



Supplemental Form (SF)

**SUBDIVISION**

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

**SITE DEVELOPMENT PLAN**

- for Subdivision
- for Building Permit
- Administrative Amendment (AA)
- Administrative Approval (DRT, URT, etc.)
- IP Master Development Plan
- Cert. of Appropriateness (LUCC)

**STORM DRAINAGE (Form D)**

- Storm Drainage Cost Allocation Plan

**S Z ZONING & PLANNING**

- Annexation
- V**  Zone Map Amendment (Establish or Change Zoning, includes Zoning within Sector Development Plans)
- P**  Adoption of Rank 2 or 3 Plan or similar
- Text Amendment to Adopted Rank 1, 2 or 3 Plan(s), Zoning Code, or Subd. Regulations
- D**  Street Name Change (Local & Collector)
- L A** **APPEAL / PROTEST of...**
  - Decision by: DRB, EPC, LUCC, Planning Director, ZEO, ZHE, Board of Appeals, other

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 2<sup>nd</sup> 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): Skyblue Investments LLC PHONE: 505-315-6484  
 ADDRESS: 7515 Treviso NE FAX: \_\_\_\_\_  
 CITY: Albuquerque STATE NM ZIP 87113 E-MAIL: adil1424@yahoo.com  
 APPLICANT: \_\_\_\_\_ PHONE: \_\_\_\_\_  
 ADDRESS: \_\_\_\_\_ FAX: \_\_\_\_\_  
 CITY: \_\_\_\_\_ STATE \_\_\_\_\_ ZIP \_\_\_\_\_ E-MAIL: \_\_\_\_\_

Proprietary interest in site: \_\_\_\_\_ List all owners: Professor El-Emany

DESCRIPTION OF REQUEST: Extension of the SIA for the Temporary Deferral of Internal Internal Sidewalk

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

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

Lot or Tract No. Lots 15 & 16 (subdivided in 10 Lots) Block: 1 Unit: 3, TR 2  
 Subdiv/Addn/TBKA: LaVista @ Desert Trails  
 Existing Zoning: RD Proposed zoning: RD MRGCD Map No \_\_\_\_\_  
 Zone Atlas page(s): B-192 UPC Code: See Attached Sheet with UPC Numbers

**CASE HISTORY:**

List any current or prior case number that may be relevant to your application (Proj., App., DRB-, AX\_Z\_, V\_, S\_, etc.): 1008589

**CASE INFORMATION:**

Within city limits?  Yes Within 1000FT of a landfill? No  
 No. of existing lots: 10 No. of proposed lots: \_\_\_\_\_ Total site area (acres): 2 Ac  
 LOCATION OF PROPERTY BY STREETS: On or Near: EagleRock AVE NE  
 Between: Louisiana NE and Wyoming NE  
 Check if project was previously reviewed by: Sketch Plat/Plan  or Pre-application Review Team(PRT)  Review Date: \_\_\_\_\_

SIGNATURE Adil Rizvi DATE 1-23-2018  
 (Print Name) ADIL RIZVI Applicant:  Agent:

**FOR OFFICIAL USE ONLY**

Revised: 11/2014

<input type="checkbox"/> INTERNAL ROUTING	Application case numbers	Action	S.F.	Fees
<input type="checkbox"/> All checklists are complete	<u>18DRB - 70027</u>	<u>ESIA</u>	_____	<u>\$ 100.00</u>
<input type="checkbox"/> All fees have been collected	_____	<u>CMF</u>	_____	<u>\$ 20.00</u>
<input type="checkbox"/> All case #s are assigned	_____	_____	_____	\$ _____
<input type="checkbox"/> AGIS copy has been sent	_____	_____	_____	\$ _____
<input type="checkbox"/> Case history #s are listed	_____	_____	_____	\$ _____
<input type="checkbox"/> Site is within 1000ft of a landfill	_____	_____	_____	\$ _____
<input type="checkbox"/> F.H.D.P. density bonus	_____	_____	_____	Total
<input type="checkbox"/> F.H.D.P. fee rebate	_____	_____	_____	<u>\$ 120.00</u>

Hearing date January 31, 2018

[Signature]  
 Staff signature & Date 1-23-18

Project # 1008589

**FORM V: SUBDIVISION VARIANCES & VACATIONS**

- BULK LAND VARIANCE (DRB04)** (PUBLIC HEARING CASE)
    - \_\_\_ Application for Minor Plat on FORM S-3, including those submittal requirements. **24 copies**
    - \_\_\_ Letter briefly describing and explaining: the request, compliance with the Development Process Manual, and all improvements to be waived.
    - \_\_\_ Notice on the proposed Plat that there are conditions to subsequent subdivision (refer to DPM)
    - \_\_\_ Office of Community & Neighborhood Coordination inquiry response, notifying letter, certified mail receipts
    - \_\_\_ Sign Posting Agreement
    - \_\_\_ Fee (see schedule)
    - \_\_\_ List any original and/or related file numbers on the cover application
- DRB Public hearings are approximately 30 DAYS after the filing deadline. Your attendance is required.**

- VACATION OF PUBLIC EASEMENT (DRB27)**
  - VACATION OF PUBLIC RIGHT-OF-WAY (DRB28)**
    - \_\_\_ The complete document which created the public easement (folded to fit into an 8.5" by 14" pocket) **24 copies.**  
(Not required for City owned public right-of-way.)
    - \_\_\_ Drawing showing the easement or right-of-way to be vacated, etc. (not to exceed 8.5" by 11") **24 copies**
    - \_\_\_ Zone Atlas map with the entire property(ies) clearly outlined
    - \_\_\_ Letter briefly describing, explaining, and justifying the request
    - \_\_\_ Office of Community & Neighborhood Coordination inquiry response, notifying letter, certified mail receipts
    - \_\_\_ Sign Posting Agreement
    - \_\_\_ Fee (see schedule)
    - \_\_\_ List any original and/or related file numbers on the cover application
- Unless the vacation is shown on a DRB approved plat recorded by the County Clerk within one year, it will expire.  
**DRB Public hearings are approximately 30 DAYS after the filing deadline. Your attendance is required.**

- SIDEWALK VARIANCE (DRB20)**
  - SIDEWALK WAIVER (DRB21)**
    - \_\_\_ Scale drawing showing the proposed variance or waiver (not to exceed 8.5" by 14") **6 copies**
    - \_\_\_ Zone Atlas map with the entire property(ies) clearly outlined
    - \_\_\_ Letter briefly describing, explaining, and justifying the variance or waiver
    - \_\_\_ List any original and/or related file numbers on the cover application
- DRB meetings are approximately 8 DAYS after the Tuesday noon filing deadline. Your attendance is required.**

- SUBDIVISION DESIGN VARIANCE FROM MINIMUM DPM STANDARDS (DRB25)**
    - \_\_\_ Scale drawing showing the location of the proposed variance or waiver (not to exceed 8.5" by 14") **24 copies**
    - \_\_\_ Zone Atlas map with the entire property(ies) clearly outlined
    - \_\_\_ Letter briefly describing, explaining, and justifying the variance
    - \_\_\_ Office of Community & Neighborhood Coordination inquiry response, notifying letter, certified mail receipts
    - \_\_\_ Sign Posting Agreement
    - \_\_\_ Fee (see schedule)
    - \_\_\_ List any original and/or related file numbers on the cover application
- DRB meetings are approximately 30 DAYS after the filing deadline. Your attendance is required.**

- TEMPORARY DEFERRAL OF SIDEWALK CONSTRUCTION (DRB19)**
  - EXTENSION OF THE SIA FOR TEMPORARY DEFERRAL OF SIDEWALK CONSTRUCTION (DRB07)**
    - Drawing showing the sidewalks subject to the proposed deferral or extension (not to exceed 8.5" by 14") **6 copies**
    - Zone Atlas map with the entire property(ies) clearly outlined
    - Letter briefly describing, explaining, and justifying the deferral or extension
    - List any original and/or related file numbers on the cover application
- DRB meetings are approximately 8 DAYS after the Tuesday noon filing deadline. Your attendance is required.**

- VACATION OF PRIVATE EASEMENT (DRB26)**
  - VACATION OF RECORDED PLAT (DRB29)**
    - \_\_\_ The complete document which created the private easement/recorded plat (not to exceed 8.5" by 14") **6 copies**
    - \_\_\_ Scale drawing showing the easement to be vacated (8.5" by 11") **6 copies**
    - \_\_\_ Zone Atlas map with the entire property(ies) clearly outlined
    - \_\_\_ Letter/documents briefly describing, explaining, and justifying the vacation **6 copies**
    - \_\_\_ Letter of authorization from the grantors and the beneficiaries (private easement only)
    - \_\_\_ Fee (see schedule)
    - \_\_\_ List any original and/or related file numbers on the cover application
- Unless the vacation is shown on a DRB approved plat recorded by the County Clerk within one year, it will expire.  
**DRB meetings are approximately 8 DAYS after the Tuesday noon filing deadline. Your attendance is required.**

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

ADIL RIZVI  
 \_\_\_\_\_  
 Applicant name (print)  
 \_\_\_\_\_ 1/23/18  
 Applicant signature / date



- Checklists complete
  - Fees collected
  - Case #s assigned
  - Related #s listed
- Application case numbers  
 18DRB - 70027

Form revised 4/07  
 \_\_\_\_\_ 1-23-18  
 Planner signature / date  
 Project # 1009589

Ms Kym Dicome  
DRB Chairman  
City of Albuquerque  
P.O.Box 1293  
Albuquerque, New Mexico 87102

01-23-2018

La Vista @ Desert Ridge Trails Subdivision: DRB NO: 1008589.  
Request for Extension of the Subdivision Improvement Agreement (SIA) for  
the Temporary Deferral of Sidewalk Construction.

Dear Ms Dicome:

On behalf of my client Professor El-Emawy, I am hereby requesting Two  
Year Extension for the Constructing of the Internal Sidewalk for the LA  
Vista Subdivision. The subdivision consists of Ten subdivided lots, out of  
which Six are built and the remaining Four will be completed before 2020.

As of last week, the Subdivision Improvement Agreement (SIA) has been  
renewed under City Project No: 784884.

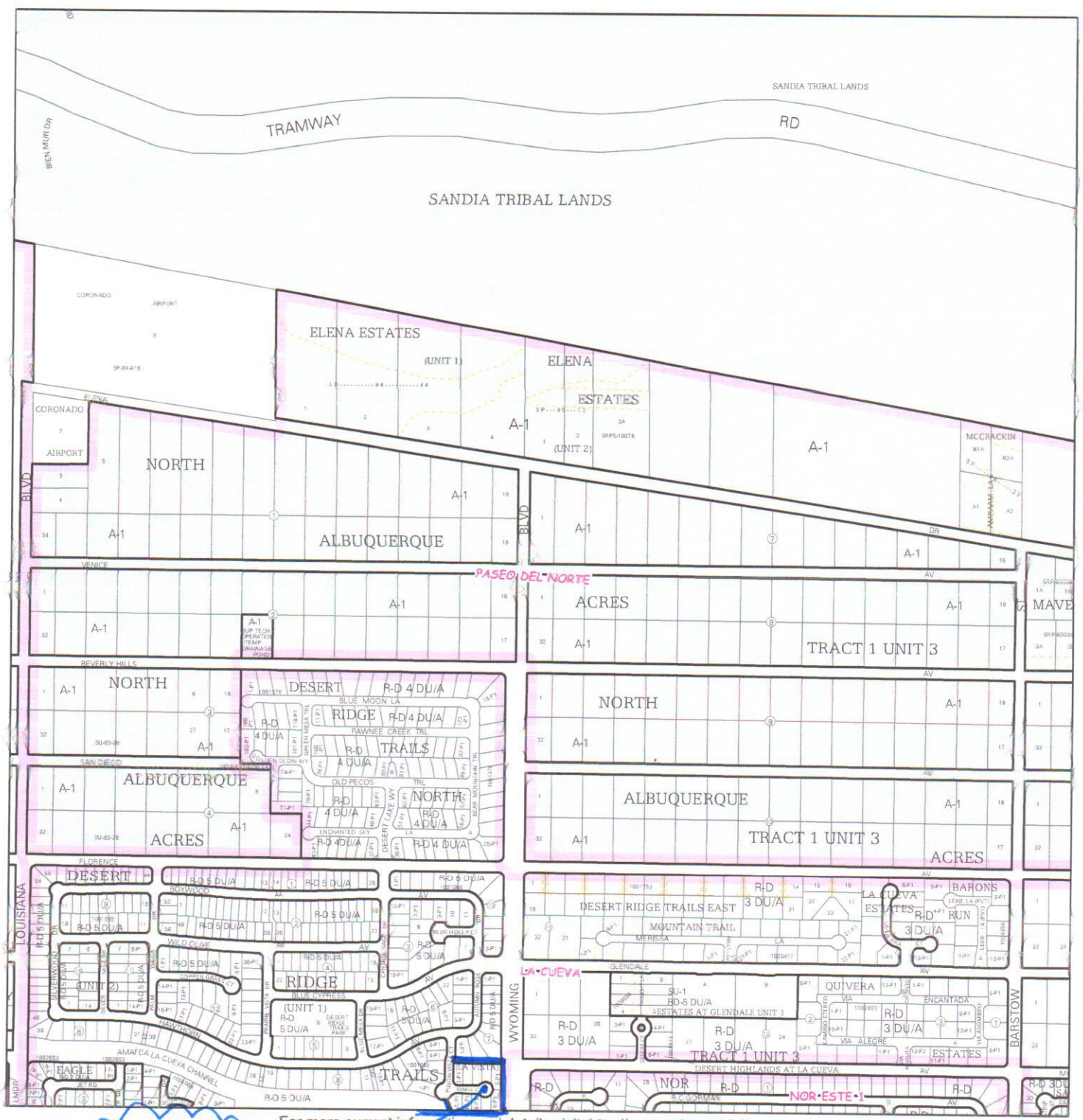
If you have any questions please call me at 505-315-6484

Sincerely,



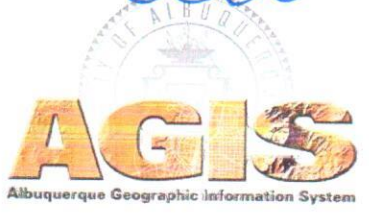
Adil Rizvi  
505-315-6484  
[Adil1424@yahoo.com](mailto:Adil1424@yahoo.com)

cc: Abdel Rehman El-Emawy



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

**SITE**



Map amended through: 1/28/2016



Note: Grey Shading Represents Area Outside of the City Limits

Zone Atlas Page:  
**B-19-Z**

Selected Symbols

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





UPC: 101906423451521930

Owner: EL-EMAWY ABDEL-RAHMAN

Owner Address: 6716 BECK DR NE ALBUQUERQUE NM 87109

Situs Address: ESMail CT NE ALBUQUERQUE NM 87113

Legal Description: LT 1-P1 CORR PLAT FOR LA VISTA AT DESERT RIDGE

TRAILS (BEING A REPL OF LTS 15, 16 & A PORT OF LT 18 BLK 1

NORTHALBUQ ACRES TRS 2 UNIT 3 & A PORT OF AMAFCA RIGHT OF WAY)

Acres: 0.1326

UPC: 101906424451521928

Owner: EL-EMAWY ABDEL-RAHMAN & EL-EMAWY OMAR A

Owner Address: 6716 BECK DR NE ALBUQUERQUE NM 87109-3760

Situs Address: ESMail CT NE ALBUQUERQUE NM 87113

Legal Description: LT 3-P1 CORR PLAT FOR LA VISTA AT DESERT RIDGE

TRAILS (BEING A REPL OF LTS 15, 16 & A PORT OF LT 18 BLK 1

NORTHALBUQ ACRES TR 2 UNIT 3 & A PORT OF AMAFCA ROW) CONT .1306

Acres: 0.1306

UPC: 101906425451421926

Owner: EL-EMAWY ABDEL-RAHMAN

Owner Address: 6716 BECK DR NE ALBUQUERQUE NM 87109

Situs Address: ESMail CT NE ALBUQUERQUE NM 87113

Legal Description: LT 5-P1 CORR PLAT FOR LA VISTA AT DESERT RIDGE

TRAILS (BEING A REPL OF LTS 15, 16 & A PORT OF LT 18 BLK 1

NORTHALBUQ ACRES TRS 2 UNIT 3 & A PORT OF AMAFCA ROW) CONT

Acres: 0.155

UPC: 101906425451421926

Owner: EL-EMAWY ABDEL-RAHMAN

Owner Address: 6716 BECK DR NE ALBUQUERQUE NM 87109

Situs Address: ESMail CT NE ALBUQUERQUE NM 87113

Legal Description: LT 5-P1 CORR PLAT FOR LA VISTA AT DESERT RIDGE

TRAILS (BEING A REPL OF LTS 15, 16 & A PORT OF LT 18 BLK 1

NORTHALBUQ ACRES TRS 2 UNIT 3 & A PORT OF AMAFCA ROW) CONT

Acres: 0.155



## OFFICIAL NOTICE OF DECISION

CITY OF ALBUQUERQUE  
PLANNING DEPARTMENT  
DEVELOPMENT REVIEW BOARD

March 9, 2011

### **Project# 1008589**

10DRB-70327 VACATION OF PUBLIC RIGHT-OF-WAY  
10DRB-70328 VACATION OF PUBLIC EASEMENT  
10DRB-70329 MINOR - TEMPORARY DEFERRED SIDEWALK CONST  
10DRB-70330 MAJOR - PRELIMINARY PLAT APPROVAL

ESMAIL HAIDARI request(s) the referenced/ above action(s) for all or a portion of Lot(s) 15, 16, AND 18, Block 1, **NORTH ALBUQUERQUE ACRES Tract 2, Unit 3**, zoned R-D, located on the west side of WYOMING BLVD NE between EAGLE ROCK NE and MODESTO AVE NE containing approximately 2.3961 acre(s). (C-19)

At the March 9, 2011 Development Review Board meeting, the vacations were approved as shown on Exhibit 'B' in the Planning file, based on the following Findings:

### Findings

The Subdivision Ordinance, Sections 14-14-7-2(B)(1) & (3), specify that a vacation may be approved only when the following items are determined:

#### **The public welfare is in no way served by retaining the way or easement;**

The City of Albuquerque does not need to utilize the existing Public Roadway Easement for roadway purposes based on the proposed subdivision, and AMAFCA has quit claimed the Public Drainage Easement because it is not needed.

#### **There is no convincing evidence that any substantial property right is being abridged against the will of the owner of the right.**

Property owners of record abutting the proposed vacation were notified by first class mail at least six days prior to the Development Review Board hearing approving the vacation and no objection regarding access or the abridgement of a substantial property right was raised.

### CONDITIONS:

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

The temporary deferral of construction of sidewalks on the interior streets was approved as shown on Exhibit 'C' in the Planning file.

The Board found evidence of similar non-uniform lots in blocks 3 and 6 of adjacent Desert Ridge Trails Unit 1 Subdivision as proposed with this subdivision. With an approved grading and drainage plan engineer stamp dated March 1, 2011 and with the signing of the infrastructure list dated March 9, 2011 the preliminary plat was approved.

CONDITIONS:

1. Detached open space shall be calculated and compliance with Section 14-16-3-8 (A) of the Zoning Code shall be noted on the Final plat; this may require cash payment to be received prior to Final plat.

2. The proposed Lot 9P-1 shall be designated as "Tract" or "Parcel" on the Final plat, and restrictions on further platting of this Tract or Parcel shall be prominently noted on the Final plat.

If you wish to appeal this decision, you must do so by March 24, 2011 in the manner described below.

Appeal is to the Land Use Hearing Officer. Any person aggrieved with any determination of the Development Review Board may file an appeal on the Planning Department form, to the Planning Department; the date the determination in question is issued is not included in the 15-day period for filing an appeal [If the fifteenth day falls on a Saturday, Sunday or holiday as listed in the Merit System Ordinance, the next working day is considered as the deadline for filing the appeal]. Such appeal shall be heard within 60 days of its filing. You will receive notice if any other person files an appeal. Successful applicants are reminded that other requirements of the City must be complied with, even after approval of the referenced application(s).

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

  
Jack Cloud, DRB Chair

Cc: Esmail Haidari – 12008 Gazelle Place NE – Albuquerque, NM 87111  
Cc: Steve Marcum Managing Member – SBAIb Real Estate Holdings, LLC. –  
219 Central Ave. NW Ste. 100 – Albuquerque, NM 87102  
Marilyn Maldonado  
Scott Howell  
File