

7. **Project# 1007099**  
14DRB-70140 AMENDMENT TO  
PRELIMINARY PLAT/  
INFRASTRUCTURE LIST

ISAACSON AND ARFM PA agent(s) for SANDIA FOUNDATION request(s) the above action(s) for all or a portion of Tract(s) A-1, **(TBKA TRACTS A-1A & A-1B), BLOCKS 16 & 17, ZUNI ADDITION** zoned SU-1 FOR C-2 PERMISSIVE USES, located on MENAUL BETWEEN MESILLA AND PENNSYLVANIA containing approximately 4.132 acre(s). (H-19) **THE AMENDED INFRASTRUCTURE LIST DATED 5/14/14 WAS APPROVED. THIS AMENDMENT DOES NOT EXTEND THE EXPIRATION DATE OF THE ALREADY APPROVED PRELIMINARY PLAT.**

8. **Project# 1009438**  
14DRB-70019 –FINAL PLAT  
APPROVAL

CONSENSUS PLANNING agents for RPS I-25 & VASSAR LLC, ET. AL. request Vacation of Road Right of Way/ Easements for portions of DAYTONA RD NW, LOS VOLCANOS RD NW, BLUEWATER RD NW, 90<sup>th</sup> ST NW and 94<sup>th</sup> ST NW as well as vacation of other easements within portions of Tracts A-C, **AVALON SUBDIVISION UNIT 4; Tracts 4-7, TOWN OF ATRISCO GRANT; Tracts B-11 thru B-13, B-22 thru B-27, and B-29 thru B-33, TOWN OF ATRISCO GRANT UNIT 5, Tract B-14A, UNSER DIVERSION CHANNEL CORRIDOR; Tract C, WESTRIDGE MOBILE HOME PARK PHASE 2; and Tracts 14-16, LAND OF C.H. HALL** zoned SU-1/ IP and SU-1 FOR IP & C-2 WITH EXCEPTIONS, located on the south side of I-40 between 90TH ST NW and 98TH ST NW containing approximately 172.4503 acres. (J-9 & K-9) *[Indefinitely deferred on 3/05/14, 5/7/14]* **THE FINAL PLAT WAS APPROVED WITH FINAL SIGN OFF DELEGATED TO PLANNING TO RECORD.**

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

9. **Project# 1010050**  
14DRB-70142 SKETCH PLAT  
REVIEW AND COMMENT

SANDIA LAND SURVEYING LLC agent(s) for JOHN E MECHENBIER request(s) the above action(s) for all or a portion of Lot(s) 7 & 8, Block 3, Tract A, Unit B, **NORTH ALBUQUERQUE ACRES**, zoned SU-2/IP, located on I-25 AND SAN MATEO containing approximately 1.7581 acre(s). (B-18) **THE SKETCH PLAT WAS REVIEWED AND COMMENTS WERE PROVIDED.**

10. Other Matters: none  
Adjourned.



DRB CASE ACTION LOG - BLUE SHEET

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

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

*Site Plans:* It is the responsibility of the applicant/agent/developer/owner to insert the DRB approved Site Plan for Subdivision and/or Site Plan for Building Permit in each copy of building permit plansets. If the building permit plans have been submitted prior to the Site Plan for Subdivision and/or Site Plan for Building Permit being signed-off, then it is the responsibility of the applicant/agent/developer/owner to insert a copy of the signed-off Site Plan for Subdivision and/or Site Plan for Building Permit in each copy of the building permit plansets.

Project #: 1009438

Application #: 14DRB-70019

Project Name: Avalon

Agent: CONSENSUS PLANNING

Phone #:

\*\*Your request was approved on 5-14-14 by the DRB with delegation of signature(s) to the following departments - outstanding comments to be addressed\*\*

TRANSPORTATION:

ABCWUA:

CITY ENGINEER / AMAFCA:

PARKS / CIP:

PLANNING (Last to sign): done Separate Bulk Land Notice  
to record

PLATS:

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

- The original plat and a mylar copy for the County Clerk.
- Tax certificate from the County Treasurer.
- Recording fee (checks payable to the County Clerk). RECORDED DATE: \_\_\_\_\_
- Tax printout from the County Assessor.
- County Treasurer's signature must be obtained prior to the recording of the plat with County Clerk.

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

ALL SITE PLANS:

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



## OFFICIAL NOTICE OF DECISION

CITY OF ALBUQUERQUE  
PLANNING DEPARTMENT  
DEVELOPMENT REVIEW BOARD

March 5, 2014

### **Project# 1009438**

14DRB-70018 – BULK LAND VARIANCE

14DRB-70019 – PRELIMINARY/ FINAL PLAT APPROVAL

14DRB-70039 VACATION OF PUBLIC RIGHT-OF-WAY

14DRB-70038 VACATION OF PUBLIC EASEMENTS

CONSENSUS PLANNING agents for RPS I-25 & VASSAR LLC, ET. AL. request the referenced/ above actions including Vacation of Road Right of Way/ Easements for portions of DAYTONA RD NW, LOS VOLCANOS RD NW, BLUEWATER RD NW, 90<sup>th</sup> ST NW and 94<sup>th</sup> ST NW as well as vacation of other easements within portions of Tracts A-C, **AVALON SUBDIVISION UNIT 4**; Tracts 4-7, **TOWN OF ATRISCO GRANT**; Tracts B-11 thru B-13, B-22 thru B-27, and B-29 thru B-33, **TOWN OF ATRISCO GRANT UNIT 5**, Tract B-14A, **UNSER DIVERSION CHANNEL CORRIDOR**; Tract C, **WESTRIDGE MOBILE HOME PARK PHASE 2**; and Tracts 14-16, **LAND OF C.H. HALL** zoned SU-1/ IP and SU-1 FOR IP & C-2 WITH EXCEPTIONS, located on the south side of I-40 between 90TH ST NW and 98TH ST NW containing approximately 172.4503 acres. (J-9 & K-9) [*deferred from 2/19/14*]

At its March 5, 2014 meeting, the Development Review Board concluded an advertised public hearing on the proposed vacations per section 14-14-7-2(F) of the Subdivision Ordinance. After concluding its public hearing, the Board recommends APPROVAL to the City Council of the vacation requests as shown on *the attached* Exhibit "C" and in the Planning file, based on the following recommended Findings per sections 14-14-7-2(A)(1), (B)(1), and (B)(3) of the Subdivision Ordinance, and subject to the following recommended Conditions of Approval per sections 14-14-7-2(F)(3)(c) and 14-14-7-2(F)(4) of the Subdivision Ordinance. The Bulk Land Variance was approved subject to the Findings per sections 14-14-6-3(A) of the Subdivision Ordinance and the Notice of Plat Conditions. The Preliminary Plat was conditionally approved; Final Plat was indefinitely deferred pending City Council approval of the vacation, updated Franchised Utility Signatures, and revised easements.

### BULK LAND VARIANCE FINDINGS:

- (1) The variance will not be injurious to the public safety, health or welfare, or to adjacent property, the neighborhood or the community; and
- (2) The variance will not conflict significantly with the goals and provisions of any city, county, or AMAFCA adopted plan or policy, the applicable zoning ordinance, or any other city code or ordinance; and
- (3) The variance will not permit, encourage or make possible undesired development in the 100-year Floodplain; and
- (4) The variance will not hinder future planning, public right-of-way acquisition, or the financing or building of public infrastructure improvements; and
- (5) Use of the land for building purposes is not expected by the Development Review Board prior to further subdivision or zoning site development plan approval.

VACATION FINDINGS:

(A)(1) The vacation of public right-of-way request was filed by the owners of a majority of the footage of land abutting the proposed vacation.

(B)(1) Based on the required replat with alternate road dedication, the public welfare is in no way served by retaining the public ways. The City of Albuquerque does not need to utilize the platted streets for roadway purposes based on the proposed lot and street configuration.

(B)(3) 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, notice was published in a newspaper of general circulation 15 days before the date of the hearing, and signs were posted on the site 15 days prior to the hearing; no objection regarding access or the abridgement of a substantial property right was raised.

CONDITIONS:

1. Final vacated right of way disposition shall be through the City Real Estate Office.
  2. The vacations 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.
  3. Adequate easements shall be retained/ provided for public utilities, drainage and infrastructure; franchised utility companies shall acknowledge the vacation and adequate easements by their signature on the replat.
- 

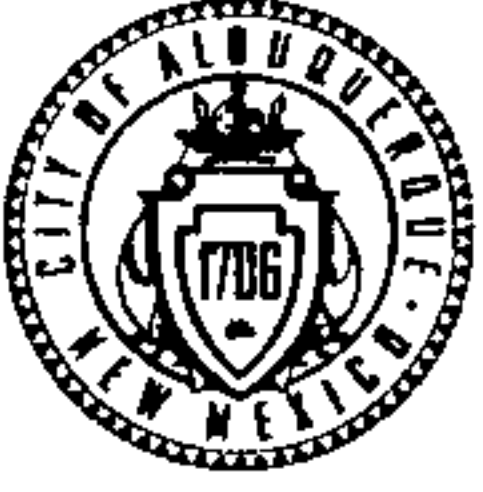
PROTEST: IT IS NOT POSSIBLE TO APPEAL DRB RECOMMENDATIONS TO CITY COUNCIL; RATHER, A FORMAL PROTEST OF THE DRB's RECOMMENDATION CAN BE FILED WITHIN THE 15 DAY PERIOD FOLLOWING THE DRB's DECISION, WHICH IS BY March 20, 2014.

Protest is to the City Council. Any person aggrieved with this determination of the Development Review Board may file a protest on the Planning Department form, to the Planning Department, within 15 days of the Development Review Board's decision. The date the determination in question is issued is not included in the 15-day period for filing a protest. 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 protest. You will receive notice if any other person files a protest.

Successful applicants are reminded that other requirements of the City must be complied with, even after approval of the referenced application(s).

  
Jack Cloud, DRB Chair

Cc: CONSENSUS PLANNING  
File



CITY OF ALBUQUERQUE  
 PLANNING DEPARTMENT  
 DEVELOPMENT REVIEW BOARD

Tr 4 + 5

March 5, 2014

**Project# 1009438**  
 14DRB-70039 VACATION OF PUBLIC RIGHT-OF-WAY  
 14DRB-70038 VACATION OF PUBLIC EASEMENTS

CONSENSUS PLANNING agents for RPS I-25 & VASSAR LLC, ET. AL. request Vacation of Road Right of Way/ Easements for portions of DAYTONA RD NW, LOS VOLCANOS RD NW, BLUEWATER RD NW, 90<sup>th</sup> ST NW and 94<sup>th</sup> ST NW as well as vacation of other easements within portions of Tracts A-C, **AVALON SUBDIVISION UNIT 4**; Tracts 4-7, **TOWN OF ATRISCO GRANT**; Tracts B-11 thru B-13, B-22 thru B-27, and B-29 thru B-33, **TOWN OF ATRISCO GRANT UNIT 5**, Tract B-14A, **UNSER DIVERSION CHANNEL CORRIDOR**; Tract C, **WESTRIDGE MOBILE HOME PARK PHASE 2**; and Tracts 14-16, **LAND OF C.H. HALL** zoned SU-1/ IP and SU-1 FOR IP & C-2 WITH EXCEPTIONS, located on the south side of I-40 between 90TH ST NW and 98TH ST NW containing approximately 172.4503 acres. (J-9 & K-9)

<b>AMAFCA</b> No comments provided.
<b>COG</b> No comments provided.
<b>TRANSIT</b> No comments provided.
<b>ZONING ENFORCEMENT</b> No comments provided.
<b>NEIGHBORHOOD COORDINATION</b> Affected NA/HOA's – Avalon NA (R)
<b>APS</b> This will have no adverse impacts to the APS district.
<b>POLICE DEPARTMENT</b> This project is in the Southwest Area Command. No Crime Prevention or CPTED comments concerning the proposed Vacation of Public Easement request at this time.
<b>FIRE DEPARTMENT</b> No comments provided.
<b>PNM ELECTRIC</b> It appears that PNM may have a overhead line in the southern roadway to be vacated, PNM requests that a Utility easement remain for the line.

<b>COMCAST</b> No comments provided.
<b>CENTURYLINK</b> No comments provided.
<b>ENVIRONMENTAL HEALTH</b> No comments provided.
<b>M.R.G.C.D</b> No comments provided.
<b>OPEN SPACE DIVISION</b> No comments provided.
<b>CITY ENGINEER</b>
<b>TRANSPORTATION DEVELOPMENT</b> Bluewater Road is designated a Collector on the Long Range Roadway System map and it also presently contains on on-street bicycle lanes along the southern boundary of this property from the east up to Adonai Road. When Bluewater Road is extended west to 98 <sup>th</sup> St. these bicycle lanes should be extended as well. NMDOT should be consulted regarding access-control limitations on 98 <sup>th</sup> St. that extend south from the 98 <sup>th</sup> St./I-40 interchange along the west boundary of this property. <i>Note: Comments provided by John McKenzie - DMD</i>
<b>PARKS AND RECREATION</b>
<b>ABCWUA</b>
<b>PLANNING DEPARTMENT</b>

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



CITY OF ALBUQUERQUE  
 PLANNING DEPARTMENT  
 DEVELOPMENT REVIEW BOARD

February 19, 2014

**Project# 1009438**

14DRB-70018 – BULK LAND VARIANCE

14DRB-70019 – PRELIMINARY/ FINAL PLAT APPROVAL

CONSENSUS PLANNING agents for RPS I-25 & VASSAR LLC, ET. AL. request the referenced/ above actions for all or a portion of Tracts A-C, **AVALON SUBDIVISION UNIT 4**; Tracts 4-7, **TOWN OF ATRISCO GRANT**; Tracts B-11 thru B-13, B-22 thru B-27, and B-29 thru B-33, **TOWN OF ATRISCO GRANT UNIT 5**, Tract B-14A, **UNSER DIVERSION CHANNEL CORRIDOR**; Tract C, **WESTRIDGE MOBILE HOME PARK PHASE 2**; and Tracts 14-16, **LAND OF C.H. HALL** zoned SU-1/ IP and SU-1 FOR IP & C-2 WITH EXCEPTIONS, located on the south side of I-40 between 90TH ST NW and 98TH ST NW containing approximately 172.4503 acres. (J-9 & K-9)

**AMAFCA**

Avalon Subdivision, Unit 5, (J-9, K-9)

1. AMAFCA cannot approve vacation of the AMAFCA Floodplain Easement (99C-31) until the AMAFCA Board of Directors approves the Quitclaim Deed for the easement.
2. The grant of easement designation for the Mirehaven Arroyo will be changed to “Temporary Floodplain Easement,” and AMAFCA’s standard dedication language will be added.
3. The easement width will be at least 5 feet beyond the existing FEMA floodplain limit on each side.
4. AMAFCA will sign the Final Plat.

**COG**

No comment provided

**TRANSIT**

No comment provided

**ZONING ENFORCEMENT**

No comment provided

**NEIGHBORHOOD COORDINATION**

Affected NA/HOA’s - Avalon NA (R)

**APS**

No comment provided

**POLICE DEPARTMENT**

No comment provided



<b>FIRE DEPARTMENT</b> No Comments
<b>PNM ELECTRIC &amp; NMGCO</b> No comment provided
<b>COMCAST</b> No comment provided
<b>CENTURYLINK</b> No comment provided
<b>ENVIRONMENTAL HEALTH</b> No comment provided
<b>M.R.G.C.D</b> No comment provided
<b>OPEN SPACE DIVISION</b> Open Space has no adverse comments
<b>CITY ENGINEER</b>
<b>TRANSPORTATION DEVELOPMENT</b> Per the Long Range Bikeway System Map, Bluewater Rd. and 98 <sup>th</sup> St. are proposed to contain on-street bicycle lanes. On the Long Range Roadway System Map, Bluewater Rd. is designated as a Collector and 98 <sup>th</sup> St. is designated as a Principal Arterial. The 98 <sup>th</sup> St. and I-40 interchange is a NMDOT-maintained facility with access control limitations that extend south from I-40 in the proximity of this request. See NMDOT comments for further information. <i>Note: comments provided by John McKenzie - DMD</i>
<b>PARKS AND RECREATION</b> Parks and Recreation Department has no comments
<b>ABCWUA</b> <hr/> Replace "...encouraged to coordinate with the ABCWUA" with "...required to coordinate with the ABCWUA".
<b>PLANNING DEPARTMENT</b> Approval of this application must be deferred to be heard concurrent with or subsequent to the vacations required for the proposed plat. For the plat, please remove owners' names from Sheets 5 & 6 and remove hatching from underneath/ over printed information ("AREA", "R.O.W." ETC.). Refer to comments from affected agencies plus any public hearing comments regarding proposed Bulk Land Variance.

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

**CITY OF ALBUQUERQUE  
PLANNING DEPARTMENT  
December 12, 2012  
DRB Comments**

**ITEM # 7**

**PROJECT # 1009438**

**APPLICATION # 12-70371**

**RE: Proposed Avalon Subdivision Unit 5**

Regarding previous comments for a bulk land variance which requires a finding that it would “not hinder future planning...or building of public infrastructure improvements,” the demonstration of a rational nexus for requirements related to future site development plans would be simplified by combining proposed Tracts 2 and 7 into a single parcel and creating a Public Roadway Easement rather than right of way.

---

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

# City of Albuquerque Planning Department

## DEVELOPMENT AND BUILDING SERVICES

STANDARD APPLICATION, Paper Plans Required

### DEVELOPMENT REVIEW BOARD

02/13/2014 Issued By: BLDAVM 225462

Category Code **910**  
**2014 070 038**

**Application Number:** 14DRB-70038, Vacation Of Public Easement

**Address:**

**Location Description:** BLUEWATER BETWEEN 98TH ST AND WEST OF 90TH ST

**Project Number:** 1009438

#### Applicant

RPS I-25 & VASSAR LLC  
KURT BROWNING  
6300 RIVERSIDE PLAZA LN NW  
ALBUQUERQUE NM 87120

#### Agent / Contact

CONSENSUS PLANNING  
JAMES STROZIER  
302 8TH ST NW  
ALBUQUERQUE NM 87102

CP@CONSENSUSPLANNING

#### Application Fees

<b>APN Fee</b>	<b>\$75.00</b>
<b>Conflict Mgmt Fee</b>	<b>\$20.00</b>
<b>DRB Actions</b>	<b>\$135.00</b>
<b>TOTAL:</b>	<b>\$230.00</b>

City of Albuquerque Treasury  
Date: 2/13/2014 Office: ANMEX  
Stat ID: W50000099 Cashier: TRSMAB  
Batch: 3247 Trans #: 9  
Permit: 2014070038  
Receipt Num 00178865  
Payment Total: \$230.00  
0900 APN Fee \$75.00  
0901 Conflict Mgmt. Fee \$20.00  
0903 DRB Actions \$135.00  
Check Tendered: \$230.00

# City of Albuquerque Planning Department

## DEVELOPMENT AND BUILDING SERVICES

STANDARD APPLICATION, Paper Plans Required

### DEVELOPMENT REVIEW BOARD

02/13/2014 Issued By: BLDAVM 225466

Category Code **910**  
**2014 070 039**

**Application Number:** 14DRB-70039, Vacation Of Public Right-Of-Way

**Address:**

**Location Description:** BLUEWATER BETWEEN 98TH ST AND WEST OF 90TH ST

**Project Number:** 1009438

#### Applicant

RPS I-25 & VASSAR LLC  
KURT BROWNING  
6300 RIVERSIDE PLAZA LN NW  
ALBUQUERQUE NM 87120

#### Agent / Contact

CONSENSUS PLANNING  
JAMES STROZIER  
302 8TH ST NW  
ALBUQUERQUE NM 87102

CP@CONSENSUSPLANNING

#### Application Fees

APN Fee

Conflict Mgmt Fee

DRB Actions **\$600.00**

**TOTAL: \$600.00**

City of Albuquerque Treasury  
Date: 2/13/2014 Office: ANHEX  
Stat ID: W5000009 Cashier: TRSHAB  
Batch: 3247 Trans #: 9  
Permit: 2014070039  
Receipt Num 00178864  
Payment Total: \$600.00  
0903 DRB Actions  
Check Tendered : \$600.00  
\$230.00

Complete  
5-23-14

DRB CASE ACTION LOG - BLUE SHEET

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

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

*Site Plans:* It is the responsibility of the applicant/agent/developer/owner to insert the DRB approved Site Plan for Subdivision and/or Site Plan for Building Permit in each copy of building permit plansets. If the building permit plans have been submitted prior to the Site Plan for Subdivision and/or Site Plan for Building Permit being signed-off, then it is the responsibility of the applicant/agent/developer/owner to insert a copy of the signed-off Site Plan for Subdivision and/or Site Plan for Building Permit in each copy of the building permit plansets.

Project #: 1009438

Application #: 14DRB-70019

Project Name: Avalon

Agent: CONSENSUS PLANNING

Phone #:

\*\*Your request was approved on 5-14-14 by the DRB with delegation of signature(s) to the following departments - outstanding comments to be addressed\*\*

TRANSPORTATION:

ABCWUA:

CITY ENGINEER / AMAFCA:

PARKS / CIP:

PLANNING (Last to sign): dxl, Separate Bulk Land Notice  
Real Property to record

PLATS:

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

- The original plat and a mylar copy for the County Clerk.
- Tax certificate from the County Treasurer.
- Recording fee (checks payable to the County Clerk). RECORDED DATE: \_\_\_\_\_
- Tax printout from the County Assessor.
- County Treasurer's signature must be obtained prior to the recording of the plat with County Clerk.

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

ALL SITE PLANS:

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

“NOTICE OF SUBDIVISION PLAT CONDITIONS”  
PLAT OF TRACTS 1 THROUGH 12 AVALON SUBDIVISION UNIT 5  
ALBUQUERQUE, BERNALILLO COUNTY, NEW MEXICO  
JANUARY 2013

The Plat of Tracts 1 through 12 Avalon Subdivision Unit 5 has been granted a variance or waiver from certain subdivision requirements pursuant to Section 14-14-6-1 of the City of Albuquerque Subdivision Ordinance.

Future subdivision of lands within this plat, zoning Site Development Plan approvals, and development permits may be conditioned upon dedication of rights-of-way and easements, and/or upon infrastructure improvements by the owner for water, sanitary sewer, streets, drainage, grading and parks in accordance with current resolutions, ordinances and policies in effect at the time for any specific proposal.

The City and AMAFCA (with reference to drainage) may require and/or permit easements to be added, modified, or removed when future plats and/or Site Development Plans are approved.

By its approval of this subdivision the City of Albuquerque makes no representation or warranties as to availability of utilities, or final approval of all requirements including (but not limited to) the following items: water and sanitary sewer availability; future street dedications and/or improvements; park and open space requirements; drainage requirements and/or improvements; and, excavation, filling or grading requirements. Any person intending development of lands within this subdivision is cautioned to investigate the status of these items.

At such time as all such conditions have been satisfactorily met, the City Engineer shall approve a recordable document, removing such conditions from all or from a portion of the area within the subject subdivision.

**ACKNOWLEDGED:**

Denise Penners  
Land Owner  
Curb, Inc.  
Denise Penners, President

Gal Chus  
Chairperson  
Development Review Board

STATE OF NEW MEXICO    )  
   ) ss  
COUNTY OF BERNALILLO   )

This instrument was acknowledged before me on MAY 14, 2014, by Denise Penners, President, Curb Inc.

[Signature]  
Notary Public

My Commission Expires:  
10/2/2015

OFFICIAL SEAL  
RICHARD J. SQUIRES  
NOTARY PUBLIC-STATE OF NEW MEXICO  
My commission expires 10/2/2015

Denise Penners

Land Owner  
Bluewater North, LLC  
Denise Penners, Managing Member

STATE OF NEW MEXICO )  
 ) ss  
COUNTY OF BERNALILLO )

This instrument was acknowledged before me on MAY 14<sup>th</sup>,  
2014, by Denise Penners, Managing Member, Bluewater North LLC.

[Signature]  
Notary Public

My Commission Expires:

10/2/2015



OFFICIAL SEAL  
RICHARD J. SQUIRES  
NOTARY PUBLIC-STATE OF NEW MEXICO

My commission expires: 10/2/2015

Denise Penners

Land Owner  
Bluewater 98TH, LLC  
Denise Penners, Managing Member

STATE OF NEW MEXICO )  
 ) ss  
COUNTY OF BERNALILLO )

This instrument was acknowledged before me on MAY 14<sup>th</sup>,  
2014, by Denise Penners, Managing Member, Bluewater 98TH LLC.

[Signature]  
Notary Public

My Commission Expires:

10/2/2015



OFFICIAL SEAL  
RICHARD J. SQUIRES  
NOTARY PUBLIC-STATE OF NEW MEXICO

My commission expires: 10/2/2015

*BS*

Land Owner  
RPS I-25 & Vassar, LLC  
Ben Spencer, Managing Member

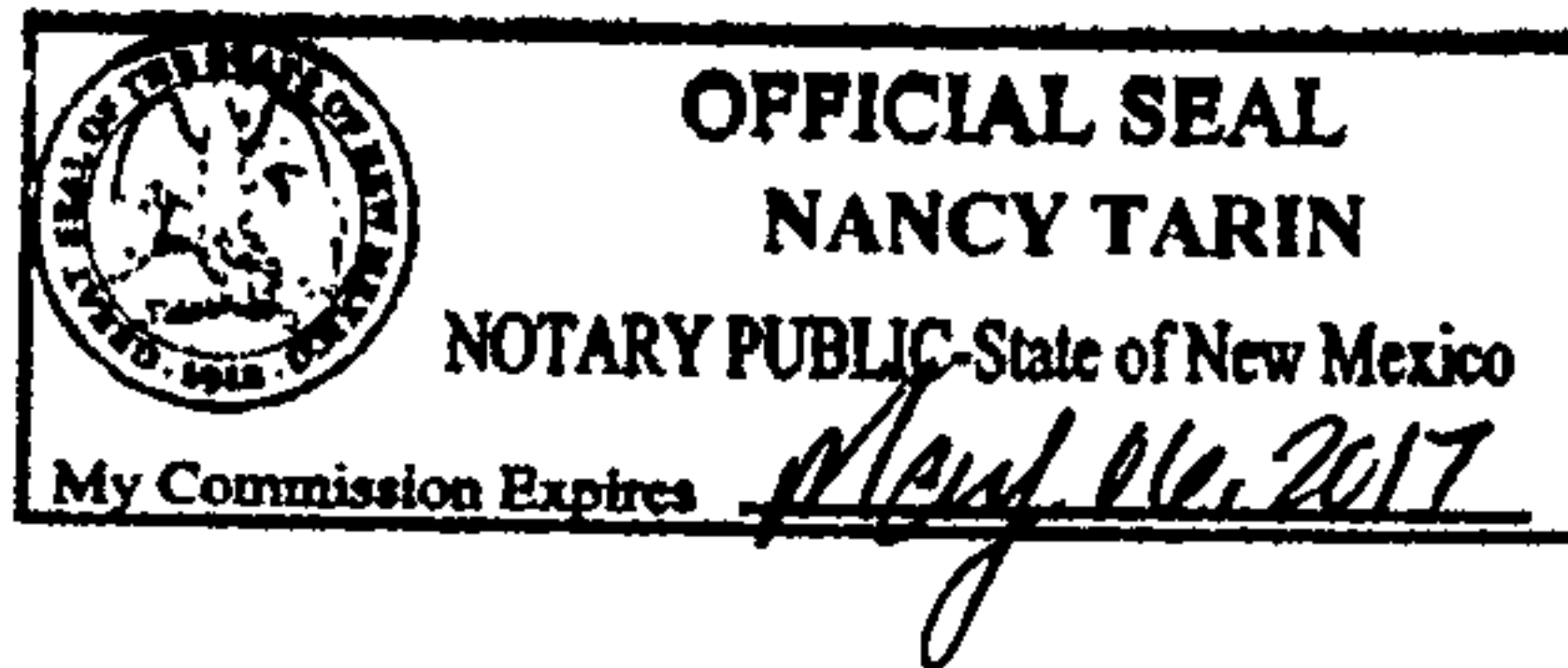
STATE OF NEW MEXICO )  
 ) ss  
COUNTY OF BERNALILLO )

This instrument was acknowledged before me on May 15,  
2014, by Ben Spencer, Managing Member, RPS I-25 & Vassar LLC.

*Nancy Tarin*  
\_\_\_\_\_  
Notary Public

My Commission Expires:

May 06, 2017



*Marie S. Baca*  
\_\_\_\_\_  
Land Owner  
Majec, LLC  
Marie S. Baca, Operating Manager

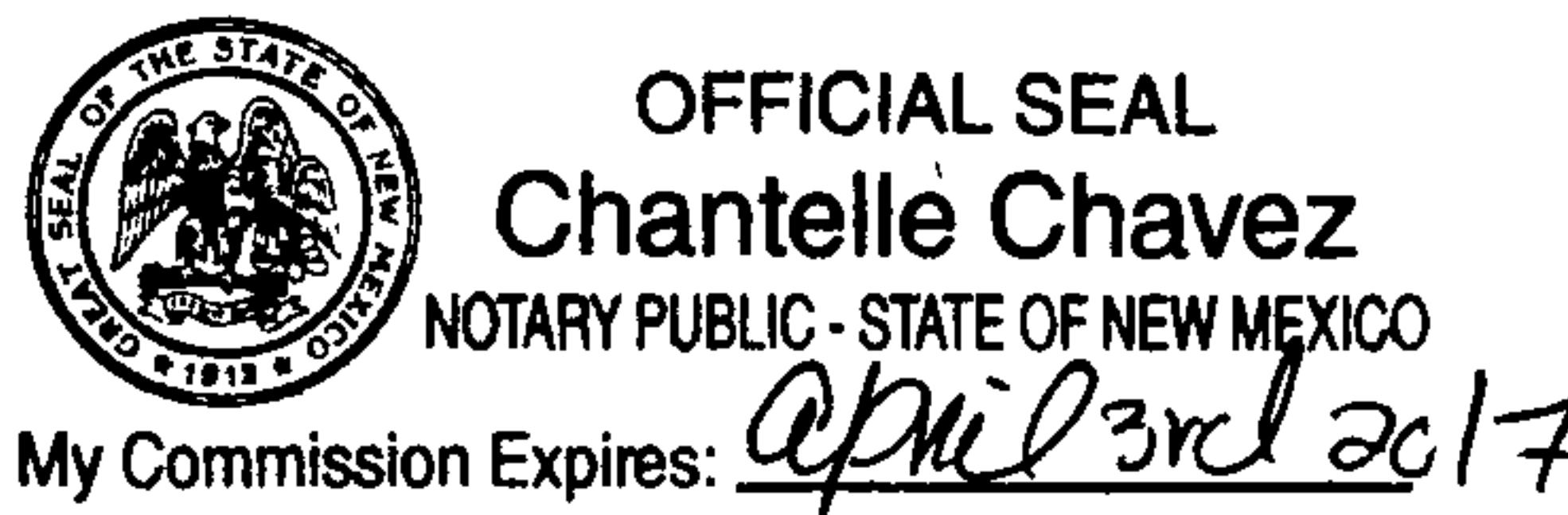
STATE OF NEW MEXICO )  
 ) ss  
COUNTY OF BERNALILLO )

This instrument was acknowledged before me on May 19,  
2014, by Marie S. Baca, Operating Manager, Majec LLC.

*Chantelle Chavez*  
\_\_\_\_\_  
Notary Public

My Commission Expires:

April 3rd, 2017





*Bo K. Johnson*

Land Owner  
Ivanhoe Investment, LLC  
Bo K. Johnson, Managing Member

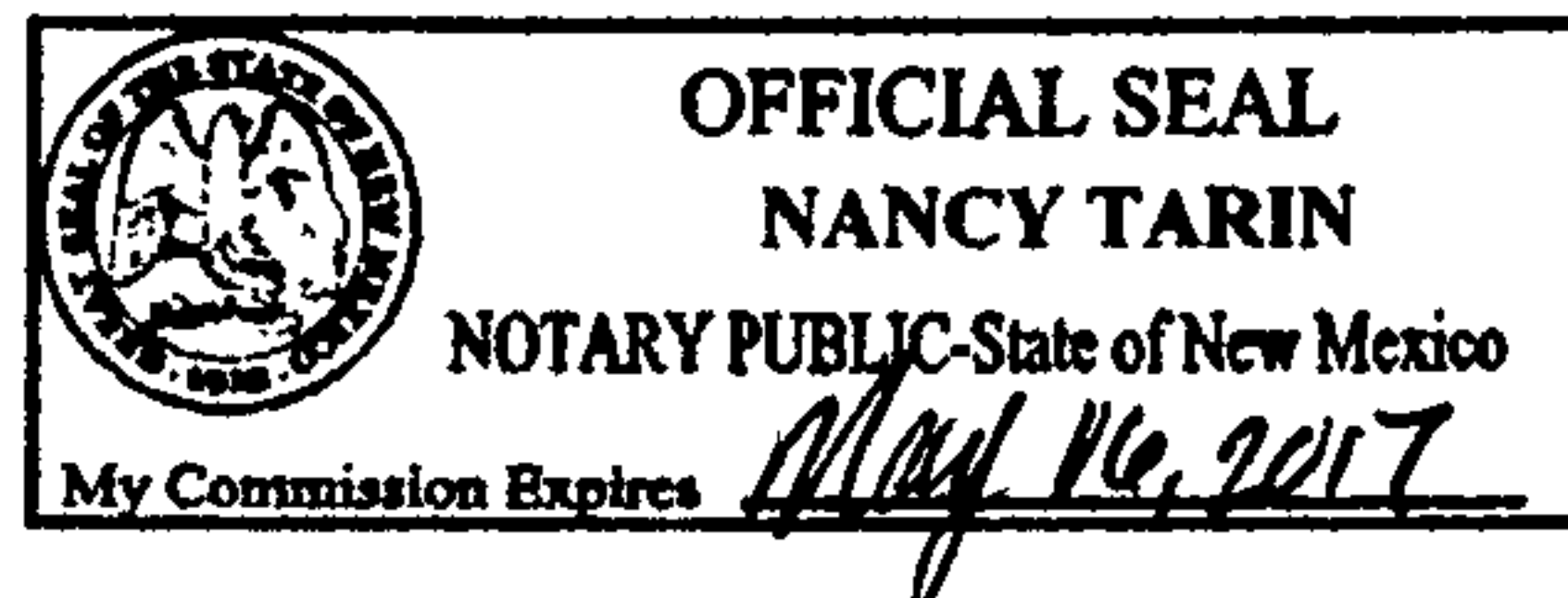
STATE OF NEW MEXICO )  
 ) ss  
COUNTY OF BERNALILLO )

This instrument was acknowledged before me on May 15,  
2014, by Bo K. Johnson, Managing Member, Ivanhoe Investment LLC.

*Nancy Tarin*  
Notary Public

My Commission Expires:

May 16, 2017



*Thomas Keleher*

Land Owner  
I-40 South, LLC  
Thomas Keleher, Managing Member

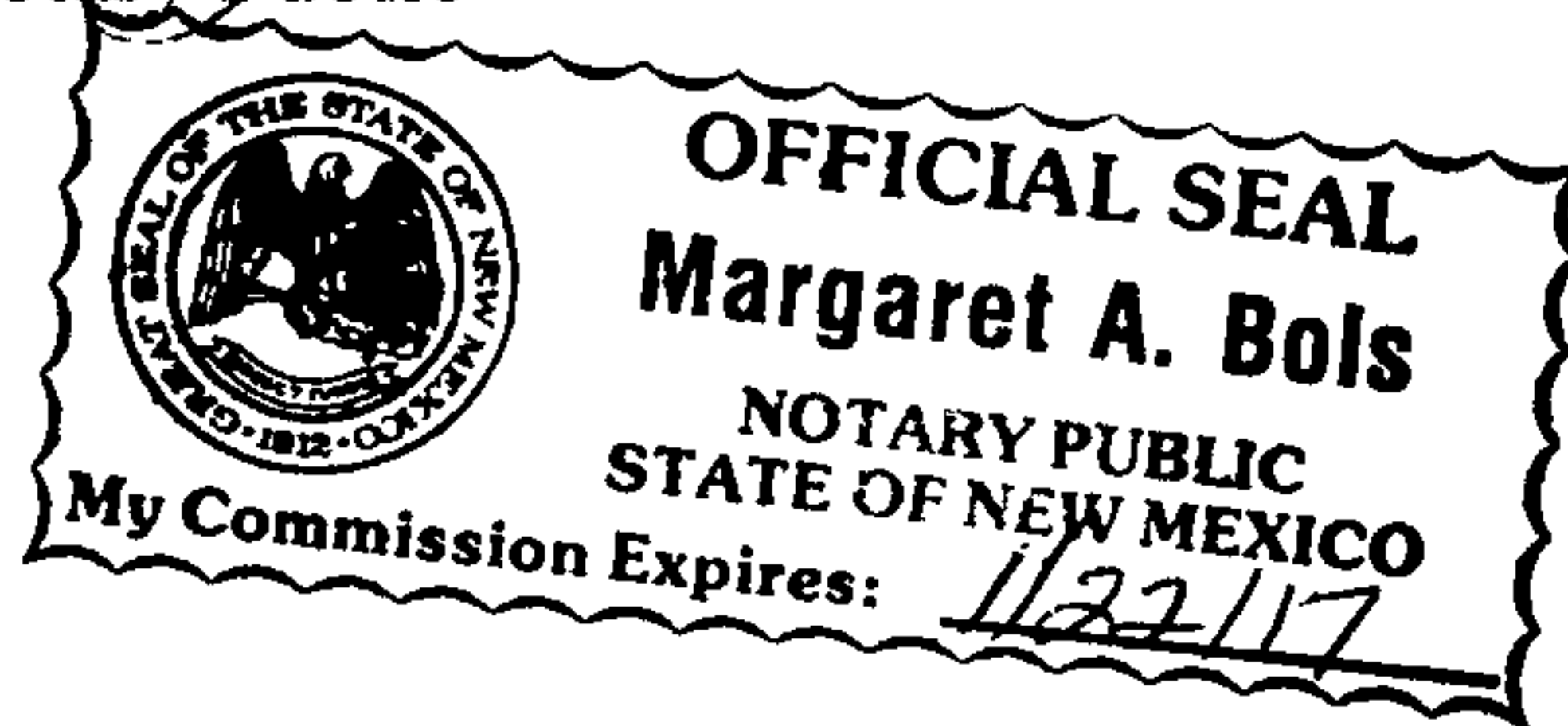
STATE OF NEW MEXICO )  
 ) ss  
COUNTY OF BERNALILLO )

This instrument was acknowledged before me on May 15,  
2014, by Thomas Keleher, Managing Member, I-40 South LLC.

*Margaret A. Bols*  
Notary Public

My Commission Expires:

11/22/17



Chris Bruckner

Land Owner

Bruckner Truck Sales Inc.

Christopher Bruckner, ~~President~~  
*EXECUTIVE VP*

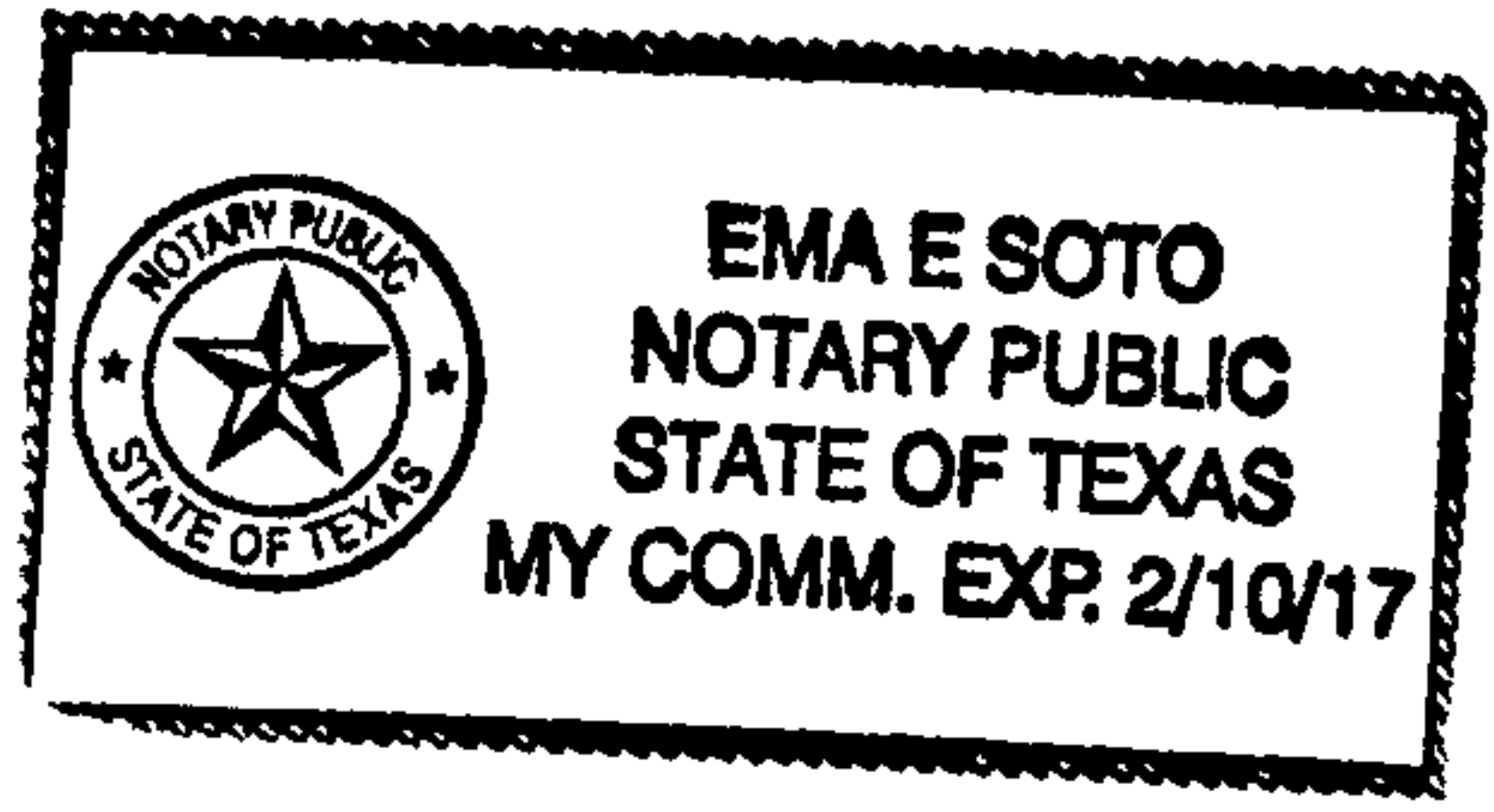
STATE OF NEW MEXICO )  
 ) ss  
COUNTY OF BERNALILLO )

This instrument was acknowledged before me on 16th of May 2014,  
2014, by Christopher Bruckner, President, Bruckner Truck Sales Inc.

Emma Soto  
Notary Public

My Commission Expires:

2/10/17





Supplemental Form (SF)

**SUBDIVISION**

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

**SITE DEVELOPMENT PLAN**

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

**STORM DRAINAGE (Form D)**

- Storm Drainage Cost Allocation Plan

**S Z ZONING & PLANNING**

- Annexation
- Zone Map Amendment (Establish or Change Zoning, includes Zoning within Sector Development Plans)
- 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
- Street Name Change (Local & Collector)
- APEAL / 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): Consensus Planning Inc. PHONE: 764.9801  
 ADDRESS: 302 8th St. NW FAX: 842.5495  
 CITY: Albuquerque STATE NM ZIP 87102 E-MAIL: cp@consensusplanning.com

APPLICANT: RPS I-25 & Vassar LLC (Kurt Browning) PHONE: 998.0163  
 ADDRESS: 6300 Riverside Plaza Lane NW FAX: 837.1061  
 CITY: Albuquerque STATE NM ZIP 87120 E-MAIL: kbrowning@titan-development.com  
 Proprietary interest in site: Owners List all owners: See plat

DESCRIPTION OF REQUEST: Vacation of public easement

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

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

Lot or Tract No. Tract A & C, Unit 4 Block: \_\_\_\_\_ Unit: \_\_\_\_\_  
 Subdiv/Addn/TBKA: Avalon  
 Existing Zoning: SU1 IP & SU1 for IP&C-2 with exceptions Proposed zoning: N/A MRGCD Map No \_\_\_\_\_  
 Zone Atlas page(s): J9 & K9 UPC Code: \_\_\_\_\_

**CASE HISTORY:**

List any current or prior case number that may be relevant to your application (Proj., App., DRB-, AX\_Z\_, V\_, S\_, etc.): 1008585, 1008586, 10EPC40069 & 40070, 11EPC40025 & 40026

**CASE INFORMATION:**

Within city limits?  Yes Within 1000FT of a landfill? NO  
 No. of existing lots: 26 No. of proposed lots: 12 Total site area (acres): 172.45

LOCATION OF PROPERTY BY STREETS: On or Near: Bluewater  
 Between: 98th St. and West of 90th St.

Check if project was previously reviewed by: Sketch Plat/Plan  or Pre-application Review Team(PRT)  Review Date: 9/12 & 12/12

SIGNATURE Jill Reisz Westlund for Jim Strozier DATE 1.24.14  
 (Print Name) Jill Reisz Westlund for Jim Strozier Applicant:  Agent:

**FOR OFFICIAL USE ONLY**

- 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  
14DRB - 70038  
 \_\_\_\_\_  
 \_\_\_\_\_  
70039

Action  
VPE  
CMF  
ADV  
VPR

Revised: 4/2012

S.F.	Fees
_____	\$ <u>135.00</u>
_____	\$ <u>20.00</u>
_____	\$ <u>75.00</u>
_____	\$ <u>600.00</u>
_____	\$ _____
Total	
\$ <u>830.00</u>	

Hearing date March 5, 2014

Project # 1009438

2-13-14  
 Staff signature & Date

**FORM V: SUBDIVISION VARIANCES & VACATIONS**

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

- VACATION OF PUBLIC EASEMENT (DRB27)**  
 **VACATION OF PUBLIC RIGHT-OF-WAY (DRB28)** **11/17**  
 \_\_\_ 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.

Jim Strozier  
 Applicant name (print)  
Jim Strozier for Jim Strozier  
 Applicant signature / date



Form revised 4/07

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

Application case numbers  
14 - DRB - 70038

[Signature] 2-13-14  
 Planner signature / date

Project # 1009438

# 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 Feb. 18, 2014 To March 5, 2014

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 give a copy of this sheet.

Raisi Westhead  
(Applicant or Agent)

2.13.14  
(Date)

I issued 5 signs for this application, 2-13-14  
(Date)

[Signature]  
(Staff Member)

DRB PROJECT NUMBER: 1009438

# City of Albuquerque Planning Department

## DEVELOPMENT AND BUILDING SERVICES

STANDARD APPLICATION, Paper Plans Required

### DEVELOPMENT REVIEW BOARD

01/24/2014 Issued By: E08375 223165

Category Code **910**  
**2014 070 019**

**Application Number:** 14DRB-70019, Minor - Preliminary/ Final Plat Approval

**Address:**

**Location Description:** BLUEWATER BETWEEN 98TH ST AND WEST OF 90TH ST

**Project Number:** 1009438

#### Applicant

RPS I-25 & VASSAR LLC  
KURT BROWNING  
6300 RIVERSIDE PLAZA LANE NW  
ALBUQUERQUE NM 87120  
998-0163

#### Agent / Contact

CONSENSUS PLANNING  
JAMES STROZIER  
302 8TH ST NW  
ALBUQUERQUE NM 87102

CP@CONSENSUSPLANNING

#### Application Fees

APN Fee

Conflict Mgmt Fee

DRB Actions

**\$985.00**

**TOTAL: \$985.00**

City of Albuquerque Treasury  
Date: 1/24/2014 Office: ANEXA  
Stat ID: W30000003 Cashier: TRSOAG  
Batch: 3158 Trans #: 24  
Permit: 2014070017  
Receipt Num 00174404  
Payment Total: \$985.00  
0703 DRB Actions  
VISA Tendered: \$1,225.00  
\$985.00

# City of Albuquerque Planning Department

## DEVELOPMENT AND BUILDING SERVICES

### STANDARD APPLICATION, Paper Plans Required

#### DEVELOPMENT REVIEW BOARD

01/24/2014 Issued By: E08375 223163

**Application Number:** 14DRB-70018, Bulk Land Variance

**Address:**

**Location Description:** BLUEWATER BETWEEN 98TH ST AND WEST OF 90TH ST

**Project Number:** 1009438

#### Applicant

RPS I-25 & VASSAR LLC  
KURT BROWNING  
6300 RIVERSIDE PLAZA LANE NW  
ALBUQUERQUE NM 87120  
998-0163

#### Agent / Contact

CONSENSUS PLANNING  
JAMES STROZIER  
302 8TH ST NW  
ALBUQUERQUE NM 87102

CP@CONSENSUSPLANNING

**Category Code 910**  
**2014 070 018**

Application Fees	
APN Fee	\$75.00
Conflict Mgmt Fee	\$20.00
DRB Actions	\$145.00
<b>TOTAL:</b>	<b>\$240.00</b>

City of Albuquerque Treasury  
Date: 1/24/2014 Office: AMMEX  
Stat ID: W5000008 Cashier: TRSCAS  
Batch: 3158 Trans #: 24  
Permit: 2014070018  
Receipt Num 00174403  
Payment Total: \$240.00  
0700 APN Fee \$75.00  
0701 Conflict Mgmt Fee \$20.00  
0703 DRB Actions \$145.00  
Visa tendered: \$1725.00

# SIGN POSTING AGREEMENT

## REQUIREMENTS

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#### 3. PHYSICAL POSTING

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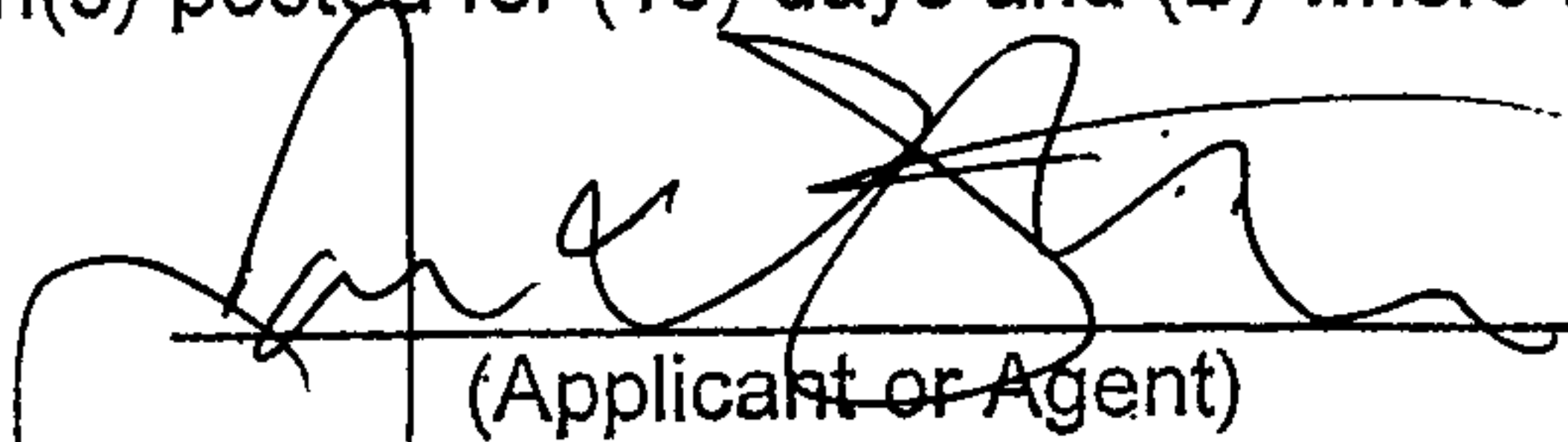
#### 4. TIME

Signs must be posted from February 4, 2014 To February 19, 2014

#### 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.

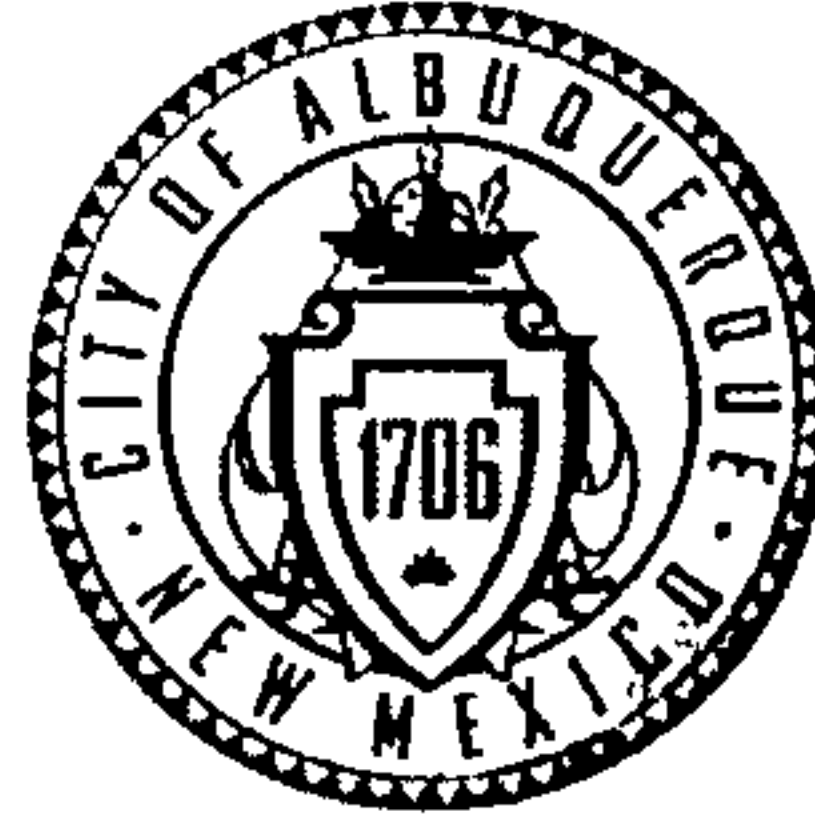
I have read this sheet and discussed it with the Development Services Front Counter Staff. I understand (A) my obligation to keep the sign(s) posted for (15) days and (B) where the sign(s) are to be located. I am being given a copy of this sheet.

  
\_\_\_\_\_  
(Applicant or Agent) 1-24-14  
(Date)

I issued 5 signs for this application, 1-24-14 \_\_\_\_\_  
(Date) (Staff Member)

DRB PROJECT NUMBER: 1009438





**INTER-OFFICE MEMORANDUM**

**COMMENTING AGENCIES**

<b>DEBBIE BAUMAN/ JOHN MAKENZIE -</b>	Transportation Development
<b>SHABIH RIZVI - KENDRA WATKINS/ ANDREW GINGERICH -</b>	Transit & Parking Department
<b>LYNN MAZUR - STEVE SINK - SUSANNAH ABBEY - ANTONIO CHINCHILLA - DAVID KILPATRICK - STEPHANI WINKLEPLECK - DANIEL ARAGON - PATRICK SANCHEZ - APRIL WINTERS - MICHELE RAMIREZ - MIKE MORTUS - RAY GOMEZ -</b>	Council of Governments AMAFCA APD Crime Prevention Open Space Division Fire Department Zoning Enforcement Inspector Neighborhood Coordination Public Service Company of New Mexico New Mexico Gas Company Albuquerque Public Schools CenturyLink Comcast Cable Middle Rio Grande Conservancy District (MRGCD)
<b>SUZANNE BUSCH -</b>	Environmental Health

*Your comments on the following case(s) are requested. Board hearing date:*

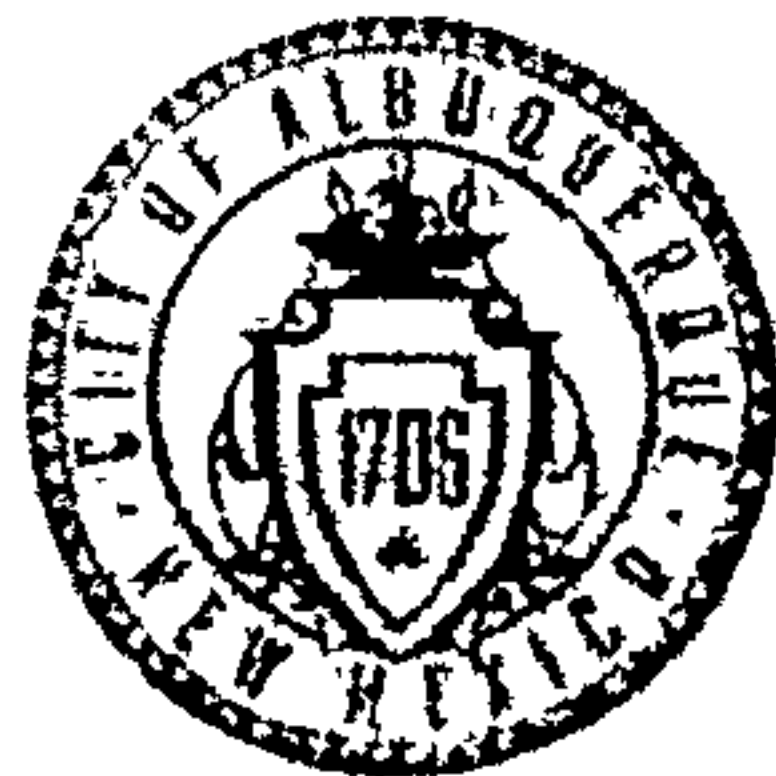
PROJECT # 1009438

**WEDNESDAY, March 5, 2014**

Comments must be received by:

**Monday, March 3, 2014**

If comments are not received by this date, "no comments" will be listed on the staff report. Attached are copies of the requests. **If you have any questions, please contact me at 924-3946 or [agomez@cabq.gov](mailto:agomez@cabq.gov)**



**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, March 5, 2014**, beginning at **9:00 a.m.** and proceeding according to that day's agenda for the purpose of considering the following items. The Development Review Board will hold a Pre-Hearing Discussion in the Conference Room of Suite 201, Lobby Level, Plaza del Sol Building, 600 2nd St NW, Albuquerque, NM on **Tuesday, March 4, 2014**, beginning at 3:00 p.m. for the purpose of reviewing these items prior to the public hearing; no action or public comments will be taken at this Discussion.

**Project# 1008589**

14DRB-70036 - 2YR SUBDIVISION  
IMPROVEMENT AGREEMENT EXTENSION  
(2YR SIA)

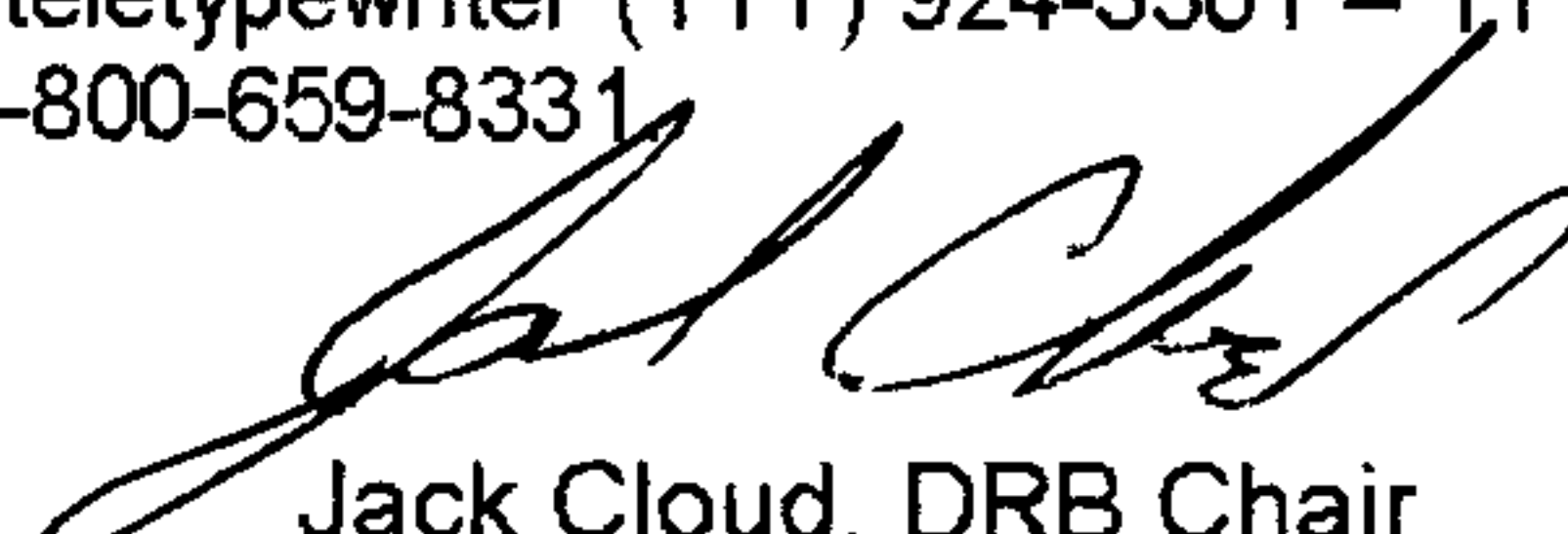
ESMAIL HAIDARI requests the referenced/ above action for **LA VISTA AT DESERT RIDGE TRAILS**, zoned RD, located on the west side of WYOMING BLVD NE between EAGLE ROCK AVE NE and MODESTO AVE NE containing approximately 2.3961 acres. (C-19)

**Project# 1009438**

14DRB-70039 VACATION OF PUBLIC  
RIGHT-OF-WAY  
14DRB-70038 VACATION OF PUBLIC  
EASEMENTS

CONSENSUS PLANNING agents for RPS I-25 & VASSAR LLC, ET. AL. request Vacation of Road Right of Way/ Easements for portions of DAYTONA RD NW, LOS VOLCANOS RD NW, BLUEWATER RD NW, 90<sup>th</sup> ST NW and 94<sup>th</sup> ST NW as well as vacation of other easements within portions of Tracts A-C, AVALON SUBDIVISION UNIT 4; Tracts 4-7, TOWN OF ATRISCO GRANT; Tracts B-11 thru B-13, B-22 thru B-27, and B-29 thru B-33, TOWN OF ATRISCO GRANT UNIT 5, Tract B-14A, UNSER DIVERSION CHANNEL CORRIDOR; Tract C, WESTRIDGE MOBILE HOME PARK PHASE 2; and Tracts 14-16, LAND OF C.H. HALL zoned SU-1/ IP and SU-1 FOR IP & C-2 WITH EXCEPTIONS, located on the south side of I-40 between 90TH ST NW and 98TH ST NW containing approximately 172.4503 acres. (J-9 & K-9)

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, DRB Chair  
Development Review Board

**TO BE PUBLISHED IN THE ALBUQUERQUE JOURNAL MONDAY, MARCH 17, 2014.**



Supplemental Form (SF)

**SUBDIVISION**

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

**SITE DEVELOPMENT PLAN**

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

**STORM DRAINAGE (Form D)**

- Storm Drainage Cost Allocation Plan

**S Z ZONING & PLANNING**

- Annexation
- Zone Map Amendment (Establish or Change Zoning, includes Zoning within Sector Development Plans)
- 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
- 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): Consensus Planning Inc. PHONE: 764.9801  
 ADDRESS: 302 8th St. NW FAX: 842.5495  
 CITY: Albuquerque STATE NM ZIP 87102 E-MAIL cp@consensusplanning.com

APPLICANT RPS I-25 & Vassar LLC (Kurt Browning) PHONE: 998.0163  
 ADDRESS 6300 Riverside Plaza Lane NW FAX 837.1061  
 CITY: Albuquerque STATE NM ZIP 87120 E-MAIL: kbrowning@hitan-development.com  
 Proprietary interest in site. owners List all owners. See plat

DESCRIPTION OF REQUEST: vacation of public easement

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

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

Lot or Tract No Tract A & C, Unit 4 Block: \_\_\_\_\_ Unit \_\_\_\_\_  
 Subdiv/Addn/TBKA: Avalon  
 Existing Zoning: SUI IP & SUI for IP&C-2 with exceptions Proposed zoning: N/A MRGCD Map No \_\_\_\_\_  
 Zone Atlas page(s) J9 & K9 UPC Code: \_\_\_\_\_

**CASE HISTORY:**

List any current or prior case number that may be relevant to your application (Proj., App., DRB-, AX, Z, V, S, etc): 1008585, 1008586, 10EPC40069 & 40070, 11EPC40025 & 40026

**CASE INFORMATION:**

Within city limits?  Yes Within 1000FT of a landfill?  NO  
 No. of existing lots: 26 No. of proposed lots 12 Total site area (acres): 172.45  
 LOCATION OF PROPERTY BY STREETS: On or Near: Bluewater  
 Between 98th St. and West of 90th St.

Check if project was previously reviewed by: Sketch Plat/Plan  or Pre-application Review Team(PRT)  Review Date: 9/12 & 12/12

SIGNATURE J. Reisz Westlund for Jim Strozier DATE 1.24.14  
 (Print Name) Jim Reisz Westlund for Jim Strozier Applicant:  Agent:

**FOR OFFICIAL USE ONLY**

Revised: 4/2012

<input checked="" type="checkbox"/> INTERNAL ROUTING	Application case numbers	Action	S.F.	Fees
<input checked="" type="checkbox"/> All checklists are complete	<u>14DRB - 70038</u>	<u>VPE</u>	_____	\$ <u>135.00</u>
<input checked="" type="checkbox"/> All fees have been collected	_____	<u>CMF</u>	_____	\$ <u>20.00</u>
<input checked="" type="checkbox"/> All case #s are assigned	_____	<u>ADV</u>	_____	\$ <u>75.00</u>
<input checked="" type="checkbox"/> AGIS copy has been sent	_____	<u>VPR</u>	_____	\$ <u>600.00</u>
<input checked="" 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	_____	_____	_____	\$ _____
<input type="checkbox"/> F.H.D.P. fee rebate	_____	_____	_____	\$ _____

Hearing date March 5, 2014 Total \$ 830.00

Staff signature & Date [Signature] 2-13-14 Project # 1009438

FORM V: SUBDIVISION VARIANCES & VACAT

- BULK LAND VARIANCE (DRB04)** (PUBLIC HEARING CASE)  
 \_\_\_ Application for Minor Plat on FORM S-3, including those submittal requirements. **24 copies**  
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- VACATION OF PUBLIC EASEMENT (DRB27)**  
 **VACATION OF PUBLIC RIGHT-OF-WAY (DRB28)** 11X17  
 \_\_\_ 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.

Jim Strozier  
 Applicant name (print)  
Jim Strozier  
 Applicant signature / date



Form revised 4/07

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

Application case numbers  
14 - DRB - 10038

[Signature] 2-13-14  
 Planner signature / date  
 Project # 1009438



**Legend**

- Primary Streets**
- BN and SF Railroad
- Freeway
- Urban Principal Arterial
- Urban Minor Arterial
- Other Streets**
- Zone Grid
- Municipal Limits**
- CORRALES
- EDGEWOOD
- LOS RANCHOS
- RIO RANCHO
- TIJERAS
- UNINCORPORATED AREAS
- World Street Map

**Notes**

0.4 0 0.20 0.4 Miles

WGS\_1984\_Web\_Mercator\_Auxiliary\_Sphere  
2/13/2014 © City of Albuquerque

This map is a user generated static output from [www.cabq.gov/gis](http://www.cabq.gov/gis) and is for reference only. Data layers that appear on this map may or may not be accurate, current, or otherwise reliable.  
**THIS MAP IS NOT TO BE USED FOR LEGAL PURPOSES**

1: 18,350



February 13, 2014

Landscape Architecture  
Urban Design  
Planning Services

Jack Cloud, Chair  
Development Review Board  
600 Second Street NW  
Albuquerque, NM 87102

**Re: Request for Vacation of Public Easements**

302 Eighth St. NW  
Albuquerque, NM 87102

Dear Chairman Cloud:

(505) 764-9801  
Fax 842-5495  
cp@consensusplanning.com  
www.consensusplanning.com

This request is for the vacation of public easements, as associated with the request for a Preliminary Plat and Bulk Land Variance (project number 1009438) for the property west of Unser Boulevard, east of 98<sup>th</sup> Street, and adjacent to I-40. The subject property is zoned SU-1 for IP and SU-1 for IP and C-2 with Exceptions and covers 172.45 acres.

At the time of annexation, the property owners committed to work together to prepare a bulk plat to vacate rights-of-way, dedicate rights-of-way, and combine old parcels in order to establish a new roadway alignment around the existing Avalon neighborhood. This request for the vacation of public easements is part of the bulk plat application; it was left off of the application as an oversight. The easements are identified as areas G, N, and Y on the attached submittal, which is sheet 5 of the original bulk plat application.

Please do not hesitate to contact us with any questions.

Sincerely,

*Reis Westlund for James K. Strozier*

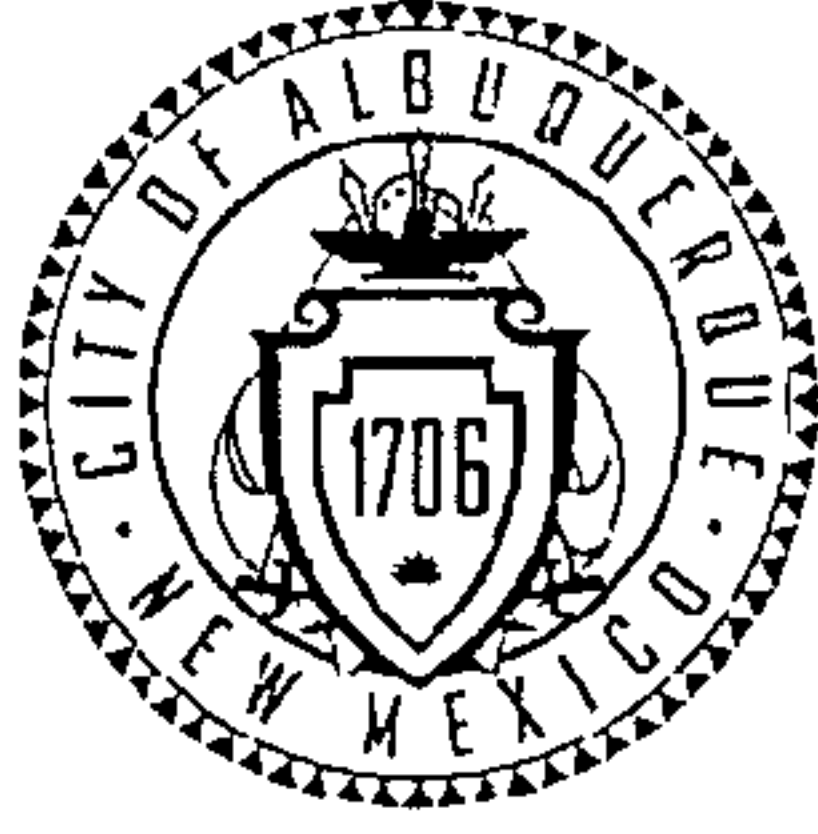
James K. Strozier, AICP  
Principal

PRINCIPALS

Karen R. Marcotte, AICP  
James K. Strozier, AICP  
Christopher J. Green, ASLA

ASSOCIATES

Jacqueline Fishman, AICP



## City of Albuquerque

P.O. Box 1293, Albuquerque, NM 87103

**PLEASE NOTE:** The Neighborhood and/or Homeowner Association information listed in this letter is valid for one (1) month. If you haven't filed your application within one (1) month of the date of this letter – you will need to get an updated letter from our office.

January 24, 2014

Jim Strozier  
Consensus Planning  
302 8<sup>th</sup> Street NW/87102  
Phone: (505) 764-9801/Fax: (505) 842-5495  
E-mail: [cp@consensusplanning.com](mailto:cp@consensusplanning.com)

Dear Jim:

Thank you for your inquiry of **January 24, 2014** requesting the names of **ALL Neighborhood and/or Homeowner Associations** who would be affected under the provisions of O-92 by your **(DRB SUBMITTAL) – LOTS 1-12, AVALON SUBDIVISION, UNIT 5 LOCATED ON BLUEWATER NW BETWEEN 98<sup>TH</sup> STREET NW AND WEST OF 90<sup>TH</sup> STREET NW** zone map **J-K-9**.

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

**AVALON N.A. "R"**

Kelly Chappelle, 9135 Santa Catalina Ave. NW/87121 836-1766 (h)

Bob Wood, 9135 Anacapa Ave. NW/87121

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

Sincerely,

*Stephani Winklepleck*

Stephani Winklepleck  
Neighborhood Liaison  
OFFICE OF NEIGHBORHOOD COORDINATION  
Planning Department

**LETTERS MUST BE SENT TO BOTH CONTACTS OF EACH NEIGHBORHOOD AND/OR HOMEOWNER ASSOCIATIONS FOR THIS PLANNING SUBMITTAL.**



TYPICAL

February 13, 2014

Mr. Kelly Chappelle  
9135 Santa Catalina Avenue NW  
Albuquerque, NM 87121

Landscape Architecture  
Urban Design  
Planning Services

Mr. Bob Wood  
9135 Anacapa Avenue NW  
Albuquerque, NM 87121

302 Eighth St NW  
Albuquerque, NM 87102

**Re: Bulk Land Plat for the area previously annexed into the City**

(505) 764-9801  
Fax 842-5495  
cp@consensusplanning.com  
www.consensusplanning.com

Dear Kelly and Bob:

The purpose of this letter is to inform you and the Avalon Neighborhood Association that Consensus Planning has submitted a request for a Preliminary Plat and Bulk Land Variance for the property west of Unser Boulevard, east of 98<sup>th</sup> Street, and adjacent to I-40. The subject property is zoned SU-1 for IP and SU-1 for IP and C-2 with Exceptions and covers 172.45 acres.

As you may recall, at the time of annexation, the property owners committed to work together to prepare a bulk plat to vacate rights-of-way, dedicate rights-of-way, and combine old parcels in order to establish a new roadway alignment around the existing Avalon neighborhood. This bulk plat accomplishes that goal and creates the new roadway and what we had referred to as the Daytona Bypass.

The project will be heard by the Development Review Board at 9:00 am on Wednesday, February 19<sup>th</sup> in the basement of Plaza del Sol located at 600 Second Street NW. The agenda is available approximately one week prior to the meeting. Please do not hesitate to contact me at 764-9801 for any additional information.

Sincerely,

James K. Strozier, AICP  
Principal

PRINCIPALS

Karen R. Marcotte, AICP  
James K. Strozier, AICP  
Christopher J. Green, ASLA

**Attachment: Zone Atlas Sheets J and K9  
11 x 17 Reduction of Sheet 5 of the Plat**

ASSOCIATES

Jacqueline Fishman, AICP

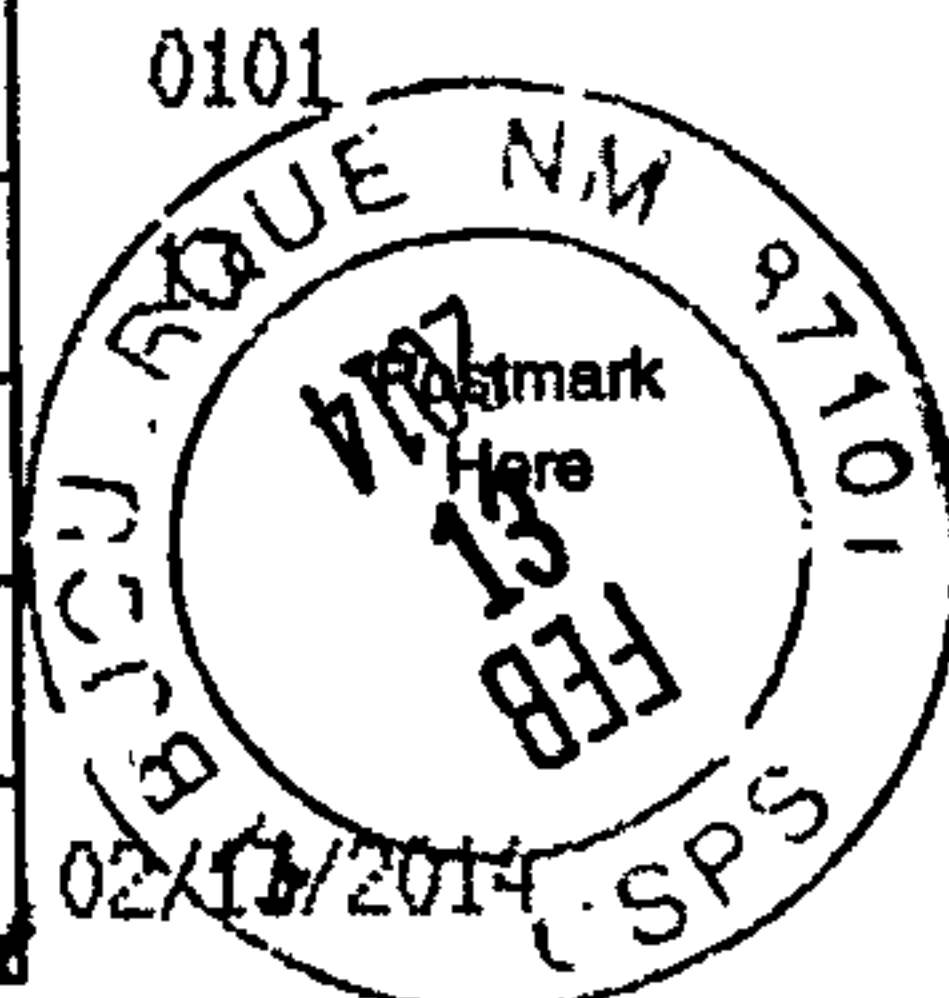


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ALBUQUERQUE, NM 87121 **OFFICIAL USE**

Postage	\$ 0.70
Certified Fee	\$3.30
Return Receipt Fee (Endorsement Required)	\$2.70
Restricted Delivery Fee (Endorsement Required)	\$0.00
<b>Total Postage &amp; Fees</b>	<b>\$ 6.70</b>



41712 9528 0000 0607 ET02

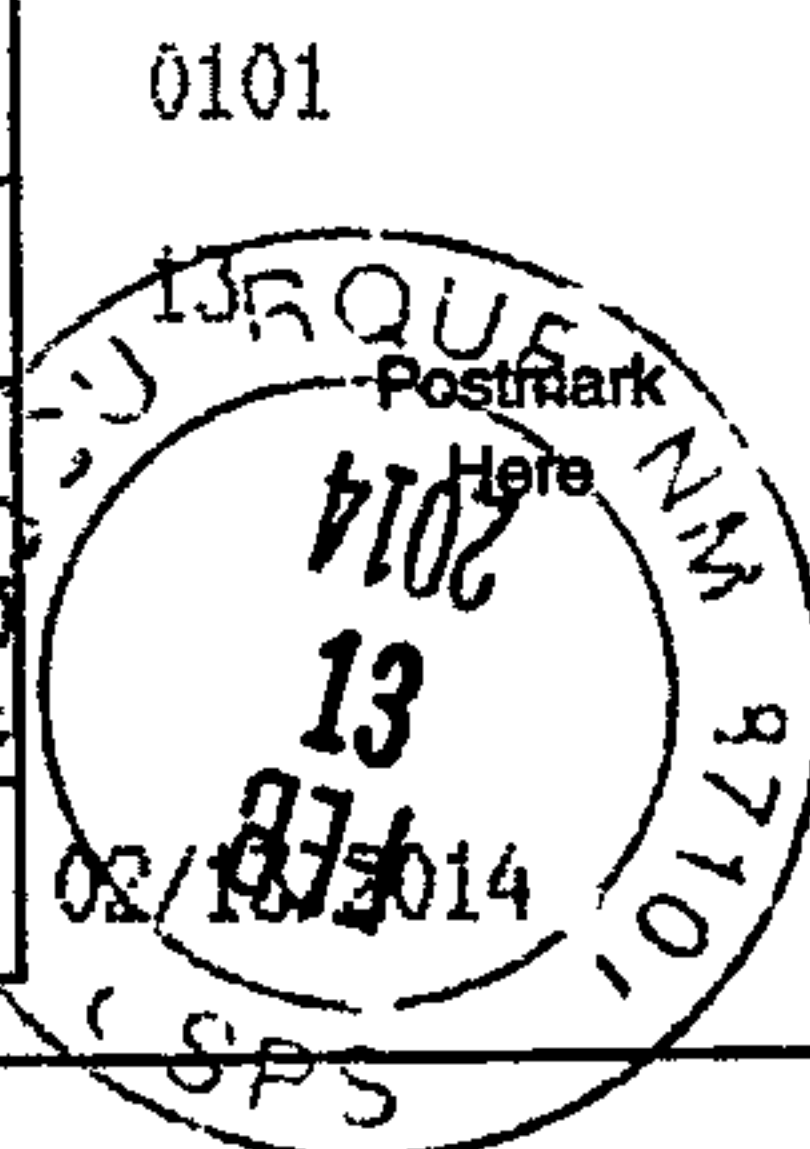
Sent To Kelly Chappelle  
 Street, Apt. No.,  
 or PO Box No. 9135 Santa Catalina Av. NW  
 City, State, ZIP+4 Albuquerque NM 87121  
 PS Form 3800, August 2006 See Reverse for Instructions

**U.S. Postal Service™**  
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ALBUQUERQUE, NM 87121 **OFFICIAL USE**

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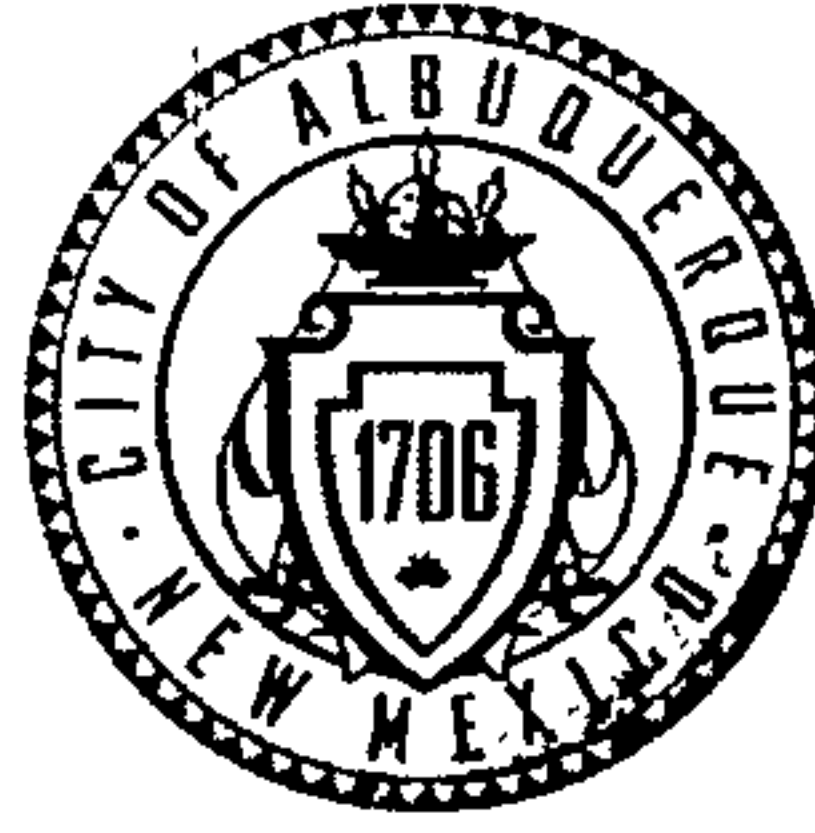


7013 1090 0000 8258 2107

Sent To Bob Wood  
 Street, Apt. No.,  
 or PO Box No. 9135 Anacapa Ave NW  
 City, State, ZIP+4 Albu. NM 87121  
 PS Form 3800, August 2006 See Reverse for Instructions

March 5, 2014

(VPE, VPR)



**INTER-OFFICE MEMORANDUM**

**COMMENTING AGENCIES**

<b>DEBBIE BAUMAN/ JOHN MAKENZIE -</b>	Transportation Development
<b>SHABIH RIZVI - KENDRA WATKINS/ ANDREW GINGERICH -</b>	Transit & Parking Department
<b>LYNN MAZUR - STEVE SINK - SUSANNAH ABBEY - ANTONIO CHINCHILLA - DAVID KILPATRICK - STEPHANI WINKLEPLECK - DANIEL ARAGON - PATRICK SANCHEZ - APRIL WINTERS - MICHELE RAMIREZ - MIKE MORTUS - RAY GOMEZ -</b>	Council of Governments AMAFCA APD Crime Prevention Open Space Division Fire Department Zoning Enforcement Inspector Neighborhood Coordination Public Service Company of New Mexico New Mexico Gas Company Albuquerque Public Schools CenturyLink Comcast Cable Middle Rio Grande Conservancy District (MRGCD)
<b>SUZANNE BUSCH -</b>	Environmental Health

*Your comments on the following case(s) are requested. Board hearing date:*

PROJECT # 1009348

**WEDNESDAY, February 19, 2014**

Comments must be received by:

**Monday, February 17, 2014**

If comments are not received by this date, "no comments" will be listed on the staff report. Attached are copies of the requests. **If you have any questions, please contact me at 924-3946 or [agomez@cabq.gov](mailto:agomez@cabq.gov)**



Supplemental Form (SF)

**SUBDIVISION**

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

**SITE DEVELOPMENT PLAN**

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

**STORM DRAINAGE (Form D)**

- Storm Drainage Cost Allocation Plan

**S Z ZONING & PLANNING**

- Annexation
- Zone Map Amendment (Establish or Change Zoning, includes Zoning within Sector Development Plans)
- 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
- 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): Consensus Planning, Inc. PHONE: 764-9801  
 ADDRESS: 302 8<sup>th</sup> Street NW FAX: 842-5495  
 CITY: Albuquerque STATE NM ZIP 87102 E-MAIL: cp@consensusplanning.com  
 APPLICANT: RPS 1-25 & Vassar LLC (Kurt Browning) PHONE: 998-0163  
 ADDRESS: 6300 Riverside Plaza Lane NW FAX: 839-1061  
 CITY: Albuquerque STATE NM ZIP 87120 E-MAIL: kbrowning@titan-development.com  
 Proprietary interest in site: owners List all owners: See Attached Plat

DESCRIPTION OF REQUEST: Preliminary Plat and Bulk Land Variance

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

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

Lot or Tract No. 1-12 Block: \_\_\_\_\_ Unit: 5  
 Subdiv/Addn/TBKA: Avalon  
 Existing Zoning: SU-1 IP and SU-1 for IP and C-2 with exceptions Proposed zoning: NA MRGCD Map No \_\_\_\_\_  
 Zone Atlas page(s): J9 and K9 UPC Code: See Attached

**CASE HISTORY:**

List any current or prior case number that may be relevant to your application (Proj., App., DRB-, AX\_Z\_, V\_, S\_, etc.): 1608585 and 1008586; 10EPC 40069 and 40070; 11EPC 40025 and 40026

**CASE INFORMATION:**

Within city limits?  Yes Within 1000FT of a landfill? \_\_\_\_\_  
 No. of existing lots: 26 No. of proposed lots: 12 Total site area (acres): 172.45  
 LOCATION OF PROPERTY BY STREETS: On or Near: Bluewater  
 Between: 9<sup>th</sup> Street and west of 90<sup>th</sup> Street

Check if project was previously reviewed by: Sketch Plat/Plan  or Pre-application Review Team(PRT)  Review Date: 9/12 & 12/12

SIGNATURE [Signature] DATE 1-24-14  
 (Print Name) James K. Strozier, AICP Applicant:  Agent:

Revised: 4/2012

<input type="checkbox"/> INTERNAL ROUTING	Application case numbers	Action	S.F.	Fees
<input checked="" type="checkbox"/> All checklists are complete	<u>14 DRB - 70018</u>	<u>BLV</u>	_____	<u>\$ 145.00</u>
<input checked="" type="checkbox"/> All fees have been collected	<u>- 70019</u>	<u>P&amp;F</u>	_____	<u>\$ 985.00</u>
<input checked="" type="checkbox"/> All case #s are assigned	_____	<u>ADY</u>	_____	<u>\$ 75.00</u>
<input checked="" type="checkbox"/> AGIS copy has been sent	_____	<u>CMF</u>	_____	<u>\$ 20.00</u>
<input checked="" 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	_____	_____	_____	_____
<input type="checkbox"/> F.H.D.P. fee rebate	_____	_____	_____	_____
				Total
				<u>\$ 1225.00</u>

Hearing date February 19, 2014

[Signature] 1-24-14  
 Staff signature & Date

Project # 1009438



Supplemental Form (SF)

**SUBDIVISION**

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

**SITE DEVELOPMENT PLAN**

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

**STORM DRAINAGE (Form D)**

- Storm Drainage Cost Allocation Plan

**S Z ZONING & PLANNING**

- Annexation
- Zone Map Amendment (Establish or Change Zoning, includes Zoning within Sector Development Plans)
- 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): Consensus Planning, Inc. PHONE: 764-9801  
 ADDRESS: 302 8th Street NW FAX: 842-5495  
 CITY: Albuquerque STATE NM ZIP 87102 E-MAIL cp@consensusplanning.com

APPLICANT: RPS 1-25 & Vassar LLC (Kurt Browning) PHONE: 998-0163  
 ADDRESS: 6300 Riverside Plaza Lane NW FAX: 839-1061  
 CITY: Albuquerque STATE NM ZIP 87120 E-MAIL kbrowning@titan-development.com

Proprietary interest in site: owners List all owners: See Attached Plat

DESCRIPTION OF REQUEST: Preliminary Plat and Bulk Land Variance

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

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

Lot or Tract No. 1-12 Block: \_\_\_\_\_ Unit: 5  
 Subdiv/Addn/TBKA: Avalon  
 Existing Zoning: SU-1 IP and SU-1 for IP and C-2 with exceptions Proposed zoning: NA MRGCD Map No \_\_\_\_\_  
 Zone Atlas page(s): J9 and K9 UPC Code: See Attached

**CASE HISTORY:**

List any current or prior case number that may be relevant to your application (Proj., App., DRB-, AX\_Z\_, V\_, S\_, etc.): 1608585 and 1608586; 10EPC 40069 and 40070; 11EPC 40025 and 40026

**CASE INFORMATION:**

Within city limits?  Yes Within 1000FT of a landfill? \_\_\_\_\_  
 No. of existing lots: 26 No. of proposed lots: 12 Total site area (acres): 172.45  
 LOCATION OF PROPERTY BY STREETS: On or Near: Bluewater  
 Between: 98th Street and west of 90th Street

Check if project was previously reviewed by: Sketch Plat/Plan  or Pre-application Review Team(PRT) . Review Date: 9/12 & 12/12

SIGNATURE [Signature] DATE 1-27-14  
 (Print Name) James K. Strozier, AICP Applicant:  Agent

**FOR OFFICIAL USE ONLY**

Revised: 4/2012

- 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>14DRB -70018</u>	<u>BLV</u>	_____	<u>\$145.00</u>
<u>-70019</u>	<u>P&amp;F</u>	_____	<u>\$985.00</u>
_____	<u>ADY</u>	_____	<u>\$75.00</u>
_____	<u>CMF</u>	_____	<u>\$20.00</u>
_____	_____	_____	<u>\$</u>
Total			<u>\$1225.00</u>

Hearing date February 19, 2014

[Signature] 1-24-14  
 Staff signature & Date

Project # 1009438

**FORM S(3): SUBDIVISION - D.R.B. MEETING (UNADVERTISED) OR INTERNAL ROUTING**

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

**SKETCH PLAT REVIEW AND COMMENT (DRB22)** Your attendance is required.

- Scale drawing of the proposed subdivision plat (folded to fit into an 8.5" by 14" pocket) **6 copies**
- Site sketch with measurements showing structures, parking, Bldg. setbacks, adjacent rights-of-way and street improvements, if there is any existing land use (folded to fit into an 8.5" by 14" pocket) **6 copies**
- Zone Atlas map with the entire property(ies) clearly outlined
- Letter briefly describing, explaining, and justifying the request
- List any original and/or related file numbers on the cover application

**EXTENSION OF MAJOR PRELIMINARY PLAT (DRB08)** Your attendance is required.

- Preliminary Plat reduced to 8.5" x 11"
  - Zone Atlas map with the entire property(ies) clearly outlined
  - Letter briefly describing, explaining, and justifying the request
  - Copy of DRB approved infrastructure list
  - Copy of the LATEST Official DRB Notice of approval for Preliminary Plat Extension request
  - List any original and/or related file numbers on the cover application
- Extension of preliminary plat approval expires after one year.**

**MAJOR SUBDIVISION FINAL PLAT APPROVAL (DRB12)** Your attendance is required.

- Proposed Final Plat (folded to fit into an 8.5" by 14" pocket) **6 copies**
- Signed & recorded Final Pre-Development Facilities Fee Agreement for Residential development only
- Design elevations & cross sections of perimeter walls **3 copies**
- Zone Atlas map with the entire property(ies) clearly outlined
- Bring original Mylar of plat to meeting, ensure property owner's and City Surveyor's signatures are on the plat
- Copy of recorded SIA
- Landfill disclosure and EHD signature line on the Mylar if property is within a landfill buffer
- List any original and/or related file numbers on the cover application
- DXF file and hard copy of final plat data for AGIS is required.

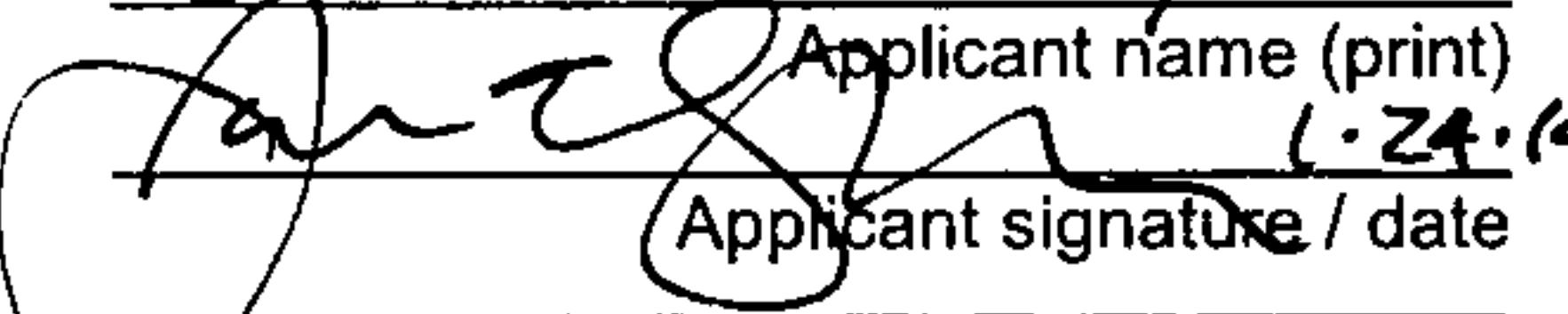
**MINOR SUBDIVISION PRELIMINARY/FINAL PLAT APPROVAL (DRB16)** Your attendance is required.

- ~~NA~~ 5 Acres or more: Certificate of No Effect or Approval - *Deferred to Site Plans*
- Proposed Preliminary / Final Plat (folded to fit into an 8.5" by 14" pocket) **6 copies** for unadvertised meetings ensure property owner's and City Surveyor's signatures are on the plat prior to submittal
- ~~NA~~ Signed & recorded Final Pre-Development Facilities Fee Agreement for Residential development only
- ~~NA~~ Design elevations and cross sections of perimeter walls (11" by 17" maximum) **3 copies**
- ~~NA~~ Site sketch with measurements showing structures, parking, Bldg. setbacks, adjacent rights-of-way and street improvements, if there is any existing land use (folded to fit into an 8.5" by 14" pocket) **6 copies**
- Zone Atlas map with the entire property(ies) clearly outlined
- Letter briefly describing, explaining, and justifying the request
- Bring original Mylar of plat to meeting, ensure property owner's and City Surveyor's signatures are on the plat
- ~~NA~~ Landfill disclosure and EHD signature line on the Mylar if property is within a landfill buffer
- Fee (see schedule)
- List any original and/or related file numbers on the cover application
- ~~NA~~ Infrastructure list if required (**verify with DRB Engineer**) *Bulk Land Variance*
- DXF file and hard copy of final plat data for AGIS is required.

**AMENDMENT TO PRELIMINARY PLAT (with minor changes) (DRB03)** Your attendance is required.

- PLEASE NOTE: There are no clear distinctions between significant and minor changes with regard to subdivision amendments. Significant changes are those deemed by the DRB to require public notice and public hearing.
- Proposed Amended Preliminary Plat, Infrastructure List, and/or Grading Plan (folded to fit into an 8.5" by 14" pocket) **6 copies**
  - Original Preliminary Plat, Infrastructure List, and/or Grading Plan (folded to fit into an 8.5" by 14" pocket) **6 copies**
  - Zone Atlas map with the entire property(ies) clearly outlined
  - Letter briefly describing, explaining, and justifying the request
  - Bring original Mylar of plat to meeting, ensure property owner's and City Surveyor's signatures are on the plat
  - List any original and/or related file numbers on the cover application
- Amended preliminary plat approval expires after one year**

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

*James K. Strozio, AICP*  
 Applicant name (print)  
  
 Applicant signature / date  
 1-24-14



Form revised October 2007

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

Application case numbers  
 DRB - 70019

*[Signature]*  
 Planner signature / date  
 1-24-14  
 Project # 1009438

**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
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Unless the vacation is shown on a DRB approved plat recorded by the County Clerk within one year, it will expire.  
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- SIDEWALK VARIANCE (DRB20)**
- SIDEWALK WAIVER (DRB21)**
  - Scale drawing showing the proposed variance or waiver (not to exceed 8.5" by 14") **6 copies**
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  - Scale drawing showing the location of the proposed variance or waiver (not to exceed 8.5" by 14") **24 copies**
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- EXTENSION OF THE SIA FOR TEMPORARY DEFERRAL OF SIDEWALK CONSTRUCTION (DRB07)**
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- 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.  
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I, the applicant, acknowledge that any information required but not submitted with this application will likely result in deferral of actions.

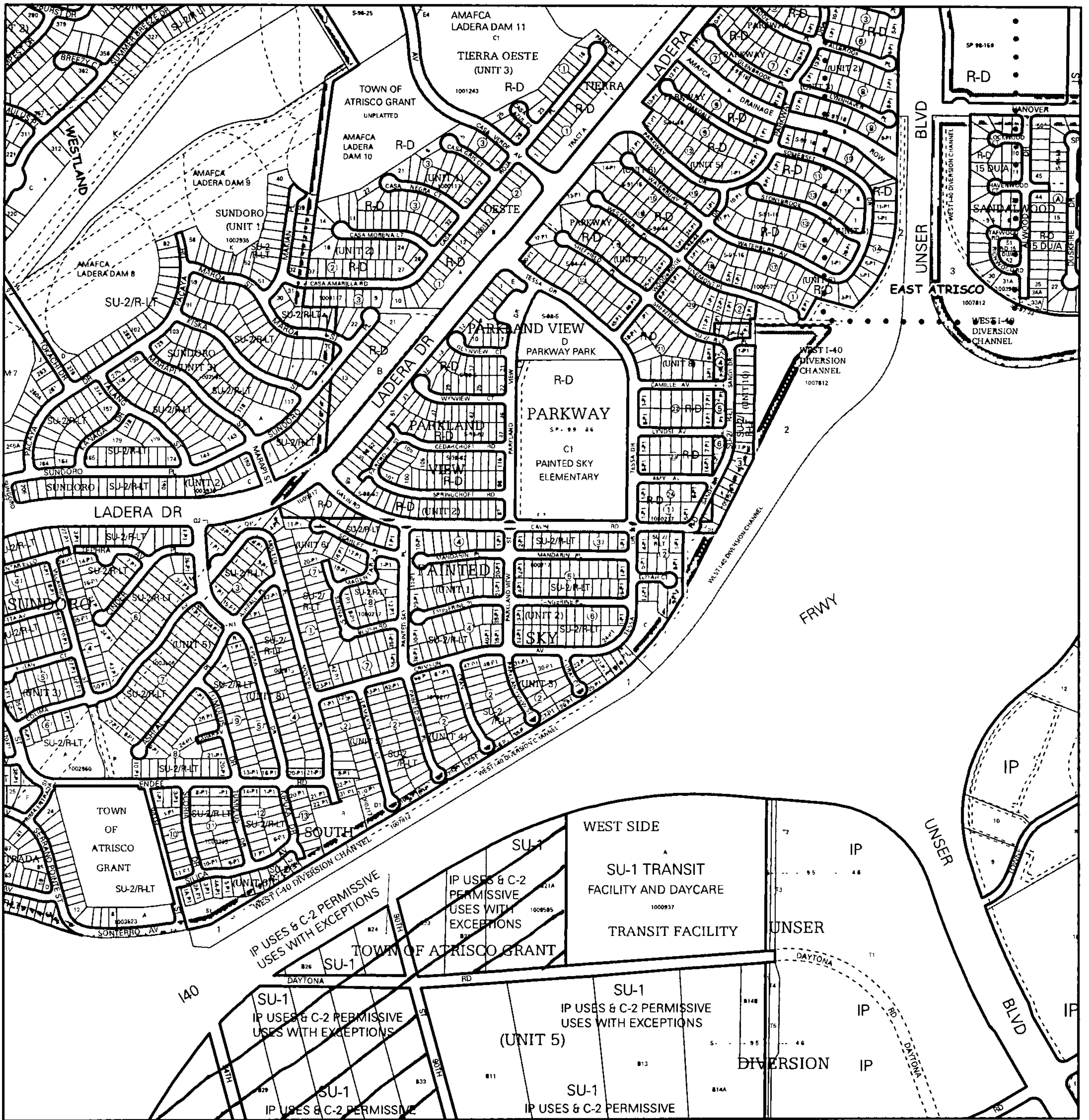
James K. Strozier, AICP  
Applicant name (print)  
[Signature] 1-24-14  
Applicant signature / date




Form revised 4/07

- Checklists complete
  - Fees collected
  - Case #s assigned
  - Related #s listed
- Application case numbers  
 14DRB - 70018  
 - - -  
 - - -  
 - - -

[Signature] 1-24-14  
Planner signature / date  
 Project # 1009438

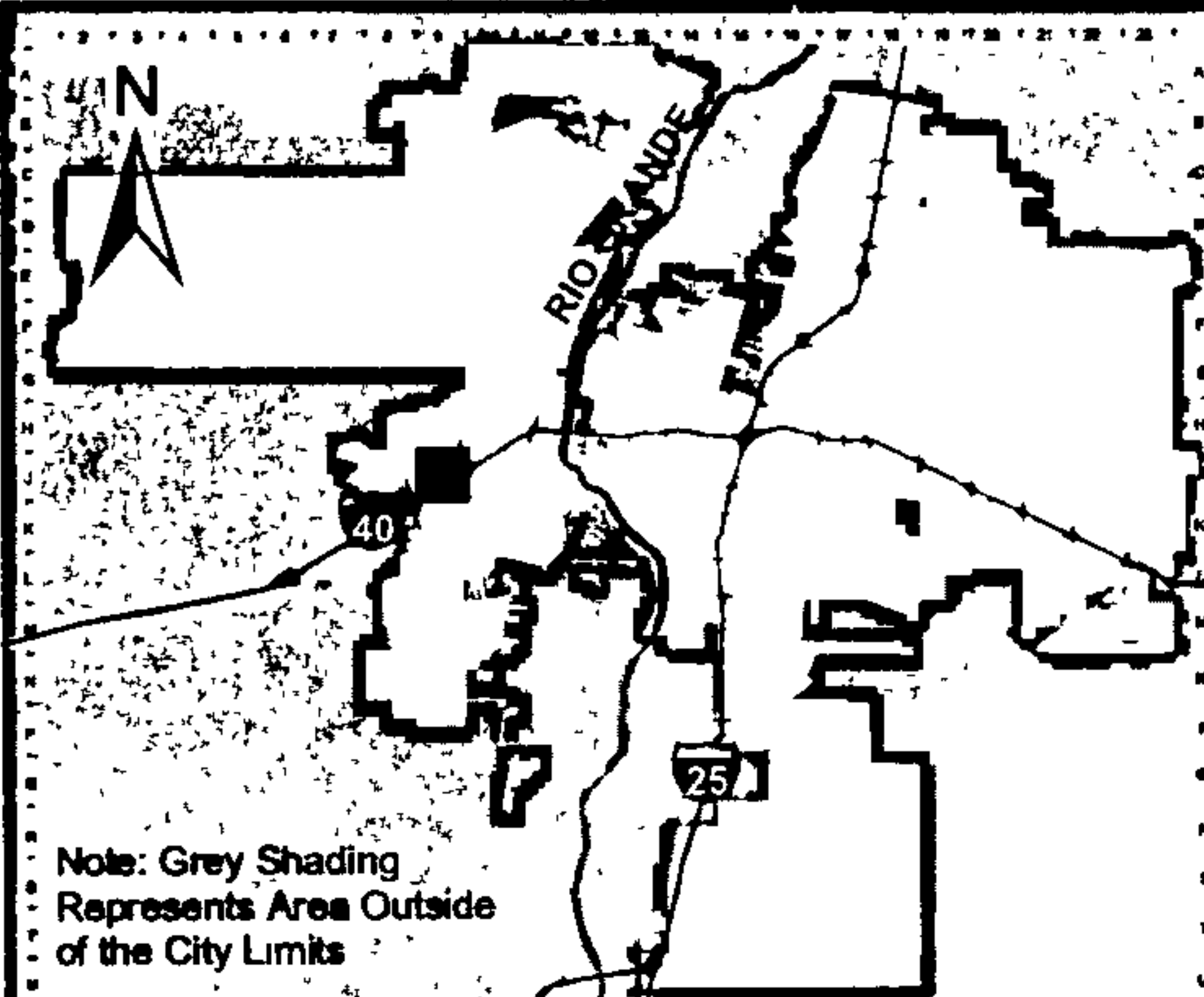


For more current information and details visit: <http://www.cabq.gov/gis>



**AGIS**  
Albuquerque Geographic Information System










Map amended through: 6/7/2013



Note: Grey Shading Represents Area Outside of the City Limits

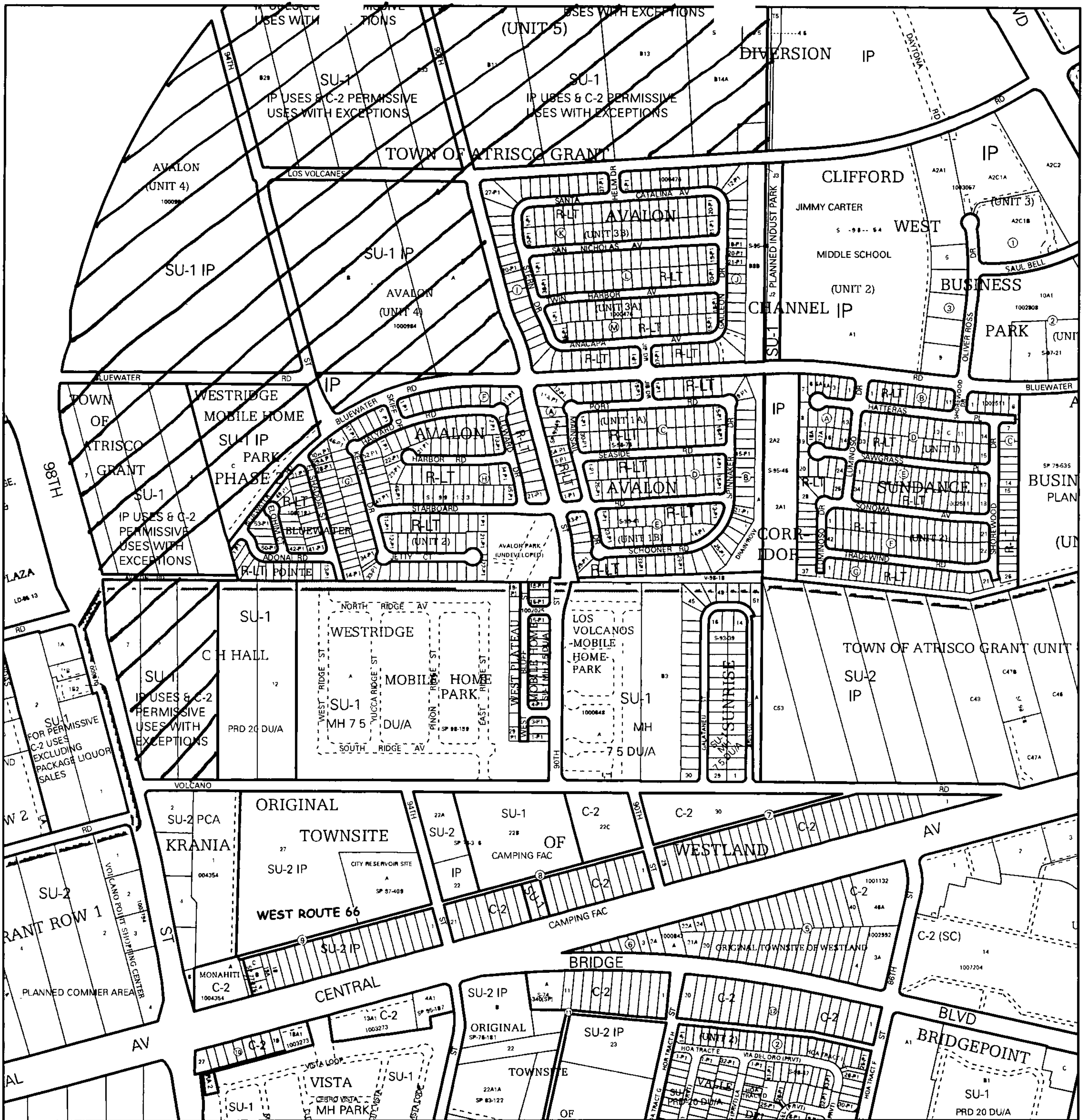
Zone Atlas Page:  
**J-09-Z**

Selected Symbols

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

0 750 1,500 Feet





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Map amended through: 6/7/2013

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Zone Atlas Page:  
**K-09-Z**

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	H-1 Buffer Zone		Wall Overlay Zone
	Petroglyph Mon.		

0 750 1,500 Feet



January 24, 2014

Mr. Jack Cloud, Chair  
600 North 2<sup>nd</sup> Street  
Albuquerque, New Mexico 87102

Landscape Architecture  
Urban Design  
Planning Services

**Re: Bulk Land Plat for the area previously annexed into the City**

Dear Mr. Cloud:

302 Eighth St. NW  
Albuquerque, NM 87102

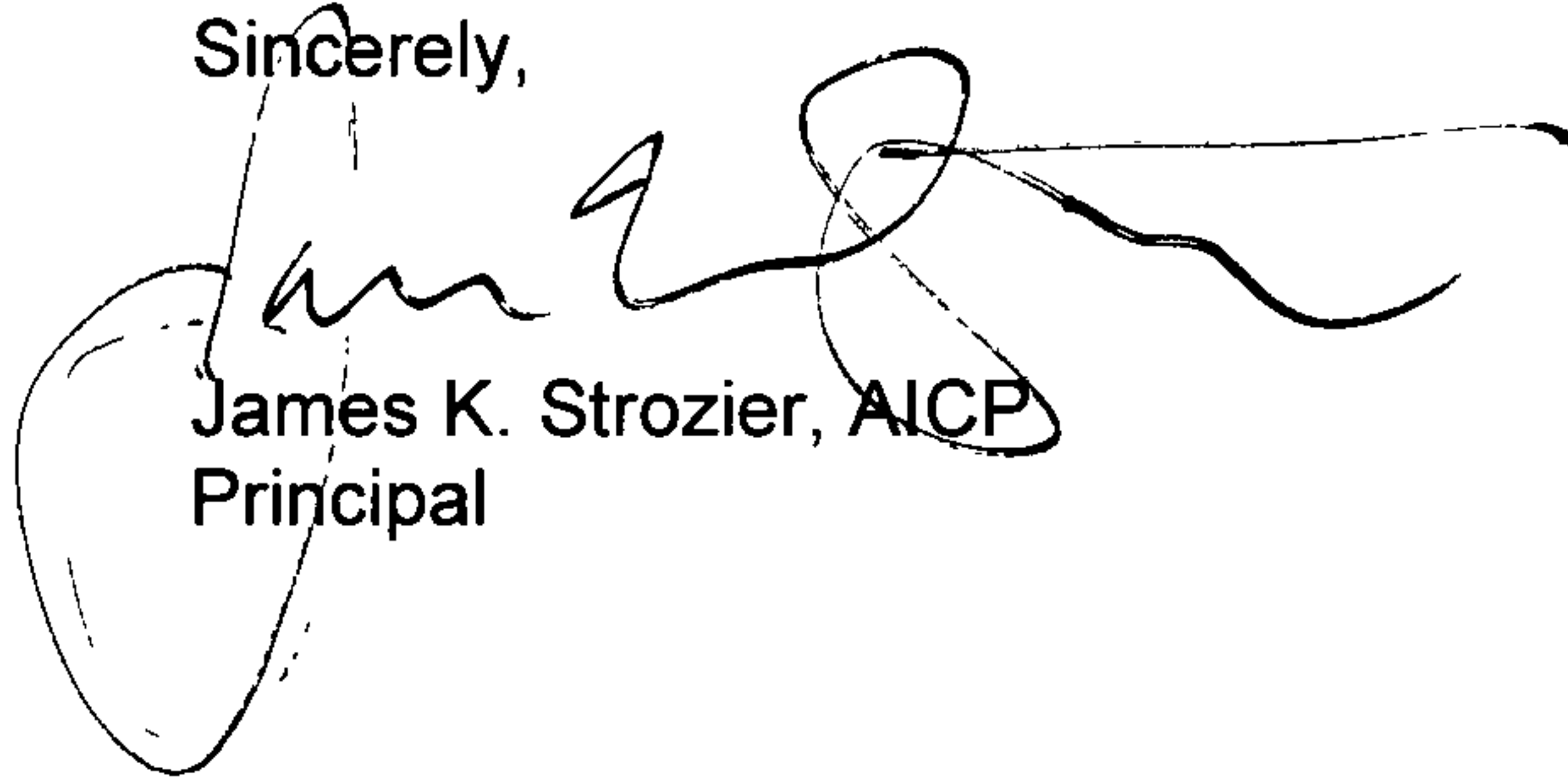
(505) 764-9801  
Fax 842-5495  
cp@consensusplanning.com  
www.consensusplanning.com

The purpose of this letter is to transmit our request for a Preliminary Plat and Bulk Land Variance for the property west of Unser Boulevard, east of 98<sup>th</sup> Street, and adjacent to I-40. The subject property is zoned SU-1 for IP and SU-1 for IP and C-2 with Exceptions and covers 172.45 acres.

At the time of annexation, the property owners committed to work together to prepare a bulk plat to vacate rights-of-way, dedicate rights-of-way, and combine old parcels in order to establish a new roadway alignment around the existing Avalon neighborhood. This bulk plat accomplishes that goal and creates the new roadway and what we had referred to as the Daytona Bypass.

Based on City Comments received on the sketch plat and meetings with DRB staff, the plat has been revised to address all concerns. Please do not hesitate to contact me at 764-9801 for any additional information.

Sincerely,



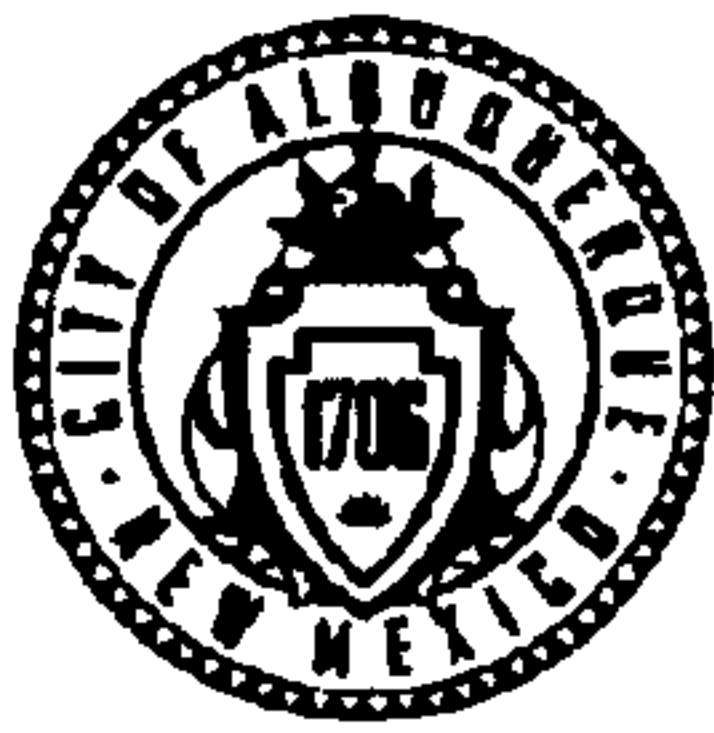
James K. Strozier, AICP  
Principal

PRINCIPALS

Karen R. Marcotte, AICP  
James K. Strozier, AICP  
Christopher J. Green, ASLA

ASSOCIATES

Jacqueline Fishman, AICP



# DEVELOPER INQUIRY SHEET

To obtain NA/HOA Contact Information for Application Submittal to the Planning Department.

The Office of Neighborhood Coordination (ONC) located in Room 120 (basement) of the Plaza Del Sol Building, 600 Second Street NW, Fax: (505) 924-3913 -OR- you can e-mail the Zone Map and Developer Inquiry Sheet to: Stephani Winklepleck, e-mail: [swinklepleck@cabq.gov](mailto:swinklepleck@cabq.gov). ONC will need the following information **BEFORE** NA/HOA Contact Information will be released to the Applicant/Agent on any Project being presented to the Planning Department. If you have any questions, please feel free to contact our office at (505) 924-3914.

**Zone Map and this Developer Inquiry Sheet MUST be provided with request.**  
Please mark/hatch Zone Map where Property is located.

Your Developer Inquiry is for the following:

- Cell Tower Submittal:  Free-Standing Tower -OR-  Concealed Tower
- EPC Submittal  DRB Submittal  LUCC Submittal  Liquor Submittal
- Administrative Amendments (AA's) Submittal  City Project Submittal

CONTACT NAME: Jim Strozier

COMPANY NAME: Consensus Planning, Inc.

ADDRESS/ZIP: 302 8th Street NW

PHONE: 764-9801 FAX: 842-5495

## LEGAL DESCRIPTION INFORMATION

LEGAL DESCRIPTION OF THE SUBJECT SITE FOR THIS PROJECT SUBMITTAL IS DESCRIBED BELOW (i.e., Lot A, Block A, of the For Your Information Subdivision):

Lots 1-12 Avalon Subdivision Unit 5

LOCATED ON Bluewater NW LEGAL DESCRIPTION

STREET NAME OR OTHER IDENTIFYING LANDMARK

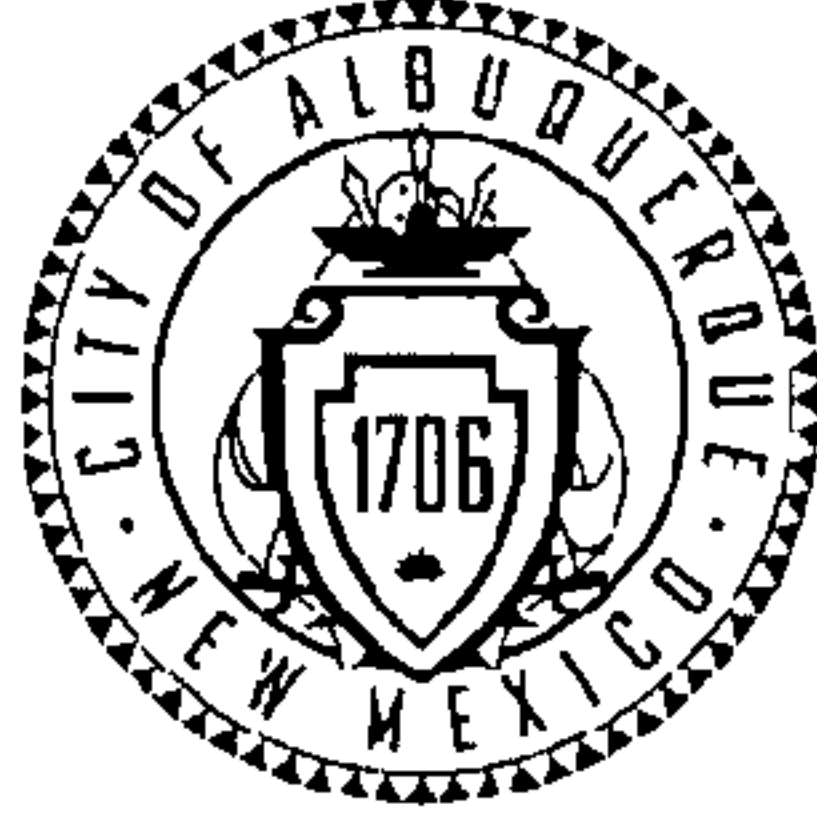
BETWEEN 98th Street AND

STREET NAME OR OTHER IDENTIFYING LANDMARK

west of 90th Street

STREET NAME OR OTHER IDENTIFYING LANDMARK

THE SITE IS LOCATED ON THE FOLLOWING ZONE ATLAS PAGE (93K9).



## City of Albuquerque

P.O. Box 1293, Albuquerque, NM 87103

**PLEASE NOTE:** The Neighborhood and/or Homeowner Association information listed in this letter is valid for one (1) month. If you haven't filed your application within one (1) month of the date of this letter – you will need to get an updated letter from our office.

January 24, 2014

Jim Strozier  
Consensus Planning  
302 8<sup>th</sup> Street NW/87102  
Phone: (505) 764-9801/Fax: (505) 842-5495  
E-mail: [cp@consensusplanning.com](mailto:cp@consensusplanning.com)

Dear Jim:

Thank you for your inquiry of **January 24, 2014** requesting the names of **ALL Neighborhood and/or Homeowner Associations** who would be affected under the provisions of O-92 by your **(DRB SUBMITTAL) – LOTS 1-12, AVALON SUBDIVISION, UNIT 5 LOCATED ON BLUEWATER NW BETWEEN 98<sup>TH</sup> STREET NW AND WEST OF 90<sup>TH</sup> STREET NW** zone map **J-K-9**.

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

### **AVALON N.A. "R"**

Kelly Chappelle, 9135 Santa Catalina Ave. NW/87121 836-1766 (h)

Bob Wood, 9135 Anacapa Ave. NW/87121

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

Sincerely,

*Stephani Winklepleck*  
Stephani Winklepleck  
Neighborhood Liaison  
OFFICE OF NEIGHBORHOOD COORDINATION  
Planning Department

**LETTERS MUST BE SENT TO BOTH CONTACTS OF EACH NEIGHBORHOOD AND/OR HOMEOWNER ASSOCIATIONS FOR THIS PLANNING SUBMITTAL.**



January 24, 2014

Mr. Kelly Chappelle  
9135 Santa Catalina Avenue NW  
Albuquerque, NM 87121

Landscape Architecture  
Urban Design  
Planning Services

Mr. Bob Wood  
9135 Anacapa Avenue NW  
Albuquerque, NM 87121

302 Eighth St. NW  
Albuquerque, NM 87102

**Re: Bulk Land Plat for the area previously annexed into the City**

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Fax 842-5495  
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www.consensusplanning.com

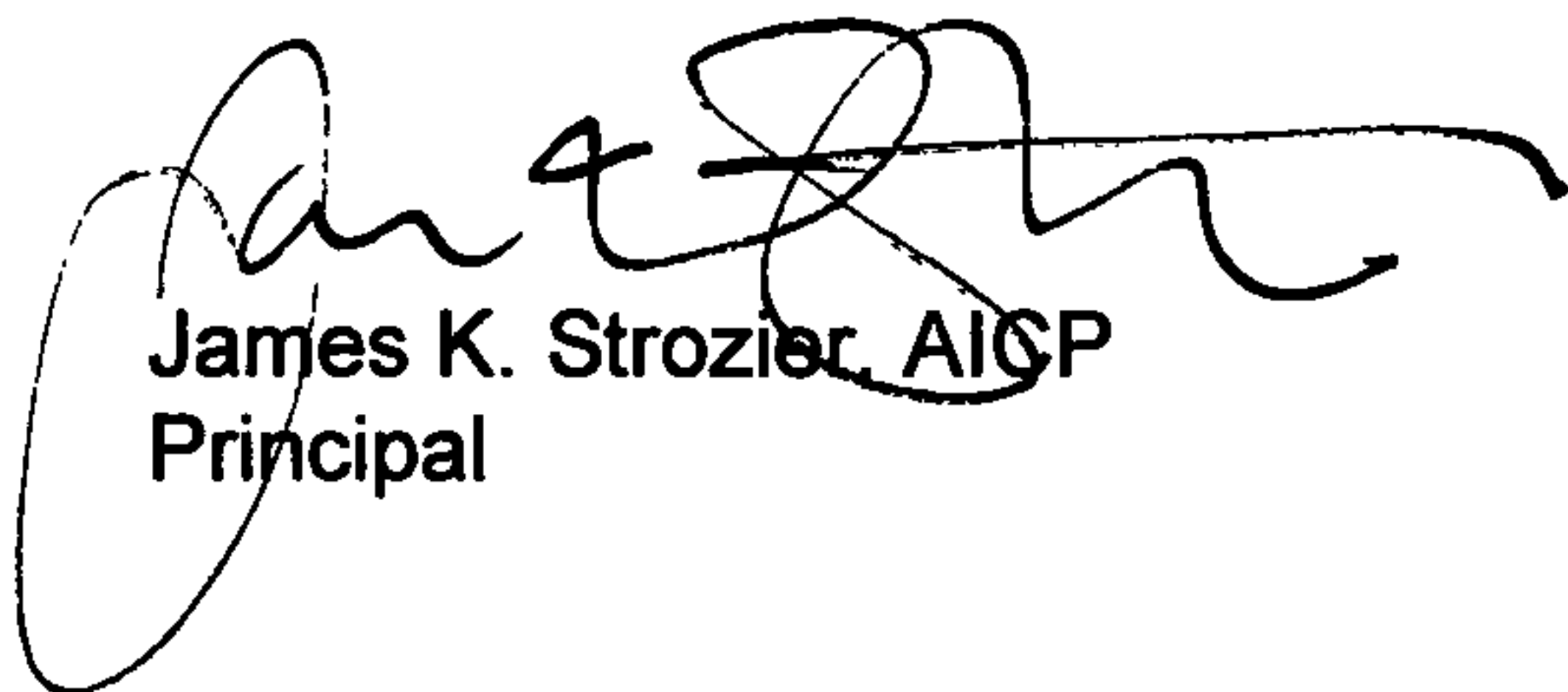
Dear Kelly and Bob:

The purpose of this letter is to inform you and the Avalon Neighborhood Association that Consensus Planning has submitted a request for a Preliminary Plat and Bulk Land Variance for the property west of Unser Boulevard, east of 98<sup>th</sup> Street, and adjacent to I-40. The subject property is zoned SU-1 for IP and SU-1 for IP and C-2 with Exceptions and covers 172.45 acres.

As you may recall, at the time of annexation, the property owners committed to work together to prepare a bulk plat to vacate rights-of-way, dedicate rights-of-way, and combine old parcels in order to establish a new roadway alignment around the existing Avalon neighborhood. This bulk plat accomplishes that goal and creates the new roadway and what we had referred to as the Daytona Bypass.

The project will be heard by the Development Review Board at 9:00 am on Wednesday, February 19<sup>th</sup> in the basement of Plaza del Sol located at 600 Second Street NW. The agenda is available approximately one week prior to the meeting. Please do not hesitate to contact me at 764-9801 for any additional information.

Sincerely,



James K. Strozier, AICP  
Principal

**Attachment: Zone Atlas Sheets J and K9  
8 ½ x 11 Reductions of Sheets 3 and 4 of the Plat**

PRINCIPALS

Karen R. Marcotte, AICP  
James K. Strozier, AICP  
Christopher J. Green, ASLA

ASSOCIATES

Jacqueline Fishman, AICP

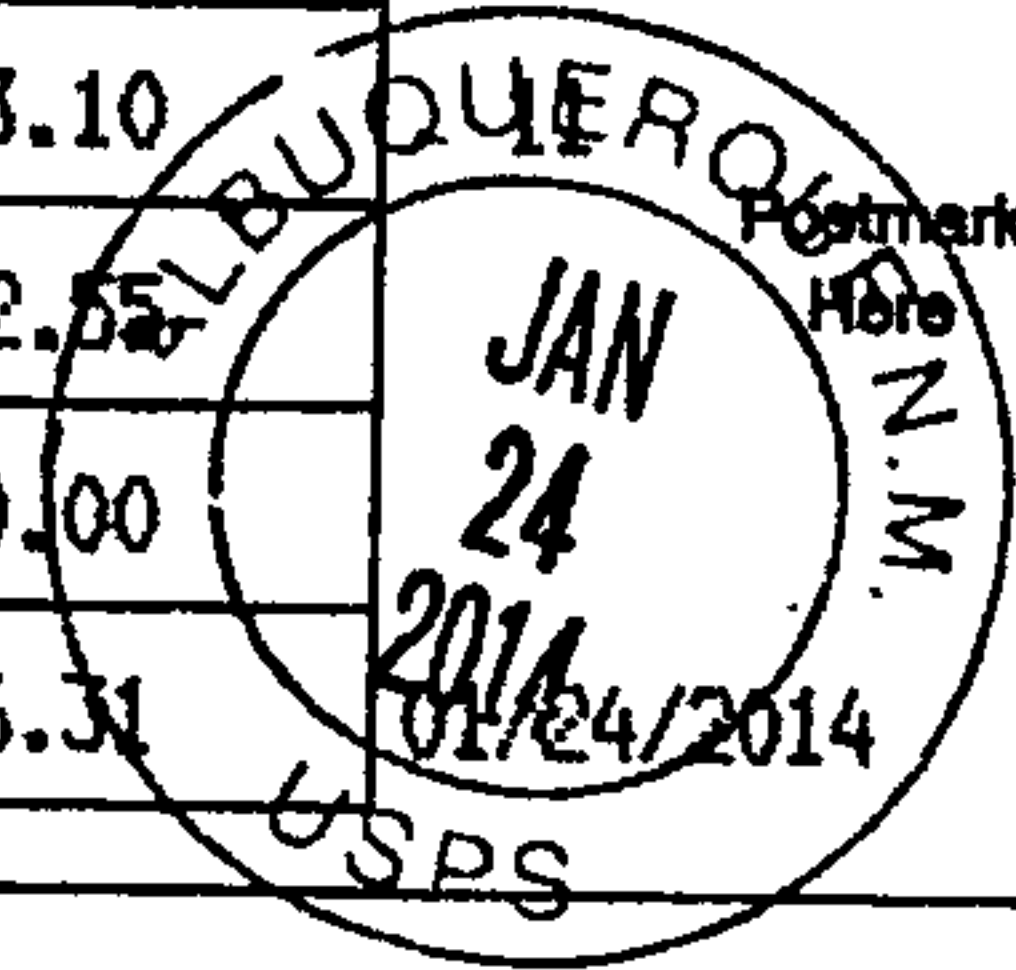
7011 3500 0000 0891 4553

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ALBUQUERQUE NM 87121 **OFFICIAL USE**

Postage	\$ 0.66	0101
Certified Fee	\$3.10	
Return Receipt Fee (Endorsement Required)	\$2.55	
Restricted Delivery Fee (Endorsement Required)	\$0.00	
<b>Total Postage &amp; Fees</b>	<b>\$ 6.31</b>	



Sent To Bob Wood  
 Street, Apt. No.,  
 or PO Box No. 9135 Anacapa Ave NW  
 City, State, ZIP+4 Albuquerque, NM 87121

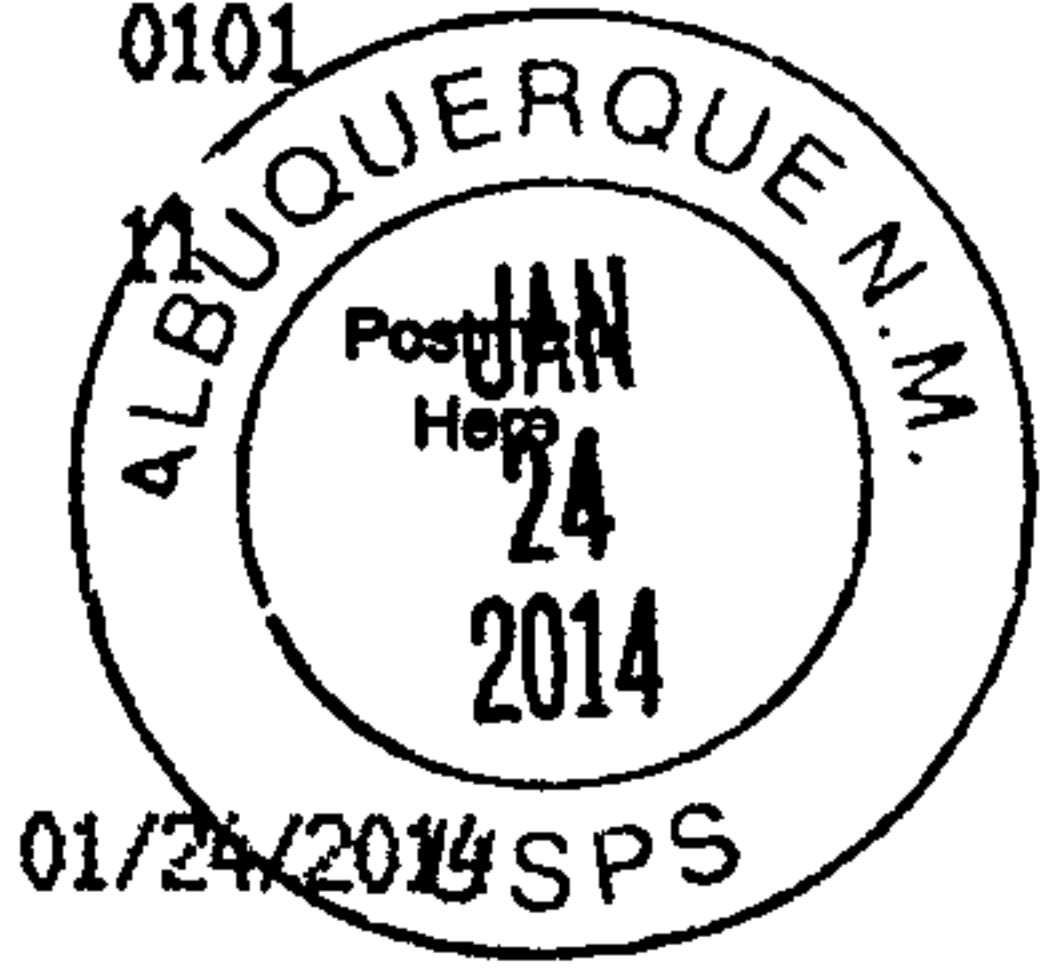
7011 3500 0000 0891 4560

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<b>Total Postage &amp; Fees</b>	<b>\$ 6.31</b>	



Sent To Kelly Chappelle  
 Street, Apt. No.,  
 or PO Box No. 9135 Santa Catalina Ave  
 City, State, ZIP+4 Albuquerque, NM 87121

## Proposed Annexation Area A:

<u>TRACT</u>	<u>Subdivision</u>	<u>UPC CODE</u>	<u>OWNER</u>
4	Town of Atrisco	100905707829020104	RPS I-25 & VASSER AND BLUEWATER 98 <sup>TH</sup>
5	Town of Atrisco	100905705828920103	"
6	Town of Atrisco	100905703229020102	"
7	Town of Atrisco	100905703229020102	"
7	Town of Atrisco	100905702922530707	MAJEC LIMITED PARTNERSHIP
14	Hall – CH	100905718518430701	"
15	Hall – CH	100905705918530705	"

## Proposed Annexation Area B:

<u>TRACT</u>	<u>Subdivision</u>	<u>UPC CODE</u>	<u>OWNER</u>
B-11	Town of Atrisco	100905723450010402	I-40 SOUTH LLC
B-12	Town of Atrisco	100905727550210404	"
B-13	Town of Atrisco	100905731750510406	"
B-14A	Town of Atrisco	100905736747710408	"
B-14B	Town of Atrisco	100905738451110410	"
ABCWUA WELL SITE		100905737146210409	ABCWUA
B-20	Town of Atrisco	100905826406440101	NM Land, LLC
B-21	Town of Atrisco	100905824405830203	"
B-22	Town of Atrisco	100905822205130202	"
B-23	Town of Atrisco	100905820104330201	"
B-24	Town of Atrisco	100905817603430103	I-40 SOUTH LLC
B-25	Town of Atrisco	100905815702930102	"
B-26	Town of Atrisco	100905813802430101	"
B-27	Town of Atrisco	100905812502130104	"
B-29	Town of Atrisco	100905715650220503	I-40 SOUTH LLC
B-30	Town of Atrisco	100905715650220503	"
B-31	Town of Atrisco	100905715650220503	"
B-32	Town of Atrisco	100905715650220503	"
B-33	Town of Atrisco	100905715650220503	"



**FORM S(3): SUBDIVISION - D.R.B. MEETING (UNADVERTISED) OR INTERNAL ROUTING**

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

**SKETCH PLAT REVIEW AND COMMENT (DRB22)** **Your attendance is required.**

- Scale drawing of the proposed subdivision plat (folded to fit into an 8.5" by 14" pocket) **6 copies**
- Site sketch with measurements showing structures, parking, Bldg. setbacks, adjacent rights-of-way and street improvements, if there is any existing land use (folded to fit into an 8.5" by 14" pocket) **6 copies**
- Zone Atlas map with the entire property(ies) clearly outlined
- Letter briefly describing, explaining, and justifying the request
- List any original and/or related file numbers on the cover application

**EXTENSION OF MAJOR PRELIMINARY PLAT (DRB08)** **Your attendance is required.**

- Preliminary Plat reduced to 8.5" x 11"
  - Zone Atlas map with the entire property(ies) clearly outlined
  - Letter briefly describing, explaining, and justifying the request
  - Copy of DRB approved infrastructure list
  - Copy of the LATEST Official DRB Notice of approval for Preliminary Plat Extension request
  - List any original and/or related file numbers on the cover application
- Extension of preliminary plat approval expires after one year.**

**MAJOR SUBDIVISION FINAL PLAT APPROVAL (DRB12)** **Your attendance is required.**

- Proposed Final Plat (folded to fit into an 8.5" by 14" pocket) **6 copies**
- Signed & recorded Final Pre-Development Facilities Fee Agreement for Residential development only
- Design elevations & cross sections of perimeter walls **3 copies**
- Zone Atlas map with the entire property(ies) clearly outlined
- Bring original Mylar of plat to meeting, ensure property owner's and City Surveyor's signatures are on the plat
- Copy of recorded SIA
- Landfill disclosure and EHD signature line on the Mylar if property is within a landfill buffer
- List any original and/or related file numbers on the cover application
- DXF file and hard copy of final plat data for AGIS is required.

**MINOR SUBDIVISION PRELIMINARY/FINAL PLAT APPROVAL (DRB16)** **Your attendance is required.**

- ~~NA~~ 5 Acres or more: Certificate of No Effect or Approval - *Deferred to Site Plans*
- Proposed Preliminary / Final Plat (folded to fit into an 8.5" by 14" pocket) **6 copies** for unadvertised meetings ensure property owner's and City Surveyor's signatures are on the plat prior to submittal
- ~~NK~~ Signed & recorded Final Pre-Development Facilities Fee Agreement for Residential development only
- ~~NA~~ Design elevations and cross sections of perimeter walls (11" by 17" maximum) **3 copies**
- ~~NA~~ Site sketch with measurements showing structures, parking, Bldg. setbacks, adjacent rights-of-way and street improvements, if there is any existing land use (folded to fit into an 8.5" by 14" pocket) **6 copies**
- Zone Atlas map with the entire property(ies) clearly outlined
- Letter briefly describing, explaining, and justifying the request
- Bring original Mylar of plat to meeting, ensure property owner's and City Surveyor's signatures are on the plat
- ~~NA~~ Landfill disclosure and EHD signature line on the Mylar if property is within a landfill buffer
- Fee (see schedule)
- List any original and/or related file numbers on the cover application
- ~~NA~~ Infrastructure list if required (**verify with DRB Engineer**) *Bulk Land Variance*
- DXF file and hard copy of final plat data for AGIS is required.

**AMENDMENT TO PRELIMINARY PLAT (with minor changes) (DRB03)** **Your attendance is required.**

- PLEASE NOTE: There are no clear distinctions between significant and minor changes with regard to subdivision amendments. Significant changes are those deemed by the DRB to require public notice and public hearing.
- Proposed Amended Preliminary Plat, Infrastructure List, and/or Grading Plan (folded to fit into an 8.5" by 14" pocket) **6 copies**
  - Original Preliminary Plat, Infrastructure List, and/or Grading Plan (folded to fit into an 8.5" by 14" pocket) **6 copies**
  - Zone Atlas map with the entire property(ies) clearly outlined
  - Letter briefly describing, explaining, and justifying the request
  - Bring original Mylar of plat to meeting, ensure property owner's and City Surveyor's signatures are on the plat
  - List any original and/or related file numbers on the cover application
- Amended preliminary plat approval expires after one year**

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

James K. Strozio, AICP  
Applicant name (print)  
[Signature] 1-24-14  
Applicant signature / date



Form revised October 2007

- Checklists complete
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  - Related #s listed
- Application case numbers  
 DRB - 70019  
 -  
 -  
 -

[Signature] 1-24-14  
Planner signature / date  
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  - \_\_\_ 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.

James K. Strozier, AICP  
Applicant name (print)

[Signature] 1-29-14  
Applicant signature / date



Form revised 4/07

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

Application case numbers  
 4 DRB - 70018  
 - - -  
 - - -

[Signature] 1-24-14  
Planner signature / date  
 Project # 1009438

February 19, 2014

(BLN, P&F)



Supplemental Form (SF)

**SUBDIVISION**

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

**SITE DEVELOPMENT PLAN**

- \_\_\_ for Subdivision
- \_\_\_ for Building Permit
- \_\_\_ Administrative Amendment/Approval (AA)
- \_\_\_ 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): VLADIMIR SIRIK PHONE: 892-4597  
 ADDRESS: 1102 MARISOLD DRIVE N.E. FAX: \_\_\_\_\_  
 CITY: ALBUQUERQUE STATE NM ZIP 87122 E-MAIL: professional.surveying@earthlink.net

APPLICANT: KURT BROWNING PHONE: 998-0163  
 ADDRESS: RPS I-25 & VASSAR, LLC 6300 RIVERSIDE PLAZA UNIT 200 FAX: SUITE 200  
 CITY: ALBUQUERQUE STATE NM ZIP 87120 E-MAIL: kbrowning@titan-development.com  
 Proprietary interest in site: OWNER/ AGENT List all owners: SEE ATTACHED

DESCRIPTION OF REQUEST: SKETCH OF BULK LAND PLAT, APPROX. 172 ACRES  
PEDICATIONS, VACATIONS, ANNEXATION. SEE ATTACHED LETTER

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. SEE ATTACHED Block: \_\_\_\_\_ Unit: \_\_\_\_\_  
 Subdiv/Addn/TBKA: AVILON SUBDIVISION UNIT 5  
 Existing Zoning: SH-1 IP & C-2 Proposed zoning: NO CHANGE MRGCD Map No N/A  
 Zone Atlas page(s): J9 & K9 UPC Code: SEE ATTACHED LIST

**CASE HISTORY:**

List any current or prior case number that may be relevant to your application (Proj., App., DRB-, AX, Z, V, S, etc.): \_\_\_\_\_  
0-11-67 & 0-11-68, PROJECT # 1009438, 12-DRB-70285

**CASE INFORMATION:**

Within city limits?  Yes Within 1000FT of a landfill? NO  
 No. of existing lots: 26 No. of proposed lots: 12 Total site area (acres): 172  
 LOCATION OF PROPERTY BY STREETS: On or Near: S.E. QUADRANT OF I-40 & 99TH STREET N.W.  
 Between: I-40 TO VOLCANO RD. N.W. and 99TH STREET N.W. TO UNSER DRAINAGE CHAN.

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

SIGNATURE Vladimir Sirik DATE 12/4/2012  
 (Print Name) VLADIMIR SIRIK Applicant:  Agent:

**FOR OFFICIAL USE ONLY**

Revised: 4/2012

INTERNAL ROUTING	Application case numbers	Action	S.F.	Fees
<input checked="" type="checkbox"/> All checklists are complete	<u>12DRB-70371</u>	<u>SP</u>	___	\$ <u>0</u>
<input checked="" type="checkbox"/> All fees have been collected	___	___	___	\$ ___
<input checked="" 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	___	___	___	\$ ___
<input type="checkbox"/> F.H.D.P. fee rebate	___	___	___	\$ ___
	Hearing date <u>Dec. 12, 2012</u>			Total \$ <u>0</u>

[Signature]  
 Staff signature & Date 12-4-12

Project # 1009438

**FORM S(3): SUBDIVISION - D.R.B. MEETING (UNADVERTISED) OR INTERNAL ROUTING**

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

**SKETCH PLAT REVIEW AND COMMENT (DRB22)** **Your attendance is required.**

- Scale drawing of the proposed subdivision plat (folded to fit into an 8.5" by 14" pocket) **6 copies**
- Site sketch with measurements showing structures, parking, Bldg. setbacks, adjacent rights-of-way and street improvements, if there is any existing land use (folded to fit into an 8.5" by 14" pocket) **6 copies**
- Zone Atlas map with the entire property(ies) clearly outlined
- Letter briefly describing, explaining, and justifying the request
- List any original and/or related file numbers on the cover application

**EXTENSION OF MAJOR PRELIMINARY PLAT (DRB08)** **Your attendance is required.**

- Preliminary Plat reduced to 8.5" x 11"
- Zone Atlas map with the entire property(ies) clearly outlined
- Letter briefly describing, explaining, and justifying the request
- Copy of DRB approved infrastructure list
- Copy of the LATEST Official DRB Notice of approval for Preliminary Plat Extension request
- List any original and/or related file numbers on the cover application

**Extension of preliminary plat approval expires after one year.**

**MAJOR SUBDIVISION FINAL PLAT APPROVAL (DRB12)** **Your attendance is required.**

- Proposed Final Plat (folded to fit into an 8.5" by 14" pocket) **6 copies**
- Signed & recorded Final Pre-Development Facilities Fee Agreement for **Residential** development only
- Design elevations & cross sections of perimeter walls **3 copies**
- Zone Atlas map with the entire property(ies) clearly outlined
- Bring original Mylar of plat to meeting, ensure property owner's and City Surveyor's signatures are on the plat
- Copy of recorded SIA
- Landfill disclosure and EHD signature line on the Mylar if property is within a landfill buffer
- List any original and/or related file numbers on the cover application
- DXF file and hard copy of final plat data for AGIS is required.

**MINOR SUBDIVISION PRELIMINARY/FINAL PLAT APPROVAL (DRB16)** **Your attendance is required.**

- 5 Acres or more: Certificate of No Effect or Approval
- Proposed Preliminary / Final Plat (folded to fit into an 8.5" by 14" pocket) **6 copies** for unadvertised meetings ensure property owner's and City Surveyor's signatures are on the plat prior to submittal
- Signed & recorded Final Pre-Development Facilities Fee Agreement for **Residential** development only
- Design elevations and cross sections of perimeter walls (11" by 17" maximum) **3 copies**
- Site sketch with measurements showing structures, parking, Bldg. setbacks, adjacent rights-of-way and street improvements, if there is any existing land use (folded to fit into an 8.5" by 14" pocket) **6 copies**
- Zone Atlas map with the entire property(ies) clearly outlined
- Letter briefly describing, explaining, and justifying the request
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- Landfill disclosure and EHD signature line on the Mylar if property is within a landfill buffer
- Fee (see schedule)
- List any original and/or related file numbers on the cover application
- Infrastructure list if required (**verify with DRB Engineer**)
- DXF file and hard copy of final plat data for AGIS is required.

**AMENDMENT TO PRELIMINARY PLAT (with minor changes) (DRB03)** **Your attendance is required.**

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

- Proposed Amended Preliminary Plat, Infrastructure List, and/or Grading Plan (folded to fit into an 8.5" by 14" pocket) **6 copies**
- Original Preliminary Plat, Infrastructure List, and/or Grading Plan (folded to fit into an 8.5" by 14" pocket) **6 copies**
- Zone Atlas map with the entire property(ies) clearly outlined
- Letter briefly describing, explaining, and justifying the request
- Bring original Mylar of plat to meeting, ensure property owner's and City Surveyor's signatures are on the plat
- List any original and/or related file numbers on the cover application

**Amended preliminary plat approval expires after one year**

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

VLADIMIR JIRIK  
Applicant name (print)  
Vladimir Jirik 12/4/2012  
Applicant signature / date



Form revised October 2007

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

Application case numbers  
12 - DRB - 70371  
\_\_\_\_\_  
\_\_\_\_\_

[Signature] 12-4-12  
Planner signature / date  
Project # 1009438



Supplemental Form (SF)

**SUBDIVISION**

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

**SITE DEVELOPMENT PLAN**

- for Subdivision
- for Building Permit
- Administrative Amendment/Approval (AA)
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**STORM DRAINAGE (Form D)**

- Storm Drainage Cost Allocation Plan

**S Z ZONING & PLANNING**

- Annexation
- Zone Map Amendment (Establish or Change Zoning, includes Zoning within Sector Development Plans)
- 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
- 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:**

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APPLICANT: KURT BROWNING PHONE: 998-0163  
ADDRESS: RPS I-25 & VASSAR, LLC 6300 RIVERSIDE PLAZA UNIV. SUITE 200  
CITY: ALBUQUERQUE STATE NM ZIP 87120 E-MAIL: kbrowning@titan-development.com  
Proprietary interest in site: OWNER/ AGENT List all owners: SEE ATTACHED

DESCRIPTION OF REQUEST: SKETCH OF BULK LAND PLAT, APPROX. 172 ACRES  
DEDICATIONS, VACATIONS, ANNEXATION. SEE ATTACHED LETTER

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. SEE ATTACHED Block: \_\_\_\_\_ Unit: \_\_\_\_\_  
Subdiv/Addn/TBKA. KALON SUBDIVISION UNIT 5  
Existing Zoning SU-1 IP & C-2 Proposed zoning. NO CHANGES MRGCD Map No N/A  
Zone Atlas page(s): J9 & K9 UPC Code: SEE ATTACHED LIST

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

0-11-67 & 0-11-68, PROJECT # 1009438, 12-DRB-70285

**CASE INFORMATION:**

Within city limits?  Yes Within 1000FT of a landfill? NO  
No. of existing lots: 26 No. of proposed lots: 12 Total site area (acres): 172  
LOCATION OF PROPERTY BY STREETS: On or Near: S.E. QUADRANT OF I-40 & 98TH STREET N.W.  
Between: I-40 TO VOLCANO RD. N.W. and 98TH STREET N.W. TO UNSER DRAINAGE CHAN.

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

SIGNATURE Vladimir Sirik DATE 12/4/2012  
(Print Name) VLADIMIR SIRIK Applicant:  Agent

**FOR OFFICIAL USE ONLY**

INTERNAL ROUTING	Application case numbers	Action	S.F.	Fees
<input checked="" type="checkbox"/> All checklists are complete	<u>12DRB-70371</u>	<u>SP</u>		\$ <u>0</u>
<input checked="" type="checkbox"/> All fees have been collected				\$ _____
<input checked="" 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				\$ _____
<input type="checkbox"/> F.H.D.P. fee rebate				\$ _____
	Hearing date <u>Dec. 12, 2012</u>			Total \$ <u>0</u>

Staff signature & Date: [Signature] 12-4-12 Project # 1009438

Revised: 4/2012

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

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**MINOR SUBDIVISION PRELIMINARY/FINAL PLAT APPROVAL (DRB16)** Your attendance is required.

- 5 Acres or more. Certificate of No Effect or Approval
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- Fee (see schedule)
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  - Letter briefly describing, explaining, and justifying the request
  - Bring original Mylar of plat to meeting, ensure property owner's and City Surveyor's signatures are on the plat
  - List any original and/or related file numbers on the cover application
- Amended preliminary plat approval expires after one year**

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

VLADIMIR JIRIK  
Vladimir Jirik Applicant name (print)  
12/4/2012 Applicant signature / date



Form revised October 2007

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

Application case numbers  
12-DRB-70371

[Signature] Planner signature / date  
12-4-12  
 Project # 1009438

**RPS I-25 & VASSAR, LLC  
6300 RIVERSIDE PLAZA LANE NW  
SUITE 200  
ALBUQUERQUE, NEW MEXICO 87120  
(505) 998-0163**

September 6, 2012

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

*(Hand delivered with application)*

Re: Annexations Near 98<sup>th</sup> and I-40 - O-11-68 and O-11-67 – Bulk Plat per  
City Council

Dear Jack:

The attached application for Bulk Plat (w/bulk variance) has a long history associated with the annexation requests referenced above that have been approved by City Council and the County Commission. Several entities (see plat signature page) are represented in this area and RPS has taken the lead since late 2010 when we met with City and County elected officials and staff to address two “islands” of County that were surrounded by City. The dual jurisdictions made it challenging for potential economic development in this area.

After many meetings/coordination, County Commission approval (Jan 2011), EPC approval (June 2011) and City Council approval (Dec 2011), the annexations were approved by Council along with annexation agreements (Spring 2012) stipulating the realignment of future Daytona Road due to Neighborhood input. The final “Condition of City Policy” as outlined by the Council is a bulk plat to vacate the antiquated easements and to clearly define future ROW for the Daytona Loop (as requested by the Neighborhoods and City Council) that matches the existing access to the City’s transit facility.

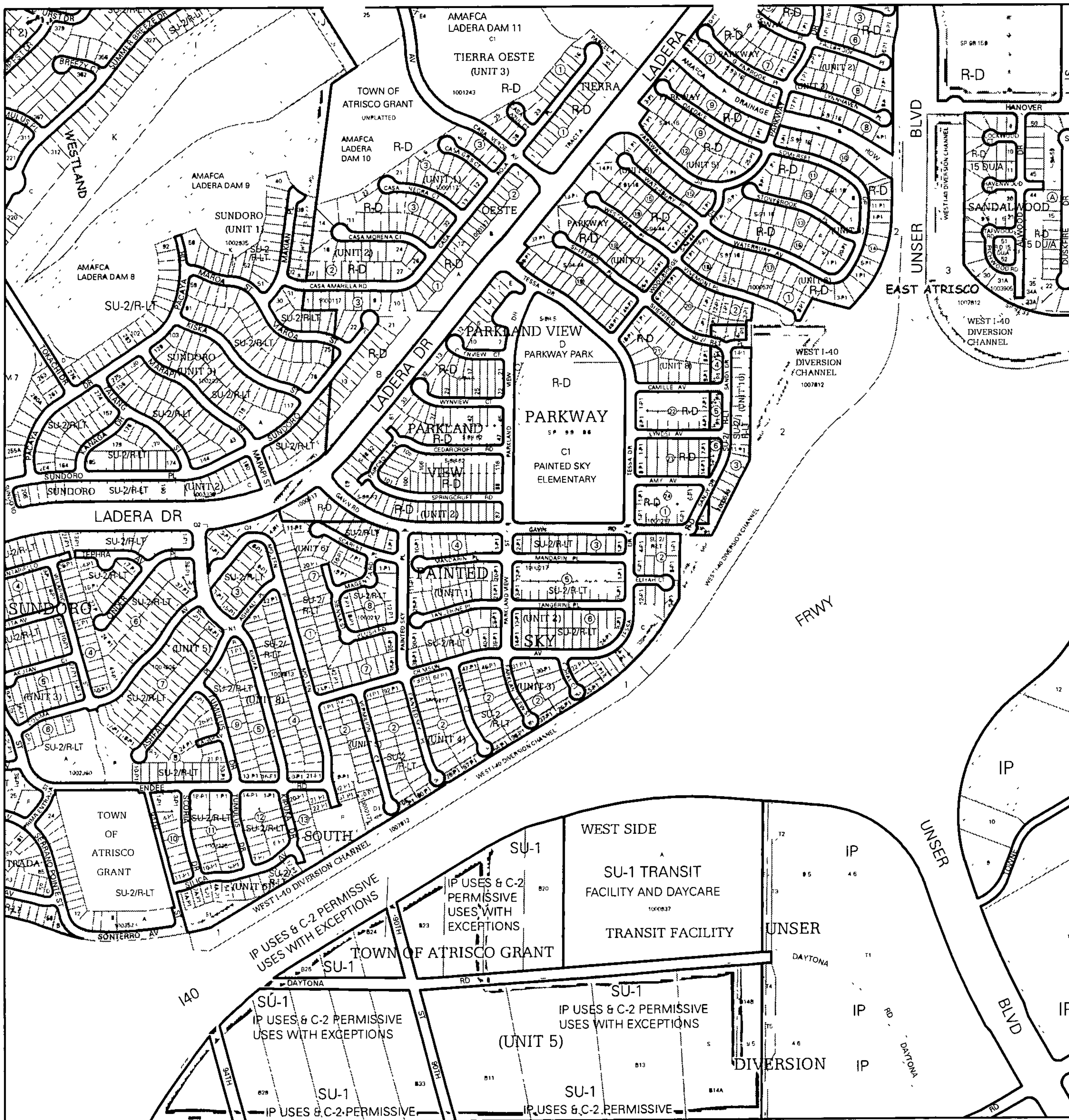
The Annexation Ordinances are attached for reference along with the exhibits showing the approved future Daytona alignment. This has truly been a team effort including Councilor Ken Sanchez, Council Services and Laura Mason, then Commissioner Alan Armijo, the County Commission and staff, EPC and staff, Kevin Curran and staff, all in an effort to clean up dual jurisdictional lands and hopefully increase economic development. At this time, we have no end user.

Sincerely,



Kurt Browning,  
Director of Development  
RPS I-25 & Vassar, LLC — (98<sup>th</sup> and I-40 Land)  
c/o Titan Development





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

Map amended through: 4/2/2012

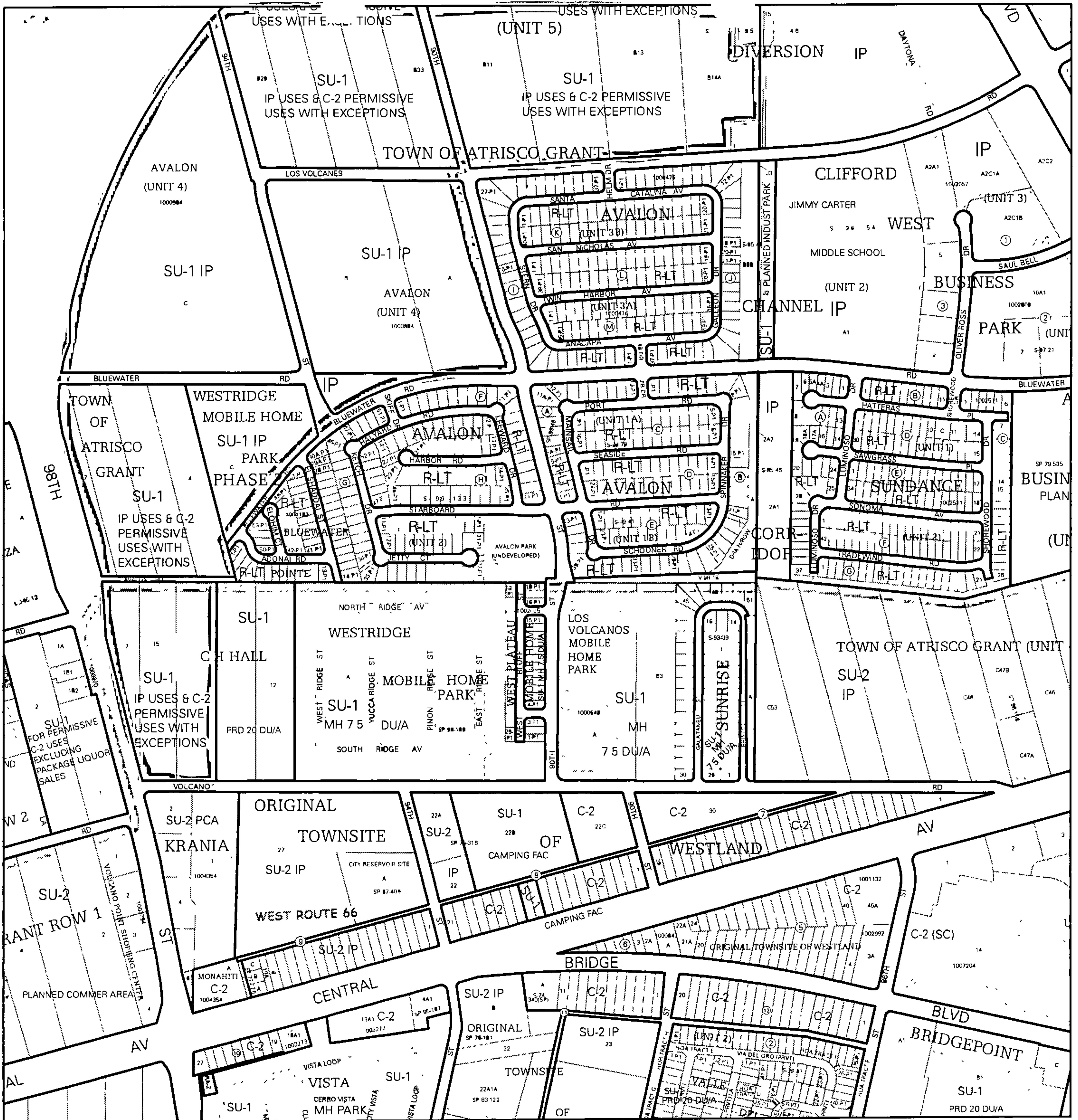
Note Grey Shading Represents Area Outside of the City Limits

Zone Atlas Page:  
**J-09-Z**

Selected Symbols

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

Feet  
0 750 1,500



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

Map amended through 4/2/2012

Note Grey Shading Represents Area Outside of the City Limits

Zone Atlas Page:  
**K-09-Z**

Selected Symbols

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

0 750 1,500 Feet

**PROFESSIONAL SURVEYING LLC**  
**P.O. Box 94595**  
**ALBUQUERQUE, NM 87199**  
**Tel. 505.892.4597, cell 505.620.4228**  
**professional.surveying@comcast.net**

**Avalon Subdivision Unit 5 Sketch Plat Application**

**List of UPC Codes**

1 009 057 243 395 20404  
1 009 057 192 393 20401  
1 009 057 116 316 20105  
1 009 057 078 290 20104  
1 009 057 058 289 20103  
1 009 057 032 290 20102  
1 009 057 029 225 30707  
1 009 057 059 185 30705  
1 009 057 185 184 30701  
1 009 057 103 413 20301  
1 009 057 156 502 20503  
1 009 057 234 500 10402  
1 009 057 275 502 10404  
1 009 057 317 505 10406  
1 009 057 367 477 10408  
1 009 058 222 051 30202  
1 009 058 201 043 30201  
1 009 058 176 034 30103  
1 009 058 157 029 30102  
1 009 058 138 024 30101  
1 009 058 125 021 30104

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**P.O. Box 94595**  
**ALBUQUERQUE, NM 87199**  
**Tel. 505.892.4597, cell 505.620.4228**  
**professional.surveying@comcast.net**

## **Avalon Subdivision Unit 5 Sketch Plat Application**

### **List of Owners**

#### Curb Inc.

Charles A. Haegelin, President  
5160 San Francisco Road N.E., Albuquerque, NM 87109  
505.881.9190

#### Bluewater North LLC

Charles A. Haegelin, Managing Member  
5160 San Francisco Road N.E., Albuquerque, NM 87109  
505.881.9190

#### RPS I-25 & VASSAR LLC

Ben Spencer, Managing Member  
6300 Riverside Plaza Lane N.W., Suite 200, Albuquerque, NM 87120  
505.998.0163

#### Bluewater 98th LLC

Charles A. Haegelin, Managing Member  
5160 San Francisco Road N.E., Albuquerque, NM 87109  
505.881.9190

#### MAJEC LLC

Marie S. Baca, Operating Manager  
2001 Fourth Street S.W., Albuquerque, NM 87102  
505.243.2722, ext. 131

#### Ivanhoe Investment LLC

Charles A. Haegelin, Managing Member  
5160 San Francisco Road N.E., Albuquerque, NM 87109  
505.881.9190

#### I-40 South LLC

Thomas Keleher, Managing Member  
c/o Keleher & McLeod, P.A., P.O. Box AA, Albuquerque, NM 87103  
Phone: 505.346.4646

#### Bruckner Truck Sales, Inc.

Christopher Bruckner, President  
5010 Jefferson Street N.E., Albuquerque NE, New Mexico 87109  
1.877.235.8194

**PROFESSIONAL SURVEYING LLC  
P.O. Box 94595  
ALBUQUERQUE, NM 87199  
Tel. 505.892.4597, cell 505.620.4228  
professional.surveying@comcast.net**

## **Avalon Subdivision Unit 5 Sketch Plat Application**

### **Legal Description**

TRACTS OR PORTIONS OF TRACTS B-11 THROUGH B-13, B-22 THROUGH B-27, B-29 THROUGH B-33, AND VARIOUS ROADWAY EASEMENTS, TOWN OF ATRISCO GRANT UNIT NO. 5, AS SAID TRACTS AND ROADWAY EASEMENTS ARE SHOWN AND DESIGNATED ON THE PLAT TITLED "PLAT SHOWING A PORTION OF TRACTS ALLOTTED FROM TOWN OF ATRISCO GRANT IN SCHOOL DISTRICT 28, BERNALILLO COUNTY, NEW MEXICO" FILED IN THE OFFICE OF THE COUNTY CLERK OF BERNALILLO COUNTY, NEW MEXICO, ON DECEMBER 5, 1944 IN VOLUME D, FOLIO 117;

TOGETHER WITH TRACT B-14A, UNSER DIVERSION CHANNEL CORRIDOR, AS SAID TRACT IS SHOWN AND DESIGNATED ON THE PLAT THEREOF FILED IN THE OFFICE OF THE COUNTY CLERK OF BERNALILLO COUNTY, NEW MEXICO, ON FEBRUARY 21, 1996 IN VOLUME 96C, FOLIO 77;

TOGETHER WITH TRACTS A, B AND C, AVALON SUBDIVISION UNIT NO. 4, AS SAID TRACTS ARE SHOWN AND DESIGNATED ON THE PLAT THEREOF, FILED IN THE OFFICE OF THE COUNTY CLERK OF BERNALILLO COUNTY, NEW MEXICO, ON MAY 8, 2003 IN VOLUME 2003C, FOLIO 129;

TOGETHER WITH TRACT C, WESTRIDGE MOBILE HOME PARK PHASE 2, AS SAID TRACT IS SHOWN AND DESIGNATED ON THE PLAT THEREOF FILED IN THE OFFICE OF THE COUNTY CLERK OF BERNALILLO COUNTY, NEW MEXICO, ON MAY 21, 2001 IN VOLUME 2001C, FOLIO 151;

TOGETHER WITH TRACTS 4, 5, 6 AND 7, TOWN OF ATRISCO GRANT, AS SAID TRACTS ARE SHOWN AND DESIGNATED ON THE SURVEY THEREOF FILED IN THE OFFICE OF THE COUNTY CLERK OF BERNALILLO COUNTY, NEW MEXICO, ON SEPTEMBER 27, 2000 IN BOOK 2000S, PAGE 139;

TOGETHER WITH TRACTS 14, 15 AND 16 OF THE WESTERLY EXTENSION OF C.H. HALL SURVEY, AS SAID SURVEY IS SHOWN AND DESIGNATED ON THE PLAT THEREOF FILED IN THE OFFICE OF THE COUNTY CLERK OF BERNALILLO COUNTY, NEW MEXICO, ON DECEMBER 30, 1946 IN VOLUME B1, FOLIO 120.

December 12, 2012



Supplemental Form (SF)

**SUBDIVISION**

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

**SITE DEVELOPMENT PLAN**

- for Subdivision
- for Building Permit
- Administrative Amendment/Approval (AA)
- 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): Vladimir Jirik, PS 10464 PHONE: 505.892.4597  
 ADDRESS: 1102 Marigold Drive N.E. FAX: \_\_\_\_\_  
 CITY: Albuquerque STATE NM ZIP 87122 E-MAIL: \_\_\_\_\_  
professional.surveying@comcast.net  
 APPLICANT: Kurt Browning, Director of Development PHONE: 505.998.0163  
 ADDRESS: RPS I-25 & VASSAR, LLC, 6300 Riverside Plaza Lane NW, Suite 200 FAX: \_\_\_\_\_  
 CITY: Albuquerque STATE NM ZIP 87120 E-MAIL: kbrowning@titan-  
Proprietary interest in site: Owner/Agent List all owners: Attached development.com

**DESCRIPTION OF REQUEST:** Sketch Plat review request, Bulk Land on approx. 172 Acres Dedications and Vacations, Annexation. See attached letter.

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. See attached Block: \_\_\_\_\_ Unit: \_\_\_\_\_  
 Subdiv/Addn/TBKA: Avalon Subdivision Unit 5  
 Existing Zoning: SU-1 IP & C-2 Proposed zoning: No change MRGCD Map No N/A  
 Zone Atlas page(s): J9 & K9 UPC Code: See attached list

**CASE HISTORY:**

List any current or prior case number that may be relevant to your application (Proj., App., DRB-, AX, Z, V, S, etc.): \_\_\_\_\_  
0-11-67 and 0-11-68

**CASE INFORMATION:**

Within city limits?  Yes Within 1000FT of a landfill?  No  
 No. of existing lots: 26 No. of proposed lots: 15 Total site area (acres): 172 Acres  
 LOCATION OF PROPERTY BY STREETS: On or Near: S.E. quadrant of I-40 and 98th Street NW  
 Between: I-40 to Volcano Road NW and 98th Street W and Unser Drainage Chan.

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

SIGNATURE [Signature] DATE 9-10-12  
 (Print Name) ~~Kurt Browning~~ Ben F Spencer Applicant:  Agent:

**FOR OFFICIAL USE ONLY**

Revised: 4/2012

INTERNAL ROUTING	Application case numbers	Action	S.F.	Fees
<input checked="" type="checkbox"/> All checklists are complete	<u>BDRB - 70285</u>	<u>SP</u>	_____	\$ <u>0</u>
<input type="checkbox"/> All fees have been collected	_____	_____	_____	\$ _____
<input checked="" type="checkbox"/> All case #s are assigned	_____	_____	_____	\$ _____
<input checked="" 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	_____	_____	_____	\$ _____
<input type="checkbox"/> F.H.D.P. fee rebate	_____	_____	_____	\$ _____
				Total \$ <u>0</u>

Hearing date Sept. 19, 2012

[Signature]  
 Staff signature & Date 9-11-12

Project # 1009438

**FORM S(3): SUBDIVISION - D.R.B. MEETING (UNADVERTISED) OR INTERNAL ROUTING**

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

- SKETCH PLAT REVIEW AND COMMENT (DRB22)** **Your attendance is required.**
- Scale drawing of the proposed subdivision plat (folded to fit into an 8.5" by 14" pocket) **6 copies**
  - Site sketch with measurements showing structures, parking, Bldg. setbacks, adjacent rights-of-way and street improvements, if there is any existing land use (folded to fit into an 8.5" by 14" pocket) **6 copies**
  - Zone Atlas map with the entire property(ies) clearly outlined
  - Letter briefly describing, explaining, and justifying the request
  - List any original and/or related file numbers on the cover application

- EXTENSION OF MAJOR PRELIMINARY PLAT (DRB08)** **Your attendance is required.**
- Preliminary Plat reduced to 8.5" x 11"
  - Zone Atlas map with the entire property(ies) clearly outlined
  - Letter briefly describing, explaining, and justifying the request
  - Copy of DRB approved infrastructure list
  - Copy of the LATEST Official DRB Notice of approval for Preliminary Plat Extension request
  - List any original and/or related file numbers on the cover application
- Extension of preliminary plat approval expires after one year.**

- MAJOR SUBDIVISION FINAL PLAT APPROVAL (DRB12)** **Your attendance is required.**
- Proposed Final Plat (folded to fit into an 8.5" by 14" pocket) **6 copies**
  - Signed & recorded Final Pre-Development Facilities Fee Agreement for **Residential** development only
  - Design elevations & cross sections of perimeter walls **3 copies**
  - Zone Atlas map with the entire property(ies) clearly outlined
  - Bring original Mylar of plat to meeting, ensure property owner's and City Surveyor's signatures are on the plat
  - Copy of recorded SIA
  - Landfill disclosure and EHD signature line on the Mylar if property is within a landfill buffer
  - List any original and/or related file numbers on the cover application
  - DXF file and hard copy of final plat data for AGIS is required.

- MINOR SUBDIVISION PRELIMINARY/FINAL PLAT APPROVAL (DRB16)** **Your attendance is required.**
- 5 Acres or more: Certificate of No Effect or Approval
  - Proposed Preliminary / Final Plat (folded to fit into an 8.5" by 14" pocket) **6 copies** for unadvertised meetings ensure property owner's and City Surveyor's signatures are on the plat prior to submittal
  - Signed & recorded Final Pre-Development Facilities Fee Agreement for **Residential** development only
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  - Fee (see schedule)
  - List any original and/or related file numbers on the cover application
  - Infrastructure list if required (**verify with DRB Engineer**)
  - DXF file and hard copy of final plat data for AGIS is required.

- AMENDMENT TO PRELIMINARY PLAT (with minor changes) (DRB03)** **Your attendance is required.**
- PLEASE NOTE: There are no clear distinctions between significant and minor changes with regard to subdivision amendments. Significant changes are those deemed by the DRB to require public notice and public hearing.
- Proposed Amended Preliminary Plat, Infrastructure List, and/or Grading Plan (folded to fit into an 8.5" by 14" pocket) **6 copies**
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- Amended preliminary plat approval expires after one year**

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

Ben F Spencer  
 Applicant name (print)

[Signature]  
 Applicant signature / date



Form revised **October 2007**

- Checklists complete
  - Fees collected
  - Case #s assigned
  - Related #s listed
- Application case numbers  
12 - DRB - 70285

[Signature] 9-11-12  
 Planner signature / date

Project # 1009438





Supplemental Form (SF)

**SUBDIVISION**

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

**SITE DEVELOPMENT PLAN**

- for Subdivision
- for Building Permit
- Administrative Amendment/Approval (AA)
- 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
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 CITY: Albuquerque STATE NM ZIP 87120 E-MAIL: kbrowning@titan-development.com  
 Proprietary interest in site: Owner/Agent List all owners: Attached

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O-11-67 and O-11-68

**CASE INFORMATION:**

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 Between: I-40 to Volcano Road NW and 98th Street W and Unser Drainage Chan.

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SIGNATURE [Signature] DATE 9-10-12  
 (Print Name) Kurt Browning Ben F Spencer Applicant:  Agent

**FOR OFFICIAL USE ONLY**

Revised: 4/2012

INTERNAL ROUTING	Application case numbers	Action	SF	Fees
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Hearing date Sept. 19, 2012

9-11-12  
 Staff signature & Date

Project # 1009438

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- Amended preliminary plat approval expires after one year**

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

Ben F SPENCER  
 Applicant name (print)

BFS  
 Applicant signature / date



Form revised October 2007

- Checklists complete
  - Fees collected
  - Case #s assigned
  - Related #s listed
- Application case numbers  
12-DRB-70285

[Signature] 9-11-12  
 Planner signature / date

Project # 1009438

**RPS I-25 & VASSAR, LLC  
6300 RIVERSIDE PLAZA LANE NW  
SUITE 200  
ALBUQUERQUE, NEW MEXICO 87120  
(505) 998-0163**

September 6, 2012

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

*(Hand delivered with application)*

Re: Annexations Near 98<sup>th</sup> and I-40 - O-11-68 and O-11-67 – Bulk Plat per  
City Council

Dear Jack:

The attached application for Bulk Plat (w/bulk variance) has a long history associated with the annexation requests referenced above that have been approved by City Council and the County Commission. Several entities (see plat signature page) are represented in this area and RPS has taken the lead since late 2010 when we met with City and County elected officials and staff to address two “islands” of County that were surrounded by City. The dual jurisdictions made it challenging for potential economic development in this area.

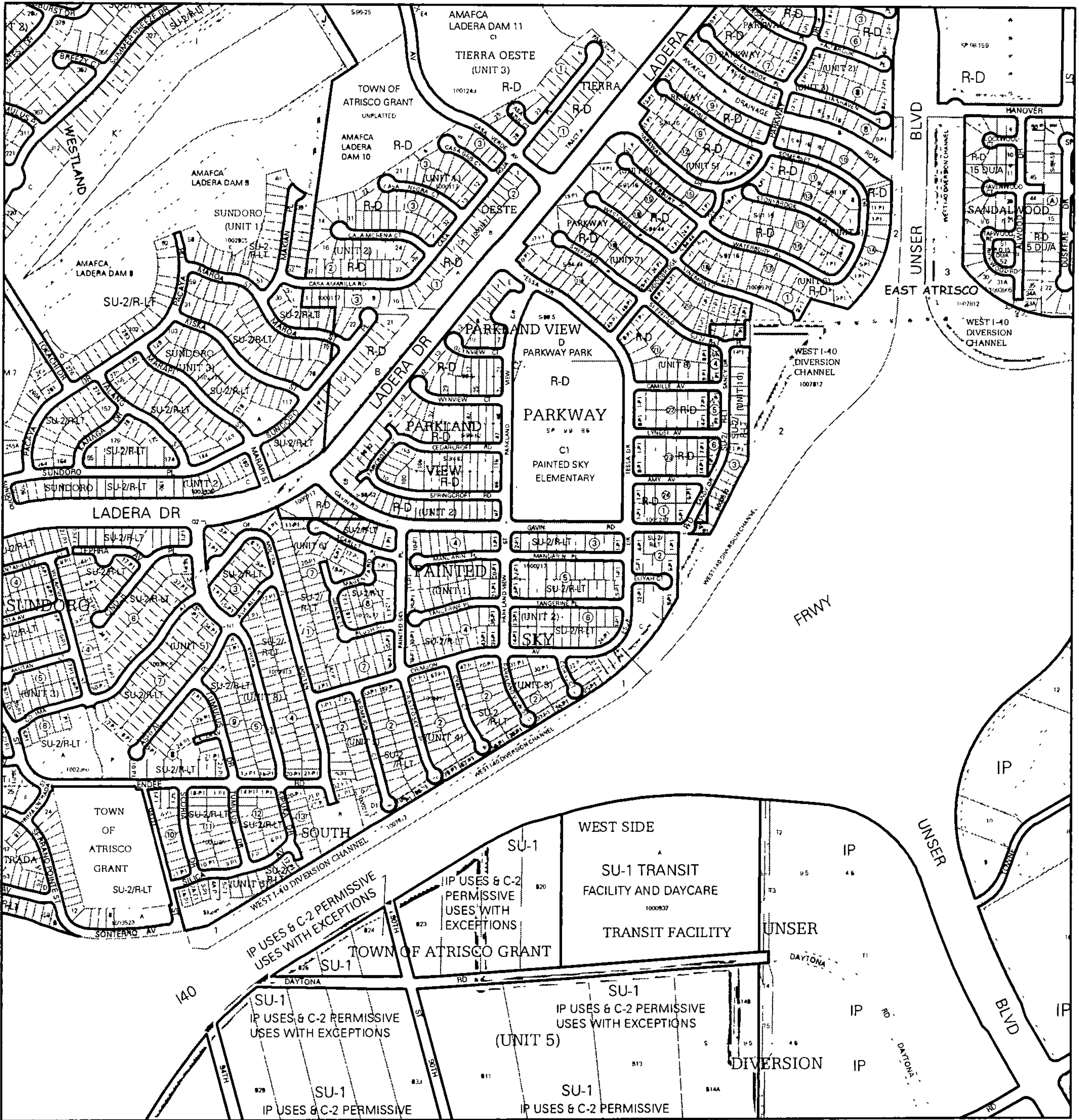
After many meetings/coordination, County Commission approval (Jan 2011), EPC approval (June 2011) and City Council approval (Dec 2011), the annexations were approved by Council along with annexation agreements (Spring 2012) stipulating the realignment of future Daytona Road due to Neighborhood input. The final “Condition of City Policy” as outlined by the Council is a bulk plat to vacate the antiquated easements and to clearly define future ROW for the Daytona Loop (as requested by the Neighborhoods and City Council) that matches the existing access to the City’s transit facility.

The Annexation Ordinances are attached for reference along with the exhibits showing the approved future Daytona alignment. This has truly been a team effort including Councilor Ken Sanchez, Council Services and Laura Mason, then Commissioner Alan Armijo, the County Commission and staff, EPC and staff, Kevin Curran and staff, all in an effort to clean up dual jurisdictional lands and hopefully increase economic development. At this time, we have no end user.

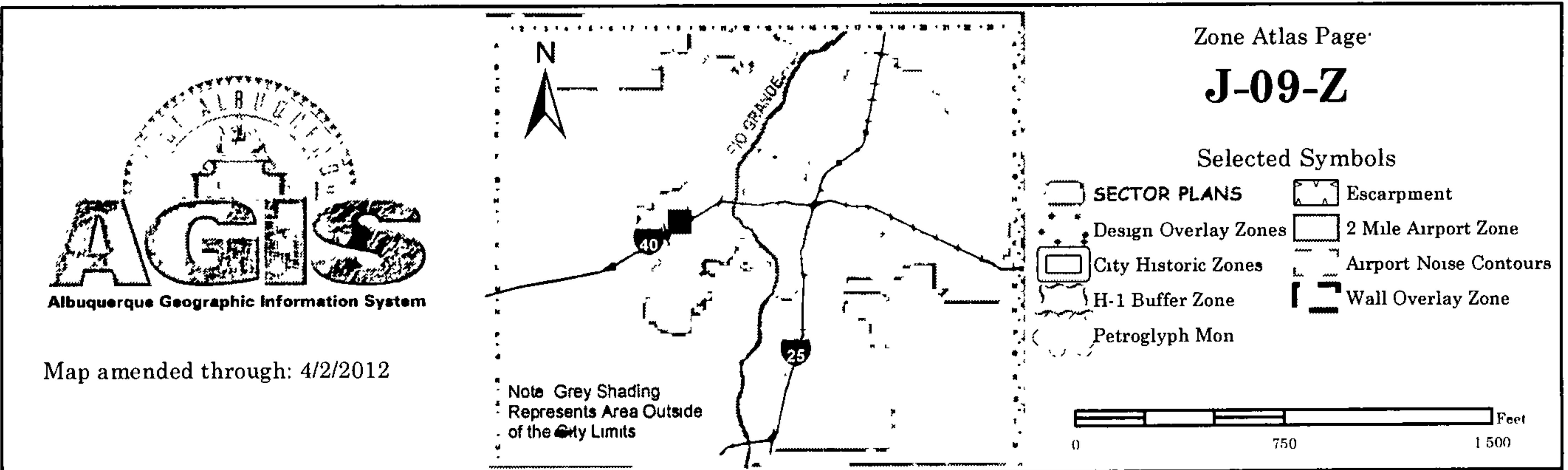
Sincerely,

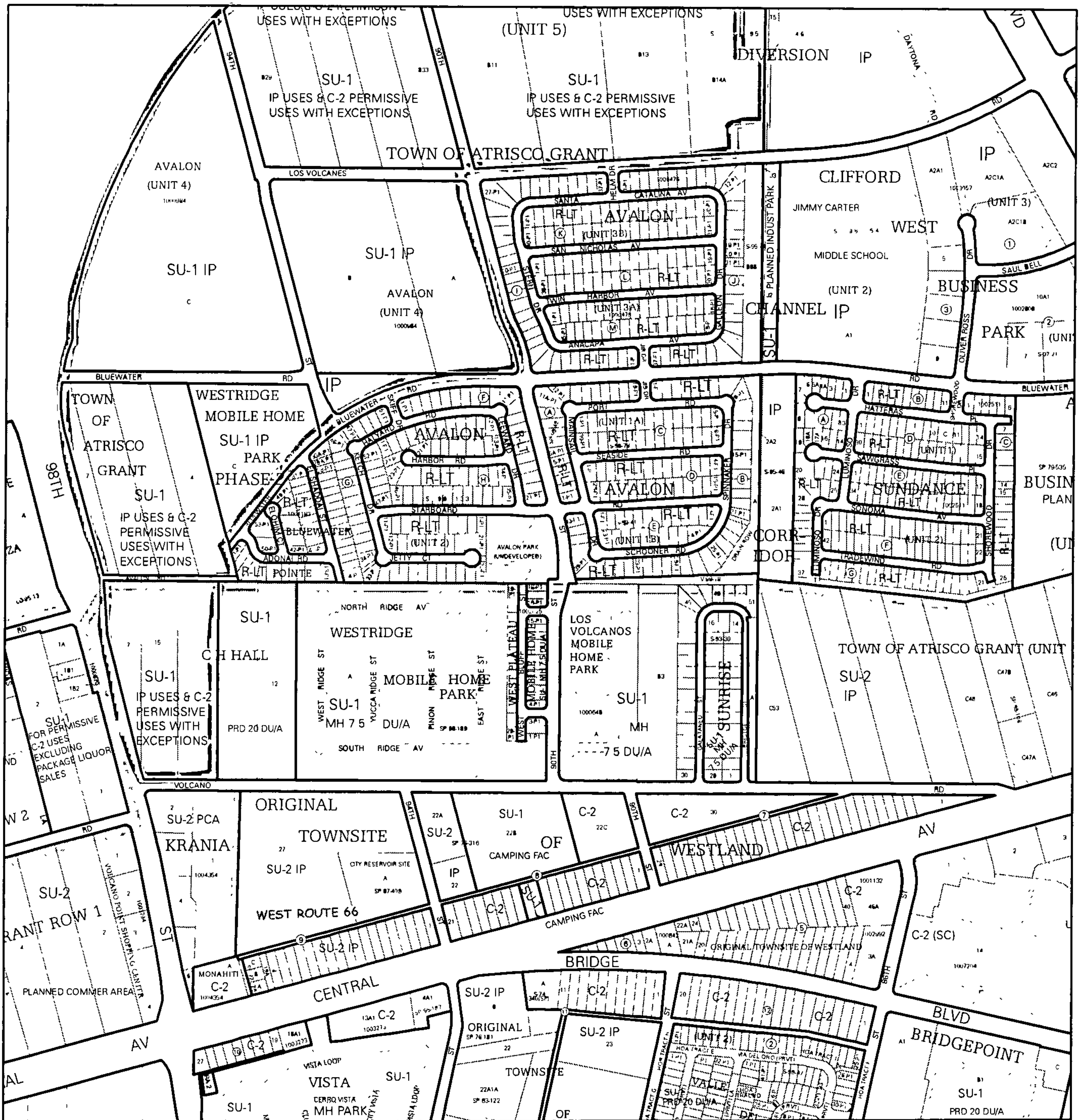


Kurt Browning,  
Director of Development  
RPS I-25 & Vassar, LLC --- (98<sup>th</sup> and I-40 Land)  
c/o Titan Development

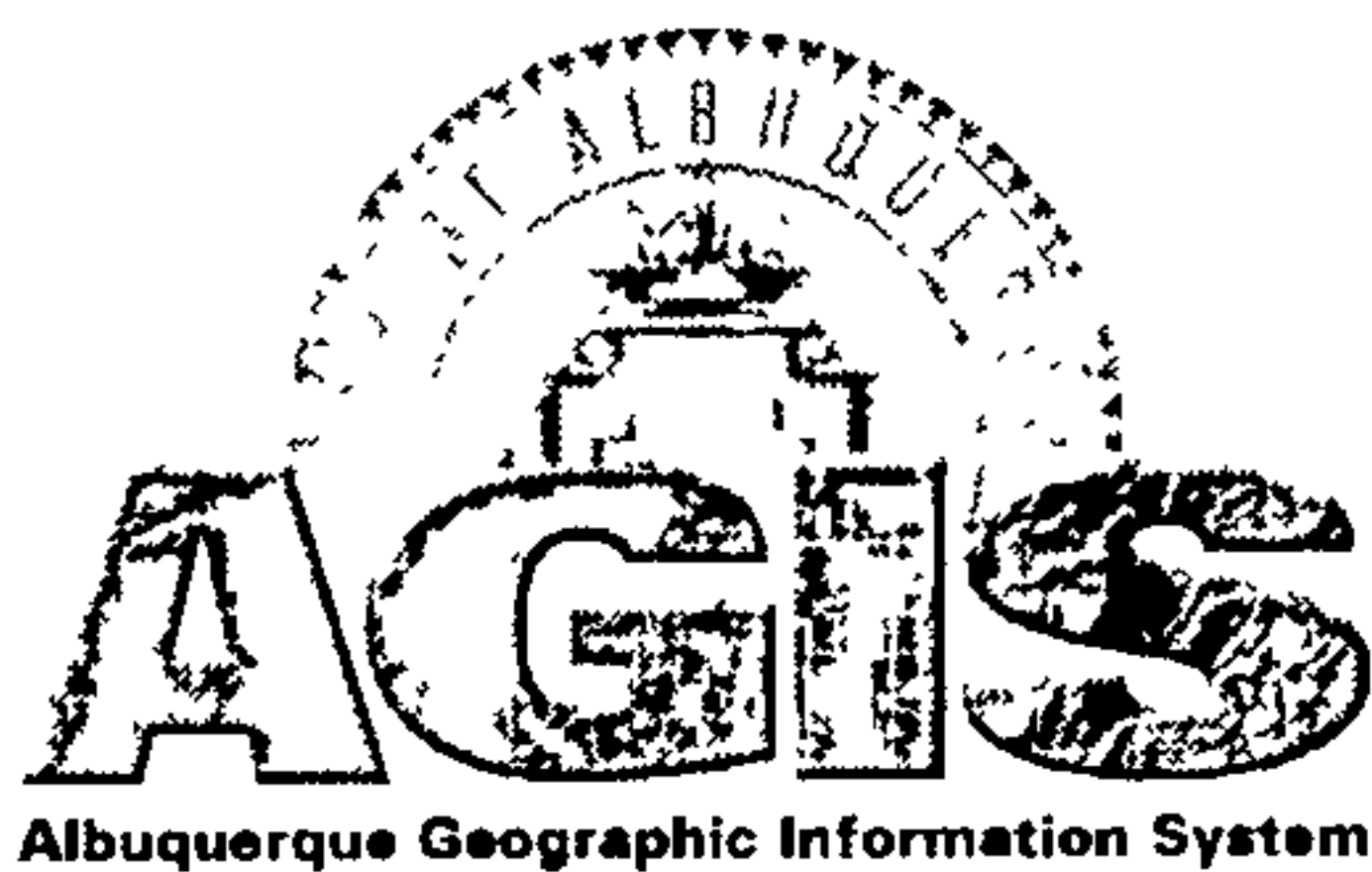
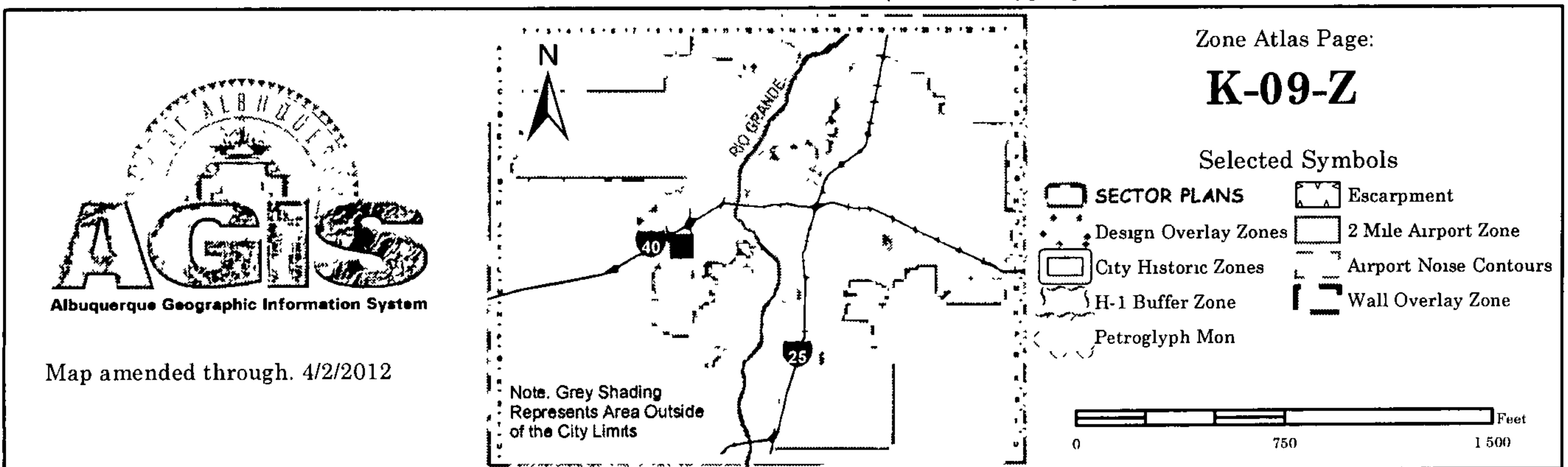


For more current information and details visit: <http://www.cabq.gov/gis>





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



Map amended through 4/2/2012

Note: Grey Shading Represents Area Outside of the City Limits

Zone Atlas Page:

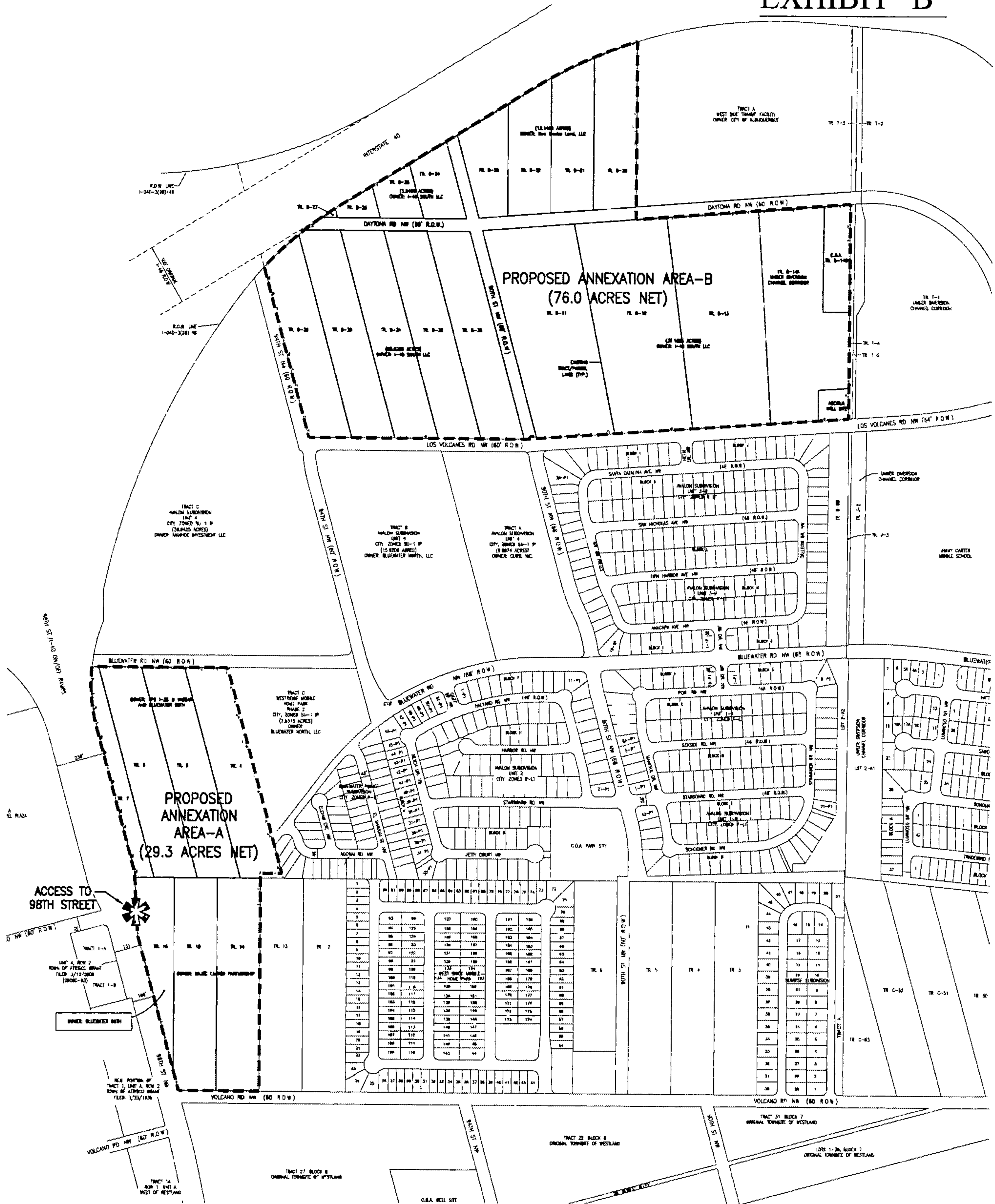
**K-09-Z**

Selected Symbols

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

0 750 1500 Feet

# EXHIBIT "B"



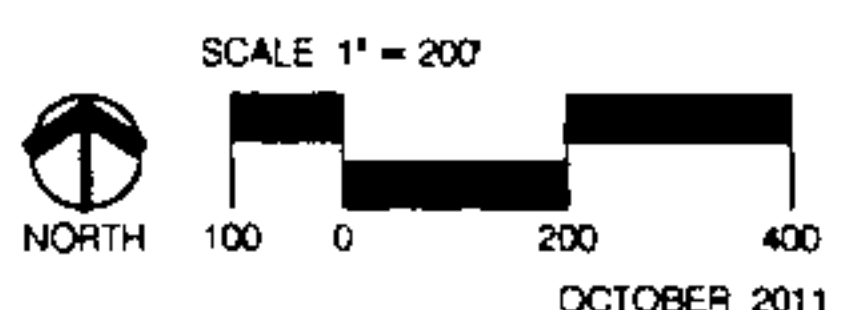
## 98th STREET & I-40

ANNEXATION AND ESTABLISHMENT OF SU-1 FOR IP USES, C-2 PERMISSIVE USES, WITH EXCEPTIONS

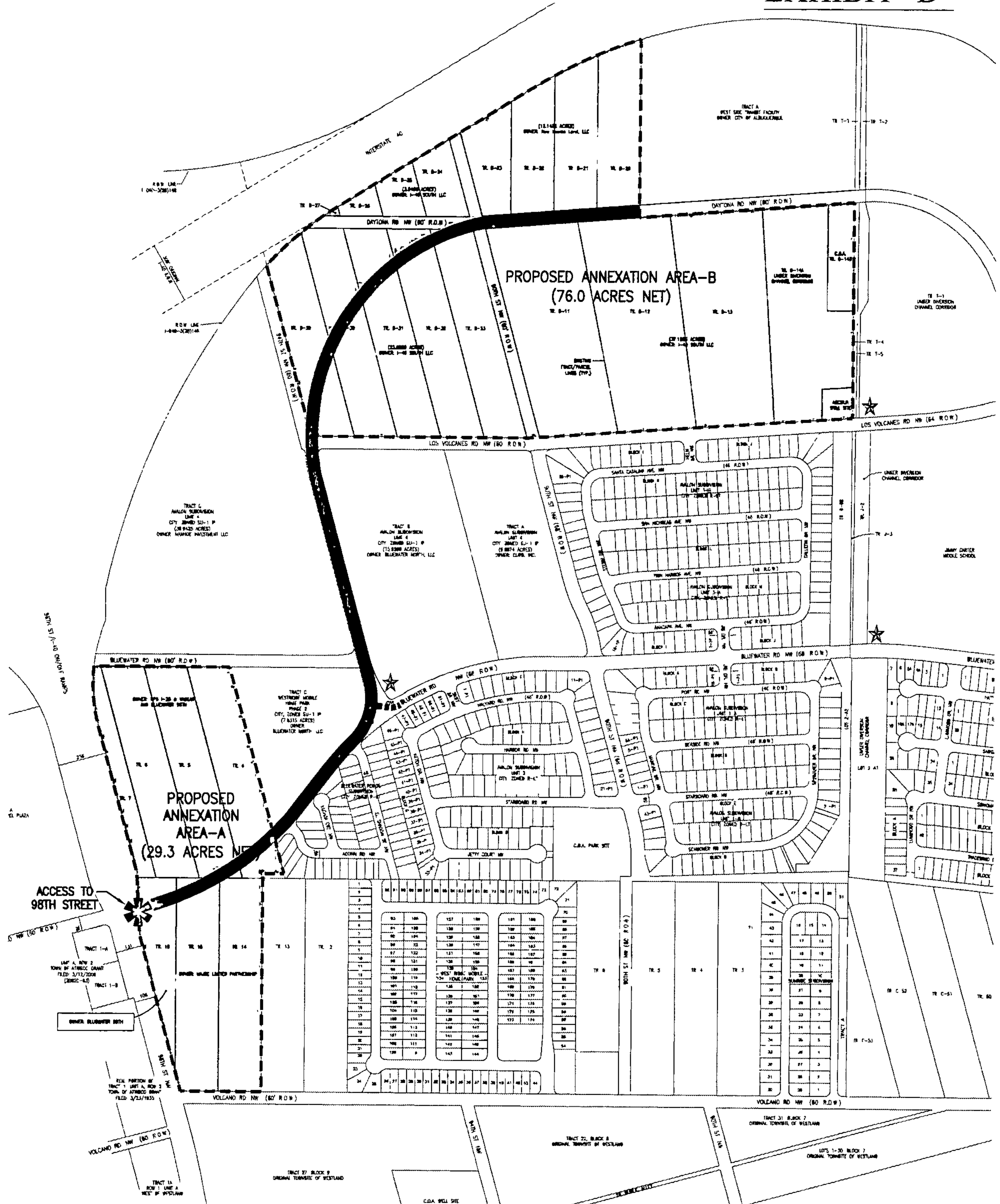
Prepared For  
 I-40 South, LLC  
 RPS I-25 & Vassar, LLC  
 Bluewater 98th, LLC  
 MAJEC, Limited Partnership  
 New Mexico Land, LLC

Prepared By  
 Consensus Planning, Inc  
 302 Eighth Street NW  
 Albuquerque, NM 87102

**CONSENSUS PLANNING, INC.**  
 Planning / Landscape Architecture  
 302 Eighth Street NW  
 Albuquerque, NM 87102  
 (505) 764-8801 Fax 842-5495  
 e-mail cp@consensusplanning.com



# EXHIBIT "D"



## LEGEND

★ "NO TRUCK" SIGNAGE

█ NON-RESIDENTIAL CIRCULATION ROUTE

NOTE: ANTIQUATED EASEMENTS WILL BE VACATED AS NECESSARY.

## 98th STREET & I-40

NON-RESIDENTIAL CIRCULATION ROUTE

Prepared For  
I-40 South, LLC  
RPS I-25 & Vassar, LLC  
Bluewater 98th, LLC  
MAJEC, Limited Partnership  
New Mexico Land, LLC

Prepared By  
Consensus Planning, Inc  
302 Eighth Street NW  
Albuquerque, NM 87102

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Planning / Landscape Architecture  
302 Eighth Street NW  
Albuquerque, NM 87102  
(505) 764-8801 Fax 842-5495  
e-mail: cp@consensusplanning.com



SCALE: 1" = 200'



OCTOBER 2011

**PROFESSIONAL SURVEYING LLC  
P.O. Box 94595  
ALBUQUERQUE, NM 87199  
Tel. 505.892.4597, cell 505.620.4228  
professional.surveying@comcast.net**

## **Avalon Subdivision Unit 5 Sketch Plat Application**

### **Legal Description**

TRACTS OR PORTIONS OF TRACTS B-11 THROUGH B-13, B-22 THROUGH B-27, B-29 THROUGH B-33, AND VARIOUS ROADWAY EASEMENTS, TOWN OF ATRISCO GRANT UNIT NO. 5, AS SAID TRACTS AND ROADWAY EASEMENTS ARE SHOWN AND DESIGNATED ON THE PLAT TITLED "PLAT SHOWING A PORTION OF TRACTS ALLOTTED FROM TOWN OF ATRISCO GRANT IN SCHOOL DISTRICT 28, BERNALILLO COUNTY, NEW MEXICO" FILED IN THE OFFICE OF THE COUNTY CLERK OF BERNALILLO COUNTY, NEW MEXICO, ON DECEMBER 5, 1944 IN VOLUME D, FOLIO 117;

TOGETHER WITH TRACT B-14A, UNSER DIVERSION CHANNEL CORRIDOR, AS SAID TRACT IS SHOWN AND DESIGNATED ON THE PLAT THEREOF FILED IN THE OFFICE OF THE COUNTY CLERK OF BERNALILLO COUNTY, NEW MEXICO, ON FEBRUARY 21, 1996 IN VOLUME 96C, FOLIO 77;

TOGETHER WITH TRACTS A, B AND C, AVALON SUBDIVISION UNIT NO. 4, AS SAID TRACTS ARE SHOWN AND DESIGNATED ON THE PLAT THEREOF, FILED IN THE OFFICE OF THE COUNTY CLERK OF BERNALILLO COUNTY, NEW MEXICO, ON MAY 8, 2003 IN VOLUME 2003C, FOLIO 129;

TOGETHER WITH TRACT C, WESTRIDGE MOBILE HOME PARK PHASE 2, AS SAID TRACT IS SHOWN AND DESIGNATED ON THE PLAT THEREOF FILED IN THE OFFICE OF THE COUNTY CLERK OF BERNALILLO COUNTY, NEW MEXICO, ON MAY 21, 2001 IN VOLUME 2001C, FOLIO 151;

TOGETHER WITH TRACTS 4, 5, 6 AND 7, TOWN OF ATRISCO GRANT, AS SAID TRACTS ARE SHOWN AND DESIGNATED ON THE SURVEY THEREOF FILED IN THE OFFICE OF THE COUNTY CLERK OF BERNALILLO COUNTY, NEW MEXICO, ON SEPTEMBER 27, 2000 IN BOOK 2000S, PAGE 139;

TOGETHER WITH TRACTS 14, 15 AND 16 OF THE WESTERLY EXTENSION OF C.H. HALL SURVEY, AS SAID SURVEY IS SHOWN AND DESIGNATED ON THE PLAT THEREOF FILED IN THE OFFICE OF THE COUNTY CLERK OF BERNALILLO COUNTY, NEW MEXICO, ON DECEMBER 30, 1946 IN VOLUME B1, FOLIO 120.



1009438  
**CRITERIA**

To be considered by the DRB for a variance or a waiver the following criteria should be met:

(a) The DRB may grant a design variance on the basis of hardship, practical difficulty, economy, improved design, implementation of an approved Site Development Plan, appropriateness of County standards, or if further subdivision or zoning Site Plan review will occur prior to use of the land for building purposes.

The DRB must ensure that sufficient rights-of-way and easements are dedicated for major streets, utilities, drainage, parks (where applicable) and other public infrastructure. The DRB should satisfy itself that development within newly created parcels will not be hampered by the absence of rights-of-way within the area proposed for subdivision. Off-site easements may be required.

(b) For waiver of improvements assurances see Subdivision Ordinance, Section 7.

The DRB may grant a delay or waiver for construction of some or all required improvements where: (1) The sub-division is intended to facilitate a bulk land transfer, and (2) where further subdivision or zoning Site Development Plan review will occur prior to use of the land for building purposes, and (3) where improvements can be assured to be guaranteed or installed to meet development requirements as they arise.

(c) For variance of design standards see Subdivision Ordinance, Section 7.

The DRB must find in granting a variance from design standards or in waiving improvements assurances that the overall best interest of the community is served; development will not be permitted or encouraged in the 100 Year Floodplain; future planning, right-of-way acquisition, or construction of public infrastructure will not be hindered; future private development will not be hampered (i.e., where improvements can be installed in the subdivided parcels as needed); and the goals, plans and policies adopted by the City, County, or AMAFCA are followed.

To insure that required compliance with the Subdivision Ordinance will occur prior to application for building permits, the Development Review Board must find the following conditions to apply:

(a) The DRB is convinced on the basis of established zoning and surrounding development that further subdivision or zoning Site Development Plan review by the DRB, or other appropriate public body, will occur prior to application for building permit(s).

For a subdivision to qualify as meeting these provisions, the DRB has established the following criteria:

1. Except as noted below, parcels zoned for single family and/or townhouse use must be five acres or larger in size.

- Except as noted below, parcels zoned for multi-family apartment or non-residential use must be 40 acres or larger in size.
- All parcels not conforming to the lot size criteria above must be zoned so as to require zoning Site Development Plan review prior to issuance of building permits.
- Meeting the requirement for zoning Site Development Plan review is not by itself sufficient to qualify an area for a waiver of improvements assurances. The subdivision must also be of a character which is typical of a bulk land transfer, i.e., the vast majority of the area being divided will facilitate sale to intermediate landholders, not final users.

(b) The subdivider has placed suitable language on the plat to notify subsequent purchasers of unresolved conditions not dealt with at the time of subdivision approval. To inform subsequent buyers that normal subdivision review has not taken place, the DRB has requested that language be placed and/or referenced on each sheet of all plats for which a variance to normal subdivision requirements is being sought. For example:

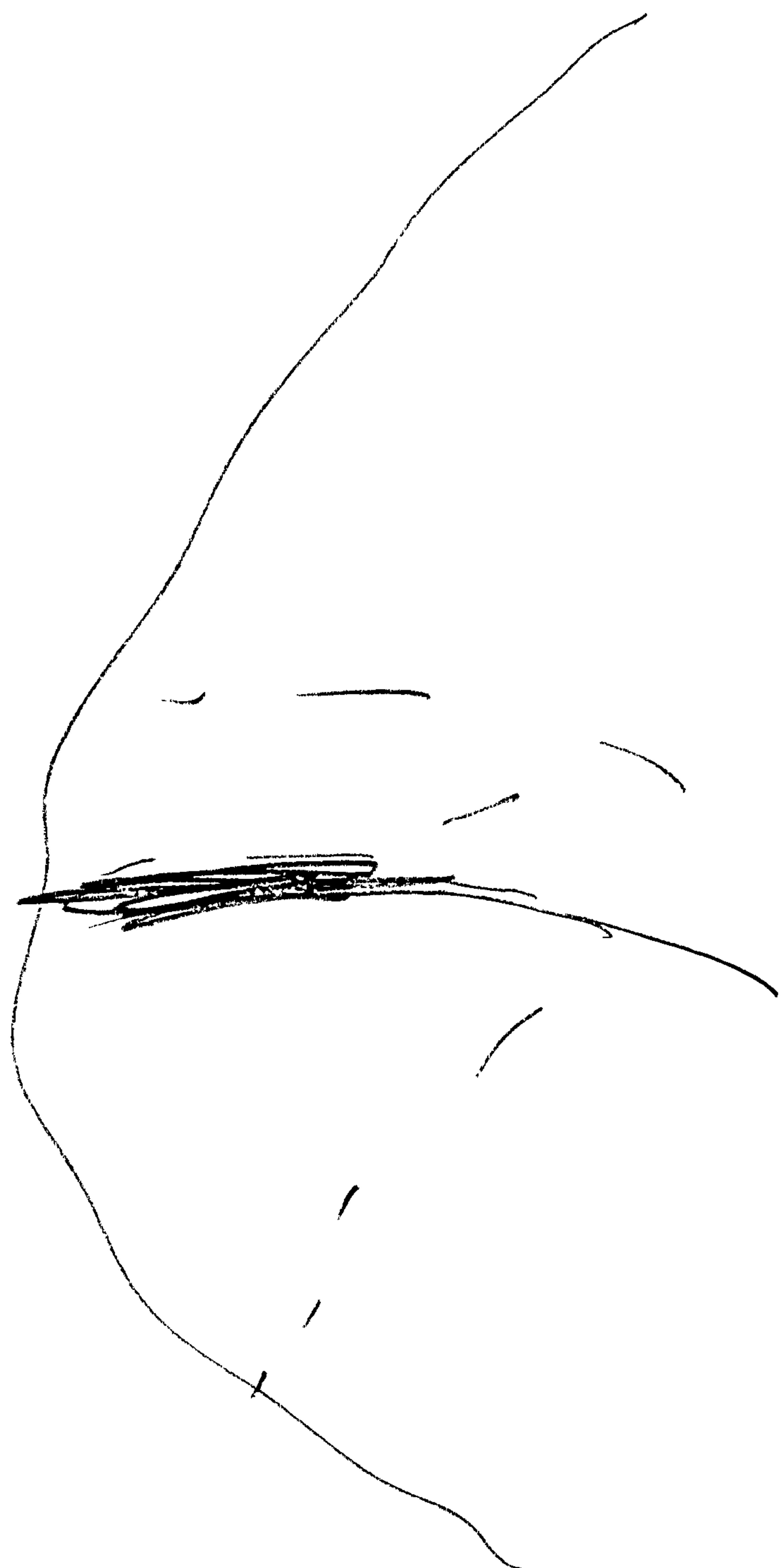
*A variance or waiver from certain subdivision requirements has been granted by the City and the Albuquerque Metropolitan Arroyo Flood Control Authority in connection with this plat.*

*Future subdivision of lands within this plat, zoning Site Development Plan approvals, and development permits may be conditioned upon dedication of rights-of-way and easements, and/or upon infrastructure improvements by the owner for water, sanitary sewer, streets, drainage, grading and parks in accordance with current resolutions, ordinances and policies in effect at the time for any specific proposal.*

*The City (and AMAFCA with reference to drainage) may require and/or permit easements to be added, modified or removed when future plats or Site Development Plans are approved.*

*By its approval the City makes no representation or warranties as to availability of utilities, or final approval of all requirements including (but not limited to) the following items: water and sanitary sewer availability; future street dedications and/or improvements; park and open space requirements; drainage requirements and/or improvements; and excavation, filling or grading requirements. Any person intending development of lands within this subdivision is cautioned to investigate the status of these items.*

**It is understood that a separate notice of these conditions is to be recorded with the County Clerk at the time of final plat recording.**



**CITY OF ALBUQUERQUE  
PLANNING DEPARTMENT  
September 19, 2012  
DRB Comments**

**ITEM # 8**

**PROJECT # 1009438**

**APPLICATION # 12-70285**

**RE: Proposed Avalon Subdivision Unit 5**

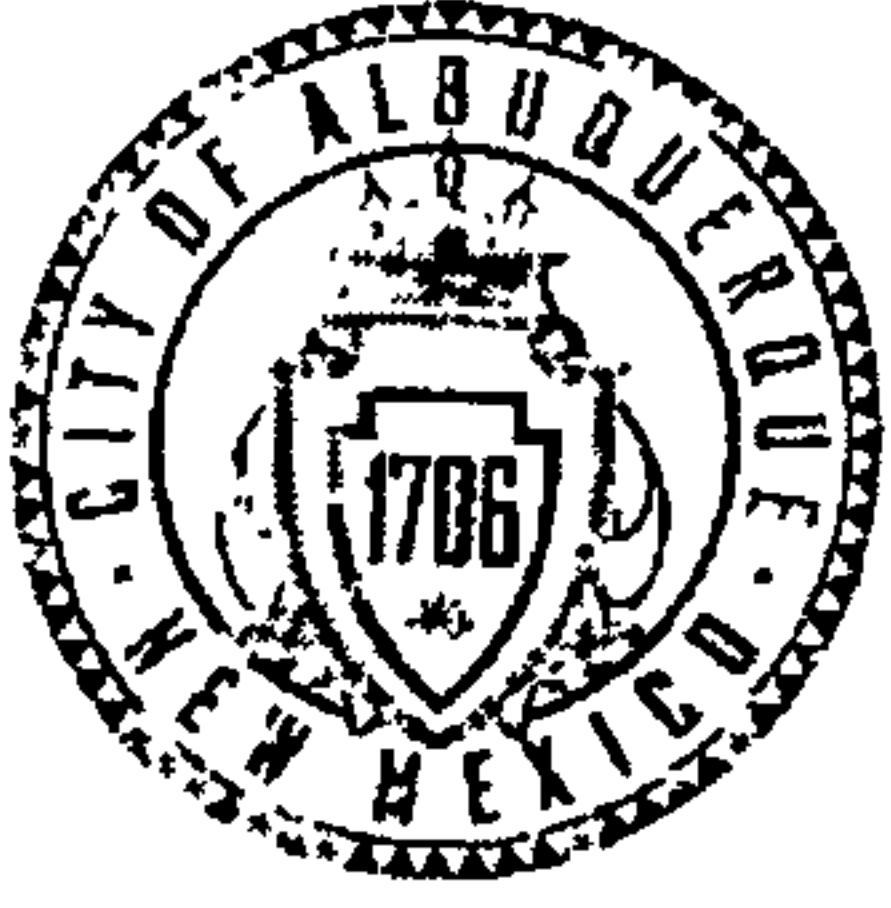
Please provide a copy of the Annexation Agreement to determine any extraordinary platting requirements.

Zoning is SU-1 which requires a site development plan for subdivision prior to platting.

A bulk land variance requires a finding that it would “not hinder future planning...or building of public infrastructure improvements,” and the City must demonstrate a rational nexus for requirements related to future site development plans for building permit. Proposed Tract 13 is not appropriate for Bulk Land Variance, given the size of the lot vs. the infrastructure that would be required for development. This may be applicable for other distinctive infrastructure requirements – refer to comments from affected agencies.

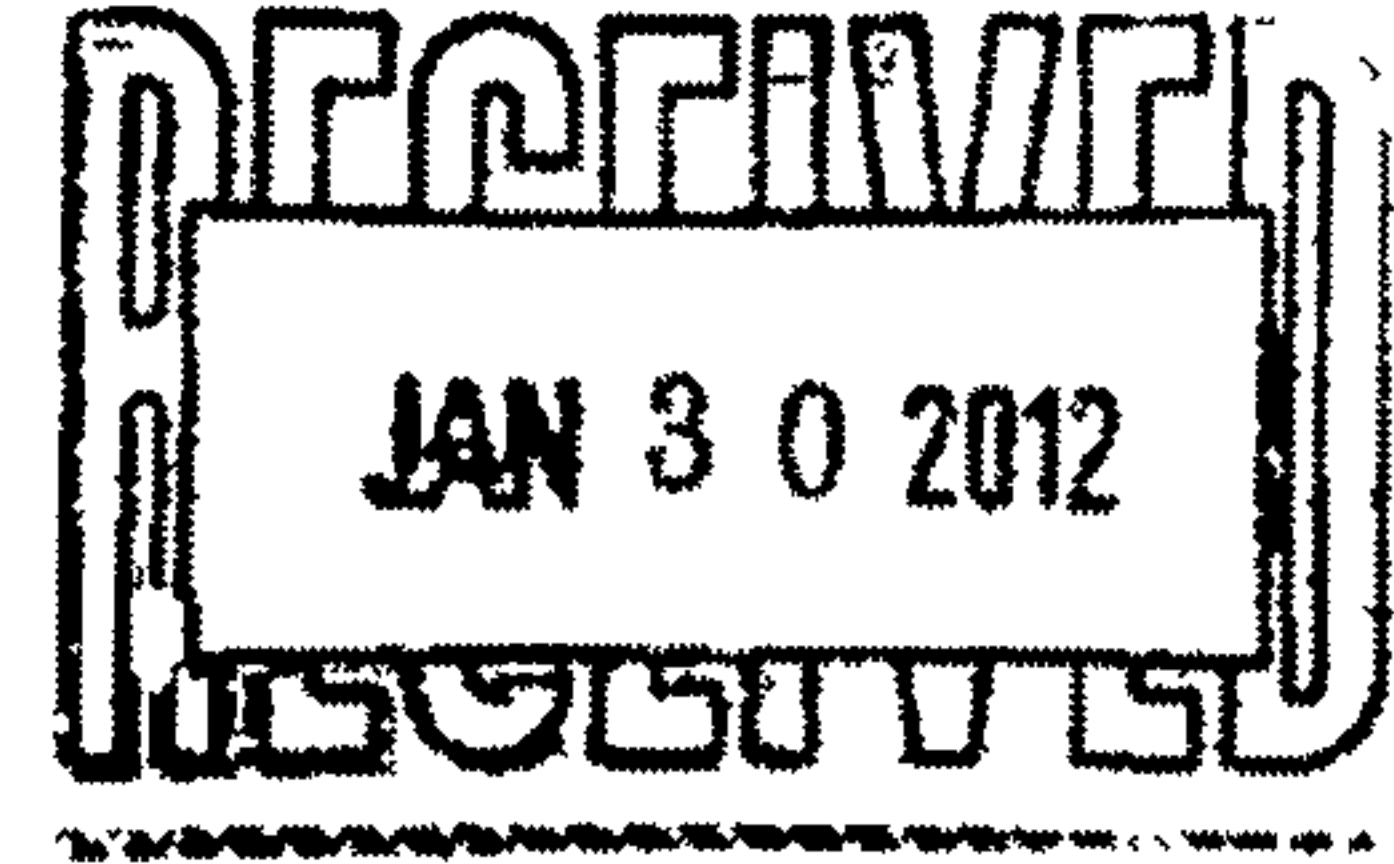
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Jack Cloud, DRB Chairman  
924-3880/ jcloud@cabq.gov



CITY OF ALBUQUERQUE  
PLANNING DEPARTMENT, URBAN DESIGN AND DEVELOPMENT  
P.O. BOX 1293, ALBUQUERQUE, NM 87103

January 26, 2012



RPS I-25 & Vassar LLC  
6300 Riverside Plaza Lane NW  
Albuquerque, NM 87120

**CERTIFICATE OF ZONING**

**FILE: 11EPC-40026 Project 1008586**

**DATE OF FINAL ACTION: June 9, 2011**

**LEGAL DESCRIPTION:**

for all or a portion of lots 4-7 Town of Atrisco Land Grant and lots 7, 14 & 15, Land of CH Hall, zoned A-1 to SU-1 for IP, located on 98th Street between Volcano Road and Bluewater Road, containing approximately 29.3 acres. (K-9) Chris Hyer, Staff Planner

THE POSSIBLE APPEAL PERIOD HAVING EXPIRED, THE ZONING ON THE ABOVE CITED PROPERTY IS NOW CHANGED AS FOLLOWS:

**FROM: County A-1**

**TO: SU-1 for IP Uses & C-2 Permissive Uses with Exceptions**

Successful applicants are reminded that other regulations of the City must be complied with, even after approval of the zoning is secured. Approval of a zone map amendment does not constitute approval of plans for a building permit. Site and building plans need to be reviewed, approved and signed-off by the Environmental Planning Commission, the Development Review Board, the Design Review Committee and/or the Building and Safety Division, as applicable and as required by the site's zoning, before a building permit will be issued.

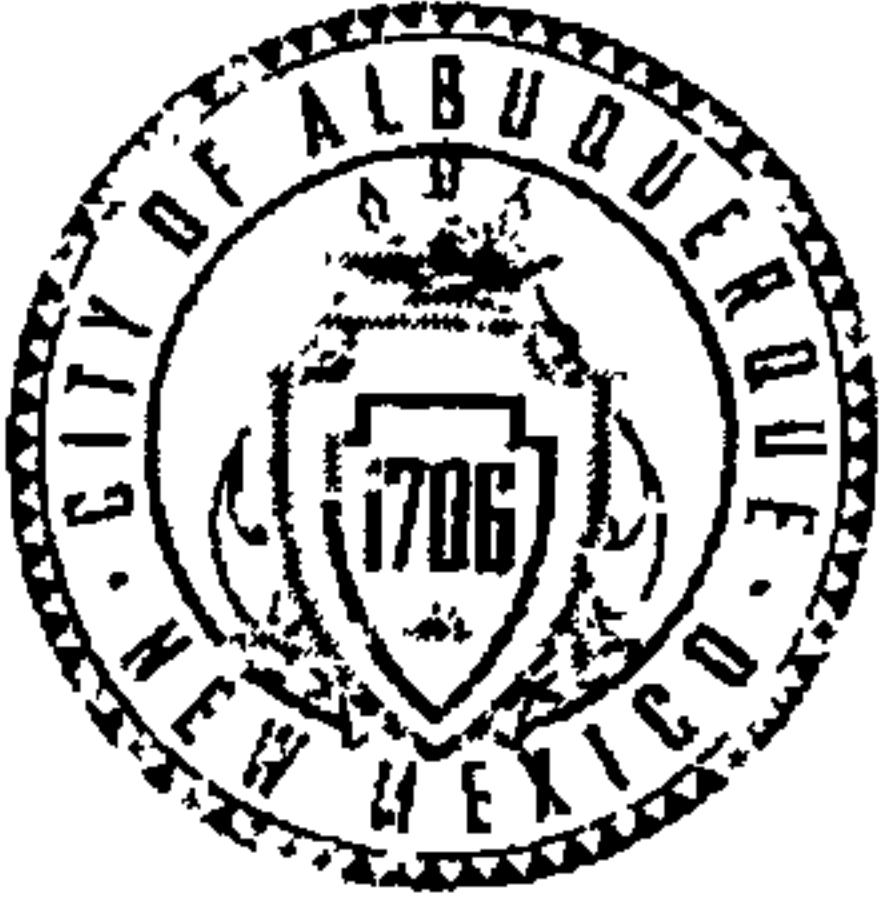
Sincerely,

*CMarone*

*for* Deborah Stover  
Planning Director

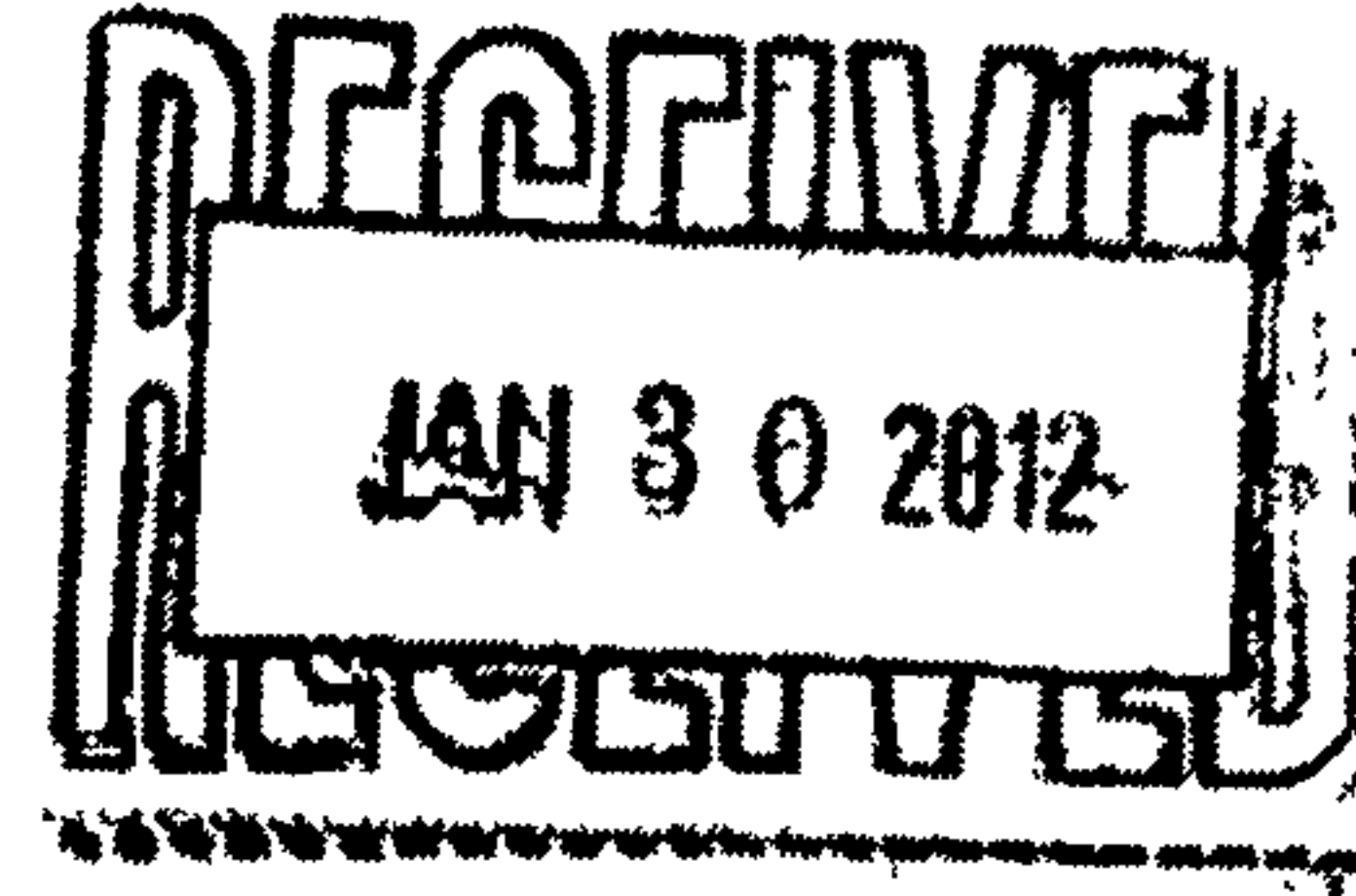
DS/mc

cc: Code Enforcement Division  
Michelle Gricius, AGIS Division  
File



CITY OF ALBUQUERQUE  
PLANNING DEPARTMENT, URBAN DESIGN AND DEVELOPMENT  
P.O. BOX 1293, ALBUQUERQUE, NM 87103

January 26, 2012



RPS I-25 & Vassar LLC  
6300 Riverside Plaza Lane NW  
Albuquerque, NM 87120

**CERTIFICATE OF ZONING**

**FILE: 11EPC-40025 Project 1008585**

**DATE OF FINAL ACTION: June 9, 2011**

**LEGAL DESCRIPTION:**

for all or a portion of lots B11-B13, 14A&14B, B20-B27, B29-B33, Town Of Atrisco Land Grant Unit 5, zoned A-1 and C-LI to SU-1 for IP, located on Daytona Road Between 94th Street and the Unser Diversion Channel, containing approximately 76 acres. (J-9 & K-9) Chris Hyer, Staff Planner

THE POSSIBLE APPEAL PERIOD HAVING EXPIRED, THE ZONING ON THE ABOVE CITED PROPERTY IS NOW CHANGED AS FOLLOWS:

**FROM:** *County A-1, CL-1 (comm. light ind.)*  
**TO:** *SU-1 for IP Uses & C-2 Permissive Uses with Exceptions*

Successful applicants are reminded that other regulations of the City must be complied with, even after approval of the zoning is secured. Approval of a zone map amendment does not constitute approval of plans for a building permit. Site and building plans need to be reviewed, approved and signed-off by the Environmental Planning Commission, the Development Review Board, the Design Review Committee and/or the Building and Safety Division, as applicable and as required by the site's zoning, before a building permit will be issued.

Sincerely,

*for* Deborah Stover  
Planning Director

DS/mc

cc: Code Enforcement Division  
Michelle Gricius, AGIS Division  
File



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1 the petition for annexation meets the requirements of *Resolution 54-1990*  
2 (City's Annexation Policy). Therefore, the area specified in Section 1 above is  
3 hereby annexed.

4 Section 3. FINDINGS ACCEPTED. The following annexation findings are  
5 adopted by the Council:

6 (A) This is a request for annexation for Lots 4-7, Town of Atrisco Land  
7 Grant and Lots 14, 15 & 16 Land of CH Hall, which consists of  
8 approximately 29.3-acres, into the City of Albuquerque and is located  
9 south of I-40 and on the north side of Volcano Road and the east side of  
10 98<sup>th</sup> Street, west of the Unser Diversion Channel.

11 (B) The subject site is in the Developing Urban Area of the Comprehensive  
12 Plan and within the boundaries of the West Side Strategic Plan and  
13 partially within the West Route 66 Sector Development Plan.

14 (C) This request for annexation is accompanied by a request for the  
15 establishment of SU-1/IP Uses & C-2 Permissive Uses with Exceptions  
16 zoning, Project #1008586, 11EPC-40026. Approval of the SU-1/IP Uses &  
17 C-2 Permissive Uses with Exceptions zoning is contingent upon approval  
18 of the request for annexation.

19 (D) The Albuquerque/Bernalillo County Comprehensive Plan, the West Side  
20 Strategic Plan, the West Route 66 Sector Development Plan and the City  
21 of Albuquerque Zoning Code are incorporated herein by reference and  
22 made part of the record for all purposes.

23 (E) A site plan for annexation is attached and shows the subject site, Area  
24 A, its companion annexation site, Area B (project #1008585), and the  
25 property already annexed into the City, as the intended larger master  
26 plan area for the overall industrial park south of I-40 and west of the  
27 Atrisco Business Park.

28 (F) The request for annexation furthers the following Comprehensive Plan  
29 policies for Developing and Established Urban Areas:

- 30 1. DEVELOPING URBAN AREA POLICIES
- 31 a. This request for annexation furthers applicable Comprehensive Plan  
32 policies by facilitating the assembly of land in an effort to create a



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- 1           **Planned Industrial Park that will provide a variety of jobs and**
- 2           **services in an area that is contiguous to existing and programmed**
- 3           **urban facilities. (Comprehensive Plan Policy II.B.5.a, d and e)**
- 4           **b. The added potential of employment and service uses will**
- 5           **complement adjacent residential areas while creating a buffer from**
- 6           **noise and traffic on the adjacent interstate and arterial streets. The**
- 7           **land of the subject site and the surrounding area will help to protect**
- 8           **established residential neighborhoods from traffic impacts of**
- 9           **adjacent arterial streets and the interstate, promoting livability and**
- 10           **safety of the surrounding area. (Comprehensive Plan Policies**
- 11           **II.B.5.i & II.B.5.k)**
- 12           **2. COMMUNITY RESOURCE MANAGEMENT POLICIES**
- 13           **a. This request for annexation will allow a variety of non-residential**
- 14           **uses creating employment and an increase in demand for transit,**
- 15           **pedestrian and bicycle uses. The area is developing as a major**
- 16           **employment center with many large employers in the area, which will**
- 17           **help provide service commercial and the retail that is needed in the**
- 18           **area. These, new employment opportunities will offer a wide range**
- 19           **of occupational skills and salary levels and will help to equalize the**
- 20           **jobs/housing balance and encourage economic vitality.**
- 21           **(Comprehensive Plan Policy II.D.4.g & Economic Development Goal**
- 22           **II.D.6 and Policy II.D.6.a, b and g)**
- 23           **b. The annexation of this site will allow for the efficient use of the**
- 24           **property in a way that is not constrained by jurisdictional boundaries**
- 25           **that have different rules and regulations regarding approval**
- 26           **processes of development. This furthers the objective of removing**
- 27           **obstacles to sound growth management and economic development.**
- 28           **(Comprehensive Plan Policies II.D.6.e and f)**
- 29           **(G) The Request for annexation furthers the West Side Strategic Plan**
- 30           **policies by providing potential for a complete mix of land uses on the**
- 31           **West Side, including large-scale employment, which will help to**
- 32           **minimize the needs for cross-metro trips. This request furthers the**

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1 encouragement of employment opportunities on the West Side. (WSSP  
2 Objective 1)  
3 The annexation request will assist the applicant to assemble this site  
4 and nearby land into an industrial park and plan an employment center  
5 that will benefit nearby residents. Through this action, the applicant will  
6 be able to eliminate antiquated platting and reestablish new lot lines and  
7 utilize a re-alignment of ROWs that fit with current development of this  
8 area while buffering adjacent neighborhoods from more intense non-  
9 residential uses. (WSSP Policies 1.6, 3.33, 3.34, 3.36, 3.85, 3.86 & 3.88,  
10 WSSP Jurisdictional Issues, Atrisco Park Community & Encouraging  
11 Employment Growth of the West Side)  
12 (H) The annexation request furthers the West Route 66 Sector Development  
13 Plan policies by helping to enhance the negative community image of  
14 West Central and instill community confidence in this area as a  
15 developable segment of the City. (WR66SDP Purpose) In addition, the  
16 request will fulfill the objective of providing these services for the  
17 surrounding neighborhoods. (WR66SDP Land Use and Zoning  
18 objective)  
19 (I) The applicant has adequately justified the annexation request pursuant  
20 to Resolution 54-1990.  
21 Section 1a: The applicant will provide all land needed for the City  
22 services for the subject site. The site and adjacent land are intended to  
23 become a new employment center. The applicant has also stated a  
24 willingness to cooperate with various landowners in the area to address  
25 issues regarding the roadways and utilities and agrees to possible re-  
26 platting as necessary to ensure the success of the larger area. The  
27 applicant has stated that he is willing to dedicate land, which is needed  
28 to fulfill this policy.  
29 Section 1b: The applicant has agreed to install and pay for all necessary  
30 infrastructure in a timely manner and then dedicate it to the City. A pre-  
31 annexation agreement has been agreed to by the City and the applicant  
32 and will be signed by the City upon City Council approval of this

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1 request. There will be no City capital expense used for this  
2 development's infrastructure.

3 Section 1c: No capital expenditures shall be needed. The applicant will  
4 be responsible in developing the needed infrastructure for this  
5 development.

6 Section 1d: The subject site is an "island" of County land and is  
7 therefore, contiguous on all sides.

8 Section 1e: The antiquated platting in conjunction with the alignment of  
9 Interstate-40 has rendered the current road network in this area defunct.  
10 Annexation of the subject site will allow the applicant to combine it with  
11 land that is vacant and already in the City and realign the road network  
12 through platting actions to be functional for both the existing  
13 neighborhood residents and the new industrial park users.

14 Section 1f: The subject site is an "island" of County land. Once  
15 annexed, this island will no longer exist and City services can be  
16 extended in an efficient manner throughout the area at reasonable  
17 operating and capital costs to the City.

18 Section 1g: The subject property is part of a platted subdivision. The  
19 City limits will be easy to identify in this area as the subject site is  
20 defined, as are adjacent tracts, by a recorded plat.

21 (J) Albuquerque Public Schools will not be impacted by this annexation.

22 (K) There is no neighborhood or other known opposition to this request.

23 **Section 4. ZONE MAP AMENDED.** The request for SU-1/IP Uses & C-2  
24 Permissive Uses with Exceptions zoning is justified per *Resolution 270-1980*  
25 because the request furthers policies found in the Albuquerque/Bernalillo  
26 County Comprehensive Plan and the City of Albuquerque Zoning Code.  
27 Therefore, the zone map adopted by Section 14-16-1-1 et. Seq. ROA 1994 is  
28 hereby amended, establishing SU-1/IP Uses & C-2 Permissive Uses with  
29 Exceptions zoning for the area specified in Section 1 above.

30 **Section 5. FINDINGS ACCEPTED.** The following zone map amendment  
31 findings shall be adopted by the Council:

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- 1 (A) This request is for establishment of zoning from County A-1 to SU-1/IP  
2 Uses & C-2 Permissive Uses with Exceptions (see Exhibit "A" for a list  
3 of exceptions) for Lots 4-7, Town of Atrisco Land Grant and Lots 14, 15  
4 & 16 Land of CH Hall, a site of approximately 29-acres, into the City of  
5 Albuquerque and is located south of I-40 and on the north side of  
6 Volcano Road and the east side of 98<sup>th</sup> Street, west of the Unser  
7 Diversion Channel.
- 8 (B) This request for establishment of zoning is accompanied by a request  
9 for annexation of the subject site - project #1008586, 10EPC 40070 and  
10 is contingent upon approval of that request.
- 11 (C) The subject site is in the Developing Urban Area of the Comprehensive  
12 Plan and within the boundaries of the West Side Strategic Plan and the  
13 southern half of the subject site is in the West Route 66 Sector  
14 Development Plan.
- 15 (D) The Albuquerque/Bernalillo County Comprehensive Plan, the West Side  
16 Strategic Plan, the West Route 66 Sector Development Plan and the City  
17 of Albuquerque Zoning Code are incorporated herein by reference and  
18 made part of the record for all purposes.
- 19 (E) The accompanying annexation combined with establishment of zoning  
20 of the subject site will allow the applicant to assemble surrounding  
21 lands with the subject site in an attempt to create an industrial park  
22 south of I-40 and west of the Atrisco Business Park. The surrounding  
23 properties have similar zoning, SU-1/IP, which is compatible to the  
24 zoning of this request.
- 25 (F) A site plan for annexation is attached and shows the subject site, Area  
26 A, its companion annexation site, Area B (project #1008585), and the  
27 property already annexed into the City, as the intended larger master  
28 plan for the overall industrial park. Section 14-16-2-22 (A) (1) of the  
29 Zoning Code states that a site development plan may be approved at a  
30 later date when establishing SU-1 zoning. This request is accompanied  
31 by a site plan for annexation, which also shows the applicant's intent for  
32 master planning a larger area and includes the subject site. The

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- 1 applicant is required to return to the EPC for site development plan  
2 approval at a later date. Development cannot occur on the site until a  
3 site development plan is approved by the EPC.
- 4 (G) The applicant has adequately justified the zone map amendment  
5 request pursuant to Resolution 270-1980.
- 6 a. The requested annexation and establishment of zoning is consistent  
7 with the health, safety, morals, and general welfare of the City. The  
8 proposed change will remove existing county islands, which result in  
9 inefficient provision of municipal services and undue development  
10 restrictions. The SU-1/IP Uses & C-2 Permissive Uses with  
11 Exceptions zoning allows for a variety of uses that are appropriate to  
12 this area and requires Site Development Plan review prior to  
13 development. In addition, this request will not place an undue  
14 burden on public facilities and services while expanding the limits of  
15 the City. This request supports this policy furthering the general  
16 welfare of the City.
- 17 b. The proposed zone change will not alter the stability of the land use  
18 and zoning for the area. The requested zoning to SU-1/IP Uses & C-2  
19 Permissive Uses with Exceptions will allow for a variety of retail,  
20 service, and employment uses that are needed in the area and  
21 consistent with adjacent uses. The SU-1 zoning designation requires  
22 this property to be site plan controlled which will require additional  
23 review and community input prior to development. Further, the  
24 requested zoning is similar to surrounding zoning and encourages  
25 uses associated with an industrial park/employment center, which  
26 establishes a more permanent and stable use.
- 27 c. The subject site is in the Developing Urban Area as designated by  
28 the Comprehensive Plan and within the boundaries of the West Side  
29 Strategic Plan and partially within the West Route 66 Sector  
30 Development Plan. The following Plan policies are furthered by this  
31 request:

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**1. COMPREHENSIVE PLAN DEVELOPING URBAN AREA POLICIES**

The establishment of the SU-1/IP Uses & C-2 Permissive Uses with Exceptions zoning will allow a full range of urban land at a density compatible with the surrounding neighborhoods. The added employment and service uses will complement adjacent residential areas while creating a buffer from noise and traffic on the adjacent arterials. The new industrial park will be master planned and respect existing neighborhood values. The subject site is contiguous to vacant City land that is similarly zoned and urban facilities and services can be efficiently provided while maintaining the integrity of existing neighborhoods. The subject site and the surrounding area will help to protect established residential neighborhoods from traffic impacts of adjacent arterial streets and the interstate, promoting livability and safety of the surrounding area. (Comprehensive Plan Policies II.B.5.a, d, e, k and i)

**2. COMMUNITY RESOURCE MANAGEMENT POLICIES**

This request for establishment of zoning will allow a variety of non-residential uses creating employment and an increase in demand for transit, pedestrian and bicycle uses. The area is developing as a major employment center with many large employers in the area, which will help provide service commercial and the retail that is needed in the area. These, new employment opportunities will offer a wide range of occupational skills and salary levels and will help to equalize the jobs/housing balance and encourage economic vitality. (Comprehensive Plan Policy II.D.4.g & Economic Development Goal II.D.6 and Policy II.D.6.a, b and g)

**3. WEST SIDE STRATEGIC PLAN POLICIES**

This establishment of zoning request furthers the West Side Strategic Plan policies by providing potential for a complete mix of land uses on the West Side, including large-scale employment, which will help to minimize the needs for cross-metro trips. This

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1 request furthers the encouragement of employment opportunities on  
2 the West Side. (WSSP Objective 1)  
3 This request also will assist the applicant to assemble this site and  
4 nearby land into an industrial park and plan an employment center  
5 that will benefit nearby residents. Through this action, the applicant  
6 will be able to eliminate antiquated platting and reestablish new lot  
7 lines and utilize a re-alignment of ROWs that fit with current  
8 development of this area while buffering adjacent neighborhoods  
9 from more intense non-residential uses. (WSSP Policies 1.6, 3.33,  
10 3.34, 3.36, 3.85, 3.86 & 3.88, WSSP Jurisdictional Issues, Atrisco Park  
11 Community & Encouraging Employment Growth of the West Side.)  
12 **4. WEST ROUTE 66 SECTOR DEVELOPMENT PLAN POLICIES**  
13 This request for annexation and establishment of SU-1/IP Uses & C-2  
14 Permissive Uses with Exceptions zoning will help to enhance the  
15 negative community image of West Central and instill community  
16 confidence in this area as a developable segment of the City.  
17 (WR66SDP Purpose)  
18 The annexation and establishment of SU-1/IP Uses & C-2 Permissive  
19 Uses with Exceptions zoning of the subject site helps facilitate the  
20 implementation of numerous Comprehensive Plan and West Side  
21 Strategic Plan goals and policies and the development of retail and  
22 commercial services at this location fulfills the objective of providing  
23 these services for the surrounding neighborhoods. (WR66SDP Land  
24 Use and Zoning objective)  
25 d. The annexation and establishment of SU-1/IP Uses & C-2 Permissive  
26 Uses with Exceptions zoning of the subject site is more  
27 advantageous to the Community as articulated in item c. above. This  
28 will be achieved primarily through the subject site being a part of an  
29 expansion of the Atrisco Business Park. The creation of jobs will  
30 impact the quality of life for current and future residents of the  
31 community as a whole, and the location is west of the river, which

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- 1 directly furthers City policy, and thus, is more advantageous to the  
2 community.
- 3 e. The requested zone change will not harm the adjacent property, the  
4 neighborhood, or the community. The applicant has proposed to  
5 voluntarily restrict those uses that could be harmful to adjacent  
6 properties. The SU-1 designation will require site planning for any  
7 future development of the properties.
- 8 f. This request will not result in unprogrammed capital expenditures.
- 9 g. The cost of land or other economic considerations are not the  
10 determining factor for this request.
- 11 h. The subject site is located on a major street, 98<sup>th</sup> Street with  
12 excellent access to I-40, but this optimal location for services and job  
13 creation is not the sole factor justifying this request.
- 14 i. The proposed zone change request is considered a spot zone  
15 because it is an SU-1 zone. However, the requested zoning is  
16 appropriate because it facilitates realization of the Comprehensive  
17 and West Side Strategic Plans, as detailed in item c. above.
- 18 j. The proposed zone change is not considered “strip zoning” due to  
19 the size and location of the site; and is consistent with other  
20 properties within the adjacent area.
- 21 (H) There is no neighborhood or other known opposition to this request,  
22 however, the Avalon Neighborhood has expressed concern regarding  
23 future traffic impacts from development of the area. The applicant has  
24 agreed with the neighborhood to exclude unwanted uses and uses that  
25 are seen as increasing noise and truck traffic in the area. See Exhibit  
26 “A” for a list of these excluded uses.
- 27 (I) The Annexation Area has the potential to develop into a high quality,  
28 mixed use, Community Activity Center that provides needed goods and  
29 services, retail, restaurants, and jobs for the surrounding  
30 neighborhoods on the west side. The subject properties are located  
31 between Interstate 40 and Central Avenue on the east side of 98<sup>th</sup> Street,  
32 all of which are arterials. The properties are anticipated to be developed



1 to provide convenient goods and services as well as employment for  
2 the surrounding neighborhoods. The surrounding neighborhoods are in  
3 need of these goods and services, and additional jobs will assist in  
4 providing the jobs housing balance needed on Albuquerque's West  
5 Side.

6 Section 6. SEVERABILITY CLAUSE. If any section, paragraph, sentence,  
7 clause, word or phrase of this ordinance is for any reason held to be invalid or  
8 unenforceable by any court of competent jurisdiction, such decision shall not  
9 affect the validity of the remaining provisions of this ordinance. The Council  
10 hereby declares that it would have passed this ordinance and each section,  
11 paragraph, sentence, clause, word or phrase thereof irrespective of any  
12 provisions being declared unconstitutional or otherwise invalid.

13 Section 7. EFFECTIVE DATE AND PUBLICATION. This ordinance shall  
14 take effect five days after publication by title and general summary and when a  
15 plat of the territory hereby annexed is filed in the office of the County Clerk.

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1 PASSED AND ADOPTED THIS 7<sup>th</sup> DAY OF November, 2011  
2 BY A VOTE OF: 8 FOR 0 AGAINST.

3  
4 Abstain: Jones

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7 \_\_\_\_\_


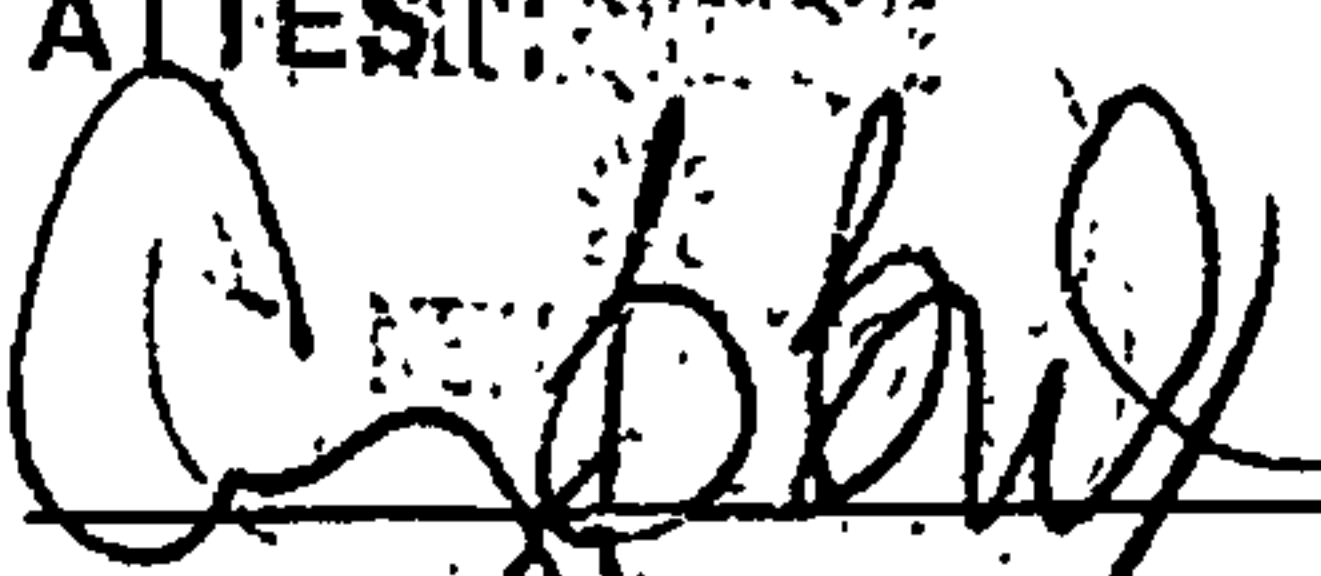
8 Don F. Harris, President  
9 City Council

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13 APPROVED THIS 18<sup>th</sup> DAY OF November, 2011

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17 Bill No. O-11-67

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21 Richard J. Berry, Mayor  
22 City of Albuquerque

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25  
26 ATTEST:  
27   
28 \_\_\_\_\_

29 Amy B. Bailey, City Clerk

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**CITY of ALBUQUERQUE  
NINETEENTH COUNCIL**

COUNCIL BILL NO. O-11-68

ENACTMENT NO. O. 2011. 034

SPONSORED BY: Ken Sanchez, by request

1                           ORDINANCE  
2    ANNEXATION, 10EPC-40069 / 11EPC-40025, ANNEXING SEVENTY-SIX (76)  
3    ACRES, MORE OR LESS, LOCATED IN LOTS B11-B13, 14A & 14B, B20-B27,  
4    B29-B33, TOWN OF ATRISCO LAND GRANT UNIT 5, LOCATED ON THE  
5    SOUTH SIDE OF I-40 AND EAST OF 98<sup>TH</sup> STREET, BETWEEN 94<sup>TH</sup> STREET  
6    THE UNSER DIVERSION CHANNEL, AND AMENDING THE ZONE MAP TO  
7    ESTABLISH SU-1/IP USES & C-2 PERMISSIVE USES WITH EXCEPTIONS  
8    ZONING.

9    BE IT ORDAINED BY THE COUNCIL, THE GOVERNING BODY OF THE CITY OF  
10   ALBUQUERQUE:

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11       Section 1.   AREA PROPOSED FOR ANNEXATION.  The owner of the area  
12   annexed hereby presented a properly signed petition to annex the following  
13   territory: 76-acres, more or less, located between 94<sup>TH</sup> Street SE and the Unser  
14   Diversion Channel; and more particularly described as follows:

15       (A)    B11-B13, 14A & 14B, B20-B27, B29-B33, Town Of Atrisco Land Grant  
16   Unit 5;

17       (B)    All of the right-of-way adjoining the land described in A of this  
18   section to the extent it is not already in the City.

19       (C)    The County of Bernalillo approved the annexation of these tracts on  
20   January 12, 2011, pursuant to AXBC-2010-03.

21       The above-described territory is contiguous to the City of Albuquerque.

22       Section 2.   ANNEXATION ACCEPTED.  The area specified in Section 1  
23   above is designated Developing Urban in the Albuquerque/Bernalillo County  
24   Comprehensive Plan, which makes it suitable for annexation.  Furthermore,  
25   the petition for annexation meets the requirements of *Resolution 54-1990*



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1 (City's Annexation Policy). Therefore, the area specified in Section 1 above is  
2 hereby annexed.

3 Section 3. FINDINGS ACCEPTED. The following annexation findings are  
4 adopted by the Council:

5 (A) This request is for annexation of Lots B11-B13, 14A, 14B, B20-B27, B29-  
6 B33, Unit 5, Town of Atrisco Land Grant, a site of approximately 76-  
7 acres, into the City of Albuquerque and is located south of I-40 at 98<sup>th</sup>  
8 Street (on the north side of Los Volcanes Road), between 94<sup>th</sup> Street and  
9 west of the Unser Diversion Channel.

10 (B) The subject site is in the Developing Urban Area of the Comprehensive  
11 Plan and within the boundaries of the West Side Strategic Plan.

12 (C) This request for annexation is accompanied by a request for  
13 establishment of SU-1/IP Uses & C-2 Permissive Uses with Exceptions  
14 zoning, Project #1008585, 11EPC-40025. Approval of the SU-1/IP Uses &  
15 C-2 Permissive Uses with Exceptions zoning is contingent upon approval  
16 of the request for annexation.

17 (D) The Albuquerque/Bernalillo County Comprehensive Plan, the West Side  
18 Strategic Plan, and the City of Albuquerque Zoning Code are  
19 incorporated herein by reference and made part of the record for all  
20 purposes.

21 (E) A site plan for annexation is attached and shows the subject site, Area  
22 B, its companion annexation site, Area A (project #1008586), and the  
23 property already annexed into the City, as the intended larger master  
24 plan area for the overall industrial park south of I-40 and west of the  
25 Atrisco Business Park.

26 (F) The request for annexation furthers the following Comprehensive Plan  
27 policies for Developing and Established Urban Areas:

28 DEVELOPING URBAN AREA POLICIES

29 a. This request for annexation furthers applicable Comprehensive Plan  
30 policies by facilitating the assembly of land in an effort to create a  
31 Planned Industrial Park that will provide a variety of jobs and services in

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- 1 an area that is contiguous to existing and programmed urban facilities.  
2 (Comprehensive Plan Policy II.B.5.a, d and e)  
3 The added potential of employment and service uses will complement  
4 adjacent residential areas while creating a buffer from noise and traffic  
5 on the adjacent interstate and arterial streets. The land of the subject  
6 site and the surrounding area will help to protect established residential  
7 neighborhoods from traffic impacts of adjacent arterial streets and the  
8 interstate, promoting livability and safety of the surrounding area.  
9 (Comprehensive Plan Policies II.B.5.i and k)
- 10 **B. COMMUNITY RESOURCE MANAGEMENT POLICIES**
- 11 a. This request for annexation will allow a variety of non-residential uses  
12 creating employment and an increase in demand for transit, pedestrian  
13 and bicycle uses. The area is developing as a major employment center  
14 with many large employers in the area, which will help provide service  
15 commercial and the retail that is needed in the area. These, new  
16 employment opportunities will offer a wide range of occupational skills  
17 and salary levels and will help to equalize the jobs/housing balance and  
18 encourage economic vitality. (Comprehensive Plan Policy II.D.4.g &  
19 Economic Development Goal II.D.6 and Policy II.D.6.a, b and g)
- 20 b. The annexation of this site will allow for the efficient use of the property  
21 in a way that is not constrained by jurisdictional boundaries that have  
22 different rules and regulations regarding approval processes of  
23 development. This furthers the objective of removing obstacles to  
24 sound growth management and economic development.  
25 (Comprehensive Plan Policies II.D.6.e & II.D.6.f)
- 26 (G) The Request for annexation furthers the West Side Strategic Plan  
27 policies by providing potential for a complete mix of land uses on the  
28 West Side, including large-scale employment, which will help to  
29 minimize the needs for cross-metro trips. This request furthers the  
30 encouragement of employment opportunities on the West Side. (WSSP  
31 Objective 1)

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1 The annexation request will assist the applicant to assemble this site  
2 and nearby land into an industrial park and plan an employment center  
3 that will benefit nearby residents. Through this action, the applicant will  
4 be able to eliminate antiquated platting and reestablish new lot lines and  
5 utilize a re-alignment of ROWs that fit with current development of this  
6 area while buffering adjacent neighborhoods from more intense non-  
7 residential uses. (WSSP Policies 1.6, 3.33, 3.34, 3.36, 3.85, 3.86 & 3.88,  
8 WSSP Jurisdictional Issues, Atrisco Park Community & Encouraging  
9 Employment Growth of the West Side)

10 (H) The applicant has adequately justified the annexation request pursuant  
11 to Resolution 54-1990.

12 Section 1a: The applicant will provide all land needed for the City  
13 services for the subject site. The site and adjacent land are intended to  
14 become a new employment center. The applicant has also stated a  
15 willingness to cooperate with various landowners in the area to address  
16 issues regarding the roadways and utilities and agrees to possible re-  
17 platting as necessary to ensure the success of the larger area. The  
18 applicant has stated that he is willing to dedicate land, which is needed  
19 to fulfill this policy.

20 Section 1b: The applicant has agreed to install and pay for all necessary  
21 infrastructure in a timely manner and then dedicate it to the City. A pre-  
22 annexation agreement has been agreed to by the City and the applicant  
23 and will be signed by the City upon City Council approval of this  
24 request. There will be no City capital expense used for this  
25 development's infrastructure.

26 Section 1c: No capital expenditures shall be needed. The applicant will  
27 be responsible in developing the needed infrastructure for this  
28 development.

29 Section 1d: The subject site is an "island" of County land and is  
30 therefore, contiguous on all sides.

31 Section 1e: The antiquated platting in conjunction with the alignment of  
32 Interstate-40 has rendered the current road network in this area defunct.

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1 Annexation of the subject site will allow the applicant to combine it with  
2 land that is vacant and already in the City and realign the road network  
3 through platting actions to be functional for both the existing  
4 neighborhood residents and the new industrial park users.

5 Section 1f: The subject site is an “island” of County land. Once  
6 annexed, this island will no longer exist and City services can be  
7 extended in an efficient manner throughout the area at reasonable  
8 operating and capital costs to the City.

9 Section 1g: The subject property is part of a platted subdivision. The  
10 City limits will be easy to identify in this area as the subject site is  
11 defined, as are adjacent tracts, by a recorded plat.

12 (I) Albuquerque Public Schools will not be impacted by this annexation.

13 (J) There is no neighborhood or other known opposition to this request.

14 Section 4. ZONE MAP AMENDED. The request for SU-1/IP Uses & C-2  
15 Permissive Uses with Exceptions zoning is justified per *Resolution 270-1980*  
16 because the request furthers policies found in the Albuquerque/Bernalillo  
17 County Comprehensive Plan and the City of Albuquerque Zoning Code.  
18 Therefore, the zone map adopted by Section 14-16-1-1 et. Seq. ROA 1994 is  
19 hereby amended, establishing SU-1/IP Uses & C-2 Permissive Uses with  
20 Exceptions zoning for the area specified in Section 1 above.

21 Section 5. FINDINGS ACCEPTED. The following zone map amendment  
22 findings shall be adopted by the Council:

23 (A) This request is for establishment of zoning from County A-1 and County  
24 CL-1 to SU-1/IP Uses & C-2 Permissive Uses with Exceptions (see  
25 Exhibit “A” for a list of exceptions) for Lots B11-B13, 14A, 14B, B20-B27,  
26 B29-B33, Unit 5, Town of Atrisco Land Grant, a site of approximately 76-  
27 acres, into the City of Albuquerque and is located south of I-40 at 98<sup>th</sup>  
28 Street (on the north side of Los Volcanes Road), between 94<sup>th</sup> Street and  
29 the Unser Diversion Channel.

30 (B) This request for establishment of zoning is accompanied by a request  
31 for annexation of the subject site - project #1008585, 10EPC 40069 and  
32 is contingent upon approval of that request.

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- 1 (C) The subject site is in the Developing Urban Area of the Comprehensive  
2 Plan and within the boundaries of the West Side Strategic Plan.
- 3 (D) The Albuquerque/Bernalillo County Comprehensive Plan, the West Side  
4 Strategic Plan, and the City of Albuquerque Zoning Code are  
5 incorporated herein by reference and made part of the record for all  
6 purposes.
- 7 (E) The accompanying annexation combined with establishment of zoning  
8 of the subject site will allow the applicant to assemble surrounding  
9 lands with the subject site in an attempt to create an industrial park  
10 south of I-40 and west of the Atrisco Business Park. The surrounding  
11 properties have similar zoning, SU-1/IP, which is compatible to the  
12 zoning of this request.
- 13 (F) A site plan for annexation is attached and shows the subject site, Area  
14 B, its companion annexation site, Area A (project #1008586), and the  
15 property already annexed into the City, as the intended larger master  
16 plan for the overall industrial park. Section 14-16-2-22 (A) (1) of the  
17 Zoning Code states that a site development plan may be approved at a  
18 later date when establishing SU-1 zoning. This request is accompanied  
19 by a site plan for annexation, which shows the applicant's intent for  
20 master planning a larger area including the subject site. The applicant  
21 is required to return to the EPC for site development plan approval at a  
22 later date. Development cannot occur on the site until a site  
23 development plan is approved by the EPC.
- 24 (G) The applicant has adequately justified the zone map amendment  
25 request pursuant to Resolution 270-1980.
- 26 a. The requested annexation and establishment of zoning is consistent  
27 with the health, safety, morals, and general welfare of the City. The  
28 proposed change will remove existing county islands, which result in  
29 inefficient provision of municipal services and undue development  
30 restrictions. The SU-1/IP Uses & C-2 Permissive Uses with Exceptions  
31 zoning allows for a variety of uses that are appropriate to this area and  
32 requires Site Development Plan review prior to development. In



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1 addition, this request will not place an undue burden on public facilities  
2 and services while expanding the limits of the City. This request  
3 supports this policy furthering the general welfare of the City.

4 b. The proposed zone change will not alter the stability of the land use and  
5 zoning for the area. The requested zoning to SU-1/IP Uses & C-2  
6 Permissive Uses with Exceptions will allow for a variety of retail,  
7 service, and employment uses that are needed in the area and  
8 consistent with adjacent uses. The SU-1 zoning designation requires  
9 this property to be site plan controlled which will require additional  
10 review and community input prior to development. Further, the  
11 requested zoning is similar to surrounding zoning and encourages uses  
12 associated with an industrial park/employment center, which  
13 establishes a more permanent and stable use.

14 c. The subject site is in the Developing Urban Area as designated by the  
15 Comprehensive Plan and within the boundaries of the West Side  
16 Strategic Plan. The following Plan policies are furthered by this  
17 request:

18 **1. COMPREHENSIVE PLAN DEVELOPING URBAN AREA POLICIES**

19 The establishment of the SU-1/IP Uses & C-2 Permissive Uses with  
20 Exceptions zoning will allow a full range of urban land at a density  
21 compatible with the surrounding neighborhoods. The added  
22 employment and service uses will complement adjacent residential  
23 areas while creating a buffer from noise and traffic on the adjacent  
24 arterials. The new industrial park will be master planned and respect  
25 existing neighborhood values. The subject site is contiguous to vacant  
26 City land that is similarly zoned and urban facilities and services can be  
27 efficiently provided while maintaining the integrity of existing  
28 neighborhoods. The subject site and the surrounding area will help to  
29 protect established residential neighborhoods from traffic impacts of  
30 adjacent arterial streets and the interstate, promoting livability and  
31 safety of the surrounding area. (Comprehensive Plan Policies II.B.5.a, d,  
32 e, k and i)

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**2. COMMUNITY RESOURCE MANAGEMENT POLICIES**

**This request for establishment of zoning will allow a variety of non-residential uses creating employment and an increase in demand for transit, pedestrian and bicycle uses. The area is developing as a major employment center with many large employers in the area, which will help provide service commercial and the retail that is needed in the area. These, new employment opportunities will offer a wide range of occupational skills and salary levels and will help to equalize the jobs/housing balance and encourage economic vitality.**

**(Comprehensive Plan Policy II.D.4.g & Economic Development Goal II.D.6 and Policy II.D.6.a, b and g)**

**3. WEST SIDE STRATEGIC PLAN POLICIES**

**This establishment of zoning request furthers the West Side Strategic Plan policies by providing potential for a complete mix of land uses on the West Side, including large-scale employment, which will help to minimize the needs for cross-metro trips. This request furthers the encouragement of employment opportunities on the West Side. (WSSP Objective 1)**

**This request also will assist the applicant to assemble this site and nearby land into an industrial park and plan an employment center that will benefit nearby residents. Through this action, the applicant will be able to eliminate antiquated platting and reestablish new lot lines and utilize a re-alignment of ROWs that fit with current development of this area while buffering adjacent neighborhoods from more intense non-residential uses. (WSSP Policies 1.6, 3.33, 3.34, 3.36, 3.85, 3.86 & 3.88, WSSP Jurisdictional Issues, Atrisco Park Community & Encouraging Employment Growth of the West Side.)**

- d. The annexation and establishment of SU-1/IP Uses & C-2 Permissive Uses with Exceptions zoning of the subject site is more advantageous to the Community as articulated in item c. above. This will be achieved primarily through the subject site being a part of an expansion of the Atrisco Business Park. The creation of jobs will impact the quality of**

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- 1 life for current and future residents of the community as a whole, and  
2 the location is west of the river, which directly furthers City policy, and  
3 thus, is more advantageous to the community.
- 4 e. The requested zone change will not harm the adjacent property, the  
5 neighborhood, or the community. The applicant has proposed to  
6 voluntarily restrict those uses that could be harmful to adjacent  
7 properties. The SU-1 designation will require site planning for any  
8 future development of the properties.
- 9 f. This request will not result in unprogrammed capital expenditures.
- 10 g. The cost of land or other economic considerations are not the  
11 determining factor for this request.
- 12 h. The subject site is located on a major street, 98<sup>th</sup> Street with excellent  
13 access to I-40, but this optimal location for services and job creation is  
14 not the sole factor justifying this request.
- 15 i. The proposed zone change request is considered a spot zone because  
16 it is an SU-1 zone. However, the requested zoning is appropriate  
17 because it facilitates realization of the Comprehensive and West Side  
18 Strategic Plans, as detailed in item c. above.
- 19 j. The proposed zone change is not considered “strip zoning” due to the  
20 size and location of the site; and is consistent with other properties  
21 within the adjacent area.
- 22 (H) There is no neighborhood or other known opposition to this request,  
23 however, the Avalon Neighborhood has expressed concern regarding  
24 future traffic impacts from development of the area. The applicant has  
25 agreed with the neighborhood to exclude unwanted uses and uses that  
26 are seen as increasing noise and truck traffic in the area. See Exhibit  
27 “A” for a list of these excluded uses.

28 Section 6. SEVERABILITY CLAUSE. If any section, paragraph, sentence,  
29 clause, word or phrase of this ordinance is for any reason held to be invalid or  
30 unenforceable by any court of competent jurisdiction, such decision shall not  
31 affect the validity of the remaining provisions of this ordinance. The Council  
32 hereby declares that it would have passed this ordinance and each section,

1 paragraph, sentence, clause, word or phrase thereof irrespective of any  
2 provisions being declared unconstitutional or otherwise invalid.

3 Section 7. EFFECTIVE DATE AND PUBLICATION. This ordinance shall  
4 take effect five days after publication by title and general summary and when a  
5 plat of the territory hereby annexed is filed in the office of the County Clerk.

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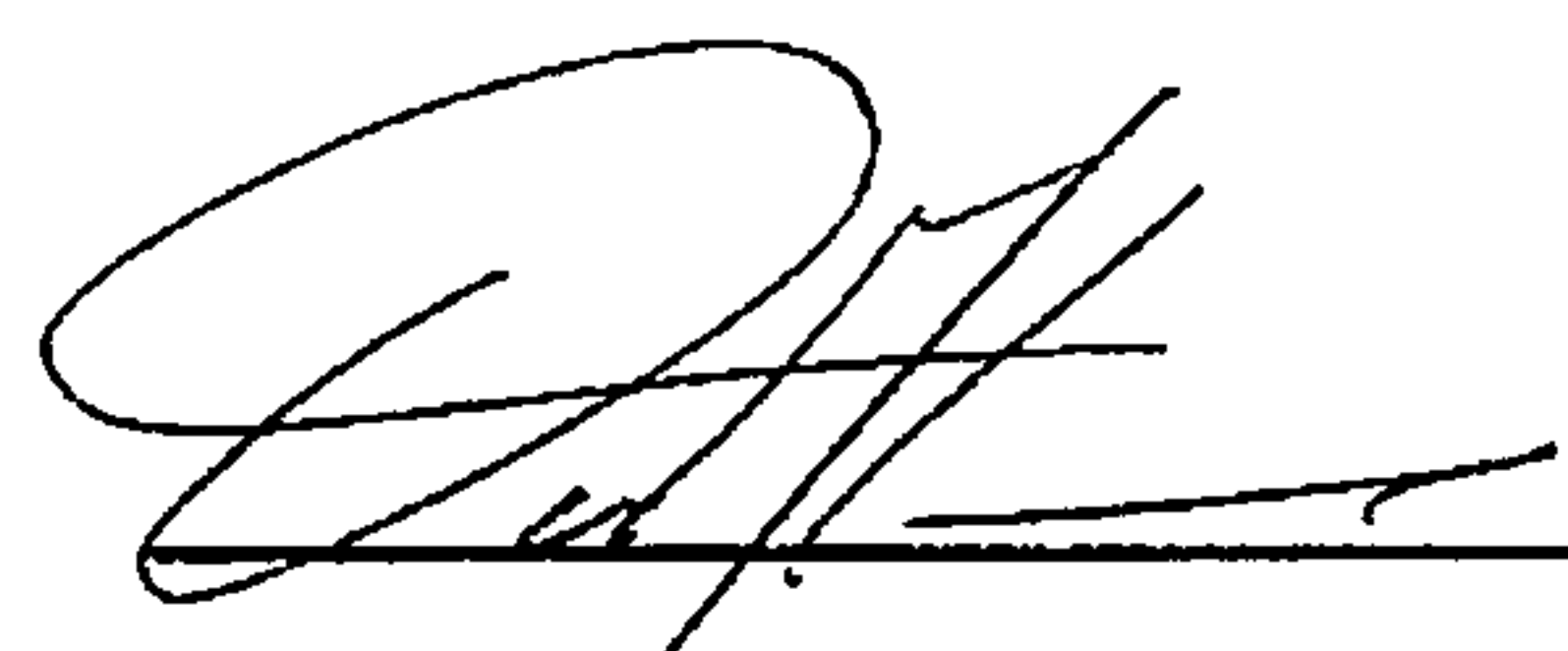
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1 PASSED AND ADOPTED THIS 7<sup>th</sup> DAY OF November, 2011  
2 BY A VOTE OF: 8 FOR 0 AGAINST.

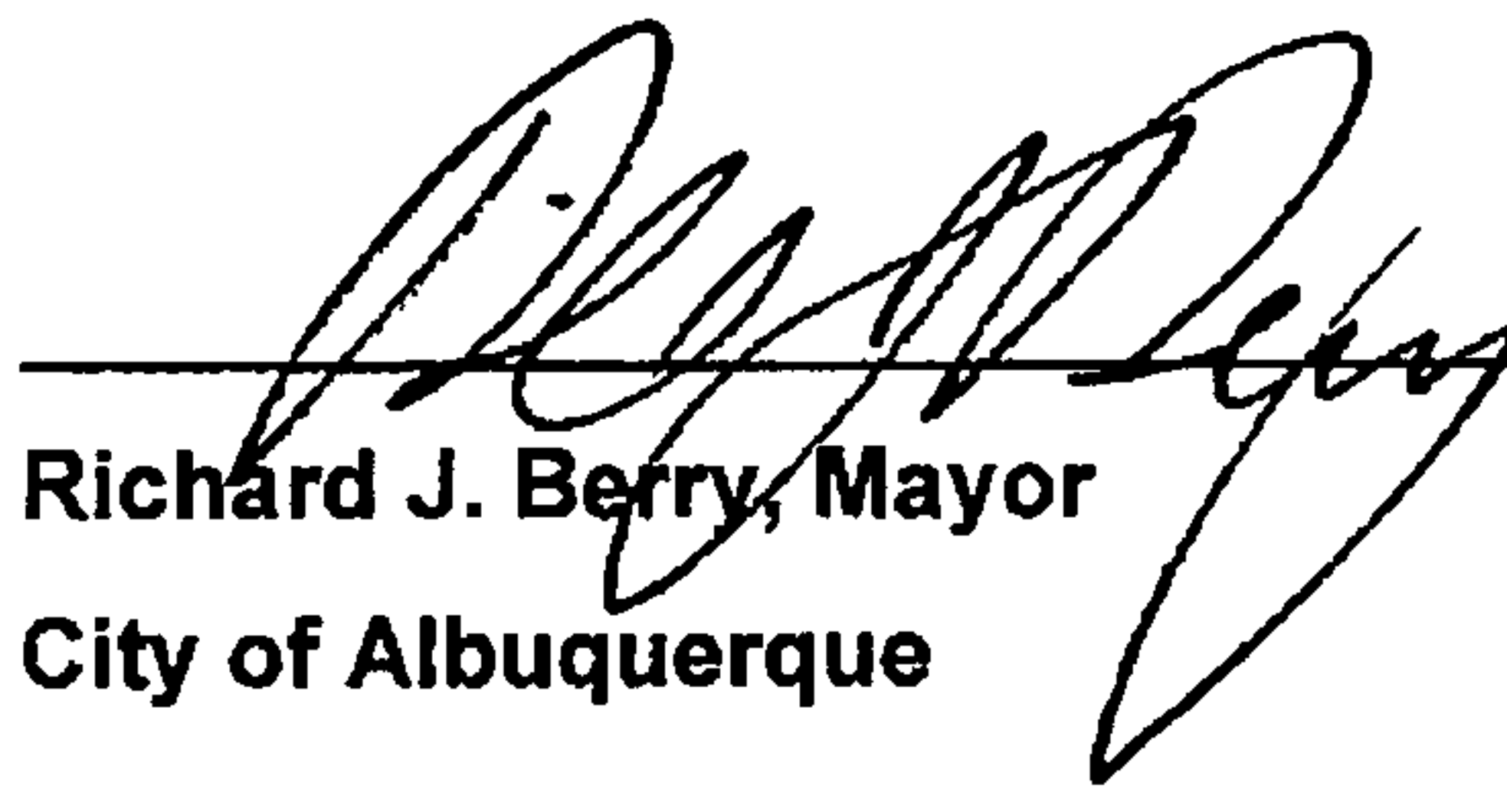
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4 Abstain: Jones

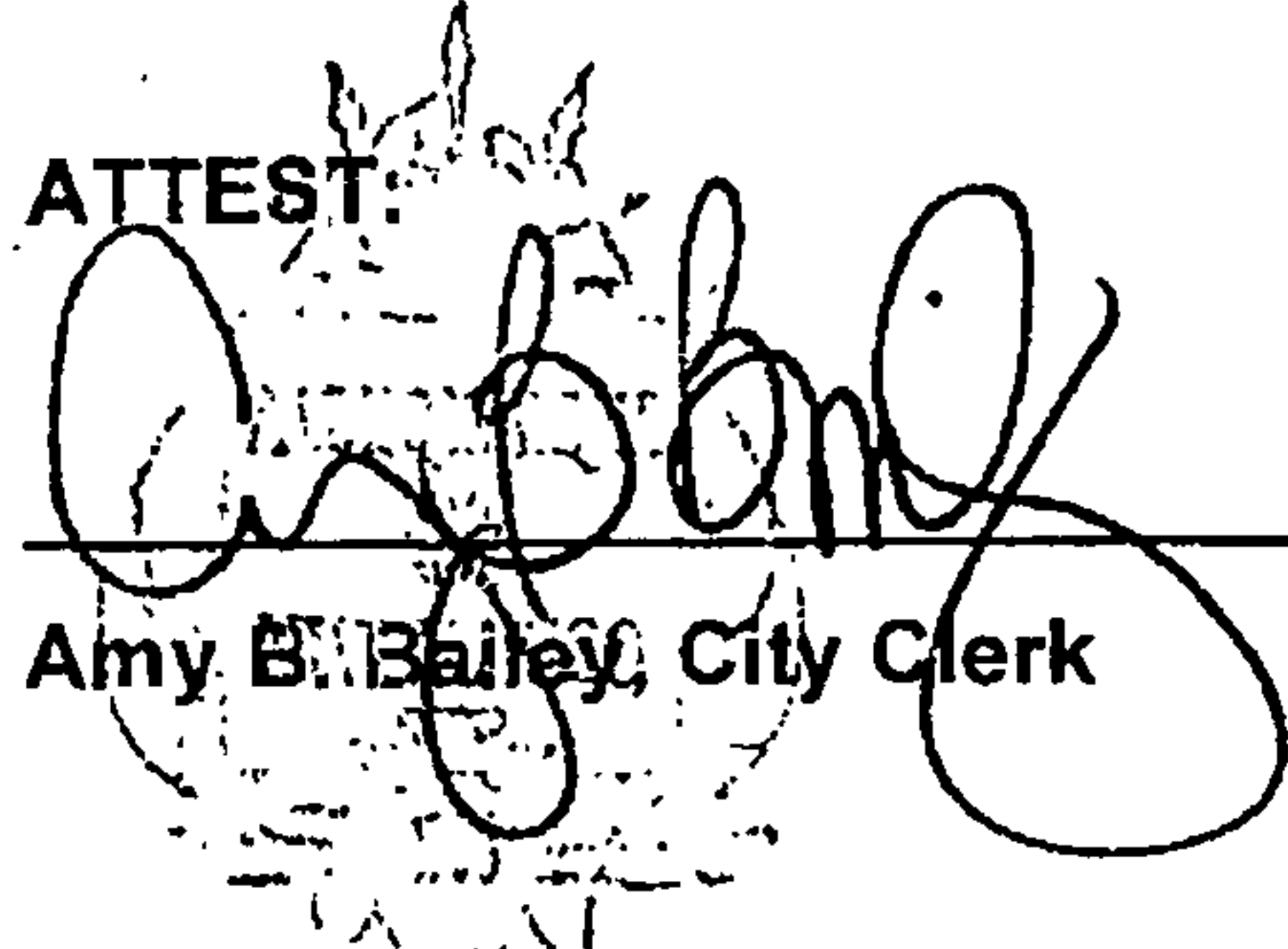
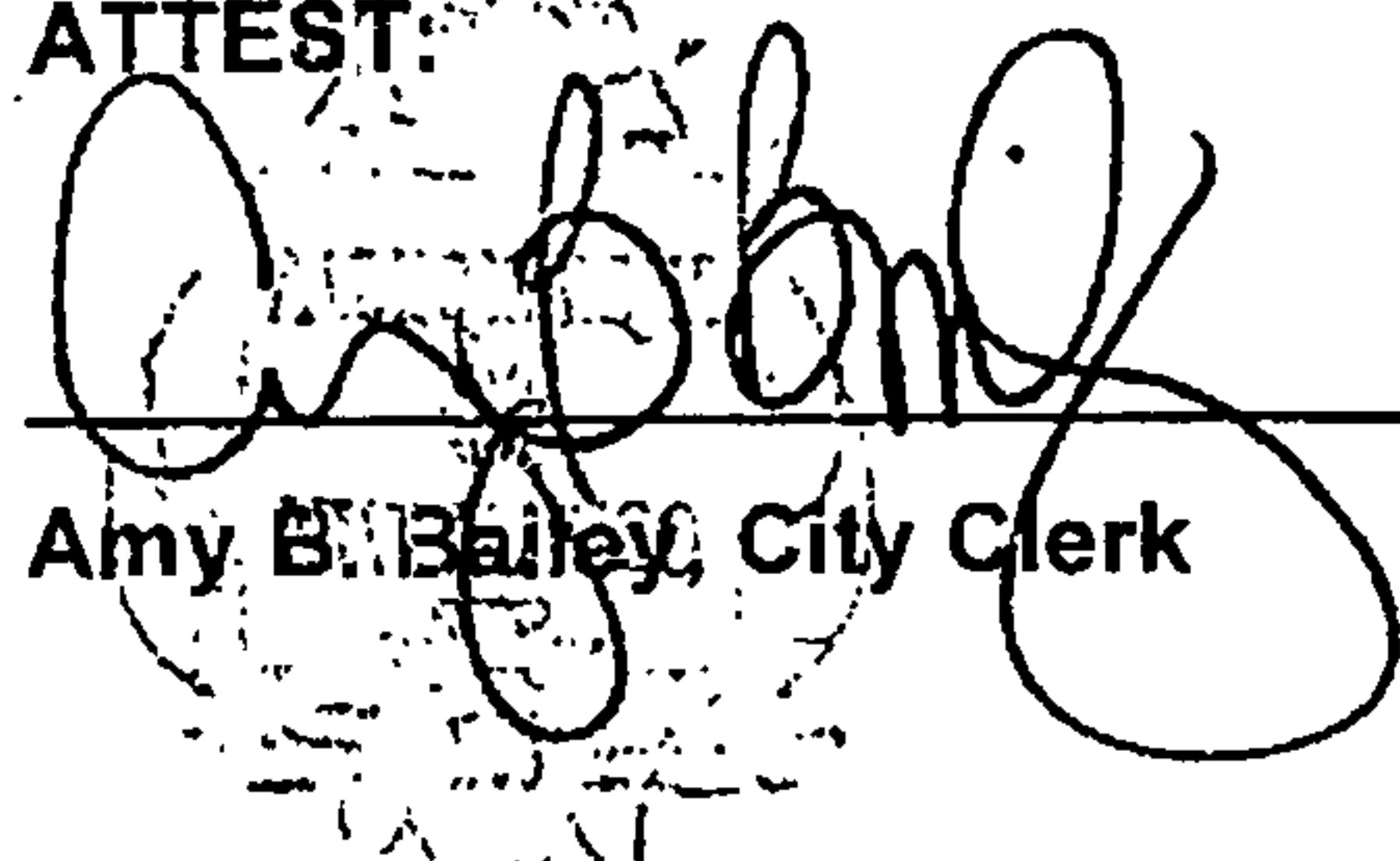
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8 Don F. Harris, President  
9 City Council

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13 APPROVED THIS 19<sup>th</sup> DAY OF November, 2011

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17 Bill No. O-11-68

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21 Richard J. Berry, Mayor  
22 City of Albuquerque

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26 ATTEST:   
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28 \_\_\_\_\_  
29 Amy B. Bailey, City Clerk

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**PROFESSIONAL SURVEYING LLC**  
P.O. Box 94595  
ALBUQUERQUE, NM 87199  
Tel. 505.892.4597, cell 505.620.4228  
professional.surveying@comcast.net

## **Avalon Subdivision Unit 5 Sketch Plat Application**

### **List of Owners**

Curb Inc.  
Charles A. Haegelin, President  
5160 San Francisco Road N.E., Albuquerque, NM 87109  
505.881.9190

Bluewater North LLC  
Charles A. Haegelin, Managing Member  
5160 San Francisco Road N.E., Albuquerque, NM 87109  
505.881.9190

RPS I-25 & VASSAR LLC  
Ben Spencer, Managing Member  
6300 Riverside Plaza Lane N.W., Suite 200, Albuquerque, NM 87120  
505.998.0163

Bluewater 98th LLC  
Charles A. Haegelin, Managing Member  
5160 San Francisco Road N.E., Albuquerque, NM 87109  
505.881.9190

MAJEC LLC  
Marie S. Baca, Operating Manager  
2001 Fourth Street S.W., Albuquerque, NM 87102  
505.243.2722, ext. 131

Ivanhoe Investment LLC  
Charles A. Haegelin, Managing Member  
5160 San Francisco Road N.E., Albuquerque, NM 87109  
505.881.9190

I-40 South LLC  
Thomas Keleher, Managing Member  
c/o Keleher & McLeod, P.A., P.O. Box AA, Albuquerque, NM 87103  
Phone: 505.346.4646

Bruckner Truck Sales, Inc.  
Christopher Bruckner, President  
5010 Jefferson Street N.E., Albuquerque NE, New Mexico 87109  
1.877.235.8194

**PROFESSIONAL SURVEYING LLC  
P.O. Box 94595  
ALBUQUERQUE, NM 87199  
Tel. 505.892.4597, cell 505.620.4228  
professional.surveying@comcast.net**

**Avalon Subdivision Unit 5 Sketch Plat Application**

**List of UPC Codes**

1 009 057 243 395 20404  
1 009 057 192 393 20401  
1 009 057 116 316 20105  
1 009 057 078 290 20104  
1 009 057 058 289 20103  
1 009 057 032 290 20102  
1 009 057 029 225 30707  
1 009 057 059 185 30705  
1 009 057 185 184 30701  
1 009 057 103 413 20301  
1 009 057 156 502 20503  
1 009 057 234 500 10402  
1 009 057 275 502 10404  
1 009 057 317 505 10406  
1 009 057 367 477 10408  
1 009 058 222 051 30202  
1 009 058 201 043 30201  
1 009 058 176 034 30103  
1 009 058 157 029 30102  
1 009 058 138 024 30101  
1 009 058 125 021 30104

CURVE TABLE				
CURVE #	RADIUS	LENGTH	DELTA	CHORD
C-1	884.00'	82.51'	06°54'40"	S 11°31'00" E 82.46'
C-2	684.00'	143.97'	12°03'34"	S 21°00'07" E 143.70'
C-3	616.00'	196.73'	18°17'55"	S 17°52'57" E 196.90'
C-4	25.00'	43.22'	99°03'39"	S 40°47'50" W 38.04'
C-19	46.40'	76.42'	94°21'30"	S 39°07'05" W 68.07'

LINE TABLE		
LINE #	BEARING	DISTANCE
L-1	S 08°03'40" E	32.36'
L-2	N 89°40'20" W	181.06'



PLAT OF TRACTS 1 THROUGH 12  
**AVALON SUBDIVISION UNIT 5**  
 ALBUQUERQUE, BERNALILLO COUNTY, NEW MEXICO  
 JANUARY 2013

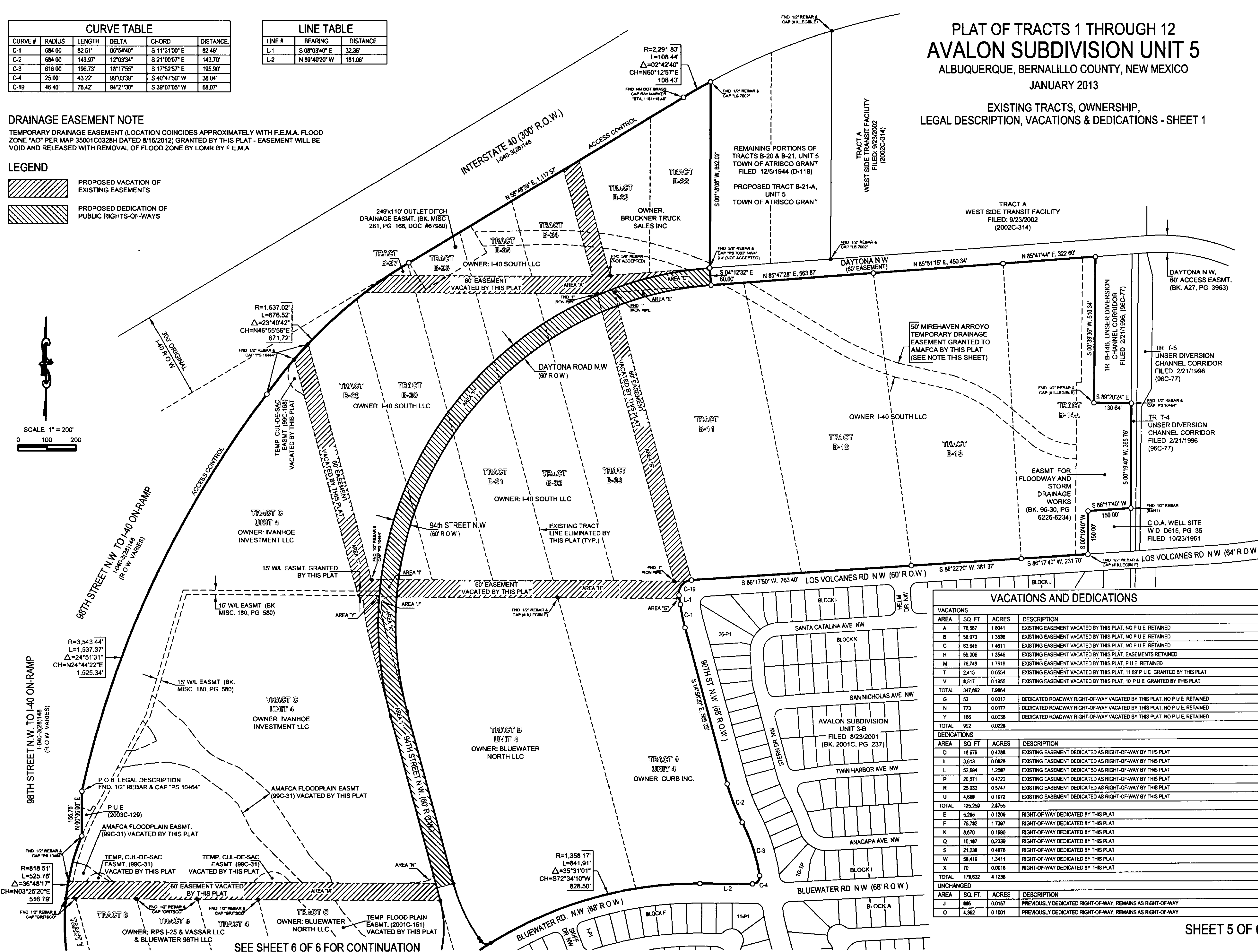
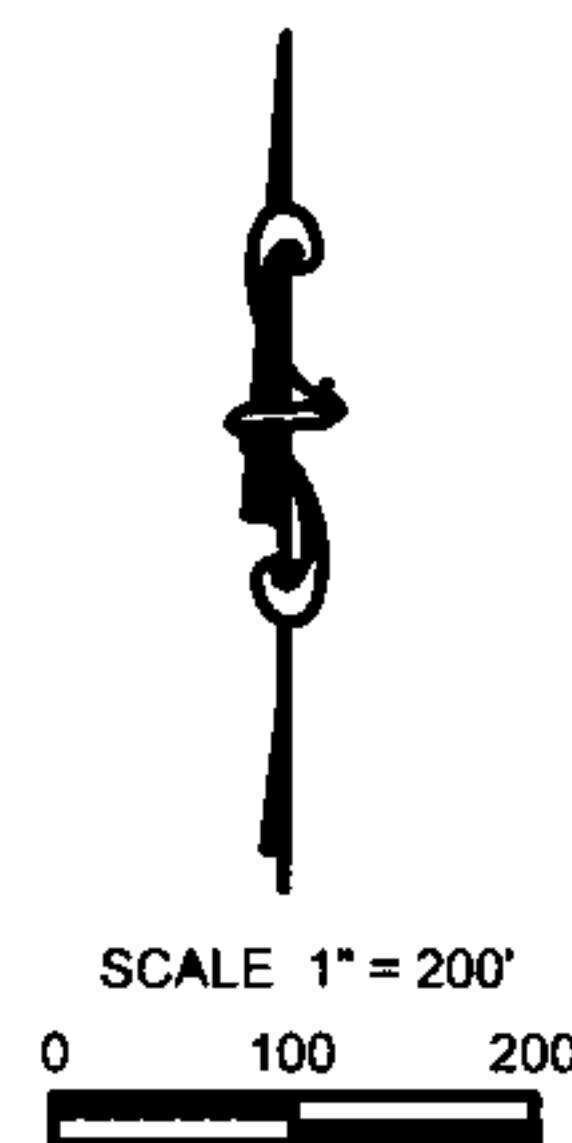
EXISTING TRACTS, OWNERSHIP,  
 LEGAL DESCRIPTION, VACATIONS & DEDICATIONS - SHEET 1

**DRAINAGE EASEMENT NOTE**

TEMPORARY DRAINAGE EASEMENT (LOCATION COINCIDES APPROXIMATELY WITH F.E.M.A. FLOOD ZONE "AO" PER MAP 35001C0328H DATED 8/18/2012) GRANTED BY THIS PLAT - EASEMENT WILL BE VOID AND RELEASED WITH REMOVAL OF FLOOD ZONE BY LOMR BY F.E.M.A.

**LEGEND**

-  PROPOSED VACATION OF EXISTING EASEMENTS
-  PROPOSED DEDICATION OF PUBLIC RIGHTS-OF-WAYS



VACATIONS AND DEDICATIONS			
<b>VACATIONS</b>			
AREA	SQ. FT.	ACRES	DESCRIPTION
A	78,587	1.8041	EXISTING EASEMENT VACATED BY THIS PLAT, NO P.U.E. RETAINED
B	58,973	1.3536	EXISTING EASEMENT VACATED BY THIS PLAT, NO P.U.E. RETAINED
C	63,645	1.4611	EXISTING EASEMENT VACATED BY THIS PLAT, NO P.U.E. RETAINED
H	59,006	1.3546	EXISTING EASEMENT VACATED BY THIS PLAT, EASEMENTS RETAINED
M	78,749	1.7619	EXISTING EASEMENT VACATED BY THIS PLAT, P.U.E. RETAINED
T	2,415	0.0554	EXISTING EASEMENT VACATED BY THIS PLAT, 11.69' P.U.E. GRANTED BY THIS PLAT
V	8,517	0.1955	EXISTING EASEMENT VACATED BY THIS PLAT, 10' P.U.E. GRANTED BY THIS PLAT
TOTAL	347,892	7.9864	
<b>DEDICATIONS</b>			
AREA	SQ. FT.	ACRES	DESCRIPTION
D	18,679	0.4288	EXISTING EASEMENT DEDICATED AS RIGHT-OF-WAY BY THIS PLAT
I	3,613	0.0828	EXISTING EASEMENT DEDICATED AS RIGHT-OF-WAY BY THIS PLAT
L	52,894	1.2097	EXISTING EASEMENT DEDICATED AS RIGHT-OF-WAY BY THIS PLAT
P	20,571	0.4722	EXISTING EASEMENT DEDICATED AS RIGHT-OF-WAY BY THIS PLAT
R	25,033	0.5747	EXISTING EASEMENT DEDICATED AS RIGHT-OF-WAY BY THIS PLAT
U	4,668	0.1072	EXISTING EASEMENT DEDICATED AS RIGHT-OF-WAY BY THIS PLAT
TOTAL	125,256	2.8755	
<b>UNCHANGED</b>			
AREA	SQ. FT.	ACRES	DESCRIPTION
J	885	0.0202	PREVIOUSLY DEDICATED RIGHT-OF-WAY, REMAINS AS RIGHT-OF-WAY
O	4,362	0.1001	PREVIOUSLY DEDICATED RIGHT-OF-WAY, REMAINS AS RIGHT-OF-WAY

PROJECT #: 10094138  
 DATE: 3-5-14  
 APP#: 14-10038 (PR)  
 14-10039 (PR)

SEE SHEET 6 OF 6 FOR CONTINUATION





DEVELOPMENT REVIEW BOARD SUPPLEMENTAL SUBMITTAL

PROJECT NO. 1009438

TO:  ALL MEMBERS

Application No. 14DRB-70019

Jack Cloud, DRB Chairman, Planning Department

Curtis Cherne, P.E., Hydrology

Kristal Metro, P.E., Transportation Development

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

Carol Dumont, Parks/Municipal Development

NEXT HEARING DATE: May 7, 2014

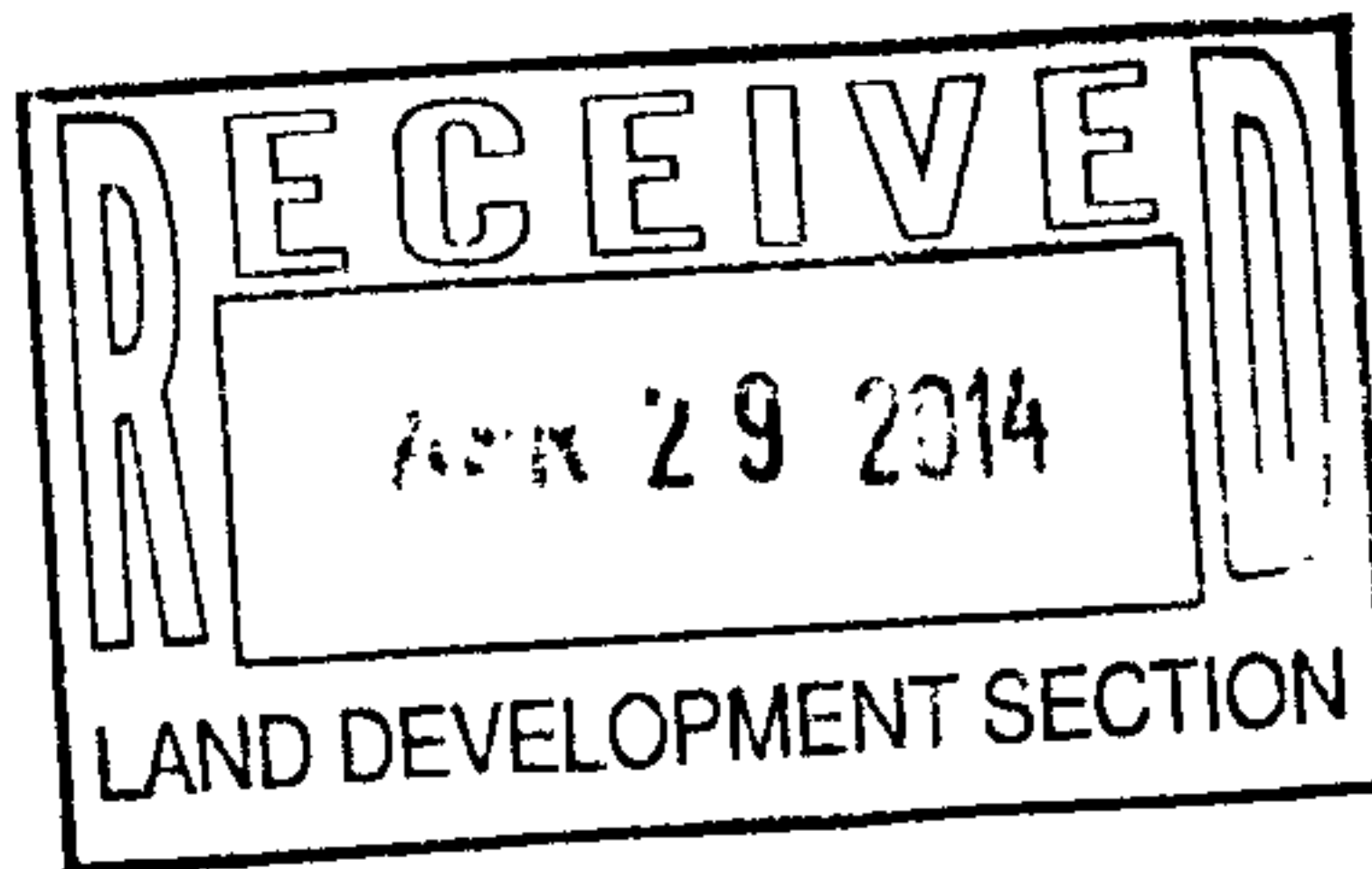
**NOTE:** REQUESTS FOR DEFERRAL OF CASES WILL BE DISCUSSED BY THE BOARD AND THE APPLICANT AND/OR AGENT AT THE BEGINNING OF THE AGENDA. BOTH PARTIES MUST AGREE UPON THE DATE OF DEFERRAL. IF THE APPLICANT/AGENT IS NOT PRESENT, THE ADMINISTRATIVE ASSISTANT MUST RECEIVE A LETTER, PRIOR TO THE HEARING DATE,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

SUBMITTAL DESCRIPTION: Final Plat. EC-14-68 has been introduced and will be heard by the City Council 5/5/14. All utility signatures

have been updated. The AMAFCA Board approved

changes to the drainage easements on 4/24/14.

A note regarding the FEMA flood plane easement has been added to the plat per Curtis Cherne, City Hydrologist.



CONTACT NAME: Jim Strozier, Consensus Planning, Inc.

TELEPHONE: 764-9801 EMAIL: cp@consensusplanning.com

# PROJECT #

1009438

*App #*

*Action*

*Date*

12-70371

SK

12-12-12

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# PROJECT #

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