6. Project# 1008672
11DRB-70095 MINOR - PRELIMINARY/ FINAL PLAT APPROVAL

MICHAEL WEWERKA request(s) the above action(s) for all or a portion of Lot(s) 76-A & 76-B, Block(s) 7, **PERFECTO ARMIJO & BROS. ADDITION,** zoned SU-2 HD, located on CORNER OF 8TH AND ROMA containing approximately 0.14 acre(s). (J-14)*[Deferred from 4/27/11, 5/4/11]* **THE PRELIMINARY/FINAL PLAT WAS APPROVED WITH FINAL SIGN OFF DELEGATED TO TRANSPORTATION FOR RECORDED REVOKABLE PERMIT AND TO PLANNING FOR AGIS DXF.**

7. Project# 1003610
11DRB-70106 EXT OF SIA FOR TEMP DEFR SDWK CONST

LONGFORD HOMES request(s) the above action(s) for all or a portion of **ARROW WOOD HILLS Unit(s) 1,** zoned RLT, located on 98TH ST SW BETWEEN RIO BRAVO SW AND BLAKE ST SW containing approximately 29 acre(s). (N-9) **A TWO YEAR EXTENSION TO THE 4-YEAR AGREEMENT FOR THE DEFERRAL OF SIDEWALKS WAS APPROVED.**

8. Project# 1007099
11DRB-70111 MINOR - 2YR SUBD IMP AGMT EXT (2YR SIA)

SANDIA FOUNDATION request(s) the above action(s) for all or a portion of Tract(s) A, **ZUNI ADDITION** zoned SU-1, located on MENAUL BETWEEN MESILLA AND PENNSYLVANIA (H-19) **THE TWO YEAR EXTENSION OF THE SUBDIVISION IMPROVEMENT AGREEMENT (SIA) WAS APPROVED.**

9. Project# 1008268
11DRB-70108 MINOR - PRELIMINARY/ FINAL PLAT APPROVAL

TERRAMETRICS OF NEW MEXICO agent(s) for MICHAEL HOSN DBA HOSNI COLLECTIONS LLC request(s) the above action(s) for all or a portion of Lot(s) 7, Block(s) E, **CACY** zoned O-1, located on PHEASANT AVE NW BETWEEN COORS BLVD NW AND CORONA ST NW containing approximately .2482 acre(s). (G-11) **THE PRELIMINARY/FINAL PLAT WAS APPROVED WITH FINAL SIGN OFF DELEGATED TO CITY ENGINEER TO SHOW SPECIAL FLOOD HAZZARD ZONE AND TO PLANNING TO VERIFY ZONING, AGIS DXF, AND TO RECORD.**

HEARING DATE: 5-11-11 (Minor SIA)

COMPLETED 06/11/09 SH

DRB CASE ACTION LOG (PREL/FINAL)

REVISED 10/08/07

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

SARAH 998-0303

DRB Application No.: 08DRB-70492 Project # 1007099

Project Name: ZUNI ADDITION

Agent: THE SURVEY OFFICE 11/26/08 Phone No.: 998-0303

Your request was approved on _____ by the DRB with delegation of signature(s) to the following departments.

OUTSTANDING SIGNATURES COMMENTS TO BE ADDRESSED

☐ TRANSPORTATION:

☐ UTILITIES:

☐ CITY ENGINEER / AMAFCA:

☐ PARKS / CIP:

☒ PLANNING (Last to sign): Comments dated Nov. 26, 2008
REAL Property Signature

6-4-09

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

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

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

Created On:

DRB CASE ACTION LOG (PREL/FINAL)

REVISED 10/08/07

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

DRB Application No.: 08DRB-70492 Project # 1007099

Project Name: ZUNI ADDITION

Agent: THE SURVEY OFFICE 11/26/08 Phone No.: 998-0303

Your request was approved on _____ by the DRB with delegation of signature(s) to the following departments.

OUTSTANDING SIGNATURES COMMENTS TO BE ADDRESSED

☐ TRANSPORTATION:

☐ UTILITIES:

☐ CITY ENGINEER / AMAFCA:

☐ PARKS / CIP:

☒ PLANNING (Last to sign): Comments dated Nov. 26, 2008
REAL Property Signature

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

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

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

Created On:

COMPLETET 05/29/09

DRB CASE ACTION LOG (SITE PLAN – BUILD P)

REVISED 10/08/07

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

DRB Application No.: 08DRB-70422 Project # 1007099

Project Name: ZUNI ADDITION

Agent: VAN H. GILBERT ARCHITECT Phone No.: 998-0303

Your request was approved on 10-22-08 by the DRB with delegation of signature(s) to the following departments.

OUTSTANDING SIGNATURES COMMENTS TO BE ADDRESSED

- ☐ TRANSPORTATION:
- ☐ UTILITIES:
- ☑ CITY ENGINEER / AMAFCA: Sub Improvement Agreements
- ☐ PARKS / CIP:
- ☑ PLANNING (Last to sign): JHC - bring back for date plat address Planners comments

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

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

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

Created On:

MYERS, OLIVER & PRICE, P.C.
LAWYERS
1401 CENTRAL AVENUE, N.W.
ALBUQUERQUE, NEW MEXICO 87104

JOHN A. MYERS
SCOTT OLIVER*
CHARLES P. PRICE III
KEVIN J. McCREADY
HOPE MEAD WYNN

CHARLES P. PRICE III, *Of Counsel*
FLOYD D. WILSON, *Of Counsel*

J. MATT MYERS

*ALSO LICENSED IN TEXAS

TELEPHONE
(505)247-9080

FACSIMILE
(505)247-9109

e-mail:mmyers@moplaw.com

May 29, 2009

Via Hand Delivery
Mr. Jack Cloud, Chairman
Development Review Board
City of Albuquerque Planning Department
600 2nd St. NW, 2nd Floor
Albuquerque, NM 87103

Re: Menaul Retail Center
DRB Application No. 08DRB70422
Project No. 1007099

Dear Jack:

Enclosed are the following in connection with the above referenced project:

1. Original DRB Case Action Lot (Site plan – Build P);
2. Triplicate originals of approved Site Plan for Menaul & Prospect Retail Center for the Sandia Foundation; and
3. Duplicate copies of the Conceptual Grading and Drainage Plan and Conceptual Utility Plan.

Thank you.

Very truly yours,
MYERS, OLIVER & PRICE, P.C.

By: Karen Lee Arfman
Karen Lee Arfman
Legal Assistant

/kla
Enclosures
cc w/enc.: Mr. George Anderson (duplicates sets) (Hand Delivered)
Karin Pitman (original and one copy) (Hand Delivered)

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

3. **Project# 1004075**
08DRB-70490 EPC APPROVED LEVEL 'B' PLAN AMENDMENT

MYERS, OLIVER & PRICE (JOHN MYERS) agent(s) for MESA DEL SOL, LLC request(s) the above action(s) for all or a portion of Tract(s) 1A-16A, **MESA DEL SOL** zoned PC, located on EAST OF BRAODWAY AND SOUTH OF LOS PICAROS containing approximately 3082 acre(s). (Q-16,& R-14, 16, 17 & S-14-17, & T-14, & U-13)**THE EPC LEVEL "B" PLAN AMENDENT WAS APPROVED WITH FINAL SIGN-OFF DELEGATED TO PLANNING FOR STAFF PLANNERS REFERENCE LETTER DATED 11/21/2008.**

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

4. **Project# 1007099**
08DRB-70492 MINOR - PRELIMINARY/ FINAL PLAT APPROVAL

THE SURVEY OFFICE agent(s) for SANDIA FOUNDATION request(s) the above action(s) for all or a portion of Lot(s) 1-3 & 37-39 & VACATED PORTION OF LT 1- 11 & 33-38, Block(s) 16 & 17, **ZUNI ADDITION** zoned C-2/, located on MENUAL BLVD NE BETWEEN MESILLA AVE NE AND PROSPECT AVE NE containing approximately 4.183 acre(s). (H-19) **THE PRELIMINARY/FINAL PLAT WAS APPROVED WITH FINAL SIGN OFF DELEGATED TO PLANNING FOR REAL PROPERTY SIGNATURE, 3 COPIES OF APPROVED SITE PLAN AND AGIS DXF FILE.**

5. **Project# 1007567**
08DRB-70491 MINOR - PRELIMINARY/ FINAL PLAT APPROVAL

THE SURVEY OFFICE agent(s) for RUTH W ADAMS C/O NANCY AQUI request(s) the above action(s) for all or a portion of Lot(s) 1 & 31, Block(s) 4, **LAVALAND ADDITION** zoned R-2, located on CLOUDCROFT PLACE NW BETWEEN DOLORES DR NW AND 57TH ST NW containing approximately .36 acre(s). (J-11) **THE PRELIMINARY/FINAL PLAT WAS APPROVED WITH FINAL SIGN OFF DELEGATED TO PLANNING FOR COMMENTS and AGIS DXF FILE.**

6. **Project# 1007320**
08DRB-70489 MINOR - PRELIMINARY/ FINAL PLAT APPROVAL

BOHANNAN HUSTON INC agent(s) for LOWE'S HOME IMPROVEMENT CENTER request(s) the above action(s) for all or a portion of Lot(s) 2A-5A1-A1, zoned SU-1, located on HOTEL CIRCLE NE BETWEEN EUBANK BLVD NE AND LOMAS BLVD NE containing approximately 8.276 acre(s). (L-21) **WITH THE SIGNING OF THE INFRASTRUCTURE LIST DATED11/26/08, THE PRELIMINARYPLAT WAS APPROVED. FINAL PLAT WAS INDEFINATELY DEFERRED.**

7. Other Matters: None

ADJOURNED: 9:25

CITY OF ALBUQUERQUE

PLANNING DEPARTMENT
November 26, 2008
DRB Comments

ITEM # 4

PROJECT # 1007099 APPLICATION # 08-70492

RE: Blocks 16 & 17, Zuni Addition

The Planning Department must record this plat to complete the vacation; additionally, the site development plan must be executed/ signed-off concurrently with the filing of the plat.

.

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

DRB CASE ACTION LOG (SITE PLAN – BUILD P)

REVISED 10/08/07

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

DRB Application No.: 08DRB-70422 Project # 1007099

Project Name: ZUNI ADDITION

Agent: VAN H. GILBERT ARCHITECT Phone No.: 998-0303

Your request was approved on 10-22-08 by the DRB with delegation of signature(s) to the following departments.

OUTSTANDING SIGNATURES COMMENTS TO BE ADDRESSED

- ☐ TRANSPORTATION:
- ☐ UTILITIES:
- ☑ CITY ENGINEER / AMAFCA: Sub Improvement Agreements
- ☐ PARKS / CIP:
- ☑ PLANNING (Last to sign): address Planning comments
- ☐ **Planning must record this plat. Please submit the following items:**
  - -The original plat and a mylar copy for the County Clerk.
  - -Tax certificate from the County Treasurer.
  - -Recording fee (checks payable to the County Clerk). **RECORDED DATE:** _____
  - -Tax printout from the County Assessor.
  - ☑ **3 copies of the approved site plan. Include all pages.**
  - ☐ **County Treasurer's signature must be obtained prior to the recording of the plat with the County Clerk.**
  - ☐ **Property Management's signature must be obtained prior to Planning Department's signature.**
  - ☐ **AGIS DXF File approval required.**
  - ☐ **Copy of recorded plat for Planning.**

Created On:

OFFICIAL NOTICE OF DECISION

CITY OF ALBUQUERQUE
PLANNING DEPARTMENT
DEVELOPMENT REVIEW BOARD

October 15, 2008

Project# 1007099
08DRB-70413 VACATION OF PUBLIC EASEMENT
08DRB-70414 VACATION OF PUBLIC RIGHT-OF-WAY

THE SURVEY OFFICE agent(s) for SANDIA FOUNDATION request(s) the referenced/ above action(s) for a portion **PROSPECT AVENUE NE** and adjacent easements on adjoining Lot(s) 1-3 & 37-39, Block 16 and 1-11 & 33-38, Block 17, **ZUNI ADDITON,** zoned C-2/ SU-1, located on the south side of MENAUL BLVD NE BETWEEN MESILLA ST NE AND PENNSYLVANIA ST NE containing approximately 4.183 acre(s). (H-19)

At the October 15, 2008 Development Review Board meeting, the vacations were approved as shown on exhibit B in the planning file per section 14-14-7-2(a) (1) and (b) (1)(3) of the subdivision ordinance subject to the following conditions: public roadway (access and drainage) easement will be dedicated connecting Menaul and Prospect. public sidewalk connection will be provided from Menaul to Prospect within a public easement. An exclusive 25ft water and sewer easement will be retained and a maintenance convenant shall be provided.

(A)(1) The vacation requests were filed by the owners of a majority of the footage of land abutting the proposed vacation.

(B)(1) Based on the conditions of approva,l the public welfare is in no way served by retaining the public right-of-way.

(B)(3) There is no convincing evidence that any substantial property right is being abridged against the will of the owner of the right.

CONDITIONS:

1. Final disposition shall be through the City Real Estate Office

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

If you wish to appeal this decision, you must do so by October 30, 2008 in the manner described below.

Appeal is to the Land Use Hearing Officer. Any person aggrieved with any determination of the Development Review Board may file an appeal on the Planning Department form, to the Planning Department, within 15 days of the Development Review Board's decision.

The date the determination in question is issued is not included in the 15-day period for filing an appeal.
If the fifteenth day falls on a Saturday, Sunday or holiday as listed in the Merit System Ordinance, the next working day is considered as the deadline for filing the appeal. Such appeal shall be heard within 60 days of its filing.
You will receive notice if any other person files an appeal. Successful applicants are reminded that other requirements of the City must be complied with, even after approval of the referenced application(s).

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

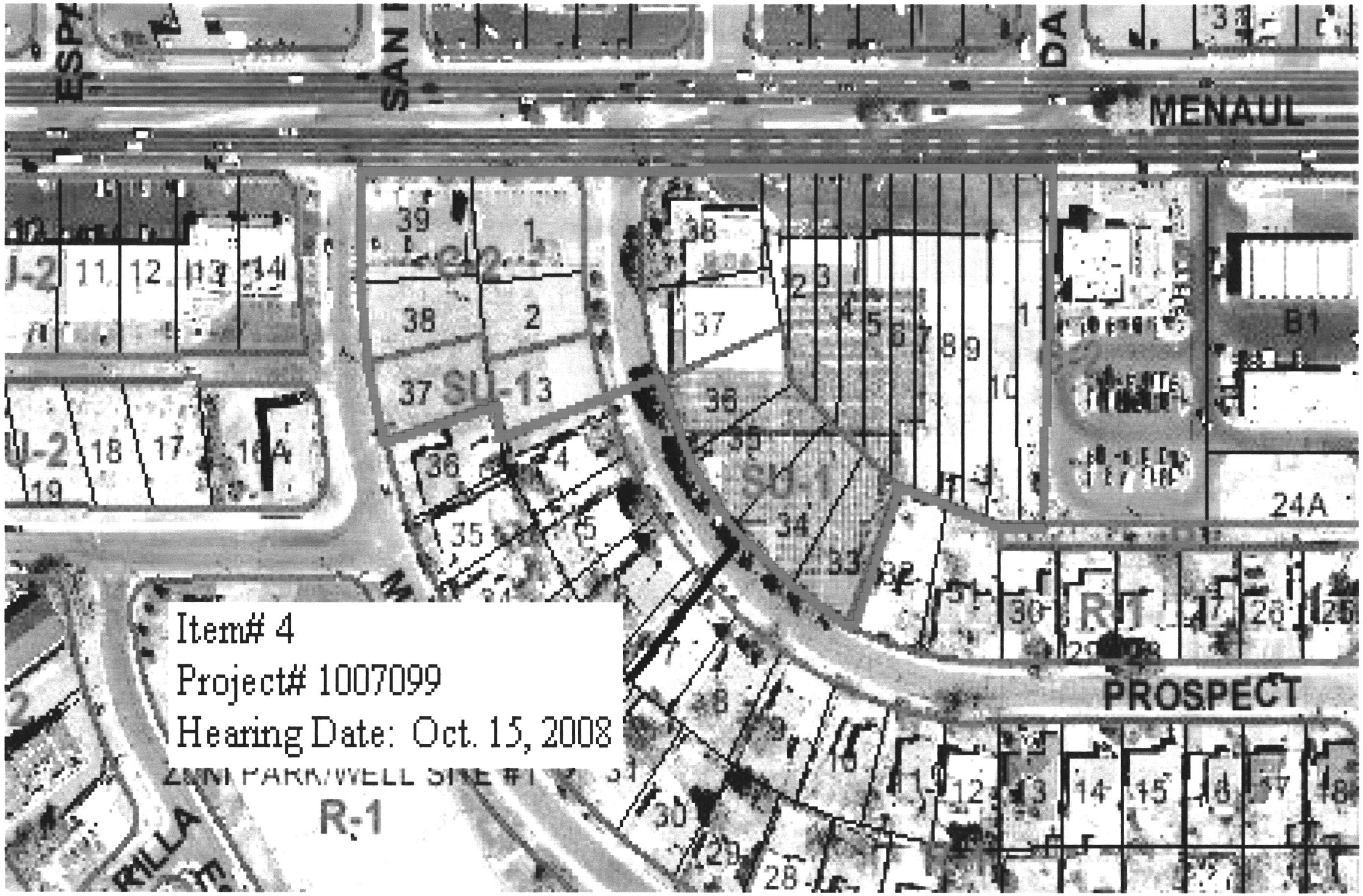
Jack Cloud, AICP, DRB Chair

Cc: The Survey Office – 333 Lomas Blvd NE – Albuquerque, NM 87102
Cc: Sandia Foundation – 6211 San Mateo Blvd NE Ste 100 – Albuquerque, Nm 87109
Marilyn Maldonado
Scott Howell
File

DRB PUBLIC HEARING SIGN IN SHEETS

PROJECT #: 1007099 **AGENDA#** 4 **DATE:** 10/15/08

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


MENAUL
PROSPECT
SU-13
SU-1
R-1
B1
RT
24A
Item# 4
Project# 1007099
Hearing Date: Oct. 15, 2008

City of Albuquerque
Planning Department
Inter-Office Memorandum

To: Jack Cloud, DRB Chair

From: Carol Toffaleti, Staff Planner, Development Review, 924-3345

Date: September 30, 2008

Subject: Project #1007099, 08EPC-40022 Zone Map Amendment, 08EPC-40021 Site Development Plan for Building Permit for the Menaul/Prospect Retail Center

---

The EPC approved these two cases on May 15, 2008 subject to conditions.

Zone Map Amendment
The DRB submittal meets conditions 1 & 3 of the EPC approval. Fulfillment of Condition 2 depends on final sign-off of the accompanying site development plan and is therefore delegated to the DRB.

Site Development Plan for Building Permit
The DRB application meets the 14 conditions of approval with the following exceptions:

- 3.c. – The access easement on the plat submitted by the applicant on September 16, 2008 must be a public not a private easement, as approved by the EPC.
- 3.d. – The attached document is not the actual encroachment agreement, but a letter of intent. Fulfillment of this condition is delegated to the DRB.
- Other subsections of Condition 3 may be delegated to the DRB, as they are conditions of the City Engineer.
- 4. – Staff delegates authority to the DRB for this item, as it pertains to utilities.
- 7. – The design of the railing along the edge of the upper patio (as opposed to the stair rail) is unclear. The material and color of the rail and railing must also be provided. Overall, they should match other structural feature(s) in the development.
- 11. – Staff recommends that the curb cuts that allow rainwater to infiltrate certain landscaped beds be labeled and indicated on the landscape plan as well as the site development plan, to ensure coordination with the placement of plants and gravel. Also, a stray segment of curbing in the landscape bed near the SE corner of the site should be deleted.
- 13.e. – The vertical dimension of typical windows needs correcting.

- 14.b – Concerning the menu sign (C3, sheet 7), the vertical dimension of the sign face, as opposed to the overall height of the sign, must be indicated.
- 14.d. – On sheet 6, the potential locations for wall signs needs to be removed (keyed 2).
- 14.e. – Under Signage Design Guideline C.2.a.iii., move "width" before " 75' ".

In addition, staff has the following comments:

- The color schedule is missing from Elevations sheets 4, 5 & 6. It should match the colors shown on the site plan approved by the EPC.
- Staff could not find the location of any bollard lights on the site development plan (keyed note 4 and detailed in A0 on sheet 7).
- Keyed note 2 on sheets 4, 5 and 6 needs to include "wall sign" in addition to parapet wall sign locations, as they are two distinct types of signs.
- The keyed notes on the other elevation sheets needs to be added to Sheet 9.
- On Sheet 7, under signage guidelines, make the headings for C. & D. bold.
- Because tenant spaces may be combined to form larger spaces (see General Note 11 on sheet 1), not all the public entrances and service doors shown on Elevations sheets 4, 5 & 6 may be used. If the DRB considers that this could pose problems at plan check, staff recommends an additional note on these sheets stating that the number and location of public entrances and service doors is illustrative because tenant spaces may be combined to form larger spaces.

Please feel free to contact me if you have any questions about the above.

Carol Toffelmire

cc. K. Pittman, Van Gilbert Architects

CITY OF ALBUQUERQUE

CITY OF ALBUQUERQUE
PLANNING DEPARTMENT
HYDROLOGY DEVELOPMENT SECTION

DEVELOPMENT REVIEW BOARD--SPEED MEMO

DRB CASE NO/PROJECT NO: 1007099 **AGENDA ITEM NO: 4**

SUBJECT:

Site Plan for BP
Vacation

ACTION REQUESTED:

REV/CMT:() APP:(x) SIGN-OFF:() EXTN:() AMEND:()

PO Box 1293

Albuquerque

NM 87103

www.cabq.gov

ENGINEERING COMMENTS:

The Hydrology Section has no objection to the vacation request on condition that an appropriate public drainage easement be provided.
An approved Subdivision Improvements Agreement with financial guarantees is required for Site Development Plan sign-off by City Engineer.

RESOLUTION: Vac 10-22-08 SP

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

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

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

FOR:

SIGNED: Bradley L. Bingham
City Engineer/AMAFCA Designee
924-3986

DATE: October 15, 2008

CITY OF ALBUQUERQUE
PLANNING DEPARTMENT
PROPERTY OWNERSHIP LIST

Meeting Date: October 15, 2008
Zone Atlas Page: H-19
Notification Radius: 100 Ft.

Project# 1007099
App# 08DRB-70413
08DRB-70414

Cross Reference and Location: MENAUL BLVD NE BETWEEN MESILLA AVE NE AND PROPECT AVE NE

Applicant: SANDIA FOUNDATION
6211 SAN MATEO BLVD NE STE 100
ALBUQUERQUE, NM 87109

Agent: THE SURVEY OFFICE
333 LOMAS BLVD NE
ALBUQUERQUE, NM 87102

Special Instructions:

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

Date Mailed: SEPTEMBER 26, 2008
Signature: ERIN TREMLIN

City of Albuquerque

DEVELOPMENT/ PLAN REVIEW APPLICATION

Supplemental form

SUBDIVISION — S
- ___ Major Subdivision action
- ___ Minor Subdivision action
- V Vacation PORTION OF PUBLIC R-O-W
- ___ Variance (Non-Zoning) PUBLIC UTILITY & DRAINAGE EASEMENTS & AT&T EASEMENT — V

SITE DEVELOPMENT PLAN — P
- ___ for Subdivision
- ___ for Building Permit
- ___ Administrative Amendment (AA)
- ___ IP Master Development Plan
- ___ Cert. of Appropriateness (LUCC)

STORM DRAINAGE — L D
- ___ Storm Drainage Cost Allocation Plan

ZONING & PLANNING — Z
- ___ Annexation
  - ___ County Submittal
  - ___ EPC Submittal
- ___ Zone Map Amendment (Establish or Change Zoning)
- ___ Sector Plan (Phase I, II, III)
- ___ Amendment to Sector, Area, Facility or Comprehensive Plan
- ___ Text Amendment (Zoning Code/Sub Regs)
- ___ Street Name Change (Local & Collector)

APPEAL / PROTEST of... — A
- ___ Decision by: DRB, EPC, LUCC, Planning Director or Staff, ZHE, Zoning Board of Appeals

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

APPLICANT INFORMATION:

Professional/Agent (if any): THE SURVEY OFFICE PHONE: 998-0303
ADDRESS: 333 LOMAS BLVD NE FAX: 998-0305
CITY: ALBQ STATE NM ZIP 87102 E-MAIL:

APPLICANT: SANDIA FOUNDATION PHONE:
ADDRESS: 6211 SAN MATEO BLVD NE, SUITE 100 FAX:
CITY: ALBQ STATE NM ZIP 87109 E-MAIL:
Proprietary interest in site: OWNER List all owners: N/A

DESCRIPTION OF REQUEST: VACATE PORTION OF PROSPECT AVE NE, 10' UTILITY & DRAINAGE EASEMENTS & A 20' AT&T EASEMENT.

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. LOTS 1-11, 33-38, BLK 17 & LOTS 1,2&3, Block: 16 & 17 Unit:
Subdiv/Addn/TBKA: 38, 39 & THE N½ 58.2' OF LOT 37, BLK 16, ZUNI ADDITION
Existing Zoning: C-2 / SU-1 Proposed zoning: N/A
Zone Atlas page(s): H-19-Z UPC Code: 1-019-059-210-252-31520 MRGCD Map No N/A
1-019-059-200-242-31503 1-019-059-222-245-31519 1-019-059-208-232-31502
1-019-059-198-248-315-02 1-019-059-211-229-31506 1-019-059-202-237-31501
1-019-059-197-256-31561
1-019-059-199-248-31201

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# 1007099, 08EPC-40021, 40022, 08DRB-70408

CASE INFORMATION:
Within city limits? ✓ Yes Within 1000FT of a landfill? NO
No. of existing lots: 23 No. of proposed lots: 1 Total area of site (acres): 4.1830 AC

LOCATION OF PROPERTY BY STREETS: On or Near: MENAUL BLVD NE
Between: MESILLA AVE NE and PROSPECT AVE NE

Check-off if project was previously reviewed by Sketch Plat/Plan ☒, or Pre-application Review Team ☐. Date of review: 9-24-08

SIGNATURE M. Maple DATE 9-19-08
(Print) Gary Maple Applicant: ☐ Agent: ☒

FOR OFFICIAL USE ONLY

Form revised 4/07

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

Application case numbers		Action	S.F.	Fees
08DRB	-70413	VPE		$175.00
08DRB	-70414	VRW		$300.00
		ADV		$75.00
		GME		$70.00
				$
				Total $575.00

Hearing date 10/15/08

Sandy Hardley 09/19/08 Project # 1007099
Planner signature / date

FORM V: SUBDIVISION VARIANCES & VACATIONS

☐ **BULK LAND VARIANCE (DRB04)** **(PUBLIC HEARING CASE)**

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

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

☑ **VACATION OF PUBLIC EASEMENT (DRB27)** 10' UTILITY & DRAINAGE EASEMENTS & 20' AT&T EASEMENT
☑ **VACATION OF PUBLIC RIGHT-OF-WAY (DRB28)** PORTION OF PROSPECT AVE NE

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

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

☐ **SIDEWALK VARIANCE (DRB20)**
☐ **SIDEWALK WAIVER (DRB21)**

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

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

☐ **SUBDIVISION DESIGN VARIANCE FROM MINIMUM DPM STANDARDS (DRB25)**

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

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

☐ **TEMPORARY DEFERRAL OF SIDEWALK CONSTRUCTION (DRB19)**
☐ **EXTENSION OF THE SIA FOR TEMPORARY DEFERRAL OF SIDEWALK CONSTRUCTION (DRB07)**

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

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

☐ **VACATION OF PRIVATE EASEMENT (DRB26)**
☐ **VACATION OF RECORDED PLAT (DRB29)**

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

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

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

Gary Maple
Applicant name (print)
9-19-08
Applicant signature / date

Form revised 4/07

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

Application case numbers
07DRB - 7048
07DRB - 7044
___ - ___ - ___

Sandy Handley 09/19/08
Planner signature / date
Project # 1007099

Rec	COASDE.BERNCO.ParcelDec_2007.UPC	COASDE.BERNCO.ParcelDec_2007.OWNER	COASDE.BERNCO.ParcelDec_2007.OWNADD	COASDE.BERNCO.ParcelDec_2007.OWNCITY	COASDE.BERNCO.ParcelDec_2007.OWNSTATE	COASDE.BERNCO.ParcelDec_2007.OWNZIPCODE	COASDE.BERNCO.ParcelDec_2007.PROPCLASS	COASDE.BERNCO.ParcelDec_2007.TAXDIST	COASDE.BERNCO.ParcelDec_2007.LEGALDESC	COASDE.BERNCO.ParcelDec_2007.ACRES	COASDE.BERNCO.ParcelDec_2007.OBJECTID
1	101905922920731227	CANDELARIA SAMUEL A & BRENDA J	7500 PROSPECT AVE NE	ALBUQUERQUE	NM	87110	R	A1A	* 013 016ZUNI ADDN	0.15915174	33401
2	101905923520731226	SERGEANT TERRY MICHAEL & FOSTEEN CAROL	7504 PROSPECT AVE NE	ALBUQUERQUE	NM	87110	R	A1A	* 014 016ZUNI ADDN	0.1486201	33402
3	101905924120731225	BASSHAM MELONIE D	1905 APPLE LN NW	ALBUQUERQUE	NM	87104	R	A1A	* 015 016ZUNI ADDN	0.15701682	33403
4	101905924820731224	C DE BACA LORI KIM & RUDY A C DE BACA & JOAN R C DE ABCA	7512 PROSPECT AVE NE	ALBUQUERQUE	NM	87110	R	A1A	* 016 016ZUNI ADDN	0.14908974	33404
5	101905925320731223	HAGGARD WILLIAM E	7516 PROSPECT AVE NE	ALBUQUERQUE	NM	87110	R	A1A	* 017 016ZUNI ADDN	0.15406769	33405
6	101905922220731228	LUCERO ROBERT L JR	388 SHADOW RUN DR	SAN JOSE	CA	95110	R	A1A	* 012 016ZUNI ADDN	0.15330422	34095
7	101905926020731222	BYRNES TIMOTHY ROBERT	7520 PROSPECT AVE NE	ALBUQUERQUE	NM	87110	R	A1A	* 018 016ZUNI ADDN	0.14056816	34096
8	101905920420031212	SANTIAGO ROSE M & ANNA A SCHNEIDER & BERNADETTE M SANTIAGO	7501 CUTLER AVE NE	ALBUQUERQUE	NM	87110	R	A1A	* 028 016ZUNI ADDN	0.17019658	34149
9	101905921119831213	KIBODEAUX TERRIANN	7505 CUTLER AVE NE	ALBUQUERQUE	NM	87110	R	A1A	* 027 016ZUNI ADDN	0.17791298	38627
10	101905921719731214	RIVERA ANTONIO	7509 CUTLER AVE NE	ALBUQUERQUE	NM	87110	R	A1A	* 026 016ZUNI ADDN	0.17641483	38847
11	101905919520631210	ROBINSON DEREK NAURU	9411 NORTHRIDGE DR NE	ALBUQUERQUE	NM	87111	R	A1A	* 030 016ZUNI ADDN	0.17154994	40457
12	101905920220231211	KOVAL KEVIN J	6312 AVENIDA LA COSTA NE	ALBUQUERQUE	NM	87109	R	A1A	* 029 016ZUNI ADDN	0.16250623	40499
13	101905921720831229	BACA JOE J & THELMA R	7440 PROSPECT AVE NE	ALBUQUERQUE	NM	87110	R	A1A	* 011 016ZUNI ADDN	0.15972551	45242
14	101905923924431517	BOWLING MICHAEL R & WENDI L	685 LAS BARRANCAS DR	DANVILLE	CA	94526	C	A1A	LOT 18-A BLOCK 17 PLAT OF LOTS 18-A, 24-A, 25-A & TRACT B-1BLOCK 17 ZUNI ADDITION	1.19791093	50024
15	101905919625631501	SANDIA FOUNDATION	6211 SAN MATEO BLVD	ALBUQUERQUE	NM	87109	C	A1A	* 038 017ZUNI ADDN	0.26076445	55385

			NE SUI TE 100								
16	101905 922224 531519	SANDIA FOUND ATION	6211 SA N MATE O BLVD NE SUI TE 100	ALBUQ UERQU E	NM	87109	C	A1A	* 006 017ZUNI ADDN LTS 6, 7 , 8, 9, 10 & 11	1.04318 388	55386
17	101905 917424 831201	SANDIA FOUND ATION	6211 SA N MATE O BLVD NE SUI TE 100	ALBUQ UERQU E	NM	87109	V	A1A	LTS 1 THRU 3 38 39 & 37 EX C SLY 11.0 FT BLK 16 ZUNI A DDN & SLY 40 FT VAC	1.11128 579	55387
18	101905 921025 231520	SANDIA FOUND ATION	6211 SA N MATE O BLVD NE SUI TE 100	ALBUQ UERQU E	NM	87109	C	A1A	017ZUNI ADD N LTS 1 2 3 4 X 5	0.58162 409	55388
19	101905 915025 231415	CHOI JEAN & KI MBERLY A	7212 M ENAUL BLVD N E	ALBUQ UERQU E	NM	87110	C	A1A	LOTS 13 & 14 BLK 15 ZUNI A DDN & SLY 40 FT VAC MEN AUL BL	0.43450 027	55389
20	101905 925724 831516	LEASE PLAN NO RTH AMERICA IN C & CSL LEASIN G INC	PO BOX 358	BORGE R	TX	79008	C	A1A	TRACT B-1 BLOCK 17 P LAT OF LOTS 18-A, 24-A, 25-A & TRACT B-1BLOCK 17 Z UNI ADDITION CONT 1.0459 AC	1.04503 101	55391
21	101905 919824 831502	SANDIA FOUND ATION	6211 SA N MATE O BLVD NE SUI TE 100	ALBUQ UERQU E	NM	87109	C	A1A	* 037 017ZUNI ADDN	0.19817 981	60001
22	101905 918021 931207	HANSON MICHA EL R	2416 M ESILLA AVE NE	ALBUQ UERQU E	NM	87110	R	A1A	* 033 016ZUNI ADDN	0.15115 378	61489
23	101905 914927 920501	ALBUQUERQUE NATL BANK % B URR WOLFF LP	PO BOX 2818	ALPHA RETTA	GA	30023	C	A1A	TRA REPLAT OF LOTS 1 TH RU 5 BLK 5 B ROAD ACRES SUBD	0.95108 986	61679
24	101905 921021 131230	POOS LAUREN T	7436 PR OSPEC T NE	ALBUQ UERQU E	NM	87110	R	A1A	* 010 016ZUNI ADDN	0.15764 449	67558
25	101905 918921 031209	SANCHEZ TOMA SITA	2408 M ESILLA ST NE	ALBUQ UERQU E	NM	87110	R	A1A	* 031 016ZUNI ADDN	0.16231 852	67561
26	101905 921122 931506	SANDIA FOUND ATION	6211 SA N MATE O BLVD NE SUI TE 100	ALBUQ UERQU E	NM	87109	C	A1A	* 033 017ZUNI ADDN	0.16596 051	70096
27	101905 925723 331515	LEASE PLAN NO RTH AMERICA IN C & CSL LEASIN G INC	PO BOX 52085 DC-17	PHOENI X	AZ	85072	V	A1A	LOT 24-A BLOCK 17 P LAT OF LOTS 18-A, 24-A, 25-A & TRACT B-1BLOCK 17 Z UNI ADDITION CONT .3489 A C	0.34872 284	70097
28	101905 918623	SALAS RICHARD S ETUX	7416 PR OSPEC	ALBUQ UERQU	NM	87110	R	A1A	* 005 016ZUNI ADDN	0.15913 112	70098

	031235		T AVE N E	E							
29	101905 914323 731412	DOUGHTY ENTE RPRISES INC	7009 PR OSPEC T PL NE	ALBUQ UERQU E	NM	87109	V	A1A	* 017 015ZUNI ADDN	0.17639 629	73171
30	101905 920223 731504	SANDIA FOUND ATION	6211 SA N MATE O BLVD NE SUI TE 100	ALBUQ UERQU E	NM	87109	C	A1A	* 035 017ZUNI ADDN	0.18065 804	73180
31	101905 915323 731413	CITY OF ALBUQ UERQUE REAL E STATE DEPT	PO BOX 1293	ALBUQ UERQU E	NM	87103	V	A1A	LOT 16A BLK 15 PLAT OF L OT 16A BLK 1 5 ZUNI ADDITI ON CONT 13,4 92 SQ FT +-	0.28992 606	73181
32	101905 918223 631236	ASTIN AIDEN	11007 C HRISTM AS FER N	HOUST ON	TX	77064	R	A1A	* 004 016ZUNI ADDN	0.16128 792	73336
33	101905 917227 920601	HUNTER WELDO N B ETUX	7301 M ENAUL BLVD N E	ALBUQ UERQU E	NM	87110	C	A1A	* 001 006BRO AD ACRES SU BD	0.18330 224	73635
34	101905 919422 031233	YURCIC JASON	7424 PR OSPEC T AVE N E	ALBUQ UERQU E	NM	87110	R	A1A	* 007 016ZUNI ADDN	0.17334 191	73810
35	101905 916220 731103	CITY OF ALBUQ UERQUE REAL E STATE OFFICE P RK	PO BOX 1293	ALBUQ UERQU E	NM	87103	V	A1A	ZUNI ADDN Z UNI PARK	2.47244 397	73830
36	101905 924927 920802	KREIDER KENNE TH K II & KREIDE R THOMAS A	9012 PR INCESS JEANN E NE	ALBUQ UERQU E	NM	87112	C	A1A	* 003 008BRO AD ACRES	0.17673 615	73994
37	101905 924127 920801	KELLY THELMA J C/O JOANN CA HILL TRUSTEE	PO BOX 76	TIJERA S	NM	87059	C	A1A	* 001 008BRO AD ACRES X L 2	0.36667 558	73995
38	101905 917622 331206	TAFOYA DAVID S	2420 M ESILLA ST NE	ALBUQ UERQU E	NM	87110	R	A1A	* 034 016ZUNI ADDN	0.17617 415	74050
39	101905 918827 920604	HUNTER WELDO N B ETUX	7301 M ENAUL BLVD N E	ALBUQ UERQU E	NM	87110	C	A1A	* 004 006BRO AD ACRES SU BD	0.18346 788	74066
40	101905 919227 920605	HUNTER WELDO N B ETUX	7301 M ENAUL BLVD N E	ALBUQ UERQU E	NM	87110	C	A1A	* 005 006BRO AD ACRES SU BD	0.21530 083	74067
41	101905 920527 920701	HUNTER WELDO N B ETUX	7301 M ENAUL BLVD N E	ALBUQ UERQU E	NM	87110	C	A1A	* 001 007BRO AD ACRES	0.20705 174	74068
42	101905 921027 920702	HUNTER WELDO N B ETUX	7301 M ENAUL BLVD N E	ALBUQ UERQU E	NM	87110	C	A1A	* 002 007BRO AD ACRES	0.17645 025	74070
43	101905 918227 920603	HUNTER WELDO N B ETUX	7301 M ENAUL BLVD N E	ALBUQ UERQU E	NM	87110	C	A1A	* 003 006BRO AD ACRES SU BD	0.18454 166	74071
44	101905 921627 920703	HUNTER WELDO N B ETUX	7301 M ENAUL BLVD N E	ALBUQ UERQU E	NM	87110	C	A1A	* 003 007BRO AD ACRES	0.18468 86	74072

45	101905 922227 920704	ROSS FAMILY LT D PTNS C/O ROB IN ROSS	420 LAK E ROAD SUITE 113	DEERFI ELD	IL	60015	C	A1A	* 004 007BRO AD ARCES XL 5	0.36580 75	74073
46	101905 917827 920602	HUNTER WELDO N B ETUX	7301 M ENAUL BLVD N E	ALBUQ UERQU E	NM	87110	C	A1A	* 002 006BRO AD ACRES SU BD	0.17403 61	74077
47	101905 925927 920803	KREIDER ABRA M H & SHIRLEY A	9012 PR INCESS JEANN E NE	ALBUQ UERQU E	NM	87112	C	A1A	* 004 008BRO AD ARCES XL T 5X6	0.50460 336	74084
48	101905 922222 531508	ROMERO JAMES D	7443 PR OSPEC T AVE N E	ALBUQ UERQU E	NM	87110	R	A1A	* 031 017ZUNI ADD	0.20019 51	74270
49	101905 920024 231503	SANDIA FOUND ATION	6211 SA N MATE O BLVD NE SUI TE 100	ALBUQ UERQU E	NM	87109	C	A1A	* 036 017ZUNI ADDN	0.17765 806	74301
50	101905 917123 631204	HARWELL JAME S P ETUX	2500 M ESILLA ST NE	ALBUQ UERQU E	NM	87110	R	A1A	LOT 36 & THE SOUTHERLY 11.0FT OF LO T 37 BLOCK 1 6 ZUNI ADD	0.16840 608	74317
51	101905 920823 231505	SANDIA FOUND ATION	6211 SA N MATE O BLVD NE SUI TE 100	ALBUQ UERQU E	NM	87109	C	A1A	* 034 017ZUNI ADDN	0.19245 226	74336
52	101905 917323 031205	TAFOYA DAVID S ETUX	2420 M ESILLA ST NE	ALBUQ UERQU E	NM	87110	R	A1A	* 035 016ZUNI ADDN	0.15192 456	74354
53	101905 921722 731507	GARCIA BETTY J O	7437 PR OSPEC T AVE N E	ALBUQ UERQU E	NM	87110	R	A1A	* 032 017ZUNI ADDN	0.19309 511	74384
54	101905 919022 331234	MCCUTCHEON HAROLD E & LO UISE F	7420 PR OSPEC T AVE N E	ALBUQ UERQU E	NM	87110	R	A1A	* 006 016ZUNI ADDN	0.17029 688	74419
55	101905 926322 431514	POHL CHARLIE & FRANCES S	7521 PR OSPEC T NE	ALBUQ UERQU E	NM	87110	R	A1A	LOT 25-A BLOCK 17 P LAT OF LOTS 18-A, 24-A, 25-A & TRACT B-1BLOCK 17 Z UNI ADDITION CONT .2137 A C	0.21363 783	74440
56	101905 925322 431513	CARTER LYN	4001 TR ACY ST NE	ALBUQ UERQU E	NM	87111	R	A1A	* 026 017LOT 26 EXC NLY 2 0FT BLK 17 Z UNI ADDN	0.14266 905	74441
57	101905 924722 531512	SALAZAR PHYLL IS BENIA & MAD ELYN MCCABE & YOLANDA BAIN & CLAIRE BAIN & ANNA BAIN	7513 PR OSPEC T AVE N E	ALBUQ UERQU E	NM	87110	R	A1A	* 027 017ZUNI ADDN LT 27 E XC NLY 20FT	0.13469 268	74442
58	101905 924122 431511	CRAIG WILLIAM G & BONNIE K C O-TRUSTEES CRAI G LIVING TRUST	11521 T AHITI P L NE	ALBUQ UERQU E	NM	87111	R	A1A	* 028 017LOT 28 BLK 17 EX C NLY 20FT Z UNI ADDN	0.14634 326	74443
5	101905	VALADEZ JOSE	7505 PR	ALBUQ	NM	87110	R	A1A	* 29 017LOT 2	0.13264	74444

9	923422 431510	C	OSPEC T AVE N E	UERQU E					9 BLK 17 EXC NLY 20FT ZUN I ADDN	172	
60	101905 922922 431509	SUNDSMO JAME S C & CATHERIN E	7501 PR OSPEC T AVE N E	ALBUQ UERQU E	NM	87110	R	A1A	* 030 017SLY 100FT LOT 30 BLK 17 ZUNI A DDN	0.13176 755	74445
61	101905 920021 631232	DILL JUDY ANN	7428 PR OSPEC T AVE N E	ALBUQ UERQU E	NM	87110	R	A1A	* 008 016ZUNI ADDN	0.15920 385	74473
62	101905 918321 431208	WOMACK EDITH H	2412 M ESILLA ST NE	ALBUQ UERQU E	NM	87110	R	A1A	* 032 016ZUNI ADDN	0.16975 037	74489
63	101905 920421 331231	SALCIDO PEDR O J & INEZ A SAL CIDO FAMILY TR UST	8809 VA LLEY C REEK D R	LAS VE GAS	NV	89134	R	A1A	* 009 016ZUNI ADDN	0.17345 829	74503
64	101905 912925 331419	RUNNING J LLC	PO BOX 1228	BELEN	NM	87002	C	A1A	E 24.07FT LT 8 & LTS 9 10 1 1 12 BLK 15 Z UNI ADDN & S LY 40FTOF VA C MENAUL	1.01596 187	79294

OR CURRENT RESIDENT
·10190591 4927920501
ALBUQUERQUE NATL BANK % BURR WOLFF LP
PO BOX 2818
ALPHARETTA, GA 30023

OR CURRENT RESIDENT
101905924120731225
BASSHAM MELONIE D
1905 APPLE LN NW
ALBUQUERQUE, NM 87104

OR CURRENT RESIDENT
101905924820731224
C DE BACA LORI KIM & RUDY A C DE BACA & JOAN R C DE ABCA
7512 PROSPECT AVE NE
ALBUQUERQUE, NM 87110

OR CURRENT RESIDENT
101905915025231415
CHOI JEAN & KIMBERLY A
7212 MENAUL BLVD NE
ALBUQUERQUE, NM 87110

OR CURRENT RESIDENT
101905914323731412
DOUGHTY ENTERPRISES INC
7009 PROSPECT PL NE
ALBUQUERQUE, NM 87109

OR CURRENT RESIDENT
101905918021931207
HANSON MICHAEL R
2416 MESILLA AVE NE
ALBUQUERQUE, NM 87110

OR CURRENT RESIDENT
101905924127920801
KELLY THELMA J C/O JOANN CAHILL TRUSTEE
PO BOX 76
TIJERAS, NM 87059

OR CURRENT RESIDENT
101905925927920803
KREIDER ABRAM H & SHIRLEY A
9012 PRINCESS JEANNE NE
ALBUQUERQUE, NM 87112

OR CURRENT RESIDENT
101905922220731228
LUCERO ROBERT L JR
388 SHADOW RUN DR
SAN JOSE, CA 95110

OR CURRENT RESIDENT
101905921021131230
POOS LAUREN T
7436 PROSPECT NE
ALBUQUERQUE, NM 87110

OR CURRENT RESIDENT
101905918223631236
ASTIN AIDEN
11007 CHRISTMAS FERN
HOUSTON, TX 77064

OR CURRENT RESIDENT
101905923924431517
BOWLING MICHAEL R & WENDI L
685 LAS BARRANCAS DR
DANVILLE, CA 94526

OR CURRENT RESIDENT
101905922920731227
CANDELARIA SAMUEL A & BRENDA J
7500 PROSPECT AVE NE
ALBUQUERQUE, NM 87110

OR CURRENT RESIDENT
101905924122431511
CRAIG WILLIAM G & BONNIE K CO-TRUSTEES CRAIG LIVING TRUST
11521 TAHITI PL NE
ALBUQUERQUE, NM 87111

OR CURRENT RESIDENT
101905921722731507
GARCIA BETTY JO
7437 PROSPECT AVE NE
ALBUQUERQUE, NM 87110

OR CURRENT RESIDENT
101905917123631204
HARWELL JAMES P ETUX
2500 MESILLA ST NE
ALBUQUERQUE, NM 87110

OR CURRENT RESIDENT
101905921119831213
KIBODEAUX TERRIANN
7505 CUTLER AVE NE
ALBUQUERQUE, NM 87110

OR CURRENT RESIDENT
101905925723331515
LEASE PLAN NORTH AMERICA INC & CSL LEASING INC
PO BOX 52085 DC-17
PHOENIX, AZ 85072

OR CURRENT RESIDENT
101905919022331234
MCCUTCHEON HAROLD E & LOUISE F
7420 PROSPECT AVE NE
ALBUQUERQUE, NM 87110

OR CURRENT RESIDENT
101905921719731214
RIVERA ANTONIO
7509 CUTLER AVE NE
ALBUQUERQUE, NM 87110

OR CURRENT RESIDENT
101905921720831229
BACA JOE J & THELMA R
7440 PROSPECT AVE NE
ALBUQUERQUE, NM 87110

OR CURRENT RESIDENT
101905926020731222
BYRNES TIMOTHY ROBERT
7520 PROSPECT AVE NE
ALBUQUERQUE, NM 87110

OR CURRENT RESIDENT
101905925322431513
CARTER LYN
4001 TRACY ST NE
ALBUQUERQUE, NM 87111

OR CURRENT RESIDENT
101905920021631232
DILL JUDY ANN
7428 PROSPECT AVE NE
ALBUQUERQUE, NM 87110

OR CURRENT RESIDENT
101905925320731223
HAGGARD WILLIAM E
7516 PROSPECT AVE NE
ALBUQUERQUE, NM 87110

OR CURRENT RESIDENT
101905917227920601
HUNTER WELDON B ETUX
7301 MENAUL BLVD NE
ALBUQUERQUE, NM 87110

OR CURRENT RESIDENT
101905920220231211
KOVAL KEVIN J
6312 AVENIDA LA COSTA NE
ALBUQUERQUE, NM 87109

OR CURRENT RESIDENT
101905925724831516
LEASE PLAN NORTH AMERICA INC & CSL LEASING INC
PO BOX 358
BORGER, TX 79008

OR CURRENT RESIDENT
101905926322431514
POHL CHARLIE & FRANCES S
7521 PROSPECT NE
ALBUQUERQUE, NM 87110

OR CURRENT RESIDENT
101905919520631210
ROBINSON DEREK NAURU
9411 NORTHRIDGE DR NE
ALBUQUERQUE, NM 87111

OR CURRENT RESIDENT
101905922222531508
ROMERO JAMES D
7443 PROSPECT AVE NE
ALBUQUERQUE, NM 87110

OR CURRENT RESIDENT
101905918623031235
SALAS RICHARD S ETUX
7416 PROSPECT AVE NE
ALBUQUERQUE, NM 87110

OR CURRENT RESIDENT
101905918921031209
SANCHEZ TOMASITA
2408 MESILLA ST NE
ALBUQUERQUE, NM 87110

OR CURRENT RESIDENT
101905923520731226
SERGEANT TERRY MICHAEL &
FOSTEEN CAROL
7504 PROSPECT AVE NE
ALBUQUERQUE, NM 87110

OR CURRENT RESIDENT
101905923422431510
VALADEZ JOSE C
7505 PROSPECT AVE NE
ALBUQUERQUE, NM 87110

Project# 1007099
THE SURVEY OFFICE
333 LOMAS BLVD NE
ALBUQUERQUE, NM 87102

Project# 1007099
STEPHEN VERCHINSKI
Classic Uptown NA
2700 ESPANOLA NE
ALBUQUERQUE, NM 87110

Project# 1007099
BETTE WEBER
Inez NA
1927 VIRGINIA ST NE
ALBUQUERQUE, NM 87110

Project# 1007099
WINNIE SCHMIDT
Quigley Park NA
2916 CUERVO DR NE
ALBUQUERQUE, NM 87110

Project# 1007099
ANDREA HENDERSON
Snow Heights NA
1317 RHODE ISLAND NE
ALBUQUERQUE, NM 87110

OR CURRENT RESIDENT
101905922227920704
ROSS FAMILY LTD PTNS C/O ROBIN
ROSS
420 LAKE ROAD SUITE 113
DEERFIELD, IL 60015

OR CURRENT RESIDENT
101905924722531512
SALAZAR PHYLLIS BENIA &
MADELYN MCCABE & YOLANDA
BAIN & CLAIRE BAIN & ANNA BAIN
7513 PROSPECT AVE NE
ALBUQUERQUE, NM 87110

Project# 1007099
101905919625631501
SANDIA FOUNDATION
6211 SAN MATEO BLVD NE SUITE 100
ALBUQUERQUE, NM 87109

OR CURRENT RESIDENT
101905922922431509
SUNDSMO JAMES C & CATHERINE
7501 PROSPECT AVE NE
ALBUQUERQUE, NM 87110

OR CURRENT RESIDENT
101905918321431208
WOMACK EDITH H
2412 MESILLA ST NE
ALBUQUERQUE, NM 87110

Project# 1007099
BILL STERCHI
Alvarado Park NA
5607 PRINCESS JEANNE NE
ALBUQUERQUE, NM 87110

Project# 1007099
PATTI FLANAGAN
Classic Uptown NA
2716 ESPANOLA NE
ALBUQUERQUE, NM 87110

Project# 1007099
JULIE JONES
Jerry Cline Park NA
7625 WINTER AVE NE
ALBUQUERQUE, NM 87110

Project# 1007099
MARIA YOUNG
Quigley Park NA
2932 MADEIRA DR NE
ALBUQUERQUE, NM 87110

Project# 1007099
LOUIS PETERSON
Uptown Progress Team Inc
10 TRAMWAY LOOP NE
ALBUQUERQUE, NM 87110

OR CURRENT RESIDENT
101905912925331419
RUNNING J LLC
PO BOX 1228
BELEN, NM 87002

OR CURRENT RESIDENT
101905920421331231
SALCIDO PEDRO J & INEZ A SALCIDO
FAMILY TRUST
8809 VALLEY CREEK DR
LAS VEGAS, NV 89134

OR CURRENT RESIDENT
101905920420031212
SANTIAGO ROSE M & ANNA A
SCHNEIDER & BERNADETTE M
SANTIAGO
7501 CUTLER AVE NE
ALBUQUERQUE, NM 87110

OR CURRENT RESIDENT
101905917622331206
TAFOYA DAVID S
2420 MESILLA ST NE
ALBUQUERQUE, NM 87110

OR CURRENT RESIDENT
101905919422031233
YURCIC JASON
7424 PROSPECT AVE NE
ALBUQUERQUE, NM 87110

Project# 1007099
NATASHA CARTY
Alvarado Park NA
5907 PRINCESS JEANNE 87110
ALBUQUERQUE, NM 87110

Project# 1007099
EVELYN B FELTNER
Inez NA
2014 UTAH ST NE
ALBUQUERQUE, NM 87110

Project# 1007099
RON GOLDSMITH
Jerry Cline Park NA
1216 ACAZAR ST NE
ALBUQUERQUE, NM 87110

Project# 1007099
LAURA HEITMAN
Snow Heights NA
8011 PRINCESS JEANNE NE
ALBUQUERQUE, NM 87110

Project# 1007099
MARCY COOK
Uptown Progress Team Inc
6565 AMERICAS PKWY NE #200
ALBUQUERQUE, NM 87110

Project# 1007099
RICHARD PETERSON
Winrock South NA
7110 CONSTITUTION AVE NE
ALBUQUERQUE, NM 87110

Project# 1007099
VIRGINIA KINNEY
Winrock South NA 7110 CONSTITUTION
AVE NE
ALBUQUERQUE, NM 87110

Project# 1007099
SHARON BERLINT
Zuni NA
7516 EUCLID NE
ALBUQUERQUE, NM 87110

Project# 1007099
ALLAN SMITH
Zuni NA
7522 EUCLID NE
ALBUQUERQUE, NM 87110

UPTOWN NEIGHBORHOOD ASSOCIATION LIST

(as of August 28, 2008)

Alvarado Park Neighborhood Association "R"

Bill Sterchi
5607 Princess Jeanne NE/87110 255-0579 (h) 417-4529 (c)

Natasha Carty
5907 Princess Jeanne NE/87110 268-5049 (h)

Classic Uptown Neighborhood Association "R"

Stephen Verchinski
2700 Espanola NE/87110 888-1370 (h) 238-2398 (c) 476-3390 (w)

Patti Flanagan
2716 Espanola NE/87110 323-2168 (h)

Inez Neighborhood Association "R"

Evelyn B. Feltner
2014 Utah St. NE/87110 271-9027 (h)

Bette Weber
1927 Virginia St. NE/87110 292-1756 (h)

Jerry Cline Park Neighborhood Association "R"

Julie Jones
7625 Winter Ave. NE/87110 232-4638 (h)

Ron Goldsmith
1216 Alcazar St. NE/87110 232-9516 (h)

Quigley Park Neighborhood Association "R"

Winnie Schmidt
2916 Cuervo Dr. NE/87110-3106 881-2155 (h) 980-9362 (c)

Maria Young
2932 Madeira Dr. NE/87110 883-0218 (h)

Snow Heights Neighborhood Association "R"

Laura Heitman
8011 Princess Jeanne NE/87110 299-4959 (h)

Andrea Henderson
1317 Rhode Island NE/87110 294-9929 (h)

Uptown Progress Team, Inc. "R"

Louis Abruzzo
10 Tramway Loop NE/87122 856-2726 (w)

Marcy Cook
6565 Americas Parkway NE #200/87110 563-5969 (w)

Winrock South Neighborhood Association "R"

Richard Peterson
7110 Constitution Ave. NE/87110-7122 255-0414 (message #)

Virginia Kinney
7110 Constitution Ave. NE/87110-7122 255-0414 (message)

Zuni Neighborhood Association "R"

Sharon Berlint
7516 Euclid NE/87110 875-1137 (h)

Allan Smith
7522 Euclid NE/87110 837-1752 (h)

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

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

September 17, 2008

Gary Maple
The Survey Office, LLC
333 Lomas Boulevard NE/87102
Phone: 998-0303/Fax: 998-0305

Dear Gary:

Thank you for your inquiry of September 17, 2008 requesting the names of **ALL Neighborhood and/or Homeowner Associations** who would be affected under the provisions of O-92 by your proposed project at **LOTS 1-11, 33-38, BLOCK 17 AND LOTS 1,2,3,38,39 AND THE NLY 58.20' OF LOT 37, BLOCK 16, ZUNI ADDITION, LOCATED ON MENAUL BOULEVARD NE BETWEEN MESILLA AVENUE NE AND PROSPECT AVENUE NE** zone map **H-19.**

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

SEE ATTACHED UPTOWN NA LIST

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

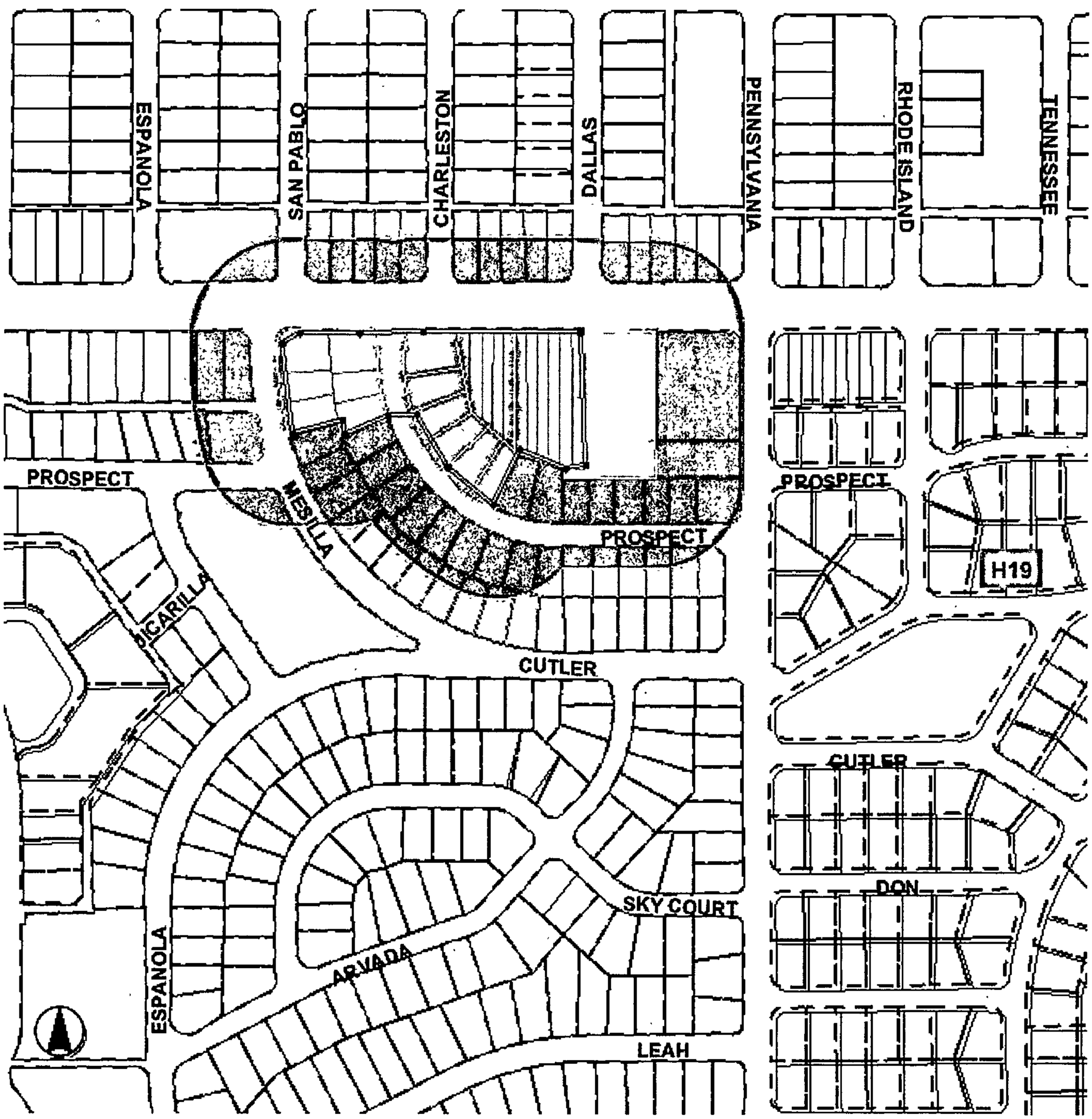
Sincerely,

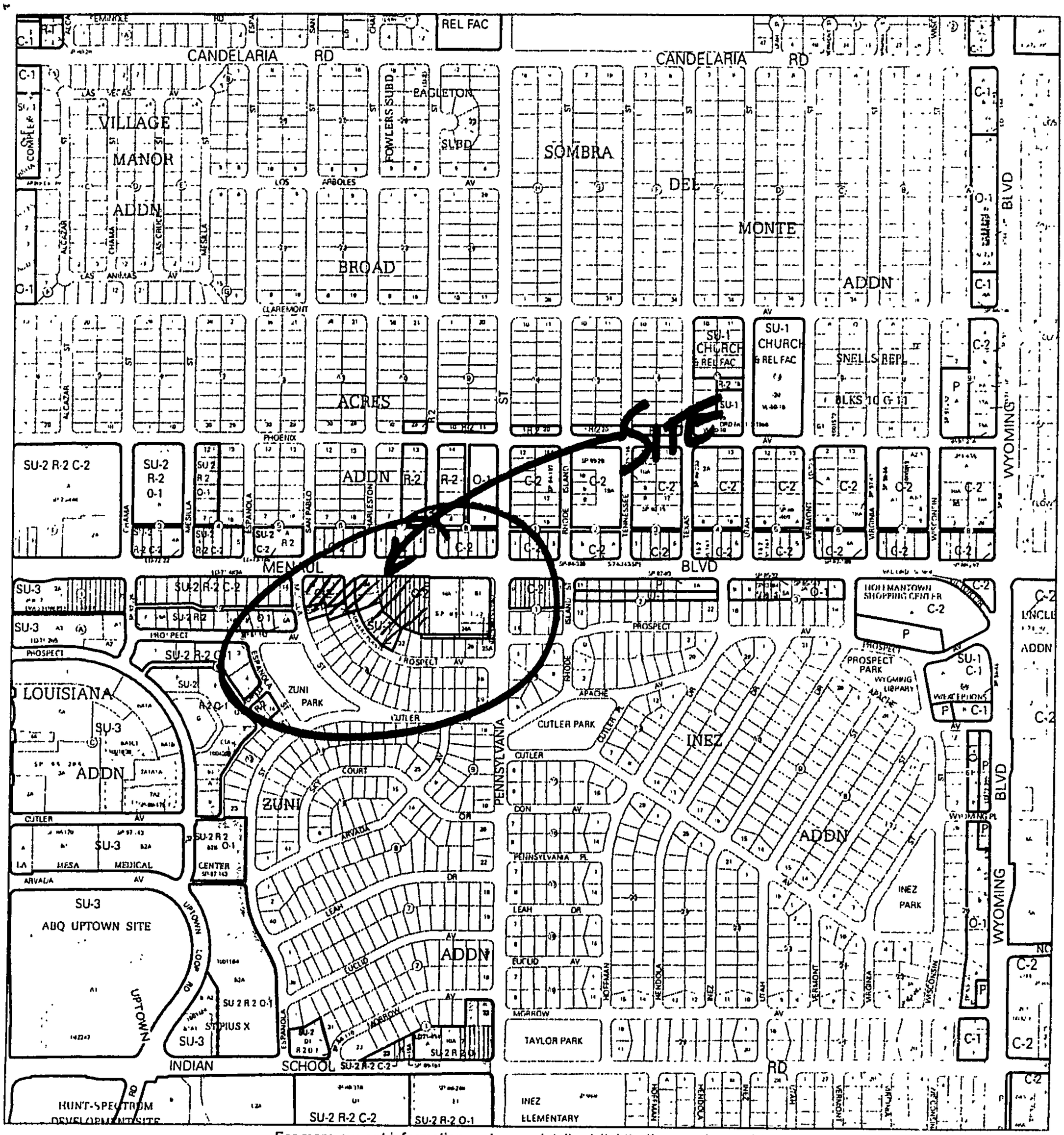
Stephani Winklepleck

Stephani I. Winklepleck
Neighborhood Liaison
OFFICE OF NEIGHBORHOOD COORDINATION
Planning Department

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

planningrnaform(07/23/07)

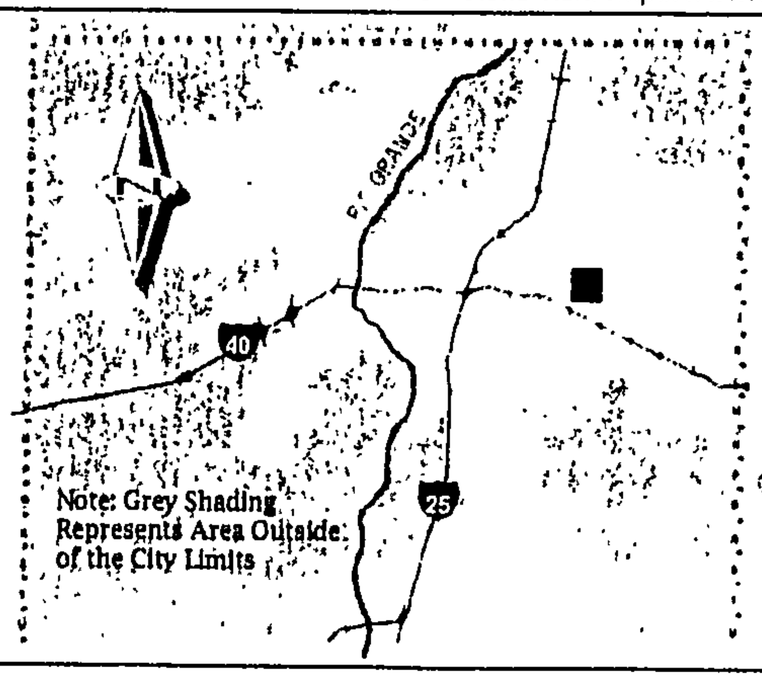

ESPANOLA
SAN PABLO
CHARLESTON
DALLAS
PENNSYLVANIA
RHODE ISLAND
TENNESSEE
PROSPECT
MESILLA
PICARILLA
PROSPECT
PROSPECT
H19
CUTLER
CUTLER
DON
SKY COURT
ARVADA
ESPANOLA
LEAH



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

Albuquerque Geographic Information System

Map amended through: 6/13/2008



Zone Atlas Page:

H-19-Z

Selected Symbols

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

0 750 1,500 Feet

The Survey Office, LLC

*333 Lomas Blvd., NE * Albuquerque, New Mexico 87102 * 998-0303 * Fax 998-0305*

September 19, 2008

DEVELOPMENT REVIEW BOARD MEMBERS
PLAZA DEL SOL
600 SECOND STREET NW
ALBUQUERQUE, NM 87102

REF: VACATION ACTION – ZUNI ADDITION

Dear Board Members:

The purpose of the vacation request for the above referenced property is to vacate portion of Prospect Ave NE and various public utility easements.

On May 15, 2008, EPC voted to approve project #1007099 – 08EPC-40021 (site development plan for building permit) and 08EPC-40022 (zone map amendment) for a proposed retail center comprising of one drive-thru restaurant and three retail buildings with multiple tenants (see attached letter for more information).

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

Sincerely,

Gary Maple
President

CITY OF ALBUQUERQUE
PLANNING DEPARTMENT
DEVELOPMENT REVIEW BOARD

October 15, 2008

Project# 1007099
08DRB-70413 VACATION OF PUBLIC EASEMENT
08DRB-70414 VACATION OF PUBLIC RIGHT-OF-WAY

THE SURVEY OFFICE agent(s) for SANDIA FOUNDATION request(s) the referenced/ above action(s) for a portion **PROSPECT AVENUE NE** and adjacent easements on adjoining Lot(s) 1-3 & 37-39, Block 16 and 1-11 & 33-38, Block 17, **ZUNI ADDITON,** zoned C-2/ SU-1, located on the south side of MENAUL BLVD NE BETWEEN MESILLA ST NE AND PENNSYLVANIA ST NE containing approximately 4.183 acre(s). (H-19)

AMAFCA No comment.
COG Menaul Bd is designated on the ITS Implementation Map as having ITS improvements installed in the 2030 planning horizon. Coordination with City representative on the ITS Committee is recommended. For information purposes, Menaul Bd has a functional classification of urban principal arterial.
TRANSIT No comments provided
ZONING ENFORCEMENT No comment
NEIGHBORHOOD COORDINATION Letters sent to: **Uptown NA List consisting of the following:** ***Alvarado Park NA (R), Classic Uptown NA (R), Inez NA (R), Jerry Cline Park NA (R), Quigley Park NA (R), Snow Heights NA (R), Uptown Progress Team, Inc. (R), Winrock South NA (R), Zuni NA (R)***
APS **Zuni Addition,** Lot 1-3 and 37 and 39, Block 16 and 1-11 and 33-38 Block 17 Zuni Addition. Menual Blvd NE between Mesilla St NE and Pennsylvania St NE. The owner of the above property requests approval of a Site Development Plan for Building Permit for a development that will consist of a retail center that will comprise of one drive-thru restaurant and three retail buildings. This will have no adverse impacts to the APS district.
POLICE DEPARTMENT No crime prevention or CPTED comments concerning the proposed vacation of public Easement and vacation of public right-of-way at this time.
FIRE DEPARTMENT No comments provided
PNM ELECTRIC & GAS No comments provided

COMCAST
No comments provided

QWEST
No comments provided

ENVIRONMENTAL HEALTH
No comments provided

M.R.G.C.D
No Adverse Comments.

OPEN SPACE DIVISION
Open Space has no adverse comments

CITY ENGINEER
The Hydrology section has no objection to the vacation request on condition that an appropriate alternate public

TRANSPORTATION DEVELOPMENT
Plat conditions:
A public access easement must be dedicated connecting Menaul and Prospect. The property owner will be responsible for maintenance of the public easement.
A public sidewalk connection must be provided from Menaul to Prospect. This connection must be contained within a public access or public sidewalk easement.
An infrastructure list will be required for this site.

PARKS AND RECREATION
Defer to the affected agencies.

ABCWUA
No objection to Vacation of easements.
No objection to Vacation of ROW with the condition that a an exclusive water/sewer easement 25' wide be retained on Final Plat.

PLANNING
Refer to comments from the Public Hearing and from affected agencies regarding proposed vacation.

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

Cc:

7099

DXF Electronic Approval Form

DRB Project Case #: 1007099

Subdivision Name: ZUNI ADDITION / TRACTS A1A & A1B BLKS 16 & 17

Surveyor: RUSS P HUGG

Contact Person: RUSS P HUGG

Contact Information: 5058973366

DXF Received: 8/27/2013 Hard Copy Received: 8/27/2013

Coordinate System: NMSP Grid (NAD 83)

Approved 8/27/13 Date

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

AGIS Use Only

Copied fc **7099** to agiscov on **8/27/2013** Contact person notified on **8/27/2013**

City of Albuquerque

DEVELOPMENT/ PLAN REVIEW APPLICATION

Supplemental form

SUBDIVISION — S
- ___ Major Subdivision action
- ___ Minor Subdivision action
- ___ Vacation — V
- ___ Variance (Non-Zoning)

SITE DEVELOPMENT PLAN — P
- ___ for Subdivision
- ___ for Building Permit
- ___ Administrative Amendment (AA)
- ___ IP Master Development Plan — D
- ___ Cert. of Appropriateness (LUCC) — L

STORM DRAINAGE (Form D)
- ___ Storm Drainage Cost Allocation Plan

ZONING & PLANNING — Z
- ___ Annexation
  - ___ County Submittal
  - ___ EPC Submittal
- ___ Zone Map Amendment (Establish or Change Zoning)
- ___ Sector Plan (Phase I, II, III)
- ___ Amendment to Sector, Area, Facility or Comprehensive Plan
- ___ Text Amendment (Zoning Code/Sub Regs)
- ___ Street Name Change (Local & Collector)

APPEAL / PROTEST of... — A
- ___ Decision by: DRB, EPC, LUCC, Planning Director or Staff, ZHE, Zoning Board of Appeals

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

APPLICATION INFORMATION:

Professional/Agent (if any): _____ PHONE: _____

ADDRESS: _____ FAX: _____

CITY: _____ STATE ___ ZIP _____ E-MAIL: _____

APPLICANT: Sandia Foundation PHONE: 242-2684

ADDRESS: 6211 San Mateo NE, Suite 100 FAX: _____

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

Proprietary interest in site: _____ List all owners: _____

DESCRIPTION OF REQUEST: Extension of SIA recorded May 15, 2009

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

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

Lot or Tract No. Tract A Block: _____ Unit: _____

Subdiv/Addn/TBKA: Zuni Addition

Existing Zoning: SU-1 Proposed zoning: _____ MRGCD Map No _____

Zone Atlas page(s): H-19 UPC Code: 1-019-059-204-248-31501

CASE HISTORY:

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

CASE INFORMATION:

Within city limits? ___Yes Within 1000FT of a landfill? _____

No. of existing lots: _____ No. of proposed lots: _____ Total area of site (acres): _____

LOCATION OF PROPERTY BY STREETS: On or Near: Menaul ~~& Prospect Retail Center~~

Between: Mesilla and Pennsylvania

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

SIGNATURE [signature] DATE 5/3/11

(Print) Daniel M. Alsup Applicant: ☐ Agent XX

FOR OFFICIAL USE ONLY Form revised 4/07

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

Application case numbers	Action	S.F.	Fees
11DRB - - 70111	SIA		$ 50.00
	CMF		$ 20.00
			$
			$
			$
			Total $ 70.00

Hearing date May 11, 2011

[signature] 5-3-11
Planner signature / date

Project # 1007099

51A Extension
for this Project
is MINOR

JC

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

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

☐ **MAJOR SUBDIVISION PRELIMINARY PLAT APPROVAL (DRB13)**

__ 5 Acres or more: Certificate of No Effect or Approval
__ Proposed Preliminary Plat including the Grading Plan (folded to fit into an 8.5" by 14" pocket) **24 copies**
__ Proposed Infrastructure List
__ Signed Preliminary Pre-Development Facilities Fee Agreement for **Residential** development only
__ Design elevations & cross sections of perimeter walls **3 copies** (11" x 17" maximum)
__ Zone Atlas map with the entire property(ies) clearly outlined
__ Letter briefly describing, explaining, and justifying the request
__ Property owner's and City Surveyor's signature on the proposed plat
__ FORM DRWS Drainage Report, Water & Sewer availability statement filing information
__ Office of Community & Neighborhood Coordination inquiry response, notifying letter, certified mail receipts
__ Sign Posting Agreement
__ **Signed** Pre-Annexation Agreement if Annexation required.
__ TIS/AQIA Traffic Impact Study / Air Quality Impact Assessment form
__ Fee (see schedule)
__ List any original and/or related file numbers on the cover application

Preliminary plat approval expires after one year.
DRB Public hearings are approximately 30 DAYS after the filing deadline. Your attendance is required.

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

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

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

Amended preliminary plat approval expires after one year.
DRB Public hearings are approximately 30 DAYS after the filing deadline. Your attendance is required.

☐ **MAJOR SUBDIVISION IMPROVEMENTS AGREEMENT EXTENSION (DRB09)**

(Temporary sidewalk deferral extension use FORM-V)

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

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

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

Madrall Sperling
Margie Schell, Paralegal
Applicant name (print)

Margie Schell 5/3/2011
Applicant signature / date

Form revised **October 2007**

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

Application case number
11DRB - ____ - 70111
____ - ____ - ____
____ - ____ - ____

5-3-11
Planner signature / date

Project # 1007899

OFFICIAL NOTICE OF DECISION

CITY OF ALBUQUERQUE
PLANNING DEPARTMENT
DEVELOPMENT REVIEW BOARD

October 15, 2008

Project# 1007099
08DRB-70413 VACATION OF PUBLIC EASEMENT
08DRB-70414 VACATION OF PUBLIC RIGHT-OF-WAY

THE SURVEY OFFICE agent(s) for SANDIA FOUNDATION request(s) the referenced/ above action(s) for a portion **PROSPECT AVENUE NE** and adjacent easements on adjoining Lot(s) 1-3 & 37-39, Block 16 and 1-11 & 33-38, Block 17, **ZUNI ADDITON,** zoned C-2/ SU-1, located on the south side of MENAUL BLVD NE BETWEEN MESILLA ST NE AND PENNSYLVANIA ST NE containing approximately 4.183 acre(s). (H-19)

At the October 15, 2008 Development Review Board meeting, the vacations were approved as shown on exhibit B in the planning file per section 14-14-7-2(a) (1) and (b) (1)(3) of the subdivision ordinance subject to the following conditions: public roadway (access and drainage) easement will be dedicated connecting Menaul and Prospect. public sidewalk connection will be provided from Menaul to Prospect within a public easement. An exclusive 25ft water and sewer easement will be retained and a maintenance convenant shall be provided.

(A)(1) The vacation requests were filed by the owners of a majority of the footage of land abutting the proposed vacation.

(B)(1) Based on the conditions of approva,l the public welfare is in no way served by retaining the public right-of-way.

(B)(3) There is no convincing evidence that any substantial property right is being abridged against the will of the owner of the right.

CONDITIONS:

1. Final disposition shall be through the City Real Estate Office

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

If you wish to appeal this decision, you must do so by October 30, 2008 in the manner described below.

Appeal is to the Land Use Hearing Officer. Any person aggrieved with any determination of the Development Review Board may file an appeal on the Planning Department form, to the Planning Department, within 15 days of the Development Review Board's decision.

The date the determination in question is issued is not included in the 15-day period for filing an appeal.
If the fifteenth day falls on a Saturday, Sunday or holiday as listed in the Merit System Ordinance, the next working day is considered as the deadline for filing the appeal. Such appeal shall be heard within 60 days of its filing.
You will receive notice if any other person files an appeal. Successful applicants are reminded that other requirements of the City must be complied with, even after approval of the referenced application(s).

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

Jack Cloud, AICP, DRB Chair

Cc: The Survey Office – 333 Lomas Blvd NE – Albuquerque, NM 87102
Cc: Sandia Foundation – 6211 San Mateo Blvd NE Ste 100 – Albuquerque, Nm 87109
Marilyn Maldonado
Scott Howell
File

Current DRC
Project Number:_____

FIGURE 12

Date Submitted: October 17, 2008
Date Site Plan Approved: 10-22-08
Date Preliminary Plat Approved:_____
Date Preliminary Plat Expires:_____
DRB Project No.: 1007099
DRB Application No.: 08DRB-70422

ORIGINAL

INFRASTRUCTURE LIST

(Rev. 9-05)

EXHIBIT "A"

TO SUBDIVISION IMPROVEMENTS AGREEMENT

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

Menaul + Prospect Retail Center
PROPOSED NAME ~~OF PLAT AND/OR~~ SITE DEVELOPMENT PLAN

Portion of Blocks 16 & 17, Zuni Addition, Section 7,T.10N., R.4E.,N.M.P.M. Albuquerque, Bernalillo County NM
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	Private P.E.	City Cnst Engineer
		6'	Sidewalk	Menaul Blvd. NE	Mesilla Av. NE	NE Property Corner	/	/	/
		13'-2"	Type "C" Bus Shelter & Bus Stop	Menaul Blvd.	East of Prospect Av. NE at North Prop. Line		/	/	/
			Reconfiguration of Median(s)	Menaul Blvd. NE	Mesilla Av. NE	Charlston St. NE	/	/	/
			Left Turn Lane Extension	Menaul Blvd. NE	Charleston/Menaul Intersection		/	/	/
		8"	Water Line & Fire Hydrants	Property East of Prospect	Prospect Av. NE	Menaul Blvd. NE	/	/	/
		4" -6"	4 Sanitary Sewer Service	All Buildings	Property East & West of Prospect		/	/	/
		1" -2"	4 Water Services	All Buildings	Property East & West of Prospect		/	/	/
		24'-min.	Paving Improvements plus Public Sidewalk (6' min, W.side only)	Public Roadway Easement	Prospect Terminus	Menaul Blvd.	/	/	/

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	Private P.E.	City Cnst Engineer
							/	/	/
							/	/	/

Approval of Creditable Items:

Impact Fee Admistrator Signature Date

Approval of Creditable Items:

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 Waterlines include all applicable gate valves, tees, bends, restrained joints & connections.

AGENT / OWNER

Guy Jackson, PE
NAME (print)

Guy Jackson & Associates, LLC
FIRM

10-22-08
SIGNATURE - date

DEVELOPMENT REVIEW BOARD MEMBER APPROVALS

10/22/08
DRB CHAIR - date

10/22/08
TRANSPORTATION DEVELOPMENT - date

10/22/08
UTILITY DEVELOPMENT - date

10/22/08
CITY ENGINEER - date

Christina Sandoval 10/22/08
PARKS & GENERAL RECREATION - date

AMAFCA - date

_____ - date

_____ - date

DESIGN REVIEW COMMITTEE REVISIONS

REVISION	DATE	DRC CHAIR	USER DEPARTMENT	AGENT /OWNER

(rev. 9-05)

CITY OF ALBUQUERQUE

April 14, 2011

CERTIFIED MAIL/RETURN RECEIPT REQUESTED

Robert M. Goodman, Executive Director
SANDIA FOUNDATION
621 San Mateo Blvd NE Suite 100
Albuquerque, NM 87109

RE: NOTICE OF UPCOMING DEADLINE FOR COMPLETION OF IMPROVEMENTS AND CITY'S INTENTION TO CALL FINANCIAL GUARANTY – **SUBDIVISION IMPROVEMENTS AGREEMENT, PROCEDURE B**

PROJECT: MENAUL & PROSPECT RETAIL CENTER
PROJECT NO: 762381

Dear Mr. Goodman:

I am the Assistant City Attorney who represents the City of Albuquerque ("City") in matters relating to construction of infrastructure by subdividers. As you are aware, **Sandia Foundation** ("Subdivider") signed a **SUBDIVISION IMPROVEMENTS AGREEMENT, PROCEDURE B,** ("Agreement") requiring the subdivider to construct certain infrastructure improvements by **May 14, 2011** ("Construction Deadline"). The Subdivider has utilized the maximum period allowed by the City's Subdivision Ordinance for completion of construction.

If construction will not be completed by the Construction Deadline, the City may grant an extension of time to complete construction if the Subdivider obtains approval for an extension from the City's Development Review Board ("D.R.B.") ***before*** the Construction Deadline, in accordance with D.R.B. requirements and Section 14-14-5-3 of the City's Subdivision Ordinance as amended. If granted, the D.R.B. approval will specify the extended deadline for completion. The Subdivider then must immediately submit an acceptable Extension Agreement and revised financial guaranty to the Planning Department, Design Review Section. All the above steps must be successfully completed by the Construction Deadline.

THIS LETTER PROVIDES NOTICE TO THE SUBDIVIDER THAT IF: (1) THE CONSTRUCTION IS NOT COMPLETED BY THE CONSTRUCTION DEADLINE; OR (2) AN EXTENSION IS NOT OBTAINED AND THE RELATED EXTENSION AGREEMENT AND REVISED FINANCIAL GUARANTY ARE NOT SUBMITTED BY THE CONSTRUCTION DEADLINE, THEN THE CITY MAY DECLARE THE AGREEMENT TO BE IN DEFAULT AND WILL HOLD THE SUBDIVIDER AND THE SURETY JOINTLY AND SEVERALLY LIABLE FOR 125% OF THE COST OF COMPLETING THE IMPROVEMENTS.

PO Box 1293
Albuquerque
NM 87103
www.cabq.gov

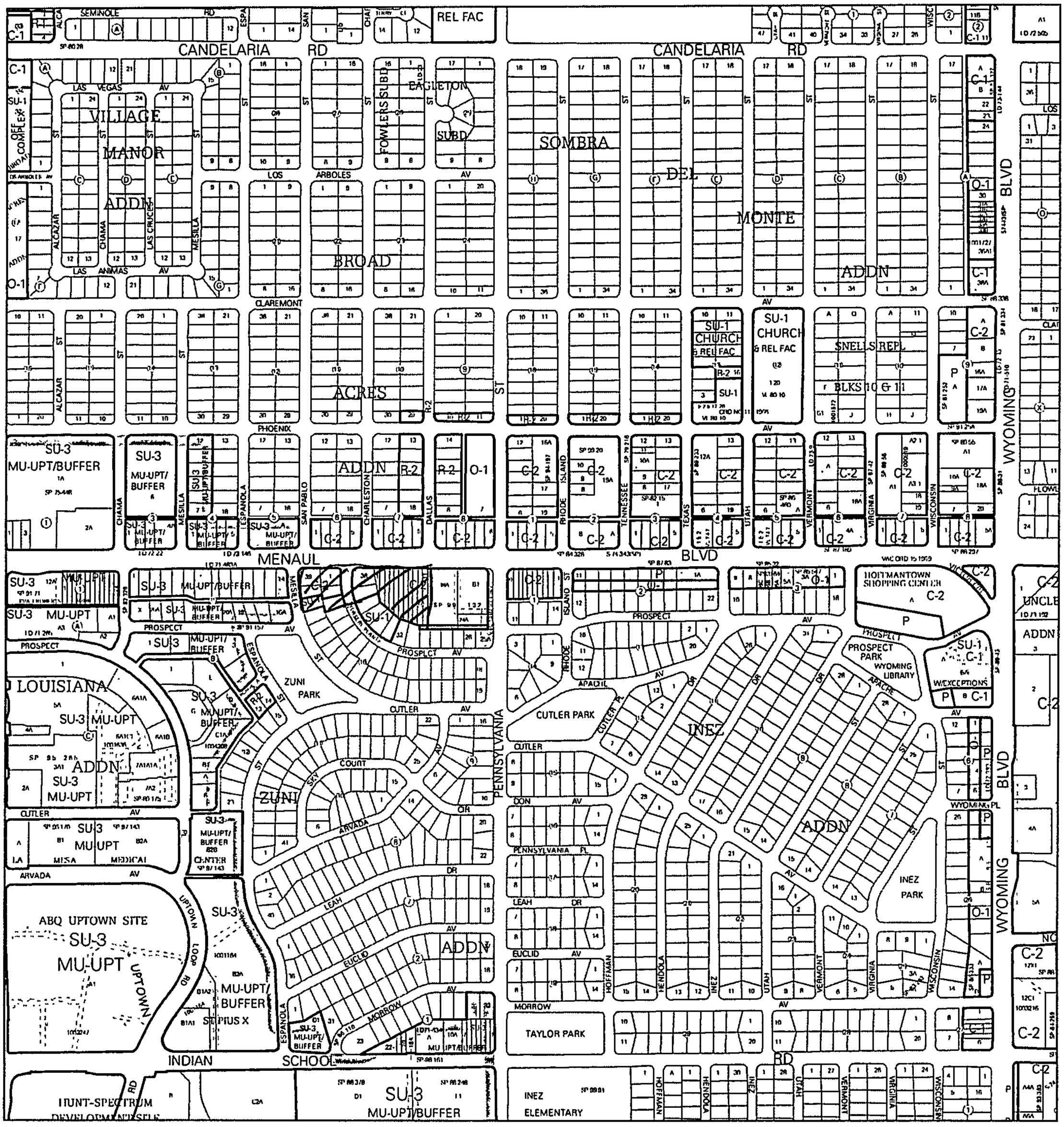
Please immediately contact the Project Administrator, Marilyn Maldonado, at (505) 924-3997 and let her know whether: (1) the construction will be completed by the Construction Deadline Date and the necessary paperwork will be provided promptly to the City's Planning Department, Construction Section for acceptance of the required subdivision improvements; or (2) the Subdivider will be submitting a written request for extension to the D.R.B. and, if an extension is granted, will be submitting an Extension Agreement and related revised financial guaranty to the City's Planning Department, Design Review Section by the Construction Deadline date.

Very truly yours,

Kevin J. Curran
Assistant City Attorney

KJC/pcl

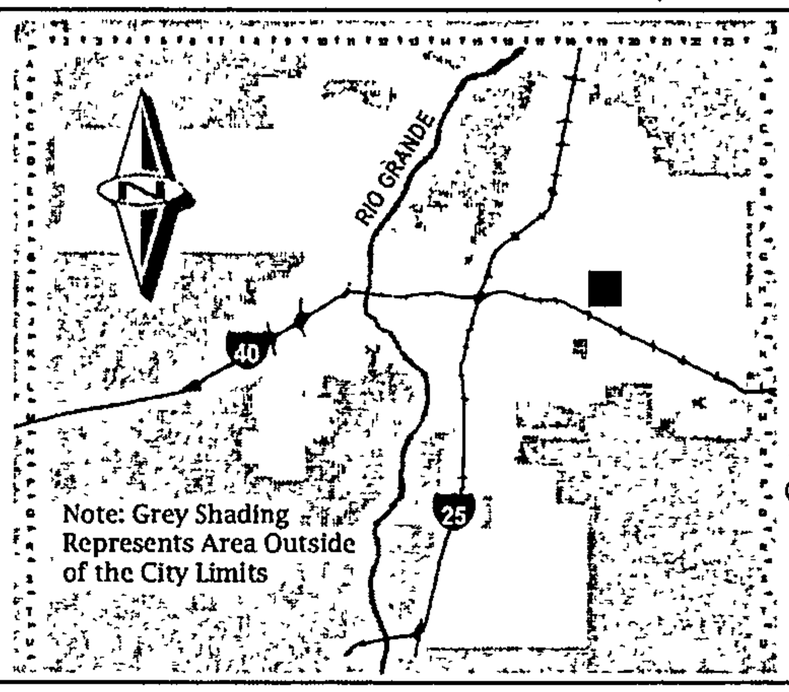
#3-B



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

Albuquerque Geographic Information System

Map amended through: 6/5/2009



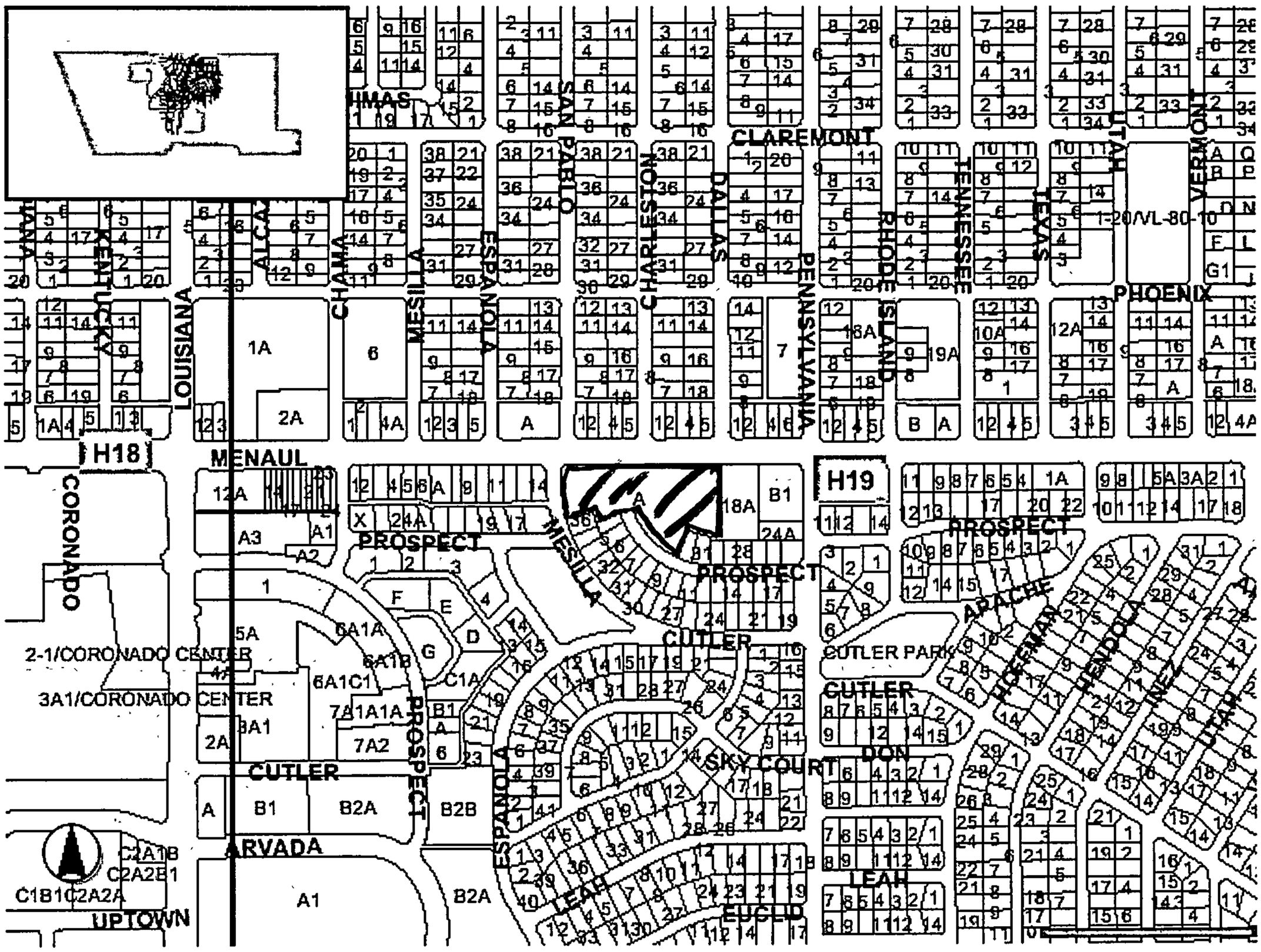
Zone Atlas Page:

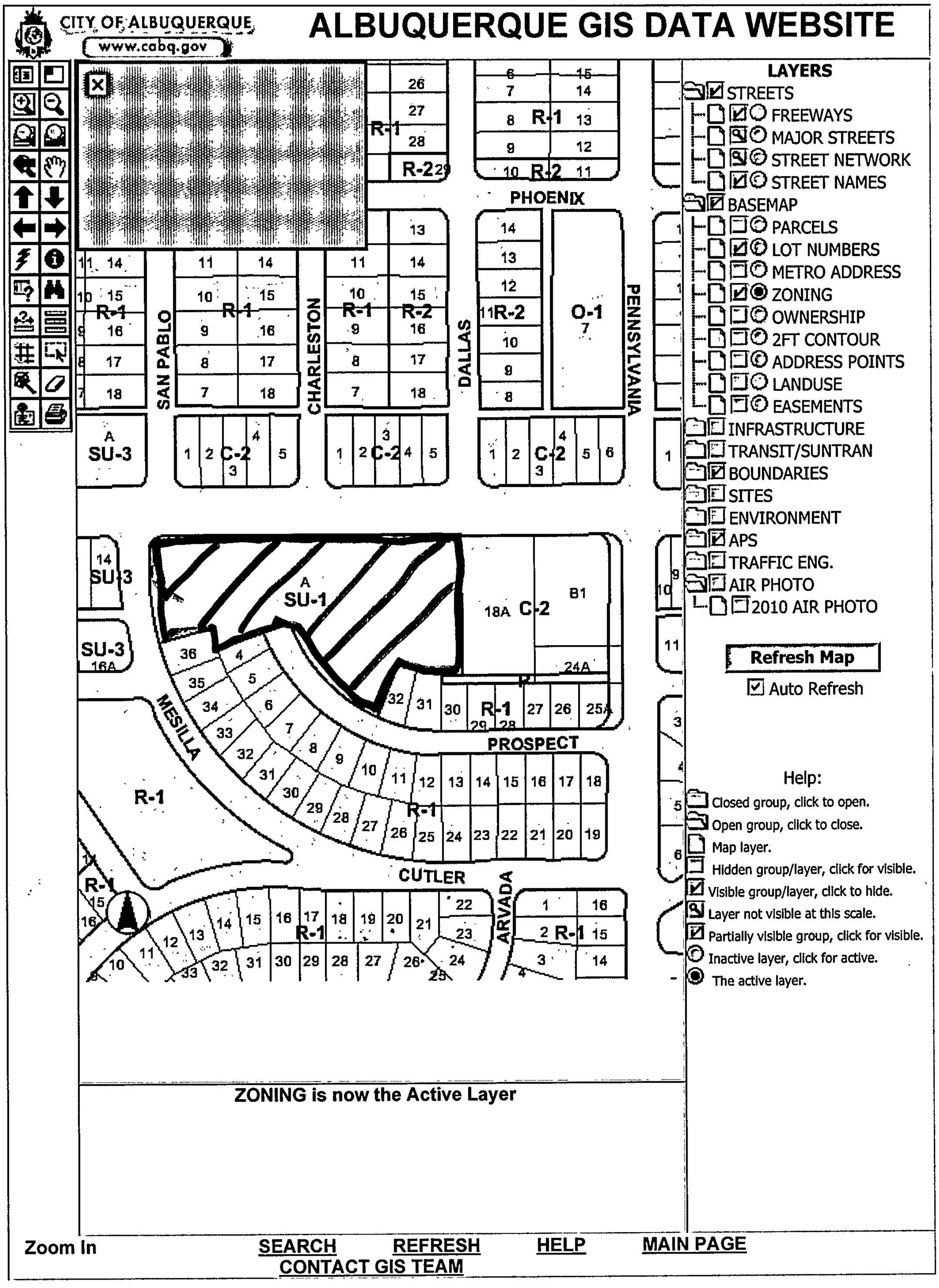
H-19-Z

Selected Symbols

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

0 750 1,500 Feet


CLAREMONT
PHOENIX
LOUISIANA
MENAUL
CORONADO
PROSPECT
CUTLER
2-1/CORONADO CENTER
3A1/CORONADO CENTER
ARVADA
UPTOWN
SKY COURT
DON
LEAH
EUCLID
CUTLER PARK
APACHE
H18
H19


CITY OF ALBUQUERQUE
www.cabq.gov
ALBUQUERQUE GIS DATA WEBSITE
LAYERS
STREETS
FREEWAYS
MAJOR STREETS
STREET NETWORK
STREET NAMES
BASEMAP
PARCELS
LOT NUMBERS
METRO ADDRESS
ZONING
OWNERSHIP
2FT CONTOUR
ADDRESS POINTS
LANDUSE
EASEMENTS
INFRASTRUCTURE
TRANSIT/SUNTRAN
BOUNDARIES
SITES
ENVIRONMENT
APS
TRAFFIC ENG.
AIR PHOTO
2010 AIR PHOTO
Refresh Map
Auto Refresh
Help:
Closed group, click to open.
Open group, click to close.
Map layer.
Hidden group/layer, click for visible.
Visible group/layer, click to hide.
Layer not visible at this scale.
Partially visible group, click for visible.
Inactive layer, click for active.
The active layer.
PHOENIX
SAN PABLO
CHARLESTON
DALLAS
PENNSYLVANIA
PROSPECT
CUTLER
MESILLA
ARVADA
ZONING is now the Active Layer
Zoom In
SEARCH
REFRESH
HELP
MAIN PAGE
CONTACT GIS TEAM

MODRALL SPERLING

LAWYERS

Daniel M. Alsup
505.848.1854
Fax: 505.848.1882
dma@modrall.com

HAND DELIVERED

May 3, 2011

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

Re: Project 1007099 (Menaul & Prospect Retail Center) – Project No. 762381
SIA recorded 5/15/2009 – Doc. #2009054169

Ladies and Gentlemen:

This firm represents Sandia Foundation. We will be submitting an Application to extend the above-referenced SIA. The development of this property has been delayed due to the economy.

Sincerely,

Daniel M. Alsup

cc: Robert M. Goodman
Sandia Foundation

K:\dox\client\64600\111\W1457310.DOCX

Modrall Sperling
Roehl Harris & Sisk P.A.

Bank of America Centre
500 Fourth Street NW
Suite 1000
Albuquerque,
New Mexico 87102

PO Box 2168
Albuquerque,
New Mexico 87103-2168

Tel: 505.848.1800
www.modrall.com

DocN 2009054169
05/15/2009 11:38 AM Page: 1 of 8
AGRE R:$23.00 M. Toulouse Oliver, Bernalillo County

No. of Lots:_____
Nearest Major Streets:
_____
_____

FIGURE 12

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

AGREEMENT TO CONSTRUCT
PUBLIC AND/OR PRIVATE SUBDIVISION IMPROVEMENTS

THIS AGREEMENT is made this 14th day of May, 2009, by and between the City of Albuquerque, New Mexico ("City"), a municipal corporation, whose address is P. O. Box 1293 (One Civic Plaza), Albuquerque, New Mexico 87103, and **SANDIA FOUNDATION,** ("Subdivider"), a [state the type of business entity, for instance, "New Mexico corporation," "general partnership," "joint venture," "individual," etc.:] **a New Mexico nonprofit corporation**, whose address is **6211 San Mateo Blvd., NE, Suite 100, Albuquerque, New Mexico, 87109,** and whose telephone number is **(505)242-2684**, 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:]**Lots 1-11 and Lots 33-38,Block 17; and Lots 1-3, the Northern Portion of Lot 37, and Lots 38, 39, Block 16, Zuni Addition**, recorded on **December 11, 1950,** in the records of the Bernalillo County Clerk at Book **D**, pages **104** 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:] **Sandia Foundation, a New Mexico nonprofit corporation** ("Owner").

The Subdivider has submitted and the City has approved a preliminary plat or Site Development Plan identified as **Menaul and Prospect Retail Center, Project No. 762381** describing Subdivider's Property.

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

2. Improvements and Construction Deadline. The Subdivider agrees to install and complete the public and/or private improvements described Exhibit A, the required infrastructure listing ("Improvements"), to the satisfaction of the City, on or before the **15th** day of May, 2011("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.**762381**.

Note: To compute the Construction Completion Deadline: If a final plat will be filed after Subdivider meets the requirements of this Agreement, the Construction Completion Deadline can be no later than two years after execution of this Agreement. (See Subdivision Ordinance Section 14-14-3.) If a final plat will

not be filed pursuant to this Agreement, the Construction Completion Deadline can be no later than one year after approval of the preliminary plat by the Development Review Board ("DRB"), unless the DRB grants an extension, not to exceed one additional year per extension, and the Subdivider processes an amendment to the Agreement. (See Subdivision Ordinance Section 14-14-3.) If this Agreement, with any amendments does not utilize the maximum time allowed for completion of construction, the Subdivider may obtain an extension of the Construction Completion Deadline if Subdivider shows adequate reason for the extension.

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

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

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

Type of Fee	Amount
Engineering Fee	3.25% of Actual Construction Cost as required per City-approved estimate.
Excavation and Sidewalk Ordinance, Street Restoration Fees	(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 **(to be determined)**, and construction surveying of the private Improvements shall be performed by **(to be determined)**. 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 **(to be determined)**, and inspection of the private Improvements shall be performed by **(to be determined)**, 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 **to be determined**, and field testing of the private Improvements shall be performed by **to be determined**, both certified testing laboratories under the supervision of a New Mexico Registered Professional Engineer, in accordance with the current City of Albuquerque Standard Specifications for Public Works Construction. If any field testing is performed by an entity other than the City, the City may monitor the field testing and the Subdivider shall ensure that the field testing entity provides all field testing results, reports and related data to the City which the City requires for review. The Subdivider shall pay the City a reasonable fee for any field testing performed by the City.

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

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

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

Type of Financial Guaranty: **Municipal Lien**
Amount: **$360,443.39**
Name of Financial Institution or Surety providing Guaranty: **N/A**
Date City first able to call Guaranty: **May 15, 2011**
[Construction Completion Deadline]: **May 15, 2011.**
If Guaranty other than a Bond, last day City able to call Guaranty is: **July 15, 2011**.
Additional information: _____

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

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

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

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

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

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

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

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

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

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

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

10. Indemnification. Until the Improvements are accepted by the City, the Subdivider shall be solely responsible for maintaining the premises upon which the Improvements are being constructed in a safe condition. The Subdivider agrees to defend, indemnify and hold harmless the City and its officials, agents and employees from any claims, actions, suits or other proceedings arising from or out of the negligent acts or omissions of the Subdivider, its agents, representatives, contractors or subcontractors or arising from the failure of the Subdivider, its agents, representatives, contractors or subcontractors to perform any act or duty required of the Subdivider herein; provided, however, to the

extent, if at all, Section 56-7-1 NMSA 1978 is applicable to this Agreement, this Agreement to indemnify will not extend to liability, claims, damages, losses or expenses, including attorney fees, arising out of (1) the preparation or approval of maps, drawings, opinions, reports, surveys, change orders, designs or specifications by the indemnitee, or the agents or employees of the indemnitee; or (2) the giving of or the failure to give directions or instructions by the indemnitee, where such giving or failure to give directions or instructions is the primary cause of bodily injury to persons or damage to property. The indemnification required hereunder shall not be limited as a result of the specifications of any applicable insurance coverage. Nothing herein is intended to impair any right or immunity under the laws of the State of New Mexico.

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

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

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

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

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

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

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

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

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

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

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

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

SUBDIVIDER:

SANDIA FOUNDATION, a New Mexico nonprofit corporation
By: _____
Name: Robert M. Goodman
Title: Executive Director
Dated: May 12, 2009

CITY OF ALBUQUERQUE

_____
City Engineer
Dated: 5-14-09

5/14/09

5-14-09

SUBDIVIDER'S NOTARY

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

This instrument was acknowledged before me on the 12th day of May, 2009 by Robert M. Goodman, Executive Director of Sandia Foundation, a New Mexico nonprofit corporation.

_____
Notary Public

My Commission Expires: 4-12-2011

OFFICIAL SEAL
NITA MAYHUGH
NOTARY PUBLIC
STATE OF NEW MEXICO
My Commission Expires 4-12-2011

CITY'S NOTARY

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

This instrument was acknowledged before me on 14th day of May, 2009, by Richard Mantell, City Engineer of the City of Albuquerque, a municipal corporation, on behalf of said corporation.

_____
Notary Public

My Commission Expires:
10-07-12

H:\Sandia Foundation\Menaul Retail Center\SIA B Procedure.doc\5/8/2009 11:18 AM

MODRALL SPERLING

LAWYERS

Daniel M. Alsup
505.848.1854
Fax: 505.848.1882
dma@modrall.com

HAND DELIVERED

May 3, 2011

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

Re: Project 1007099 – Menaul & Prospect Retail Center
Project No. 762381

Ladies and Gentlemen:

Enclosed are the following documents regarding the above-referenced project. They are:

1. Our check in the amount of $50 to cover the cost of filing the enclosed Development Review Application.
2. Development Review Application to extend SIA an additional two years. The original and/or file numbers are listed on the enclosed Application.
3. Copy of zone atlas map with property outlined and crosshatched.
4. Modrall Sperling letter addressed to the Development Review Board dated May 3, 2011 describing and justifying the request.
5. Six copies of approved Site Plan reduced to 11" x 17".
6. Copy of the Official Notice of Decision dated October 15, 2008 – Project #1007099.
7. Copy of the SIA recorded May 15, 2009
8. Copy of the approved Infrastructure List.

Also enclosed is a copy of the Notice of Upcoming Deadline for Completion of Improvements and City's Intention to Call Financial Guaranty dated April 14, 2011 from Kevin Curran, Assistant City Attorney.

Please let us know if you have any questions or need additional information regarding this matter. Thank you.

Sincerely,

Daniel M. Alsup

Modrall Sperling
Roehl Harris & Sisk P.A.

Bank of America Centre
500 Fourth Street NW
Suite 1000
Albuquerque,
New Mexico 87102

PO Box 2168
Albuquerque,
New Mexico 87103-2168

Tel: 505.848 1800
www.modrall.com

cc without Enclosures:

Robert M. Goodman
Sandia Foundation

Kevin J. Curran, Assistant City Attorney
City of Albuquerque
Planning Department

Marilyn E. Maldonado, Project Administrator
City of Albuquerque
Planning Department

K:\dox\client\64600\111\W1457316.DOCX

GENERAL NOTES

1. MESILLA AVE. NE ABUTS THE PROPERTY AT THE WEST. MENAUL BLVD. NE ABUTS THE PROPERTY AT THE NORTH
2. CITY BUS ROUTE RUNS ALONG MENAUL BLVD. NE
3. THERE IS AN EXISTING BIKE ROUTE CONNECTION SOUTH OF THE SITE AT CUTLER, AND A BIKE LANE EAST OF THE SITE ON PENNSYLVANIA
4. IT IS ANTICIPATED THAT APPROXIMATELY 15,000 SF OF THE DEVELOPMENT WILL BE LEASED TO RESTAURANT TENANTS WITH THE BALANCE LEASED TO OTHER RETAIL USES. IT IS UNKNOWN WHICH PORTIONS OF WHICH BUILDINGS WILL HOUSE SPECIFIC USES AND/OR HOW MANY SEATS EACH RESTAURANT USE WILL REQUIRE. CALCULATIONS PROVIDED HERE ARE BASED ON A HYPOTHETICAL SCENARIO. THE APPLICANT REQUESTS THAT NO CAP BE PLACED ON ALLOWABLE RESTAURANT USES (OTHER THAN BY PARKING CAPACITY) SINCE MARKET CONDITIONS MAY DICTATE DIFFERENT COMBINATIONS OF USES FROM YEAR TO YEAR.
5. ADJACENT DEVELOPMENT LOCATED ON PLAN IS APPROXIMATED FROM AN AERIAL PHOTOGRAPH. SURVEY INFORMATION FOR ADJACENT SITES WAS NOT AVAILABLE TO THE APPLICANT.
6. OUTDOOR RESTAURANT SEATING WITHIN 75' OF A RESIDENTIAL ZONE SHALL NOT OPERATE PAST 10 P.M.
7. SITE DEVELOPMENT PLAN SHALL COMPLY WITH COA ZONE CODE SECTION 14-16-3-18 GENERAL BUILDING AND SITE DESIGN REGULATIONS FOR NON-RESIDENTIAL USES.
7. NO LIGHTING SHALL SHINE DIRECTLY ON PUBLIC R.O.W.S OR RESIDENTIAL PROPERTIES PER SECTION 14-16-3-9 COA ZONE CODE. LIGHT POLES WITHIN 100' OF RESIDENTIAL PROPERTIES SHALL NOT EXCEED 16'.
8. AT A MINIMUM, THE USABLE OUTDOOR AREA SHALL CONSIST OF AN 8' WALKWAY ALONG THE MAIN FACADE OF EACH BUILDING WHIT PUBLIC ENTRANCES, A 6' CLEAR PATH ON ALL WALKWAYS AND ANY OTHER USABLE PUBLIC OUTDOOR AREA INCLUDED IN THE LANDSCAPE PROVIDED. THE USABLE PUBLIC OUTDOOR AREA SHALL EXCLUDE PRIVATE OUTDOOR RESTAURANT SEATING.
9. OUTDOOR AMENITIES WILL INCLUDE SEATING AND/OR DINING PATIOS ALONG PEDESTRIAN PATHS WITH BOLLARDS AND/OR OVERHEAD CANOPY LIGHTING, SURROUNDED BY DECIDUOUS SHADE TREES AND SHRUBS SELECTED TO PROVIDE YEAR-ROUND COLOR AND INTEREST.
10. ALL ROOF TOP AND/OR GROUND MOUNTED EQUIPMENT SHALL BE SCREENED PER SECTION 14-16-3-18 OF THE ZONING CODE.
11. LINES SPLITTING SHOPS BUILDINGS INTO TENANT SPACES ARE NOT FIXED; TENANT SPACES MAY BE COMBINED INTO LARGER SPACES.

SIGNATURE BLOCK

PROJECT NUMBER: 1007099

APPLICATION NUMBER:

DRB SITE DEVELOPMENT PLAN SIGNOFF APPROVAL:

TRANSPORTATION DEVELOPMENT — DATE 10-22-08

UTILITIES DEVELOPMENT — DATE 10-22-08

PARKS AND RECREATION DEPARTMENT — DATE 10/22/08

CITY ENGINEER — DATE 5-26-09

ENVIRONMENTAL HEALTH DEPARTMENT (CONDITIONS) — DATE N/A

DRB CHAIRPERSON, PLANNING DEPARTMENT — DATE 10/22/08

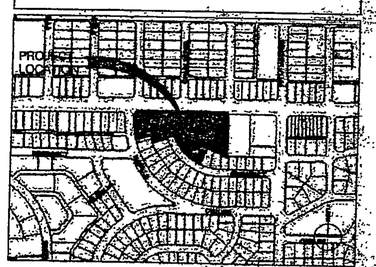
CF 10/21/08

KEYED NOTES

1. PROPOSED 6-8' HIGH SPLIT FACE CMU SCREEN WALL. MED.TAN
2. PROPOSED 6' HIGH SPLIT FACE LIGHT TAN CMU REFUSE ENCLOSURE WITH ALUMINUM COLOR GATES AND CONCRETE APRON PER COA STANDARDS (DOUBLE WIDTH WHERE SHOWN).
3. PROPOSED 6' HIGH SPLIT FACE LIGHT TAN CMU SERVICE YARD SCREEN WALL WITH ALUMINUM COLOR GATES.
4. ~~PROPOSED LIGHT BOLLARDS. SEE SHEET 7.~~ NOT USED
5. PROPOSED PRIMARY MONUMENT SIGN. SEE SHEET 7.
6. PROPOSED SECONDARY MONUMENT SIGN. SEE SHEET 7.
7. PROPOSED BICYCLE RACK FOR 2 BICYCLES.
8. PROPOSED ACCESSIBLE PARKING.
9. PROPOSED AWNING ABOVE. TYP.
10. PROPOSED ACCESSIBLE CONCRETE CURB RAMP WITH TRUNCATED DOMES CONSTRUCTED TO COA STANDARDS (STD DRAWING 2440)
11. PROPOSED DRIVE THROUGH LANE
12. PROPOSED PEDESTRIAN CONNECTION WITH TEXTURED PAVING.
13. PROPOSED FIRE HYDRANT
14. PROPOSED 30' WIDE CONCRETE SITE DRIVE TO BE CONSTRUCTED TO COA STANDARDS (STANDARD DRAWING 2426)
15. PROPOSED ASPHALT CONCRETE PAVEMENT
16. PROPOSED CONCRETE PAVEMENT
17. RECONFIGURED CONCRETE MEDIAN
18. PROPOSED LOADING AREA (ACCESSED BY MOUNTABLE CURB)
19. EXISTING CITY SIDEWALK TO REMAIN.
20. PROPOSED MOTORCYCLE SPACES, SIGNAGE AT EACH SPACE
21. PROPOSED HANDICAP PARKING SIGN, TYPICAL OF 6.
22. EXISTING PROPERTY LINE TO REMAIN
23. PROPOSED PROPERTY LINE
24. EXISTING PROPERTY LINE TO BE VACATED
25. PROPOSED STOP SIGN
26. PROPOSED PAINTED PARKING STRIPING, TYP.
27. PROPOSED PLAZA AREA WITH CONTRASTING COLOR AND/OR TEXTURED PAVING. EXTENT AS INDICATED BY HATCH.
28. PROPOSED LANDSCAPING AREA WITH DRIP IRRIGATION, TYP.
29. PROPOSED CONCRETE CURB, TYP.
30. NOT USED.
31. PROPOSED COA TYPE 'C' SHELTER AT RE-LOCATED BUS STOP.
32. EXISTING CITY TRANSIT ROUTE.
33. PROPOSED VACATION OF PROSPECT AVE. NE.: PUBLIC ROADWAY AND SIDEWALK EASEMENTS WILL BE PROVIDED.
34. PROPOSED RIGHT-IN, RIGHT-OUT ENTRY, 30' WIDE W/25' CURB RETURN RADII.
35. PROPOSED FULL ACCESS ENTRY, 36' WIDE W/25' CURB RETURN RADII.
36. PROPOSED VAN ACCESSIBLE PARKING SIGN, TYPICAL OF 2.
37. PROPOSED RECYCLING AREA.
38. RETAINING WALL FOR RAISED PATIO.
39. SERVICE/LOADING AREA (TEMPORARY PARKING FOR DELIVERIES AND SERVICE VEHICLES).
40. PROPOSED 16' HIGH SITE LIGHTING, TYPICAL. SEE SHEET 7.
41. PROPOSED 20' HIGH SITE LIGHTING, TYPICAL. SEE SHEET 7.
42. PROPOSED 32" HIGH MEDIUM TAN SPLIT FACE CMU SCREEN WALL
43. PROPOSED 40" HIGH MEDIUM TAN SPLIT FACE CMU SCREEN WALL
44. EACH COMPACT SPACE SHALL HAVE THE WORD "COMPACT" PAINTED WITHIN THE SPACE, TYPICAL.
45. DRIVE THRU WINDOW LOCATION.
46. CURB CUTS FOR WATER HARVESTING, TYPICAL WHERE INDICATED.
47. OVERHEAD CANOPY LIGHTING, TYPICAL WHERE INDICATED.
48. 4' LONG SITE BENCH, TYPICAL WHERE INDICATED.

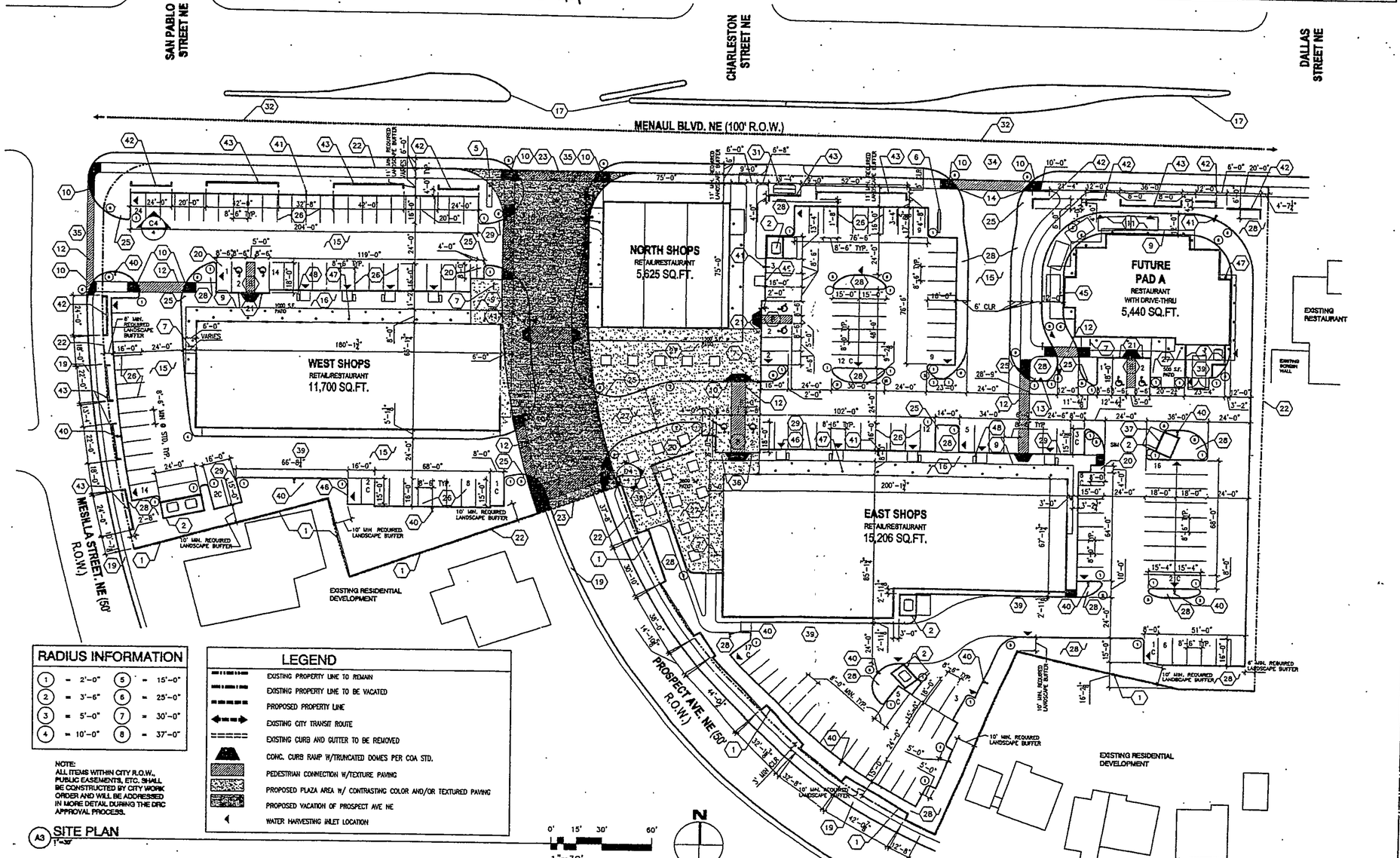
BUILDING CRITERIA

PROJECT:	MENAUL & PROSPECT NE RETAIL CENTER		
OWNER:	SANDIA FOUNDATION		
ARCHITECT:	Van H. Gilbert Architect PC 2428 Baylor Drive SE Albuquerque, NM 87106 Phone: (505) 247-9955		
LEGAL DESCRIPTION:	LOTS 1-11 & 33-38 BLOCK 17 AND LOTS 1-8 & PORTION LOT 37, 38-39 BLOCK 16 ZUNI ADDITION		
ZONING ATLAS MAP:	H-19Z		
CURRENT ZONING:	C-2, SU-1 for NURSERY		
PROPOSED ZONING:	SU-1 for C-2 permissive uses, including a full service liquor license only in conjunction with a restaurant, excluding sale of alcohol for off-site consumption and excluding off-premise signs; no more than 10,000 SF net leasable area may be used for restaurant purposes		
OCCUPANCY GROUP:	M		
CONSTRUCTION TYPE:	VB1		
NUMBER OF FLOORS:	1		
GROSS SQUARE FOOTAGE:	WEST SHOPS	11,700	SF
	NORTH SHOPS	5,625	SF
	EAST SHOPS	15,206	SF
	PAD A	5,440	SF
	TOTAL	37,971	SF
ALLOWABLE AREA (per building):	M OCCUPANCY & VB-CONSTRUCTION=	9,000	SF/FLOOR
	FULLY SPRINKLERED x 300% (ONE-STORY)=	27,000	SF
	TOTAL=	36,000	SF
PARKING ANALYSIS:	1/200 SF NET LEASABLE AREA (1ST 15,000) + 1/250 SF NET LEASABLE AREA + 1/3 SEATS FOR REST. W/LIQUOR & 1/4 ALLOW. FIRE OCC. LOAD FOR REST. W/OUT LIQUOR	10,125 NET LEASEABLE AREA RETAIL = 75 + 16 SPACES; RESTAURANT (15,000 SF) 184 SEATS W/LIQUOR = 62 SPACES + 317 OCC. W/OUT LIQUOR = 80 SPACES; 228 TOTAL REQUIRED (PER C-2)	
	TRANSIT REDUCTION (10%), BUS-SHELTER REDUCTION (2%)	23 SPACES + 12 SPACES = 35 SPACES	
	ADJUSTED REQUIRED (PER C-2 ZONING)	187 SPACES; 8 HC SPACES	
	PARKING PROVIDED	198 SPACES; 8 HC SPACES	
	ACCESSIBLE PARKING REQUIRED: 8 SPACES	ACCESSIBLE PARKING PROVIDED: 2 VAN SPACE, 6 CAR SPACES	
PARKING SPACE SIZES:	STD. CAR SPACE COMPACT SPACE MOTORCYCLE SPACE	8'-6" TO 9' X 18' (140) 8' X 15' (42) 4' X 8' (3)	
	STANDARD ACCESSIBLE SPACE	8'-6" TO 9' X 18' w/ 5' ACCESS STRIP (8)	
	VAN ACCESSIBLE SPACE	8' X 20' w/8' ACCESS STRIP (2)	
BICYCLE RACK SPACES:	10 REQUIRED	10 PROVIDED	
TOTAL LOT AREA:	4.1825 ACRES =	182,972	SF
NET LOT AREA:	3.14 ACRES =	135,744	SF
FLOOR AREA RATIO:	37,971 SF/182,972 SF		20.8 %
TOTAL LANDSCAPE AREA REQUIRED:	20,042 SF		
TOTAL LANDSCAPE AREA PROVIDED:	26,143 SF		



B6 LOCATION PLAN
1"=±500'

SITE DEVELOPMENT PLAN FOR BUILDING PERMIT
REVISED 10/8/08 FOR DRB DEFERRAL TO 10/15/08
REVISED 10/17/08 FOR DRB DEFERRAL TO 10/22/08



A3 SITE PLAN
1"=30'

RADIUS INFORMATION

1	= 2'-0"	5	= 15'-0"
2	= 3'-6"	6	= 25'-0"
3	= 5'-0"	7	= 30'-0"
4	= 10'-0"	8	= 37'-0"

NOTE:
ALL ITEMS WITHIN CITY R.O.W., PUBLIC EASEMENTS, ETC. SHALL BE CONSTRUCTED BY CITY WORK ORDER AND WILL BE ADDRESSED IN MORE DETAIL DURING THE DRC APPROVAL PROCESS.

LEGEND

- EXISTING PROPERTY LINE TO REMAIN
- EXISTING PROPERTY LINE TO BE VACATED
- PROPOSED PROPERTY LINE
- EXISTING CITY TRANSIT ROUTE
- EXISTING CURB AND GUTTER TO BE REMOVED
- CONC. CURB RAMP W/TRUNCATED DOMES PER COA STD.
- PEDESTRIAN CONNECTION W/TEXTURE PAVING
- PROPOSED PLAZA AREA W/ CONTRASTING COLOR AND/OR TEXTURED PAVING
- PROPOSED VACATION OF PROSPECT AVE NE
- WATER HARVESTING INLET LOCATION

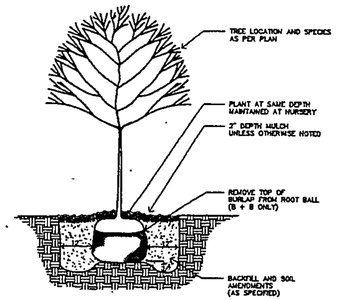
MENAUL & PROSPECT RETAIL CENTER
FOR THE SANDIA FOUNDATION
ALBUQUERQUE, NEW MEXICO

Van H. Gilbert Architect P.C.
ARCHITECTURE · INTERIORS · PLANNING
2428 baylor drive se albuquerque, nm 87106
tel 505 . 247 . 9955 fax 505 . 247 . 1066

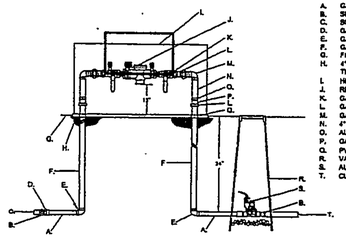
Drawn by: SEAFF — VHGA Project No: 720.00
Checked by: STAFF — Date: 09/18/08

SITE PLAN

Sheet No. 1
SHEET 1 OF 8



D1 TREE PLANTING DETAIL
SCALE: NTS



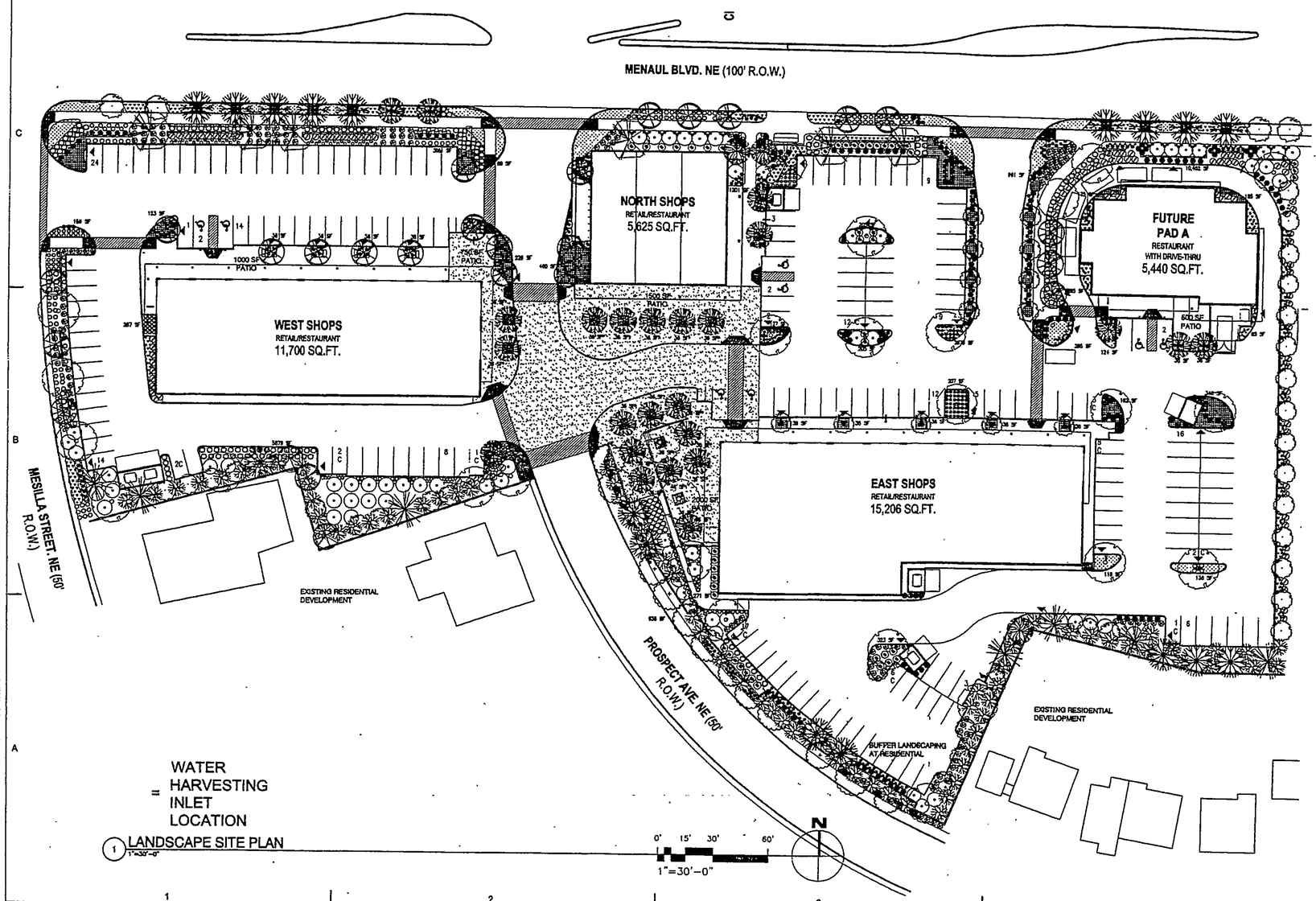
D2 RPBA AND MASTER VALVE IRRIGATION SYSTEM DETAIL
SCALE: NTS

LANDSCAPE & IRRIGATION NOTES

1. PLANT SUBSTITUTIONS SHALL BE ALLOWABLE ONLY IF INSUFFICIENT QUANTITIES OF PLANTS INDICATED ARE AVAILABLE. NO PARTIAL SUBSTITUTIONS SHALL BE PERMITTED.
2. THIS LANDSCAPE SHALL BE INSTALLED IN ACCORDANCE WITH THE CITY WATER CONSERVATION LANDSCAPING AND WATER WASTE ORDINANCE AS WELL AS THE CITY OF ALBUQUERQUE POLLEN CONTROL AND WASTE WATER ORDINANCES.
3. ALL LANDSCAPE MAINTENANCE SHALL BE THE RESPONSIBILITY OF THE PROPERTY OWNER.
4. THE IRRIGATION SYSTEM SHALL CONSIST OF A MASTER VALVE AND REDUCED PRESSURE BACKFLOW PREVENTER, PROGRAMMABLE AUTOMATIC CONTROLLER, WITH ELECTRIC IRRIGATION VALVES ZONED BY WATER DISTRIBUTION REQUIREMENTS, AND CONNECTED TO DROP EMITTERS LOCATED TO PROVIDE WATER AT ROOT ZONES OF PLANTS. FLOW RATES AND ZONES SHALL BE MATCHED TO EACH PLANTS SPECIFIC WATER NEEDS. MICRO SPRAY HEADS MAY BE USED N LIMITED AREAS ONLY AS NEEDED FOR SMALL SHRUB OR GROUND COVER AREAS.
5. GRAVEL MULCH SHALL BE USED AT ALL AREAS NOT COVERED BY LIVING GROUND COVERS
6. PLANTING AREAS FOLLOWED WITH AN ASTERISK INDICATE LOCATIONS OF TREE GRATES.
7. IRRIGATION SYSTEM RUN TIMES OF 30 MINUTES EACH SHALL BE BASED ON THE FOLLOWING SCHEDULE ONCE LANDSCAPE IS ESTABLISHED: 2 MONTHS @ 1 x PER MONTH, 3 MONTHS @ 1 x PER WEEK, 2 MONTHS @ 2 x PER WEEK, 2 MONTHS @ 3 x PER WEEK, AND 3 MONTHS @ 4 x PER WEEK. RUN TIMES DURING ESTABLISHMENT PERIOD OF 1-2 YEARS WILL VARY AND MAY INCLUDE DAILY WATERING DEPENDING ON TEMPERATURES AND ACTUAL PLANTING DATES. (NOTE THAT RUN TIMES ARE BASED ON 4.33 WEEKS/MONTH).

GENERAL SHEET NOTES

1. MESILLA AVE. NE ABUTS THE PROPERTY AT THE WEST, MENAUL BLVD. NE ABUTS THE PROPERTY AT THE NORTH
2. CITY BUS ROUTE RUNS ALONG MENAUL BLVD. NE
3. THERE IS AN EXISTING BIKE TRAIL CONNECTION SOUTH OF THE SITE AT CUTLER, AND A BIKE ROUTE EAST OF THE SITE AT PENNSYLVANIA.
4. IT IS ANTICIPATED THAT APPROXIMATELY 15,000 SF OF THE DEVELOPMENT WILL BE LEASED TO RESTAURANT TENANTS RANGING IN SIZE FROM 1200-2000 SF (WITH ONE POSSIBLE 5500 RESTAURANT) WITH THE BALANCE OTHER RETAIL USES. AT THIS TIME, IT IS UNKNOWN WHICH PORTIONS OF WHICH BUILDINGS WILL HOUSE THESE USES AND/OR HOW MANY SEATS EACH RESTAURANT USE WILL REQUIRE. IN ORDER TO SIMPLIFY REQUIRED AND PROVIDED PARKING CALCULATIONS, WHICH CAN ONLY BE HYPOTHETICAL UNTIL ACTUAL TENANTS ARE IDENTIFIED, THE CALCULATIONS CURRENTLY SHOWN ARE BASED ON GROSS (VERSUS NET) SQUARE FOOTAGE OF ALL BUILDINGS WITH REQUIRED PARKING BASED ONLY ON RETAIL USES. THE APPLICANT WOULD PREFER NOT TO HAVE A CAP ON ALLOWABLE RESTAURANT USES (OTHER THAN BY PARKING CAPACITY) SINCE MARKET CONDITIONS MAY DICTATE A DIFFERENT COMBINATION OF USES FROM YEAR TO YEAR.
5. OUTDOOR AMENITIES WILL INCLUDE SEATING AND/OR DINING PATIOS ALONG PEDESTRIAN PATHS WITH BOLLARDS AND/OR OVERHEAD CANOPY LIGHTING, SURROUNDED BY DECIDUOUS SHADE TREES AND SHRUBS SELECTED TO PROVIDE YEAR-ROUND COLOR AND INTEREST.



1 LANDSCAPE SITE PLAN
1"=30'-0"

LANDSCAPE CALCULATIONS

SITE AREA - BUILDING AREA	180,972 SF 38,725 SF
SUBTOTAL - TOTAL OFF-SITE AREA	5,103 SF
NET LOT AREA:	136,144 SF
REQUIRED LANDSCAPE AREA 136,747 SF x 15% =	20,421 SF
LANDSCAPE AREA PROVIDED:	25,131 SF
75% LIVE VEGETATIVE COVER REQUIRED:	18,848 SF
78% LIVE VEGETATIVE COVER PROVIDED:	20,717 SF
STREET TREE FRONTAGE AT MENAUL =	685 LF
STREET TREES REQUIRED = 685 / 30 FEET O.C. =	23 TREES
STREET TREES PROVIDED=	27 TREES

EXISTING RESTAURANT

Trees

SYMBOL	QUANTITY SIZE	INSTALLED & MATURE SIZES	WATER USE/ EMITTER SCHEDULE	BOTANICAL NAME COMMON NAME
	27 2" caliper	10-12' high 30' high 22' wide	M 4@2gph	Robinia ambigua Purple Robe Locust (D)
	17 2" caliper	10-12' high 30' high 20' wide	M 4@2gph	Koelreuteria paniculata Golden Rain Tree (D) STREET TREE
	7 2" caliper	10-12' high 30' high 30' wide	M 6@2gph	Pinus thunbergiana Japanese Black Pine (E)
	36 1.5" caliper	10-12' high 20' high 20' wide	L+ 4@2gph	Chilopsis linearis Desert Willow (D)
	48 2" caliper	10-12' high 20' high 15' wide	M 6@2gph	Pinus Calleryana Cleveland Select Cleveland Select Ornamental Pear (D) STREET TREE
	3 2" caliper	10-12' high 22' high 30' wide	M 6@2gph	Crataegus crusgalli inermis Thornless Hawthorn (D) STREET TREE
	29 2" caliper	10-12' high 22' high 20' wide	M 6@2gph	Malus 'Adirondack' Crabapple (D) STREET TREE
	12 Various	Existing	N/A	Arizona Cypress (Existing) (E)

Shrubs

SYMBOL	QUANTITY SIZE	INSTALLED & MATURE SIZES	WATER USE	BOTANICAL NAME COMMON NAME (Evergreen, Deciduous)
	71 15 gallon	12' o.c. 16'h x 16'w	M 3@2gph	Pyracantha coccinea Firethorn (E)
	80 5 gallon	12' o.c. 3'h x 6'w	L 2@2gph	Rhus aromatica 'Gro-Low' Gro-Low Sumac (D)
	163 5 gallon	6' o.c. 4'h x 4'w	L 1@2gph	Artemisia tridentata Big Sage (E)
	60 5 gallon	12' o.c. 3'h x 4'w	L 1@2gph	Artemisia p 'Powis Castle' Wormwood (E)
	135 1 gallon	6' o.c. 3-4'h x 3'w	M 3@2gph	Macrorhus ilicifolia 'Valentine' Desert Mahoneyrose (D)
	65 5 gallon	4' o.c. 3-4'h x 3'w	L 2@2gph	Amorpha canescens Leadplant (D)
	84 5 gallon	4' o.c. 3'h x 3'w	L 1@2gph	Penstemon pseudospectabilis Desert Beardtongue (E)
	131 5 gallon	3' o.c. 3'h x 2'w	M 1@2gph 1@1gph	Salvigo nipsos 'Fireworks' Fireworks Goldenrod (D)
	361 1 gallon	3' o.c. 2'h x 2'w	M 2@2gph	Rapholepis indica 'Blueberry Muffin' Blueberry Muffin India Hawthorne (D)
	148 5 gallon	4' o.c. 4'h x 2'w	L 1@2gph	Salvia pitcheri 'Grandiflora' Pitcher's Blue Sage (D)
	169 1 gallon	4' o.c. 30"h x 2'w	L 1@2gph	Achillea 'Terra Cotta' Terra Cotta Yarrow (D)
	141 1 gallon	30" o.c. 24"h x 18"w	L 1@2gph 1@1gph	Nepeta 'Walker's Low' Walker's Low Catmint (D)
	106 1 gallon	30" o.c. 18"h x 18"w	L 1@2gph	Artemisia frigida Fringed Sage (E)
	222 1 gallon	2' o.c. 24"h x 18"w	M 1@2gph 1@1gph	Hosta x 'Minuteman' Minuteman Plantain Lily (D)
	216 1 gallon	2' o.c. 18"h x 12"w	L 1@2gph	Liriope pumila Gayleaf (D)

Ground Covers

SYMBOL	QUANTITY SIZE	SPACING/ (OR SIZE)	WATER USE	BOTANICAL NAME COMMON NAME
	1999 s.f. (V.I.F.) 1 gallon	12" o.c. 8"h x 24"w	L 1@2gph	Artemesia versicolor 'Seafoam' Curious Sage (E)
	2202 s.f. (V.I.F.) 1 gallon	18" o.c. 12"h x 12"w	M 1@2gph	Festuca glauca 'Boulder Blue' Boulder Blue Fescue (D)
	2115 s.f. (V.I.F.) 1 gallon	12" o.c. 3"h x 8"w	L 1@4gph	Hypericum x moserianum Tricki-Leaf Partly Sun (E)

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CONSULTANTS

PROJECT

MENAUL/PROSPECT RETAIL CENTER

SANDIA FOUNDATION

ADDRESS

Albuquerque, New Mexico

REV	10/06/06	REVISIONS FOR DRB DEFERRAL TO 10/13/06
Mark	Date	Description

Date	September 22, 2006
Project Number	920.00
Project File	
Drawn By	Author
Checked By	Checker
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SHEET TITLE

LANDSCAPE SITE PLAN

SHEET 2 (LC100) OF

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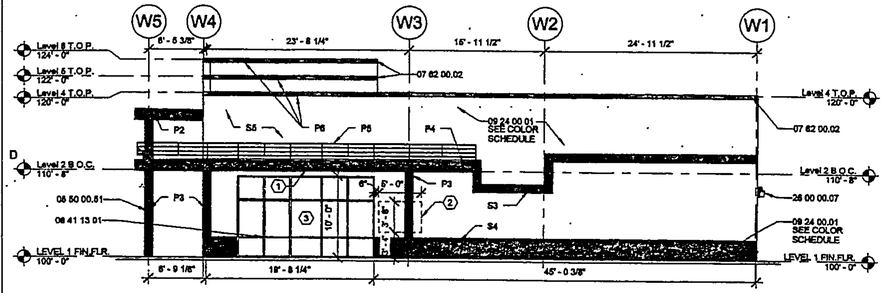
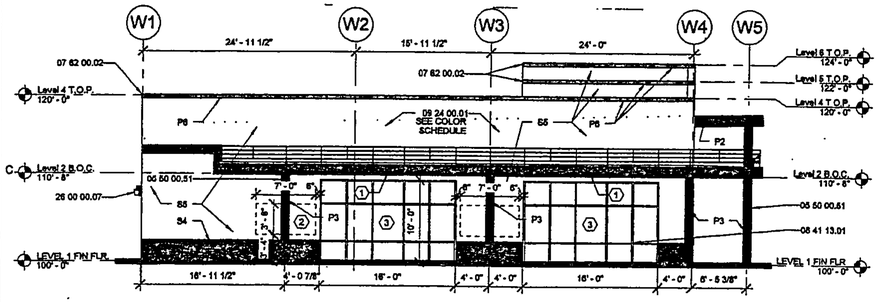


D1 WEST SHOPS - WEST ELEVATION

Scale: 1/8" = 1'-0"

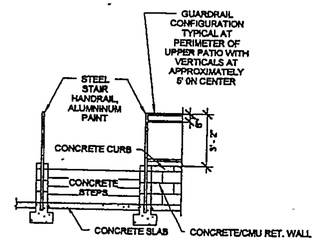
0' 4' 8' 16'



C1 WEST SHOPS - EAST ELEVATION

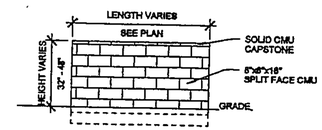
Scale: 1/8" = 1'-0"

0' 4' 8' 16'



D4 PARTIAL RET. WALL ELEV-TYP.

Scale: 1/4" = 1'-0"



C4 SCREEN WALL ELEV-TYP.

Scale: 1/4" = 1'-0"

GENERAL SHEET NOTES

1. DOOR LOCATIONS ARE "ILLUSTRATIVE" AND MAY NOT ALL BE USED. LOCATIONS WILL BE DETERMINED BY INDIVIDUAL TENANTS BASED ON LEASING AREAS. EXITS WILL BE PROVIDED AS REQUIRED BY APPLICABLE BUILDING CODES.

COLOR SCHEDULE

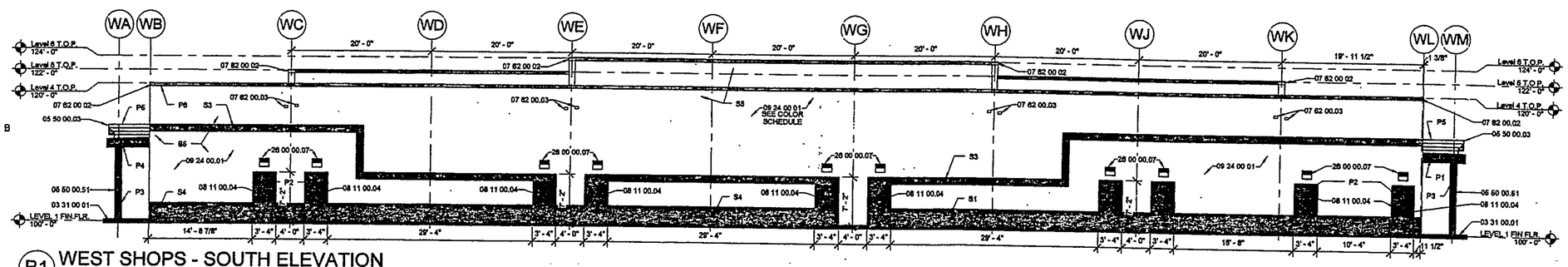
S1	ORANGE STUCCO
S2	TEAL STUCCO
S3	PURPLE STUCCO
S4	RED STUCCO
S5	BEIGE STUCCO
P1	ORANGE PAINT
P2	TEAL PAINT
P3	PURPLE PAINT
P4	RED PAINT
P5	ALUMINUM PAINT
P6	BEIGE PAINT

REFERENCE KEYNOTES

03 31 00.01	CONC SLAB
05 50 00.03	1x1 STEEL TUBE SIGN VALANCE-PAINTED
05 50 00.51	METAL COLUMN COVER
07 54 23.14	PREMANUFACTURED FLASHING
07 62 00.02	CAP FLASHING/COPING-PAINT
07 62 00.03	GALV SHEET METAL SCUPPER
08 11 00.04	INSULATED HOLLOW METAL DOOR
08 41 13.01	ALUM STOREFRONT SYSTEM
09 24 00.01	7/8" 3-COAT STUCCO SYSTEM
26 00 00.07	LIGHTING FIXTURE

SHEET KEYNOTES

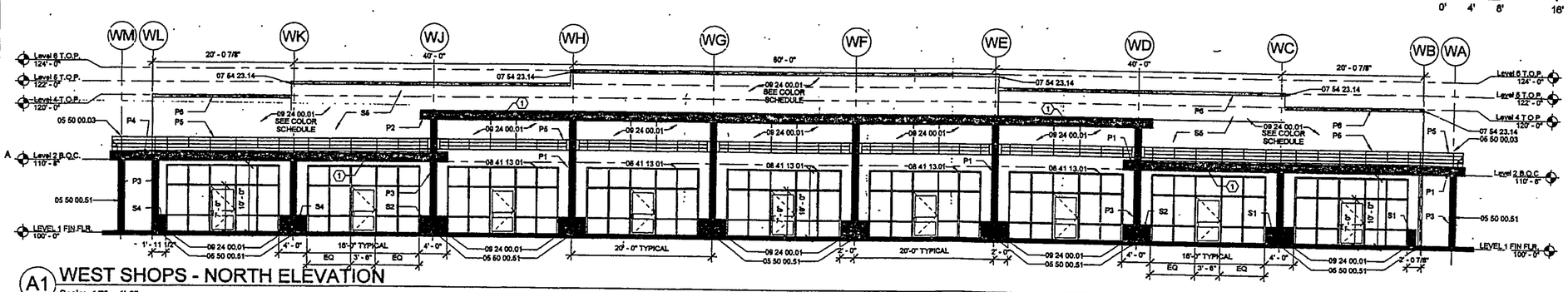
1. RECESSED CANOPY LIGHT LOCATION, TYPICAL
2. POTENTIAL PARAPET SIGN OR WALL SIGN LOCATION. SEE GUIDELINES FOR SPECIFIC REQUIREMENTS.
3. POTENTIAL DOOR LOCATION.



B1 WEST SHOPS - SOUTH ELEVATION

Scale: 1/8" = 1'-0"

0' 4' 8' 16'



A1 WEST SHOPS - NORTH ELEVATION

Scale: 1/8" = 1'-0"

0' 4' 8' 16'

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SANDIA FOUNDATION

ADDRESS

Albuquerque, New Mexico

Mark	Date	Description
REV. 2	10/08/08	REVISIONS FOR DRB DEFERRAL TO 10/15/08
REV. 1	3/21/08	HEIGHT MODIFICATIONS

Date	September 22, 2008
Project Number	920.00
Project File	
Drawn By	Staff
Checked By	Staff
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SHEET TITLE

BUILDING ELEVATIONS - WEST SHOPS

SHEET 4 (A-201) OF

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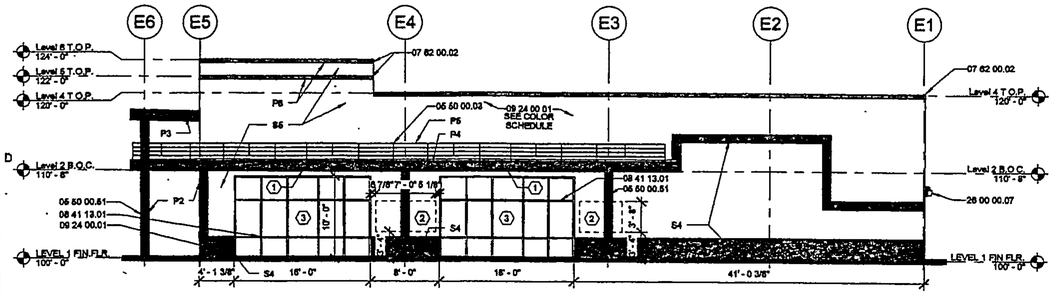
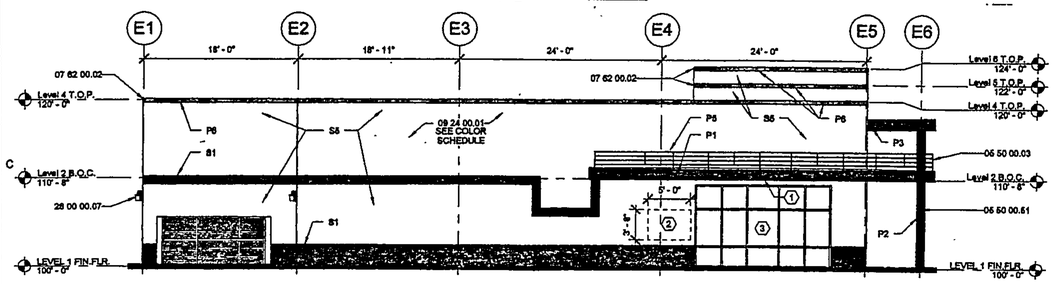


D1 EAST SHOPS - WEST ELEVATION

Scale: 1/8" = 1'-0"

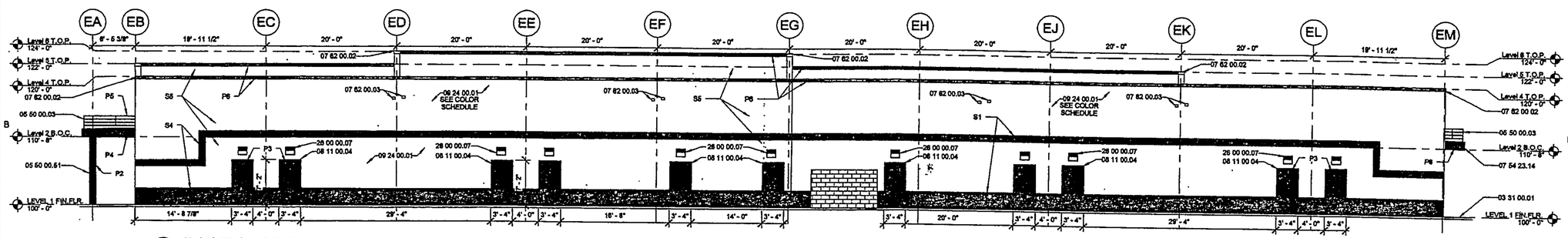
0' 15' 30' 60'



C1 EAST SHOPS - EAST ELEVATION

Scale: 1/8" = 1'-0"

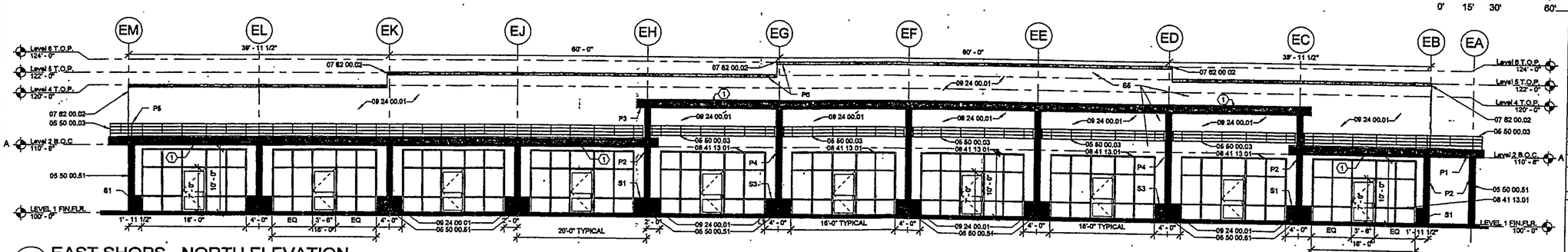
0' 15' 30' 60'



B1 EAST SHOPS - SOUTH ELEVATION

Scale: 1/8" = 1'-0"

0' 15' 30' 60'



A1 EAST SHOPS - NORTH ELEVATION

Scale: 1/8" = 1'-0"

0' 15' 30' 60'

GENERAL SHEET NOTES

1. DOOR LOCATIONS ARE "ILLUSTRATIVE" AND MAY NOT ALL BE USED. LOCATIONS WILL BE DETERMINED BY INDIVIDUAL TENANTS BASED ON LEASING AREAS. EXITS WILL BE PROVIDED AS REQUIRED BY APPLICABLE BUILDING CODES.

COLOR SCHEDULE

S1	ORANGE STUCCO
S2	TEAL STUCCO
S3	PURPLE STUCCO
S4	RED STUCCO
S5	BEIGE STUCCO
P1	ORANGE PAINT
P2	TEAL PAINT
P3	PURPLE PAINT
P4	RED PAINT
P5	ALUMINUM PAINT
P6	BEIGE PAINT

REFERENCE KEYNOTES

03 31 00.01	CONC SLAB
05 50 00.03	1x1 STEEL TUBE SIGN VALANCE-PAINTED
05 50 00.51	METAL COLUMN COVER
07 54 23.14	PREMANUFACTURED FLASHING
07 62 00.02	CAP FLASHING/COPING-PAINT
07 62 00.03	GALV SHEET METAL SCUPPER
08 11 00.04	INSULATED HOLLOW METAL DOOR
08 41 13.01	ALUM STOREFRONT SYSTEM
09 24 00.01	7/8" 3-COAT STUCCO SYSTEM
28 00 00.07	LIGHTING FIXTURE

SHEET KEYNOTES

1. RECESSED CANOPY LIGHT LOCATION, TYPICAL
2. POTENTIAL PARAPET SIGN/ OR WALL SIGN LOCATION. SEE GUIDELINES FOR SPECIFIC REQUIREMENTS.
3. POTENTIAL DOOR LOCATION.

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Project File	
Drawn By	Author
Checked By	Checker
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SHEET TITLE

BUILDING ELEVATIONS - EAST SHOPS

SHEET 5 (A-202) OF

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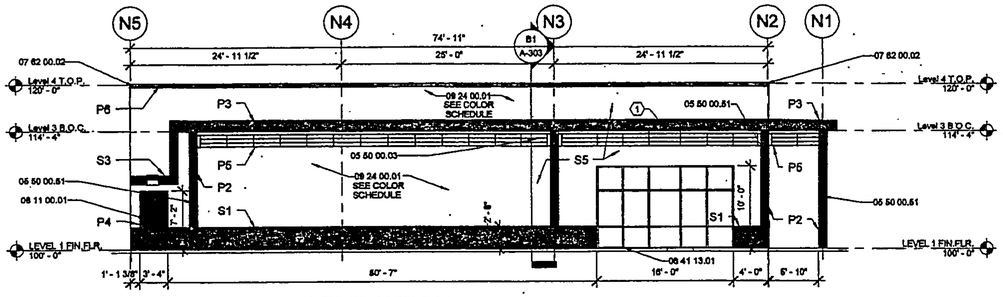
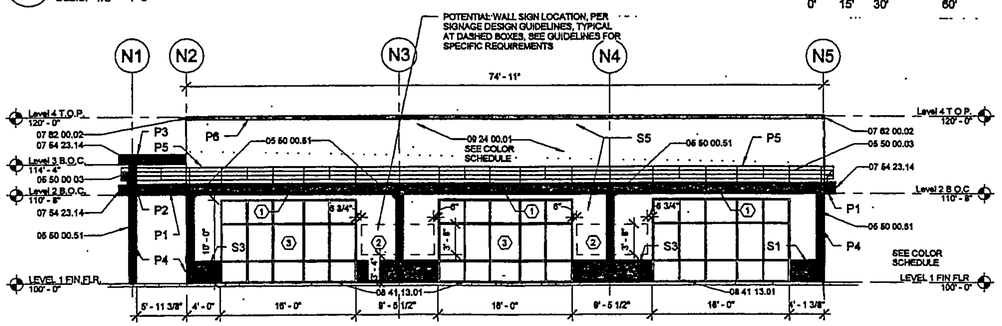


D1 NORTH SHOPS - WEST ELEVATION

Scale: 1/8" = 1'-0"

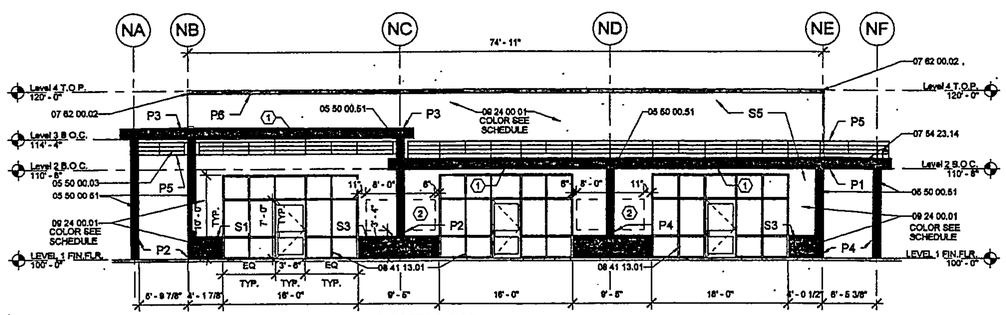
0' 15' 30' 60'



C1 NORTH SHOPS - EAST ELEVATION

Scale: 1/8" = 1'-0"

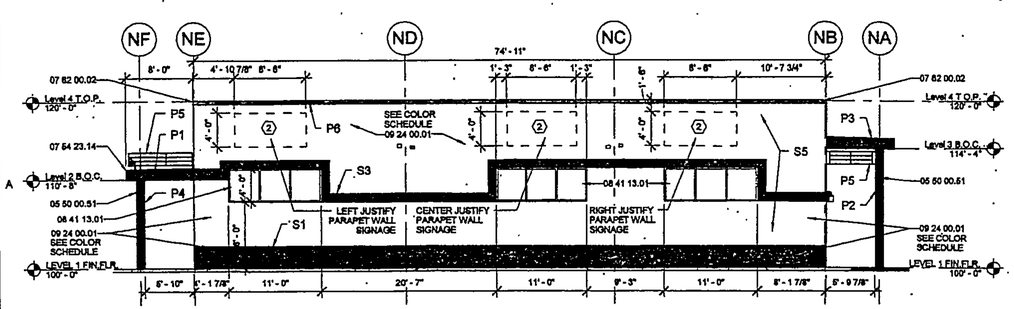
0' 15' 30' 60'



B1 NORTH SHOPS - SOUTH ELEVATIONS

Scale: 1/8" = 1'-0"

0' 15' 30' 60'



A1 NORTH SHOPS - NORTH EVLEVATIONS

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07 82 00.02	CAP FLASHING/COPING-PAINT
08 11 00.01	HOLLOW METAL DOOR
08 41 13.01	ALUM STOREFRONT SYSTEM
09 24 00.01	7/8" 3-COAT STUCCO SYSTEM

SHEET KEYNOTES

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3. POTENTIAL DOOR LOCATION.

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SHEET TITLE

BUIDLING ELEVATIONS-NORTH SHOPS

SHEET: 6 (A-203) OF

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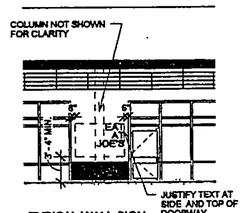
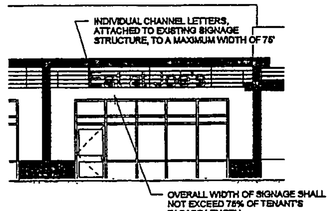
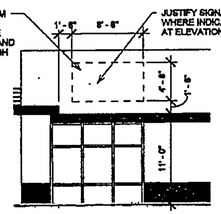


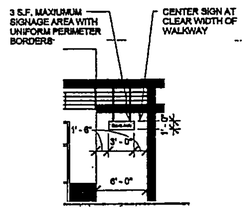
D1 TYPICAL WALL SIGN
1/8" = 1'-0"



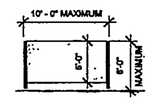
D2 TYPICAL MARQUEE SIGN
1/8" = 1'-0"



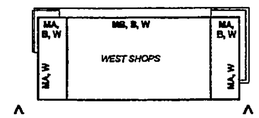
C1 TYPICAL PARAPET WALL SIGN ELEV
1/8" = 1'-0"

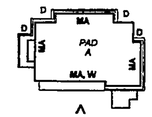


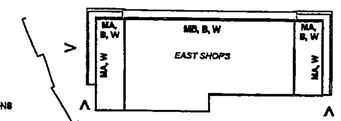
C2 TYPICAL BLADE SIGN
1/8" = 1'-0"



C3 TYPICAL FREE-STANDING MENU SIGN
1/8" = 1'-0"







POTENTIAL SIGNAGE LOCATIONS

W = WALL SIGN LOCATION, WHERE INDICATED ON ELEVATIONS

MA = ON MARQUEE SIGN BAND LOCATED ABOVE CANOPY

MB = ON MARQUEE SIGN BAND LOCATED BELOW CANOPY

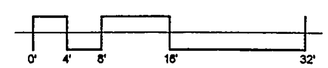
P = PARAPET WALL SIGN LOCATION, WHERE INDICATED ON ELEVATIONS

B = BLADE SIGN LOCATION,

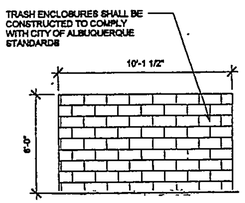
D = DRIVE THRU MENU SIGNAGE LOCATION

Λ = ILLUMINATED SIGNAGE ALLOWABLE THIS ELEVATION ONLY IF DEMONSTRATED THAT IT WILL NOT BE VISIBLE FROM EXISTING RESIDENTIAL USES OR ZONE WITHIN 40'

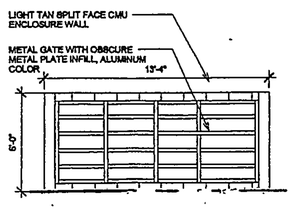
D3 SIGNAGE LOCATION DIAGRAM
1" = 60'-0"



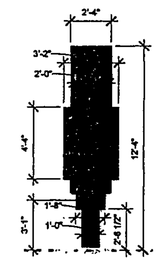
1/8" GRAPHIC SCALE



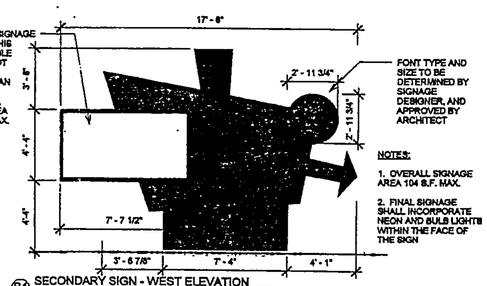
B1 TRASH ENCLOSURE - SIDE ELEVATION
1/4" = 1'-0"



B2 TRASH ENCLOSURE - FRONT ELEVATION
1/4" = 1'-0"

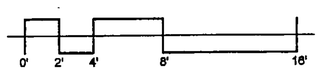


B3 SECONDARY SIGN - SOUTH ELEVATION
1/4" = 1'-0"

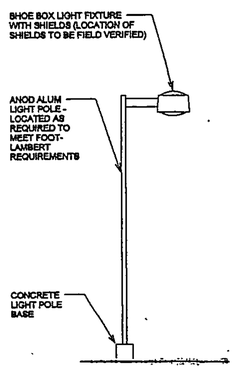


B4 SECONDARY SIGN - WEST ELEVATION
1/4" = 1'-0"

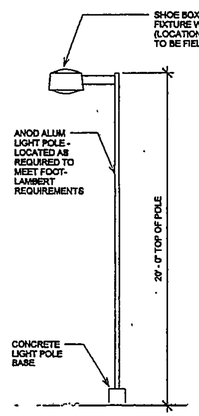
NOTE: FINAL DESIGNS OF PRIMARY AND SECONDARY MONUMENT SIGNS SHALL MATCH IN COLOR, FONTS, LETTERS SIZES, ETC. OF SIGN OTHER THAN SIGN BASES. TENANT SIGNAGE MAY VARY BETWEEN MONUMENT SIGNS.



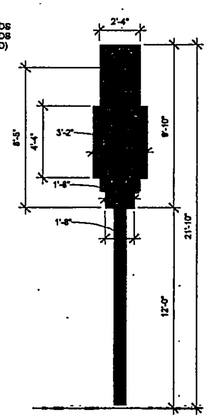
1/4" GRAPHIC SCALE



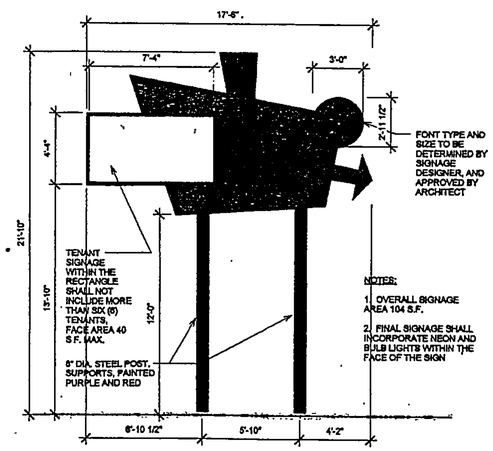
A1 SITE LIGHTING - 16' H POLE
1/4" = 1'-0"



A2 SITE LIGHTING - 20' POLE
1/4" = 1'-0"



A3 PRIMARY SIGN - NORTH ELEVATION
1/4" = 1'-0"



A4 PRIMARY SIGN - WEST ELEVATION
1/4" = 1'-0"

GENERAL SHEET NOTES

SIGNAGE DESIGN GUIDELINES

A. GENERAL

1. ALL SIGNAGE AND SIGNAGE LIGHTING SHALL BE IN CONFORMANCE WITH THE STATE OF NEW MEXICO NIGHT SKY PROTECTION ACT, CITY OF ALBUQUERQUE ZONING CODE GENERAL SIGN REGULATIONS, AND THE C-2 REGULATIONS OR THESE SIGNAGE DESIGN GUIDELINES, WHICHEVER IS MOST RESTRICTIVE.

2. ONE BUILDING MOUNTED SIGN, INCLUDING PARAPET WALL OR MARQUEE SIGN PER TENANT STREET FRONTAGE SHALL BE PERMITTED. BLADE SIGN SHALL BE ADDITIONAL.

3. OFF-PREMISE SIGNS ARE PROHIBITED.

4. AUDIBLE SIGNS OR DEVICES IN CONJUNCTION WITH SIGNAGE SHALL NOT BE PERMITTED.

5. ROTATING, PULSATING OR OSCILLATING BEACONS OF LIGHT, INCLUDING SEARCHLIGHTS USED FOR COMMERCIAL OR PROMOTIONAL PURPOSES SHALL NOT BE PERMITTED.

6. A SIGN SHALL NOT OVERHANG INTO THE PUBLIC RIGHT-OF-WAY MORE THAN FIVE FEET.

7. SIGNS SHALL NOT BE LOCATED WITHIN A CLEAR SIGHT TRIANGLE.

8. NO PORTION OF AN ILLUMINATED SIGN SHALL HAVE A LUMINANCE OF GREATER THAN 320 FOOTLAMBERTS AT NIGHT.

9. SIGNAGE FACING IN THE DIRECTION OF A EXISTING RESIDENTIAL USE OR WITHIN 40' OF A RESIDENTIAL ZONE SHALL NOT BE ILLUMINATED UNLESS OTHERWISE SHIELDED BY A WALL, BUILDING, OR OTHER ACCEPTABLE NON-TRANSPARENT OBJECT.

B. FREE-STANDING SITE SIGNS

1. A TOTAL OF TWO FREE-STANDING SITE SIGNS, ONE PRIMARY SIGN, AND ONE SECONDARY SIGN (REFERENCE RELATED DRAWINGS THIS SHEET), WILL BE PROVIDED AT EAST AND WEST PORTIONS OF THE SITE. AREA OF EACH SIGN FACE SHALL BE LIMITED TO 60 S.F.

2. NO LIGHT BULB USED TO INDICATE TIME SHALL HAVE A RATING GREATER THAN 40 WATTS; NO REFLECTORS SHALL BE USED IN CONJUNCTION WITH SUCH BULBS.

C. BUILDING MOUNTED TENANT SIGNS

1. ALL BUILDING-MOUNTED SIGNAGE SHALL BE APPROVED BY OWNER OR OWNER'S DESIGNATED REPREESENTATIVE PRIOR TO FABRICATION AND/OR INSTALLATION. SIGNS FOR WHICH PRIOR APPROVAL HAS NOT BEEN OBTAINED MAY BE REMOVED BY OWNER; TENANTS WILL BE RESPONSIBLE FOR ALL CHARGES ASSOCIATED WITH BUILDING REPAIRS NEEDED FROM INAPPROPRIATELY MOUNTED SIGNAGE.

2. BUILDING MOUNTED SIGNAGE SHALL BE LIMITED TO THE FOLLOWING TYPES, QUANTITIES AND LOCATIONS (REFERENCE ASSOCIATED DIAGRAMS):

a. ONE "MARQUEE SIGN" PER TENANT FACADE (WHERE NO PARAPET WALL SIGN IS PROVIDED) ATTACHED TO SIGNAGE STRUCTURE (WHERE SIGNAGE STRUCTURE ALLOWS):

I. MARQUEE SIGNAGE SHALL CONSIST OF INDIVIDUAL CHANNEL LETTERS. MARQUEE SIGNS MAY BE INTERNALLY OR EXTERNALLY ILLUMINATED PROVIDED THAT THEY COMPLY WITH GUIDELINE A.8. ABOVE.

II. CHANNEL LETTERS SHALL NOT EXTEND BEYOND SIGNAGE STRUCTURE. OVERALL HEIGHT OF CHANNEL LETTER SIGNAGE SHALL NOT EXCEED 30" IN HEIGHT AND SHALL BE LIMITED TO TWO LINES OF TEXT.

III. MARQUEE SIGNS SHALL BE LIMITED TO 75% OF THE TENANT FACADE WIDTH TO A MAXIMUM WIDTH OF 75'. MARQUEE SIGNS SHALL BE CENTERED ON SUCH WIDTH UNLESS OTHERWISE APPROVED BY OWNER OR OWNER'S DESIGNATED REPRESENTATIVE.

b. ONE "PARAPET WALL SIGN" PER TENANT STREET FRONTAGE (WHERE NO MARQUEE SIGN IS PROVIDED) SHALL BE ALLOWABLE ONLY WHERE INDICATED ON SPECIFIC BUILDING ELEVATIONS:

I. PARAPET WALL SIGNS SHALL CONSIST OF INDIVIDUAL CHANNEL LETTERS, INTERNALLY OR EXTERNALLY ILLUMINATED PROVIDED THAT THEY COMPLY WITH GUIDELINE A.8. ABOVE.

II. ALLOWABLE PARAPET WALL SIGN LOCATIONS AND SIGN FACE AREAS SHALL BE WITHIN AREAS INDICATED ON THE BUILDING ELEVATIONS.

III. SIGNAGE AREA SHALL BE A MAXIMUM OF 40 S.F. WITH A MAXIMUM OF THREE LINES OF TEXT. LETTER SIZE SHALL BE A MAXIMUM OF 14" HIGH.

c. ONE "BLADE SIGN" PER PUBLIC ENTRANCE :

I. BLADE SIGNS SHALL CONSIST OF CEILING-HUNG SIGNS ADJACENT AND PERPENDICULAR TO AN ENTRY WHERE POSSIBLE TO LOCATE 8'-0" MINIMUM ABOVE WALKWAY (SEE BLADE SIGN DIAGRAM).

d. ONE "WALL SIGN" PER PUBLIC ENTRANCE:

I. WALL SIGNS SHALL NOT BE MOUNTED LESS THAN 3'-4" ABOVE FINISH FLOOR; TOP OF WALL SIGNS SHALL BE 7'-4" ABOVE FINISH FLOOR (SEE CANOPY SIGN DIAGRAM).

II. WALL SIGNS SHALL BE MOUNTED 6" FROM, JUSTIFIED TO ADJACENT ENTRY AND ONLY WITHIN LOCATIONS DESIGNATED ON BUILDING ELEVATIONS (SEE DETAIL).

III. SIGN FACE AREA SHALL NOT EXCEED 20 S.F. EACH

e. ROOF AND PROJECTING SIGNS ARE PROHIBITED.

D. DRIVE-THRU SIGNAGE

1. IN ADDITION TO THE BUILDING-MOUNTED TENANT SIGNS ALLOWED IN SECTION C. ABOVE, A DRIVE-THRU SHALL BE ALLOWED UP TO THREE ADDITIONAL FREE-STANDING OR WALL-MOUNTED MENU SIGNS NOT TO EXCEED A COMBINED TOTAL OF 180 S.F.

a. ALL DRIVE-THRU SIGNAGE SHALL BE APPROVED BY OWNER OR OWNER'S DESIGNATED REPRESENTATIVE PRIOR TO FABRICATION AND/OR INSTALLATION. SIGNS FOR WHICH PRIOR APPROVAL HAS NOT BEEN OBTAINED MAY BE REMOVED BY OWNER; TENANTS WILL BE RESPONSIBLE FOR ALL CHARGES ASSOCIATED WITH BUILDING AND/OR SITE REPAIRS NEEDED FROM INAPPROPRIATELY MOUNTED SIGNAGE.

b. FREE-STANDING DRIVE-THRU MENU SIGNS, INCLUDING ANY SUPPORTING STRUCTURE, SHALL BE A MAXIMUM OF 10' WIDE, AND 8' FROM THE ADJACENT GRADE (SEE MENU SIGN DIAGRAM).

c. WALL MOUNTED MENU SIGNS SHALL BE LOCATED A MINIMUM OF 3'-4" ABOVE FINISH FLOOR AND A MAXIMUM OF 7'-4" ABOVE FINISH FLOOR (SEE WALL SIGN DIAGRAM).

Van H. Gilbert Architect PC
ARCHITECTURE • INTERIORS • PLANNING
VHGA
2428 Baylor Dr SE Albuquerque, NM 87106
Tel 505-247-9955 Fax 505-247-1826
E-mail info@vhgarchitect.com
Web Site www.vhgarchitect.com

CONSULTANTS

PROJECT

Sandia Foundation

Menaul Prospect Retail Center

Menaul Boulevard NE
Albuquerque, NM

Rev.	10/8/08	REVISIONS FOR DRB DEFERRAL TO 10/15/08
Mark	Date	Description

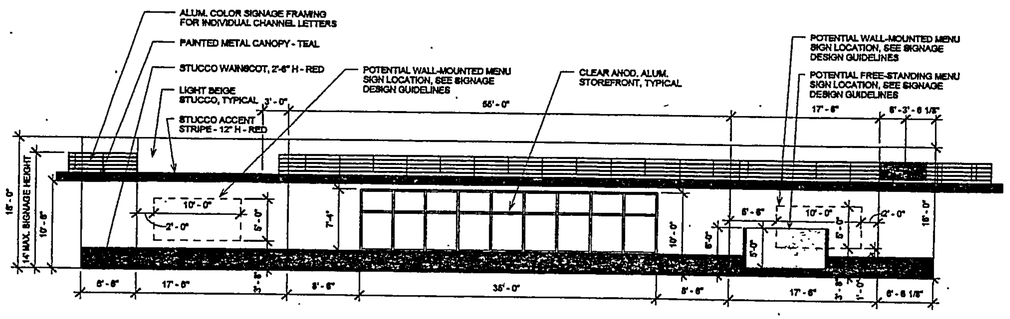
Date	September 16, 2008
Project Number	920.01
Project File	
Drawn By	Author
Checked By	Checker
Copyright ©	VAN H. GILBERT ARCHITECT PC

SHEET TITLE

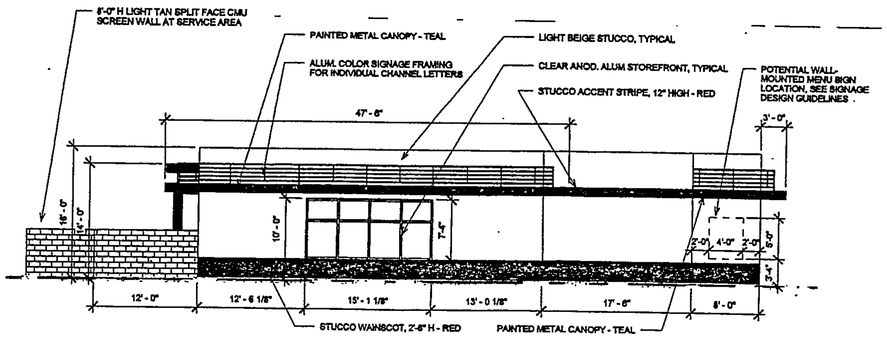
DETAILS

SHEET 7 OF

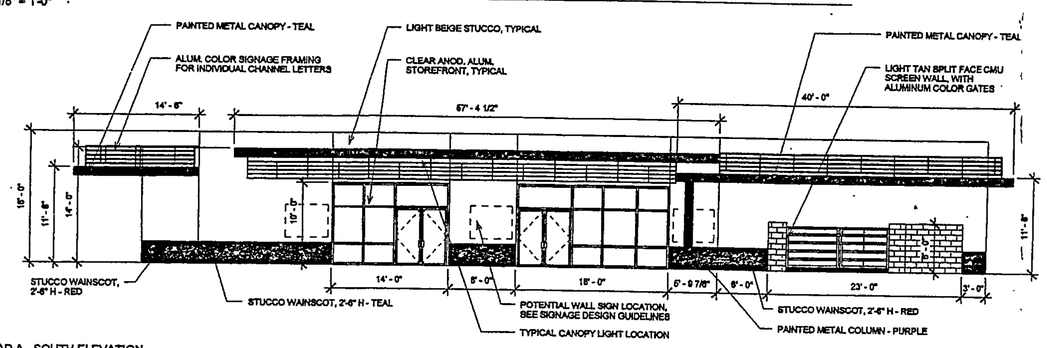
10/8/2008 4:35:45 PM P:\Revit Projects\920 Rowlands Menaul\DRAWINGS\AUTOCAD\SHEETS\EPC SUBMITTAL\REVIT MODELS\MODEL_4\Model.rvt



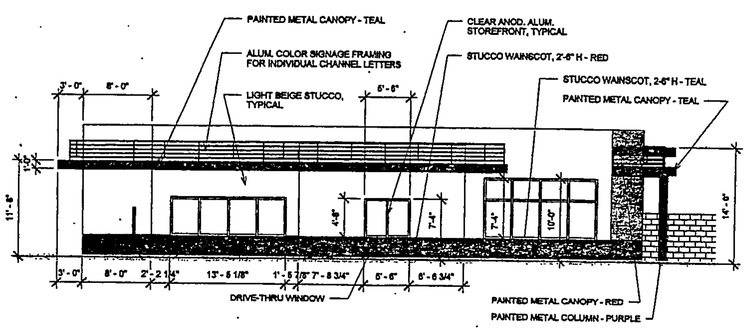
① PAD A - NORTH ELEVATION
1/8" = 1'-0"



② PAD A - EAST ELEVATION
1/8" = 1'-0"



③ PAD A - SOUTH ELEVATION
1/8" = 1'-0"



④ PAD A - WEST ELEVATION
1/8" = 1'-0"

GENERAL SHEET NOTES

Van H. Gilbert Architect PC
ARCHITECTURE • INTERIORS • PLANNING

VHGA

2428 Baylor Dr SE Albuquerque, NM 87106
Tel 505-247-9955 Fax 505-247-1826
E-mail info@vhgarchitect.com
Web Site www.vhgarchitect.com

CONSULTANTS

PROJECT

Sandia Foundation

Menaul Prospect Retail Center

Menaul Boulevard NE
Albuquerque, NM

REV.	10/8/08	REVISIONS FOR DRB DEFERRAL TO 10/15/08
Mark	Date	Description

Date	September 18, 2008
Project Number	920.01
Project File	
Drawn By	Author
Checked By	Checker
Copyright ©	VAN H. GILBERT ARCHITECT PC

SHEET TITLE

BUILDING ELEVATIONS - PAD A

SHEET 9 OF

10/8/2008 4:33:15 PM P:\Revit Projects\920 Rowlands Menaul\DRAWINGS\AUTOCAD\SHEETS\EPC SUBMITTAL\REVIT MODELS\MODEL_4\Model.rvt

City of Albuquerque Planning Department

One Stop Shop – Development and Building Services

11/18/2008 Issued By: PLNSDH

Permit Number: **2008 070 492** **Category Code 910**

Application Number: 08DRB-70492, Minor - Preliminary/ Final Plat Approval

Address:

Location Description: MENUAL BLVD NE BETWEEN MESILLA AVE NE AND PROSPECT AVE NE

Project Number: 1007099

Applicant
Sandia Foundation

6211 San Mateo Blvd Ne Ste 100
Albuquerque NM 87109

Agent / Contact
The Survey Office

333 Lomas Blvd Ne
Albuquerque NM 87102
888-0303

Application Fees

441018/4971000	Public Notification	
441032/3424000	Conflict Mgmt Fee	$20.00
441006/4983000	DRB Actions	$215.00
	TOTAL:	**$235.00**

City Of Albuquerque
Treasury Division

11/18/2008 11:54AM LOC: ANNX
WS# 007 TRANS# 0021
RECEIPT# 00106778-00106778
PERMIT# 2008070492 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

One Stop Shop – Development and Building Services

09/23/2008 Issued By: E08375

Permit Number: **2008 070 422** **Category Code 910**

Application Number: 08DRB-70422, Epc Approved Sdp For Build Permit

Address:

Location Description: MENAUL BLVD NE BETWEEN MESILLA AND PENNSYLVANIA

Project Number: 1007099

Applicant

Sandia Foundation, A Nm Non-Profit

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

Agent / Contact

Van H Gilbert Architect
Stanley Salazar
2428 Baylor Dr Se
Albuquerque NM 87102

mborowski@vhga.net

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

9/23/2008 11:14AM LOC: ANNX
WS# 008 TRANS# 0021
RECEIPT# 00096794-00096794
PERMIT: 2008070422 TPSSUC
Trans Amt 120.00
Conflict Mgmt Fee $20.00
CK 120.00
CHANGE 0.00

Thank You

TRANSMITTAL LETTER

Van H. Gilbert Architect, P.C.
2428 Baylor Drive SE
Albuquerque, NM 87106
505-247-9955 505-247-1826 (F)

PROJECT: Sandia Foundation
Menaul & Prospect

ARCHITECT'S PROJECT NO: 920
DRB Project NO: 1007099

TO: Mr. Jack Cloud, DRB Chair
City of Albuquerque
Planning Department
Albuquerque, NM 87102

DATE: October 20, 2008
PHONE:

WE TRANSMIT:
(XX) herewith ( ) under separate cover via fax ( ) pages
( ) in accordance with your request

FOR YOUR:
( ) approval ( ) distribution to parties ( ) information
( ) review & comment ( ) record ( ) pick-up
(XX) use ( ) Shop Drawing Stamp ( ) Signature & Return

THE FOLLOWING:
( ) Drawings ( ) Shop Drawing Prints ( ) Samples
( ) Specifications ( ) Drawing Reproducibles ( ) Product Literature
( ) Change Order ( ) Geotechnical Report ( ) Hard Copy

COPIES	DATE	DESCRIPTION
1	10-17-08	24 x 36 DRB Deferral to 10-22-08 Site Plan
1	10-17-08	Infrastructure list.

ACTION CODE
A. Action Indicated on item transmittedD. For signature & forwarding as noted below under REMARKS
B. No action required E. See REMARKS below
C. for signature & return to this office

REMARKS:

COPIES TO: (with enclosures)	Van H. Gilbert Architect, P.C. 2428 Baylor Dr. SE Albuquerque, NM 87106

TRANSMITTAL
LETTER

Van H. Gilbert Architect, P.C.
2428 Baylor Drive SE
Albuquerque, NM 87106
505-247-9955 505-247-1826 (F)

PROJECT: Sandia Foundation
1007099 Menaul & Prospect

ARCHITECT'S
PROJECT NO: 920

TO: Mr. Jack Cloud, DRB Chair
City of Albuquerque
Planning Department
Albuquerque, NM 87102

DATE: October 8, 2008
PHONE:

WE TRANSMIT:
(XX) herewith ( ) under separate cover via fax ( ) pages
( ) in accordance with your request

FOR YOUR:
( ) approval ( ) distribution to parties ( ) information
( ) review & comment ( ) record ( ) pick-up
(XX) use ( ) Shop Drawing Stamp ( ) Signature & Return

THE FOLLOWING:
( ) Drawings ( ) Shop Drawing Prints ( ) Samples
( ) Specifications ( ) Drawing Reproducibles ( ) Product Literature
( ) Change Order ( ) Geotechnical Report ( ) Hard Copy

COPIES	DATE	DESCRIPTION
1 Set	10-8-08	24 x 36 DRB Deferral Re-Submittal
		Sheets: Site Plan, Landscape Plan, Building Elevations
		- West Shops, Building Elevations - East Shops,
		Building Elevations - North Shops, Details, and Building
		Elevations - Pad A.

ACTION CODE
A. Action Indicated on item transmittedD. For signature & forwarding as noted below under REMARKS
B. No action required E. See REMARKS below
C. for signature & return to this office

REMARKS:

COPIES TO: (with enclosures)	Van H. Gilbert Architect, P.C. 2428 Baylor Dr. SE Albuquerque, NM 87106

City of Albuquerque

DEVELOPMENT/ PLAN REVIEW APPLICATION

Supplemental form

SUBDIVISION — S
- ✓ Major Subdivision action
- ✓ Minor Subdivision action PRELIM / FINAL
- ___ Vacation — V
- ___ Variance (Non-Zoning)

SITE DEVELOPMENT PLAN — P
- ___ for Subdivision
- ___ for Building Permit
- ___ Administrative Amendment (AA)
- ___ IP Master Development Plan
- ___ Cert. of Appropriateness (LUCC)

STORM DRAINAGE — D
- ___ Storm Drainage Cost Allocation Plan

ZONING & PLANNING — Z
- ___ Annexation
- ___ County Submittal
- ___ EPC Submittal
- ___ Zone Map Amendment (Establish or Change Zoning)
- ___ Sector Plan (Phase I, II, III)
- ___ Amendment to Sector, Area, Facility or Comprehensive Plan
- ___ Text Amendment (Zoning Code/Sub Regs)
- ___ Street Name Change (Local & Collector)

APPEAL / PROTEST of... — A
- ___ Decision by: DRB, EPC, LUCC, Planning Director or Staff, ZHE, Zoning Board of Appeals

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

APPLICANT INFORMATION:

Professional/Agent (if any): THE SURVEY OFFICE PHONE: 998-0303
ADDRESS: 333 LOMAS BLVD NE FAX: 998-0305
CITY: ALBQ STATE NM ZIP 87102 E-MAIL:

APPLICANT: SANDIA FOUNDATION PHONE:
ADDRESS: 6211 SAN MATEO BLVD NE SUITE 100 FAX:
CITY: ALBQ STATE NM ZIP 87109 E-MAIL:
Proprietary interest in site: OWNER List all owners: N/A

DESCRIPTION OF REQUEST: INCORPORATE VACATION ACTION (08DRB-70413 & 70414) VARIOUS PUBLIC UTILITY EASEMENTS & PORTION OF PROSPECT AVE NE & REPLAT 23 EXISTING TRACTS INTO ONE NEW TRACT.

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. LOTS 1,2,3,38,39 & N 4 58.20' OF LOT 37 Block: 16 & 17 Unit: N/A
Subdiv/Addn/TBKA: & VACATED PORTION OF PROSPECT AVE NE, BLK 16, & LOTS 1-11, 33-38 BLK 17, ZUNI ADD.
Existing Zoning: C-2 / SU-1 Proposed zoning: N/A
Zone Atlas page(s): H-19-Z UPC Code: 1-019-059-210-252-31520 MRGCD Map No. N/A
1-019-059-200-242-31503 1-019-059-222-245-31519 1-019-059-208-232-31505
1-019-059-192-248-31502 1-019-059-211-229-31506 1-019-059-202-237-31504
1-019-059-194-256-31501

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 # 1007099, 08EPC-40021, 40022, 08DRB-70408, 70413, 70414, 70422

CASE INFORMATION:
Within city limits? ✓ Yes Within 1000FT of a landfill? NO
No. of existing lots: 23 No. of proposed lots: 1 Total area of site (acres): 4.1830 AC
LOCATION OF PROPERTY BY STREETS: On or Near: MENAUL BLVD NE
Between: MESILLA AVE NE and PROSPECT AVE NE

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

SIGNATURE [signature] DATE 11-18-08
(Print) Gary Maple Applicant: ☐ Agent: ☒

FOR OFFICIAL USE ONLY

Form revised 4/07

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

Application case numbers	Action	S.F.	Fees
08DRB - 70492	P&F	5(3)	$ 215.00
	CMF		$ 20.00
			$
			$
			$
			$
			Total $ 235.00

Hearing date 11/26/08

Sandy Handley 11/18/08
Planner signature / date

Project # 1007099

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.**

N/A 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
N/A 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
N/A 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.

VACANT

☐ **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.

Gary Maple
Applicant name (print)

M. Maple 11-18-08
Applicant signature / date

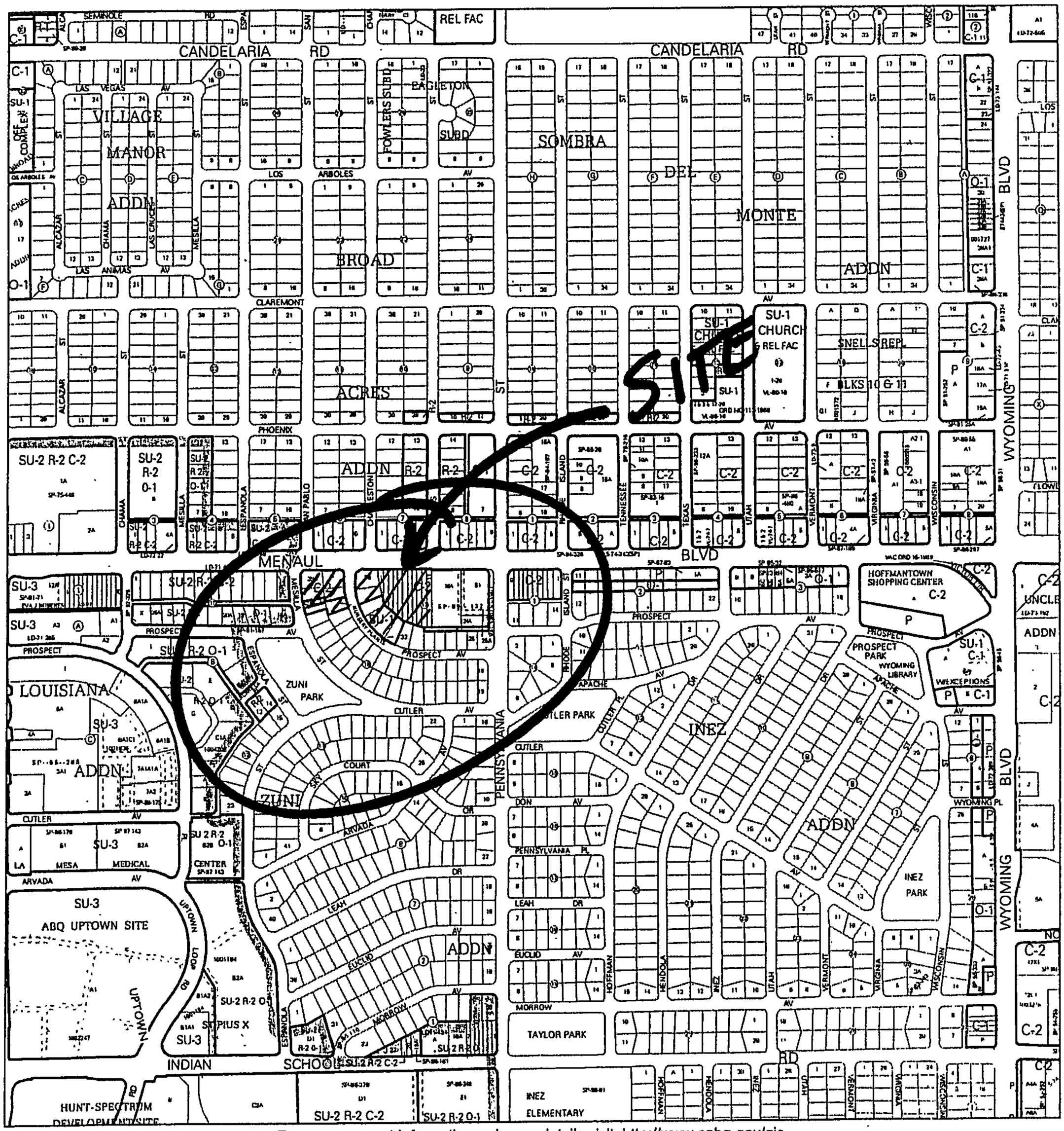
Form revised **October 2007**

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

Application case numbers
08DRB-70492

Sandy Handley 11/18/08
Planner signature / date

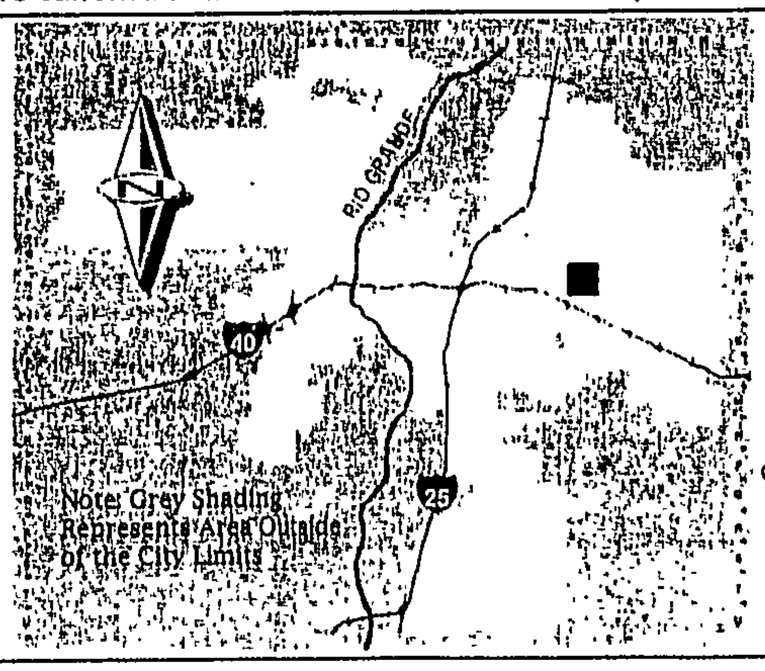
Project # 1007099



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

Albuquerque Geographic Information System

Map amended through: 6/13/2008



Zone Atlas Page:

H-19-Z

Selected Symbols

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

0 — 750 — 1,500 Feet

The Survey Office, LLC

*333 Lomas Blvd., NE * Albuquerque, New Mexico 87102 * 998-0303 * Fax 998-0305*

November 18, 2008

DEVELOPMENT REVIEW BOARD MEMBERS
PLAZA DEL SOL
600 SECOND STREET NW
ALBUQUERQUE, NM 87102

REF: TRACT A, BLOCKS 16 & 17, ZUNI ADDITION

Dear Board Members:

The purpose of the above referenced replat is to eliminate the lot lines between Twenty-three (23) existing Lots into One (1) new Lot, incorporate vacated utilities, portion of Prospect Ave NE and grant additional easements as shown on the plat.

The property is currently vacant, with a future proposed development of a retail center.

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

Sincerely,

Gary L. Maple

Gary Maple
President

Current DRC
Project Number:_____

FIGURE 12

Date Submitted: October 17, 2008
Date Site Plan Approved: 10-22-08
Date Preliminary Plat Approved:_____
Date Preliminary Plat Expires:_____
DRB Project No.: 1007099
DRB Application No.: 08DRB-70422

ORIGINAL

INFRASTRUCTURE LIST

(Rev. 9-05)

EXHIBIT "A"

TO SUBDIVISION IMPROVEMENTS AGREEMENT

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

Menaul + Prospect Retail Center
PROPOSED NAME ~~OF PLAT AND/OR~~ SITE DEVELOPMENT PLAN

Portion of Blocks 16 & 17, Zuni Addition, Section 7,T.10N., R.4E.,N.M.P.M. Albuquerque, Bernalillo County NM
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	Private P.E.	City Cnst Engineer
		6'	Sidewalk	Menaul Blvd. NE	Mesilla Av. NE	NE Property Corner	/	/	/
		13'-2"	Type "C" Bus Shelter & Bus Stop	Menaul Blvd.	East of Prospect Av. NE at North Prop. Line		/	/	/
			Reconfiguration of Median(s)	Menaul Blvd. NE	Mesilla Av. NE	Charleston St. NE	/	/	/
			Left Turn Lane Extension	Menaul Blvd. NE	Charleston/Menaul Intersection		/	/	/
		8"	Water Line & Fire Hydrants	Property East of Prospect	Prospect Av. NE	Menaul Blvd. NE	/	/	/
		4" -6"	4 Sanitary Sewer Service	All Buildings	Property East & West of Prospect		/	/	/
		1" -2"	4 Water Services	All Buildings	Property East & West of Prospect		/	/	/
		24'-min.	Paving Improvements plus Public Sidewalk (6' min, W.side only)	Public Roadway Easement	Prospect Terminus	Menaul Blvd.	/	/	/

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	Private P.E.	City Cnst Engineer
							/	/	/
							/	/	/

Approval of Creditable Items: _____
Impact Fee Admistrator Signature Date

Approval of Creditable Items: _____
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 Waterlines include all applicable gate valves, tees, bends, restrained joints & connections.

AGENT / OWNER

Guy Jackson, PE
NAME (print)

Guy Jackson & Associates, LLC
FIRM

10-22-08
SIGNATURE - date

DEVELOPMENT REVIEW BOARD MEMBER APPROVALS

10/22/08
DRB CHAIR - date

10/22/08
TRANSPORTATION DEVELOPMENT - date

10/22/08
UTILITY DEVELOPMENT - date

10/22/08
CITY ENGINEER - date

Christina Sandoval 10/22/08
PARKS & GENERAL RECREATION - date

AMAFCA - date

_____ - date

_____ - date

DESIGN REVIEW COMMITTEE REVISIONS

REVISION	DATE	DRC CHAIR	USER DEPARTMENT	AGENT /OWNER

CITY OF ALBUQUERQUE

PLANNING DEPARTMENT
September 24, 2008
DRB Comments

ITEM # 17

PROJECT # 1007099 APPLICATION # 08-70408

RE: Lots 1-3 & 37-39, Block 16 and 1-11 & 33-38, Block 17, Zuni Addition

For future reference, please revise Solar Restrictions Note to be specific to this type of request, i.e. replace the words "REQUESTED FINAL ACTION" with the words "THIS PLAT" at the beginning of the note, and delete the words "OR SITE DEVELOPMENT PLAN FOR SUBDIVISION" at the end of the note.

The creation of "Portions of" Lot 37 needs to be documented prior to 1973 and referenced on the plat.

Refer to comments from affected agencies (e.g. Transportation Development, ABCWUA and Hydrology) regarding proposed vacation; it appears a PUBLIC access easement will be needed.

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

City of Albuquerque Planning Department

One Stop Shop – Development and Building Services

09/19/2008 Issued By: PLNSDH

Permit Number: **2008 070 413** **Category Code 910**

Application Number: 08DRB-70413, Vacation Of Public Easement

Address:

Location Description: MENAUL BLVD NE BETWEEN MESILLA AVE NE AND PROSPECT AVE NE

Project Number: 1007099

Applicant
Sandia Foundation

624 San Mateo Blvd Ne Ste 100
Albuquerque NM 87108
998-0303

Agent / Contact
The Survey Office

333 Lomas Blvd Ne

Application Fees

441018/4971000	Public Notification	$75.00
441032/3424000	Conflict Mgmt Fee	$20.00
441006/4983000	DRB Actions	$180.00
	TOTAL:	**$275.00**

City Of Albuquerque
Treasury Division

9/19/2008 10:48AM LOC: ANNX
WS# 007 TRANS# 0006
RECEIPT# 00104249-00104250
PERMIT# 2008070413 TRSLJS
Trans Amt $575.00
APN Fee $75.00
Conflict Manag. Fee $20.00
DRB Actions $180.00
CK $575.00
CHANGE $0.00

Thank You

City of Albuquerque Planning Department

One Stop Shop – Development and Building Services

09/19/2008 Issued By: PLNSDH

Permit Number: **2008 070 414** **Category Code 910**

Application Number: 08DRB-70414, Vacation Of Public Right-Of-Way

Address:

Location Description: MENAUL BLVD NE BETWEEN MESILLA AVE NE AND PROSPECT AVE NE

Project Number: 1007099

Applicant
Sandia Foundation

624 San Mateo Blvd Ne Ste 100
Albuquerque NM 87109
998-0303

Agent / Contact
The Survey Office

333 Lomas Blvd Ne

Application Fees

441018/4971000	Public Notification	
441032/3424000	Conflict Mgmt Fee	
441006/4983000	DRB Actions	$300.00
	TOTAL:	**$300.00**

City Of Albuquerque
Treasury Division

9/19/2008 10:48AM LOC: ANNX
WS# 007 TRANS# 0006
RECEIPT# 00104249-00104249
PERMIT# 2008070414 TRSLJS
Trans Amt $575.00
DRB Actions $300.00
Thank You

City of Albuquerque

DEVELOPMENT/ PLAN REVIEW APPLICATION

Supplemental form

SUBDIVISION — S Z

- ___ Major Subdivision action
- ___ Minor Subdivision action
- ✓ Vacation PORTION OF PUBLIC R-O-W — V
- ___ Variance (Non-Zoning) PUBLIC UTILITY & DRAINAGE EASEMENTS & AT&T EASEMENT

SITE DEVELOPMENT PLAN — P

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

STORM DRAINAGE — L D

- ___ Storm Drainage Cost Allocation Plan

ZONING & PLANNING — A

- ___ Annexation
  - ___ County Submittal
  - ___ EPC Submittal
- ___ Zone Map Amendment (Establish or Change Zoning)
- ___ Sector Plan **(Phase I, II, III)**
- ___ Amendment to Sector, Area, Facility or Comprehensive Plan
- ___ Text Amendment (Zoning Code/Sub Regs)
- ___ Street Name Change (Local & Collector)

APPEAL / PROTEST of...

- ___ Decision by: DRB, EPC, LUCC, Planning Director or Staff, ZHE, Zoning Board of Appeals

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

APPLICANT INFORMATION:

Professional/Agent (if any): THE SURVEY OFFICE PHONE: 998-0303
ADDRESS: 333 LOMAS BLVD NE FAX: 998-0305
CITY: ALBQ STATE NM ZIP 87102 E-MAIL:

APPLICANT: SANDIA FOUNDATION PHONE:
ADDRESS: 6211 SAN MATEO BLVD NE SUITE 100 FAX:
CITY: ALBQ STATE NM ZIP 87109 E-MAIL:
Proprietary interest in site: OWNER List all owners: N/A

DESCRIPTION OF REQUEST: VACATE PORTION OF PROSPECT AVE NE, 10' UTILITY & DRAINAGE EASEMENTS & A 20' AT&T EASEMENT.

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. LOTS 1-11, 33-38, BLK 17 & LOTS 1,2&3, Block: 16&17 Unit:
Subdiv/Addn/TBKA: 38,39 & THE N1/4 58.2' OF LOT 37, BLK 16, ZUNI ADDITION
Existing Zoning: C-2 / SU-1 Proposed zoning: N/A
Zone Atlas page(s): H-19-Z UPC Code: 1-019-059-210-252-31520 MRGCD Map No N/A
1-019-059-200-242-31503 1-019-059-222-245-31519 1-019-059-208-232-31505
1-019-059-198-248-315-02 1-019-059-211-229-31506 1-019-059-202-237-31504
1-019-059-196-256-31501
1-019-059-174-248-31201

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# 1007099, 08EPC-40021, 40022, 08DRB-70408

CASE INFORMATION:

Within city limits? ✓ Yes Within 1000FT of a landfill? NO
No. of existing lots: 23 No. of proposed lots: 1 Total area of site (acres): 4.1830 AC

LOCATION OF PROPERTY BY STREETS: On or Near: MENAUL BLVD NE
Between: MESILLA AVE NE and PROSPECT AVE NE

Check-off if project was previously reviewed by Sketch Plat/Plan ☒, or Pre-application Review Team ☐. Date of review: 9-24-08

SIGNATURE M. Maple DATE 9-19-08
(Print) Gary Maple Applicant: ☐ Agent: ☒

FOR OFFICIAL USE ONLY Form revised 4/07

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

Application case numbers	Action	S.F.	Fees
08DRB - 70413	VPE		$ 175.00
08DRB - 70414	VRW		$ 300.00
	ADV		$ 75.00
	GME		$ 70.00
			$
			Total $ 575.00

Hearing date 10/15/08

Sandy Handley 09/19/08
Planner signature / date

Project # 1007099

FORM V: SUBDIVISION VARIANCES & VACATIONS

☐ **BULK LAND VARIANCE (DRB04)** **(PUBLIC HEARING CASE)**

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

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

☑ **VACATION OF PUBLIC EASEMENT (DRB27)** 10' UTILITY & DRAINAGE EASEMENTS & 20' AT&T EASEMENT
☑ **VACATION OF PUBLIC RIGHT-OF-WAY (DRB28)** PORTION OF PROSPECT AVE NE

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

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

☐ **SIDEWALK VARIANCE (DRB20)**
☐ **SIDEWALK WAIVER (DRB21)**

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

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

☐ **SUBDIVISION DESIGN VARIANCE FROM MINIMUM DPM STANDARDS (DRB25)**

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

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

☐ **TEMPORARY DEFERRAL OF SIDEWALK CONSTRUCTION (DRB19)**
☐ **EXTENSION OF THE SIA FOR TEMPORARY DEFERRAL OF SIDEWALK CONSTRUCTION (DRB07)**

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

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

☐ **VACATION OF PRIVATE EASEMENT (DRB26)**
☐ **VACATION OF RECORDED PLAT (DRB29)**

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

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

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

Gary Maple
Applicant name (print)

9-19-08
Applicant signature / date

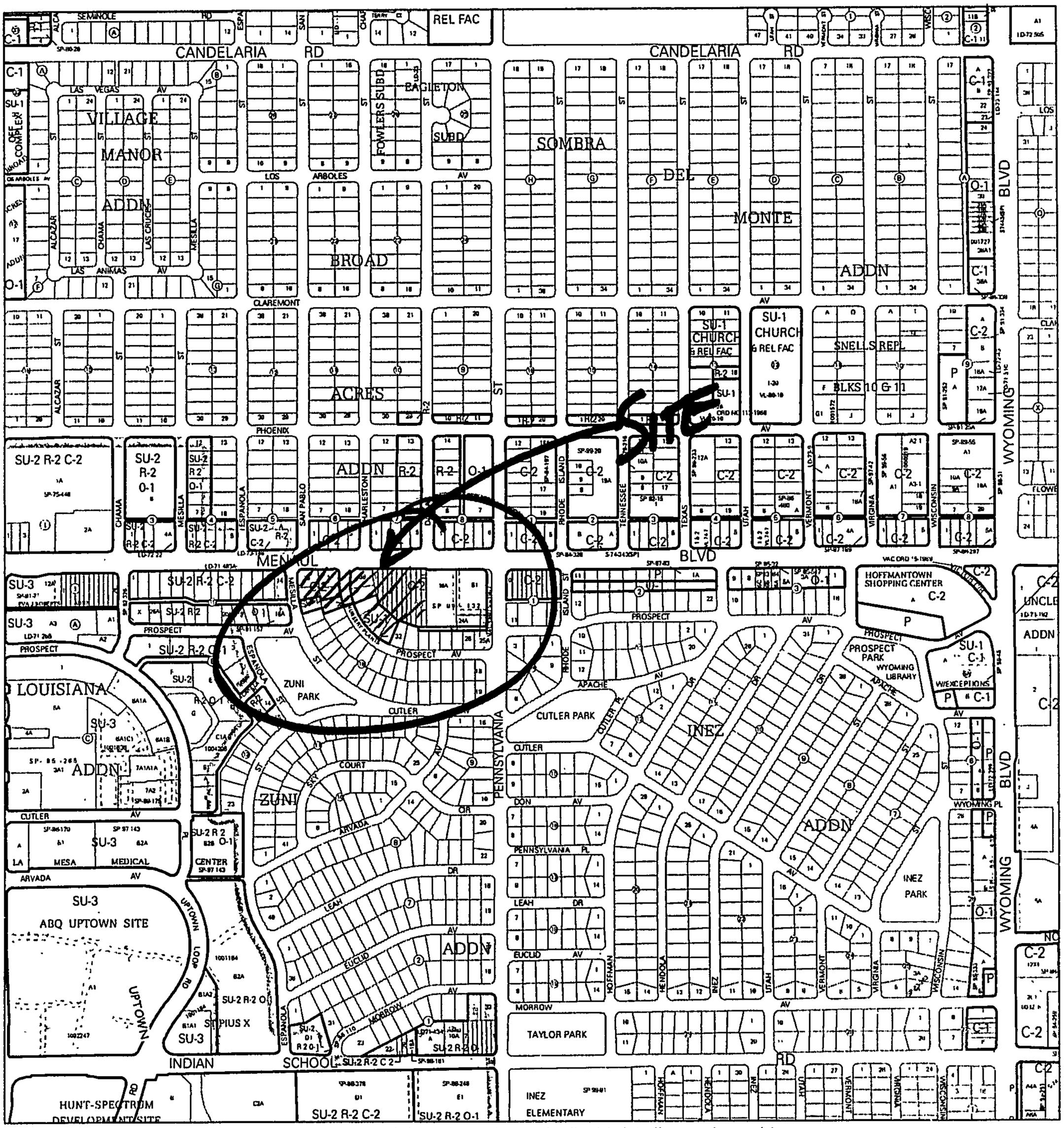
Form revised 4/07

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

Application case numbers
07DRB - 70413
07DRB - 70414
___ - ___ - ___

Sandy Handley 09/19/08
Planner signature / date

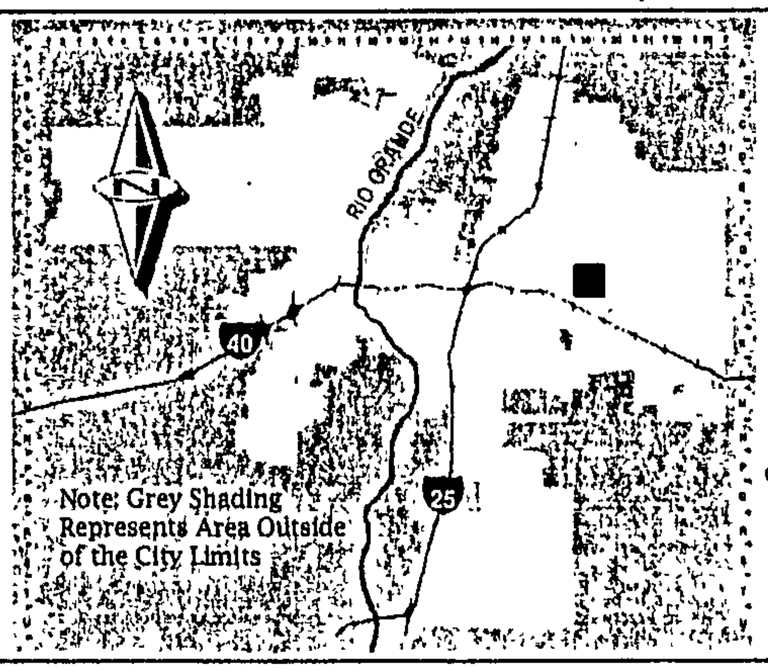
Project # 1007099



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

Albuquerque Geographic Information System

Map amended through: 6/13/2008



Zone Atlas Page:

H-19-Z

Selected Symbols

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

0 750 1,500 Feet

The Survey Office, LLC

*333 Lomas Blvd., NE * Albuquerque, New Mexico 87102 * 998-0303 * Fax 998-0305*

September 19, 2008

DEVELOPMENT REVIEW BOARD MEMBERS
PLAZA DEL SOL
600 SECOND STREET NW
ALBUQUERQUE, NM 87102

REF: VACATION ACTION – ZUNI ADDITION

Dear Board Members:

The purpose of the vacation request for the above referenced property is to vacate portion of Prospect Ave NE and various public utility easements.

On May 15, 2008, EPC voted to approve project #1007099 – 08EPC-40021 (site development plan for building permit) and 08EPC-40022 (zone map amendment) for a proposed retail center comprising of one drive-thru restaurant and three retail buildings with multiple tenants (see attached letter for more information).

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

Sincerely,

Gary Maple
President

REASONS FOR REQUEST

The applicant, Sandia Foundation ("Sandia"), requests that the City of Albuquerque (the "City") vacate portions of Prospect Ave., as shown on Exhibit "A" attached hereto, while retaining a 30' Private Access, Public Water & Sewer & Public Utility Easement (the "Easement"). This vacation request is an integral part of the development of Tract A, as shown on Exhibit "A" attached hereto (the "Property").

This vacation request is a condition of approval set by the City's Environmental Planning Commission (the "EPC"). The EPC set this condition when it approved a zone change request and site plan for building permit for the Property.

Concurrently with this vacation request Sandia will be replatting Lots 1-11 and Lots 33-38, Block 17, Zuni Addition, and Lots 1-3 and Lots 37-39, Block 16, Zuni Addition, into Tract A, as shown on Exhibit "A" attached hereto.

The vacation of a portion of Prospect Ave. will allow the development of the Property to occur in such a manner as to decrease the amount of through traffic

through the surrounding neighborhoods and also to allow the Property to have the feel of one whole project, so that people can walk across the Property.

There have been two facilitated meetings with the surrounding neighbors and all of the neighbors present at those meetings liked the idea of vacating a portion of Prospect Ave. while retaining some access for the neighbors.

This vacation has been discussed with the City Planning Department's Transportation Engineer, Tony Loyd, who has preliminarily agreed that the vacation and reservation of the 30' private access easement would be an acceptable plan.

The Property, as it currently exists, prior to being replatted into Tract A, actually straddles Prospect Ave. However, the idea of developing the Property with a 50' right of way running through it didn't sound like a good idea as Sandia wanted to develop the Property in such a manner as to create a single cohesive development.

Due to Sandia's desire to develop the Property as a single tract it had originally suggested vacating all

portions of Prospect Ave. which run through the Property. That proposal included turning Prospect Ave. into a cul-de-sac, cutting off direct access to Menaul Blvd. from Prospect Ave.

However, when the surrounding neighbors were approached with the idea of turning Prospect Ave. into a cul-de-sac, and cutting off direct access to Menaul Blvd., there were numerous complaints regarding their ability to have quick access to Menaul Blvd. in emergency situations. Because of the neighbors' concerns Sandia eventually suggested "narrowing" Prospect Ave.

The idea of "narrowing" Prospect Ave., or vacating portions of Prospect Ave. and having the City retain the Easement, was viewed favorably by all neighbors in attendance at the two facilitated meetings. The neighbors were very involved with the zone change request before the EPC and have always been supportive of the "narrowing" of Prospect Ave.

The public welfare is in no way served by retaining the portions of Prospect Ave. to be vacated as the City will retain the Easement. Additionally, no

substantial property right will be abridged against the City, as the owner of Prospect Ave., if this portion of Prospect is vacated.

H:\Sandia Foundation\Menaul Retail Center\vacationrequest.doc

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

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

September 17, 2008

Gary Maple
The Survey Office, LLC
333 Lomas Boulevard NE/87102
Phone: 998-0303/Fax: 998-0305

Dear Gary:

Thank you for your inquiry of September 17, 2008 requesting the names of **ALL Neighborhood and/or Homeowner Associations** who would be affected under the provisions of O-92 by your proposed project at **LOTS 1-11, 33-38, BLOCK 17 AND LOTS 1,2,3,38,39 AND THE NLY 58.20' OF LOT 37, BLOCK 16, ZUNI ADDITION, LOCATED ON MENAUL BOULEVARD NE BETWEEN MESILLA AVENUE NE AND PROSPECT AVENUE NE** zone map **H-19.**

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

SEE ATTACHED UPTOWN NA LIST

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

Sincerely,

Stephani Winklepleck

Stephani I. Winklepleck
Neighborhood Liaison
OFFICE OF NEIGHBORHOOD COORDINATION
Planning Department

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

planningrnaform(07/23/07)

UPTOWN NEIGHBORHOOD ASSOCIATION LIST

(as of August 28, 2008)

Alvarado Park Neighborhood Association "R"

Bill Sterchi
5607 Princess Jeanne NE/87110 255-0579 (h) 417-4529 (c)

Natasha Carty
5907 Princess Jeanne NE/87110 268-5049 (h)

Classic Uptown Neighborhood Association "R"

Stephen Verchinski
2700 Espanola NE/87110 888-1370 (h) 238-2398 (c) 476-3390 (w)

Patti Flanagan
2716 Espanola NE/87110 323-2168 (h)

Inez Neighborhood Association "R"

Evelyn B. Feltner
2014 Utah St. NE/87110 271-9027 (h)

Bette Weber
1927 Virginia St. NE/87110 292-1756 (h)

Jerry Cline Park Neighborhood Association "R"

Julie Jones
7625 Winter Ave. NE/87110 232-4638 (h)

Ron Goldsmith
1216 Alcazar St. NE/87110 232-9516 (h)

Quigley Park Neighborhood Association "R"

Winnie Schmidt
2916 Cuervo Dr. NE/87110-3106 881-2155 (h) 980-9362 (c)

Maria Young
2932 Madeira Dr. NE/87110 883-0218 (h)

Snow Heights Neighborhood Association "R"

Laura Heitman
8011 Princess Jeanne NE/87110 299-4959 (h)

Andrea Henderson
1317 Rhode Island NE/87110 294-9929 (h)

Uptown Progress Team, Inc. "R"

Louis Abruzzo
10 Tramway Loop NE/87122 856-2726 (w)

Marcy Cook
6565 Americas Parkway NE #200/87110 563-5969 (w)

Winrock South Neighborhood Association "R"

Richard Peterson
7110 Constitution Ave. NE/87110-7122 255-0414 (message #)

Virginia Kinney
7110 Constitution Ave. NE/87110-7122 255-0414 (message)

Zuni Neighborhood Association "R"

Sharon Berlint
7516 Euclid NE/87110 875-1137 (h)

Allan Smith
7522 Euclid NE/87110 837-1752 (h)

!!!Notice to Applicants!!!

SUGGESTED INFORMATION FOR NEIGHBORHOOD NOTIFICATION LETTERS

Applicants for Zone Change, Site Plan, Sector Development Plan approval or an amendment to a Sector Development Plan by the EPC, DRB, etc. are required under Council Bill O-92 to notify all affected neighborhood and/or homeowner associations **PRIOR TO FILING THE APPLICATION TO THE PLANNING DEPARTMENT.** Because the purpose of the notification is to ensure communication as a means of identifying and resolving problems early, it is essential that the notification be fully informative.

WE RECOMMEND THAT THE NOTIFICATION LETTER INCLUDE THE FOLLOWING INFORMATION:

1. The street address of the subject property.
2. The legal description of the property, including lot or tract number (if any), block number (if any), and name of the subdivision.
3. A physical description of the location, referenced to streets and existing land uses.
4. A complete description of the actions requested of the EPC:
   a) If a **ZONE CHANGE OR ANNEXATION**, the name of the existing zone category and primary uses and the name of the proposed category and primary uses (i.e., "from the R-T Townhouse zone, to the C-2 Community Commercial zone").
   b) If a **SITE DEVELOPMENT OR MASTER DEVELOPMENT PLAN** approval or amendment describes the physical nature of the proposal (i.e., "an amendment to the approved plan to allow a drive-through restaurant to be located just east of the main shopping center entrance off Montgomery Blvd.").
   c) If a **SECTOR DEVELOPMENT PLAN OR PLAN AMENDMENT** a general description of the plan area, plan concept, the mix of zoning and land use categories proposed and description of major features such as location of significant shopping centers, employment centers, parks and other public facilities.
   d) The name, address and telephone number of the applicant and of the agent (if any). In particular the name of an individual contact person will be helpful so that neighborhood associations may contact someone with questions or comments.

Information from the Office of Neighborhood Coordination

The following information should always be in **each** application packet that you submit for an EPC or DRB application. Listed below is a "Checklist" of the items needed.

[X] ONC's "Official" Letter to the applicant *(if there are associations)*. A copy must be submitted with application packet. **-OR-**

[ ] The ONC "Official" Letter *(if there are no associations)*. A copy must be submitted with application packet.

[X] Copies of Letters to Neighborhood and/or Homeowners Associations *(if there are associations)*. A copy must be submitted with application packet.

[X] Copies of the certified receipts to Neighborhood and/or Homeowners Associations *(if there are associations)*. A copy must be submitted with application packet.

Just a reminder **- Our ONC "Official" Letter is only valid for a one (1) month period and if you haven't submitted your application by this date, you will need to get an updated letter from our office.**

Any questions, please feel free to contact Stephani at 924-3902 or via an e-mail message at swinklepleck@cabq.gov.

Thank you for your cooperation on this matter.

***

The Survey Office, LLC

*333 Lomas Blvd., NE * Albuquerque, New Mexico 87102 * 998-0303 * Fax 998-0305*

September 18, 2008

U.S. Postal Service™
CERTIFIED MAIL™ RECEIPT
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OFFICIAL USE

Postage	$ .42
Certified Fee	2.70
Return Reciept Fee (Endorsement Required)	2.20
Restricted Delivery Fee (Endorsement Required)	
Total Postage & Fees	$ 5.32

Postmark Here 9.19.08

7004 1350 0000 0766 8968

Sent To BILL STERCHI
Street, Apt. No.; or PO Box No. 5607 PRINCESS JEANNE NE
City, State, ZIP+4 ALBQ, N. MEX 87110

PS Form 3800, June 2002 See Reverse for Instructions

ALVARADO PARK NEIGHBORHOOD ASSOC.
BILL STERCHI
5607 PRINCESS JEANNE NE
ALBUQUERQUE, NM 87110

REF: VACATION ACTION – ZUNI ADDITION

Dear Bill Sterchi:

This letter is a notice to you of action being taken on the Zuni Addition, located on Menaul Blvd., NE between Mesilla Ave NE and Prospect Ave NE.

The Survey Office, LLC is submitting the above referenced property for a vacation action to vacate various public utility easements and portion of Prospect Ave NE to DRB (Development Review Board) for approval.

Upon approval of the vacation action, The Survey Office, LLC will submit for preliminary/final plat approval to incorporate the vacation request, eliminate twenty-three (23) existing lots into one (1) new lot and grant additional easements as shown on the plat. A copy of the proposed plat is enclosed and will become the final plat for the property upon approval.

The date and time of the DRB hearing will be posted on the site two weeks before the hearing. Presently the schedule for the hearing is October 15, 2008.

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

Sincerely,

Gary Maple
President

The Survey Office, LLC

333 Lomas Blvd., NE * Albuquerque, New Mexico 87102 * 998-0303 * Fax 998-0305

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Certified Fee	2.70
Return Receipt Fee (Endorsement Required)	2.20
Restricted Delivery Fee (Endorsement Required)	
Total Postage & Fees	$ 5.32

Postmark Here 9.19.08

7008 0150 0000 6532 7080

Sent To NATASHA CARTY
Street, Apt. No.; or PO Box No. 5907 PRINCESS JEANNE NE
City, State, ZIP+4 ALBQ, N.M. EX 87110

PS Form 3800, August 2006 See Reverse for Instructions

September 18, 2008

ALVARADO PARK NEIGHBORHOOD ASSOC.
NATASHA CARTY
5907 PRINCESS JEANNE NE
ALBUQUERQUE, NM 87110

REF: VACATION ACTION – ZUNI ADDITION

Dear Natasha Carty:

This letter is a notice to you of action being taken on the Zuni Addition, located on Menaul Blvd., NE between Mesilla Ave NE and Prospect Ave NE.

The Survey Office, LLC is submitting the above referenced property for a vacation action to vacate various public utility easements and portion of Prospect Ave NE to DRB (Development Review Board) for approval.

Upon approval of the vacation action, The Survey Office, LLC will submit for preliminary/final plat approval to incorporate the vacation request, eliminate twenty-three (23) existing lots into one (1) new lot and grant additional easements as shown on the plat. A copy of the proposed plat is enclosed and will become the final plat for the property upon approval.

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

Sincerely,

Gary Maple
President

The Survey Office, LLC

333 Lomas Blvd., NE * Albuquerque, New Mexico 87102 * 998-0303 * Fax 998-0305

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OFFICIAL USE

Postage	$ .42
Certified Fee	2.70
Return Receipt Fee (Endorsement Required)	2.20
Restricted Delivery Fee (Endorsement Required)	
Total Postage & Fees	$ 5.32

Postmark Here 9.19.08

Sent To STEPHEN VERCHINSKI
Street, Apt. No.; or PO Box No. 2700 ESPANOLA NE
City, State, ZIP+4 ALBQ. N. MEX 87110

PS Form 3800, August 2006 See Reverse for Instructions

7008 0150 0000 6532 7093

September 18, 2008

CLASSIC UPTOWN NEIGHBORHOOD ASSOC.
STEPHEN VERCHINSKI
2700 ESPANOLA NE
ALBUQUERQUE, NM 87110

REF: VACATION ACTION – ZUNI ADDITION

Dear Stephen Verchinski:

This letter is a notice to you of action being taken on the Zuni Addition, located on Menaul Blvd., NE between Mesilla Ave NE and Prospect Ave NE.

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The date and time of the DRB hearing will be posted on the site two weeks before the hearing. Presently the schedule for the hearing is October 15, 2008.

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

Sincerely,

Gary Maple
President

The Survey Office, LLC

*333 Lomas Blvd., NE * Albuquerque, New Mexico 87102 * 998-0303 * Fax 998-0305*

September 18, 2008

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Sent To PATTI FLANAGAN
Street, Apt. No.; or PO Box No. 2716 ESPANOLA NE
City, State, ZIP+4 ALBQ, N.M. EX 87110

PS Form 3800, August 2006 See Reverse for Instructions

7008 0150 0000 6532 7109

CLASSIC UPTOWN NEIGHBORHOOD ASSOC.
PATTI FLANAGAN
2716 ESPANOLA NE
ALBUQUERQUE, NM 87110

REF: VACATION ACTION – ZUNI ADDITION

Dear Patti Flanagan:

This letter is a notice to you of action being taken on the Zuni Addition, located on Menaul Blvd., NE between Mesilla Ave NE and Prospect Ave NE.

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Sincerely,

Gary Maple
President

The Survey Office, LLC

333 Lomas Blvd., NE * Albuquerque, New Mexico 87102 * 998-0303 * Fax 998-0305

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Sent To EVELYN B. FELTNER
Street, Apt. No.; or PO Box No. 2014 UTAH ST. NE
City, State, ZIP+4 ALBQ, N. MEX 87110

PS Form 3800, August 2006 See Reverse for Instructions

7008 0150 0000 6532 7146

September 18, 2008

INEZ NEIGHBORHOOD ASSOC.
EVELYN B. FELTNER
2014 UTAH STREET NE
ALBUQUERQUE, NM 87110

REF: VACATION ACTION – ZUNI ADDITION

Dear Evelyn B. Feltner:

This letter is a notice to you of action being taken on the Zuni Addition, located on Menaul Blvd., NE between Mesilla Ave NE and Prospect Ave NE.

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Sincerely,

Gary Maple
President

The Survey Office, LLC

333 Lomas Blvd., NE * Albuquerque, New Mexico 87102 * 998-0303 * Fax 998-0305

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Sent To BETTE WEBER
Street, Apt. No.; or PO Box No. 1927 VIRGINIA ST. NE
City, State, ZIP+4 ALBQ. N. MEX 87110

PS Form 3800, August 2006 See Reverse for Instructions

7008 0150 0000 6532 7123

September 18, 2008

INEZ NEIGHBORHOOD ASSOC.
BETTE WEBER
1927 VIRGINIA STREET NE
ALBUQUERQUE, NM 87110

REF: VACATION ACTION – ZUNI ADDITION

Dear Bette Weber:

This letter is a notice to you of action being taken on the Zuni Addition, located on Menaul Blvd., NE between Mesilla Ave NE and Prospect Ave NE.

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Sincerely,

Gary Maple
President

The Survey Office, LLC

333 Lomas Blvd., NE * Albuquerque, New Mexico 87102 * 998-0303 * Fax 998-0305

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7008 0150 0000 6532 7130

Sent To JULIE JONES
Street, Apt. No.; or PO Box No. 7625 WINTER AVE NE
City, State, ZIP+4 ALBQ, N. MEX 87110

PS Form 3800, August 2006 See Reverse for Instructions

September 18, 2008

JERRY CLINE PARK NEIGHBORHOOD ASSOC.
JULIE JONES
7625 WINTER AVE NE
ALBUQUERQUE, NM 87110

REF: VACATION ACTION – ZUNI ADDITION

Dear Julie Jones:

This letter is a notice to you of action being taken on the Zuni Addition, located on Menaul Blvd., NE between Mesilla Ave NE and Prospect Ave NE.

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Sincerely,

Gary Maple
President

The Survey Office, LLC

333 Lomas Blvd., NE * Albuquerque, New Mexico 87102 * 998-0303 * Fax 998-0305

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Sent To Ron Goldsmith
Street, Apt. No.; or PO Box No. 1216 Alcazar St. NE
City, State, ZIP+4 Albq. N. Mex. 87110

PS Form 3800, August 2006 See Reverse for Instructions

7008 0150 0000 6532 7147

September 18, 2008

JERRY CLINE PARK NEIGHBORHOOD ASSOC.
RON GOLDSMITH
1216 ALCAZAR STREET NE
ALBUQUERQUE, NM 87110

REF: VACATION ACTION – ZUNI ADDITION

Dear Ron Goldsmith:

This letter is a notice to you of action being taken on the Zuni Addition, located on Menaul Blvd., NE between Mesilla Ave NE and Prospect Ave NE.

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

Sincerely,

Gary Maple
President

The Survey Office, LLC

*333 Lomas Blvd., NE * Albuquerque, New Mexico 87102 * 998-0303 * Fax 998-0305*

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7008 0150 0000 6532 7154

Sent To WINNIE SCHMIDT
Street, Apt. No.; or PO Box No. 2916 CUERVO DR. NE
City, State, ZIP+4 ALBQ. N. MEX 87110

PS Form 3800, August 2006 See Reverse for Instructions

September 18, 2008

QUIGLEY PARK NEIGHBORHOOD ASSOC.
WINNIE SCHMIDT
2916 CUERVO DRIVE NE
ALBUQUERQUE, NM 87110

REF: VACATION ACTION – ZUNI ADDITION

Dear Winnie Schmidt:

This letter is a notice to you of action being taken on the Zuni Addition, located on Menaul Blvd., NE between Mesilla Ave NE and Prospect Ave NE.

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

Sincerely,

Gary Maple
President

The Survey Office, LLC

333 Lomas Blvd., NE * Albuquerque, New Mexico 87102 * 998-0303 * Fax 998-0305

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Sent To MARIA YOUNG
Street, Apt. No., or PO Box No. 2932 MADEIRA DR NE
City, State, ZIP+4 ALBQ. N. MEX 87110

PS Form 3800, August 2006 See Reverse for Instructions

7008 0150 0000 6532 7179

September 18, 2008

QUIGLEY PARK NEIGHBORHOOD ASSOC.
MARIA YOUNG
2932 MADEIRA DRIVE NE
ALBUQUERQUE, NM 87110

REF: VACATION ACTION – ZUNI ADDITION

Dear Maria Young:

This letter is a notice to you of action being taken on the Zuni Addition, located on Menaul Blvd., NE between Mesilla Ave NE and Prospect Ave NE.

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Sincerely,

Gary Maple
President

The Survey Office, LLC

333 Lomas Blvd., NE * Albuquerque, New Mexico 87102 * 998-0303 * Fax 998-0305

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Sent To: ANDREA HENDERSON
Street, Apt. No.; or PO Box No.: 1317 RHODE ISLAND NE
City, State, ZIP+4: ALBQ, N. MEX 87110

7008 0150 0000 6532 7185

PS Form 3800, August 2006 — See Reverse for Instructions

September 18, 2008

SNOW HEIGHTS NEIGHBORHOOD ASSOC.
ANDREA HENDERSON
1317 RHODE ISLAND NE
ALBUQUERQUE, NM 87110

REF: VACATION ACTION – ZUNI ADDITION

Dear Andrea Henderson:

This letter is a notice to you of action being taken on the Zuni Addition, located on Menaul Blvd., NE between Mesilla Ave NE and Prospect Ave NE.

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Sincerely,

Gary Maple
President

The Survey Office, LLC

333 Lomas Blvd., NE * Albuquerque, New Mexico 87102 * 998-0303 * Fax 998-0305

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7008 0150 0000 6532 7178

Sent To LAURA HEITMAN
Street, Apt. No.; or PO Box No. 8011 PRINCESS JEANNE NE
City, State, ZIP+4 ALBQ. N. MEX 87110

PS Form 3800, August 2006 See Reverse for Instructions

September 18, 2008

SNOW HEIGHTS NEIGHBORHOOD ASSOC.
LAURA HEITMAN
8011 PRINCESS JEANNE NE
ALBUQUERQUE, NM 87110

REF: VACATION ACTION – ZUNI ADDITION

Dear Laura Heitman:

This letter is a notice to you of action being taken on the Zuni Addition, located on Menaul Blvd., NE between Mesilla Ave NE and Prospect Ave NE.

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Sincerely,

Gary Maple
President

The Survey Office, LLC

*333 Lomas Blvd., NE * Albuquerque, New Mexico 87102 * 998-0303 * Fax 998-0305*

September 18, 2008

UPTOWN PROGRESS TEAM, INC.
LOUIS ABRUZZO
10 TRAMWAY LOOP NE
ALBUQUERQUE, NM 87122

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Sent To LOUIS ABRUZZO
Street, Apt. No.; or PO Box No. 10 TRAMWAY LP. NE
City, State, ZIP+4 ALBQ. N. MEX 87122

PS Form 3800, August 2006 See Reverse for Instructions

7008 0150 0000 6532 7192

REF: VACATION ACTION – ZUNI ADDITION

Dear Louis Abruzzo:

This letter is a notice to you of action being taken on the Zuni Addition, located on Menaul Blvd., NE between Mesilla Ave NE and Prospect Ave NE.

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Sincerely,

Gary Maple
President

The Survey Office, LLC

333 Lomas Blvd., NE * Albuquerque, New Mexico 87102 * 998-0303 * Fax 998-0305

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Sent To MARCY COOK
Street, Apt. No.; or PO Box No. 6565 AMERICAS PARKWAY #200
City, State, ZIP+4 ALBQ, N. MEX 87110

PS Form 3800, August 2006 See Reverse for Instructions

7008 0150 0000 6532 7208

September 18, 2008

UPTOWN PROGRESS TEAM, INC.
MARCY COOK
6565 AMERICAS PARKWAY NE #200
ALBUQUERQUE, NM 87110

REF: VACATION ACTION – ZUNI ADDITION

Dear Marcy Cook:

This letter is a notice to you of action being taken on the Zuni Addition, located on Menaul Blvd., NE between Mesilla Ave NE and Prospect Ave NE.

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Sincerely,

Gary Maple
President

The Survey Office, LLC

333 Lomas Blvd., NE * Albuquerque, New Mexico 87102 * 998-0303 * Fax 998-0305

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Sent To Richard Peterson
Street, Apt. No.; or PO Box No. 7110 Constitution Ave NE
City, State, ZIP+4 Albu. N. Mex 87110-7122

PS Form 3800, August 2006 See Reverse for Instructions

September 18, 2008

WINROCK SOUTH NEIGHBORHOOD ASSOC.
RICHARD PETERSON
7110 CONSTITUTION AVE NE
ALBUQUERQUE, NM 87110

REF: VACATION ACTION – ZUNI ADDITION

Dear Richard Peterson:

This letter is a notice to you of action being taken on the Zuni Addition, located on Menaul Blvd., NE between Mesilla Ave NE and Prospect Ave NE.

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Sincerely,

Gary Maple
President

The Survey Office, LLC

333 Lomas Blvd., NE * Albuquerque, New Mexico 87102 * 998-0303 * Fax 998-0305

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Sent To VIRGINIA KINNEY
Street, Apt. No.; or PO Box No. 7110 CONSTITUTION AVE NE
City, State, ZIP+4 ALBQ. N. MEX 87110-7122

PS Form 3800, August 2006 See Reverse for Instructions

September 18, 2008

WINROCK SOUTH NEIGHBORHOOD ASSOC.
VIRGINIA KINNEY
7110 CONSTITUTION AVE NE
ALBUQUERQUE, NM 87110

REF: VACATION ACTION – ZUNI ADDITION

Dear Virginia Kinney:

This letter is a notice to you of action being taken on the Zuni Addition, located on Menaul Blvd., NE between Mesilla Ave NE and Prospect Ave NE.

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Sincerely,

Gary Maple
President

The Survey Office, LLC

333 Lomas Blvd., NE * Albuquerque, New Mexico 87102 * 998-0303 * Fax 998-0305

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7008 0150 0000 6532 7239

Sent To SHARON BERLINT
Street, Apt. No.; or PO Box No. 7516 EUCLID NE
City, State, ZIP+4 ALBQ. N. MEX 87110

PS Form 3800, August 2006 See Reverse for Instructions

September 18, 2008

ZUNI NEIGHBORHOOD ASSOC.
SHARON BERLINT
7516 EUCLID NE
ALBUQUERQUE, NM 87110

REF: VACATION ACTION – ZUNI ADDITION

Dear Sharon Berlint:

This letter is a notice to you of action being taken on the Zuni Addition, located on Menaul Blvd., NE between Mesilla Ave NE and Prospect Ave NE.

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Sincerely,

Gary Maple
President

The Survey Office, LLC

333 Lomas Blvd., NE * Albuquerque, New Mexico 87102 * 998-0303 * Fax 998-0305

September 18, 2008

ZUNI NEIGHBORHOOD ASSOC.
ALLAN SMITH
7522 EUCLID NE
ALBUQUERQUE, NM 87110

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Sent To ALLAN SMITH
Street, Apt. No.; or PO Box No. 7522 EUCLID NE
City, State, ZIP+4 ALBQ. N. MEX 87110

7004 1350 0000 0766 7309

PS Form 3800, June 2002 See Reverse for Instructions

REF: VACATION ACTION – ZUNI ADDITION

Dear Allan Smith:

This letter is a notice to you of action being taken on the Zuni Addition, located on Menaul Blvd., NE between Mesilla Ave NE and Prospect Ave NE.

The Survey Office, LLC is submitting the above referenced property for a vacation action to vacate various public utility easements and portion of Prospect Ave NE to DRB (Development Review Board) for approval.

Upon approval of the vacation action, The Survey Office, LLC will submit for preliminary/final plat approval to incorporate the vacation request, eliminate twenty-three (23) existing lots into one (1) new lot and grant additional easements as shown on the plat. A copy of the proposed plat is enclosed and will become the final plat for the property upon approval.

The date and time of the DRB hearing will be posted on the site two weeks before the hearing. Presently the schedule for the hearing is October 15, 2008.

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

Sincerely,

Gary Maple
President

SIGN POSTING AGREEMENT

REQUIREMENTS

POSTING SIGNS ANNOUNCING PUBLIC HEARINGS

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

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

1. LOCATION

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

2. NUMBER

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

3. PHYSICAL POSTING

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

4. TIME

Signs must be posted from SEPT. 30, 2008 To OCT. 15, 2008

5. REMOVAL

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

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

Sarah Gibson (Applicant or Agent) — 9.19.08 (Date)

I issued 2 signs for this application, 09/19/08 (Date) Sandy Handley (Staff Member)

DRB PROJECT NUMBER: 1007099

Rev. 1/11/05

ZUNI ADDITION

TO THE CITY OF
ALBUQUERQUE, NEW MEXICO
SURVEY AND PLAT BY O. A. AMBORN
OCT. 1950
SCALE 1 IN = 100 FT

Approved this 14. 1950
City Plat Commission
Albuquerque, New Mexico
No. S 201
Secretary

I, E.O. Betts, City Engineer of the City of Albuquerque, New Mexico hereby certify that I have examined the Plat of the ZUNI ADDITION upon which this certificate appears and approved the same this 24 day of October 1950

E.O. Betts City Engineer

State of New Mexico
County of Bernalillo } ss
This instrument was filed for record on
DEC 11 1950
at ... o'clock ... m. recorded in Vol. ...
records of said County Folio ...
... Clerk & Recorder

I, Ida V. Malone, City Clerk of the City of Albuquerque, New Mexico hereby certify that the Plat of Zuni Addition, upon which this certificate appears, was approved and accepted for filing by the City Commission of said City at its meeting held on the 24th day of October, 1950.

Ida V. Malone City Clerk.

The foregoing subdivision of that certain tract of land in Albuquerque, Bernalillo County, New Mexico and more particularly described as follows: A tract of land situate in the Southwest quarter of Section 7, Township 10 North, Range 4 East, New Mexico Principal Meridian, in the City of Albuquerque, Bernalillo County, New Mexico, and which is more particularly described as follows: Beginning at the Southwest corner of said tract which point is the Southwest corner of said Section 7, and running thence N.89°15'E., 2691.97 feet along the South line of said Section 7 to the Southeast corner which point is the South 1/4 corner of said Section 7; thence N.0°23'W., 2638.14 feet along the North-South centerline of said Section 7 to the Northeast corner which point is the center of said Section 7, thence S.89°35'W., 2016.14 feet along the East-West center-line of said Section 7 to the Northwest corner; thence S.0°19'15"E., 1324.96 feet to a point; thence N.89°25'E., 672.50 feet to a point; thence S.0°20'30"E., 330.76 feet to a point; thence S.89°22'30"W., 1345.24 feet to a point; thence S.0°18'E., 995.19 feet to the Southeast corner and Point of Beginning. Containing 70 Acres more or less and surveyed as the same appears hereon, comprising Blocks numbered 1 to 17 inclusive and a Park of ZUNI ADDITION a subdivision of said tract of land, is with the free consent and in accordance with the desires of the undersigned owners and proprietors thereof.

HOPI CORPORATION (N.S.L)
By J. H. Shanklin
President

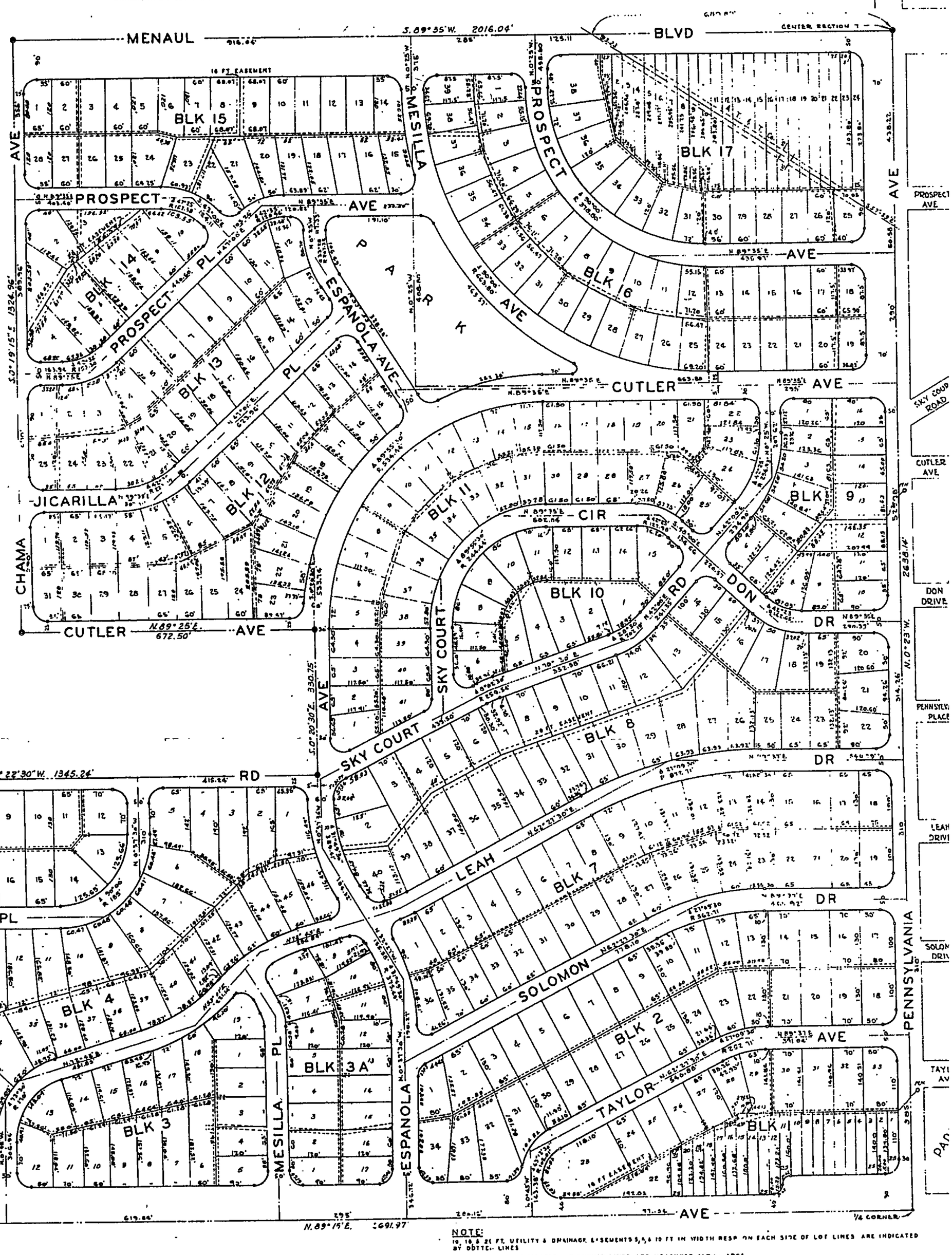
Attest: Ray Harris
Secretary, Hopi Corporation

Calvin Horn
Ruth Horn
H. B. Horn
Lucille Horn
Charles R. Davis
Alice Jeanette Davis
OWNERS AND PROPRIETORS

STATE OF NEW MEXICO
COUNTY OF BERNALILLO.. SS.
On the 31 day of October 1950, before me personally appeared J. H. Shanklin, to me known, who being by me duly sworn, did say that he is the President of the said Hopi Corporation, and that the seal affixed to the foregoing instrument is the corporate seal of said Hopi Corporation and that said instrument was signed and sealed in behalf of said corporation by authority of its board of directors; and said J. H. Shanklin acknowledged said instrument to be the free act and deed of said corporation.
In witness whereof, I have hereunto set my hand and seal the day and year last above written.
Geo. T. Milburn
Notary Public
My commission expires April 8, 1952

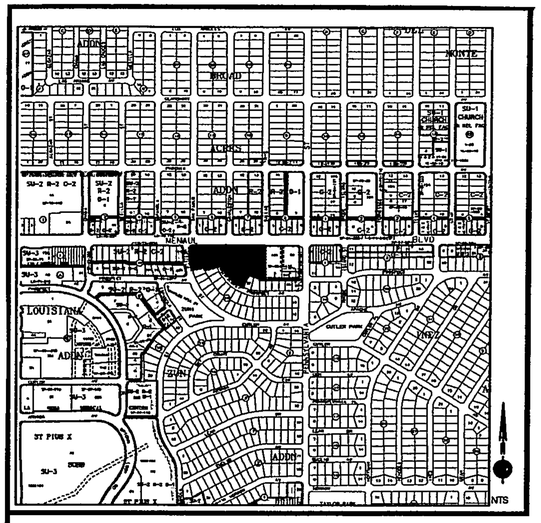
STATE OF NEW MEXICO
COUNTY OF BERNALILLO.. SS.
On the 31 day of October 1950, before me personally appeared H.B. Horn, Lucille Horn, his wife and Calvin Horn and Ruth Horn his wife, to me known, who being by me duly sworn, did say they executed the foregoing instrument and acknowledged that they executed the same as their free act and deed.
In witness whereof, I have hereunto set my hand and seal the day and year last above written
Notary Public
My commission expires May 16, 1954

STATE OF NEW MEXICO
COUNTY OF BERNALILLO.. SS.
On the 31 day of October 1950 before me personally appeared Charles R Davis and Alice Jeanett Davis his wife, to me known, who being by me duly sworn, did say they executed the foregoing instrument and acknowledged that they executed the same as their free act and deed
In witness whereof, I have set my hand and seal hereunto the day and year last above written
Notary Public
My commission expires July 26 1954

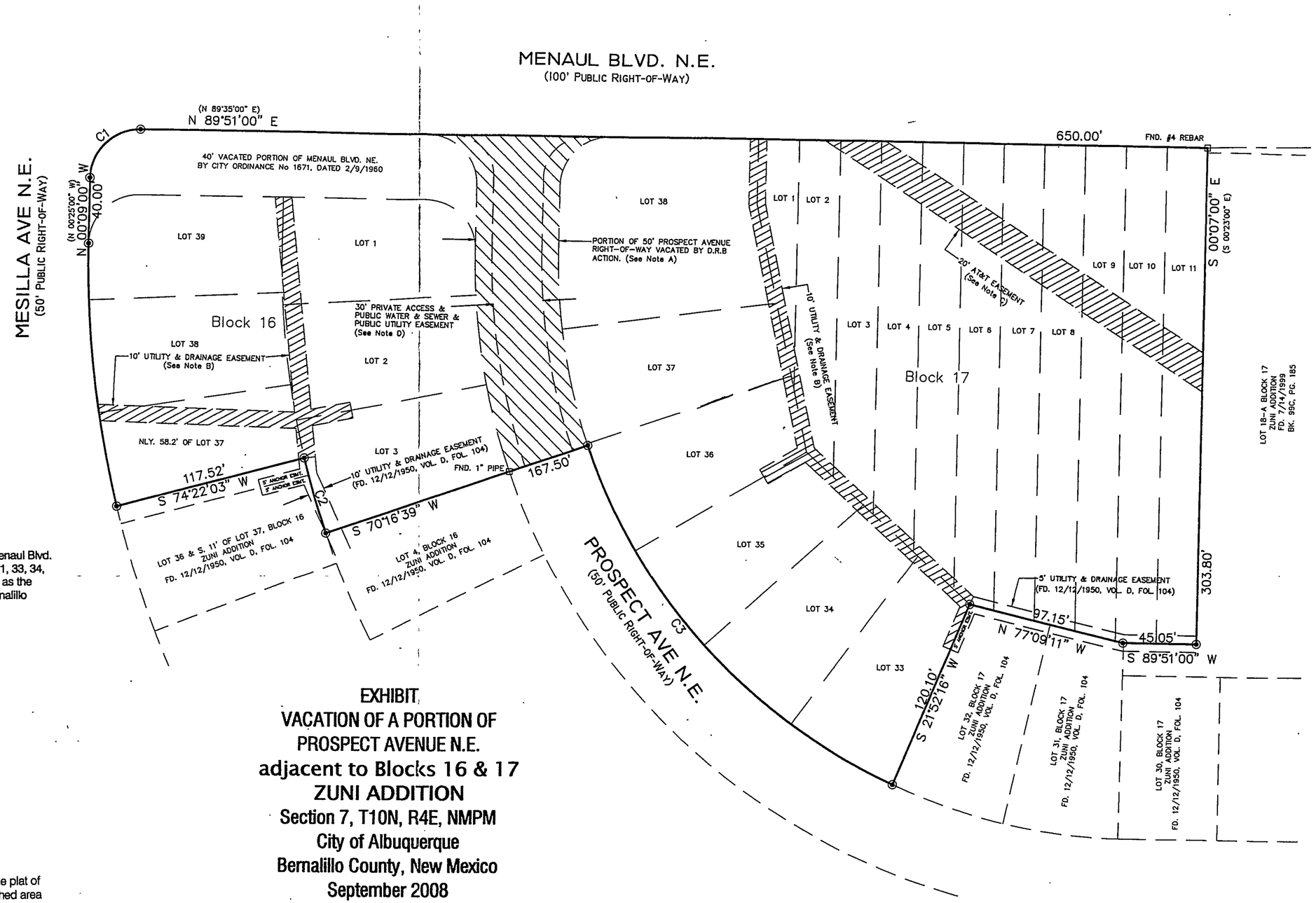


NOTE
A 20-FOOT UTILITY EASEMENT IS RESERVED 10 FEET IN WIDTH ON EACH SIDE OF THE CENTERLINE OF THE AMERICAN TELEPHONE AND TELEGRAPH COMPANY'S TELEPHONE LINE. THE BOUNDARIES OF SAID EASEMENT BEING INDICATED BY DOTTED LINES. NO INFLAMMABLE STRUCTURE SHALL BE ERECTED OR PERMITTED WITHIN 10 FEET ON EACH SIDE OF THE CENTERLINE OF COMMUNICATION LINES OWNED BY THE AMERICAN TELEPHONE AND TELEGRAPH CO. AS SHOWN HEREON.

NOTE:
10, 16 & 20 FT. UTILITY & DRAINAGE EASEMENTS 5, 6, & 10 FT IN WIDTH RESPECTIVELY ON EACH SIDE OF LOT LINES ARE INDICATED BY DOTTED LINES
ALL DIMENSIONS INDICATED ON CURVED LINES ARE MEASURED ALONG ARCS
UNLESS OTHERWISE INDICATED RADII AND TANGENT OF CURVES AT BLOCK CORNERS ARE 30 FEET, DELTAS ARE 90°00', ARCS ARE 47.12 FEET



VICINITY MAP ZONE ATLAS H19



LEGAL DESCRIPTION

Lots 1, 2, 3, 38, 39 and the Northerly 58.20 feet of Lot 37, and the vacated southerly 40 feet of Menaul Blvd. N.E. between Mesilla NE and Prospect NE, all in Block 16; AND Lots 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 33, 34, 35, 36, 37, & 38 all in Block 17 of ZUNI ADDITION, Albuquerque, Bernalillo County, New Mexico, as the same are shown and designated on the map thereof filed in the office of the County Clerk of Bernalillo County, New Mexico, on December 11, 1950, in Plat Volume D, folio 104.

HEARING FOR SKETCH PLAT 09/24/08

EASEMENT NOTES:

A. Portion of the 50' Prospect Avenue right-of-way that was dedicated by the plat of Zuni Addition, is vacated by D.R.B. action, Case No._____. The hatched area contains an area of 10,356 sq. ft.

B. 10' Public Utility & Drainage Easement granted by the plat of Zuni Addition, recorded on December 12, 1950 in Vol. D, Folio 104. The hatched areas of this easement are hereby vacated by this platting action.

C. 20' A.T. & T. Easement granted by the plat of Zuni Addition, recorded on December 12, 1950 in Vol. D, Folio 104. The hatched area of this easement is hereby vacated by this platting action.

D. 30' Private Access, Public Water & Sewer & Public Utility Easement granted by this plat. The owners of Tract A shown hereon and the owners of the Lots with frontage on Prospect Avenue located south and east of Tract A shall benefit from this easement for ingress and egress to and from Menaul Blvd. NE. The road within this easement shall be maintained by the owners of said Tract A

EXHIBIT
VACATION OF A PORTION OF PROSPECT AVENUE N.E.
adjacent to Blocks 16 & 17
ZUNI ADDITION
Section 7, T10N, R4E, NMPM
City of Albuquerque
Bernalillo County, New Mexico
September 2008

CURVE TABLE

CURVE	LENGTH	RADIUS	CHORD BEARING	CHORD
C1	47.12	30.00	S44°51'00"W	42.43
C2	47.81	521.30	S17°05'22"E	47.79
C3	286.89	353.80	N42°57'09"W	279.09

MONUMENT LEGEND

- △ – FOUND CONTROL STATION AS NOTED
- ⊡ – FOUND MONUMENT AS NOTED
- ◉ – SET 1/2" REBAR W/YELLOW PLASTIC CAP STAMPED "GRITSKO LS8686" UNLESS OTHERWISE NOTED

ALPHA PROFESSIONAL SURVEYING, INC.
P.O. BOX 46316, RIO RANCHO, NEW MEXICO 87174
PHONE (505) 892-1076 FAX (505) 891-0471
DRAWN BY: GEG FILE NO: 08-125P

City of Albuquerque

DEVELOPMENT/ PLAN REVIEW APPLICATION

Supplemental form

SUBDIVISION — S
- ___ Major Subdivision action
- ___ Minor Subdivision action
- ___ Vacation — V
- ___ Variance (Non-Zoning)

SITE DEVELOPMENT PLAN
- ___ for Subdivision — P
- ✓ for Building Permit
- ___ Administrative Amendment (AA)
- ___ IP Master Development Plan
- ___ Cert. of Appropriateness (LUCC)

STORM DRAINAGE (Form D)
- ___ Storm Drainage Cost Allocation Plan — D

ZONING & PLANNING — Z
- ___ 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

APPEAL / PROTEST of... — A
- ___ Decision by: DRB, EPC, LUCC, Planning Director or Staff, ZHE, Zoning Board of Appeals

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

APPLICATION INFORMATION:

Professional/Agent (if any): Van H. Gilbert Architect, P.C. PHONE: 247.9955
ADDRESS: 2428 Baylor Drive SE FAX: 247.1826
CITY: Albuquerque STATE NM ZIP 87106 E-MAIL: kpitman@vhgarchitect.com

APPLICANT: Sandia Foundation, a NM Non-Profit PHONE: 242.2684
ADDRESS: 6211 San Mateo Blvd. NE Suite 100 FAX: 246.2411
CITY: Albuquerque STATE NM ZIP 87109 E-MAIL: ganderson@sandiafnd.com
Proprietary interest in site: owner List all owners: n/a

DESCRIPTION OF REQUEST: Final sign-off for approved SDP for Building Permit, 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. ___ Block: ___ Unit: ___
Subdiv/Addn/TBKA: SEE ATTACHED SHEET
Existing Zoning: ___ Proposed zoning: ___ MRGCD Map No ___
Zone Atlas page(s): ___ UPC Code: ___

CASE HISTORY:
List any current or prior case number that may be relevant to your application (Proj., App., DRB-, AX_,Z_, V_, S_, etc.): 1007009; 1007099
1019059211229315 06; Z-1555; V-540; Appeal No. 320

CASE INFORMATION:
Within city limits? ✓ Yes Within 1000FT of a landfill? NO
No. of existing lots: 23 No. of proposed lots: 1 Total area of site (acres): 3.9197 acres
LOCATION OF PROPERTY BY STREETS: On or Near: Menaul Boulevard NE
Between: Mesilla and Pennsylvania
Check-off if project was previously reviewed by Sketch Plat/Plan ☐, or Pre-application Review Team ☒. Date of review: 20 NOV 07

SIGNATURE Karin Pitman DATE 22 SEP 08
(Print) Karin Pitman Applicant: ☐ Agent: ☒

Form revised 4/07

FOR OFFICIAL USE ONLY

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

Application case numbers	Action	S.F.	Fees
08DRB - 70422	FSDP		$ 0
	CMF		$ 20.00
			$
			$
			$
		Total	$ 20.00

Hearing date October 1, 2008

9.23.08
Planner signature / date

Project # 1007099

FORM P(3): SITE PLA[illegible]EVIEW - D.R.B. MEETING (UNADVERTISED[illegible]

☐ SKETCH PLAT REVIEW AND COMMENT (DRB22) **Maximum Size: 24" x 36"**

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

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

☐ SITE DEVELOPMENT PLAN FOR SUBDIVISION (DRB18) **Maximum Size: 24" x 36"**

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

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

☐ SITE DEVELOPMENT PLAN FOR BUILDING PERMIT (DRB17) **Maximum Size: 24" x 36"**

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

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

☐ AMENDED SITE DEVELOPMENT PLAN FOR BUILDING PERMIT (DRB01) **Maximum Size: 24" x 36"**
☐ AMENDED SITE DEVELOPMENT PLAN FOR SUBDIVISION (DRB02) **Maximum Size: 24" x 36"**

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

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

☒ FINAL SIGN-OFF FOR EPC APPROVED SDP FOR BUILDING PERMIT (DRB05)
☐ FINAL SIGN-OFF FOR EPC APPROVED SDP FOR SUBDIVISION (DRB06)

✓ Site plan and related drawings (folded to fit into an 8.5" by 14" pocket) 6 **copies**
✓ Approved Grading and Drainage Plan (folded to fit into an 8.5" by 14" pocket) 6 **copies**
✓ Solid Waste Management Department signature on Site Plan for Building Permit
✓ Zone Atlas map with the entire property(ies) clearly outlined
✓ Letter carefully explaining how each EPC condition has been met **and** a copy of the EPC Notification of Decision
__ Infrastructure List, if relevant to the site plan TO BE PROVIDED WITH PRELIMINARY PLAT APPLICATION
✓ Copy of Site Plan with Fire Marshal's stamp (not required for SDP for Subdivision) ON SHEET 8
✓ 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.

Karin Pitman - Van H. Gilbert Architect, P.C.
Applicant name (print)

Karin Pitman 22 SEP 08
Applicant signature / date

Form revised October 2007

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

Application case numbers
08DRB - 70422
____ - ____ - ____
____ - ____ - ____

9.23.08
Planner signature / date

Project # 1007099

TRANSMITTAL
LETTER

Van H. Gilbert Architect, P.C.
2428 Baylor Drive SE
Albuquerque, NM 87106
505-247-9955 505-247-1826 (F)

PROJECT: Sandia Foundation (Rowlands)

ARCHITECT'S PROJECT NO: 920

TO: Ms. Carol Toffaleti
City of Albuquerque
Planning Department, Third Floor
Albuquerque, NM 87102

DATE: September 23, 2008
PHONE: 505-924-3860

WE TRANSMIT:

(XX) herewith ( ) under separate cover via fax ( ) pages
( ) in accordance with your request

FOR YOUR:

( ) approval ( ) distribution to parties ( ) information
( ) review & comment ( ) record ( ) pick-up
(XX) use ( ) Shop Drawing Stamp (XX) Signature & Return

THE FOLLOWING:

( ) Drawings ( ) Shop Drawing Prints ( ) Samples
( ) Specifications ( ) Drawing Reproducibles ( ) Product Literature
( ) Change Order ( ) Geotechnical Report ( ) Hard Copy

COPIES	DATE	DESCRIPTION
6 Sets	9-16-08	24 x 36 EPC Submittal (One set includes original
		Signatures for Solid Waste and AFD).

ACTION CODE
A. Action Indicated on item transmitted
B. No action required
C. for signature & return to this office
D. For signature & forwarding as noted below under REMARKS
E. See REMARKS below

REMARKS:

COPIES TO: (with enclosures)	Van H. Gilbert Architect, P.C. 2428 Baylor Dr. SE Albuquerque, NM 87106

To: Development Review Board
From: Myers, Oliver & Price, Attorneys for the Sandia Foundation
Re: Encroachment Agreement for Sandia Foundation

Dear Board:

This letter will serve as notice that the Sandia Foundation ("Sandia") is in the process of working with the City Planning Department's attorney, Kevin Curran, regarding an encroachment agreement for the property located at Prospect Ave. and Menaul Blvd. NE.

As a condition of approval for the zone change request and site plan for building permit the City's Environmental Planning Department requested that the Sandia Foundation obtain an encroachment agreement for the public sidewalk that is located within Sandia's property. We will also be working with the City's transportation division on drafting an easement for the City bus stop shelter that will be located on Sandia's property.

When these agreements are finalized they will be presented to the Development Review Board.

Myers, Oliver & Price, P.C.
Matt Myers
Attorneys for Sandia Foundation

Van H. Gilbert Architect • PC

September 22, 2008

Mr. Jack Cloud
DRB Chairman
Planning Department
City of Albuquerque
600 2nd Street NW
Albuquerque, NM 87103

Dear Chairman Cloud,

Following are responses to EPC Case #1007099/08EPC-40022 Amendment to Zone Map (Zone Change) and 08EPC-40021 Site Development Plan Conditions heard on May 23, 2008.

ZONE MAP AMENDMENT, 08EPC-40022

CONDITIONS:

1. The applicant shall apply for a vacation of Prospect Ave. prior to DRB sign off.
   This application was made on September 16, 2008.

2. Final sign-off of the accompanying site development plan (08EPC-40021).
   This application is for the purpose of submitting the Site Development Plan for approval.

3. The zoning is SU-1 for C-2 permissive uses with exclusions. The exclusions are:
   - including a full service liquor license only in conjunction with a restaurant
   - excluding sales of alcohol for off-site consumption

   This wording has been revised on the Site Development Plan, Sheet 1.

SITE DEVELOPMENT PLAN FOR BUILDING PERMIT, 08EPC-40021

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.
   This letter serves to meet this condition.

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.
   This meeting was held on Thursday, September 11, 2008 at 1:30 p.m..

3. RECOMMENDED CONDITIONS FROM CITY ENGINEER, MUNICIPAL DEVELOPMENT and NMDOT:

Architecture
Interiors
Planning

2428 Baylor Drive SE
Albuquerque, New Mexico 87106
505.247.9955 fax 505.247.1826

Conditions of approval for the proposed Zone Map Amendment and Site Development Plan for Building Permit shall include:

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).
The complete extent of these improvements will be determined at DRB. For the time being, the proposed layout is shown in the DRB drawings and final layout will be submitted in the Building Permit set.

b. Per Transportation Development Staff, completion of the required system improvements that are attributable to the development, as identified in the TIS, is required.
See response for item "a." above.

c. Provide public access and utility easements for the portion of Prospect Avenue to be vacated.
This information has been included on the plat submitted on September 16, 2008.

d. Encroachment agreement required for public sidewalk located within site property adjacent to public streets.
See attached agreement.

e. Delete median diverter in Menaul Boulevard between Prospect Avenue and Charleston Street. Extend westbound left turn lane (maximum length) in Menaul Boulevard to Prospect Avenue. See turning movement count data on Menaul Boulevard at the intersections with Mesilla/San Pablo, Prospect/Charleston and Dallas Streets for justification.
See response for item "a." above.

f. Extend westbound left turn lane (maximum length – if possible) in Menaul Boulevard to Mesilla Avenue. Full access to San Pablo and Mesilla to remain.
See response for item "a." above.

g. Dimension and/or reference under keyed notes all site drive widths and radii (i.e. full access at 36' with 25' curb return radii and right turn-in/ right turn-out at 30' with 25' curb return radii).
These corrections have been made to the Site Plan, Sheet 1.

h. For pad "A", adjacent to service loading area (keyed note #39), provide 25' turning radius at entrance of drive thru lane.
These corrections have been made on the Site Plan, Sheet 1.

i. Change all internal curb return radii labeled #7 to #6 (i.e. change 30' to 25').
These corrections have been made on the Site Plan, Sheet 1.

j. Change all internal end of aisle islands labeled #4 to #5 (i.e. change 10' to 15').
These corrections have been made on the Site Plan, Sheet 1.

Architecture
Interiors
Planning

2428 Baylor Drive SE
Albuquerque, New Mexico 87106
505.247.9955 fax 505.247.1826

k. Label and draw southwest corner of the intersection of Prospect and main east/west drive aisle as a 15' minimum radius curb return.
This correction has been made on the Site Plan, Sheet 1.

l. A concurrent platting action will be required at DRB.
A plat submittal was made on September 16, 2008.

m. Site plan shall comply and be designed per DPM Standards.
The Site Plan complies with and has been designed per VHGA's understanding of DPM Standards.

4. The applicant shall obtain a Water/Sewer Availability Statement prior to signoff application to the DRB. A revised Utility Plan shall also be required prior to DRB sign off.
An application to obtain the Water/Sewer Availability Statement has been made and is pending approval during the DRB process. The revised Utility Plan will be provided at a later date, prior to DRB sign-off.

5. ***Zoning*** – The following changes shall be made on the site development plan:
   a. In the Building Criteria Table, under Proposed Zoning, the words "high quality" shall be deleted.
   This language has been deleted from the Building Criteria "Proposed Zoning" box on the Site Plan, Sheet 1.

   b. No more than 16,000 square feet net leasable area may be used for restaurant uses.
   This language has been added to the Building Criteria "Proposed Zoning" box on the Site Plan, Sheet 1.

6. ***Site Plan Layout / Configuration*** – the following changes shall be made to the site development plan:
   a. The recycling bin shall be no closer than 100' to a residential zone per 14-16-3-15 (D). It may be switched with a refuse enclosure
   The recycling bin has been relocated to the middle of the eastern property edge, just south of Pad A on the Site Plan, Sheet 1, see Keyed Note #37. The former recycling bin location at the center of the back of the East Shops building has been changed to be a refuse container location serving the East Shops.

   b. The existing property line along the east side of Prospect Ave. shall be labeled "24" (see Keyed Notes) due to the proposed street vacation.
   This correction has been made on Site Plan, Sheet 1.

   c. Relocate dumpsters at the northeast corner of the west shops and the southeast corner of the north shops away from pedestrian plazas, as acceptable to the Solid Waste Department.
   The dumpster at the northeast corner of the west shops has been relocated to a double refuse container southwest of the West Shops building. The dumpster formerly located at the southeast corner of the North Shops building has been relocated to the central parking area just west of the northeast corner of the North Shops building. See Site Plan, Sheet 1.

7. ***Walls/Fences*** - the following changes shall be made to the site development plan:

Architecture
Interiors
Planning

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Albuquerque, New Mexico 87106
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a. A railing shall be added to the retaining wall at the upper plaza located west of the East Shops building, that matches the design of other structural features on the site (canopies, lighting fixtures or gates).
A handrail has been provided at this retaining wall (though such a railing is not required by the International Building Code), see retaining wall and railing detail on West Shops Elevations, Sheet 4.

b. A typical elevation of the screen walls and of the retaining wall, including the railing, at the central plaza shall be added to the Details (Sheet 7).
These details have been added to the West Shops Elevations, Sheet 4.

8. ***Pedestrian Access and Circulation, Transit Access*** - the following changes shall be made to the site development plan:

a. The label keyed to Note 19 shall be removed from the sidewalk on Menaul.
This note has been removed from the Site Plan, Sheet 1.

b. The trees at the patio west of Prospect shall be moved to provide a direct pathway between Menaul and the residential area;
The trees have been moved and are shown in the revised location on the Landscape Plan, Sheet 2. (This change is also reflected on the Site Plan, Sheet 1.)

c. The crosswalk on Mesilla shall have textured paving to match other crosswalks on the site.
Textured paving has been added to the crosswalk on Mesilla, see Site Plan, Sheet 1.

d. The bus shelter shall be approved by the City Transit Department prior to DRB sign-off.
The bus shelter has been approved by Andrew DeGarmo with City Transit, see attached memo.

e. Rotate the 12 parking spaces to the south of the west shops up to parallel with the west shops and enlarge the landscape area to the south accordingly.
These parking spaces have been rotated, however, due to site constraints, two of the spaces have been relocated to the west, just east of the double trash enclosure. See Site Plan, Sheet 1.

9. ***Lighting*** – The overhead canopy lighting shall be shown and detailed in the site development plan.
The overhead canopy lighting, which will consist of recessed cans mounted within the canopy structure, has been shown and noted on the Site Plan, Sheet 1, see Keyed Note #47.

10. ***Landscaping*** – The following changes shall be made to the landscape plan:

a. The calculations for "live area" shall refer instead to "live vegetative cover".
This correction has been made on the Landscape Plan, Sheet 2.

b. The landscape buffer adjoining the residential property in the southeast corner of the site shall include a minimum of 75% live vegetative cover excluding tree canopies.
Additional live vegetative groundcover has been added to the landscape buffer at this location, see Landscape Plan, Sheet 2.

c. The proportion of evergreen shrub plantings shall be increased to 25% and shall be distributed across the site.

See changes at Landscape Plan, Sheet 2. The following evergreen shrubs have been added to the plant list and distributed around the site:
Artemesia tridentate/Big Sage
Artemesia x 'Powis Castle'/Wormwood
Achillea 'Terra Cotta'/Terra Cotta Yarrow
Artemesia frigid/Fringed Sage
Artemesia versicolor 'Seafoam'/Curlicue Sage

d. The plan shall include a detail of the irrigation system and specify flows and runtimes for trees and shrubs.
An irrigation system detail, for a backflow preventer, has been added. Flows and runtimes for each plant species has been added in column 4 of the Plant Materials Schedule, just under Water Use. A General Note has been added to address typical irrigation system run times. See Landscape Plan, Sheet 2.

11. ***Stormwater Management*** – The site development plan shall incorporate rainwater harvesting measures, such as french drains, notched curbs and depressed landscaped beds, to reduce stormwater run-off and supplement landscape irrigation.
Rainwater harvesting locations, consisting of a series of curb cuts strategically located around parking lot edge, have been added around the site at the low end of sloping site areas. See Site Plan, Sheet 1, Keyed Note #46.

12. ***Outdoor seating*** –
a. The symbol used for the paving treatment of the central area of the development (on plazas, Prospect Ave. and an internal drive) shall be described in the Keyed Notes.
See revised keynote #27 at the Site Plan, Sheet 1.

b. Benches for general public use shall be added along the West and East Shops to comply with Section 14-16-3-18 (C)(3) of the Zoning Code.
Benches have been added to paved areas in front (north) of both the East and West Shops to comply with the Zoning Code requirements. See Site Plan, Sheet 1, see Keyed Note #48.

13. ***Architecture*** – The following changes shall be made to the site development plan:
a. A note shall be added to the site development plan (Sheet 1) explaining that the lines splitting the Shops buildings into tenant spaces are not fixed and that tenant spaces may be combined to create larger spaces.
Such a note has been added on the Site Plan, Sheet 1, see General Notes, #11.

b. Typical dimensions of public and service entrances shall be included on the Elevations;
Such dimensions are indicated on the Building Elevations, Sheets 4, 5, 6 and 9.

c. All storefronts that may be accessed, including storefronts on the east elevation of the North Shops, shall include a doorway that is labeled "illustrative";
Planned doorways and potential doorway locations have been indicated on all Building Elevations, Sheets 4, 5, 6, and 9.

d. Overhead canopy lighting shall be indicated on the Elevations;
Refer to Site Plan, Sheet 1 for all overhead canopy lighting locations. One typical canopy lighting location per building has been included on the Building Elevations, Sheets 4, 5, 6, and 9.

e. Dimensions of typical windows on the north, east and west elevations of the drive-thru restaurant shall be indicated.
These dimensions are shown on the Pad A Building Elevations, Sheet 9.

f. The north and south elevations of the West and East Shops shall include at least one additional architectural feature to break up the building mass, per Section 14-16-3-18 (D)(2) of the Zoning Code.
Parapet and canopy height changes have been added to both the West and East Shops elevations in order to address this condition. See Sheets 4 and 5.

14. ***Signage*** – The following changes shall be made:

a. Ref. Design Guideline C. 2.b., insert "tenant" after "per".
This correction has been made on Details, Sheet 7.

b. The thickness of the free-standing site and menu signs shall be shown on the Details sheet, as well as the height of the menu sign.
See additional details A3 and B3 as well as revised detail C3, Details, Sheet 7.

c. The font style used to identify the retail center and numerical address on the two free-standing site signs shall match.
Font styles have been revised to match in the detail drawings shown on details A4 and B4, and a note has been added requiring the designs of the two monument signs to match, see Details, Sheet 7. As noted on details, actual fonts to be used with the final project name will be determined by a signage designer at a later date.

d. The potential locations for wall signs shall be eliminated from the west elevation of the North Shops building, as there will be no doorway due to the proposed landscaping in that area.
The location of this door has been eliminated. See North Shops Elevations, Sheet 6.

e. Ref. Diagram D.2, "to a maximum of 75' wide" shall be inserted in the label of the marquee sign to match Design Guideline C.2.a.iii.
This language has been added at Details, Sheet 7 at Detail D2 and under Signage Design Guidelines, C.2.a.iii.

f. Ref. Design Guideline C.2.b., a new guideline iii. shall be added with the same size information as in Diagram C.1, i.e. "40 sf maximum...14" high letters."
This guideline has been added at Details, Sheet 7, under Signage Design Guidelines.

g. Primary and secondary site signs sizes shall not exceed a width of 17 foot 6 inches.
The primary monument sign dimensions have been revised to match the dimensions of the secondary monument sign, including the width of 17 feet 6 inches. See detail A4, Details, Sheet 7.

h. Tenant signage area on site signs shall not exceed 6 tenant listings.
This language has been added to details A4 and B4, Details, Sheet 7.

i. Canopy sign, as noted, to be called blade sign not to exceed 3 square feet.
This revision has been made at Details, Sheet 7, both under Signage Design Guidelines as well as at Detail C2, now entitled "Typical Blade Sign".

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j. General tenant guidelines shall read 1 building mounted sign, per tenant per street frontage including parapet wall, or marquee sign; blade sign to be additional.
This revision has been made at Details, Sheet 7, under Signage Design Guidelines.

k. The legend for Diagram D.3 shall be rewritten.
The legend for Diagram D.3 on Details, Sheet 7, has been revised.

In addition to these required changes, a few changes have been made as updated information has been received and as the original conceptual drawings have been refined into construction documents.

Respectfully submitted,

Karin M. Pitman, AIA, ASLA

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

Date: May 23, 2008

AMENDED OFFICIAL NOTIFICATION OF DECISION

FILE: **Project# 1007099**
08EPC-40021 SITE DEVELOPMENT - BUILDG PRMT
08EPC-40022 AMNDT TO ZONE MAP (ZONE CHG)

Sandia Foundation
6211 San Mateo NE, Suite 100
Albuq. NM 87109

LEGAL DESCRIPTION: for all or a portion of Lots 1-3, northerly portion of Lot 37, Lots 38, 39, Block 16 and Lots 1-11, 33-38 Block 17, Zuni Addition, zoned C-2 and SU-1 NURSERY to SU-1/C-2 Permissive Uses with Exclusions located on SE AND SW CORNERS OF MENAUL AND PROSPECT AND SE CORNER OF MENAUL AND MESILLA containing approximately 4 acres. (H-19) Carol Toffaleti, Staff Planner

On May 15, 2008 the Environmental Planning Commission voted to approve Project 1007099/08EPC-40022, a zone map amendment from C-2 to SU-1 for C-2 permissive uses with exclusions for Lots 1, 2, 38 and 39, Block 16, Zuni Addition and Lots 1-11 and Lots 37 and 38, Block 17, Zuni Addition, and
from SU-1 for Nursery to SU-1 for C-2 permissive uses with exclusions, for Lot 3, the northerly portion of Lot 37, Block 16, Zuni Addition and Lots 33 – 36, Block 17, Zuni Addition,
based on the following Findings and subject to the following Conditions:

FINDINGS:

1. The request is for a zone change from C-2 and SU-1 for Nursery to SU-1 for permissive C-2 uses with exclusions, for a site of approximately 4 acres located on the south side of Menaul Blvd. between Mesilla St. and Pennsylvania St. The subject site consists of Lots 1-11 and Lots 33-38, Block 17, Zuni Addition and Lots 1-3, the northern portion of Lot 37 and Lots 38 and 39, Block 16, Zuni Addition. The rear six lots, Lot 3 and the northerly portion of Lot 37, Block 16, Zuni Addition, and Lots 33-36, Block 17, Zuni Addition are currently zoned SU-1 for Nursery. The remaining lots are zoned C-2.

2. The full zoning designation indicated on the site development plan is: SU-1 for C-2 permissive uses, including a full service liquor license only in conjunction with a restaurant, excluding sales of alcohol for off-site consumption and excluding off-premise signs.

3. The request is accompanied by a site development plan for building permit, case number 08EPC-40021, for a retail center comprising one drive-thru restaurant and three retail buildings with multiple tenants, with a total square footage of 39,725 sf. The applicant proposes to replat the lots into one parcel and to vacate the section of Prospect Ave. that bisects the site and replace it with public access and utility easements.

4. The site was a retail nursery for approximately 45 years, until the company ceased operations in early 2006.

5. The site is in the Established Urban Area of the Comprehensive Plan. No other ranked plans govern the site.

6. The proposed zone change furthers a preponderance of applicable goals and policies of the Comprehensive Plan for the Established Urban Area and related to environmental and community resources:
   a. Policy II.B.5.d because the proposed change from straight C-2 zoning and SU-1 for Nursery to a single SU-1 designation for the premises facilitates a comprehensive, collaborative approach to the design of new development, which respects neighborhood values and scenic resources in the Menaul corridor.
   b. Policies II.B.5.i, II.B.5.j, Air Quality Policy II.C.1.b because the subject site is in a commercial corridor and the majority of the premises is already zoned for commercial uses; and the proposed zoning and uses complement the residential area and are accessible by transit, auto, walking and cycling.
   c. Policy II.B.5.k because unifying the zoning of the site, which is located on an arterial, facilitates a more comprehensive development plan for the site, which takes into consideration how the development interfaces with the surrounding transport network and which protects the livability and safety of surrounding residential neighborhoods.
   d. Policies II.B.5.e and II.B.5.o because the request facilitates redevelopment of a vacant site in an established area of the city that is contiguous to existing infrastructure and where the integrity of the existing neighborhood can be ensured.
   e. Economic Development Goal and Policy II.D.6.f because the request for a single zoning of the subject site, which is currently split between two zones and 23 parcels, will remove an obstacle to economic development.

7. The applicant justified the zone change request per Resolution 270-1980:
   A. The proposed zone change is consistent with the health, safety, morals, and general welfare of the city. The proposed SU-1 zoning allows extensive review by city departments, agencies and residents, which minimizes any adverse effects of future development on public facilities, services and roadways and ensures that the design contributes positively to the neighborhood.

B. The applicant provided an acceptable justification for the change. The requested zoning will not destabilize land use and zoning in the area because it is consistent with the zoning of surrounding properties that front on Menaul Blvd., the majority of which are C-2.

C. The proposed change is not in significant conflict with applicable goals and policies of the Comprehensive Plan. The applicant cited the majority of applicable goals and policies of the Comprehensive Plan pertaining to the Established Urban Area, Transportation and Transit (including Enhanced Transit Corridors and principal arterials) and Environmental Protection (Air Quality). Staff believes that the following also apply to the request:
Established Urban Area Policy II.B.5.k – the single zone requested for the site furthers this policy as it requires more comprehensive site planning than the existing split zoning. Specifically, the SU-1 zoning enables more input from affected neighborhoods and the city to help minimize the impact of future development on traffic flows and safety on arterial and residential streets in the surrounding area.
Transportation and Transit Policy II.D.4.o – the proposed zoning does not further this policy insofar as it increases the area for commercial uses by one acre, which will add to traffic congestion on Menaul in the afternoon peak hour.
Economic Development Goal and Policy II.D.6.f - the proposed zoning partially furthers the Goal because, although it does not diversify development in the area, it creates a single zoning designation for the site, which is currently split between two zones and 23 parcels. This removes an obstacle to economic development and facilitates comprehensive site design that can better balance economic, social and environmental goals.

D. The applicant has demonstrated that the existing zoning is inappropriate because:
2. Changed neighborhood or community conditions justify the change - The subject site is split between two zoning designations, C-2 and SU-1 for Nursery, but was used for over 40 years as one business, a retail nursery. The market has changed and the SU-1 for Nursery portion of the site is now obsolete and constrains overall redevelopment of the site, which has been vacant since early 2006.
and
3. The requested zoning is more advantageous to the community as articulated in the Comprehensive Plan (The proposed rezoning of the entire 4-acre premises to an SU-1 designation allows input from nearby property-owners and neighborhoods as well as city departments and agencies. The resulting development will benefit from a comprehensive approach to design, that takes account of a broad range of policy objectives including traffic safety, transit and pedestrian access, public open spaces, and protection of residential environments and scenic resources. The proposed zoning, SU-1 for C-2 permissive uses with exclusions, is generally acceptable to surrounding residents and neighborhood associations and is consistent with existing zoning in this portion of the Menaul corridor, which is predominantly C-2.

E. The permissive C-2 uses with exclusions in the requested zone would not be of significant harm to adjacent property, the neighborhood, or the community. The applicant has excluded liquor sales for off-site consumption in response to neighborhood concerns and has restricted on-site liquor sales to those associated with a restaurant only. The site development plan associated with the requested SU-1 designation allows for neighborhood input concerning the location and buffering of uses on the site.

F. The proposed zone change and associated development of a retail center on this infill site in the Established Urban area will not require major and unprogrammed capital expenditures by the city. In fact, the zone change and associated site development plan are allowing the city to require changes to the medians and turning lanes on Menaul which will improve highway safety.

G. The cost of land or other economic considerations pertaining to the applicant is not the determining factor for a change of zone.

H. The location of the site on Menaul Blvd., a major street, is not the main justification for the requested commercial zoning.

I. The zone change request does not create a "spot zone", because the proposed "SU-1 for permissive C-2 uses with exclusions" is consistent with the C-2 zoning that predominates on land fronting Menaul in the surrounding area.

J. The zone change request does not create "strip zoning", because the proposed "SU-1 for permissive C-2 uses with exclusions" is consistent with the C-2 zoning that predominates on land fronting Menaul in the surrounding area.

8. Property-owners within 100' and the nine neighborhood associations in the Uptown area were notified of the request. Two facilitated meetings were held (December 13, 2007 and January 21, 2008) prior to submission of the application. The applicant sent a letter to interested parties from the neighborhoods on February 25, 2008, enclosing a site development plan. They communicated with them on April 7 – 9, 2008 by mail and/or email. A (non-facilitated) meeting was held on April 10, 2008 to discuss the proposal submitted to the EPC for the April 17th hearing and reviewed in the corresponding staff report.

9. Letters of opposition to the zone change request were received from the Classic Uptown neighborhood association (NA) and from a property-owner residing on Prospect Ave. Their position is that the lots zoned SU-1 for Nursery should be rezoned for residential rather than commercial uses. Concerns were also raised to previous versions of the site development plans by other property-owners and the Zuni and Inez NAs. Their issues centered on protecting adjoining residents from impacts such as parking and circulation, odors and noise associated with dumpsters, and disturbance from patrons consuming liquor at restaurants on the site.

CONDITIONS:

1. The applicant shall apply for a vacation of Prospect Ave. prior to DRB sign off.

2. Final sign-off of the accompanying site development plan (08EPC-40021).

3. The zoning is SU-1 for C-2 permissive uses with exclusions. The exclusions are:
   - including a full service liquor license only in conjunction with a restaurant
   - excluding sales of alcohol for off-site consumption

- excluding off-premise signs

On May 15, 2008 the Environmental Planning Commission voted to approve Project 1007099/08EPC-40021, a Site Development Plan for Building Permit, for Lots 1-3, the northerly portion of Lot 37 and Lots 38 and 39, Block 16, Zuni Addition, and Lots 1-11 and Lots 33-38, Block 17, Zuni Addition, zoned SU-1 for C-2 permissive uses with exclusions, based on the following Findings and subject to the following Conditions:

FINDINGS:

1. The request is for a Site Development Plan for Building Permit for a site of approximately 4 acres located on the south side of Menaul Blvd. between Mesilla St. and Pennsylvania St.. The subject site consists of Lots 1-11 and Lots 33-38, Block 17, Zuni Addition and Lots 1-3, the northern portion of Lot 37 and Lots 38 and 39, Block 16, Zuni Addition. The rear six lots, Lot 3 and the northerly portion of Lot 37, Block 16, Zuni Addition, and Lots 33-36, Block 17, Zuni Addition are currently zoned SU-1 for Nursery. The remaining lots are zoned C-2.

2. The request is accompanied by a zone map amendment, case number 08EPC-40022, to rezone the 17 lots zoned C-2 and the 6 lots zoned SU-1 for Nursery to SU-1 for permissive C-2 uses with exclusions. The applicant proposes to replat the lots into one parcel and to vacate the portion of Prospect Ave. that bisects the site, and replace it with a public access and utility easement.

3. The site was used as a retail nursery business for approximately 45 years, until the company ceased operations in early 2006.

4. The site is in the Established Urban Area of the Comprehensive Plan. No other ranked plans govern the site.

5. The site development plan for building permit furthers the following applicable goals and policies of the Comprehensive Plan:
   a. Policy II.B.5.d and Developed Landscape Policy II.C.8.a because the site development and landscape plans respect neighborhood values by addressing residents' concerns about access and buffering; and respects scenic resources by improving the streetscape in the Menaul corridor and creating internal plazas that take advantage of views to the east and west.

b. Policies II.B.5.i, II.B.5.j, Air Quality Policy II.C.1.b because the proposed commercial center is designed to minimize potential adverse effects on the residential neighborhood to the south by discouraging through-traffic on Prospect, promoting access by transit and walking, prohibiting illumination on signs visible from residences and by incorporating existing mature evergreens in landscape buffers.

c. Policy II.B.5.k because the proposed vehicular access and circulation improve traffic safety and livability in this section of the Menaul Blvd. corridor, by reducing the number of existing site drives and discouraging cut-through traffic on Prospect Ave., a residential street.

d. Policies II.B.5.l and II.B.5.m because the quality of the development will improve the visual environment in the area and enhance unique vistas to the east and west.

e. The Water Management Goal and Policy II.D.2.a because the landscape plan incorporates established trees and consists of low and medium water use plants.

f. The Transportation and Transit Goal and Policies II.D.4.a, II.D.4.d, II.D.4.g, II.D.4.p because the proposal improves the safety and convenience of access for transit-users, motorists and pedestrians on a site in an Enhanced Transit Corridor.

g. The Economic Development Goal and Policy II.D.6.b because the proposed commercial center is neighborhood-scale, which reflects a balancing of economic, social and environmental goals, and it will attract local and smaller franchise businesses.

6. Property-owners within 100' and the nine neighborhood associations in the Uptown area were notified of the request. Two facilitated meetings were held (December 13, 2007 and January 21, 2008) prior to submission of the application. The applicant sent a letter to interested parties from the neighborhoods on February 25, 2008, enclosing a site development plan. They communicated with them on April 7 – 9, 2008 by mail and/or email. A (non-facilitated) meeting was held on April 10, 2008 to discuss the proposal submitted to the EPC for the April 17th hearing and reviewed in the corresponding staff report.

7. Letters of opposition to the zone change request have been received from the Classic Uptown neighborhood association (NA) and from a property-owner residing on Prospect Ave. Their position is that the lots zoned SU-1 for Nursery should be rezoned for residential rather than commercial uses. Concerns were also raised by other property-owners, and the Zuni and Inez NAs, about protecting adjoining residents from impacts such as parking and circulation, odors and noise associated with dumpsters located at the rear of the site, and disturbance from patrons consuming liquor at restaurants.

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. RECOMMENDED CONDITIONS FROM CITY ENGINEER, MUNICIPAL DEVELOPMENT and NMDOT:
Conditions of approval for the proposed Zone Map Amendment and Site Development Plan for Building Permit shall include:
   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. Per Transportation Development Staff, completion of the required system improvements that are attributable to the development, as identified in the TIS, is required.
   c. Provide public access and utility easements for the portion of Prospect Avenue to be vacated.
   d. Encroachment agreement required for public sidewalk located within site property adjacent to public streets.
   e. Delete median diverter in Menaul Boulevard between Prospect Avenue and Charleston Street. Extend westbound left turn lane (maximum length) in Menaul Boulevard to Prospect Avenue. See turning movement count data on Menaul Boulevard at the intersections with Mesilla/San Pablo, Prospect/Charleston and Dallas Streets for justification.
   f. Extend westbound left turn lane (maximum length – if possible) in Menaul Boulevard to Mesilla Avenue. Full access to San Pablo and Mesilla to remain.
   g. Dimension and/or reference under keyed notes all site drive widths and radii (i.e. full access at 36' with 25' curb return radii and right turn-in/ right turn-out at 30' with 25' curb return radii).
   h. For pad "A", adjacent to service loading area (keyed note #39), provide 25' turning radius at entrance of drive thru lane.
   i. Change all internal curb return radii labeled #7 to #6 (i.e. change 30' to 25').
   j. Change all internal end of aisle islands labeled #4 to #5 (i.e. change 10' to 15').

k. Label and draw southwest corner of the intersection of Prospect and main east/west drive aisle as a 15' minimum radius curb return.
l. A concurrent platting action will be required at DRB.
m. Site plan shall comply and be designed per DPM Standards.

4. The applicant shall obtain a Water/Sewer Availability Statement prior to signoff application to the DRB. A revised Utility Plan shall also be required prior to DRB sign off.

5. *Zoning* – The following changes shall be made on the site development plan:
   a. In the Building Criteria Table, under Proposed Zoning, the words "high quality" shall be deleted.
   b. No more than 16,000 square feet net leasable area may be used for restaurant uses.

6. *Site Plan Layout / Configuration* – the following changes shall be made to the site development plan:
   a. The recycling bin shall be no closer than 100' to a residential zone per 14-16-3-15 (D). It may be switched with a refuse enclosure
   b. The existing property line along the east side of Prospect Ave. shall be labeled "24" (see Keyed Notes) due to the proposed street vacation.
   c. Relocate dumpsters at the northeast corner of the west shops and the southeast corner of the north shops away from pedestrian plazas, as acceptable to the Solid Waste Department.

7. *Walls/Fences* - the following changes shall be made to the site development plan:
   a. A railing shall be added to the retaining wall at the upper plaza located west of the East Shops building, that matches the design of other structural features on the site (canopies, lighting fixtures or gates).
   b. A typical elevation of the screen walls and of the retaining wall, including the railing, at the central plaza shall be added to the Details (Sheet 7)

8. *Pedestrian Access and Circulation, Transit Access* - the following changes shall be made to the site development plan:
   a. The label keyed to Note 19 shall be removed from the sidewalk on Menaul.
   b. The trees at the patio west of Prospect shall be moved to provide a direct pathway between Menaul and the residential area;
   c. The crosswalk on Mesilla shall have textured paving to match other crosswalks on the site.
   d. The bus shelter shall be approved by the City Transit Department prior to DRB sign-off.
   e. Rotate the 12 parking spaces to the south of the west shops up to parallel with the west shops and enlarge the landscape area to the south accordingly.

9. *Lighting* – The overhead canopy lighting shall be shown and detailed in the site development plan.

10. *Landscaping* – The following changes shall be made to the landscape plan:
    a. The calculations for "live area" shall refer instead to "live vegetative cover".
    b. The landscape buffer adjoining the residential property in the southeast corner of the site shall include a minimum of 75% live vegetative cover excluding tree canopies.
    c. The proportion of evergreen shrub plantings shall be increased to 25% and shall be distributed across the site.
    d. The plan shall include a detail of the irrigation system and specify flows and runtimes for trees and shrubs.

11. *Stormwater Management* – The site development plan shall incorporate rainwater harvesting measures, such as french drains, notched curbs and depressed landscaped beds, to reduce stormwater run-off and supplement landscape irrigation.

12. *Outdoor seating* –
    a. The symbol used for the paving treatment of the central area of the development (on plazas, Prospect Ave. and an internal drive) shall be described in the Keyed Notes.
    b. Benches for general public use shall be added along the West and East Shops to comply with Section 14-16-3-18 (C)(3) of the Zoning Code.

13. *Architecture* – The following changes shall be made to the site development plan:
    a. A note shall be added to the site development plan (Sheet 1) explaining that the lines splitting the Shops buildings into tenant spaces are not fixed and that tenant spaces may be combined to create larger spaces.
    b. Typical dimensions of public and service entrances shall be included on the Elevations;
    c. All storefronts that may be accessed, including storefronts on the east elevation of the North Shops, shall include a doorway that is labeled "illustrative";
    d. Overhead canopy lighting shall be indicated on the Elevations;
    e. Dimensions of typical windows on the north, east and west elevations of the drive-thru restaurant shall be indicated.
    f. The north and south elevations of the West and East Shops shall include at least one additional architectural feature to break up the building mass, per Section 14-16-3-18 (D)(2) of the Zoning Code.

14. *Signage* – The following changes shall be made:
    a. Ref. Design Guideline C. 2.b., insert "tenant" after "per".
    b. The thickness of the free-standing site and menu signs shall be shown on the Details sheet, as well as the height of the menu sign.
    c. The font style used to identify the retail center and numerical address on the two free-standing site signs shall match.
    d. The potential locations for wall signs shall be eliminated from the west elevation of the North Shops building, as there will be no doorway due to the proposed landscaping in that area.
    e. Ref. Diagram D.2, "to a maximum of 75'" shall be inserted in the label of the marquee sign to match Design Guideline C.2.a.iii.

f. Ref. Design Guideline C.2.b., a new guideline iii. shall be added with the same size information as in Diagram C.1, i.e. "40 sf maximum...14" high letters."
g. Primary and secondary site signs sizes shall not exceed a width of 17 foot 6 inches.
h. Tenant signage area on site signs shall not exceed 6 tenant listings.
i. Canopy sign, as noted, to be called blade sign not to exceed 3 square feet.
j. General tenant guidelines shall read 1 building mounted sign, per tenant per street frontage including parapet, wall, or marquee sign; canopy blade sign to be additional.
k. The legend for Diagram D.3 shall be rewritten.

IF YOU WISH TO APPEAL/PROTEST THIS DECISION, YOU MUST DO SO BY MAY 30, 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 I S 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.

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

AMENDED OFFICIAL NOTICE OF DECISION
MAY 15, 2008
PROJECT #1007099
PAGE 11 OF 11

Sincerely,

for Richard Dineen
Planning Director

RD/CT/ac

cc: Myers, Oliver & Price, P.C, 1401 Central Ave. NW, Albuq. NM 87104
Bill Sterchi, Alvarado Park NA, 5607 Princess Jeanne NE, Albuq. NM 87110
Gene Tatum, Alvarado Park Na, 1916 Madeira NE, Albuq. NM 87110
Stephen Verchinski, Classic Uptown NA, 2700 Espanola NE, Albuq. NM 87110
Patti Flanagan, Classic Uptown NA, 2716 Espanola NE, Albuq. NM 87110
Evenlyn Feltner, Inez NA, 2014 Utah St. NE, Albuq. NM 87110
Bette Weber, Inez NA, 1927 Virginia St. NE, Albuq. NM 87110
Julie Jones, Jerry Cline Park NA, 7625 Winter Ave. NE, Albuq. NM 87110
Eric Shirley, Jerry Cline Park NA, 900 Grove St. NE, Albuq. NM 87110
Lisa Whalen, Quigley Park NA, 2713 Cardenas Dr. NE, Albuq. NM 87110
Maria Young, Quigley Park NA, 2932 Madeira Dr. NE, Albuq. NM 87110
Laura Heitman, Snow Heights NA, 8011 Princess Jeanne NE, Albuq. NM 87110
Andrea Henderson, Snow Heights NA, 1317 Rhode Island NE, Albuq. NM 87110
Louis Abruzzo, Uptown Progress Team, 10 Tramway Loop NE, Albuq. NM 87122
Marcy Cook, Uptown Progress Team, 6565 Americas Parkway NE, #200, Albuq. NM 87110
Richard Peterson, Winrock South NA, 7110 Constitution Ave. NE, Albuq. NM 87110
Virginia Kinney, Winrock South NA, 7110 Constitution Ave. NE, Albuq. NM 87110
Sharon Berlint, Zuni NA, 7516 Euclid NE, Albuq. NM 87110
Allan Smith, Zuni NA, 7522 Euclid NE, Albuq. NM 87110
Harold McCutcheon, 7420 Prospect NE, Albuq. NM 87110
Donna K. Yetter, Inez NA Board Member, 2111 Hoffman Dr. NE, Albuq. NM 87110
Jason Yurcic, 7424 Prospect NE, Albuq. NM 87110
Ms. Garcia, 7437 Prospect NE, Albuq. NM 87110
Karen Pitman, 2420 Baylor SE

Karin Pitman

From: de Garmo, Andrew F. [ADeGarmo@cabq.gov]
Sent: Thursday, September 11, 2008 6:40 PM
To: Karin Pitman
Subject: RE: bus shelter approval request

Hello Karin,

This location is acceptable to Transit with a Type C shelter and associated bench and trash can. Please note our standard color, RAL#5021.

Thanks for coordinating with us.

Andrew de Garmo
Planner - ABQ RIDE
City of Albuquerque Transit Dept.
100 1st St. SW
Albuquerque, NM 87102
505-724-3109 (office)
505-724-3196 (fax)
www.cabq.gov/abqride

From: Karin Pitman [mailto:KPitman@vhgarchitect.com]
Sent: Thursday, September 11, 2008 11:05 AM
To: de Garmo, Andrew F.
Subject: bus shelter approval request

Andrew,

I'm attaching another drawing of the revised shelter location, showing the revised dimensions for the bus shelter location at Menaul/Propsect Retail Center. FYI, I think we are going to leave it where it is because of the way the wall behind it staggers from the next one (which is more typical of how our site walls are laid out along the entire streetscape). Since there is a row of street trees at the street anyway, and no buildings obscure this location, I think it's probably as visible here as it would be a couple more feet forward.

By the way, Keyed Note #31 showing pointing to the bus shelter reads: "Proposed COA Type 'C' shelter at re-located bus stop."

So, if you can get us an approval letter or memo when you get a chance, I would greatly appreciate it. I'm meeting today with Carol Toffaleti at 1:30 p.m. as our meeting was changed from yesterday. However, it's probably not required that I have your letter or memo for that meeting as long I am able to tell her we have consulted on this and an approval is forthcoming.

Thanks again!
Karin

From: de Garmo, Andrew F. [mailt[illegible]DeGarmo@cabq.gov]
Sent: Wednesday, September 10, 2008 8:53 AM
To: Karin Pitman
Subject: RE: bus shelter for Menaul Prospect Retail Center (former Rowlands site)

Okay, now I understand. The roof of the shelter is 7' not 12' high, but since the City's standard specs specifically allow the shelter to be in the right-of-way, I don't see any problems - 7' is an ADA requirement. Plus you'll have 6' of clear sidewalk in front of the shelter.

Andrew

From: Karin Pitman [mailto:KPitman@vhgarchitect.com]
Sent: Tuesday, September 09, 2008 6:46 PM
To: de Garmo, Andrew F.
Subject: RE: bus shelter for Menaul Prospect Retail Center (former Rowlands site)

I'll try once more to explain this and see if you follow (am probably not explaining it well)... My concern was about the overhang extending over the 6' sidewalk in the ROW. Do you know what the height to the bottom of the overhang of the bus shelter is from the sidewalk? There's a requirement somewhere in the zone code language (I forget where specifically, but we ran into it when we were originally placing signage over the sidewalk) that says anything extending into the ROW, has to be 12' clear underneath or higher. So, maybe it's just that this requirement doesn't apply to City infrastructure like the bus stop (not sure how tall the overall bus shelters are, but I doubt that overhang is above 12' high)? I'll ask Carol about this when I meet with her tomorrow just to be clear.

Will discuss moving the bus shelter forward with others on our project team tomorrow and send you the final version we decide on. If it's not approved before I meet with Carol tomorrow, I think we will be ok.

Thanks again!
Karin

From: de Garmo, Andrew F. [mailto:ADeGarmo@cabq.gov]
Sent: Tuesday, September 09, 2008 6:39 PM
To: Karin Pitman
Cc: Jeffrey Hillmeyer
Subject: RE: bus shelter for Menaul Prospect Retail Center (former Rowlands site)

Hello Karin,

I'm not sure I'm following all of your concern, but with the sidewalk issue: you're showing about 22' length of sidewalk between the shelter and the curb - that should provide plenty of room for pedestrians to pass in front of the shelter even if it's located closer to the curb - i.e. 12.5' to the back of the shelter pad as in the standard specs.

Just send me your final version and I'll reply with a more formal OK.

Andrew

From: Karin Pitman [mailto:KPitman@vhgarchitect.com]
Sent: Tuesday, September 09, 2008 6:20 PM
To: de Garmo, Andrew F.
Cc: Jeffrey Hillmeyer
Subject: RE: bus shelter for Menaul Prospect Retail Center (former Rowlands site)

Doc# 2009054169
05/15/2009 11:38 AM Page: 1 of 8
AGRE R:$23.00 M. Toulouse Oliver, Bernalillo County

No. of Lots: _____
Nearest Major Streets:
_____
_____

FIGURE 12

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

AGREEMENT TO CONSTRUCT
PUBLIC AND/OR PRIVATE SUBDIVISION IMPROVEMENTS

THIS AGREEMENT is made this 14th day of May, 2009, by and between the City of Albuquerque, New Mexico ("City"), a municipal corporation, whose address is P. O. Box 1293 (One Civic Plaza), Albuquerque, New Mexico 87103, and **SANDIA FOUNDATION,** ("Subdivider"), a [state the type of business entity, for instance, "New Mexico corporation," "general partnership," "joint venture," "individual," etc.:] **a New Mexico nonprofit corporation**, whose address is **6211 San Mateo Blvd., NE, Suite 100, Albuquerque, New Mexico, 87109,** and whose telephone number is **(505)242-2684**, 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:]**Lots 1-11 and Lots 33-38,Block 17; and Lots 1-3, the Northern Portion of Lot 37, and Lots 38, 39, Block 16, Zuni Addition**, recorded on **December 11, 1950,** in the records of the Bernalillo County Clerk at Book **D**, pages **104** 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:] **Sandia Foundation, a New Mexico nonprofit corporation** ("Owner").

The Subdivider has submitted and the City has approved a preliminary plat or Site Development Plan identified as **Menaul and Prospect Retail Center, Project No. 762381** describing Subdivider's Property.

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

2. Improvements and Construction Deadline. The Subdivider agrees to install and complete the public and/or private improvements described Exhibit A, the required infrastructure listing ("Improvements"), to the satisfaction of the City, on or before the **15th** day of May, 2011("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.**762381**.

Note: To compute the Construction Completion Deadline: If a final plat will be filed after Subdivider meets the requirements of this Agreement, the Construction Completion Deadline can be no later than two years after execution of this Agreement. (See Subdivision Ordinance Section 14-14-3.) If a final plat will

not be filed pursuant to this Agreement, the Construction Completion Deadline can be no later than one year after approval of the preliminary plat by the Development Review Board ("DRB"), unless the DRB grants an extension, not to exceed one additional year per extension, and the Subdivider processes an amendment to the Agreement. (See Subdivision Ordinance Section 14-14-3.) If this Agreement, with any amendments does not utilize the maximum time allowed for completion of construction, the Subdivider may obtain an extension of the Construction Completion Deadline if Subdivider shows adequate reason for the extension.

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

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

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

Type of Fee	Amount
Engineering Fee	3.25% of Actual Construction Cost as required per City-approved estimate.
Excavation and Sidewalk Ordinance, Street Restoration Fees	(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 **(to be determined)**, and construction surveying of the private Improvements shall be performed by **(to be determined)**. 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 **(to be determined)**, and inspection of the private Improvements shall be performed by **(to be determined)**, 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 **to be determined**, and field testing of the private Improvements shall be performed by **to be determined**, both certified testing laboratories under the supervision of a New Mexico Registered Professional Engineer, in accordance with the current City of Albuquerque Standard Specifications for Public Works Construction. If any field testing is performed by an entity other than the City, the City may monitor the field testing and the Subdivider shall ensure that the field testing entity provides all field testing results, reports and related data to the City which the City requires for review. The Subdivider shall pay the City a reasonable fee for any field testing performed by the City.

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

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

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

Type of Financial Guaranty: **Municipal Lien**
Amount: **$360,443.39**
Name of Financial Institution or Surety providing Guaranty: **N/A**
Date City first able to call Guaranty: **May 15, 2011**
[Construction Completion Deadline]: **May 15, 2011.**
If Guaranty other than a Bond, last day City able to call Guaranty is: **July 15, 2011**.
Additional information: _____

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

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

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

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

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

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

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

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

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

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

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

10. Indemnification. Until the Improvements are accepted by the City, the Subdivider shall be solely responsible for maintaining the premises upon which the Improvements are being constructed in a safe condition. The Subdivider agrees to defend, indemnify and hold harmless the City and its officials, agents and employees from any claims, actions, suits or other proceedings arising from or out of the negligent acts or omissions of the Subdivider, its agents, representatives, contractors or subcontractors or arising from the failure of the Subdivider, its agents, representatives, contractors or subcontractors to perform any act or duty required of the Subdivider herein; provided, however, to the

extent, if at all, Section 56-7-1 NMSA 1978 is applicable to this Agreement, this Agreement to indemnify will not extend to liability, claims, damages, losses or expenses, including attorney fees, arising out of (1) the preparation or approval of maps, drawings, opinions, reports, surveys, change orders, designs or specifications by the indemnitee, or the agents or employees of the indemnitee; or (2) the giving of or the failure to give directions or instructions by the indemnitee, where such giving or failure to give directions or instructions is the primary cause of bodily injury to persons or damage to property. The indemnification required hereunder shall not be limited as a result of the specifications of any applicable insurance coverage. Nothing herein is intended to impair any right or immunity under the laws of the State of New Mexico.

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

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

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

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

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

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

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

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

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

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

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

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

SUBDIVIDER:

SANDIA FOUNDATION, a New Mexico nonprofit corporation
By: [signature]
Name: Robert M. Goodman
Title: Executive Director
Dated: May 12, 2009

CITY OF ALBUQUERQUE

[signature]
City Engineer
Dated: 5-14-09

[signature] 5/14/09

M
5-14-09

SUBDIVIDER'S NOTARY

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

This instrument was acknowledged before me on the 12th day of May, 2009 by Robert M. Goodman, Executive Director of Sandia Foundation, a New Mexico nonprofit corporation.

[signature]
Notary Public

My Commission Expires:
4-12-2011

OFFICIAL SEAL
NITA MAYHUGH
NOTARY PUBLIC
STATE OF NEW MEXICO
My Commission Expires 4-12-2011

CITY'S NOTARY

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

This instrument was acknowledged before me on 14th day of May, 2009 by Richard Dourte, City Engineer of the City of Albuquerque, a municipal corporation, on behalf of said corporation.

[signature]
Notary Public

My Commission Expires:
10-07-12

H:\Sandia Foundation\Menaul Retail Center\SIA B Procedure.doc\5/8/2009 11:18 AM

Current DRC
Project Number:_____

FIGURE 12

ORIGINAL

Date Submitted: October 17, 2008
Date Site Plan Approved: 10-22-08
Date Preliminary Plat Approved:_____
Date Preliminary Plat Expires:_____
DRB Project No.: 1007099
DRB Application No.: 08DRB-70422

INFRASTRUCTURE LIST

(Rev. 9-06)

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

Menaul + Prospect Retail Center
PROPOSED NAME ~~OF PLAT AND/OR~~ SITE DEVELOPMENT PLAN

Portion of Blocks 16 & 17, Zuni Addition, Section 7,T.18N., R.4E.,N.M.P.M. Albuquerque, Bernalillo County NM
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	Private P.E.	City Cost Engineer
		6'	Sidewalk	Menaul Blvd. NE	Mesilla Av. NE	NE Property Corner	/	/	/
		13'-2"	Type "C" Bus Shelter & Bus Stop	Menaul Blvd.	East of Prospect Av. NE at North Prop. Line		/	/	/
			Reconfiguration of Median(s)	Menaul Blvd. NE	Mesilla Av. NE	Charleston St. NE	/	/	/
			Left Turn Lane Extension	Menaul Blvd. NE	Charleston/Menaul Intersection		/	/	/
		6"	Water Line & Fire Hydrants	Property East of Prospect	Prospect Av. NE	Menaul Blvd. NE	/	/	/
		4" -6"	4 Sanitary Sewer Service	All Buildings	Property East & West of Prospect		/	/	/
		1" -2"	4 Water Services	All Buildings	Property East & West of Prospect		/	/	/
		24'-min.	Paving Improvements plus Public Sidewalk (6' min, W.side only)	Public Roadway Easement	Prospect Terminus	Menaul Blvd.	/	/	/

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	Private P.E.	City Const Engineer
							/	/	/
							/	/	/

Approval of Creditable Items:

Impact Fee Admistrator Signature Date

Approval of Creditable Items:

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 Waterlines include all applicable gate valves, tees, bends, restrained joints & connections.

AGENT / OWNER

Guy Jackson, PE
NAME (print)

Guy Jackson & Associates, LLC
FIRM

10-22-08
SIGNATURE - date

DEVELOPMENT REVIEW BOARD MEMBER APPROVALS

10/22/08
DRB CHAIR - date

10/22/08
TRANSPORTATION DEVELOPMENT - date

10/22/08
UTILITY DEVELOPMENT - date

Bradley S. Brigham 10/22/08
CITY ENGINEER - date

Christina Sandoval 10/22/08
PARKS & GENERAL RECREATION - date

AMAFCA - date

_____ - date

_____ - date

DESIGN REVIEW COMMITTEE REVISIONS

REVISION	DATE	DRC CHAIR	USER DEPARTMENT	AGENT/OWNER

(rev. 8-05)

1100

Figure 30

CLAIM AND NOTICE OF LIEN

TITLE OF PROJECT: **Menaul & Prospect Retail Center Phase/Unit #1**

SUBDIVIDER: **Sandia Foundation**
CITY PROJECT NO.: **762381**

The City of Albuquerque ("City") claims a lien ("City Lien") on the real property described below for 125% of the cost of construction of all infrastructure improvements ("Improvements") required in connection with the development of (name of subdivision) the **Menaul & Prospect Retail Center Phase/Unit #1**, said Improvements being more particularly described in that certain Subdivision Improvements Agreement ("Agreement") between the City of Albuquerque and (Name of owner and/or subdivider) **Sandia Foundation, a New Mexico nonprofit corporation**, and recorded in the office of the Clerk of Bernalillo County, New Mexico, in Book NA, at page NA, as Document No. 2009_____. This Lien is established pursuant to Article 14-14-3 of the Revised Ordinances of Albuquerque, New Mexico, 1994, as amended, and is claimed as assurance for the satisfactory completion of construction of the Improvements by the construction completion deadline as required by the Agreement.

OWNER: **Sandia Foundation, a New Mexico nonprofit corporation**

ADDRESS OF OWNER: **6211 San Mateo Blvd NE, Ste 100**
Albuquerque, New Mexico 87109

LEGAL DESCRIPTION: Tract A, Blocks 16 & 17, Zuni Addition

RECORDING INFORMATION: Recorded in the Office of the Clerk of Bernalillo County, New Mexico in Book NA, Page NA, on 5·15·09, 2009, as Document No. 200905416 9 (Pending recording of replat)

FORMER LEGAL DESCRIPTION: Lots 1-11 and Lots 33-38, Block 17; and Lots 1-3; and the northern Portion of Lot 37, and Lots 38 and 39, Block 16, Zuni Addition

RECORDING INFORMATION: Recorded in the Office of the Clerk of Bernalillo County, New Mexico, in Book D, Page 104, on December 11, 1950

AMOUNT: $360,443.39 plus any costs incurred for a title search and update, which amount shall bear interest at the rate of twelve percent (12%) per year from the date of filing this Claim and Notice of Lien.

Doc# 2009054170
05/15/2009 11:40 AM Page: 1 of 2
LIEN R:$11.00 M. Toulouse Oliver, Bernalillo County

PERIOD OF TIME COVERED: Expiration of construction completion deadline: May 15, 2011. Notwithstanding the expiration date for the construction completion deadline, the City may record this Claim and Notice of Lien at any time the City determines that any alternative Financial Guaranty does not provide adequate assurance that construction of the improvements will occur.

WITNESS my hand and seal this 15 day of May, 2009.

City Clerk
City of Albuquerque
Bernalillo County, New Mexico

APPROVED:

Richard Dourte, City Engineer
Date: 5-14-09

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

On this the 15 day of May, 2009, before me appeared Randy M. Autio to me personally known, who being by me duly sworn or affirmed did say that he is the City Clerk of the City of Albuquerque, County of Bernalillo, State of New Mexico, and that said instrument was signed and sealed on behalf of said City of Albuquerque by authority of its City Council and the laws of the State of New Mexico and of said City of Albuquerque, and the County Clerk acknowledged said instrument to be the free act and Claim and Notice of Lien of the City of Albuquerque.

OFFICIAL SEAL
Trina M. Casados
NOTARY PUBLIC
STATE OF NEW MEXICO
My Commission Expires: 4-1-2013

Notary Public

My Commission Expires:

H:\Sandia Foundation\Menaul Retail Center\municipal lien Phase1.doc\5/13/2009 11:03 AM

FINANCIAL GUARANTY AMOUNT

11/13/2008

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

Project Description:

Project ID #: 762381, Menaul & Prospect Retail Center, Phase/Unit #: 1

Requested By: **Guy Jackson, PE**

Approved estimate amount:		$226,118.80
Contingency Amount:	10.00%	$22,611.88
Subtotal:		$248,730.68
NMGRT	6.75%	$16,789.32
Subtotal:		$265,520.00
Engineering Fee	6.60%	$17,524.32
Testing Fee	2.00%	$5,310.40
Subotal:		$288,354.71
FINANCIAL GUARANTY RATE		1.25
Retainage Amount:		$.00
TOTAL FINANCIAL GUARANTY REQUIRED		**$360,443.39**

APPROVAL: S Woodall

DATE: 11-13-08

Notes: 10% contincency, plans and final est have not been approved, Street lights per COA requirements

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sargib@gmail.com | Settings | Help | Report bug | Sign out

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Project No. 1003604 Inbox

"Zamora, David M." <dmzamora@cabq.gov> show details 9:29 am (1.5 hours ago) Reply

The .dxf file for Project No. 1003604 (Zuni Addn) has been approved.

David M. Zamora
GIS Coordinator - AGIS
City of Albuquerque
Planning Department
924-3929 phone
924-3812 fax
www.cabq.gov/gis
dmzamora@cabq.gov

Reply Reply to all Forward Invite David to Gmail

« Back to Inbox | Archive | Report Spam | Delete | More actions... 1 of 11 Older ›

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450-4050

City of Albuquerque

DEVELOPMENT/ PLAN REVIEW APPLICATION

Supplemental form

	S	Z
SUBDIVISION		
___ Major Subdivision action		
✓ Minor Subdivision action SKETCH		
✓ Vacation PORTION OF PUBLIC R-O-W, UTILITY, DRAINAGE AT&T EASEMENTS	V	
___ Variance (Non-Zoning)		
SITE DEVELOPMENT PLAN	P	
___ for Subdivision		
___ for Building Permit		
___ Administrative Amendment (AA)		
___ IP Master Development Plan		
___ Cert. of Appropriateness (LUCC)	L	A
STORM DRAINAGE	D	
___ Storm Drainage Cost Allocation Plan		

ZONING & PLANNING
- ___ Annexation
  - ___ County Submittal
  - ___ EPC Submittal
- ___ Zone Map Amendment (Establish or Change Zoning)
- ___ Sector Plan **(Phase I, II, III)**
- ___ Amendment to Sector, Area, Facility or Comprehensive Plan
- ___ Text Amendment (Zoning Code/Sub Regs)
- ___ Street Name Change (Local & Collector)

APPEAL / PROTEST of...
- ___ Decision by: DRB, EPC, LUCC, Planning Director or Staff, ZHE, Zoning Board of Appeals

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

APPLICANT INFORMATION:

Professional/Agent (if any): THE SURVEY OFFICE PHONE: 998-0303
ADDRESS: 333 LOMAS BLVD NE FAX: 998-0305
CITY: ALBQ STATE NM ZIP 87102 E-MAIL:

APPLICANT: SANDIA FOUNDATION PHONE:
ADDRESS: 6211 SAN MATEO BLVD NE SUITE 100 FAX:
CITY: ALBQ STATE NM ZIP 87109 E-MAIL:
Proprietary interest in site: OWNER List all owners: N/A

DESCRIPTION OF REQUEST: VACATE PORTION OF PROSPECT AVE NE, 10' UTILITY & DRAINAGE EASEMENT, 20' AT&T EASEMENT & REPLAT 23 EXISTING LOTS INTO ONE NEW LOT

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. LOTS 1-11, 33-38, BLK 16 & LOTS Block: 16 & 17 Unit: N/A
Subdiv/Addn/TBKA: 1, 2 & 3 38, 39 & THE N44.58.2' OF LOT 37, BLK 16, ZUNI ADD.
Existing Zoning: C-2 / SU-1 Proposed zoning: N/A
Zone Atlas page(s): H-19-Z UPC Code: 1·019·059·210·252·31520 MRGCD Map No. N/A
1·019·059·200·242·31503 1·019·059·222·245·31519 1·019·059·208·232·31505
1·019·059·198·248·31502 1·019·059·211·229·31506 1·019·059·202·237·31504
1·019·059·194·256·31501
1·019·059·174·248·31201

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 # 1007099, 08EPC-40021, 08EPC-40022

CASE INFORMATION:
Within city limits? ✓ Yes Within 1000FT of a landfill? NO
No. of existing lots: 23 No. of proposed lots: 1 Total area of site (acres): 4.1830 AC

LOCATION OF PROPERTY BY STREETS: On or Near: MENAUL BLVD NE
Between: MESILLA AVE NE and PROSPECT AVE NE

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

SIGNATURE [signature] DATE 9-15-08
(Print) Gary Maple Applicant: ☐ Agent: ☑

FOR OFFICIAL USE ONLY

Form revised 4/07

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

Application case numbers	Action	S.F.	Fees
08DRB-70408	SK	S(3)	$ 0
			$
			$
			$
			$
			Total $ 0

Hearing date 09/24/08

Sandy Handley 09/16/08
Planner signature / date

Project # 1007099

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
__ 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.

Gary Maple 9-15-08
Applicant name (print)

Applicant signature / date

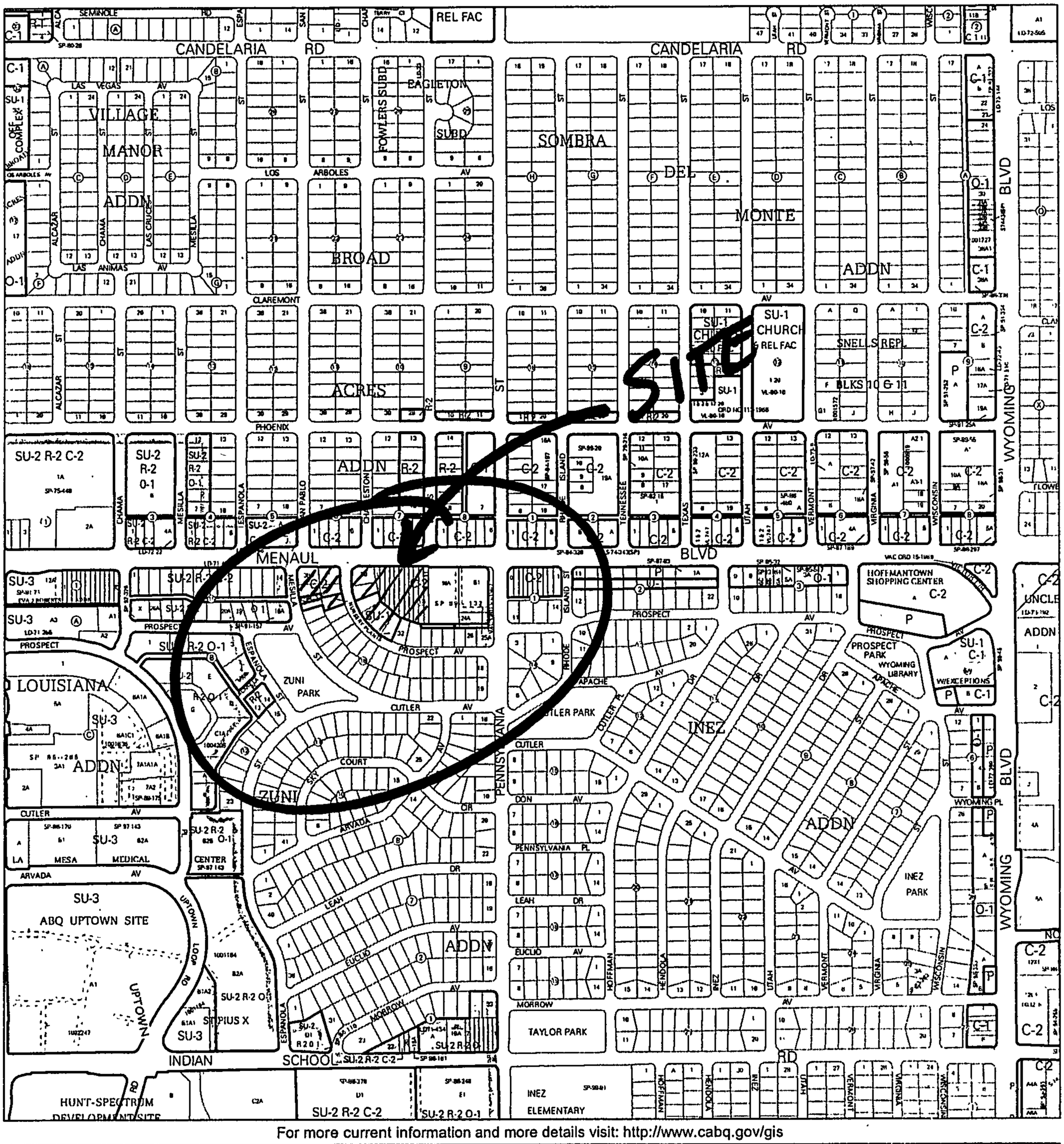
Form revised **October 2007**

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

Application case numbers
08DRB - 70408
- -
- -

Sandy Handley 09/16/08
Planner signature / date

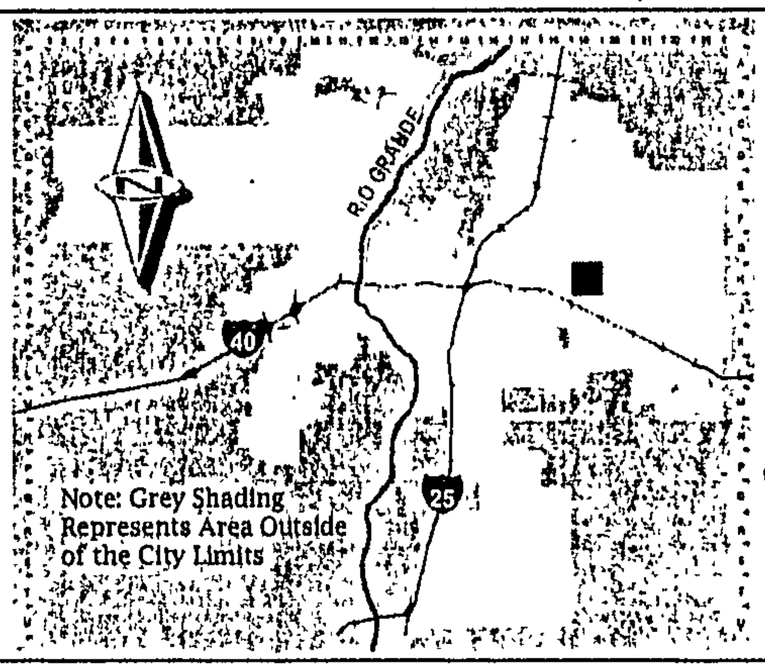
Project # 1007099



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

Albuquerque Geographic Information System

Map amended through: 6/13/2008



Zone Atlas Page:

H-19-Z

Selected Symbols

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

0 750 1,500 Feet

The Survey Office

*333 Lomas Blvd., NE * Albuquerque, New Mexico 87102 * 998-0303 * Fax 998-0305*

September 15, 2008

DEVELOPMENT REVIEW BOARD MEMBERS
PLAZA DEL SOL
600 SECOND STREET NW
ALBUQUERQUE, NM 87102

REF: ZUNI ADDITION

Dear Board Members:

The purpose of the sketch submittal for the above reference property is to receive comments to vacate a portion of Prospect Ave NE, various public utility easements and to replat Twenty-three (23) existing lots into One (1) new lot.

On May 15, 2008, EPC voted to approve project #1007099 / 08EPC-40021 (site development plan for building permit) and 08EPC-40022 (zone map amendment) for a proposed retail center comprising of one drive-thru restaurant and three retail buildings with multiple tenants.

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

Sincerely,

Gary Maple
President