



OFFICIAL NOTICE OF DECISION

CITY OF ALBUQUERQUE
PLANNING DEPARTMENT
DEVELOPMENT REVIEW BOARD

June 4, 2014

Project# 101060
14DRB-70118 VACATION OF PUBLIC RIGHT-OF-WAY

TIERRA WEST LLC agents for JOSH SKARSGARD request the referenced/ above action for MILES ROAD SE adjacent to Tract A, AIRPORT CENTER SUBDIVISION zoned C-3, located at the terminus of MILES RD SE south of GIBSON BLVD SE and east of UNIVERSITY BLVD SE containing approximately 1.5002 acres. (M-15)

At its June 4, 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 Preliminary/ Final Plat was indefinitely deferred pending City Council approval of the vacation.

(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 and the provision of adequate easements and infrastructure, the public welfare is in no way served by retaining the public right of way. The City of Albuquerque does not need to utilize the platted street for roadway or other purposes based on the proposed development.

(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:

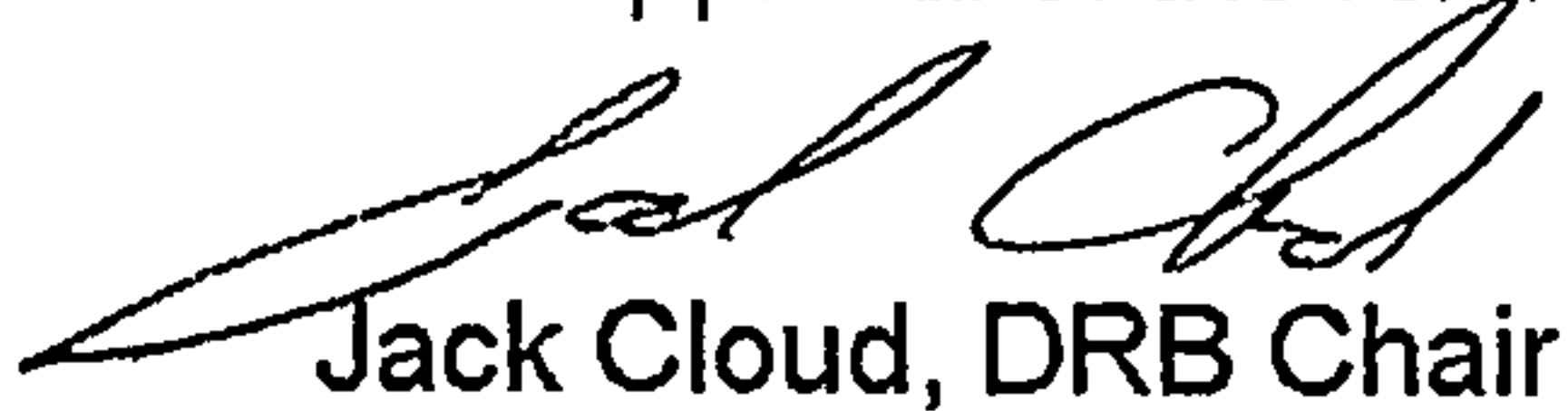
1. Final vacated right of way disposition shall be through the City Real Estate Office.
2. The vacations shall be shown on a replat approved by the Development Review Board, and the approved replat shall be filed for record with the Bernalillo County Clerk's Office within one year.
3. Adequate right of way shall be required for a new cul de sac, to be provided with the required replat; infrastructure/ construction of the new cul de sac shall be tied to the replat.

4. A Drainage Report will be required with the replat; adequate easements shall be retained/ provided for drainage/ public utilities 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 June 19, 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
TIERRA WEST, LLC

Cc:

11. **Project# 1002202**
15DRB-70120 MINOR - PRELIMINARY/
FINAL PLAT APPROVAL 

HUITT-ZOLLARS, INC. agents for WINROCK PARTNERS LLC requests the referenced/ above action for a portion of Parcel A-1-A-1-A and B, **WINROCK CENTER ADDITION** zoned SU-3, located on the east side of LOUISIANA BLVD NE between I-40 and INDIAN SCHOOL RD NE. (J-19) [*Deferred from 2/25/15, 3/11/15, 3/25/15, 4/8/15, 4/15/15*] **WITH THE SIGNING OF THE INFRASTRUCTURE LIST DATED 4/22/15 AND WITH THE SIGNING OF THE T.I.D, THE PRELIMINARY PLAT WAS APPROVED. THE FINAL PLAT WAS INDEFINITELY DEFERRED FOR THE SUBDIVISION IMPROVEMENTS AGREEMENT.**

12. ~~Project#-1010060~~
15DRB-70091 MINOR - FINAL PLAT
APPROVAL 

THE SKARSGUARD FIRM PC agent(s) for RED SHAMROCK 10 LLC request(s) the above action(s) for all or a portion of Tract(s) A, **AIRPORT CENTER** zoned C-3, located on GIBSON BLVD BETWEEN UNIVERSITY BLVD AND MILES RD containing approximately 1.9 acre(s). (M-15)) [*deferred from 3/11/15, 3/18/15, 4/15/15*] **THE FINAL PLAT WAS APPROVED WITH FINAL SIGN-OFF DELEGATED TO WATER AUTHORITY FOR FURTHER RESOLUTION OF EASEMENT AND TO PLANNING TO ADDRESS COMMENTS.**

13. ~~Project#-1010060~~
15DRB-70119 MINOR - PRELIMINARY/
FINAL PLAT APPROVAL

THE SKARSGUARD FIRM PC agent(s) for RED SHAMROCK 10 LLC request(s) the above action(s) for all or a portion of Lot(s) 9-A-1 AND 9-B-1, Block(s) A, **KIRTLAND ADDITION Unit(s) 2**, zoned C-1, located on GIBSON BLVD SE BETWEEN UNIVERSITY SE AND YALE SE containing approximately 3.13 acre(s). (M-15) [*Deferred from 3/25/15, 4/8/15, 4/15/15*] **WITH THE SIGNING OF THE INFRASTRUCTURE LIST DATED 4/22/15, THE PRELIMINARY/FINAL PLAT WAS APPROVED WITH FINAL SIGN OFF DELEGATED TO PLANNING TO ADDRESS COMMENTS.**

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

14. **Project# 1010412**
15DRB-70128 SKETCH PLAT REVIEW
AND COMMENT 

RICHARD WOLFSON request(s) the above action(s) for EASTERLY PORTION LOT 1, 2, 3, Block(s) 46, **PEREA ADDN** zoned COMMERCIAL, located on 1222 MOUNTIAN RD SW containing approximately .0713 acre(s). (J-13) **THE SKETCH PLAT WAS REVIEWED AND COMMENTS WERE PROVIDED**

15. Other Matters: None.
ADJOURNED: 10:40

11. **Project# 1010060**
15DRB-70049 SKETCH PLAT REVIEW
AND COMMENT

THE SKARSGARD FIRM PC agent(s) for RED SHAMROCK 10 LLC request(s) the above action(s) for all or a portion of Lot(s) 9-A-1 & 9-B-1, Block(s) A, **KIRTLAND ADDITION Unit(s) 2**, zoned C-1, located on GIBSON BLVD SE BETWEEN UNIVERSITY SE AND YALE SE (M-15) **THE SKETCH PLAT WAS REVIEWED AND COMMENTS WERE PROVIDED.**

12. **Project# 1010203**
15DRB-70040 SKETCH PLAT REVIEW
AND COMMENT 

SANDIA LAND SURVEYING, LLC agent(s) for ANTONIO AND GERI ROMERO request(s) the above action(s) for all or a portion of Lot(s) 11 & 12, Block(s) 6, **ALBRIGHT - MOORE ADDITION** zoned S-R, located on 6TH ST NW BETWEEN SUMMER AVE NW AND KINLEY AVE NW containing approximately .16 acre(s). (J-14) **THE SKETCH PLAT WAS REVIEWED AND COMMENTS WERE PROVIDED.**

13. Other Matters:
ADJOURNED:

**CITY OF ALBUQUERQUE
PLANNING DEPARTMENT
February 11, 2015
DRB Comments**

ITEM # 11

PROJECT # 1010060

APPLICATION # 15-70049

RE: Tract A, Airport Center

As noted in the Public Hearing comments on November 12, 2014:
Per Part 1-5 of the Zoning Code, " In the event a street, alley,
drainageway, or other public way, the edge of which formed the boundary of
a zone, is vacated, the zone boundary automatically becomes the former
centerline of the vacated public way. "

Even though the adjacent R-2 property owner may decline to acquire
the vacated right of way, the eastern half of the vacated alley is
zoned R-2 unless a zone change is approved; a centerline of the
alley needs to be shown on the plat and labelled "ZONE
BOUNDARY."

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

**CITY OF ALBUQUERQUE
PLANNING DEPARTMENT
February 4, 2015
DRB Comments**

ITEM # 9

PROJECT # 1010060

APPLICATION # 15-70035

RE: Tract A, Airport Center

there appear to be significant issues regarding City of Albuquerque right of way standards as well as grade issues (and possibly utility issues) with this sketch:

- The dimensioned 113' distance from the "Proposed Cul De Sac" to the "Right of Way to be Vacated" on the Turnaround Exhibit would be a 'stub street' in a Commercial C-2 zone. There is no legend with the submitted Exhibit so property lines weren't evident, but based on review of other parcel data the stub street would be serving three commercial properties; however the DPM standards for 'stub streets' are for residential streets/ lots only and are not allowed in this situation. The Vacation Exhibit(s) submitted **5-21-2014** with the vacation application and approved by DRB on June 4, 2014 should be referred to for an appropriate cul de sac location. An option to proceed as proposed would be to re-submit the vacation to include the right-of-way in front of the two properties to the east, such that the proposed cul de sac could be defined with a new right of way line. Obviously an easement would be required for this site to maintain access to Miles Road, but it may be possible to retain most of the existing paving with an appropriate curb/ drivepad along the radius of the proposed cul de sac.
- There is a significant 4' (or more) grade difference from the sidewalk on Gibson up to the existing paving of Miles Road at the proposed Cul De Sac. Again there is no legend with the Turnaround Exhibit, but there appears to be a fence or a wall near the Proposed Cul De Sac and at the back of the sidewalk on Gibson. The City will not accept a wall in the right of way if it is a retaining (2' or greater) wall.
- There is a significant electrical distribution line running south from the Transmission Line along Gibson, with an existing pole in the location of the Proposed Cul De Sac. Relocation options appear very limited, so approval by PNM would be needed prior to any DRB approval.



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



CITY OF ALBUQUERQUE
PLANNING DEPARTMENT
DEVELOPMENT REVIEW BOARD

November 12, 2014

PUBLIC AGENCY COMMENTS

Project# 1010060

14DRB-70357 VACATION OF PUBLIC RIGHT OF WAY

THE SKARSGARD FIRM PC agents for RED SHAMROCK 10 LLC request the referenced/ above action for the 20 FT PUBLIC ALLEY adjacent to Lot 9-B-1, Block A, **KIRTLAND ADDITION UNIT 2** and Tract A, **AIRPORT CENTER SUBDIVISION** zoned C-1 and C-3, located on the north side of LOVELACE RD SE between WELLS ST SE and MESA DR SE containing approximately .03 acre. (M-15)

AMAFCA <i>Lynn Mazur</i>	No comment.
COG <i>Kendra Watkins</i> <i>Andrew Gingerich</i>	No comments provided.
TRANSIT <i>Shabih Rizvi</i>	Project # 1010060 14 DRB-70357-VACATION OF PUBLIC RIGHT-OF-WAY Adjacent and nearby routes Route #1618, Broadway-University-Gibson route, and Route#96, pass near the site on Gibson. Adjacent bus stops None Site plan requirements None Large site TDM suggestions None. Other information None.
ZONING ENFORCEMENT <i>Vince Montano</i>	No comments provided.
NEIGHBORHOOD COORDINATION <i>Stephani Winklepleck</i>	Affected NA/HOA's: Kirtland Community Assoc. (R)
APS <i>April Winters</i>	No comments provided.
POLICE DEPARTMENT <i>Steve Sink</i>	This project is in the Southeast Area Command. - No Crime Prevention or CPTED comments concerning the proposed <i>Vacation of Public Right-Of-Way</i> request at this time.
FIRE DEPARTMENT <i>Antonio Chinchilla</i>	No comments provided.

PNM ELECTRIC <i>Daniel Aragon</i>	No comments provided.
New Mexico Gas Company <i>Patrick Sanchez</i>	No comments provided.
COMCAST <i>Mike Mortus</i>	No comments provided.
CENTURYLINK	No comments provided.
ENVIRONMENTAL HEALTH <i>Paul Olson</i>	No comments provided.
M.R.G.C.D <i>Ray Gomez</i>	No comments provided.
OPEN SPACE DIVISION <i>Kent Reed Swanson Sarah Brown</i>	Open Space Division has reviewed and has no comments.
TRANSPORTATION PLANNING (DMD) <i>John MacKenzie</i>	Per the MGCOC-Adopted Interim Long Range Roadway System map, Gibson Blvd. is a Limited-access Principal Arterial that presently contains on-street bicycle lanes along the site's north frontage.
PARKS AND RECREATION <i>Carol Dumont</i>	no comments
CITY ENGINEER/ HYDROLOGY <i>Curtis Cherne</i>	
ABCWUA <i>Allan Porter</i>	Need to confirm the alignment of an existing 8" SAS is not in the alley. If it is, then the WUA will require a 20' public sewer line easement.
TRANSPORTATION DEVELOPMENT <i>Kristal Metro</i>	
PLANNING DEPARTMENT <i>Jack Cloud</i>	Refer to comments from affected agencies plus any public hearing comments regarding proposed vacation. Per Part 7-2(F) of the Subdivision Ordinance, an affirmative DRB decision on the full alley vacation request is only advisory and would not be final until approved by the City Council. Per Part 1-5 of the Zoning Code, " In the event a street, alley, drainageway, or other public way, the edge of which formed the boundary of a zone, is vacated, the zone boundary automatically becomes the former centerline of the vacated public way. " Even though the adjacent R-2 property owner may decline to acquire the right of way if it is vacated, the eastern half of the vacated alley will be zoned R-2 unless a zone change is approved.

Current DRC
Project Number: _____

FIGURE 12

Date Submitted: March 3, 2015
Date Site Plan Approved: N/A - C-3 Zone
Date Preliminary Plat Approved: Plat Submittal 3/3
Date Preliminary Plat Expires: _____
DRB Project No.: 1010060
DRB Application No.: #15-70049

INFRASTRUCTURE LIST
(Rev. 9-20-05)
EXHIBIT "A"
TO SUBDIVISION IMPROVEMENTS AGREEMENT
DEVELOPMENT REVIEW BOARD (D.R.B.) REQUIRED INFRASTRUCTURE LIST
PLAT OF TRACT A-1 AIRPORT CENTER
PROPOSED NAME OF PLAT AND/OR SITE DEVELOPMENT PLAN
Tract Lettered "A" of the Subdivision Plat of Tract A through E, Airport Center, Albuquerque, NM (Plat Book 98C, Page 116)
EXISTING LEGAL DESCRIPTION PRIOR TO PLATTING ACTION

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

Financially Guaranteed DRC #	Constructed Under DRC #	Size	Type of Improvement	Location	From	To	Construction Certification		
							Private Inspector	P.E.	City Cnst Engineer
							/	/	/
						Driveway B	/	/	/
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Financially Guaranteed DRC #	Constructed Under DRC #	Size	Type of Improvement	Location	From	To	Construction Certification		
							Private		City Cnst Engineer
							Inspector	P.E.	
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The items listed below are on the CCIP and approved for Impact Fee credits. Signatures from the Impact Fee Administrator and the City User Department is required prior to DRB approval of this listing. The Items listed below are subject to the standard SIA requirements.

Financially Guaranteed DRC #	Constructed Under DRC #	Size	Type of Improvement	Location	From	To	Construction Certification		
							Private Inspector	P.E.	City Cnst Engineer
<input type="text"/>	<input type="text"/>	_____	_____	_____	_____	_____	/	/	/
<input type="text"/>	<input type="text"/>	_____	_____	_____	_____	_____	/	/	/
Approval of Creditable Items:							Approval of Creditable Items:		
Impact Fee Administrator Signature Date							City User Dept. Signature Date		

NOTES

If the site is located in a floodplain, then the financial guarantee will not be released until the LOMR is approved by FEMA.
Street lights per City requirements.

1 _____

2 _____

3 _____

AGENT / OWNER DEVELOPMENT REVIEW BOARD MEMBER APPROVALS

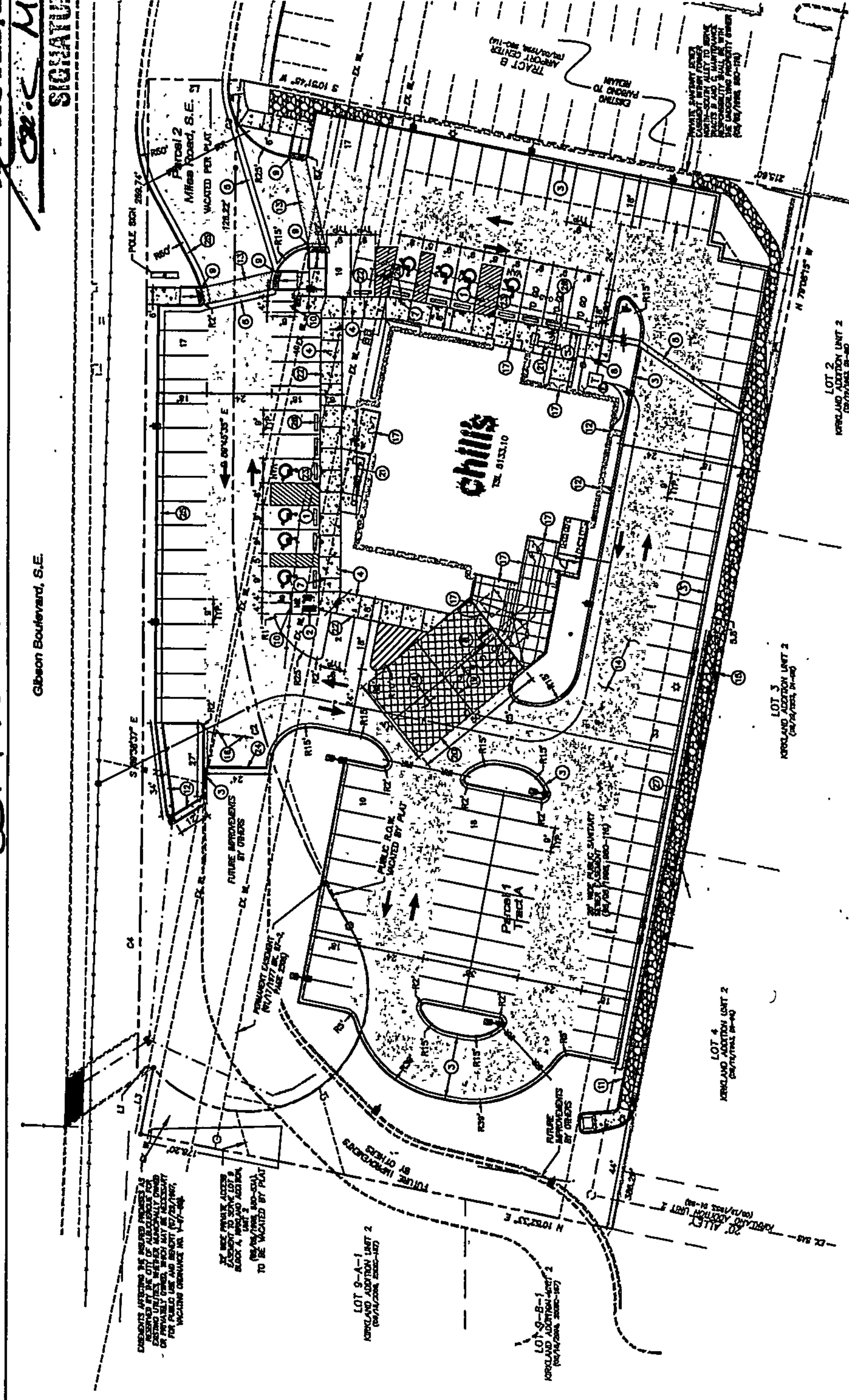
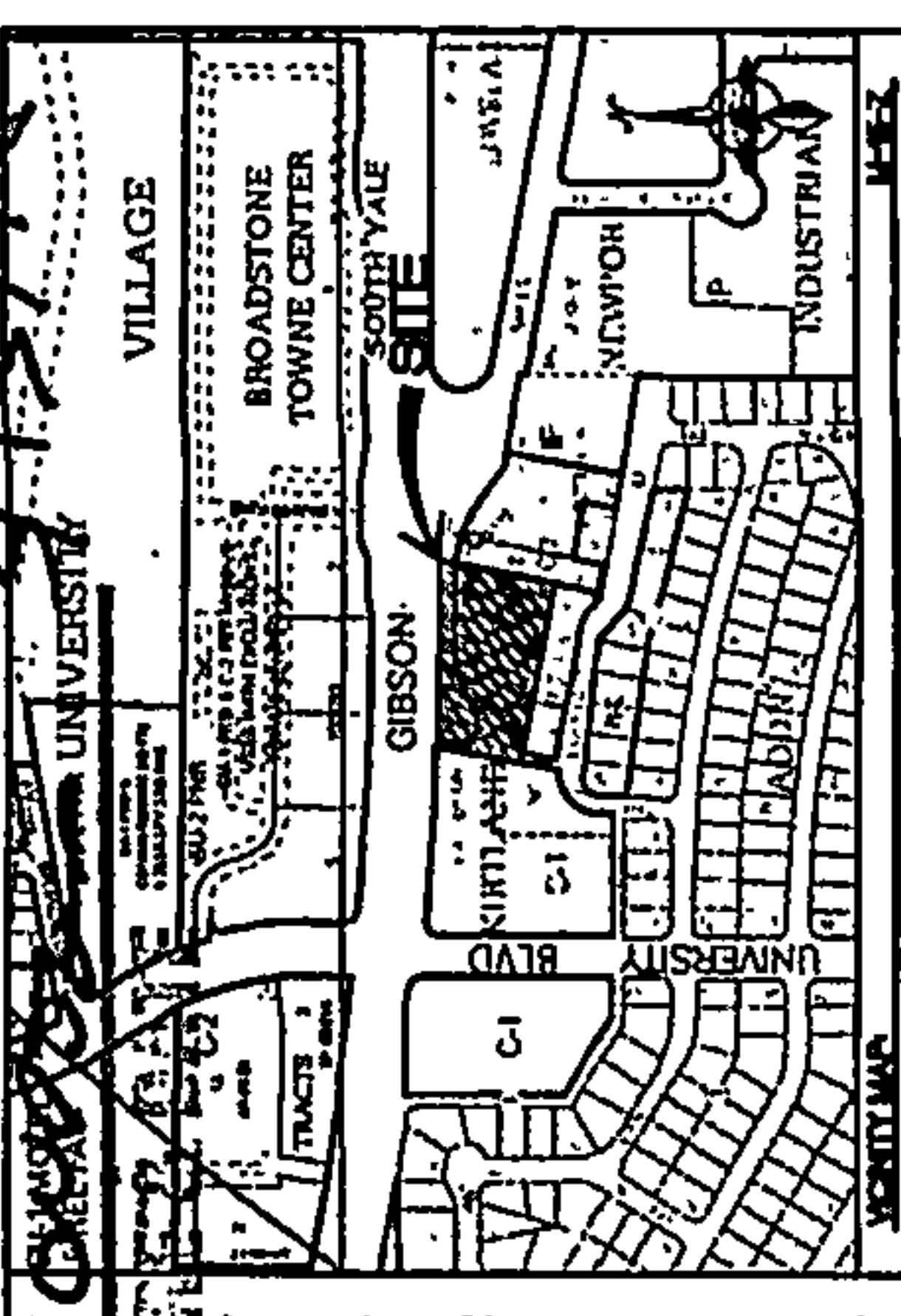
_____ NAME (print)	_____ DRB CHAIR - date	_____ PARKS & RECREATION - date
_____ FIRM	_____ TRANSPORTATION DEVELOPMENT - date	_____ AMAFCA - date
_____ SIGNATURE - date	_____ UTILITY DEVELOPMENT - date	_____ _____ - date
	_____ CITY ENGINEER - date	_____ _____ - date

DESIGN REVIEW COMMITTEE REVISIONS

REVISION	DATE	DRC CHAIR	USER DEPARTMENT	AGENT / OWNER

AFD PLANS CHECKING OFFICE
924-3611
APPROVED/DISAPPROVED

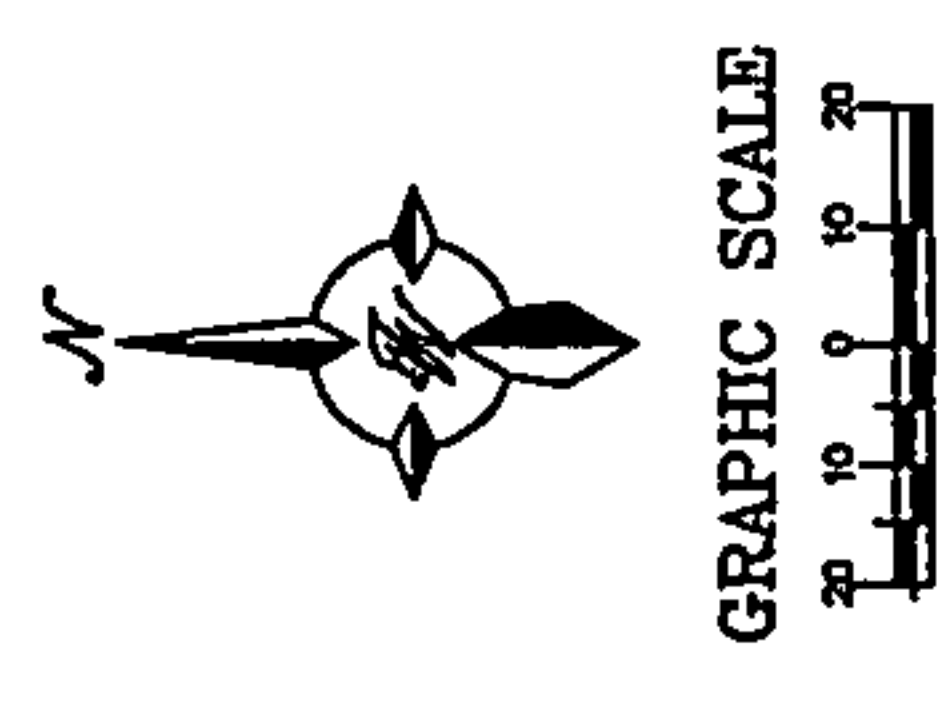
BP # 201492478



- KEYED NOTES**
- 1 ACCESSIBLE PAVING PER ADA STANDARDS (SEE DETAIL 1 SHEET C0)
 - 2 BIKE RACK (SEE DETAIL 2 SHEET C0)
 - 3 PRIVATE CURB AND GUTTER (SEE DETAIL 3 SHEET C7)
 - 4 BUILDING SIDEWALK (SEE DETAIL 10 SHEET C7)
 - 5 CONCRETE SLEWE, 2" WIDE, 6" THICK (SEE DETAIL 8 SHEET C7)
 - 6 TRASH ENCLOSURE/RECYCLING (SEE ARCHITECTURAL PLANS FOR DETAIL)
 - 7 ACCESSIBLE PARKING SIGN (TYP) INSTALLED 1' FROM FACE OF WALK (SEE DETAIL 7 SHEET C0)
 - 8 'D' DOT PARKING SIGN (TYP), (SEE DETAIL 8 SHEET C0)
 - 9 UNIDIRECTIONAL PAINT (SEE DETAIL 9 SHEET C0)
 - 10 MOTORCYCLE PARKING SIGN (SEE DETAIL 10 SHEET C0)
 - 11 RETAINING WALL (SEE DETAIL 11 SHEET C7) BY GENERAL CONTRACTOR, SEPARATE PERMIT REQUIRED
 - 12 CONCRETE RAINDOWN (SEE DETAIL 12 SHEET C7)
 - 13 PEDESTRIAN CROSSWALK (SEE DETAIL 13 SHEET C7)
 - 14 PAVING (SEE DETAIL 14 SHEET C7)
 - 15 EXISTING 6" GAU SCREEN WALL
 - 16 TEMP. TYPE 3 BARRICADE (SEE DETAIL 20 SHEET C0)
 - 17 EXPANSION JOINT (SEE DETAIL 18 SHEET C7)
 - 18 SERVICE YARD APRON (SEE DETAIL 20 SHEET C7)
 - 19 SAWCUT CONTROL JOINTS
 - 20 CONCRETE TO ASPHALT TRANSITION (SEE DETAIL 20 SHEET C7)
 - 21 BEACHES & ASH TRAY FURNISHED BY OWNER, INSTALLED BY GENERAL CONTRACTOR
 - 22 TURNDOWN CURBS (SEE DETAIL SHEET C7)
 - 23 ZERO CURB (SEE SHEET C4 FOR LIMITS)
 - 24 CUT-OFF WALL (SEE DETAIL 24 SHEET C7)
 - 25 CITY STANDARD CURB AND GUTTER (SEE DETAIL 25 SHEET C7)
 - 26 WHEEL STOP (SEE DETAIL 26 SHEET C0)
 - 27 PEDESTRIAN GUARD RAIL (SEE DETAIL 30 SHEET C0)

INDEX TO DRAWINGS

- C1- SITE PLAN FOR BUILDING PERMIT
- C2- DEMO PLAN
- C3- GRADING AND DRAINAGE PLAN
- C4- GRADING AND DRAINAGE DETAIL
- C5- MASTER UTILITY PLAN
- C6- DETAIL SHEET
- C7- DETAIL SHEET
- C8- DETAIL SHEET
- C9- EROSION CONTROL
- EC-1 EROSION CONTROL DETAILS
- LS-1 LANDSCAPING PLAN
- LS-02 LANDSCAPING PLAN LEGEND
- IS-01 TOPO SURVEY



- LEGEND**
- CURB & GUTTER
 - BOUNDARY LINE
 - EASEMENT
 - BUILDING
 - SIDEWALK
 - EXISTING SCREEN WALL
 - RETAINING WALL
 - STRIPING
 - EXISTING CURB & GUTTER
 - EXISTING BOUNDARY LINE
 - EXISTING SIDEWALK
 - TRANSFORMER
 - SITE LIGHTING (SEE LIGHTING PLAN)
 - LIGHT DUTY PAVING (AC)
 - HEAVY DUTY PAVING (AC)
 - CONCRETE APRON

SITE DATA
 ADDRESS: 1946 N. GIBSON BLVD
 LEGAL DESCRIPTION: TRACT A OF TRACTS A THROUGH I, AIRPORT CENTER ZONING C-3
 SITE AREA: 1.16 ACRES

PROPOSED USE
 RESTAURANT BAR WITH 249 SEATS (254 PROPOSED OCCUPANT LOAD)

PARKING REQUIREMENTS
 SEE CITY ORDINANCE FOR TRUCKS/PICKUPS/COACHES
 ADA ACCESSIBLE SPACES REQUIRED: 8
 MOTORCYCLE SPACES REQUIRED: 1
 AUTO SPACES REQUIRED: 238
 AUTO SPACES PROVIDED: 238

PARKING PROVIDED
 238 AUTO SPACES: 140 IN VAULT ACCESSIBLE
 140 MOTORCYCLE SPACES: 14
 MOTORCYCLE SPACES: 1
 AUTO SPACES: 1 BACK (5 SPACES)

DRAWN BY BY DATE 10/31/14	SHEET # C1	JOB # 201308
TIERRA WEST, LLC 801 VETERANS BLVD. SUITE 100 ALBUQUERQUE, NM 87102 (505) 963-3100 www.tierrawest.com		

DESIGNED BY DATE 10/31/14	PROJECT NO. 201308-SPK
SCALE 1"=20'	

Supplemental Form (SF)

SUBDIVISION	S	Z	ZONING & PLANNING
<input type="checkbox"/> Major subdivision action			<input type="checkbox"/> Annexation
<input checked="" type="checkbox"/> Minor subdivision action			
<input type="checkbox"/> Vacation	V		<input type="checkbox"/> Zone Map Amendment (Establish or Change Zoning, includes Zoning within Sector Development Plans)
<input type="checkbox"/> Variance (Non-Zoning)			<input type="checkbox"/> Adoption of Rank 2 or 3 Plan or similar
SITE DEVELOPMENT PLAN	P		<input type="checkbox"/> Text Amendment to Adopted Rank 1, 2 or 3 Plan(s), Zoning Code, or Subd. Regulations
<input type="checkbox"/> for Subdivision			
<input type="checkbox"/> for Building Permit			
<input type="checkbox"/> Administrative Amendment/Approval (AA)			
<input type="checkbox"/> IP Master Development Plan	D		<input type="checkbox"/> Street Name Change (Local & Collector)
<input type="checkbox"/> Cert. of Appropriateness (LUCC)	L A		APPEAL / PROTEST of...
STORM DRAINAGE (Form D)			<input type="checkbox"/> Decision by: DRB, EPC, LUCC, Planning Director, ZEO, ZHE, Board of Appeals, other
<input type="checkbox"/> Storm Drainage Cost Allocation Plan			

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

APPLICATION INFORMATION:

Professional/Agent (if any): The Skarsgard Firm P.C. PHONE: 505-262-2323
 ADDRESS: 8220 San Pedro NE Suite 500 FAX: 505-998-9080
 CITY: Abuquerque STATE NM ZIP 87113 E-MAIL: josh@skarsgardfirm.com

APPLICANT: Red Shamrock 10 LLC PHONE: 505-262-2323
 ADDRESS: 8220 San Pedro NE Suite 500 FAX: 505-998-9080
 CITY: Abuquerque STATE NM ZIP 87113 E-MAIL: _____
 Proprietary interest in site: owner List all owners: _____

DESCRIPTION OF REQUEST: Final plat approval

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. 9-A-1 and 9-B-1 Block: A Unit: 2
 Subdiv/Addn/TBKA: Kirtland addition
 Existing Zoning: C-1 Proposed zoning: NA MRGCD Map No _____
 Zone Atlas page(s): M-15 UPC Code: 101505529149011715
101505531048811714

CASE HISTORY:

List any current or prior case number that may be relevant to your application (Proj., App., DRB-, AX_Z_V_S_, etc.):
15DRB-70049

CASE INFORMATION:

Within city limits? Yes Within 1000FT of a landfill? No
 No. of existing lots: 2 No. of proposed lots: 2 Total site area (acres): 3.13 ac

LOCATION OF PROPERTY BY STREETS: On or Near: Gibson Blvd. SE
 Between: University SE and Yale SE

Check if project was previously reviewed by: Sketch Plat/Plan or Pre-application Review Team(PRT) . Review Date: 2/11/15

SIGNATURE [Signature] DATE 3/17/15
 (Print Name) Joshua Skarsgard 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	Action	S.F.	Fees
<u>15DRB-70119</u>	<u>PSE</u>	—	\$ <u>285.00</u>
_____	<u>CMF</u>	—	\$ <u>20.00</u>
_____	_____	—	\$ _____
_____	_____	—	\$ _____
_____	_____	—	\$ _____
Hearing date <u>March 25 2015</u>			Total \$ <u>305.00</u>

[Signature] 3-17-15
 Staff signature & Date

Project # 1010060

Revised: 4/2012

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
- 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**
- 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)
- DXF file and hard copy of final plat data for AGIS is required. *will be provided*

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.

Joshua Skarsgard
Applicant name (print)

[Signature]
Applicant signature / date

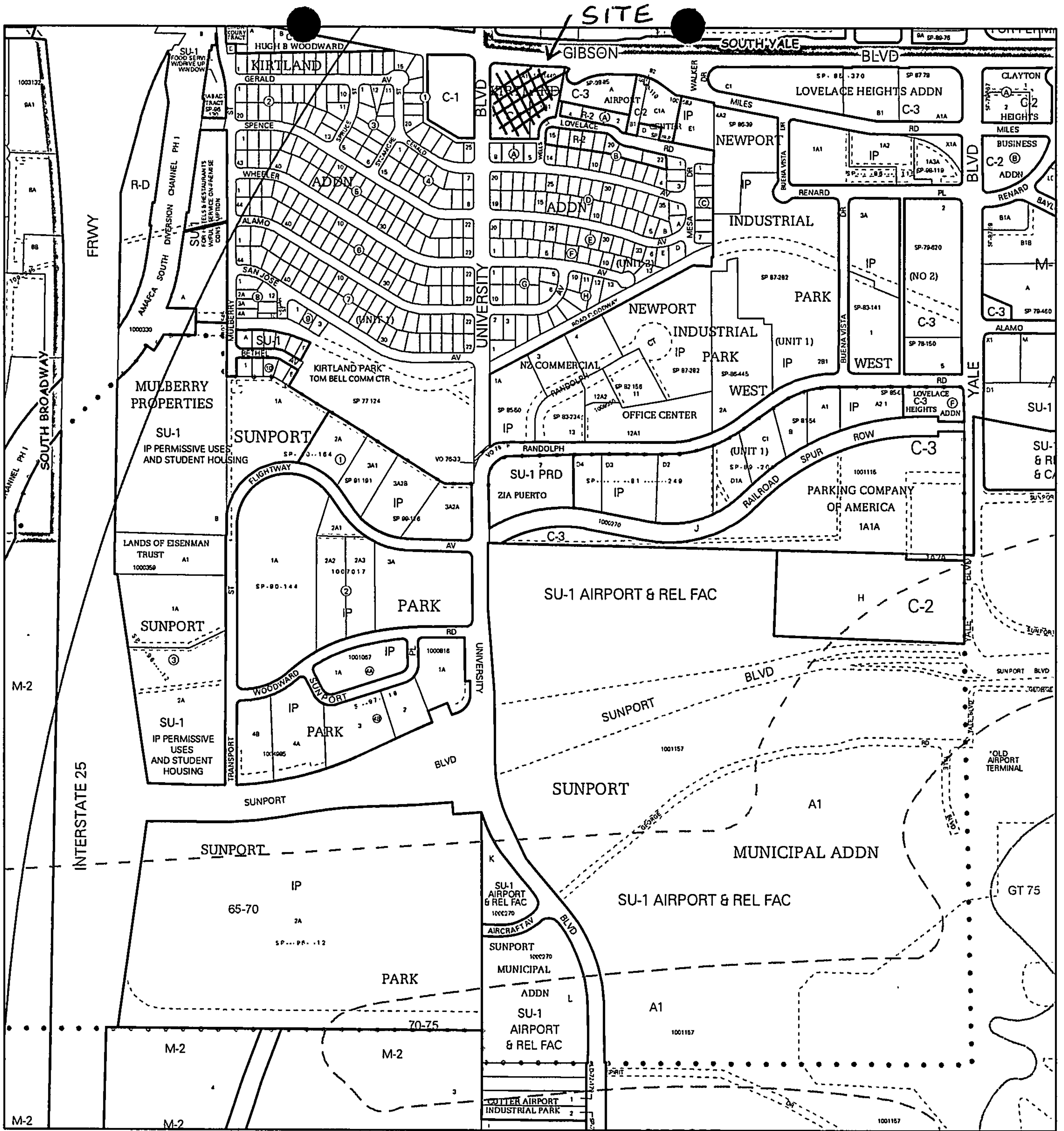


Form revised October 2007

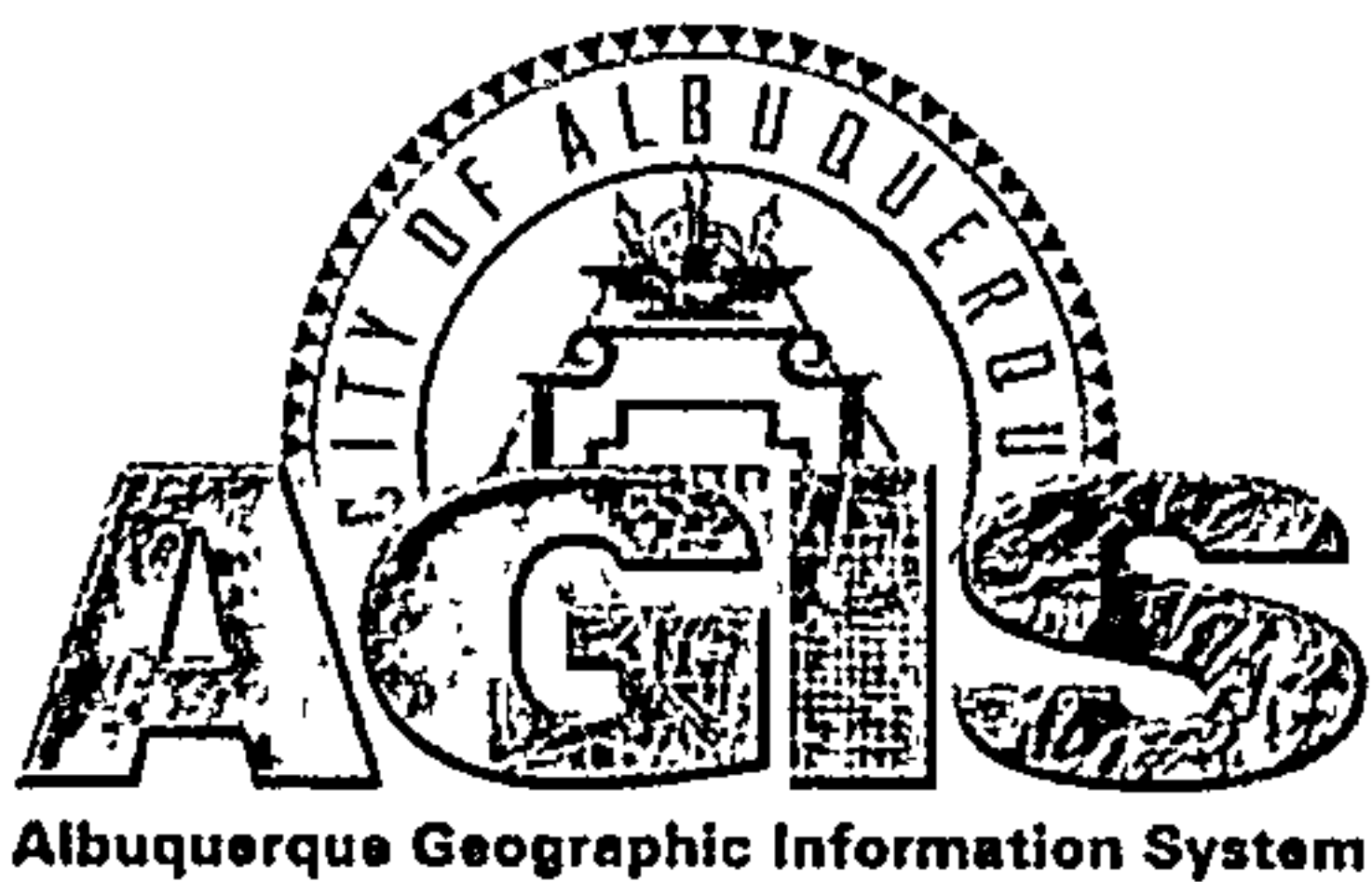
- Checklists complete
- Fees collected
- Case #s assigned
- Related #s listed

Application case numbers
15005 - 70119

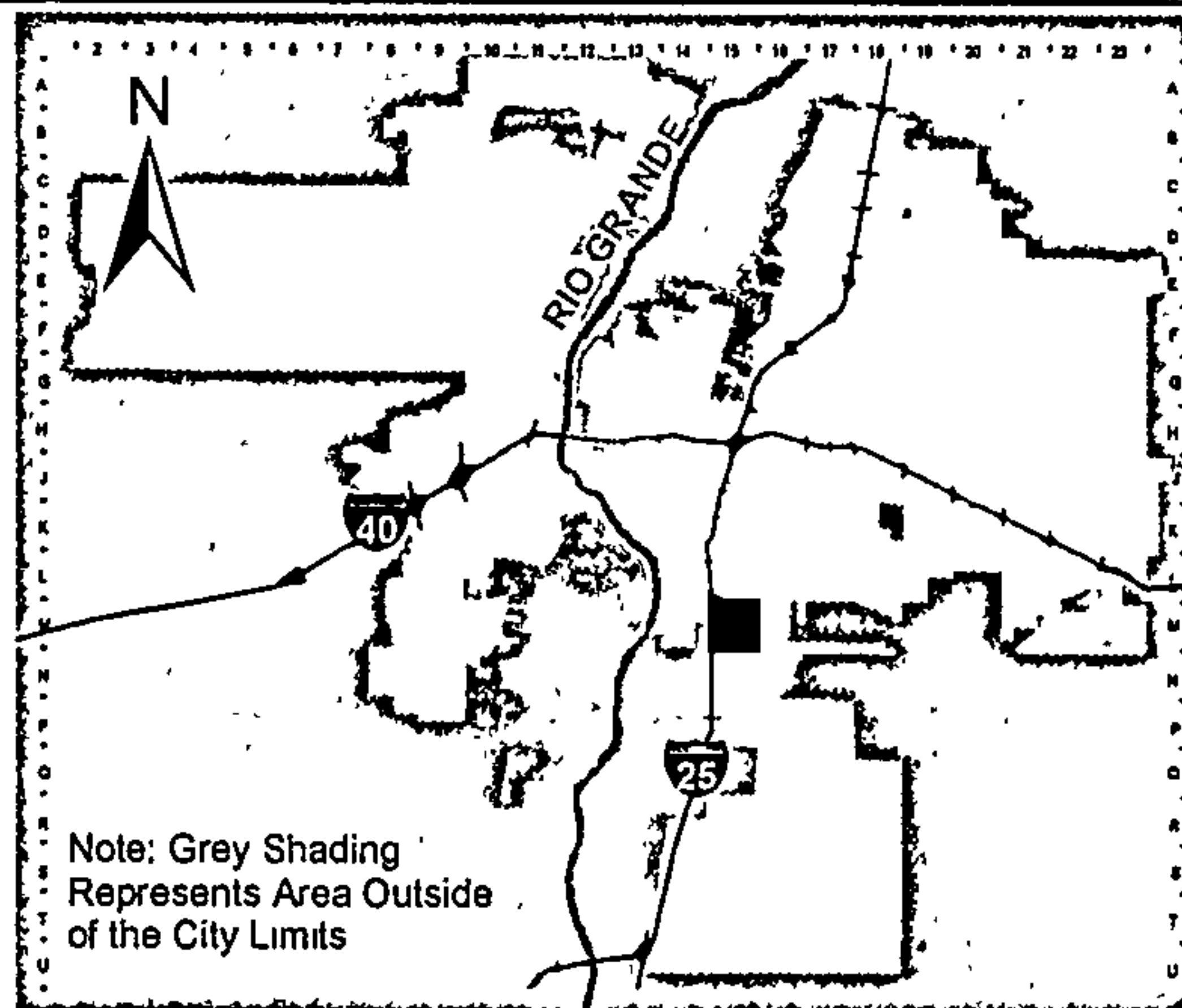
[Signature] 3-17-15
Planner signature / date
Project # 1010060



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



Map amended through: 9/2/2014








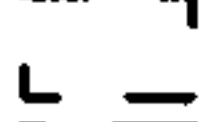



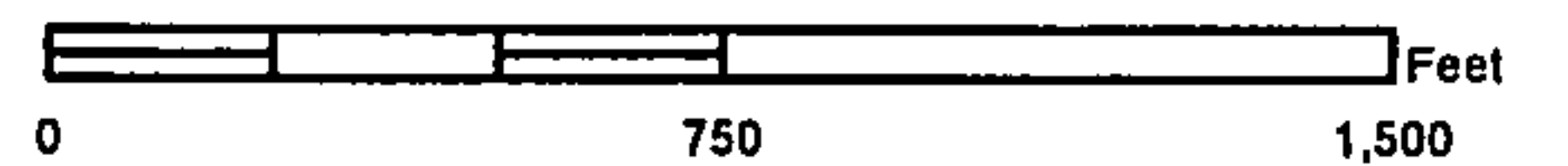
Note: Grey Shading Represents Area Outside of the City Limits

Zone Atlas Page:

M-15-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



JOSHUA J. SKARSGARD
TEL: (505) 262-2323
FAX: (505) 998-9099
8220 SAN PEDRO NE SUITE 500
ALBUQUERQUE, NM 87113

March 17, 2015

Mr. Jack Cloud, Chair
Development Review Board
City of Albuquerque
P.O. Box 1293
Albuquerque, NM 87103

**RE: PRELIMINARY AND FINAL PLAT REVIEW OF PLAT
DRB PROJECT NUMBER: 1010060 (15DRB-70049)**

Dear Mr. Cloud and Members of the DRB:

Mr. Joshua J. Skarsgard ("Counsel" or "Agent") on behalf of Red Shamrock 10, LLC ("Owner") respectfully requests of the DRB the review of the attached Plat of Lots 9-A-1A and 9-B-1A Kirtland Addition ("Plat").

The purpose of this Plat is to: (i) adjust the existing lot lines between the existing Lots 9-A-1 and 9-B-1 and create the new Lots 9-A-1A and 9-B-1A; and (ii) show the vacated 20' public alley as vacated by 14DRB-70357.

The proposed Lot 9-A-1A will be developed into a Chick-fil-A restaurant with a drive-thru. The proposed Lot 9-B-1A will be developed into another national quick service restaurant with a drive-thru.

SKETCH PLAT COMMENTS

A Sketch Plat for this Plat was reviewed by DRB on February 11, 2015. The DRB Sketch Plat comments are attached hereto as Exhibit "A". All DRB Sketch Plat comments were reviewed by Applicant and addressed on the Plat being submitted for final approval.

DISCLOSURE:

Mr. Josh Skarsgard, is the ZHE of the City of Albuquerque and believes there is no conflict of interest in this application to the DRB. Should a conflict arise, Joshua Skarsgard will terminate the representation of the Applicant.

If you have any questions or need additional information regarding this matter, please do not hesitate to contact me.

Sincerely,


Joshua J. Skarsgard

**CITY OF ALBUQUERQUE
PLANNING DEPARTMENT
February 11, 2015
DRB Comments**

ITEM # 11

PROJECT # 1010060

APPLICATION # 15-70049

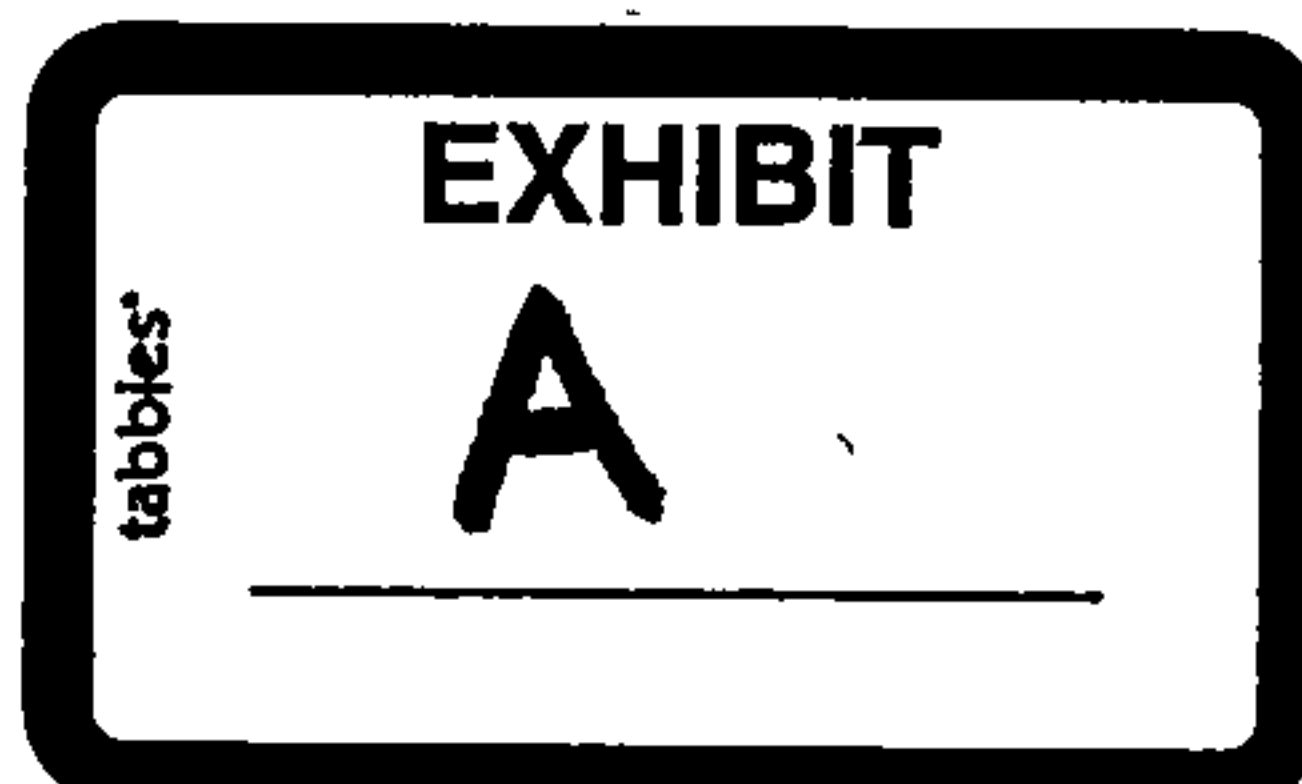
RE: Tract A, Airport Center

As noted in the Public Hearing comments on November 12, 2014:
Per Part 1-5 of the Zoning Code, " In the event a street, alley,
drainageway, or other public way, the edge of which formed the boundary of
a zone, is vacated, the zone boundary automatically becomes the former
centerline of the vacated public way. "

Even though the adjacent R-2 property owner may decline to acquire
the vacated right of way, the eastern half of the vacated alley is
zoned R-2 unless a zone change is approved; a centerline of the
alley needs to be shown on the plat and labelled "ZONE
BOUNDARY."



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



CITY OF ALBUQUERQUE
PLANNING DEPARTMENT

HYDROLOGY DEVELOPMENT SECTION
DEVELOPMENT REVIEW BOARD MEMO

DRB PROJECT NO: 1010060

AGENDA ITEM NO: 11

SUBJECT:

ENGINEERING COMMENTS:

Sketch Plat

An onsite storm drain was constructed to drain these lots to Gibson Blvd. Provide a storm sewer/drain easement for the pipe.

Show the location of the pipe on an exhibit.

Lot 9-B-1A is uphill from Lot 9-A-1A and will most likely drain into Lot 9-A-1A. If there will be cross-lot drainage, provide an easement so it can legally do

SO.

SIGNED:

Curtis Cherne
Hydrology Section
City Engineer Designee
AMAFCA Designee
924-3986

DATE: 2-11-15

PLANNING DEPARTMENT
DEVELOPMENT AND BUILDING SERVICES
TRANSPORTATION SECTION

DEVELOPMENT REVIEW BOARD – SPEED MEMO

DRB CASE NO: 1010060

AGENDA ITEM NO: 11

SUBJECT:

SKETCH PLAT

ENGINEERING COMMENTS:

Provide an exhibit showing the location of sidewalk and defining the distance from back of curb to the property line. Right of way dedication may be required.
Clarify access; is a cross access easement needed?

Disclaimer: The comments provided are based upon the information received from the applicant. If new or revised information is submitted, additional comments may be provided by Transportation Development.

RESOLUTION:

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

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

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

SIGNED: Kristal D. Metro
Transportation Development

DATE: FEBRUARY 11, 2015
505-924-3991



Development Review Board (DRB)
Review Comments
Utility Development Section
Reviewer: Allan Porter, P.E.
Phone: 505.924.3989

D.R.B. Case No: 1010060	Date: 02/11/2015	Item No: #11
Zone Atlas Page: M-15	LOCATION: Tract(s) A, Airport Center Gibson between University and Miles Rd.	
Request For: Sketch		

ABCWUA Comment: Please include private water and sanitary sewer service line easements across the western property for the benefit of the eastern property.



Development Review Board (DRB)
Review Comments
Utility Development Section
Reviewer: Allan Porter, P.E.
Phone: 505.924.3989

D.R.B. Case No: 1010060	Date: 02/11/2015	Item No: #11
Zone Atlas Page: M-15	LOCATION: Tract(s) A, Airport Center Gibson between University and Miles Rd.	
Request For: Sketch		

ABCWUA Comment: Please include private water and sanitary sewer service line easements across the western property for the benefit of the eastern property.

PROJECT #

10100060

March 25, 2015

Pif



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 2nd Street NW, Albuquerque, NM 87102. Fees must be paid at the time of application. Refer to supplemental forms for submittal requirements.

APPLICATION INFORMATION:

Professional/Agent (if any): The Skarsgard Firm P.C PHONE: 505-262-2323
 ADDRESS: 8220 San Pedro NE Suite 500 FAX: 505-998-9080
 CITY: Albuquerque STATE NM ZIP 87113 E-MAIL: josh@skarsgardfirm.com
 APPLICANT: Red Shamrock IO LLC PHONE: 505-262-2323
 ADDRESS: 8220 San Pedro NE Suite 500 FAX: 505-998-9080
 CITY: Albuquerque STATE NM ZIP 87113 E-MAIL: _____
 Proprietary interest in site: Owner List all owners: _____

DESCRIPTION OF REQUEST: _____

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

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

Lot or Tract No. Tract A Block: _____ Unit: _____
 Subdiv/Addn/TBKA: Airport Center
 Existing Zoning: C-3 Proposed zoning: _____ MRGCD Map No _____
 Zone Atlas page(s): M-15 UPC Code: 101505532448911705

CASE HISTORY:

List any current or prior case number that may be relevant to your application (Proj., App., DRB-, AX_Z_, V_, S_, etc.): _____
15DRB-70035

CASE INFORMATION:

Within city limits? Yes Within 1000FT of a landfill? No
 No. of existing lots: 1 No. of proposed lots: 1 Total site area (acres): 1.90

LOCATION OF PROPERTY BY STREETS: On or Near: Gibson Blvd.
 Between: University Blvd. and Miles Rd.

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

SIGNATURE [Signature] DATE 3/3/15
 (Print Name) Joshua Skarsgard Applicant: Agent:

FOR OFFICIAL USE ONLY

Revised: 4/2012

<input type="checkbox"/> INTERNAL ROUTING	Application case numbers	Action	S.F.	Fees
<input checked="" type="checkbox"/> All checklists are complete	<u>15DRB-70091</u>	<u>P&F</u>	_____	\$ <u>215.00</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	_____	_____	_____	\$ _____
<input checked="" type="checkbox"/> AGIS copy has been sent	_____	_____	_____	\$ _____
<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 <u>March 11, 2015</u>			Total \$ <u>235.00</u>

[Signature] 3-3-15
 Staff signature & Date

Project # 1010069

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
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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
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 - 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
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- Landfill disclosure and EHD signature line on the Mylar if property is within a landfill buffer
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- 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
- 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 *on mylar*
- 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
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- 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
- Infrastructure list if required (verify with DRB Engineer)
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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.

Joshua Skarsgard
 Applicant name (print)
 3-3-15
 Applicant signature / date

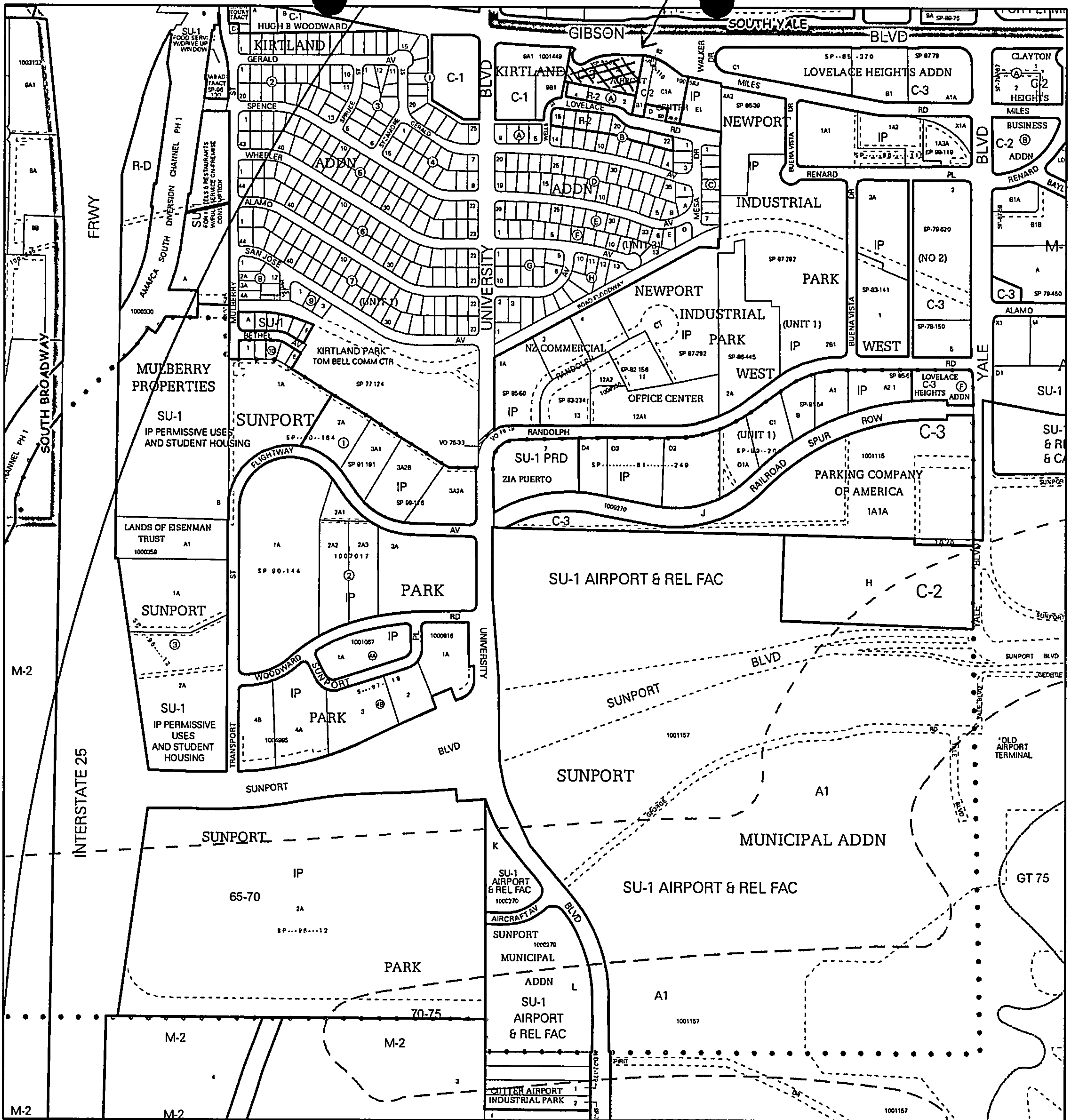


Form revised October 2007

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

Application case numbers
 15DRB - 70091

Ken
 3-3-15
 Planner signature / date
 Project # 6010060



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

Map amended through: 9/2/2014

Note: Grey Shading Represents Area Outside of the City Limits

Zone Atlas Page:
M-15-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

GORDON L. SKARSGARD
TEL: (505) 262-2323
FAX: (505) 998-9099
8220 SAN PEDRO NE SUITE 500
ALBUQUERQUE, NM 87113

March 3, 2015

Mr. Jack Cloud, Chair
Development Review Board
City of Albuquerque
P.O. Box 1293
Albuquerque, NM 87103

**RE: PRELIMINARY AND FINAL PLAT REVIEW OF PLAT DRB PROJECT
NUMBER: 1010060 (15DRB-70049)**

Dear Mr. Cloud and Members of the DRB:

Mr. Gordon L. Skarsgard (“Counsel” or “Agent”) on behalf of Red Shamrock 10, LLC (“Owner”) respectfully requests of the DRB the review of the attached Plat of Tract A-1 Airport Center (“Plat”).

The purpose of this Plat is to: (i) consolidate the vacated portion of Miles Road into the existing Plat to create two lots; (ii) provide an adequate “hammer head” turn around along Miles road east of Tract A-1 (iii) obtain a design variance for the “hammer head” design through the DRB.

Owner has received City of Albuquerque Governing Body (City Council) Approval on the Vacation of Miles Road. After the DRB approval the Owner will purchase from the City of Albuquerque the vacated portion of the Miles Road right of way.

The proposed consolidated tract will have Chili’s restaurant. The Chili’s restaurant is on C-3 zoned property and is a permissive use.

The prior design of a “cul de sac” was problematic for a number of reasons as stated by Mr. Jack Cloud in his email on February 2nd, 2015:

- The dimensioned 113’ distance from the “Proposed Cul De Sac” to the “Right of Way to be Vacated” on the Turnaround Exhibit would be a ‘stub street’ in a Commercial C-2 zone. There is no legend with the submitted Exhibit so property lines weren’t evident, but based on review of other parcel data the stub street would be serving three commercial properties; however the DPM standards for ‘stub streets’ are for residential streets/ lots only and are not allowed in this situation. The Vacation Exhibit(s) submitted 5-21-2014 with the vacation application and approved by DRB on June 4, 2014 should be referred to for an appropriate cul de sac location. An option to proceed as proposed would be to re-submit the vacation to include the right-of-way in front of the two properties to the east, such that the proposed cul de sac could be defined with a new right of way line. Obviously an easement would be required

for this site to maintain access to Miles Road, but it may be possible to retain most of the existing paving with an appropriate curb/ drivepad along the radius of the proposed cul de sac.

THE AMENDED HAMMERHEAD DESIGN

The Applicant believes that the new design of the hammerhead is sufficient to provide safe turn around within Miles Road east of the Chili's site plan (private property). This design was reviewed with Ms. Kristal Metro prior to the submittal. The Applicant will obtain Fire and Refuse review prior to the Hearing.

DISCLOSURE:

Mr. Josh Skarsgard, is the ZHE of the City of Albuquerque and believes there is no conflict of interest in this application to the DRB. Should a conflict arise, the Agent (Mr. Gordon L. Skarsgard) will terminate the representation of the Applicant.

If you have any questions or need additional information regarding this matter, please do not hesitate to contact me.

Sincerely,


Gordon L. Skarsgard

PROJECT#

1010000

March 11, 2015

PKF



DEVELOPMENT REVIEW BOARD SUPPLEMENTAL SUBMITTAL

PROJECT NO. 1010060

TO: ALL MEMBERS

Application No. 15DRB-70035

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

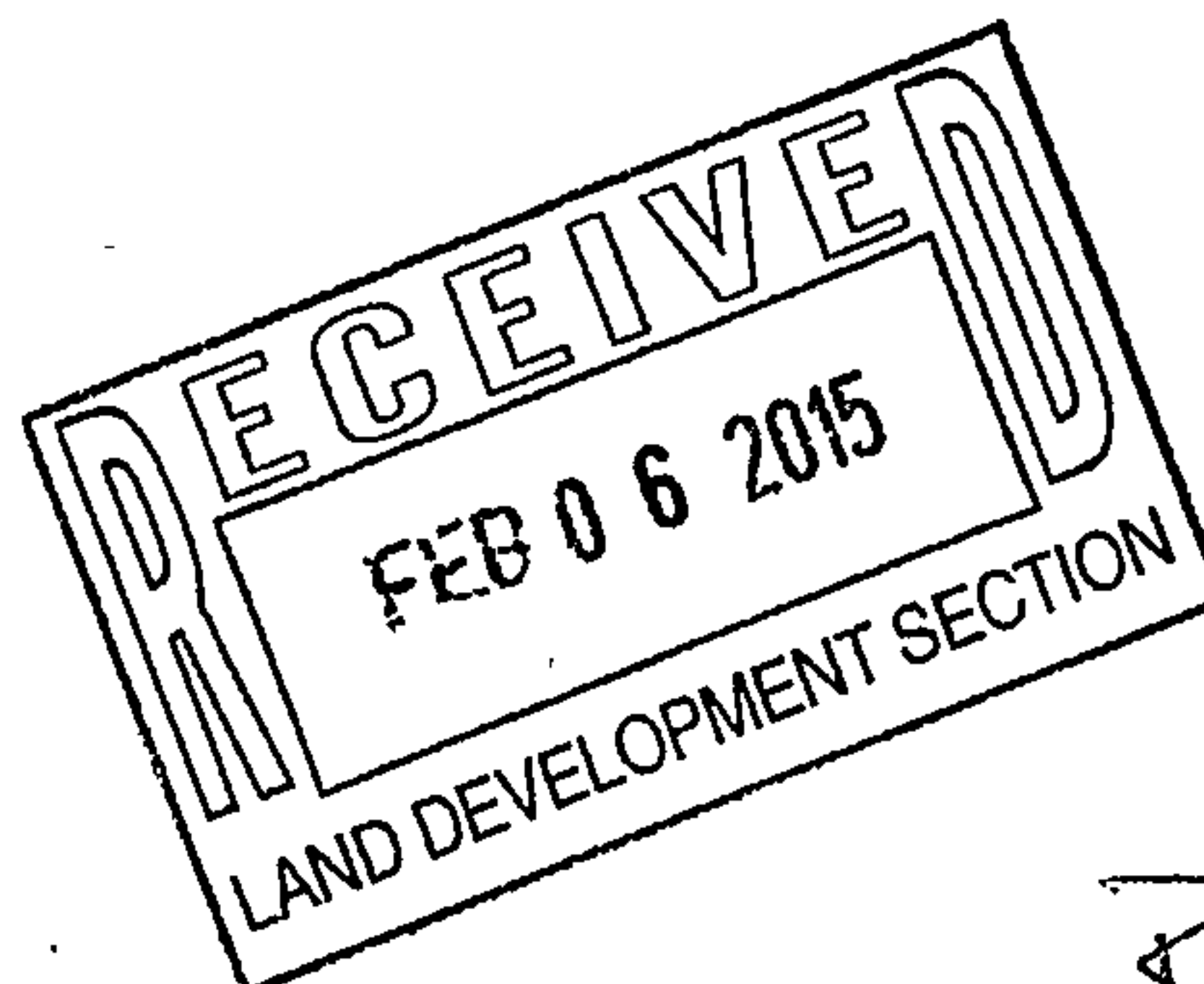
Carol Dumont, Parks/Municipal Development

NEXT HEARING DATE: _____

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: CUL-DE-SAC EXHIBIT SHOWING GRADING

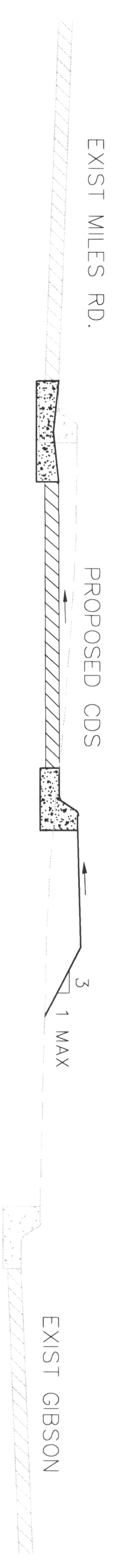
DWD CROSS SECTION



Recvd
12:30 PM

CONTACT NAME: JOEL HERNANDEZ

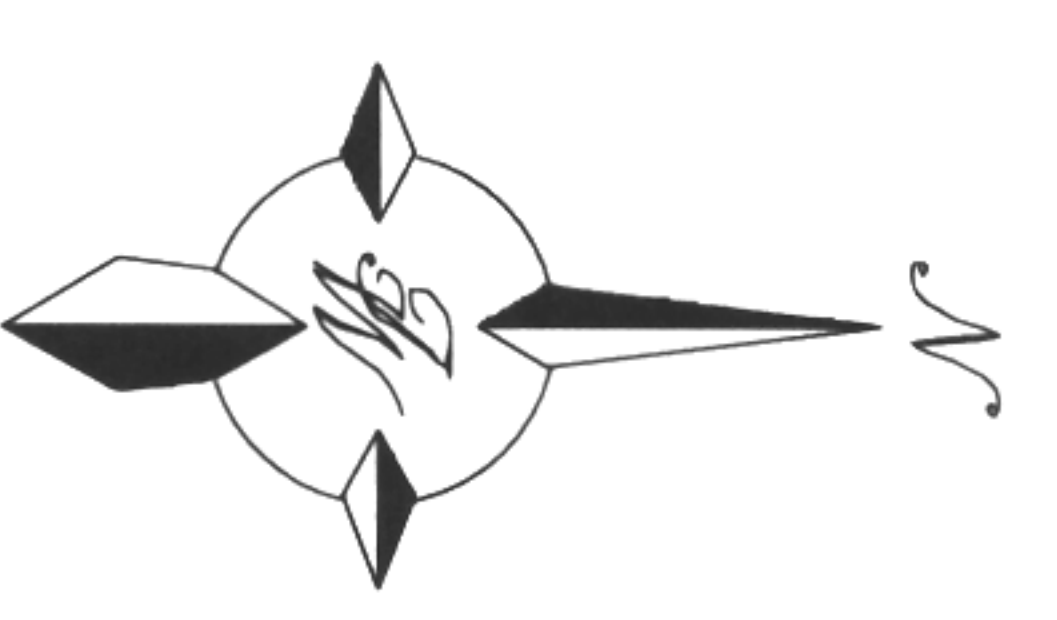
TELEPHONE: 505. 858. 3100 EMAIL: ~~JOEL~~ jdhernandez@tierraest11c.com



SECTION A-A
NOT TO SCALE

ROW VACCAATION/
TURNAROUND EXHIBIT

PRELIMINARY
FOR REVIEW PURPOSES ONLY



SCALE: 1" = 40'
DATE OF PREPARATION: 02.05.15



Supplemental Form (SF)

SUBDIVISION	S	Z	ZONING & PLANNING
<input type="checkbox"/> Major subdivision action			<input type="checkbox"/> Annexation
<input type="checkbox"/> Minor subdivision action			
<input type="checkbox"/> Vacation	V		<input type="checkbox"/> Zone Map Amendment (Establish or Change Zoning, includes Zoning within Sector Development Plans)
<input type="checkbox"/> Variance (Non-Zoning)			<input type="checkbox"/> Adoption of Rank 2 or 3 Plan or similar
<input checked="" type="checkbox"/> Sketch plat review			<input type="checkbox"/> Text Amendment to Adopted Rank 1, 2 or 3 Plan(s), Zoning Code, or Subd. Regulations
SITE DEVELOPMENT PLAN	P		
<input type="checkbox"/> for Subdivision			
<input type="checkbox"/> for Building Permit			
<input type="checkbox"/> Administrative Amendment/Approval (AA)			
<input type="checkbox"/> IP Master Development Plan	D		<input type="checkbox"/> Street Name Change (Local & Collector)
<input type="checkbox"/> Cert. of Appropriateness (LUCC)	L	A	APPEAL / PROTEST of...
STORM DRAINAGE (Form D)			<input type="checkbox"/> Decision by: DRB, EPC, LUCC, Planning Director, ZEO, ZHE, Board of Appeals, other
<input type="checkbox"/> Storm Drainage Cost Allocation Plan			

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

APPLICATION INFORMATION:

Professional/Agent (if any): The Skarsgard Firm P.C PHONE: 505-262-2323
 ADDRESS: 8220 San Pedro NE Suite 500 FAX: 505-998-9080
 CITY: Albuquerque STATE NM ZIP 87113 E-MAIL: josh@skarsgardfirm.com

APPLICANT: Red Shamrock 10 LLC PHONE: 505-262-2323
 ADDRESS: 8220 San Pedro NE Suite 500 FAX: 505-998-9080
 CITY: Albuquerque STATE NM ZIP 87113 E-MAIL: _____

Proprietary interest in site: owner List all owners: _____

DESCRIPTION OF REQUEST: Sketch plat review

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. 9-A-1 and 9-B-1 Block: A Unit: 2
 Subdiv/Addn/TBKA: Kirtland Addition
 Existing Zoning: C-1 Proposed zoning: N/A MRGCD Map No. _____
 Zone Atlas page(s): M-15 UPC Code: 101505529149011715
101505531048811714

CASE HISTORY:

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

CASE INFORMATION:

Within city limits? Yes Within 1000FT of a landfill? NO
 No. of existing lots: 2 No. of proposed lots: 2 Total site area (acres): _____

LOCATION OF PROPERTY BY STREETS: On or Near: Gibson Blvd SE
 Between: University SE and Yale SE

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

SIGNATURE [Signature] DATE 2/3/15
 (Print Name) Joshua Skarsgard Applicant: Agent:

FOR OFFICIAL USE ONLY

Revised: 4/2012

<input type="checkbox"/> INTERNAL ROUTING	Application case numbers	Action	S.F.	Fees
<input checked="" type="checkbox"/> All checklists are complete	<u>15DRB-70049</u>	<u>SK</u>	_____	\$ <u>0</u>
<input checked="" 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 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 <u>February 11, 2015</u>			Total \$ <u>0</u>

[Signature] 2-3-15 Project # 1010060
 Staff signature & Date

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
- Bring original Mylar of plat to meeting, ensure property owner's and City Surveyor's signatures are on the plat
- Landfill disclosure and EHD signature line on the Mylar if property is within a landfill buffer
- Fee (see schedule)
- List any original and/or related file numbers on the cover application
- Infrastructure list if required (verify with DRB Engineer)
- DXF file and hard copy of final plat data for AGIS is required.

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

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

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

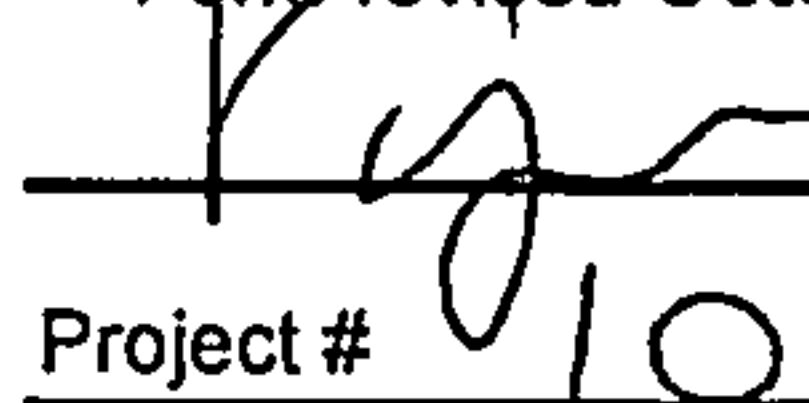
Joshua Skarsgard
 Applicant name (print)

 Applicant signature / date
 2/3/15

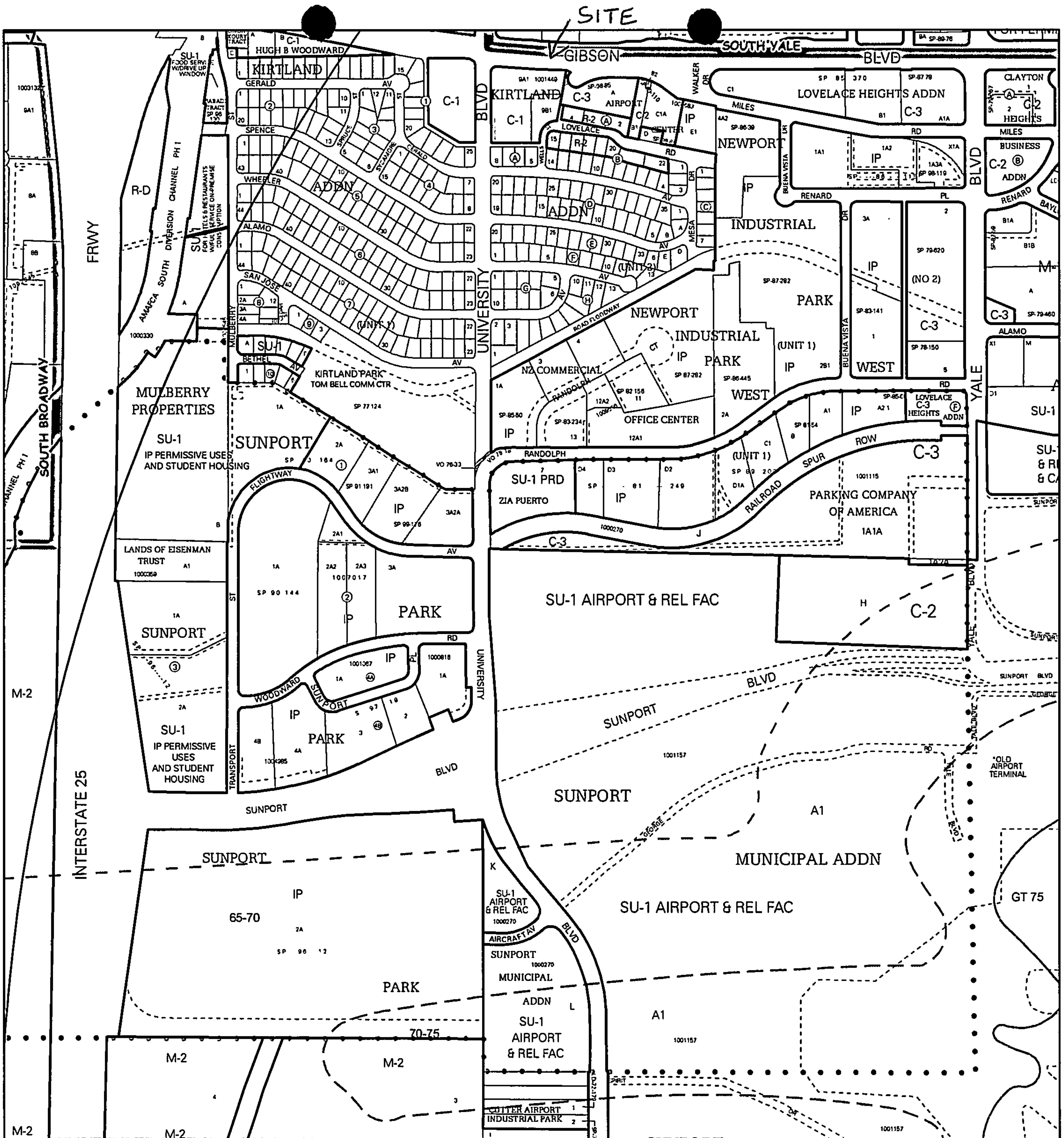


Form revised October 2007

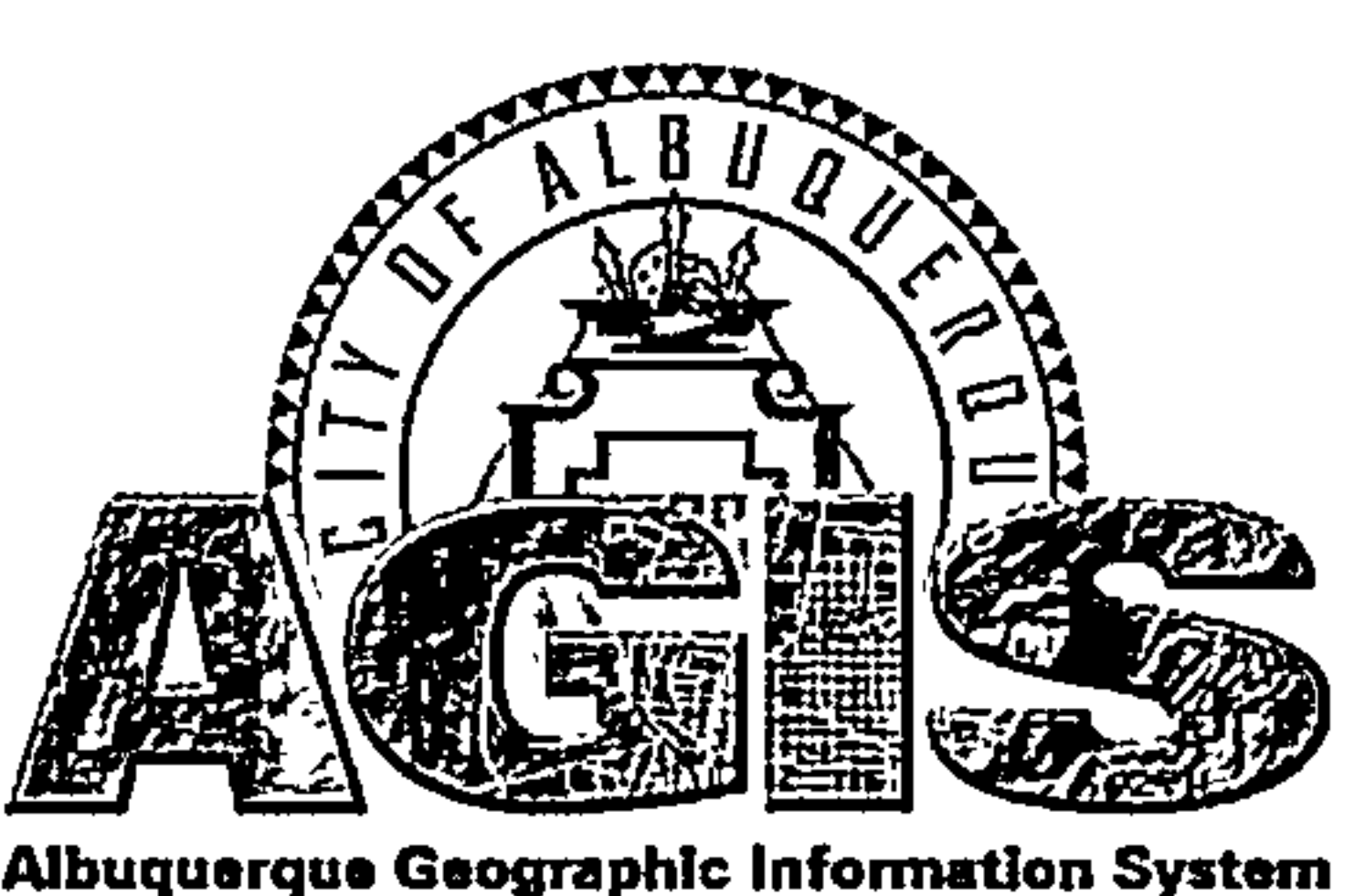
- Checklists complete
- Fees collected
- Case #s assigned
- Related #s listed

Application case numbers
 15DRB- _____ - 70049


 Planner signature / date
 2-3-15
 Project # 1010060

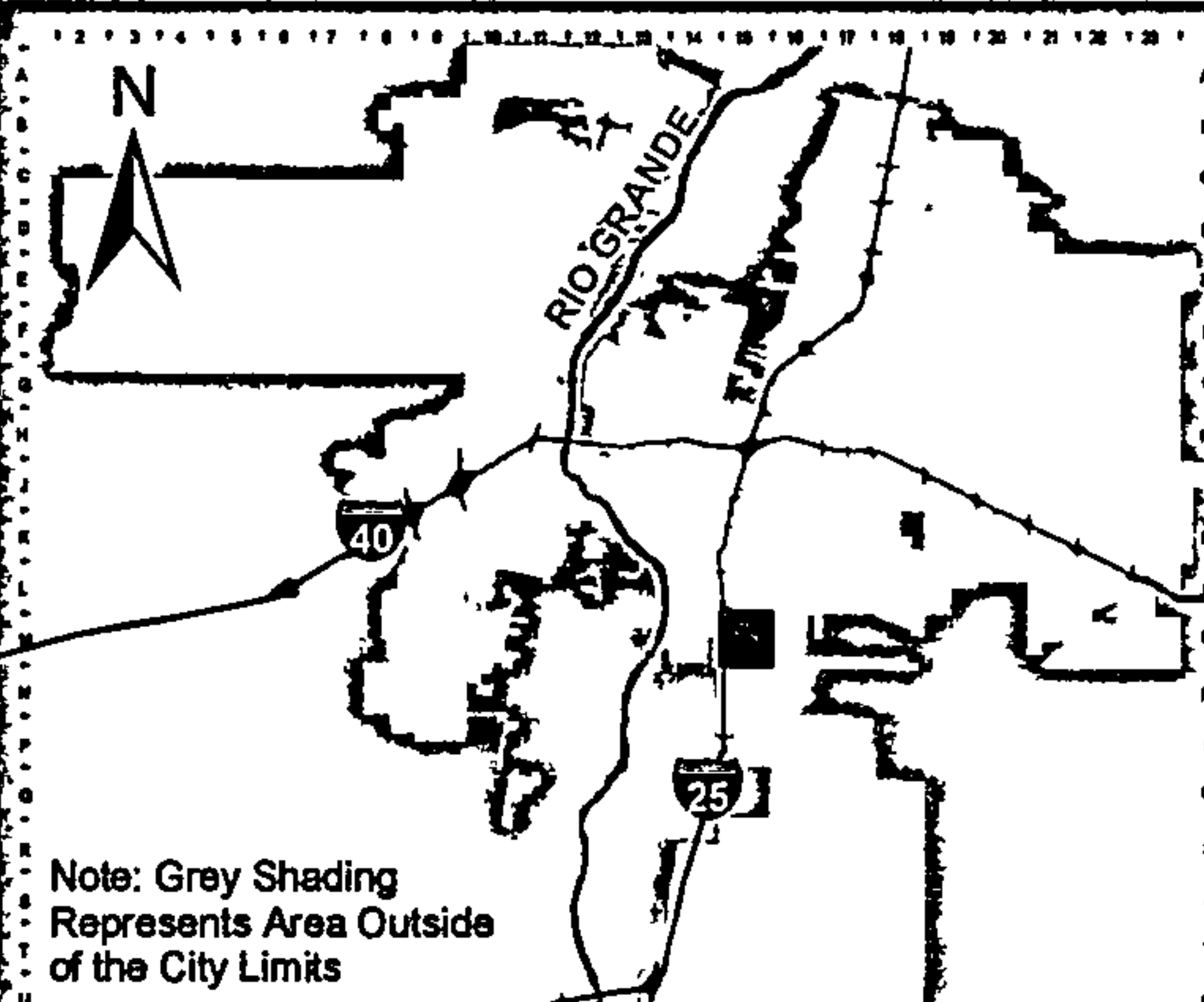


For more current information and details visit: <http://www.cabq.gov/gis>



City of Albuquerque
AGIS
Albuquerque Geographic Information System







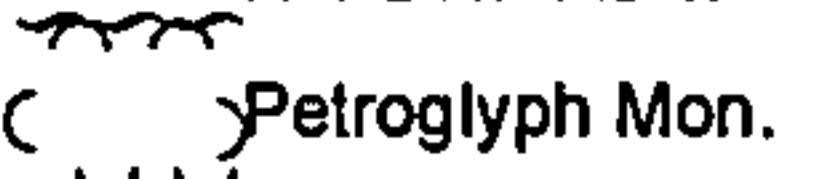


Map amended through: 9/2/2014



Note: Gray Shading Represents Area Outside of the City Limits

Zone Atlas Page:
M-15-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

THE Skarsgard Firm

JOSHUA J. SKARSGARD, ESQ.
ATTORNEY AT LAW

8220 SAN PEDRO NE, SUITE 500
ALBUQUERQUE, NM 87113
TEL: (505) 262-2323
FAX: (505) 998-9099

February 3, 2015

Mr. Jack Cloud, Chair
Development Review Board
City of Albuquerque
P.O. Box 1293
Albuquerque, NM 87103

RE: SKETCH PLAT REVIEW OF 20' Public Alley (14DRB-70357)

Dear Mr. Cloud and Members of the DRB:

The Skarsgard Firm, P.C., ("Counsel" or "Agent") on behalf of Red Shamrock 10, LLC ("Owner") respectfully requests of the DRB the review of the attached "Sketch Plat" of the Plat ("Plat").

The purpose of this Plat is to: (i) consolidate the vacated portion of 20' Public Alley into the existing Plat to create two lots.

Owner has received City of Albuquerque Governing Body (City Council) Approval on the Vacation on January 21. It was on the Executive Communication consent agenda on January 5.

The proposed consolidated tract will have a Chick fil A restaurant and McDonald's restaurant. Both of these restaurants received conditional use permit approval from the ZHE in 2014.

DRB Conditions of Approval – Vacation of Miles Road:

CONDITIONS:

1. Final vacated right of way disposition shall be through the City Real Estate Office.

Applicant Response: The Applicant has corresponded directly with Scott Howell at the City of Albuquerque Right of Way Supervisor and will complete the acquisition process shortly after receiving signatures from the DRB members on the mylar (plat).

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.

Applicant Response: The Applicant will comply with this condition after DRB approval of the replat by recording it with Bernalillo County Clerk's office in a timely manner.

SKETCH PLAT APPLICATION RATIONALE:

The Applicant believes that it is good practice to submit a Sketch Plat for Review and Comment prior to submitting for Preliminary Plat approval.

DISCLOSURE:

The Agent, Mr. Josh Skarsgard, is the ZHE of the City of Albuquerque and believes there is no conflict of interest in this application to the DRB. Should a conflict arise, the Agent (Mr. Skarsgard) will terminate the representation of the Applicant.

If you have any questions or need additional information regarding this matter, please do not hesitate to contact me.

Sincerely,



Joshua Skarsgard

(505) 998-9094

Email: josh@skarsgardfirm.com

PROJECT #

10100101

February 11. 2015

SK



Supplemental Form (SF)

SUBDIVISION	S Z ZONING & PLANNING
<input type="checkbox"/> Major subdivision action	<input type="checkbox"/> Annexation
<input type="checkbox"/> Minor subdivision action	
<input type="checkbox"/> Vacation	V <input type="checkbox"/> Zone Map Amendment (Establish or Change Zoning, includes Zoning within Sector Development Plans)
<input type="checkbox"/> Variance (Non-Zoning)	<input type="checkbox"/> Adoption of Rank 2 or 3 Plan or similar
<input checked="" type="checkbox"/> <u>Sketch plat review</u>	<input type="checkbox"/> Text Amendment to Adopted Rank 1, 2 or 3 Plan(s), Zoning Code, or Subd. Regulations
SITE DEVELOPMENT PLAN	P <input type="checkbox"/>
<input type="checkbox"/> for Subdivision	
<input type="checkbox"/> for Building Permit	D <input type="checkbox"/> Street Name Change (Local & Collector)
<input type="checkbox"/> Administrative Amendment/Approval (AA)	
<input type="checkbox"/> IP Master Development Plan	L A APPEAL / PROTEST of...
<input type="checkbox"/> Cert. of Appropriateness (LUCC)	<input type="checkbox"/> Decision by: DRB, EPC, LUCC, Planning Director, ZEO, ZHE, Board of Appeals, other
STORM DRAINAGE (Form D)	
<input type="checkbox"/> Storm Drainage Cost Allocation Plan	

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

APPLICATION INFORMATION:

Professional/Agent (if any): The Skarsgard Firm P.C. PHONE: 505-262-2323
 ADDRESS: 8220 San Pedro NE, Suite 500 FAX: 505-998-9080
 CITY: Albuquerque STATE NM ZIP 87113 E-MAIL: josh@skarsgardfirm.com

APPLICANT: Red Shamrock IO LLC PHONE: 505-262-2323
 ADDRESS: 8220 San Pedro NE Suite 500 FAX: 505-998-9080
 CITY: Albuquerque STATE NM ZIP 87113 E-MAIL: josh@skarsgardfirm.com

Proprietary interest in site: OWNER List all owners: _____

DESCRIPTION OF REQUEST: Sketch plat review and comment

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 Block: _____ Unit: _____
 Subdiv/Addn/TBKA: Airport Center
 Existing Zoning: C-3 Proposed zoning: _____ MRGCD Map No _____
 Zone Atlas page(s): M-15 UPC Code: 101505532448911705

CASE HISTORY:

List any current or prior case number that may be relevant to your application (Proj., App., DRB-, AX_Z_, V_, S_, etc.):
14DRB-70118

CASE INFORMATION:

Within city limits? Yes Within 1000FT of a landfill? no
 No. of existing lots: 1 No. of proposed lots: 1 Total site area (acres): 1.90

LOCATION OF PROPERTY BY STREETS: On or Near: Gibson Blvd.
 Between: University Blvd. and Miles Rd.

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

SIGNATURE [Signature] DATE Jan. 27, 2015
 (Print Name) Joshua Skarsgard Applicant: Agent:

FOR OFFICIAL USE ONLY

Revised: 4/2012

<input type="checkbox"/> INTERNAL ROUTING	Application case numbers	Action	S.F.	Fees
<input checked="" type="checkbox"/> All checklists are complete	<u>15DRB-70035</u>	<u>Sk</u>	_____	\$ <u>0</u>
<input checked="" 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 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			Total
	<u>February 4, 2015</u>			\$ <u>0</u>

[Signature] 1-27-15
 Staff signature & Date

Project # 10100100

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
- Bring original Mylar of plat to meeting, ensure property owner's and City Surveyor's signatures are on the plat
- Landfill disclosure and EHD signature line on the Mylar if property is within a landfill buffer
- Fee (see schedule)
- List any original and/or related file numbers on the cover application
- Infrastructure list if required (**verify with DRB Engineer**)
- DXF file and hard copy of final plat data for AGIS is required.

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

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

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

The SKARSGARD FARM
Applicant name (print)

[Signature] 1-27-2015
Applicant signature / date



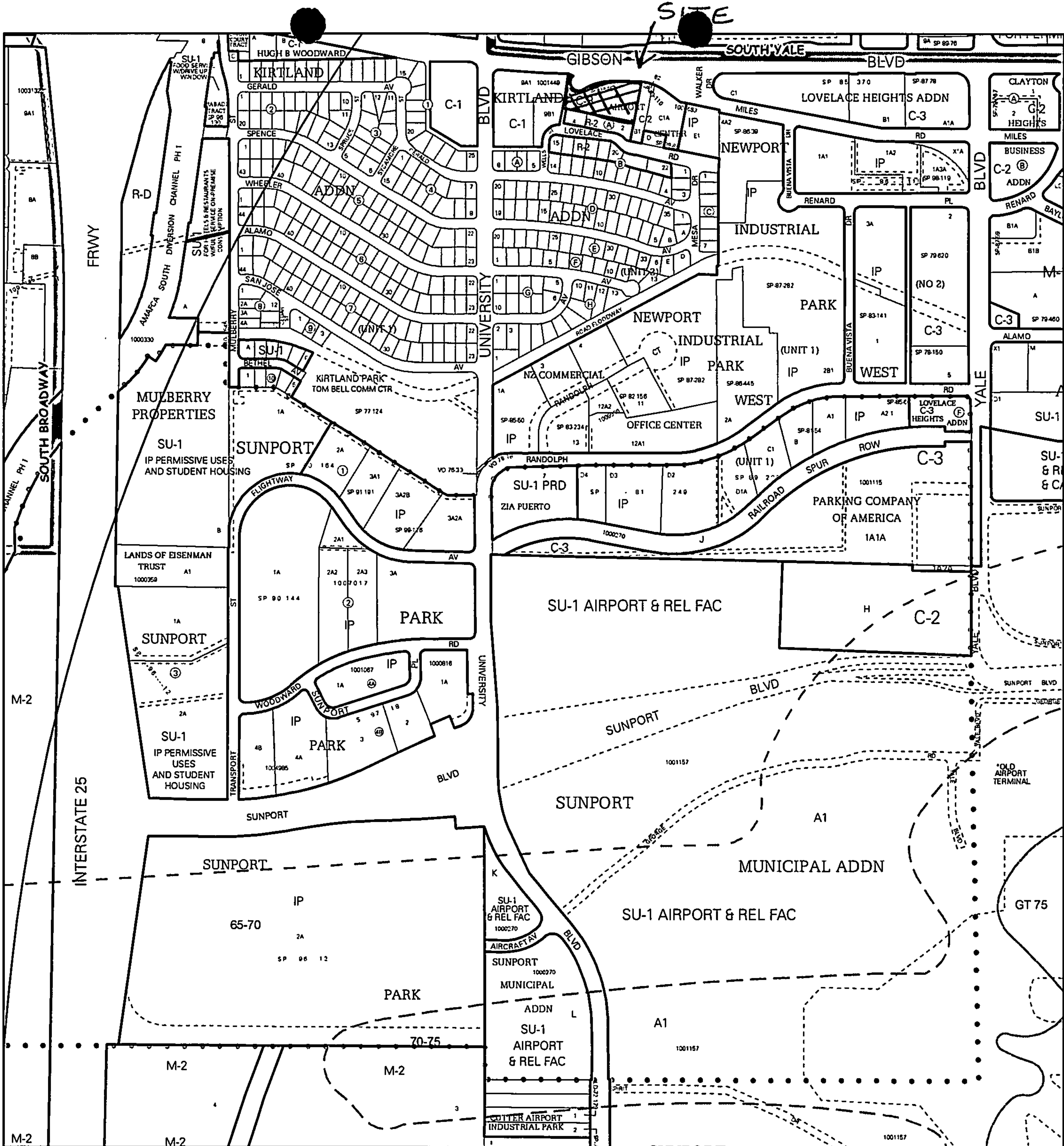
Form revised October 2007

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


Application case numbers
15 DRB - 70035

[Signature] 1-27-15
Planner signature / date

Project # 10100100

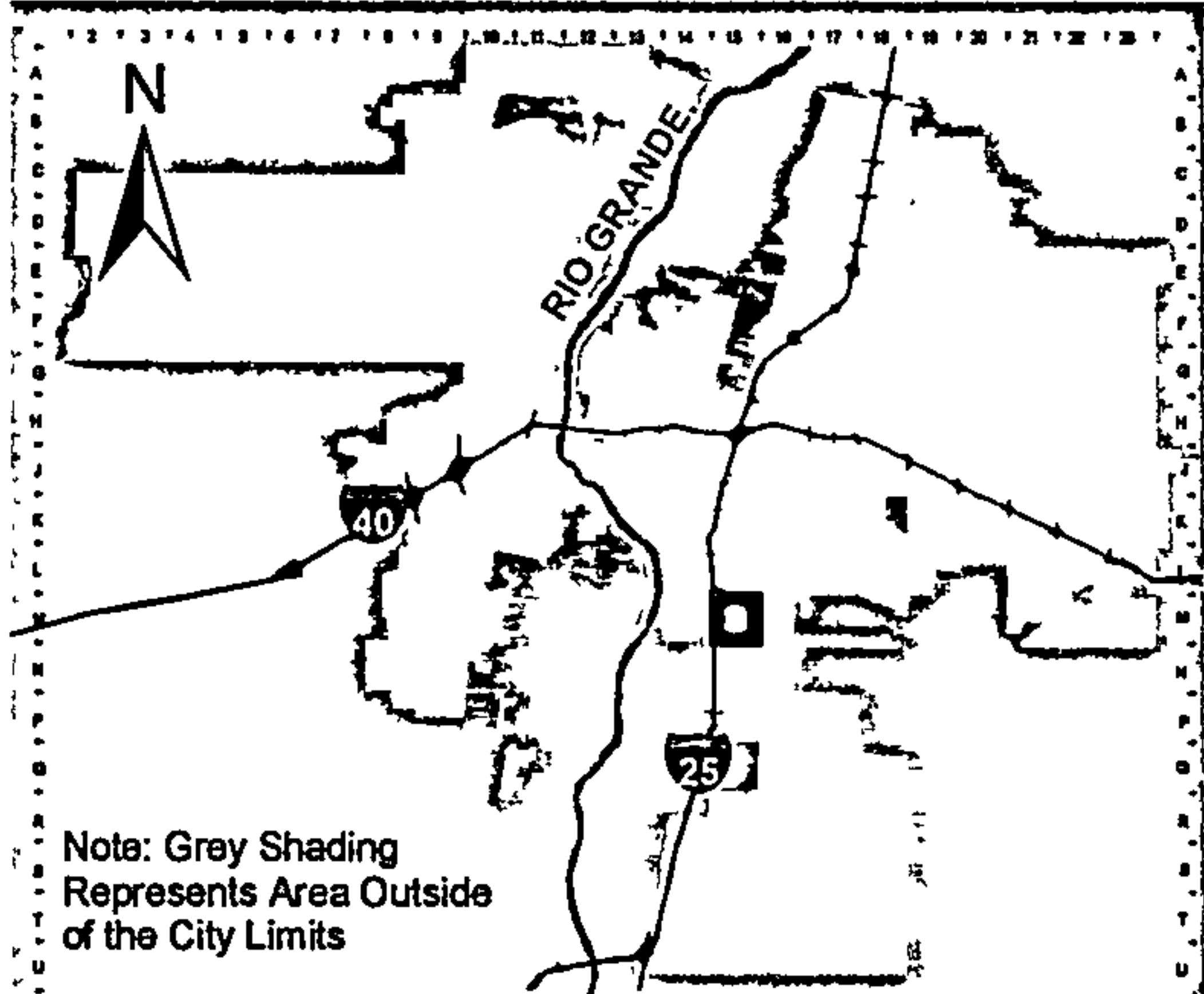


For more current information and details visit: <http://www.cabq.gov/gis>



Albuquerque Geographic Information System










Map amended through: 9/2/2014

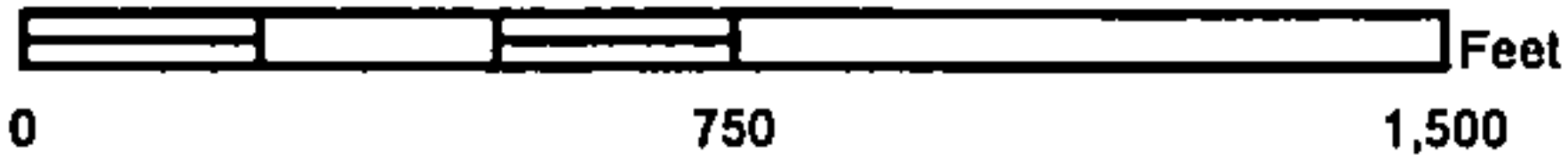


Note: Grey Shading Represents Area Outside of the City Limits

Zone Atlas Page:
M-15-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.		



THE Skarsgard Firm

JOSHUA J. SKARSGARD, ESQ.
ATTORNEY AT LAW

8220 SAN PEDRO NE, SUITE 500
ALBUQUERQUE, NM 87113
TEL: (505) 262-2323
FAX: (505) 998-9099

January 23, 2015

Mr. Jack Cloud, Chair
Development Review Board
City of Albuquerque
P.O. Box 1293
Albuquerque, NM 87103

RE: SKETCH PLAT REVIEW

Dear Mr. Cloud and Members of the DRB:

The Skarsgard Firm, P.C., ("Counsel" or "Agent") on behalf of Red Shamrock 10, LLC ("Owner") respectfully requests of the DRB the review of the attached "Sketch Plat" of Tract A-1 Airport Center ("Plat").

The purpose of this Plat is to: (i) consolidate the vacated portion of Miles Rd. into the existing Tract A to create one 1.8994 acre lot, and (ii) to create a billboard easement for the existing billboard location, and (iii) retain City of Albuquerque utility easements over the vacated portion of Miles Road.

Owner has received City of Albuquerque Governing Body (City Council) Approval on the Vacation on August 18, 2014.

The proposed Tract A-1 will be developed as a Chili's restaurant, which is a permissive use pursuant to the underlying zoning established for the existing Tract A. Chili's is represented by Tierra West Engineering (Ron Bohannon and Joel Hernandez). Chili's has submitting their building permit set for review and has received comments.

DRB Conditions of Approval – Vacation of Miles Road:

The Development Review Board provided four conditions of approval in order to complete the vacation action:

CONDITIONS:

1. Final vacated right of way disposition shall be through the City Real Estate Office.

Applicant Response: The Applicant has corresponded directly with Scott Howell at the City of Albuquerque Right of Way Supervisor and will complete the acquisition process shortly after receiving signatures from the DRB members on the mylar (plat).

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.

Applicant Response: The Applicant will comply with this condition after DRB approval of the replat by recording it with Bernalillo County Clerk's office in a timely manner.

3. Adequate right of way shall be required for a new cul de sac, to be provided with the required replat; infrastructure/ construction of the new cul de sac shall be tied to the replat.

Applicant Response: Tierra West has provided an exhibit to City of Albuquerque transportation which clearly demonstrates sufficient existing right of way within Gibson Blvd. to accommodate a new cul de sac.

4. A Drainage Report will be required with the replat; adequate easements shall be retained/ provided for drainage/ public utilities and infrastructure; franchised utility companies shall acknowledge the vacation and adequate easements by their signature on the replat.

Applicant Response: The Applicant is providing "retained easements" within the Plat and will have review and approval with the franchised utility companies as part of the Mylar signature process.

SKETCH PLAT APPLICATION RATIONALE:

The Applicant believes that it is good practice to submit a Sketch Plat for Review and Comment prior to submitting for Preliminary Plat approval. This sketch plat application will allow the DRB to comment on the adequacy of proposed new cul de sac, proposed infrastructure list and proposed easements.

DISCLOSURE:

The Agent, Mr. Josh Skarsgard, is the ZHE of the City of Albuquerque and believes there is no conflict of interest in this application to the DRB. Should a conflict arise, the Agent (Mr. Skarsgard) will terminate the representation of the Applicant.

If you have any questions or need additional information regarding this matter, please do not hesitate to contact me.

Sincerely,


Joshua Skarsgard
(505) 998-9094

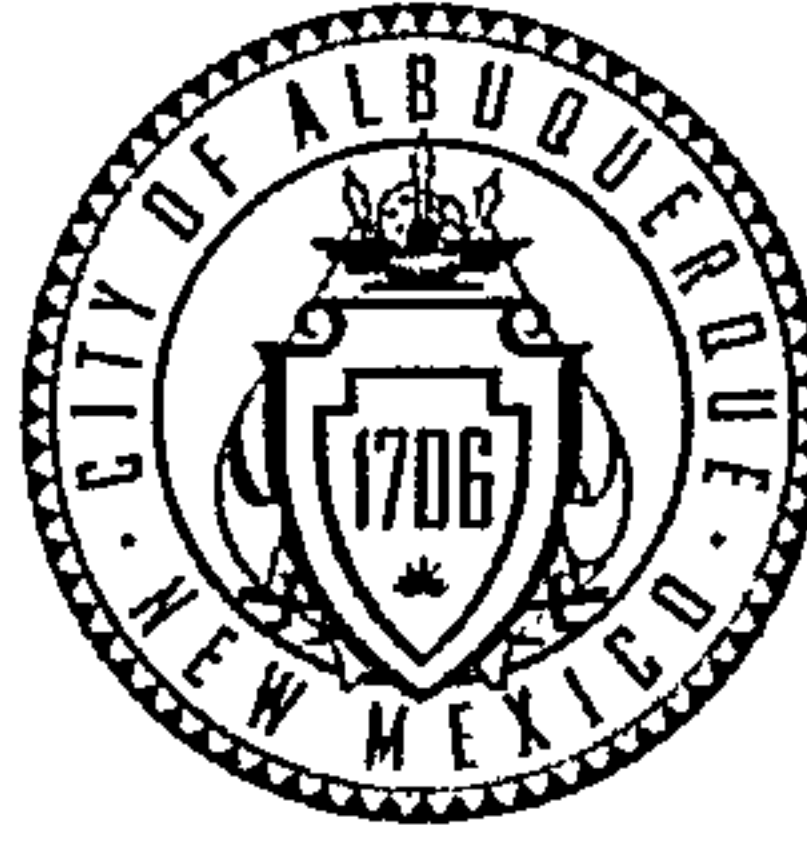
Email: josh@skarsgardfirm.com

PROJECT#

110100060

February 4, 2015

SK



INTER-OFFICE MEMORANDUM

COMMENTING AGENCIES

TRANSPORTATION DEVELOPMENT*John MacKenzie*
TRANSIT & PARKING DEPARTMENT*Shabih Rizvi*
COUNCIL OF GOVERNMENTS.....*Kendra Watkins/Andrew Gingerich*
AMAFCA.....*Lynn Mazur*
APD CRIME PREVENTION.....*Steve Sink*
OPEN SPACE DIVISION.....*Kent Reed Swanson/Sarah Brown*

FIRE DEPARTMENT.....*Antonio Chinchilla*
ZONING ENFORCEMENT INSPECTOR.....*Vince Montano*
NEIGHBORHOOD COORDINATION.....*Stephani Winklepleck*
PNM.....*Daniel Aragon*
NEW MEXICO GAS COMPANY.....*Patrick Sanchez*
ALBUQUERQUE PUBLIC SCHOOLS.....*April Winters*
COMCAST CABLE.....*Mike Mortus*
Mid.Rio Grande Conserv. Dist. (MRGCD).....*Ray Gomez*
ENVIRONMENTAL HEALTH.....*Paul Olson*

Your comments on the following case(s) are requested.

PROJECT # 1010060

Board hearing date:

WEDNESDAY, November 12, 2014

Comments must be received by:

November 5, 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)
- 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 2nd Street NW, Albuquerque, NM 87102.
Fees must be paid at the time of application. Refer to supplemental forms for submittal requirements.

APPLICATION INFORMATION:

Professional/Agent (if any): The Skarsgard Firm PC PHONE: 505-262-2323
 ADDRESS: 8220 San Pedro NE Ste. 500 FAX: 505-998-9099
 CITY: Albuquerque STATE NM ZIP 87113 E-MAIL: josh@skarsgardfirm.com

APPLICANT: Red Shamrock 10, LLC PHONE: 505-262-2323
 ADDRESS: 8220 San Pedro NE Ste. 500 FAX: 505-998-9099
 CITY: Albuquerque STATE NM ZIP 87113 E-MAIL: _____
 Proprietary interest in site: owner of adjacent lots List all owners: _____

DESCRIPTION OF REQUEST: Vacation of 20' Public Alley

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.: Public Alley next to lot 9B1 Block: A Unit: 2
 Subdiv/Addn/TBKA: Kirtland Addition
 Existing Zoning: NA Proposed zoning: NA MRGCD Map No _____
 Zone Atlas page(s): M-15 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.): _____

CASE INFORMATION:

Within city limits? Yes Within 1000FT of a landfill? NO
 No. of existing lots: 1 No. of proposed lots: 1 Total site area (acres): 20' public alley
 LOCATION OF PROPERTY BY STREETS: On or Near: Loveiace Rd SE
 Between: University Blvd SE and Mesa Dr. SE
 Check if project was previously reviewed by: Sketch Plat/Plan or Pre-application Review Team(PRT) Review Date: _____

SIGNATURE

[Signature] DATE 9/25/14
 (Print Name) Joshua J. Skarsgard 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

14 DRB 70357

Action

VPR
CMF
ADU

S.F.

Fees

 \$ 300.00
 \$ 20.00
 \$ 75.00
 \$ _____
 \$ _____
 Total
 \$ 395.00

Hearing date Nov. 12, 2014

9-25-14
 Staff signature & Date

Project # 1010060

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)
NA 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.

Joshua Skarsgard
 Applicant name (print)
[Signature] 9/25/14
 Applicant signature / date

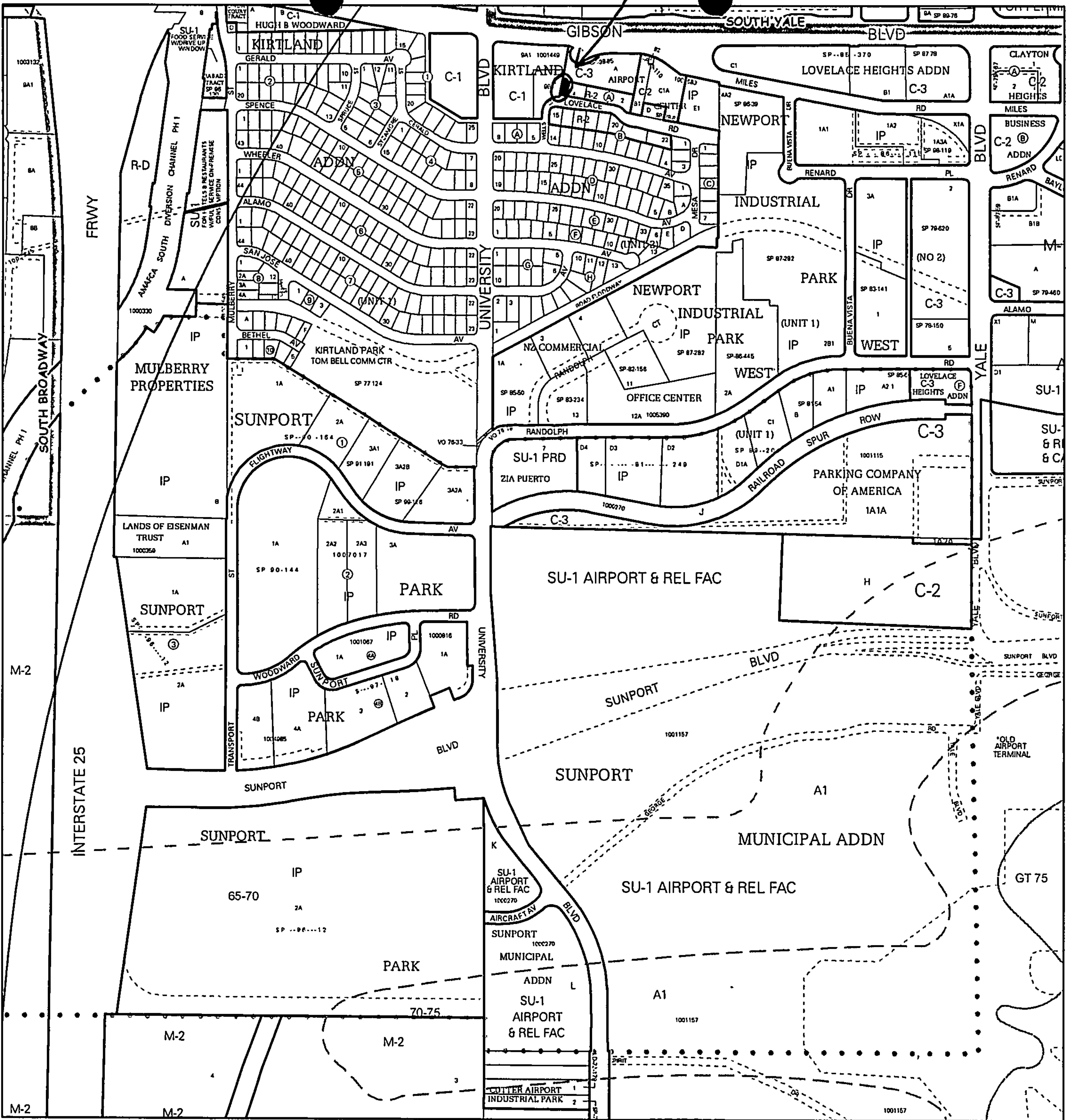


- Checklists complete
 Fees collected
 Case #s assigned
 Related #s listed

Application case numbers
14 - DRB-10357

Form revised 4/07
[Signature] 9-25-14
 Planner signature / date
 Project # 1010060

SITE



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

AGIS
Albuquerque Geographic Information System

Note: Grey Shading Represents Area Outside of the City Limits

Zone Atlas Page:
M-15-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

Map amended through: 6/7/2013

0 750 1,500 Feet

THE Skarsgard Firm

JOSHUA J. SKARSGARD, ESQ.
ATTORNEY AT LAW

8220 SAN PEDRO NE, SUITE 500
ALBUQUERQUE, NM 87113
TEL: (505) 262-2323
FAX: (505) 998-9099

September 25, 2014

Mr. Jack Cloud, Chair
Development Review Board
City of Albuquerque
P.O. Box 1293
Albuquerque, NM 87103

**RE: REQUEST FOR VACATION OF 20' PUBLIC ALLEY (UNIVERSITY & GIBSON)
ZONE ATLAS PAGE M-15**

Dear Mr. Cloud and Members of the DRB:

The Skarsgard Firm, P.C., ("Counsel" or "Agent") on behalf of Red Shamrock 10, LLC ("Owner"), respectfully requests of the DRB the approval of the vacation of the "20' Public Alley" as shown on the Exhibit attached hereto. Owner owns the property directly west of the 20" Public Alley and the property directly north of the 20" Public Alley. Therefore, Owner owns more than 50% of the 20" Public Alley frontage. Additionally, Mr. Josh Skarsgard had a telephone conversation with the "east" property owner of the 20' public alley, Mrs. Sue Gouett, (she is the widow of Charles Gouett, Jr.). Sue Gouett told the Agent that she "verbally approves the Applicant submitting the vacation application". She also added, "The City has tried to give that to me for years, and I have no interest in that property." She further added, "I don't want to buy a portion of it, I would appreciate your help with the weeds." The Applicant confirmed to her that their intentions is to pave it as a road connecting two restaurants (likely Chick fil A and Chilis). Ms. Gouett added "that will be great, my tenants will like those restaurants". The Applicant confirmed to Ms. Gouett that he will take care of all weed problems going forward so that she won't have to worry about it. Ms. Gouett affirmatively indicated she is not interested in purchasing her "half" of the 20' public alley, which is her right by City Ordinance. Her telephone number is 505 897 0006. The Applicant committed to mail her all the documents related to this vacation application. Her address is:

Ms. Sue Gouett
P.O. Box 910
Corrales, NM 87048

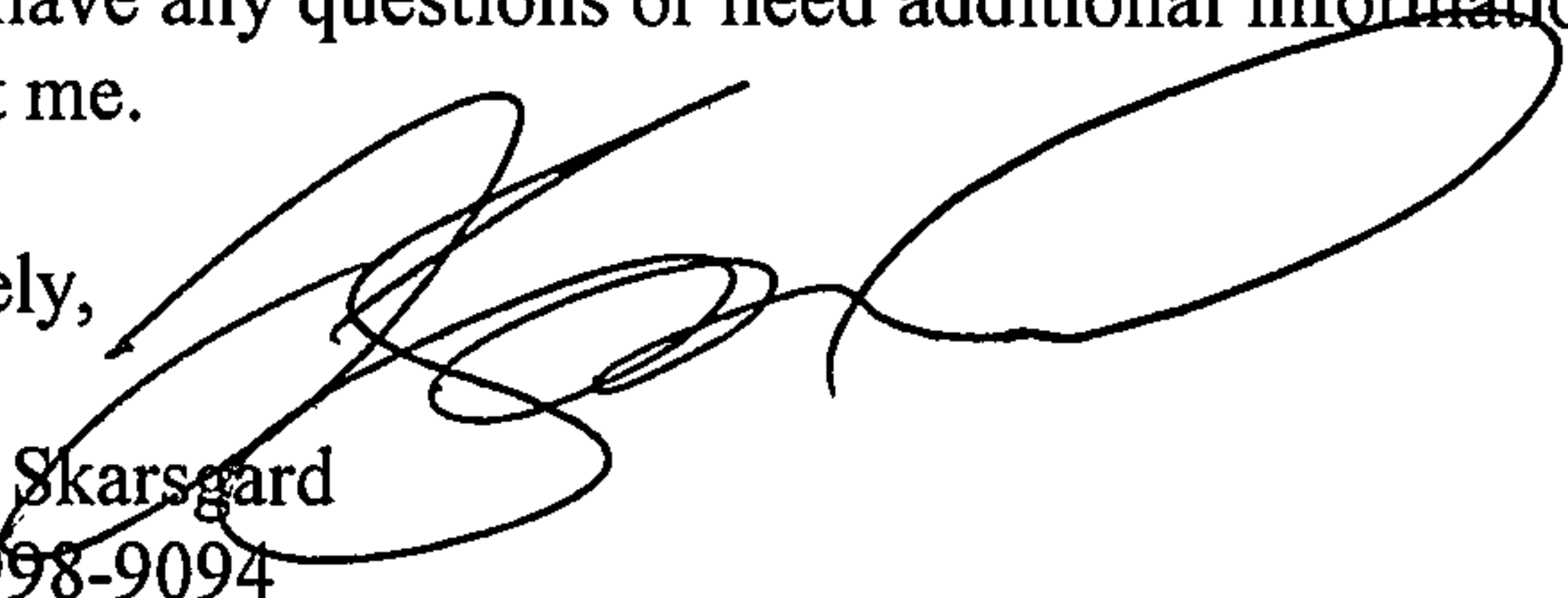
The purpose of this request for vacation of the 20' Public Alley (City of Albuquerque public right-of-way) is to facilitate a vehicular cross access ramp connecting the Chili's restaurant proposed on Tract A with the Chick fil A restaurant proposed on the westerly property (Lot 9, Block A Kirtland Addition, Unit 2). Lot 9 received two conditional use approvals for fast food restaurants with drive up service windows from the ZHE in 2013. The Chili's restaurant is a permissive use pursuant to the underlying zoning established for Tract A. In the event that the DRB approves the vacation of the 20' public alley, this portion of the vacated public right of way will allow for the necessary flexibility to provide a vehicular private access connection to Lot 9 in a feasible manner to overcome the topographical

changes in elevation between the properties. All of the necessary utility and access easements will be retained or dedicated by a plat that will be submitted if this vacation application is approval by the DRB. Access to all properties served by the public right of way would be maintained and therefore no loss of public benefit would be caused by this vacation request. Additionally, the Kirtland Community Association (neighborhood association that represents the homes south of the 20' Public Alley, has expressly requested that the Owner not provide access to the private road "Lovelace Road SE". The Applicant is affirmatively NOT going to provide a vehicular connection to Lovelace Road.

DISCLOSURE: The Agent, Mr. Josh Skarsgard, is the ZHE of the City of Albuquerque and believes there is no conflict of interest in this application to the DRB for vacation of the 20' public alley. Should a conflict arise, the Agent (Mr. Skarsgard) will terminate the representation of the Applicant.

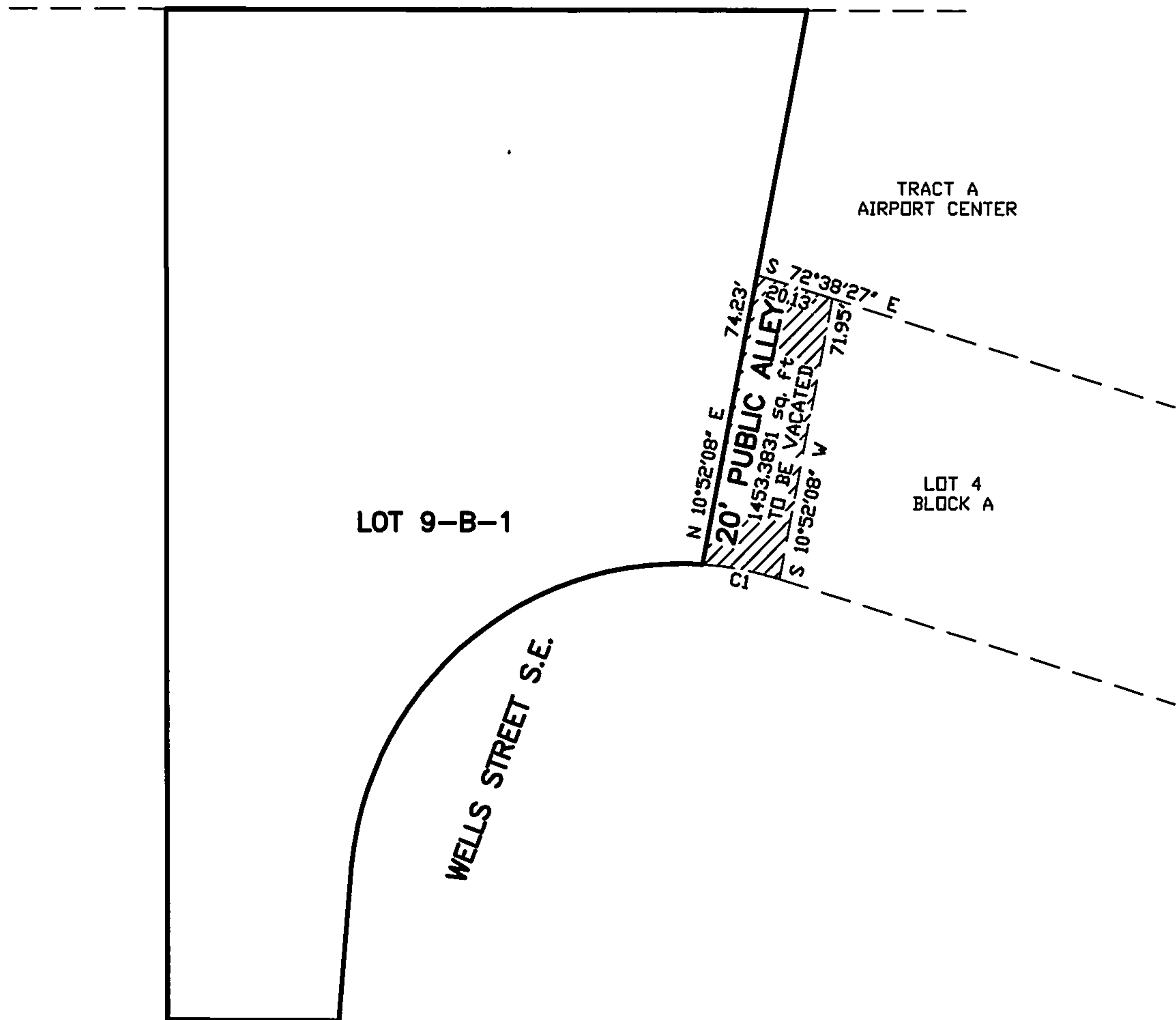
If you have any questions or need additional information regarding this matter, please do not hesitate to contact me.

Sincerely,



Joshua Skarsgard
(505) 998-9094
Email: josh@skarsgardfirm.com

EXHIBIT SHOWING
 PROPOSED 20' ALLEY VACATION
 ADJACENT TO
 LOT 9-B-1, BLOCK A
 KIRTLAND ADDITION, UNIT 2
 CITY OF ALBUQUERQUE
 BERNALILLO COUNTY, NEW MEXICO
 SEPTEMBER, 2014



LOT 9-B-1

TRACT A
 AIRPORT CENTER

LOT 4
 BLOCK A

N 10°52'08" E 74.23'
 20' PUBLIC ALLEY
 1453.3831 sq. ft.
 TO BE VACATED
 S 10°52'08" W 71.95'
 72°38'27" E

WELLS STREET S.E.

CURVE TABLE

NUMBER	DELTA ANGLE	CHORD DIRECTION	RADIUS	ARC LENGTH	CHORD LENGTH
C1	14°31'04"	N 79°07'52" W	79.14	20.05	20.00



Scale: 1" = 40'
 Order No.: 14-0452
 Field Book: Page:



City of Albuquerque

P.O. Box 1293, Albuquerque, NM 87103

September 2, 2014

Trish Lopes
The Skarsgard Firm
8220 San Pedro NE, Suite 500/87113
Phone: 505-262-2323/Fax: 505-998-9099

Dear Trish:

Thank you for your inquiry of **September 2, 2014** requesting the names of **ALL Neighborhood and/or Homeowner Associations** who would be affected under the provisions of §14-8-2-7 of the *Neighborhood Association Recognition Ordinance* by your proposed project at **(DRB SUBMITTAL) – 20' PUBLIC ALLEY TO THE WEST OF LOT 2 THRU 4, KIRTLAND ADDITION, UNIT 2 LOCATED ON LOVELACE ROAD SE BETWEEN UNIVERSITY BOULEVARD SE AND MESA DRIVE SE** zone map **M-15**.

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

KIRTLAND COMMUNITY ASSOC. "R"
Kimberly Brown
P.O. Box 9731/87119 242-9439 (h)
Elizabeth Aikin
1524 Alamo SE/87106 243-6488 (c)

ase note that according to §14-8-2-7 of the *Neighborhood Association Recognition Ordinance* 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.** If you have any questions about the information provided, please contact me at (505) 924-3902 or via an e-mail message at swinklepleck@cabq.gov or by fax at (505) 924-3913.

Sincerely,

Stephani Winklepleck

Stephani Winklepleck

Neighborhood Liaison

OFFICE OF NEIGHBORHOOD COORDINATION

Planning Department

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.

LETTERS MUST BE SENT TO BOTH CONTACTS OF EACH NA AND/OR HOA – AND/OR- COALITION FOR THIS EPC SUBMITTAL

!!!Notice to Applicants!!!

SUGGESTED INFORMATION FOR NEIGHBORHOOD NOTIFICATION LETTERS

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

WE RECOMMEND THAT THE NOTIFICATION LETTER INCLUDE THE FOLLOWING INFORMATION:

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

Information from the Office of Neighborhood Coordination

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

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

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

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

Thank you for your cooperation on this matter.

(below this line for ONC use only)

Date of Inquiry: **09/02/14** Time Entered: **4:45 p.m.** ONC Rep. Initials: **siw**

THE Skarsgard Firm

JOSHUA J. SKARSGARD, ESQ.
ATTORNEY AT LAW

8220 SAN PEDRO NE, SUITE 500
ALBUQUERQUE, NM 87113

TEL: (505) 262-2323
FAX: (505) 998-9099

September 25, 2014

Kirtland Community Association
Attention: Kimberly Brown
P.O. Box 9731
Albuquerque, NM 87119

Dear Ms. Brown:

This letter is to inform you that The Skarsgard Firm, P.C., (“Agent”) represents an applicant for an application for a Vacation of Public Right-of-Way for review and a public hearing before the Design Review Board (“DRB”) of the City of Albuquerque (“City”) on October 22, 2014.

The City requires that notification be made to all affected Neighborhood and/or Homeowner Associations contemporaneous with applications for Vacation of Public Right-of-Way applications. The purpose of this letter is to inform you as to the fact surrounding the application and to invite you to contact us if you have any questions. The specifics of the application are as follows:

- The application is requesting that a 20’ public alley be vacated which is located directly north of Lovelace Road SE. Specifically, the 20’ public alley is located on Lovelace Rd. SE in between University Blvd. SE and Mesa Dr. SE (see attached drawing for location). Currently, the 20’ public alley is weeds and dirt, and provides no vehicular access to any properties.
- The purpose of this vacation is to utilize the vacated 20’ Public Alley for construction of a private vehicular cross access “ramp” connecting the restaurant proposed on Tract A (Chili’s) with the restaurants proposed on Lot 9 (Chick fil A).
- The property owner Red Shamrock 10, LLC promised the Kirtland Community Association that “cross access” would be provided from this project to Miles Road (and Walker Lane) which provides a “right in, right out” curb cut on Gibson Blvd, which will alleviate traffic from University Blvd.

If you have any questions about this application, please contact me using the following contact information:

Joshua Skarsgard
The Skarsgard Firm, P.C.
8220 San Pedro NE Suite 500
Albuquerque, NM 87113
Phone: 505-998-9094
E-mail: josh@skarsgardfirm.com

This application can be reviewed at the City Planning Department office in downtown Albuquerque at the Plaza del Sol building, located at 600 2nd Street NW. It is advised that you call the Planning Department to schedule a visit so that the project file will be available upon your arrival. To arrange a visit to review this application, please call the Planning Department at 924-3860.

Sincerely,

THE SKARSGARD FIRM, P.C.



Joshua Skarsgard, Esq.
Telephone: 505 998 9094
Email: josh@skarsgardfirm.com

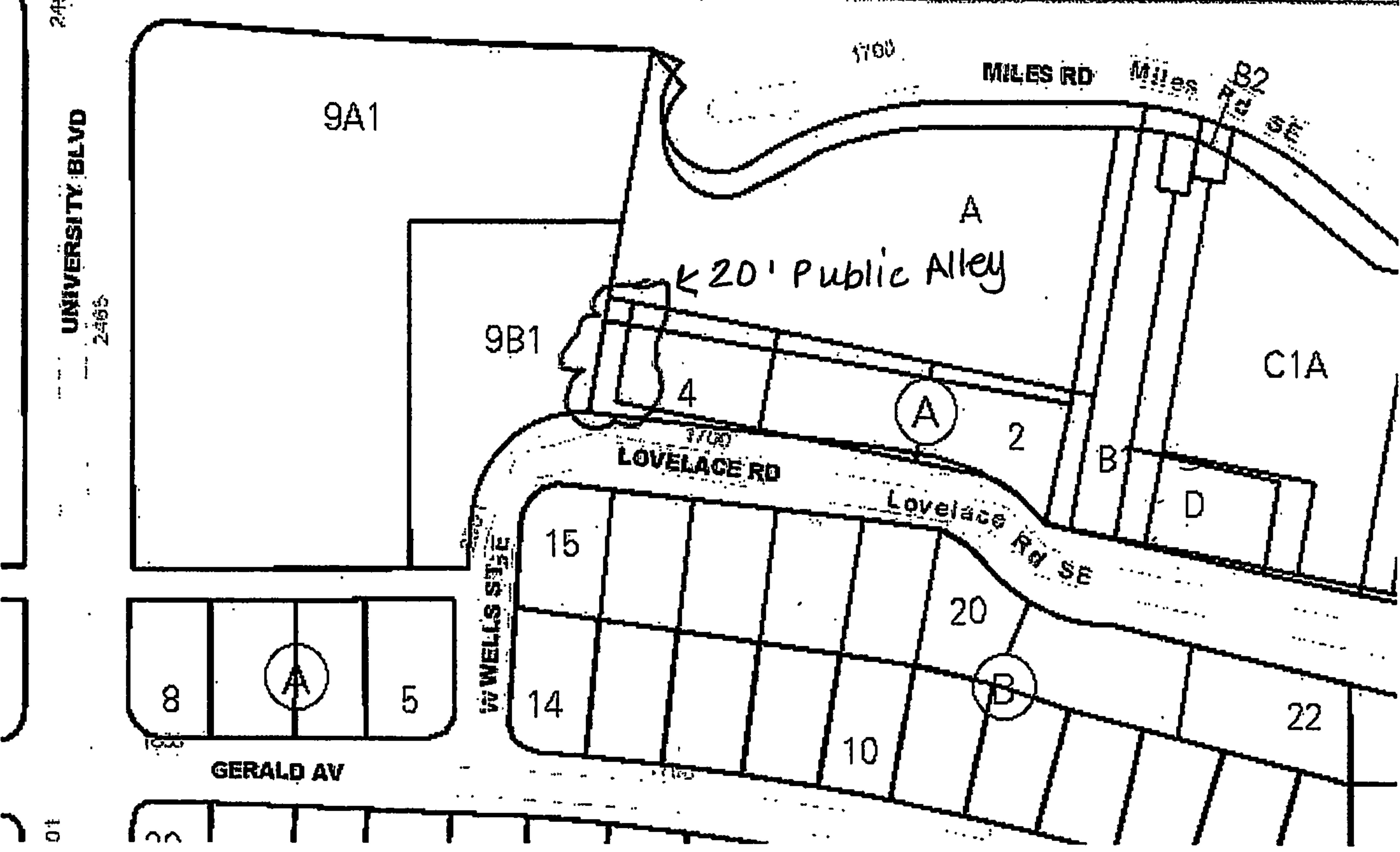
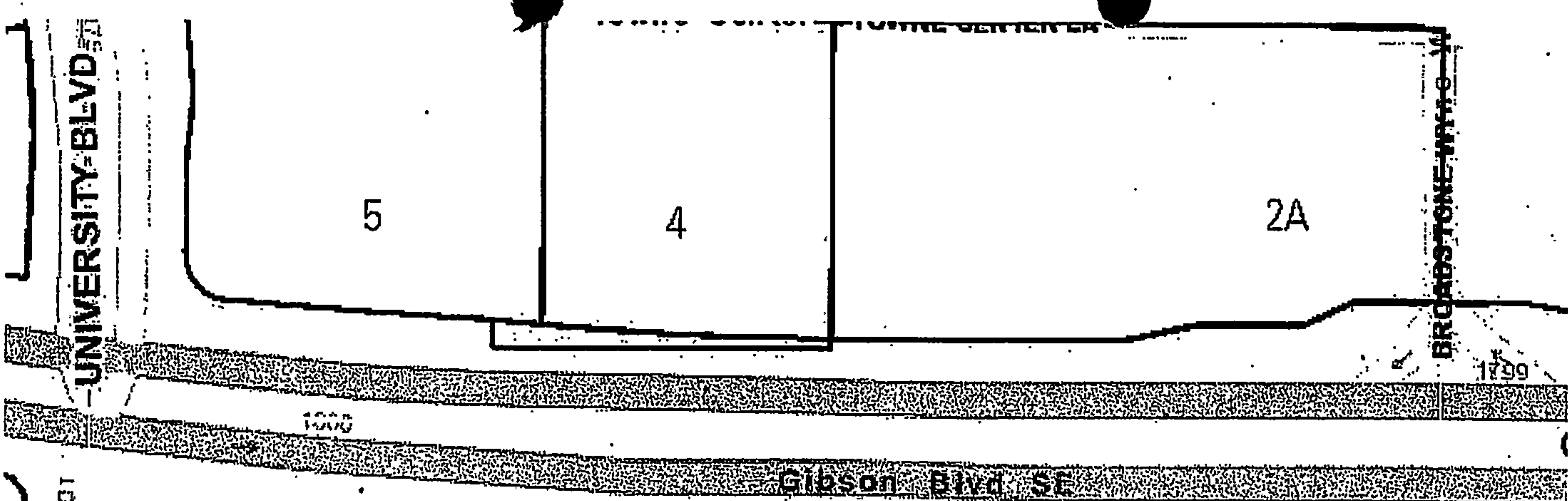
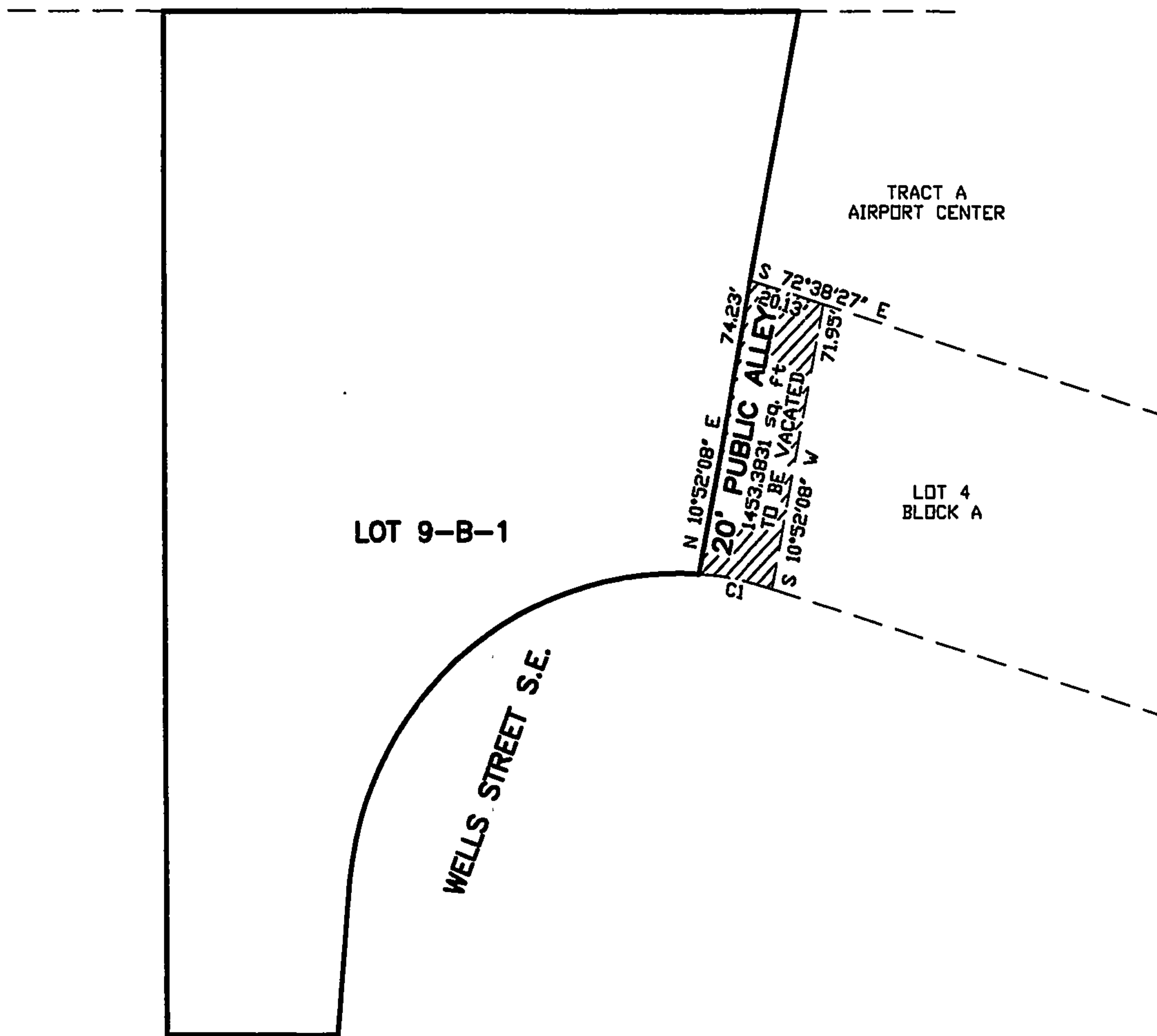


EXHIBIT SHOWING
 PROPOSED 20' ALLEY VACATION
 ADJACENT TO
 LOT 9-B-1, BLOCK A
 KIRTLAND ADDITION, UNIT 2
 CITY OF ALBUQUERQUE
 BERNALILLO COUNTY, NEW MEXICO
 SEPTEMBER, 2014



CURVE TABLE

NUMBER	DELTA ANGLE	CHORD DIRECTION	RADIUS	ARC LENGTH	CHORD LENGTH
C1	14°31'04"	N 79°07'52" W	79.14	20.05	20.00



Scale: 1" = 40'
 Order No.: 14-0452
 Field Book: Page:

THE Skarsgard Firm

JOSHUA J. SKARSGARD, ESQ.
ATTORNEY AT LAW

8220 SAN PEDRO NE, SUITE 500
ALBUQUERQUE, NM 87113

TEL: (505) 262-2323
FAX: (505) 998-9099

September 25, 2014

Kirtland Community Association
Attention: Elizabeth Aikin
1524 Alamo SE
Albuquerque, NM 87106

Dear Ms. Aikin:

This letter is to inform you that The Skarsgard Firm, P.C., (“Agent”) represents an applicant for an application for a Vacation of Public Right-of-Way for review and a public hearing before the Design Review Board (“DRB”) of the City of Albuquerque (“City”) on October 22, 2014.

The City requires that notification be made to all affected Neighborhood and/or Homeowner Associations contemporaneous with applications for Vacation of Public Right-of-Way applications. The purpose of this letter is to inform you as to the fact surrounding the application and to invite you to contact us if you have any questions. The specifics of the application are as follows:

- The application is requesting that a 20’ public alley be vacated which is located directly north of Lovelace Road SE. Specifically, the 20’ public alley is located on Lovelace Rd. SE in between University Blvd. SE and Mesa Dr. SE (see attached drawing for location). Currently, the 20’ public alley is weeds and dirt, and provides no vehicular access to any properties.
- The purpose of this vacation is to utilize the vacated 20’ Public Alley for construction of a private vehicular cross access “ramp” connecting the restaurant proposed on Tract A (Chili’s) with the restaurants proposed on Lot 9 (Chick fil A).
- The property owner Red Shamrock 10, LLC promised the Kirtland Community Association that “cross access” would be provided from this project to Miles Road (and Walker Lane) which provides a “right in, right out” curb cut on Gibson Blvd, which will alleviate traffic from University Blvd.

If you have any questions about this application, please contact me using the following contact information:

Joshua Skarsgard
The Skarsgard Firm, P.C.
8220 San Pedro NE Suite 500
Albuquerque, NM 87113
Phone: 505-998-9094
E-mail: josh@skarsgardfirm.com

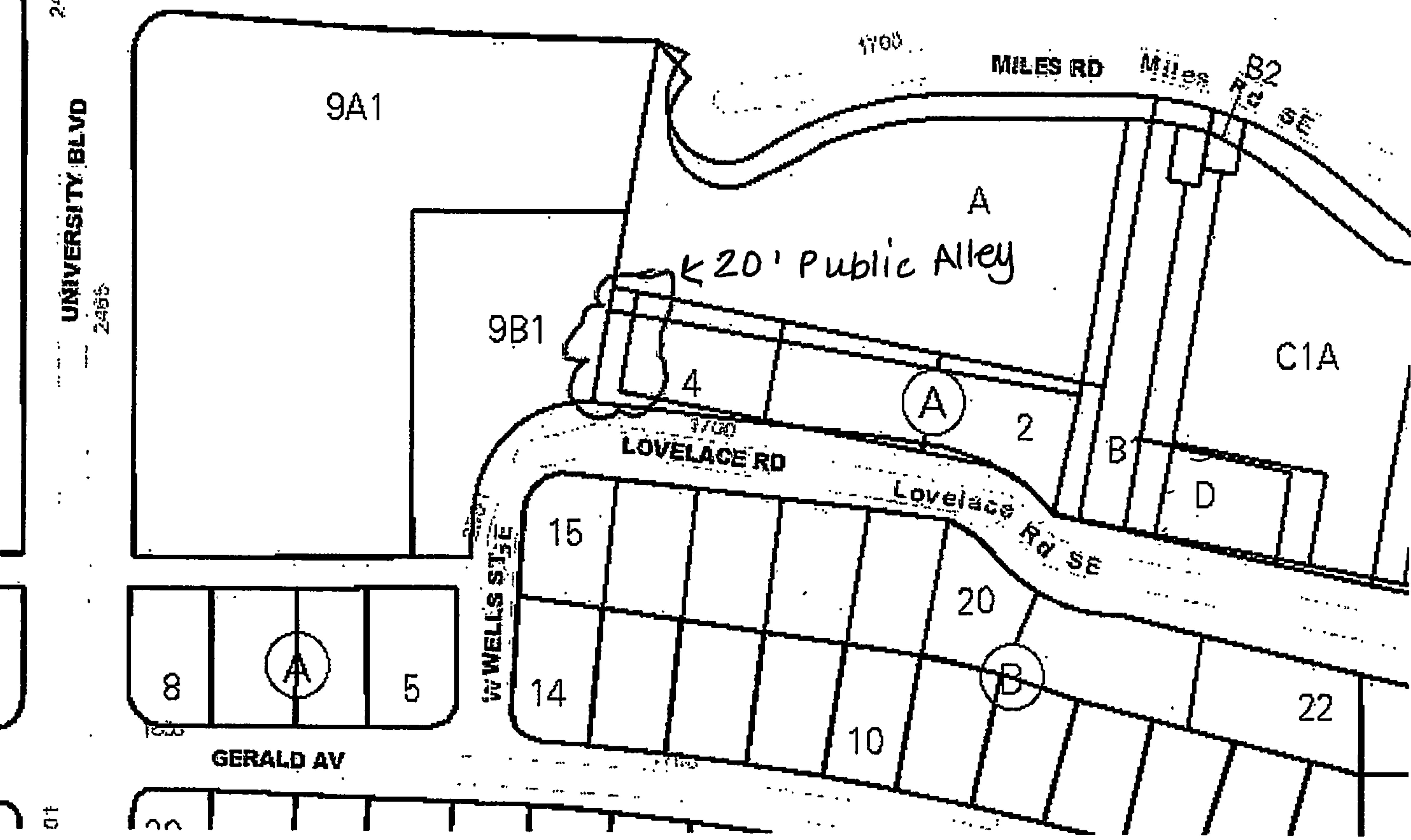
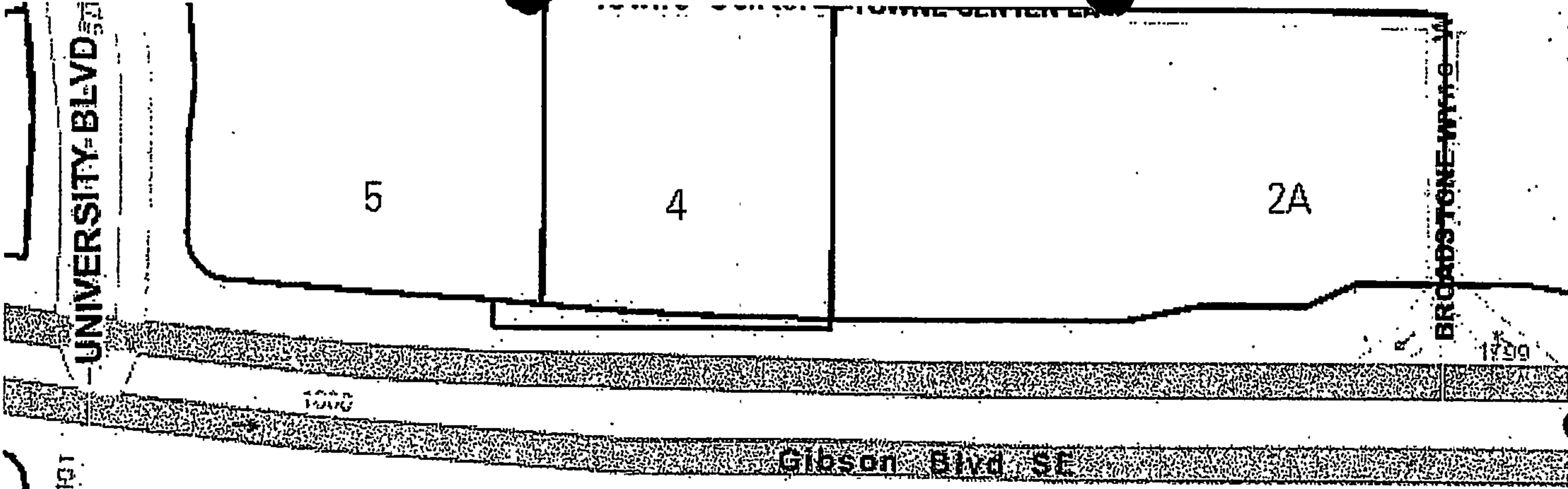
This application can be reviewed at the City Planning Department office in downtown Albuquerque at the Plaza del Sol building, located at 600 2nd Street NW. It is advised that you call the Planning Department to schedule a visit so that the project file will be available upon your arrival. To arrange a visit to review this application, please call the Planning Department at 924-3860.

Sincerely,

THE SKARSGARD FIRM, P.C.



Joshua Skarsgard, Esq.
Telephone: 505 998 9094
Email: josh@skarsgardfirm.com



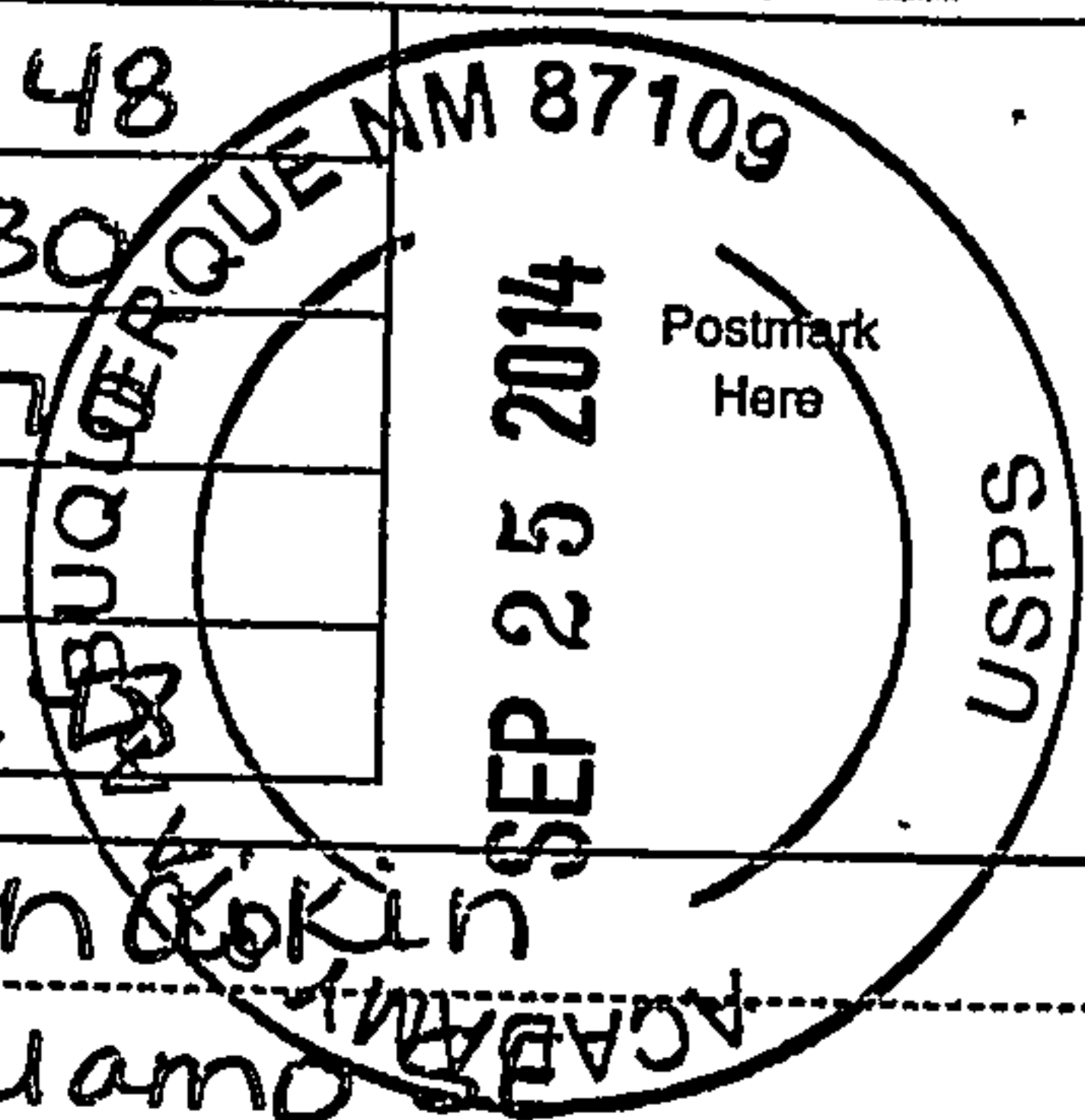
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Return Receipt Fee (Endorsement Required)	2.77
Restricted Delivery Fee (Endorsement Required)	
Total Postage & Fees	\$ 6.55



Sent To Elizabeth Cookin
 Street, Apt. No.,
 or PO Box No. 1524 Alamo
 City, State, ZIP+4
Albuquerque NM 87106

PS Form 3800, August 2006 See Reverse for Instructions

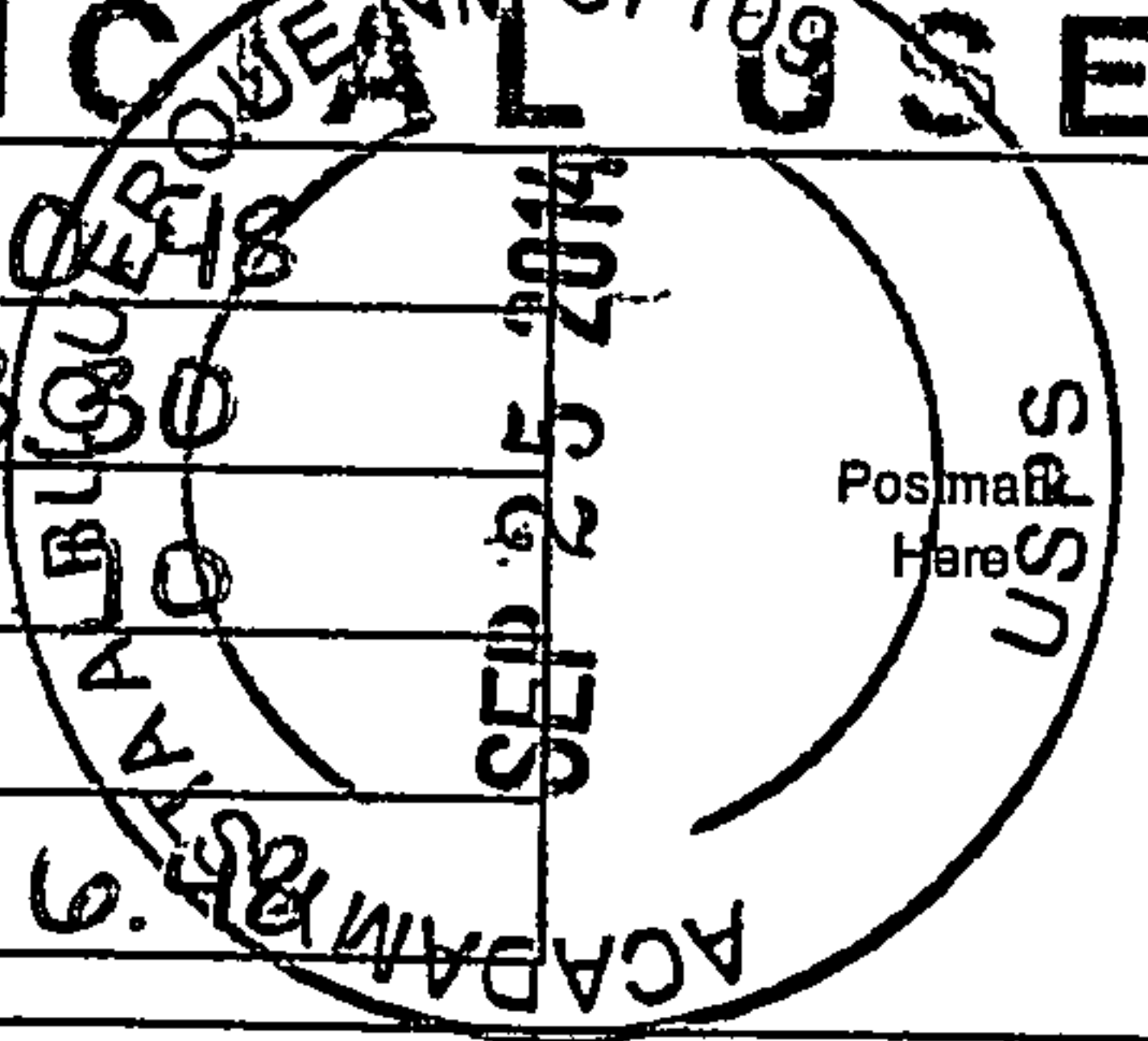
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Postage	\$ 0.48
Certified Fee	3.30
Return Receipt Fee (Endorsement Required)	2.77
Restricted Delivery Fee (Endorsement Required)	
Total Postage & Fees	\$ 6.55



Sent To Kimberly Brown
 Street, Apt. No.,
 or PO Box No. PO Box 9731
 City, State, ZIP+4
Albuquerque NM 87119

PS Form 3800, August 2006 See Reverse for Instructions

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.

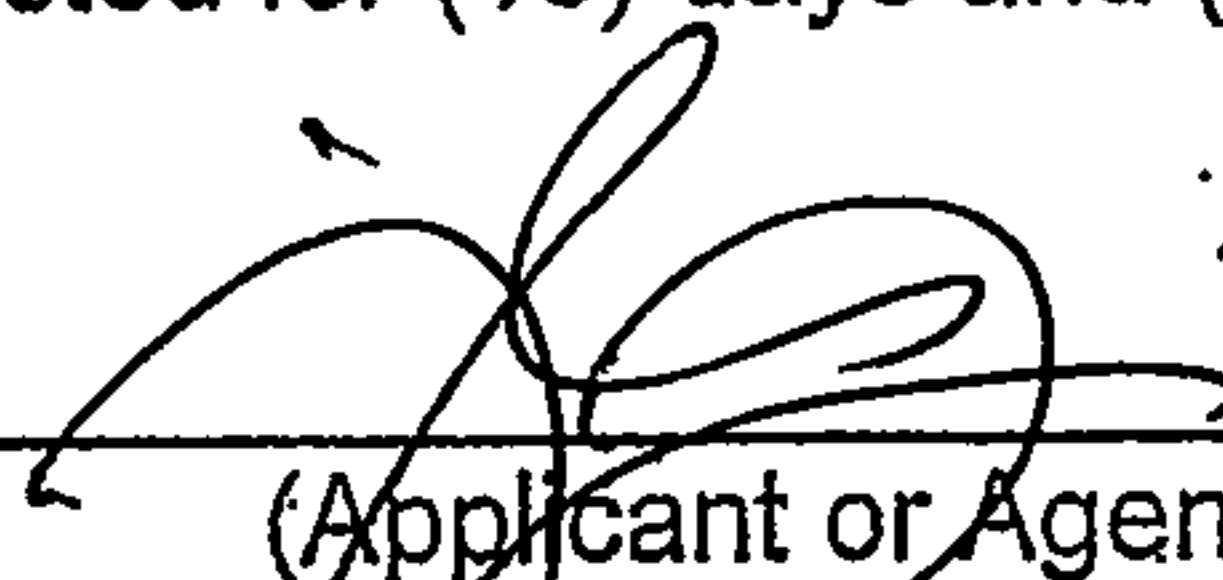
4. TIME

Signs must be posted from Oct. 28, 2014 To Nov. 12, 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) 9/15/14

(Date)

I issued 1 signs for this application, 10-15-14 

(Date) _____
(Staff Member)

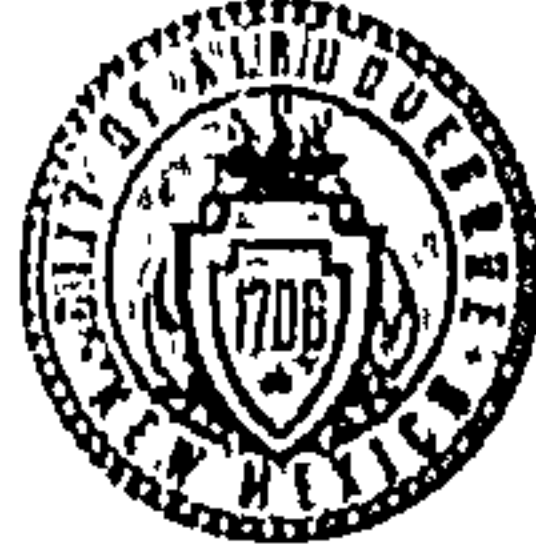
DRB PROJECT NUMBER: 1010060

PROJECT#

10100060

NOVEMBER 12. 2014

VLR



DEVELOPMENT REVIEW BOARD SUPPLEMENTAL SUBMITTAL

PROJECT NO. 1016060

Application No. 15 BRB-70119

TO: ALL MEMBERS

Jack Cloud, DRB Chairman, Planning Department

Curtis Cherne, P.E., Hydrology

Kristal Metro, P.E., Transportation Development

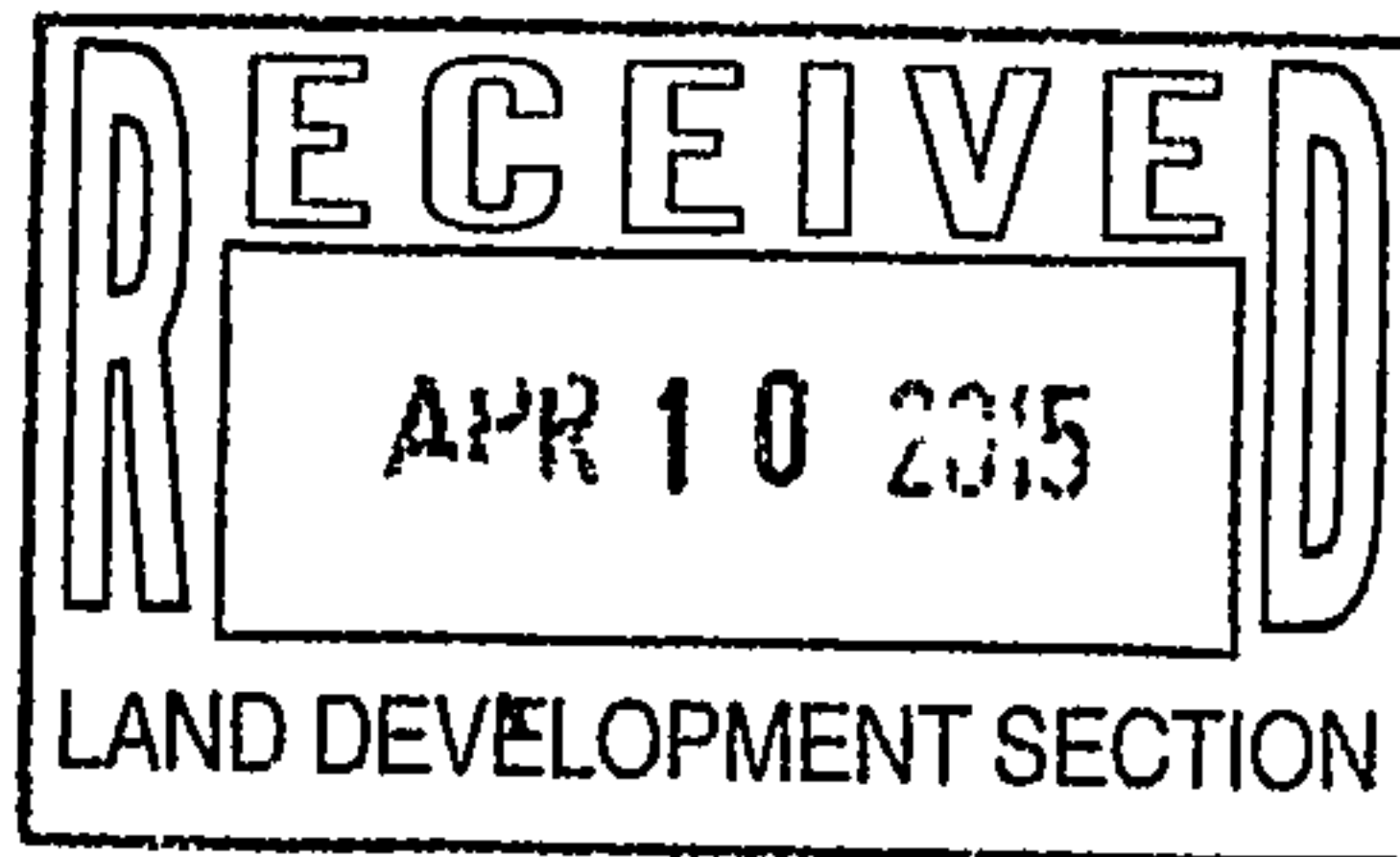
Allan Porter, P.E., Albuquerque/ Bernalillo Co.WUA

Carol Dumont, Parks/Municipal Development

NEXT HEARING DATE: 4/15/15

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 Approval



CONTACT NAME: Josh Skarsgard

TELEPHONE: 505-803-3758 EMAIL: josh@skarsgard-firm.com

UNIVERSITY BOULEVARD SE. 80' R/W

KIRTLAND ADDITION UNIT 2

LOT B LOT 7 LOT 6 LOT 5

20' PUBLIC ALLEY

WELLS STREET SE. 50' R/W

SECTION 33, TOWNSHIP 10 NORTH, RANGE 3 EAST
CITY OF ALBUQUERQUE
BERNALILLO COUNTY, NEW MEXICO
MARCH, 2015

SURV-TEK, INC.
CONSULTING SURVEYORS
5904 Valley View Drive, N.W. Albuquerque, New Mexico 87114
Phone: 800-897-3366 Fax: 800-897-3377

SHEET 3 OF 3

ADDITIONS 4/7/15

PLAT OF
LOTS 9-A-1A AND 9-B-1A, BLOCK A,
KIRTLAND ADDITION UNIT 2
(BEING A REPLAT OF LOTS 9-A-1 AND 9-B-1, BLOCK A, KIRTLAND ADDITION
UNIT 2, TOGETHER WITH A VACATED 20' PUBLIC ALLEY ADJACENT TO LOT 4, BLOCK A)

LOVELACE ROAD SE. 50' R/W

KIRTLAND ADDITION UNIT 2
BLOCK A
LOT 3

KIRTLAND ADDITION UNIT 2
LOT 9-B-1, BLOCK A

KIRTLAND ADDITION UNIT 2
LOT 9-A-1, BLOCK A

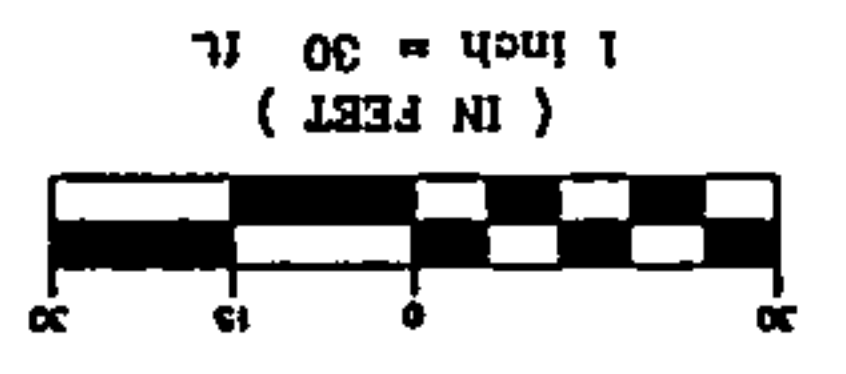
LOT 9-A-1A
1.5353 AC

LOT 9-B-1A
1.6031 AC

TRACT A
AIRPORT CENTER

MILES ROAD SE. Variable Width R/W

GIBSON BOULEVARD



Albuquerque Central Survey Monument "7-115"
New Mexico State Plane Coordinates
(Central Zone - NAD 83)
North = 1,479,550.205 feet
East = 1,529,057.356 feet
Elevation = 5164.135 feet (NAVD 1988)
Delta Alpha = -0012.4965
Ground to Grid Factor = 0.999671093

10' Private Storm Sewer Easement granted by this plat for the benefit of Lot 9-A-1 and 9-B-1A. Maintenance of said easement to be the responsibility of the owners of said lots equally.

10' Public Utility Easement granted by plat filed May 22, 2008 in Plat Book 2008C, Page 108

Private Access Easement to Redevel Addition granted by plat filed May 5, 1998 in Plat Book 98C, Page 116

20' Public Sanitary Sewer Easement as shown on plat filed May 5, 1998 in Plat Book 98C, Page 116

5' Utility and Drainage Easement granted by Book 0573, Page 112, as filed in Book 0573, Page 112, on August 18, 2008. Plat Book 2008C, Page 187

Public Utility Easement granted by plat filed August 12, 2008 in Plat Book 2008C, Page 187

Buyer's Easement filed in Book 0573, Page 181, as shown on plat filed August 12, 2008 in Plat Book 2008C, Page 187

10' Public Utility Easement granted by plat filed May 22, 2008 in Plat Book 2008C, Page 108

10' Private Storm Sewer Easement granted by this plat for the benefit of Lot 9-A-1 and 9-B-1A. Maintenance of said easement to be the responsibility of the owners of said lots equally.

10' Private Storm Sewer Easement for the benefit of Lot 9-B-1A. Maintenance of said easement to be the responsibility of the owners of said Lot 9-B-1A.

10' Private Storm Sewer Easement for the benefit of Lot 9-B-1A. Maintenance of said easement to be the responsibility of the owners of said Lot 9-B-1A.

Existing Lot Line Diminished by this Plat

Existing Lot Line Diminished by this Plat

Existing Lot Line Diminished by this Plat

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DEVELOPMENT REVIEW BOARD SUPPLEMENTAL SUBMITTAL

PROJECT NO. 1010060

TO: Application No. 15 DRB-70091
 ALL MEMBERS

Jack Cloud, DRB Chairman, Planning Department

Curtis Cherne, P.E., Hydrology

Kristal Metro, P.E., Transportation Development

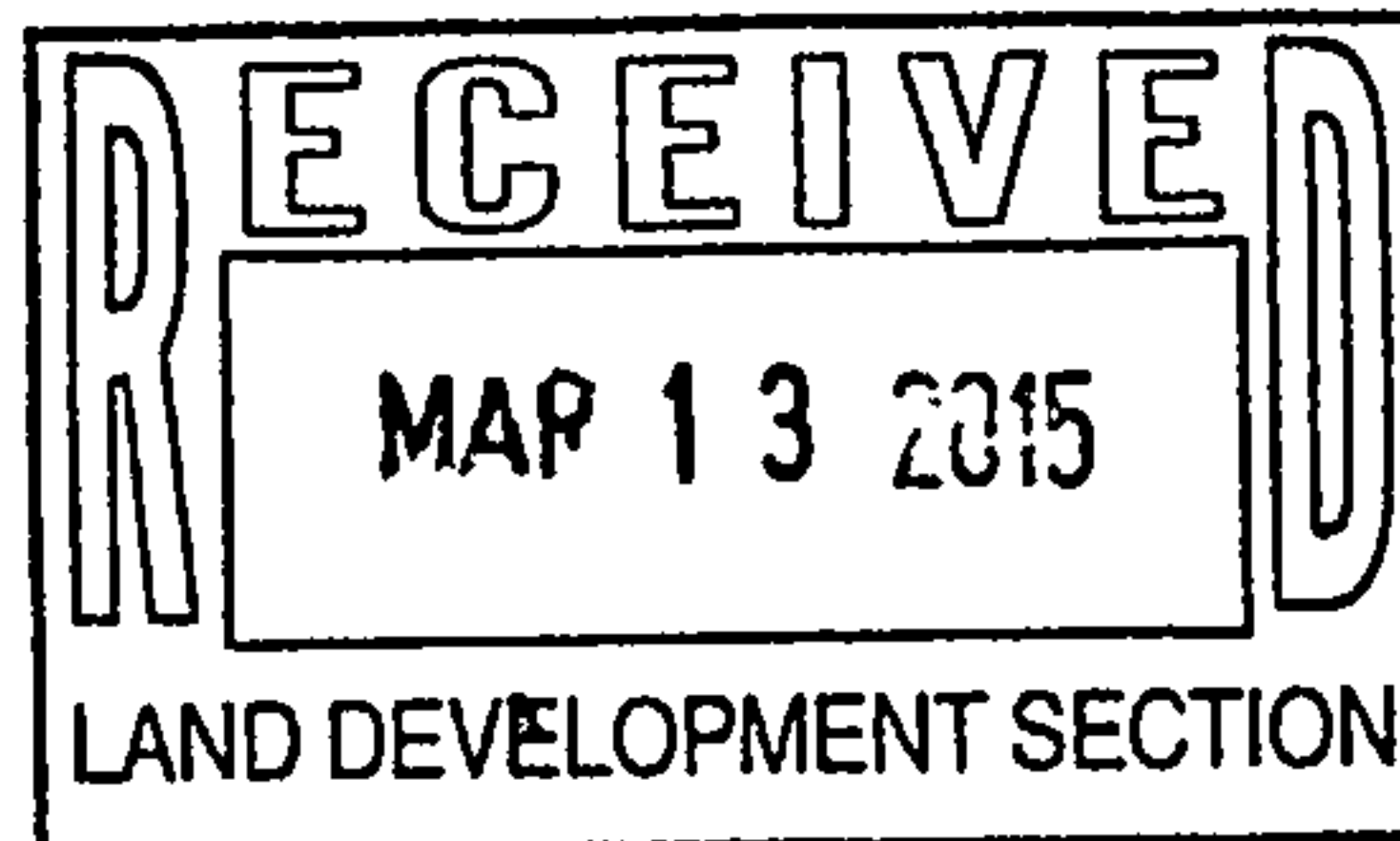
Allan Porter, P.E., Albuquerque/ Bernalillo Co.WUA

Carol Dumont, Parks/Municipal Development

NEXT HEARING DATE: 3/18/15

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: Plat submittal with Fire Marshal
approved site plan.



CONTACT NAME: Josh Skarsgard

TELEPHONE: 505-998-9093 EMAIL: josh@skarsgardfirm.com and
trish@skarsgardfirm.com



DEVELOPMENT REVIEW BOARD SUPPLEMENTAL SUBMITTAL

TO: PROJECT NO. 1010060

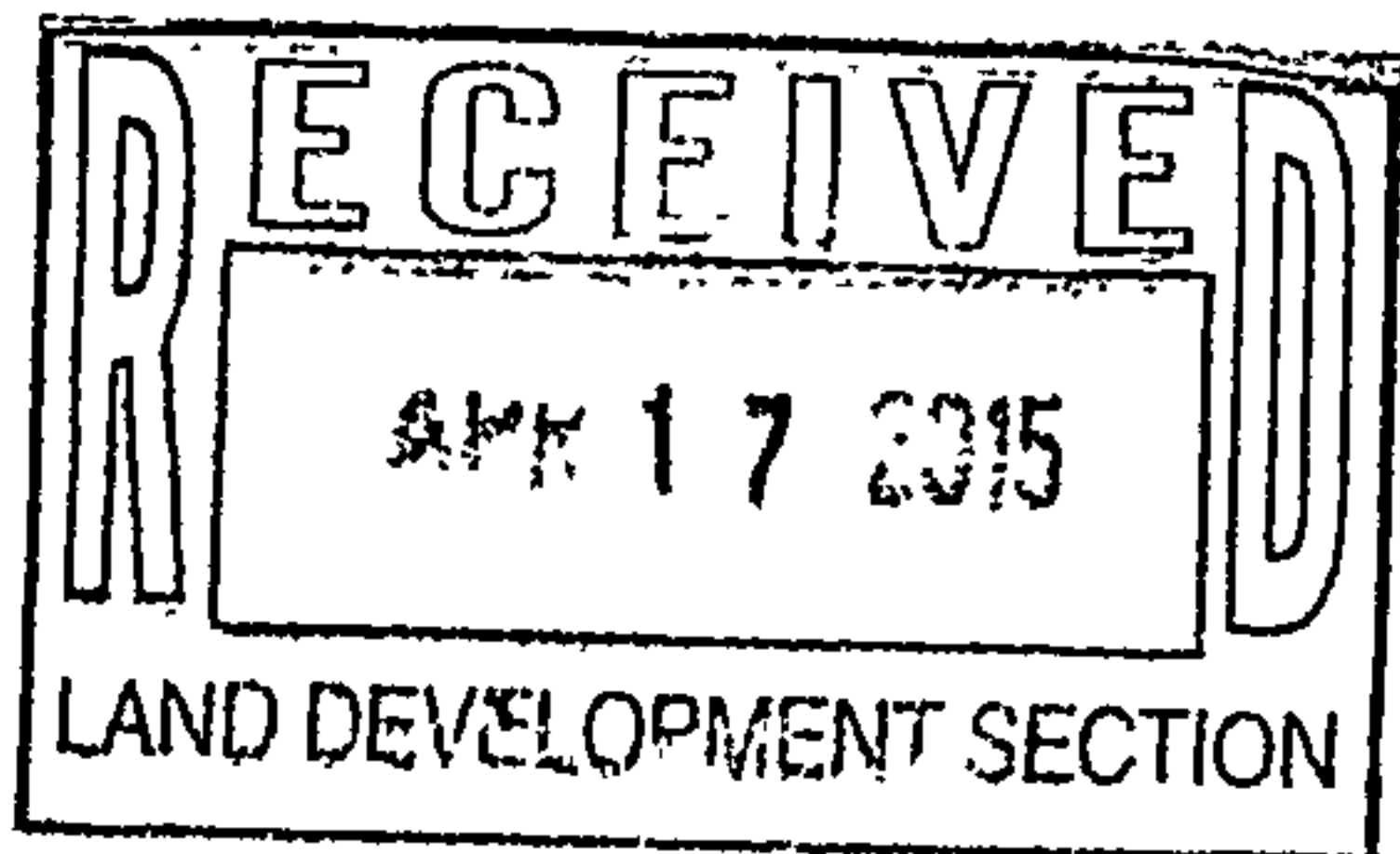
- ALL MEMBERS
- Jack Cloud, DRB Chairman, Planning Department
- Curtis Cherne, P.E., Hydrology
- Kristal Metro, P.E., Transportation Development
- Allan Porter, P.E., Albuquerque/ Bernalillo Co.WUA
- Christina Sandoval, Parks/Municipal Development

Application # 15DRB-70119

NEXT HEARING DATE: 4/22/15

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: REVISED PLAT



CONTACT NAME: JOSH SKARSGARD

TELEPHONE: 505-803-3758 EMAIL: josh@skarsgardfirm.com



DEVELOPMENT REVIEW BOARD SUPPLEMENTAL SUBMITTAL

PROJECT NO. 1010060

TO: ALL MEMBERS

Application No. 15BRB-70091

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: 4/15/15

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SUBMITTAL DESCRIPTION: Final Plat Approval



CONTACT NAME: Josh Skarsgard

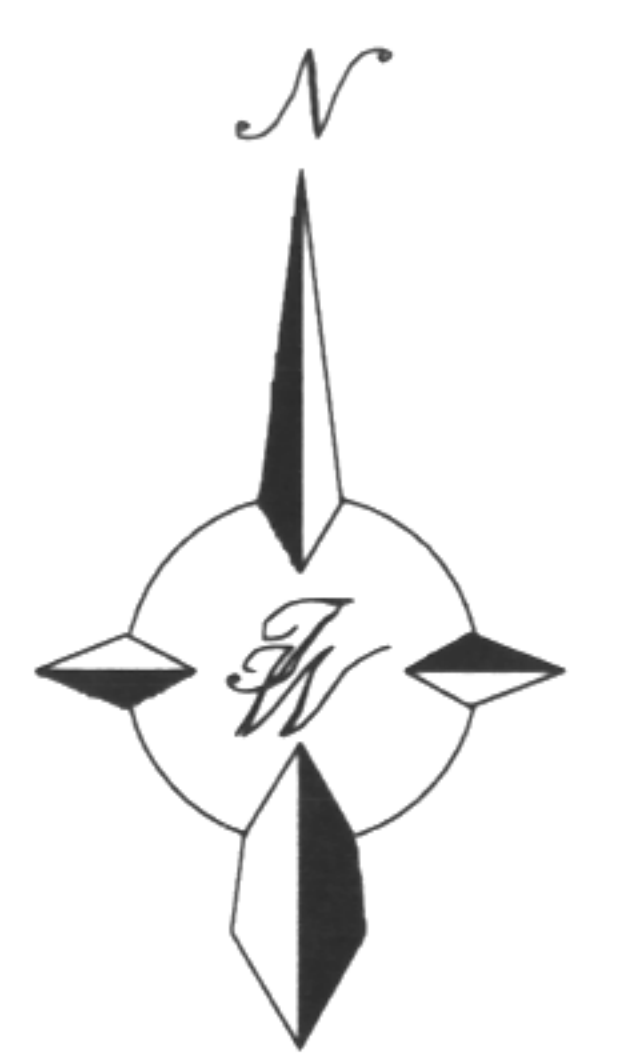
TELEPHONE: 505-863-3758 EMAIL: josh@skarsgardfirm.com

FWAY
ACATED



ROW VACATION/ TURNAROUND EXHIBIT

PRELIMINARY
FOR REVIEW PURPOSES ONLY

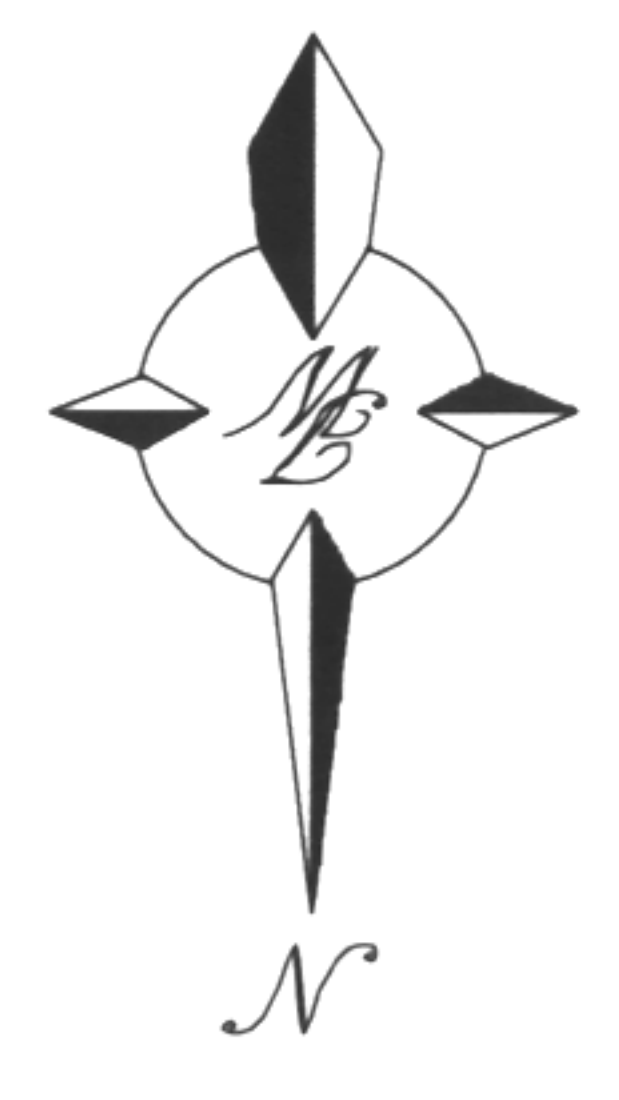
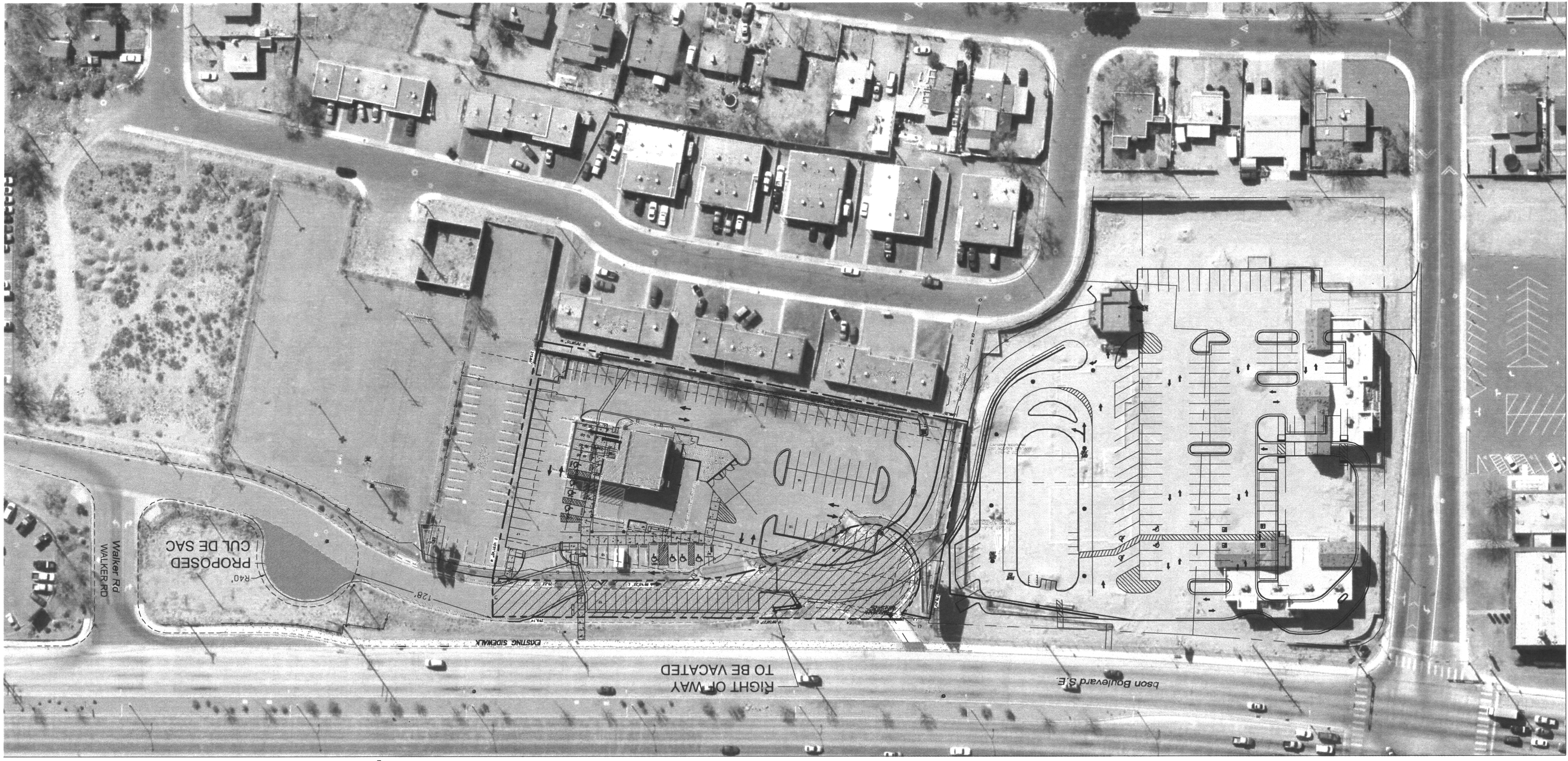


SCALE: 1"=50'

DATE OF PREPARATION: 02.04.15

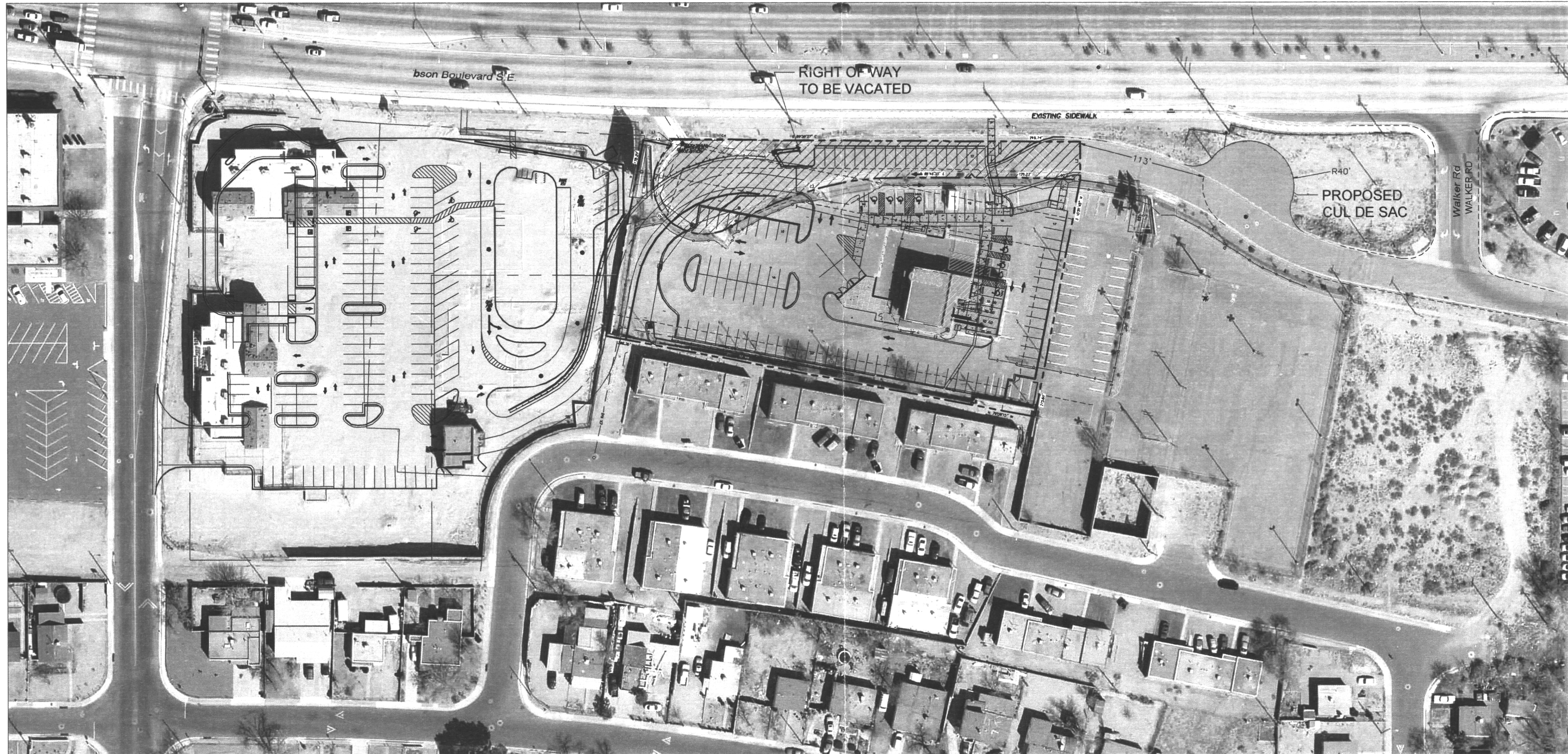
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PRELIMINARY
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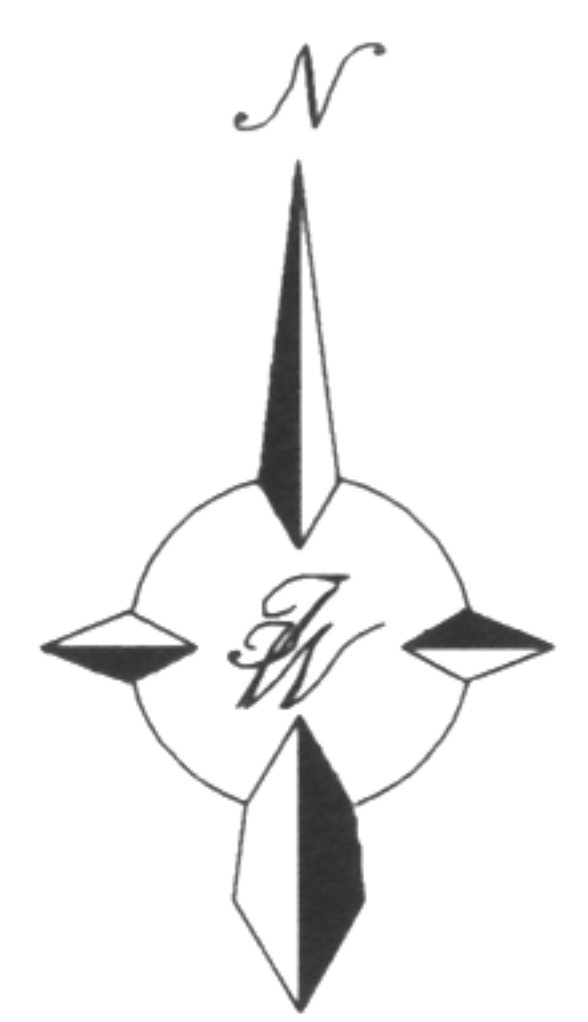


SCALE: 1"=100'

DATE OF PREPARATION: 02.04.15



ROW VACATION/ TURNAROUND EXHIBIT



SCALE: 1"=100'

DATE OF PREPARATION: 01.22.15