



COMPLETED 08/20/10 3tt
DRB CASE ACTION LOG
(Site Plan for Building Permit)

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

DRB Application No.: 10DRB-70197

Project # 1008401

Project Name: *North Albuquerque Acres*

Agent: *Mullen Heller Architecture, PC*

Phone No.:

Your request was approved on 8-11-10 by the DRB with delegation of signature(s) to the following departments.

OUTSTANDING SIGNATURES COMMENTS TO BE ADDRESSED:

TRANSPORTATION: - address comments

ABCWUA:

CITY ENGINEER / AMAFCA:

PARKS / CIP:

PLANNING (Last to sign): - address comments - have zoning report for compliance with

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.**

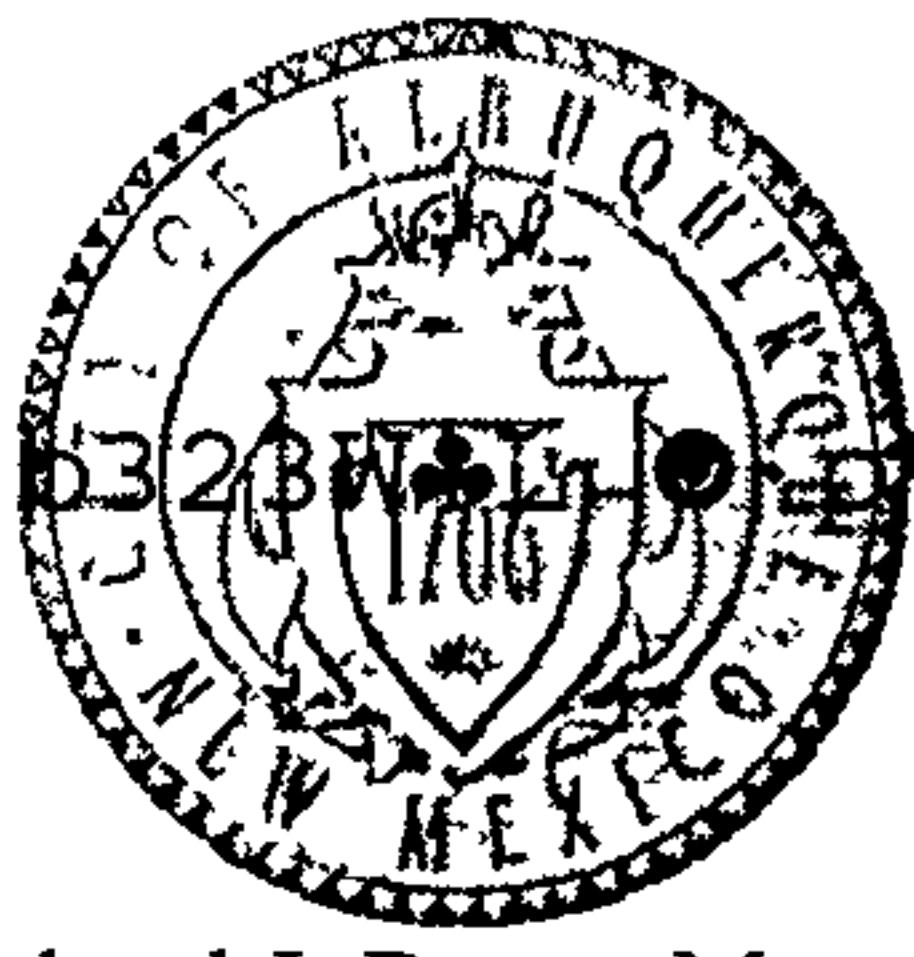
OK 20 8-20-10

North 7-25

5904 Holly Ave NE

201091916

Permit Rec 3



Richard J. Berry, Mayor

City of Albuquerque

Environmental Health Department



Mary Lou Leonard, Director

July 23, 2010

TO: Jack Cloud, DRB Chair
FROM: Suzanne Busch, Principal Engineer
SUBJECT: Project # 1008401 Major Site Development Plan for Building Permit
Dr. Bill Hawk, North Albuquerque Acres

The Environmental Health Department has the following comments for the subject project:

1. There is the potential for the above named project to be impacted by the presence of landfill gas generated by a former City owned/operated landfill (Sacramento Landfill). The developers of this site are required to follow the most current version of the "City of Albuquerque Interim Guidelines for Development within city Designated Landfill Buffer Zone." A review and approval of the Site Plan(s), the proposed construction, design drawings, and a certification of construction will be required by the Environmental Health Department, Environmental Services Division.

A landfill gas assessment report is required for this project prior to EHD approval of the site development plan.

2. The following disclosure statement should appear on the cover sheet of the site development plan:

The subject property is located near a former landfill. Due to the subject property being near a former landfill, certain precautionary measures may need to be taken to ensure health and safety of the public. Recommendation made by a professional engineer with expertise in landfills and landfill gas issues (as required by the most current version of the *Interim Guidelines for Development within City Designated Landfill Buffer Zones*) shall be consulted prior to development of the site.

Albuquerque Environmental Health Department

Cc: Angela Gomez, Planning Dept. .
Billy Gallegos, ESD Manager

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

Meeting Date: August 11, 2010
Zone Atlas Page: C-18
Notification Radius: 100 Ft.

Project # 1008401
App# 10DRB-70197

Cross Reference and Location: on the north side of PASEO DEL NORTE NE between
SAN PEDRO NE and I-25


Applicant: BILL HAWK
59201 MONGOMERY BLVD NE
ALBUQUERQUE, NM 87111

Agent: MULLEN HELLER ARCHITECTURE, PC
924 PARK AVE SW STE B
ALBUQUERQUE, NM 87102

Special Instructions:

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

Date Mailed: July 23, 2010

Signature: 



Supplemental form

SUBDIVISION

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

SITE DEVELOPMENT PLAN

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

STORM DRAINAGE (Form D)

- Storm Drainage Cost Allocation Plan

S Z ZONING & PLANNING

- Annexation
- County Submittal
- EPC Submittal
- Zone Map Amendment (Establish or Change Zoning)
- Sector Plan (Phase I, II, III)
- Amendment to Sector, Area, Facility or Comprehensive Plan
- Text Amendment (Zoning Code/Sub Regs)
- Street Name Change (Local & Collector)
- L A APPEAL / PROTEST of...**
- Decision by: DRB, EPC, LUCC, Planning Director or Staff, ZHE, Zoning Board of Appeals

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

APPLICATION INFORMATION:

Professional/Agent (if any): Mullen Heller Architecture, PC. PHONE: 505-268-4144
 ADDRESS: 924 Park Avenue SW Suite B FAX: 505-268-4244
 CITY: Albuquerque STATE NM ZIP 87102 E-MAIL: _____

APPLICANT: Dr. Bill Hawk PHONE: 505-379-2674
 ADDRESS: 59201 Montgomery Blvd NE FAX: _____
 CITY: Albuquerque STATE NM ZIP 87111 E-MAIL: _____

Proprietary interest in site: Business owner/ developer List all owners: Paseo Place LLC & Jackson, Stephen

DESCRIPTION OF REQUEST: See Attached

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

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

Lot or Tract No Lot 21 Block. 18 Unit: B
 Subdiv/Addn/TBKA: N ABQ ACRES
 Existing Zoning: SU-2/M-1 Proposed zoning: N/A MRGCD Map No N/A
 Zone Atlas page(s): C-18-Z UPC Code 101806418901630207

CASE HISTORY:

List any current or prior case number that may be relevant to your application (Proj., App., DRB-, AX_Z, V_, S_, etc.): 1004773

1008401 (NORTH 1-25 SDP)

CASE INFORMATION:

Within city limits? Yes Within 1000FT of a landfill? YES
 No. of existing lots: 1 (one) No. of proposed lots: 1 (one) Total area of site (acres): .8843 Ac.

LOCATION OF PROPERTY BY STREETS: On or Near Paseo Del Norte
 Between: San Pedro Dr NE and 1 25

Check-off if project was previously reviewed by Sketch Plat/Plan or Pre-application Review Team . Date of review: 6/30/10

SIGNATURE [Signature] DATE 7/16/10

(Print) MIKE MADDEN 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
10DRB-70197

Action	SF	Fees
<u>SBP P(2)</u>		<u>\$ 385.00</u>
<u>ADU</u>		<u>\$ 75.00</u>
<u>CHF</u>		<u>\$ 20.00</u>
		\$ _____
		\$ _____
		\$ _____
		Total
		<u>\$ 480.00</u>

Hearing date 08/11/10

Sandy Handley 07/16/10
 Planner signature / date

Project # 1008401

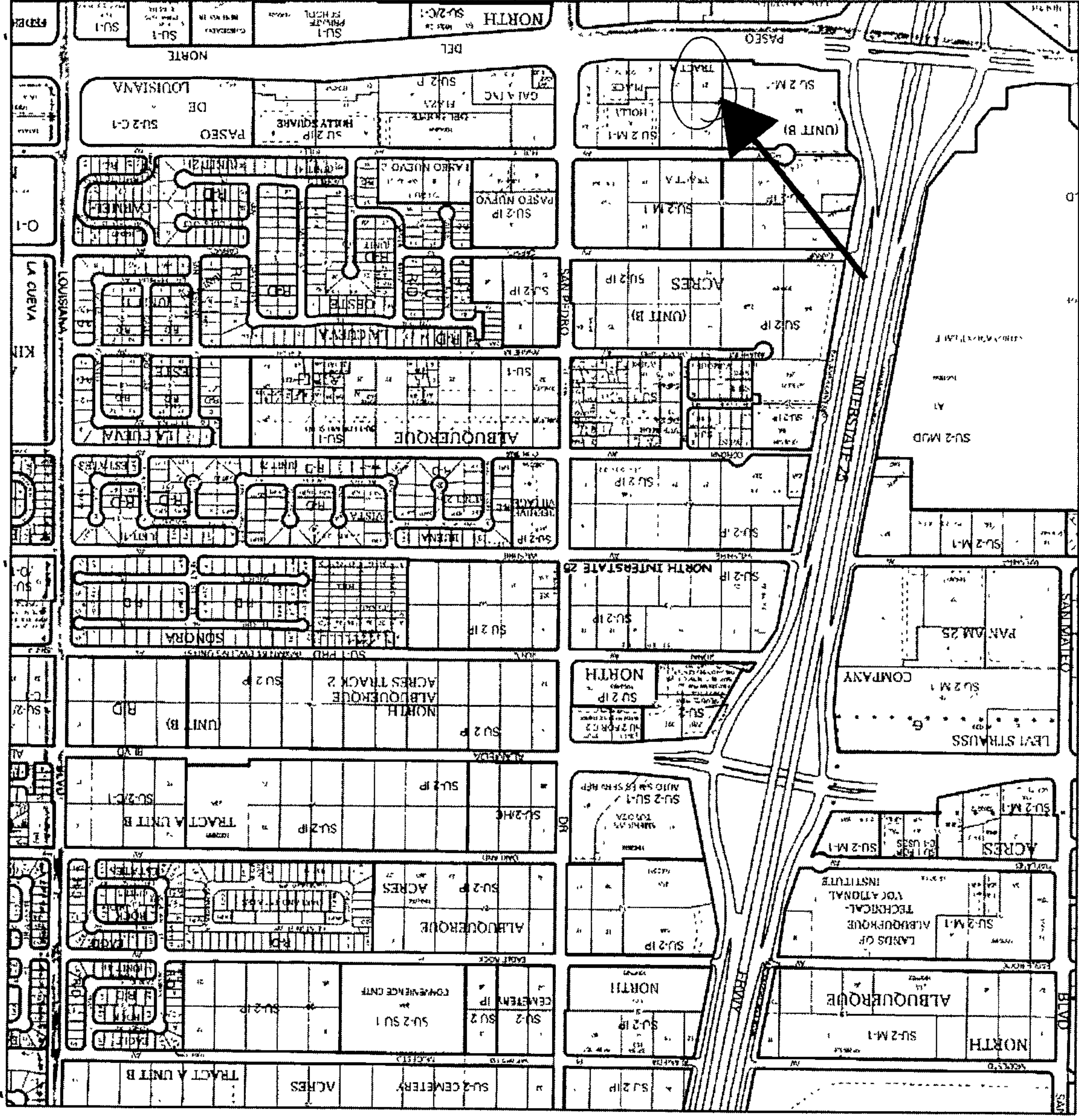
Zone Atlas Page: C-18-Z
Selected Symbols


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

Note: Grey Shading Represents Area Outside of the City Limits

Map amended through: 2/1/2010

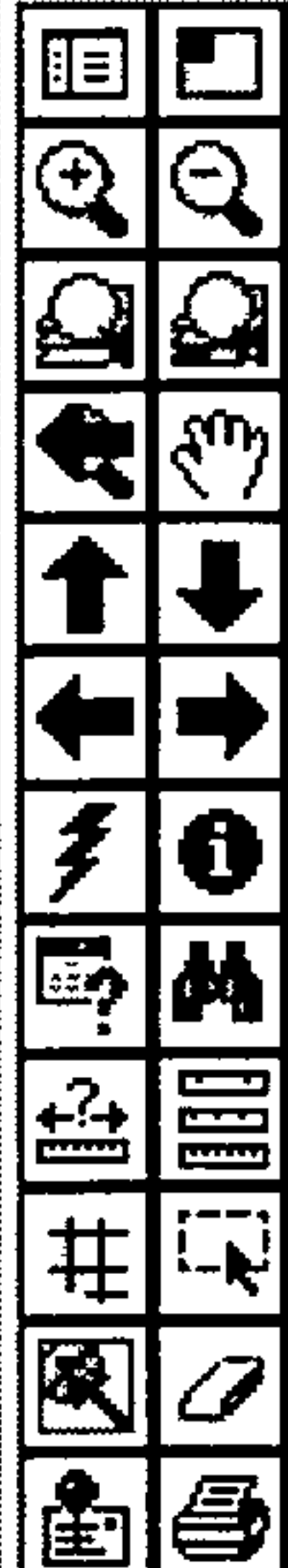
For more current information and more details visit: <http://www.cabq.gov/gis>

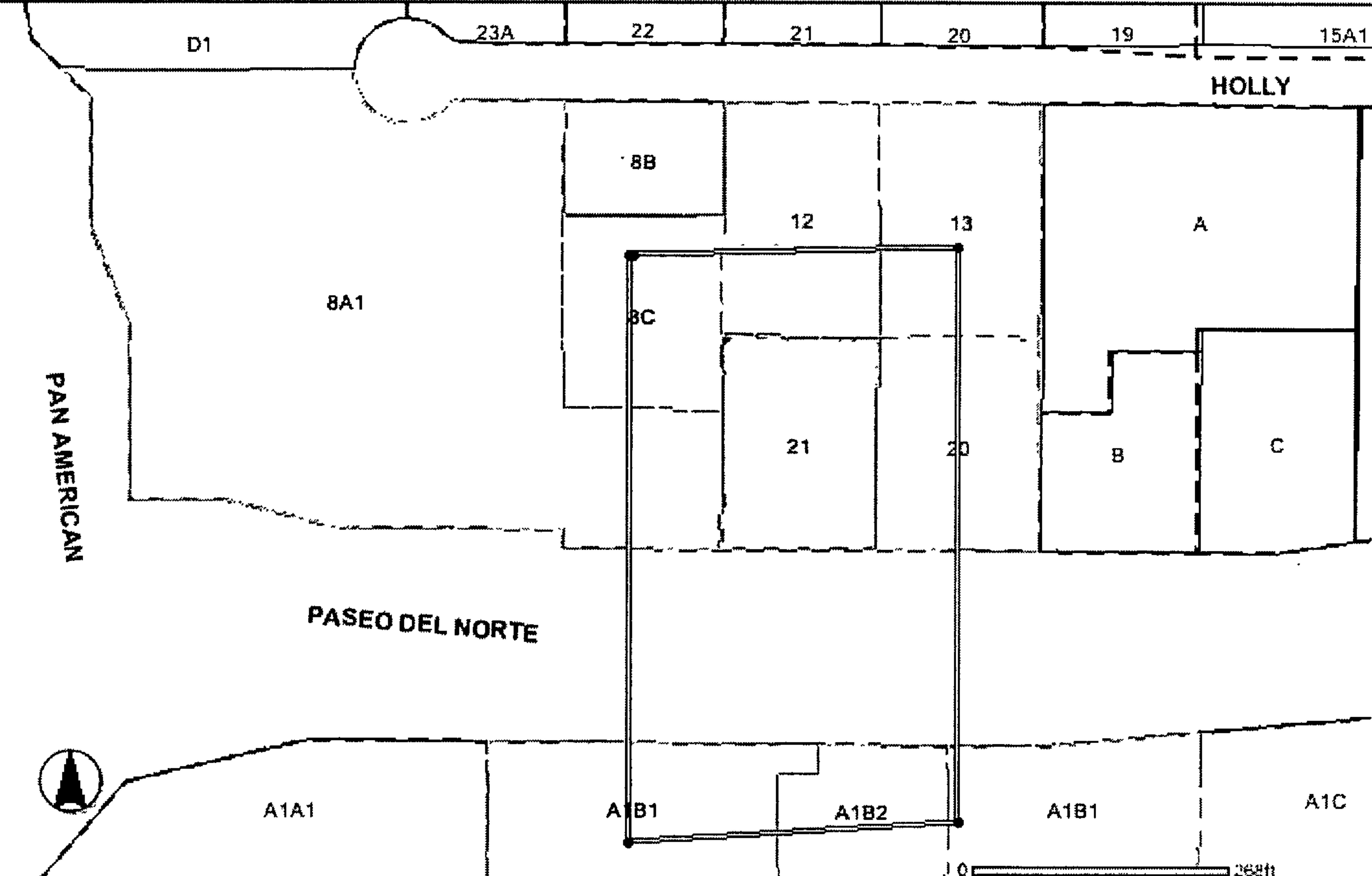




CITY OF ALBUQUERQUE
www.cabq.gov

ALBUQUERQUE GIS DATA WEBSITE





LAYERS

- STREETS
- BASEMAP
- PARCELS
- LOT NUMBERS
- METRO ADDRESS
- ZONING
- OWNERSHIP
- 2FT CONTOUR
- ADDRESS POINTS
- LANDUSE
- EASEMENTS
- INFRASTRUCTURE
- TRANSIT/SUNTRAN
- BOUNDARIES
- SITES
- ENVIRONMENT
- APS
- TRAFFIC ENG.
- AIR PHOTO
 - 2008 AIR PHOTO
 - 2006 AIR PHOTO
 - 2004 AIR PHOTO
 - 2002 AIR PHOTO
 - 1999 AIR PHOTO

Refresh Map

Auto Refresh

Help:

- Closed group, click to open.
- Open group, click to close.
- Map layer.
- Hidden group/layer, click for visible
- Visible group/layer, click to hide.

OWNERSHIP

Rec	UPC CODE	OWNER	OWNER ADDRESS
1	101806418903930216	PASEO HOSPITALITY LLC	3809 ATRISCO DR NW SUITE C
2	101806417202930206	TROY CAROLYN K TRUSTEE TROY RVT	11401 DRYSDALE LN
3	1018064170504620208	PASEO PLACE LLC	6200 DIVERSIDE PLAZA LN NW SUITE 200

Select Line/Polygon
[SEARCH](#)
[REFRESH](#)
[HELP](#)
[MAIN PAGE](#)
[CONTACT GIS TEAM](#)

OR CURRENT OWNER
LOWES HOME CENTERS INC ATTN: SR VICE
PRESIDENT
PO BOX 1111
NORTH WILKESBORO, NC 28659

OR CURRENT OWNER
PASEO HOSPITALITY LLC
3809 ATRISCO DR NW SUITE C
ALBUQUERQUE, NM 87120

OR CURRENT OWNER
UG RJR ALBUQUERQUE PASEO LLC C/O
UNITED GROWTH LLC
201 SPEAR ST SUITE 1150
SAN FRANCISCO, CA 94105

OR CURRENT OWNER
TROY CAROLYN K TRUSTEE TROY RVT
11401 DRYSDALE LN
LOS ALAMITOS, CA 90720

OR CURRENT OWNER
PASEO PLACE LLC
6300 RIVERSIDE PLAZA LN NW SUITE 200
ALBUQUERQUE, NM 87120

OR CURRENT OWNER
STATE OF NEW MEXICO DEPT OF
TRANSPORTATION
PO BOX 1149
SANTA FE, NM 87504

HEARING DATE 8-11-10 (SBP)

10. **Project# 1008089**
10DRB-70178 MINOR - PRELIMINARY/
FINAL PLAT APPROVAL

COMMUNITY SCIENCES CORP agent(s) for KCRW PROPERTIES LLC request(s) the above action(s) for all or a portion of **VISTA DE LA LUZ & LA LUZ DEL OESTE**, zoned SU-1 PRD, located on NORTH OF SERILLA AVE NW AND WEST OF COORS BLVD NW containing approximately 4.2631 acre(s). (F-11) **THE PRELIMINARY/FINAL PLAT WAS APPROVED WITH FINAL SIGN OFF DELEGATED TO TRANSPORTATION FOR EXHIBIT FOR LOT 62 AND TO PLANNING FOR UTILITIES APPROVAL, AND AGIS DXF FILE.**

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

11. ~~Project# 1008401~~
10DRB-70181 SKETCH PLAT REVIEW
AND COMMENT

MULLEN HELLER ARCHITECTS agent(s) for DR BILL HAWK request(s) the above action(s) for all or a portion of Lot(s) 21, Block(s) 18, **NORTH ALBUQUERQUE ACRES Unit(s) B**, zoned SU-2 / M-1, located on PASEO DEL NORTE NE BETWEEN HOLLY NE AND SAN PEDRO NE containing approximately 0.8843 acre(s). (C-18) **THE ABOVE ITEM WAS REVIEWED AND COMMENTS WERE GIVEN.**

12. Approval of the Development Review Board Minutes for 6/23/10

Other Matters: None.

ADJOURNED: 10:20

CITY OF ALBUQUERQUE

PLANNING DEPARTMENT

June 30, 2010

DRB Comments

ITEM # 11


PROJECT # 1008401

APPLICATION # 10-70181

**RE: Lot 21, Block 18, Tract A, Unit B
North Albuquerque Acres**

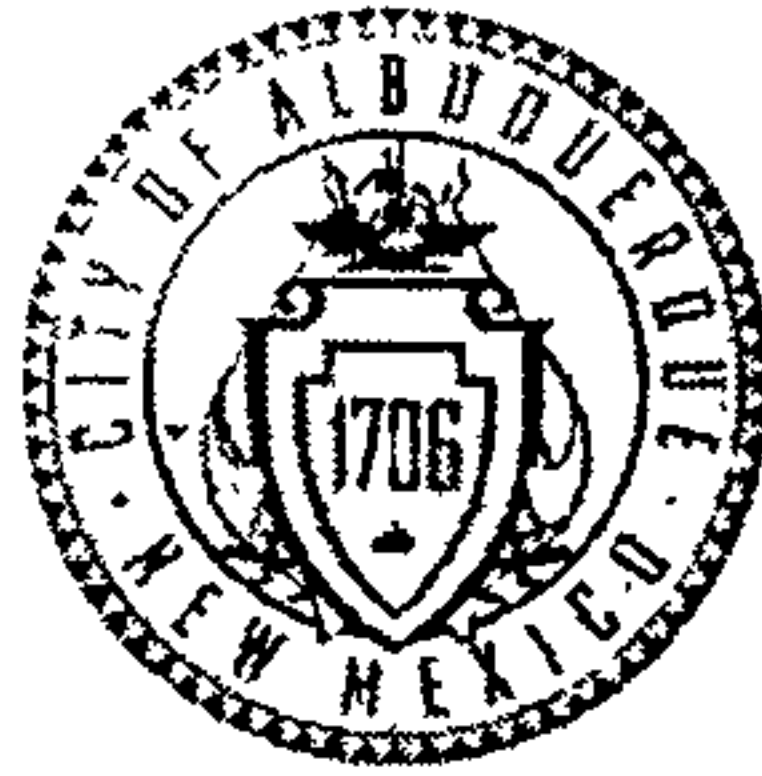
Per the North I-25 Sector Development Plan, the proposed use is allowed and a site development plan approved by DRB at a public hearing is required; refer to the sector plan for design requirements.

- 1) per the sector plan, landscape buffer is not required if the lot line is within a common access easement (however, a 6 foot buffer would be required on side yards – not 4'7")
- 2)) and 5) refer to comments from ABCWUA, and contact the franchised utilities regarding their easement needs
- 3) it appears an infrastructure list may be required for water and sewer – refer to comments from ABCWUA, and from Transportation Development regarding the access drive (this can sometimes be part of the building permit, and might not need to be on the list as 'off-site')
- 4) the cross easements appear adequate, but will be fully reviewed with the application for site plan approval – refer to comments from Hydrology, but typically drainage will need to conform to a master drainage plan



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

HEARING DATE 6-30-10 (SK)



**PUBLIC HEARING--DEVELOPMENT REVIEW BOARD
CITY OF ALBUQUERQUE**

Notice is hereby given that the Development Review Board, City of Albuquerque, will hold a public hearing in the **Plaza del Sol Hearing Room, Basement, Plaza del Sol Building, 600 2nd St NW, on Wednesday, August 11, 2010, beginning at 9:00 a.m.** for the purpose of considering the following:

Project# 1000364
10DRB-70193 MAJOR – 2 YEAR
EXTENSION OF SUBDIVISION
IMPROVEMENTS AGREEMENT (2YR
SIA)

BRET and DEBRA A TABOR request(s) the referenced/ above action(s) for all or a portion of Lot(s) 1-B-1, Block(s) 1, **CHANSLORS REPLAT OF GALLAGHER ADDITION** zoned C-2, located on the north side of CENTRAL AVE NE between GLENRIDGE PARK NE and BURMA DR NE, containing approximately 857 acre. (L-22)

Project# 1008401
10DRB-70197 MAJOR – SITE
DEVELOPMENT PLAN FOR BUILDING
PERMIT

MULLEN HELLER ARCHITECTURE, PC. agent(s) for DR BILL HAWK request(s) the referenced/ above action(s) for all or a portion of Lot(s) 21, Block(s) 18, Tract A, Unit B, **NORTH ALBUQUERQUE ACRES**, zoned SU-2/M-1, located on the north side of PASEO DEL NORTE NE between SAN PEDRO NE and 1-25 containing approximately .8843 acre. (C-18)

Details of the application(s) may be examined at the Development Services Center of the Planning Department, Second Floor, Plaza Del Sol Building, 600 2nd St NW, between 10:00 a.m. and 12:00 p.m. or 2:00 p.m. and 4:00 p.m. Monday through Friday except holidays INDIVIDUALS WITH DISABILITIES who need special assistance to participate at this hearing should contact Angela Gomez, Planning Department, at 924-3946 (VOICE) or teletypewriter (TTY) 924-3361 – TTY users may also access the Voice number via the New Mexico Relay Network by calling toll-free 1-800-659-8331.

Jack Cloud, AICP, DRB Chair
Development Review Board

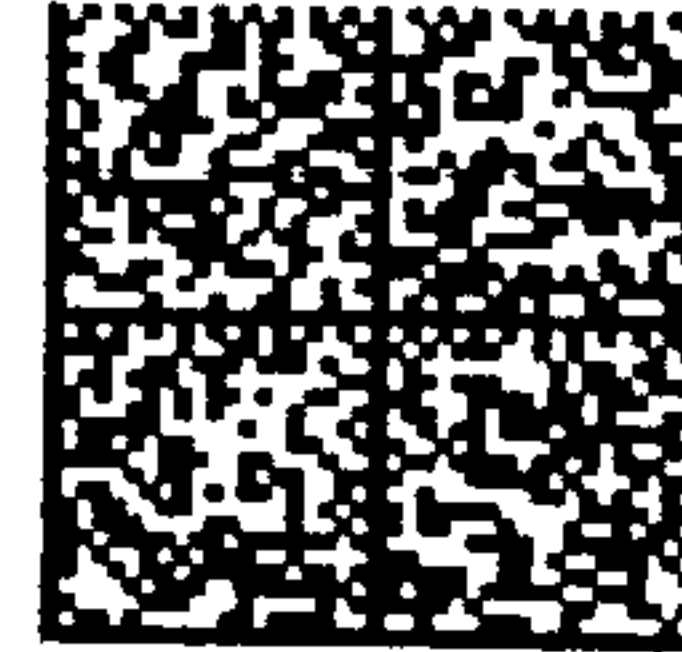
TO BE PUBLISHED IN THE ALBUQUERQUE JOURNAL MONDAY, JULY 26, 2010.

CITY OF ALBUQUERQUE



Planning Department

DRB



02 1R \$ 00.44⁰
0006557382 JUL 23 2010
MAILED FROM ZIP CODE 87102

~~DRB~~
PASEO HOSPITALITY LLC
3809 ATRISCO DR NW SUITE C
ALBUQUERQUE, NM 87120

NIXIE 871 4E 1 84 08/08/10

RETURN TO SENDER
ATTEMPTED - NOT KNOWN
UNABLE TO FORWARD

BC: 87103129393 *0768-08688-23-35

87120+490
87103@1293



P O Box 1293 Albuquerque New Mexico 87103



DRB CASE ACTION LOG (Site Plan for Building Permit)

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

DRB Application No.: 10DRB-70197

Project # 1008401

Project Name: *North Albuquerque Acres*

Agent: *Mullen Heller Architecture, PC*

Phone No.:

Your request was approved on 8-11-10 by the DRB with delegation of signature(s) to the following departments.

OUTSTANDING SIGNATURES COMMENTS TO BE ADDRESSED:

- TRANSPORTATION:** *- address comments*
- ABCWUA:**
- CITY ENGINEER / AMAFCA:**
- PARKS / CIP:**
- PLANNING (Last to sign):** *- address comments - have zoning report for compliance with North 7-25*
- 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.**

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

07/16/2010 Issued By: PLNSDH 82232

Permit Number: 2010 070 197 **Category Code 910**

Application Number: 10DRB-70197, Major - Sdp For Building Permit

Address:

Location Description: PASEO DEL NORTE NE BETWEEN SAN PEDRO NE AND 1-25

Project Number: 1008401

Applicant

DR BILL HAWK

5901 MONTGOMERY BLVD NE
ALBUQUERQUE NM 87111
379--2674

Agent / Contact

Mullen Heller Architecture

924 Park Ave Sw
Albuquerque NM 87102

Application Fees

441018/4971000	Public Notification	\$75.00
441032/3424000	Conflict Mgmt Fee	\$20.00
441006/4983000	DRB Actions	\$385.00
TOTAL:		\$480.00

City Of Albuquerque
Treasury Division

7/16/2010 10:55AM LOC: ANNX
WS# 007 TRANS# 0002
RECEIPT# 00133868-00133868
PERMIT# 2010070197 TRSSVG
Trans Amt \$480.00
APN Fee \$75.00
Conflict Manag. Fee \$20.00
DRB Actions \$385.00
CK \$480.00
CHANGE \$0.00

Thank You

City of Albuquerque



DEVELOPMENT/ PLAN REVIEW APPLICATION

Supplemental form

SUBDIVISION

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

SITE DEVELOPMENT PLAN

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

STORM DRAINAGE (Form D)

- Storm Drainage Cost Allocation Plan

S Z ZONING & PLANNING

- Annexation
- County Submittal
- EPC Submittal
- Zone Map Amendment (Establish or Change Zoning)
- Sector Plan (Phase I, II, III)
- Amendment to Sector, Area, Facility or Comprehensive Plan
- Text Amendment (Zoning Code/Sub Regs)
- Street Name Change (Local & Collector)
- L A APPEAL / PROTEST of...**
- Decision by: DRB, EPC, LUCC, Planning Director or Staff, ZHE, Zoning Board of Appeals

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

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Professional/Agent (if any): Mullen Heller Architecture, PC. PHONE: 505-268-4144
 ADDRESS: 924 Park Avenue SW Suite B FAX: 505-268-4244
 CITY: Albuquerque STATE NM ZIP 87102 E-MAIL: _____

APPLICANT: Dr. Bill Hawk PHONE: 505-379-2674
 ADDRESS: 59201 Montgomery Blvd NE FAX: _____
 CITY: Albuquerque STATE NM ZIP 87111 E-MAIL: _____

Proprietary interest in site: Business owner/ developer List all owners: Paseo Place LLC & Jackson, Stephen

DESCRIPTION OF REQUEST: See Attached

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

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

Lot or Tract No. Lot 21 Block: 18 Unit: B
 Subdiv/Addn/TBKA: N ABQ ACRES
 Existing Zoning: SU-2/M-1 Proposed zoning: N/A MRGCD Map No N/A
 Zone Atlas page(s): C-18-Z UPC Code: 101806418901630207

CASE HISTORY:

List any current or prior case number that may be relevant to your application (Proj., App., DRB-, AX_Z_, V_, S_, etc.): 1004773
1008401 (NORTH I-25 SDP)

CASE INFORMATION:

Within city limits? Yes Within 1000FT of a landfill? YES
 No. of existing lots: 1 (one) No. of proposed lots: 1 (one) Total area of site (acres): .8843 Ac.

LOCATION OF PROPERTY BY STREETS: On or Near: Paseo Del Norte

Between: San Pedro Dr NE and I 25

Check-off if project was previously reviewed by Sketch Plat/Plan or Pre-application Review Team . Date of review: 6/30/10

SIGNATURE [Signature] DATE 7/16/10

(Print) MIKE MADDEN 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

10DRB-70197

Action

SBP P(2)
ADV
CHF

S.F.

Fees

\$ 385.00
 \$ 75.00
 \$ 20.00
 \$ _____
 \$ _____
 Total
 \$ 480.00

Hearing date 08/11/10

Sandy Handley 07/16/10
 Planner signature / date

Project # 1008401

FORM P(2): SITE PLAN REVIEW - D.R.B. PUBLIC HEARING

- SITE DEVELOPMENT PLAN FOR SUBDIVISION (DRB15)** **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) **24 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
 - Office of Community & Neighborhood Coordination inquiry response, notifying letter, certified mail receipts
 - Sign Posting Agreement
 - Completed Site Plan for Subdivision Checklist
 - 6 copies of the Infrastructure List, if relevant to the site plan
 - TIS/AQIA Traffic Impact Study form with required signature
 - Fee (see schedule)
 - List any original and/or related file numbers on the cover application
- DRB hearings are approximately 30 DAYS after the filing deadline. **Bring the original** to the meeting.
Your attendance is required.

- SITE DEVELOPMENT PLAN FOR BUILDING PERMIT (DRB14)** **Maximum Size: 24" x 36"**
- N/A** 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) **24 copies**
 - N/A** Site Plan for Subdivision, if applicable, previously approved or simultaneously submitted. (Folded to fit into an 8.5" by 14" pocket.) **24 copies** for DRB public hearings
 - Solid Waste Management Department signature on Site Plan
 - Zone Atlas map with the entire property(ies) precisely and clearly outlined and crosshatched (to be photocopied)
 - Letter briefly describing, explaining, and justifying the request
 - Letter of authorization from the property owner if application is submitted by an agent
 - N/A** Copy of the document delegating approval authority to the DRB **NORTH 1-25 SDP**
 - Office of Community & Neighborhood Coordination inquiry response, notifying letter, certified mail receipts
 - N/A** Sign Posting Agreement
 - Completed Site Plan for Building Permit Checklist
 - N/A** 6 copies of the Infrastructure List, if relevant to the site plan
 - TIS/AQIA Traffic Impact Study form with required signature
 - Copy of Site Plan with Fire Marshal's stamp
 - Fee (see schedule)
 - List any original and/or related file numbers on the cover application
- D. R. B. hearings are approximately 30 DAYS after the filing deadline. **Bring the original** to the meeting.
Your attendance is required.

- AMENDED SITE DEVELOPMENT PLAN FOR SUBDIVISION or BUILDING PERMIT (DRB10)** **Maximum Size: 24" x 36"**
- Proposed amended Site Plan (folded to fit into an 8.5" by 14" pocket) **24 copies**
 - DRB signed Site Plan being amended (folded to fit into an 8.5" by 14" pocket) **24 copies**
 - DRB signed Site Plan for Subdivision, if applicable (required when amending SDP for Building Permit) **24 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
 - Office of Community & Neighborhood Coordination inquiry response, notifying letter, certified mail receipts
 - Sign Posting Agreement
 - Completed Site Plan for Building Permit Checklist (not required for amendment of SDP for Subdivision)
 - 6 copies of the Infrastructure List, if relevant to the site plan
 - TIS/AQIA Traffic Impact Study form with required signature
 - Fee (see schedule)
 - List any original and/or related file numbers on the cover application
- D. R. B. hearings are approximately 30 DAYS after the 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.

MIKE MADDEN
 Applicant name (print)
[Signature] 7/16/2010
 Applicant signature / date



Form revised October 2007

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

Application case numbers
10DRB 70197

Sandra Handley 07/16/10
 Planner signature / date
 Project # 1008401

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 JULY 27, 2010 To AUGUST 11, 2010

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.

[Signature]
(Applicant or Agent)

7/16/2010
(Date)

I issued 1 signs for this application, 07.16.10 Sandy Handberg
(Date) (Staff Member)

DRB PROJECT NUMBER: 1008401

July 15, 2010

Mr. Jack Cloud, Chair
Development Review Board
City of Albuquerque

**RE: Approval of Site Development Plan for Building Permit
After Hours Pediatrics Clinic
Zone Atlas Page B-18**

Mullen Heller Architecture on behalf of Dr. Bill Hawk requests approval of the Site Development Plan for Building Permit to allow for the construction of a new 7,656 square foot medical office clinic. The project will be completed in one phase.

Site Orientation, Pedestrian Circulation & Traffic Impact

The building has been pushed to the southwest corner of the site to provide a presence on Paseo Del Norte while taking advantage of mountain views and access from the east.

Vehicular access to the site will be from a new 24' wide two-way asphalt access drive from within the existing development to the east. This drive traverses a currently vacant lot utilizing an existing easement.

The project will provide one new fire hydrant and tap into existing utilities already located on the site in an existing utility easement.

Drainage & Landscaping

The current drainage patterns will be maintained across the northern adjacent lot to Holly Avenue NE.

A landscape buffer is proposed on the southern and western property boundaries; due to cross access agreements and anticipated future development there is no landscape buffer proposed on the east and north property boundaries.

Building Design

The proposed building has been designed to open to the mountain views to the east while providing protection both acoustically and visually from Paseo Del Norte and I 25. To the west the building is largely screened by an adjacent structure and to the south the building is adorned with text which is intended to be public art and convey a general message of well being. In addition the south façade offers clues to the program via a playful fenestration pattern of colored glass circles which repeat near the entry and on the western façade. The massing has been articulated to provide appropriate scale to a long frontage.

The eastern façade serves as the entry to the clinic and incorporates a protruding canopy with a deeply recessed entry door. Again a fenestration of colorful glass on the circular windows is utilized near the entry to separate it from the rest of the building. High

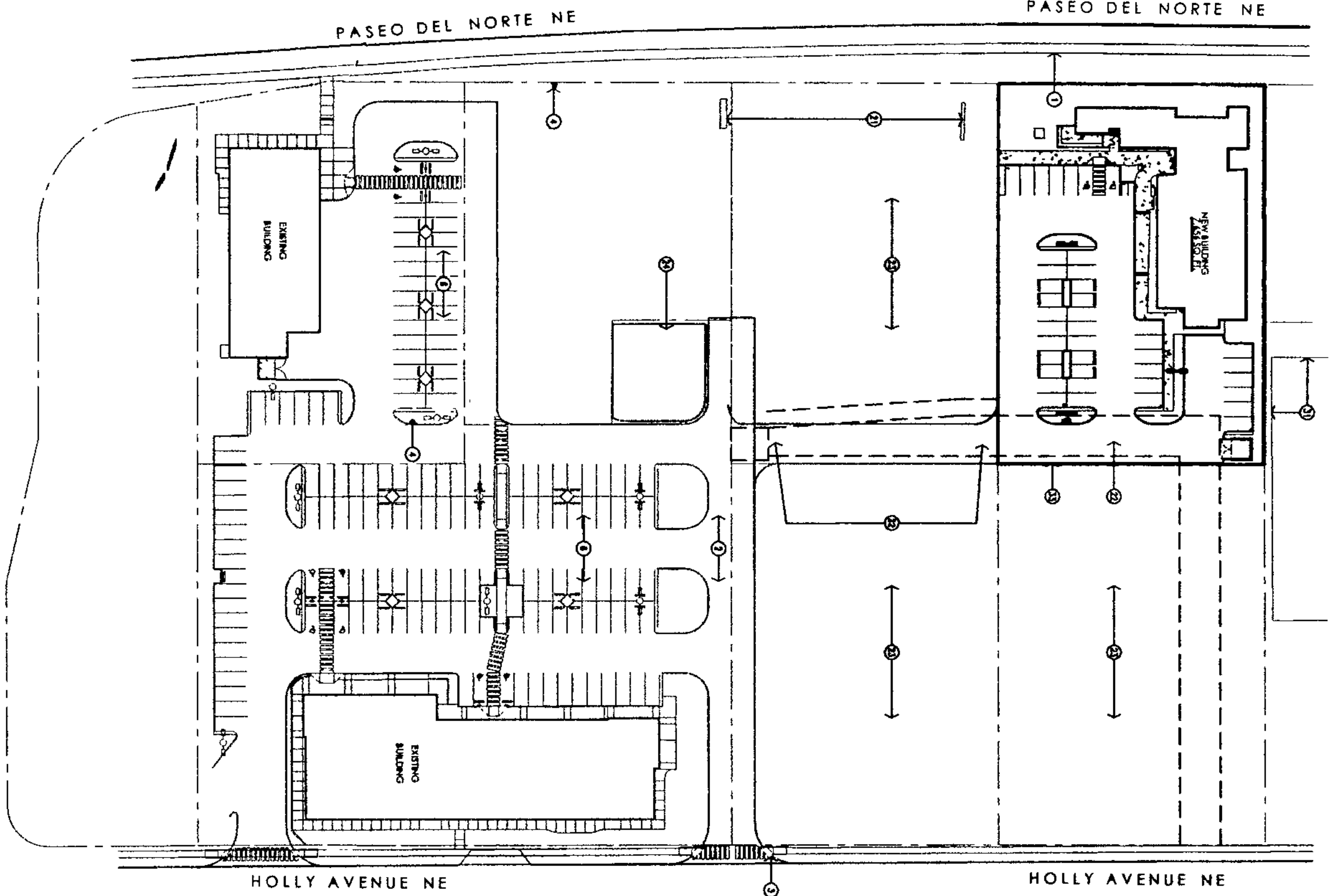
translucent glass is used to allow light into the exam rooms while preventing visual access from the outside.

Sincerely,
Mullen Heller Architecture, PC

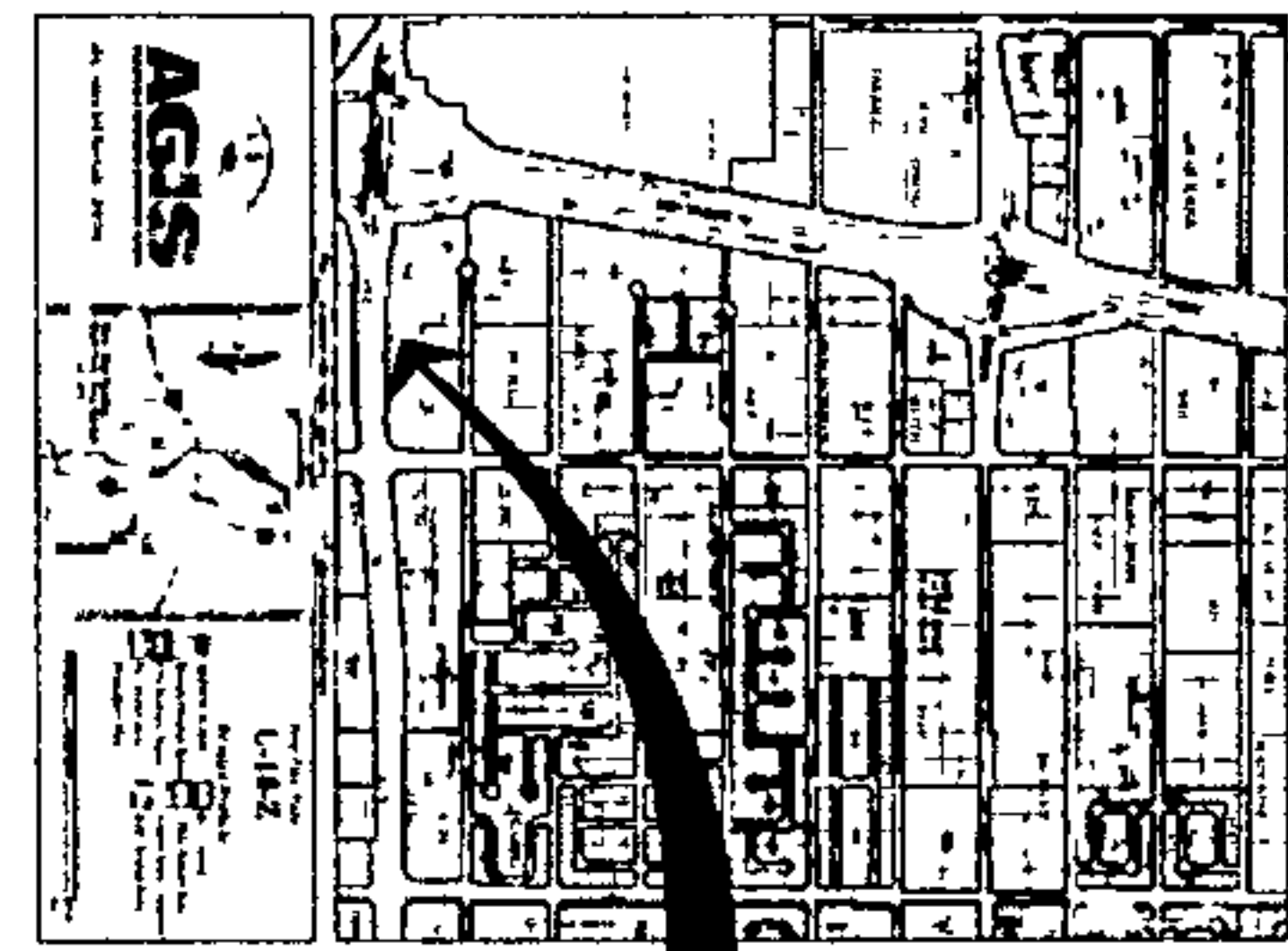
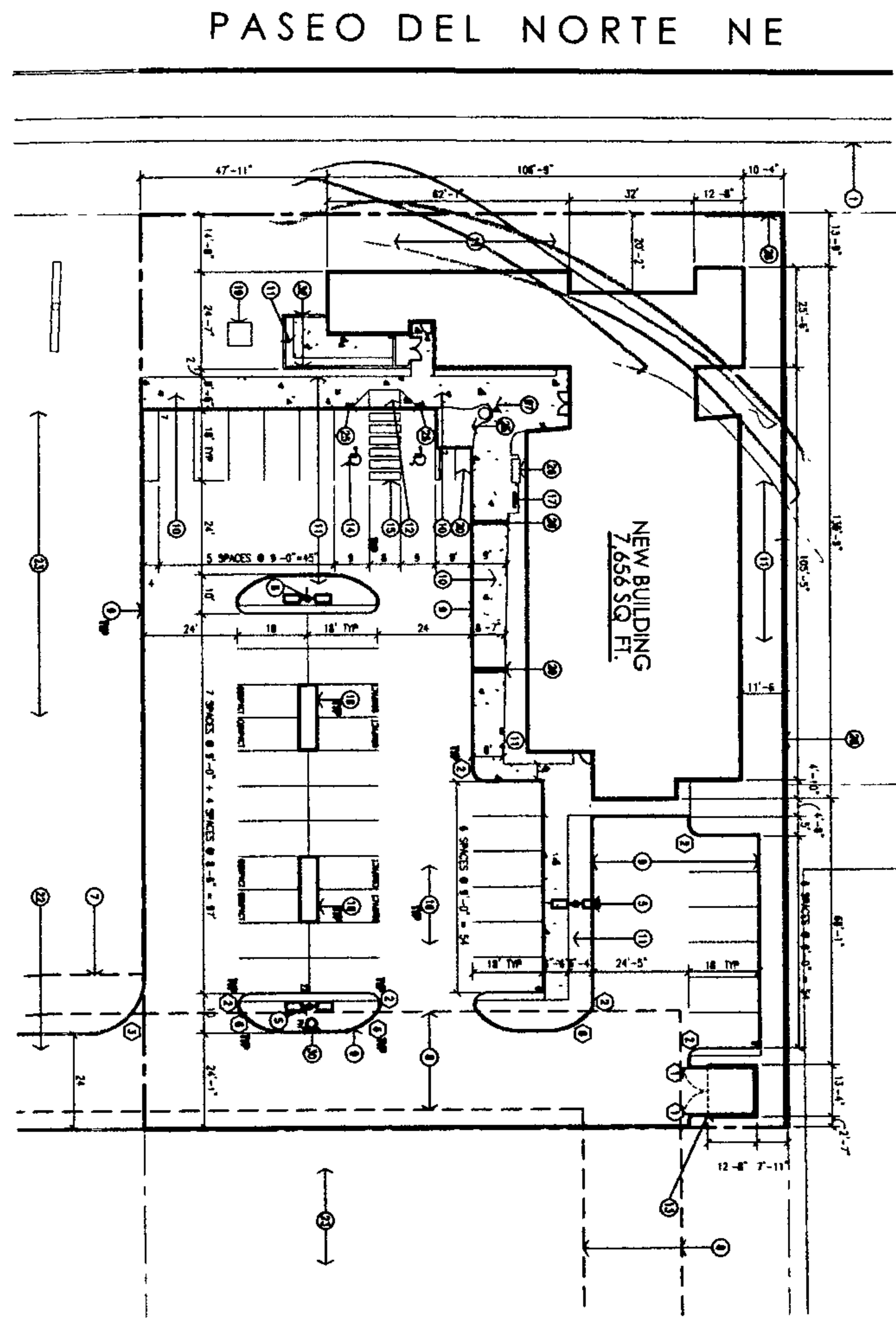
Michael Madden, RA LEED AP



1 Area Site Plan
Scale: 1"=50'



2 Enlarged Site Plan
Scale: 1"=20'



LOCATION MAP

SITE DEVELOPMENT DATA

LOCAL JURISDICTION: CITY OF ALBUQUERQUE, NEW MEXICO

LOT #1: BLOCK 18, TRACT 4, UNIT 8

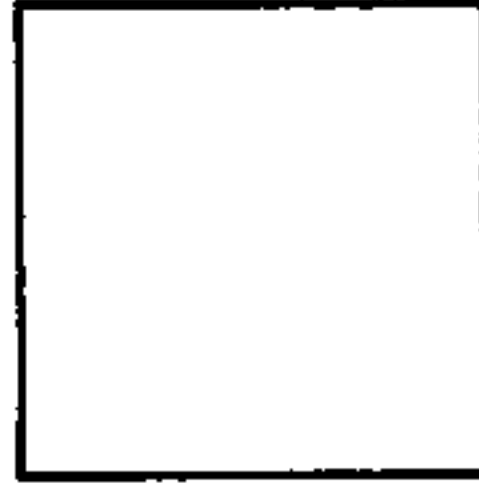
EMPALEADO COUNTY, NEW MEXICO

BUILDING ADDRESS:	NOT APPLICABLE
LAND AREA:	840 ACRES (APPROX. 36.77)
ORIENTATION:	SH-2/4-1
100' SETBACK:	4-18-2
BUILDING AREA:	PROPOSED NEW MEDICAL OFFICE
PARKING:	CLUB
CALCULATIONS:	PROPOSED 200 SPACES FOR OFFICE PROPOSED 200 SPACES FOR OFFICE PROPOSED 200 SPACES FOR OFFICE PROPOSED 200 SPACES FOR OFFICE
TOTAL SPACES PROPOSED:	800 SPACES

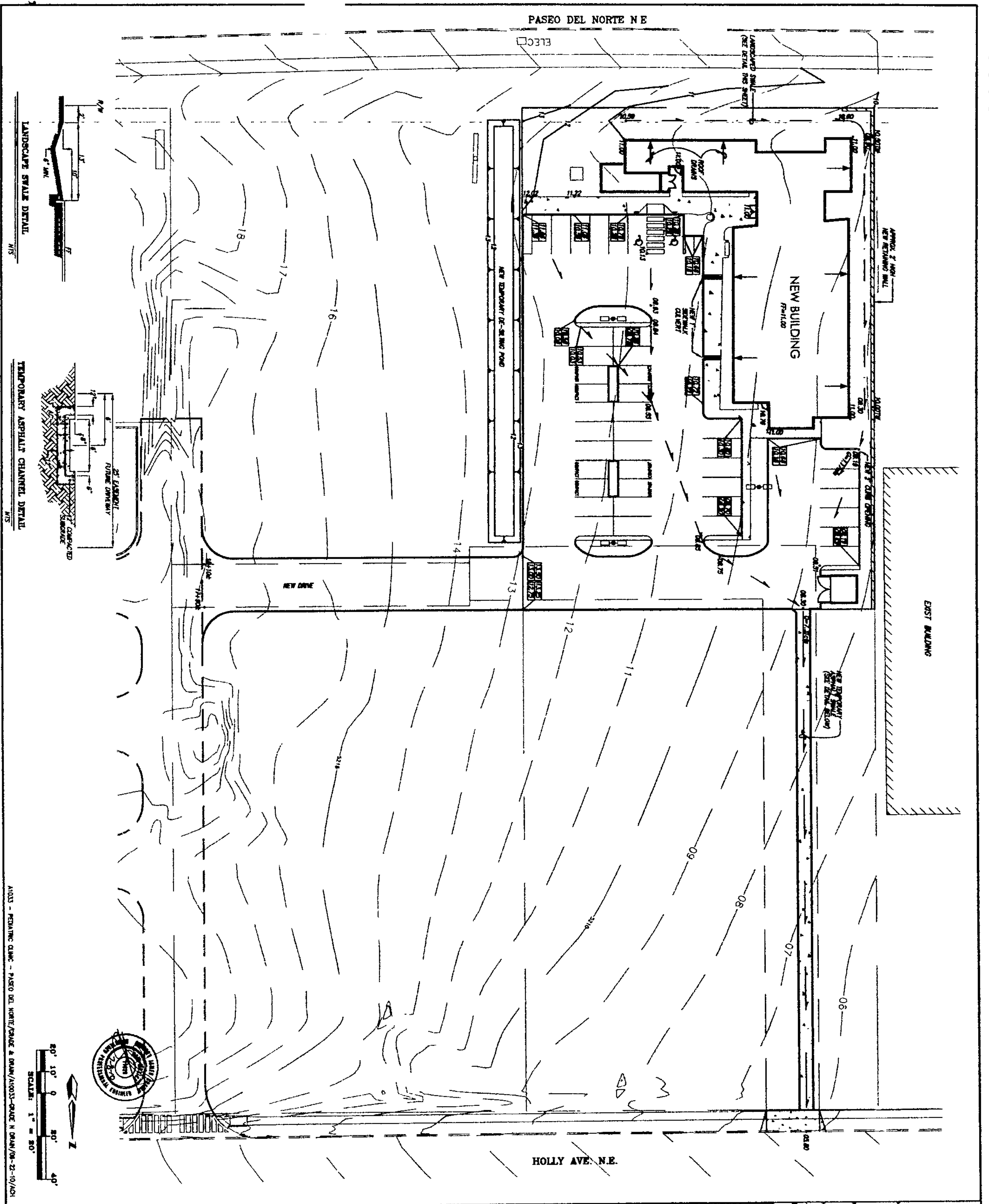
TRAFFIC INFORMATION:

TYPE	REQUIRED	PROVIDED
SEWERAGE:	5'-0"	15'-0"
WATER:	5'-0"	N/A
STORM SEWER:	5'-0"	10'-0"
REAR YARD:	0'-0"	2'-7" TO TRAIL BLK.

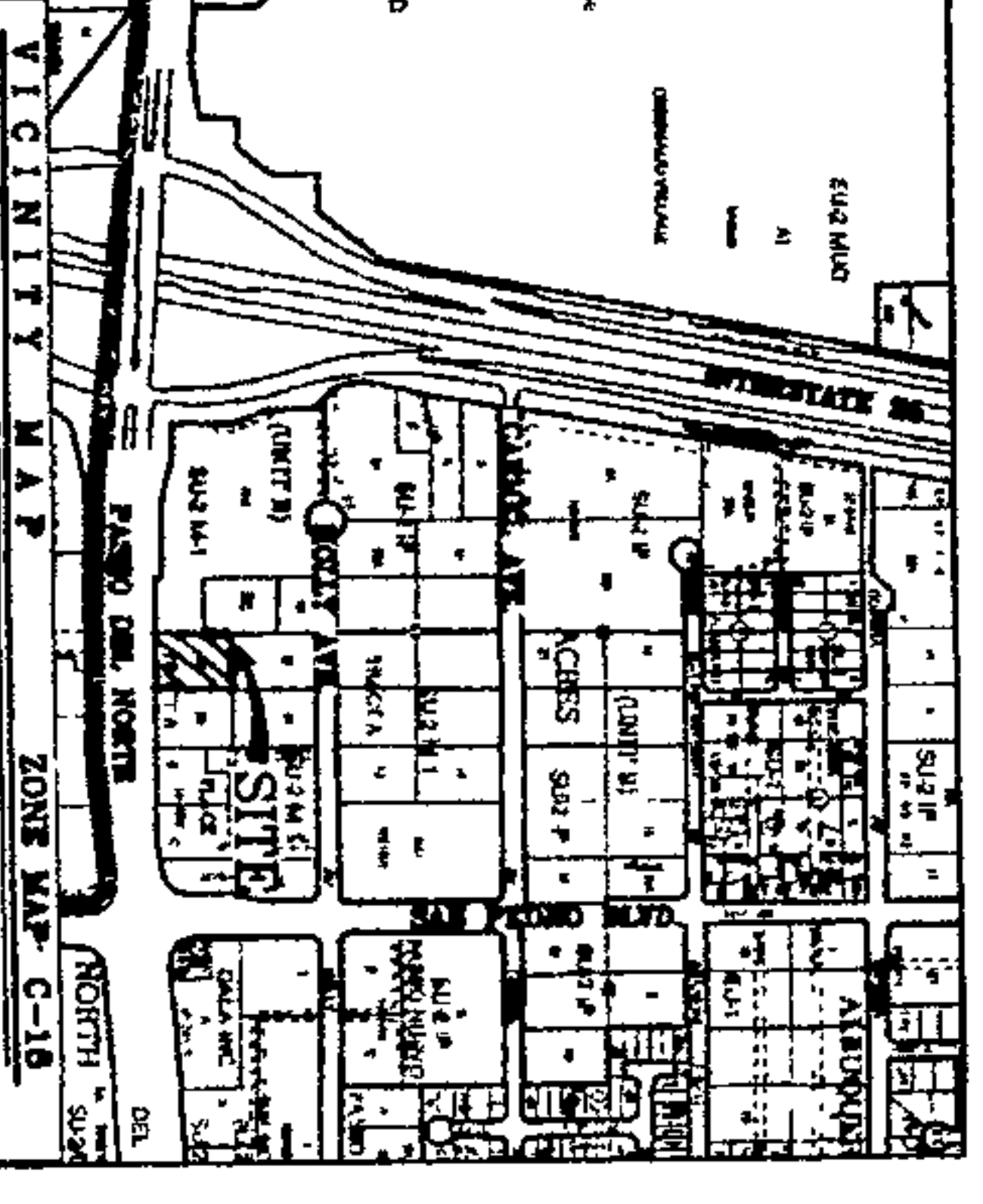
- GENERAL NOTES:**
1. BUILDING FROM FLOOR ELEVATION 11'-0" REFER TO CIVIL.
 2. FOUNDATION SHALL BE CONCRETE SPREADS AT 20' O.C. & CHAINS.
 3. FOUNDATION TO BE TYPE "B" CONSTRUCTION.
- REFER NOTES:**
1. EXISTING CONCRETE SPREADS.
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revision	date
1	



NOTES - PEDIATRIC CLINIC - PASEO DEL NORTE/GRADE & DRAIN/110033-0002 N DRAIN/08-22-10/ACH



- NOTES**
1. SITE DOES NOT LIE WITHIN A 100 YEAR FLOOD ZONE.
 2. THIS PROJECT IS ALLOWED FREE DISCOUNT PER THE HULLY PLAN.
 3. CONSTRUCTION SHALL BE FINISHED BY 08/07/11.
 4. OFF-SITE FLOOD FROM THE POND SITE TO THE EAST WILL BE DE-SECTED BY RECONSTRUCTING ROAD AS SHOWN.

- LEGEND**
- EXIST WATER METER
 - EXIST WATER VALVE
 - EXIST TRANSFORMER
 - EXIST LIGHT POLE
 - EXIST GAS METER
 - EXIST FINE HYDRANT
 - EXIST OVERHEAD UTILITY LINES
 - EXIST STORM DRAIN ALLEY
 - EXIST SINKER MANHOLE
 - EXIST STORM DRAIN MANHOLE
 - EXIST WATER MANHOLE
 - EXIST UTILITY POSSIBLE
 - EXIST HULL
 - EXIST BACK OF CURB ELEVATION
 - EXIST FLOW LINE ELEVATION
 - EXIST EDGE OF PARADELT ELEVATION
 - EXIST TOP OF ASPHALT CURB ELEVATION
 - EXIST DRAINAGE SPOT ELEVATION
 - EXIST CURB & BUTTER
 - EXIST BUILDINGS
 - NEW BUILDINGS
 - NEW SPOT ELEVATION
 - NEW PROPERTY LINE
 - NEW FLOW
 - NEW CENTERLINE
 - NEW TOP OF CURB ELEVATION
 - NEW FLOWLINE ELEVATION
 - NEW CURB & BUTTER
 - NEW RETAINING WALL

DC 5744 09
 FL 5744 09
 EP 5744 09
 TC 5444 09
 5444 09

**PEDIATRIC CLINIC - PASEO DEL NORTE
 CONCEPTUAL
 GRADING & DRAINAGE PLAN**

dmg MARK GOODWIN & ASSOCIATES, P.A.
 CONSULTING ENGINEERS
 P.O. BOX 90606
 ALBUQUERQUE, NEW MEXICO 87199
 (505) 828-2200, FAX (505) 797-9539

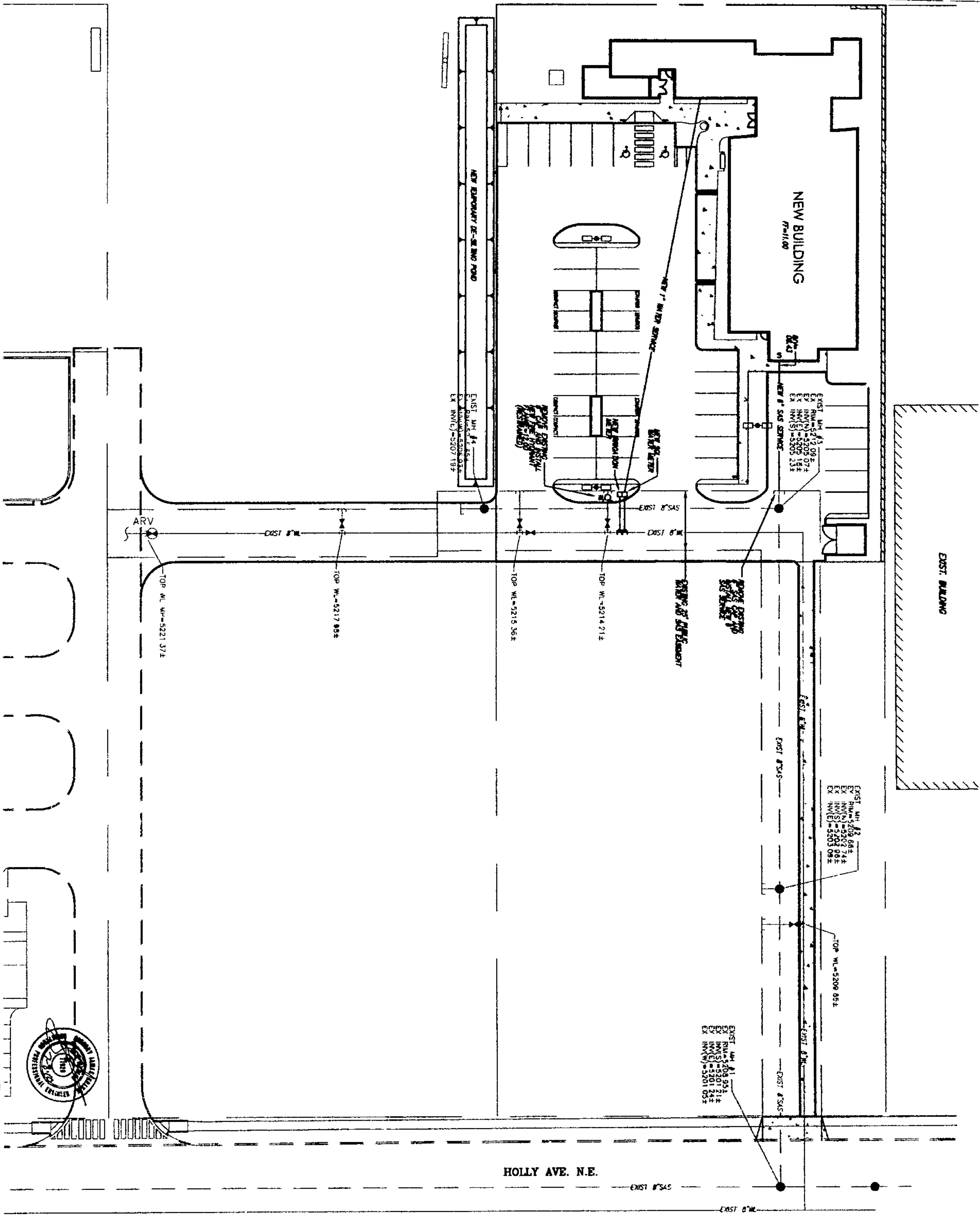
Designed: GAC Date: 07-07-10
 Drawn: ADW Checked: DMC Sheet: 2 of 6
 Scale: 1" = 20'

PASEO DEL NORTE N.E.

ELEC

SAN SEWER

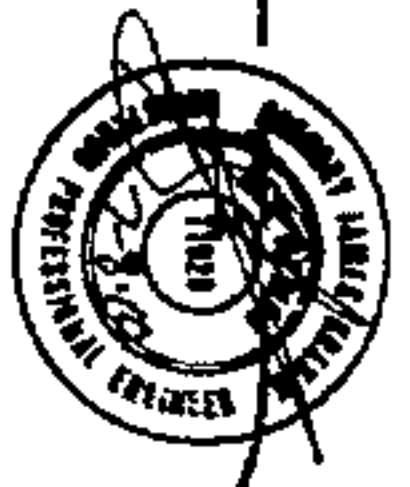
EXIST WATERLINE



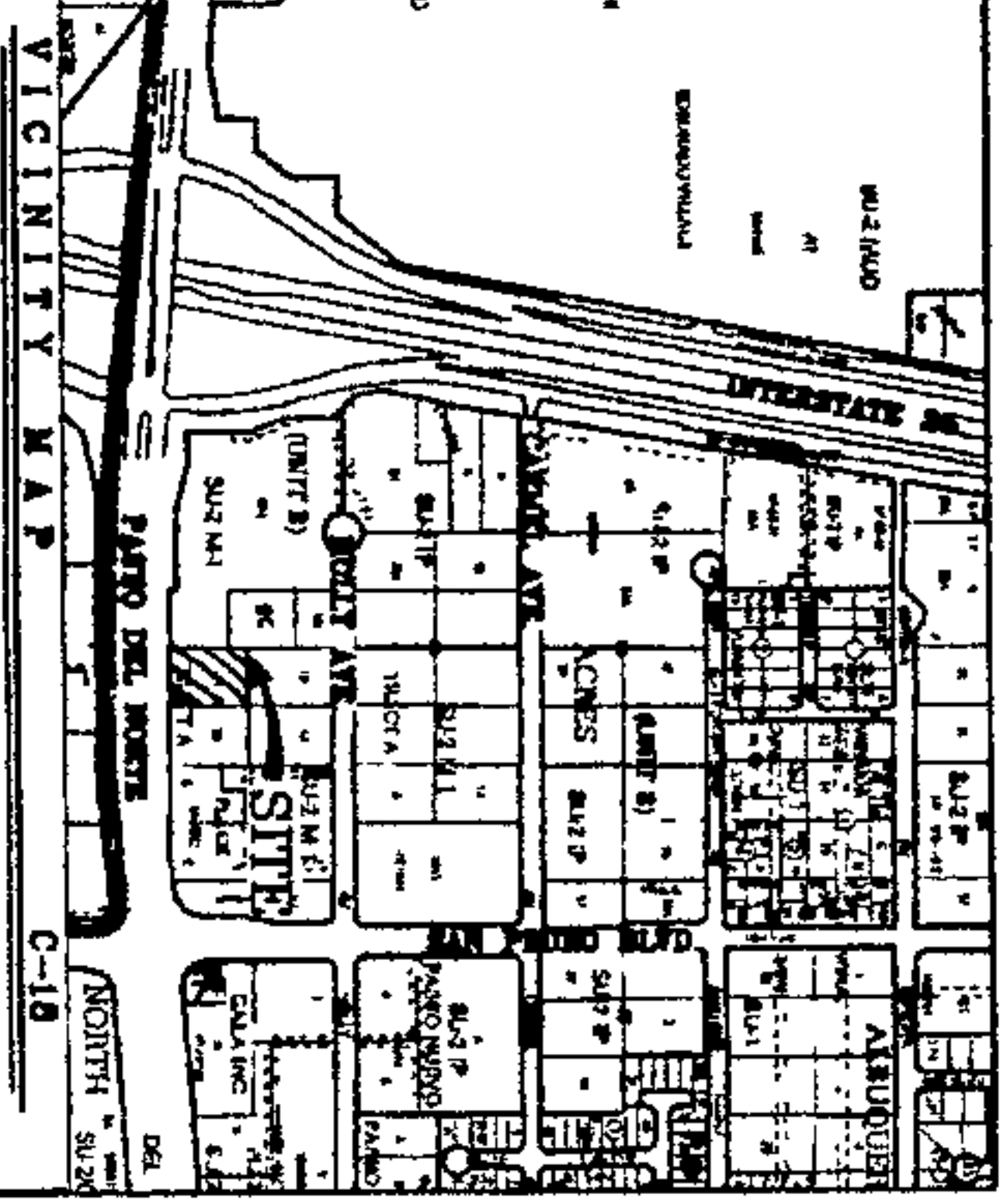
EXIST BUILDING

NEW BUILDING

HOLLY AVE. N.E.



NOTES - PEDIATRIC CLINIC - PASEO DEL NORTE/PLANS/10033-N-UTILITY/08-23-10/AGJ



LEGEND

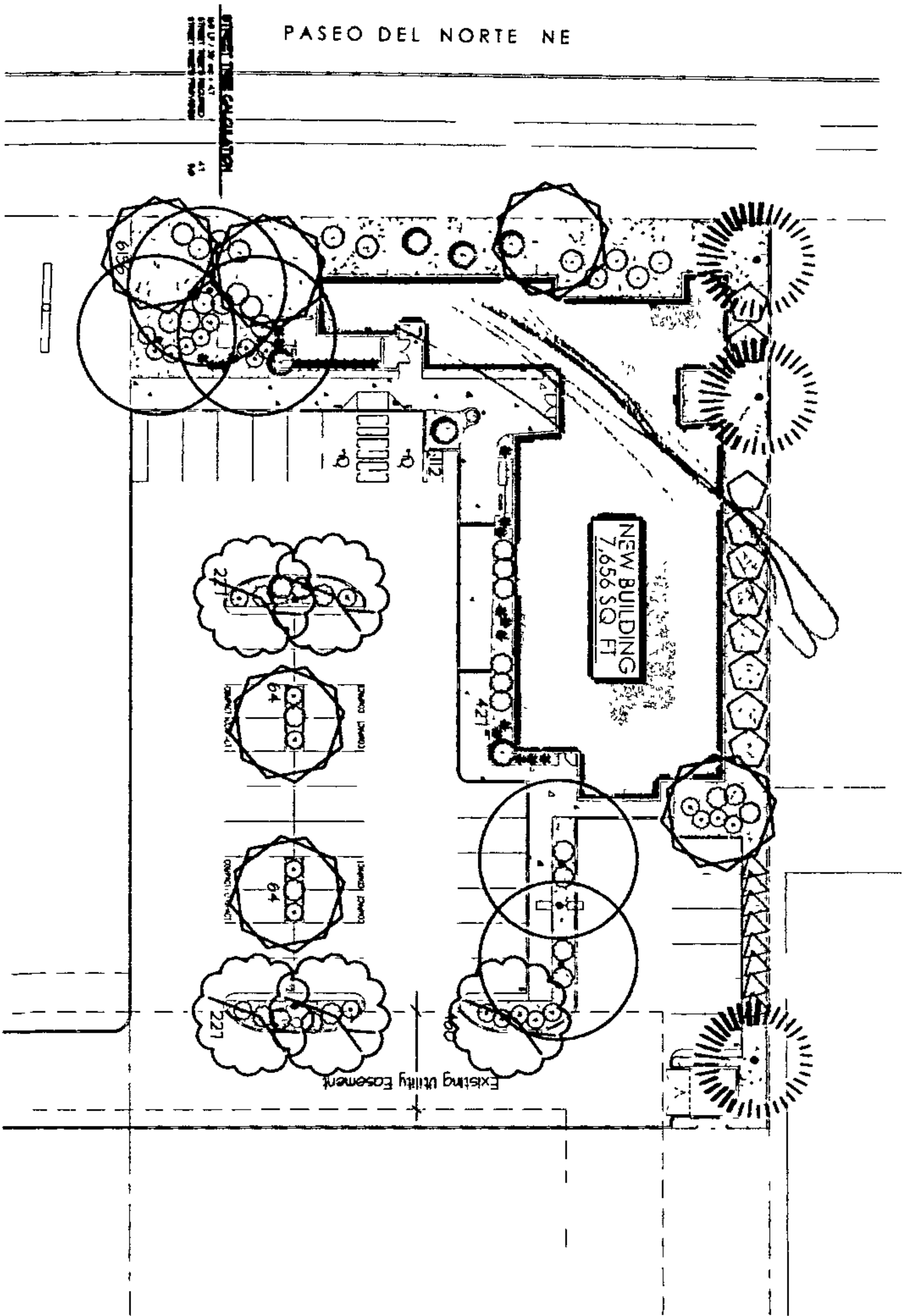
- ⊙ EXIST WATER METER
- ⊙ EXIST WATER VALVE
- ⊙ EXIST TRANSFORMER
- ⊙ EXIST LIGHT POLE
- ⊙ EXIST GAS METER
- ⊙ EXIST FIRE HYDRANT
- ⊙ EXIST OVERHEAD UTILITY LINES
- ⊙ EXIST STORM DRAIN INLET
- ⊙ EXIST STORM DRAIN MANHOLE
- ⊙ EXIST WHER WAREHOLE
- ⊙ EXIST UTILITY RESTRICTION
- ⊙ EXIST WALL
- ⊙ EXIST BACK OF CURB ELEVATION
- ⊙ EXIST FLOW LINE ELEVATION
- ⊙ EXIST EDGE OF PAVEMENT ELEVATION
- ⊙ EXIST TOP OF ASPHALT CURB ELEVATION
- ⊙ EXIST GROUND SPOT ELEVATION
- ⊙ EXIST CURB & GUTTER
- ⊙ EXIST SANITARY SEWER
- ⊙ EXIST WATERMETER
- ⊙ EXIST BUILDINGS
- ⊙ EXIST BUILDINGS
- ⊙ EXIST BUILDINGS
- ⊙ NEW PROPERTY LINE
- ⊙ NEW CURB & GUTTER
- ⊙ NEW RETAINING WALL
- ⊙ NEW 12" SAS SERVICE
- ⊙ NEW 12" WATER SERVICE
- ⊙ NEW WATER METER
- ⊙ NEW FIRE HYDRANT

PEDIATRIC CLINIC - PASEO DEL NORTE
CONCEPTUAL
MASTER UTILITY PLAN

MARK GOODWIN & ASSOCIATES, P.A.
CONSULTING ENGINEERS

P.O. BOX 90606
ALBUQUERQUE, NEW MEXICO 87199
(505)828-2200, FAX (505)797-9539

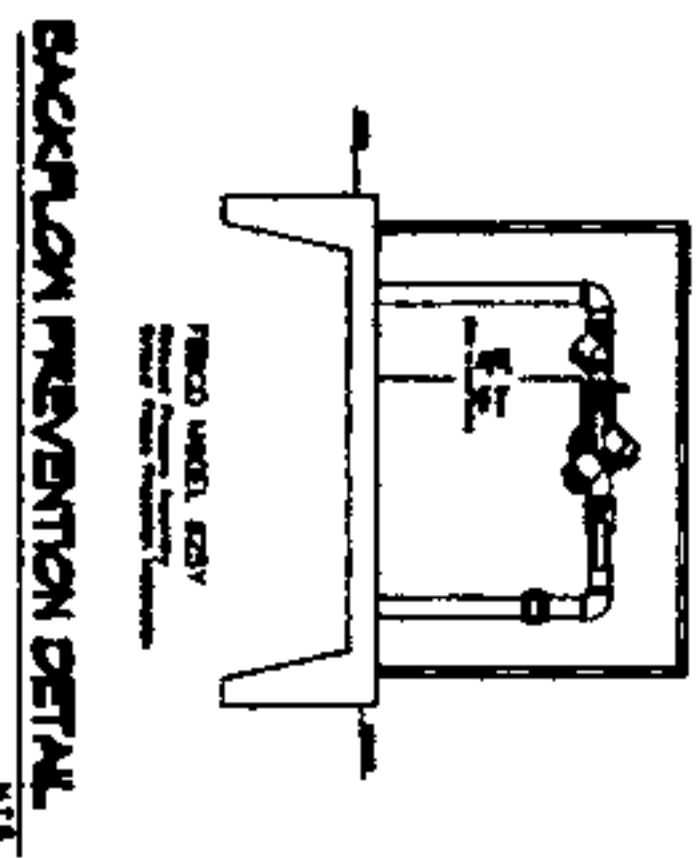
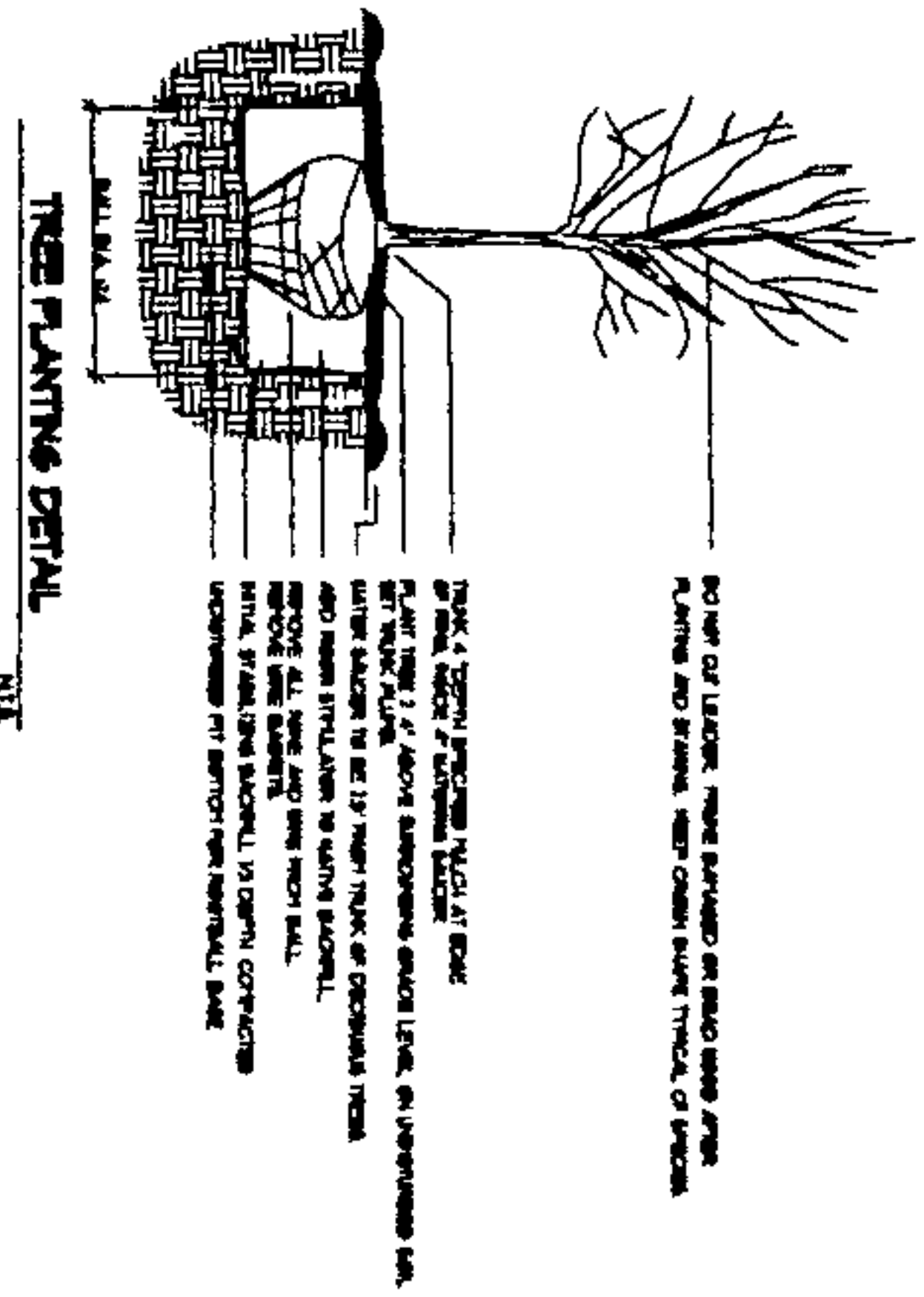
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Date: 08-23-10 Job: A0033



LANDSCAPE PLAN

LANDSCAPE CALCULATION

Total Site Area	38522
Total Building Area	7656
Net Lot Area	30866
Landscape Requirement	15%
Total Landscape Req'd	4630
New Landscape Prov'd	7812



LANDSCAPE LEGEND

QTY	SIZE	DBH @ 4.5 FT. HEIGHT	COMMON / BOTANICAL	AV. HT.	AV. WT.	UCS	AREA
3	7" Cal	D	Young Laurel 'mexicanus' 'variegata'	3'-4'	40'	H	
3	7" Cal	D	Orange Chilepe x bahianensis	3'-4'	40'	H	
6	8" Cal	D	Deep Yellow Orange Insects Turcotte Hamilton	3'	20'	L	
3	6"		Austrian Pine			H	
6	3" Cal		Pinus nigra			H	
6	3" Cal		Hydrangea			H	
6	3" Cal		Pinus mitis			H	
6	3" Cal		Acacia Mosa			H	
15	3" Cal		Felicie peruviana			L	
6	3" Cal		Wendlandiana			L	
6	3" Cal		Myrtalepis Inceps			H	
6	3" Cal		Salweeni Sun			H	
6	3" Cal		Paludosa davidii			H	
6	3" Cal		Peucephyllia fulvicarpa			H	
6	3" Cal		Big Sage			H	
6	3" Cal		Artemisia tridentata			H	
6	3" Cal		Grey Lavender Cane			H	
6	3" Cal		Sonchella chemoecoprasia			H	

Landscaping gravel to be determined 3" Depth over Filter Fabric

LANDSCAPE NOTES

Owner is responsible for Landscape and Irrigation System maintenance.

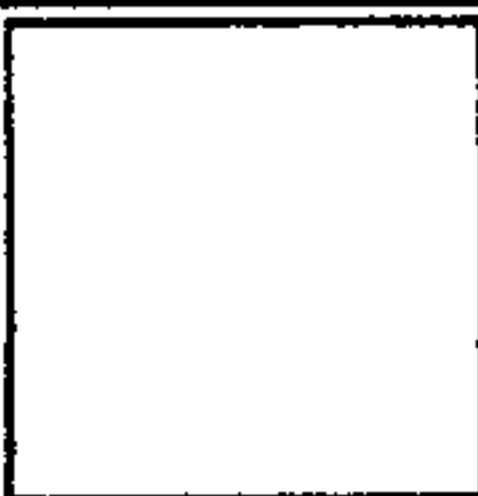
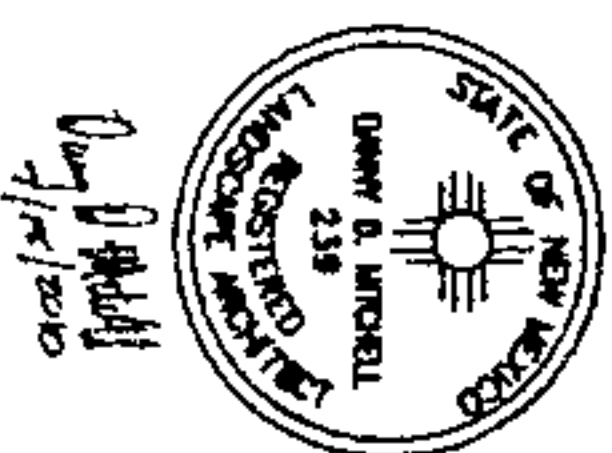
Landscape shall be watered by a complete underground permanent irrigation system operated by automatic timer. Point of connection for irrigation system shall be coordinated between the Landscape Contractor and the General Contractor of the project.

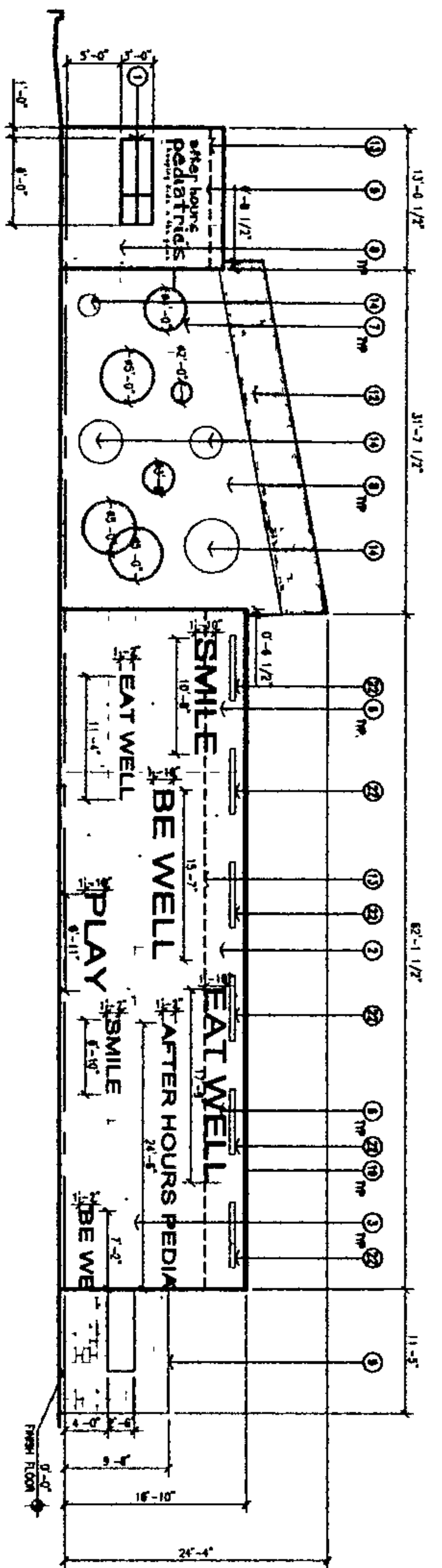
Prior to construction Landscape Contractor shall verify location of all utility lines.

Landscape shall be installed according to the approved plan. Substitutions or changes to the approved plan shall be made in writing to the project Architect. It is the intent of this plan to emphasize use of native plants and water conservation measures.

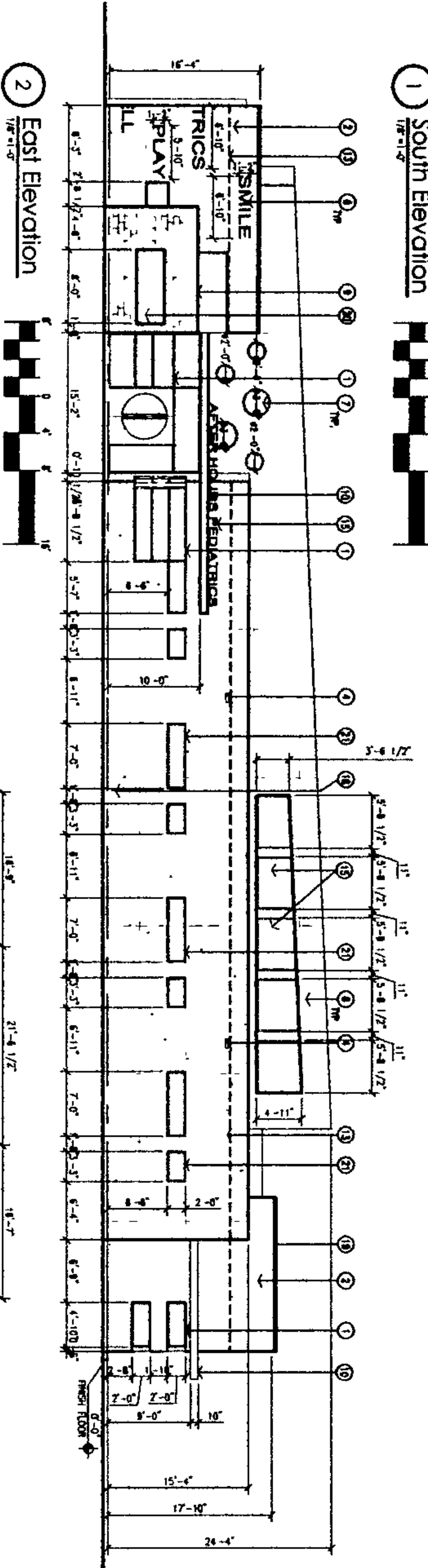
All landscape beds shall be mulched with 3" cooking landscape gravel over a commercial quality weed barrier fabric. Stakes extending 3' shall be placed with a 4-6" diameter top cap material to prevent erosion. Samples of material shall be presented to the owner for approval prior to placing.

Mitchell Associates, LLC
 2000 West 13th
 Suite 100
 Albuquerque, NM 87104
 505.268.4244
 www.mitchellassociates.com

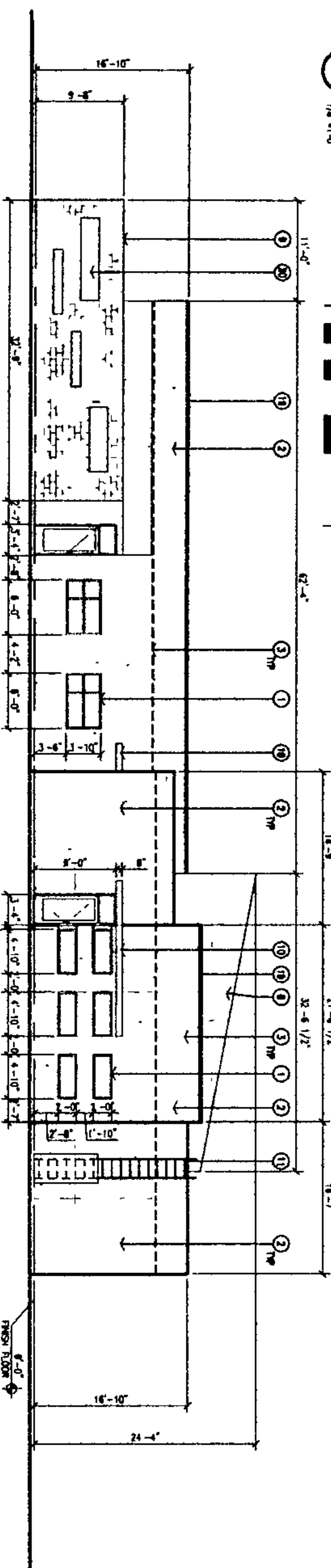




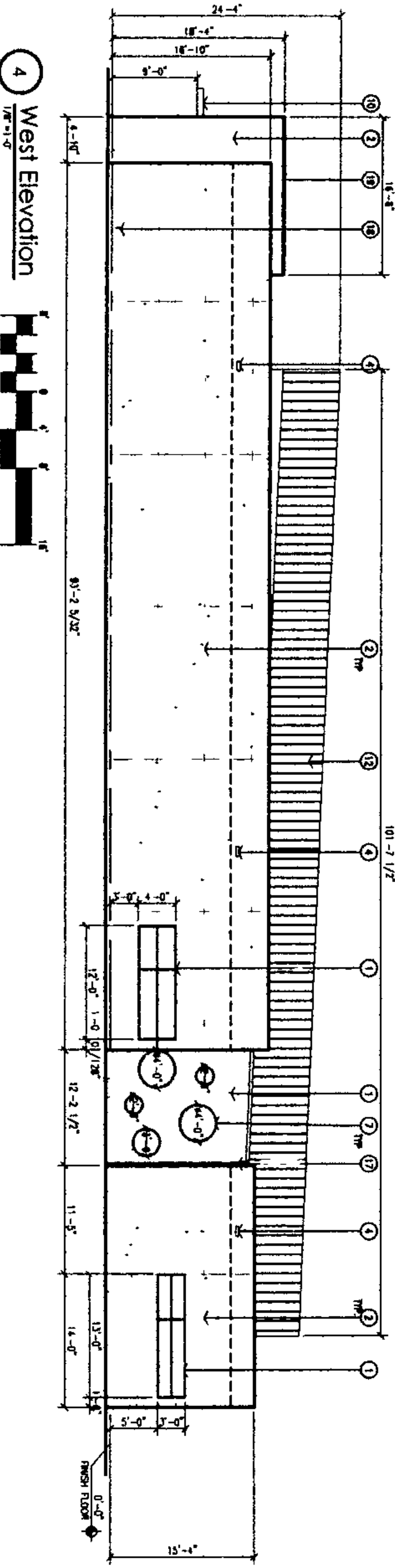
1 South Elevation
1/8" = 1'-0"



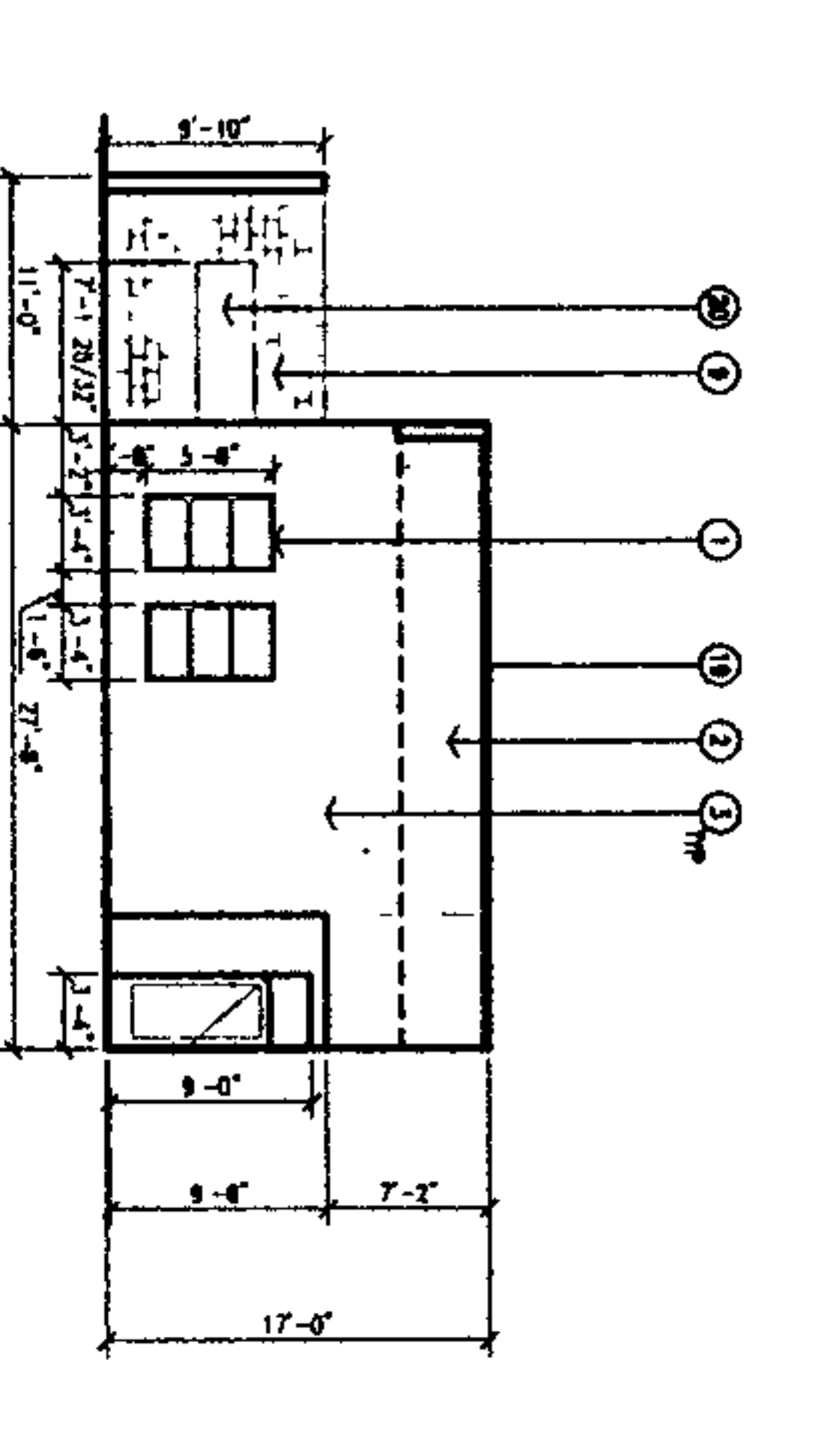
2 East Elevation
1/8" = 1'-0"



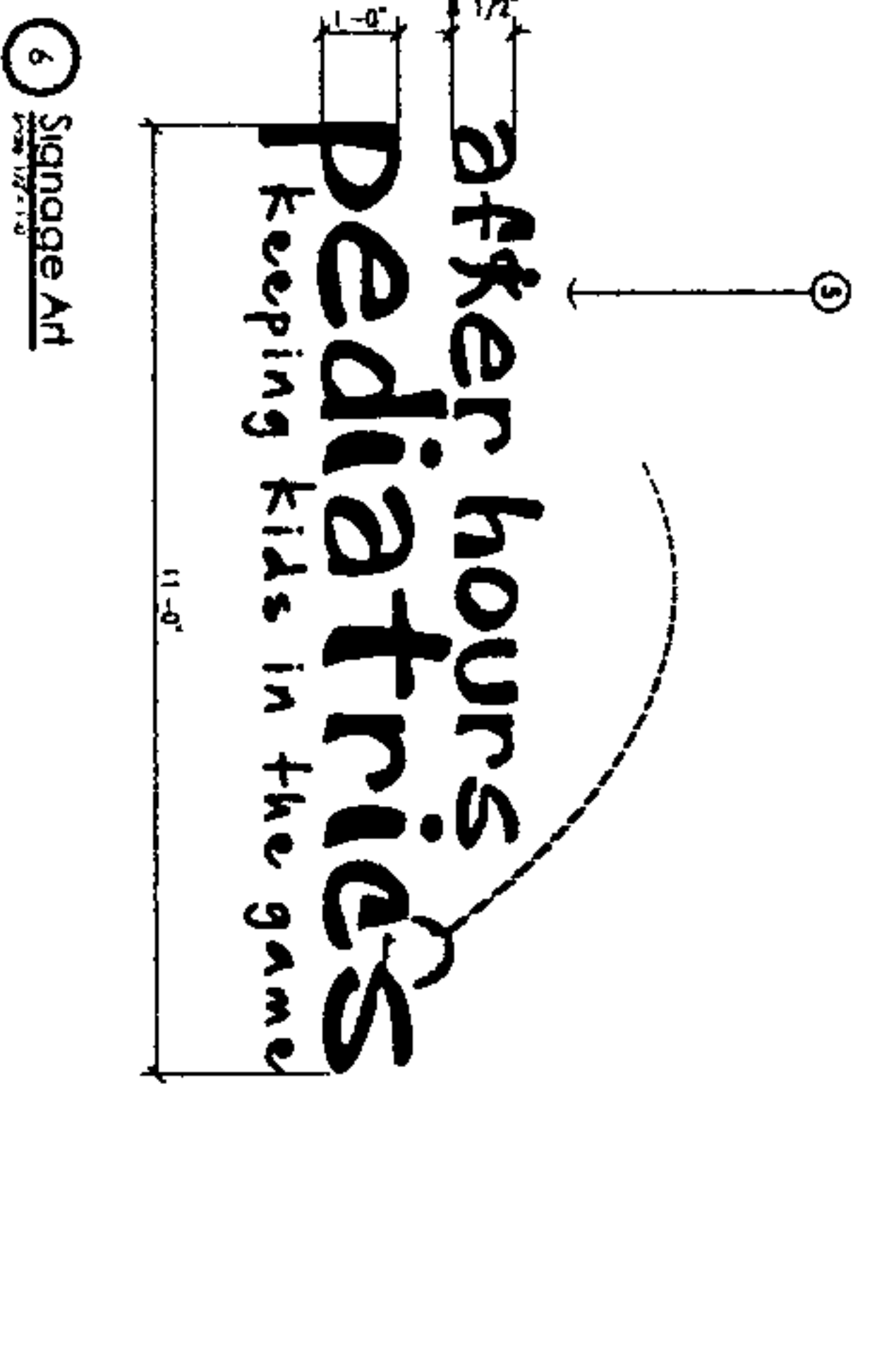
3 North Elevation
1/8" = 1'-0"



4 West Elevation
1/8" = 1'-0"



5 North Elevation @ Patio
1/8" = 1'-0"



6 Signage Art
1/8" = 1'-0"

- GENERAL NOTE
A. ALL ROOMS ARE RELATIVE TO 6'-0" FINISH FLOOR AT GROUND.
- LETTER NOTES:
 (1) CLEAR ALUMINUM STRENGTHEN WINDOW AND DOOR SYSTEMS
 (2) ALL WINDOW AND DOOR SILLINGS TO BE 1/2" ALUMINUM ANGLE WITH SYSTEM COLOR TO BE LIGHT TAN
 (3) 2" x 4" x 1/2" ALUMINUM ANGLE WITH SYSTEM COLOR TO BE LIGHT TAN
 (4) 2" x 4" x 1/2" ALUMINUM ANGLE WITH SYSTEM COLOR TO BE LIGHT TAN
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 (21) 2" x 4" x 1/2" ALUMINUM ANGLE WITH SYSTEM COLOR TO BE LIGHT TAN
 (22) 2" x 4" x 1/2" ALUMINUM ANGLE WITH SYSTEM COLOR TO BE LIGHT TAN

revision _____
 by _____
 date _____

MH

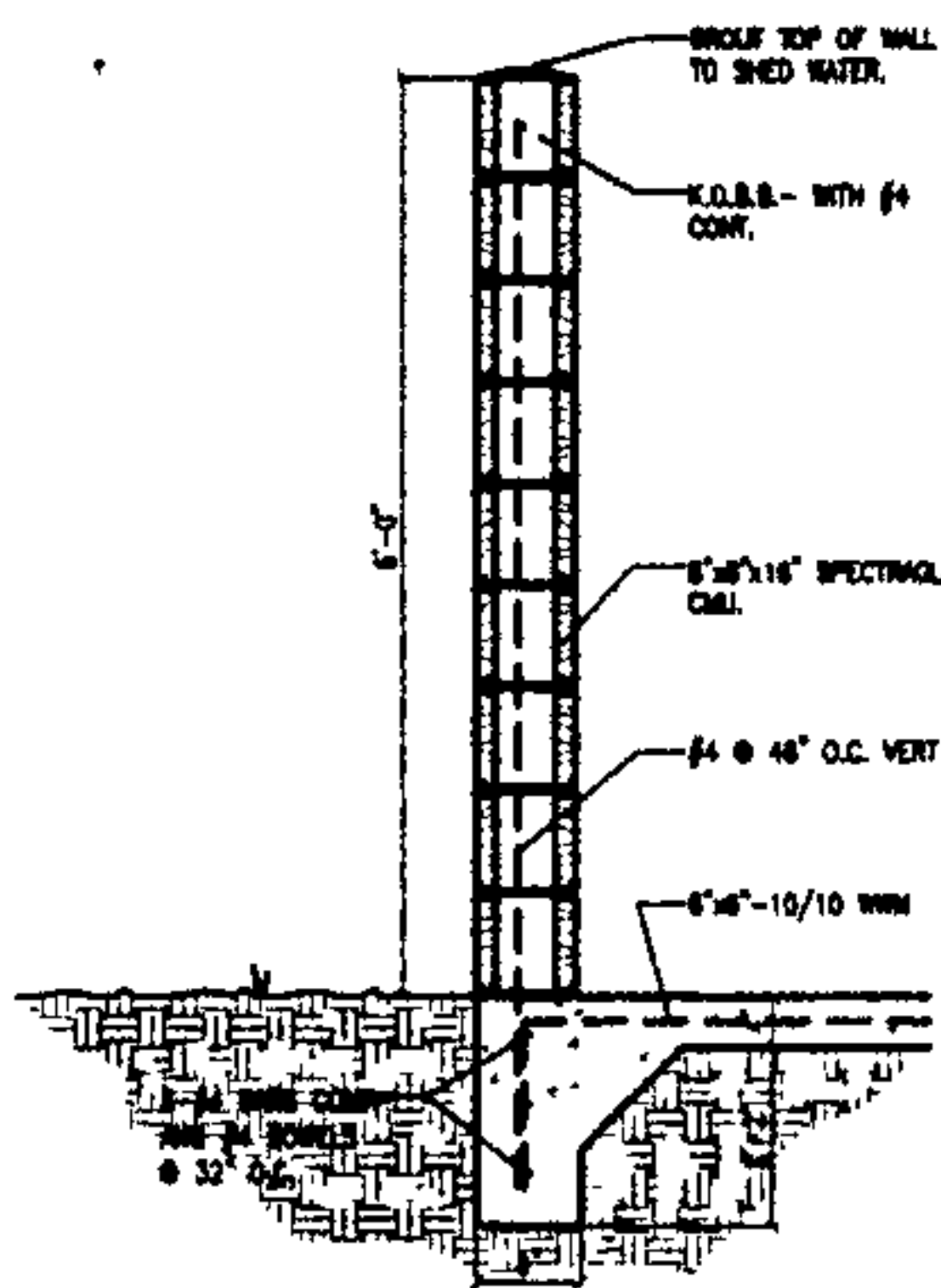
Mullen Heller
 Architecture P C
 924 Park Avenue SW
 Suite 8
 Albuquerque, NM 87102
 505 266 4141
 505 266 4241

job number 10-10
 drawn by mmm/som
 project manager Michele Mullen AIA
 date 07/15/2010

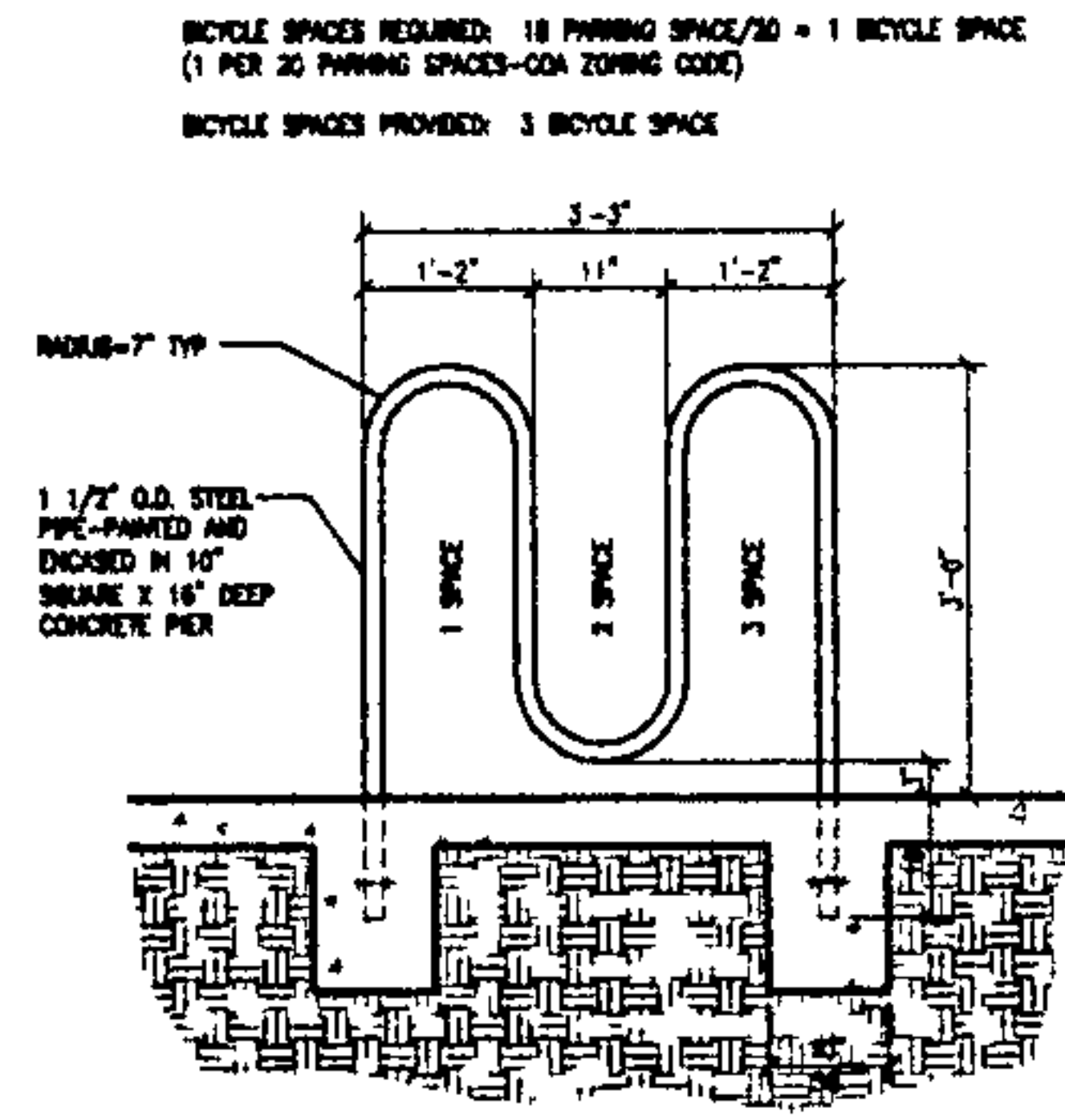
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After Hours Pediatrics
 XXXX Paseo Del Norte
 Albuquerque, New Mexico

sheet title
Exterior Elevations

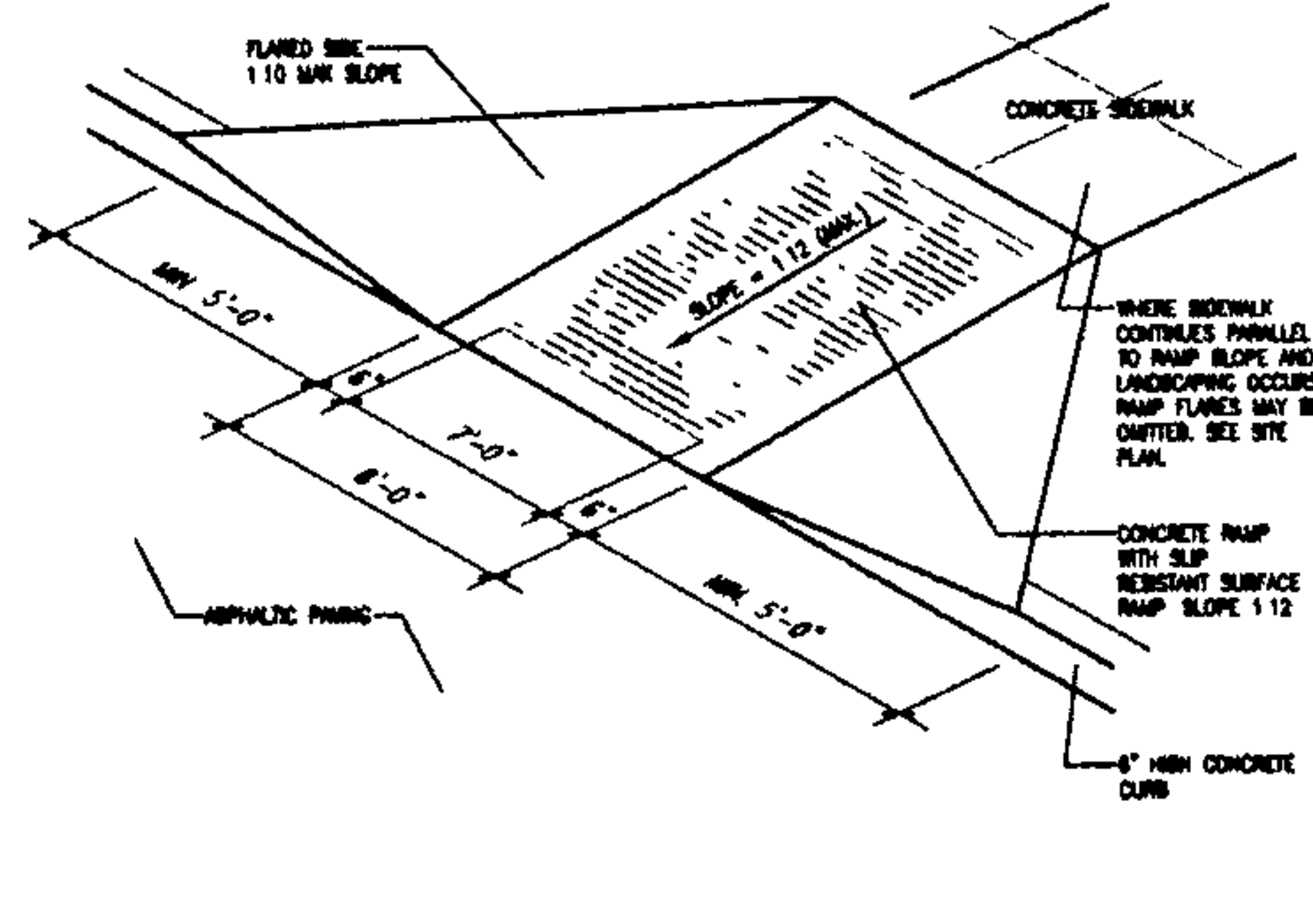
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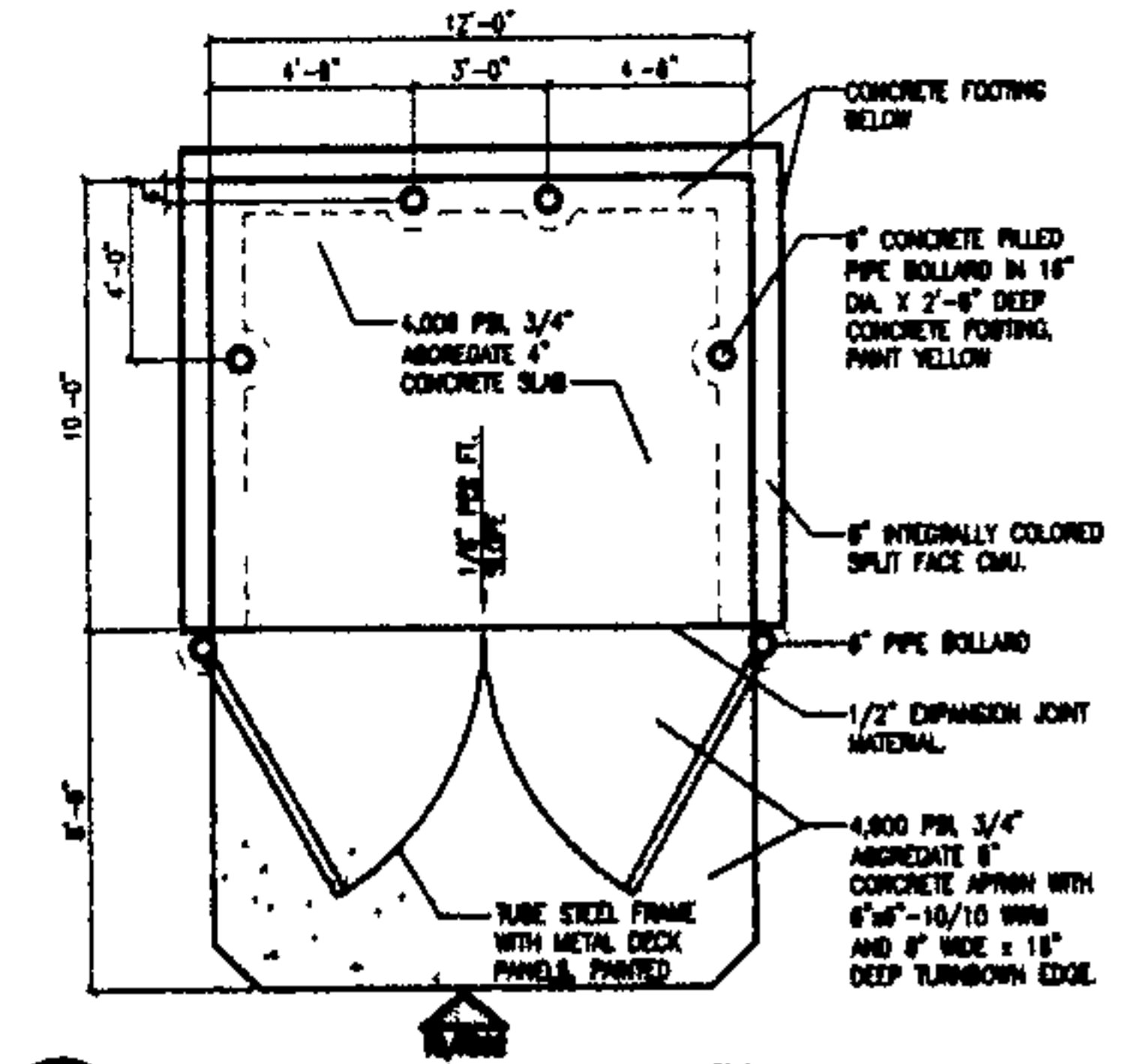
1 Dumpster Enclosure Wall Section
Scale: 3/4"=1'-0"



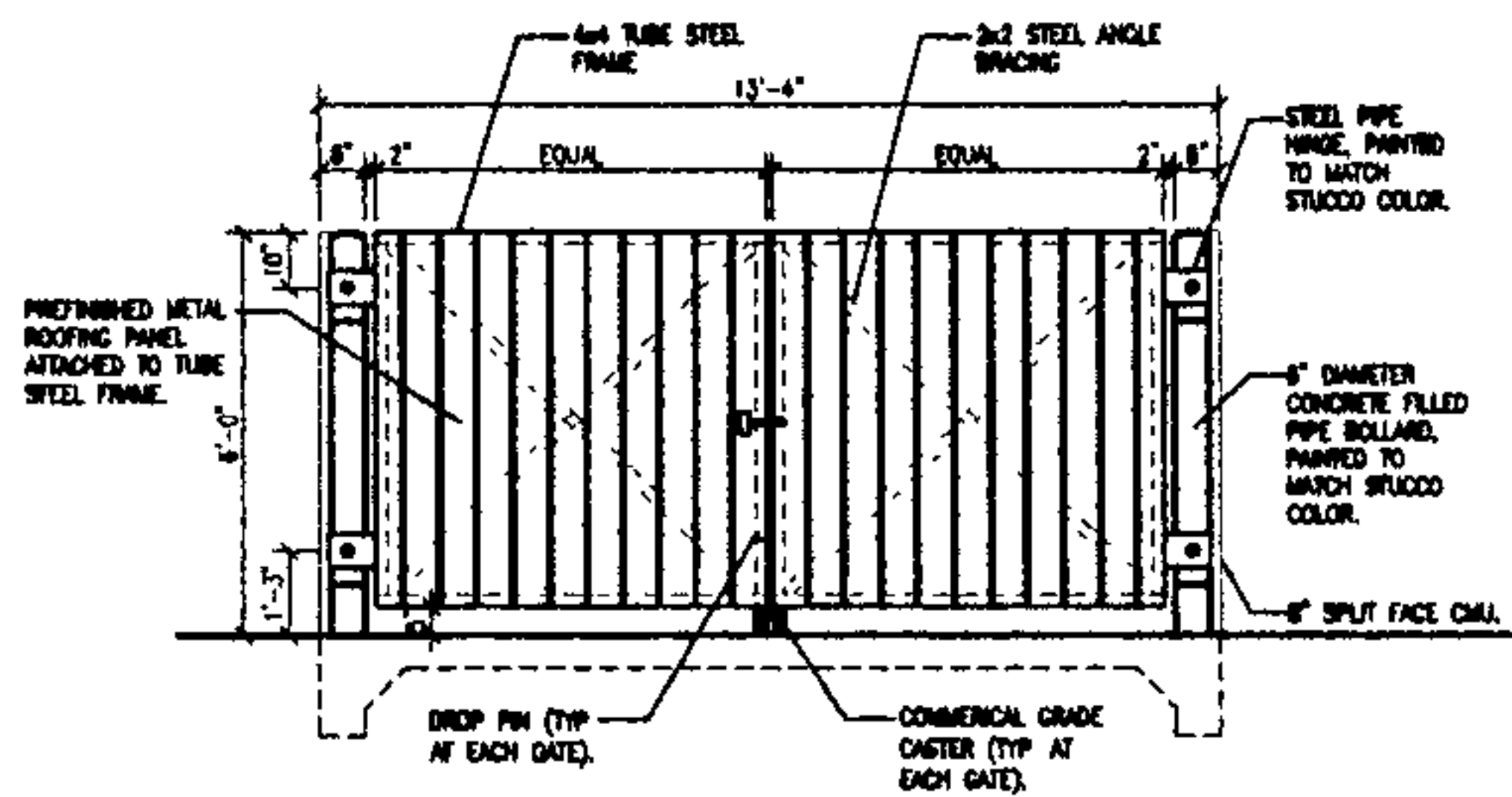
2 Bicycle Rack Detail
Scale: 3/4"=1'-0"



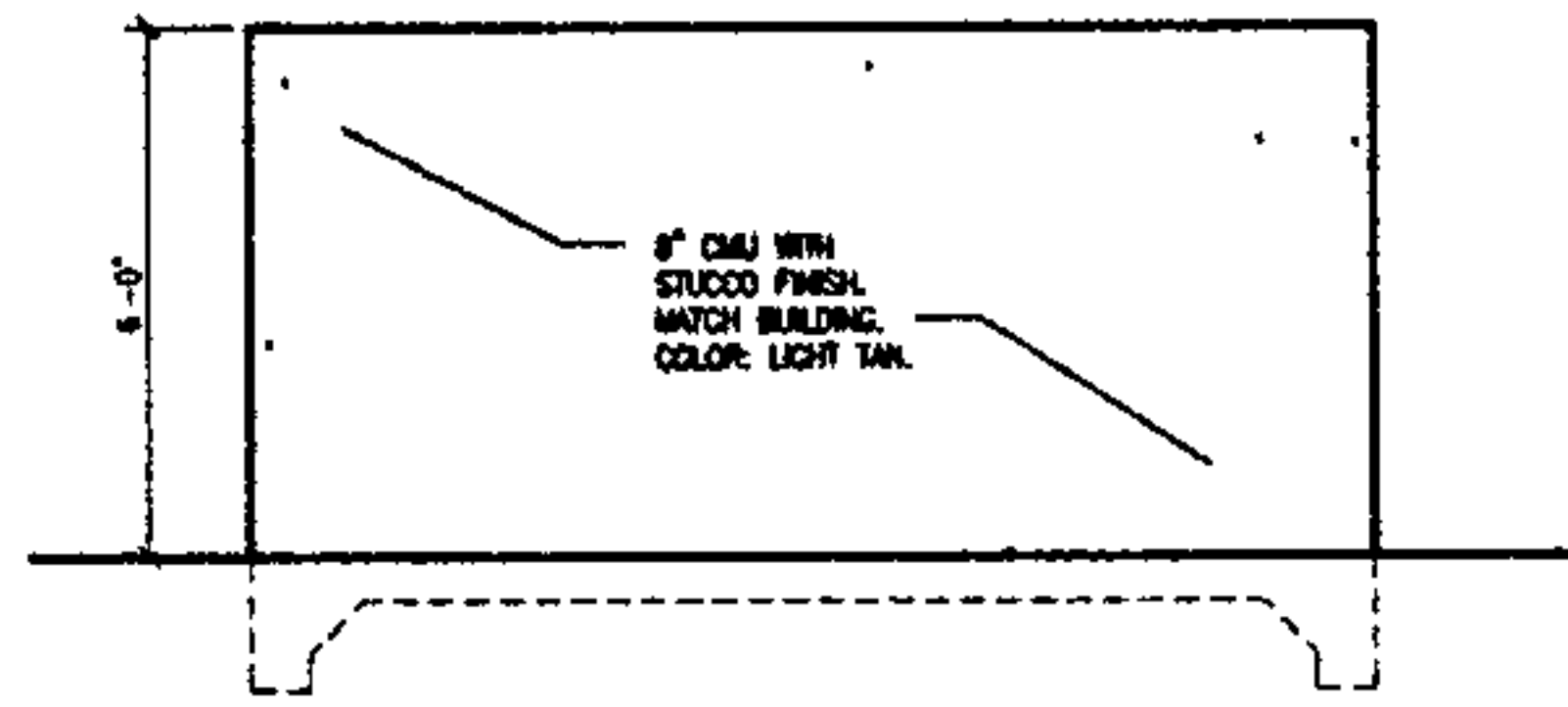
3 H.C. Ramp Detail
Scale: NOT TO SCALE (OMETE)



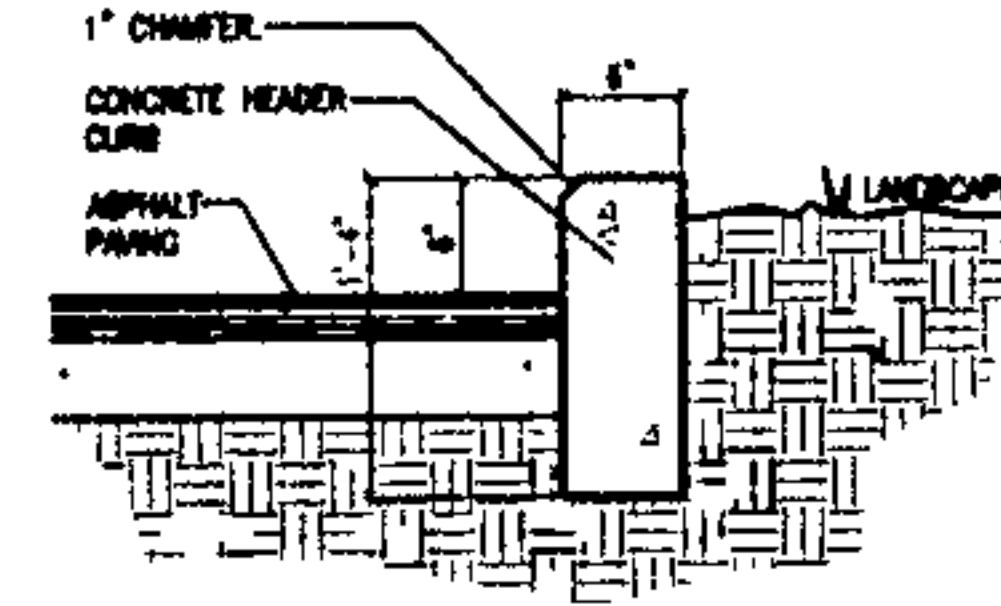
4 Dumpster Enclosure Plan
Scale: 1/2"=1'-0"



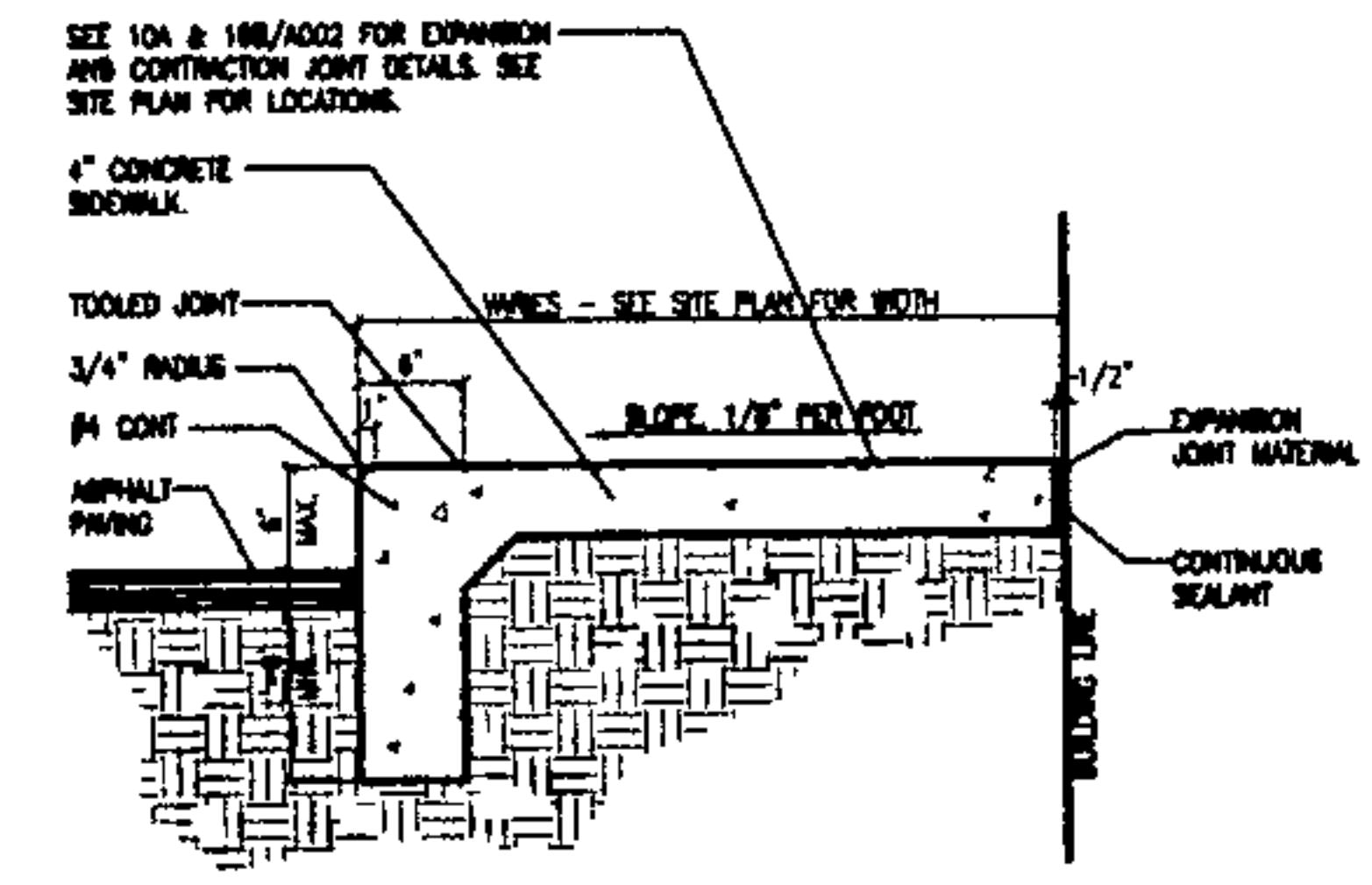
5 Dumpster Enclosure Elevation
Scale: 3/8"=1'-0"



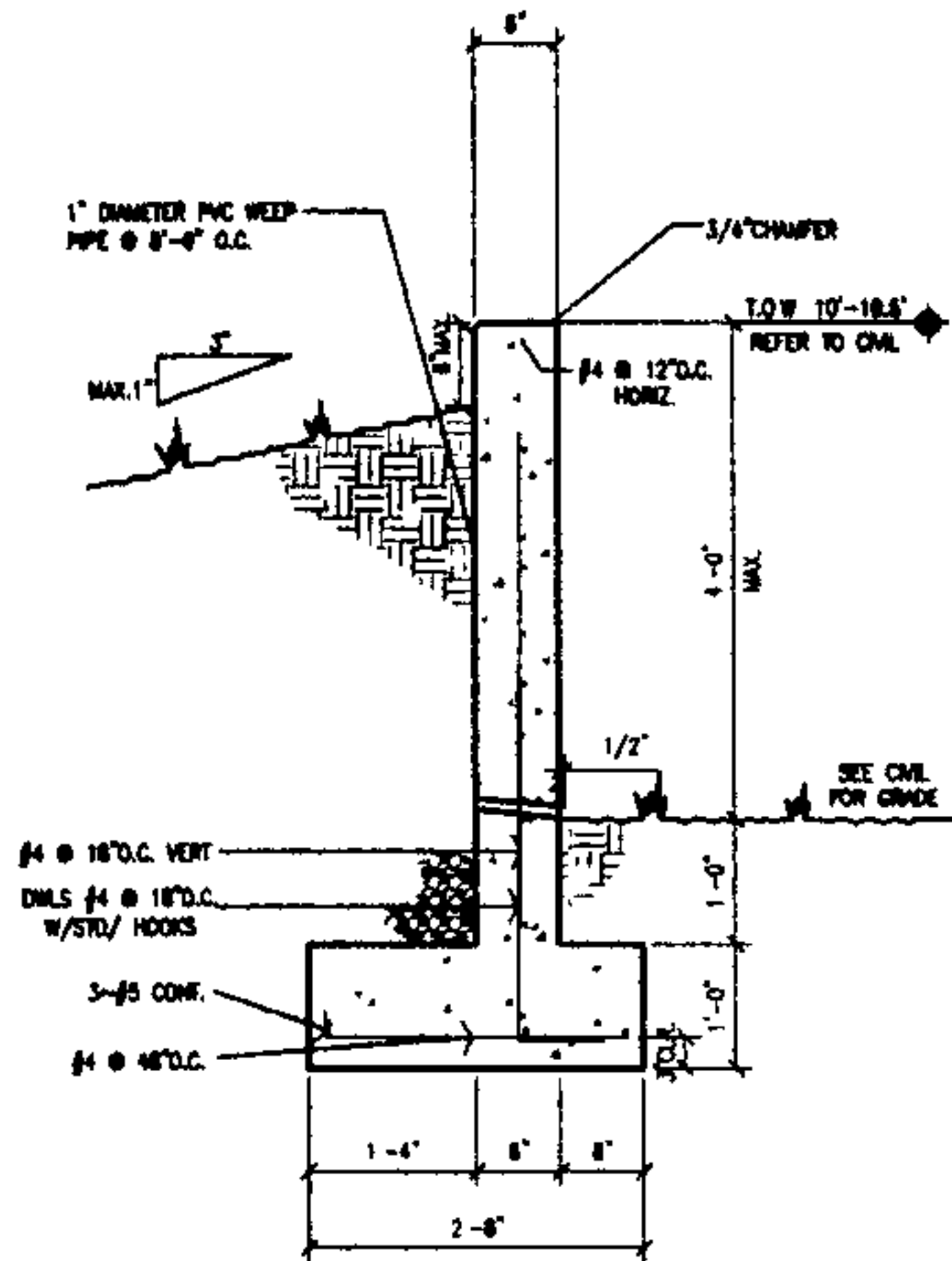
6 Dumpster Enclosure Elevation
Scale: 3/8"=1'-0"



7 Typical Stand-Up Curb
Scale: 1"=1'-0"



8 Concrete Sidewalk Detail
Scale: 1"=1'-0"



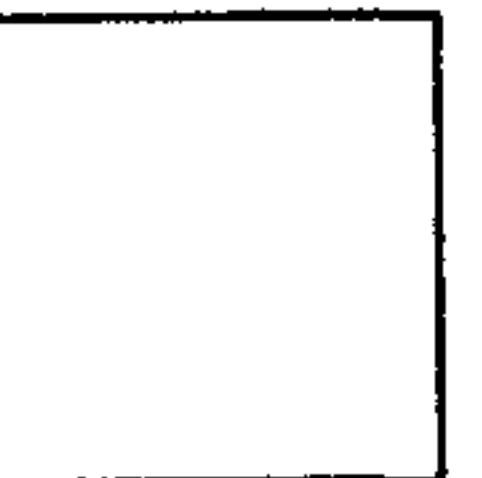
9 Section
Scale: 3/4"=1'-0"

revision
by
date



Mullen Heller
Architecture P.C.

924 Park Avenue SW
Suite B
Albuquerque 87102
505 268 4144(j)
505 268 4244 (f)



10-10
muller
Michael Mullen
07/15/2010

project file
After Hours Pediatrics
XXXX Paseo Del Norte
Albuquerque, New Mexico

sheet file
Site Details

6 of 6



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

July 15, 2010

Planning Department
One Stop Shop Division
Plaza Del Sol Building
600 Second St. NW
Second Floor

This letter will serve to notify you that on July 15, 2010:

Contact Name: MICHAEL MADDEN

**Company or Agency: MULLEN HELLER ARCHITECTURE P.C.
924 PARK AVENUE SW, SUITE B/87102
PHONE: 505-268-4144/FAX: 505-268-4244**

contacted the Office of Neighborhood Coordination 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 **(DRB SUBMITTAL) – LOT 21, BLOCK 18, TRACT A, UNIT B, LOCATED ON PASEO DEL NORTE NE BETWEEN I-25 FREEWAY AND SAN PEDRO PLACE, BETWEEN I-25 FREEWAY AND SAN PEDRO PLACE (ACCESS OFF OF HOLLY) NE** zone map **B-18**.

Our records indicate that as of July 15, 2010, there were no Neighborhood and/or Homeowner Associations in this area.

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 J. Winklepleck

Stephani I. Winklepleck

Neighborhood Liaison
OFFICE OF NEIGHBORHOOD COORDINATION
PLANNING DEPARTMENT

planningnrnaform(07/15/10)

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.

!!!Notice to Applicants!!!

SUGGESTED INFORMATION FOR NEIGHBORHOOD NOTIFICATION LETTERS

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

WE RECOMMEND THAT THE NOTIFICATION LETTER INCLUDE THE FOLLOWING INFORMATION:

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

Information from the Office of Neighborhood Coordination

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

- [] ONC's "Official" Letter to the applicant (*if there are associations*). A copy must be submitted with application packet -OR-
- [X] **The ONC "Official" Letter (*if there are no associations*). A copy must be submitted with application packet.**
- [] Copies of Letters to Neighborhood Associations (*if there are associations*). A copy must be submitted with application packet.
- [] Copies of the certified receipts to Neighborhood Associations (*if there are associations*). A copy must be submitted with application packet.

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

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

Thank you for your cooperation on this matter.

(below this line for ONC use only)

Date of Inquiry: **07/15/10** Time Entered: **2:45 p.m.** ONC Rep. Initials: **siw**

CITY OF ALBUQUERQUE

TRAFFIC IMPACT STUDY (TIS) / AIR QUALITY IMPACT ASSESSMENT (AQIA) FORM

APPLICANT: DR. BILL HAWK DATE OF REQUEST: 7/15/2010 ZONE ATLAS PAGE(S): C-18-7

CURRENT:

ZONING SU-2/M-1

PARCEL SIZE (AC/SQ. FT.) .8843 ac.

LEGAL DESCRIPTION:

LOT OR TRACT # 21 BLOCK # 18 UNIT: B

SUBDIVISION NAME NORTH ALBU

REQUESTED CITY ACTION(S):

ANNEXATION []	SECTOR PLAN []	SITE DEVELOPMENT PLAN:
COMP. PLAN []	ZONE CHANGE []	A) SUBDIVISION [] BUILDING PERMIT <input checked="" type="checkbox"/>
AMENDMENT []	CONDITIONAL USE []	B) BUILD'G PURPOSES <input checked="" type="checkbox"/> ACCESS PERMIT []
		C) AMENDMENT [] OTHER []

PROPOSED DEVELOPMENT:

NO CONSTRUCTION/DEVELOPMENT []
NEW CONSTRUCTION
EXPANSION OF EXISTING DEVELOPMENT []

GENERAL DESCRIPTION OF ACTION: ¹

OF UNITS: N/A
BUILDING SIZE: 7,656 (sq. ft.) MEDICAL CLINIC

NOTES: 1. Changes made to development proposals / assumptions, from the information provided above, may change the TIS or AQIA analysis requirements.

APPLICANT OR REPRESENTATIVE

(TO BE SIGNED UPON COMPLETION OF PROCESSING BY TRAFFIC ENGINEER AND ENVIRONMENTAL HEALTH)

DATE 7-15-2010

Planning Department, Development & Building Services Division, Transportation Development Section -
2ND Floor West, 600 2ND St. NW, Plaza del Sol Building, City, 87102, phone 924-3994

TRAFFIC IMPACT STUDY (TIS) REQUIRED: YES [] NO BORDERLINE []

THRESHOLDS MET? YES [] NO MITIGATING REASONS FOR NOT REQUIRING TIS: PREVIOUSLY STUDIED: []
Notes:

If a TIS is required: a scoping meeting (as outlined in the development process manual) must be held to define the level of analysis needed and the parameters of the study. *Any subsequent changes to the development proposal identified above may require an update or new TIS.*

TRAFFIC ENGINEER

DATE

7-15-10

Air Quality Impact Analysis (AQIA) May Be Required:

Section 14-16-3-14 of the COA Comprehensive Zoning Code contains threshold requirements for air quality studies. Criteria and thresholds contained in the Zoning Code specify which land use or plan actions will require preparation of an AQIA. Please refer to this section in order to determine if your proposal merits study for air quality impacts. An AQIA is not required, if a TIS is not required by the City or an associated TIS shows all signalized intersections functioning at Level of Service (LOS) C or better. An AQIA will only be required for a Sector Development Plan or Sector Development Plan Amendment if it meets AQIA thresholds in the Zoning Code.

AIR QUALITY IMPACT ANALYSIS (AQIA) REQUIRED: YES [] NO

Contact an Air Quality Planner at 768-2660 to insure that input is received from the Air Quality Division during the scoping of the companion TIS. *Any subsequent changes to the development proposal identified above may require an update or new AQIA.*

APPLICANT

DATE

7-15-2010

Required TIS and/or AQIA must be completed prior to applying to the EPC. Arrangements must be made prior to submittal if a variance to this procedure is requested and noted on this form, otherwise the application may not be accepted or deferred if the arrangements are not complied with.

TIS -SUBMITTED / /
-FINALIZED / /

TRAFFIC ENGINEER

DATE

After Hours Pediatrics

Bill Hawk, M.D.
9201 Montgomery Blvd NE
Suite 201
Albuquerque, NM 87111
Ph: (505) 298-2505
Fax: (505) 298-2985

July 15, 2010

To Whom It May Concern:

This letter serves as authorization that Mullen Heller Architecture PC is the agent for Dr. Bill Hawk, owner of After Hours Pediatrics and developer of the property being "Lot 21, Block 18, Tract A, Unit B North Albuquerque Acres" in all matters for the City of Albuquerque's site development process.



Bill Hawk, MD
President
After Hours Pediatrics, PC

SITE DEVELOPMENT PLAN FOR BUILDING PERMITS CHECKLIST

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

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


JULY 15, 2010

 Applicant or Agent Signature / Date

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

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

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

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

Accompanying Material

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

SHEET #1 - SITE PLAN

A. General Information

- 1. Date of drawing and/or last revision
- 2. Scale: 1.0 acre or less 1" = 10'
 1.0 - 5.0 acres 1" = 20'
 Over 5 acres 1" = 50'
 Over 20 acres 1" = 100' *[Other scales as approved by staff]*

- 3. Bar scale
- 4. North arrow
- 5. Scaled vicinity map
- 6. Property lines (clearly identify)
- 7. Existing and proposed easements (identify each)
- 8. Phases of development including location and square footages of structures, circulation, parking and landscaping

N/A ~~PHASING~~
 NO PHASING

- BIKE RACK ✓
- CIVIL WALL HEIGHT ✓
- SIGNAGE REQTS ✓

..

..

..

..

SITE DEVELOPMENT PLAN FOR BUILDING PER....: CHECKLIST

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

1. Structural

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

2. Parking and Circulation

- A. Parking layout with spaces numbered per aisle and totaled.
 - 1. **Location and typical dimensions**, including handicapped spaces
 - 2. **Calculations:** spaces required: 30 provided: 41
Handicapped spaces (included in required total) required: 2 provided: 2
Motorcycle spaces (in addition to required total) required: 2 provided: 2
- B. Bicycle parking & facilities
 - 1. Bicycle racks, spaces required: 2 provided: 3
 - 2. Bikeways and other bicycle facilities, if applicable
- C. Public Transit
 - 1. Bus facilities, including routes, bays and shelters existing or required
- D. Pedestrian Circulation
 - 1. Location and dimensions of all sidewalks and pedestrian paths
 - 2. Location and dimension of drive aisle crossings, including paving treatment
- E. Vehicular Circulation (Refer to Chapter 23 of DPM)
 - 1. Ingress and egress locations, including width and curve radii dimensions
 - 2. Drive aisle locations, including width and curve radii dimensions
 - 3. End aisle locations, including width and curve radii dimensions
 - 4. Location & orientation of refuse enclosure, with dimensions
 - 5. Curb cut locations and dimensions
 - 6. Existing and proposed street widths, right-of-way widths and curve radii
 - 7. Identify existing and proposed turn lanes, deceleration lanes and similar features related to the functioning of the proposal, with dimensions
 - 8. Location of traffic signs and signals related to the functioning of the proposal
 - 9. Identify existing and proposed medians and median cuts

SITE DEVELOPMENT PLAN FOR BUILDING PERMITS CHECKLIST

3. Phasing

- ~~1/18~~ ~~X~~ A. Proposed phasing of improvements and provision for interim facilities. Indicate phasing plan, including location and square footage of structures and associated improvements including circulation, parking and landscaping.
- NO PHASING*

SHEET #2 LANDSCAPING PLAN

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

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

SHEET # 3 PRELIMINARY GRADING PLAN

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

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

A. General Information

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

SITE DEVELOPMENT PLAN FOR BUILDING PERMIT CHECKLIST.

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

B. Grading Information

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

SHEET #4 UTILITY PLAN

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

SHEET #5 BUILDING AND STRUCTURE ELEVATIONS

A. General Information

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

B. Signage

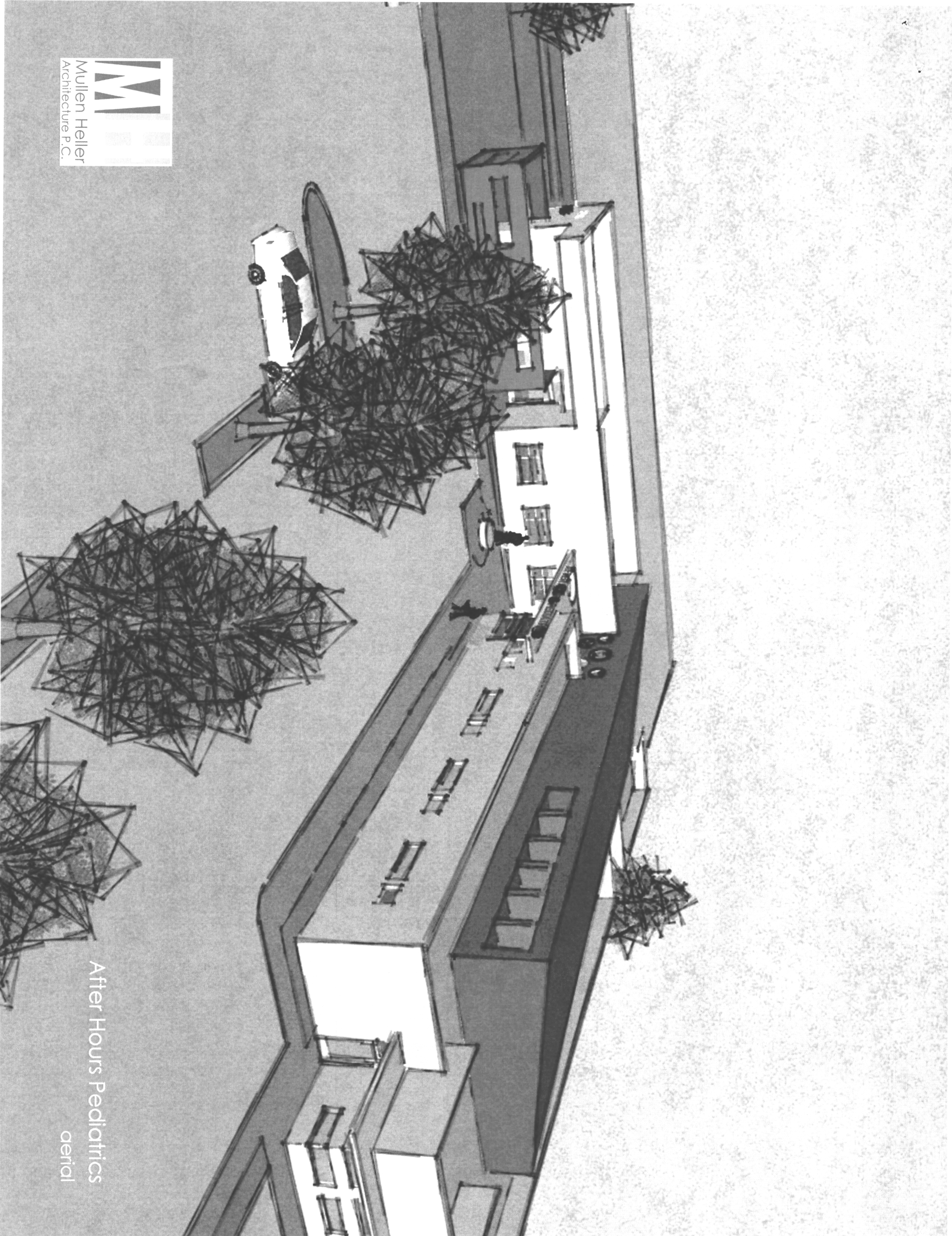
- 1. Site location(s)
- 2. Sign elevations to scale
- 3. Dimensions, including height and width
- 4. Sign face area - dimensions and square footage clearly indicated
- 5. Lighting
- 6. Materials and colors for sign face and structural elements.

1 8.5 x 11

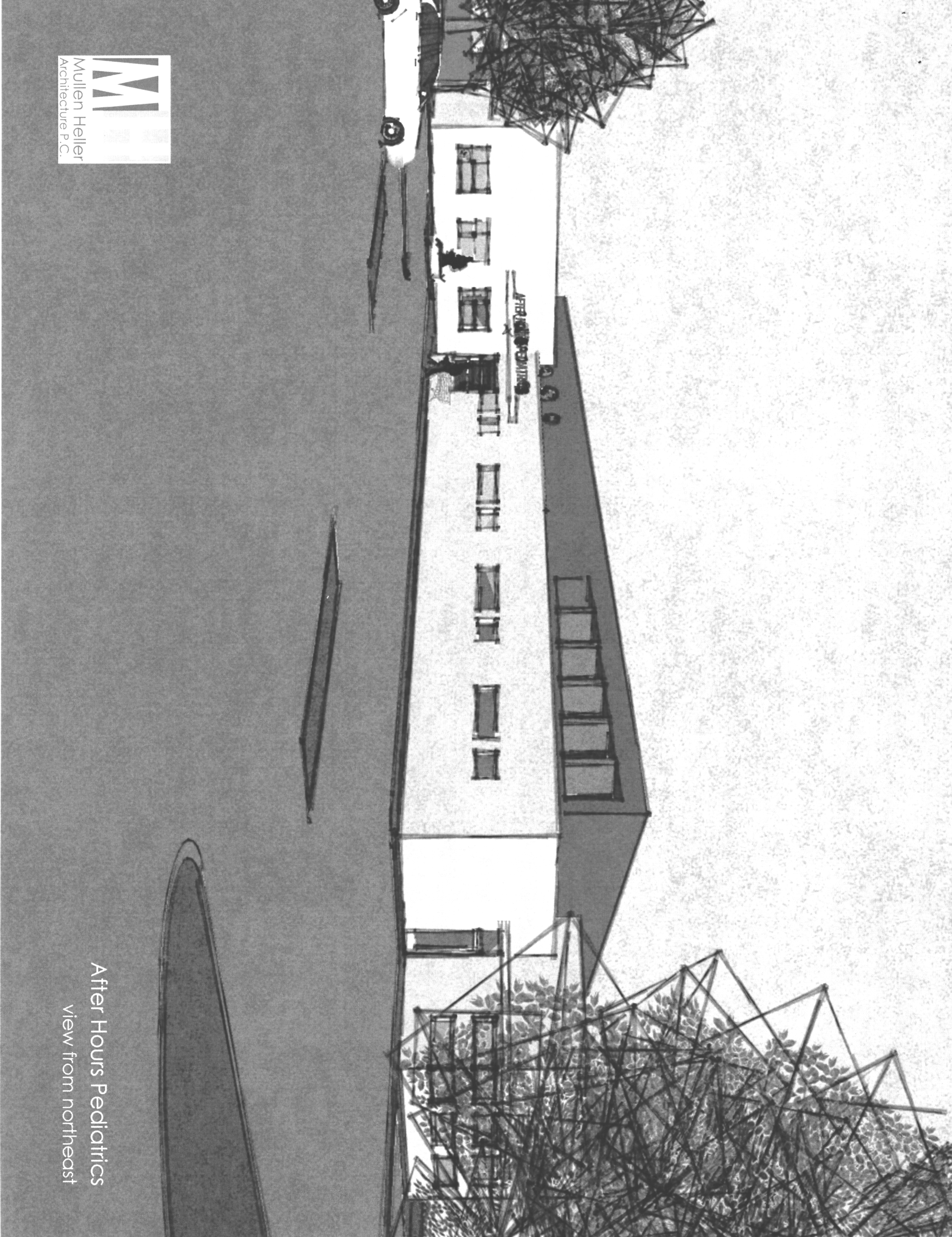
24 24 x 36

12 RENDERINGS

1 CHECKLIST

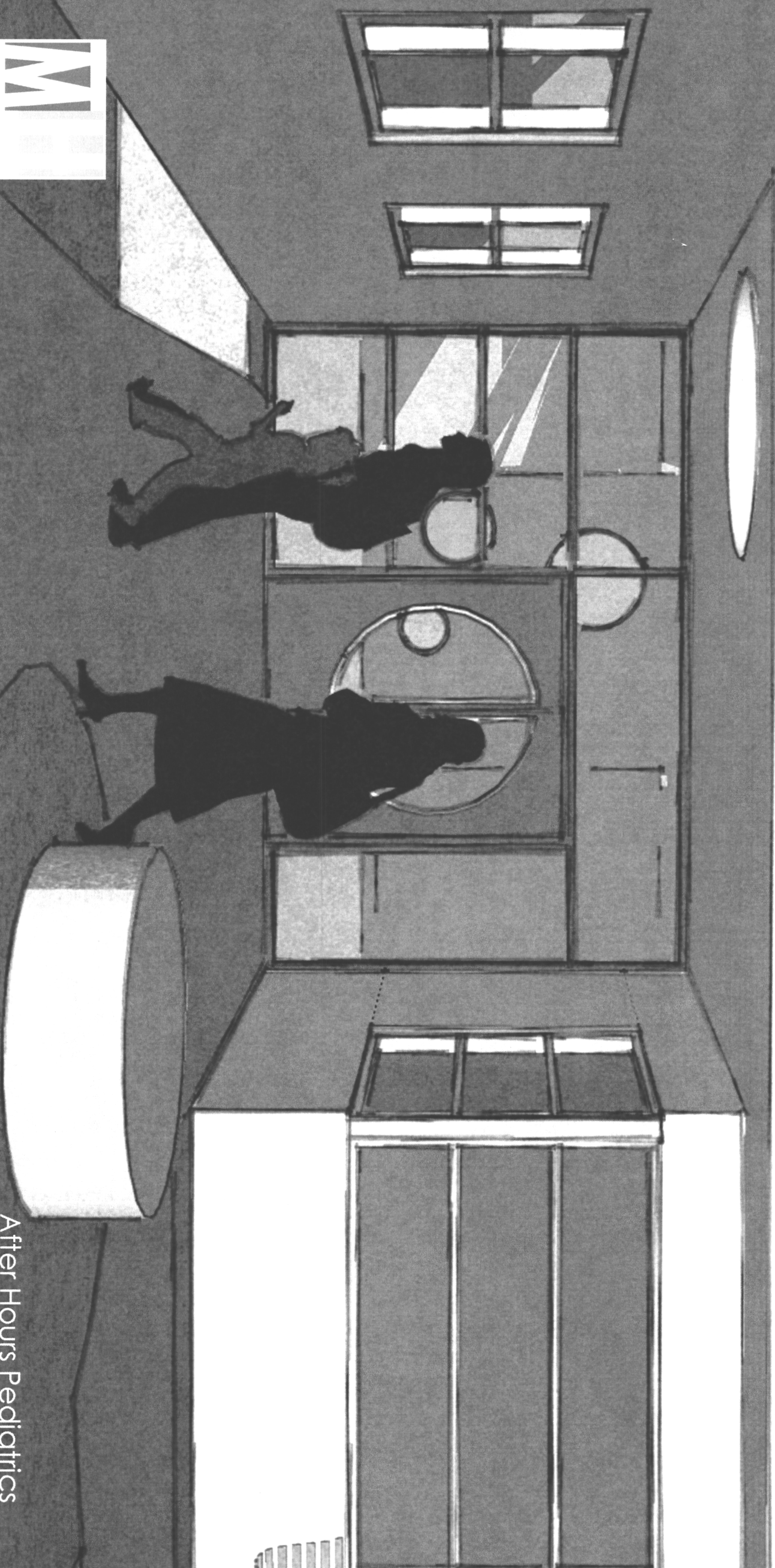


After Hours Pediatrics
aerial

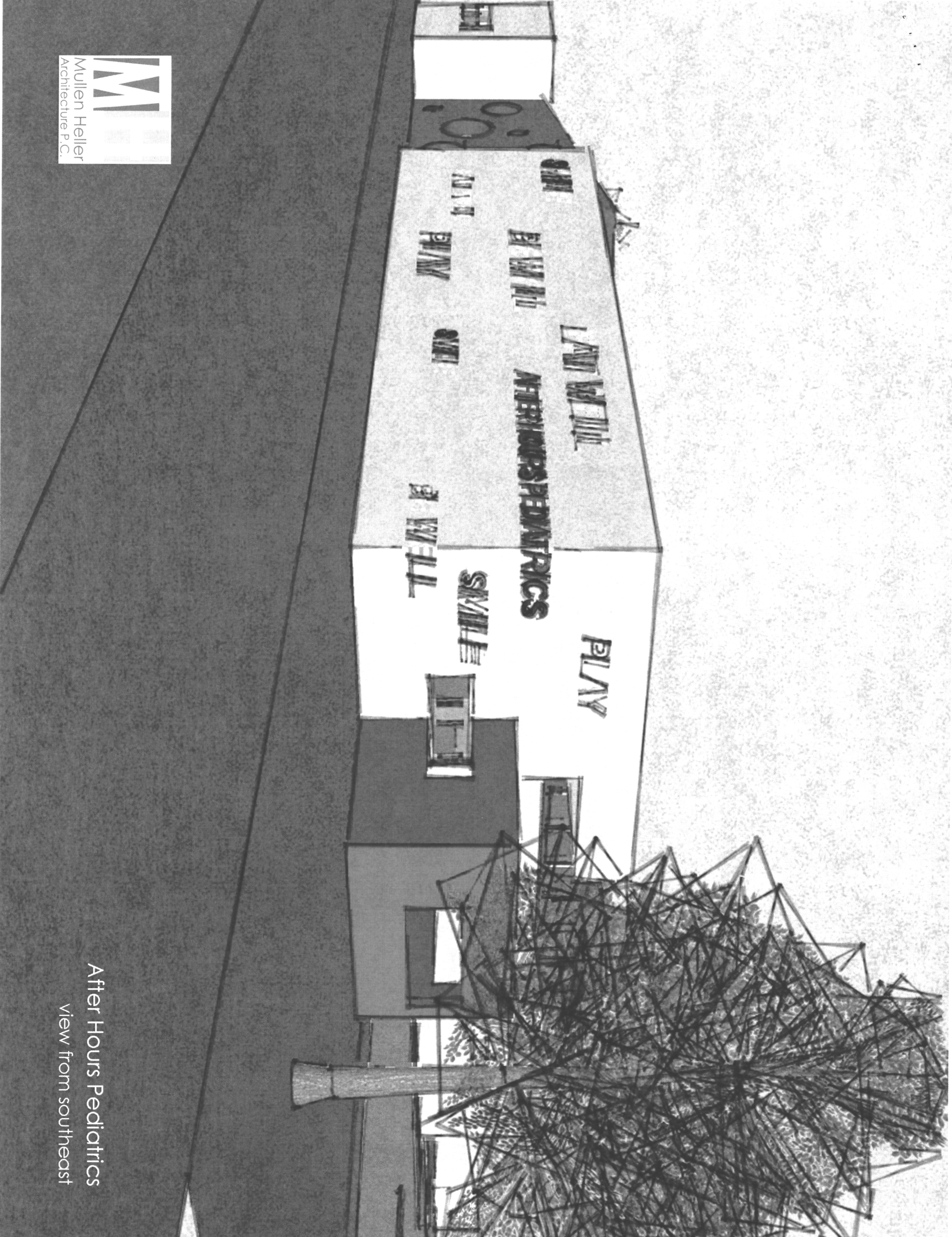


After Hours Pediatrics
view from northeast

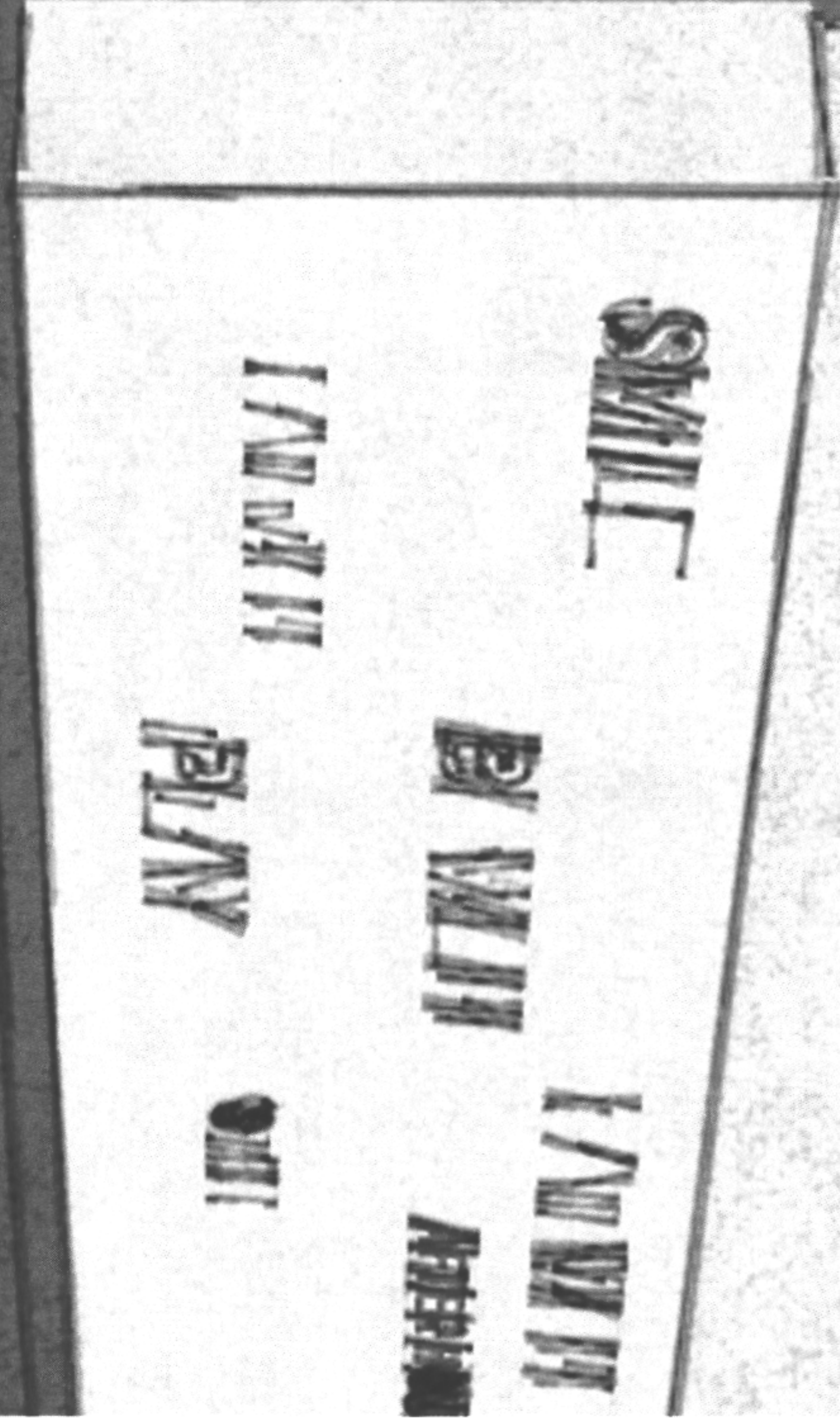
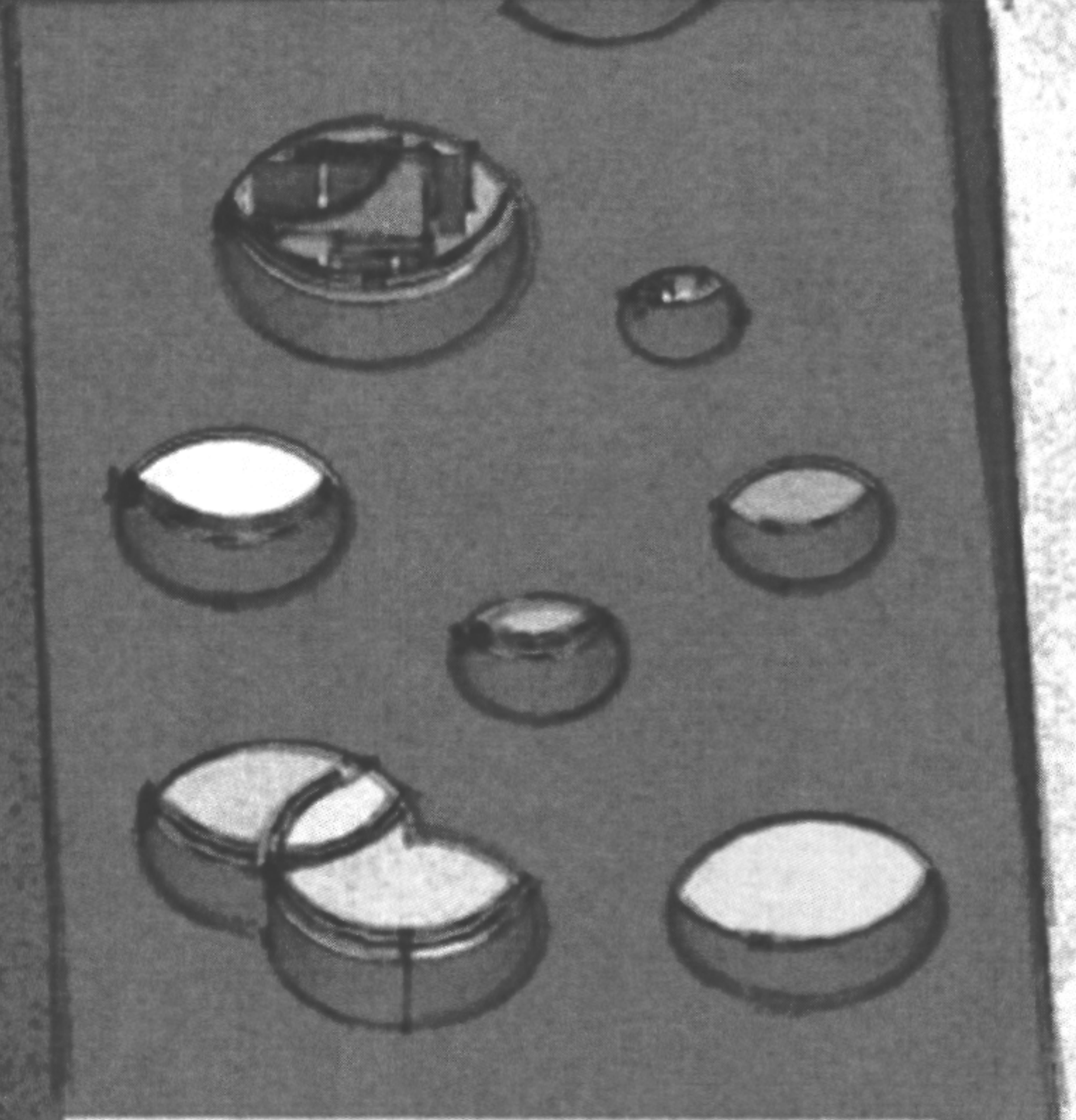
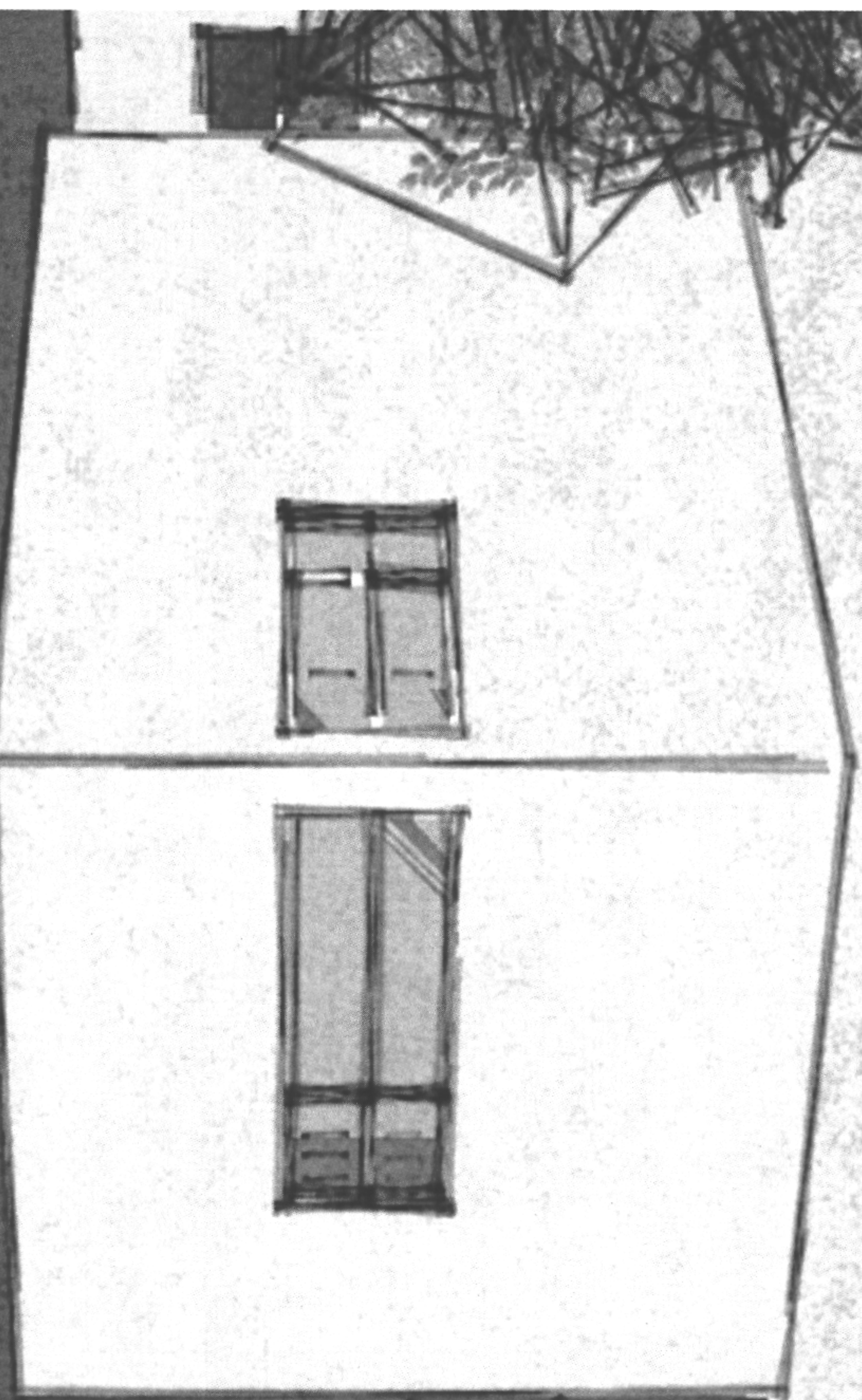
AFTER HOURS PEDIATRICS



After Hours Pediatrics
entry



After Hours Pediatrics
view from southeast



After Hours Pediatrics
View from southwest

Mike

From: Garcia, Juanita C. [juanitagarcia@cabq.gov]
Sent: Thursday, August 19, 2010 1:46 PM
To: Mike
Cc: Cloud, Jack W.
Subject: RE: DRB Approval for After Hours Pediatrics

1. Signage vs. Text Art...I have included the text from the email I sent both you and Jack last week:

Per your suggestion I met today with Juanita to discuss the text art on our proposed project located near the intersection of Paseo Del Norte and I25. We are scheduled to be heard at DRB on August 11th and our case number is 1008401.

You may remember we were proposing some text on the south façade of the building wrapping around a portion of the east façade. Your initial thought was that it did not qualify as signage and per my meeting today Juanita agreed with that conclusion.

The second issue was three signs; the sector plan allows 2 building mounted signs. Juanita believes we can count the third sign which is on top of our canopy as a free standing sign based on the definitions given in the zoning code. This would allow us the two building mounted signs facing Paseo in addition to the "free standing" sign we have on our entrance canopy.

Our position is that a roof sign can be treated as a freestanding sign, based on Section 14-16-2-17(A)(10)(a)1.b. of the Zoning Code that allows Roof signs to be counted and controlled as freestanding signs. It is also our position that the proposed text on the south wall would not constitute a sign, per the definition of a sign.

2. The second issue is meeting the requirements for item 4.2 (d) on page 32 of the sector plan. This sections requires us to have one of the following along Paseo:
 - a. Display window and landscaping
 - b. At least one customer entrance and landscaping
 - c. Building design and details similar to a front façade and landscaping.

In regards to this issue, it is our opinion that Jack Cloud would need to make the determination if the south facade meets the of requirements of 4.2(d). of the North I-25 sector development plan. However, If we were in the position of needing to make the determination, our position would be that this requirement has been.

I hope this helps. Let me know if you have any other questions.

Thanks.

Juanita C. Garcia
Assistant Planning Manager
Code Enforcement Division
Planning Department

City of Albuquerque
Phone: 924-3823
Fax: 924-3460
juanitagarcia@cabq.gov

From: Mike [mailto:michael@mullenheller.com]
Sent: Wednesday, August 18, 2010 5:18 PM
To: Garcia, Juanita C.
Cc: Cloud, Jack W.
Subject: FW: DRB Approval for After Hours Pediatrics

Juanita,

Have you had a chance to look at this yet? I am submitting for a foundation permit on Friday and this is the last thing I need to get DRB signed off; please take a look and OK it or let me know if there are any issues.

Regards,

MSM



Michael Madden, RA, LEED AP
924 Park Ave SW Suite B
Albuquerque, NM 87102
[p]505 268 4144
[f]505 260 4044
www.mullenheber.com

From: Mike [mailto:michael@mullenheller.com]
Sent: Monday, August 16, 2010 3:38 PM
To: 'juanitagarcia@cabq.gov'
Cc: 'jcloud@cabq.gov'
Subject: DRB Approval for After Hours Pediatrics

Juanita,

Jack wanted me to ensure you agreed the design for After Hours Pediatrics on Paseo meets the requirements of the North I25 Sector Plan; I have attached a site plan, landscape plan and elevations to assist you. I believe there are two specific issues:

1. Signage vs. Text Art...I have included the text from the email I sent both you and Jack last week:

Per your suggestion I met today with Juanita to discuss the text art on our proposed project located near the intersection of Paseo Del Norte and I25. We are scheduled to be heard at DRB on August 11th and our case number is 1008401.

You may remember we were proposing some text on the south façade of the building wrapping around a portion of the east façade. Your initial thought was that it did not qualify as signage and per my meeting today Juanita agreed with that conclusion.

The second issue was three signs; the sector plan allows 2 building mounted signs. Juanita believes we can count the third sign which is on top of our canopy as a free standing sign based on the definitions given in the zoning code. This would allow us the two building mounted signs facing Paseo in addition to the "free standing" sign we have on our entrance canopy.

2. The second issue is meeting the requirements for item 4.2 (d) on page 32 of the sector plan. This sections requires us to have one of the following along Paseo:

- a. Display window and landscaping
- b. At least one customer entrance and landscaping
- c. Building design and details similar to a front façade and landscaping.

We definitely meet item c with our materials and detailing. In addition I believe we meet item (a) without portal windows and recessed metal panel façade.

If you agree, please respond to all so Jack has a copy.

Regards,

MSM



Michael Madden, RA, LEED AP
924 Park Ave SW Suite B
Albuquerque, NM 87102
[p]505 268 4144
[f]505 268 4244
www.mullenheller.com



CITY OF ALBUQUERQUE
PLANNING DEPARTMENT
DEVELOPMENT REVIEW BOARD

August 11, 2010

Project# 1008401

10DRB-70197 MAJOR – SITE DEVELOPMENT PLAN FOR BUILDING PERMIT

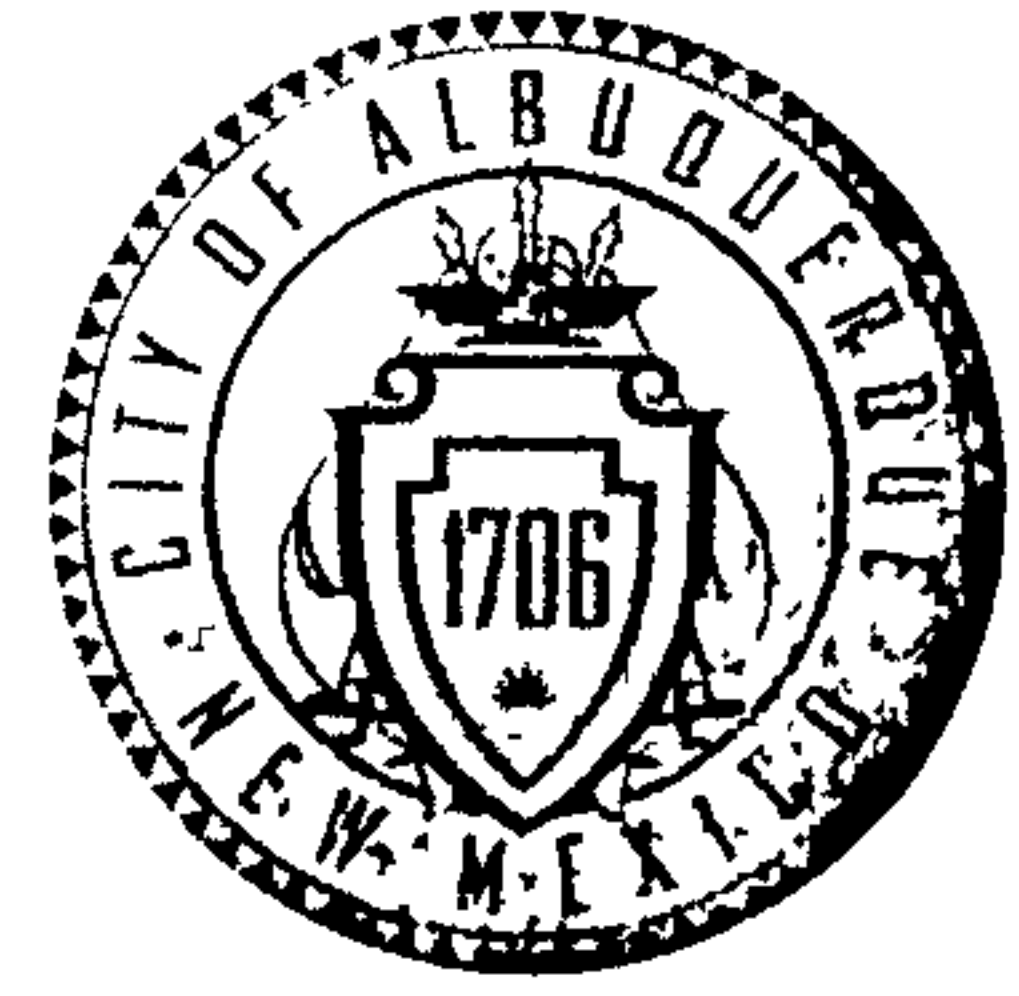
MULLEN HELLER ARCHITECTURE, PC. agent(s) for DR BILL HAWK request(s) the referenced/ above action(s) for all or a portion of Lot(s) 21, Block(s) 18, Tract A, Unit B, **NORTH ALBUQUERQUE ACRES**, zoned SU-2/M-1, located on the north side of PASEO DEL NORTE NE between SAN PEDRO NE and 1-25 containing approximately .8843 acre. (C-18)

AMAFCA No comment..
COG No comment.
TRANSIT Adjacent and nearby routes None Adjacent bus stops None Site plan requirements None Large site TDM suggestions None. Other information None.
ZONING ENFORCEMENT No comment.
NEIGHBORHOOD COORDINATION Letters sent to: No Neighborhood and/or Homeowner Association(s)
APS This will have no adverse impacts to the APS district.
POLICE DEPARTMENT No comment.
FIRE DEPARTMENT No comment.
PNM ELECTRIC & GAS No comment.
COMCAST No comment.

QWEST No comment.
ENVIRONMENTAL HEALTH No comment.
M.R.G.C.D No Adverse Comments.
OPEN SPACE DIVISION No comment.
CITY ENGINEER No adverse comments.
TRANSPORTATION DEVELOPMENT Provide a copy of all access easements. Keyed radii not defined. Call out the width of all parking spaces. Define the length of the compact parking spaces.
PARKS AND RECREATION No objection
ABCWUA No Adverse Comments.
PLANNING DEPARTMENT Access rights need to be documented through Tract A of Holly Place Subdivision. Pedestrian connections with special/ distinguishing material are needed to Paseo del Norte and Holly Avenue (see Design Regulations 4.2 of North I-25 sector plan). Contact Zoning Enforcement for compliance with other North I-25 Sector plan regulations and proposed building elevations – proposed recesses in metal wall might qualify as display windows for Paseo elevation. Also please correct required Front Yard to 10 feet.

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

CITY OF ALBUQUERQUE



Environmental Health Department

August 10, 2010

Dr. Bill Hawk, MD, President
After Hours Pediatrics, PC
9201 Montgomery Blvd. NE
Suite 201
Albuquerque, NM 87111

Re: Review of Analysis of the Potential Impact of the Sacramento Landfill on the Proposed Development of a Pediatric clinic on Lot 21, Tract A, Unit B, North Albuquerque Acres, dated July 21, 2010

Dear Dr. Hawk,

I have reviewed the referenced report regarding the proposed development and agree with the recommendations made by Engineering Solutions & Design, Inc. The following items must be completed prior to approval(s):

1. The following language must be included on the first page of both the Site Development Plan and any plans developed for building permit purposes:

PO Box 1293

Albuquerque

NM 87103

The subject property is located near a former landfill. Due to the subject property being near a former landfill, certain precautionary measures may need to be taken to ensure health and safety of the public. Recommendations made by a professional engineer with expertise in landfills and landfill gas issues (as required by the most current version of the *Interim Guidelines for Development within City Designated Landfill Buffer Zones*) shall be consulted prior to development of the site.

Albuquerque Environmental Health Department

www.cabq.gov

2. The details recommended must be identified in the building permit plan set and submitted to this department for review and approval prior to building permit submittal as identified in the *Interim Guidelines for Development within City Designated Landfill Buffer Zones*. The locations of the improvements as well as the details must be stamped by the landfill gas engineer who prepared the referenced project.

3. The Certificate of Occupancy will be issued by the City's Planning Department after this department has received confirmation from the landfill gas engineer that the remediation measures have been constructed as shown on the design plans.

Please feel free to contact me if you have any questions or comments.

Sincerely,

Suzanne Busch, P.E.

Principal Engineer, Environmental Services Division

Cc: Jack Cloud, Chairman, DRB

Jack Chappelle, Engineering Solutions & Design, Inc.

Michael Madden, Mullen Heller Architecture

Albuquerque - Making History 1706-2006

DRB/EPC/LUCC APPLICATION CHECKLIST

A review of DRB Case 1008401 indicates the following problems or crimes may occur or that the following concerns may need to be evaluated or addressed on this site or in this area. These comments do not indicate that a thorough CPTED evaluation has been done, or that other criminal activities may not occur.

- Traffic volume/Explain:
- Traffic control devices/Explain:
- Burglaries/Explain:
- Speeding violations/Explain:
- Lighting issues/Explain: *Lighting in parking areas appear to be adequate. However, suggest building mounted lights to illuminate all walkways, building entrances, and common areas, and dumpsters.*
- Maintenance of landscaping/Explain: *Proposed landscaping in the parking lot islands will eventually conflict with proposed lighting. Also, landscaping should not obstruct visibility to and from the building.*
- Robbery/Explain:
- Assault/Explain:
- Shoplifting/Explain:
- Accidents in the parking lot/Explain:
- A higher probability of crimes during evening/weekend hours/Explain:
- Commercial burglary/Explain:
- Rape/Explain:
- Adequate security/Explain:
- Alarm security/Explain:
- Alarm response i.e. false alarms, etc/Explain:
- Transients/Explain:
- Need for neighborhood association/Explain:
- Other:

City of Albuquerque



DEVELOPMENT/ PLAN REVIEW APPLICATION

SUBDIVISION

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

SITE DEVELOPMENT PLAN

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

STORM DRAINAGE (Form D)

- Storm Drainage Cost Allocation Plan

Supplemental form

S Z ZONING & PLANNING

- Annexation
- County Submittal
- EPC Submittal
- Zone Map Amendment (Establish or Change Zoning)
- Sector Plan (Phase I, II, III)
- Amendment to Sector, Area, Facility or Comprehensive Plan
- Text Amendment (Zoning Code/Sub Regs)
- Street Name Change (Local & Collector)
- A APPEAL / PROTEST of...**
 - Decision by: DRB, EPC, LUCC, Planning Director or Staff, ZHE, Zoning Board of Appeals

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

APPLICATION INFORMATION:

Professional/Agent (if any): MULLEN HELLER ARCHITECTS PHONE: 268-4144
 ADDRESS: 924 PARK AVE SW FAX: _____
 CITY: ALBUQUERQUE STATE NM ZIP 87102 E-MAIL: michael@mullenheller.com

APPLICANT: DR. BILL HAWK PHONE 379-2674
 ADDRESS: 9201 MONTGOMERY BLVD NE FAX: _____
 CITY: ALBUQUERQUE STATE NM ZIP 87111 E-MAIL: billh@ahpeds.com
 Proprietary interest in site: OWNER UNDER CONTRACT List all owners: PASEO PLACE LLC + JACKSON, STEPHEN

DESCRIPTION OF REQUEST:

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

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

Lot or Tract No. LOT 21 Block: 18 Unit: ~~NA~~ B
 Subdiv/Addn/TBKA: N ABQ ACRES
 Existing Zoning: SU-2 / M-1 Proposed zoning: SU-2 / M-1 MRGCD Map No. N/A
 Zone Atlas page(s): C-18-2 UPC Code: 101806418901630207

CASE HISTORY:

List any current or prior case number that may be relevant to your application (Proj., App., DRB-, AX, Z, V, S, etc.) 1004773

CASE INFORMATION:

Within city limits? Yes Within 1000FT of a landfill? NO
 No. of existing lots: 1 No. of proposed lots: 1 Total area of site (acres): .8843 ACRES
 LOCATION OF PROPERTY BY STREETS: On or Near: PASEO DEL NORTE / HOLLY
 Between: SAN PEDRO and 125

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

SIGNATURE [Signature] DATE 6-21-10
 (Print) MICHAEL MADDEN 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
<u>10 DRB 70181</u>	<u>SK</u>	<u>P(0)</u>	<u>\$ 0</u>
_____	_____	_____	\$ _____
_____	_____	_____	\$ _____
_____	_____	_____	\$ _____
_____	_____	_____	\$ _____
Hearing date <u>06/30/10</u>			Total <u>\$ 0</u>

Sandy Handley 06/22/10 Project # 1008401
 (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)

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

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

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

MICHAEL MADSEN
Applicant name (print)
[Signature] 6/22/10
Applicant signature / date

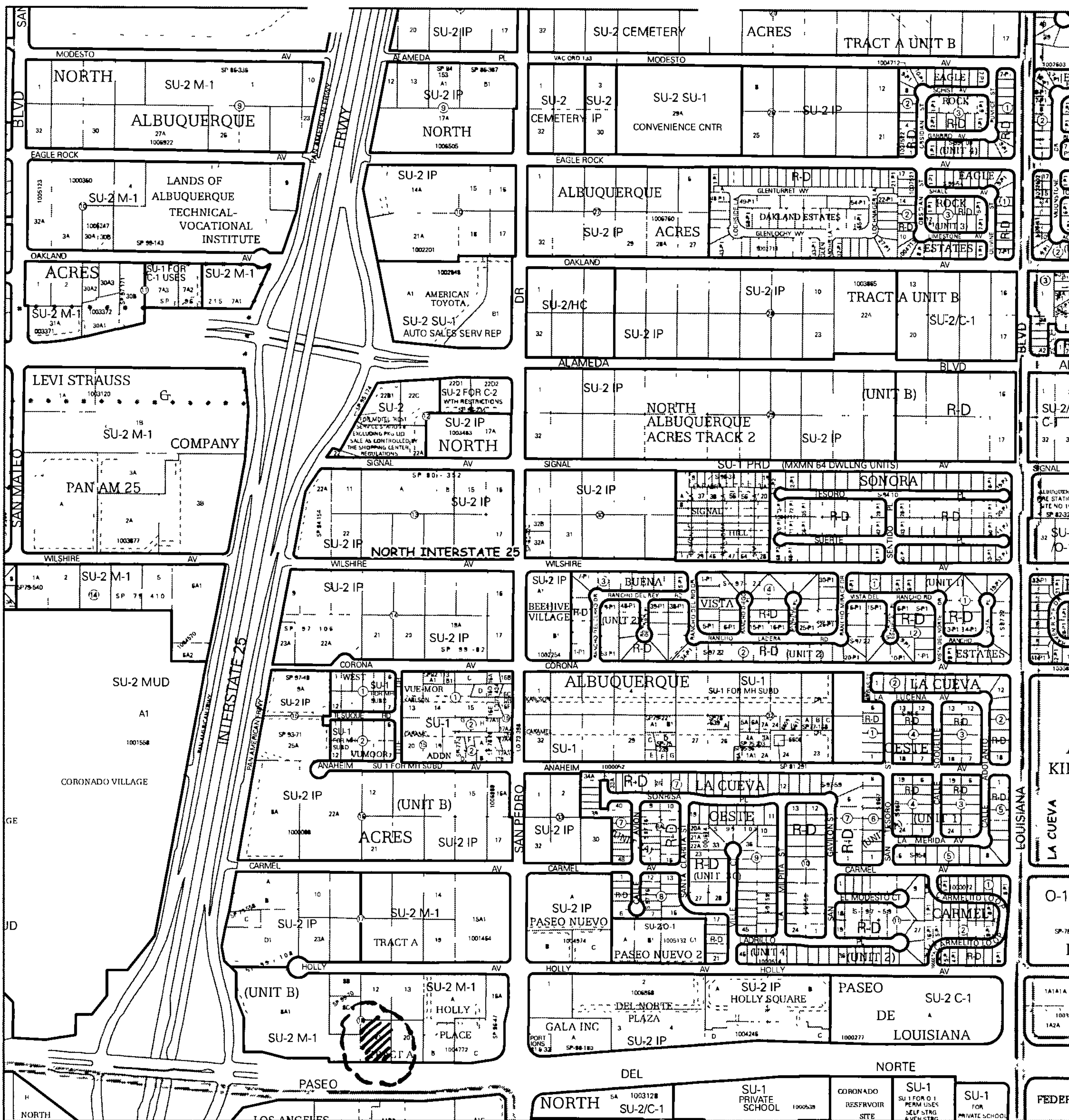


Form revised October 2007

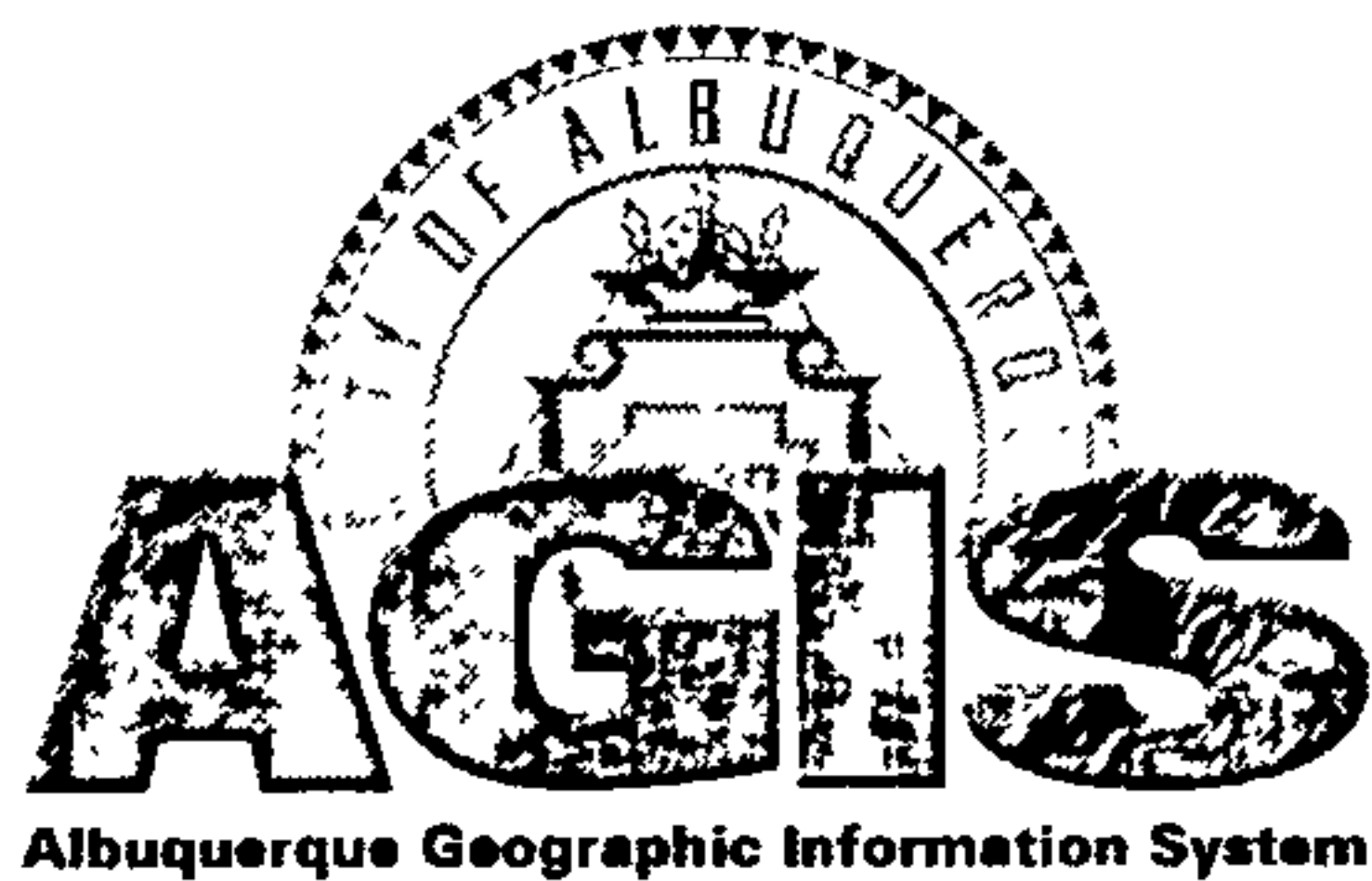
- Checklists complete
- Fees collected
- Case #s assigned
- Related #s listed

Application case numbers
10DR13 - 10181

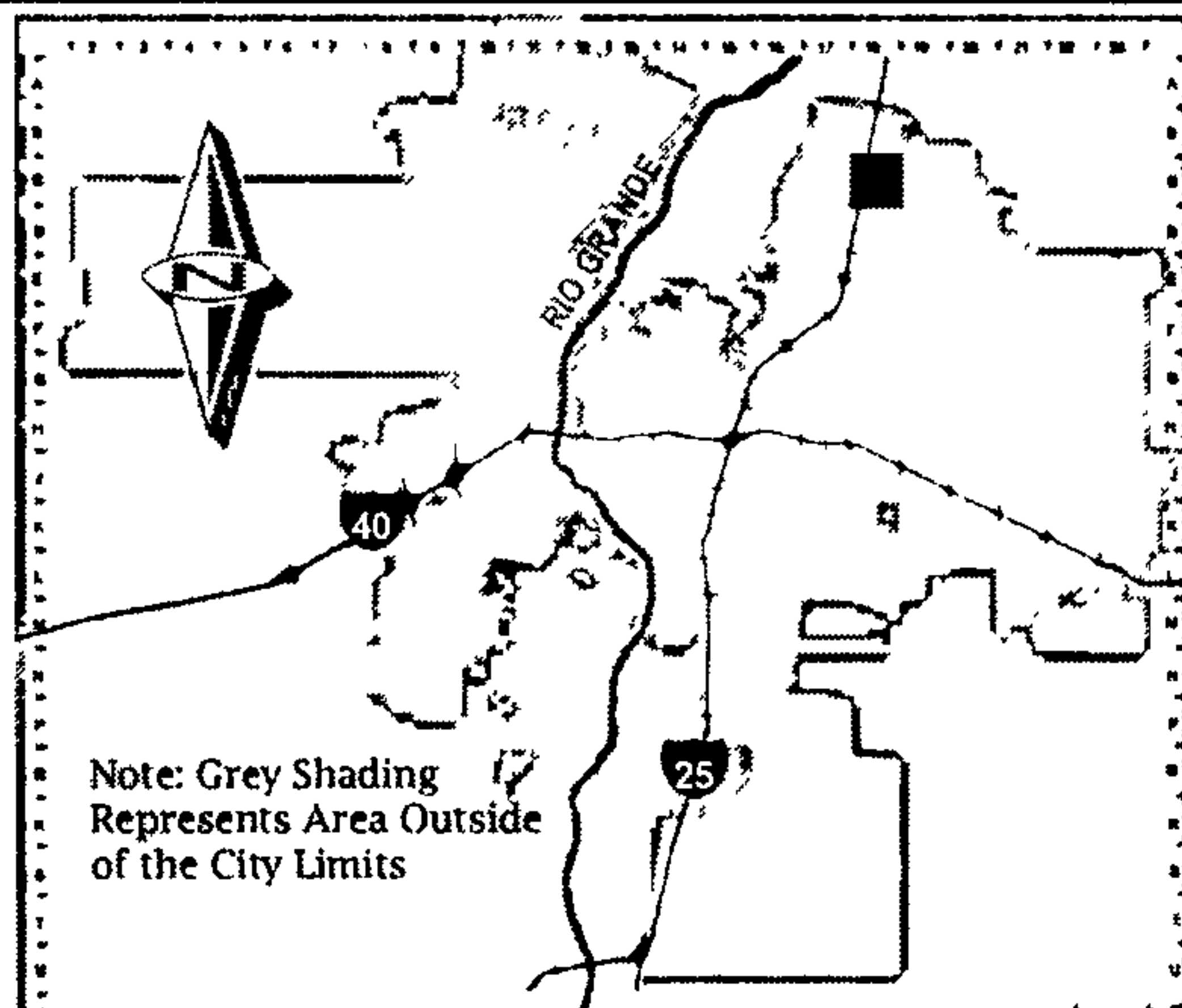
Sandy Handley 06/22/10
Planner signature / date
Project # 1008401



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



Map amended through: 2/4/2010



Zone Atlas Page:

C-18-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



MEMO

TO:	FROM:
City ABQ	Michael Madden
COMPANY:	DATE:
City ABQ	June 22, 2010
PROJECT:	PROJECT NUMBER:
After Hours Pediatrics	10-20
RE:	CC:
Sketch Plan	file

Project Description

The project proposes new construction of a single story 7,500 SF medical office building on a currently vacant lot. In addition, 43 total parking spaces would be constructed including 3 ADA spaces and 2 motorcycle spaces.

While the lot is part of the Paseo Place commercial development; it is currently bounded to the North and East by empty lots that have not been developed yet.

Questions:

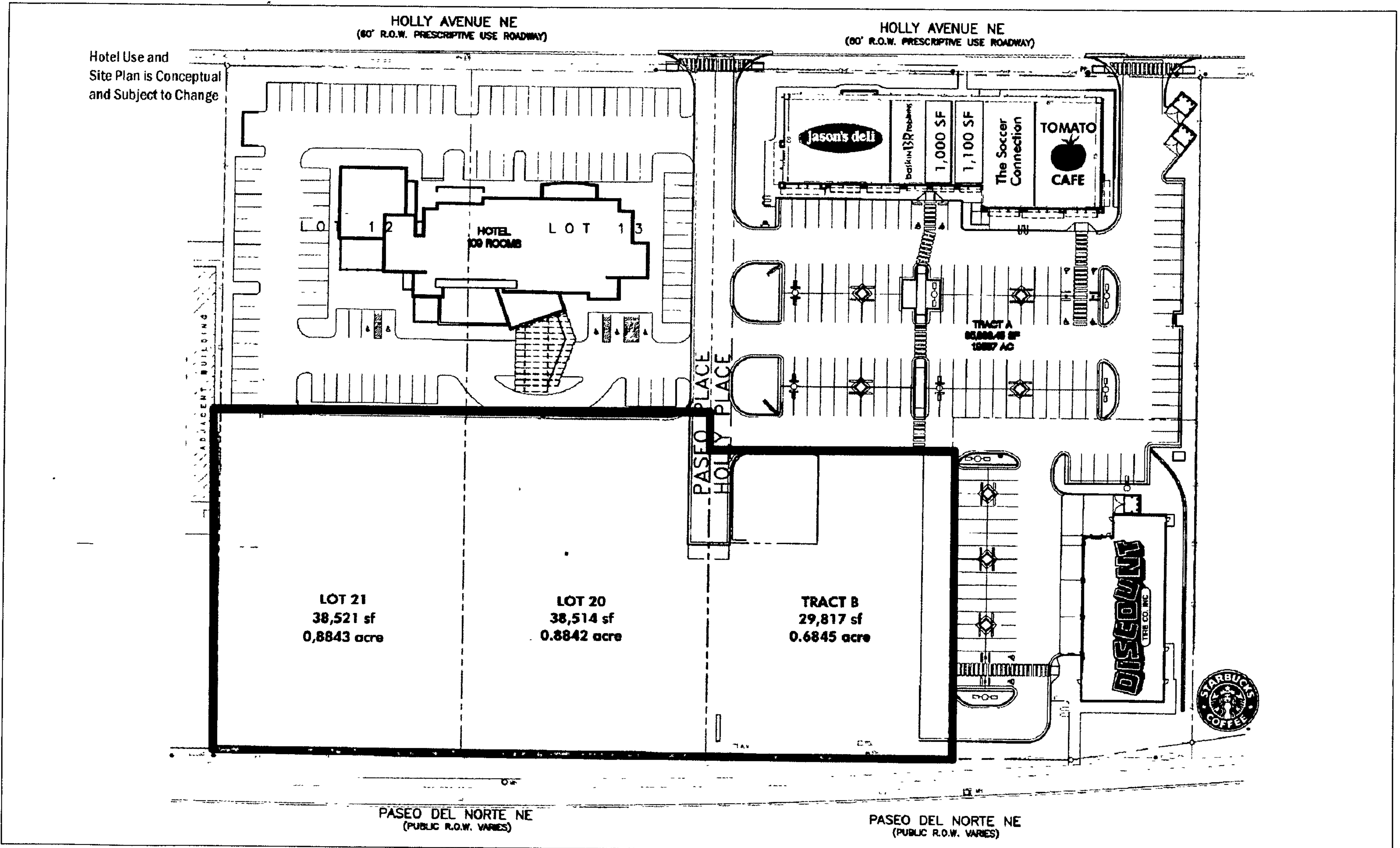
1. We are showing a drive aisle immediately adjacent to the north property line in anticipation of the future neighbor sharing the drive to access parking on their lots (see attached sales flier for development). What landscape buffers are required in a situation like this?
2. There are currently two fire hydrants in Paseo Place that are 370' and 275' from the lot line respectively. Do we need to add a fire hydrant?
3. Are off-site improvements required as part of this project (i.e. access drive)? The access drive will be provided by the developer but will this need to be permitted before we can permit the project?
4. The site currently surface drains to the northern property and then to Holly; per the covenant (see highlighted portion of page 4 of attached document) we intend to adhere to this document. Please verify acceptance.
5. Water and Sewer are stubbed to the site via an easement and ultimately looped north to Holly. Any other requirements for utilities? The developer will provide gas.

Mullen Heller Architecture PC

924 Park Avenue SW, Suite B Albuquerque NM 87102
505 268 4144 [p] 505 268 4244 [f]

PASEO PLACE PADS PRICED TO SELL

NWC SAN PEDRO & PASEO DEL NORTE | ALBUQUERQUE, NM



TRANSMITTAL LETTER

PROJECT: After Hours Pediatrics

Project No.: 10-20

Date: 22-Jun-10

TO: City of Albuquerque

ATTN:

CC:

SIGNED: Michael Madden

WE TRANSMIT:

- HEREWITH
- UNDER SEPARATE COVER
- IN ACCORDANCE WITH YOUR REQUEST

FOR YOUR:

- APPROVAL
- REVIEW AND COMMENT
- RECORD
- USE

THE FOLLOWING:

- DRAWINGS
- LETTER(S)
- SHOP DRAWINGS
- OTHER

VIA:

- REGULAR MAIL
- FEDERAL EXPRESS
- AIRBORNE EXPRESS
- HAND PICKUP/DELIVERY

COPIES	DATE	DESCRIPTION
1		Project Description Memo
1		Zoning Atlas Map
6		Site Plan
1		Application
1		Copy of Covenant for drainage for site
1		Sales Flier for development showing adjacent parcel potential development

REMARKS

Peggy, attached is Section 0 – Bidding Requirements from the project manual along with the three lowest bidders. Please pay special attention to Section 5 and 7 of the Instructions to Bidders which outlines the owner's ability to reject any bids.

Feel free to call if you need anything else. Doug

Mullen Heller Architecture PC

924 Park Avenue SW, Suite B Albuquerque NM 87102
505 268 4144 [p] 505 268 4244 [f]

USA FIRST AMERICAN TITLE
1100504

DECLARATION OF COVENANTS, CONDITIONS, RESTRICTIONS AND CROSS-EASEMENTS AGREEMENT

This Declaration of Covenants, Conditions, Restrictions and Cross-Easements Agreement ("**Agreement**") is made as of the 31 day of January, 2008, by Paseo Place, LLC, a New Mexico limited liability company ("**Paseo**").

PREAMBLE

A. Whereas, Paseo is the fee owner of that certain parcel of real property located near the corner of San Pedro and Paseo del Norte, in the City of Albuquerque, County of Bernalillo, State of New Mexico ("**Property**"), which real property is shown on Exhibit "A" and more particularly described in Exhibit "B" attached hereto and by this reference incorporated herein.

B. Whereas, Paseo desires to place certain restrictions upon the Property and to establish cross-easements.

NOW THEREFORE, Paseo does hereby establish the following covenants, conditions, restrictions and cross-easements.

ARTICLE I DEFINITIONS

Unless the context otherwise specifies or requires, the terms defined in this Article I shall, for all purposes of this Agreement have the meaning herein specified.

Section 1.01. Common Area. "**Common Area**" shall mean all of those areas on the Property which are not from time to time, and at any applicable time, occupied by buildings. By way of illustration, and not limitation, Common Area shall include all private streets, driveways, areas of ingress and egress, parking areas, service areas, sidewalks and other pedestrian ways, landscape areas and similar amenities designated and maintained for such uses from time to time. The Owner(s) of each Parcel shall have the right to change that portion of the Common Area located on its

Doc# 2008018450

02/19/2008 03:10 PM Page 1 of 13
DEC R:\$33.00 M Toulouse, Bernalillo County



Parcel at any time and from time to time, provided access as hereinafter granted is not adversely affected.

Section 1.02. Mortgage/Mortgagee. **"Mortgage"** shall mean a mortgage, deed of trust or other security device affecting all or any portion of or interest in the Property and which has been recorded in the real property records of Bernalillo County (hereinafter "Official Records") and **"Mortgagee"** shall mean and refer to the mortgagee, beneficiary or other holder of any of the foregoing instruments, provided the name and address of such mortgagee, beneficiary or other holder shall appear among the aforesaid Official Records.

Section 1.03. Owner. **"Owner"** shall mean any Person having any fee simple estate in any portion of the Property, excluding any Person who holds such interest as security for the payment of an obligation, but including any Mortgagee or other security holder in actual possession of any portion of the Property by foreclosure or otherwise, and any Person taking title from any such security holder.

Section 1.04. Person. **"Person"** shall mean artificial persons or legal entities (such as corporations, limited liability companies, partnerships, trusts, etc.) as well as natural persons.

ARTICLE II EASEMENTS

Section 2.01. Ingress and Egress.

(A) Paseo hereby declares a perpetual, non-exclusive, reciprocal easement for vehicular and pedestrian ingress and egress over, upon and across the Common Area of the Property as such Common Area may exist from time to time for the use of all Owners of the Property, their successors, assigns, tenants, and invitees.

(B) The easement rights created in this Section 2.01 are collectively referred to as **"Access Easements"**.

(C) No Owner of any Parcel shall construct or permit any barrier, fence, wall, building or any other structure of any kind which prevents or materially and adversely affects access over the Common Area and or the Common Access Driveways.

(D) Nothing contained herein shall be construed as a grant by Declarant of any vehicular parking rights in any Parcel for the benefit of any other Parcel, and the

Owner of each Parcel shall at all times provide sufficient parking on its Parcel or portion thereof to satisfy any and all governmental parking requirements applicable thereto. Additionally, no facility on any Parcel containing a vehicular drive-up or drive-thru in which the stopping or standing of motor vehicles in line at a location for drop off and or pickup is intended (as, for example, at a restaurant, car wash or bank) shall be designed, constructed, used or operated in any manner such that motor vehicles in line at such facility stop or stand onto any other Parcel or otherwise interfere with the normal pattern and flow of pedestrian or vehicular traffic on and across any other Parcel.

Section 2.02. Utilities. Declarant hereby establishes, grants and conveys for the benefit of the entire Property, a perpetual, non-exclusive, reciprocal underground easement across the Common Area of each Parcel (as may exist from time to time), for the purpose of installing, maintaining, operating, repairing, replacing and renewing any and all utility lines and related facilities, including without limitation, electricity, water, gas, sewer, telephone, cable television and storm drains ("**Utilities**"). All such Utilities shall be installed and maintained below the ground level or surface of the Parcel (except for such parts thereof that cannot and are not intended to be placed below the surface, such as transformers and control panels which shall be placed in such location(s) as approved by the Owner of the burdened Parcel). No such Utilities shall be located within any existing or reasonably planned building footprint, or encroach upon any existing or reasonably planned permanent improvements located on the Property from time to time, and all such easements, shall (if practical) be located along perimeters or boundary lines of the Property, but in any event shall be situated so as to minimize damage, diminution in value or other negative impacts upon the burdened Parcel or Common Areas. The utility easements granted hereby are solely for the purposes set forth above, provided, however, that in using the easements granted hereby, any Owner who goes, or causes its agent or any utility company to go, upon any other Owner's property or Common Area shall (i) give the other Owner(s) at least thirty (30) days prior written notice together with a drawing of any proposed installation or relocation of any Utilities; (ii) cause such use of its utility easement to be conducted in a manner which, under the circumstances, is the least disruptive to the other Owner(s), their tenants, and the customers and invitees of each of them; (iii) cause such use to be completed with due

regard for the safety of all persons coming onto such property or Common Area, and (iv) cause, at its expense, any damage to any other Owner's or its tenant's improvements (including without limitation, pavement) to be promptly repaired and restored as near as practicable to the prior condition of such improvement. Each such Owner shall be liable to such other Owners and tenants for any breach of the foregoing obligations, and each such Owner shall indemnify such other Owners and tenants and hold such other Owners and tenants free, clear and harmless from any and all claims, actions, demands, causes of action, costs and expenses whatsoever (including attorneys fees and court costs) for any personal injury or property damage arising from or as a result of such Owner's use of a utility easement upon such other Owner's property or Common Area.

Section 2.03. Drainage. Declarant hereby establishes, grants and conveys for the benefit of the entire Property, a perpetual, non-exclusive, reciprocal drainage easement over, upon, under and across the Common Area of each Parcel for the benefit of each other Parcel, for the purposes of drainage of storm and surface water in accordance with applicable codes and requirements. Each Owner of shall be responsible for meeting the free discharge limitation (4.6290 cfs/acre) on each Owner's property. Declarant also hereby establishes, grants and conveys a non-exclusive and perpetual easement to install, maintain, repair and replace storm water collection, retention, detention and distribution lines, conduits, pipes and other drainage apparatus (the "**Drainage Facilities**") under and across those portions of the Common Areas of each Parcel as are approved by the Owner(s) of the Parcel burdened thereby. The easement granted herein shall include the right of reasonable ingress and egress as may be required to maintain and operate the Drainage Facilities. Once constructed, (i) the Drainage Facilities shall not be modified, altered or otherwise changed, without the prior written consent of all Owners; and (ii) each Owner shall operate and maintain, or cause to be operated and maintained, in good order, condition and repair, the Drainage Facilities located upon its Parcel and make any and all repairs and replacements that may from time to time be required with respect thereto.

ARTICLE III
GENERAL

Section 3.01. Notices. All notices required to be given pursuant to the provisions of this Agreement shall be in writing and delivered in accordance with the following accepted forms of delivery: (a) hand delivery with a signature and date to verify receipt; (b) via Federal Express (or similar overnight carrier) for priority overnight delivery; (c) via United States Postal Service postage prepaid, by Certified or Registered Mail, return receipt requested; or (d) via facsimile (together with a copy sent by regular United States mail) to:

If to Paseo:

Paseo Place, LLC
7600 Jefferson NE, Suite 27
Albuquerque, NM 87109

Attn: Chief Counsel

PH: 505-858-0001

FAX: 505-858-3101

or to such address as is thereafter provided by the parties hereto. If written notice is hand delivered it shall be deemed received upon delivery. If written notice is sent via Federal Express, it shall be deemed received the next business day following the date of sending. If written notice is mailed via United States Certified or Registered Mail, it shall be deemed received upon the earlier of actual receipt or on the third business day following the date of mailing. If written notice is sent via facsimile, it shall be deemed received upon transmission provided successful transmission has been confirmed by a printed confirmation sheet. In addition, all notices sent by facsimile shall also be mailed via regular United States Mail. Notices shall be effective upon receipt or refusal. In the event that any person acquires a fee interest in the Property or any portion thereof said person shall be entitled to provide a request for notice to the addressees listed above.

Section 3.02. Maintenance. Each Owner shall at all times maintain its portion of the Property and all improvements thereon in a safe, clean, neat, attractive and

sanitary condition as appropriate for a first class commercial property, and in all respects in compliance with all governmental zoning, health, fire and police requirements. By way of illustration and not limitation, such maintenance shall include (i) maintaining the surfaces of all driveways and parking areas of its portion of the Property in a level, smooth and evenly covered condition with asphalt pavement or similarly appropriate surfacing material; (ii) planting, weeding, irrigating, pruning and otherwise maintaining landscaping on all of its portions of the Property which are not covered by a structure or paving; (iii) repainting, cleaning and repairing the exterior of all buildings and other improvements on a regular basis; (iv) removing all trash, refuse, papers and debris; (v) placing and keeping in repair and replacing as necessary directional signs, markers, lines and striping; and (vi) operating, keeping in repair and replacing as necessary such artificial lighting facilities as shall be reasonably required for the safe and attractive condition of its portion of the Property.

Section 3.03. Taxes. As to any portion of the Property, it is intended that all real estate taxes and assessments by public authority relating to said land and improvements thereon or the ownership thereof, shall be paid prior to delinquency by the respective Owner thereof.

Section 3.04. Default. This Agreement shall create privity of contract and estate with and among all grantees of all or any part of the Property and their respective heirs, executors, administrators, successors and assigns. In the event of a breach, or attempted or threatened breach by any Owner of any part of the Property, in any of the terms, covenants, and conditions hereof, any one or all such other Owners of any part of the Property shall be entitled forthwith to full and adequate relief by injunction and all such other available legal and equitable remedies from the consequences of such breach. In addition to all other remedies available at law or in equity, upon the failure of a defaulting party to cure a breach of this Agreement within thirty (30) days following written notice thereof by another party (unless, with respect to any such breach the nature of which cannot reasonably be cured within such thirty (30) day period, the defaulting party commences such cure within such thirty (30) day period and thereafter diligently pursues such cure to completion) the non-defaulting party or parties shall have the right to perform such obligation contained in this Agreement on behalf of such

defaulting party and be reimbursed by such defaulting party, upon demand, for the reasonable costs incurred in the course of curing such default together with interest thereon at the prime rate for Bank One (or any successor institution) plus two percent (2%) (not to exceed the maximum rate of interest allowed by law). The remedies permitted at law or equity of any one or all such Owners specified herein shall be cumulative as to each and as to all.

Section 3.05. Insurance. Each Owner shall maintain at all times insurance against claims for personal injury or property damage in an amount not less than \$2,000,000.00 with respect to all personal injuries suffered in an accident, and \$500,000.00 with respect to property damage, unless otherwise agreed to in writing by the then record Owners. Upon request, annually each Owner shall provide the other Owner(s) with a certificate of insurance, evidencing the existence of a valid policy of insurance in conformity with the above specifications.

Section 3.06. Covenants Running With The Land. The easements and covenants established by this Agreement shall run in perpetuity and are intended to be and shall be construed as covenants running with the land, binding upon, and inuring to the benefit of and enforceable by the Parties and all subsequent Owners of the Property or any part thereof, provided however, that nothing contained herein shall be construed as a grant for the benefit of any other Owner of any right or easement in any part of its property for parking purposes. If during the existence of this Agreement, an Owner of all or any part of the Property shall sell or transfer or otherwise terminate its interest as Owner, then from and after the effective date of such sale, transfer, or termination of interest, such party shall be released and discharged from any and all obligations, responsibilities and liabilities under this Agreement as to the parts sold or transferred provided that the transferee assumes all of said obligations, responsibilities and liabilities, except those obligations, responsibilities and liabilities (if any) which have already accrued as of such date, and any such transferee by the acceptance of the transfer of such interest shall thereupon become subject to the covenants contained herein to the same extent as if such transferee were originally a party hereto. The covenants and easements established hereby are not intended and shall not be construed as a dedication of such rights in the Property for public use, and this

Agreement shall not be deemed to vest any rights in any customers, invitees or the public at large, but are solely for the benefit of the Owners of the Property and their lessees, customers and invitees to the extent heretofore established.

Section 3.07. Attorneys Fees. In the event any Owner is required to enforce the provisions hereof through judicial proceedings, the prevailing party shall be entitled to reasonable attorneys fees and court costs from the non-prevailing party.

Section 3.08. Estoppel Certificates. Any Owner of any Parcel shall execute and deliver to any other Owner or its Mortgagee within fifteen (15) days from receipt of such other Owner's request from time to time, an estoppel certificate, in a form reasonably acceptable to the Owner to whom such request is made, which certificate shall include information as to any modification of this Agreement and to the best knowledge of the Owner to whom such request is made, whether or not the requesting Owner is in Default of this Agreement.

Section 3.09. Effective Date. The covenants, conditions, restrictions and cross-easements contained herein shall be effective commencing on the date of recordation of this Agreement in the Official Records and may be modified, amended or canceled by recordation in the Official Records of a writing executed by the fee Owners of a majority of the land area of the Property at the time of such modification, amendment or cancellation.

Section 3.10. Severability. Each provision of this Agreement and the application thereof to each Parcel are hereby declared to be independent of and severable from the remainder of this Agreement. If any provision contained herein shall be held to be invalid or to be unenforceable or not to run with the land, such holding shall not affect the validity or enforceability of the remainder of this Agreement.

Section 3.11. Waiver. No waiver of any default of any obligation by any Owner of all or any part of the Property shall be implied from any omission by the other Owner or Owners to take any action with respect to such default.

Section 3.12. Relationship of the Owners. Nothing in this Agreement shall be deemed or construed by any party or by any third person to create the relationship of principal and agent or of limited or general partners or of joint venturers or of any other association between the parties.

Section 3.13. Jurisdiction. The laws of the State of New Mexico shall govern the interpretation, validity, performance and enforcement of this Agreement.

Section 3.14. Subdivision. Nothing contained herein shall be construed as limiting the right of the Owner of any Parcel to subdivide and or sell all or any portion of its Parcel to any third party, so long as such third party assumes the rights and obligations established hereunder.

Section 3.15. Legal Descriptions. In the event the validity or enforceability of any provision of this Agreement is held to be dependent upon the existence of a specific legal description, the Owners of each Parcel or any portion thereof, shall agree to promptly cause such legal description to be prepared and made a part hereof.

Section 3.16. Liens. All persons doing work for or furnishing labor or materials to any Parcel on the order of or on behalf of each Owner shall look solely to that party for payment. The interests of the each party shall not be subject to liens for improvements made by the other as allowed under this Agreement. If any mechanic's and/or other liens, or order for the payment of money, shall be filed against any Parcel as a result of work performed by another Owner, the Owner performing such work shall cause the same to be canceled and discharged of record, by bond or otherwise, and shall also defend on behalf of the burdened Owner, any action, suit or proceeding which may be brought for the enforcement of such lien, liens or orders, and said Owner will pay any damage and satisfactorily discharge any judgment entered, and save harmless the burdened Owner from any associated claims, attorney's fees or damages.

Section 3.17 Document Modification. This Agreement may be modified in writing by the mutual agreement of all Owners of the Property.

Section 3.18 Duration. Unless otherwise canceled or terminated, all of the easements granted in this Agreement shall continue in perpetuity and all other rights and obligations hereof shall automatically terminate and be of no further force and effect after ninety-nine (99) years from the date hereof.

Section 3.18 Headings. The headings herein are inserted only as a matter of convenience and for reference and in no way define, limit or describe the scope or intent of this document nor in any way affect the terms and provisions hereof.

Section 3.19 Transfer of Interests. In the event that any person or entity (the "Acquiring Party") shall acquire a fee or mortgage interest in the Property, or any portion thereof, the Acquiring Party shall send by certified mail, return receipt requested, a statement setting forth the name of the Acquiring Party, the address of the Acquiring Party to which all notices for the purposes of this Agreement may be sent, the nature of the interest held by the Acquiring Party, and the date that such interest was acquired to all other persons or entities then holding fee or mortgage interests.

Section 3.20 Counterparts. This Agreement may be executed in one or more counterparts each of which in the aggregate shall constitute one and the same instrument.

ARTICLE IV

HEIGHT RESTRICTION

No building or other structure shall be built, constructed or allowed on Lots 20 or 21 that is more than thirty-two feet (32') in height from ground level at the foundation of the structure to the highest point of the structure.

ARTICLE V

GRANTEE'S COVENANT

Declarant and each grantee, tenant or other person in interest, accepting either a deed or any other interest in any Parcel, whether or not the same incorporates or refers to this Agreement, covenants for himself, his heirs, successors and assigns to observe, perform and be bound by this Agreement and to incorporate this Agreement by reference in any deed or other document of conveyance of all or any portion of its interest in any real property subject hereto.

EXECUTED as of the date first above written.

Paseo Place, LLC, a New Mexico limited liability company:

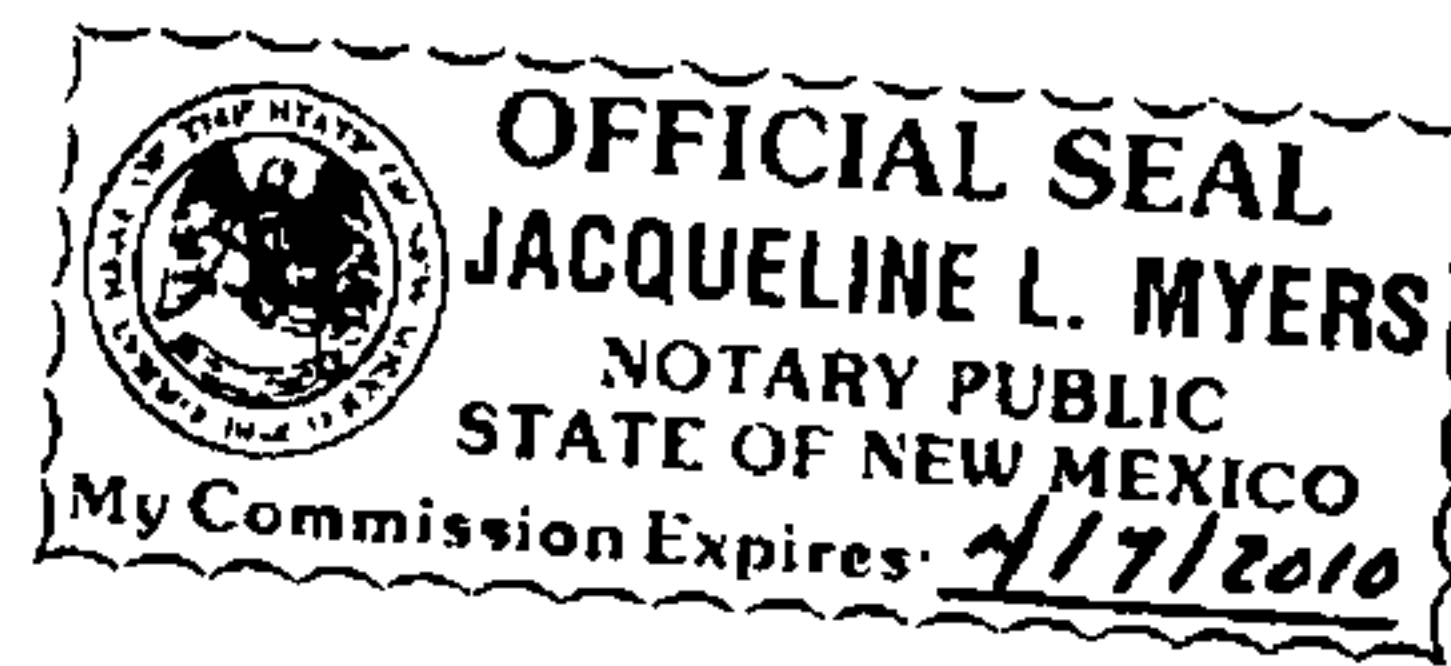
By: BS

Its: MANAGER

STATE OF New Mexico)
) SS
COUNTY OF Bernalillo)

This instrument was acknowledged before me this 31 day of January, 2008, by Ben F. Spencer-Manager on behalf of said Paseo Place, LLC.

Jacqueline L. Myers
NOTARY PUBLIC
My Commission Expires: 4/17/2010



OLLY AVENUE NE
(60' R.O.W. PRESCRIPTIVE USE ROADWAY)

(60'

LOT 8 B

LOT 8 C

LOT 8 A - 1

ADJACENT BUILDING

LOT 1 2 HOTEL 109 ROOMS LOT 1 3

LOT 1

PASEO PLACE

HOLLY PLACE

Existing 14.00'
Access Easement
from Holly-SP, LLC

Existing 14.00'
Access Easement
from Paseo Place, LLC

LOT 2 1
PAD
7200 SF

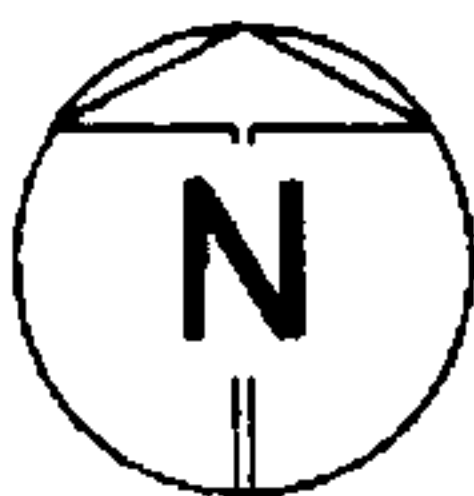
LOT 2 0
PAD
7200 SF

DRIVE THRU
± 2400 SF

PASEO DEL NORTE NE
(PUBLIC R.O.W. VARIES)



Approximate Location Detention Ponds



SCALE



Exhibit A-01/28/08
Paseo Place
Albuquerque, New Mexico

Conceptual Plan
Subject to Change

EXHIBIT "B"
LEGAL DESCRIPTION

Lots numbered Twelve (12), Thirteen (13), Twenty (20), and Twenty-One (21) in Block numbered Eighteen (18) of TRACT A, UNIT B, NORTH ALBUQUERQUE ACRES, as the same is shown and designated on the plat thereof, filed in the Office of the County Clerk of Bernalillo County, New Mexico, on April 24, 1936. LESS AND EXCEPTING therefrom property described in Warranty Deed filed June 16, 1997, recorded in Book 97-16, Page 1756, as Document No. 97060397, records of Bernalillo County, New Mexico.