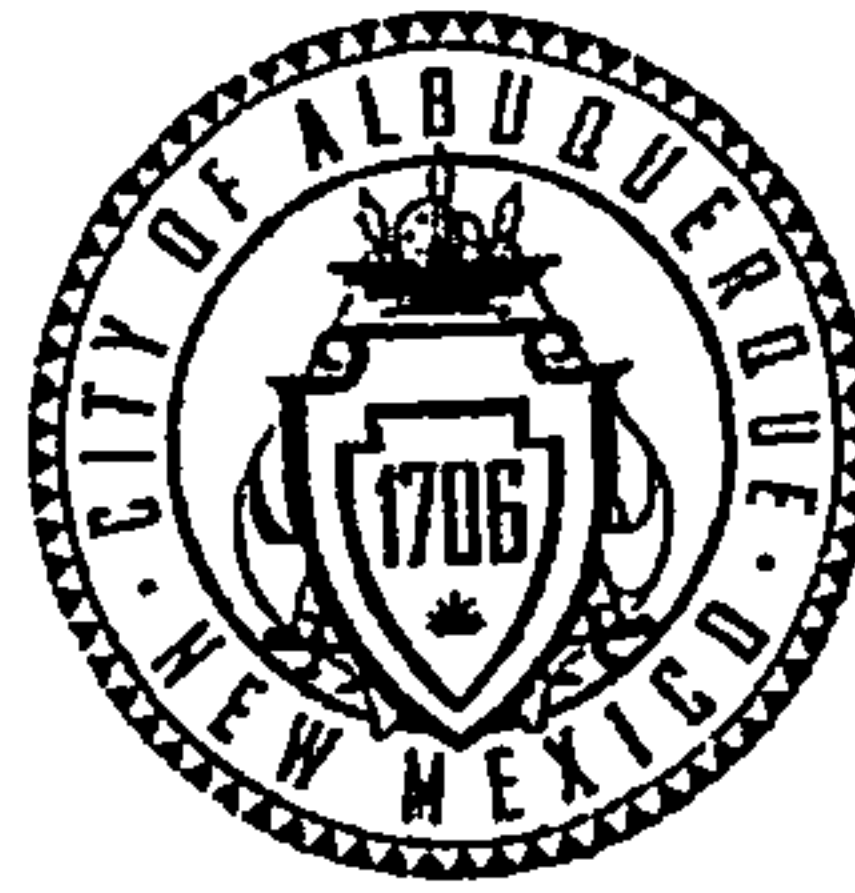
d. All previous actions of EPC/DRB are completed or provided for.

e. Site Plan will comply with DPM and ADA Standards.

Thank you for your consideration,

A handwritten signature in black ink, appearing to read "J. Kory Baker". The signature is fluid and cursive, with a long horizontal stroke extending to the right.

J. Kory Baker



City of Albuquerque
Planning Department
Urban Design & Development Division
P.O. Box 1293
Albuquerque, New Mexico 87103

Date: November 10, 2011

OFFICIAL NOTIFICATION OF DECISION

FILE: Project # 1007095
11EPC-40064 Site Development Plan for
Building Permit
11EPC-40065 Sector Development Plan Map
Amendment (Zone Change)

Eighty Sixth Limited Partnership
901 86th St. SW
Albuquerque, NM, 87102

LEGAL DESCRIPTION:

J Kory Baker, Architect, agent for Eighty Sixth Limited Partnership, requests the above actions for all or a portion of lot 1, Lands of L.W. Barrett, zoned SU-2 RD 9 DU/AC to SU-2/SU-1 for Day Care Center, located on 86th St. SW between San Ygnacio Rd. SW and Sage Rd. SW containing approximately 1 acre. (L-9) Randall Falkner, Staff Planner

On November 10, 2011, the Environmental Planning Commission voted to APPROVE Project 1007095 11EPC-40065, a request for a Sector Development Plan Map Amendment (Zone Change) based on the following Findings and subject to the following Conditions:

FINDINGS:

1. This proposal is a request to amend the Tower/Unser Sector Development Plan Zone map from SU-2/RD 9 du/ac to SU-2/SU-1 for Day Care Center for all or a portion of lot 1, Lands of L.W. Barrett, a site of approximately 1 acre, located on 86th Street SW, between San Ygnacio Road SW and Sage Road SW.
2. The applicant intends to build an 11,343 square foot day care center on the property.

OFFICIAL NOTICE OF DECISION

PROJECT #1007095

NOVEMBER 10, 2011

Page 2 of 8

3. The Environmental Planning Commission (EPC) is hearing the case because zone map amendments must receive approval from the EPC, and development of an SU-1 zone may only occur in conformance with an approved site development plan.
4. A request for a site development plan for building permit (11EPC 40064) accompanies this request.
5. The subject site is within the area designated Developing Urban by the Comprehensive Plan, and within the boundaries of the West Side Strategic Plan, and the Tower/Unser Sector Development Plan.
6. The Albuquerque/Bernalillo County Comprehensive Plan, the West Side Strategic Plan, the Tower/Unser Sector Development Plan, and the City of Albuquerque Zoning Code are incorporated herein by reference and made part of the record for all purposes.
7. In March 2008 the EPC approved a similar request to amend the zone map from SU-2/RD 9 du/ac to SU-2/SU-1 for Day Care Center (08EPC 40013) and a site development plan for building permit (08EPC 40011) at the subject site. However, the site was never developed and a certificate of zoning was never issued. Many of the findings and justifications for that approval remain applicable at this time.
8. The applicant provided an adequate justification for the zone change request pursuant to Resolution 270-1980:
 - a. The zone change request is consistent with the health, safety, morals, and general welfare of the City. The request would be controlled through an EPC approved site plan, which is beneficial to the City. The request would provide infill development on a site that is vacant and provide more "eyes on the street", potentially helping to prevent criminal activity. The day care center will provide a safe place for children and working parents.
 - b. The applicant has demonstrated that the requested zoning will not destabilize land use and zoning. The request will allow development of a complementary use (day care center) that will not result in major impacts to the surrounding land uses. The request could also contribute to stabilization by providing infill development and acting as a stimulus for economic development.
 - c. The request furthers applicable policies of the Comprehensive Plan, the West Side Strategic Plan, and Tower Unser Sector Development Plan, including the following:
 - i. Policy II.B.5a – There is residential zoning on all four sides of the subject site. The zone change request to add SU/2/SU-1 for Day Care Center would increase land use variety in a neighborhood that is predominantly residential. A day care center would allow for a greater range of urban land uses.

- ii. Policy II.B.5d – The zone change request will respect existing neighborhood values by adding more security (eyes on the street), providing infill development, encouraging economic development, and by implementing a design that will minimize any adverse impacts on residential neighborhoods.
 - iii. Policy II.B.5e – The zone change request would provide infill development on a site that is currently vacant and is contiguous to existing urban facilities and services. The integrity of the neighborhood would be ensured by developing a vacant site and by providing a much needed use (day care center) and jobs.
 - iv. Economic Development Goal and Policy II.D.6b – The zone change request will help to achieve steady and diversified economic development balanced with other important social, cultural, and environmental goals. The request for a day care center would help to develop a local business and help to expand the existing employment base. The surrounding neighborhood is nearly all residential and could benefit by diversifying with some small scale economic development.
 - v. WSSP Policy 3.40 – The zone change request would provide an urban style service (day care center) that would be appropriate in this community. The request is for a relatively small building (11,343 square feet) on a 1 acre parcel of land that would not negatively impact the surrounding neighborhood. The surrounding area has been developed almost entirely with residential uses, and is devoid of urban style services such as a day care center.
 - vi. WSSP Goal 10 – The zone change request for a day care center would help to build a community by adding an important resource (day care center) that would allow citizens in this area to live, work, and play together. The Westgate N.A. supports the request.
 - vii. WSSP Objective 1 – The zone change request for a day care center would help to provide for a more complete mix of land uses in this West Side neighborhood, and would provide jobs and help area residents from traveling further than necessary to find work and child care.
 - viii. WSSP Objective 8 – The addition of a day care center would promote job opportunities and business growth in an area that is in need of this kind of amenity. The request would provide jobs for those in both the day care and construction industries.
 - ix. TUSDP Executive Summary Development Concept #3 – The zone change request would add to the mixture of land uses at a neighborhood scale and would not develop high density residential. The request would help to develop a “de facto” activity center.
- d. The applicant has shown that the proposed zoning is more advantageous to the community by providing a complimentary and necessary service to the adjacent residential uses.
 - e. There are no permissive uses that would be harmful to the adjacent property, the neighborhood or the community. The proposed zoning (SU-2/SU-1 for Day Care Center) creates a very predictable impact on the neighborhood and limits the potential for unintended consequences.

- f. The proposed zone change requires no major or unprogrammed capital expenditures on behalf of the City in order to be developed.
 - g. Neither the cost of land nor other economic considerations are the determining factor for this zone change.
 - h. San Ygnacio is a local street, and 86th Street is a collector street. The subject site's location on a collector street is not the determining factor for the zone change request.
 - i. The request would result in a spot zone; however, the applicant cites a myriad of policies in the Comprehensive Plan, WSSP, and TUSDP that support the request for SU-2/SU-1 for Day Care Center.
 - j. The request would not result in a strip zone.
9. There is no known neighborhood or other opposition. A Westgate Heights Neighborhood Association meeting was held on September 22, 2011 in which the N.A. stated that they support the request. A letter supporting the project has been received from the Westgate Heights N.A.

CONDITIONS:

1. The accompanying site development plan for building permit must receive final DRB sign off within 6 months of this EPC action (Section 14-16-4-1) (C)(10).

On November 10, 2011, the Environmental Planning Commission voted to APPROVE Project 1007095 / 11EPC-40064, a request for a Site Development Plan for Building Permit based on the following Findings and subject to the following Conditions:

FINDINGS:

1. This is a request for a site development plan for building permit for all or a portion of Lot 1, Lands of L.W. Barrett, a site of approximately 1 acre, located on 86th Street SW, between San Ygnacio Road SW and Sage Road SW.
2. The applicant intends to build an 11,343 square foot day care center on the property.
3. A request for a sector development plan zone map amendment (11EPC 40065) accompanies this request.
4. The subject site is within the area designated Developing Urban by the Comprehensive Plan, and within the boundaries of the West Side Strategic Plan, and the Tower/Unser Sector Development Plan.

5. The Albuquerque/Bernalillo County Comprehensive Plan, the West Side Strategic Plan, the Tower/Unser Sector Development Plan, and the City of Albuquerque Zoning Code are incorporated herein by reference and made part of the record for all purposes.
6. In March 2008 the EPC approved a similar request to amend the zone map from SU-2/RD 9 du/ac to SU-2/SU-1 for Day Care Center (08EPC 40013) and a site development plan for building permit (08EPC 40011) at the subject site. However, the site was never developed and a certificate of zoning was never issued. Many of the findings and conditions of approval of the 2008 request remain in effect at this time.
7. The request furthers applicable policies of the Comprehensive Plan, the West Side Strategic Plan, and the Tower/Unser Sector Development Plan:
 - a. Policy II.B.5d – The request will respect existing neighborhood values by implementing a design that will minimize adverse impacts on residential neighborhoods. The request will also add more security (eyes on the street), provide infill development and jobs, and encourage economic development.
 - b. Policy II.B.5e – The request is proposed on land that is currently vacant, but is contiguous to existing urban facilities and services where the integrity of the existing neighborhoods can be ensured through the design of the site plan.
 - c. Policy II.B.5i – The request will complement the surrounding residential area and has been sited to minimize the effects of noise, lighting, pollution, and traffic on a residential environment.
 - d. Policy II.B.5m – The request would maintain and enhance unique vistas. The height of the building (18' 10") is less than what is allowed (26'). The request would keep the building in scale with the rest of the surrounding neighborhood.
8. There is no known neighborhood or other opposition. A Westgate Heights Neighborhood Association meeting was held on September 22, 2011 in which the N.A. stated that they support the request. A letter supporting the project has been received from the Westgate Heights N.A.

CONDITIONS:

1. The EPC delegates final sign-off authority of this site development plan to the Development Review Board (DRB). The DRB is responsible for ensuring that all EPC Conditions have been satisfied and that other applicable City requirements have been met. A letter shall accompany the submittal, specifying all modifications that have been made to the site plan since the EPC hearing, including how the site plan has been modified to meet each of the EPC conditions. Unauthorized changes to this site plan, including before or after DRB final sign-off, may result in forfeiture of approvals.

2. Prior to application submittal to the DRB, the applicant shall meet with the staff planner to ensure that all conditions of approval are met.
3. A light detail for the 16 foot parking lot light shall be shown on the site development plan for building permit. The parking lot light shall be fully shielded.
4. Parking lot lighting and landscaping shall not be in conflict with one another.
5. Conditions from Public Service Company of New Mexico:
 - a. As a condition, it is the applicant's obligation to determine if existing utility easements cross the property and to abide by any conditions or terms of those easements.
 - b. As a condition, it is necessary for the developer to contact PNM's New Service Delivery Department to coordinate electric service and options for the location of electric service connection regarding this project. Any existing or proposed public utility easements are to be indicated on the site plan utility sheet. PNM's standard for public utility easements is 10 feet in width to ensure adequate, safe clearances.
 - c. Existing overhead electric distribution infrastructure is located on the northeast corner of the subject property at San Ignacio SW and 86th Street SW. As a condition, it is necessary for the applicant to coordinate with PNM's New Service Delivery Department regarding the proposed tree species noted on the Landscape Plan, tree placement and height at maturity, sign location and height, and lighting height in order to ensure sufficient safety clearances and to avoid interference with the existing facilities. PNM's standard is for trees to be planted outside the PNM easement. Any relocation, changes or realignment of existing electric utilities will be the developer's expense. PNM recommends a shorter street tree at the northeast corner of San Ignacio SW and 86th Street SW near the existing facilities.
6. Conditions from City Engineer, Municipal Development, Water Authority and NMDOT:
 - a. The Developer is responsible for permanent improvements to the transportation facilities adjacent to the proposed site development plan. Those improvements will include any additional right-of-way requirements, paving, curb and gutter, sidewalk and ADA accessible ramps that have not already been provided for. All public infrastructure constructed within public right-of-way or public easements shall be to City Standards. Those Standards will include but are not limited to sidewalks (std. dwg. 2430), driveways (std. dwg. 2425), private entrances (std. dwg. 2426) and wheel chair ramps (std. dwg. 2441).
 - b. All easements need to be shown and labeled on Site Plan.
 - c. Prior to DRB approval, the previous Site Development Plan for Building Permit and Infrastructure must be withdrawn.
 - d. All the requirements of previous actions taken by the EPC and/or the DRB must be completed and/or provided for.

- e. Site plan shall comply and be designed per DPM Standards and ADA Standards/requirements.

IF YOU WISH TO APPEAL/PROTEST THIS DECISION, YOU MUST DO SO BY NOVEMBER 28, 2011 IN THE MANNER DESCRIBED BELOW. A NON-REFUNDABLE FILING FEE WILL BE CALCULATED AT THE LAND DEVELOPMENT COORDINATION COUNTER AND IS REQUIRED AT THE TIME THE APPEAL IS FILED. IT IS NOT POSSIBLE TO APPEAL EPC RECOMMENDATIONS TO CITY COUNCIL; RATHER, A FORMAL PROTEST OF THE EPC'S RECOMMENDATION CAN BE FILED WITHIN THE 15 DAY PERIOD FOLLOWING THE EPC'S DECISION.

Persons aggrieved with any determination of the Environmental Planning Commission (EPC) and who have legal standing as defined in Section 14-16-4-4.B.2 of the City of Albuquerque Comprehensive Zoning Code may file an appeal to the City Council by submitting written application on the Planning Department form to the Planning Department **within 15 days** of the Planning Commission's decision. The date of the EPC's decision is not included in the 15-day period for filing an appeal, and if the fifteenth day falls on a Saturday, Sunday or holiday, the next working day is considered as the deadline for filing the appeal. Such appeal, if heard, shall be heard within 45 days of its filing.

YOU WILL RECEIVE NOTIFICATION IF ANY PERSON FILES AN APPEAL. IF THERE IS NO APPEAL, YOU CAN RECEIVE BUILDING PERMITS AT ANY TIME AFTER THE APPEAL DEADLINE QUOTED ABOVE, PROVIDED ALL CONDITIONS IMPOSED AT THE TIME OF APPROVAL HAVE BEEN MET. SUCCESSFUL APPLICANTS ARE REMINDED THAT OTHER REGULATIONS OF THE CITY ZONING CODE MUST BE COMPLIED WITH, EVEN AFTER APPROVAL OF THE REFERENCED APPLICATION(S).

ZONE MAP AMENDMENTS: Pursuant to Zoning Code Section 14-16-4-1(C)(11), a change to the zone map does not become official until the Certification of Zoning is sent to the applicant and any other person who requests it. Such certification shall be signed by the Planning Director after appeal possibilities have been concluded and after all requirements prerequisite to this certification are met. If such requirements are not met within six months after the date of final City approval, the approval is void. The Planning Director may extend this time limit up to an additional six months.

SITE DEVELOPMENT PLANS: Pursuant to Zoning Code Section 14-16-3-11(C)(1), if less than one-half of the approved square footage of a site development plan has been built or less than one-half of the site has been developed, the plan for the undeveloped areas shall terminate automatically seven years after adoption or major amendment of the plan: within six months prior to the seven-year deadline, the property owners shall request in writing thorough the Planning Director that the Planning Commission extend the plan's life an additional five years.

DEFERRAL FEES: Pursuant to Zoning Code Section 14-16-4-1(B), deferral at the request of the applicant is subject to a \$110.00 fee.

Sincerely,

CMarone

for

Deborah Stover
Planning Director

DS/RF/mc

cc: Robert Bogan, 86th LTD Partnership, 901 86th St. SW, Albuquerque, NM 87121
J. Kory Baker, P.O. Box 254, Estancia, NM 87016
Jerry Parsons, Torretta Oeste/Este H.O.A., P.O. Box 93488, Albuquerque, NM 87199
Andres Lazo, South Valley Coalition of N.A.'s, 3220 Grasshopper Dr. SW, Albuquerque, NM 87121
Marcia Fernandez, South Valley Coalition of N.A.'s, 2401 Violet SW, Albuquerque, NM 87105
Klarissa Pena, SWAN, 6525 Sunset Gardens SW, Albuquerque, NM 87121
Louis Tafoya, SWAN, 6411 Avalon Rd. NW, Albuquerque, NM 87105
Gerald C. Worrall, Westside Coalition of N.A.'s, 1039 Pinatubo Pl. NW, Albuquerque, NM 87120
Candy Patterson, Westside Coalition of N.A.'s, 7608 Elderwood NW, Albuquerque, NM 87120

Parkside Child Development Center
Infrastructure List

2/7/2012

Item #	Short Description	Description	Unit	Unit Cost	Quantity	Cost
343.085	SDWK, 4" PCC, R & D	Existing Sidewalk, 4" PC Concrete, remove & dispose	SY	9.34	135	1260.90
340.01	SDWK 4" PCC	Sidewalk, 4" thick, Portland Cement Concrete, incl. subgrade compaction, cip. SD 2430	SY	40.09	135	5412.15
801.114	FH, 4 1/2'	Fire Hydrant, 4-1/2' bury, MJ, incl. blocking & aggregate, cip. SD 2340	EA	2227.02	1	2227.02
801.075	TAP SLV, 4"-8" ON 8" WL	Tapping Sleeve, 4"-8" on 8" waterline, inc. jointing material, cip.	EA	751.89	1	751.89
801.002	6" WL PIPE w/o FIT	6" Waterline Pipe excl. fittings, (std. spec. sec. 801), incl. trench & compacted backfill to 6' depth, cip.	LF	21.28	20	425.60
801.065	DI FIT, MJ, 4"-14", WL	Ductile Iron MJ Fittings, Class 250, 4" to 14" waterline, incl. jointing material, cip.	LB	3.30	20	66.00
801.081	6" GATE VLV	6" Gate Valve, cip. SD 2333	EA	389.69	1	389.69
343.02	AC PVMT<4", SAW, R & D	Existing Pavement, Asphalt Concrete, up to 4" thick, sawcut, remove & dispose, compl.	SY	6.23	9	56.07
301.02	SUBGRADE PREP, 12"	Subgrade Prep. 12" at 95% compaction, cip.	SY	2.00	9	18.00
336.024	ASP CONC, Superpave, 3", M	Asphalt Concrete, 3" thick, superpave	SY	13.00	9	117.00
					Total	10724.32



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

- 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)
- 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:

Professional/Agent (if any): J. KORY BAKER, ARCHITECT PHONE: 384-3112

ADDRESS: P.O. Box 254 FAX: 384-1853

CITY: ESTANCIA STATE NM ZIP 87016 E-MAIL: kbaker@higherspeed.net

APPLICANT: 86TH LTD PARTNERSHIP, ROBERT BOGAN PHONE: 897-8511

ADDRESS: 142 WALDEN ROAD FAX: _____

CITY: CORRALES STATE NM ZIP 87048 E-MAIL: _____

Proprietary interest in site: OWNER List all owners: ROBERT BOGAN

DESCRIPTION OF REQUEST: REVIEW AND APPROVAL OF SITE DEVELOPMENT PLAN FOR BUILDING PERMIT. EPC HAS APPROVED SITE DEVEL. -BLDG PERMIT & SECTOR DEVEL, PLAN ZONE MAP AMENDMENT.

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

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

Lot or Tract No. LOT #1 OF THE LANDS OF L.W. BARRETT Block: _____ Unit: _____

Subdiv/Addn/TBKA: SEE ATTACHED PAGE FOR COMPLETE LEGAL DESCRIPTION

Existing Zoning: SU-2/RD 9 d4/qc Proposed zoning: SU-2/SU-1 FOR DAY CARE CENTER

Zone Atlas page(s): L-9-Z UPC Code: 100905644006641307 MRGCD Map No _____

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 #1007095, 08 EPC-40011 SITE DEVEL, BLDG. PERMIT

CASE INFORMATION:

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

No. of existing lots: 1 No. of proposed lots: 1 Total area of site (acres): 0.994 ACRES

LOCATION OF PROPERTY BY STREETS: On or Near: 86TH ST. SW (SW CORNER OF 86TH & SAN IGNACIO)

Between: SAN IGNACIO SW and SAGE SW

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

SIGNATURE J. Kory Baker DATE 1-14-09

(Print) J. KORY BAKER Applicant: Agent:

FOR OFFICIAL USE ONLY

Form revised 4/07

<input type="checkbox"/> INTERNAL ROUTING	Application case numbers	Action	S.F.	Fees
<input checked="" type="checkbox"/> All checklists are complete	<u>09DRB-70021</u>	<u>SBP</u>	<u>P(3)</u>	\$ <u>0</u>
<input type="checkbox"/> All fees have been collected	_____	<u>CME</u>	_____	\$ <u>20.00</u>
<input 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 checked="" type="checkbox"/> F.H.D.P. density bonus	_____	_____	_____	\$ _____
<input checked="" type="checkbox"/> F.H.D.P. fee rebate	_____	_____	_____	\$ _____
Hearing date <u>01/28/09</u>				Total \$ <u>20.00</u>

Sandy Handley 01/20/09
Planner signature / date

Project # 1007095

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

SKETCH PLAT REVIEW AND COMMENT (DRB22)

Maximum Size: 24" x 36"

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

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

SITE DEVELOPMENT PLAN FOR SUBDIVISION (DRB18)

Maximum Size: 24" x 36"

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

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

SITE DEVELOPMENT PLAN FOR BUILDING PERMIT (DRB17)

Maximum Size: 24" x 36"

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

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

AMENDED SITE DEVELOPMENT PLAN FOR BUILDING PERMIT (DRB01) **Maximum Size: 24" x 36"**

AMENDED SITE DEVELOPMENT PLAN FOR SUBDIVISION (DRB02) **Maximum Size: 24" x 36"**

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

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

FINAL SIGN-OFF FOR EPC APPROVED SDP FOR BUILDING PERMIT (DRB05)

FINAL SIGN-OFF FOR EPC APPROVED SDP FOR SUBDIVISION (DRB06)

- NA 5 Acres or more & zoned SU-1, IP, SU-2, PC, or Shopping Center: Certificate of No Effect or Approval
- Site plan and related drawings (folded to fit into an 8.5" by 14" pocket) 6 copies
- Approved Grading and Drainage Plan (folded to fit into an 8.5" by 14" pocket) 6 copies
- Solid Waste Management Department signature on Site Plan for Building Permit
- Zone Atlas map with the entire property(ies) clearly outlined
- Letter carefully explaining how each EPC condition has been met and a copy of the EPC Notification of Decision
- Infrastructure List, if relevant to the site plan
- Copy of Site Plan with Fire Marshal's stamp (not required for SDP for Subdivision)
- List any original and/or related file numbers on the cover application

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

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

J. KORY BAKER
Applicant name (print)
J. Kory Baker 1.19.09
Applicant signature / date

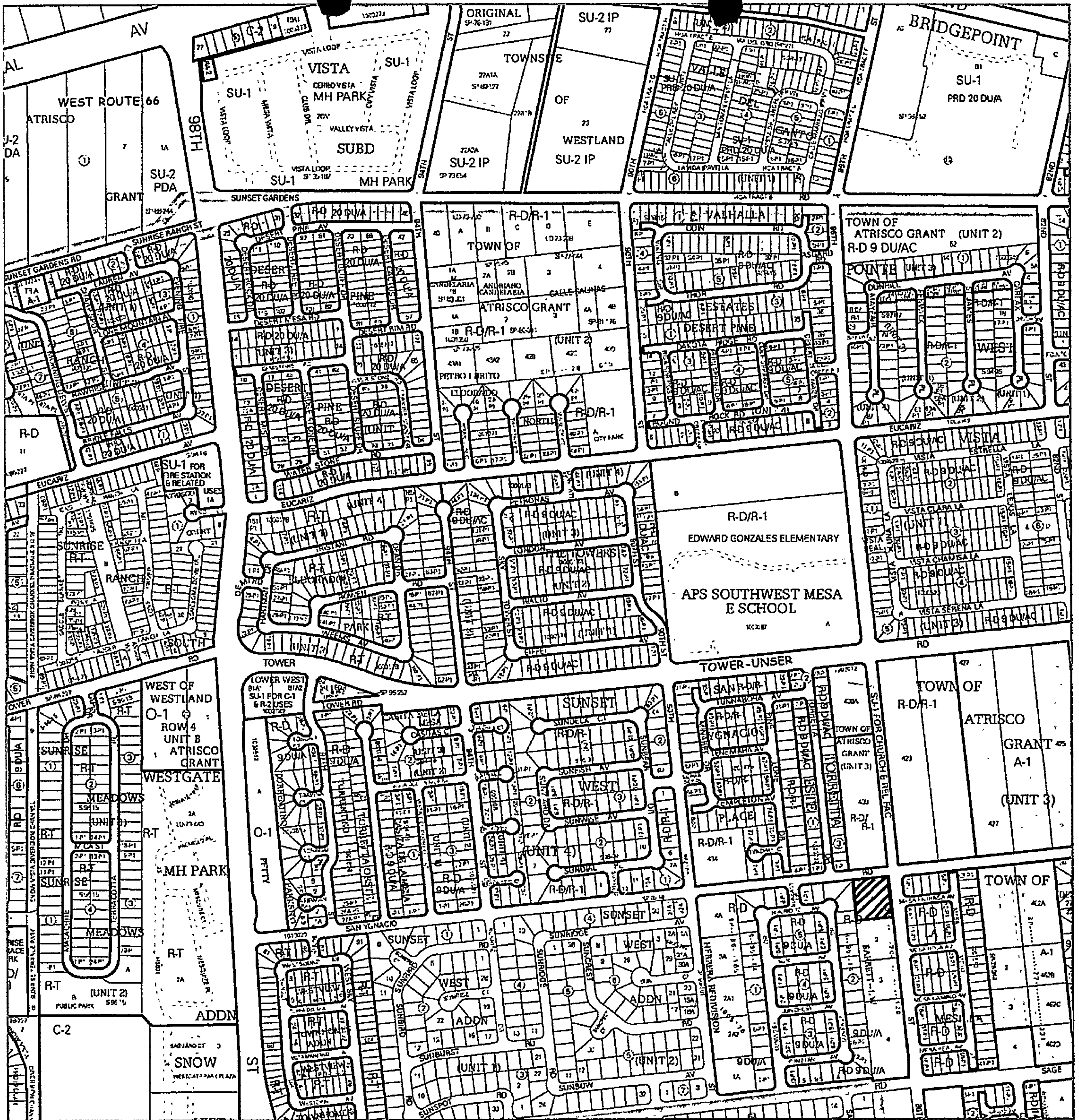


Form revised October 2007

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

Application case numbers
09DRB - 70021

Sandy Handley 01/20/09
Planner signature / date
Project # 1007095



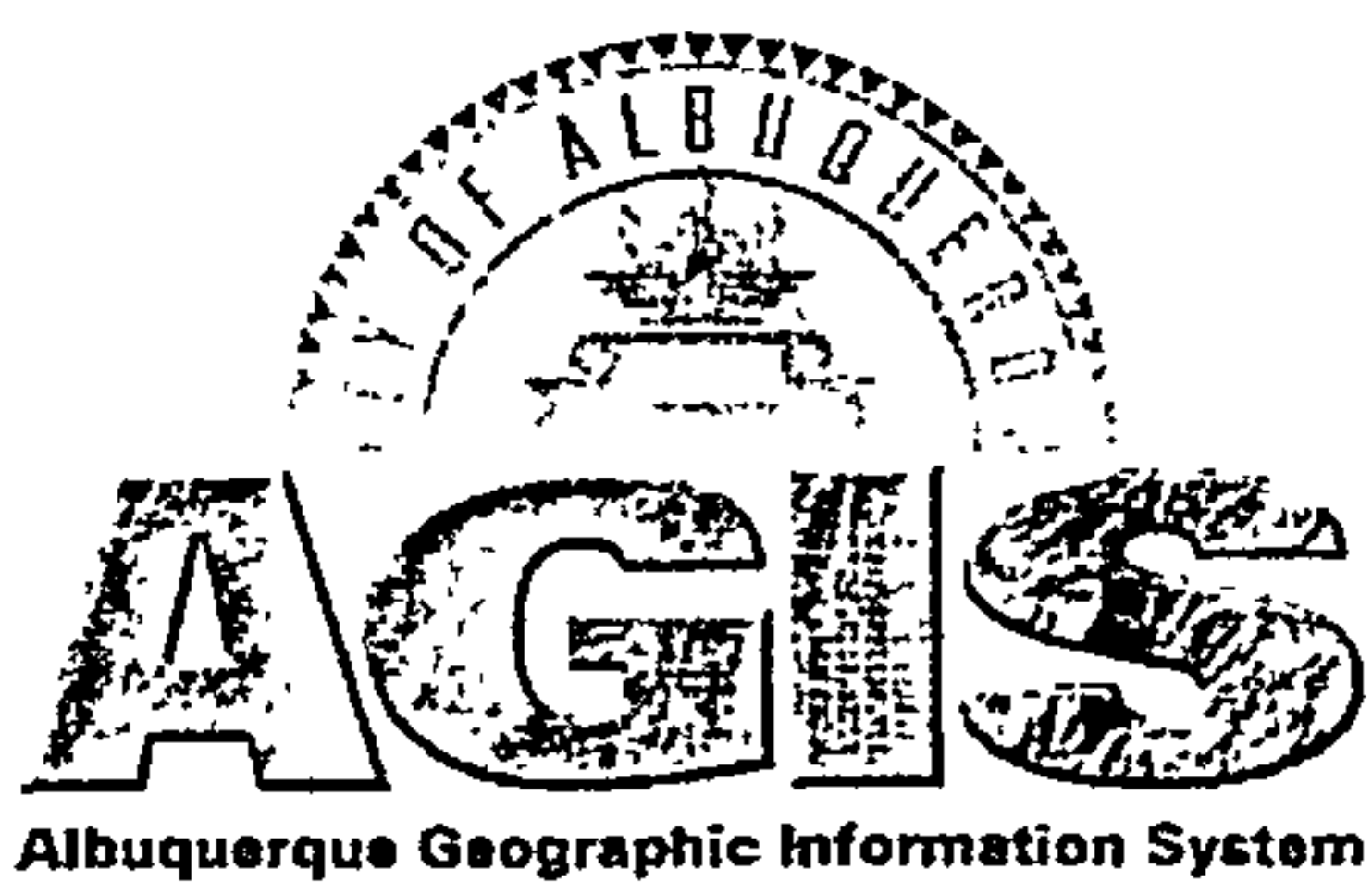
For more current information and more details visit: <http://www.cabq.gov/gis>

Zone Atlas Page:

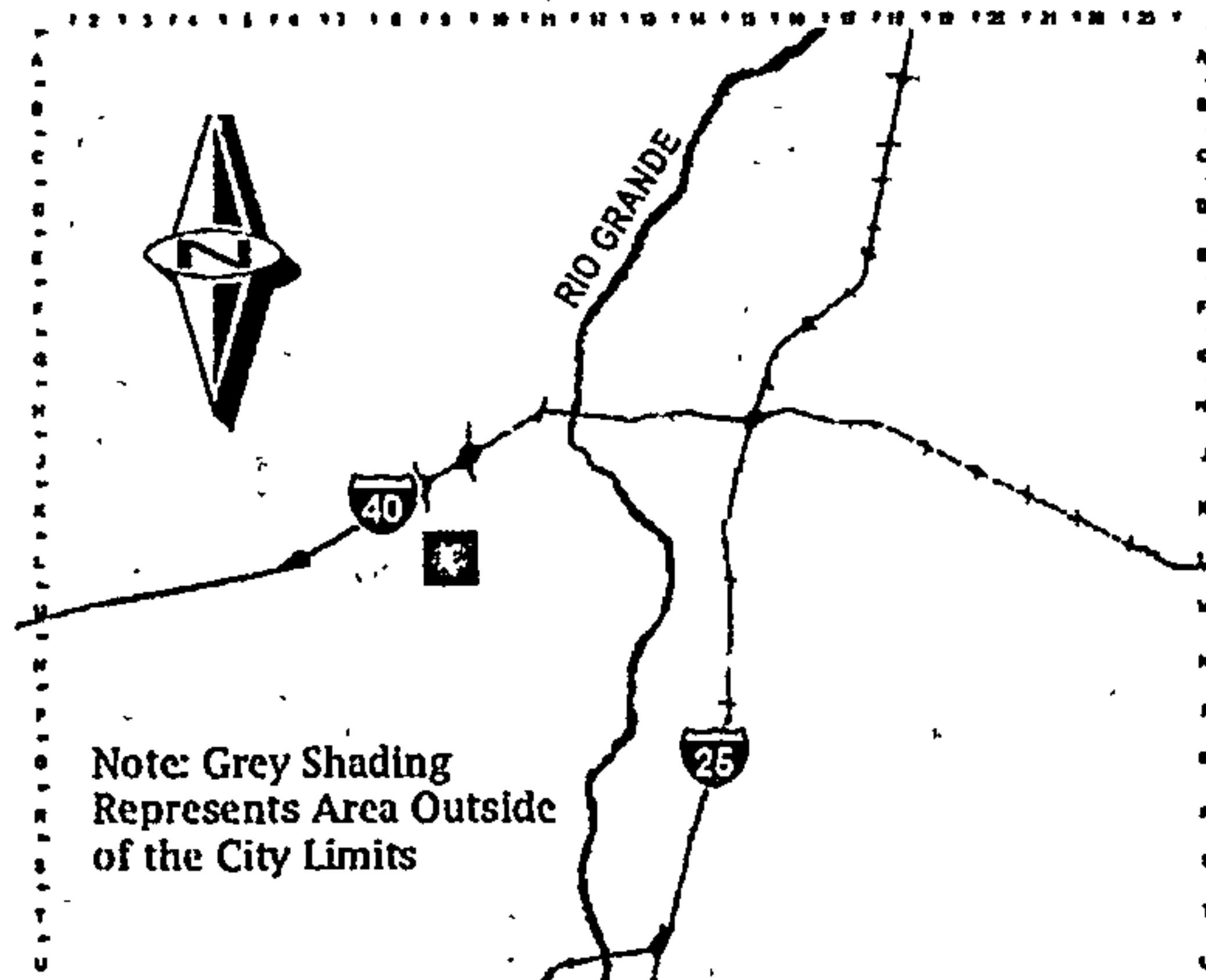
L-09-Z

Selected Symbols

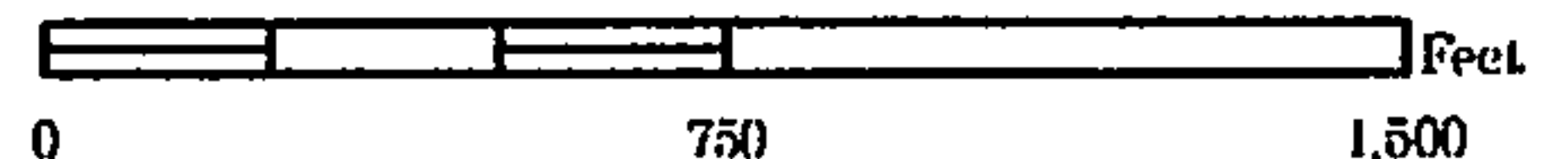
- SECTOR PLANS
- Design Overlay Zones
- City Historic Zones
- H-1 Buffer Zone
- Petroglyph Mon.
- Escarpment
- 2 Mile Airport Zone
- Airport Noise Contours
- Wall Overlay Zone



Map amended through: 9/6/2007



Note: Grey Shading Represents Area Outside of the City Limits



J. Kory Baker ————— **Architect**

Phone: 505-384-3112

Fax: 505-384-1853

Email:

P.O. Box 254
Estancia, NM 87016

January 19, 2009

Development Review Board
City of Albuquerque
Albuquerque, New Mexico

This request is for review and approval of a site development plan for building permit for Lot 1, Lands of L.W. Barrett, located on the southwest corner of San Ignacio Road SW and 86th Street SW.

The proposed project is a Day Care Center of 16,051 square feet which will serve the child care needs of the surrounding residential communities. The design has been scaled to be in harmony with the adjacent residential development. The EPC has reviewed all aspects of the design and has found that it furthers the development goals of the neighborhood for the City of Albuquerque both in concept and in design.

Thank you for your consideration,



J. Kory Baker

L E G A L D E S C R I P T I O N

LOT NUMBERED ONE (1) OF THE LANDS OF L. W. BARRETT,
AS THE SAME IS SHOWN AND DESIGNATED ON THE PLAT
THEREOF FILED IN THE OFFICE OF THE COUNTY CLERK OF
BERNALILLO COUNTY, NEW MEXICO ON MAY 3, 1976 IN
MAP BOOK C11; FOLIO 56.

UPC# 100905644006641307

LOT AREA = 0.994 ACRES

SITE DEVELOPMENT PLAN FOR BUILDING PERMIT CHECKLIST

This checklist will be used to verify the completeness of site plans submitted for review by the Environmental Planning Commission and Development Review Board. Because development proposals vary in type and scale, there may be submittal requirements that are not specified here. Nonetheless, applicants are responsible for providing a complete submittal. Certification as specified below is required.

I CERTIFY THAT THE SUBMITTED SITE DEVELOPMENT PLAN IS COMPLETE AND ACCURATE, AND THAT ALL APPLICABLE INFORMATION AS SPECIFIED IN THIS CHECKLIST IS PROVIDED. FURTHER, I UNDERSTAND THAT THIS APPLICATION IS BEING ACCEPTED PROVISIONALLY AND THAT INACCURATE AND/OR INCOMPLETE INFORMATION MAY RESULT IN THE SUBSEQUENT REJECTION OF THE APPLICATION OR IN A DELAY OF ONE MONTH OR MORE IN THE DATE THE APPLICATION IS SCHEDULED FOR PUBLIC HEARING.

J. Korn Bl 1.14.09

Applicant or Agent Signature / Date

NOTE: MAXIMUM SIZE FOR SUBMITTAL IS 24" X 36".

Site development plan packets shall be composed of the following plan sheets (unless otherwise approved in writing prior to submittal by the Planning Department):

1. **Site Plan** (including utilities and easements)
2. **Landscaping Plan**
3. **Preliminary Grading Plan** (A separate Grading Plan sheet is required for a sites 1 acre or more.)
4. **Building and Structure Elevations**
5. **Conceptual Utility Plan**
6. **Previously approved Development Plan (if applicable)**

Submitted plan packets must be organized in the above manner. The following checklist describes the minimum information necessary for each plan element. **The Applicant must include all checklist items on their site plan drawings and confirm inclusion by checking off the items below. Non-applicable items must be labeled "N/A." Each non-applicable designation must be explained by notation on the Checklist.**

Accompanying Material

- A. 8-1/2" x 11" reduction for each plan sheet.
- B. **Written project summary.** Each application must include a brief narrative description of the proposed project, its primary features and how compatibility with the surrounding context has been achieved.

SHEET #1 - SITE PLAN

A. General Information

- 1. Date of drawing and/or last revision
- 2. Scale: 1.0 acre or less 1" = 10'
1.0 - 5.0 acres 1" = 20'
Over 5 acres 1" = 50'
Over 20 acres 1" = 100' [Other scales as approved by staff]
- 3. Bar scale
- 4. North arrow
- 5. Scaled vicinity map
- 6. Property lines (clearly identify)
- 7. Existing and proposed easements (identify each)
- 8. Phases of development including location and square footages of structures, circulation, parking and landscaping

SITE DEVELOPMENT PLAN FOR BUILDING PERMIT CHECKLIST

B. Proposed Development (If supplemental Sheets are used please indicate sheet #)

1. Structural

- A. Location of existing & proposed structures (distinguish between existing & proposed, include phasing)
- B. Square footage of each structure
- C. Proposed use of each structure
- D. Temporary structures, signs and other improvements
- E. Walls, fences, and screening: indicate height, length, color and materials
- F. Dimensions of all principal site elements or typical dimensions thereof
- G. Loading facilities NA
- H. Site lighting (indicate height & fixture type)
- I. Indicate structures within 20 feet of site
- J. Elevation drawing of refuse container and enclosure, if applicable.
- K. Site amenities including patios, benches, tables, (indicating square footage of patios/ plazas).

2. Parking and Circulation

- A. Parking layout with spaces numbered per aisle and totaled.
 - 1. **Location and typical dimensions**, including handicapped spaces
 - 2. **Calculations:** spaces required: 27 provided: 27
Handicapped spaces (included in required total) required: 2 provided: 2
Motorcycle spaces (in addition to required total) required: 2 provided: 2
- B. Bicycle parking & facilities
 - 1. Bicycle racks, (spaces) required: 2 provided: 4
 - 2. Bikeways and other bicycle facilities, if applicable NA
- C. Public Transit
 - 1. Bus facilities, including routes, bays and shelters existing or required NA
- D. Pedestrian Circulation
 - 1. Location and dimensions of all sidewalks and pedestrian paths
 - 2. Location and dimension of drive aisle crossings, including paving treatment
- E. Vehicular Circulation (Refer to Chapter 23 of DPM)
 - 1. Ingress and egress locations, including width and curve radii dimensions
 - 2. Drive aisle locations, including width and curve radii dimensions
 - 3. End aisle locations, including width and curve radii dimensions
 - 4. Location & orientation of refuse enclosure, with dimensions
 - 5. Curb cut locations and dimensions
 - 6. Existing and proposed street widths, right-of-way widths and curve radii
 - 7. Identify existing and proposed turn lanes, deceleration lanes and similar features related to the functioning of the proposal, with dimensions
 - 8. Location of traffic signs and signals related to the functioning of the proposal
 - 9. Identify existing and proposed medians and median cuts NA

SITE DEVELOPMENT PLAN FOR BUILDING PERMIT CHECKLIST

3. Phasing

- A. ^{NA} Proposed phasing of improvements and provision for interim facilities. Indicate phasing plan, including location and square footage of structures and associated improvements including circulation, parking and landscaping.

SHEET #2 LANDSCAPING PLAN

Landscaping may be shown on sheet #1 with written approval from Planning Department staff.

- 1. Scale - must be same as scale on sheet #1 - Site plan
- 2. Bar Scale
- 3. North Arrow
- 4. Property Lines
- 5. Existing and proposed easements
- 6. Identify nature of ground cover materials
 - A. Impervious areas (pavement, sidewalks, slope pavings, curb and gutters, etc.)
 - B. Pervious areas (planting beds, grass, ground cover vegetation, etc.)
 - C. Ponding areas either for drainage or landscaping/recreational use
- 7. Identify type, location and size of plantings (common and/or botanical names).
 - A. Existing, indicating whether it is to preserved or removed. ^{NA}
 - B. Proposed, to be established for general landscaping.
 - C. Proposed, to be established for screening/buffering.
- 8. Describe irrigation system – Phase I & II . . .
- 9. Backflow prevention detail
- 10. Planting Beds, indicating square footage of each bed
- 11. Turf Area - only 20% of landscaped area can be high water turf; provide square footage and percentage. ^{NA}
- 12. Responsibility for Maintenance (statement)
- 13. Statement of compliance with Water Conservation . . . Ordinance, see article 6-1-1-1.
- 14. Landscaped area requirement; square footage and percent (specify clearly on plan)
- 15. Landscaped area provided; square footage and percent (specify clearly on plan)
- 16. Planting or tree well detail
- 17. Street Tree Plan as defined in the Street Tree Ord.

SHEET # 3 PRELIMINARY GRADING PLAN

The Preliminary Grading Plan provides the Planning Commission and staff with an understanding of site topography and how it relates to adjacent property. Planning staff may waive or allow adjustments to the Preliminary Grading Plan requirements for sites that are small, relatively flat and have no existing or proposed extraordinary drainage facilities. Waivers must be obtained in writing from the City Engineer prior to application submittal.

Grading information for sites that are under 1 acre can be included on Sheet #1 with written approval from the Planning Department Staff.

A. General Information

- 1. Scale - must be same as Sheet #1 - Site Plan
- 2. Bar Scale
- 3. North Arrow
- 4. Property Lines
- 5. Existing and proposed easements

SITE DEVELOPMENT PLAN FOR BUILDING PERMIT CHECKLIST

- 6. Building footprints
- 7. Location of Retaining walls

B. Grading Information

- 1. On the plan sheet, provide a narrative description of existing site topography, proposed grading improvements and topography within 100 feet of the site.
- 2. Indicate finished floor elevation and provide spot elevations for all corners of the site (existing and proposed) and points of maximum cut or fill exceeding 1 foot.
- 3. Identify ponding areas
- 4. Cross Sections *NA*
Provide cross section for all perimeter property lines where the grade change is greater than 4 feet at the point of the greatest grade change. Provide one additional cross section in each direction within no more than 100 feet of the reference point.

SHEET #4 UTILITY PLAN

- 1. Fire hydrant locations, existing and proposed.
- 2. Distribution lines
- 3. Right-of-Way and easements, existing and proposed, on the property and adjacent to the boundaries, with identification of types and dimensions.
- 4. Existing water, sewer, storm drainage facilities (public and/or private).
- 5. Proposed water, sewer, storm drainage facilities (public and/or private) *NA*

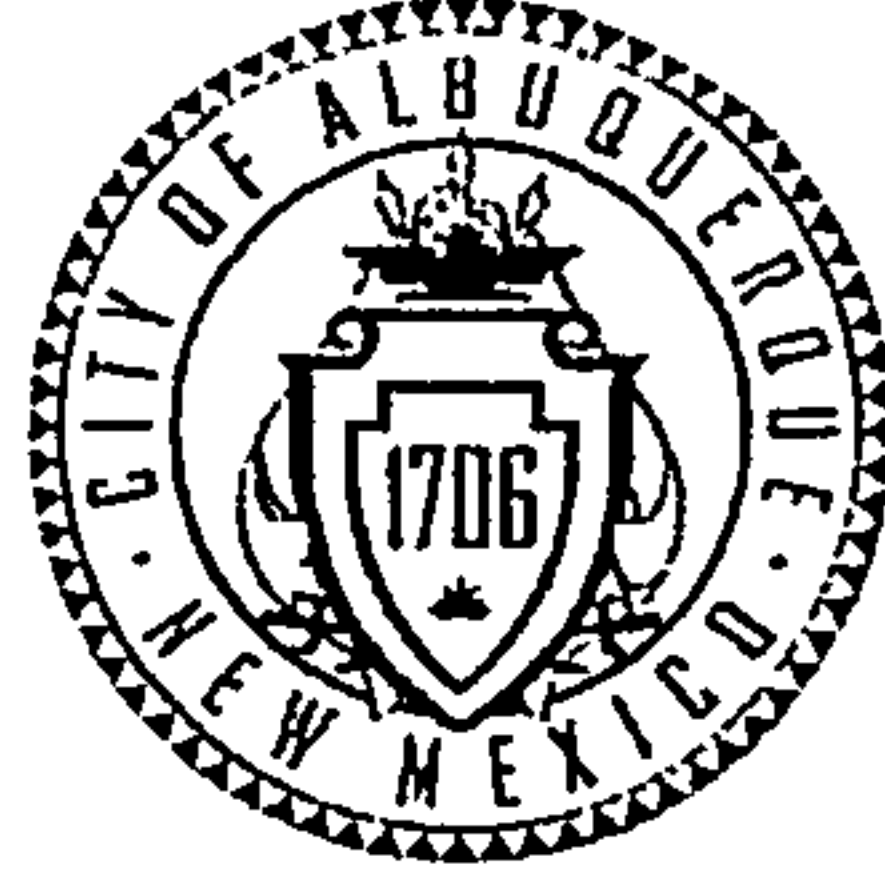
SHEET #5 BUILDING AND STRUCTURE ELEVATIONS

A. General Information

- A. Scale (minimum of 1/8" or as approved by Planning Staff).
- B. Bar Scale
- C. Detailed Building Elevations for each facade
 - 1. Identify facade orientation (north, south, east, & west).
 - 2. Facade dimensions including overall height and width
 - 3. Location, dimensions, materials, and colors of principle facade elements- windows, doors, etc.
 - 4. For EPC and DRB submittals only – Color renderings or similar (12 copies) illustrations
- NA* E. Site Development Plans for single family residential projects with multiple units may require submittal of specific information on building features in lieu of elevation drawings for each building. Applicants are advised to discussed submittal requirements with Planning Department staff.

B. Signage

- 1. Site location(s)
- 2. Sign elevations to scale
- 3. Dimensions, including height and width
- 4. Sign face area - dimensions and square footage clearly indicated
- 5. Lighting
- 6. Materials and colors for sign face and structural elements.



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

Date: March 21, 2008

OFFICIAL NOTIFICATION OF DECISION

FILE: **Project# 1007095***
08EPC-40011 SITE DEVELOPMENT -
BUILDG PRMT
08EPC-40013 AMEND SECTOR
DEVELOPMENT PLAN MAP

Robert Bogan, 86th LTD Partnership
901 86th St. SW
Albuq. NM 87121

LEGAL DESCRIPTION: for all or a portion of lot 1, LANDS OF L W BARRETT zoned SU-2/RD9DU/AC to SU-2/SU-1 FOR DAY CARE CENTER located on SAN YGNACIO SW BETWEEN 86TH ST SW AND SUNEAST SW containing approximately .5 acre. (L-9) Randall Falkner, Staff Planner

On March 20, 2008 the Environmental Planning Commission voted to approve Project 1007095/ 08EPC 40013, a sector development plan zone map amendment, from SU-2/RD 9 du/ac to SU-2/SU-1 for Day Care Center, based on the following Findings and subject to the following Conditions:

FINDINGS:

1. This request is for review and approval of a sector development plan map amendment for all or a portion of lot 1, Lands of L.W. Barrett, from SU-2/RD 9 du/ac to SU-2/SU-1 for Day Care Center.
2. The subject site is within the area designated Developing Urban by the Comprehensive Plan, and within the boundaries of the West Side Strategic Plan, and the Tower/Unser Sector Development Plan.
3. The request furthers the following Comprehensive Plan policies for Developing and Established Urban Areas:
 - a. Policy II.B.5a – The proposed zoning for a day care would increase land use variety in a neighborhood that is predominantly residential.

- b. Policy II.B.5d – The location and intensity of this zone request does respect existing neighborhood values and environmental conditions.
 - c. Policy II.B.5e – Full urban services are available to this site and the integrity of existing neighborhoods can be ensured under the proposed zoning.
 - d. Policy II.B.5i – The proposed zoning would help to provide employment opportunities to neighborhood residents.
4. The proposal partially complies with Policy II.B.5j of the Comprehensive Plan for Developing and Established Urban Areas by locating new commercial development in a location within reasonable distance of residential areas for walking and bicycling.
5. Both the Economic Development Goal and Policy II.D.6b are furthered by the proposal because the zone change request for a day care center would help to develop a local business and expand the existing employment base.
6. The proposal partially furthers Policy 1.3 of the West Side Strategic Plan (WSSP), which discourages zone changes to commercial, industrial, or office uses outside Neighborhood and Community centers. The WSSP encourages changing commercial and office zoning outside the centers to residential use. Even though the proposal only partially furthers this policy, a meeting of the Westgate neighborhood supported the project as proposed.
7. The request furthers the following West Side Strategic Plan policies:
- a. Policy 3.40 – A day care center is an appropriate urban style service for the Bridge/Westgate community.
 - b. Policy 3.41 – The proposed day care would encourage employment growth in the Bridge/Westgate Community
 - c. Goal 10 – The addition of a day care center would help to build a community by adding an important resource that would allow citizens in this area to live, work, and play together.
 - d. Objective 1 – The subject site would help provide a mix of land uses on the West Side, and would offer employment opportunities and minimize the needs for cross-metro trips.
 - e. Objective 8 – The addition of a day care center would promote job opportunities and business growth.
8. The zoning change proposal furthers executive summary development concept number 3 in the Tower/Unser Sector Development Plan (TUSDP) by adding to the mixture of land uses at a neighborhood scale
9. The applicant has adequately justified the zone change request pursuant to Resolution 270-1980.
- a. The project would be consistent with the health, safety, morals, and general welfare of the City and would help to provide important connections and facilities to the surrounding neighborhood.
 - b. The applicant has shown that the proposed zoning will not destabilize the surrounding land and will contribute to the stability of land use and zoning.

OFFICIAL NOTICE OF DECISION

MARCH 20, 2008

PROJECT #1007095

PAGE 3 OF 7

- c. The proposed zone change furthers the majority of adopted elements in the Comprehensive Plan, WSSP, and the TUSDP.
 - d. The applicant has shown that a different use category is more appropriate for this area than more dwelling units by furthering multiple policies found in the Comprehensive Plan, WSSP, and TUSDP.
 - e. The applicant makes the case that the use of the property as a day care center will not be harmful to the neighborhood or the community, and that the adjacent property will be protected by the approved site plan to mitigate any noise or traffic issues.
 - f. The proposed zone change requires no major or unprogrammed capital expenditures on behalf of the City in order to be developed.
 - g. Neither the cost of land nor other economic considerations are the determining factor for this zone change.
 - h. The subject site's location on a Collector Street (86th Street) is not the determining factor for the zone change request.
 - i. While the request would be a spot zone, because it is surrounded by residential uses and no other like uses, the applicant cites an abundance of policies in the Comprehensive Plan and the WSSP that support the request for SU-2/SU-1 Day Care Center.
 - j. The request does not constitute a strip zone.
10. There is no known neighborhood or other opposition. The Westgate N.A. supports this request.

CONDITION:

1. The accompanying site development plan for building permit must receive final DRB sign off within 6 months of this EPC action (Section 14-16-4-1) (C)(10).
-

On March 20, 2008 the Environmental Planning Commission voted to approve Project 1007095/ 08EPC 40011, a site development plan for building permit, for all or a portion of lot 1, Lands of L.W. Barrett, based on the following Findings and subject to the following Conditions:

FINDINGS:

1. This request is for review and approval of a site development plan for building permit for all or a portion of lot 1, Lands of L.W. Barrett, located on the southwest corner of SanYgnacio Road SW and 86th Street SW.

OFFICIAL NOTICE OF DECISION
MARCH 20, 2008
PROJECT #1007095
PAGE 5 OF 7

- c. Goal 10 – The addition of a day care center would help to build a community by adding an important resource that would allow citizens in this area to live, work, and play together.
 - d. Objective 1 – The subject site would help provide a mix of land uses on the West Side, and would offer employment opportunities and minimize the needs for cross-metro trips.
 - e. Objective 8 – The addition of a day care center would promote job opportunities and business growth.
9. The proposal furthers executive summary development concept number 3 in the Tower/Unser Sector Development Plan (TUSDP) by adding to the mixture of land uses at a neighborhood scale.
 10. There is no known neighborhood or other opposition. The Westgate N.A. supports this request.

CONDITIONS:

1. The EPC delegates final sign-off authority of this site development plan to the Development Review Board (DRB). The DRB is responsible for ensuring that all EPC Conditions have been satisfied and that other applicable City requirements have been met. A letter shall accompany the submittal, specifying all modifications that have been made to the site plan since the EPC hearing, including how the site plan has been modified to meet each of the EPC conditions. Unauthorized changes to this site plan, including before or after DRB final sign-off, may result in forfeiture of approvals.
2. Prior to application submittal to the DRB, the applicant shall meet with the staff planner to ensure that all conditions of approval are met.
3. The new 3 feet CMU wall on the north side of the property that encloses the play area shall be topped with 3 feet of wrought iron fence or comparable material to provide additional security while maintaining visibility.
4. The parking calculations for the site development plan for building permit shall show 2 spaces for both required and provided motorcycle parking.
5. The site lighting specifications shall add a number 4 to the notes under site lighting specifications that reads “All lighting shall comply with Section 14-16-3-9 of the Zoning Code”.
6. Landscaping:
 - a. The landscape plan shall state that the design and provision of landscaping shall be in compliance with the City of Albuquerque Zoning Code, Pollen Ordinance, and the Water Conservation Landscaping and Waste Water Ordinance.
 - b. Add two columns on the landscape schedule showing water use and allergenic potential.
 - c. Replace Afghan Pine with an evergreen tree in the City Forester’s list that has a bigger spread.
 - d. 75% landscape coverage by living ground cover shall be noted on the landscape plan and be reflected in the final design.

OFFICIAL NOTICE OF DECISION
MARCH 20, 2008
PROJECT #1007095
PAGE 7 OF 7

YOU WILL RECEIVE NOTIFICATION IF ANY PERSON FILES AN APPEAL. IF THERE IS NO APPEAL, YOU CAN RECEIVE BUILDING PERMITS AT ANY TIME AFTER THE APPEAL DEADLINE QUOTED ABOVE, PROVIDED ALL CONDITIONS IMPOSED AT THE TIME OF APPROVAL HAVE BEEN MET. SUCCESSFUL APPLICANTS ARE REMINDED THAT OTHER REGULATIONS OF THE CITY MUST BE COMPLIED WITH, EVEN AFTER APPROVAL OF THE REFERENCED APPLICATION(S).

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

Sincerely,

CMarone

for Richard Dineen
Planning Director

RD/RF/ac

cc: DAC Enterprises, Inc., P.O. Box 16658, Albuquerque, NM 87191
Matthew Archuleta, Westgate Heights NA, 1628 Summerfield SW, Albuquerque, NM 87121
Libby McIntosh, Westgate Heights NA, 1316 Ladrones Ct. SW, Albuquerque, NM 87121

OFFICIAL NOTICE OF DECISION

MARCH 20, 2008

PROJECT #1007095

PAGE 6 OF 7

- e. Backflow irrigation techniques shall be shown.
 - f. The applicant shall coordinate with PNM regarding the selection and placement of trees and other plantings in the utility easement along the west side of the property.
 - g. Trees shall be drawn to scale.
 - h. Remove stakes and guy wires around trees.
7. The site plan for building permit shall provide the square footage of both play areas.
 8. The wall on the north side of the building shall have windows to break up the massing and to allow for a view onto the outside play area, which would improve safety and security for small children in the day care center.
 9. Conditions of approval from the City Engineer, Municipal Development, Water Authority, and NMDOT for the proposed Site Development Plan are:
 - a. The Developer is responsible for permanent improvements to the transportation facilities adjacent to the proposed site development plan. Those improvements will include any additional right-of-way requirements, paving, curb and gutter, sidewalk and ADA accessible ramps that have not already been provided for. All public infrastructure constructed within public right-of-way or public easements shall be to City Standards. Those Standards will include but are not limited to sidewalks (std. dwg. 2430), driveways (std. dwg. 2425), private entrances (std. dwg. 2426) and wheel chair ramps (std. dwg. 2441).
 - b. Site plan shall comply and be designed per DPM Standards.
 - c. Construction of the on-street bicycle lane along 86th Street adjacent to the subject property as designated on Long Range Bikeways System map.

IF YOU WISH TO APPEAL/PROTEST THIS DECISION, YOU MUST DO SO BY **APRIL 4, 2008** IN THE MANNER DESCRIBED BELOW. A NON-REFUNDABLE FILING FEE WILL BE CALCULATED AT THE LAND DEVELOPMENT COORDINATION COUNTER AND IS REQUIRED AT THE TIME THE APPEAL IS FILED. IT IS NOT POSSIBLE TO APPEAL EPC RECOMMENDATIONS TO CITY COUNCIL; RATHER, A FORMAL PROTEST OF THE EPC'S RECOMMENDATION CAN BE FILED WITHIN THE 15 DAY PERIOD FOLLOWING THE EPC'S DECISION.

Appeal to the City Council: Persons aggrieved with any determination of the Environmental Planning Commission acting under this ordinance and who have legal standing as defined in Section 14-16-4-4.B.2 of the City of Albuquerque Comprehensive Zoning Code may file an appeal to the City Council by submitting written application on the Planning Department form to the Planning Department within 15 days of the Planning Commission's decision. The date the determination in question is issued is not included in the 15-day period for filing an appeal, and if the fifteenth day falls on a Saturday, Sunday or holiday as listed in the Merit System Ordinance, the next working day is considered as the deadline for filing the appeal. The City Council may decline to hear the appeal if it finds that all City plans, policies and ordinances have been properly followed. If they decide that all City plans, policies and ordinances have not been properly followed, they shall hear the appeal. Such appeal, if heard, shall be heard within 45 days of its filing.

February 17, 2008 (revised)

Ms. Laurie Moye, Chair
Environmental Planning Commission
City of Albuquerque
Albuquerque, New Mexico

RE: Zone Map Amendment/Sector Plan Amendment - Lot 1, Lands of L.W. Barrett (Zone Atlas Map L-9-Z)

Dear Mme. Chair and Commissioners:

This is a zone map amendment request from RD/9DU/A to SU-1 for Day Care Center. The subject property is a vacant lot, approximately 1 acre in size and located on the southwest corner of 86th Street and San Ygnacio Road SW. It is within the *Tower/Unser Sector Development Plan (TUSDP)* area, and further governed by the *West Side Strategic Plan*.

The *Zoning Code* allows permissive uses in the C-1 zone as also being permissive in the RD zone. The RD/14 zoning designation in the *TUSDP* allows a day care center as a conditional use. The RD/9 zone refers only to R-T regulations. Applicant could choose to request RD/14 zoning as it already exists in the *TUSDP*, however that zone category would also allow higher density residential zoning which is not supported by either the neighborhood or current planning policy.

Virtually the entire area south of Sunset Gardens and north of Sage Road between 98th Street and Unser Blvd. is zoned residential. A meeting with the several neighbors on January 17, 2008 produced unanimous support for this rezoning request as a sorely needed amenity to the neighborhood.

West Side Strategic Plan

Policy 1.3 of the *WSSP* must first be addressed. This policy prohibits strip developments and discourages "[z]one changes to commercial, industrial or office uses outside...Neighborhood or Community Centers." This property is clearly not within a Neighborhood or Community Center. However, the same policy encourages changes of office and commercial zoning to residential uses, and Page 37 of the *WSSP* states that a "development should integrate with existing neighborhoods." A policy of more residential development is clearly no longer applicable as the West Side has a surfeit of residential zoning and a lack of commercial facilities to serve the residential zoning.

Also, it is questionable as to whether a day care center is really a good fit in a commercially zoned neighborhood or community center. It is not as accessible, and the attendant uses in the center may have a negative impact on the day care center.

Policy 3.40 states: "Urban style services are appropriate in the Community. This area shall receive a high priority for public infrastructure spending." As an area develops with residential uses, urban services such as day care become more important. The area surrounding this request is almost exclusively residential, even though the plan calls for R-D/14 zoning, which allows some commercial activity, including day care. As such, the area is almost totally devoid of such urban style services. In fact, when the applicant met with the Westgate Heights Neighborhood Association, they implied that they would support nearly any type of neighborhood commercial use, as long as the property wasn't developed at the allowed nine dwelling units per acre.

Further, a part of this approval will include dedicating right-of-way for a bicycle lane, which is necessary public infrastructure in this community.

The last sentence of Policy 3.41 reads: "Encourage employment growth in this community." Although a day care center is by no means a significant employer, it will engender over a dozen jobs which will likely be filled, at least in part, by neighborhood residents. The first part of this policy deals with public/private financing, which is not applicable to this request.

Although Policy 3.47 doesn't specifically address the *TUSDP*, and the WSSP has not been formally amended, it does make the point that "all existing plans...will be revisited and amended to reflect current priorities expressed in the West Side Strategic Planning process." Clearly the new priorities in that process are based on services and not increased residential density."

Tower/Unser Sector Development Plan

Goal 5 of the *Albuquerque/Bernalillo County Comprehensive Plan (Comprehensive Plan)* is referenced in the *TUSDP*. "The Goal is to create a quality urban environment which perpetuates the identifiable, individual but integrated communities within the metropolitan area and which offers variety and maximum choice in housing, work areas and lifestyles, while creating a visually pleasing environment." This request will provide a needed service within the community. It will also be zoned SU-1, thus further providing site plan approval by the Environmental Planning Commission to create "a visually pleasing environment."

The *Tower Unser Sector Development Plan* was adopted in 1989. In 1997 it was amended to create the RD/9 designation. The intent of that change was to produce more single family dwelling units and would provide an opportunity to initiate development in the area. This designation has been successful north of Tower Road and at 94th, between Tower and San Ygnacio, but much less so along 86th Street south of Tower.

The lots in this area are all near an acre or more and the residential development that does exist appears to consist of non-conforming uses originally developed before annexation. Further, because of the large lots and haphazard development, the lots are not likely to be used for RD/9 purposes any time in the near future, nor is there any neighborhood support for additional residential development.

Policies are limited in the *TUSDP*, but the Executive Summary of the plan states in item # 3, page ii, that the plan area "should have a mixture of land uses at a neighborhood scale, and high density development should be limited." Although RD/9 is not a high density zone, the *TUSDP* does not have any nearby zoning that would allow any neighborhood scale commercial development.

Applicant believes that the substantial residential development without corresponding neighborhood amenities constitutes the same changed conditions that justified the map amendment more than eleven years earlier.

Albuquerque/Bernalillo County Comprehensive Plan

In addition to the changed conditions on the West Side, several policies of the *Comprehensive Plan* are furthered by this request.

As has been previously cited and explained, the Goal of Developing and Established Urban Areas "is to create a quality urban environment which perpetuates the identifiable, individual but integrated communities within the metropolitan area and which offers variety and maximum choice in housing, work areas and lifestyles, while creating a visually pleasing environment."

Policy II.B.5.a of the Developing and Established Urban Area of the *Comprehensive Plan* states: "The Developing Urban and Established areas shall allow a full range of urban land uses, resulting in a gross density of up to five dwelling units per acre." This is an area with limited commercial development, allowing up to nine dwelling units per acre. The *Comprehensive Plan* encourages commercial uses to serve neighborhood needs. A day care center is a much desired use in this predominantly residential area.

Further, Policy II.B.5.e says that "[n]ew growth shall be accommodated through development in areas where vacant land is contiguous to existing or programmed urban facilities and services where the integrity of existing neighborhoods can be ensured."

This infill development is contiguous to all urban facilities including transit and a proposed bike path. It is supported by the Westgate Heights neighborhood and the development will be further reviewed by the Environmental Planning Commission (EPC) for all site design elements.

Policy II.B.5.i states: "Employment and service uses shall be located to complement residential areas and shall be sited to minimize adverse effects of noise, lighting, pollution and traffic on residential environs." The issues of noise and lighting are already regulations in the *Zoning Code*, thus their requirements are consistent with the health, safety and general welfare of the City. The issue of traffic and pollution is mostly tied to site design and justified through the site plan approval process. Clearly, however, this is an important neighborhood service use, which may also provide employment opportunities to complement the nearby residential area.

According to Policy II.B.5.d, "[t]he location, intensity and design of new development shall respect existing neighborhood values, natural environmental concerns and carrying capacities, scenic resources, and resources of other social, cultural and recreational concern." This policy is furthered as evidenced by the general overall support for this proposed use by the nearby residents.

In addition, development of this property will provide for a needed service in the area, which is day care. As residents of the community will be the primary clients of the day care center, it will provide for social interaction among residents and a recreational and social facility for neighborhood children. The site design will also allow for a social, gathering area for area residents. Further, the proximity to the neighborhood users will eliminate long travel commutes. It is hoped that a significant portion of the clientele will actually walk to and from the facility with their children.

As previously stated, this zone change request does not further the intent of the WSSP and the Comprehensive Plan to locate new commercial development in commercially zoned areas. (Please refer to Policy II.B.5.j.) However, it has also been noted that RD/14 zoning would allow a day care center as a conditional use, but the attendant high density residential zoning would not be appropriate, or supported by the neighborhood.

Policy II.5.l reads: "Quality and innovation in design shall be encouraged in all new development; design shall be encouraged which is appropriate to the Plan area," and Policy II.5.m states: "Urban and site design which maintains and enhances unique vistas and improves the quality of the visual environment shall be encouraged." Both of these policies may be furthered through the approved site plan. The current zoning is not site plan driven and does not further this policy. Actual application of this policy will be driven by the architect and should be judged by the specific site design elements of the plan.

Resolution 270-1980

- A. A proposed zone change must be found to be consistent with the health, safety, morals and general welfare of the City. A day care center is a desired use in this community. It will provide a safe place for children of working parents, and, as such it will promote the morals and general welfare of the City. Additionally, a day care center is a common and complimentary neighborhood use. It does not generate excessive traffic and parking is adequate for the use. Because the use is complementary to the neighborhood, it does not require additional public facilities such as parks, schools, police and fire or drainage facilities. A bicycle lane will be added to the 86th Street right of way to improve the public infrastructure.
- B. Stability of land use and zoning is desirable; therefore the applicant must provide a sound justification for change. The current zoning of higher density multi-family development is no longer desirable in this area. Several policies of the *WSSP* and the *Comprehensive Plan* have referred in this request that applicant believes warrants a zone change. Supporting policies of the *WSSP* include 3.40, 3.41, and 3.47. *Comprehensive Plan* policies that were cited are II.B.5. a, d, i, and j. Site design policies I. and m. were also noted, though they are more subjective and will be addressed through the adopted site plan. The overall Goal of the Developed and Established Urban Areas was also used as a justification for this request, as was a portion of the Executive Summary of the *TUSDP*.
- C. A proposed zone change shall not be in significant conflict with the adopted elements of the *Comprehensive Plan* or other City master plans and amendments. Applicant has noted several policies in support of this request. Please refer to Section B. above for the specific policies. One policy is noted as being in conflict with this request, but applicant believes that the conflicts are not significant because of the changed conditions in the area which have added a large number of dwelling units, but have not provided for the necessary amenities to support the residential uses. The policy in conflict is Section 1.3 of the *WSSP*, which discourages zone changes from residential to commercial outside of adopted Neighborhood or Community Centers.
- D. The applicant must demonstrate that the existing zoning is inappropriate because a different use category is more advantageous to the community, as articulated in the *Comprehensive Plan* and other City master plans. Applicant believes that this zone change request is supported by changed conditions as explained in paragraph C. above. However, the zone change is equally supported by several plans and policies documented in this request and in Section B. above. The major issue here is whether more medium low density residential development is more appropriate to this west side neighborhood than a service use such as a day care center.

Applicant believes that the City of Albuquerque, through recent decisions of the City Council and the EPC has clearly articulated that neighborhood oriented commercial activities are more desirable on the west side than are residential uses. As an example, the elementary school for this location is Edward Gonzalez, which has an enrollment of over 1100 students.

Truman, the middle school, also has more than 1000 students, and the high school, West Mesa, remains one of Albuquerque's most overcrowded schools with an enrollment of nearly 2700 students. Clearly, a supporting neighborhood commercial use is more appropriate for this area than would be another nine dwelling units.

- E. A change of zone shall not be approved where some of the permissive uses in the zone would be harmful to the adjacent property, the neighborhood or the community. Applicant has chosen to request SU-1 zoning for a day care center only. This use is appropriate in most R-D zone categories and the use of the property as a day care center will not be harmful to the neighborhood or the community. Further, the adjacent property will be protected by the approved site plan to mitigate any noise or traffic issues that may result from the use.
- F. A proposed zone change which, to be utilized though land development requires major and unplanned capital expenditures...may be denied. This proposed zone change requires no capital expenditures on the part of the City in order to be developed. It is an infill development that is encouraged by the *Comprehensive Plan*.
- G. The cost of land and other economic considerations pertaining to the applicant shall not be a determining factor for a change of zone. Applicant makes no argument regarding economic factors.
- H. Location on a collector or major street is not in itself sufficient justification of apartment, office or commercial zoning. Street location is not a justification for this request.
- I. A zone change request which would give a zone different from surrounding zones to one small area...is generally called a "spot zone." It has long been the policy of the planning department and the EPC that the SU-1 zone category is not considered as being a spot zone. Nonetheless, this zone is surrounded by residential zoning and cannot be reasonably considered to be a transition zone. Applicant continues to argue, however that the myriad policies noted in this plan including *WSSP* 3.40, 3.41, and 3.47. *Comprehensive Plan Goal 5*, and policies II.5.a, d, e, i, and j, more fully facilitate the realization of the *Albuquerque/Bernalillo Comprehensive Plan*.

DAC Enterprises, Inc.

Zoning & Land Use Services

J. A zone change request which would give a zone different from surrounding zoning to a strip of land along a street is generally called "strip zoning." See "I" above.

This is a use that is supported by the community and the SU-1 zone category will assure a quality development. Your favorable consideration of this request is sincerely appreciated. I am looking forward to answering any questions the commission may have.

Regards,



Doug Crandall

Principal, DAC Enterprises, Inc.

86th LTD Partnership
142 Walden Road
Corrales, NM 87048

January 19, 2009

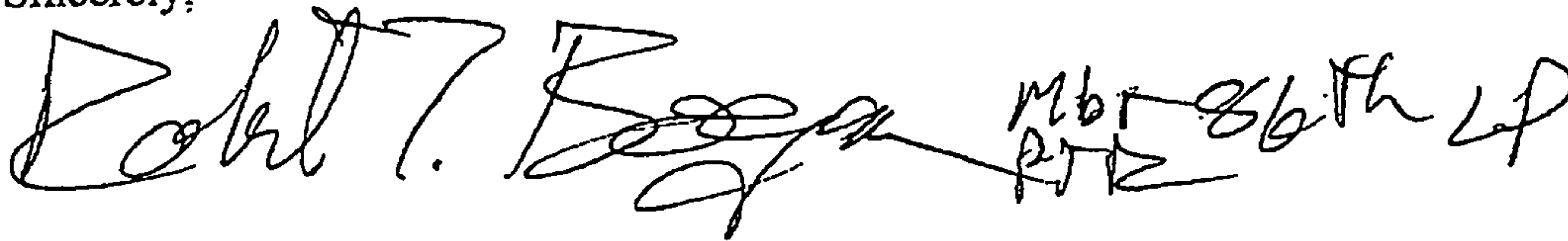
City of Albuquerque Development Review Board

To whom it may concern,

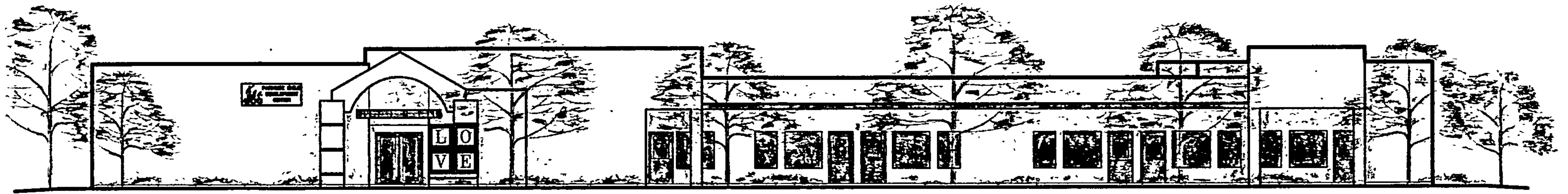
This letter hereby authorizes J. Kory Baker, Architect, to act as my agent in the submittal of a Development/Plan Review Application and supporting documents to the City of Albuquerque Development Review Board.

I am the owner of the property described as Lot Numbered One of the Lands of L.W. Barrett which is the subject property for the submittal of a Site Development Plan for Building Permit.

Sincerely,

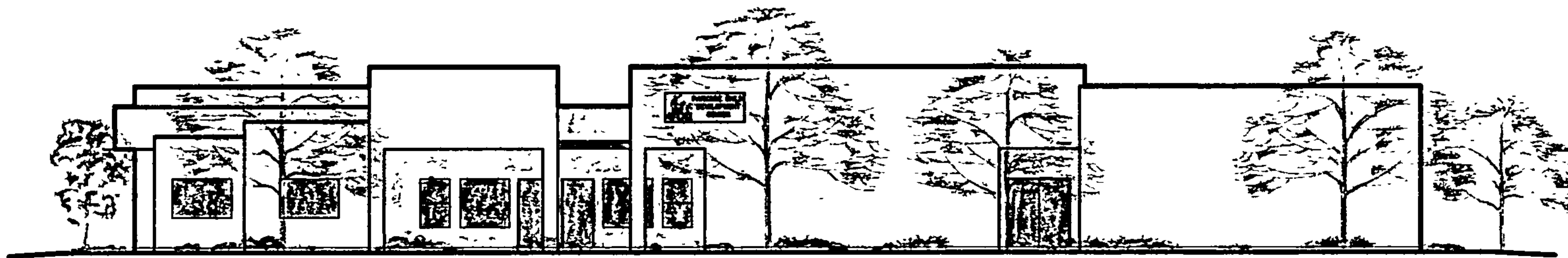


Robert T. Bogan
86th LTD Partnership



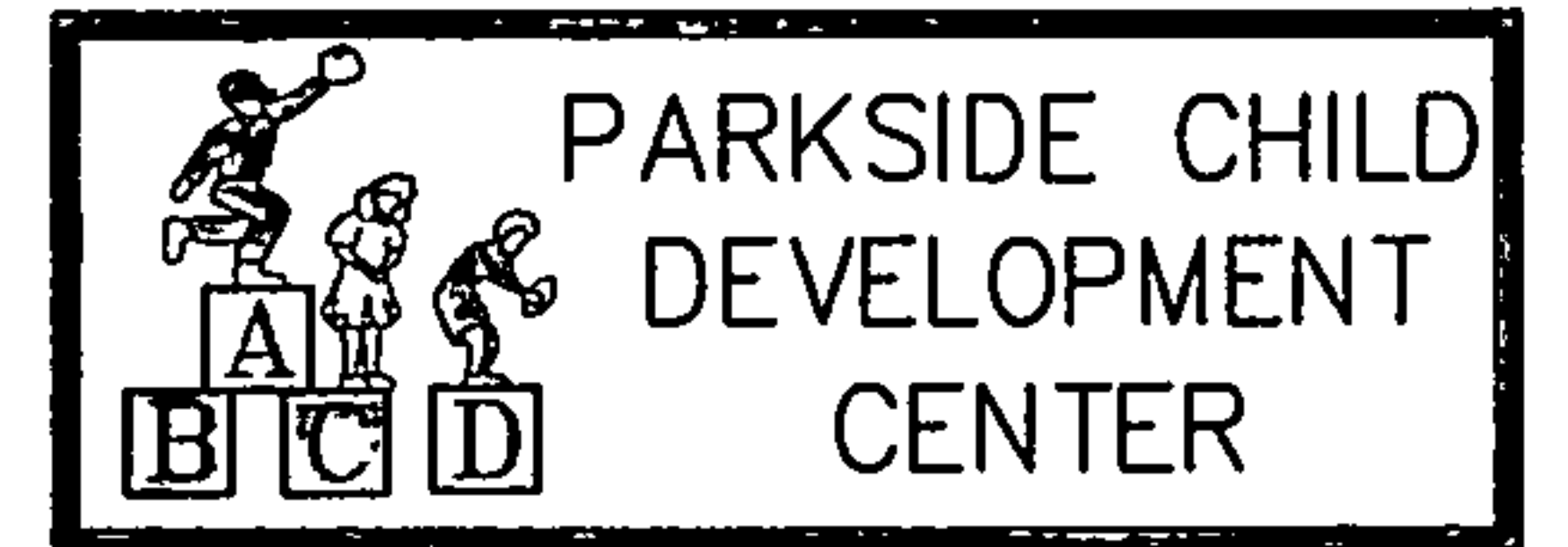
EAST ELEVATION

$1/8" = 1'-0"$

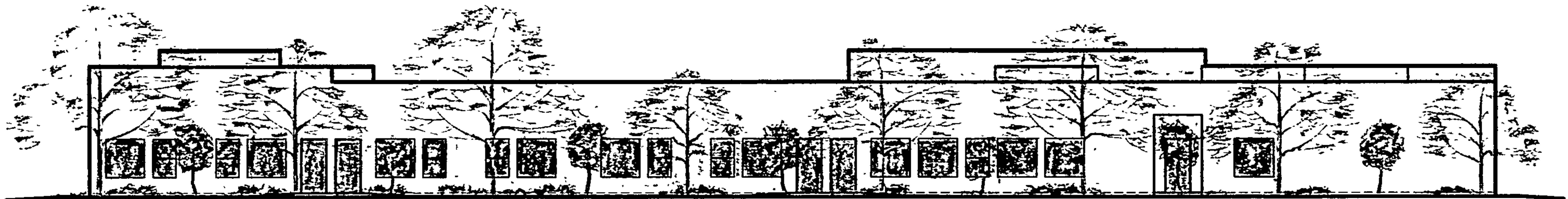


NORTH ELEVATION

$1/8" = 1'-0"$



901 86TH STREET SW
ALBUQUERQUE, NM
87121



WEST ELEVATION

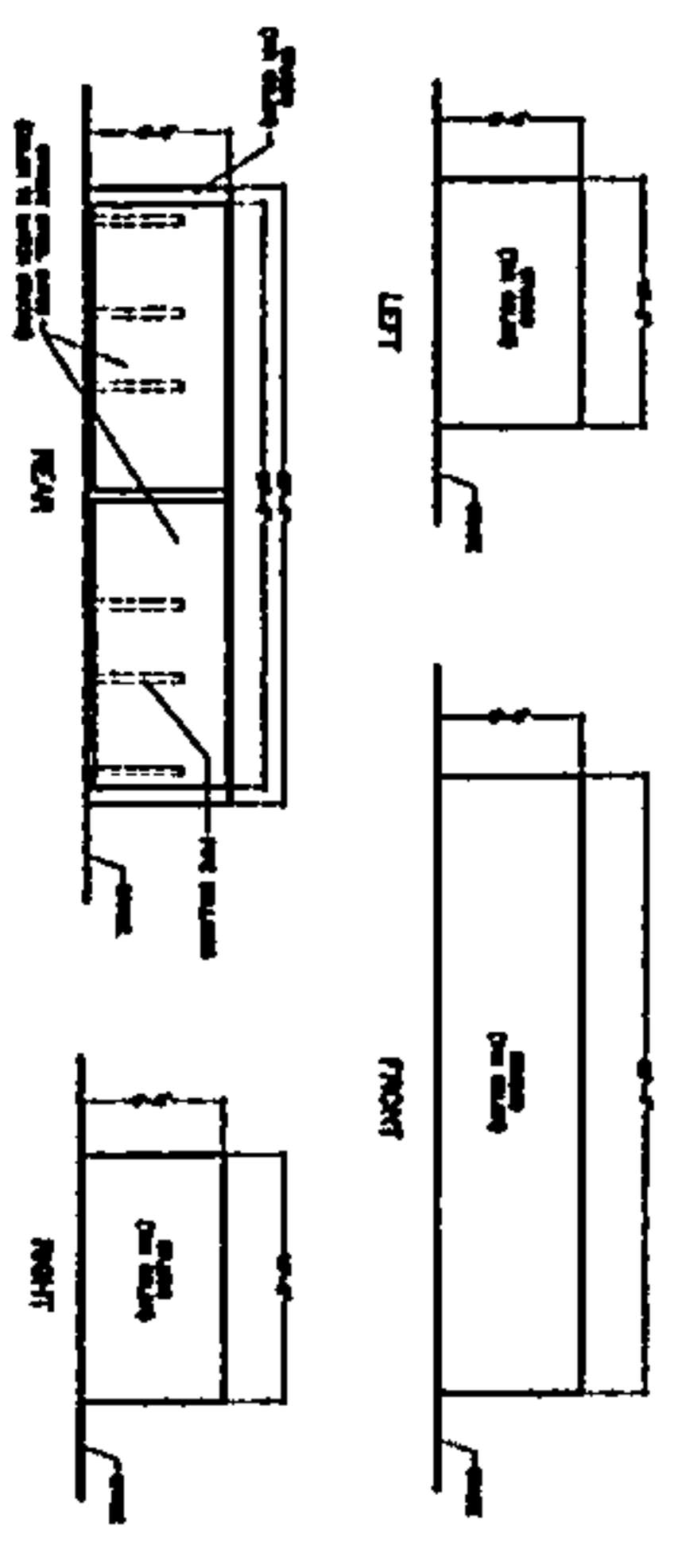
$1/8" = 1'-0"$



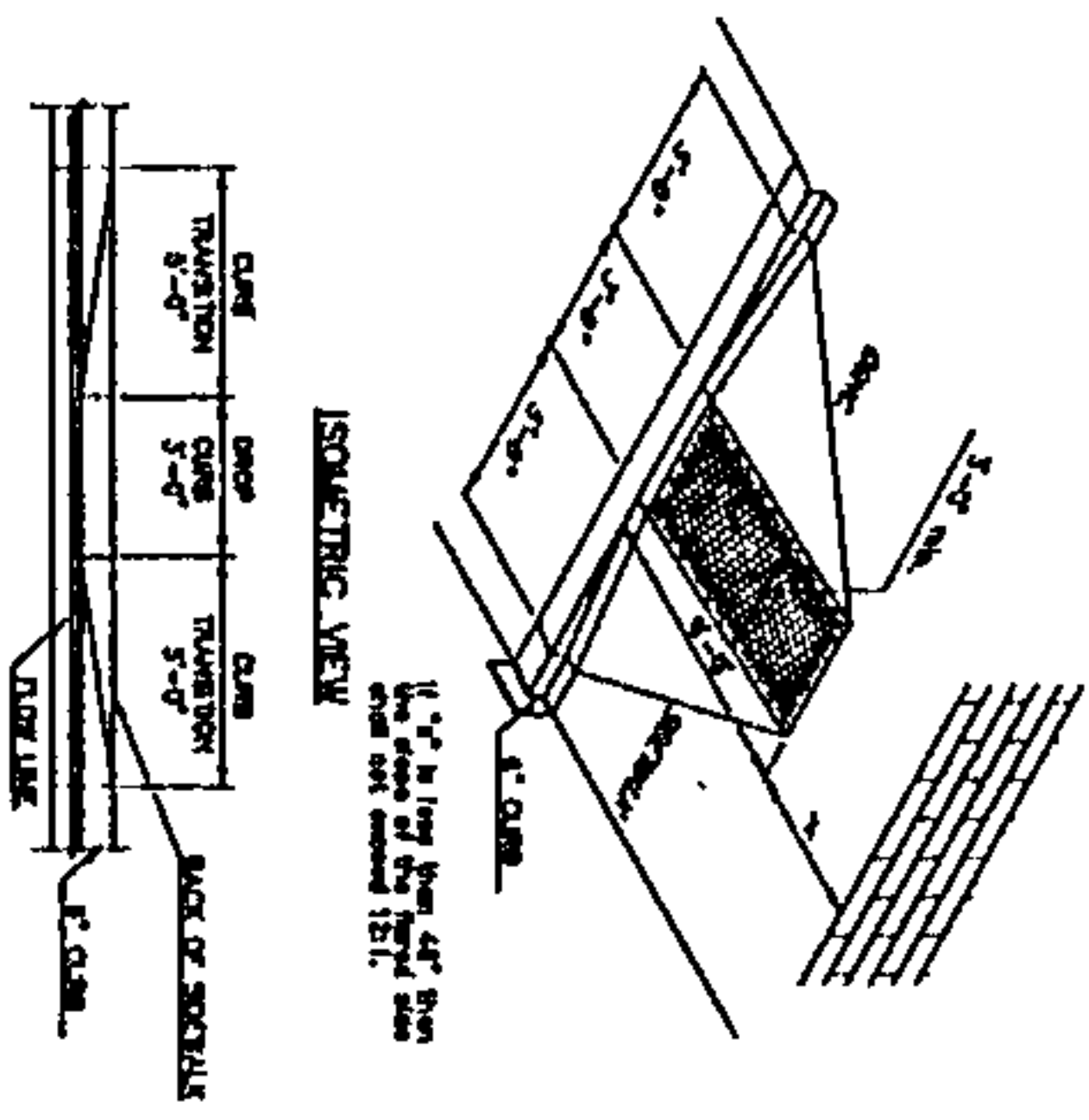
SOUTH ELEVATION

$1/8" = 1'-0"$





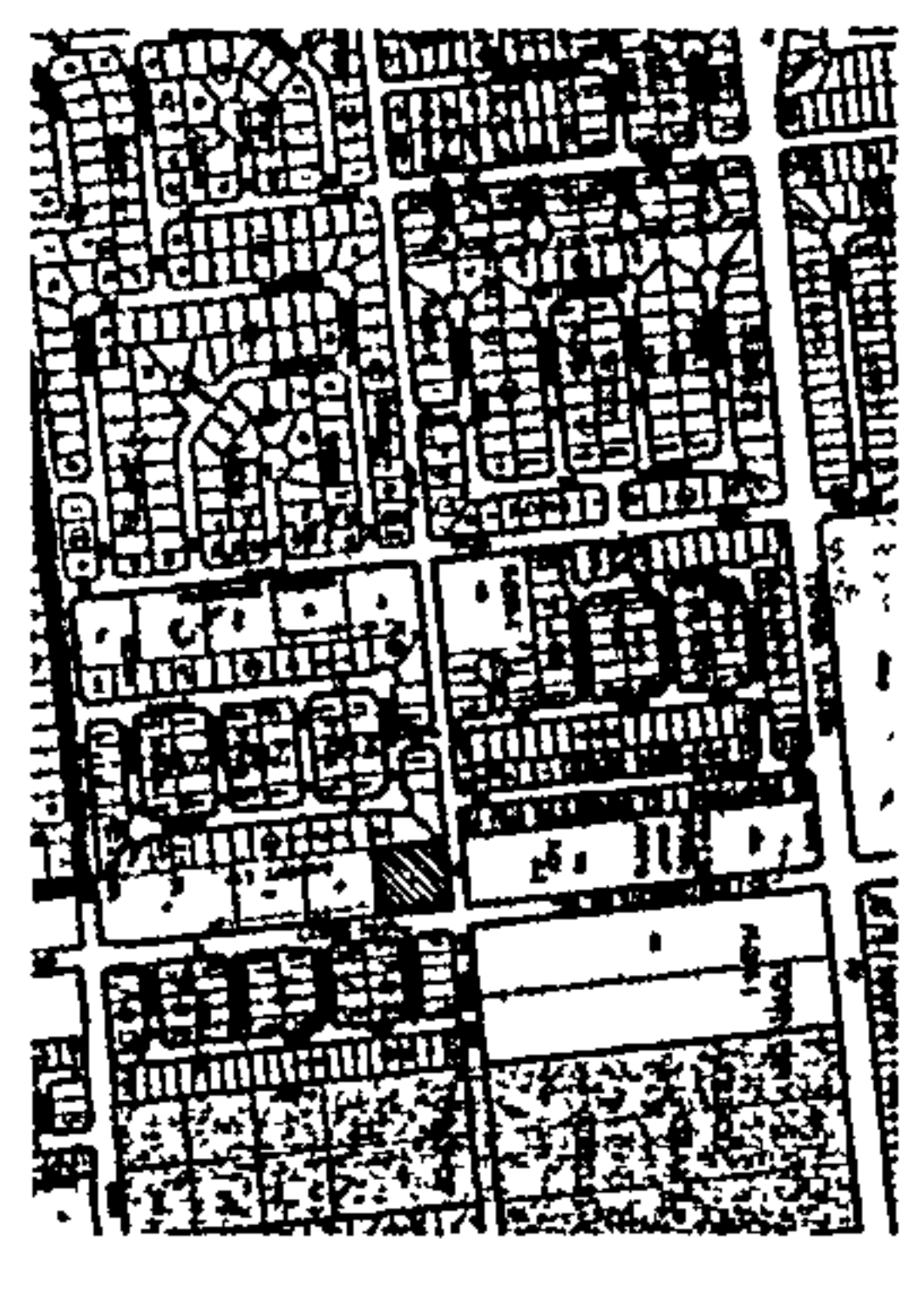
REFUSE ENCLOSURE ELEVATIONS 1/8" = 1'-0"



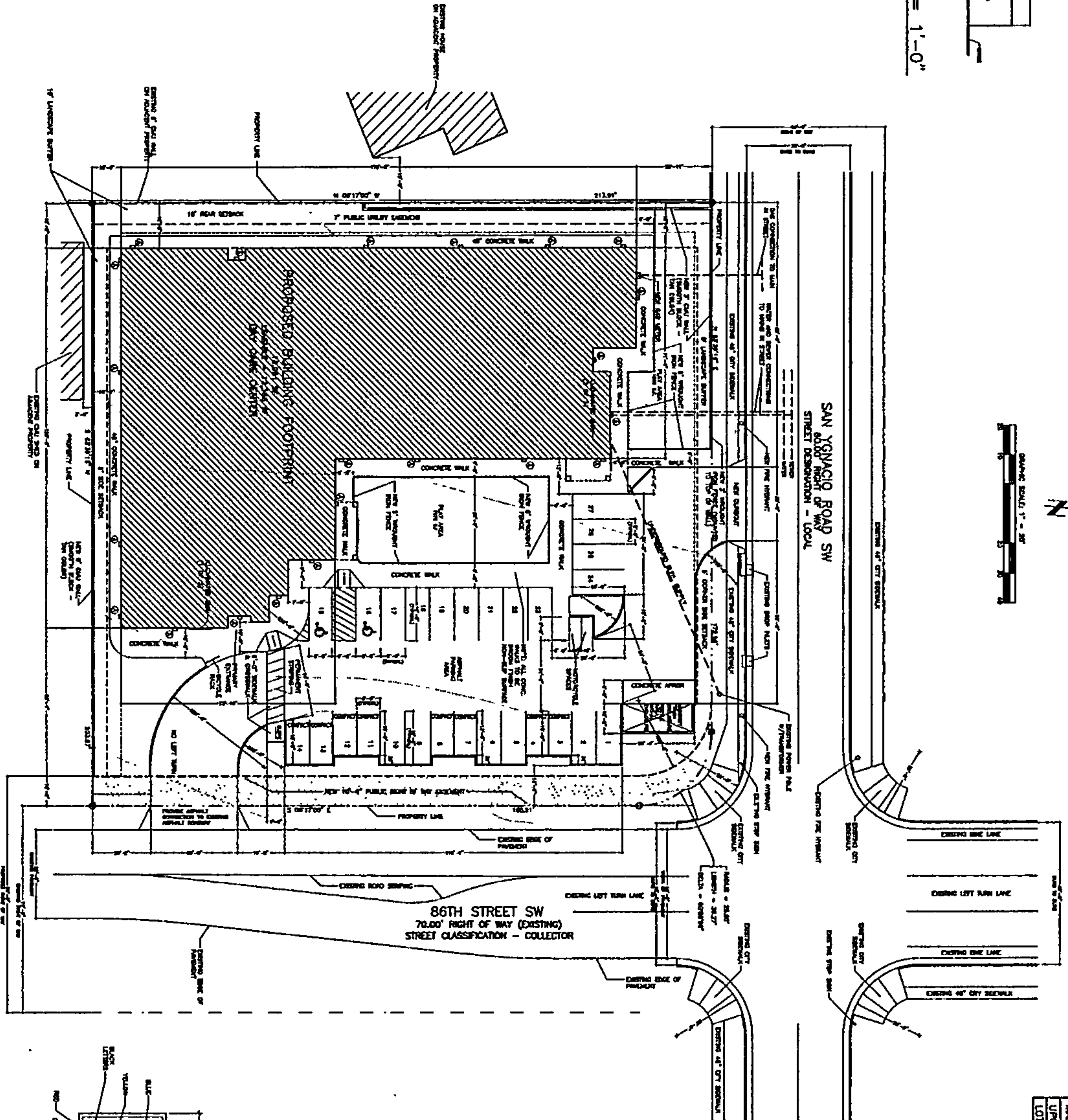
ACCESSIBLE RAMP DETAILS

SITE LIGHTING SPECIFICATIONS

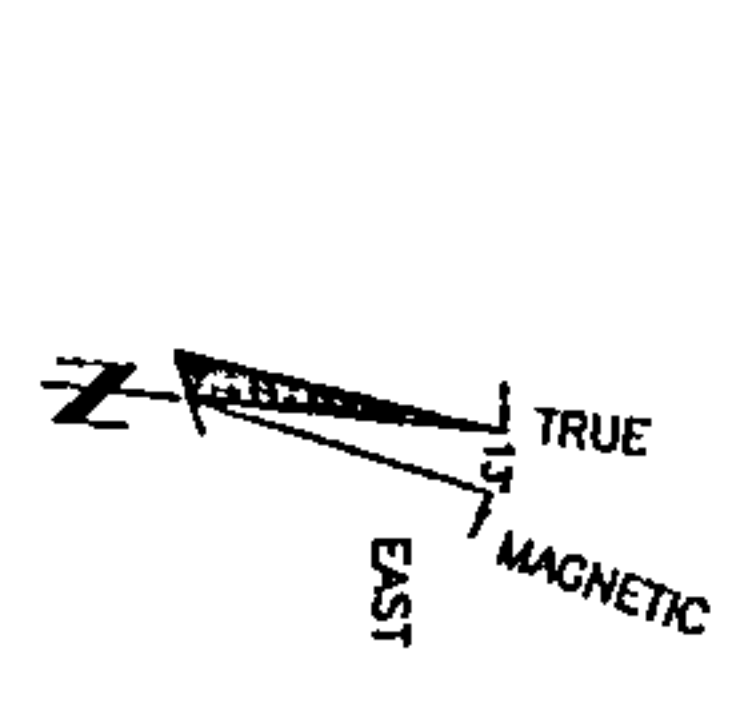
- NOTES:
1. All site lighting shall be mounted at 8'-0" tall at the maximum suspended 0' on the pole.
 2. Pole and canopy with 23 watt lighting standards.
 3. Pole and canopy with 23 watt lighting standards.
 4. All lighting shall comply with Section 14-1-3-3 of the Zoning Code.



VICINITY MAP 1" = 600'



SITE DEVELOPMENT PLAN FOR BUILDING PERMIT 1" = 20'-0"



LEGAL DESCRIPTION

LOT NUMBERED ONE (1) OF THE LANDS OF L. W. BARNETT, AS THE SAME IS SHOWN AND DESIGNATED ON THE PLAN THEREOF FILED IN THE OFFICE OF THE COUNTY CLERK OF BERNALILLO COUNTY, NEW MEXICO ON MAY 3, 1978 IN MAP BOOK C11, FOLIO 56.

UPC# 100903844006641307

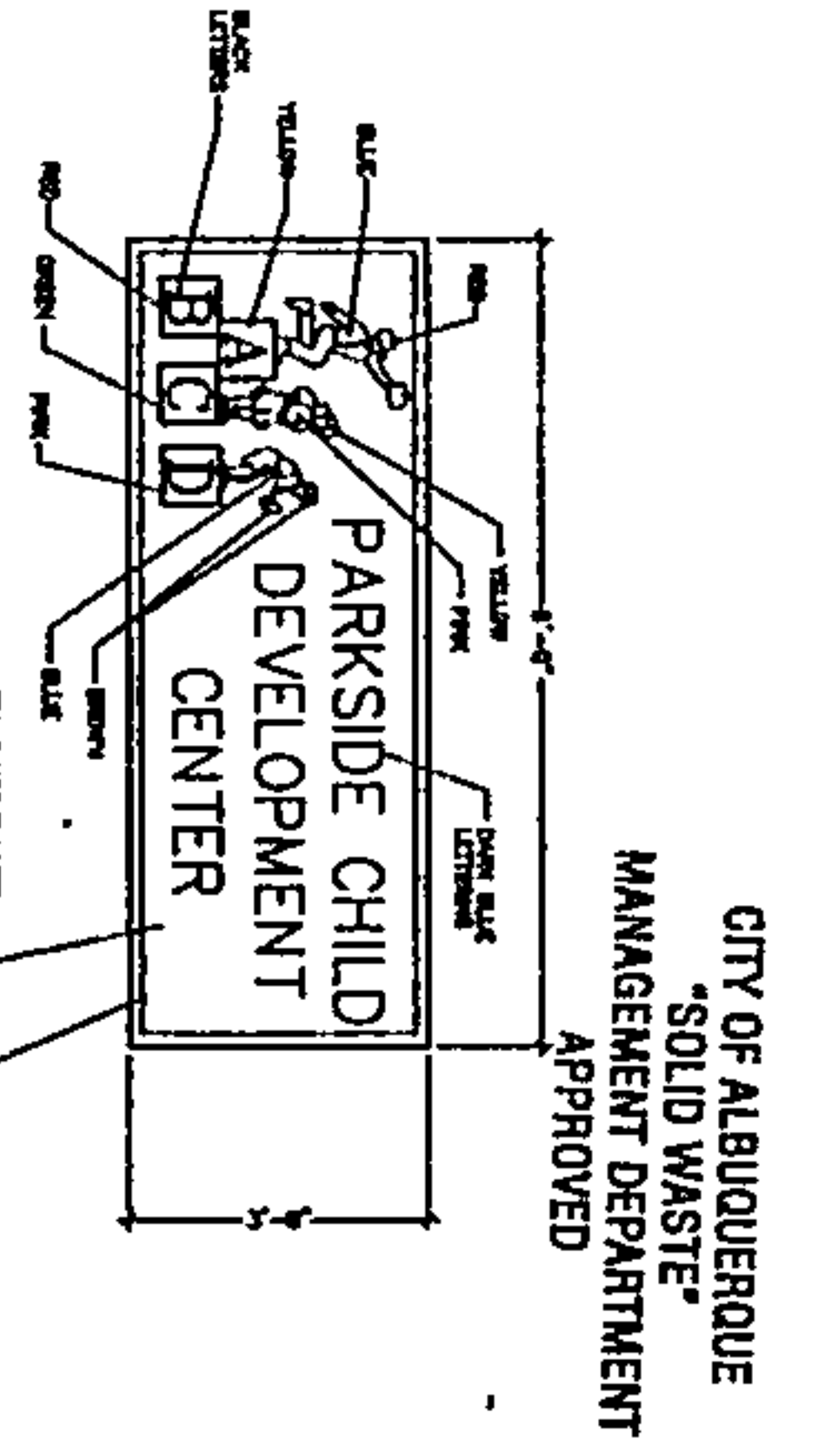
LOT AREA = 0.994 ACRES

BUILDING DATA

PROJECT MANAGER	CHILD DEVELOPMENT CENTER
501 WEST STREET SW	ALBUQUERQUE, NEW MEXICO 87311
OWNER	COUNTY SOUTH UNITED PARTNERSHIP
128 WILSON ROAD	CORNELL, NEW MEXICO 87006
FORM TYPE	CONCRETE - DAY CARE
CONSTRUCTION TYPE	VA
FOUNDATION	SLAB-TOP FOOTING

PARKING CALCULATIONS:

2 SPACES PLUS 1 SPACE PER
500 SF NET LEASABLE AREA
NET LEASABLE AREA = 12,500 SF
12,500 / 500 = 25 + 2 = 27
REQUIRED PARKING = 27 SPACES
PROVIDED PARKING = 27 SPACES
REQUIRED HOV PARKING = 2 SPACES
PROVIDED HOV PARKING = 2 SPACES
1 SPACE VAN ACCESSIBLE
PROVIDED MOTORCYCLE PARKING = 2 SPACES
PROVIDED BICYCLE PARKING = 2 SPACES
PROVIDED BICYCLE PARKING = 2 SPACES



ILLUMINATED SIGN SCHEMATIC 1/2" = 1'-0"

- NOTES:
1. Sign to be illuminated internally utilizing fluorescent lighting.
 2. Locations for 2 sign supported to post view on the street end in elevation view on sheet A10.

CITY OF ALBUQUERQUE
SOLID WASTE
MANAGEMENT DEPARTMENT
APPROVED

J. KORY BAKER • ARCHITECT
P.O. BOX 254 • ESTANCA, NM 87016
505 • 384 • 3112



PARKSIDE CHILD DEVELOPMENT CENTER
ALBUQUERQUE • NEW MEXICO

499181

IT PROCESS

(Procedure C - Modified)
PUBLIC IMPROVEMENTS AGREEMENT

FIGURE 13

**AGREEMENT TO CONSTRUCT
PUBLIC IMPROVEMENTS BY CITY CONTRACT**

THIS AGREEMENT is made this _____ day of _____, 20____, by and between the City of Albuquerque, New Mexico ("City"), whose address is P.O. Box 1293 (One Civic Plaza), Albuquerque, New Mexico, 87103, and 86TH STREET LTD PARTNERSHIP ("Developer"), a [state type of business entity, for instance, "New Mexico corporation," "general partnership," "joint venture," "individual," etc.:] _____, whose address is 142 WALDEN RD, CORRALES, NM 87048, and whose telephone number is 505-897-8511, is made in Albuquerque, New Mexico, and is entered into as of the date of final execution of this Agreement.

1. Recital. The Developer owns certain lands within the City of Albuquerque, Bernalillo Count, New Mexico, known as: [describe]: LOT 1, LANDS OF L.W. BARRETT

("Developer's Property"). The Developer's Property is owned by [state the name of the present real property owner exactly as shown on the real estate document conveying title in Developer's Property to the present owner] 86TH STREET LTD PARTNERSHIP ("Owner").

The Developer of the property is seeking [describe: "preliminary/final plat", "site development plan", etc.] SITE DEVELOPMENT PLAN approval. The City and the property Developer have agreed that it would be beneficial to all parties and the general public to make certain improvements to the public roadways and that it is appropriate that the Developer contribute to the cost of the improvements.

Developer's Property will benefit from the construction of certain improvements detailed below, which will be located on public right-of-way, and the City is willing to construct those improvements with the participation of the Developer.

THEREFORE, the City and the Developer agree:

2. Improvements. The City agrees to install and complete the following public improvements, identified as Project No. 499181: ROADWAY, CURB & GUTTER, CITY SIDEWALK, STRIPING & SIGNAGE ON 86TH STREET (\$45,013⁰⁰) STORM DRAIN IMPROVEMENTS (\$10,000⁰⁰) ("Improvements").

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

02/05/2009 Issued By: PLNSDH

Permit Number: 2009 070 021

Category Code 910

Application Number: 09DRB-70021, Epc Approved Sdp For Build Permit

Address:

Location Description: 88TH ST SW BETWEEN SAN IGNACIO SW AND SAGE SW

Project Number: 1007095

Applicant

88th Ltd Partnership
Robert Bogan
142 Walden Rd
87
887-8511

Agent / Contact

J Kory Baker Architect

Po Box 254
Estancia NM 87016
384-3112

Application Fees

441018/4871000	Public Notification	
441032/3424000	Conflict Mgmt Fee	
441006/4883000	DRB Actions Deferral	\$50.00
TOTAL:		\$50.00

City of Albuquerque
Treasury Division

2/5/2009 7:12PM 1001 ANNX
488 000 TR/NSH 0034
RECEIPT# 00101532 00101532
PERMIT# 2009070021 TROOYE
Trans Act \$50.00
DRB Actions \$50.00
RD \$50.00
CHANGE \$0.00

Thank You

PLANNING DEPARTMENT
DEVELOPMENT AND BUILDING SERVICES
TRANSPORTATION SECTION

DEVELOPMENT REVIEW BOARD – SPEED MEMO

DRB CASE NO: 1007095

AGENDA ITEM NO: 7

SUBJECT:

SITE PLAN FOR BUILDING PERMIT

ENGINEERING COMMENTS:

A recorded copy of the proposed public roadway easement must be provided prior to final sign off.

Infrastructure List:

86th Street Roadway Improvements – Procedure C Modified, \$45,013.06

Under NOTES, please add the following: Signing and Striping per City Requirements

Does the existing ramp at San Ygnacio and 86th Street meet current ADA criteria? If not, it must be rebuilt.

Curb returns are encouraged along 86th Street (see City of Albuquerque Standard drawing #2426).

The proposed wrought iron fence may interfere with the sight distance of the entrance. See the

Development Process Manual, Chapter 23, Section 6, Part B.12. Provide a sight triangle exhibit.

Provide a ramp detail for the unidirectional ramp in the southeast corner of the site.

RESOLUTION:

02-11-09

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

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

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

SIGNED:

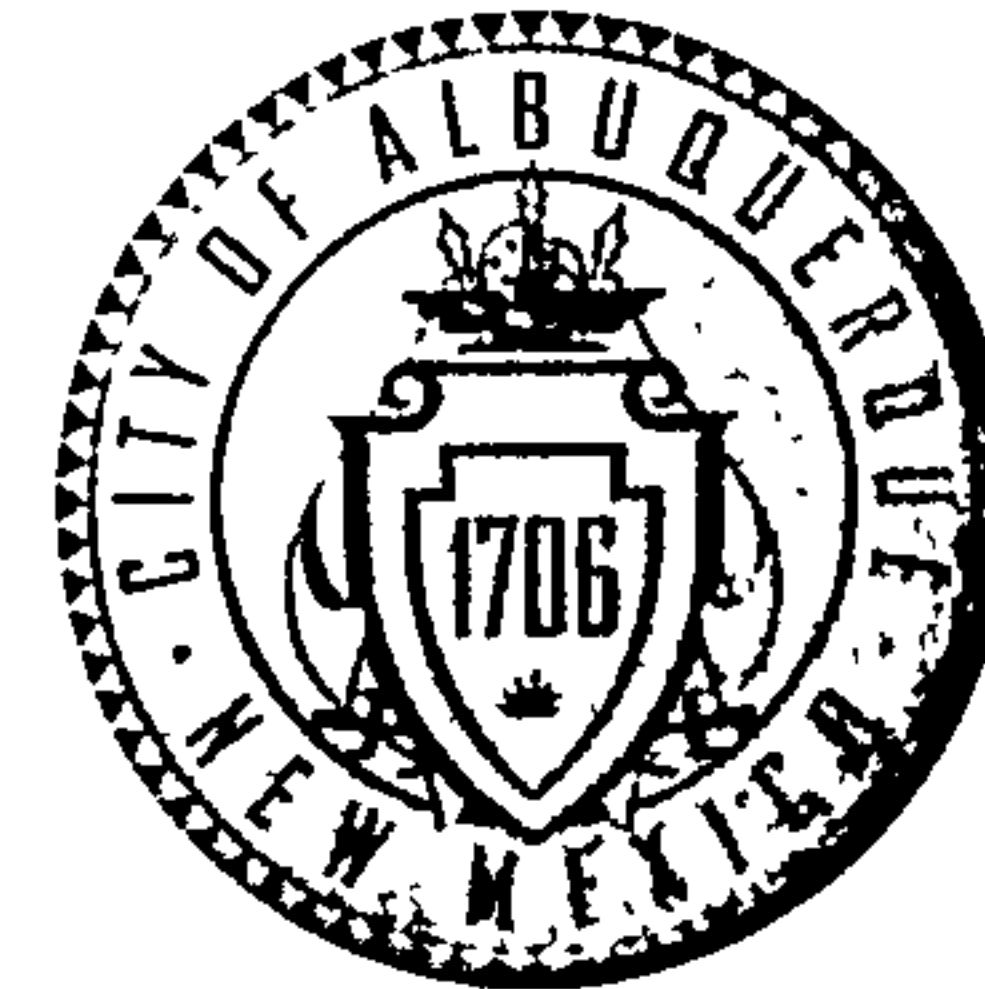
Kristal D. Metro

Transportation Development

DATE: FEBRUARY 4, 2009

505-924-3991

CITY OF ALBUQUERQUE



31
32
33

CITY OF ALBUQUERQUE PLANNING DEPARTMENT HYDROLOGY DEVELOPMENT SECTION

DEVELOPMENT REVIEW BOARD MEMO

DRB CASE NO/PROJECT NO: 1007095

AGENDA ITEM NO: 7

SUBJECT:

Site Plan for Building Permit

ENGINEERING COMMENTS:

An approved Infrastructure List and executed Subdivision Improvements Agreement with financial guarantees are required for Site Plan approval.

PO Box 1293

RESOLUTION:

Albuquerque

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

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

NM 87103

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

www.cabq.gov

SIGNED:

DATE: 2-4-09

Curtis Cherne
City Engineer Designee
924-3695

INFRASTRUCTURE LIST

(Rev. 9-20-05)

EXHIBIT "A"

TO SUBDIVISION IMPROVEMENTS AGREEMENT

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

LOT 1, LANDS OF L.W. BARRETT
PROPOSED NAME OF PLAT AND/OR SITE DEVELOPMENT PLAN

LOT 1, LANDS OF L.W. BARRETT
EXISTING LEGAL DESCRIPTION PRIOR TO PLATTING ACTION

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

Financially Guaranteed DRC #	Constructed Under DRC #	Size	Type of Improvement	Location	From	To	Construction Certification		
							Private Inspector	P.E.	City Cnst Engineer
			86TH STREET (PER PROCEDURE C MODIFIED) ROADWAY IMPROVEMENTS		\$45,013 ⁹⁵		/	/	/
			86TH STREET (PER PROCEDURE C MODIFIED) STORM DRAIN IMPROVEMENTS		\$10,000 ⁰⁰		/	/	/
		1 EA.	FIRE HYDRANT				/	/	/
							/	/	/
							/	/	/
							/	/	/
							/	/	/
							/	/	/
							/	/	/

ANGELA GOMEZ

ADMIN.

PROJ # 1007095

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

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

NOTES

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

Street lights per City requirements.

1. SIGNING & STRIPING PER C.O.A. REQUIREMENTS. (INCLUDED IN PROCEDURE (MODIFIED))

2

3

AGENT / OWNER

DEVELOPMENT REVIEW BOARD MEMBER APPROVALS

NAME (print) _____

FIRM _____

SIGNATURE - date _____

DRB CHAIR - date _____

TRANSPORTATION DEVELOPMENT - date _____

UTILITY DEVELOPMENT - date _____

CITY ENGINEER - date _____

PARKS & RECREATION - date _____

AMAFCA - date _____

_____ - date _____

_____ - date _____

DESIGN REVIEW COMMITTEE REVISIONS

REVISION	DATE	DRC CHAIR	USER DEPARTMENT	AGENT / OWNER

CITY OF ALBUQUERQUE



27 January 2009

J. Kory Baker, Architect
P.O. Box 254
Estancia, NM 87106

RE: Six-month extensions for Project # 1007095

Dear Mr. Baker,

Thank you for your letter requesting a time extension for the final sign-off of site development plan for the 86th Street LTD Partnership project by the Development Review Board (DRB). Final sign-off of the site development plan by the DRB will fulfill the Environmental Planning Commission (EPC) condition of approval for the zone map amendment. Once that is complete, a certificate of zoning will be issued for the subject site.

P.O. Box 1293

Albuquerque

New Mexico 87103

Zoning Code Section 14-16-4-1(C)(10)(b), which applies to approval of changes to the zone map with prerequisites (conditions), allows the Planning Director to extend the six month time limit an additional six months. Consider this letter as the approval of a six-month extension to meet the EPC condition of approval. The deadline to meet the requirement is now 21 March 2009.

You can reach me at 924-3337 with any questions you may have.

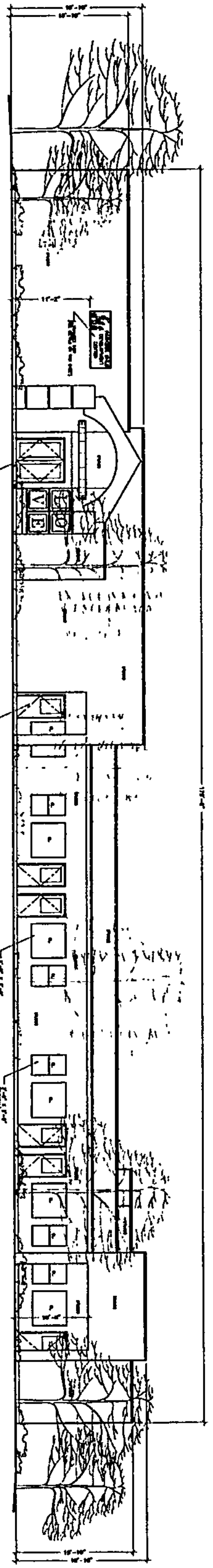
www.cabq.gov

Sincerely,

Russell Brito
Division Manager
Current Planning Division
Planning Department

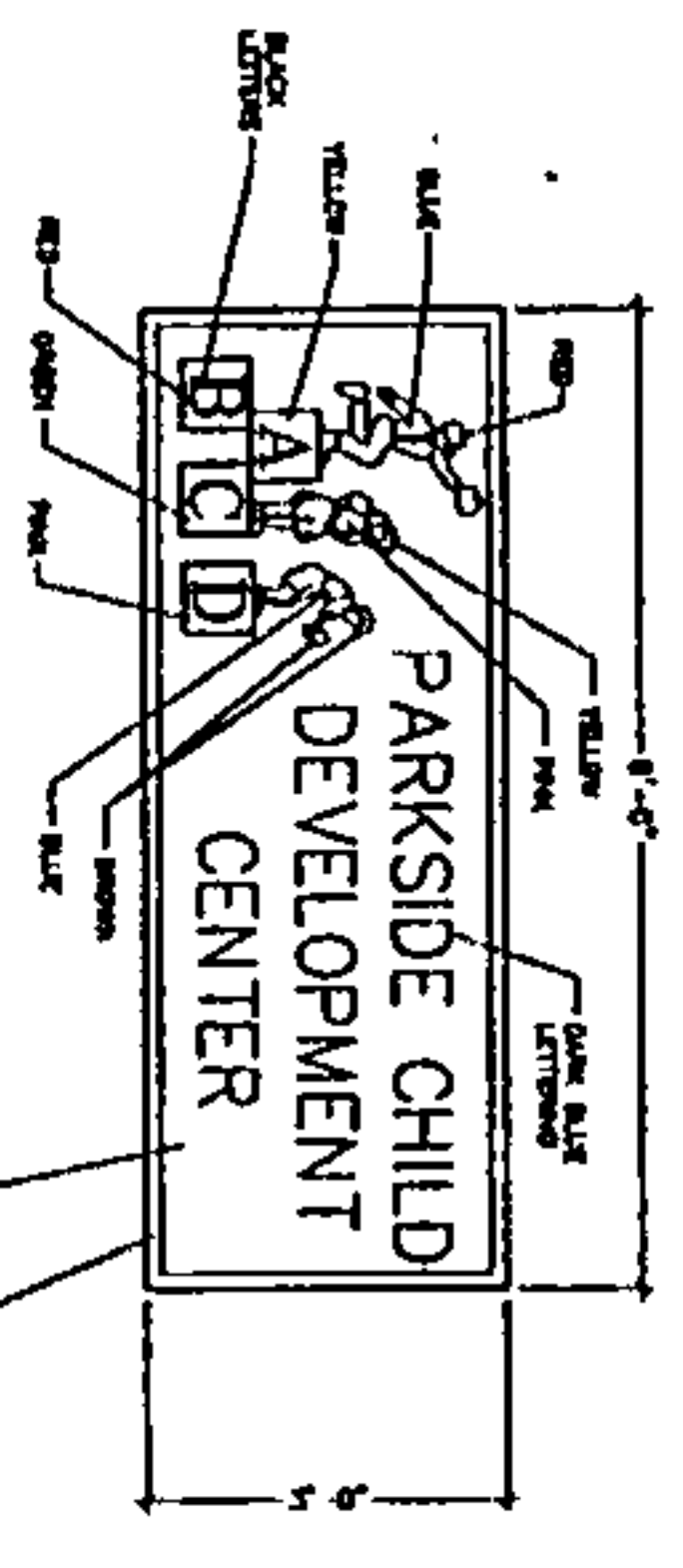
xc: files

2600001



EAST ELEVATION

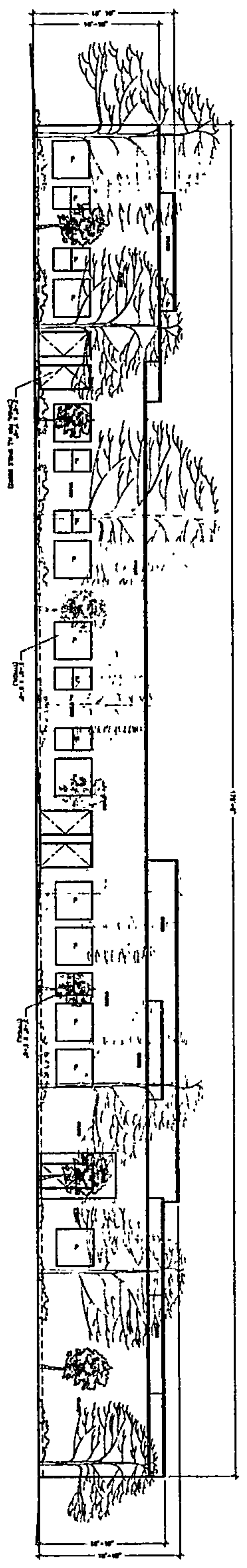
1/8" = 1'-0"



ILLUMINATED SIGN SCHEMATIC 1/2" = 1'-0"

NORTH ELEVATION

1/8" = 1'-0"



WEST ELEVATION

1/8" = 1'-0"

SOUTH ELEVATION

1/8" = 1'-0"

ELEVATION NOTES

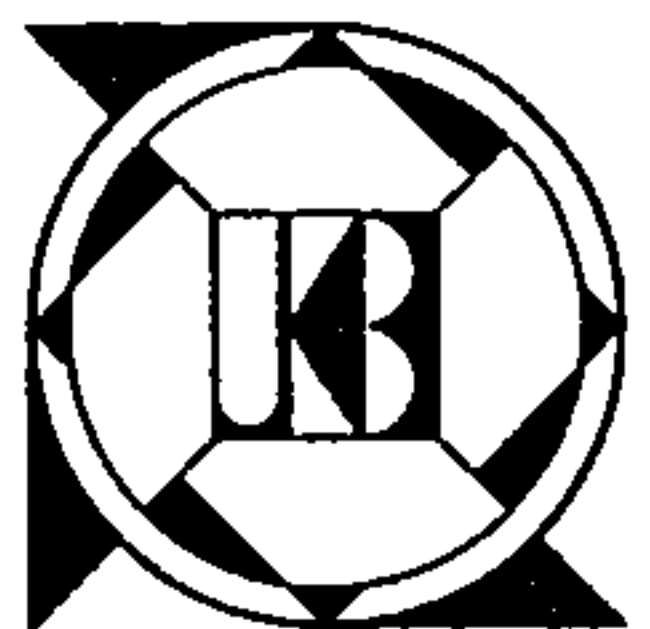
1. All mechanical equipment shall be approved by the permit authority.
2. Landscaping is shown as a guide only.
3. All signs to be on the sign, in color, all signs and letter/letter forms to be white letters on a dark background.
4. All project signs and other material shall be in the dark letters on a white background.

J. KORY BAKER • ARCHITECT
 P.O. BOX 254 • ESTANCA, NM 87016
 505 • 384 • 3112

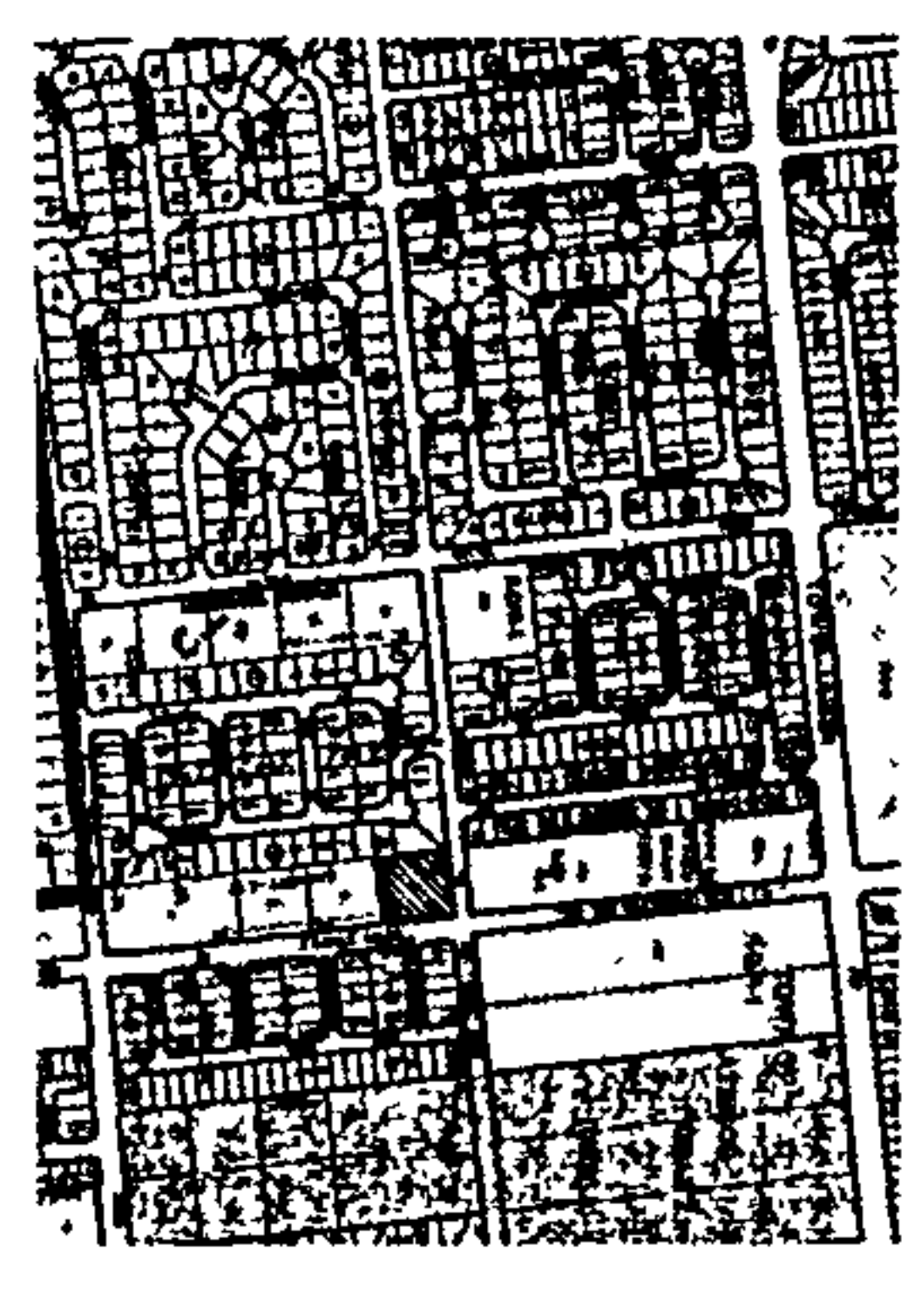
DATE: _____
 REVISIONS: _____
 DRAWN BY: _____
 CHECKED BY: _____

SECT. NAME: _____

A10

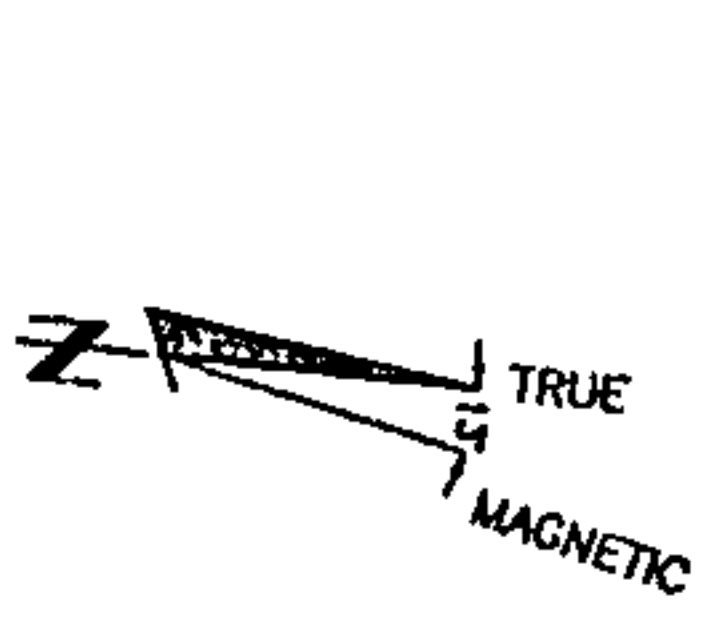
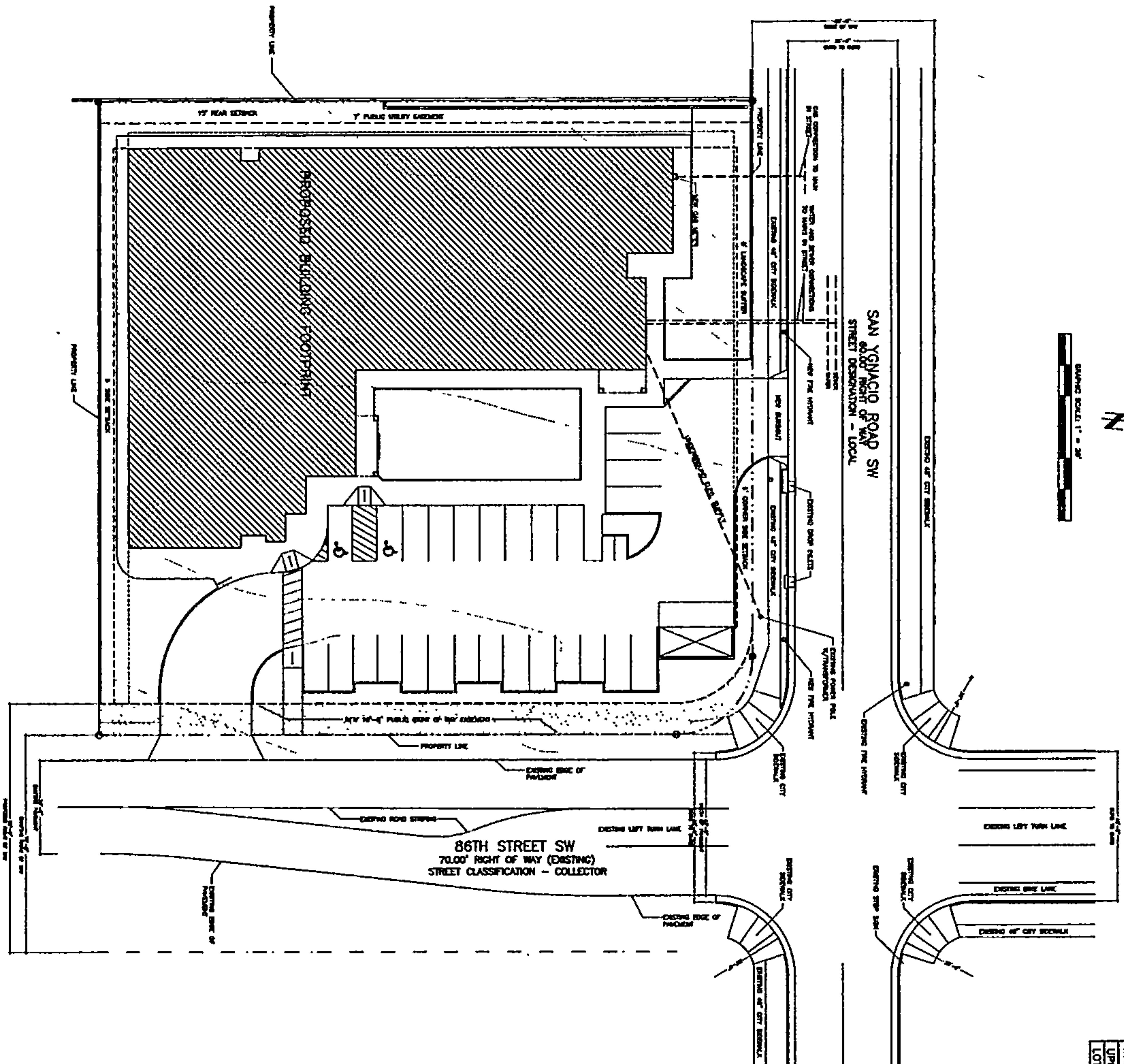


VICINITY MAP
1" = 600'



UTILITY PLAN

1" = 20'-0"



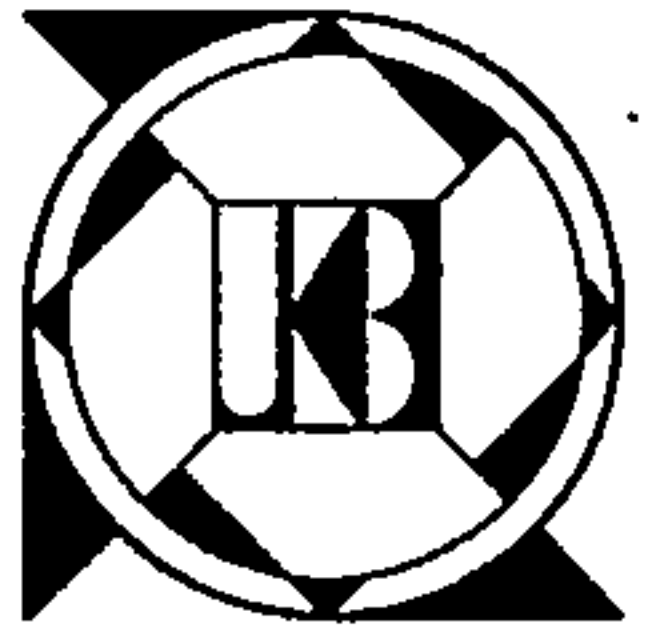
LEGAL DESCRIPTION
 LOT NUMBERED ONE (1) OF THE LANDS OF L. W. BARNETT, AS THE SAME IS SHOWN AND DESIGNATED ON THE PLAN OF BURNING LOTS FILED IN THE OFFICE OF THE COUNTY CLERK OF BERNALILLO COUNTY, NEW MEXICO ON JAN. 21, 1978 IN MAP BOOK 011, FOLIO 5A.
 UPCI# 10090544006811307
 LOT AREA = 0.924 ACRES

BUILDING DATA

PROJECT	PARKSIDE CHILD DEVELOPMENT CENTER
ADDRESS	8610 86TH STREET SW ALBUQUERQUE, NEW MEXICO 87121
OWNER	FOUR SEVEN NORTH PARTNERSHIP
DESIGNER	J. KORY BAKER ARCHITECT
DATE	1-1-78
SCALE	AS SHOWN
DATE	1-1-78
BY	J. K. BAKER
CHECKED	J. K. BAKER
DATE	1-1-78

J. KORY BAKER • ARCHITECT
 P.O. BOX 254 • ESTANCA, NM 87018
 505 • 384 • 3112

DATE: 1-1-78
 DRAWING NO.: 10090544006811307
 DRAWN BY: J. K. BAKER
 CHECKED BY: J. K. BAKER
 DATE: 1-1-78



PARKSIDE CHILD DEVELOPMENT CENTER
 ALBUQUERQUE • NEW MEXICO