Completed

J P - B P

DRB CASE ACTION LOG (~~PRELIMINARY~~/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-~~70296~~ 70276 Project # 1007204

Project Name: LANDS OF WEFCO PARTNERS

Agent: BOHANNAN HUSTON INC. Phone No.:823-1000

Your request was approved on 7-9-08 by the DRB with delegation of signature(s) to the following departments.

OUTSTANDING SIGNATURES COMMENTS TO BE ADDRESSED

☐ TRANSPORTATION:

☐ UTILITIES:

☑ CITY ENGINEER / AMAFCA: SIA B2B dc

☐ PARKS / CIP:

☑ PLANNING (Last to sign): 9-18-08 Complies w/ EPC final zoning

☐ **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:

J P - B P

DRB CASE ACTION LOG (~~PRELIMINARY~~/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-702~~96~~7 Project # 1007204

Project Name: LANDS OF WEFCO PARTNERS

Agent: BOHANNAN HUSTON INC. Phone No.:823-1000

Your request was approved on 7-9-08 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): Compliance w/ EPC final zoning

☐ **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:

Please check for change
number on BLUE SHEET to reflect
correct DRB application # as
shown on copy of Blue Sheet.

4. **Project# 1007017**
08DRB-70255 EPC APPROVED SDP FOR BUILD PERMIT
08DRB-70256 EPC APPROVED SDP FOR SUBDIVISION
08DRB-70258 MINOR - PRELIMINARY/ FINAL PLAT APPROVAL

NMHCR LLC agent(s) for KASSAM HOSPITALITY request(s) the above action(s) for all or a portion of Lot(s) 2-A-1, 2-A-2, 2-A-3, **SUNPORT PARK** zoned IP, located on WOODWARD RD SE BETWEEN UNIVERSITY AND TRANSPORT SE containing approximately 4.45 acre(s). (M-15) *[Deferred from 6/11/08 & 6/25/08]* **DEFERRED TO 7/16/08 AT THE AGENT'S REQUEST.**

5. **Project# 1006972**
08DRB-70279 EPC APPROVED SDP FOR BUILD PERMIT

GARCIA/KRAEMER & ASSOC. agent(s) for CHARLIE FINNEGAN NM MORTUARY SERVICES request(s) the above action(s) for all or a portion of Lot(s) 41A, Block(s) 37, **VALLEY VIEW ADDITION** zoned SU-1 CCR-3 & CREMATORY, located on TRUMAN NE BETWEEN CENTRAL NE AND COPPER NE containing approximately .5 acre(s). (K-17) **THE SITE DEVELOPMENT PLAN FOR BUILDING PERMIT WAS APPROVED WITH FINAL SIGN-OFF DELEGATED TO ABCWUA FOR LOCATION OF FIREHYDRANTS AND TO TRANSPORTATION FOR COMMENTS.**

6. **Project# 1007204**
08DRB-70276 EPC APPROVED SDP FOR BUILD PERMIT

DARREN SOWELL ARCHITECTS LLC agent(s) for ARMSTRONG DEVELOPMENT PROPERTIES request(s) the above action(s) for all or a portion of Tract(s) 1A, 1B, 2A, 2B, 3B, 4B & 3A/4-A-1, 5-B-1 &S-B-2, **BARRETT/LANDS OF WEFCO TBK UNSER CROSSING** zoned SU-1 FOR C/2 & 0/1, located on CENTRAL AVE AND UNSER BLVD SW BETWEEN BRIDGE ST SW AND 86TH ST SW containing approximately 50 acre(s). (K-9-I0 & L-10) *Deferred from 6/25/08.* **WITH THE SIGNING OF THE INFRASTRUCTURE LIST DATE 7/9/08, THE SITE DEVELOPMENT PLAN FOR BUILDING PERMIT WAS APPROVED WITH FINAL SIGN-OFF DELEGATED TO PLANNING FOR COUNCIL ACTION ON ZONING.**

08DRB-70296 MINOR - PRELIMINARY/ FINAL PLAT APPROVAL

BOHANNAN HUSTON INC agent(s) for ARMSTRONG DEVELOPMENT PROPERTIES request(s) the above action(s) for all or a portion of Tract(s) 1A, 1B, 2A, 3A, 3B, 4B, & TRACT 6 VE BARRETT SUBD & TRACTS 4A1, 5B1, 5B2, LANDS OF WEFCO PARTNERS, zoned SU-1 FOR C-2/01 & C-2, located on SW CORNER OF CENTRAL AVE & UNSER SW BETWEEN BRIDGE SW AND 86TH ST SW containing approximately 50 acre(s). (K-9 & K-10) **THE PRELIMINARY PLAT WAS APPROVED. THE FINAL PLAT WAS INDEFINITELY DEFERRED FOR THE SIA.**

DEVELOPMENT REVIEW BOARD
AGENDA

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

July 9, 2008 9:00 AM
MEMBERS:

Jack Cloud, AICP, DRB Chairman, Planning Department

Angela Gomez, Administrative Assistant

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

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

1. **Project# 1004607**
08DRB-70264 VACATION OF PUBLIC RIGHT-OF-WAY

WILSON & COMPANY agent(s) for SALLS BROTHERS CONSTRUCTION INC request(s) the above action(s) for all or a portion of Block(s) 15 & 16, **VISTA VIEJA** zoned RD, located on VISTA VERIL DR NW BETWEEN METE SOL NW AND VISTA TERRAZA DR NW (D-9) **THE VACATION WAS APPROVED AS SHOWN ON EXHIBIT B IN THE PLANNING FILE PER SECTION 14-14-7-2(A) (1) AND (B) (1)(3) OF THE SUBDIVISION ORDINANCE. A REVISED GRADING AND DRAINAGE PLAN MUST BE PROVIDED PRIOR TO PLAT.**

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

GEORGE RAINHART & ASSOC agent(s) for PETERSON PROPERTIES request(s) the above action(s) for Lots 3 and 4, **VOLCANO POINT SHOPPING CENTER,** zoned SU-2 / PCA, located on the northwest corner of 98TH ST NW AND CENTRAL AVE NW containing approximately 1.9833 acre(s). (K-9) *Deferred from 6/25/08.* **DEFERRED TO 7/23/0/ AT THE AGENT'S REQUEST.**

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

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

GEORGE RAINHART & ASSSOC. agent(s) for NEW MEXICO EDUCATORS FEDERAL CREDIT UNION request(s) the above action(s) for all or a portion of Lot(s) 2A, **LAMONICA & WENK,** zoned SU-1 / C-1, located on COORS BLVD AND RIO BRAVO containing approximately 1.55 acre(s). (P-10) *[Deferred from 5/28/08, 6/4/08, 6/11/08 & 6/25/08]* **DEFERRED TO 7/16/08 AT THE AGENT'S REQUEST.**

7. **Project# 1003674**
08DRB-70287 EXT OF SIA

LLAVE ENTERPRISES INC. agent(s) for LLAVE ENTERPRISES INC. request(s) the above action(s) for all or a portion of Lot(s) 25-27, Block(s) 3, Tract(s) A, **RICH COURT Unit(s) B,** zoned RD 3DUA, located on ALAMOSA NE BETWEEN BARSTOW NE AND VENTURA NE (C-20) **THE TWO YEAR EXTENSION OF THE SUBDIVISION IMPROVEMENT AGREEMENT (SIA) WAS APPROVED.**

8. **Project# 1003815**
08DRB-70282 MINOR - PRELIMINARY/ FINAL PLAT APPROVAL

FORSTBAUER SURVEYING CO LLC agent(s) for CORONADO LAND LLC request(s) the above action(s) for all or a portion of Lot(s) 1-3, Block(s) 4, Tract(s) A, **NORTH ALBUQUERQUE ACRES Unit(s) B,** zoned IP, located on VENICE AVE NE BETWEEN SAN MATEO BLVD NE AND INTERSTATE 25 containing approximately 2.4997 acre(s). (B-18) **THE PRELIMINARY/FINAL PLAT WAS APPROVED WITH FINAL SIGN OFF DELEGATED TO TRANSPORTATION FOR DIMENSIONAL SKETCH. A COPY OF THE RECORDED PLAT MUST BE PROVIDED TO PLANNING.**

9. **Project# 1005185**
08DRB-70284 MINOR - PRELIMINARY/ FINAL PLAT APPROVAL

JACKS HIGH COUNTRY INC agent(s) for "W" INVESTMENTS request(s) the above action(s) for all or a portion of Tract(s) 1, **CITY OF ALBUQUERQUE BERN COUNTY NM** zoned C-2, located on MONTGOMERY BLVD NE BETWEEN TRAMWAY BLVD NE AND BERMUDA RD NE containing approximately .9625 acre(s). (F-22) **THE PRELIMINARY/FINAL PLAT WAS APPROVED. THE AGIS DXF FILE MUST BE PROVIDED TO PLANNING IN ADDITION TO A COPY OF THE RECORDED PLAT.**

10. **Project# 1006833**
08DRB-70280 MAJOR - FINAL PLAT APPROVAL

SURV-TEK INC agent(s) for TABET LUMBER CO request(s) the above action(s) for all or a portion of Tract(s) A & B, S-2A-1, **MERIDAIN PARK II & ATRISCO BUSINESS PARK TBK: UNSER TOWNE CROSSING Unit(s) 2,** zoned IP, located on UNSER BLVD NW BETWEEN LOS VOLCANES NW AND INTERSTATE 40 containing approximately 70.3629 acre(s). (J-9/10) **THE PRELIMINARY/FINAL PLAT WAS APPROVED WITH FINAL SIGN OFF DELEGATED TO PLANNING TO RECORD.**

11. Project# 1006865
08DRB-70285 MINOR - PRELIMINARY/ FINAL PLAT APPROVAL

TIERRA WEST LLC agent(s) for SOUTHWEST REGIONAL COUNCIL OF CARPENTERS request(s) the above action(s) for all or a portion of Tract(s) A-1, **CONANCHE BUSINESS PARK** zoned M-1, located on PAN AMERICAN FREEWAY NE BETWEEN COMACHE NE AND VASSAR NE containing approximately 16.7 acre(s). (G-16) **THE PRELIMINARY/FINAL PLAT WAS APPROVED WITH FINAL SIGN OFF DELEGATED TO PLANNING TO ADD SOLAR COLLECTORS NOTE. A COPY OF THE RECORDED PLAT MUST BE PROVIDED TO PLANNING.**

12. Project# 1007149
08DRB-70281 MINOR - PRELIMINARY/ FINAL PLAT APPROVAL

PLAZA SURVEYS LLC agent(s) for YOLANDA SANCHEZ request(s) the above action(s) for all or a portion of Tract(s) 122B, zoned RA-2, located on ELFEGO NW BETWEEN TEODORO NW AND GRIEGOS NW containing approximately .9709 acre(s). (F-13) **THE PRELIMINARY/FINAL PLAT WAS APPROVED WITH FINAL SIGN OFF DELEGATED TO PLANNING TO ADD SOLAR COLLECTORS NOTE AND FOR SITE PLAN INDICATING VIABILITY OF LOT WITH REGARD TO SETBACKS.**

13. Project# 1007304
08DRB-70293 MINOR - PRELIMINARY/ FINAL PLAT APPROVAL

WAYJOHN SURVEYING INC agent(s) for PETE AND SARA LLC request(s) the above action(s) for all or a portion of Lot(s) 5-18, 6-13, Block(s) 1 & 2, **SPRINGER TRANSFER CONPANY ADDITION Unit(s) 1,** zoned M-1, located on BROADWAY BLVD NE BETWEEN KINLEY AVE NE AND ODELIA RD NE containing approximately 2.2183 acre(s). (J-14) **THE PRELIMINARY/FINAL PLAT WAS APPROVED WITH FINAL SIGN OFF DELEGATED TO TRANSPORTATION FOR VERIFICATION OF STUB STREET CRITERIA IS MET.**

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

14. Project# 1003188
08DRB-70283 SKETCH PLAT REVIEW AND COMMENT

COMMUNITY SCIENCES CORP agent(s) for ANGELA & MARIO GARCIA request(s) the above action(s) for all or a portion of Lot(s) 26R, Tract(s) 145-A, 145-A2, 144B-1, **LUKE ADDITION** zoned RA-2, located on GRIEGOS NW BETWEEN RIO GRANDE NW AND SAN ISIDRO NW containing approximately 1.2415 acre(s). (F-13) **WAS REVIEWED AND COMMENTS GIVEN.**

15. Project# 1004575
08DRB-70288 SKETCH PLAT REVIEW AND COMMENT

JUAN F DELGADO III & BARBARA A DELGADO agent(s) for JUAN F DELGADO III & BARBARA A DELGADO request(s) the above action(s) for all or a portion of Tract(s) D-1, **PEREA ACRES** zoned RA-2, located on DURANES RD NW BETWEEN GALBALDON NW AND LOS LUCEROS NW containing approximately .7464 acre(s). (H-12) **WAS REVIEWED AND COMMENTS GIVEN.**

16. Project# 1006926
08DRB-70295 SKETCH PLAT REVIEW AND COMMENT

ROBERT GUTIERREZ agent(s) for ART MARSHALL request(s) the above action(s) for all or a portion of Lot(s) 26 & 27, Block(s) 3, **SUNSHINE ADDITION** zoned SU-2 MR, located on EDITH BETWEEN ANDERSON AVE AND SMITH AVE containing approximately .2445 acre(s). (L-14) **WAS REVIEWED AND COMMENTS GIVEN.**

17. Project# 1007347
08DRB-70286 SKETCH PLAT REVIEW AND COMMENT

CARTESIAN SURVEYS INC agent(s) for ASHCRAFT REALESTATE request(s) the above action(s) for all or a portion of Lot(s) 4AA6A, **JOURNAL CENTER** zoned IP, located on MASTHEAD NE BETWEEN INTERSTATE 25 AND JEFFERSON NE containing approximately 3.0479 acre(s). (D-17) **WAS REVIEWED AND COMMENTS GIVEN.**

18. Project# 1007356
08DRB-70294 SKETCH PLAT REVIEW AND COMMENT

RIO REAL ESTATE agent(s) for RIO GRANDE CREDIT UNION request(s) the above action(s) for all or a portion of Lot(s) 1-12, Block(s) 5, **ROMERO ADDITION** zoned C-2/S-R, located on ROSEMONT ST NW BETWEEN 4TH ST NW AND 5TH ST NW containing approximately .98 acre(s). (J-14) **WAS REVIEWED AND COMMENTS GIVEN.**

19. Other Matters: None

ADJOURNED: 10:35

SUBDIVISION

DRB CASE ACTION LOG (EPC SDP – ~~BUILDING PERMIT~~)

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-70276 Project # 1007204
Project Name: BARRETT/LANDS OF WEFCO TBK UNSER CROSSING
Agent:.DARREN SOWELL ARCHITECTS Phone No.:342-6200

Your request was approved on 6-25-08 by the DRB with delegation of signature(s) to the following departments.

OUTSTANDING SIGNATURES COMMENTS TO BE ADDRESSED

☑ TRANSPORTATION: – Comments

☐ UTILITIES:

☐ CITY ENGINEER / AMAFCA:

☐ PARKS / CIP:

JLC 9-15-08

☑ PLANNING (Last to sign): – Comments & City Council action
EASEMENTS INTERNAL TO SITE & ESMT @ NEC
DEP. ON. ↓ ALIGNMENT

☐ **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:

SUBDIVISION

DRB CASE ACTION LOG (EPC SDP – ~~BUILDING PERMIT~~)

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-7027~~0~~7 Project # 1007204
Project Name: BARRETT/LANDS OF WEFCO TBK UNSER CROSSING
Agent:.DARREN SOWELL ARCHITECTS Phone No.:342-6200

Your request was approved on 6-25-08 by the DRB with delegation of signature(s) to the following departments.

OUTSTANDING SIGNATURES COMMENTS TO BE ADDRESSED

☑ TRANSPORTATION: – Comments

☐ UTILITIES:

☐ CITY ENGINEER / AMAFCA:

☐ PARKS / CIP:

☑ PLANNING (Last to sign): – Comments; City Council action EASEMENTS INTERNAL TO SITE & ESMT @ NEC DEP. ON. & ALIGNMENT

☐ **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:

2. **Project# 1006516**
07DRB-70030 BULK LAND VARIANCE
07DRB-70031 MAJOR - PRELIMINARY PLAT APPROVAL
07DRB-70032 MINOR - TEMP DEFR SWDK CONST
07DRB-70033 SIDEWALK WAIVER
07DRB-70034 VACATION OF PUBLIC EASEMENT
07DRB-70085 MINOR - PRELIMINARY/ FINAL PLAT APPROVAL

BOHANNAN HUSTON INC agent(s) for MESA DEL SOL, LLC request(s) the above action(s) for all or a portion of Tract(s) PORTION OF TRACT 4A, **MESA DEL SOL,** zoned SU-2/PC, located on UNIVERSITY BLVD. SE BETWEEN SOLAR MESA AVE. SE AND BOBBY FOSTER SE containing approximately 114.7792 acre(s). (R15, R16, S15, AND S16) *[Deferred from 6/27/07, 7/25/07, 7/22/07, 8/22/07 & 9/26/07, 1/30/08, 3/5/08, 4/9/08, 5/14/08, 5/28/08, 6/4/08 & 6/11/08]* **DEFERRED TO 716/08 AT THE AGENT'S REQUEST.**

3. **Project# 1007204**
08DRB-70232 VACATION OF PUBLIC EASEMENT

BOHANNAN HUSTON INC agent(s) for ARMSTRONG DEVELOPMENT PROPERTIES request(s) vacation of certain easements on all or a portion of Tract(s) 1A, 1B, 2A, 2B, 3B, 4B, 3A, & 6, 4-A-1, 5-B-1 & 5-B-2, **V E BARRETT & LANDS OF WELCO PARTNERS,** zoned SU-1 FOR C-2/O1 C-2, located on the south side of CENTRAL AVE SW BETWEEN UNSER BLVD SW AND 86TH ST SW containing approximately 50 acre(s). (K-9, K-10, and L-10) *[Deferred from 6/11/08]* **THE VACATION WAS APPROVED AS SHOWN ON EXHIBIT B IN THE PLANNING FILE PER SECTION 14-14-7-2(A) (1) AND (B) (1)(3) OF THE SUBDIVISION ORDINANCE.**

08DRB-70276 EPC APPROVED SDP FOR BUILD PERMIT
08DRB-70277 EPC APPROVED SDP FOR SUBDIVISION
08DRB-70278 SKETCH PLAT REVIEW AND COMMENT

DARREN SOWELL ARCHITECTS LLC agent(s) for ARMSTRONG DEVELOPMENT PROPERTIES request(s) the above action(s) for all or a portion of Tract(s) 1A, 1B, 2A, 2B, 3B, 4B & 3A/4-A-1, 5-B-1 &S-B-2, **BARRETT/LANDS OF WEFCO TBK UNSER CROSSING** zoned SU-1 FOR C/2 & 0/1, located on CENTRAL AVE AND UNSER BLVD SW BETWEEN BRIDGE ST SW AND 86TH ST SW containing approximately 50 acre(s). (K-9-I0 & L-10) **THE SITE DEVELOPMENT PLAN FOR SUBDIVISION WAS APPROVED WITH FINAL SIGN-OFF DELEGATED TO TRANSPORTATION FOR COMMENTS AND TO PLANNING FOR COMMENTS; CITY COUNCIL ACTION, EASMENTS INTERNAL TO THE SITE AND EASEMENT AT NORTHEAST CORNER. THE SITE PLAN FOR BUILDING PERMIT WAS DEFFERD TO 7/9/08. THE SKETCH PLAT WAS REVIEWED AND COMMENTS WERE GIVEN.**

CITY OF ALBUQUERQUE

CITY OF ALBUQUERQUE
PLANNING DEPARTMENT
HYDROLOGY DEVELOPMENT SECTION

DEVELOPMENT REVIEW BOARD--SPEED MEMO

DRB CASE NO/PROJECT NO: 1007204 **AGENDA ITEM NO: 6**

SUBJECT:

Site Plan for BP
Final Plat
Preliminary Plat

ACTION REQUESTED:

PO Box 1293

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

ENGINEERING COMMENTS:

Albuquerque

An approved Subdivision Improvements Agreement with financial guarantees is required for Site Development Plan sign-off.

NM 87103

www.cabq.gov

RESOLUTION: Signed I.L → SPBP FP indef

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: SIA

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

DATE: July 9, 2008

CITY OF ALBUQUERQUE
PLANNING DEPARTMENT
June 25, 2008
DRB Comments

ITEM # 3

PROJECT # 1007204 APPLICATION # 08-70278

RE: Sketch Plat – Unser Crossings

Please remove zoning designation from plat. Reciprocal drainage, access, and parking easements need to be noted, to include maintenance and beneficiaries (which in turn needs to include Tracts 7 & 8 of adjoining V.E. Barrett Subdivision).

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

CITY OF ALBUQUERQUE

CITY OF ALBUQUERQUE
PLANNING DEPARTMENT
HYDROLOGY DEVELOPMENT SECTION

DEVELOPMENT REVIEW BOARD--SPEED MEMO

DRB CASE NO/PROJECT NO: 1007204 **AGENDA ITEM NO: 3**

SUBJECT:

Sketch Plat/Plan
Site Plan for Subd
Site Plan for BP
Vacation

P.O. Box 1293

Albuquerque

New Mexico 87103

www.cabq.gov

ACTION REQUESTED:

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

ENGINEERING COMMENTS:

The Hydrology Section has no objection to the vacation request.
Comments on the infrastructure list.
An approved Subdivision Improvements Agreement with financial guarantees is required for Site Development Plan for Building Permit sign-off.

RESOLUTION: Jac 7-9-08 SP BP

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: June 25, 2008

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): Darren Sowell Architects, LLC. PHONE: 505-342-6200
ADDRESS: 4700 Lincoln Road NE., Suite #111 FAX: 505-342-6201
CITY: Albuquerque STATE NM ZIP 87109 E-MAIL: angelab@dsaabq.com

APPLICANT: Armstrong Development Properties PHONE: 602-385-4100
ADDRESS: 1500 N. Priest Drive, Suite 150E FAX: 602-385-4101
CITY: Tempe STATE AZ ZIP 85281 E-MAIL: sgellison@agoc.com
Proprietary interest in site: Owner List all owners: Armstrong Developmet Sandia Partners, LLC.

DESCRIPTION OF REQUEST: Final DRB Sign-off for EPC Approved SDP for Subdivision and SDP for Building Permit and Sketch Plat Review only for Subdivision action.
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. Tracts 1A, 1B, 2A, 2B, 3B, 4B, 3A and Tract 6 V.E. Barrett Subdivision and Tracts 4-A-1, 5-B-1, 5-B-2 Lands of Wetco Block: ____ Unit: ____
Subdiv/Addn/TBKA: Unser Crossing
Existing Zoning: S-V1 for C/2 and O/1 and C/2 Proposed zoning: C-2 (pending) MRGCD Map No ____
Zone Atlas page(s): K-9-10 / K-10-Z and L-10-Z UPC Code: 101005702806330 0324
101005711209630308
101005706809030312

CASE HISTORY:
List any current or prior case number that may be relevant to your application (Proj., App., DRB-, AX_,Z_, V_, S_, etc.):
Project # 1007204, ZHE-08-ZHE 80263, 08EPC-40063, Z-883, S-76-9MP, S-1487, Z-1638, V-563, Z-1636, V-86-56, V-79-19

CASE INFORMATION:
Within city limits? ✓ Yes Within 1000FT of a landfill? No
No. of existing lots: 11 No. of proposed lots: 14 Total area of site (acres): 50 acres
LOCATION OF PROPERTY BY STREETS: On or Near: SW Corner Central Ave. and Unser Blvd.
Between: Bridge Street SW. and 86th Street SW.
Check-off if project was previously reviewed by Sketch Plat/Plan ☐, or Pre-application Review Team ☑. Date of review: 12/11/2007 1/29/08 6/9/2008 and 6/16/2008

SIGNATURE Angela M. Benson - DSA Architects DATE June 17, 2008
(Print) Angela M Benson - DSA Architects, LLC 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 - 70276	SBP	P(3)	$ 0
08DRB - 70277	SPS	P(3)	$ 0
08DRB - 70278	SK	P(3)	$ 0
	CMF		$ 20.00
			$
			Total $ 20.00

Hearing date 06/25/08

Sandy Handley 06/17/08 **Project #** 1007204
Planner signature / date

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

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

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

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

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

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

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

☐ **SITE DEVELOPMENT PLAN FOR BUILDING PERMIT (DRB17) Maximum Size: 24" x 36"**

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

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

☐ **AMENDED SITE DEVELOPMENT PLAN FOR BUILDING PERMIT (DRB01) Maximum Size: 24" x 36"**
☐ **AMENDED SITE DEVELOPMENT PLAN FOR SUBDIVISION (DRB02) Maximum Size: 24" x 36"**

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

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

☑ **FINAL SIGN-OFF FOR EPC APPROVED SDP FOR BUILDING PERMIT (DRB05)**
☑ **FINAL SIGN-OFF FOR EPC APPROVED SDP FOR SUBDIVISION (DRB06)**

✓ Site plan and related drawings (folded to fit into an 8.5" by 14" pocket) **6 copies**
✓ Approved Grading and Drainage Plan (folded to fit into an 8.5" by 14" pocket) **6 copies**
✓ Solid Waste Management Department signature on Site Plan for Building Permit
✓ Zone Atlas map with the entire property(ies) clearly outlined
✓ Letter carefully explaining how each EPC condition has been met **and** a copy of the EPC Notification of Decision
✓ Infrastructure List, if relevant to the site plan
✓ Copy of Site Plan with Fire Marshal's stamp (not required for SDP for Subdivision)
✓ List any original and/or related file numbers on the cover application

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

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

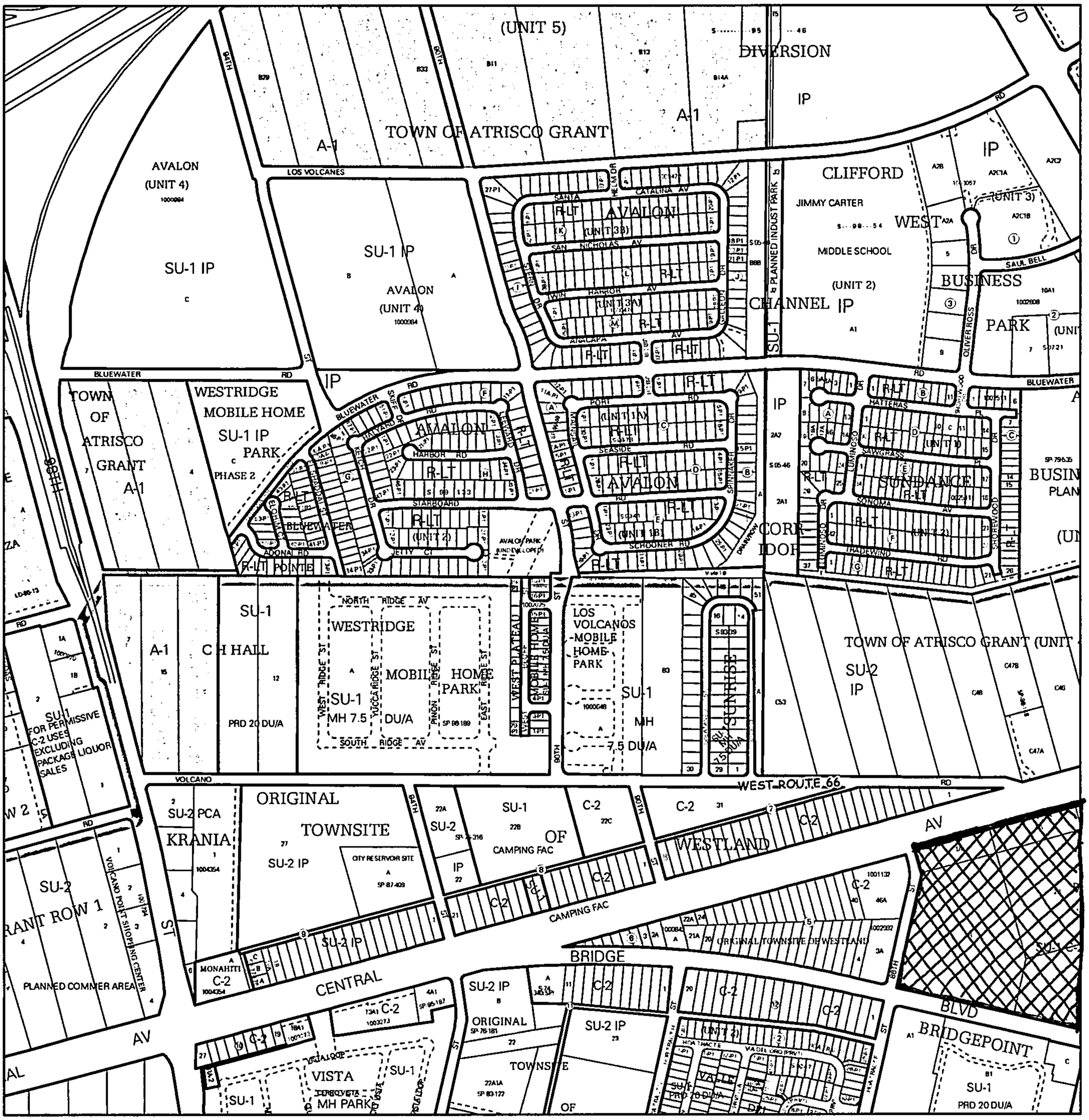
- DSA Architects, LLC.
Angela M. Benson
Applicant name (print)
Angela M. Benson 6/17/08
Applicant signature / date

Form revised **October 2007**

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

Application case numbers
08DRB-70276
08DRB-70277
08DRB-70278

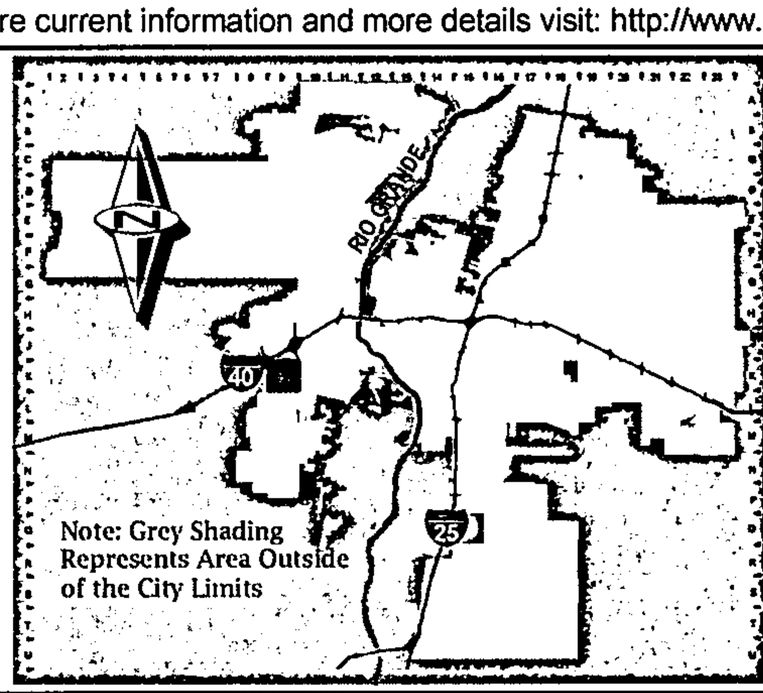
Sandy Handley 06/17/08
Planner signature / date
Project # 1007204



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

Albuquerque Geographic Information System

Map amended through: 1/4/2008



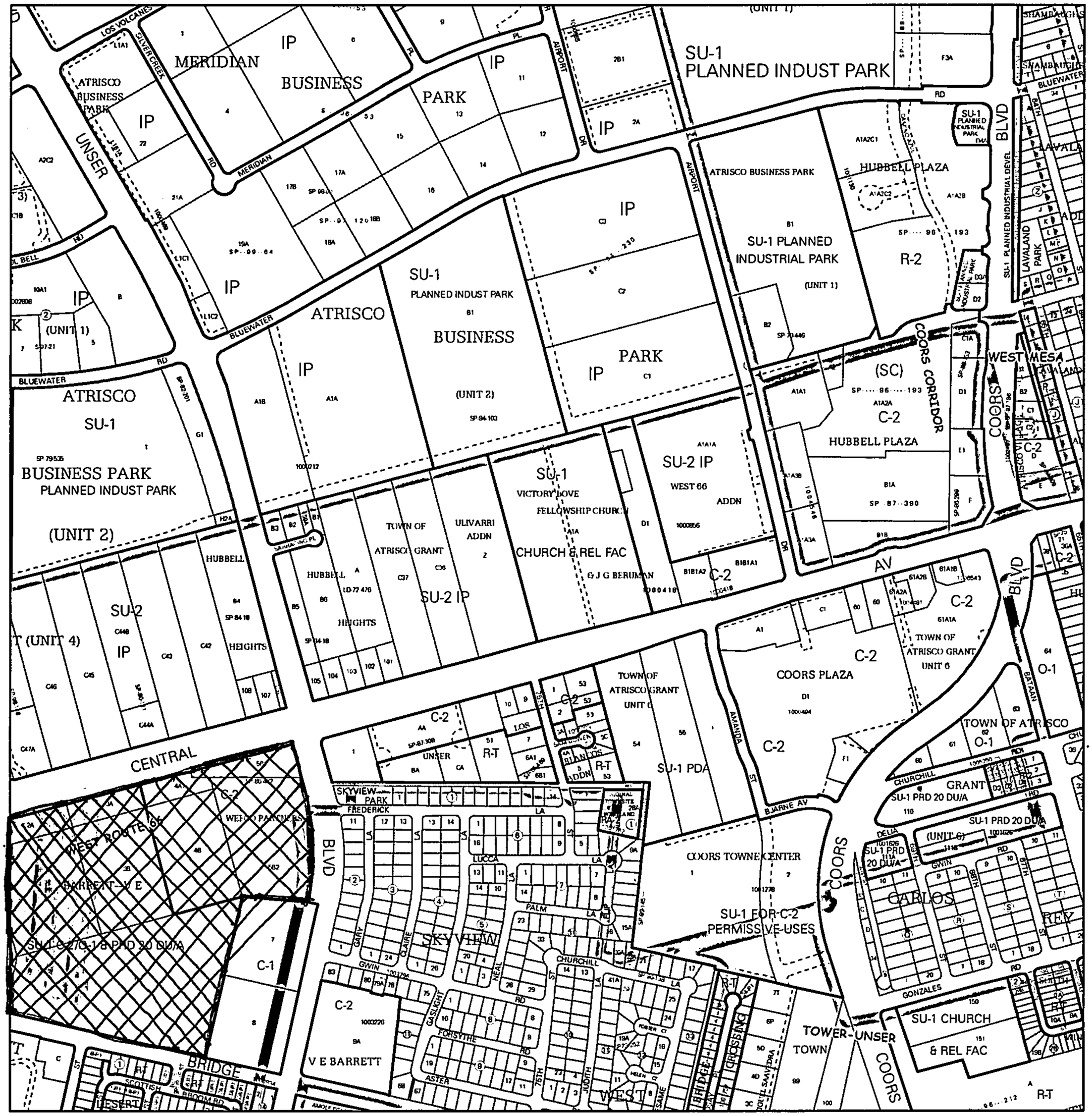
Zone Atlas Page:

K-09-Z

Selected Symbols

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

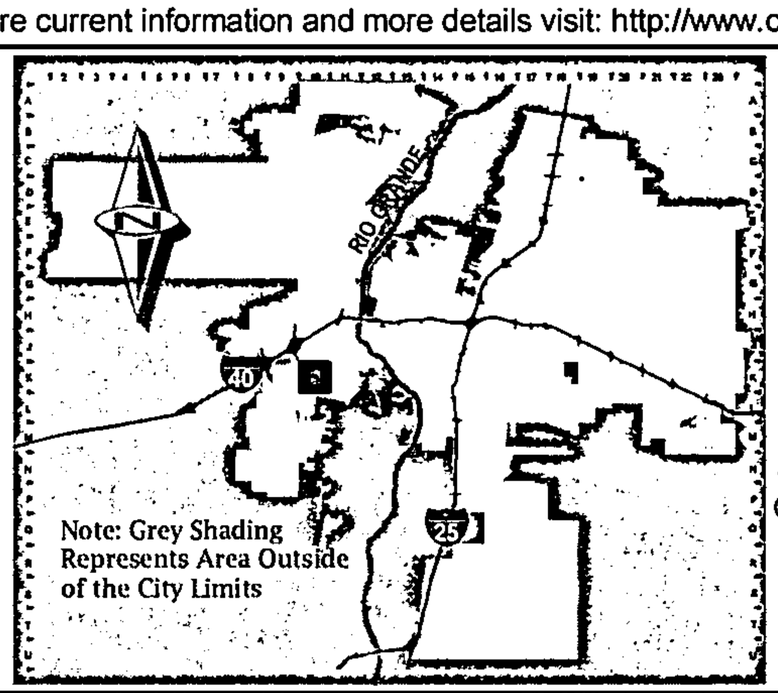
0 750 1,500 Feet



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

Albuquerque Geographic Information System

Map amended through: 1/4/2008



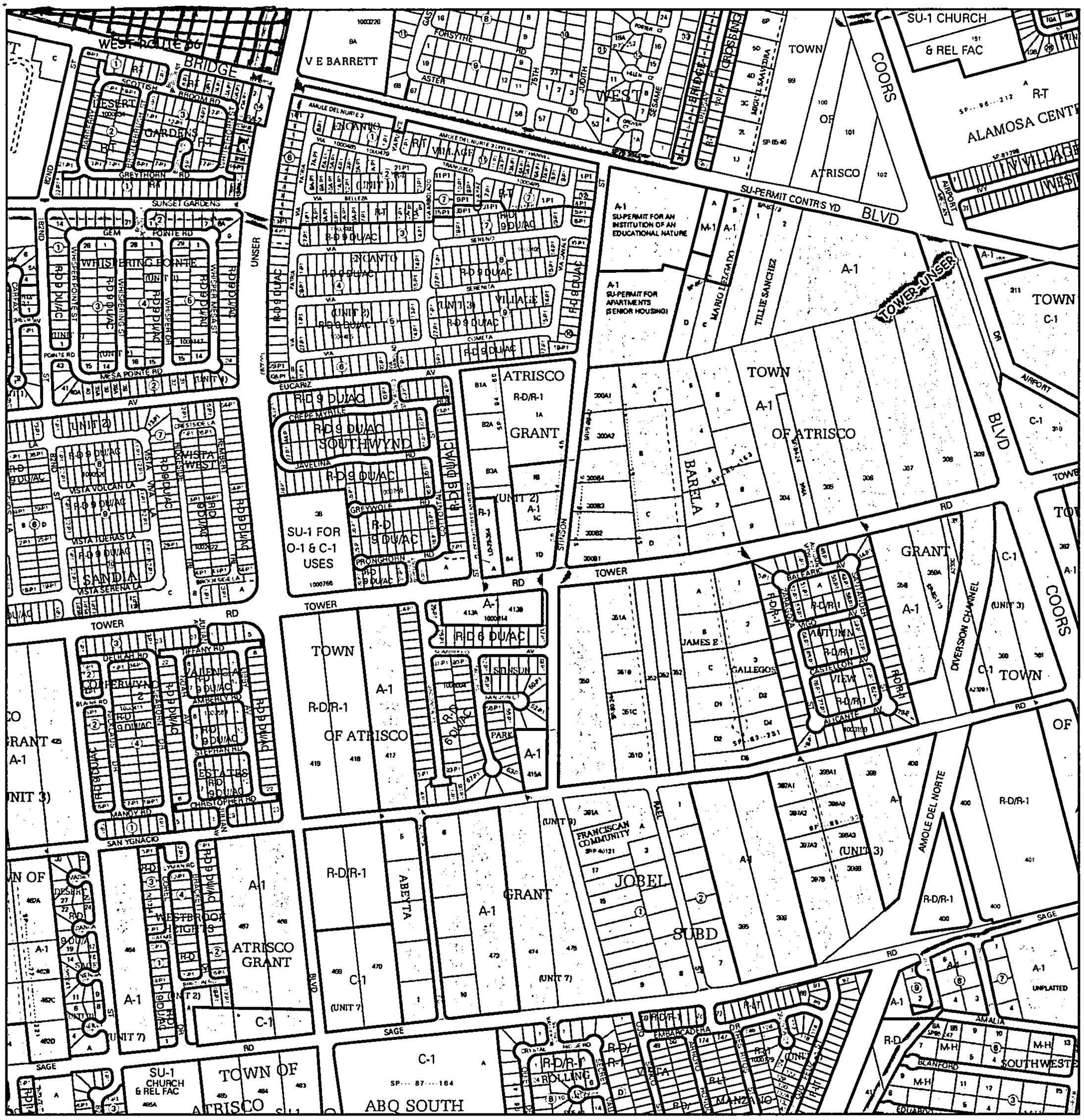
Zone Atlas Page:

K-10-Z

Selected Symbols

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

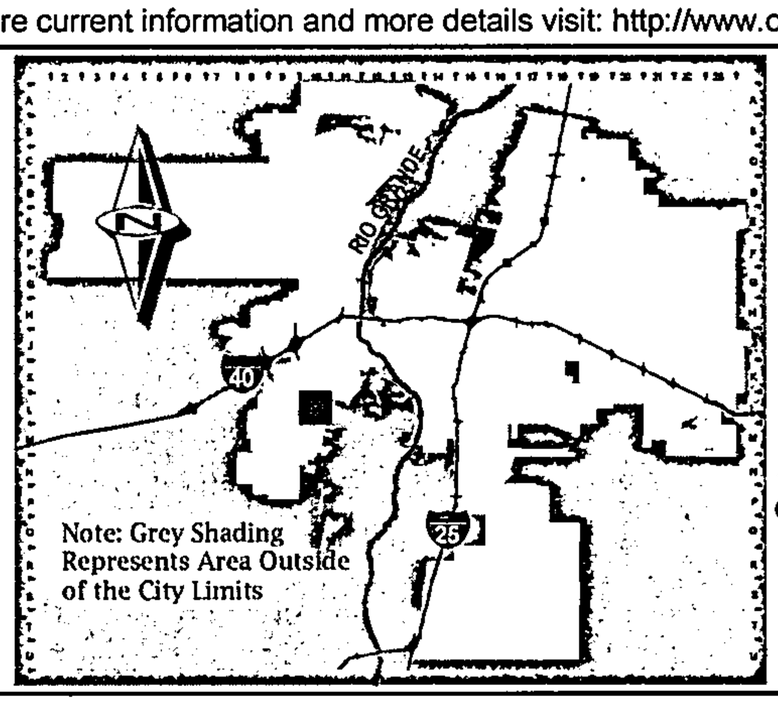
0 750 1,500 Feet



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

Albuquerque Geographic Information System

Map amended through: 1/4/2008



Zone Atlas Page:

L-10-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

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www.armstrongdev.com

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602.385.4101 fax

June 17, 2008

EPC Chairperson
Environmental Planning Commission
600 Second Street NW
Albuquerque, NM 87103

Re: Owner Authorization letters - DRB Final Sign-Off for EPC Approved SDP for Building Permit and SDP for Subdivision

Dear Chairperson:

Armstrong Development Properties, Inc., is the owner of the property located at the Southwest corner of Unser Boulevard and Central Avenue which comprises approximately 50 acres. The purpose of this letter is to authorize DSA Architects, LLC to act as our agent on this submittal for Amended Site Development Plan Subdivision. Please feel free to contact me at (602) 385-4100 with any questions or concerns.

Respectfully,

SG Ellison
Regional Director of Real Estate & Development

June 17, 2008

EPC Chairperson
Environmental Planning Commission
600 Second Street NW
Albuquerque, NM 87103

RE: Unser Crossing Owner Authorization- DRB Final Sign-Off for EPC Approved SDP for Building Permit and SDP for Subdivision

Dear Chairperson,

The purpose of this letter is to authorize DSA Architects, LLC to act as our agent on this submittal for Amended Site Development Plan Subdivision. Unser Brothers Real Property Trust is the owner of the property located at the Southwest corner of Unser Boulevard and Central Avenue which comprises approximately 36 acres. Please feel free to contact me at (505) 836 1606 with any questions or concerns.

Respectfully,

Al Unser

Trustee of the Unser Brothers Real Property Trust

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

Date: May 16, 2008

OFFICIAL NOTIFICATION OF DECISION

FILE: **Project# 1007204**
08EPC-40034 SITE DEVELOPMENT - SUBDIVISION
08EPC-40035 SITE DEVELOPMENT - BUILDG PRMT
08EPC-40039 AMEND SECTOR DEVELOPMENT PLAN MAP

Armstrong Development Properties
1500 N. Priest Drive, Suite 150E
Tempe, AZ 85281

LEGAL DESCRIPTION: for Tracts 1A, 1B, 2A, 2B, 3A, 3B, & 6, Barrett V.E. Subdivision and approval of Site Development Plans for the aforementioned tracts and Tracts 4-A-1, 4B, 5-B-1 & 5-B-2, Lands of WEFCO Partners, zoned SU-2/C-2, located on Central Avenue between Unser and 86TH ST SW, containing approx. 50 acres. (K-9 ,10/L-10) Anna DiMambro, Staff Planner

On May 15, 2008 the Environmental Planning Commission voted to recommend approval to the City Council Project 1007204/08EPC 40039, a request for a map amendment to the West Route 66 Sector Development Plan from "SU-1/C-2 (10 acres), O-1, and PRD 20 du/acre (7 acres)" to C-2, for Tracts 1A, 1B, 2A, 2B, 3A, 3B, and 6 V.E. Barrett Subdivision, based on the following Findings:

FINDINGS:

1. This is a request for a map amendment to the West Route 66 Sector Development Plan for Tracts 1A, 1B, 2A, 2B, 3A, 3B, and 6 V.E. Barrett Subdivision, an approximately 36 acre portion of a larger approximately 50 acre site located at the southwest corner of Central and Unser SW. The site is currently zoned SU-1/C-2 (10 acres), O-1, and PRD 20du/acre (7 acres) and is currently vacant. The applicant is proposing C-2 zoning for the entire site. Due to the acreage of the proposed zone change, this request will need to be approved by the City Council. The EPC is a recommending body in this case.

2. The applicant has submitted concurrent requests for a site development plan for subdivision and a site development plan for building permit for the larger 50-acre site. Retail uses are proposed for the entire site, including a health club.

3. The subject site is located within the Established Urban Area as designated by the Comprehensive Plan and is also within the boundaries of the West side Strategic Plan and the West Route 66 Sector Development Plan. The site is a designated Community Activity Center, and Central and Unser are both Enhanced Transit Corridors in this area.

4. This request furthers the following Comprehensive Plan goals and policies:
   a. This request will contribute to a full range of urban land uses (II.B.5a).
   b. The subject site is an appropriate location for the proposed intensity (II.B.5d).
   c. The proposed zoning will enable development of a vacant infill site that is contiguous to existing infrastructure. Site plan review due to the site's size will ensure the integrity of existing neighborhoods (II.B.5e).
   d. Employment and services uses on this site will complement the surrounding residential areas. Site plan review will ensure minimization of adverse effects of noise, lighting, pollution, and traffic on residential environments (II.B.5i).
   e. The proposed zoning will contribute to the efficient placement of services (Transportation and Transit goal).
   f. The proposed zoning will add to the economic diversity of the West Side (Economic Development goal).
   g. The proposed zoning will accommodate a wide range of occupational skills and salary levels (II.D.6a).
   h. The proposed zoning will enable development of a shopping center that may attract both local and outside businesses (II.D.6b).
   i. The proposed zoning will enable development of a shopping center that will create jobs and reduce the need to travel (II.D.6g).

5. This request partially furthers the following Comprehensive Plan policies:
   a. The applicant is requesting to eliminate the requirement for higher density housing in this designated Activity Center. While residential development is appropriate and encouraged, it is not required (II.B.5h and II.B.7i).
   b. The subject site is currently only partially commercially zoned (II.B.5j).
   c. The proposed location for this shopping center will be convenient for nearby residents, but mixed use is not being proposed (II.B.7a).
   d. Employment and services uses on this site will complement the surrounding residential areas. Site plan review will ensure minimization of adverse effects of noise, lighting, pollution, and traffic on residential environments (II.B.5i).
   e. The proposed zoning will add to the economic diversity of the West Side (Economic Development goal).
   f. The proposed zoning will accommodate a wide range of occupational skills and salary levels (II.D.6a).

6. This request furthers the following goals, objectives, and policies of the West Side Strategic Plan:
   a. The proposed zoning will allow West Side residents the opportunity to shop and play in the area where they live (Goal 10).
   b. Land uses on the West Side are currently unbalanced with a need for commercial uses (Objective 1).
   c. This zone change will promote job opportunities and business growth in an appropriate area (Objective 8).
   d. The proposed zoning will allow for urban style services (Policy 3.40).
   e. The proposed zoning will encourage employment growth (Policy 3.41).

7. The applicant has adequately justified this request based upon R-270-1980:
   a. The proposed C-2 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. This is consistent with the health, safety, morals, and general welfare of the city (A).
   b. The Planning Department considers that the applicant has provided an acceptable justification for the change and has demonstrated that the requested zoning will not destabilize land use and zoning in the area because it is consistent with the zoning of many surrounding properties (B).
   c. The applicant cited a preponderance of applicable goals and policies of the Comprehensive Plan and the West Side Strategic Plan that are furthered by this request (C).
   d. The applicant has justified the change based on changed conditions and on the proposed use category being more advantageous to the community
      i. An 80-acre Regional Shopping Center, which was approved as part of the Atrisco Business Park Master Plan, was a factor in limiting the amount of commercial development that could take place on the subject site. This regional mall was never developed in this area. 100% commercial zoning on the subject site is appropriate to fill the gap in commercial zoning that was left when the regional mall was developed further north (2).
      ii. Overall, the applicant has cited a preponderance of policies that are furthered by this request (3).
   e. C-2 zoning is an appropriate zoning category for a Community Activity Center and that most of the allowable uses are innocuous (E).
   f. The applicant will be required to fund any associated infrastructure improvements (F).
   g. Economic considerations are not the determining factor for the request (G).
   h. While the location of the site is certainly a factor in this analysis, it is not the only justification for the proposed change (H).
   i. This request will not constitute a spot zone or a strip zone (I and J).

8. There is no known neighborhood or other opposition to this request. There is substantial support for this request from area residents and neighborhood associations.

On May 15, 2008 the Environmental Planning Commission voted to approve Project 1007204/08EPC 40034, a site development plan for subdivision, for Tracts 1A, 1B, 2A, 2B, 3A, 3B, 4B, and 6 V.E. Barrett Subdivision and Tracts 4-A-1, 5-B-1, 5-B-2, Lands of WEFCO Partners, based on the following Findings and subject to the following Conditions:

FINDINGS:

1. This is a request for a site development plan for subdivision with design standards for Tracts 1A, 1B, 2A, 2B, 3A, 3B, 4B, and 6 V.E. Barrett Subdivision and Tracts 4-A-1, 5-B-1, 5-B-2, Lands of WEFCO Partners an approximately 50-acre vacant site located at the southwest corner of Central and Unser SW. The site is currently zoned C-2 and SU-1/C-2 (10 acres), O-1, and PRD 20du/acre (7 acres).

2. The applicant is proposing to re-plat the existing 11 tracts into 14 tracts and proposes design standards.

3. The applicant has a submitted concurrent request for a map amendment to the West Route 66 Sector Development Plan for an approximately 36- acre portion of the site so that the entire site will be zoned C-2. The applicant has also submitted a concurrent request for a site development plan for building permit. Retails uses are proposed for the entire site, including a health club.

4. The subject site is located within the Established Urban Area as designated by the Comprehensive Plan and is also within the boundaries of the West side Strategic Plan and the West Route 66 Sector Development Plan. The site is a designated Community Activity Center, and Central and Unser are both Enhanced Transit Corridors in this area.

5. This request partially furthers the following Comprehensive Plan goals and policies:
   a. The applicant is proposing design standards that would regulate the use and design of these future pad sites. However, the site development plan for subdivision does not restrict the number of drive-thrus on the site. Restriction on the number of drive-thrus is crucial to maintain the integrity of the Activity Center and to protect the established residential neighborhoods from the traffic that will be drawn to and through the site thereby increasing vehicle/pedestrian conflicts (II.B.5k).
   b. While staff agrees that the location is convenient for residents, the proposed site plan consists mostly of larger parcels (II.B.7a).

6. This request furthers the following West Side Strategic Plan policy:
   a. This site is accessible by several major streets and is also served by 4 bus routes (Policy 1.14).

7. Delegation of future phases of development to the DRB is not appropriate in this case because of the importance of the properties adjacent to Central and Unser.

8. The submittal meets the Zoning Code's Large Retail Facility (LRF) Regulations (Section14-16-3-2 (D)) except for the block size specifics of subsection (3) Site Division. The subject site's dimensions result in irregular block sizes, which are appropriate because:
   a. The proposed block sizes achieve the intent of the LRF Regulations;
   b. The proposed design is appropriate for this location;
   c. The narrow side of the site abuts the adjacent 86th Street that provides a primary access
   d. The long side along Central Avenue has a major entrance that leads to a large, pedestrian-oriented entrance plaza for a group of buildings.

9. There is substantial support for this request from area residents and neighborhood associations.

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. Design Standards
   a. Future phases of development may be delegated to the DRB after EPC review of the first pad site.
   b. The applicant shall provide a note stating that all development on the site must comply with Zoning Code and West Route 66 Sector Development Plan Design Overlay Zone regulations and that where conflicts exist, the most restrictive shall apply.
   c. All references to the SU-2 zone shall be removed from the Design Standards.
   d. A clear statement shall be added to the Permitted Uses section stating that any C-2 conditional uses proposed for the site will require a Conditional Use Permit.
   e. Streetscape: The applicant shall insert the statement that streetscape will also encourage nearby residents to walk rather than drive to Unser Crossing.
   f. Parking:
      i. The statement prohibiting on-street parking shall be removed.
      ii. The statement regarding compliance with the big box ordinance shall be removed from the second bullet point.

iii. A standard shall be added stating that parking shall be placed on at least two sides of a building within a particular lot and, if possible, shall not dominate the building or street frontage.
iv. The statement regarding employee parking shall be removed.
v. A note shall be added stating that trees shall be provided in the parking areas per the requirements of the West Route 66 Sector Development Plan Design Overlay Zone.

g. Site Landscape:
   i. The applicant shall state when the hardscape palette will be selected and by whom.
   ii. The first bullet point shall not state specific zoning code section and shall additionally state that landscape plans shall also comply with the West Route 66 Sector Development Plan Design Overlay Zone.
h. Commons Area: This section shall be removed.
i. Service/Loading Areas: The wall height required for screening of service/loading shall be changed to 8' at the loading dock areas.
j. Building Articulation/Design: Design requirements shall be added to make the rears of buildings attractive to the same standard as the sides of buildings.
k. Portable Buildings: Temporary portable buildings shall also be prohibited.
l. Sustainability: The applicant shall add information regarding access to transit and safe and convenient pedestrian connections in order to facilitate multi-modal transportation.
m. Lighting: Maximum lighting height shall be 20' unless the Zoning Hearing Examiner approves a variance.

4. Signage Master Plan shall return to the EPC for review and approval:
   i. Off-premise signs shall be added to the list of prohibited signs. Temporary banner signs for special events may be allowed with an Administrative Amendment.
   ii. The statement "signs will not be permitted to be installed or placed along the perimeter of the property" shall be removed.
   iii. A note shall be added stating that all signage shall comply with regulations of the Zoning Code and the West Route 66 Sector Development Plan Design Overlay Zone unless the Zoning Hearing Examiner approves a variance.
   iv. A note shall be added stating that signage facing residential areas shall not be illuminated.

5. Transit:
   i. The applicant shall include information regarding all of the bus routes that serve the subject site.
   ii. The applicant shall coordinate with the Transit Department about possible participation in Transportation Demand Management (TDM) programs.

6. Drive-Up Service Windows: The total number of permitted drive-up service windows shall be limited to 4, with the number of adjacent drive-up service window uses limited to two. Drive-up window uses may include a bank, pharmacy and a maximum of two "quick-serve restaurants."

7. Wireless Telecommunications Facilities: Any allowance for wireless telecommunications facilities shall require architectural integration.

8. The site development plan for subdivision shall be made to match the approved site development plan for building permit.

9. Final approval of the corresponding map amendment to the West Route 66 Sector Development Plan (08EPC 40039) by the City Council is required prior to final sign-off of the site development plan for subdivision at the DRB.

10. City Engineer Conditions:
    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. Comment continued on next page. 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. Page 7, 10C and page 15, 18C, The width of the drive aisle between the landscape island and the parking area behind retail shops 7C and 7C2 shall be a maximum 35' to minimize the crossing distance for the pedestrian walkway by adding additional parking.
    d. Provide adequate site distance at service drives along Bridge Boulevard adjacent to 6' screen wall.
    e. According to the TIS, there are six uses with drive-thru windows. Therefore, the applicant should provide the entire site plan for the purpose of reviewing site circulation.
    f. Site drives to be designed and located per the recommendations in the TIS.
    g. Provide truck route and turning information on site plan. Service drives and loading areas to be designed accordingly.
    h. Provide cross access to Tracts 7 and 8 (designated as not a part on site plan), to site drive aisles that provide connections with Unser and Bridge Boulevards. Provide applicable cross access agreements.
    i. A concurrent platting action will be required at DRB.
    j. Site plan shall comply and be designed per DPM Standards.
    k. Dedication of right-of-way from the centerline of Unser Boulevard a limited access, principal arterial as designated on the Long Range Roadway System map.
    l. Dedication of right-of-way from the centerline of Central Avenue a Principal arterial as designated on the Long Range Roadway System map.
    m. Dedication of right-of-way from the centerline of Bridge Boulevard a Collector Street as designated on the Long Range Roadway System map.

n. Dedication of right-of-way from the centerline of 86th Street a Collector Street as designated on the Long Range Roadway System map.
o. Dedication of an additional 6 feet of right-of-way along Unser Boulevard, Central Avenue, Bridge Boulevard and 86th Street as required by the City Engineer to provide for on-street bicycle lanes.
p. Construction of the bicycle lanes along Unser Boulevard, Central Avenue, Bridge Boulevard and 86th Street adjacent to the subject property, as designated on Long Range Bikeways System map.

11. Final City Council approval of the accompanying sector development plan map amendment (08EPC-40039) is required prior to final DRB sign-off.

On May 15, 2008 the Environmental Planning Commission voted to approve Project 1007204/08EPC 08EPC 40035, a site development plan for building permit, for Tracts 1A, 1B, 2A, 2B, 3A, 3B, 4B, and 6 V.E. Barrett Subdivision and Tracts 4-A-1, 5-B-1, 5-B-2, Lands of WEFCO Partners, based on the following Findings and subject to the following Conditions:

FINDINGS:

1. This is a request for a site development plan for building permit for portions of Tracts 1A, 1B, 2A, 2B, 3A, 3B, 4B, and 6 V.E. Barrett Subdivision and Tracts 4-A-1, 5-B-1, 5-B-2, Lands of WEFCO Partners an overall approximately 50-acre vacant site located at the southwest corner of Central and Unser SW. The site is currently zoned C-2 and SU-1/C-2 (10 acres), O-1, and PRD 20du/acre (7 acres).

2. The applicant has a submitted concurrent request for a map amendment to the West Route 66 Sector Development Plan for an approximately 36- acre portion of the site so that the entire site will be zoned C-2. The applicant has also submitted a concurrent request for a site development plan for subdivision with design standards. Retails uses are proposed for the entire site, including a health club.

3. The subject site is located within the Established Urban Area as designated by the Comprehensive Plan and is also within the boundaries of the West side Strategic Plan and the West Route 66 Sector Development Plan. The site is a designated Community Activity Center, and Central and Unser are both Enhanced Transit Corridors in this area.

4. This request partially furthers the following Comprehensive Plan goals and policies:
   a. The concept of creating a shopping center to offer more retail options to west side residents is supported; however, the overall layout and design of the shopping center with its back towards the adjacent residential neighborhoods does little to promote an integrated community. The site layout is not conducive to walkabilty and places more of an emphasis on the personal vehicle (Goal for Developing and Established Urban Areas).
   b. The proposed site layout could be improved to better respect existing neighborhood conditions, although the proposed uses are appropriate (II.B.5d).
   c. This request would enable development of a vacant infill site that is contiguous to existing infrastructure. However, the proposed design of the site does not ensure the integrity of the existing neighborhood because the entire length of Bridge Boulevard, which is adjacent to residential neighborhoods, is devoted to building rears and loading docks (II.B.5e).
   d. The employment and services uses in the retail center would complement the surrounding residential areas. Currently, there are few retail options on the west side. However, the design of the site may create adverse effects of noise, lighting, pollution, and traffic on the adjacent residential environment (II.B.5i).
   e. This development will buffer adjacent residential areas from the noise on Central Avenue, but the proposed location of the truck loading docks will create additional noise (II.B.5k).
   f. The site's location is convenient for commercial services, but mixed uses are not proposed, and the site design does not encourage walking (II.B.7a).
   g. The proposed commercial uses may somewhat encourage walking from one shop to another adjacent shop, although the overall site design does not encourage walking. Pedestrian linkages are provided between uses within the site and to surrounding neighborhood. Buildings are not designed to support public transit and pedestrian activity, although the architecture is appropriate. Landscaping, street furniture, and textured paving are proposed (II.C.9d).
   h. While the proposal may contribute to the efficient placement of services and sufficient roadway capacity will be ensured through required improvements at the applicant's cost, the proposal does not encourage walking, bicycling, or the use of transit. The applicant is proposing to provide transit shelters, but these could be incorporated into the site plan in a more meaningful way (Transportation and Transit Goal).
   i. Adequate parking screening is provided, and no high water use plants are proposed for the landscape strips. Proposed signage, however, is excessive, and building facades are mostly separated from the roadway corridor by parking areas. Sidewalks are proposed adjacent to the surrounding roadway corridors that will facilitate safe and convenient walking around the perimeter of the site (II.C.9e).
   j. The proposal does not show a majority of building entrances from the street and shows the majority of buildings set back from the street at distances far greater than what this policy calls for, with parking areas separating the buildings from the street. The applicant has used a 15% parking reduction based upon transit access as allowed by the Zoning Code and the design standards project a floor area ratio of 1.0 at build-out. This policy calls for building entrances to be on the street for the convenience of transit riders and to make the use of transit more appealing to vehicle drivers (II.D.4a).

k. Pedestrian and bicycle paths have been incorporated into the project, but the layout of the buildings could be improved to reduce pedestrian/vehicle conflicts and walking distances (II.D.4g).
l. Four transit routes service this site, and safe access to transit and transfer capability is provided for in this site plan, although the site plan fails to meaningfully integrate transit into the development (II.D.4p).

5. This request furthers the following West Side Strategic Plan goals and policies:
   a. This site is accessible by several major streets and is also served by 4 bus routes. It is accessible by pedestrians and bicyclists, although this access may not be ideal (Policy 1.14).

6. This request partially furthers the following West Side Strategic Plan goals and policies:
   a. Although some of the smaller shops are clustered in some areas of the site plan, many of the proposed structures have the appearance of a strip mall (Policy 1.3).
   b. Pedestrian and bicycle access is provided to key activity areas. However, the parking lots are not carefully designed to facilitate this access (Policy 1.5).
   c. The proposal shows buildings of different scales, and the smaller building clusters encourage pedestrian access. However, the three main building structures are too large to be considered pedestrian scale, and parking is located solely in front of the larger buildings. No on-street parking is proposed (Policy 1.12).
   d. While the applicant is proposing aesthetically pleasing landscaping for Bridge and Central and is also proposing commercial services that will contribute to the social enhancement of Bridge and Central, the entire length of Bridge adjacent to the subject site is dedicated to building rears with large loading dock areas (Policy 3.45).

7. The submittal meets the Zoning Code's Large Retail Facility (LRF) Regulations (Section14-16-3-2 (D)) except for the block size specifics of subsection (3) Site Division. The subject site's dimensions result in irregular block sizes, which are appropriate because:
   a. The proposed block sizes achieve the intent of the LRF Regulations;
   b. The proposed design is appropriate for this location;
   c. The narrow side of the site abuts the adjacent 86th Street that provides a primary access
   d. The long side along Central Avenue has a major entrance that leads to a large, pedestrian-oriented entrance plaza for a group of buildings.

8. There is substantial support for this request from area residents and neighborhood associations.

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. Parking:
   a. The motorcycle spaces shall be located in an area that is visible from the entrance of the building on the site.
   b. A detail drawing of the proposed motorcycle signage shall be provided.
   c. Add a column to the parking calculations chart totaling the number of required parking spaces for each building group to match the groupings in the "Parking Provided" column. If the minimum parking required for the site cannot be met, then the applicant shall request a variance from the Zoning Hearing Examiner.
   d. Adjust building square footages in the parking calculation chart to match those shown on the site plan.
   e. The row of disabled parking spaces south of Retail 1 shall be located closer to the entrance of Retail 1 or Retail 7B.
   f. Some of the disabled parking spaces adjacent to Retail 5 shall be located near Retail 4.
   g. Parking shall be located on at least 2 sides of each building.

4. Site Plan:
   a. Note 1 shall be revised to remove the statement "if a truck bay is located within 300 feet of a residential structure."
   b. Future phases of development may be delegated to the DRB after EPC review of the first pad site.
   c. Pedestrian walkways through the parking lots shall align with building entrances where possible.
   d. Additional cart storage areas shall be provided throughout the site where necessary, and parking calculations shall be revised accordingly.
   e. Pervious paving shall be used in plaza areas, along building facades, and along pedestrian walkways.

5. Transit:
   a. All adjacent bus stops (including those on opposite sides of the street) shall be shown on the site plan.
   b. Direct connections shall be provided to each adjacent bus stop.
   c. A transit feasibility plan shall be provided as per West Side Strategic Plan Policy 1.2 and in coordination with the Transit Department.
   d. A new stop on Central Avenue just east of the westernmost driveway will provide access to the site via the #54 and the #66. A new stop on Unser north of the Unser driveway will provide access via the #54. These shall be shown on the site plan and incorporated into the site design as approved by the Transit Department.
   e. The applicant shall install bus shelters and associated trash cans and benches at both stops, as reflected in the Site Plan for Subdivision's section M (Transit Facilities), and as approved by the transit department.
   f. If posted speed limits adjacent to the site on Central will remain over 45 mph, then the applicant install a bus bay for the new stop on Central Avenue, if required by the Transit Department.

6. Maximum lighting height shall be 20' unless the Zoning Hearing Examiner approves a variance.

7. Landscaping:
   a. Parking lot tree planters shall be placed such that not more than 15 side-by-side parking spaces shall be allowed between planters. For the purpose of calculating parking spaces, cart storage spaces and motorcycle spaces shall be included.
   b. The locations of trees, lighting, and signage shall be coordinated to prevent future conflict.
   c. Move street trees along Bridge and along 86th behind sidewalk per street tree ordinance. Move sidewalk farther away from street creating planting area 6' wide or greater providing sufficient rooting area and place trees there for greater pedestrian safety, walkability, and environmental benefits. Same for sidewalk placement along Central and Unser.
   d. A street tree plan shall be provided for the entire lengths of Central and Unser.
   e. Street trees along Central shall be species that will reach a height of 25 feet or less at maturity. (PNM comment).
   f. The note "Landscape to be determined by future tenant" shall be removed.

8. Walls and Fences:
   a. The wall height required for screening of service/loading shall be changed to 8' at the loading dock areas.
   b. Detail drawings of the proposed screen wall shall be provided, including information regarding materials and colors that match the building architecture.

9. Plaza areas:
   a. The square footage of each plaza space shall be indicated on the site plan.

b. Plaza calculations shall be revised to reflect regulations of the large retail facilities regulations (a collection of smaller buildings linked by common walls shall be considered one building). Plaza space for each building shall be located adjacent to or near the associated building.
c. A minimum of 50% of the required public space shall be provided in the form of aggregate space as required by the Zoning Code's Large Retail Facility Regulations.

10. Grading, Drainage, and Utility Plan
    a. The detention pond shall be shallow to prevent the need for defensive security fencing, if technically feasible, yet has the capacity to manage storm waters in a 100-year event.
    b. The retaining wall symbol shall be removed from the legend unless there is actually a retaining wall on the site.
    c. A detail drawing for the detention pond shall be provided. This ponding area shall be rotated 90 degrees and relocated parallel along the adjacent drive aisle and to be bisected by the proposed pedestrian walkway and as presented at the hearing.

11. Architecture:
    a. Elevations shall state color names, shall correctly label each building, and shall use cardinal directions to label each façade.
    b. The statement on the Lowe's elevations regarding the "representation of design intent" shall be removed.
    c. Colors and materials of service doors shall be indicated. High quality materials and treatments shall be used to enhance the aesthetic qualities of these doors.
    d. Similar treatments shall be used on rear elevations as are used on side elevations to meet the intent of Zoning Code §14-16-3-18.
    e. Outdoor seating and plaza space shall be provided as required by large retail facility regulations (§14-16-3-2) and Zoning Code §14-16-3-18.
    f. Retail buildings 7C and 7C2 shall have windows facing the pedestrian plaza on their east and west facades, respectfully.

12. Signage Master Plan shall return to the EPC for review and approval:
    a. All signage shall comply with the Signage Master Plan as approved by the EPC as part of the associated site development plan for subdivision (08EPC 40034).
    b. Vehicular and pedestrian wayfinding sign program shall be included.
    c. Allocation of signage for all tenants shall be described.

13. Maintenance Agreement:
    a. The applicant shall sign a maintenance agreement with the City that is deemed appropriate by the Planning Director. (§14-16-3-2)
    b. The applicant shall add a note on the site development plan for building permit referencing the maintenance agreement.

14. Solid Waste:
    a. The site plan shall comply and be designed in accordance with Solid Waste Management requirements.
    b. Detail drawings shall be provided of the proposed double refuse enclosure.

15. Final approval of the corresponding map amendment to the West Route 66 Sector Development Plan (08EPC 40039) by the City Council is required prior to final sign-off of the site development plan for building permit at the DRB.

16. The applicant must request a Water/Sewer Availability statement. The Utility Plan shall be approved by the Water Utility Authority prior to DRB sign-off.

17. PNM conditions: Access to the development along Central Avenue (driveways, curb cuts) needs to avoid the existing PNM structures. If any of the PNM structures are required to be located due to this project, the developer must pay for the cost of relocation. Any changes or realignment of the existing overhead or underground distribution lines will be at the customer's expense.

18. City Engineer Conditions:
    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. Comment continued on next page. 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. Page 7, 10C and page 15, 18C, The width of the drive aisle between the landscape island and the parking area behind retail shops 7C and 7C2 shall be a maximum 35' to minimize the crossing distance for the pedestrian walkway by adding additional parking.
    d. Provide adequate site distance at service drives along Bridge Boulevard adjacent to 6' screen wall.
    e. According to the TIS, there are six uses with drive-thru windows. Therefore, the applicant should provide the entire site plan for the purpose of reviewing site circulation.
    f. Site drives to be designed and located per the recommendations in the TIS.
    g. Provide truck route and turning information on site plan. Service drives and loading areas to be designed accordingly.
    h. Provide cross access to Tracts 7 and 8 (designated as not a part on site plan), to site drive aisles that provide connections with Unser and Bridge Boulevards. Provide applicable cross access agreements.
    i. A concurrent platting action will be required at DRB.
    j. Site plan shall comply and be designed per DPM Standards.

k. Dedication of right-of-way from the centerline of Unser Boulevard a limited access, principal arterial as designated on the Long Range Roadway System map.
l. Dedication of right-of-way from the centerline of Central Avenue a Principal arterial as designated on the Long Range Roadway System map.
m. Dedication of right-of-way from the centerline of Bridge Boulevard a Collector Street as designated on the Long Range Roadway System map.
n. Dedication of right-of-way from the centerline of 86th Street a Collector Street as designated on the Long Range Roadway System map.
o. Dedication of an additional 6 feet of right-of-way along Unser Boulevard, Central Avenue, Bridge Boulevard and 86th Street as required by the City Engineer to provide for on-street bicycle lanes.
p. Construction of the bicycle lanes along Unser Boulevard, Central Avenue, Bridge Boulevard and 86th Street adjacent to the subject property, as designated on Long Range Bikeways System map.

IF YOU WISH TO APPEAL/PROTEST THIS DECISION, YOU MUST DO SO BY **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

Sincerely,

Richard Dineen
Planning Director

RD/AD/ac

cc: Darren Sowell Architects, 4700 Lincoln Rd. NE, Suite 111, Albuq. NM 87109
Miguel Maestas, Avalon NA, 9400 Harbor Rd. NW, Albuq. NM 87121
Kelly Chappelle, Avalon NA, 9135 Santa Catalina Ave. NW, Albuq. NM 87121
M Max Garcia, Los Volcanes NA, 6619 Honeylocust Ave. NW, Albuq. NM 87121
Benny Sandoval, Los Volcanes NA, 6516 Honeylocust Ave. NW, Albuq. NM 87121
Tony Chavez, Skyview West NA, 305 Claire Ln. SW, Albuq. NM 87121
Beatrice Purcella, Skyview West NA, 201 Claire Ln. SW, Albuq. NM 87121
Norman Mason, Stinson, Tower NA, 7427 Via Tranquilo SW, Albuq. NM 87121
Victor Wyant, Stinson Tower NA, 612 Cottontail SW, Albuq. NM 87121
Andres Anaya, Sunrise HOA, 209 Galataneau NW, Albuq. NM 87121
Darlene Norris, Sunrise HOA, 319 Galantaneu NW, Albuq. NM 87121
Matthew Archuleta, Westgate Heights NA, 1628 Summerfield SW, Albuq. NM 87121
Libby McIntosh, Westgate Heights NA, 1316 Ladrones Ct. SW, Albuq. NM 87121
Van Barber, Westside Merchants Assoc., 5201 Central NW, Albuq. NM 87105
Miguel Maestas, Westside Merchants Assoc., 6013 Sunset Gardens SW, Albuq. NM 87121
Dan Serrano, 3305 Ronda De Lechugas NW, Albuq. NM 87120
Becky Davis, 500 Leeward Dr. NW, Albuq. NM 87121
Jerry Gallegos, 417 65th St. SW, Albuq. NM 87121
Louis Tafoya, 6411 Avalon Rd. NW, Albuq. NM 87105
Dr. Joe Valles, 5020 Grande Vista Ct. NW, Albuq. NM 87121
Senator Linda M. Lopez, 9132 Suncrest SW, Albuq. NM 87121
Susan Unser, 7625 Central NW, Albuq. NM 87121
Bernard Dooley, 7611, Via Sereno, Albuq. NM 87121
Klarissa Pena, 6525 Sunset Gardens SW, Albuq. NM 87121

Bohannan Huston INC.

DSA
Darren Sowell
ARCHITECTS

ARMSTRONG DEVELOPMENT
PROPERTIES, INC.

June 17, 2008

City of Albuquerque
Development Review Board
Planning Department
Jack Cloud, Chairman
600 2nd St. NW
Albuquerque, New Mexico 87103

FILE: Project# 1007204 – UNSER CROSSING
O8EPC-40034 SITE DEVELOPMENT – SUBDIVISION
08EPC-40035 SITE DEVELOPMENT- BUILDING PERMIT
08EPC-40039 AMEND SECTOR DEVELOPMENT MAP

On May 15, 2008 the Environmental Planning Commission voted to approve Project 1007204/08EPC 40034, a site development plan for subdivision and site development plan for building permit, for Tracts 1A, 1B, 2A, 2B, 3A, 3B, 4B, and 6 V.E. Barrett Subdivision and Tracts 4-A-1, 5-B-1, 5-B-2, Lands of WEFCO Partners, based on the Conditions addressed below.

We respectfully request that in addition to granting final approval to the Site Plan for Subdivision and Site Plan for Building Permit, you review the submitted sketch plat. This is being submitted in order to allow you to review the plat simultaneously with the site plan drawings. The plat's purpose will be to subdivide the land in accordance with the Site Plan for Subdivision which was reviewed and approved by the EPC. The plat will also vacate and grant easements and dedicate right-of-way.

With this submittal, we are requesting approval of both the Site Plan for Subdivision and the Site Plan for Building Permit with delegation. In addition, we are requesting approval of the infrastructure list as required to proceed with the SIA process. We understand that delegation will be required until the SIA is recorded and the zone change is formally approved through the city council and LUPZ process.

SITE DEVELOPMENT PLAN FOR SUBDIVISION:

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.

Response: We have proposed no changes to the site plan other than those requested by the EPC Commissioners which have been outlined in this response. We will provide the DRB with the required letter outlining this information as well.

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.

Response: The "Unser Crossing" team met with Mr. Russell Brito, Director of Development Review on June 9, 2008 for an initial review and have scheduled a subsequent meeting Monday, June 16, 2008 for final review to ensure that all conditions of approval have been satisfied.

3. Design Standards
   a. Future phases of development may be delegated to the DRB after EPC review of the first pad site.

Response: We understand and accept this condition.

   b. The applicant shall provide a note stating that all development on the site must comply with Zoning Code and West Route 66 Sector Development Plan Design Overlay Zone regulations and that where conflicts exist, the most restrictive shall apply.

Response: This note has been added to sheet G-101 under the Introduction paragraph.

   c. All references to the SU-2 zone shall be removed from the Design Standards.

Response: All references to SU-2 have been removed from the Design Standards.

   d. A clear statement shall be added to the Permitted Uses section stating that any C-2 conditional uses proposed for the site will require a Conditional Use Permit.

Response: This note has been added to sheet G-101 section (2) Permitted Uses.

   e. Streetscape: The applicant shall insert the statement that streetscape will also encourage nearby residents to walk rather than drive to Unser Crossing.

Response: This note has been added to sheet G-101 section (B) Streetscape.

   f. Parking:
      i. The statement prohibiting on-street parking shall be removed.

Response: This statement has been removed from sheet G-101 section (C) Parking.

      ii. The statement regarding compliance with the big box ordinance shall be removed from the second bullet point.

Response: This statement has been removed from sheet G-101 section (C) Parking

      iii. A standard shall be added stating that parking shall be placed on at least two sides of a building within a particular lot and, if possible, shall not dominate the building or street frontage.

Response: This statement has been added to sheet G-101 section (C) Parking.

      iv. The statement regarding employee parking shall be removed.

Response: This statement has been removed from sheet G-101 section (C) Parking.

      v. A note shall be added stating that trees shall be provided in the parking areas per the requirements of the West Route 66 Sector Development Plan Design Overlay Zone.

Response: This statement has been added to sheet G-101 section (C) Parking.

   g. Site Landscape:
      i. The applicant shall state when the hardscape palette will be selected and by whom.

Response: This statement has been added to sheet G-101 section (E) Site Landscape.

ii. The first bullet point shall not state specific zoning code section and shall additionally state that landscape plans shall also comply with the West Route 66 Sector Development Plan Design Overlay Zone.

Response: This statement has been modified to reflect the above on G-101 section (E) Site Landscape.

h. Commons Area: This section shall be removed.

Response: This section has been removed from G-101.

i. Service/Loading Areas: The wall height required for screening of service/loading shall be changed to 8' at the loading dock areas.

Response: This statement has been added to sheet G-102 section (I) Architecture/ Service Loading Areas and a typical screen wall detail has been added to the plans.

j. Building Articulation/Design: Design requirements shall be added to make the rears of buildings attractive to the same standard as the sides of buildings.

Response: This has been added to sheet G-102 section (I) Architecture/ Building Articulation. The elevations have been modified to incorporate a more attractive rear facing elevations.

k. Portable Buildings: Temporary portable buildings shall also be prohibited.

Response: This statement has been added to sheet G-102 section (I) Architecture/ Portable Buildings.

l. Sustainability: The applicant shall add information regarding access to transit and safe and convenient pedestrian connections in order to facilitate multi-modal transportation.

Response: This statement has been added to sheet G-102 section (I) Architecture/Sustainability.

m. Lighting: Maximum lighting height shall be 20' unless the Zoning Hearing Examiner approves a variance.

Response: We applied for a variance with the ZHE on June 9, 2008 – Application # 08-ZHE-80263.

4. Signage Master Plan shall return to the EPC for review and approval:

Response: We submitted an EPC Application for an Amended Site Development Plan for Subdivision (Sign Package) on June 5, 2008 – Application Case # 08EPC-40063

i. Off-premise signs shall be added to the list of prohibited signs. Temporary banner signs for special events may be allowed with an Administrative Amendment.
ii. The statement "signs will not be permitted to be installed or placed along the perimeter of the property" shall be removed.
iii. A note shall be added stating that all signage shall comply with regulations of the Zoning Code and the West Route 66 Sector Development Plan Design Overlay Zone unless the Zoning Hearing Examiner approves a variance.
iv. A note shall be added stating that signage facing residential areas shall not be illuminated.

5. Transit:

I. The applicant shall include information regarding all of the bus routes that serve the subject site.

Response: A note was added to the Site Plan for Building Permit (sheet C001) regarding bus routes that serve the site.

II. Applicant shall coordinate with the Transit Department about possible participation in Transportation Demand Management (TDM) programs.

Response: A meeting between the project team and Andrew De Garmo took place on Monday June 16, 2008 to coordinate participation in the Transportation Demand Management program also known as the Business Partnership Program. ABQ Ride and the Developer are working on drafting a program that will benefit transit users in the area.

6. Drive-Up Service Windows: The total number of permitted drive-up service windows shall be limited to 4, with the number of adjacent drive-up service window uses limited to two. Drive-up window uses may include a bank, pharmacy and a maximum of two "quick-serve restaurants."

Response: We accept this condition and have noted this condition in our Design Standards, Sheet G-103 section (N) Drive-Up Service Windows.

7. Wireless Telecommunications Facilities: Any allowance for wireless telecommunications facilities shall require architectural integration.

Response: This statement has been added to sheet G-103 section (O) Wireless Telecommunications Facilities.

8. The site development plan for subdivision shall be made to match the approved site development plan for building permit.

Response: These changes have been made and are reflected in the Site Development Plan for Subdivision and the Site Development Plan for Building Permit.

9. Final approval of the corresponding map amendment to the West Route 66 Sector Development Plan (08EPC 40039) by the City Council is required prior to final sign-off of the site development plan for subdivision at the DRB.

Response: We understand this requirement and are currently tracking the process for the map amendment.

10. City Engineer Conditions:
    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. Comment continued on next page. 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).

Response: All required permanent infrastructure improvements will be included in the Infrastructure List and will be constructed to City Standards.

    b. Per Transportation Development Staff, completion of the required system improvements that are attributable to the development, as identified in the TIS, is required.

Response: All required permanent infrastructure improvements will be included in the Infrastructure List and will be constructed to City Standards.

    c. Page 7, 10C and page 15, 18C, The width of the drive aisle between the landscape island and the parking area behind retail shops 7C and 7C2 shall be a maximum 35' to minimize the crossing distance for the pedestrian walkway by adding additional parking.

Response: The width of the aisle has been modified to 35' and is shown on the Site Plan for Building Permit (sheet C001).

    d. Provide adequate site distance at service drives along Bridge Boulevard adjacent to 6' screen wall.

Response: It has been confirmed that adequate sight distance is provided at all service drives.

    e. According to the TIS, there are six uses with drive-thru windows. Therefore, the applicant should provide the entire site plan for the purpose of reviewing site circulation.

Response: The conceptual future pad site circulation has been shown on the Site Plan for Building Permit (sheet C001) for illustrative purposes. All pad sites will return to DRB for technical review of site circulation.

f. Site drives to be designed and located per the recommendations in the TIS.

Response: The site drives have been designed and located per recommendations in the TIS. (See sheet C001)

g. Provide truck route and turning information on site plan. Service drives and loading areas to be designed accordingly.

Response: Truck route and turning information has been provided to the transportation department.

h. Provide cross access to Tracts 7 and 8 (designated as not a part on site plan), to site drive aisles that provide connections with Unser and Bridge Boulevards. Provide applicable cross access agreements.

Response: A 24 ft wide access easement will be granted with the re-plat of this property.

i. A concurrent platting action will be required at DRB.

Response: A re-plat of this property is in progress and will be submitted to the DRB.

j. Site plan shall comply and be designed per DPM Standards.

Response: It has been confirmed that the site plan has been designed per DPM Standards.

k. Dedication of right-of-way from the centerline of Unser Boulevard a limited access, principal arterial as designated on the Long Range Roadway System map.

Response: Right of way requirements have been coordinated with the transportation development department and the necessary right of way will be granted with a re-plat of the property.

l. Dedication of right-of-way from the centerline of Central Avenue a Principal arterial as designated on the Long Range Roadway System map.

Response: Right of way requirements have been coordinated with the transportation development department and the necessary right of way will be granted with a re-plat of the property.

m. Dedication of right-of-way from the centerline of Bridge Boulevard a Collector Street as designated on the Long Range Roadway System map.

Response: Right of way requirements have been coordinated with the transportation development department and the necessary right of way will be granted with a re-plat of the property.

n. Dedication of an additional 6 feet of right-of-way along Unser Boulevard, Central Avenue, Bridge Boulevard and 86th Street as required by the City Engineer to provide for on-street bicycle lanes.

Response: Right of way requirements have been coordinated with the transportation development department and the necessary right of way will be granted with a re-plat of the property.

o. Construction of the bicycle lanes along Unser Boulevard, Central Avenue, Bridge Boulevard and 86th Street adjacent to the subject property, as designated on Long Range Bikeways System map.

Response: Construction of bicycle lanes requirements have been coordinated with the transportation development department and will be included in the infrastructure list.

SITE DEVELOPMENT PLAN FOR BUILDING PERMIT:

On May 15, 2008 the Environmental Planning Commission voted to approve Project 1007204/08EPC 08EPC 40035, a site development plan for building permit, for Tracts 1A, 1B, 2A, 2B, 3A, 3B, 4B, and 6 V.E. Barrett Subdivision and Tracts 4-A-1, 5-B-1, 5-B-2, Lands of WEFCO Partners, based on the following Findings and subject to the following Conditions:

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.

Response: We have proposed no changes to the site plan other than those requested by the EPC Commissioners which have been outlined in this response. We will provide the DRB with the required letter outlining this information as well.

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.

Response: The "Unser Crossing" team met with Mr. Russell Brito, Director of Development Review on June 9, 2008 for an initial review and have scheduled a subsequent meeting Monday, June 16, 2008 for final review to ensure that all conditions of approval have been satisfied.

3. Parking:
   a. The motorcycle spaces shall be located in an area that is visible from the entrance of the building on the site.

Response: The motorcycle spaces have been moved to be located close to the building entrance. (See sheet C001)

   b. A detail drawing of the proposed motorcycle signage shall be provided.

Response: A detail of the motorcycle signage has been added, see detail 8, sheet C002.

   c. Add a column to the parking calculations chart totaling the number of required parking spaces for each building group to match the groupings in the "Parking Provided" column. If the minimum parking required for the site cannot be met, then the applicant shall request a variance from the Zoning Hearing Examiner.

Response: An additional column has been added to show the building groupings meet the parking requirements. (See sheet C001)

   d. Adjust building square footages in the parking calculation chart to match those shown on the site plan.

Response: Building square footages have been adjusted.

   e. The row of disabled parking spaces south of Retail 1 shall be located closer to the entrance of Retail 1 or Retail 7B.

Response: The referenced row of disabled parking spaces serve Retail 7A and have been moved.

   f. Some of the disabled parking spaces adjacent to Retail 5 shall be located near Retail 4.

Response: Two of the disabled parking spaces have been moved closer to Retail 4.

   g. Parking shall be located on at least 2 sides of each building.

Response: Parking is located on 2 sides of the building where possible.

4. Site Plan:
    a. Note 1 shall be revised to remove the statement "if a truck bay is located within 300 feet of a residential structure."

Response: The above note has been revised. See sheet C001

    b. Future phases of development may be delegated to the DRB after EPC review of the first pad site.

Response: A note to this effect has been added to the site plan, sheet C001.

    c. Pedestrian walkways through the parking lots shall align with building entrances where possible.

Response: Pedestrian walkways have been aligned where possible.

    d. Additional cart storage areas shall be provided throughout the site where necessary, and parking calculations shall be revised accordingly.

Response: Cart storage is a tenant driven request. Since there is more parking than is required, spaces may be used as cart storage in the future.

    e. Pervious paving shall be used in plaza areas, along building facades, and along pedestrian walkways.

Response: We have added a detail to satisfy the condition requiring a form of pervious paving to sheet LS-102/ Permeable Paving Detail.

5. Transit:
    a. All adjacent bus stops (including those on opposite sides of the street) shall be shown on the site plan.

Response: A note to this effect has been added to the site plan, sheet C001.

    b. Direct connections shall be provided to each adjacent bus stop.

Response: Future connections have been shown on sheet C001.

    c. A transit feasibility plan shall be provided as per West Side Strategic Plan Policy 1.2 and in coordination with the Transit Department.

Response: We have included a Transit feasibility/ access plan per the requirements of the WSSP.

    d. A new stop on Central Avenue just east of the western most driveway will provide access to the site via the #54 and the #66. A new stop on Unser north of the Unser driveway will provide access via the #54. These shall be shown on the site plan and incorporated into the site design as approved by the Transit Department

Response: These stops are shown on the site plan, sheet C001.

    e. The applicant shall install bus shelters and associated trash cans and benches at both stops, as reflected in the Site Plan for Subdivision's section M (Transit Facilities), and as approved by the transit department.

Response: A note to this effect has been added to the site plan, sheet C001.

    f. If posted speed limits adjacent to the site on Central will remain over 45 mph, then the applicant install a bus bay for the new stop on Central Avenue, if required by the Transit Department.

Response: After speaking with traffic operations, this site will generate enough traffic to warrant a lower speed limit, therefore, no bus bay is warranted.

6. Maximum lighting height shall be 20' unless the Zoning Hearing Examiner approves a variance.

Response: We have applied for a variance with the ZHE on June 9, 2008 – Application # 08-ZHE-80263.

7. Landscaping:
   a. Parking lot tree planters shall be placed such that not more than 15 side-by-side parking spaces shall be allowed between planters. For the purpose of calculating parking spaces, cart storage spaces and motorcycle spaces shall be included.

Response: Addressed on site plan and Landscape plan sheet LS-101

   b. The locations of trees, lighting, and signage shall be coordinated to prevent future conflict.

Response: All possible conflicts have been addressed.

   c. Move street trees along Bridge and along 86th behind sidewalk per street tree ordinance. Move sidewalk farther away from street creating planting area 6' wide or greater providing sufficient rooting area and place trees there for greater pedestrian safety, walkability, and environmental benefits. Same for sidewalk placement along Central and Unser.

Response: Trees along Bridge and 86th have been moved behind sidewalk, sheet LS-101

   d. A street tree plan shall be provided for the entire lengths of Central and Unser.

Response: Street Tree plan will be shown along Central and Unser, sheet LS-101

   e. Street trees along Central shall be species that will reach a height of 25 feet or less at maturity. (PNM comment).

Response: Trees along Central under power lines shall not be more than 25' in height at maturity. See Plant Legend, sheet LS-101.

   f. The note "Landscape to be determined by future tenant" shall be removed.

Response: This has been removed from sheet LS-101.

8. Walls and Fences:
   a. The wall height required for screening of service/loading shall be changed to 8' at the loading dock areas.

Response: This change has been reflected on the Site Plan for Building Permit - Sheet C-001 and added to the Design Standards on sheet G-102(I) Architecture/ Service Loading Areas. A typical screen wall detail has been added to the plans.

   b. Detail drawings of the proposed screen wall shall be provided, including information regarding materials and colors that match the building architecture.

Response: The screen wall detail has been provided on Sheet C-002.

9. Plaza areas:
   a. The square footage of each plaza space shall be indicated on the site plan.

Response: The square footages of all plaza space have been added to sheet C-001.

   b. Plaza calculations shall be revised to reflect regulations of the large retail facilities regulations (a collection of smaller buildings linked by common walls shall be considered one building). Plaza space for each building shall be located adjacent to or near the associated building.

Response: The grouping of the plaza area requirements on the table on sheet C-001 has been revised to follow the regulations of the Large retail Facilities ordinance. We have exceeded the required Plaza space for this development. The location of the Plazas are shown on the site plan and located in an appropriate location that will encourage the most use.

c. A minimum of 50% of the required public space shall be provided in the form of aggregate space as required by the Zoning Code's Large Retail Facility Regulations.

Response: Due to the size of this development there are multiple areas of aggregate space. All of these areas include 50% or more of the required public space. For example there is aggregate space near the site roundabout and also in the middle of building 7.

10. Grading, Drainage, and Utility Plan
    a. The detention pond shall be shallow to prevent the need for defensive security fencing, if technically feasible, yet has the capacity to manage storm waters in a 100-year event.

Response: The pond is shallow enough that no fencing is required. The pond has been designed per chapter 22.2 of the City of Albuquerque's DPM.

b. The retaining wall symbol shall be removed from the legend unless there is actually a retaining wall on the site.

Response: There is a retaining wall on the site which is shown on the grading plan, sheet C-101.

c. A detail drawing for the detention pond shall be provided. This ponding area shall be rotated 90 degrees and relocated parallel along the adjacent drive aisle and to be bisected by the proposed pedestrian walkway and as presented at the hearing.

Response: The pond has been rotated as requested.

11. Architecture:

a. Elevations shall state color names, shall correctly label each building, and shall use cardinal directions to label each façade.

Response: Additional information regarding color selections have been added to the Elevation notes on sheets A-101 through A-108C. Cardinal directions and labeling have been added as well.

b. The statement on the Lowe's elevations regarding the "representation of design intent" shall be removed.

Response: Lowe's will remove this statement and replace with language approved by the DRB.

c. Colors and materials of service doors shall be indicated. High quality materials and treatments shall be used to enhance the aesthetic qualities of these doors.

Response: Color and material selections have been indicated on the Elevations, sheets A-101 through A-108C. Note: Sheets A-108A, A-108B and A-108C (Lowe's) have been modified to satisfy this condition, however, due to Lowes internal approval process the sheets will be turned in as a supplemental turn-in to the DRB package prior to the DRB Hearing. This was discussed with Russell Brito on Friday, June 13, 2008 and approved by Jack Cloud, DRB Chairperson via telephone conversation with Angela Benson on Friday, June 13, 2008 @ 11:21 am.

b. Similar treatments shall be used on rear elevations as are used on side elevations to meet the intent of Zoning Code §14-16-3-18.

Response: Elevation A-101 through A-108C have been modified to reflect treatments on the building rears per the Zoning Code 14-16-3-18. Note: Sheets A-108A, A-108B and A-108C (Lowe's) have been modified to satisfy this condition, however, due to Lowes internal approval process the sheets will be turned in as a supplemental turn-in to the DRB package prior to the DRB Hearing. This was discussed with Russell Brito on Friday, June 13, 2008 and approved by Jack Cloud, DRB Chairperson via telephone conversation with Angela Benson on Friday, June 13, 2008 @ 11:21 am.

c. Outdoor seating and plaza space shall be provided as required by large retail facility regulations (§14-16-3-2) and Zoning Code §14-16-3-18.

Response: Response: Per the referenced ordinance, plaza space has been included and per ordinance is linked to the main entrance. All additional plaza amenities, including outdoor seating, are shown on sheet LS-102.

d. Retail buildings 7C and 7C2 shall have windows facing the pedestrian plaza on their east and west facades, respectfully.

Response: Elevations for Retail Building 7C (sheet A-107C-1) and Retail Building 7C2 (sheet A-107C-1 and A-107D-1) have been modified to reflect this condition.

12. Signage Master Plan shall return to the EPC for review and approval:

Response: We submitted an EPC Application for an Amended Site Development Plan for Subdivision (Sign Package) on June 5, 2008 – Application Case # 08EPC-40063

a. All signage shall comply with the Signage Master Plan as approved by the EPC as part of the associated site development plan for subdivision (08EPC 40034).
b. Vehicular and pedestrian wayfinding sign program shall be included.
c. Allocation of signage for all tenants shall be described.

13. Maintenance Agreement:
    a. The applicant shall sign a maintenance agreement with the City that is deemed appropriate by the Planning Director. (§14-16-3-2)

Response: The maintenance agreement was recently completed by the City and submitted to Armstrong for our review. Upon review and approval of the language, Armstrong is willing to sign a maintenance agreement.

b. The applicant shall add a note on the site development plan for building permit referencing the maintenance agreement.

Response: This note has been added to sheet C-001.

14. Solid Waste:
    a. The site plan shall comply and be designed in accordance with Solid Waste Management requirements.

Response: The number and location of all refuse enclosures has already been coordinated with Michael Holten of the Solid Waste Department. The site plan will be approved by solid waste prior to submittal.

b. Detail drawings shall be provided of the proposed double refuse enclosure.

Response: The requested has been provided, see sheet C-002.

15. Final approval of the corresponding map amendment to the West Route 66 Sector Development Plan (08EPC 40039) by the City Council is required prior to final sign-off of the site development plan for building permit at the DRB.

Response: We understand this requirement and are currently tracking the process for the map amendment.

16. The applicant must request a Water/Sewer Availability statement. The Utility Plan shall be approved by the Water Utility Authority prior to DRB sign-off.

Response: A Water and Sanitary Sewer Availability Statement has been issued on May 29, 2008. (ABCWUA #80415)

17. PNM conditions: Access to the development along Central Avenue (driveways, curb cuts) needs to avoid the existing PNM structures. If any of the PNM structures are required to be located due to this project, the developer must pay for the cost of relocation. Any changes or realignment of the existing overhead or underground distribution lines will be at the customer's expense.

Response: We understand and accept this condition.

18. City Engineer Conditions:
    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. Comment continued on next page. 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).

Response: All required permanent infrastructure improvements will be included in the Infrastructure List and will be constructed to City Standards.

b. Per Transportation Development Staff, completion of the required system improvements that are attributable to the development, as identified in the TIS, is required.

Response: All required permanent infrastructure improvements will be included in the Infrastructure List and will be constructed to City Standards.

c. Page 7, 10C and page 15, 18C, The width of the drive aisle between the landscape island and the parking area behind retail shops 7C and 7C2 shall be a maximum 35' to minimize the crossing distance for the pedestrian walkway by adding additional parking.

Response: The width of the aisle has been modified to 35' and is shown on the Site Plan for Building Permit (sheet C001).

d. Provide adequate site distance at service drives along Bridge Boulevard adjacent to 6' screen wall.

Response: It has been confirmed that adequate sight distance is provided at all service drives.

e. According to the TIS, there are six uses with drive-thru windows. Therefore, the applicant should provide the entire site plan for the purpose of reviewing site circulation.

Response: The conceptual future pad site circulation has been shown on the Site Plan for Building Permit (sheet C001) for illustrative purposes. All pad sites will return to DRB for technical review of site circulation.

f. Site drives to be designed and located per the recommendations in the TIS.

Response: The site drives have been designed and located per recommendations in the TIS. (See sheet C001)

g. Provide truck route and turning information on site plan. Service drives and loading areas to be designed accordingly.

Response: Truck route and turning information has been provided to the transportation department.

h. Provide cross access to Tracts 7 and 8 (designated as not a part on site plan), to site drive aisles that provide connections with Unser and Bridge Boulevards. Provide applicable cross access agreements.

Response: A 24 ft wide access easement will be granted with the re-plat of this property.

i. A concurrent platting action will be required at DRB.

Response: A re-plat of this property is in progress and will be submitted to the DRB.

j. Site plan shall comply and be designed per DPM Standards.

Response: It has been confirmed that the site plan has been designed per DPM Standards.

k. Dedication of right-of-way from the centerline of Unser Boulevard a limited access, principal arterial as designated on the Long Range Roadway System map.

Response: Right of way requirements have been coordinated with the transportation development department and the necessary right of way will be granted with a re-plat of the property.

l. Dedication of right-of-way from the centerline of Central Avenue a Principal arterial as designated on the Long Range Roadway System map.

Response: Right of way requirements have been coordinated with the transportation development department and the necessary right of way will be granted with a re-plat of the property.

m. Dedication of right-of-way from the centerline of Bridge Boulevard a Collector Street as designated on the Long Range Roadway System map.

Response: Right of way requirements have been coordinated with the transportation development department and the necessary right of way will be granted with a re-plat of the property.

n. Dedication of right-of-way from the centerline of 86th Street a Collector Street as designated on the Long Range Roadway System map.

Response: Right of way requirements have been coordinated with the transportation development department and the necessary right of way will be granted with a re-plat of the property.

o. Dedication of an additional 6 feet of right-of-way along Unser Boulevard, Central Avenue, Bridge Boulevard and 86th Street as required by the City Engineer to provide for on-street bicycle lanes.

Response: Construction of bicycle lanes requirements have been coordinated with the transportation development department and will be included in the infrastructure list.

p. Construction of the bicycle lanes along Unser Boulevard, Central Avenue, Bridge Boulevard and 86th Street adjacent to the subject property, as designated on Long Range Bikeways System map.

Response: Construction of bicycle lanes requirements have been coordinated with the transportation development department and will be included in the infrastructure list.

Bohannan Huston

DSA
Darren Sowell
ARCHITECTS

ARMSTRONG DEVELOPMENT
PROPERTIES, INC.

July 9, 2008

City of Albuquerque
Development Review Board
Attention: Mr. Jack Cloud
P.O. Box 1293
Albuquerque, New Mexico 87103

Jack

FILE: Project# 1007204 – UNSER CROSSING
08DRB-70276 SITE DEVELOPMENT PLAN FOR BUILDING PERMIT

On June 25, 2008 the Development Review Board deferred the Unser Crossing Site Development Plan for Building Permit. Based upon the action items of the deferral request we are pleased to re-submit our alternative drawings and exhibit items for review. Our package contains the following items for your review:

SITE DEVELOPMENT PLAN FOR SUBDIVISION SHEETS:

1.	SITE PLAN FOR BUILDING PERMIT	SHEET C-001
2.	LOWE'S ELEVATIONS SHEETS	A-108A AND A-108B
3.	LANDSCAPING PLAN SHEETS	LS-101 AND LS-102
4.	CLEAR SITE EXHIBIT	SUBMITTED TO KRISTAL METRO FOR REVIEW
5.	COPY OF ACCESS AGREEMENT	SUBMITTED TO KRISTAL METRO FOR REVIEW
6.	RIGHT-OF-WAY EXHIBIT	SUBMITTED TO KRISTAL METRO FOR REVIEW

Best Regards,

Angela Benson

Angela Benson
DSA Architects, LLC
4700 Lincoln Road NE, Suite 111
Albuquerque, New Mexico 87109
(505) 342-6200

1007204

MAINTENANCE AGREEMENT
(LARGE RETAIL FACILITIES)

THE CITY OF ALBUQUERQUE, a municipal corporation ("City") and Armstrong Central Unser Blvd., LLC, a limited liability company, whose address is 1500 N. Priest, Suite 150 E, Tempe, AZ 85281 (with a copy to Armstrong Development Properties, Inc., 2100 Wharton Street, Suite 700, Pittsburgh, Pennsylvania 15203), and Sandia Plaza Partners, LLC, a New Mexico limited liability company, whose address is 5850 Eubank NE, Suite B-62, Albuquerque, NM 87111 (collectively, "Owner") agree:

I. Recitals.

A. The Owner is the owner of a large retail development in the City of Albuquerque, Bernalillo County, referred to as Unser Crossings ("Development") and described on the plat of Unser Crossings (the "Plat") filed Unser Crossings as, Document # 2008103544 on Sept. 18, 2008, Volume 2008C, Folio 2009 of the records of Bernalillo County, New Mexico ("Property"). Any legally subdivided portion of the Property is referred to herein as a "Lot".

B. Owner has procured a site development plan approval ("Site Development Plan") for the Development from the City's Environmental Planning Commission ("EPC") and/or the Development Review Board ("DRB").

C. Under the Revised Ordinances of Albuquerque, New Mexico, 1994 § 14-16-3-2 (D) of the Zoning Code ("Ordinance"), Owner is required to execute a maintenance agreement with the City ("Agreement") to assure the Development is maintained during periods of vacancy or abandonment.

D. City and Owner agree that the execution of this Agreement by Owner satisfies Owner's obligation under the Ordinance.

THEREFORE the parties agree that the following provisions shall be applicable during any period of vacancy or abandonment:

II. Maintenance.

A. During any period of vacancy or abandonment Owner shall assure that the site improvements are kept in good repair and maintained in a usable, functional, aesthetically pleasing, and safe condition. For purposes of this Agreement the terms vacancy or abandonment shall be defined to be the termination of all retail operations as to any Lot for a period of thirty (30) consecutive days except in the case of damage by fire or other casualty or remodeling, where repair or restoration of the damaged site improvements, or remodeling, is being pursued with reasonable commercial diligence.

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09/18/2008 04:06 PM Page: 1 of 10
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B. Owner shall without expense to the City, maintain and repair, or cause its tenants to maintain or repair, the site improvements on those areas shown on a copy of the approved Site Development Plan, which is attached hereto, made a part hereof, and labeled Exhibit A.

C. Maintenance and repair tasks ("Maintenance Obligations") shall include, but are not limited to:

1. Landscaping:

   a. All landscaping shall be watered, pruned and weeded;
   b. Irrigation lines, equipment and controllers shall be maintained in good working order;
   c. Damaged or dead trees and/or shrubs shall be removed and replaced;
   d. Grass areas shall be properly maintained and mowed, if appropriate.

2. Parking Areas:

   a. All parking areas shall be cleaned of dirt, litter and other debris;
   b. Pavement and stripping shall be maintained in good repair;
   c. Drainage structures shall be maintained in good repair.

3. Building Facades:

   a. All building facades shall be kept in good repair;
   b. Cracked windows shall be replaced;
   c. Graffiti shall be removed;
   d. All signage shall be kept in good repair.

4. Security lighting:

   a. Outdoor security lighting shall be maintained and operated;
   b. Broken or defective locking devices shall be repaired or replaced.

D. Without expense to the City, Owner will be responsible to maintain, or cause its tenants to maintain, the site during any period of vacancy or abandonment from the effective date of this Agreement. Under no circumstances will the City be required to assume any Maintenance Obligations pursuant to this Agreement.

III. Maintenance Contractor.

A. In order to perform the Maintenance Obligations contained herein, Owner will enter into, or cause its tenants to enter into, such contracts with licensed contractors or subcontractors, to the extent required by law, as may be necessary to perform the specified

Maintenance Obligations. All contractors and subcontractors utilized by Owner or its tenants must be properly licensed by the State of New Mexico and reasonably acceptable to the City.

IV. Maintenance Inspections and Correction of Deficiencies.

A. The City has the right to make periodic inspections of the site being maintained during any period of vacancy or abandonment, as the City deems necessary. After each inspection, the City will notify Owner in writing its approval or disapproval of the maintenance and repair work concerning the site improvements. If any part of the site does not substantially conform to the Maintenance Obligations specified herein, Owner, without expense to the City, will make, or cause to be made changes necessary to remedy the deficiency. The City will not be responsible for maintenance means, methods, techniques, sequences or procedures. Additionally, the contractors, subcontractors or Owner or Owner's agents will not be, for any purpose whatsoever, agents, employees or independent contractors of the City, but will be under the control and/or employment of Owner.

V. Notice of Noncompliance.

A. If the Owner's maintenance and repair work does not comply with the Maintenance Obligations, or if Owner is in breach of any part of this Agreement, the Owner's noncompliance shall constitute a zoning code violation under the City's Comprehensive Zone Code, which violation shall be cited and enforced as provided by law.

Alternatively;

B. If Owner's maintenance and repair work does not comply with the Maintenance Obligations, or if Owner is in breach of any part of this Agreement, the City shall provide written notice to Owner of the areas of noncompliance ("Notice of Noncompliance"). If the noncompliance is not substantially cured by Owner, or its tenants, within thirty (30) days after the date of the Notice of Noncompliance, or in the event that the work can not reasonably be completed within thirty (30) days, if the Owner, or its tenants, has not commenced the work and is not diligently prosecuting its completion, or if the City determines that an emergency condition exists such that timely notice can not reasonably be provided to the Owner, the City may perform the work itself. The City may assess the Owner for the reasonable cost of the work and for any other expense reasonably incurred by the City in remedying the Owner's failure to perform. The Owner agrees to promptly pay the City the amount assessed. If the Owner fails to pay the City within thirty (30) days after the City gives the Owner written notice of the amount due, the City may impose a lien against the Property for such amounts.

VI. Utilities.

A. Owner will pay the cost of water and electricity and cost of installation of any water or electric meter or meters as is necessary for the site to perform the Maintenance Obligations.

VII. Insurance.

A. Until termination of Owner's Maintenance Obligations under this Agreement, Owner, contractor, subcontractor or agent of Owner will procure or cause to be procured and maintain insurance in the kinds and amounts hereinafter required, with insurance companies authorized to do business in the State of New Mexico, covering all operations under this Agreement, whether performed by Owner or its employees, agents or contractors. The coverage will begin no later than the date of starting the Maintenance Obligations. Owner will furnish to the City a certificate or certificates of insurance in a form satisfactory to the City showing that it has complied with this section. All certificates of insurance will provide that thirty (30) days written notice be given to the Director, Risk Management Department, City of Albuquerque, P.O. Box 1293, Albuquerque, New Mexico 87103, before a policy is canceled, materially changed or not renewed. The kinds and amounts of insurance required are:

1. Commercial General Liability Insurance Including Property Damage. A commercial general liability insurance policy with liability limits in amounts not less that $1,000,000 combined single limit of liability for bodily injury, including death, and property damage in any one occurrence.

2. Commercial Automobile Liability Insurance. Commercial automobile liability insurance providing coverage for owned, hired and non-owned autos with a minimum combined single limit of $1,000,000.

The policies of insurance must include coverage for all operations performed by the Owner, coverage for the use of all owned, non-owned, hired automobiles, vehicles and other equipment both on and off the public property, and contractual liability coverage which will specifically insure those aspects of the hold harmless provisions of this Agreement that are normally covered by contractual liability coverage in a commercial general liability policy. The City will be named an additional insured.

Notwithstanding the foregoing, so long as the Owner in combination with its parent corporation have a net worth in excess of One Hundred Million Dollars ($100,000,000) as determined by generally accepted accounting principles consistently applied, the Owner may satisfy this insurance requirement through a program of self insurance, provided that the following requirements are satisfied: (a) the Owner shall provide the City with a certificate of insurance showing the required coverages and amounts and showing the City as an additional insured as required above and if excess insurance is provided to meet the minimums set forth above, then showing the excess coverage and the City as an additional insured on that coverage; and (b) a letter from the Owner indicating the amount up to which the Owner self insures and confirming that the City is an additional insured. Evidence of the required net worth shall be as shown on the most recent Securities and Exchange Commission Annual Report of the Owner if the Owner is a public company (or of the Owner's parent corporation if the Owner's parent corporation is a public company), and if the owner or its parent corporation is not a public company, then as shown in an independent auditor's statement or verification of assets (a copy of which shall be delivered to the City).

VIII. Indemnification.

A. The Owner 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 Owner, its agents, representatives, contractors or subcontractors or arising from the failure of the Owner, its agents, representatives, contractors or subcontractors to perform any act or duty required of the Owner herein, except to the extent caused by the negligence or intentional misconduct of any indemnitee.

IX. Severability.

A. If any part of this Agreement is held to be illegal, invalid or unenforceable, such holding will not affect the legality, validity or enforceability of any other part of this Agreement as long as the remainder of the Agreement is reasonably capable of completion.

X. Entire Agreement.

B. 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.

XI. Effective Date.

A. This Agreement will not be effective until it is signed by the City's Chief Administrative Officer.

XII Covenants Running With the Title to the Property.

A. The obligations of the Owner shall constitute covenants running with the title to the Property and shall be binding on Owner's successors and assigns until terminated. The Property currently consists of more than one legal lot created pursuant to the City's Subdivision Ordinance (the "Subdivision Ordinance") and the Property may be further subdivided in the future pursuant to the Subdivision Ordinance, which legally created lots as they exist from time to time are referred to herein individually as the "Lot" or collectively as the "Lots". As any Lot is sold by the Owner, the Owner shall be relieved of all future obligations pursuant to this Agreement, but shall remain obligated to the City for any obligations created prior to the date of the transfer of the Lot. Upon conveyance of any, but less than all, of the Lots the term Owner shall refer to each of the parties owning one or more of the Lots comprising the Property. Each Owner shall only be responsible to the City for obligations related to the Lot(s) owned by the Owner.

XIII. Miscellaneous.

A This Agreement will be governed by and interpreted in accordance with the laws of the State of New Mexico. The headings used in this Agreement are for convenience only and

shall be disregarded in interpreting the substantive provisions of this Agreement. This Agreement binds and benefits City and Owner and their successors, assigns, transferees, heirs, devisees and personal representatives. Time is of the essence of each term of this Agreement. If any provision of this Agreement is determined by a court of competent jurisdiction to be void, invalid, illegal or unenforceable, that portion will be severed from this Agreement and the remaining parts will remain in full force as though the invalid, illegal, or unenforceable portion had never been a part of this Agreement. The signature pages of this Agreement may be executed by the parties in any number of multiple counterparts and thereafter assembled into one or more fully executed original counterpart Agreements.

XIV. Integration; Interpretations.

A. This Agreement contains or expressly incorporates by reference the entire agreement of the parties with respect to the matters contemplated by this Agreement and supersedes all prior negotiations. This Agreement may only be modified in writing executed by all parties.

(Separate Signature Pages Follow)

(City Signature Page)

CITY OF ALBUQUERQUE,
a municipal corporation

By: Ed Adams
9-18-08
Chief Administrative Officer

9/18/08
R 9.18.08

CITY'S ACKNOWLEDGMENT

STATE OF NEW MEXICO)
)ss
COUNTY OF BERNALILLO)

This instrument was acknowledged before me on this 18th day of September 2008, by Ed Adams, Chief Administrative Officer of the City of Albuquerque, a New Mexico municipal corporation, on behalf of the corporation.

(SEAL)

Notary Public

My Commission Expires: 1-27-2008

(First Owner's Signature Page)

OWNER:

ARMSTRONG CENTRAL UNSER BLVD., LLC,
a New Mexico limited liability company

By: GUSTINE INVESTMENTS, INC.,
a Pennsylvania corporation, its sole Member

By: Robert H. Gustine
ROBERT H. GUSTINE
Its: SECRETARY

FIRST OWNER'S ACKNOWLEDGMENT

STATE OF Pennsylvania)
)ss
COUNTY OF Allegheny)

This instrument was acknowledged before me on this 16th day of September 2008, by Robert H. Gustine Secretary, of GUSTINE INVESTMENTS, INC., a Pennsylvania corporation, sole Member of ARMSTRONG CENTRAL UNSER BLVD., LLC, a New Mexico limited liability company.

(SEAL)

Diane M. Oberleitner
Notary Public

My Commission Expires: June 19, 2011

COMMONWEALTH OF PENNSYLVANIA
NOTARIAL SEAL
Diane M. Oberleitner, Notary Public
Upper St. Clair Township, Allegheny County
My commission expires June 19, 2011

(Second Owner's Signature Page)

OWNER:

SANDIA PLAZA PARTNERS, LLC,
a New Mexico limited liability company

By: _____
Traci J. Wolf, Managing Member

SECOND OWNER'S ACKNOWLEDGMENT

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

This instrument was acknowledged before me on this 18th day of September 2008, by Traci J. Wolf, Managing Member of SANDIA PLAZA PARTNERS, LLC, a New Mexico limited liability company.

(SEAL)

_____
Notary Public

My Commission Expires: MAY 1 6 2010

| Parking Calculations | | |

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 17th day of September, 2008, 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 Armstrong Central Unser Blvd., LLC a New Mexico limited liability company ("Subdivider"), whose address is: c/o Armstrong Development Properties, Inc., 1500 N. Priest Dr., Suite 150E, Tempe, AZ 85281 and whose telephone number is 602-385-4100, 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 Tracts One-A (1-A), One-B (1-B), Two-A (2-A), Two-B (2-B), Three-A (3-A), Three-B (3-B), Four-B (4-B) and Six (6) of V.E. Barrett Subdivision, recorded on February 13, 1967 in the records of the Bernalillo County Clerk at Book C6, page 161 AND Tracts Four-A-1 (4-A-1), Five-B-1 (5-B-1), Five-B-2 (5-B-2) of Lands of Wefco Partners, recorded on April 6, 1987 in the records of the Bernalillo County Clerk at Book C-33, page 81 (the "Subdivision"). The Subdivider certifies that the Subdivision is owned by Armstrong Central Unser Blvd., LLC and Sandia Plaza Partners, LLC ("Owner").

The Subdivider has submitted and the City has approved a preliminary plat or Site Development Plan identified as Unser Crossings 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 9th day of September, 2010 ("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. 735684.

Note: To compute the Construction Completion Deadline: The Construction Completion Deadline shall be two years after execution of this Agreement. (See Subdivision Ordinance Section 14-14-5-3.)

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09/18/2008 03:48 PM Page: 1 of 11
AGRE R:$29.00 M. Toulouse Oliver, Bernalillo County

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 Bohannan Huston Inc. , and construction surveying of the private Improvements shall be performed by Bohannan Huston Inc. 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 Bohannan Huston Inc. , and inspection of the private Improvements shall be performed by Bohannan Huston Inc. , 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 Terracon Consultants Inc. , and field testing of the private Improvements shall be performed by Terracon Consultants Inc. , 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: loan reserve letter
Amount: $3,924,245.61
Name of Financial Institution or Surety providing Guaranty:
Huntington National Bank
Date City first able to call Guaranty: September 9, 2010
[Construction Completion Deadline]: September 9, 2010.
If Guaranty other than a Bond, last day City able to call Guaranty is:
November 8 , 2010 .

Additional information: Pursuant to a Development Agreement that may be entered into between Subdivider and City, the off-site infrastructure Improvements will be constructed by the City of Albuquerque. The off-site infrastructure Improvements to be constructed by the City will be more particularly described in said Development Agreement.

Pursuant to § 14-14-5-6 of the City subdivision regulations, Subdivider's Financial Guaranty may be reduced by $1,800,000 to reflect the cost of the off-site Infrastructure Improvements that have been assumed by the City.

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. Subdivider shall be permitted to freely assign this Agreement to Lowe's Home Centers Inc., a North Carolina corporation or Huntington National Bank provided; 1) the form of assignment is substantially in the form attached as Exhibit B; 2) Subdivider has executed a power of attorney to Assignee substantially in the form attached as Exhibit C; and, 3) Subdivider provides the written concurrence of the financial institution or surety which has undertaken to guarantee the completion of the Improvements (provided that this may be satisfied by the terms of the Financial Guaranty given pursuant to Section 5 above). However, any reduction in the amount of the Financial Guaranty shall be subject to Section 9 above.

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.

[REMAINDER OF PAGE LEFT BLANK]

[SIGNATURES ON FOLLOWING PAGE]

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

SUBDIVIDER: Armstrong Central Unser Blvd. LLC, a New Mexico limited liability company

By: Gustine Investments, Inc., a Pennsylvania corporation

By [Signature]: Rebecca A Chembars
Name: REBECCA A. CHEMBARS
Title: ASSISTANT SECRETARY
Dated: 9-9-08

CITY OF ALBUQUERQUE

City Engineer
Dated: 9-17-08
9/16/08
9-15-08

SUBDIVIDER'S NOTARY

COMMONWEALTH OF PENNSYLVANIA
~~STATE OF~~)
COUNTY OF ALLEGHENY) ss.

This instrument was acknowledged before me on 9TH day of SEPTEMBER 2008 by [name of person:] REBECCA A. CHEMBARS, [title or capacity for instance, "President" or "Owner":] ASSISTANT SECRETARY of Gustine Investments, Inc., a Pennsylvania corporation, the sole member of Armstrong Central Unser Blvd., LLC, a New Mexico limited liability company.

COMMONWEALTH OF PENNSYLVANIA
NOTARIAL SEAL
Diane M. Oberleitner, Notary Public
Upper St. Clair Township, Allegheny County
My commission expires June 19, 2011

Diane M. Oberleitner
Notary Public

My Commission Expires: June 19, 2011

CITY'S NOTARY

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

This instrument was acknowledged before me on 17th day of September, 2008 by Richard Dourte, City Engineer of the City of Albuquerque, a municipal corporation, on behalf of said corporation.

Linda C Evans
Notary Public

My Commission Expires:
10-07-2012

Current DRC
Project No. _____

Date Submitted: June 24, 2008
Date Site Plan for Bldg Permit Appr 7/9/08
Date Site Plan for Sub. Approved: ...
Date Preliminary Plat Approved: N/A
Date Preliminary Plat Expires: N/A

ORIGINAL

Figure 12

INFRASTRUCTURE LIST

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

Unser Crossing

DRB Project No. 1007204

△1 9-5-08

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

SIA Sequence #	COA DRC Project #	Size	Type of Improvement	Location	From	To	Private Inspector	City Inspector	City Cnst Engineer
			PUBLIC ROADWAY IMPROVEMENTS						
		11' FC-EOA	LENGTHEN EXISTING NORTH BOUND RIGHT TURN LANE (APPROX. 115 LF): PAVED ROADWAY, STRIPING, CURB AND GUTTER, 6' SIDEWALK	UNSER BLVD. (EAST SIDE OF ROW).	240' SOUTH OF LOS VOLCANES RD.	LOS VOLCANES RD.	/	/	/
		N/A	TRAFFIC SIGNAL MODIFICATIONS	INTERSECTION OF CENTRAL AVE & UNSER BLVD.			/	/	/
		11' - 12'	WEST BOUND THRU LANE: PAVED ROADWAY, STRIPING, CURB AND GUTTER (APPROX. 1,500 LF)	CENTRAL AVE.	500' EAST OF UNSER BLVD.	DRIVEWAY "B"	/	/	/
		12' FC-EOA	100LF WEST BOUND LEFT TURN LANE AND MEDIAN OPENING: PAVED ROADWAY, STRIPING, CURB AND GUTTER	CENTRAL AVE. AT DRIVEWAY "B"			/	/	/
		N/A	NEW TRAFFIC SIGNAL	CENTRAL AVE. AT DRIVEWAY "B"			/	/	/
		12' FC-EOA	EAST BOUND RIGHT TURN DECEL LANE: PAVED ROADWAY, STRIPING, CURB AND GUTTER, 6' SIDEWALK (APPROX 100 LF)	CENTRAL AVE. AT DRIVEWAY "B"			/	/	/
		6' WIDE	BIKE LANE INCL PAVEMENT, STRIPING, CURB AND GUTTER, 6' SIDEWALK	CENTRAL AVE.	86TH ST.	UNSER BLVD.	/	/	/
		N/A	NEW TRAFFIC SIGNAL	CENTRAL AVE AT 86TH ST			/	/	/

SIA Sequence #	COA DRC Project #	Size	Type of Improvement	Location	From	To	Private Inspector	City Inspector	City Cnst Engineer
		11' - 12'	LENGTHEN WEST BOUND LEFT TURN LANE TO 600 LF: PAVED ROADWAY, STRIPING, CURB AND GUTTER (APPROX. 370 LF)	CENTRAL AVE.	600' EAST OF 86TH ST.	86TH ST.	/	/	/
			EAST 1/2 STREET PERMANENT IMPROVEMENTS TO PROVIDE FOR 6' BIKE LANE, 12' NORTHBOUND LANE, 14' CONTINUOUS CENTER LEFT TURN LANE, CURB AND GUTTER, 6' SIDEWALK	86TH ST.	BRIDGE BLVD.	CENTRAL AVE.	/	/	/
		11' - 12'	NORTH BOUND RIGHT TURN LANE: PAVED ROADWAY, STRIPING, CURB AND GUTTER, 6' SIDEWALK (APPROX. 100 LF)	86TH ST.	100' SOUTH OF CENTRAL AVE.	CENTRAL AVE.	/	/	/
		11' - 12'	NORTH BOUND LEFT & THRU LANE: PAVED ROADWAY, STRIPING (APPROX. 100 LF)	86TH ST.	100' SOUTH OF CENTRAL AVE.	CENTRAL AVE.	/	/	/
			NORTH 1/2 STREET PERMANENT IMPROVEMENTS TO PROVIDE FOR 6' BIKE LANE, 12' WESTBOUND LANE AND 14' CONTINUOUS CENTER LEFT TURN LANE, CURB AND GUTTER, 6' SIDEWALK	BRIDGE BLVD.	BOUNDARY OF SITE	86TH ST.	/	/	/
		N/A	TRAFFIC SIGNAL MODIFICATIONS	INTERSECTION OF UNSER BLVD. & BRIDGE BLVD.			/	/	/
			WEST 1/2 STREET PERMANENT IMPROVEMENTS INCLUDING TWO SOUTHBOUND LANES, 6' BIKE LANE, CURB AND GUTTER, 6' SIDEWALK	UNSER BLVD.	CENTRAL AVE.	DRIVEWAY "E"	/	/	/
		11' - 12'	NORTH BOUND LEFT TURN LANE: PAVED ROADWAY, STRIPING, CURB AND GUTTER, 6' SIDEWALK (APPROX. 200 LF)	UNSER BLVD.	200' SOUTH OF DRIVEWAY "E"	DRIVEWAY "E"	/	/	/
		11' - 12'	SOUTH BOUND RIGHT TURN LANE: PAVED ROADWAY, STRIPING, CURB AND GUTTER, 6' SIDEWALK (APPROX. 100 LF)	UNSER BLVD.	100' NORTH OF DRIVEWAY "E"	DRIVEWAY "E"	/	/	/
		11' - 12'	NORTH BOUND AND SOUTH BOUND LEFT TURN LANE: PAVED ROADWAY, STRIPING, CURB AND GUTTER (APPROX. 100 LF)	86TH ST.	100' NORTH AND 100' SOUTH OF BRIDGE BLVD.	BRIDGE BLVD.	/	/	/

SIA Sequence #	COA DRC Project #	Size	Type of Improvement	Location	From	To	Private Inspector	City Inspector	City Cnst Engineer
							/	/	/
			PUBLIC SANITARY SEWER IMPROVEMENTS						
		8" DIA	SANITARY SEWER LINE WITH MH & SERVICES, AS REQUIRED	MAIN EAST-WEST SITE DRIVE	EAST TERMINUS OF CITY PROJECT #7356.82-07	UNSER BLVD.	/	/	/
							/	/	/
			PUBLIC WATERLINE IMPROVEMENTS						
		12" DIA	ABANDON EXISTING WATERLINE IN VOLCANO RD	VOLCANO RD.	CENTRAL AVE.	UNSER BLVD.	/	/	/
		~~12" DIA~~	Delete ~~WATERLINE W/ NEC. VALVES, MJ'S & RJ'S~~	~~UNSER BLVD.~~	~~VOLCANO RD.~~	~~CENTRAL AVE.~~	/	/	/
		10" DIA	WATERLINE W/ NEC. VALVES, FH'S, MJ'S & RJ'S	MAIN EAST-WEST SITE DRIVE	86TH ST.	UNSER BLVD.	/	/	/
		10" DIA	WATERLINE W/ NEC. VALVES, FH'S, MJ'S & RJ'S	SITE DRIVES	CENTRAL AVE.	BRIDGE BLVD.	/	/	/
							/	/	/
			PUBLIC STORM DRAIN IMPROVEMENTS						
		5' X 20'	JUNCTION BOX AND STORM DRAIN	NW CORNER OF SITE	CULVERTS OUTFALLING ACROSS CENTRAL AVE.	STORM DRAIN IN UNSER BLVD.	/	/	/
		18" DIA	CURB TYPE STORM DRAIN INLET & CONNECTOR PIPE TO 78" SD IN UNSER BLVD.	CENTRAL AVE.	APPROX 200LF EAST OF DRIVEWAY "C"	78" SD IN UNSER BLVD.	/	/	/
		18" DIA	CURB TYPE STORM DRAIN INLET & CONNECTOR PIPE TO 96" SD IN UNSER BLVD.	UNSER BLVD.	APPROX 500LF NORTH OF DRIVEWAY "E"	96" SD IN UNSER BLVD.	/	/	/
		18" DIA	CURB TYPE STORM DRAIN INLET & CONNECTOR PIPE TO 96" SD IN UNSER BLVD.	UNSER BLVD.	APPROX 50LF NORTH OF DRIVEWAY "E"	96" SD IN UNSER BLVD.	/	/	/

SIA Sequence #	COA DRC Project #	Size	Type of Improvement	Location	From	To	Private Inspector	City Inspector	City Cnst Engineer
		18" DIA	CURB TYPE STORM DRAIN INLET & CONNECTOR PIPE TO 90" SD IN BRIDGE BLVD.	BRIDGE BLVD.	APPROX 64LF WEST OF DRIVEWAY "G"	90" SD IN BRIDGE BLVD.	/	/	/
							/	/	/

AGENT/OWNER

Racquel Michel — 6/24/2008
PREPARED BY: PRINT NAME — DATE

BOHANNAN HUSTON, INC.
FIRM:

Racquel Michel
SIGNATURE

MAXIMUM TIME ALLOWED TO CONSTRUCT IMPROVEMENTS WITHOUT A DRB EXTENSION

DEVELOPMENT REVIEW BOARD MEMBER APPROVALS

DRB CHAIR	7-9-08	PARKS & GENERAL SERVICES (Christina Sandoval)	7/9/08
TRANSPORTATION DEVELOPMENT	7/9/08	AMAFCA	DATE
UTILITY DEVELOPMENT	7/9/08	CITY ENGINEER (Bradley L. Bingham)	7/9/08
			DATE

DESIGN REVIEW COMMITTEE REVISIONS

REVISION	DATE	DRC CHAIR	USER DEPARTMENT	AGENT/OWNER
1	9-5-08			

9ou

POWER OF ATTORNEY

NOTE: Must be signed and notarized
by the owner if the subdivider
is not the owner of the Subdivision.

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

Sandia Plaza Partners, LLC, A New Mexico Limited Liability Company ("Owner"), of [address:] 5850 Eubank Blvd. NE [City:] Albuquerque , [state:] New Mexico [zip code:] 87111 , hereby makes, constitutes and appoints Armstrong Central Unser Blvd. LLC, A New Mexico Limited Liability Company ("Subdivider") as my true and lawful attorney in fact, for me and in my name, place and stead, giving unto the Subdivider full power to do and perform all and every act that I may legally do through an attorney in fact, and every proper power necessary to meet the City of Albuquerque's ("City") subdivision requirements regarding the real estate owned by me and described in Section 1 of the Subdivision Improvements Agreement ("Agreement") above, including executing the Agreement and related documents required by the City, with full power of substitution and revocation, hereby ratifying and affirming what the Subdivider lawfully does or causes to be done by virtue of the power herein conferred upon the Subdivider.

This power of attorney can only be terminated: (1) by a sworn document signed and notarized by the Owner, which shall be promptly delivered to the City Planner in order to provide notice to City of the termination of this power of attorney; or (2) upon release of the Agreement by the City.

NOTE: Alternate wording may be acceptable, but must be submitted to the City Legal Department for review and approval before the final contract package is submitted to the City for review. The City may require evidence of ownership and/or authority to execute the Power of Attorney, if the Owner is not the Subdivider. If Owner is a corporation, the Power of Attorney must be signed by the president or by someone specifically empowered by the Board of Directors, in which case the corporate Secretary's certification and a copy of the Board's resolution empowering execution must accompany this document.

OWNER- Sandia Plaza Partners, LLC

By _____

Name: Traci J. Wolf
Title: Managing Member

Dated: 9/11/08

The foregoing Power of Attorney was acknowledged before me this 11th day of September, 2008 by Traci J Wolf, Managing Member of Sandia Plaza Partners LLC. on behalf of the Owner.

My Commission Expires:
3-24-2012

Sally Salazar-Cass
Notary Public

OFFICIAL SEAL
Sally Salazar-Cass
NOTARY PUBLIC
STATE OF NEW MEXICO
My Commission Expires: _____

Doc# 2008103547
09/18/2008 03:48 PM Page: 1 of 1
PAT R:$9.00 M. Toulouse Oliver, Bernalillo County

FINANCIAL GUARANTY AMOUNT

07/31/2008

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

Project Description:

Project ID #: 735684, Unser Crossing, Phase/Unit #: 1

Requested By: **Bruce Stidworthy, PE - Bohannan Huston Inc.**

Approved estimate amount:		$2,461,817.00
Contingency Amount:	10.00%	$246,181.70
Subtotal:		$2,707,998.70
NMGRT	6.75%	$182,789.92
Subtotal:		$2,890,788.62
Engineering Fee	6.60%	$190,792.05
Testing Fee	2.00%	$57,815.77
Subotal:		$3,139,396.49
FINANCIAL GUARANTY RATE		1.25
Retainage Amount:		$.00
TOTAL FINANCIAL GUARANTY REQUIRED		**$3,924,245.61**

APPROVAL: DATE:

Stephen Woodall 7/31/08

Notes: SIA B (1), Includes roadway improvements, 10% contingency, plans and final eng est have not been approved.

The Huntington National Bank
The Times Building
336 Fourth Ave., Suite 2
Pittsburgh, PA 15222

Huntington

Ed Adams
Chief Administrative Officer
City of Albuquerque
P.O. Box 1293
Albuquerque, NM 87103

September 18, 2008

RE: Loan Reserve for Armstrong Central Unser Blvd., a New Mexico limited liability company
City of Albuquerque Project No.: 735684
Project Name: Unser Crossings

Dear Dr. Adams:

This is to advise the City of Albuquerque ("City") that, at the request of Armstrong Central Unser Blvd., a New Mexico limited liability company, The Huntington National Bank("Financial Institution") in Columbus, Ohio, holds as a loan reserve the sum of Three Million Nine Hundred Twenty Four Thousand Two Hundred Forty Five and 61/100 Dollars ($3,924,245.61) ("Loan Reserve") for the exclusive purpose of providing the financial guaranty which the City requires Armstrong Central Unser Blvd., a New Mexico limited liability company ("Subdivider") to provide for the installation of the improvements which must be constructed at Unser Crossings, Project No. 735684 ("Project"). The amount of the Loan Reserve is 125% of the City's estimated cost of the Project, as required by the City's Subdivision Ordinance. The improvements are identified in the agreement between the City of Albuquerque and Subdivider, which was recorded on September 18, 2008 in the records of the Clerk of Bernalillo County, New Mexico in Book Misc. NA, pages NA to NA — Doc. #2008103546 ("Agreement"). This letter shall be effective on the date that the Agreement is recorded.

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

John E. Clingan, Vice President
Commercial Real Estate Group 412-227-6503

2. Liability of Financial Institution. Although the City may approve the Financial Institution's release of a part of the loan reserves, the approval will not constitute the City's final acceptance of part or all of the Project. However, no matter what agreement exists between the Subdivider and the City, the total liability of the Financial Institution to the City with respect to the loan reserves established pursuant to this Loan Reserve Letter shall at all times be limited to the lesser of the amount stated in this Loan Reserve Letter or the latest Reduced Loan Reserve Balance authorized in writing by the City, and the Financial Institution's liability to the City under this Loan Reserve Letter shall cease upon termination of the loan reserve as provided in Section 4. herein.

3. Draw on Reserve. If by September 9, 2010, the improvements described in the Agreement have not been fully installed, inspected, approved and accepted by the City, then, upon presentation between September 9, 2010, and November 8, 2010, inclusive, the City may demand payment from the Financial Institution up to the lesser of the amount stated in this Loan Reserve Letter or the latest Reduced Loan Reserve Balance authorized in writing by the City. The City may demand payment by delivering to the Financial Institution a certified "Demand for Payment" executed by the CAO or the CAO's authorized designee, which shall state that the Subdivider has failed to comply with the terms of the Agreement and also shall state the estimated cost of completing the improvements specified in the Agreement ("Estimated Cost of Completion"). Upon receipt of the Demand for Payment, the Financial Institution promptly shall draw from the loan reserves by cashier's check to the City of Albuquerque the amount of 125% of the estimated cost of completion, not to exceed the lesser of the total Loan Reserve amount stated in this Loan Reserve Letter or the latest Reduced Loan Reserve Balance authorized in writing by the City. The Financial Institution shall deliver the cashier's check promptly to the City.

Financial Institution acknowledges and agrees that in the event Subdivider assigns the Agreement to Lowe's Home Centers, Inc., a North Carolina corporation ("Lowe's"), Lowe's shall be permitted to use this Financial Guaranty as if it were the originally named Subdivider.

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

A. Sixty (60) days after the City accepts the completed improvements specified in the Agreement; or

B. City delivery of the Demand for Payment and the Financial Institution's payment to the City by cashier's check as required in Section 3 herein; or

C. Expiration of the date November 8, 2010; or

D. Written termination of this Loan Reserve Letter, signed by the Chief Administrative Officer of the City.

Very truly yours,

The Huntington National Bank

By: _____
John E. Clingan
Title: Vice President Commercial Real Estate Group

ACCEPTED:
CITY OF ALBUQUERQUE

By: _____ 9/11/08
Ed Adams
Dated: 9-17-08

9-15-08

John E. Clingan, Vice President
Commercial Real Estate Group 412-227-6503

City of Albuquerque
Planning Department
Interoffice Memo

Date: 24 June 2008

To: Jack Cloud, DRB Chair

From: Russell Brito, Dev. Rvw. Div. Mngr.

RE: Project # 1007204 (Site development plans for subdivision and building permit)

The submitted site development plans address, comply and integrate most of the EPC's Conditions of Approval except as follows:

07EPC-40034

Condition 11.
Final City Council approval of the accompanying sector development plan map amendment (08EPC-40035) is required prior to final DRB sign-off.

Condition 10.
Please ensure that these items are addressed to the satisfaction of the City Engineer.

07EPC-40035

Condition 7.c.
Street trees need to be shown between the curb and sidewalk in a minimum 6' wide planting area along Unser Boulevard.

The 75% live ground cover requirement needs to be changed to 80%.

Condition 11.a.
Colors need to be called out on elevation sheets A-108A and A-108B.

Condition 11.b.
The statement "representation of design intent" needs to be removed from the "Lowe's" elevation sheets.

Condition 11.d.
Additional façade articulation is needed on the rear elevation on sheet A-108A.

Condition 11.e.
Need detail drawings for plazas 5 and 6.

Condition 13.a.
Signed maintenance agreement needs to accompany this submittal.

Condition 14.b.
Materials and colors of dumpster enclosure need to be noted.

Current DRC
Project No. _____

Date Submitted: June 24, 2008
Date Site Plan for Bldg Permit Appr _____
Date Site Plan for Sub. Approved: _____

Date Preliminary Plat Approved: _____

Date Preliminary Plat Expires: _____

Figure 12

INFRASTRUCTURE LIST

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

DRB Project No. 1007204

Unser Crossing

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

SIA Sequence #	COA DRC Project #	Size	Type of Improvement	Location	From	To	Private Inspector	City Inspector	City Cnst Engineer
			PUBLIC ROADWAY IMPROVEMENTS						
		11' FC-EOA	LENGTHEN EXISTING NORTH BOUND RIGHT TURN LANE (APPROX. 115 LF): PAVED ROADWAY, STRIPING, CURB AND GUTTER, 6' SIDEWALK	UNSER BLVD. (EAST SIDE OF ROW).	240' SOUTH OF LOS VOLCANES RD.	LOS VOLCANES RD.	/	/	/
		N/A	TRAFFIC SIGNAL MODIFICATIONS	INTERSECTION OF CENTRAL AVE & UNSER BLVD.			/	/	/
		11' - 12'	WEST BOUND THRU LANE: PAVED ROADWAY, STRIPING, CURB AND GUTTER (APPROX. 1,500 LF)	CENTRAL AVE.	500' EAST OF UNSER BLVD.	DRIVEWAY "B"	/	/	/
		12' FC-EOA	100LF WEST BOUND LEFT TURN LANE AND MEDIAN OPENING: PAVED ROADWAY, STRIPING, CURB AND GUTTER	CENTRAL AVE. AT DRIVEWAY "B"			/	/	/
		N/A	NEW TRAFFIC SIGNAL	CENTRAL AVE. AT DRIVEWAY "B"			/	/	/
		12' FC-EOA	EAST BOUND RIGHT TURN DECEL LANE: PAVED ROADWAY, STRIPING, CURB AND GUTTER , 6' SIDEWALK (APPROX 100 LF)	CENTRAL AVE. AT DRIVEWAY "B"			/	/	/
		6' WIDE	BIKE LANE INCL PAVEMENT, STRIPING, CURB AND GUTTER, 6' SIDEWALK	CENTRAL AVE.	86TH ST.	UNSER BLVD.	/	/	/
		N/A	NEW TRAFFIC SIGNAL	CENTRAL AVE AT 86TH ST			/	/	/

SIA Sequence #	COA DRC Project #	Size	Type of Improvement	Location	From	To	Private Inspector	City Inspector	City Cnst Engineer
		11' - 12'	LENGTHEN WEST BOUND LEFT TURN LANE TO 600 LF: PAVED ROADWAY, STRIPING, CURB AND GUTTER (APPROX. 370 LF)	CENTRAL AVE.	600' EAST OF 86TH ST.	86TH ST.	/	/	/
			EAST 1/2 STREET PERMANENT IMPROVEMENTS TO PROVIDE FOR 6' BIKE LANE, 12' NORTHBOUND LANE, 14' CONTINUOUS CENTER LEFT TURN LANE, CURB AND GUTTER, 6' SIDEWALK	86TH ST.	BRIDGE BLVD.	CENTRAL AVE.	/	/	/
		11' - 12'	NORTH BOUND RIGHT TURN LANE: PAVED ROADWAY, STRIPING, CURB AND GUTTER, 6' SIDEWALK (APPROX. 100 LF)	86TH ST.	100' SOUTH OF CENTRAL AVE.	CENTRAL AVE.	/	/	/
		11' - 12'	NORTH BOUND LEFT & THRU LANE: PAVED ROADWAY, STRIPING (APPROX. 100 LF)	86TH ST.	100' SOUTH OF CENTRAL AVE.	CENTRAL AVE.	/	/	/
			NORTH 1/2 STREET PERMANENT IMPROVEMENTS TO PROVIDE FOR 6' BIKE LANE, 12' WESTBOUND LANE AND 14' CONTINUOUS CENTER LEFT TURN LANE, CURB AND GUTTER, 6' SIDEWALK	BRIDGE BLVD.	BOUNDARY OF SITE	86TH ST.	/	/	/
		N/A	TRAFFIC SIGNAL MODIFICATIONS	INTERSECTION OF UNSER BLVD. & BRIDGE BLVD.			/	/	/
			WEST 1/2 STREET PERMANENT IMPROVEMENTS INCLUDING TWO SOUTHBOUND LANES, 6' BIKE LANE, CURB AND GUTTER, 6' SIDEWALK	UNSER BLVD.	CENTRAL AVE.	DRIVEWAY "E"	/	/	/
		11' - 12'	NORTH BOUND LEFT TURN LANE: PAVED ROADWAY, STRIPING, CURB AND GUTTER, 6' SIDEWALK (APPROX. 200 LF)	UNSER BLVD.	200' SOUTH OF DRIVEWAY "E"	DRIVEWAY "E"	/	/	/
		11' - 12'	SOUTH BOUND RIGHT TURN LANE: PAVED ROADWAY, STRIPING, CURB AND GUTTER, 6' SIDEWALK (APPROX. 100 LF)	UNSER BLVD.	100' NORTH OF DRIVEWAY "E"	DRIVEWAY "E"	/	/	/
		11' - 12'	NORTH BOUND AND SOUTH BOUND LEFT TURN LANE: PAVED ROADWAY, STRIPING, CURB AND GUTTER (APPROX. 100 LF)	86TH ST.	100' NORTH AND 100' SOUTH OF BRIDGE BLVD.	BRIDGE BLVD.	/	/	/

SIA Sequence #	COA DRC Project #	Size	Type of Improvement	Location	From	To	Private Inspector	City Inspector	City Cnst Engineer
							/	/	/
			PUBLIC SANITARY SEWER IMPROVEMENTS						
		8" DIA	SANITARY SEWER LINE WITH MH & SERVICES, AS REQUIRED	MAIN EAST-WEST SITE DRIVE	EAST TERMINUS OF CITY PROJECT #7356.82-07	UNSER BLVD.	/	/	/
							/	/	/
			PUBLIC WATERLINE IMPROVEMENTS						
		12" DIA	ABANDON EXISTING WATERLINE IN VOLCANO RD	VOLCANO RD.	CENTRAL AVE.	UNSER BLVD.	/	/	/
		12" DIA	WATERLINE W/ NEC. VALVES, MJ'S & RJ'S	UNSER BLVD.	VOLCANO RD.	CENTRAL AVE.	/	/	/
		10" DIA	WATERLINE W/ NEC. VALVES, FH'S, MJ'S & RJ'S	MAIN EAST-WEST SITE DRIVE	86TH ST.	UNSER BLVD.	/	/	/
		10" DIA	WATERLINE W/ NEC. VALVES, FH'S, MJ'S & RJ'S	SITE DRIVES	CENTRAL AVE.	BRIDGE BLVD.	/	/	/
							/	/	/
			PUBLIC STORM DRAIN IMPROVEMENTS						
		5' X 20'	JUNCTION BOX AND STORM DRAIN	NW CORNER OF SITE	CULVERTS OUTFALLING ACROSS CENTRAL AVE.	STORM DRAIN IN UNSER BLVD.	/	/	/
		18" DIA	CURB TYPE STORM DRAIN INLET & CONNECTOR PIPE TO 78" SD IN UNSER BLVD.	CENTRAL AVE.	APPROX 200LF EAST OF DRIVEWAY "C"	78" SD IN UNSER BLVD.	/	/	/
		18" DIA	CURB TYPE STORM DRAIN INLET & CONNECTOR PIPE TO 96" SD IN UNSER BLVD.	UNSER BLVD.	APPROX 500LF NORTH OF DRIVEWAY "E"	96" SD IN UNSER BLVD.	/	/	/
		18" DIA	CURB TYPE STORM DRAIN INLET & CONNECTOR PIPE TO 96" SD IN UNSER BLVD.	UNSER BLVD.	APPROX 50LF NORTH OF DRIVEWAY "E"	96" SD IN UNSER BLVD.	/	/	/

SIA Sequence #	COA DRC Project #	Size	Type of Improvement	Location	From	To	Private Inspector	City Inspector	City Cnst Engineer
		18" DIA	CURB TYPE STORM DRAIN INLET & CONNECTOR PIPE TO 90" SD IN BRIDGE BLVD.	BRIDGE BLVD.	APPROX 64LF WEST OF DRIVEWAY "G"	90" SD IN BRIDGE BLVD.	/	/	/
							/	/	/

AGENT/OWNER

Racquel Michel 6/24/2008
PREPARED BY: PRINT NAME DATE

BOHANNAN HUSTON, INC.
FIRM:

Racquel Michel
SIGNATURE

MAXIMUM TIME ALLOWED TO CONSTRUCT IMPROVEMENTS WITHOUT A DRB EXTENSION

DEVELOPMENT REVIEW BOARD MEMBER APPROVALS

DRB CHAIR	DATE	PARKS & GENERAL SERVICES	DATE
TRANSPORTATION DEVELOPMENT	DATE	AMAFCA	DATE
UTILITY DEVELOPMENT	DATE	CITY ENGINEER	DATE
			DATE

DESIGN REVIEW COMMITTEE REVISIONS

REVISION	DATE	DRC CHAIR	USER DEPARTMENT	AGENT/OWNER

Bohannan Huston

DSA
Darren Sowell
ARCHITECTS

ARMSTRONG DEVELOPMENT
PROPERTIES, INC.

June 17, 2008

City of Albuquerque
Development Review Board
Planning Department
Jack Cloud, Chairman
600 2nd St. NW
Albuquerque, New Mexico 87103

FILE: Project# 1007204 – UNSER CROSSING
O8EPC-40034 SITE DEVELOPMENT – SUBDIVISION
08EPC-40035 SITE DEVELOPMENT- BUILDING PERMIT
08EPC-40039 AMEND SECTOR DEVELOPMENT MAP

On May 15, 2008 the Environmental Planning Commission voted to approve Project 1007204/08EPC 40034, a site development plan for subdivision and site development plan for building permit, for Tracts 1A, 1B, 2A, 2B, 3A, 3B, 4B, and 6 V.E. Barrett Subdivision and Tracts 4-A-1, 5-B-1, 5-B-2, Lands of WEFCO Partners, based on the Conditions addressed below.

We respectfully request that in addition to granting final approval to the Site Plan for Subdivision and Site Plan for Building Permit, you review the submitted sketch plat. This is being submitted in order to allow you to review the plat simultaneously with the site plan drawings. The plat's purpose will be to subdivide the land in accordance with the Site Plan for Subdivision which was reviewed and approved by the EPC. The plat will also vacate and grant easements and dedicate right-of-way.

With this submittal, we are requesting approval of both the Site Plan for Subdivision and the Site Plan for Building Permit with delegation. In addition, we are requesting approval of the infrastructure list as required to proceed with the SIA process. We understand that delegation will be required until the SIA is recorded and the zone change is formally approved through the city council and LUPZ process.

SITE DEVELOPMENT PLAN FOR SUBDIVISION:

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.

Response: We have proposed no changes to the site plan other than those requested by the EPC Commissioners which have been outlined in this response. We will provide the DRB with the required letter outlining this information as well.

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.

Response: The "Unser Crossing" team met with Mr. Russell Brito, Director of Development Review on June 9, 2008 for an initial review and have scheduled a subsequent meeting Monday, June 16, 2008 for final review to ensure that all conditions of approval have been satisfied.

3. Design Standards
   a. Future phases of development may be delegated to the DRB after EPC review of the first pad site.

Response: We understand and accept this condition.

   b. The applicant shall provide a note stating that all development on the site must comply with Zoning Code and West Route 66 Sector Development Plan Design Overlay Zone regulations and that where conflicts exist, the most restrictive shall apply.

Response: This note has been added to sheet G-101 under the Introduction paragraph.

   c. All references to the SU-2 zone shall be removed from the Design Standards.

Response: All references to SU-2 have been removed from the Design Standards.

   d. A clear statement shall be added to the Permitted Uses section stating that any C-2 conditional uses proposed for the site will require a Conditional Use Permit.

Response: This note has been added to sheet G-101 section (2) Permitted Uses.

   e. Streetscape: The applicant shall insert the statement that streetscape will also encourage nearby residents to walk rather than drive to Unser Crossing.

Response: This note has been added to sheet G-101 section (B) Streetscape.

   f. Parking:
      i. The statement prohibiting on-street parking shall be removed.

Response: This statement has been removed from sheet G-101 section (C) Parking.

      ii. The statement regarding compliance with the big box ordinance shall be removed from the second bullet point.

Response: This statement has been removed from sheet G-101 section (C) Parking

      iii. A standard shall be added stating that parking shall be placed on at least two sides of a building within a particular lot and, if possible, shall not dominate the building or street frontage.

Response: This statement has been added to sheet G-101 section (C) Parking.

      iv. The statement regarding employee parking shall be removed.

Response: This statement has been removed from sheet G-101 section (C) Parking.

      v. A note shall be added stating that trees shall be provided in the parking areas per the requirements of the West Route 66 Sector Development Plan Design Overlay Zone.

Response: This statement has been added to sheet G-101 section (C) Parking.

   g. Site Landscape:
      i. The applicant shall state when the hardscape palette will be selected and by whom.

Response: This statement has been added to sheet G-101 section (E) Site Landscape.

ii. The first bullet point shall not state specific zoning code section and shall additionally state that landscape plans shall also comply with the West Route 66 Sector Development Plan Design Overlay Zone.

Response: This statement has been modified to reflect the above on G-101 section (E) Site Landscape.

h. Commons Area: This section shall be removed.

Response: This section has been removed from G-101.

i. Service/Loading Areas: The wall height required for screening of service/loading shall be changed to 8' at the loading dock areas.

Response: This statement has been added to sheet G-102 section (I) Architecture/ Service Loading Areas and a typical screen wall detail has been added to the plans.

j. Building Articulation/Design: Design requirements shall be added to make the rears of buildings attractive to the same standard as the sides of buildings.

Response: This has been added to sheet G-102 section (I) Architecture/ Building Articulation. The elevations have been modified to incorporate a more attractive rear facing elevations.

k. Portable Buildings: Temporary portable buildings shall also be prohibited.

Response: This statement has been added to sheet G-102 section (I) Architecture/ Portable Buildings.

l. Sustainability: The applicant shall add information regarding access to transit and safe and convenient pedestrian connections in order to facilitate multi-modal transportation.

Response: This statement has been added to sheet G-102 section (I) Architecture/Sustainability.

m. Lighting: Maximum lighting height shall be 20' unless the Zoning Hearing Examiner approves a variance.

Response: We applied for a variance with the ZHE on June 9, 2008 – Application # 08-ZHE-80263.

4. Signage Master Plan shall return to the EPC for review and approval:

Response: We submitted an EPC Application for an Amended Site Development Plan for Subdivision (Sign Package) on June 5, 2008 – Application Case # 08EPC-40063

i. Off-premise signs shall be added to the list of prohibited signs. Temporary banner signs for special events may be allowed with an Administrative Amendment.
ii. The statement "signs will not be permitted to be installed or placed along the perimeter of the property" shall be removed.
iii. A note shall be added stating that all signage shall comply with regulations of the Zoning Code and the West Route 66 Sector Development Plan Design Overlay Zone unless the Zoning Hearing Examiner approves a variance.
iv. A note shall be added stating that signage facing residential areas shall not be illuminated.

5. Transit:

I. The applicant shall include information regarding all of the bus routes that serve the subject site.

Response: A note was added to the Site Plan for Building Permit (sheet C001) regarding bus routes that serve the site.

II. Applicant shall coordinate with the Transit Department about possible participation in Transportation Demand Management (TDM) programs.

Response: A meeting between the project team and Andrew De Garmo took place on Monday June 16, 2008 to coordinate participation in the Transportation Demand Management program also known as the Business Partnership Program. ABQ Ride and the Developer are working on drafting a program that will benefit transit users in the area.

6. Drive-Up Service Windows: The total number of permitted drive-up service windows shall be limited to 4, with the number of adjacent drive-up service window uses limited to two. Drive-up window uses may include a bank, pharmacy and a maximum of two "quick-serve restaurants."

Response: We accept this condition and have noted this condition in our Design Standards, Sheet G-103 section (N) Drive-Up Service Windows.

7. Wireless Telecommunications Facilities: Any allowance for wireless telecommunications facilities shall require architectural integration.

Response: This statement has been added to sheet G-103 section (O) Wireless Telecommunications Facilities.

8. The site development plan for subdivision shall be made to match the approved site development plan for building permit.

Response: These changes have been made and are reflected in the Site Development Plan for Subdivision and the Site Development Plan for Building Permit.

9. Final approval of the corresponding map amendment to the West Route 66 Sector Development Plan (08EPC 40039) by the City Council is required prior to final sign-off of the site development plan for subdivision at the DRB.

Response: We understand this requirement and are currently tracking the process for the map amendment.

10. City Engineer Conditions:
    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. Comment continued on next page. 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).

Response: All required permanent infrastructure improvements will be included in the Infrastructure List and will be constructed to City Standards.

    b. Per Transportation Development Staff, completion of the required system improvements that are attributable to the development, as identified in the TIS, is required.

Response: All required permanent infrastructure improvements will be included in the Infrastructure List and will be constructed to City Standards.

    c. Page 7, 10C and page 15, 18C, The width of the drive aisle between the landscape island and the parking area behind retail shops 7C and 7C2 shall be a maximum 35' to minimize the crossing distance for the pedestrian walkway by adding additional parking.

Response: The width of the aisle has been modified to 35' and is shown on the Site Plan for Building Permit (sheet C001).

    d. Provide adequate site distance at service drives along Bridge Boulevard adjacent to 6' screen wall.

Response: It has been confirmed that adequate sight distance is provided at all service drives.

    e. According to the TIS, there are six uses with drive-thru windows. Therefore, the applicant should provide the entire site plan for the purpose of reviewing site circulation.

Response: The conceptual future pad site circulation has been shown on the Site Plan for Building Permit (sheet C001) for illustrative purposes. All pad sites will return to DRB for technical review of site circulation.

f. Site drives to be designed and located per the recommendations in the TIS.

Response: The site drives have been designed and located per recommendations in the TIS. (See sheet C001)

g. Provide truck route and turning information on site plan. Service drives and loading areas to be designed accordingly.

Response: Truck route and turning information has been provided to the transportation department.

h. Provide cross access to Tracts 7 and 8 (designated as not a part on site plan), to site drive aisles that provide connections with Unser and Bridge Boulevards. Provide applicable cross access agreements.

Response: A 24 ft wide access easement will be granted with the re-plat of this property.

i. A concurrent platting action will be required at DRB.

Response: A re-plat of this property is in progress and will be submitted to the DRB.

j. Site plan shall comply and be designed per DPM Standards.

Response: It has been confirmed that the site plan has been designed per DPM Standards.

k. Dedication of right-of-way from the centerline of Unser Boulevard a limited access, principal arterial as designated on the Long Range Roadway System map.

Response: Right of way requirements have been coordinated with the transportation development department and the necessary right of way will be granted with a re-plat of the property.

l. Dedication of right-of-way from the centerline of Central Avenue a Principal arterial as designated on the Long Range Roadway System map.

Response: Right of way requirements have been coordinated with the transportation development department and the necessary right of way will be granted with a re-plat of the property.

m. Dedication of right-of-way from the centerline of Bridge Boulevard a Collector Street as designated on the Long Range Roadway System map.

Response: Right of way requirements have been coordinated with the transportation development department and the necessary right of way will be granted with a re-plat of the property.

n. Dedication of an additional 6 feet of right-of-way along Unser Boulevard, Central Avenue, Bridge Boulevard and 86th Street as required by the City Engineer to provide for on-street bicycle lanes.

Response: Right of way requirements have been coordinated with the transportation development department and the necessary right of way will be granted with a re-plat of the property.

o. Construction of the bicycle lanes along Unser Boulevard, Central Avenue, Bridge Boulevard and 86th Street adjacent to the subject property, as designated on Long Range Bikeways System map.

Response: Construction of bicycle lanes requirements have been coordinated with the transportation development department and will be included in the infrastructure list.

SITE DEVELOPMENT PLAN FOR BUILDING PERMIT:

On May 15, 2008 the Environmental Planning Commission voted to approve Project 1007204/08EPC 08EPC 40035, a site development plan for building permit, for Tracts 1A, 1B, 2A, 2B, 3A, 3B, 4B, and 6 V.E. Barrett Subdivision and Tracts 4-A-1, 5-B-1, 5-B-2, Lands of WEFCO Partners, based on the following Findings and subject to the following Conditions:

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.

Response: We have proposed no changes to the site plan other than those requested by the EPC Commissioners which have been outlined in this response. We will provide the DRB with the required letter outlining this information as well.

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.

Response: The "Unser Crossing" team met with Mr. Russell Brito, Director of Development Review on June 9, 2008 for an initial review and have scheduled a subsequent meeting Monday, June 16, 2008 for final review to ensure that all conditions of approval have been satisfied.

3. Parking:
   a. The motorcycle spaces shall be located in an area that is visible from the entrance of the building on the site.

Response: The motorcycle spaces have been moved to be located close to the building entrance. (See sheet C001)

   b. A detail drawing of the proposed motorcycle signage shall be provided.

Response: A detail of the motorcycle signage has been added, see detail 8, sheet C002.

   c. Add a column to the parking calculations chart totaling the number of required parking spaces for each building group to match the groupings in the "Parking Provided" column. If the minimum parking required for the site cannot be met, then the applicant shall request a variance from the Zoning Hearing Examiner.

Response: An additional column has been added to show the building groupings meet the parking requirements. (See sheet C001)

   d. Adjust building square footages in the parking calculation chart to match those shown on the site plan.

Response: Building square footages have been adjusted.

   e. The row of disabled parking spaces south of Retail 1 shall be located closer to the entrance of Retail 1 or Retail 7B.

Response: The referenced row of disabled parking spaces serve Retail 7A and have been moved.

   f. Some of the disabled parking spaces adjacent to Retail 5 shall be located near Retail 4.

Response: Two of the disabled parking spaces have been moved closer to Retail 4.

   g. Parking shall be located on at least 2 sides of each building.

Response: Parking is located on 2 sides of the building where possible.

4. Site Plan:
    a. Note 1 shall be revised to remove the statement "if a truck bay is located within 300 feet of a residential structure."

Response: The above note has been revised. See sheet C001

    b. Future phases of development may be delegated to the DRB after EPC review of the first pad site.

Response: A note to this effect has been added to the site plan, sheet C001.

    c. Pedestrian walkways through the parking lots shall align with building entrances where possible.

Response: Pedestrian walkways have been aligned where possible.

    d. Additional cart storage areas shall be provided throughout the site where necessary, and parking calculations shall be revised accordingly.

Response: Cart storage is a tenant driven request. Since there is more parking than is required, spaces may be used as cart storage in the future.

    e. Pervious paving shall be used in plaza areas, along building facades, and along pedestrian walkways.

Response: We have added a detail to satisfy the condition requiring a form of pervious paving to sheet LS-102/ Permeable Paving Detail.

5. Transit:
    a. All adjacent bus stops (including those on opposite sides of the street) shall be shown on the site plan.

Response: A note to this effect has been added to the site plan, sheet C001.

    b. Direct connections shall be provided to each adjacent bus stop.

Response: Future connections have been shown on sheet C001.

    c. A transit feasibility plan shall be provided as per West Side Strategic Plan Policy 1.2 and in coordination with the Transit Department.

Response: We have included a Transit feasibility/ access plan per the requirements of the WSSP.

    d. A new stop on Central Avenue just east of the western most driveway will provide access to the site via the #54 and the #66. A new stop on Unser north of the Unser driveway will provide access via the #54. These shall be shown on the site plan and incorporated into the site design as approved by the Transit Department

Response: These stops are shown on the site plan, sheet C001.

    e. The applicant shall install bus shelters and associated trash cans and benches at both stops, as reflected in the Site Plan for Subdivision's section M (Transit Facilities), and as approved by the transit department.

Response: A note to this effect has been added to the site plan, sheet C001.

    f. If posted speed limits adjacent to the site on Central will remain over 45 mph, then the applicant install a bus bay for the new stop on Central Avenue, if required by the Transit Department.

Response: After speaking with traffic operations, this site will generate enough traffic to warrant a lower speed limit, therefore, no bus bay is warranted.

6. Maximum lighting height shall be 20' unless the Zoning Hearing Examiner approves a variance.

Response: We have applied for a variance with the ZHE on June 9, 2008 – Application # 08-ZHE-80263.

7. Landscaping:
   a. Parking lot tree planters shall be placed such that not more than 15 side-by-side parking spaces shall be allowed between planters. For the purpose of calculating parking spaces, cart storage spaces and motorcycle spaces shall be included.

Response: Addressed on site plan and Landscape plan sheet LS-101

   b. The locations of trees, lighting, and signage shall be coordinated to prevent future conflict.

Response: All possible conflicts have been addressed.

   c. Move street trees along Bridge and along 86th behind sidewalk per street tree ordinance. Move sidewalk farther away from street creating planting area 6' wide or greater providing sufficient rooting area and place trees there for greater pedestrian safety, walkability, and environmental benefits. Same for sidewalk placement along Central and Unser. — Unser: street trees between curb and sidewalk

Response: Trees along Bridge and 86th have been moved behind sidewalk, sheet LS-101

   d. A street tree plan shall be provided for the entire lengths of Central and Unser.

LS-101: 75%-80% conflict

Response: Street Tree plan will be shown along Central and Unser, sheet LS-101

   e. Street trees along Central shall be species that will reach a height of 25 feet or less at maturity. (PNM comment).

Response: Trees along Central under power lines shall not be more than 25' in height at maturity. See Plant Legend, sheet LS-101.

   f. The note "Landscape to be determined by future tenant" shall be removed.

Response: This has been removed from sheet LS-101.

8. Walls and Fences:
   a. The wall height required for screening of service/loading shall be changed to 8' at the loading dock areas.

Response: This change has been reflected on the Site Plan for Building Permit - Sheet C-001 and added to the Design Standards on sheet G-102(I) Architecture/ Service Loading Areas. A typical screen wall detail has been added to the plans.

   b. Detail drawings of the proposed screen wall shall be provided, including information regarding materials and colors that match the building architecture.

Response: The screen wall detail has been provided on Sheet C-002.

9. Plaza areas:
   a. The square footage of each plaza space shall be indicated on the site plan.

Response: The square footages of all plaza space have been added to sheet C-001.

   b. Plaza calculations shall be revised to reflect regulations of the large retail facilities regulations (a collection of smaller buildings linked by common walls shall be considered one building). Plaza space for each building shall be located adjacent to or near the associated building.

Response: The grouping of the plaza area requirements on the table on sheet C-001 has been revised to follow the regulations of the Large retail Facilities ordinance. We have exceeded the required Plaza space for this development. The location of the Plazas are shown on the site plan and located in an appropriate location that will encourage the most use.

c. A minimum of 50% of the required public space shall be provided in the form of aggregate space as required by the Zoning Code's Large Retail Facility Regulations.

Response: Due to the size of this development there are multiple areas of aggregate space. All of these areas include 50% or more of the required public space. For example there is aggregate space near the site roundabout and also in the middle of building 7.

10. Grading, Drainage, and Utility Plan
    a. The detention pond shall be shallow to prevent the need for defensive security fencing, if technically feasible, yet has the capacity to manage storm waters in a 100-year event.

Response: The pond is shallow enough that no fencing is required. The pond has been designed per chapter 22.2 of the City of Albuquerque's DPM.

b. The retaining wall symbol shall be removed from the legend unless there is actually a retaining wall on the site.

Response: There is a retaining wall on the site which is shown on the grading plan, sheet C-101.

c. A detail drawing for the detention pond shall be provided. This ponding area shall be rotated 90 degrees and relocated parallel along the adjacent drive aisle and to be bisected by the proposed pedestrian walkway and as presented at the hearing.

Response: The pond has been rotated as requested.

11. Architecture:

a. Elevations shall state color names, shall correctly label each building, and shall use cardinal directions to label each façade.

Response: Additional information regarding color selections have been added to the Elevation notes on sheets A-101 through A-108C. Cardinal directions and labeling have been added as well.

Colors on A-108A/B

b. The statement on the Lowe's elevations regarding the "representation of design intent" shall be removed.

Response: Lowe's will remove this statement and replace with language approved by the DRB.

Not done

c. Colors and materials of service doors shall be indicated. High quality materials and treatments shall be used to enhance the aesthetic qualities of these doors.

Response: Color and material selections have been indicated on the Elevations, sheets A-101 through A-108C. <u>Note:</u> Sheets A-108A, A-108B and A-108C (Lowe's) have been modified to satisfy this condition, however, due to Lowes internal approval process the sheets will be turned in as a supplemental turn-in to the DRB package prior to the DRB Hearing. This was discussed with Russell Brito on Friday, June 13, 2008 and approved by Jack Cloud, DRB Chairperson via telephone conversation with Angela Benson on Friday, June 13, 2008 @ 11:21 am.

b. Similar treatments shall be used on rear elevations as are used on side elevations to meet the intent of Zoning Code §14-16-3-18.

Response: Elevation A-101 through A-108C have been modified to reflect treatments on the building rears per the Zoning Code 14-16-3-18. <u>Note:</u> Sheets A-108A, A-108B and A-108C (Lowe's) have been modified to satisfy this condition, however, due to Lowes internal approval process the sheets will be turned in as a supplemental turn-in to the DRB package prior to the DRB Hearing. This was discussed with Russell Brito on Friday, June 13, 2008 and approved by Jack Cloud, DRB Chairperson via telephone conversation with Angela Benson on Friday, June 13, 2008 @ 11:21 am.

Additional articulation needed on Rear Elev. Pg. 4108A

c. Outdoor seating and plaza space shall be provided as required by large retail facility regulations (§14-16-3-2) and Zoning Code §14-16-3-18.

Need detail drwngs. for Plazas 5+6

Response: Response: Per the referenced ordinance, plaza space has been included and per ordinance is linked to the main entrance. All additional plaza amenities, including outdoor seating, are shown on sheet LS-102.

d. Retail buildings 7C and 7C2 shall have windows facing the pedestrian plaza on their east and west facades, respectfully.

Response: Elevations for Retail Building 7C (sheet A-107C-1) and Retail Building 7C2 (sheet A-107C-1 and A-107D-1) have been modified to reflect this condition.

12. Signage Master Plan shall return to the EPC for review and approval:

Response: We submitted an EPC Application for an Amended Site Development Plan for Subdivision (Sign Package) on June 5, 2008 – Application Case # 08EPC-40063

a. All signage shall comply with the Signage Master Plan as approved by the EPC as part of the associated site development plan for subdivision (08EPC 40034).
b. Vehicular and pedestrian wayfinding sign program shall be included.
c. Allocation of signage for all tenants shall be described.

13. Maintenance Agreement:
a. The applicant shall sign a maintenance agreement with the City that is deemed appropriate by the Planning Director. (§14-16-3-2)

Not Yet complete

Response: The maintenance agreement was recently completed by the City and submitted to Armstrong for our review. Upon review and approval of the language, Armstrong is willing to sign a maintenance agreement.

b. The applicant shall add a note on the site development plan for building permit referencing the maintenance agreement.

Response: This note has been added to sheet C-001.

14. Solid Waste:
a. The site plan shall comply and be designed in accordance with Solid Waste Management requirements.

Response: The number and location of all refuse enclosures has already been coordinated with Michael Holten of the Solid Waste Department. The site plan will be approved by solid waste prior to submittal.

b. Detail drawings shall be provided of the proposed double refuse enclosure.

Materials & Colors needed

Response: The requested has been provided, see sheet C-002.

15. Final approval of the corresponding map amendment to the West Route 66 Sector Development Plan (08EPC 40039) by the City Council is required prior to final sign-off of the site development plan for building permit at the DRB.

Response: We understand this requirement and are currently tracking the process for the map amendment.

16. The applicant must request a Water/Sewer Availability statement. The Utility Plan shall be approved by the Water Utility Authority prior to DRB sign-off.

Response: A Water and Sanitary Sewer Availability Statement has been issued on May 29, 2008. (ABCWUA #80415)

17. PNM conditions: Access to the development along Central Avenue (driveways, curb cuts) needs to avoid the existing PNM structures. If any of the PNM structures are required to be located due to this project, the developer must pay for the cost of relocation. Any changes or realignment of the existing overhead or underground distribution lines will be at the customer's expense.

Response: We understand and accept this condition.

18. City Engineer Conditions:
    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. Comment continued on next page. 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).

Response: All required permanent infrastructure improvements will be included in the Infrastructure List and will be constructed to City Standards.

b. Per Transportation Development Staff, completion of the required system improvements that are attributable to the development, as identified in the TIS, is required.

Response: All required permanent infrastructure improvements will be included in the Infrastructure List and will be constructed to City Standards.

c. Page 7, 10C and page 15, 18C, The width of the drive aisle between the landscape island and the parking area behind retail shops 7C and 7C2 shall be a maximum 35' to minimize the crossing distance for the pedestrian walkway by adding additional parking.

Response: The width of the aisle has been modified to 35' and is shown on the Site Plan for Building Permit (sheet C001).

d. Provide adequate site distance at service drives along Bridge Boulevard adjacent to 6' screen wall.

Response: It has been confirmed that adequate sight distance is provided at all service drives.

e. According to the TIS, there are six uses with drive-thru windows. Therefore, the applicant should provide the entire site plan for the purpose of reviewing site circulation.

Response: The conceptual future pad site circulation has been shown on the Site Plan for Building Permit (sheet C001) for illustrative purposes. All pad sites will return to DRB for technical review of site circulation.

f. Site drives to be designed and located per the recommendations in the TIS.

Response: The site drives have been designed and located per recommendations in the TIS. (See sheet C001)

g. Provide truck route and turning information on site plan. Service drives and loading areas to be designed accordingly.

Response: Truck route and turning information has been provided to the transportation department.

h. Provide cross access to Tracts 7 and 8 (designated as not a part on site plan), to site drive aisles that provide connections with Unser and Bridge Boulevards. Provide applicable cross access agreements.

Response: A 24 ft wide access easement will be granted with the re-plat of this property.

i. A concurrent platting action will be required at DRB.

Response: A re-plat of this property is in progress and will be submitted to the DRB.

j. Site plan shall comply and be designed per DPM Standards.

Response: It has been confirmed that the site plan has been designed per DPM Standards.

k. Dedication of right-of-way from the centerline of Unser Boulevard a limited access, principal arterial as designated on the Long Range Roadway System map.

Response: Right of way requirements have been coordinated with the transportation development department and the necessary right of way will be granted with a re-plat of the property.

l. Dedication of right-of-way from the centerline of Central Avenue a Principal arterial as designated on the Long Range Roadway System map.

Response: Right of way requirements have been coordinated with the transportation development department and the necessary right of way will be granted with a re-plat of the property.

m. Dedication of right-of-way from the centerline of Bridge Boulevard a Collector Street as designated on the Long Range Roadway System map.

Response: Right of way requirements have been coordinated with the transportation development department and the necessary right of way will be granted with a re-plat of the property.

n. Dedication of right-of-way from the centerline of 86th Street a Collector Street as designated on the Long Range Roadway System map.

Response: Right of way requirements have been coordinated with the transportation development department and the necessary right of way will be granted with a re-plat of the property.

o. Dedication of an additional 6 feet of right-of-way along Unser Boulevard, Central Avenue, Bridge Boulevard and 86th Street as required by the City Engineer to provide for on-street bicycle lanes.

Response: Construction of bicycle lanes requirements have been coordinated with the transportation development department and will be included in the infrastructure list.

p. Construction of the bicycle lanes along Unser Boulevard, Central Avenue, Bridge Boulevard and 86th Street adjacent to the subject property, as designated on Long Range Bikeways System map.

Response: Construction of bicycle lanes requirements have been coordinated with the transportation development department and will be included in the infrastructure list.

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

Date: May 16, 2008

OFFICIAL NOTIFICATION OF DECISION

FILE: **Project# 1007204**
08EPC-40034 SITE DEVELOPMENT - SUBDIVISION
08EPC-40035 SITE DEVELOPMENT - BUILDG PRMT
08EPC-40039 AMEND SECTOR DEVELOPMENT PLAN MAP

Armstrong Development Properties
1500 N. Priest Drive, Suite 150E
Tempe, AZ 85281

LEGAL DESCRIPTION: for Tracts 1A, 1B, 2A, 2B, 3A, 3B, & 6, Barrett V.E. Subdivision and approval of Site Development Plans for the aforementioned tracts and Tracts 4-A-1, 4B, 5-B-1 & 5-B-2, Lands of WEFCO Partners, zoned SU-2/C-2, located on Central Avenue between Unser and 86TH ST SW, containing approx. 50 acres. (K-9 ,10/L-10) Anna DiMambro, Staff Planner

On May 15, 2008 the Environmental Planning Commission voted to recommend approval to the City Council Project 1007204/08EPC 40039, a request for a map amendment to the West Route 66 Sector Development Plan from "SU-1/C-2 (10 acres), O-1, and PRD 20 du/acre (7 acres)" to C-2, for Tracts 1A, 1B, 2A, 2B, 3A, 3B, and 6 V.E. Barrett Subdivision, based on the following Findings:

FINDINGS:

1. This is a request for a map amendment to the West Route 66 Sector Development Plan for Tracts 1A, 1B, 2A, 2B, 3A, 3B, and 6 V.E. Barrett Subdivision, an approximately 36 acre portion of a larger approximately 50 acre site located at the southwest corner of Central and Unser SW. The site is currently zoned SU-1/C-2 (10 acres), O-1, and PRD 20du/acre (7 acres) and is currently vacant. The applicant is proposing C-2 zoning for the entire site. Due to the acreage of the proposed zone change, this request will need to be approved by the City Council. The EPC is a recommending body in this case.

2. The applicant has submitted concurrent requests for a site development plan for subdivision and a site development plan for building permit for the larger 50-acre site. Retail uses are proposed for the entire site, including a health club.

3. The subject site is located within the Established Urban Area as designated by the Comprehensive Plan and is also within the boundaries of the West side Strategic Plan and the West Route 66 Sector Development Plan. The site is a designated Community Activity Center, and Central and Unser are both Enhanced Transit Corridors in this area.

4. This request furthers the following Comprehensive Plan goals and policies:
   a. This request will contribute to a full range of urban land uses (II.B.5a).
   b. The subject site is an appropriate location for the proposed intensity (II.B.5d).
   c. The proposed zoning will enable development of a vacant infill site that is contiguous to existing infrastructure. Site plan review due to the site's size will ensure the integrity of existing neighborhoods (II.B.5e).
   d. Employment and services uses on this site will complement the surrounding residential areas. Site plan review will ensure minimization of adverse effects of noise, lighting, pollution, and traffic on residential environments (II.B.5i).
   e. The proposed zoning will contribute to the efficient placement of services (Transportation and Transit goal).
   f. The proposed zoning will add to the economic diversity of the West Side (Economic Development goal).
   g. The proposed zoning will accommodate a wide range of occupational skills and salary levels (II.D.6a).
   h. The proposed zoning will enable development of a shopping center that may attract both local and outside businesses (II.D.6b).
   i. The proposed zoning will enable development of a shopping center that will create jobs and reduce the need to travel (II.D.6g).

5. This request partially furthers the following Comprehensive Plan policies:
   a. The applicant is requesting to eliminate the requirement for higher density housing in this designated Activity Center. While residential development is appropriate and encouraged, it is not required (II.B.5h and II.B.7i).
   b. The subject site is currently only partially commercially zoned (II.B.5j).
   c. The proposed location for this shopping center will be convenient for nearby residents, but mixed use is not being proposed (II.B.7a).
   d. Employment and services uses on this site will complement the surrounding residential areas. Site plan review will ensure minimization of adverse effects of noise, lighting, pollution, and traffic on residential environments (II.B.5i).
   e. The proposed zoning will add to the economic diversity of the West Side (Economic Development goal).
   f. The proposed zoning will accommodate a wide range of occupational skills and salary levels (II.D.6a).

6. This request furthers the following goals, objectives, and policies of the West Side Strategic Plan:
   a. The proposed zoning will allow West Side residents the opportunity to shop and play in the area where they live (Goal 10).
   b. Land uses on the West Side are currently unbalanced with a need for commercial uses (Objective 1).
   c. This zone change will promote job opportunities and business growth in an appropriate area (Objective 8).
   d. The proposed zoning will allow for urban style services (Policy 3.40).
   e. The proposed zoning will encourage employment growth (Policy 3.41).

7. The applicant has adequately justified this request based upon R-270-1980:
   a. The proposed C-2 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. . This is consistent with the health, safety, morals, and general welfare of the city (A).
   b. The Planning Department considers that the applicant has provided an acceptable justification for the change and has demonstrated that the requested zoning will not destabilize land use and zoning in the area because it is consistent with the zoning of many surrounding properties (B).
   c. The applicant cited a preponderance of applicable goals and policies of the Comprehensive Plan and the West Side Strategic Plan that are furthered by this request (C).
   d. The applicant has justified the change based on changed conditions and on the proposed use category being more advantageous to the community
      i. An 80-acre Regional Shopping Center, which was approved as part of the Atrisco Business Park Master Plan, was a factor in limiting the amount of commercial development that could take place on the subject site. This regional mall was never developed in this area. 100% commercial zoning on the subject site is appropriate to fill the gap in commercial zoning that was left when the regional mall was developed further north (2).
      ii. Overall, the applicant has cited a preponderance of policies that are furthered by this request (3).
   e. C-2 zoning is an appropriate zoning category for a Community Activity Center and that most of the allowable uses are innocuous (E).
   f. The applicant will be required to fund any associated infrastructure improvements (F).
   g. Economic considerations are not the determining factor for the request (G).
   h. While the location of the site is certainly a factor in this analysis, it is not the only justification for the proposed change (H).
   i. This request will not constitute a spot zone or a strip zone (I and J).

8. There is no known neighborhood or other opposition to this request. There is substantial support for this request from area residents and neighborhood associations.

On May 15, 2008 the Environmental Planning Commission voted to approve Project 1007204/08EPC 40034, a site development plan for subdivision, for Tracts 1A, 1B, 2A, 2B, 3A, 3B, 4B, and 6 V.E. Barrett Subdivision and Tracts 4-A-1, 5-B-1, 5-B-2, Lands of WEFCO Partners, based on the following Findings and subject to the following Conditions:

FINDINGS:

1. This is a request for a site development plan for subdivision with design standards for Tracts 1A, 1B, 2A, 2B, 3A, 3B, 4B, and 6 V.E. Barrett Subdivision and Tracts 4-A-1, 5-B-1, 5-B-2, Lands of WEFCO Partners an approximately 50-acre vacant site located at the southwest corner of Central and Unser SW. The site is currently zoned C-2 and SU-1/C-2 (10 acres), O-1, and PRD 20du/acre (7 acres).

2. The applicant is proposing to re-plat the existing 11 tracts into 14 tracts and proposes design standards.

3. The applicant has a submitted concurrent request for a map amendment to the West Route 66 Sector Development Plan for an approximately 36- acre portion of the site so that the entire site will be zoned C-2. The applicant has also submitted a concurrent request for a site development plan for building permit. Retails uses are proposed for the entire site, including a health club.

4. The subject site is located within the Established Urban Area as designated by the Comprehensive Plan and is also within the boundaries of the West side Strategic Plan and the West Route 66 Sector Development Plan. The site is a designated Community Activity Center, and Central and Unser are both Enhanced Transit Corridors in this area.

5. This request partially furthers the following Comprehensive Plan goals and policies:
   a. The applicant is proposing design standards that would regulate the use and design of these future pad sites. However, the site development plan for subdivision does not restrict the number of drive-thrus on the site. Restriction on the number of drive-thrus is crucial to maintain the integrity of the Activity Center and to protect the established residential neighborhoods from the traffic that will be drawn to and through the site thereby increasing vehicle/pedestrian conflicts (II.B.5k).
   b. While staff agrees that the location is convenient for residents, the proposed site plan consists mostly of larger parcels (II.B.7a).

6. This request furthers the following West Side Strategic Plan policy:
   a. This site is accessible by several major streets and is also served by 4 bus routes (Policy 1.14).

7. Delegation of future phases of development to the DRB is not appropriate in this case because of the importance of the properties adjacent to Central and Unser.

8. The submittal meets the Zoning Code's Large Retail Facility (LRF) Regulations (Section14-16-3-2 (D)) except for the block size specifics of subsection (3) Site Division. The subject site's dimensions result in irregular block sizes, which are appropriate because:
   a. The proposed block sizes achieve the intent of the LRF Regulations;
   b. The proposed design is appropriate for this location;
   c. The narrow side of the site abuts the adjacent 86th Street that provides a primary access
   d. The long side along Central Avenue has a major entrance that leads to a large, pedestrian-oriented entrance plaza for a group of buildings.

9. There is substantial support for this request from area residents and neighborhood associations.

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. Design Standards
   a. Future phases of development may be delegated to the DRB after EPC review of the first pad site.
   b. The applicant shall provide a note stating that all development on the site must comply with Zoning Code and West Route 66 Sector Development Plan Design Overlay Zone regulations and that where conflicts exist, the most restrictive shall apply.
   c. All references to the SU-2 zone shall be removed from the Design Standards.
   d. A clear statement shall be added to the Permitted Uses section stating that any C-2 conditional uses proposed for the site will require a Conditional Use Permit.
   e. Streetscape: The applicant shall insert the statement that streetscape will also encourage nearby residents to walk rather than drive to Unser Crossing.
   f. Parking:
      i. The statement prohibiting on-street parking shall be removed.
      ii. The statement regarding compliance with the big box ordinance shall be removed from the second bullet point.

iii. A standard shall be added stating that parking shall be placed on at least two sides of a building within a particular lot and, if possible, shall not dominate the building or street frontage.
iv. The statement regarding employee parking shall be removed.
v. A note shall be added stating that trees shall be provided in the parking areas per the requirements of the West Route 66 Sector Development Plan Design Overlay Zone.

g. Site Landscape:
   i. The applicant shall state when the hardscape palette will be selected and by whom.
   ii. The first bullet point shall not state specific zoning code section and shall additionally state that landscape plans shall also comply with the West Route 66 Sector Development Plan Design Overlay Zone.
h. Commons Area: This section shall be removed.
i. Service/Loading Areas: The wall height required for screening of service/loading shall be changed to 8' at the loading dock areas.
j. Building Articulation/Design: Design requirements shall be added to make the rears of buildings attractive to the same standard as the sides of buildings.
k. Portable Buildings: Temporary portable buildings shall also be prohibited.
l. Sustainability: The applicant shall add information regarding access to transit and safe and convenient pedestrian connections in order to facilitate multi-modal transportation.
m. Lighting: Maximum lighting height shall be 20' unless the Zoning Hearing Examiner approves a variance.

4. Signage Master Plan shall return to the EPC for review and approval:
   i. Off-premise signs shall be added to the list of prohibited signs. Temporary banner signs for special events may be allowed with an Administrative Amendment.
   ii. The statement "signs will not be permitted to be installed or placed along the perimeter of the property" shall be removed.
   iii. A note shall be added stating that all signage shall comply with regulations of the Zoning Code and the West Route 66 Sector Development Plan Design Overlay Zone unless the Zoning Hearing Examiner approves a variance.
   iv. A note shall be added stating that signage facing residential areas shall not be illuminated.

5. Transit:
   i. The applicant shall include information regarding all of the bus routes that serve the subject site.
   ii. The applicant shall coordinate with the Transit Department about possible participation in Transportation Demand Management (TDM) programs.

6. Drive-Up Service Windows: The total number of permitted drive-up service windows shall be limited to 4, with the number of adjacent drive-up service window uses limited to two. Drive-up window uses may include a bank, pharmacy and a maximum of two "quick-serve restaurants."

7. Wireless Telecommunications Facilities: Any allowance for wireless telecommunications facilities shall require architectural integration.

8. The site development plan for subdivision shall be made to match the approved site development plan for building permit.

9. Final approval of the corresponding map amendment to the West Route 66 Sector Development Plan (08EPC 40039) by the City Council is required prior to final sign-off of the site development plan for subdivision at the DRB.

10. City Engineer Conditions:
    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. Comment continued on next page. 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. Page 7, 10C and page 15, 18C, The width of the drive aisle between the landscape island and the parking area behind retail shops 7C and 7C2 shall be a maximum 35' to minimize the crossing distance for the pedestrian walkway by adding additional parking.
    d. Provide adequate site distance at service drives along Bridge Boulevard adjacent to 6' screen wall.
    e. According to the TIS, there are six uses with drive-thru windows. Therefore, the applicant should provide the entire site plan for the purpose of reviewing site circulation.
    f. Site drives to be designed and located per the recommendations in the TIS.
    g. Provide truck route and turning information on site plan. Service drives and loading areas to be designed accordingly.
    h. Provide cross access to Tracts 7 and 8 (designated as not a part on site plan), to site drive aisles that provide connections with Unser and Bridge Boulevards. Provide applicable cross access agreements.
    i. A concurrent platting action will be required at DRB.
    j. Site plan shall comply and be designed per DPM Standards.
    k. Dedication of right-of-way from the centerline of Unser Boulevard a limited access, principal arterial as designated on the Long Range Roadway System map.
    l. Dedication of right-of-way from the centerline of Central Avenue a Principal arterial as designated on the Long Range Roadway System map.
    m. Dedication of right-of-way from the centerline of Bridge Boulevard a Collector Street as designated on the Long Range Roadway System map.

n. Dedication of right-of-way from the centerline of 86th Street a Collector Street as designated on the Long Range Roadway System map.
o. Dedication of an additional 6 feet of right-of-way along Unser Boulevard, Central Avenue, Bridge Boulevard and 86th Street as required by the City Engineer to provide for on-street bicycle lanes.
p. Construction of the bicycle lanes along Unser Boulevard, Central Avenue, Bridge Boulevard and 86th Street adjacent to the subject property, as designated on Long Range Bikeways System map.

11. Final City Council approval of the accompanying sector development plan map amendment (08EPC-40039) is required prior to final DRB sign-off.

On May 15, 2008 the Environmental Planning Commission voted to approve Project 1007204/08EPC 08EPC 40035, a site development plan for building permit, for Tracts 1A, 1B, 2A, 2B, 3A, 3B, 4B, and 6 V.E. Barrett Subdivision and Tracts 4-A-1, 5-B-1, 5-B-2, Lands of WEFCO Partners, based on the following Findings and subject to the following Conditions:

FINDINGS:

1. This is a request for a site development plan for building permit for portions of Tracts 1A, 1B, 2A, 2B, 3A, 3B, 4B, and 6 V.E. Barrett Subdivision and Tracts 4-A-1, 5-B-1, 5-B-2, Lands of WEFCO Partners an overall approximately 50-acre vacant site located at the southwest corner of Central and Unser SW. The site is currently zoned C-2 and SU-1/C-2 (10 acres), O-1, and PRD 20du/acre (7 acres).

2. The applicant has a submitted concurrent request for a map amendment to the West Route 66 Sector Development Plan for an approximately 36- acre portion of the site so that the entire site will be zoned C-2. The applicant has also submitted a concurrent request for a site development plan for subdivision with design standards. Retails uses are proposed for the entire site, including a health club.

3. The subject site is located within the Established Urban Area as designated by the Comprehensive Plan and is also within the boundaries of the West side Strategic Plan and the West Route 66 Sector Development Plan. The site is a designated Community Activity Center, and Central and Unser are both Enhanced Transit Corridors in this area.

4. This request partially furthers the following Comprehensive Plan goals and policies:
   a. The concept of creating a shopping center to offer more retail options to west side residents is supported; however, the overall layout and design of the shopping center with its back towards the adjacent residential neighborhoods does little to promote an integrated community. The site layout is not conducive to walkabilty and places more of an emphasis on the personal vehicle (Goal for Developing and Established Urban Areas).
   b. The proposed site layout could be improved to better respect existing neighborhood conditions, although the proposed uses are appropriate (II.B.5d).
   c. This request would enable development of a vacant infill site that is contiguous to existing infrastructure. However, the proposed design of the site does not ensure the integrity of the existing neighborhood because the entire length of Bridge Boulevard, which is adjacent to residential neighborhoods, is devoted to building rears and loading docks (II.B.5e).
   d. The employment and services uses in the retail center would complement the surrounding residential areas. Currently, there are few retail options on the west side. However, the design of the site may create adverse effects of noise, lighting, pollution, and traffic on the adjacent residential environment (II.B.5i).
   e. This development will buffer adjacent residential areas from the noise on Central Avenue, but the proposed location of the truck loading docks will create additional noise (II.B.5k).
   f. The site's location is convenient for commercial services, but mixed uses are not proposed, and the site design does not encourage walking (II.B.7a).
   g. The proposed commercial uses may somewhat encourage walking from one shop to another adjacent shop, although the overall site design does not encourage walking. Pedestrian linkages are provided between uses within the site and to surrounding neighborhood. Buildings are not designed to support public transit and pedestrian activity, although the architecture is appropriate. Landscaping, street furniture, and textured paving are proposed (II.C.9d).
   h. While the proposal may contribute to the efficient placement of services and sufficient roadway capacity will be ensured through required improvements at the applicant's cost, the proposal does not encourage walking, bicycling, or the use of transit. The applicant is proposing to provide transit shelters, but these could be incorporated into the site plan in a more meaningful way (Transportation and Transit Goal).
   i. Adequate parking screening is provided, and no high water use plants are proposed for the landscape strips. Proposed signage, however, is excessive, and building facades are mostly separated from the roadway corridor by parking areas. Sidewalks are proposed adjacent to the surrounding roadway corridors that will facilitate safe and convenient walking around the perimeter of the site (II.C.9e).
   j. The proposal does not show a majority of building entrances from the street and shows the majority of buildings set back from the street at distances far greater than what this policy calls for, with parking areas separating the buildings from the street. The applicant has used a 15% parking reduction based upon transit access as allowed by the Zoning Code and the design standards project a floor area ratio of 1.0 at build-out. This policy calls for building entrances to be on the street for the convenience of transit riders and to make the use of transit more appealing to vehicle drivers (II.D.4a).

k. Pedestrian and bicycle paths have been incorporated into the project, but the layout of the buildings could be improved to reduce pedestrian/vehicle conflicts and walking distances (II.D.4g).
l. Four transit routes service this site, and safe access to transit and transfer capability is provided for in this site plan, although the site plan fails to meaningfully integrate transit into the development (II.D.4p).

5. This request furthers the following West Side Strategic Plan goals and policies:
   a. This site is accessible by several major streets and is also served by 4 bus routes. It is accessible by pedestrians and bicyclists, although this access may not be ideal (Policy 1.14).

6. This request partially furthers the following West Side Strategic Plan goals and policies:
   a. Although some of the smaller shops are clustered in some areas of the site plan, many of the proposed structures have the appearance of a strip mall (Policy 1.3).
   b. Pedestrian and bicycle access is provided to key activity areas. However, the parking lots are not carefully designed to facilitate this access (Policy 1.5).
   c. The proposal shows buildings of different scales, and the smaller building clusters encourage pedestrian access. However, the three main building structures are too large to be considered pedestrian scale, and parking is located solely in front of the larger buildings. No on-street parking is proposed (Policy 1.12).
   d. While the applicant is proposing aesthetically pleasing landscaping for Bridge and Central and is also proposing commercial services that will contribute to the social enhancement of Bridge and Central, the entire length of Bridge adjacent to the subject site is dedicated to building rears with large loading dock areas (Policy 3.45).

7. The submittal meets the Zoning Code's Large Retail Facility (LRF) Regulations (Section14-16-3-2 (D)) except for the block size specifics of subsection (3) Site Division. The subject site's dimensions result in irregular block sizes, which are appropriate because:
   a. The proposed block sizes achieve the intent of the LRF Regulations;
   b. The proposed design is appropriate for this location;
   c. The narrow side of the site abuts the adjacent 86th Street that provides a primary access
   d. The long side along Central Avenue has a major entrance that leads to a large, pedestrian-oriented entrance plaza for a group of buildings.

8. There is substantial support for this request from area residents and neighborhood associations.

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. Parking:
   a. The motorcycle spaces shall be located in an area that is visible from the entrance of the building on the site.
   b. A detail drawing of the proposed motorcycle signage shall be provided.
   c. Add a column to the parking calculations chart totaling the number of required parking spaces for each building group to match the groupings in the "Parking Provided" column. If the minimum parking required for the site cannot be met, then the applicant shall request a variance from the Zoning Hearing Examiner.
   d. Adjust building square footages in the parking calculation chart to match those shown on the site plan.
   e. The row of disabled parking spaces south of Retail 1 shall be located closer to the entrance of Retail 1 or Retail 7B.
   f. Some of the disabled parking spaces adjacent to Retail 5 shall be located near Retail 4.
   g. Parking shall be located on at least 2 sides of each building.

4. Site Plan:
   a. Note 1 shall be revised to remove the statement "if a truck bay is located within 300 feet of a residential structure."
   b. Future phases of development may be delegated to the DRB after EPC review of the first pad site.
   c. Pedestrian walkways through the parking lots shall align with building entrances where possible.
   d. Additional cart storage areas shall be provided throughout the site where necessary, and parking calculations shall be revised accordingly.
   e. Pervious paving shall be used in plaza areas, along building facades, and along pedestrian walkways.

5. Transit:
   a. All adjacent bus stops (including those on opposite sides of the street) shall be shown on the site plan.
   b. Direct connections shall be provided to each adjacent bus stop.
   c. A transit feasibility plan shall be provided as per West Side Strategic Plan Policy 1.2 and in coordination with the Transit Department.
   d. A new stop on Central Avenue just east of the westernmost driveway will provide access to the site via the #54 and the #66. A new stop on Unser north of the Unser driveway will provide access via the #54. These shall be shown on the site plan and incorporated into the site design as approved by the Transit Department.
   e. The applicant shall install bus shelters and associated trash cans and benches at both stops, as reflected in the Site Plan for Subdivision's section M (Transit Facilities), and as approved by the transit department.
   f. If posted speed limits adjacent to the site on Central will remain over 45 mph, then the applicant install a bus bay for the new stop on Central Avenue, if required by the Transit Department.

6. Maximum lighting height shall be 20' unless the Zoning Hearing Examiner approves a variance.

7. Landscaping:
   a. Parking lot tree planters shall be placed such that not more than 15 side-by-side parking spaces shall be allowed between planters. For the purpose of calculating parking spaces, cart storage spaces and motorcycle spaces shall be included.
   b. The locations of trees, lighting, and signage shall be coordinated to prevent future conflict.
   c. Move street trees along Bridge and along 86th behind sidewalk per street tree ordinance. Move sidewalk farther away from street creating planting area 6' wide or greater providing sufficient rooting area and place trees there for greater pedestrian safety, walkability, and environmental benefits. Same for sidewalk placement along Central and Unser.
   d. A street tree plan shall be provided for the entire lengths of Central and Unser.
   e. Street trees along Central shall be species that will reach a height of 25 feet or less at maturity. (PNM comment).
   f. The note "Landscape to be determined by future tenant" shall be removed.

8. Walls and Fences:
   a. The wall height required for screening of service/loading shall be changed to 8' at the loading dock areas.
   b. Detail drawings of the proposed screen wall shall be provided, including information regarding materials and colors that match the building architecture.

9. Plaza areas:
   a. The square footage of each plaza space shall be indicated on the site plan.

b. Plaza calculations shall be revised to reflect regulations of the large retail facilities regulations (a collection of smaller buildings linked by common walls shall be considered one building). Plaza space for each building shall be located adjacent to or near the associated building.
c. A minimum of 50% of the required public space shall be provided in the form of aggregate space as required by the Zoning Code's Large Retail Facility Regulations.

10. Grading, Drainage, and Utility Plan
    a. The detention pond shall be shallow to prevent the need for defensive security fencing, if technically feasible, yet has the capacity to manage storm waters in a 100-year event.
    b. The retaining wall symbol shall be removed from the legend unless there is actually a retaining wall on the site.
    c. A detail drawing for the detention pond shall be provided. This ponding area shall be rotated 90 degrees and relocated parallel along the adjacent drive aisle and to be bisected by the proposed pedestrian walkway and as presented at the hearing.

11. Architecture:
    a. Elevations shall state color names, shall correctly label each building, and shall use cardinal directions to label each façade.
    b. The statement on the Lowe's elevations regarding the "representation of design intent" shall be removed.
    c. Colors and materials of service doors shall be indicated. High quality materials and treatments shall be used to enhance the aesthetic qualities of these doors.
    d. Similar treatments shall be used on rear elevations as are used on side elevations to meet the intent of Zoning Code §14-16-3-18.
    e. Outdoor seating and plaza space shall be provided as required by large retail facility regulations (§14-16-3-2) and Zoning Code §14-16-3-18.
    f. Retail buildings 7C and 7C2 shall have windows facing the pedestrian plaza on their east and west facades, respectfully.

12. Signage Master Plan shall return to the EPC for review and approval:
    a. All signage shall comply with the Signage Master Plan as approved by the EPC as part of the associated site development plan for subdivision (08EPC 40034).
    b. Vehicular and pedestrian wayfinding sign program shall be included.
    c. Allocation of signage for all tenants shall be described.

13. Maintenance Agreement:
    a. The applicant shall sign a maintenance agreement with the City that is deemed appropriate by the Planning Director. (§14-16-3-2)
    b. The applicant shall add a note on the site development plan for building permit referencing the maintenance agreement.

14. Solid Waste:
    a. The site plan shall comply and be designed in accordance with Solid Waste Management requirements.
    b. Detail drawings shall be provided of the proposed double refuse enclosure.

15. Final approval of the corresponding map amendment to the West Route 66 Sector Development Plan (08EPC 40039) by the City Council is required prior to final sign-off of the site development plan for building permit at the DRB.

16. The applicant must request a Water/Sewer Availability statement. The Utility Plan shall be approved by the Water Utility Authority prior to DRB sign-off.

17. PNM conditions: Access to the development along Central Avenue (driveways, curb cuts) needs to avoid the existing PNM structures. If any of the PNM structures are required to be located due to this project, the developer must pay for the cost of relocation. Any changes or realignment of the existing overhead or underground distribution lines will be at the customer's expense.

18. City Engineer Conditions:
    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. Comment continued on next page. 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. Page 7, 10C and page 15, 18C, The width of the drive aisle between the landscape island and the parking area behind retail shops 7C and 7C2 shall be a maximum 35' to minimize the crossing distance for the pedestrian walkway by adding additional parking.
    d. Provide adequate site distance at service drives along Bridge Boulevard adjacent to 6' screen wall.
    e. According to the TIS, there are six uses with drive-thru windows. Therefore, the applicant should provide the entire site plan for the purpose of reviewing site circulation.
    f. Site drives to be designed and located per the recommendations in the TIS.
    g. Provide truck route and turning information on site plan. Service drives and loading areas to be designed accordingly.
    h. Provide cross access to Tracts 7 and 8 (designated as not a part on site plan), to site drive aisles that provide connections with Unser and Bridge Boulevards. Provide applicable cross access agreements.
    i. A concurrent platting action will be required at DRB.
    j. Site plan shall comply and be designed per DPM Standards.

k. Dedication of right-of-way from the centerline of Unser Boulevard a limited access, principal arterial as designated on the Long Range Roadway System map.
l. Dedication of right-of-way from the centerline of Central Avenue a Principal arterial as designated on the Long Range Roadway System map.
m. Dedication of right-of-way from the centerline of Bridge Boulevard a Collector Street as designated on the Long Range Roadway System map.
n. Dedication of right-of-way from the centerline of 86th Street a Collector Street as designated on the Long Range Roadway System map.
o. Dedication of an additional 6 feet of right-of-way along Unser Boulevard, Central Avenue, Bridge Boulevard and 86th Street as required by the City Engineer to provide for on-street bicycle lanes.
p. Construction of the bicycle lanes along Unser Boulevard, Central Avenue, Bridge Boulevard and 86th Street adjacent to the subject property, as designated on Long Range Bikeways System map.

IF YOU WISH TO APPEAL/PROTEST THIS DECISION, YOU MUST DO SO BY **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

Sincerely,

Richard Dineen
Planning Director

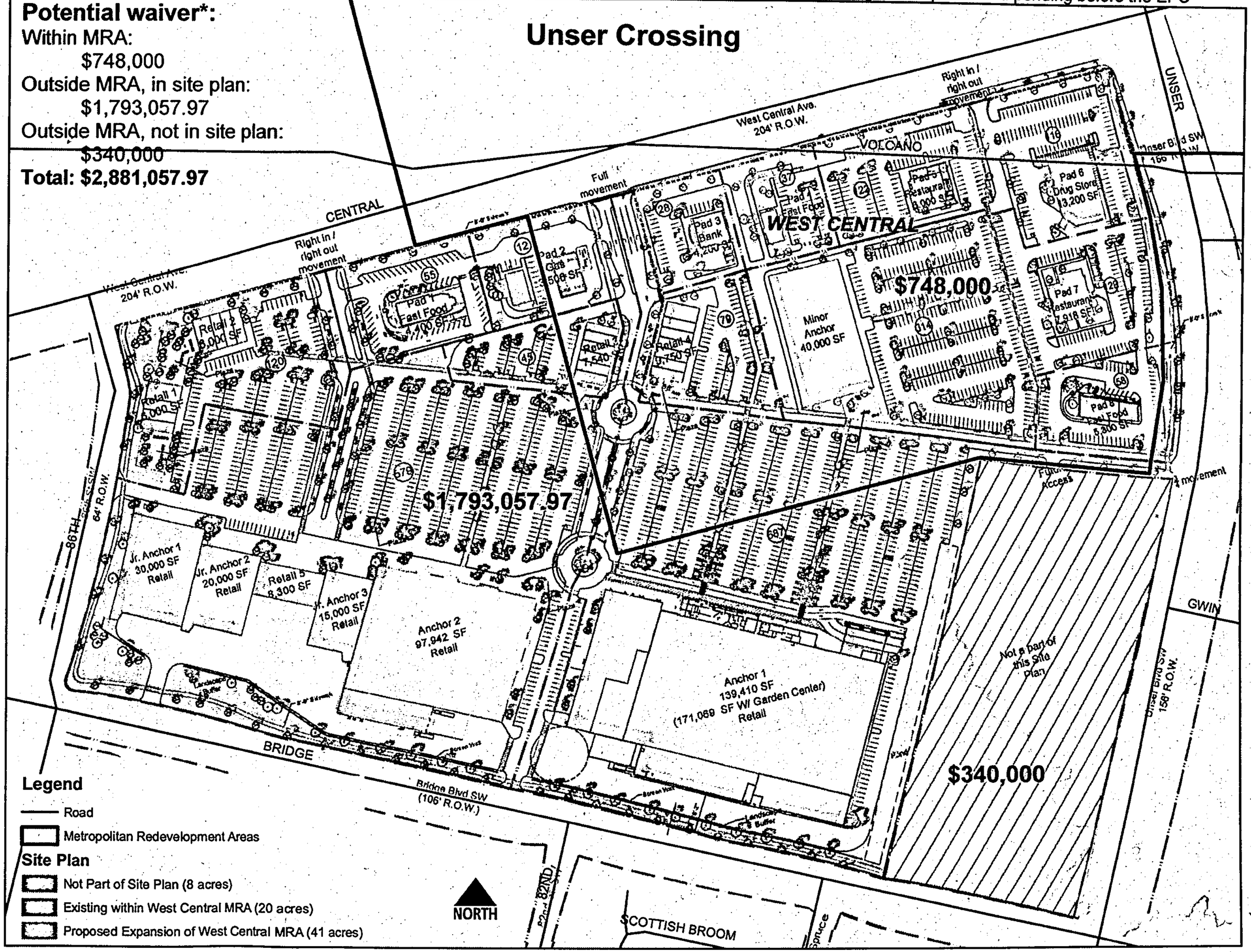
RD/AD/ac

cc: Darren Sowell Architects, 4700 Lincoln Rd. NE, Suite 111, Albuq. NM 87109
Miguel Maestas, Avalon NA, 9400 Harbor Rd. NW, Albuq. NM 87121
Kelly Chappelle, Avalon NA, 9135 Santa Catalina Ave. NW, Albuq. NM 87121
M Max Garcia, Los Volcanes NA, 6619 Honeylocust Ave. NW, Albuq. NM 87121
Benny Sandoval, Los Volcanes NA, 6516 Honeylocust Ave. NW, Albuq. NM 87121
Tony Chavez, Skyview West NA, 305 Claire Ln. SW, Albuq. NM 87121
Beatrice Purcella, Skyview West NA, 201 Claire Ln. SW, Albuq. NM 87121
Norman Mason, Stinson, Tower NA, 7427 Via Tranquilo SW, Albuq. NM 87121
Victor Wyant, Stinson Tower NA, 612 Cottontail SW, Albuq. NM 87121
Andres Anaya, Sunrise HOA, 209 Galataneau NW, Albuq. NM 87121
Darlene Norris, Sunrise HOA, 319 Galantaneu NW, Albuq. NM 87121
Matthew Archuleta, Westgate Heights NA, 1628 Summerfield SW, Albuq. NM 87121
Libby McIntosh, Westgate Heights NA, 1316 Ladrones Ct. SW, Albuq. NM 87121
Van Barber, Westside Merchants Assoc., 5201 Central NW, Albuq. NM 87105
Miguel Maestas, Westside Merchants Assoc., 6013 Sunset Gardens SW, Albuq. NM 87121
Dan Serrano, 3305 Ronda De Lechugas NW, Albuq. NM 87120
Becky Davis, 500 Leeward Dr. NW, Albuq. NM 87121
Jerry Gallegos, 417 65th St. SW, Albuq. NM 87121
Louis Tafoya, 6411 Avalon Rd. NW, Albuq. NM 87105
Dr. Joe Valles, 5020 Grande Vista Ct. NW, Albuq. NM 87121
Senator Linda M. Lopez, 9132 Suncrest SW, Albuq. NM 87121
Susan Unser, 7625 Central NW, Albuq. NM 87121
Bernard Dooley, 7611, Via Sereno, Albuq. NM 87121
Klarissa Pena, 6525 Sunset Gardens SW, Albuq. NM 87121

* Based on site plan furnished by Armstrong Development and pending before the EPC

Potential waiver*:
Within MRA:
$748,000
Outside MRA, in site plan:
$1,793,057.97
Outside MRA, not in site plan:
$340,000
Total: $2,881,057.97

Unser Crossing



Unser Crossing						
Facility	Area	Jobs %	Land Use	Unit	Amount ac/sf	Total $
Drainage/acre	SW Mesa	0		$12,836.00	33	$423,588.00
Public Safety/sf	Westside	0	Retail	$341.00	362.21	$123,513.61
Roadway	SW Mesa	0.7	Anchor 1 Ret	$4,151.00	171.07	$497,075.19
Roadway	SW Mesa	0.7	Anchor 2 Ret	$4,201.00	97.94	$288,012.16
Roadway	SW Mesa	0.7	Anchor 3 Ret	$4,201.00	15.00	$44,110.50
Roadway	SW Mesa	0.7	Retail 5	$4,201.00	8.30	$24,407.81
Roadway	SW Mesa	0.7	Jr Anchor 2	$4,201.00	20.00	$58,814.00
Roadway	SW Mesa	0.7	Jr Anchor 1	$4,201.00	30.00	$88,221.00
Roadway	SW Mesa	0.7	Retail 1	$4,201.00	6.00	$17,644.20
Roadway	SW Mesa	0.7	Retail 2	$4,201.00	6.00	$17,644.20
Roadway	SW Mesa	0.7	Retail 3	$4,201.00	7.54	
Roadway	SW Mesa	0.7	Retail 4	$4,201.00	9.75	
Roadway	SW Mesa	0.7	Minor Anchor	$4,201.00	40.00	
Roadway	SW Mesa		Fast Food	$37,107.00	4.40	$163,270.80
Roadway	SW Mesa		Gas	$13,359.00	3.50	$46,756.50
Roadway	SW Mesa		Bank	$5,727.00	4.20	
Roadway	SW Mesa		Fast Food	$37,107.00	2.30	
Roadway	SW Mesa	0.7	Restaurant	$12,843.00	6.00	
Roadway	SW Mesa		Drug Store	$3,901.00	13.20	
Roadway	SW Mesa	0.7	Restaurant	$12,843.00	7.92	
Roadway	SW Mesa		Fast Food	$37,107.00	5.30	
						$0.00
						$0.00
						$0.00
						$0.00
						$0.00
						$0.00
Total						$1,793,057.97

Cloud, Jack W.

From: Cloud, Jack W.
Sent: Monday, April 14, 2008 1:16 PM
To: Zaman, Jon K.; Dineen, Richard W.; Weinberg, Neal P.; Dourte, Richard H.
Cc: Romero, Elaine T.; Aledo, Milagros C.; Shair-Rosenfield, Kara; Johnson, Susan S.; Menicucci, Tom G.; Blair, Jacques B.
Subject: RE: UnserCrossing Map

Based on the referenced map below, the attached spreadsheet shows a total calculated Impact Fees of $1,793,058 for the area shaded in pink and noted as 41 acres.

An extrapolation of the referenced calculation would result in a total of approximately $340,000 in Impact Fees for the area shaded in purple and noted as 8 acres.

The area shaded in green and noted as 20 acres Existing Within West Central MRA will result in approximately $748,000 that will already have to be paid into the impact fee accounts for the southwest mesa from some other revenue source, e.g. general revenue funds or future General Obligation Bonds.

Jack Cloud
Impact Fees Administrator

Unser Crossing 20 Ac MRA.xls (...

From: Zaman, Jon K.
Sent: Monday, April 14, 2008 10:16 AM
To: 'sgellison@agoc.com'
Cc: Romero, Elaine T.; Aledo, Milagros C.; Shair-Rosenfield, Kara; Johnson, Susan S.; Cloud, Jack W.; Blair, Jacques B.
Subject: FW: UnserCrossing Map

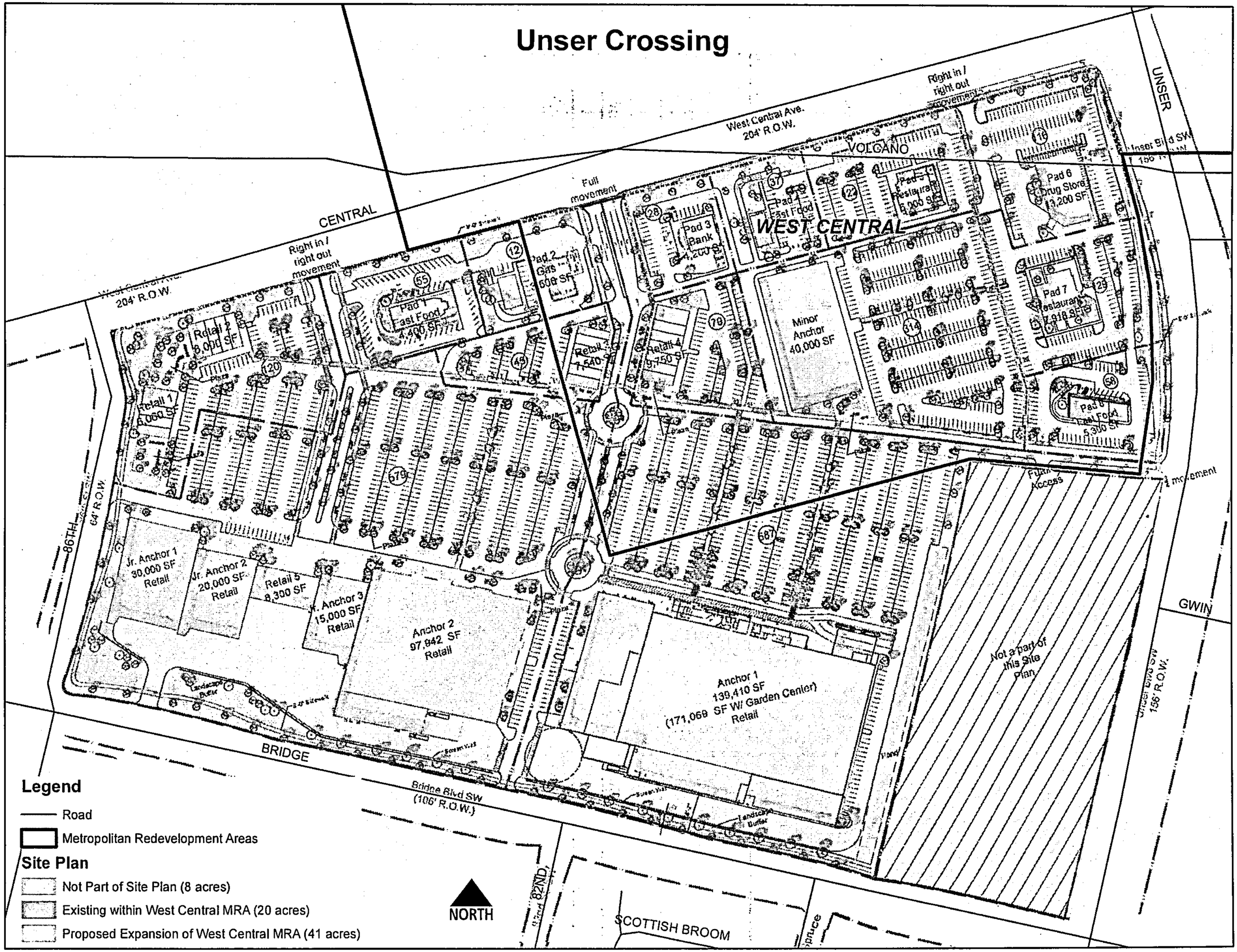
Mr. SG Ellison
Armstrong Development Properties, Inc.
1500 N. Priest Drive, Suite 150E
Tempe, AZ 85281

SG,

It was nice speaking with you on the phone today and I look forward to meeting with you this week. FYI - I've attached a map that our office GIS person put together that overlays the existing MRA with your planned development. Would you please take a look at the map and look over the acreages, boundaries, etc - I want to make sure that we're using the right development configuration and acreage assumptions as we calculate the fiscal impact of the proposed development. Also, if the proposed development has changed at all, would you please provide me with a new site plan or a description of the changes. Thanks for your help.

Jon K. Zaman
Senior Policy Analyst
Albuquerque Council Services
505.768.3163

Unser Crossing



Unser Crossing						
Facility	Area	Jobs %	Land Use	Unit	Amount ac/sf	Total $
Drainage/acre	SW Mesa	0	Retail	$12,836.00	29	$372,244.00
Public Safety/sf	Westside	0	Retail	$341.00	383.70	$130,842.04
Roadway	SW Mesa	0.7	Anchor 1 Ret	$4,151.00	171.07	$497,075.19
Roadway	SW Mesa	0.7	Anchor 2 Ret	$4,201.00	97.94	$288,012.16
Roadway	SW Mesa	0.7	Anchor 3 Ret	$4,201.00	15.00	$44,110.50
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Roadway	SW Mesa	0.7	Jr Anchor 1	$4,201.00	30.00	$88,221.00
Roadway	SW Mesa	0.7	Retail 1	$4,201.00	6.00	$17,644.20
Roadway	SW Mesa	0.7	Retail 2	$4,201.00	6.00	$17,644.20
Roadway	SW Mesa	0.7	Retail 3	$4,201.00	7.00	$20,584.90
Roadway	SW Mesa	0.7	Retail 4	$4,201.00	9.75	$28,671.83
Roadway	SW Mesa	0.7	Minor Anchor	$4,201.00	40.00	
Roadway	SW Mesa		Fast Food	$37,107.00	4.40	$163,270.80
Roadway	SW Mesa		Gas	$13,359.00	3.50	$46,756.50
Roadway	SW Mesa		Bank	$5,727.00	4.20	$24,053.40
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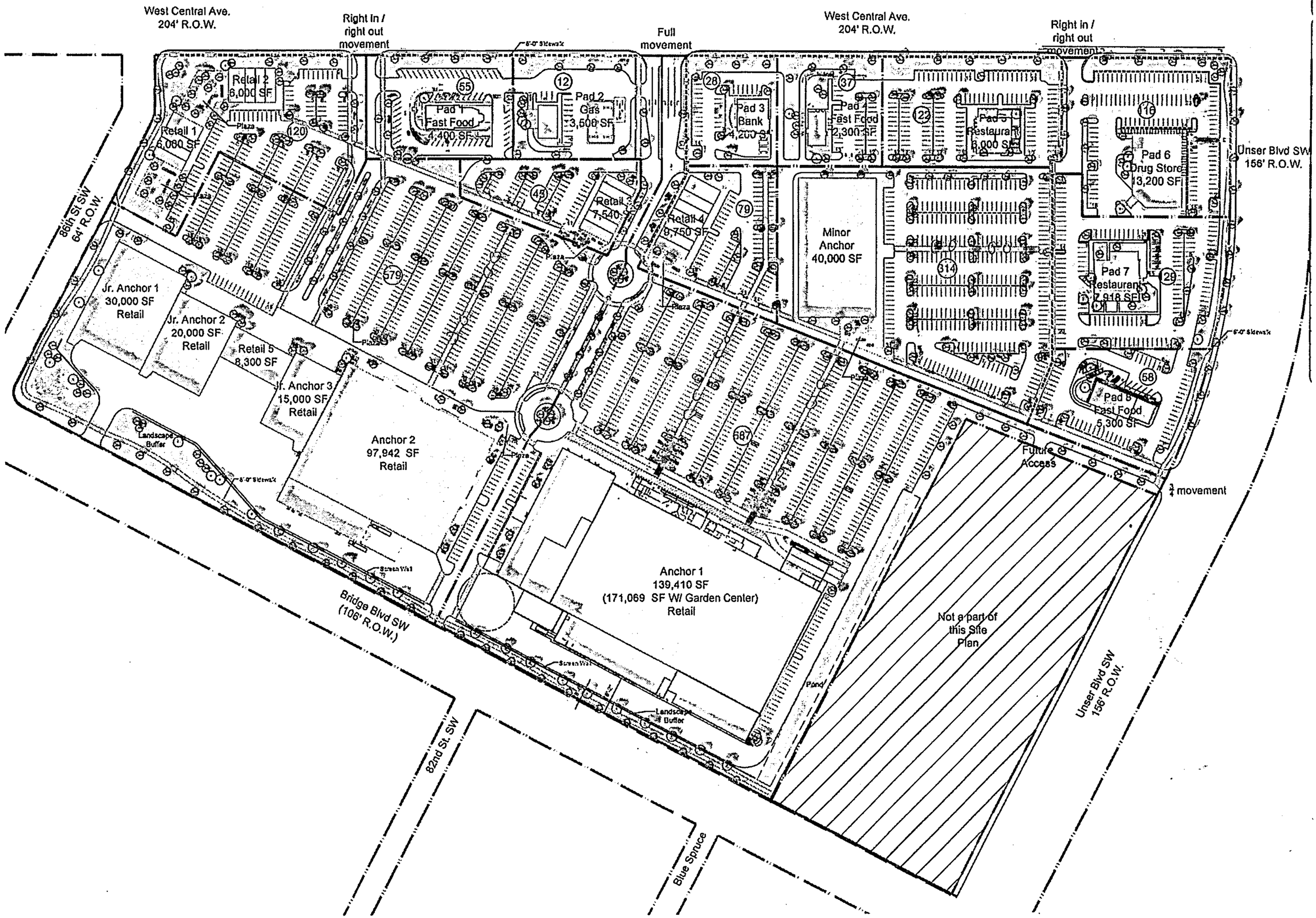
Roadway	SW Mesa	0.7	Restaurant	$12,843.00	6.00	
Roadway	SW Mesa		Drug Store	$3,901.00	13.20	
Roadway	SW Mesa	0.7	Restaurant	$12,843.00	7.92	
Roadway	SW Mesa		Fast Food	$37,107.00	5.30	
						$0.00
						$0.00
						$0.00
						$0.00
						$0.00
						$0.00
Total						$1,822,352.53


West Central Ave.
204' R.O.W.
Right in / right out movement
Full movement
West Central Ave.
204' R.O.W.
Right in / right out movement
Retail 2
6,000 SF
Retail 1
6,080 SF
Pad 1
Fast Food
4,400 SF
Pad 2
Gas
3,500 SF
Pad 3
Bank
4,200
Pad 4
Fast Food
2,300 SF
Pad 5
Restaurant
8,000 SF
Pad 6
Drug Store
13,200 SF
Unser Blvd SW
156' R.O.W.
86th St SW
64' R.O.W.
Retail
7,540 SF
Retail 4
9,750 SF
Minor
Anchor
40,000 SF
Pad 7
Restaurant
7,918 SF
Jr. Anchor 1
30,000 SF
Retail
Jr. Anchor 2
20,000 SF
Retail
Retail 5
8,300 SF
Jr. Anchor 3
15,000 SF
Retail
Pad 8
Fast Food
5,300 SF
Landscape Buffer
Anchor 2
97,942 SF
Retail
Future Access
movement
Anchor 1
139,410 SF
(171,069 SF W/ Garden Center)
Retail
Screen Wall
Bridge Blvd SW
(106' R.O.W.)
Not a part of
this Site
Plan
Pond
Landscape Buffer
Unser Blvd SW
156' R.O.W.
82nd St. SW
Blue Spruce

Block lengths

1.8 M → Pichon Morales

Grading

discourage?

or

prohibit?

EPC (NOV 07)

3-2

19 ft ht

40 pads (or 32)

wall 16 1/2 ft from escarpment

Fair Mrkt Value

Relied on prior, trying to clear up process

12.2

▷ up to 19

PUBLIC INFRASTRUCTURE EXHIBIT 04-21-08

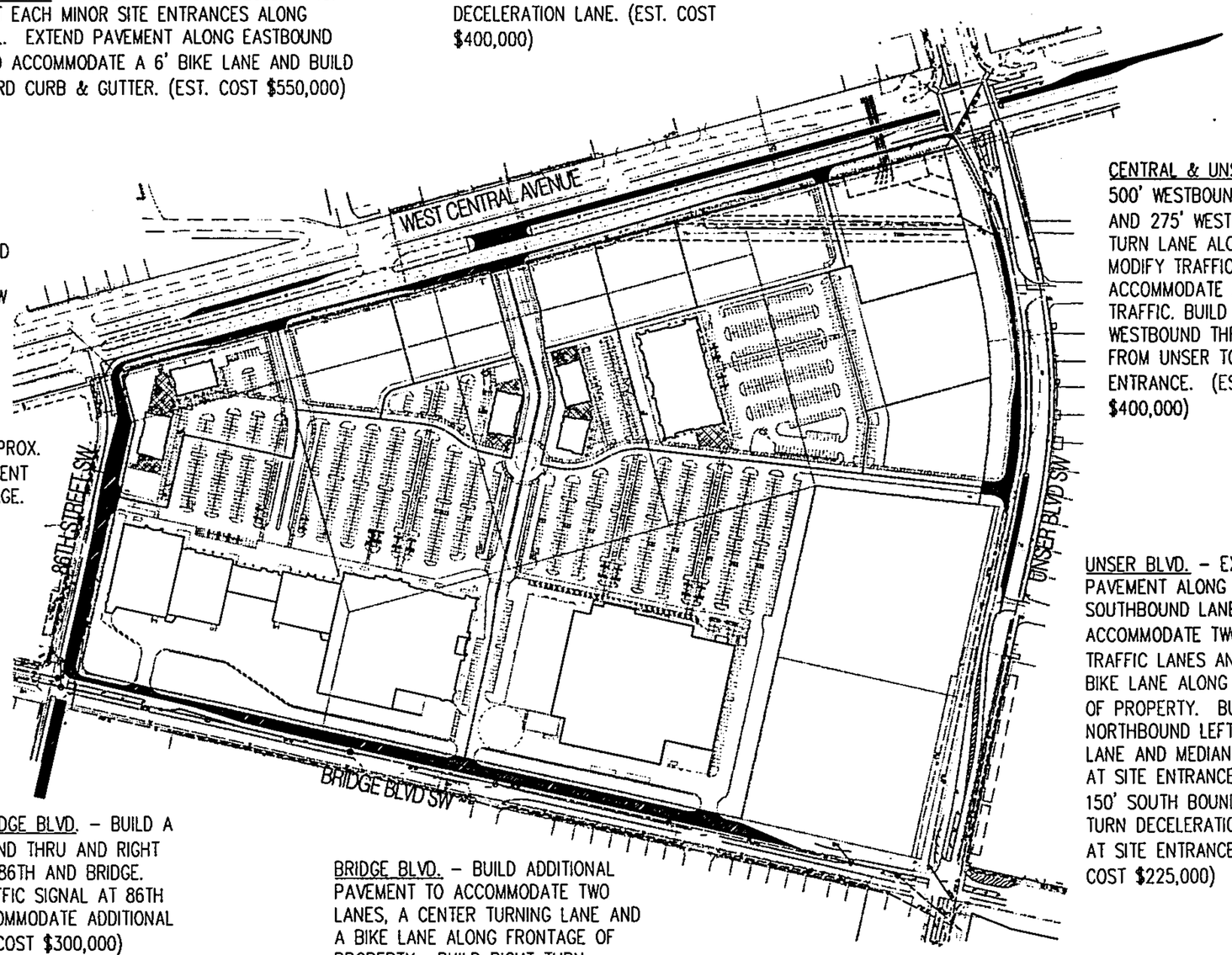
CENTRAL BLVD. –BUILD RIGHT TURN DECELERATION LANE AT EACH MINOR SITE ENTRANCES ALONG CENTRAL. EXTEND PAVEMENT ALONG EASTBOUND LANE TO ACCOMMODATE A 6' BIKE LANE AND BUILD STANDARD CURB & GUTTER. (EST. COST $550,000)

CENTRAL BLVD. & MAIN ENTRANCE – BUILD MEDIAN OPENING AND NEW TRAFFIC SIGNAL. BUILD RIGHT TURN DECELERATION LANE. (EST. COST $400,000)

LOS VOLCANES & UNSER – EXTEND NORTH BOUND RIGHT TURN LANE TO 240 FT. (EST. COST $25,000)

CENTRAL & 86TH – BUILD 370' WESTBOUND LEFT TURN LANE. BUILD NORTHBOUND RIGHT TURN LANE. BUILD NEW TRAFFIC SIGNAL AT CENTRAL AND 86TH. (EST. COST $400,000)

86TH ST. – BUILD APPROX. 18' ADDITIONAL PAVEMENT ALONG ENTIRE FRONTAGE. (EST. COST $550,000)



CENTRAL & UNSER – BUILD 500' WESTBOUND THRU LANE AND 275' WESTBOUND LEFT TURN LANE ALONG CENTRAL. MODIFY TRAFFIC SIGNAL TO ACCOMMODATE ADDITIONAL TRAFFIC. BUILD ADDITIONAL WESTBOUND THRU LANE FROM UNSER TO MAIN SITE ENTRANCE. (EST. COST $400,000)

UNSER BLVD. – EXTEND PAVEMENT ALONG SOUTHBOUND LANE TO ACCOMMODATE TWO 12' TRAFFIC LANES AND ONE 6' BIKE LANE ALONG FRONTAGE OF PROPERTY. BUILD 150' NORTHBOUND LEFT TURN LANE AND MEDIAN OPENING AT SITE ENTRANCE. BUILD 150' SOUTH BOUND RIGHT TURN DECELERATION LANE AT SITE ENTRANCE. (EST. COST $225,000)

86TH ST. & BRIDGE BLVD. – BUILD A 240' NORTHBOUND THRU AND RIGHT TURN LANE AT 86TH AND BRIDGE. BUILD NEW TRAFFIC SIGNAL AT 86TH BRIDGE TO ACCOMMODATE ADDITIONAL TRAFFIC. (EST. COST $300,000)

BRIDGE BLVD. – BUILD ADDITIONAL PAVEMENT TO ACCOMMODATE TWO LANES, A CENTER TURNING LANE AND A BIKE LANE ALONG FRONTAGE OF PROPERTY. BUILD RIGHT TURN DECELERATION LANE AT SITE ENTRANCE MODIFY TRAFFIC SIGNAL AT UNSER TO ACCOMMODATE ADDITIONAL TRAFFIC. (EST. COST $950,000)

ADDITIONAL PUBLIC INFRASTRUCTURE:

1. OFFSITE WATERLINE IMPROVEMENTS INCLUDE REMOVING AND RELOCATING 12" WATERLINE IN TRACT 5-B-1 (NORTHEAST CORNER OF SITE).

2. OFFSITE SANITARY SEWER IMPROVEMENTS INCLUDE NEW PUBLIC 8" SAS LINE ALONG BRIDGE BLVD.

3. OFFSITE STORM DRAIN IMPROVEMENTS INCLUDE BUILDING A JUNCTION BOX TO TRANSFER FLOW FROM CULVERTS IN TRACT 5-B-1 (NORTHEAST CORNER OF SITE) TO STORM DRAIN IN UNSER. EXISTING INLETS ALONG ROADS THAT ARE TO BE IMPROVED ARE CHANGED TO CURB TYPE INLETS.

4. PUBLIC WATER AND SEWER LINES WITHIN THE SITE AS NEEDED.

(ESTIMATED COST = $1.7 MILLION)

TOTAL PUBLIC INFRASTRUCTURE = $5.5 MILLION

N

300 150 0 300

SCALE: 1"=300'

P:\080289\cdp\Exhibits\PublicInfrastructureExhibit.dwg
Mon, 21-Apr-2008 – 3:55:pm, Plotted by: RMICHEL

The time-space diagrams on Page A-171a thru A-171b indicates that implementation of a signal at Driveway "B" will have no significant impact on the bandwidth along Central Ave. if timed properly.

CONCLUSIONS

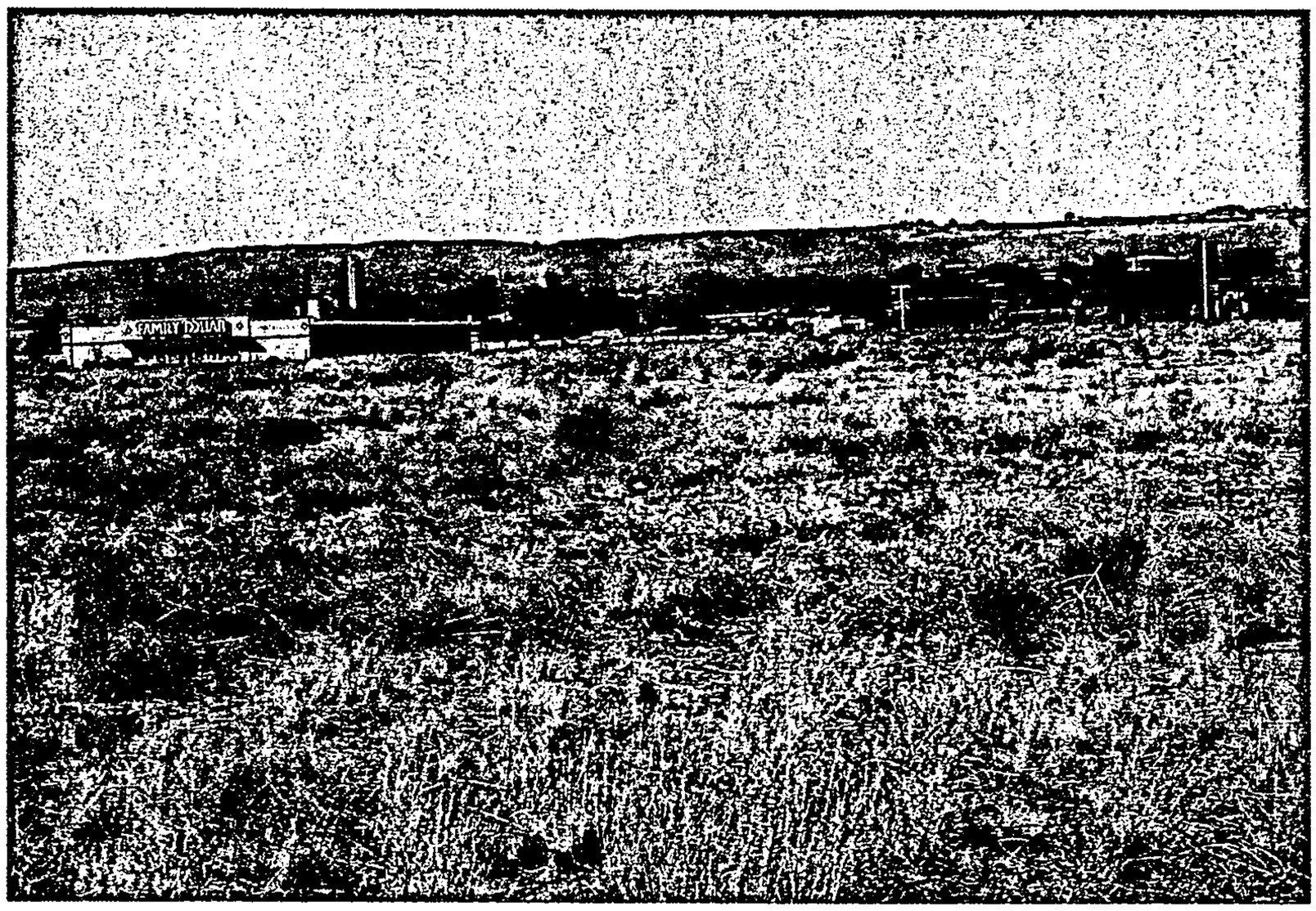
Utilizing projected traffic volumes resulting from the development of this site into a commercial facility such as the one shown on Page A-2 in the Appendix in conjunction with projected 2013 traffic volumes this report concludes that development of the subject site will have no significant adverse impact on the adjacent transportation system, provided that the following recommendations are followed:

RECOMMENDATIONS

- Design of the site should maintain adequate sight distances for traffic approaching, entering, and exiting the site from the proposed driveways.
- All driveways should be constructed utilizing 25 feet minimum radius curb returns or larger if needed to accommodate delivery trucks and buses. The new development should be implemented utilizing six driveways, Driveway 'A' (right-in, right-out - from Central Ave.), Driveway 'B' (full access – from Central Ave. - Signalized), Driveway 'C' (right-in, right-out – from Central Ave.), Driveway 'D' (full access – from Bridge Blvd.), Driveway 'E' (right-in, right-out, left-in – from Unser Blvd.), and Driveway 'F' (full access – from 86th St.). Driveways 'A', 'C', 'D', and 'E' should be unsignalized and should be constructed with one entering lane and one exiting lane. Driveway 'F' should be unsignalized and should be constructed with one entering lane and two exiting lanes (one left turn and one right turn lane). Driveway 'B' should be signalized and constructed with two entering lanes and three exiting lanes (two left turn and one right turn lane).
- Los Volcanes Rd. / Unser Blvd. - Lengthen the northbound right turn lane to 240 feet plus transition.
- Central Ave. / Unser Blvd. – Construct an additional westbound thru lane 500 feet east of Unser Blvd. extending west to Driveway "B" and becoming a left turn only lane.
- Central Ave. / 86th St. – Based on the results of this analysis it is recommended that this intersection be signalized. Lengthen the westbound left turn lane to approximately 600 feet plus transition as possible and construct exclusive northbound left and right turn lanes.
- Central Ave. / Driveway 'B' – Based on the results of this analysis it is recommended that this intersection be signalized.
- Bridge Blvd. / Unser Blvd. - Coordinate with the City of Albuquerque Project Engineer and their consultant engineer to construct the auxiliary lanes to the appropriate lengths.

** Excerpt from Traffic Impact Study Completed by Terry Brown P.E. on March 31, 2008.

WEST-CENTRAL METROPOLITAN REDEVELOPMENT AREA DESIGNATION BOUNDARY AMENDMENT



November 2007

Metropolitan Redevelopment Agency Planning Department
City of Albuquerque

WEST-CENTRAL METROPOLITAN REDEVELOPMENT AREA DESIGNATION BOUNDARY AMENDMENT

I. INTRODUCTION

The Metropolitan Redevelopment Code (3-60A-1 to 3-60A-48 NASA 1978) provides cities in New Mexico with the powers to correct conditions in areas or neighborhoods within municipalities which "substantially inflict or arrest the sound and orderly development" in the city. These powers can help reverse an area's decline and stagnation; however, they can only be used within the designated Metropolitan Redevelopment Areas.

This report proposes that the city block bounded by Central on the North, Unser on the East, Bridge on the West, and 86th Street on the West be added to the West Central Metropolitan Redevelopment Area. The proposed MRA property boundaries include are selected according to the following criteria:

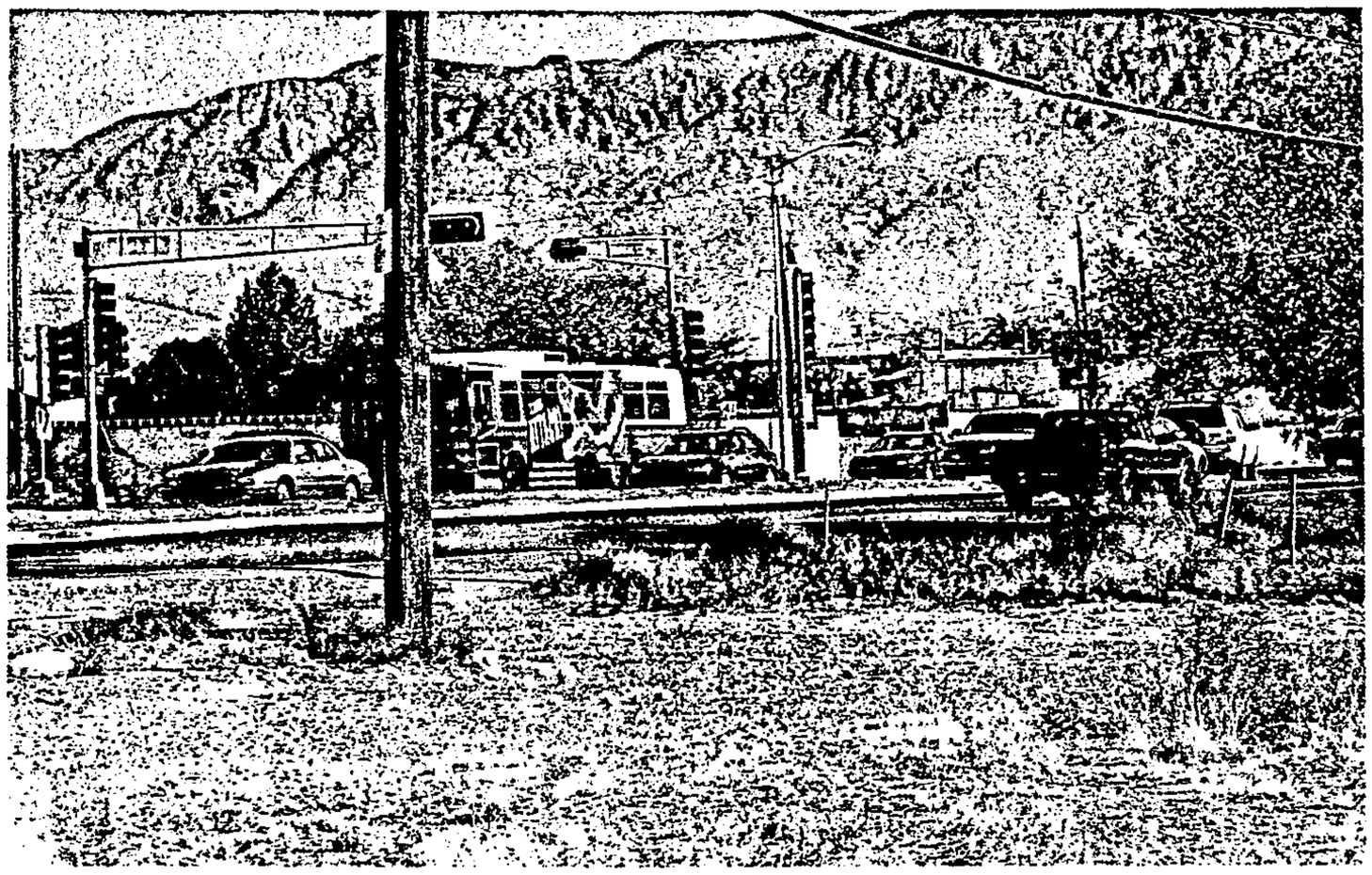
1. Property is vacant and under utilized.

Designation of a Metropolitan Redevelopment Area is based on findings of "slum or blight" conditions, as defined in the Metropolitan Redevelopment Code (3-60A-8). The criteria for a "blighted" area in the Code* can be divided into two major groups; physical conditions and economic conditions. The following analysis of the South-west corner property located on Unser and Central exhibits a combination of factors that contribute to a blighted condition.

*"Blighted Area"
Means an area within the area of operation other than a slum area, which, by reason of the presence of a substantial number of deteriorated or deteriorating structures, predominance of defective or inadequate street layout, faulty lot layout in relation to size, adequacy, accessibility or usefulness, unsanitary or unsafe conditions, deterioration of the site or other improvements, diversity of ownership, tax or special assessment delinquency exceeding the fair value of the land. Defective or unusual conditions of title, improper subdivisions or lack of adequate facilities on the area or obsolete or impractical planning and platting, or an area where a significant number of commercial or mercantile businesses have closed or significantly reduced their operations due to the economic losses or loss of profit due to operating in the area, low levels of commercial or industrial activity or redevelopment, or any combination of such factors, which impairs or arrests the sound growth and economic health and well being of a municipality or locale within a municipality or an area which retards the provisions of housing accommodations or constitutes an economic or social burden and is a menace to the public health, safety, morals or welfare in its present conditions of use. (Metropolitan Redevelopment Code, Section 4)

II. DESCRIPTION OF PROPOSED BOUNDARY AMENDMENT

Beginning at the Southwest corner of the intersection of Central and Unser NW, the vacant property extends to Bridge on the South and 86th St. on the West.



Intersection of Unser and Central

III. ANALYSIS

There are approximately 110,000 people residing in the area South of I-40 and West of the river. There is little or no commercial/retail development in the area. By the addition of the subject properties to the West Central MRA, it is envisioned that the property will be a catalyst for future development. The subject property on the Southwest corner of Unser and Central has remained vacant and underutilized since 2001, when the area was designated an MRA. The Redevelopment Agency has purchased properties on the Northwest corner of Unser and Central and plans to develop them as part of a mixed-use retail development with a transit component. In the planning charette the area residents requested the redevelopment of the Southwest corner of Unser and Central as an integral part of the development of the Northwest corner.

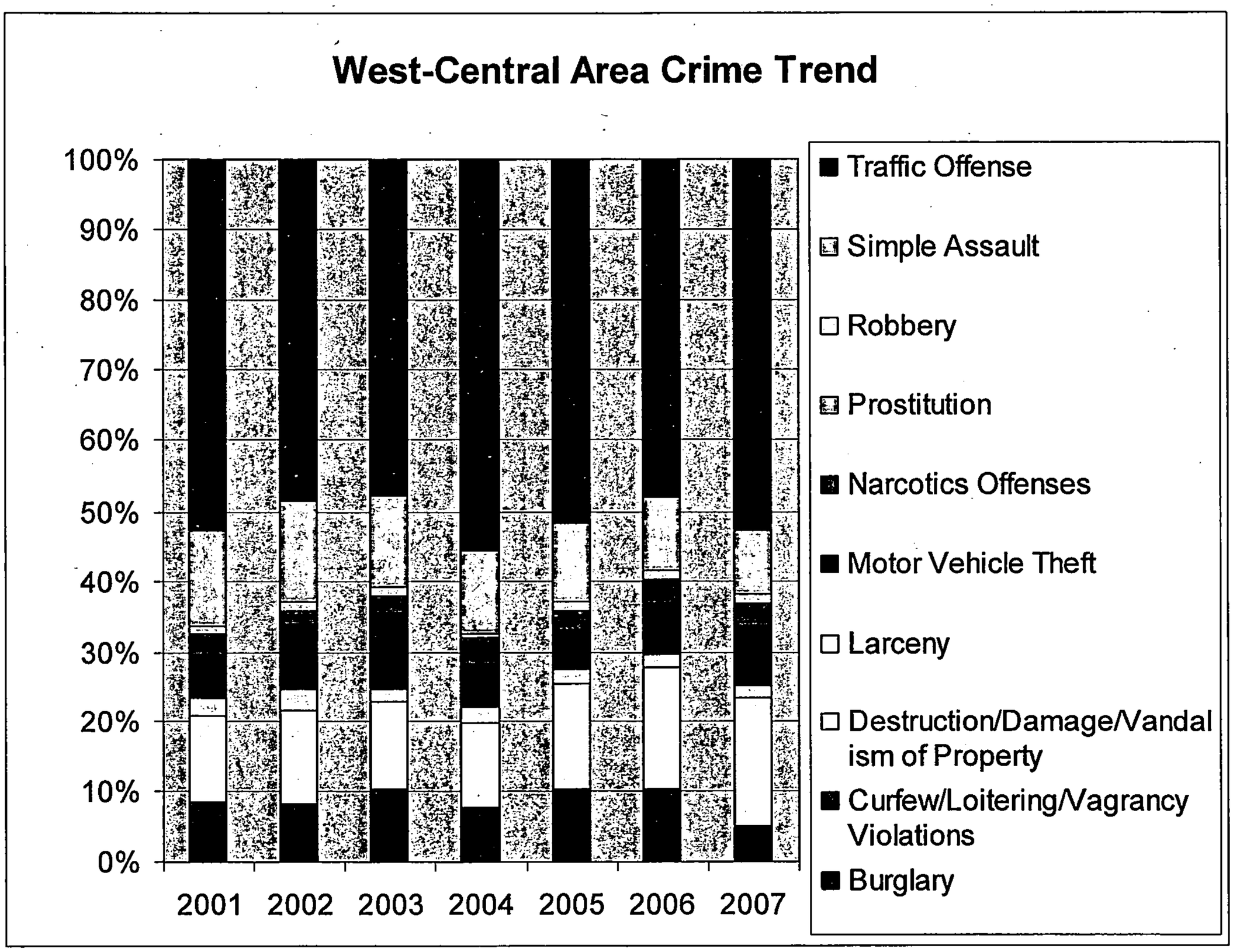
The addition of the subject properties as a Metropolitan Redevelopment Area is consis tent with the State Metropolitan Redevelopment Code, Article 60 A, and meets the requirements for designation. The change is consistent with the adopted Metropolitan Redevelopment Plan's goals and objectives.

IV. Demographics and Crime Statistics

U.S. Census 2000, Tract 47.05, encompassing the Central-Unser corner property reveals characteristics associated with at risk populations. Median age of residents is 25.8, 10 year younger than the average Albuquerque resident. 41% of the area's children are of Elementary school age. 70% of households are Hispanic and nearly half of all households are Spanish speaking Only 16% of Tract 47.05's population achieved education above the High School level.

V. Crime Statistics

APD Crime Statistics for the years spanning 2000-2007 in the West-Central MRA Area indicate incidence increases in Destruction, Damage, and Vandalism of Property, and Burglary of over 100. Other crime categories exhibiting significant incident Increase in the area include Motor Vehicle Theft, Narcotics Offenses, and Robbery.



VI. Conclusion

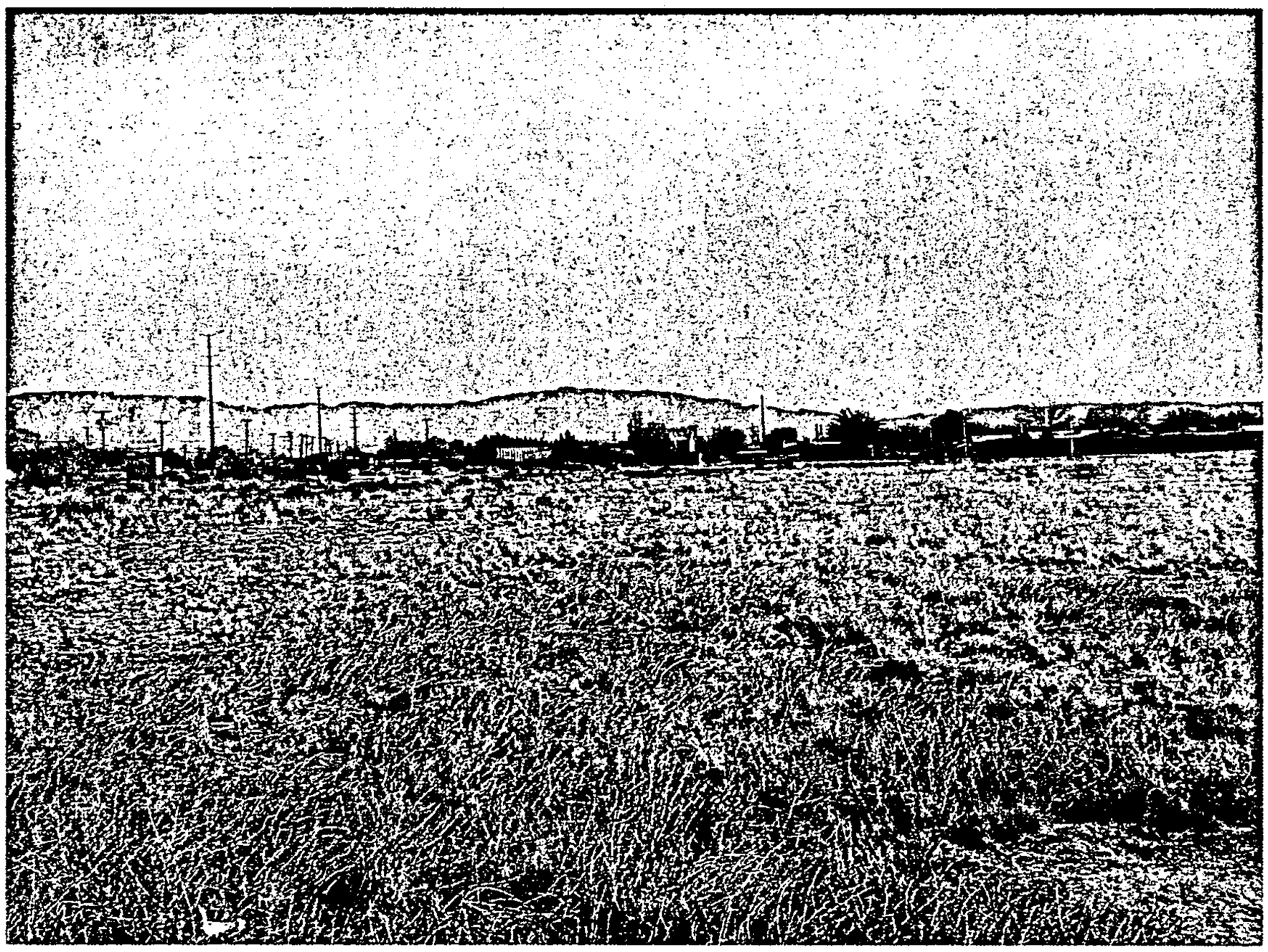
As shown in the report, existing conditions meet the criteria for a "blighted" area as defined by the State Metropolitan Redevelopment Code, 60 A. These conditions have "substantially impaired the sound growth and economic health and well- being" of the West Central area.

The designation of the Central and Unser corner property as a Metropolitan Redevelopment project will assist in achieving the following goals:

-Eliminate conditions that are detrimental to public health and welfare.

-Improve economic conditions through coordinated public and private investment.

With the powers made available by the State Metropolitan Redevelopment Act, the City of Albuquerque will be working with the private sector to promote in the establishment of new commercial ventures, assist in preserving existing businesses, and implement public improvements and investments in the area.



East Facing View of the Central-Unser Southwest Corner Property

Table of Contents

I. Introduction-Metropolitan Redevelopment Code

II Description of Boundaries

III. Analysis

IV. Demographics

V. Crime Statistics

VI. Conclusion

ARMSTRONG DEVELOPMENT PROPERTIES, INC.

1500 N. Priest Drive
Suite 150E
Tempe, AZ 85281
www.armstrongdev.com

602.385.4100
602.385.4101 fax

Elaine Romero
Constituent Services for
Councilor Ken Sanchez- District 1
(505) 768-3183

March 11, 2008

Elaine,

Thank you for attending our neighborhood meeting for Unser Crossing. We think this site has the potential to be a positive asset to the surrounding community. The resounding support from the neighbors and associations is very encouraging.

As we discussed, it is critical that the balance of the property (36 acres) is included in the MRA. If not for the MRA, we would not have originally been attracted to the property. It was not until after our review of initial due diligence that we discovered that only the 14 acres on the immediate corner fell within the MRA. It seemed odd that only a fraction of the property would have been included. I had assumed that this was an oversight, and the intent would be to attract development to the entire property.

I understand why the MRA was created and feel this particular property is the perfect candidate for this program. If not for the MRA, I do not see any substantial development occurring on this particular piece of property in the foreseeable feature. The following is an outline of some of the challenges with the property from a development perspective.

Unser Property Development Challenges:

I. Location:

This location can be viewed as an "in-between" site, meaning that retailers could see the Unser property as a site that could be skipped over for an alternative real estate location. In this area, those sites would include;

- **I-25.** From a retailer perspective, locating on I-25 allows for greater visibility and ease of access for thousands of travelers along I-25 while still maintaining a decent relationship to the local population.
- **Coors Road (at Central).** A site on Coors would give the benefit of being around existing commercial development and an added benefit of 40,000 cars per day traveling on Coors Road. In comparison, Unser Road (at Central) does not have any current commercial development and Unser Road only carries 9,300 cars per day at this intersection, making our site a less attractive site for retailers.

II. Infrastructure Cost:

The intersection of Central & Unser is viewed as an area of transition that is lacking infrastructure for commercial development. Substantial improvements are needed for the abutting roadways above and beyond the costs that would be found in a more developed region of town. The costs necessary for this proposed development are substantially greater than typically seen.

- **Central Road.** Central Rd. will need significant improvements, including additional roadway width, traffic signals, and modifications to the existing power lines along the roadway.
- **Unser Road.** Although there is an existing CIP project that includes improving Unser Road, it is our understanding that any roadway improvements abutting this property on the west side of Unser are only temporary. This means the Unser Crossing project will be burdened with significant permanent improvements along Unser Road abutting the property which will include full half-street roadway widths and potential signal modifications.
- **Bridge & 86th St.** Traditionally, commercial developments abut only one or two public roadways. In this case, Unser Crossing has FOUR public roadways and carries the added burden of infrastructure along both Bridge to the south, and 86th Street to the west of the project.

III. Trade Area Demographics:

The per capita income is lower in the Unser Crossing trade area than that of similar projects which could be viewed as lower per person sales. However, lower income does not have to mean lower class development. We believe this trade area deserves a Class A type retail project such as we are proposing. The lower projected per person sales just needs to be offset by a lower overall development and infrastructure cost in order for the project to be successful. This is where the MRA (and impact fee credits) will help make this a viable project.

It has been our experience that Class A development breeds additional Class A development. With a successful MRA approval we can expect to see additional positive development in the surrounding area. There are a great many positive impacts that will be a result of the cities foresight and intent of the MRA. These impacts include:

Positive Impact of Approval:

I. Financial:

The most notable change will be the direct, short & long term, financial impact.

- *Initial Financial Impact:* **$60 Million Dollars** of infrastructure cost will be pumped into the development and local economy. By utilizing local contractors, consultants, and materials an immediate net positive impact will be seen to the community.
- *Long term:* Net annual sales on development of the overall 50 acres should yield **$5 to $7 Million Dollars** in annual sales tax revenue to the City.

II. **Jobs:**

- *Initial.* The initial impact of jobs in the development industry include architects, engineers, consultants, contractors, sub-contractors, laborers, and others in the local job market.
- *Long term.* Long term, we can expect anywhere from **400 to 500 permanent jobs** within the retail establishments throughout the development, providing new local jobs to the surrounding community.

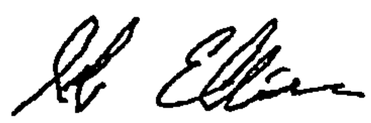
III. **Indirect Benefits:**

- *Adjacent Development.* As previously mentioned, development breeds additional development. It would be reasonable to expect the surrounding area to experience a resurgence of quality development activity due to the impact of Unser Crossing.
- *Environmental impacts.* It has been demonstrated that this Southwest Albuquerque submarket is significantly underserved with only 8 square feet/per capita versus over 30 square feet/per capita in other submarkets of Albuquerque. This indicates that most people in this submarket are forced to shop outside of their community and travel significant distances for services that could be closer to home. The consumers within the Southwest Albuquerque submarket should not be burdened with a need to travel greater distances for services in today's market with the high cost of fuel.

IN SUMMARY, THE CITIES VISION OF THE MRA WILL BE A CATALYST FOR DEVELOPMENT AND LONG TERM BENEFIT TO THIS COMMUNITY. The impact fee credits that will be waived to help jumpstart this project are nominal compared to the overall positive economic impact of Unser Crossing.

We look forward to continuing to work with the city to make this project a reality. Please feel free to contact me with any questions.

Sincerely,



SG Ellison
Director of Retail Acquisitions & Development

Unser Crossing						
Facility	Area	Jobs %	Land Use	Unit	Amount ac/sf	Total $
Drainage/acre	SW Mesa	0	Retail	$12,836.00	29	$372,244.00
Public Safety/sf	Westside	0	Retail	$341.00	383.70	$130,842.04
Roadway	SW Mesa	0.7	Anchor 1 Ret	$4,151.00	171.07	$497,075.19
Roadway	SW Mesa	0.7	Anchor 2 Ret	$4,201.00	97.94	$288,012.16
Roadway	SW Mesa	0.7	Anchor 3 Ret	$4,201.00	15.00	$44,110.50
Roadway	SW Mesa	0.7	Retail 5	$4,201.00	8.30	$24,407.81
Roadway	SW Mesa	0.7	Jr Anchor 2	$4,201.00	20.00	$58,814.00
Roadway	SW Mesa	0.7	Jr Anchor 1	$4,201.00	30.00	$88,221.00
Roadway	SW Mesa	0.7	Retail 1	$4,201.00	6.00	$17,644.20
Roadway	SW Mesa	0.7	Retail 2	$4,201.00	6.00	$17,644.20
Roadway	SW Mesa	0.7	Retail 3	$4,201.00	7.00	$20,584.90
Roadway	SW Mesa	0.7	Retail 4	$4,201.00	9.75	$28,671.83
Roadway	SW Mesa	0.7	Minor Anchor	$4,201.00	40.00	
Roadway	SW Mesa		Fast Food	$37,107.00	4.40	$163,270.80
Roadway	SW Mesa		Gas	$13,359.00	3.50	$46,756.50
Roadway	SW Mesa		Bank	$5,727.00	4.20	$24,053.40
Roadway	SW Mesa		Fast Food	$37,107.00	2.30	
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Roadway	SW Mesa		Fast Food	$37,107.00	5.30	
						$0.00
						$0.00
						$0.00
						$0.00
						$0.00
						$0.00
Total						$1,822,352.53

Extrapolate for 8 acres

Delete AC Tabbs Naming rights for

GO Be Total

construction — (Not a Part)

cc: Chris Hyer on email

Zaman, Jon K.

From: Cloud, Jack W.
Sent: Thursday, March 20, 2008 4:59 PM
To: Zaman, Jon K.; Dineen, Richard W.; Weinberg, Neal P.; Dourte, Richard H.
Cc: Menicucci, Tom G.; Romero, Elaine T.
Subject: RE: Unser Crossing

Attached is the projected Impact Fees Assessment for the referenced site plan. Please note this is only for 36 acres of the approximately 50 acre site, because 14 acres in the northeast corner appear to already be within the West Central Metropolitan Redevelopment Area; the 40,000 square foot "Minor Anchor" and Pads 4-8 would therefore would not be charged under current Resolution 04-159.

Jack Cloud
Impact Fees Administrator

Unser Crossing.xls
(25 KB)

From: Zaman, Jon K.
Sent: Tuesday, March 18, 2008 3:34 PM
To: Cloud, Jack W.
Subject: FW: Unser Crossing

Jack, here's the site plan I was referring to on the phone. Hope this helps.

Jon K. Zaman
Senior Policy Analyst
Albuquerque Council Services
505.768.3163

From: Menicucci, Tom G.
Sent: Tuesday, March 18, 2008 2:00 PM
To: Zaman, Jon K.
Subject: FW: Unser Crossing

From: Romero, Elaine T.
Sent: Monday, March 17, 2008 2:32 PM
To: Menicucci, Tom G.
Subject: Unser Crossing

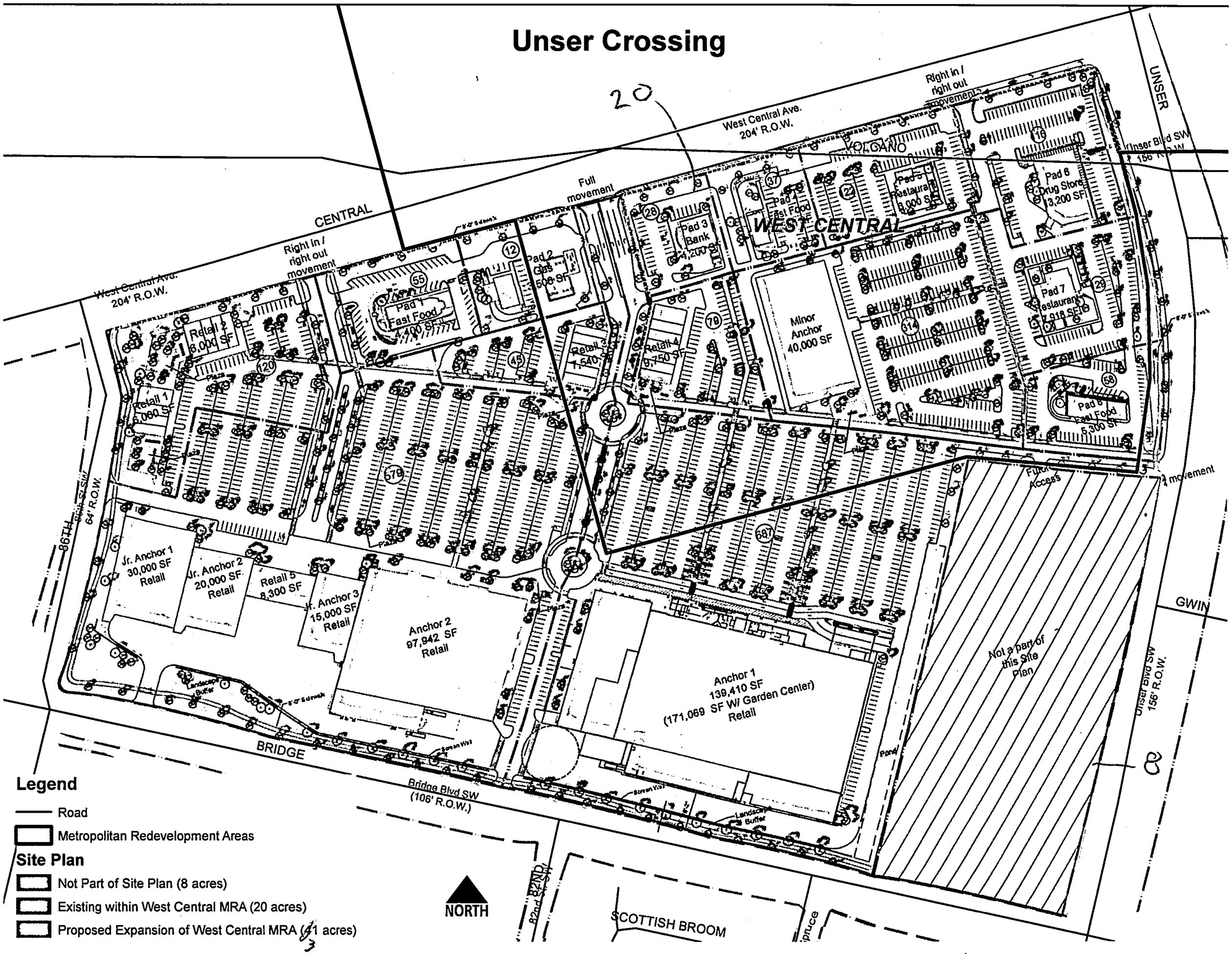
Here is the proposed site plan as well as a perceived picture of the finished project.

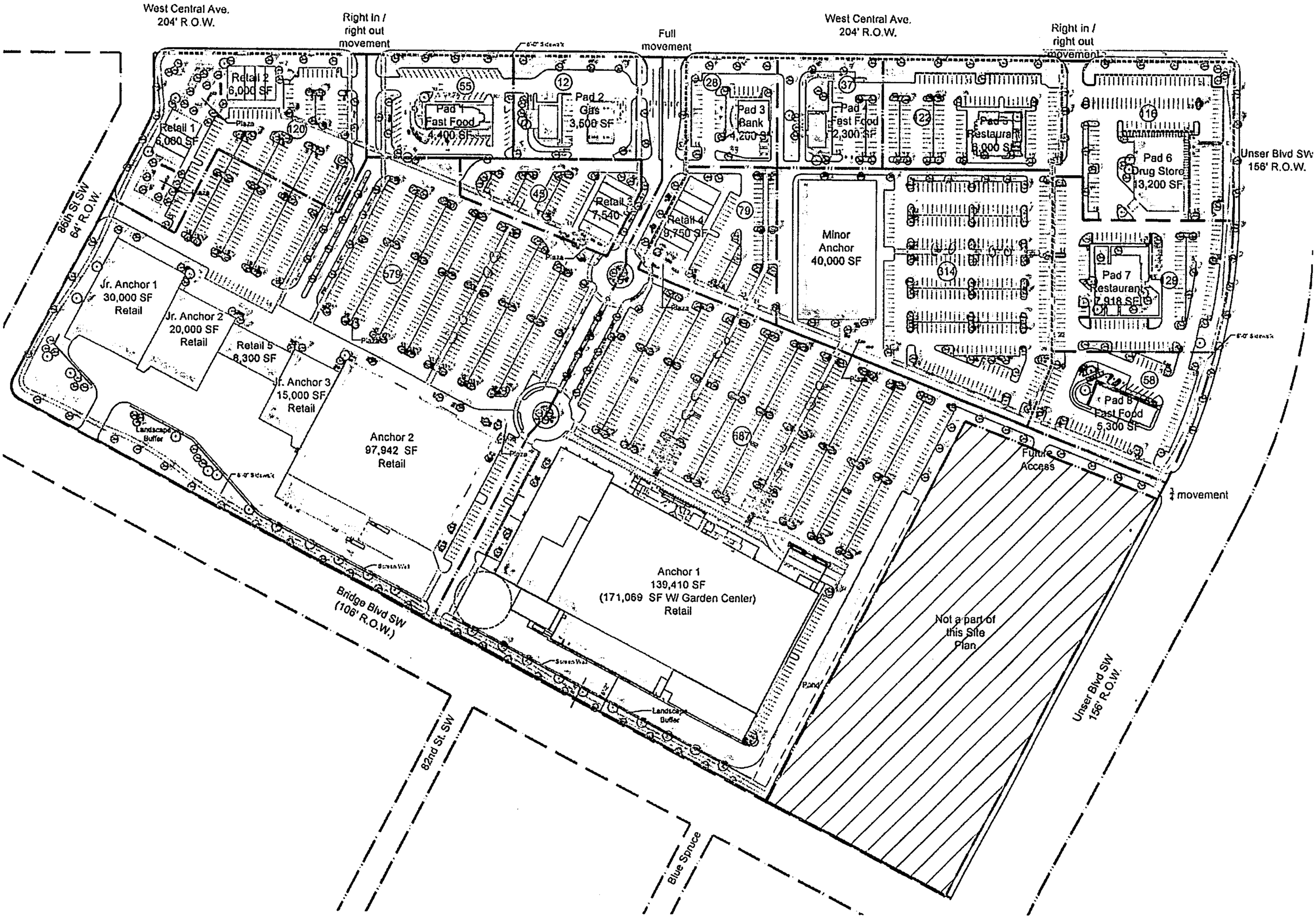
<< File: Unser Crossing Site Plan.pdf >> << File: Birdseye 1 plaza.jpg >>
Thanks.

Elaine Romero
Constituent Services for

Councilor Ken Sanchez - District 1
(505) 768-3183

Unser Crossing

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Right in / right out movement
Full movement
West Central Ave.
204' R.O.W.
Right in / right out movement
Retail 2
6,000 SF
Retail 1
6,060 SF
Pad 1
Fast Food
4,400 SF
Pad 2
Gas
3,500 SF
Pad 3
Bank
4,200 SF
Pad 4
Fast Food
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Restaurant
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Drug Store
13,200 SF
Unser Blvd SW
156' R.O.W.
86th St SW
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Retail 3
7,540
Retail 4
9,750 SF
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Anchor
40,000 SF
Pad 7
Restaurant
7,918 SF
Jr. Anchor 1
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Future Access
movement
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(171,069 SF W/ Garden Center)
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Not a part of this Site Plan
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Unser Blvd SW
156' R.O.W.
82nd St. SW
Blue Spruce

Unser Crossing						
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Roadway	SW Mesa	0.7	Retail 5	$4,201.00	8.30	$24,407.81
Roadway	SW Mesa	0.7	Jr Anchor 2	$4,201.00	20.00	$58,814.00
Roadway	SW Mesa	0.7	Jr Anchor 1	$4,201.00	30.00	$88,221.00
Roadway	SW Mesa	0.7	Retail 1	$4,201.00	6.00	$17,644.20
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Roadway	SW Mesa	0.7	Retail 4	$4,201.00	9.75	$28,671.83
Roadway	SW Mesa	0.7	Minor Anchor	$4,201.00	40.00	
Roadway	SW Mesa		Fast Food	$37,107.00	4.40	$163,270.80
Roadway	SW Mesa		Gas	$13,359.00	3.50	$46,756.50
Roadway	SW Mesa		Bank	$5,727.00	4.20	$24,053.40
Roadway	SW Mesa		Fast Food	$37,107.00	2.30	
Roadway	SW Mesa	0.7	Restaurant	$12,843.00	6.00	
Roadway	SW Mesa		Drug Store	$3,901.00	13.20	
Roadway	SW Mesa	0.7	Restaurant	$12,843.00	7.92	
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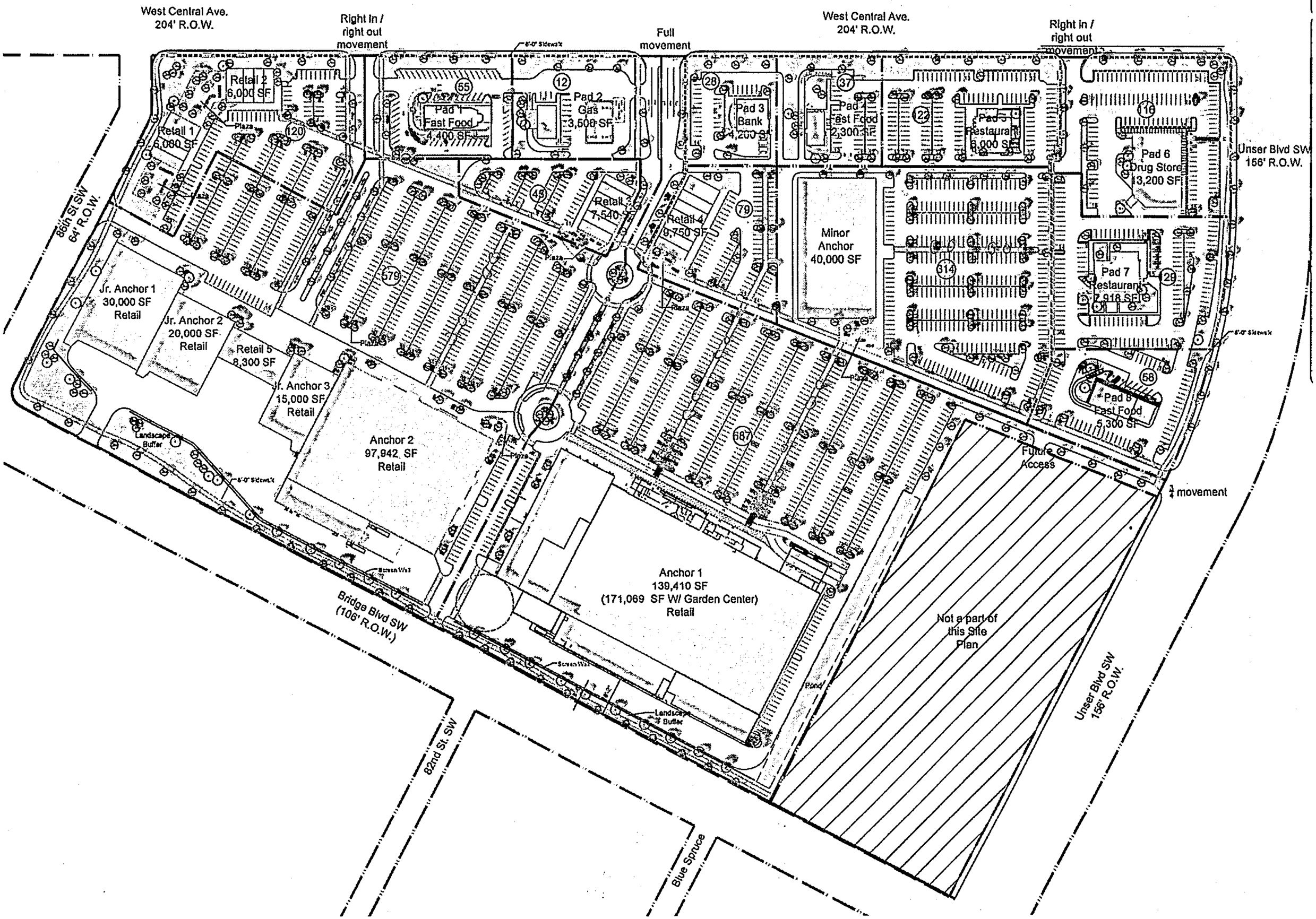
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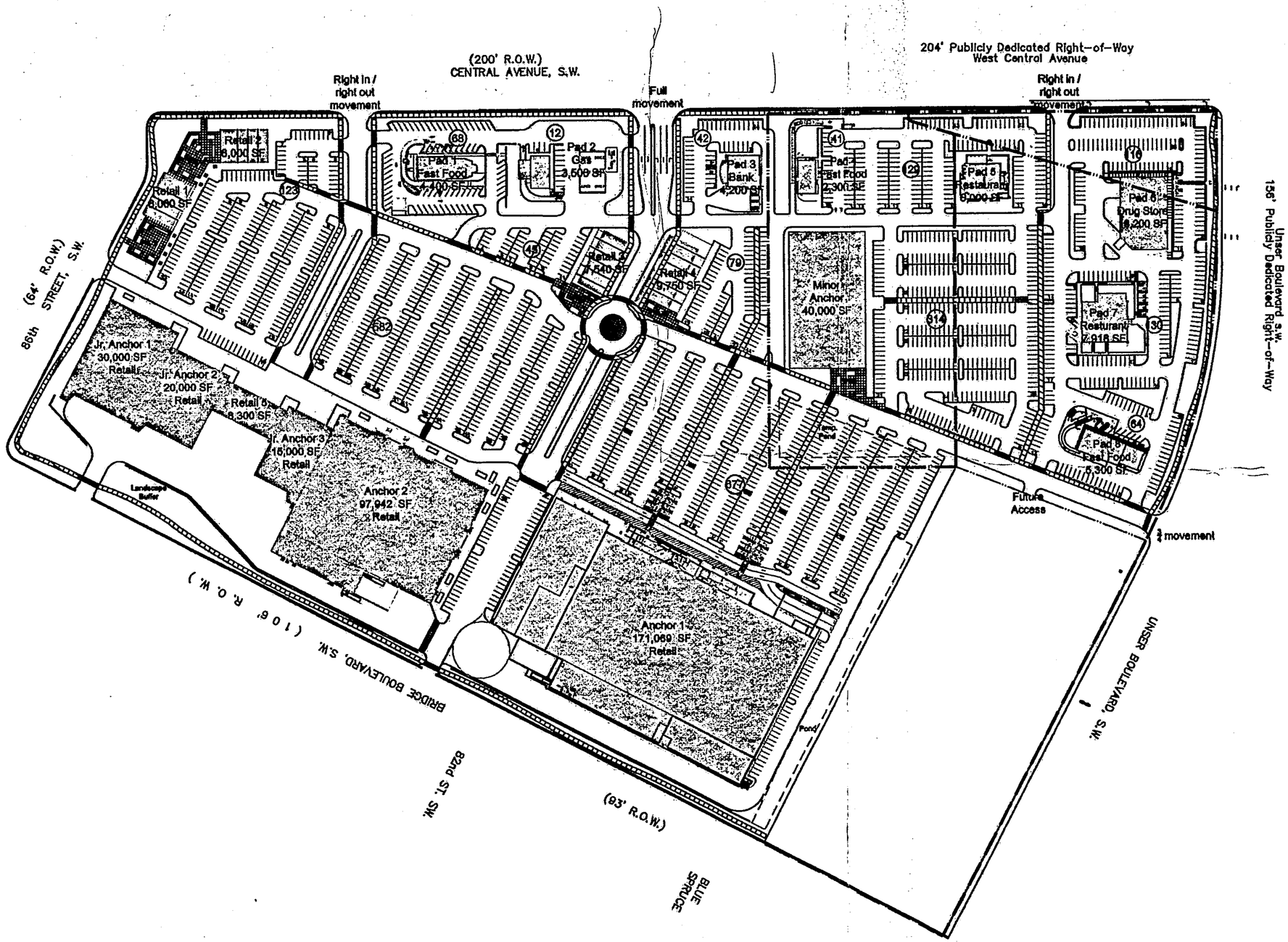
Not a part of this Site Plan
Bridge Blvd SW
(106' R.O.W.)
Unser Blvd SW
156' R.O.W.
82nd St. SW
Blue Spruce

Unser Crossing

Facility	Area	Reducer %	Land Use	Unit	Amount ac/sf	Total $
Drainage/acre	SW Mesa	0	Retail	$12,836.00	35	$449,260.00
Public Safety/sf	Westside	0	Retail	$341.00	457,419.00	$155,979,879.00
Roadway	SW Mesa	0.7	Retail	$6,642.00	171,069.00	$795,368,208.60
Roadway	SW Mesa	0.7	Retail	$4,201.00	97,942.00	$288,018,039.40
Roadway	SW Mesa	0.7	Retail	$4,201.00	15,000.00	$44,110,500.00
Roadway	SW Mesa	0.7	Retail	$4,201.00	8,300.00	$24,407,810.00
Roadway	SW Mesa	0.7	Retail	$4,201.00	20,000.00	$58,814,000.00
Roadway	SW Mesa	0.7	Retail	$4,201.00	30,000.00	$88,221,000.00
Roadway	SW Mesa	0.7	Retail	$4,201.00	6,000.00	$17,644,200.00
Roadway	SW Mesa	0.7	Retail	$4,201.00	6,000.00	$17,644,200.00
Roadway	SW Mesa	0.7	Retail	$4,201.00	7,540.00	$22,172,878.00
Roadway	SW Mesa	0.7	Retail	$4,201.00	9,750.00	$28,671,825.00
Roadway	SW Mesa	0.7	Retail	$4,201.00	40,000.00	$117,628,000.00
Roadway	SW Mesa		Fast Food	$37,107.00	4,400.00	$163,270,800.00
Roadway	SW Mesa		Gas	$13,359.00	3,500.00	$46,756,500.00
Roadway	SW Mesa		Bank	$5,727.00	4,200.00	$24,053,400.00
Roadway	SW Mesa		Fast Food	$37,107.00	2,300.00	$85,346,100.00
Roadway	SW Mesa	0.7	Restaurant	$12,843.00	5,000.00	$44,950,500.00
Roadway	SW Mesa		Drug Store	$3,901.00	13,200.00	$51,493,200.00
Roadway	SW Mesa	0.7	Restaurant	$12,843.00	7,918.00	$71,183,611.80
Roadway	SW Mesa		Fast Food	$37,107.00	5,300.00	$196,667,100.00
						$0.00
						$0.00
						$0.00
						$0.00
						$0.00
						$0.00
Totals						$2,342,851,011.80

UNSER CROSSING

January 7, 2008



SITE DATA				
Pad #	Building type	SF	Lot SF (approx.)	Parking
Anchor 1	Major Anchor	171,069 SF (W/ Garden)	559,259 SF (13.76 Ac)	677
Minor Anchor	Minor Anchor	40,000 SF	222,517 SF (5.11 Ac)	314
		97,942 SF		
Anchor 2	Major Anchor	30,000 SF		
Jr. Anchor 1	Jr. Anchor 1	20,000 SF	618,679 SF (14.20 Ac)	583
Jr. Anchor 2	Jr. Anchor 2	15,000 SF		
Jr. Anchor 3	Jr. Anchor 3			
		6,000 SF		
Retail 1	Retail 1	6,000 SF	251,603 SF (5.78 Ac)	247
Retail 2	Retail 2	7,640 SF		
Retail 3	Retail 3	9,750 SF		
Retail 4	Retail 4	8,300 SF		
Retail 5	Retail 5	4,400 SF	55,938 SF (1.28 Ac)	68
Pad 1	Fast Food	3,500 SF	46,611 SF (1.07 Ac)	12
Pad 2	Gas	4,200 SF	34,649 SF (.80 Ac)	42
Pad 3	Bank	2,300 SF	40,222 SF (.92 Ac)	41
Pad 4	Fast Food	6,000 SF	68,368 SF (1.57 Ac)	129
Pad 5	Restaurant	13,200 SF	92,306 SF (2.12 Ac)	116
Pad 6	Drug Store	8,000 SF	87,877 SF (2.02 Ac)	130
Pad 7	Restuarant	5,300 SF	75,510 SF (1.73 Ac)	64
Pad 8	Fast Food			
		458,501 SF	2,155,539 SF (49.43 Ac)	2,423
Total:				

PRELIMINARY SITE PLAN– OPTION 6

1" = 100'-0"

*Not based on actual survey

CITY of ALBUQUERQUE
EIGHTEENTH COUNCIL

COUNCIL BILL NO. R-08-28 ENACTMENT NO. _____

SPONSORED BY: Ken Sanchez

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[-Bracketed/Strikethrough Material-] - Deletion

RESOLUTION

DESIGNATING THE WEST CENTRAL METROPOLITAN REDEVELOPMENT AREA BOUNDARY AMENDMENT, MAKING CERTAIN FINDINGS AND DETERMINATIONS PURSUANT TO THE METROPOLITAN REDEVELOPMENT CODE, AND DESIGNATED THE AREA AS APPROPRIATE FOR A METROPOLITAN REDEVELOPMENT PROJECT; AND SPECIFICALLY INCLUDING THE ENTIRE WEST CENTRAL METROPOLITAN REDEVELOPMENT AREA BOUNDARY AMENDMENT FOR PURPOSES OF TAX INCREMENT FINANCING. IDENTIFYING THE ACTIVITES TO BE CARRIED OUT TO ELIMINATE THE PRESENT CONDITIONS.

WHEREAS, Section 3-60A-1 through 3-60A-48 NMSA 1978) states: "A municipality shall not prepare a metropolitan redevelopment plan for an area unless the governing body by resolution determined the area to be slum or blighted area, or a combination thereof, and designated the area as appropriate for a metropolitan project." ; and

WHEREAS, The City of Albuquerque ("City") and the Metropolitan Redevelopment Agency of the City and their employees and agents, have for some time engaged in a study of blighted areas within the City, and have submitted their findings and recommendations concerning the area detailed in the West Central Metropolitan Redevelopment Area Boundary Amendment Designation Report which is attached as Exhibit A, to this Resolution and incorporated herein by reference: and

WHEREAS, pursuant to Section 3-60A-48 NMSA 1978 of the Metropolitan Redevelopment Code, the Council caused to be published in the Albuquerque Journal, a newspaper of general circulation, a notice containing a general

description of the proposed Metropolitan Redevelopment Area and Project Plan and the date, time and place where the Council will hold a public hearing to consider the adoption of this resolution and announcing that any interested party may appear and speak to the issue of the adoption of this resolution; and

WHEREAS, the Albuquerque Development Commission held an advertised public meeting on November 28, 2007, took testimony from the public, and recommended to the Council the designation of the West Central Metropolitan Redevelopment Area Boundary Amendment and the approval of the West Central Redevelopment Plan, Enactment #66-2004, as set forth in the Staff Report attached to this resolution as Exhibit B, as required by the Code; and

WHEREAS, the Land Use Planning and Zoning Committee of the Council and the City Council, at a time and place designated in a public notice, to hear and consider all comments of all interested parties on the issue of the adoption of this resolution; and

WHEREAS the Project Plan will promote the general welfare, safety, and convenience and prosperity of the inhabitants of the West Central Metropolitan Redevelopment Area and of the City and will benefit the City's effort to revitalize the Area.

BE IT RESOLVED BY THE COUNCIL, THE GOVERNING BODY OF THE CITY OF ALBUQUERQUE:

The Council finds and determines that the area bounded by Unser Blvd. on the East, Central Ave. on the North, 86th St. on the West, and Bridge Blvd. on the South is, by reason of the presence of vacancy and being underutilized which substantially impair and arrest the sound growth and economic well being of the City and the West Central Area, the blighted area that is appropriate for the West Central Redevelopment Plan and is hereby amended as the West Central Metropolitan Redevelopment Area Boundary Amendment.

The Plan will aid in the elimination and prevention of blight or conditions that lead to the development of blight.

The Plan does not require the relocation of any families or individuals from their dwellings; therefore, a method for providing relocation assistance is not required for the project.

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The Plan, attached as Exhibit C, and made a part hereof, is approved in all respects.

The application of the procedures set forth in the Tax Increment Law for financing Metropolitan Redevelopment Projects is hereby approved as the area bounded by Central Ave. on the North, 86th St. on the West, Bridge Blvd. on the South and Unser Blvd. on the East; with the 2007 tax year being the base year.

Pursuant to Section 3-60A-23 NMSA 1978, the City request the approval of all governmental units participating in the property tax revenues derived from the property within the Plan area.

SECTION 1: SEVERABILITY CLAUSE. If any section, paragraph, sentence, clause, word, or phrase of this resolution is for any reason held to be invalid or unenforceable by any court of competent jurisdiction, such decision shall not affect the validity of the remaining provisions of this resolution. The Council hereby declares that it would have passed this resolution and each section, paragraph, sentence, clause, word, or phrase thereof irrespective of any provisions being declared unconstitutional or otherwise invalid.

[+Bracketed/Underscored Material+] - New
[-Bracketed/Strikethrough Material-] - Deletion

CITY OF ALBUQUERQUE

Albuquerque, New Mexico
Office of the Mayor

Mayor Martin J. Chávez

INTER-OFFICE MEMORANDUM January 8, 2008

TO: Brad Winter, President, City Council

FROM: Martin J. Chávez, Mayor

SUBJECT: Designation of the West Central Metropolitan Redevelopment Area Boundary Amendment

Attached for your review is the West Central Metropolitan Redevelopment Area Boundary Amendment Designation Report. The designation is a prerequisite to any redevelopment activity. The process of neighborhood involvement included a charrette with the Southwest Area Neighborhood (SWAN). The designation of a Metropolitan Redevelopment Area is based on findings of blighted conditions defined in the Metropolitan Redevelopment Code (3-60A-48). The West Central Metropolitan Redevelopment Area Boundary Amendment is meant to address the blighted condition and create redevelopment.

Attached are the resolution, cover analysis, and fiscal impact analysis. The Albuquerque Development Commission recommended approval of the designation at a public hearing held on November 28, 2007. It is being forwarded to City Council for approval.

Recommended:

Bruce J. Perlman, Ph.D.
Chief Administrative Officer

Approved as to Legal Form:

Robert M. White
City Attorney

Recommended:

Richard Dineen, AIA,
Director of Planning

Recommended:

Ed Adams
Chief Operating Officer

Cover Analysis

1. **What is it?**
   Designation of the West Central Metropolitan Redevelopment Area Boundary Amendment. (See attached report).

2. **What will this piece of legislation do?**
   It will increase the West Central Metropolitan Redevelopment Area boundary.

3. **Why is the project needed?**
   To stimulate redevelopment activities in a blighted area of Albuquerque within the West Central Metropolitan Redevelopment Area.

4. **How much will it cost and what is the funding source?**
   No funding source is required for the designation.

5. **Is there a revenue source associated with this contract? If so, what level of income is projected?**
   No revenue source is associated with this designation.

6. **What will happen if the project is not approved?**
   The area will remain vacant and undeveloped.

7. **Is this service already provided by another entity?**
   No.

FISCAL IMPACT ANALYSIS

TITLE: Project #_____, Case #_____ R-_____ O-_____

Amendment of the West Central Metropolitan Redevelop-____ FUND: _____

ment Area Plan Boundary_____ DEPT: _____Planning_____

[X] No measurable fiscal impact is anticipated, i.e., no impact on fund balance over and above existing appropriations.

[ ] (If Applicable) The estimated fiscal impact (defined as impact over and above existing appropriations) of this legislation is as follows:

SUMMARY:

This is a request to amend the West Central Metropolitan Redevelopment Area (MRA) boundary. The boundaries for this MRA are: Unser Boulevard to the east, Central Avenue to the north, 86th Street to the west and Bridge Avenue to the south. The purpose of the designation of a MRA for this property is to address the blighted conditions. The purpose of the Project Plan is to identify a means to carry out redevelopment. There are no requested City appropriations. There will be no fiscal impact from the adoption of this expanded boundary.

APPROVED: APPROVED:

12/11/07 12/12/07

DIRECTOR (date) BUDGET OFFICER (date)

REVIEWED BY: GML ( ) RS (✓) (✓) (✓)

ALBUQUERQUE DEVELOPMENT COMMISSION

COMMISSION MEMBERS PRESENT:
Alex Romero, Chair
Jeanette Baca
Samuel K. Collins
Aaron Forrester
Archie Garcia

COMMISSION MEMBERS EXCUSED:

CITY STAFF PRESENT:
Gabriel Rivera, MRA
Cynthia Borrego – MRA
Al Soto – MRA
Yolanda Aragon - MRA
Deirdre Firth – Economic Dev. Division

OTHERS PRESENT:
List on File

****

Minutes of November 28, 2007

1) Call to Order:

Commissioner Romero called the meeting to order at 3:05pm.

2) Changes and/or Additions to the Agenda:

Commissioner Romero asked if there were any changes and/or additions to the Agenda.

There were none.

3) Approval of Minutes:

Commissioner Romero asked for a motion to approve the minutes of October 17, 2007.

Commissioner Garcia made a motion to approve the minutes.

Commissioner Forrester seconded the motion.

Motion carried to approve the minutes.

4) Announcements:

There were none.

5) Public Comments:

There were none.

6) IRB #07-03 – The Montessori Elementary School Project (TMES) – Deirdre Firth

Deirdre Firth, Manager, Economic Development Division: Ms. Firth explained that the request was for approval of the issuance and sale of industrial revenue bonds in an amount not to exceed $7,200,000 for the Montessori Elementary School Project. TMES is a public charter school, founded in 2005 and is open to all school children. They do not require entrance examinations or charge tuition. The current enrollment is 192 and school management anticipates growing to 301 students next year and ultimately to 350 students in the 2011-2012 school year. This growth will require hiring approximately 12 additional permanent full-time staff members.

There is an issue right now that they have to be in compliance with a new educational adequacy standards when their charter comes around for renewal in 2010. This requirement can be met by being housed in a public building, in a facility that meets adequacy standards and for which the charter has secured a lease with option to purchase, or by leasing from a private non-profit that is created to provide a facility for the charter school. A failure to satisfy this requirement may jeopardize TMES's upcoming renewal and will be cause for non-renewal in the future. Acquisition of a suitable facility is necessary to secure TMES's legal future status and permit the expansion described above.

The Foundation has located a property, which it proposes to purchase for $3,900,000, renovate and lease to TMES at 3831 Midway Place NE, which is approximately one-half mile north of TMES's current facility. The property has been used for warehouse and office purposes and will require extensive remodeling. The construction plus new furnishings and equipment will cost $2,200,000. The facility will allow the addition of a multi-purpose room, additional classrooms, a teacher's lounge, a nurse's office, and other appropriate spaces. The Foundation anticipates that TMES would move into the facility in August 2008.

The bond underwriter is Robert W. Baird & Co., who intends to place the bonds with institutional investors. Baird is a large and experienced national investment banking firm with expertise in these types of transactions. The project is allowable under current zoning, and is not expected to generate significant environmental impacts in regard to air pollution, noise and waste generation. It is not expected to be a large water user under the City's standards. The parking and drop-off areas will be within the boundaries of the campus. One of the areas that has caused concern is traffic mitigation and safety issues because this is an office/industrial area and the school has been made aware of the concerns of neighboring businesses and has done an outreach effort to a number of neighboring businesses. The pick-up and drop-off areas are within the boundaries of the campus and any traffic mitigation measures that are necessary will be incorporated when the City reviews the specific building permit plans.
The proposed project will make a positive contribution to the economy and will not significantly affect the adjacent neighborhood. The school salaries for teachers appear to be consistent with other APS positions within the area. Normally with Industrial Revenue Bonds they see benefit packages that include health insurance and a requirement that the City has that at least 50% of the health insurance benefits are covered by employers. This is not applicable in this case for two reasons.

The first being the State statue only applies for IRBs in excess of $8 million dollars and secondly public schools fall under some interesting negotiated benefit and the benefit levels are dictated by those that are part of the State Educational Retirement Board and the New Mexico Public School Insurance Authority.

One of the issues in this particular situation will be the feasibility of repaying the bonds, which is dependent upon the State continuing its allocation to the schools in a sufficient level to service the debt. It is unlikely that the State Legislature would withdraw completely their support for charter schools, but she has no way of guaranteeing that. The Montessori Elementary School Project will make positive contributions to the local economy and community, provided any issues regarding traffic mitigation are resolved. It will comply with all adopted City plans and policies and will adequately meet the evaluation criteria established for industrial bond projects. Based on the above findings, the staff recommends approval of the proposed project plan.

Commissioner Baca asked if the current zoning for an Industrial Park would allow for school uses.

Ms. Firth stated that it does allow for a variety of uses, including school uses, so it does not require a zone change.

Commissioner Romero asked why they are using this tool as an option for the school.

Ms. Firth explained that one of the biggest challenges that charter schools face is that they do not have any money for buildings.

Commissioner Romero stated that by using this process, they can bond and actually get a building built or acquire an existing building. He asked how the debt was going to be serviced. On page 10 of the application, under Project Financing, Item A, it talks about no liability for the City, however, it has the City in that transaction on the lease from the Foundation to the City and sub-lease back to the school and it does seem that there is liability there.

Ms. Firth explained that typically that is the vehicle for all IRBs. The City technically takes title to the property and then leases it back to the applicant.

Commissioner Romero stated that typically the applicant comes before the Commission and they have financial backing.

Ms Firth agreed and said that this is different in that regard, however the legal structure of the lease transaction involving the City, that part is no different from any other transaction and there is no risk for the City in that regard. There is a risk for the transaction as a whole, but not for any negative implication for the City specifically.

Commissioner Romero stated that she talked about it earlier, which is the political potential adversity in that regard.

Alan Hall, Bond Counsel, Rodey, Dickason, Sloan, Akin & Robb, P.A.: He stated that the area is a good location for the school. He explained that in this case the school itself does not have the authority to enter into a transaction, so a Foundation was set up.

Commissioner Romero stated that as of now the bond community was not in the picture as far as APS is concerned. There is no guarantee that the current level of funding will continue.

Mr. Hall agreed that there is no guarantee, but there is reasonable expectation that the Legislature will continue to fund education.

Commissioner Romero asked what APS's stand on charter schools was, because it cuts into their funding stream.

Mr. Hall stated that they will have a representative from APS speak also.

Commissioner Romero asked if a charter school in New Mexico failed.

Mr. Hall stated that he wouldn't be surprised if it had.

John Mehan, Robert W. Baird, & Co.: Mr. Mehan is in support of the project.

Spencer Visconti, Board Member, The Montessori School: He is in support of the project.

Theresa Asenap, APS Representative: She explained that the charter schools fall under her direction. She explained that they widely support the project.

Edward Ayoub, Enchanted Land Properties: He explained that he owns the adjacent property and he has concerns because of the many 18 wheelers that are going in and out of the industrial park. He does not support the project.

Mike Sei, Sei Properties LLC: He owns property nearby and he is against the project because the area is an industrial park and the integrity changes if you put a school in the area.

Roger DeAngelis, Greenhouse and Garden: He is a wholesale distributor located south of the property, and he is also against the project due to the high traffic from 18 wheelers in the area.

Hartono Sumali, Montessori School parent: He is in support of the project.

Sarah and Donovan Kabalka, Montessori School parents: They are in support of the project.

Spencer Visconti, The Montessori School: He explained that he walked the neighborhood and has a signed petition in favor of the project. He stated that they are willing to work with the businesses in the neighborhood.

Commissioner Baca asked if the traffic issues would be taken care of at the building permit stage.

Ms. Firth assured her that they would be taken care of at that time.

Commissioner Romero asked if there was a motion to forward to City Council.

Commissioner Garcia made a motion to move forward to the City Council with no recommendation.

Commissioner Romero seconded the motion.

The motion carried to forward to the Council with no recommendation. Three votes for (Baca, Romero, Garcia) and two votes against (Forrester, Collins).

Commissioner Romero stated that he is in favor of education and his concern has to do with the use of the school for this purpose and the impact on property values. He believes that it is a sound system and it is just this particular project and its current location and the use of this tool to accomplish that, is what he has a problem with.

7) ADC #07-05 – East Gateway Metropolitan Redevelopment Area Designation – Gabriel Rivera

Commissioner Romero stated that when he reviewed the staff report, he felt that a significant piece was missing, so he asked that it be included in the staff report.

Gabriel Rivera, Metropolitan Redevelopment Agency: He stated that they conducted another meeting with the community on October 29, 2007 and they have redone the boundary to include only commercial properties. The staff added to its recommendation a request for a mediator to help with the design guidelines. This request will be added to the staff findings as item #5 of the staff report.

John Clarke, 12815 Central NE, East Central Business Owner: He is in support of the designation.

Gary Smith, 11911 Skyline NE, Property Owner: He is in support of the designation.

Bill McCoy, 210 Dorothy NE, Property Owner: He is in support of the designation.

Andy Aragon, 11010 Central NE, Holiday Travel Trailers: He feels the designation would be detrimental to his business and the other travel trailer businesses in the area. He feels it would have a negative impact on the property values in the area.

Rod Currant, 11505 Central NE, Bodyworks by R & C: He stated that the area has already seen some improvement. He is in support of the designation and mediation.

Mike Davidson, 12800 Piru SE, Singing Arrow Neighborhood: He thinks the staff from the Metropolitan Redevelopment Agency has done a good job, but there was a lack of trust with the City. He thinks the Sector Plan should be done first and then the MRA designation after more review.

Roger Mickelson, 1432 Catron SE, East Gateway Coalition President: Stated that the City staff has been very helpful and he too would like to see revitalization in that part of the City. The Coalition would like to see the Sector Plan proceed first and then the MRA designation.

Commissioner Romero asked Mr. Rivera if he thought the process was adequate in the spirit of trying to address the many issues and that they reached out to the right audience.

Mr. Rivera explained that they tried to reach as many people as possible that are in the area with public notices, to get as many opinions as possible.

Commissioner Romero stated that part of the process is education of the public. When you look at property values after a designation has been made, historically they do not go down. Another point that has been made is that there has been significant growth in the area already.

Commissioner Baca asked Mr. Rivera what happened at the last meeting because it states in the report that only one out of 50 people was in support of the designation and then a little while later it changed and she was wondering why.

Mr. Rivera stated that they addressed their concerns as far as the boundary and also the fact that a mediator would be involved helped to change everyone's opinion.

Mr. Aragon stated that he knows someone on the west side who told him his property values went down after an MRA designation and that is why he is concerned.

Commissioner Baca stated that she lives in an MRA and the myth that property values go down is not true, in fact they go up. The designation gives the existing businesses an opportunity to look nicer with new facades and things like that.

Ms. Cynthia Borrego, Manager, Metropolitan Redevelopment Agency: Ms. Borrego explained that her staff submits an area on a map and requests labels for all of the property owners in that area and notifies them of upcoming public meetings. They get their information from the County Assessor's office, so if those records are not up to date they will not get a notice. She also stated that the Metropolitan Redevelopment Code only requires that they hold a public hearing and does not require neighborhood meetings and in this particular area they have had numerous neighborhood meetings already.

Don Harris, City Councilor: He stated that he and his assistant went door to door in an educational effort for the community. Most residents are in support of the designation. He believes that mediation would be a good idea and he stated that he spoke with the folks at the Four Hills Shopping Center and they do not have a problem with it either.

Commissioner Romero asked the City to continue working with the business owners that are affected because they have come a long way already and would like to see that continue. He asked for a motion.

Commissioner Forrester made a motion to pass the designation along with a mediator.

Commissioner Baca seconded the motion.

The motion carried unanimously.

8) ADC #07-08 – West Central Metropolitan Redevelopment Area Boundary Amendment – Al Soto

Al Soto, Metropolitan Redevelopment Agency: He explained that they would like to amend the boundary because in the process, they were mostly concerned with the northwest corner of Central Ave. and Unser Blvd. and they left out the Unsers' properties initially. After talking with the community they suggested that they include these properties as well.

Miguel Maestas, 6013 Sunset Gardens SW, Southwest Area Neighborhood: He explained that they are in full support of the amended area and in the future they will probably ask that new Coors Blvd. between Central Ave. and Bridge Blvd. be added as well.

Jack Dettweiler, 2424 Louisiana NE, Representative for Al and Bobby Unser: They are in full support of the amended boundary.

Commissioner Baca made a motion to approve the boundary amendment.

Commissioner Garcia seconded the motion.

The motion carried unanimously.

9) 2006 Metropolitan Redevelopment Fund Annual Report – Cynthia Borrego

Ms. Cynthia Borrego, Manager, Metropolitan Redevelopment Agency: She explained that at the last meeting the wrong financial reports were inadvertently included in the report however the correct ones are reflected now. The latest Tax Increment Financing figures are not reflected yet, only the 7 older ones.

Commissioner Collins made a motion to approve the Annual Report.

Commissioner Baca seconded the motion.

The motion carried unanimously.

10) Old Business

There was none.

11) New Business

There was none.

12) Adjourn

Commissioner Romero adjourned the meeting at 6:20pm.

Albuquerque Development Commission
West Central Metropolitan Redevelopment Area
Staff Report ADC #07-08
November 28, 2007

BACKGROUND

In 2001, the City Council designated the West Central Metropolitan Redevelopment Area. Enactment #82-2001

In 2004, the City Council approved the West Central Metropolitan Redevelopment Area Plan. Enactment #66-2004

The boundary of the designated Metropolitan Redevelopment Area inadvertently omitted many properties including properties located on the Southwest Corner of Central and Unser. The owners of the subject property are Al and Bobby Unser and the Doughty brothers. Attached are letters from the Unsers and Doughtys requesting that the City include their properties into the West Central Metropolitan Redevelopment Area Designation.

ANALYSIS

There are approximately 110,000 people residing in the area South of I-40 and West of the river. There is little or no commercial/retail development in the area. By the addition of the subject properties to the West Central MRA, it is envisioned that the property will be a catalyst for future development. The subject property on the Southwest corner of Unser and Central has remained vacant and underutilized since 2001, when the area was designated an MRA. The Redevelopment Agency has purchased properties on the Northwest corner of Unser and Central and plans to develop them as part of a mixed-use retail development with a transit component. In the planning charette the area residents requested the redevelopment of the Southwest corner of Unser and Central as an integral part of the development of the Northwest corner.

The addition of the subject properties as a Metropolitan Redevelopment Area is consistent with the State Metropolitan Redevelopment Code, Article 60 A, and meets the requirements for designation. The change is consistent with the adopted Metropolitan Redevelopment Plan's goals and objectives.

FINDINGS

1. The Redevelopment Agency has purchased properties on the Northwest corner of Unser and Central and plans to develop them as part of a mixed-use retail development with a transit component.

2. Area residents requested the redevelopment of the Southwest corner of Unser and Central as an integral part of the development of the Northwest corner at a Planning Charette held in the community.

3. The Southwest Area Neighborhoods (SWAN) generally supports the Amendment to the existing designated boundary.

4. The addition of the subject properties as a Metropolitan Redevelopment Area is consistent with the State Metropolitan Redevelopment Code, Article 60 A, and meets the requirements for designation

5. The change is consistent with the adopted Metropolitan Redevelopment Plan's goals and objectives.

STAFF RECOMMENDATIONS

Staff recommends approval of ADC-07-08, a boundary amendment to the West Central Metropolitan Redevelopment Area Designation Report, which is consistent with the MR Code and the adopted plans goals and objectives.

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

Date: May 16, 2008

OFFICIAL NOTIFICATION OF DECISION

FILE: **Project# 1007204**
08EPC-40034 SITE DEVELOPMENT - SUBDIVISION
08EPC-40035 SITE DEVELOPMENT - BUILDG PRMT
08EPC-40039 AMEND SECTOR DEVELOPMENT PLAN MAP

Armstrong Development Properties
1500 N. Priest Drive, Suite 150E
Tempe, AZ 85281

LEGAL DESCRIPTION: for Tracts 1A, 1B, 2A, 2B, 3A, 3B, & 6, Barrett V.E. Subdivision and approval of Site Development Plans for the aforementioned tracts and Tracts 4-A-1, 4B, 5-B-1 & 5-B-2, Lands of WEFCO Partners, zoned SU-2/C-2, located on Central Avenue between Unser and 86TH ST SW, containing approx. 50 acres. (K-9 ,10/L-10) Anna DiMambro, Staff Planner

On May 15, 2008 the Environmental Planning Commission voted to recommend approval to the City Council Project 1007204/08EPC 40039, a request for a map amendment to the West Route 66 Sector Development Plan from "SU-1/C-2 (10 acres), O-1, and PRD 20 du/acre (7 acres)" to C-2, for Tracts 1A, 1B, 2A, 2B, 3A, 3B, and 6 V.E. Barrett Subdivision, based on the following Findings:

FINDINGS:

1. This is a request for a map amendment to the West Route 66 Sector Development Plan for Tracts 1A, 1B, 2A, 2B, 3A, 3B, and 6 V.E. Barrett Subdivision, an approximately 36 acre portion of a larger approximately 50 acre site located at the southwest corner of Central and Unser SW. The site is currently zoned SU-1/C-2 (10 acres), O-1, and PRD 20du/acre (7 acres) and is currently vacant. The applicant is proposing C-2 zoning for the entire site. Due to the acreage of the proposed zone change, this request will need to be approved by the City Council. The EPC is a recommending body in this case.

2. The applicant has submitted concurrent requests for a site development plan for subdivision and a site development plan for building permit for the larger 50-acre site. Retail uses are proposed for the entire site, including a health club.

3. The subject site is located within the Established Urban Area as designated by the Comprehensive Plan and is also within the boundaries of the West side Strategic Plan and the West Route 66 Sector Development Plan. The site is a designated Community Activity Center, and Central and Unser are both Enhanced Transit Corridors in this area.

4. This request furthers the following Comprehensive Plan goals and policies:
   a. This request will contribute to a full range of urban land uses (II.B.5a).
   b. The subject site is an appropriate location for the proposed intensity (II.B.5d).
   c. The proposed zoning will enable development of a vacant infill site that is contiguous to existing infrastructure. Site plan review due to the site's size will ensure the integrity of existing neighborhoods (II.B.5e).
   d. Employment and services uses on this site will complement the surrounding residential areas. Site plan review will ensure minimization of adverse effects of noise, lighting, pollution, and traffic on residential environments (II.B.5i).
   e. The proposed zoning will contribute to the efficient placement of services (Transportation and Transit goal).
   f. The proposed zoning will add to the economic diversity of the West Side (Economic Development goal).
   g. The proposed zoning will accommodate a wide range of occupational skills and salary levels (II.D.6a).
   h. The proposed zoning will enable development of a shopping center that may attract both local and outside businesses (II.D.6b).
   i. The proposed zoning will enable development of a shopping center that will create jobs and reduce the need to travel (II.D.6g).

5. This request partially furthers the following Comprehensive Plan policies:
   a. The applicant is requesting to eliminate the requirement for higher density housing in this designated Activity Center. While residential development is appropriate and encouraged, it is not required (II.B.5h and II.B.7i).
   b. The subject site is currently only partially commercially zoned (II.B.5j).
   c. The proposed location for this shopping center will be convenient for nearby residents, but mixed use is not being proposed (II.B.7a).
   d. Employment and services uses on this site will complement the surrounding residential areas. Site plan review will ensure minimization of adverse effects of noise, lighting, pollution, and traffic on residential environments (II.B.5i).
   e. The proposed zoning will add to the economic diversity of the West Side (Economic Development goal).
   f. The proposed zoning will accommodate a wide range of occupational skills and salary levels (II.D.6a).

6. This request furthers the following goals, objectives, and policies of the West Side Strategic Plan:
   a. The proposed zoning will allow West Side residents the opportunity to shop and play in the area where they live (Goal 10).
   b. Land uses on the West Side are currently unbalanced with a need for commercial uses (Objective 1).
   c. This zone change will promote job opportunities and business growth in an appropriate area (Objective 8).
   d. The proposed zoning will allow for urban style services (Policy 3.40).
   e. The proposed zoning will encourage employment growth (Policy 3.41).

7. The applicant has adequately justified this request based upon R-270-1980:
   a. The proposed C-2 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. This is consistent with the health, safety, morals, and general welfare of the city (A).
   b. The Planning Department considers that the applicant has provided an acceptable justification for the change and has demonstrated that the requested zoning will not destabilize land use and zoning in the area because it is consistent with the zoning of many surrounding properties (B).
   c. The applicant cited a preponderance of applicable goals and policies of the Comprehensive Plan and the West Side Strategic Plan that are furthered by this request (C).
   d. The applicant has justified the change based on changed conditions and on the proposed use category being more advantageous to the community
      i. An 80-acre Regional Shopping Center, which was approved as part of the Atrisco Business Park Master Plan, was a factor in limiting the amount of commercial development that could take place on the subject site. This regional mall was never developed in this area. 100% commercial zoning on the subject site is appropriate to fill the gap in commercial zoning that was left when the regional mall was developed further north (2).
      ii. Overall, the applicant has cited a preponderance of policies that are furthered by this request (3).
   e. C-2 zoning is an appropriate zoning category for a Community Activity Center and that most of the allowable uses are innocuous (E).
   f. The applicant will be required to fund any associated infrastructure improvements (F).
   g. Economic considerations are not the determining factor for the request (G).
   h. While the location of the site is certainly a factor in this analysis, it is not the only justification for the proposed change (H).
   i. This request will not constitute a spot zone or a strip zone (I and J).

8. There is no known neighborhood or other opposition to this request. There is substantial support for this request from area residents and neighborhood associations.

On May 15, 2008 the Environmental Planning Commission voted to approve Project 1007204/08EPC 40034, a site development plan for subdivision, for Tracts 1A, 1B, 2A, 2B, 3A, 3B, 4B, and 6 V.E. Barrett Subdivision and Tracts 4-A-1, 5-B-1, 5-B-2, Lands of WEFCO Partners, based on the following Findings and subject to the following Conditions:

FINDINGS:

1. This is a request for a site development plan for subdivision with design standards for Tracts 1A, 1B, 2A, 2B, 3A, 3B, 4B, and 6 V.E. Barrett Subdivision and Tracts 4-A-1, 5-B-1, 5-B-2, Lands of WEFCO Partners an approximately 50-acre vacant site located at the southwest corner of Central and Unser SW. The site is currently zoned C-2 and SU-1/C-2 (10 acres), O-1, and PRD 20du/acre (7 acres).

2. The applicant is proposing to re-plat the existing 11 tracts into 14 tracts and proposes design standards.

3. The applicant has a submitted concurrent request for a map amendment to the West Route 66 Sector Development Plan for an approximately 36- acre portion of the site so that the entire site will be zoned C-2. The applicant has also submitted a concurrent request for a site development plan for building permit. Retails uses are proposed for the entire site, including a health club.

4. The subject site is located within the Established Urban Area as designated by the Comprehensive Plan and is also within the boundaries of the West side Strategic Plan and the West Route 66 Sector Development Plan. The site is a designated Community Activity Center, and Central and Unser are both Enhanced Transit Corridors in this area.

5. This request partially furthers the following Comprehensive Plan goals and policies:
   a. The applicant is proposing design standards that would regulate the use and design of these future pad sites. However, the site development plan for subdivision does not restrict the number of drive-thrus on the site. Restriction on the number of drive-thrus is crucial to maintain the integrity of the Activity Center and to protect the established residential neighborhoods from the traffic that will be drawn to and through the site thereby increasing vehicle/pedestrian conflicts (II.B.5k).
   b. While staff agrees that the location is convenient for residents, the proposed site plan consists mostly of larger parcels (II.B.7a).

6. This request furthers the following West Side Strategic Plan policy:
   a. This site is accessible by several major streets and is also served by 4 bus routes (Policy 1.14).

7. Delegation of future phases of development to the DRB is not appropriate in this case because of the importance of the properties adjacent to Central and Unser.

8. The submittal meets the Zoning Code's Large Retail Facility (LRF) Regulations (Section14-16-3-2 (D)) except for the block size specifics of subsection (3) Site Division. The subject site's dimensions result in irregular block sizes, which are appropriate because:
   a. The proposed block sizes achieve the intent of the LRF Regulations;
   b. The proposed design is appropriate for this location;
   c. The narrow side of the site abuts the adjacent 86th Street that provides a primary access
   d. The long side along Central Avenue has a major entrance that leads to a large, pedestrian-oriented entrance plaza for a group of buildings.

9. There is substantial support for this request from area residents and neighborhood associations.

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. Design Standards
   a. Future phases of development may be delegated to the DRB after EPC review of the first pad site.
   b. The applicant shall provide a note stating that all development on the site must comply with Zoning Code and West Route 66 Sector Development Plan Design Overlay Zone regulations and that where conflicts exist, the most restrictive shall apply.
   c. All references to the SU-2 zone shall be removed from the Design Standards.
   d. A clear statement shall be added to the Permitted Uses section stating that any C-2 conditional uses proposed for the site will require a Conditional Use Permit.
   e. Streetscape: The applicant shall insert the statement that streetscape will also encourage nearby residents to walk rather than drive to Unser Crossing.
   f. Parking:
      i. The statement prohibiting on-street parking shall be removed.
      ii. The statement regarding compliance with the big box ordinance shall be removed from the second bullet point.

iii. A standard shall be added stating that parking shall be placed on at least two sides of a building within a particular lot and, if possible, shall not dominate the building or street frontage.
iv. The statement regarding employee parking shall be removed.
v. A note shall be added stating that trees shall be provided in the parking areas per the requirements of the West Route 66 Sector Development Plan Design Overlay Zone.

g. Site Landscape:
   i. The applicant shall state when the hardscape palette will be selected and by whom.
   ii. The first bullet point shall not state specific zoning code section and shall additionally state that landscape plans shall also comply with the West Route 66 Sector Development Plan Design Overlay Zone.
h. Commons Area: This section shall be removed.
i. Service/Loading Areas: The wall height required for screening of service/loading shall be changed to 8' at the loading dock areas.
j. Building Articulation/Design: Design requirements shall be added to make the rears of buildings attractive to the same standard as the sides of buildings.
k. Portable Buildings: Temporary portable buildings shall also be prohibited.
l. Sustainability: The applicant shall add information regarding access to transit and safe and convenient pedestrian connections in order to facilitate multi-modal transportation.
m. Lighting: Maximum lighting height shall be 20' unless the Zoning Hearing Examiner approves a variance.

4. Signage Master Plan shall return to the EPC for review and approval:
   i. Off-premise signs shall be added to the list of prohibited signs. Temporary banner signs for special events may be allowed with an Administrative Amendment.
   ii. The statement "signs will not be permitted to be installed or placed along the perimeter of the property" shall be removed.
   iii. A note shall be added stating that all signage shall comply with regulations of the Zoning Code and the West Route 66 Sector Development Plan Design Overlay Zone unless the Zoning Hearing Examiner approves a variance.
   iv. A note shall be added stating that signage facing residential areas shall not be illuminated.

5. Transit:
   i. The applicant shall include information regarding all of the bus routes that serve the subject site.
   ii. The applicant shall coordinate with the Transit Department about possible participation in Transportation Demand Management (TDM) programs.

6. Drive-Up Service Windows: The total number of permitted drive-up service windows shall be limited to 4, with the number of adjacent drive-up service window uses limited to two. Drive-up window uses may include a bank, pharmacy and a maximum of two "quick-serve restaurants."

7. Wireless Telecommunications Facilities: Any allowance for wireless telecommunications facilities shall require architectural integration.

8. The site development plan for subdivision shall be made to match the approved site development plan for building permit.

9. Final approval of the corresponding map amendment to the West Route 66 Sector Development Plan (08EPC 40039) by the City Council is required prior to final sign-off of the site development plan for subdivision at the DRB.

10. City Engineer Conditions:
    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. Comment continued on next page. 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. Page 7, 10C and page 15, 18C, The width of the drive aisle between the landscape island and the parking area behind retail shops 7C and 7C2 shall be a maximum 35' to minimize the crossing distance for the pedestrian walkway by adding additional parking.
    d. Provide adequate site distance at service drives along Bridge Boulevard adjacent to 6' screen wall.
    e. According to the TIS, there are six uses with drive-thru windows. Therefore, the applicant should provide the entire site plan for the purpose of reviewing site circulation.
    f. Site drives to be designed and located per the recommendations in the TIS.
    g. Provide truck route and turning information on site plan. Service drives and loading areas to be designed accordingly.
    h. Provide cross access to Tracts 7 and 8 (designated as not a part on site plan), to site drive aisles that provide connections with Unser and Bridge Boulevards. Provide applicable cross access agreements.
    i. A concurrent platting action will be required at DRB.
    j. Site plan shall comply and be designed per DPM Standards.
    k. Dedication of right-of-way from the centerline of Unser Boulevard a limited access, principal arterial as designated on the Long Range Roadway System map.
    l. Dedication of right-of-way from the centerline of Central Avenue a Principal arterial as designated on the Long Range Roadway System map.
    m. Dedication of right-of-way from the centerline of Bridge Boulevard a Collector Street as designated on the Long Range Roadway System map.

n. Dedication of right-of-way from the centerline of 86th Street a Collector Street as designated on the Long Range Roadway System map.
o. Dedication of an additional 6 feet of right-of-way along Unser Boulevard, Central Avenue, Bridge Boulevard and 86th Street as required by the City Engineer to provide for on-street bicycle lanes.
p. Construction of the bicycle lanes along Unser Boulevard, Central Avenue, Bridge Boulevard and 86th Street adjacent to the subject property, as designated on Long Range Bikeways System map.

11. Final City Council approval of the accompanying sector development plan map amendment (08EPC-40039) is required prior to final DRB sign-off.

On May 15, 2008 the Environmental Planning Commission voted to approve Project 1007204/08EPC 08EPC 40035, a site development plan for building permit, for Tracts 1A, 1B, 2A, 2B, 3A, 3B, 4B, and 6 V.E. Barrett Subdivision and Tracts 4-A-1, 5-B-1, 5-B-2, Lands of WEFCO Partners, based on the following Findings and subject to the following Conditions:

FINDINGS:

1. This is a request for a site development plan for building permit for portions of Tracts 1A, 1B, 2A, 2B, 3A, 3B, 4B, and 6 V.E. Barrett Subdivision and Tracts 4-A-1, 5-B-1, 5-B-2, Lands of WEFCO Partners an overall approximately 50-acre vacant site located at the southwest corner of Central and Unser SW. The site is currently zoned C-2 and SU-1/C-2 (10 acres), O-1, and PRD 20du/acre (7 acres).

2. The applicant has a submitted concurrent request for a map amendment to the West Route 66 Sector Development Plan for an approximately 36- acre portion of the site so that the entire site will be zoned C-2. The applicant has also submitted a concurrent request for a site development plan for subdivision with design standards. Retails uses are proposed for the entire site, including a health club.

3. The subject site is located within the Established Urban Area as designated by the Comprehensive Plan and is also within the boundaries of the West side Strategic Plan and the West Route 66 Sector Development Plan. The site is a designated Community Activity Center, and Central and Unser are both Enhanced Transit Corridors in this area.

4. This request partially furthers the following Comprehensive Plan goals and policies:
   a. The concept of creating a shopping center to offer more retail options to west side residents is supported; however, the overall layout and design of the shopping center with its back towards the adjacent residential neighborhoods does little to promote an integrated community. The site layout is not conducive to walkabilty and places more of an emphasis on the personal vehicle (Goal for Developing and Established Urban Areas).
   b. The proposed site layout could be improved to better respect existing neighborhood conditions, although the proposed uses are appropriate (II.B.5d).
   c. This request would enable development of a vacant infill site that is contiguous to existing infrastructure. However, the proposed design of the site does not ensure the integrity of the existing neighborhood because the entire length of Bridge Boulevard, which is adjacent to residential neighborhoods, is devoted to building rears and loading docks (II.B.5e).
   d. The employment and services uses in the retail center would complement the surrounding residential areas. Currently, there are few retail options on the west side. However, the design of the site may create adverse effects of noise, lighting, pollution, and traffic on the adjacent residential environment (II.B.5i).
   e. This development will buffer adjacent residential areas from the noise on Central Avenue, but the proposed location of the truck loading docks will create additional noise (II.B.5k).
   f. The site's location is convenient for commercial services, but mixed uses are not proposed, and the site design does not encourage walking (II.B.7a).
   g. The proposed commercial uses may somewhat encourage walking from one shop to another adjacent shop, although the overall site design does not encourage walking. Pedestrian linkages are provided between uses within the site and to surrounding neighborhood. Buildings are not designed to support public transit and pedestrian activity, although the architecture is appropriate. Landscaping, street furniture, and textured paving are proposed (II.C.9d).
   h. While the proposal may contribute to the efficient placement of services and sufficient roadway capacity will be ensured through required improvements at the applicant's cost, the proposal does not encourage walking, bicycling, or the use of transit. The applicant is proposing to provide transit shelters, but these could be incorporated into the site plan in a more meaningful way (Transportation and Transit Goal).
   i. Adequate parking screening is provided, and no high water use plants are proposed for the landscape strips. Proposed signage, however, is excessive, and building facades are mostly separated from the roadway corridor by parking areas. Sidewalks are proposed adjacent to the surrounding roadway corridors that will facilitate safe and convenient walking around the perimeter of the site (II.C.9e).
   j. The proposal does not show a majority of building entrances from the street and shows the majority of buildings set back from the street at distances far greater than what this policy calls for, with parking areas separating the buildings from the street. The applicant has used a 15% parking reduction based upon transit access as allowed by the Zoning Code and the design standards project a floor area ratio of 1.0 at build-out. This policy calls for building entrances to be on the street for the convenience of transit riders and to make the use of transit more appealing to vehicle drivers (II.D.4a).

k. Pedestrian and bicycle paths have been incorporated into the project, but the layout of the buildings could be improved to reduce pedestrian/vehicle conflicts and walking distances (II.D.4g).
l. Four transit routes service this site, and safe access to transit and transfer capability is provided for in this site plan, although the site plan fails to meaningfully integrate transit into the development (II.D.4p).

5. This request furthers the following West Side Strategic Plan goals and policies:
   a. This site is accessible by several major streets and is also served by 4 bus routes. It is accessible by pedestrians and bicyclists, although this access may not be ideal (Policy 1.14).

6. This request partially furthers the following West Side Strategic Plan goals and policies:
   a. Although some of the smaller shops are clustered in some areas of the site plan, many of the proposed structures have the appearance of a strip mall (Policy 1.3).
   b. Pedestrian and bicycle access is provided to key activity areas. However, the parking lots are not carefully designed to facilitate this access (Policy 1.5).
   c. The proposal shows buildings of different scales, and the smaller building clusters encourage pedestrian access. However, the three main building structures are too large to be considered pedestrian scale, and parking is located solely in front of the larger buildings. No on-street parking is proposed (Policy 1.12).
   d. While the applicant is proposing aesthetically pleasing landscaping for Bridge and Central and is also proposing commercial services that will contribute to the social enhancement of Bridge and Central, the entire length of Bridge adjacent to the subject site is dedicated to building rears with large loading dock areas (Policy 3.45).

7. The submittal meets the Zoning Code's Large Retail Facility (LRF) Regulations (Section14-16-3-2 (D)) except for the block size specifics of subsection (3) Site Division. The subject site's dimensions result in irregular block sizes, which are appropriate because:
   a. The proposed block sizes achieve the intent of the LRF Regulations;
   b. The proposed design is appropriate for this location;
   c. The narrow side of the site abuts the adjacent 86th Street that provides a primary access
   d. The long side along Central Avenue has a major entrance that leads to a large, pedestrian-oriented entrance plaza for a group of buildings.

8. There is substantial support for this request from area residents and neighborhood associations.

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. Parking:
   a. The motorcycle spaces shall be located in an area that is visible from the entrance of the building on the site.
   b. A detail drawing of the proposed motorcycle signage shall be provided.
   c. Add a column to the parking calculations chart totaling the number of required parking spaces for each building group to match the groupings in the "Parking Provided" column. If the minimum parking required for the site cannot be met, then the applicant shall request a variance from the Zoning Hearing Examiner.
   d. Adjust building square footages in the parking calculation chart to match those shown on the site plan.
   e. The row of disabled parking spaces south of Retail 1 shall be located closer to the entrance of Retail 1 or Retail 7B.
   f. Some of the disabled parking spaces adjacent to Retail 5 shall be located near Retail 4.
   g. Parking shall be located on at least 2 sides of each building.

4. Site Plan:
   a. Note 1 shall be revised to remove the statement "if a truck bay is located within 300 feet of a residential structure."
   b. Future phases of development may be delegated to the DRB after EPC review of the first pad site.
   c. Pedestrian walkways through the parking lots shall align with building entrances where possible.
   d. Additional cart storage areas shall be provided throughout the site where necessary, and parking calculations shall be revised accordingly.
   e. Pervious paving shall be used in plaza areas, along building facades, and along pedestrian walkways.

5. Transit:
   a. All adjacent bus stops (including those on opposite sides of the street) shall be shown on the site plan.
   b. Direct connections shall be provided to each adjacent bus stop.
   c. A transit feasibility plan shall be provided as per West Side Strategic Plan Policy 1.2 and in coordination with the Transit Department.
   d. A new stop on Central Avenue just east of the westernmost driveway will provide access to the site via the #54 and the #66. A new stop on Unser north of the Unser driveway will provide access via the #54. These shall be shown on the site plan and incorporated into the site design as approved by the Transit Department.
   e. The applicant shall install bus shelters and associated trash cans and benches at both stops, as reflected in the Site Plan for Subdivision's section M (Transit Facilities), and as approved by the transit department.
   f. If posted speed limits adjacent to the site on Central will remain over 45 mph, then the applicant install a bus bay for the new stop on Central Avenue, if required by the Transit Department.

6. Maximum lighting height shall be 20' unless the Zoning Hearing Examiner approves a variance.

7. Landscaping:
   a. Parking lot tree planters shall be placed such that not more than 15 side-by-side parking spaces shall be allowed between planters. For the purpose of calculating parking spaces, cart storage spaces and motorcycle spaces shall be included.
   b. The locations of trees, lighting, and signage shall be coordinated to prevent future conflict.
   c. Move street trees along Bridge and along 86th behind sidewalk per street tree ordinance. Move sidewalk farther away from street creating planting area 6' wide or greater providing sufficient rooting area and place trees there for greater pedestrian safety, walkability, and environmental benefits. Same for sidewalk placement along Central and Unser.
   d. A street tree plan shall be provided for the entire lengths of Central and Unser.
   e. Street trees along Central shall be species that will reach a height of 25 feet or less at maturity. (PNM comment).
   f. The note "Landscape to be determined by future tenant" shall be removed.

8. Walls and Fences:
   a. The wall height required for screening of service/loading shall be changed to 8' at the loading dock areas.
   b. Detail drawings of the proposed screen wall shall be provided, including information regarding materials and colors that match the building architecture.

9. Plaza areas:
   a. The square footage of each plaza space shall be indicated on the site plan.

b. Plaza calculations shall be revised to reflect regulations of the large retail facilities regulations (a collection of smaller buildings linked by common walls shall be considered one building). Plaza space for each building shall be located adjacent to or near the associated building.
c. A minimum of 50% of the required public space shall be provided in the form of aggregate space as required by the Zoning Code's Large Retail Facility Regulations.

10. Grading, Drainage, and Utility Plan
    a. The detention pond shall be shallow to prevent the need for defensive security fencing, if technically feasible, yet has the capacity to manage storm waters in a 100-year event.
    b. The retaining wall symbol shall be removed from the legend unless there is actually a retaining wall on the site.
    c. A detail drawing for the detention pond shall be provided. This ponding area shall be rotated 90 degrees and relocated parallel along the adjacent drive aisle and to be bisected by the proposed pedestrian walkway and as presented at the hearing.

11. Architecture:
    a. Elevations shall state color names, shall correctly label each building, and shall use cardinal directions to label each façade.
    b. The statement on the Lowe's elevations regarding the "representation of design intent" shall be removed.
    c. Colors and materials of service doors shall be indicated. High quality materials and treatments shall be used to enhance the aesthetic qualities of these doors.
    d. Similar treatments shall be used on rear elevations as are used on side elevations to meet the intent of Zoning Code §14-16-3-18.
    e. Outdoor seating and plaza space shall be provided as required by large retail facility regulations (§14-16-3-2) and Zoning Code §14-16-3-18.
    f. Retail buildings 7C and 7C2 shall have windows facing the pedestrian plaza on their east and west facades, respectfully.

12. Signage Master Plan shall return to the EPC for review and approval:
    a. All signage shall comply with the Signage Master Plan as approved by the EPC as part of the associated site development plan for subdivision (08EPC 40034).
    b. Vehicular and pedestrian wayfinding sign program shall be included.
    c. Allocation of signage for all tenants shall be described.

13. Maintenance Agreement:
    a. The applicant shall sign a maintenance agreement with the City that is deemed appropriate by the Planning Director. (§14-16-3-2)
    b. The applicant shall add a note on the site development plan for building permit referencing the maintenance agreement.

14. Solid Waste:
    a. The site plan shall comply and be designed in accordance with Solid Waste Management requirements.
    b. Detail drawings shall be provided of the proposed double refuse enclosure.

15. Final approval of the corresponding map amendment to the West Route 66 Sector Development Plan (08EPC 40039) by the City Council is required prior to final sign-off of the site development plan for building permit at the DRB.

16. The applicant must request a Water/Sewer Availability statement. The Utility Plan shall be approved by the Water Utility Authority prior to DRB sign-off.

17. PNM conditions: Access to the development along Central Avenue (driveways, curb cuts) needs to avoid the existing PNM structures. If any of the PNM structures are required to be located due to this project, the developer must pay for the cost of relocation. Any changes or realignment of the existing overhead or underground distribution lines will be at the customer's expense.

18. City Engineer Conditions:
    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. Comment continued on next page. 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. Page 7, 10C and page 15, 18C, The width of the drive aisle between the landscape island and the parking area behind retail shops 7C and 7C2 shall be a maximum 35' to minimize the crossing distance for the pedestrian walkway by adding additional parking.
    d. Provide adequate site distance at service drives along Bridge Boulevard adjacent to 6' screen wall.
    e. According to the TIS, there are six uses with drive-thru windows. Therefore, the applicant should provide the entire site plan for the purpose of reviewing site circulation.
    f. Site drives to be designed and located per the recommendations in the TIS.
    g. Provide truck route and turning information on site plan. Service drives and loading areas to be designed accordingly.
    h. Provide cross access to Tracts 7 and 8 (designated as not a part on site plan), to site drive aisles that provide connections with Unser and Bridge Boulevards. Provide applicable cross access agreements.
    i. A concurrent platting action will be required at DRB.
    j. Site plan shall comply and be designed per DPM Standards.

k. Dedication of right-of-way from the centerline of Unser Boulevard a limited access, principal arterial as designated on the Long Range Roadway System map.
l. Dedication of right-of-way from the centerline of Central Avenue a Principal arterial as designated on the Long Range Roadway System map.
m. Dedication of right-of-way from the centerline of Bridge Boulevard a Collector Street as designated on the Long Range Roadway System map.
n. Dedication of right-of-way from the centerline of 86th Street a Collector Street as designated on the Long Range Roadway System map.
o. Dedication of an additional 6 feet of right-of-way along Unser Boulevard, Central Avenue, Bridge Boulevard and 86th Street as required by the City Engineer to provide for on-street bicycle lanes.
p. Construction of the bicycle lanes along Unser Boulevard, Central Avenue, Bridge Boulevard and 86th Street adjacent to the subject property, as designated on Long Range Bikeways System map.

IF YOU WISH TO APPEAL/PROTEST THIS DECISION, YOU MUST DO SO BY **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

Sincerely,

Richard Dineen
Planning Director

RD/AD/ac

cc: Darren Sowell Architects, 4700 Lincoln Rd. NE, Suite 111, Albuq. NM 87109
Miguel Maestas, Avalon NA, 9400 Harbor Rd. NW, Albuq. NM 87121
Kelly Chappelle, Avalon NA, 9135 Santa Catalina Ave. NW, Albuq. NM 87121
M Max Garcia, Los Volcanes NA, 6619 Honeylocust Ave. NW, Albuq. NM 87121
Benny Sandoval, Los Volcanes NA, 6516 Honeylocust Ave. NW, Albuq. NM 87121
Tony Chavez, Skyview West NA, 305 Claire Ln. SW, Albuq. NM 87121
Beatrice Purcella, Skyview West NA, 201 Claire Ln. SW, Albuq. NM 87121
Norman Mason, Stinson, Tower NA, 7427 Via Tranquilo SW, Albuq. NM 87121
Victor Wyant, Stinson Tower NA, 612 Cottontail SW, Albuq. NM 87121
Andres Anaya, Sunrise HOA, 209 Galataneau NW, Albuq. NM 87121
Darlene Norris, Sunrise HOA, 319 Galantaneu NW, Albuq. NM 87121
Matthew Archuleta, Westgate Heights NA, 1628 Summerfield SW, Albuq. NM 87121
Libby McIntosh, Westgate Heights NA, 1316 Ladrones Ct. SW, Albuq. NM 87121
Van Barber, Westside Merchants Assoc., 5201 Central NW, Albuq. NM 87105
Miguel Maestas, Westside Merchants Assoc., 6013 Sunset Gardens SW, Albuq. NM 87121
Dan Serrano, 3305 Ronda De Lechugas NW, Albuq. NM 87120
Becky Davis, 500 Leeward Dr. NW, Albuq. NM 87121
Jerry Gallegos, 417 65th St. SW, Albuq. NM 87121
Louis Tafoya, 6411 Avalon Rd. NW, Albuq. NM 87105
Dr. Joe Valles, 5020 Grande Vista Ct. NW, Albuq. NM 87121
Senator Linda M. Lopez, 9132 Suncrest SW, Albuq. NM 87121
Susan Unser, 7625 Central NW, Albuq. NM 87121
Bernard Dooley, 7611, Via Sereno, Albuq. NM 87121
Klarissa Pena, 6525 Sunset Gardens SW, Albuq. NM 87121

Current DRC
Project No. _____

Date Submitted: June 17, 2008
Date Site Plan for Bldg Permit Apr _____
Date Site Plan for Sub. Approved: _____

Date Preliminary Plat Approved: _____

Date Preliminary Plat Expires: _____

DRB Project No. 1007204

Figure 12

INFRASTRUCTURE LIST

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

Unser Crossing

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

SIA Sequence #	COA DRC Project #	Size	Type of Improvement	Location	From	To	Private Inspector	City Inspector	City Cnst Engineer
			PUBLIC ROADWAY IMPROVEMENTS						
		11' FC-EOA	LENGTHEN EXISTING NORTH BOUND RIGHT TURN LANE (APPROX. 115 LF): PAVED ROADWAY, STRIPING, CURB AND GUTTER, SIDEWALK	UNSER BLVD. (EAST SIDE OF ROW).	240' SOUTH OF LOS VOLCANES RD.	LOS VOLCANES RD.	/	/	/
		N/A	TRAFFIC SIGNAL MODIFICATIONS	INTERSECTION OF CENTRAL AVE & UNSER BLVD.			/	/	/
		11' - 12'	WEST BOUND THRU LANE: PAVED ROADWAY, STRIPING, CURB AND GUTTER (APPROX. 1,500 LF)	CENTRAL AVE.	500' EAST OF UNSER BLVD.	DRIVEWAY "B"	/	/	/
		11' - 12'	WIDEN EXISTING SINGLE LEFT TURN LANE TO A DUAL LEFT TURN LANE: PAVED ROADWAY, STRIPING, CURB AND GUTTER (APPROX. 275 LF)	CENTRAL AVE.	275' EAST OF UNSER BLVD.	UNSER BLVD.	/	/	/
		12' FC-EOA	100LF WEST BOUND LEFT TURN LANE AND MEDIAN OPENING: PAVED ROADWAY, STRIPING, CURB AND GUTTER	CENTRAL AVE. AT DRIVEWAY "B"			/	/	/
		N/A	NEW TRAFFIC SIGNAL	CENTRAL AVE. AT DRIVEWAY "B"			/	/	/
		12' FC-EOA	EAST BOUND RIGHT TURN DECEL LANE: PAVED ROADWAY, STRIPING, CURB AND GUTTER (APPROX 100 LF)	CENTRAL AVE. AT DRIVEWAY "B"			/	/	/
		6' WIDE	BIKE LANE INCL STRIPING & PAVEMENT	CENTRAL AVE.	86TH ST.	UNSER BLVD.	/	/	/
		N/A	NEW TRAFFIC SIGNAL	CENTRAL AVE AT 86TH ST			/	/	/

SIA Sequence #	COA DRC Project #	Size	Type of Improvement	Location	From	To	Private Inspector	City Inspector	City Cnst Engineer
		11' - 12'	WEST BOUND LEFT TURN LANE: PAVED ROADWAY, STRIPING, CURB AND GUTTER (APPROX. 370 LF)	CENTRAL AVE.	370' EAST OF 86TH ST.	86TH ST.	/	/	/
			EAST 1/2 STREET PERMANENT IMPROVEMENTS TO PROVIDE FOR 6' BIKE LANE, 12' NORTHBOUND LANE AND 14' CONTINUOUS CENTER LEFT TURN LANE	86TH ST.	BRIDGE BLVD.	CENTRAL AVE.	/	/	/
		11' - 12'	NORTH BOUND RIGHT TURN LANE: PAVED ROADWAY, STRIPING, CURB AND GUTTER (APPROX. 100 LF)	86TH ST.	100' SOUTH OF CENTRAL AVE.	CENTRAL AVE.	/	/	/
		11' - 12'	NORTH BOUND LEFT & THRU LANE: PAVED ROADWAY, STRIPING, CURB AND GUTTER (APPROX. 100 LF)	86TH ST.	100' SOUTH OF CENTRAL AVE.	CENTRAL AVE.	/	/	/
			NORTH 1/2 STREET PERMANENT IMPROVEMENTS TO PROVIDE FOR 6' BIKE LANE, 12' NORTHBOUND LANE AND 14' CONTINUOUS CENTER LEFT TURN LANE	BRIDGE BLVD.	UNSER BLVD.	86TH ST.	/	/	/
		N/A	TRAFFIC SIGNAL MODIFICATIONS	INTERSECTION OF UNSER BLVD. & BRIDGE BLVD.			/	/	/
			WEST 1/2 STREET PERMANENT IMPROVEMENTS INCLUDING TWO SOUTHBOUND LANES AND 6' BIKE LANE	UNSER BLVD.	CENTRAL AVE.	DRIVEWAY "E"	/	/	/
		11' - 12'	NORTH BOUND LEFT TURN LANE: PAVED ROADWAY, STRIPING, CURB AND GUTTER (APPROX. 200 LF)	UNSER BLVD.	200' SOUTH OF DRIVEWAY "E"	DRIVEWAY "E"	/	/	/
		11' - 12'	SOUTH BOUND RIGHT TURN LANE: PAVED ROADWAY, STRIPING, CURB AND GUTTER (APPROX. 100 LF)	UNSER BLVD.	100' NORTH OF DRIVEWAY "E"	DRIVEWAY "E"	/	/	/

PUBLIC SANITARY SEWER IMPROVEMENTS

		8" DIA	SANITARY SEWER LINE WITH MH & SERVICES, AS REQ'D	BRIDGE BLVD.	EAST TERMINUS OF CITY PROJECT #26-5226.90-97	UNSER BLVD.	/	/	/
		8" DIA	SANITARY SEWER LINE WITH MH & SERVICES, AS REQ'D	MAIN EAST-WEST SITE DRIVE	1350 ' WEST OF UNSER BLVD.	UNSER BLVD.	/	/	/

SIA Sequence #	COA DRC Project #	Size	Type of Improvement	Location	From	To	Private Inspector	City Inspector	City Cnst Engineer
			PUBLIC WATERLINE IMPROVEMENTS						
		12" DIA	ABANDON EXISTING WATERLINE IN VOLCANO RD	VOLCANO RD.	CENTRAL AVE.	UNSER BLVD.	/	/	/
		12" DIA	WATERLINE W/ NEC. VALVES, MJ'S & RJ'S	UNSER BLVD.	VOLCANO RD.	CENTRAL AVE.	/	/	/
		10" DIA	WATERLINE W/ NEC. VALVES, FH'S, MJ'S & RJ'S	MAIN EAST-WEST SITE DRIVE	86TH ST.	UNSER BLVD.	/	/	/
		10" DIA	WATERLINE W/ NEC. VALVES, FH'S, MJ'S & RJ'S	SITE DRIVES	CENTRAL AVE.	BRIDGE BLVD.	/	/	/
			PUBLIC STORM DRAIN IMPROVEMENTS						
			JUNCTION BOX AND STORM DRAIN	NW CORNER OF SITE	CULVERTS OUTFALLING ACROSS CENTRAL AVE.	STORM DRAIN IN UNSER BLVD.	/	/	/
			STORM DRAIN INLETS & CONNECTOR PIPES	CENTRAL AVE., UNSER BLVD., AND BRIDGE BLVD.			/	/	/

AGENT/OWNER

Racquel Michel 6/17/2008
PREPARED BY: PRINT NAME DATE

BOHANNAN HUSTON, INC.
FIRM:

Racquel Michel 6/17/08
SIGNATURE

MAXIMUM TIME ALLOWED TO CONSTRUCT IMPROVEMENTS WITHOUT A DRB EXTENSION

DEVELOPMENT REVIEW BOARD MEMBER APPROVALS

DRB CHAIR	DATE	PARKS & GENERAL SERVICES	DATE
TRANSPORTATION DEVELOPMENT	DATE	AMAFCA	DATE
UTILITY DEVELOPMENT	DATE	CITY ENGINEER	DATE
			DATE

DESIGN REVIEW COMMITTEE REVISIONS

REVISION	DATE	DRC CHAIR	USER DEPARTMENT	AGENT/OWNER

OFFICIAL NOTICE OF DECISION

CITY OF ALBUQUERQUE
PLANNING DEPARTMENT
DEVELOPMENT REVIEW BOARD

June 25, 2008

Project# 1007204
08DRB-70232 VACATION OF PUBLIC EASEMENT

BOHANNAN HUSTON INC agent(s) for ARMSTRONG DEVELOPMENT PROPERTIES request(s) vacation of certain easements on all or a portion of Tract(s) 1A, 1B, 2A, 2B, 3B, 4B, 3A, & 6, 4-A-1, 5-B-1 & 5-B-2, **V E BARRETT & LANDS OF WELCO PARTNERS,** zoned SU-1 FOR C-2/O1 C-2, located on the south side of CENTRAL AVE SW BETWEEN UNSER BLVD SW AND 86TH ST SW containing approximately 50 acre(s). (K-9, K-10, and L-10) *[Deferred from 6/11/08]*
08DRB-70277 EPC APPROVED SDP FOR SUBDIVISION

At the June 25, 2008 Development Review Board meeting, the vacation was approved as shown on Exhibit B in the Planning file per section 14-14-7-2(A)(1) and (B) (1)(3) of the Subdivision Ordinance.

(A)(1) The public easement vacation request was filed by the owners of a majority of the footage of land abutting the proposed vacation.

(B)(1) The public welfare is in no way served by retaining the public easement.

(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.

08DRB-70277 EPC APPROVED SDP FOR SUBDIVISION
08DRB-70276 EPC APPROVED SDP FOR BUILD PERMIT

The site development plan for subdivision was approved with final sign-off delegated to Transportation for comments and to Planning for comments; city council action, easements internal to the site and easement at northeast corner. The site development plan for building permit was deferred to the meeting of July 9, 2008.

If you wish to appeal this decision, you must do so by July 10, 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: Bohannan Huston Inc. – 7500 Jefferson NE – Albuquerque, NM 87109
Cc: Armstrong Development Properties – 1500 N. Priest Drive Ste 150E – Tempe AZ, 85281
Cc: Scott Maier – 999 18th St STE 2700 – Denver, CO 80202
Cc: Jim Donaldson - 999 18th St STE 2700 – Denver, CO 80202
Cc: Angela Shelton – 4700 Lincoln Rd – Albuquerque, NM 87109

2. **Project# 1006516**
07DRB-70030 BULK LAND VARIANCE
07DRB-70031 MAJOR - PRELIMINARY PLAT APPROVAL
07DRB-70032 MINOR - TEMP DEFR SWDK CONST
07DRB-70033 SIDEWALK WAIVER
07DRB-70034 VACATION OF PUBLIC EASEMENT
07DRB-70085 MINOR - PRELIMINARY/ FINAL PLAT APPROVAL

BOHANNAN HUSTON INC agent(s) for MESA DEL SOL, LLC request(s) the above action(s) for all or a portion of Tract(s) PORTION OF TRACT 4A, **MESA DEL SOL,** zoned SU-2/PC, located on UNIVERSITY BLVD. SE BETWEEN SOLAR MESA AVE. SE AND BOBBY FOSTER SE containing approximately 114.7792 acre(s). (R15, R16, S15, AND S16) *[Deferred from 6/27/07, 7/25/07, 7/22/07, 8/22/07 & 9/26/07, 1/30/08, 3/5/08, 4/9/08, 5/14/08, 5/28/08, 6/4/08 & 6/11/08]* **DEFERRED TO 716/08 AT THE AGENT'S REQUEST.**

3. **Project# 1007204**
08DRB-70232 VACATION OF PUBLIC EASEMENT

BOHANNAN HUSTON INC agent(s) for ARMSTRONG DEVELOPMENT PROPERTIES request(s) vacation of certain easements on all or a portion of Tract(s) 1A, 1B, 2A, 2B, 3B, 4B, 3A, & 6, 4-A-1, 5-B-1 & 5-B-2, **V E BARRETT & LANDS OF WELCO PARTNERS,** zoned SU-1 FOR C-2/O1 C-2, located on the south side of CENTRAL AVE SW BETWEEN UNSER BLVD SW AND 86TH ST SW containing approximately 50 acre(s). (K-9, K-10, and L-10) *[Deferred from 6/11/08]* **THE VACATION WAS APPROVED AS SHOWN ON EXHIBIT B IN THE PLANNING FILE PER SECTION 14-14-7-2(A) (1) AND (B) (1)(3) OF THE SUBDIVISION ORDINANCE.**

08DRB-70276 EPC APPROVED SDP FOR BUILD PERMIT
08DRB-70277 EPC APPROVED SDP FOR SUBDIVISION
08DRB-70278 SKETCH PLAT REVIEW AND COMMENT

DARREN SOWELL ARCHITECTS LLC agent(s) for ARMSTRONG DEVELOPMENT PROPERTIES request(s) the above action(s) for all or a portion of Tract(s) 1A, 1B, 2A, 2B, 3B, 4B & 3A/4-A-1, 5-B-1 &S-B-2, **BARRETT/LANDS OF WEFCO TBK UNSER CROSSING** zoned SU-1 FOR C/2 & 0/1, located on CENTRAL AVE AND UNSER BLVD SW BETWEEN BRIDGE ST SW AND 86TH ST SW containing approximately 50 acre(s). (K-9-I0 & L-10) **THE SITE DEVELOPMENT PLAN FOR SUBDIVISION WAS APPROVED WITH FINAL SIGN-OFF DELEGATED TO TRANSPORTATION FOR COMMENTS AND TO PLANNING FOR COMMENTS; CITY COUNCIL ACTION, EASMENTS INTERNAL TO THE SITE AND EASEMENT AT NORTHEAST CORNER. THE SITE PLAN FOR BUILDING PERMIT WAS DEFFERD TO 7/9/08. THE SKETCH PLAT WAS REVIEWED AND COMMENTS WERE GIVEN.**

DRB PUBLIC HEARING SIGN IN SHEETS

PROJECT #: 1007204 **AGENDA#** 3 **DATE:** 6/25/08

1. **Name:** Kevin Patton **Address:** contract 1 7500 Jefferson St **Zip:** 87109
2. **Name:** SCOTT MAIER **Address:** 999 18th ST STE 2700 DENVER, CO **Zip:** 80202
3. **Name:** JIM DONALDSON **Address:** 999 18th St. SUITE 2700 DENVER CO 80202 **Zip:**
4. **Name:** Angela Benson **Address:** 4700 Lincoln Albuquerque NM **Zip:** 87109
5. **Name:** MARLA SHELTON **Address:** 4700 Lincoln RD **Zip:** 87109
6. **Name:** Raquel Michel **Address:** CY 1 7500 Jefferson **Zip:** 87109
7. **Name:** **Address:** **Zip:**
8. **Name:** **Address:** **Zip:**
9. **Name:** **Address:** **Zip:**
10. **Name:** **Address:** **Zip:**
11. **Name:** **Address:** **Zip:**
12. **Name:** **Address:** **Zip:**
13. **Name:** **Address:** **Zip:**
14. **Name:** **Address:** **Zip:**
15. **Name:** **Address:** **Zip:**
16. **Name:** **Address:** **Zip:**
17. **Name:** **Address:** **Zip:**

CITY OF ALBUQUERQUE
PLANNING DEPARTMENT
DEVELOPMENT REVIEW BOARD

June 11, 2008

Project# 1007204
08DRB-70232 VACATION OF PUBLIC EASEMENT

BOHANNAN HUSTON INC agent(s) for ARMSTRONG DEVELOPMENT PROPERTIES request(s) vacation of certain easements on all or a portion of Tract(s) 1A, 1B, 2A, 2B, 3B, 4B, 3A, & 6, 4-A-1, 5-B-1 & 5-B-2, **V E BARRETT & LANDS OF WELCO PARTNERS,** zoned SU-1 FOR C-2/O1 C-2, located on the south side of CENTRAL AVE SW BETWEEN UNSER BLVD SW AND 86TH ST SW containing approximately 50 acre(s). (K-9, K-10, and L-10)

AMAFCA

No comment.

COG

Central Av is designated on the ITS Implementation Map as a corridor for ITS implementation in the near-term. ITS Project 13 (Central Av ITS Improvements) includes CCTV, Remote Monitoring, Signal Controller Upgrades, and Dynamic Message Signs. Unser Bd is designated on the ITS Implementation Map as a corridor for ITS implementation in the long-term. Coordination with City's representative on the ITS Subcommittee is recommended.
MPO Project 478.2 "Unser Bd Improvements" is a City of Albuquerque project to widen those portions of Unser Bd not already 4 lanes to 4 lanes. This project also includes the addition of bike lanes to Unser Bd. This project has funding programmed for FY 2009. Coordination with DMD is recommended to insure development consistent with this project.

For information purposes, the functional classification of both Central Av and Unser Bd is that of urban principal arterial.

TRANSIT

No comments provided.

ZONING ENFORCEMENT

No comments provided.

NEIGHBORHOOD COORDINATION

Letters sent to: Avalon NA (R), Los Volcanes NA (R), Skyview West NA (R), Stinson Tower NA (R), Sunrise HOA (R), Westgate Heights NA (R), Westside Merchants Assoc. (R)

APS

VE Barrett and Lands of Welco Partners, Tract 1A, 1B, 2A, 2B, 3B, 4B, 3A, and 6, 4-A-1, 5-B-1, and 5-B-2, is located on the south side of Central Ave SW between Unser Blvd SW and 86th St SW. The owner of the property requests a Vacation of Public Easements for a property zoned C-2. This will have no adverse impacts to the APS district.

POLICE DEPARTMENT

No comments provided.

FIRE DEPARTMENT

No comments provided.

PNM ELECTRIC & GAS No comments provided.
COMCAST No comments provided.
QWEST No comments provided.
ENVIRONMENTAL HEALTH No comments provided.
M.R.G.C.D No adverse comments.
OPEN SPACE DIVISION Open space has no adverse comments.
CITY ENGINEER The Hydrology section has no objection to vacation of the drainage easements on condition t adequate alternate easements are provided.
TRANSPORTATION DEVELOPMENT No adverse comments
PARKS AND RECREATION Defer to MRGCD.
ABCWUA No objection to Vacation of easements with the condition for Final Plat that the existing water line be relocated and accepted unless a temporary paper easement is recorded with the plat.
PLANNING DEPARTMENT Refer to comments from affected utilities and Hydrology/ City Engineer regarding proposed vacation.

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

Cc: Bohannan Huston, Inc. – 7500 Jefferson NE – Albuquerque, NM 87109 (fax 898-7988)
Cc: Armstrong Development Properties – 1500 N. Priest Drive, Ste 150E – Tempe, AZ 85281

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

www.bhinc.com

voice: 505.823.1000
facsimile: 505.798.7988
toll free: 800.877.5332

June 6, 2008

Jack Cloud, DRB Chair
City of Albuquerque
Planning Department
600 2nd Street NW
Albuquerque, NM 87103

RE: Unser Crossing- Request for Deferral of Vacation Actions
Project # 1007204, 08DRB-70232

Dear Mr. Cloud:

The purpose of this letter is to formally request a deferral of the subject DRB item from the June 11, 2008 DRB public hearing agenda to June 25, 2008 (approximately a two week deferral). The purpose of the deferral is to seek additional time to resolve some remaining issues and so that the vacation actions may be heard at the same time as the Site Plan for Subdivision and Building Permit.

Please feel free to contact me at 823-1000 with questions or comments.

Sincerely,

J. Salazar-Cano

for Bruce Stidworthy, PE
Project Manager
Community Development and Planning Group

Cc: Racquel Michel, Bohannan Huston
Scott Maier, Armstrong Development

P:\080289\cdp\DRB-PLAT\DRB\080289-DEFERRAL-REQ-J.Cloud-Vacations.doc

City of Albuquerque

DEVELOPMENT/ PLAN REVIEW APPLICATION

Supplemental form

SUBDIVISION S Z

___ Major Subdivision action
___ Minor Subdivision action
_X_ Vacation V
___ Variance (Non-Zoning)

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

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

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

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

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

APPLICATION INFORMATION:

Professional/Agent (if any): Bohannan Huston, Inc. PHONE: (505) 823-1000

ADDRESS: 7500 Jefferson NE FAX (505) 898-7988

CITY: Albuquerque STATE NM ZIP 87109 E-MAIL:

APPLICANT: Armstrong Development Properties PHONE: 602-385-4101

ADDRESS: 1500 N. Priest Drive, Suite 150E FAX: 602-385-4101

CITY: Tempe STATE AZ ZIP 85281 E-MAIL:

Proprietary interest in site: Future Owners **List all owners:** Unser Brothers Real Property Trust, Sandia Partners, LLC

DESCRIPTION OF REQUEST: Vacation of Public Easements

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

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

Lot or Tract No. Tracts 1A,1B, 2A, 2B, 3A, 3B, 4B, & Tract 6 V.E, Barrett Subd & Tracts 4A1, 5B1, 5B2, Lands of Wefco Partners Block: __ Unit:__

Subdiv/Addn/TBKA:

Existing Zoning: SU1 for C-2/01 & C-2 Proposed zoning: C-2 MRGCD Map No

Zone Atlas page(s): K-09 & K-10 UPC Code: 101005702806330324

CASE HISTORY:

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

1007204, 08EPC-40034, 08EPC-40035, 1002971,

CASE INFORMATION:

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

No. of **existing** lots: 11 No. of **proposed** lots: 14 Total area of site (acres): 50 Acres

LOCATION PROPERTY BY STREETS: On or Near: SW Corner of Central Ave. & Unser SW

Between: Bridge SW and 86th Street SW

Check-off if project was previously reviewed by Sketch Plat/Plan ☐, or Pre-application Review Team X Date of review: 1/29/08

SIGNATURE Bruce Stidworthy DATE 5/16/2008

(Print) Bruce Stidworthy, P.E. ___ Applicant _X_ Agent

FOR OFFICIAL USE ONLY Form revised 9/01, 3/03, 7/03, 10/03, 04/04

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

Application case numbers	Action	S.F.	Fees
08DRB-___-70232	VPE	V	$ 225.00
___-___-___	ADV		$ 75.00
___-___-___	CME		$ 20.00
___-___-___			$
___-___-___			$
			Total $ 320.00

Hearing date 06/11/08

Sandy Handley 05/16/08 **Project #** 1007204

Planner signature / date

080289-010

FORM V: SUBDIVISION VARIANCES & VACATIONS

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

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

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

☒ **VACATION OF PUBLIC EASEMENT (DRB27)**
☐ **VACATION OF PUBLIC RIGHT-OF-WAY (DRB28)**

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Bruce Stidworthy, P.E.
Applicant name (print)

5/16/08
Applicant signature / date

Form revised 4/07

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

Application case numbers
08DRB - 70232
___ - ___ - ___
___ - ___ - ___

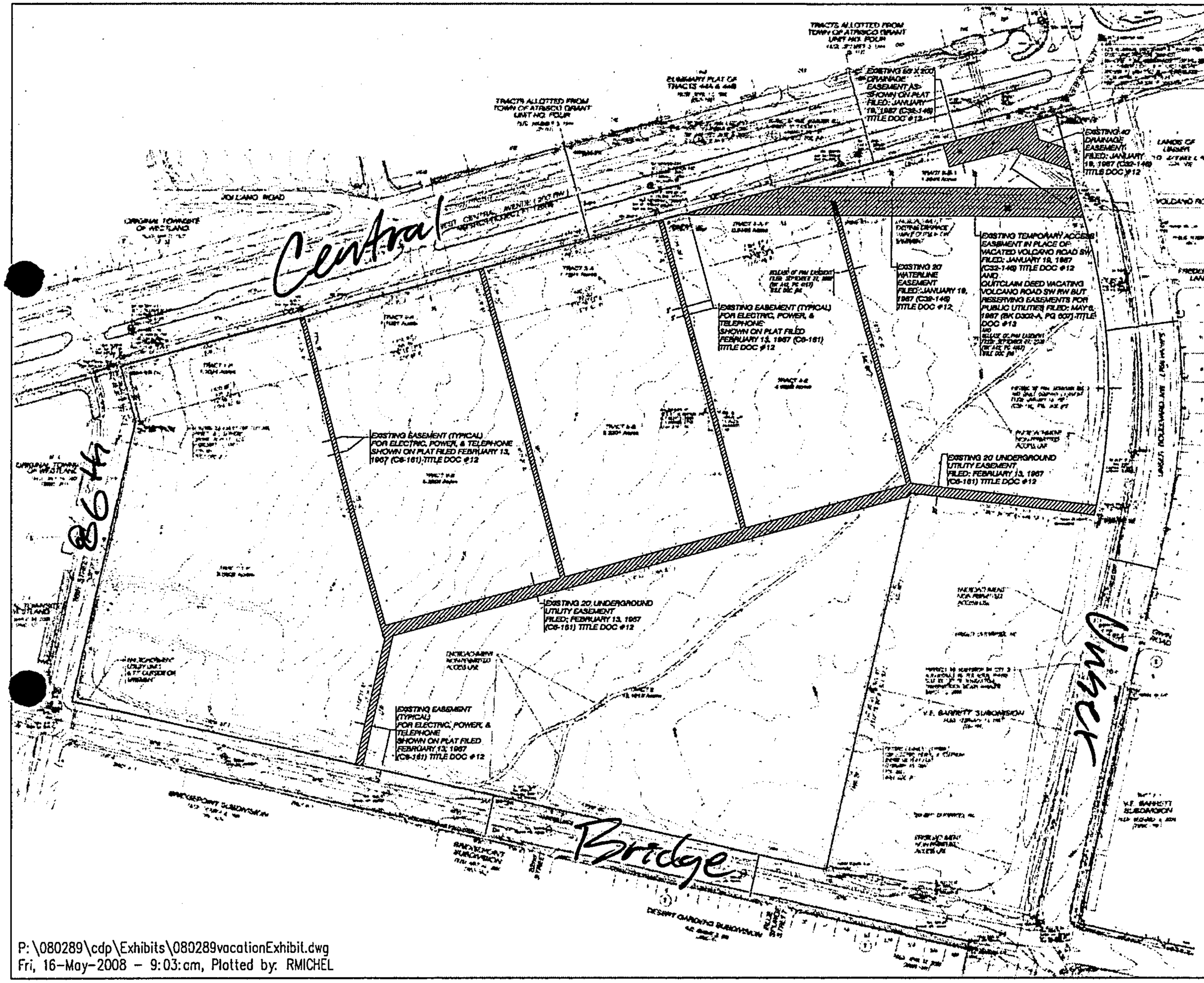
Sandy Handley 05/16/08
Planner signature / date

Project # 1007204

VACATION EXHIBIT

TRACTS 1A, 1B, 2A, 2B, 3A, 3B, 4B & TRACT 6 V.E. BARRETT SUBDIVISION AND TRACTS 4-A-1, 5-B-1 & 5-B-2 LANDS OF WEFCO, PARTNERS

ALBUQUERQUE, NEW MEXICO
MAY, 2008



N

SCALE: 1" = 200'

LEGEND

EASEMENT TO BE VACATED

Bohannan ▲ Huston

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

ENGINEERING ▲ SPATIAL DATA ▲ ADVANCED TECHNOLOGIES

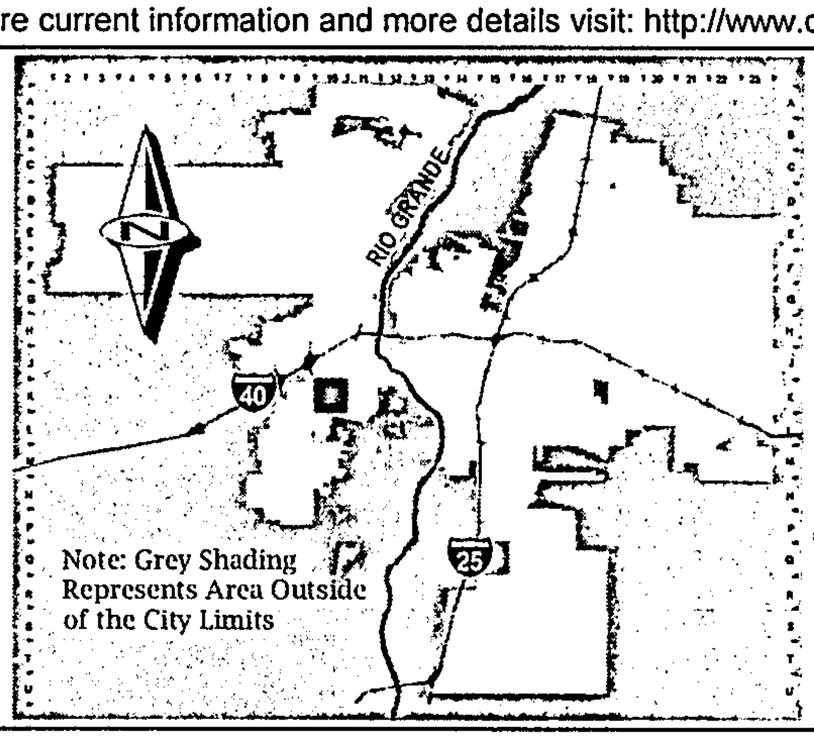
P:\080289\cdp\Exhibits\080289vacationExhibit.dwg
Fri, 16-May-2008 - 9:03:am, Plotted by: RMICHEL

080289

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

Albuquerque Geographic Information System

Map amended through: 1/4/2008



Zone Atlas Page:

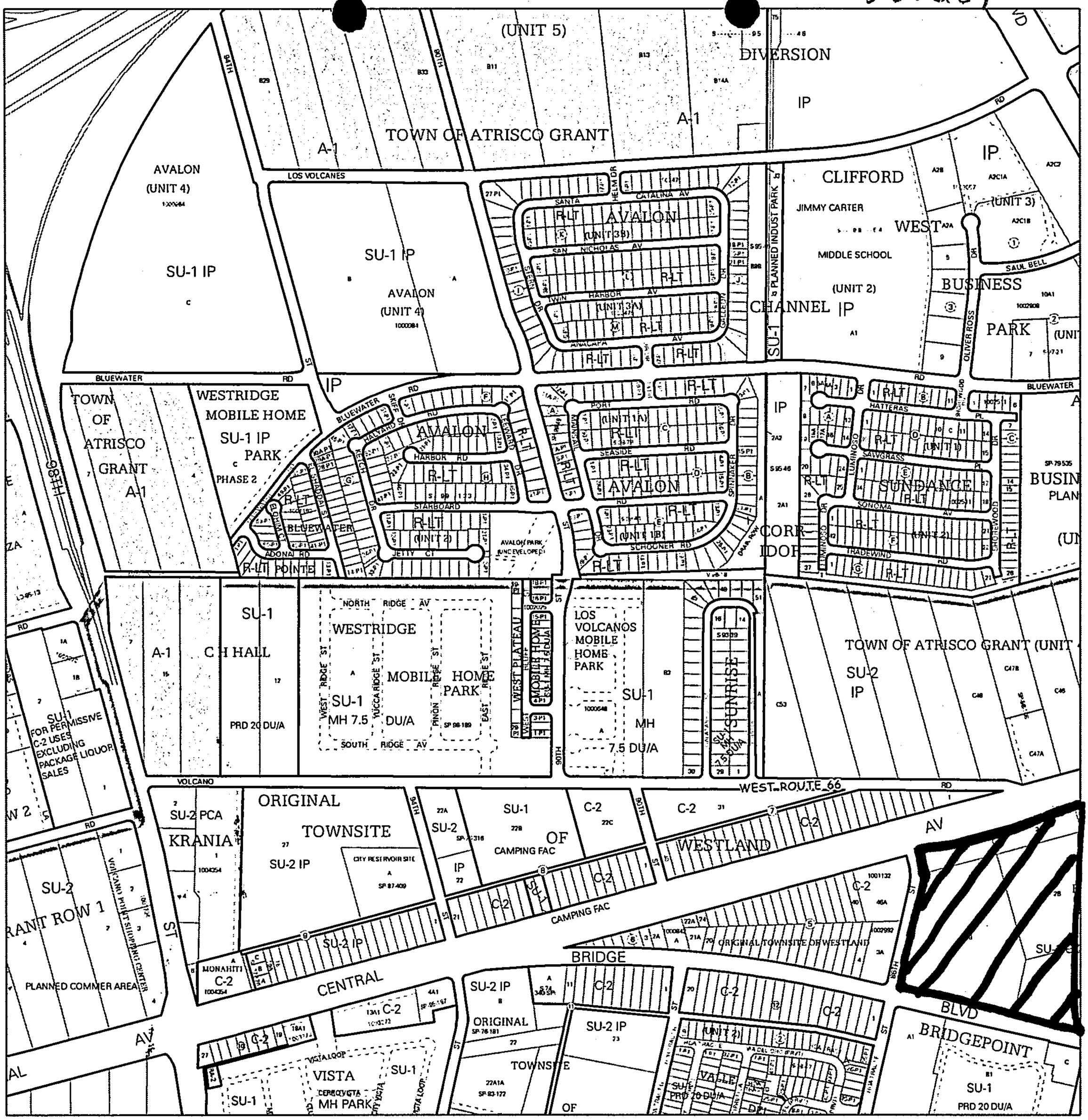
K-10-Z

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

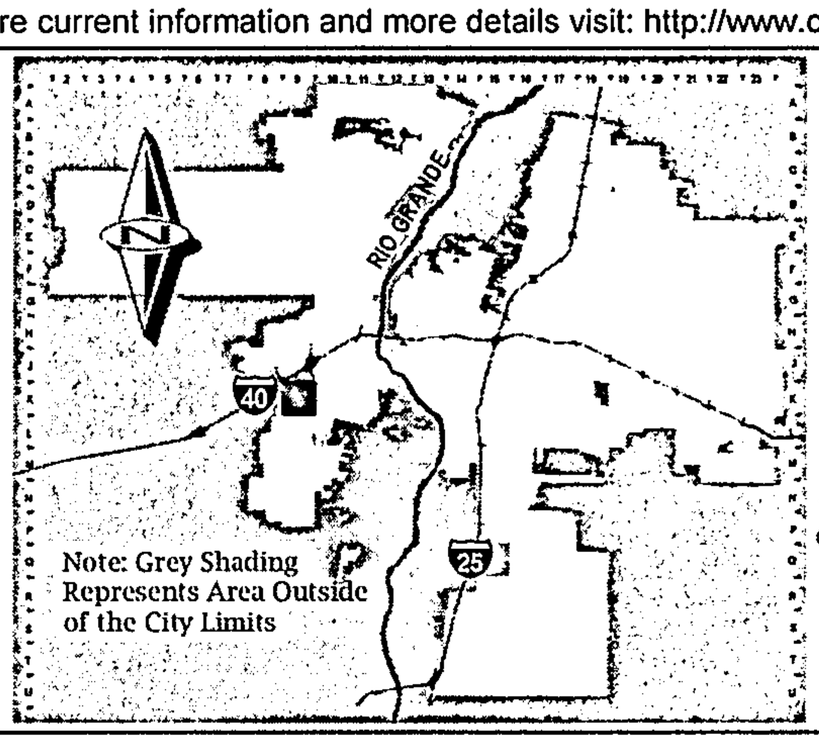
080289



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

Albuquerque Geographic Information System

Map amended through: 1/4/2008



Zone Atlas Page:

K-09-Z

Selected Symbols

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

0 750 1,500 Feet

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

www.bhinc.com

voice: 505.823.1000
facsimile: 505.798.7988
toll free: 800.877.5332

May 16, 2008

Jack Cloud, Chair
Development Review Board
City of Albuquerque
600 Second Street NW
Albuquerque, New Mexico 87102

Re: Vacation of Public Easements
Unser Crossing (ref. EPC #1007204, 08EPC40034, 08EPC40035)

Dear Mr. Cloud:

The referenced project includes a Site Plan for Subdivision (08EPC40034) and Site Plan for Building Permit (08EPC40035) that was approved at EPC on May 15, 2008. The project is a 50 acre commercial development that will be submitted to DRB in the near future. Enclosed for review and approval by the Development Review Board (DRB) are copies of the following information:

- Development Review Applications
- Twenty-four (24) copies of the Vacation Exhibit
- Twenty-Four (24) copies of the documents which granted the easements
- Letter from the Office of Neighborhood Coordination and neighborhood notification
- Zone Atlas Maps showing the location of the property
- DRB Fee

There are five (5) easements being vacated with this submittal;

1. Drainage Easement filed January 19, 1987. The existing drainage will be redirected from several culverts into an existing storm drain. We intend to grant a new drainage easement with the project's plat.

2. Waterline Easement filed January 19, 1987. The existing waterline follows the vacated alignment of Volcano Rd. The waterline will be removed and replaced in the Central Ave. and Unser Blvd. rights of way.

3. Temporary Access Easement in place of vacated Volcano Rd. SW filed January 19, 1987. Volcano Rd. has been vacated and all utilities will be relocated with the referenced project.

4. Quitclaim deed vacating Volcano Rd. SW, but preserving easements for public utilities filed May 6, 1987. Any remaining utilities will be relocated with the referenced project.

5. Public Utilities Easement filed February 13, 1967. There are currently no utilities within these easements. With the project's plat, new public utility easements will be granted as needed.

Please place this item on the DRB Agenda for hearing on June 11, 2008. If you have any questions or require further information, please contact me.

Sincerely,

Bruce Stidworthy, P.E.
Community Development and Planning

Cc: Armstrong Development Properties, LLC (w/encl.)
Racquel Michel, BHI

DEVELOPER INQUIRY SHEET
(To be completed prior to application submittal)

The Office of Neighborhood Coordination (ONC) located in Room 120 (basement) of the Plaza Del Sol Building, 600 Second Street NW, Fax: **(505) 924-3913** – will need the following information **BEFORE** neighborhood and/or homeowner association information will be released to the applicant/agent on any project being presented to the Planning Department of the City of Albuquerque. If you have any questions, please feel free to contact our office at **(505) 924-3914. Your Developer Inquiry is for the following:**

Cell Tower & Type: [ ] Free-Standing Tower -OR- [ ] Concealed Tower

Private Development [X] *(i.e., EPC, DRB, LUCC, Liquor Submittal)*

City Project [ ]

CONTACT NAME: _Sally Salazar-Cass

COMPANY NAME: __Bohannan Huston Inc.

ADDRESS/ZIP: __Albuquerque, NM 87109

PHONE: _798-7965_or 823-1000_ FAX: __798-7988_____

LEGAL DESCRIPTION INFORMATION

PLEASE FORWARD INFORMATION ON ANY NEIGHBORHOOD AND/OR HOMEOWNER ASSOCIATION IN THE AREA OF THE PROPERTY DESCRIBED BELOW:

TRACTS 1A, 1B, 2A, 2B, 3A, 3B, 4B
& TRACT 6 V.E. BARRETT SUBDIVISION
AND TRACTS 4-A-1, 5-B-1 & 5-B-2
LANDS OF WEFCO, PARTNERS

LEGAL DESCRIPTION

LOCATED ON _____Central Avenue SW_____
STREET NAME OR OTHER IDENTIFYING LANDMARK

BETWEEN _____Bridge SW _____AND
STREET NAME OR OTHER IDENTIFYING LANDMARK

_____Unser SW_____
STREET NAME OR OTHER IDENTIFYING LANDMARK

THE SITE IS INDICATED ON THE FOLLOWING ZONE ATLAS PAGE (_K-09 & K-10___).

(PLEASE MARK/HATCH ZONE MAP WHERE PROPERTY IS LOCATED)

(Zone Map MUST be provided with request)

developinquirysheet (12/03/07)

City of Albuquerque

P.O. Box 1293, Albuquerque, NM 87103

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

May 14, 2008

Sally Salazar-Cass
Bohannan Huston Inc.
7500 Jefferson NE/87109
Phone: 798-7988/Fax: 798-7988
E-mail: ssalazar-cass@bhinc.com

Dear Sally:

Thank you for your inquiry of **May 14, 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 **TRACTS 1A, 1B, 2A, 2B, 3A, 3B, 4B AND TRACT 6 V.E. BARRETT SUBDIVISION AND TRACTS 4-A-1, 5-B-1 AND 5-B-2, LANDS OF WEFCO, PARTNERS LOCATED ON CENTRAL AVENUE SW BETWEEN BRIDGE SW AND UNSER BOULEVARD SW** zone map **K-9-10**

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

AVALON N.A. (AVA) "R"
***Miguel Maestas**
9400 Harbor Rd. NW/87121 831-9629 (h)
Kelly Chappelle
9135 Santa Catalina Ave. NW/87121 836-1766 (h)

LOS VOLCANES N.A. (LVC) "R"
***M. Max Garcia**
6619 Honeylocust Ave. NW/87121 833-0969 (h)
Ben Sandoval
6516 Honeylocust Ave. NW/87121 836-4419 (h)

SKYVIEW WEST N.A. (SVW) "R"
***Tony Chavez**
305 Claire Ln. SW/87121 831-5824 (h)
Bea Purcella
201 Claire Ln. SW/87121 831-5556 (h)

Bohannan ▲ Huston INC.

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

www.bhinc.com

voice: 505.823.1000
facsimile: 505.798.7988
toll free: 800.877.5332

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

May 16, 2008

Miguel Maestas
Avalon N.A. (AVA)
Westside Merchants Assoc. (WSM)
9400 Harbor Road NW
Albuquerque, NM 87121

Re: Vacation of Public Easements
Unser Crossing (ref. EPC #1007204, 08EPC40034, 08EPC40035)

Dear Mr. Maestas:

The City of Albuquerque's Office of Neighborhood Coordination has informed us that you are a representative of a Neighborhood and/or Homeowner's Association for or near the above mentioned property.

This letter is to advise you that Bohannan Huston, Inc., agent for Armstrong Development Properties, LLC, is seeking approval for a Vacation of Public Easements for the above mentioned project from the City of Albuquerque's Development Review Board (DRB). There are five (5) easements being vacated with this DRB submittal.

Please feel free to contact me if you have any questions regarding this matter or need information as to the date and time of the public hearing.

Sincerely,

for Bruce Stidworthy, P.E.
Community Development and Planning Group

Enclosure
BJS/ssc

Cc: Kelly Chappelle (AVA) (w/encl.)
M. Max Garcia (LVC) (w/encl.)
Ben Sandoval (LVC) (w/encl.)
Tony Chavez (SVW) (w/encl.)
Bea Purcella (SVW) (w/encl.)
Norman Mason (STT) (w/encl.)
Victor Wyant (STT) (w/encl.)
Andres Anaya (SUN) (w/encl.)
Darlene Norris (SUN) (w/encl.)
Matthew Archuleta (WGH) (w/encl.)
Libby McIntosh (WGH) (w/encl.)
Van Barber (WSM) (w/encl.)

ENGINEERING ▲
SPATIAL DATA ▲
ADVANCED TECHNOLOGIES ▲

STINSON TOWER N.A. (STT) "R"
***Norman Mason**
7427 Via Tranquilo SW/87121 836-9671 (h)
Victor Wyant
612 Cottontail SW/87121 239-8856 (h)

SUNRISE H.O.A. (SUN) "R"
***Andres Anaya**
209 Galataneu NW/87121 385-6867 (c)
Darlene Norris
319 Galataneu NW/87121 831-1066 (h)

WESTGATE HEIGHTS N.A. (WGH) "R"
***Matthew Archuleta**
1628 Summerfield SW/87121 836-7251 (h) 401-6849 (c)
Libby McIntosh
1316 Ladrones Ct. SW/87121 831-5189 (h)

WESTSIDE MERCHANTS ASSOC. (WSM) "R"
***Van Barber**
5201 Central NW/87105 350-2515 (c)
Miguel Maestas
6013 Sunset Gardens SW/87121 831-5406 (w)

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(12/06/07)

CERTIFIED MAIL

91 7108 2133 3933 4833 4665

Recycle

UNITED STATES POSTAGE
PITNEY BOWES
02 1P $06.07⁰
0002368945 MAY 15 2008
MAILED FROM ZIP CODE 87109

SENDER: *COMPLETE THIS SECTION*

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

Darlene Morris
319 Galatanew NW
ABQ NM 87121

COMPLETE THIS SECTION ON DELIVERY

A. Signature
X
☐ Agent
☐ Addressee

B. Received by *(Printed Name)*

C. Date of Delivery

D. Is delivery address different from item 1? ☐ Yes
If YES, enter delivery address below: ☐ No

3. Service Type
☒ Certified Mail ☐ Express Mail
☐ Registered ☒ Return Receipt for Merchandise
☐ Insured Mail ☐ C.O.D.

4. Restricted Delivery? *(Extra Fee)* ☐ Yes

2. Article Number
(Transfer from service label) 91 7108 2133 3933 4833 4665

PS Form 3811, February 2004 Domestic Return Receipt 80289 102595-02-M-1540

CERTIFIED MAIL

91 7108 2133 3933 4833 4658

Recycle

UNITED STATES POSTAGE
PITNEY BOWES
02 1P $ 06.07⁰
0002368945 MAY 15 2008
MAILED FROM ZIP CODE 87109

SENDER: *COMPLETE THIS SECTION*

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

Andres Anaya
209 Galatarea NW
ABQ NM 87121

COMPLETE THIS SECTION ON DELIVERY

A. Signature
X
☐ Agent
☐ Addressee

B. Received by *(Printed Name)* | C. Date of Delivery

D. Is delivery address different from item 1? ☐ Yes
If YES, enter delivery address below: ☐ No

3. Service Type
☒ Certified Mail ☐ Express Mail
☐ Registered ☒ Return Receipt for Merchandise
☐ Insured Mail ☐ C.O.D.

4. Restricted Delivery? *(Extra Fee)* ☐ Yes

2. Article Number
(Transfer from service label) 91 7108 2133 3933 4833 4658

PS Form 3811, February 2004 Domestic Return Receipt 80289 102595-02-M-1540

91 7108 2133 3933 4833 4641

Recycle

UNITED STATES POSTAGE
PITNEY BOWES
02 1P $ 06.07⁰
0002368945 MAY 15 2008
MAILED FROM ZIP CODE 87109

SENDER: *COMPLETE THIS SECTION*

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

Libby McIntosh
1316 Ladrones Ct SW
ABQ NM 87121

COMPLETE THIS SECTION ON DELIVERY

A. Signature
X
☐ Agent
☐ Addressee

B. Received by *(Printed Name)*

C. Date of Delivery

D. Is delivery address different from item 1? ☐ Yes
If YES, enter delivery address below: ☐ No

3. Service Type
☒ Certified Mail ☐ Express Mail
☐ Registered ☒ Return Receipt for Merchandise
☐ Insured Mail ☐ C.O.D.

4. Restricted Delivery? *(Extra Fee)* ☐ Yes

2. Article Number
(Transfer from service label) 91 7108 2133 3933 4833 4641

PS Form 3811, February 2004 Domestic Return Receipt 80289 102595-02-M-1540

CERTIFIED MAIL

91 7108 2133 3933 4833 4634

Recycle

UNITED STATES POSTAGE
PITNEY BOWES
$ 06.07⁰
02 1P
0002368945 MAY 15 2008
MAILED FROM ZIP CODE 87109

SENDER: *COMPLETE THIS SECTION*

- Complete items 1, 2, and 3. Also complete Item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

Matt Archuleta
1628 Summerfield SW
ABQ NM 87121

COMPLETE THIS SECTION ON DELIVERY

A. Signature
X
☐ Agent
☐ Addressee

B. Received by *(Printed Name)*

C. Date of Delivery

D. Is delivery address different from item 1? ☐ Yes
If YES, enter delivery address below: ☐ No

3. Service Type
☒ Certified Mail ☐ Express Mail
☐ Registered ☒ Return Receipt for Merchandise
☐ Insured Mail ☐ C.O.D.

4. Restricted Delivery? *(Extra Fee)* ☐ Yes

2. Article Number
(Transfer from service label) 91 7108 2133 3933 4833 4634

PS Form 3811, February 2004 Domestic Return Receipt 80289 102595-02-M-1540

CERTIFIED MAIL

91 7108 2133 3933 4833 4627

Recycle

UNITED STATES POSTAGE
PITNEY BOWES
$ 06.07⁰
02 1P
0002368945 MAY 15 2008
MAILED FROM ZIP CODE 87109

SENDER: *COMPLETE THIS SECTION*

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

Miguel Maestas
3013 Sunset Gardens SW
ABQ NM 87121

COMPLETE THIS SECTION ON DELIVERY

A. Signature
X
☐ Agent
☐ Addressee

B. Received by *(Printed Name)*

C. Date of Delivery

D. Is delivery address different from item 1? ☐ Yes
If YES, enter delivery address below: ☐ No

3. Service Type
☒ Certified Mail ☐ Express Mail
☐ Registered ☒ Return Receipt for Merchandise
☐ Insured Mail ☐ C.O.D.

4. Restricted Delivery? *(Extra Fee)* ☐ Yes

2. Article Number
(Transfer from service label) 91 7108 2133 3933 4833 4627

PS Form 3811, February 2004 Domestic Return Receipt 80289 102595-02-M-1540

91 7108 2133 3933 4833 4610

Recycle

UNITED STATES POSTAGE
PITNEY BOWES
02 1P $06.07⁰
0002368945 MAY 15 2008
MAILED FROM ZIP CODE 87109

SENDER: *COMPLETE THIS SECTION*

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

Van Barber
5201 Central NW
ABQ NM 87121

COMPLETE THIS SECTION ON DELIVERY

A. Signature
X
☐ Agent
☐ Addressee

B. Received by *(Printed Name)*

C. Date of Delivery

D. Is delivery address different from item 1? ☐ Yes
If YES, enter delivery address below: ☐ No

3. Service Type
☒ Certified Mail ☐ Express Mail
☐ Registered ☒ Return Receipt for Merchandise
☐ Insured Mail ☐ C.O.D.

4. Restricted Delivery? *(Extra Fee)* ☐ Yes

2. Article Number
(Transfer from service label) 91 7108 2133 3933 4833 4610

PS Form 3811, February 2004 Domestic Return Receipt 80289 102595-02-M-1540

ADVANCED TECHNOLOGIES

CERTIFIED MAIL

91 7108 2133 3933 4833 4962

Recycle

UNITED STATES POSTAGE
PITNEY BOWES
02 1P $06.07⁰
0002368945 MAY 15 2008
MAILED FROM ZIP CODE 87109

SENDER: *COMPLETE THIS SECTION*

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

Victor Wyant
612 Cottontail SW
Albuquerque, NM 87121

COMPLETE THIS SECTION ON DELIVERY

A. Signature
X
☐ Agent
☐ Addressee

B. Received by *(Printed Name)*

C. Date of Delivery

D. Is delivery address different from item 1? ☐ Yes
If YES, enter delivery address below: ☐ No

3. Service Type
☒ Certified Mail ☐ Express Mail
☐ Registered ☒ Return Receipt for Merchandise
☐ Insured Mail ☐ C.O.D.

4. Restricted Delivery? *(Extra Fee)* ☐ Yes

2. Article Number
(Transfer from service lab 91 7108 2133 3933 4833 4962

PS Form 3811, February 2004 Domestic Return Receipt 80289 102595-02-M-1540

CERTIFIED MAIL

91 7108 2133 3933 4833 4979

Recycle

UNITED STATES POSTAGE
PITNEY BOWES
02 1P $ 06.07⁰
0002368945 MAY 15 2008
MAILED FROM ZIP CODE 87109

SENDER: *COMPLETE THIS SECTION*

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

Norman Mason
7427 Via Tranquilo SW
Albuquerque, NM 87121

COMPLETE THIS SECTION ON DELIVERY

A. Signature
X
☐ Agent
☐ Addressee

B. Received by *(Printed Name)*

C. Date of Delivery

D. Is delivery address different from item 1? ☐ Yes
If YES, enter delivery address below: ☐ No

3. Service Type
☒ Certified Mail ☐ Express Mail
☐ Registered ☒ Return Receipt for Merchandise
☐ Insured Mail ☐ C.O.D.

4. Restricted Delivery? *(Extra Fee)* ☐ Yes

2. Article Number
(Transfer from service label) 91 7108 2133 3933 4833 4979

PS Form 3811, February 2004 Domestic Return Receipt 80289 102595-02-M-1540

CERTIFIED MAIL

91 7108 2133 3933 4833 4603

Recycle

UNITED STATES POSTAGE
PITNEY BOWES
02 1P $ 06.07⁰
0002368945 MAY 15 2008
MAILED FROM ZIP CODE 87109

SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

Bea Purcella
201 Claire Ln SW
ABQ NM 87121

COMPLETE THIS SECTION ON DELIVERY

A. Signature
X
☐ Agent
☐ Addressee

B. Received by (Printed Name)

C. Date of Delivery

D. Is delivery address different from item 1? ☐ Yes
If YES, enter delivery address below: ☐ No

3. Service Type
☒ Certified Mail ☐ Express Mail
☐ Registered ☒ Return Receipt for Merchandise
☐ Insured Mail ☐ C.O.D.

4. Restricted Delivery? (Extra Fee) ☐ Yes

2. Article Number
(Transfer from service label) 91 7108 2133 3933 4833 4603

PS Form 3811, February 2004 Domestic Return Receipt 80289 102595-02-M-1540

CERTIFIED MAIL

91 7108 2133 3933 4833 4597

Recycle

UNITED STATES POSTAGE
PITNEY BOWES
02 1P $06.07⁰
0002368945 MAY 15 2008
MAILED FROM ZIP CODE 87109

SENDER: *COMPLETE THIS SECTION*

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

Tony Chavez
305 Claire LN SW
ABQ NM 87121

COMPLETE THIS SECTION ON DELIVERY

A. Signature
X
☐ Agent
☐ Addressee

B. Received by *(Printed Name)*

C. Date of Delivery

D. Is delivery address different from item 1? ☐ Yes
If YES, enter delivery address below: ☐ No

3. Service Type
☒ Certified Mail ☐ Express Mail
☐ Registered ☒ Return Receipt for Merchandise
☐ Insured Mail ☐ C.O.D.

4. Restricted Delivery? *(Extra Fee)* ☐ Yes

2. Article Number
(Transfer from servic
91 7108 2133 3933 4833 4597

PS Form 3811, February 2004 Domestic Return Receipt 80289 102595-02-M-1540

CERTIFIED MAIL

91 7108 2133 3933 4833 4696

Recycle

UNITED STATES POSTAGE
PITNEY BOWES
02 1P $06.07⁰
0002368945 MAY 15 2008
MAILED FROM ZIP CODE 87109

SENDER: *COMPLETE THIS SECTION*

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

Ben Sandoval
6516 Honeybrook Ave NW
ABQ NM 87121

COMPLETE THIS SECTION ON DELIVERY

A. Signature
X
☐ Agent
☐ Addressee

B. Received by *(Printed Name)*

C. Date of Delivery

D. Is delivery address different from item 1? ☐ Yes
If YES, enter delivery address below: ☐ No

3. Service Type
☒ Certified Mail ☐ Express Mail
☐ Registered ☒ Return Receipt for Merchandise
☐ Insured Mail ☐ C.O.D.

4. Restricted Delivery? *(Extra Fee)* ☐ Yes

2. Article Number
(Transfer from service label) 91 7108 2133 3933 4833 4696

PS Form 3811, February 2004 Domestic Return Receipt 80289 102595-02-M-1540

CERTIFIED MAIL

91 7108 2133 3933 4833 4689

Recycle

UNITED STATES POSTAGE
PITNEY BOWES
$ 06.07⁰
02 1P
0002368945 MAY 15 2008
MAILED FROM ZIP CODE 87109

SENDER: COMPLETE THIS SECTION

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- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

M. Max Garcia
6619 Honeylocust Ave NW
ABQ NM 87121

COMPLETE THIS SECTION ON DELIVERY

A. Signature
X
☐ Agent
☐ Addressee

B. Received by (Printed Name)

C. Date of Delivery

D. Is delivery address different from item 1? ☐ Yes
If YES, enter delivery address below: ☐ No

3. Service Type
☒ Certified Mail ☐ Express Mail
☐ Registered ☒ Return Receipt for Merchandise
☐ Insured Mail ☐ C.O.D.

4. Restricted Delivery? (Extra Fee) ☐ Yes

2. Article Number (Transfer from service label) 91 7108 2133 3933 4833 4689

PS Form 3811, February 2004 Domestic Return Receipt 80289 102595-02-M-1540

CERTIFIED MAIL

91 7108 2133 3933 4833 4672

Recycle

UNITED STATES POSTAGE
PITNEY BOWES
$ 06.07⁰
02 1P
0002368945 MAY 15 2008
MAILED FROM ZIP CODE 87109

SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

Kelly Chappelle
9135 Santa Catalina Ave NW
ABQ NM 87121

COMPLETE THIS SECTION ON DELIVERY

A. Signature
X
☐ Agent
☐ Addressee

B. Received by (Printed Name)

C. Date of Delivery

D. Is delivery address different from item 1? ☐ Yes
If YES, enter delivery address below: ☐ No

3. Service Type
☑ Certified Mail ☐ Express Mail
☐ Registered ☑ Return Receipt for Merchandise
☐ Insured Mail ☐ C.O.D.

4. Restricted Delivery? (Extra Fee) ☐ Yes

2. Article Number
(Transfer from service label) 91 7108 2133 3933 4833 4672

PS Form 3811, February 2004 Domestic Return Receipt 80289 102595-02-M-1540

CERTIFIED MAIL

91 7108 2133 3933 4833 4986

Recycle

UNITED STATES POSTAGE
PITNEY BOWES
02 1P $06.07⁰
0002368945 MAY 15 2008
MAILED FROM ZIP CODE 87109

SENDER: *COMPLETE THIS SECTION*

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- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

Miguel Maestas
9400 Harbor Road NW
Albuquerque, NM 87121

COMPLETE THIS SECTION ON DELIVERY

A. Signature
X
☐ Agent
☐ Addressee

B. Received by *(Printed Name)* | C. Date of Delivery

D. Is delivery address different from item 1? ☐ Yes
If YES, enter delivery address below: ☐ No

3. Service Type
☒ Certified Mail ☐ Express Mail
☐ Registered ☒ Return Receipt for Merchandise
☐ Insured Mail ☐ C.O.D.

4. Restricted Delivery? *(Extra Fee)* ☐ Yes

2. Article Number
(Transfer from service label) 91 7108 2133 3933 4833 4986

PS Form 3811, February 2004 Domestic Return Receipt 80289 102595-02-M-1540

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 MAY 27, 2008 To JUNE 11, 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.

S. Salazar — 5/16/08
(Applicant or Agent) (Date)

I issued 4 signs for this application, 05/16/08 Sandy Handley
(Date) (Staff Member)

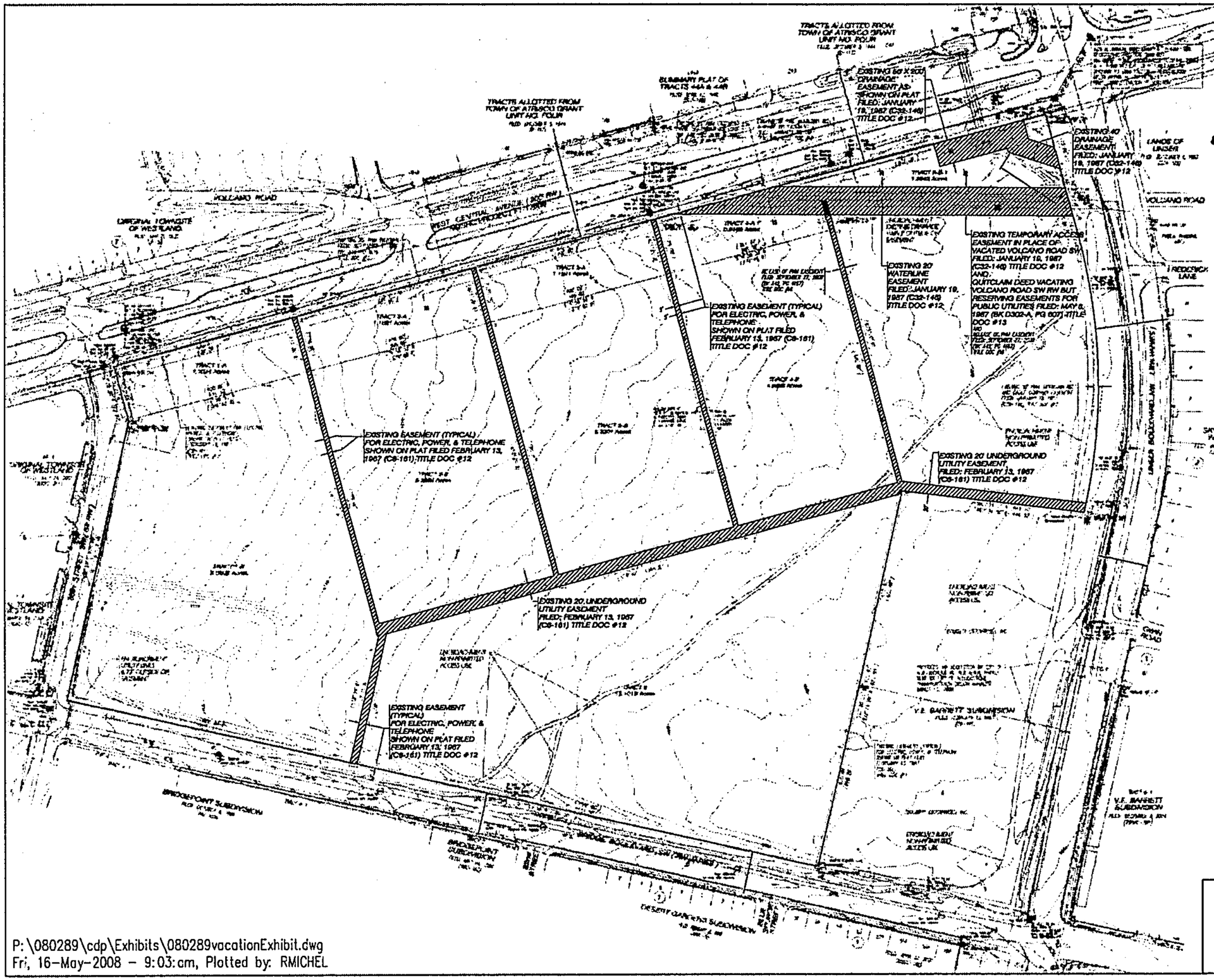
DRB PROJECT NUMBER: 1007204

Rev. 1/11/05

VACATION EXHIBIT

TRACTS 1A, 1B, 2A, 2B, 3A, 3B, 4B & TRACT 6 V.E. BARRETT SUBDIVISION AND TRACTS 4-A-1, 5-B-1 & 5-B-2 LANDS OF WEFCO, PARTNERS

ALBUQUERQUE, NEW MEXICO
MAY, 2008



N

SCALE: 1" = 200'

LEGEND	
FND-ALUMINUM CAP	EDGE-PAVED ROAD
FND-BRASS CAP	LINE-GAS LINE
MANHOLE-COMMUNICATION	GUARDRAIL
CABLE TV BOX	GUY WIRE ANCHOR/GUY WIRE
FIRE HYDRANT	POWER POLE
FND-REBAR W/ CAP	MANHOLE-SANITARY SEWER
FND-REBAR NO CAP	UNDERGROUND COMMUNICATION
SET-ALUMINUM CAP	LINE-UNDERGROUND ELECTRIC
MANHOLE-STORM SEWER	BOUNDARY LINE
SET-NAIL	PROPERTY LINE
POLE-SIGNAL	EXISTING EASEMENT LINE
DETRAFFIC-CONTROL BOX	EXISTING CABLE TV LINE
TELEPHONE RELAY BOX	EXISTING WATERLINE
PICK/BUSH	EXISTING INDEX CONTOUR
VALVE-WATER	EXISTING INTERMEDIATE CONTOUR
FOUND NAIL/SPIKE	EASEMENT TO BE VACATED
SET 5/8 REBAR & YELLOW PLASTIC SURVEY CAP STAMPED "BOHANNAN PS 14147"	

Bohannan ▲ Huston

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

ENGINEERING ▲ SPATIAL DATA ▲ ADVANCED TECHNOLOGIES

P:\080289\cdp\Exhibits\080289vacationExhibit.dwg
Fri, 16-May-2008 - 9:03:am, Plotted by: RMICHEL

87-3 SHORT FORM QUITCLAIM DEED—New Mexico Statutory Form—Rev. 6/73

08746599

QUITCLAIM DEED

697

The City of Albuquerque, a municipal corporation

for consideration paid, quitclaim

to Wefco, Inc.

whose address is 1931 San Mateo, N.E., Albuquerque, NM 87110

the following described real estate in Bernalillo County, New Mexico:

The vacated right-of-way for Volcano Road, SW within Tract 4-A1, Tract 5-B-1, and Tract 5-B-2, as shown on Plat of Tracts 4-A1 and Tracts 5-B-1 and 5-B-2, Lands of Wefco Partners.

Also, portion of Lot 6, H.C. Gonzales Subdivision, now being a part of Tract 5-B-1, Lands of Wefco Partners.

The vacation is per Development Review Board action of November 18, 1986 DRB-86-628, filed with the Bernalillo County Clerk's office on April 6, 1987, 08734995 in Vol. C-33, Folio 81.

The City hereby reserves easements for public utilities, whether municipally or privately owned, which may be necessary for public use and benefit at the present time or in the future.

Subject to taxes for 1987 and subsequent years.

The City of Albuquerque,
a municipal corporation

Gene Romo

Gene Romo
Chief Administrative Officer

WITNESS hand and seal this day of , 19

(Seal) (Seal)

(Seal) (Seal)

ACKNOWLEDGMENT FOR NATURAL PERSONS

STATE OF NEW MEXICO
COUNTY OF } ss.

The foregoing instrument was acknowledged before me this day of , 19,
by
(Name or Names of Person or Persons Acknowledging)

My commission expires:
(Seal)

Notary Public

FOR RECORDER'S USE ONLY

STATE OF NEW MEXICO
COUNTY OF BERNALILLO
FILED FOR RECORD
87 MAY -6 AM 8:40
BK M-33 PG 697
GLADYS M. DAVIS
CO. CLERK & RECORDER
Patty Lewis DEPUTY

ACKNOWLEDGMENT FOR CORPORATION

STATE OF NEW MEXICO
COUNTY OF BERNALILLO } ss.

The foregoing instrument was acknowledged before me this 1st day of May, 1987,
by Gene Romo, Chief Administrative Officer
(Name of Officer) (Title of Officer)
of the City of Albuquerque, a N.M. municipal corporation, on behalf of said corporation.
(Name of Corporation Acknowledging) (State of Incorporation)

My commission expires: 3-17-90
(Seal)

Priscilla Phillips
Notary Public