



# City of Albuquerque PLANNING DEPARTMENT

Richard J. Berry, Mayor

## Interoffice Memorandum

June 19, 2014

To: Ken Sanchez, President, City Council

From: Richard J. Berry, Mayor

Subject: Miles Rd Vacation 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)

Request: This is a request for vacation of a dead end portion of street along the south side of Gibson Boulevard SE, just east of University Boulevard SE. The owner of the abutting property will provide a new cul de sac bulb for a public turnaround, and easements for utilities and drainage will be retained with the required replat.

At an advertised public hearing, the Development Review Board voted to recommend APPROVAL to the City Council of the proposed vacation as shown on the Vacation Exhibits in the Planning file, based on the recommended Findings per sections 14-14-7-2(A)(1), (B)(1), and (B)(3) of the Subdivision Ordinance, and subject to the recommended Conditions of Approval per sections 14-14-7-2(F)(3)(c) and 14-14-7-2(F)(4) of the Subdivision Ordinance.

Per section 14-14-7-2(F)(3)(b) of the Subdivision Ordinance, this matter is being forwarded to the City Council to be placed on the consent agenda to determine if the vacation shall occur.

Title/ Subject of Legislation: Miles Rd Vacation Project# 101060 14DRB-70118  
VACATION OF PUBLIC RIGHT-OF-WAY, DRB RECOMMENDATION FOR  
APPROVAL

Approved:

Approved as to Legal Form:

\_\_\_\_\_  
Robert J. Perry                      Date  
Chief Administrative Officer

\_\_\_\_\_  
David Tourek                      Date  
City Attorney

Recommended:

\_\_\_\_\_  
Suzanne Lubar                      Date  
Planning Director



## 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.

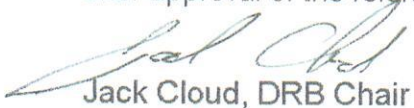


4. A Drainage Report will be required with the replat; adequate easements shall be retained/ provided for drainage/ public utilities and infrastructure; franchised utility companies shall acknowledge the vacation and adequate easements by their signature on the replat.
- 

**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.

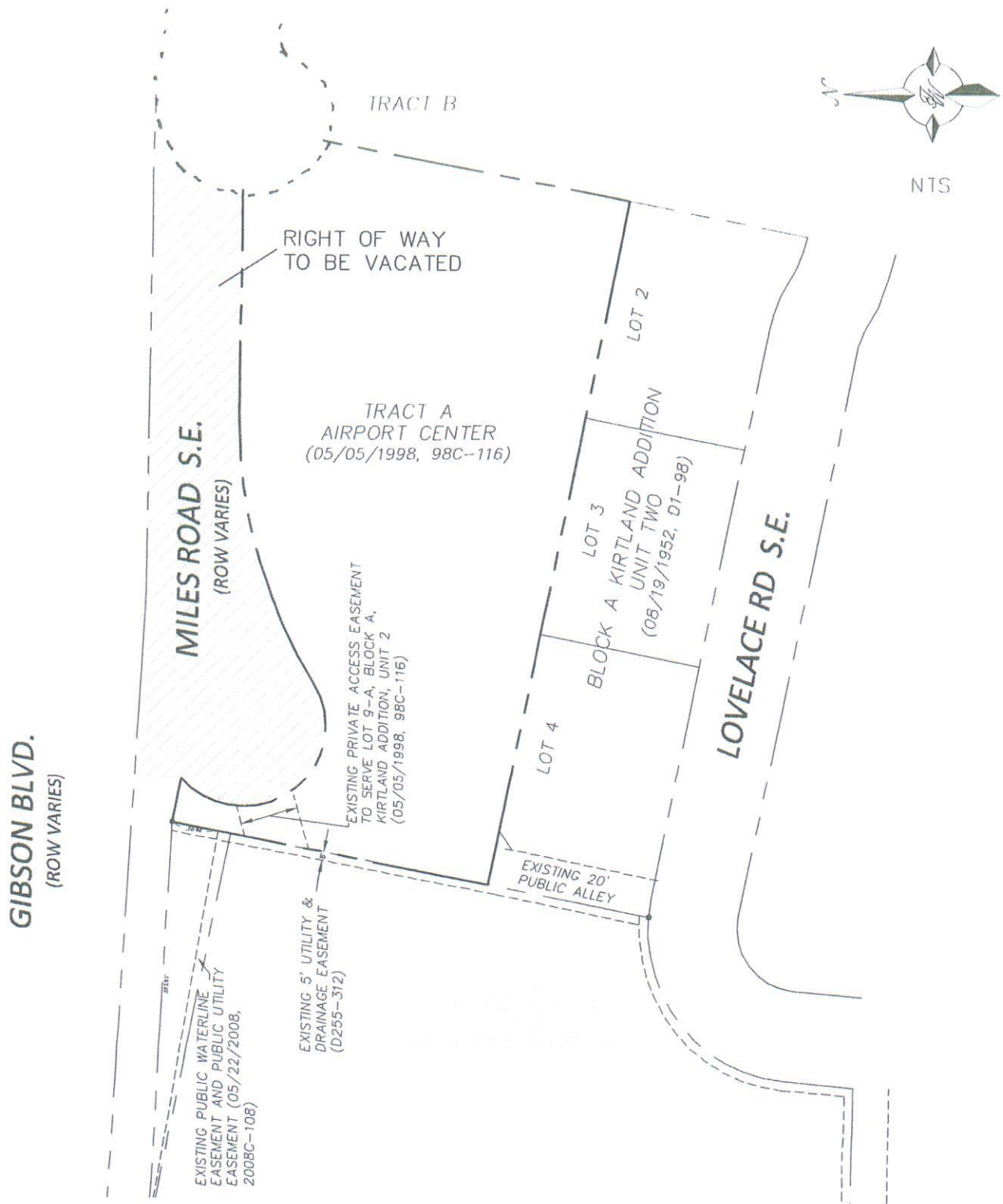
Successful applicants are reminded that other requirements of the City must be complied with, even after approval of the referenced application(s).



Jack Cloud, DRB Chair  
TIERRA WEST, LLC

Cc:

# PUBLIC RIGHT OF WAY VACATION EXHIBIT "C"



PROJECT#: 1010060  
DATE: 5-21-14 (VPR)


**TIERRA WEST, LLC**  
 5571 MIDNAY PARK PLACE NE  
 ALBUQUERQUE, NV 87109  
 (505) 858 3100  
 www.tierrawestllc.com

5/20/14 10:14 AM 1010060.dwg 1010060.dwg 1010060.dwg 1010060.dwg 1010060.dwg 1010060.dwg 1010060.dwg 1010060.dwg 1010060.dwg 1010060.dwg



INTER-OFFICE MEMORANDUM  
COMMENTING AGENCIES

TRANSPORTATION DEVELOPMENT .....John MacKenzie  
TRANSIT & PARKING DEPARTMENT .....Shabih Risvi  
COUNCIL OF GOVERNMENTS.....Kendra Watkins/Andrew Gingerich  
AMAFCA.....Lynn Mazur  
APD CRIME PREVENTION.....Steve Sink  
OPEN SPACE DIVISION.....Kent Reed Swanson  
FIRE DEPARTMENT.....Antonio Chinchilla  
ZONING ENFORCEMENT INSPECTOR.....David Kilpatrick  
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. Board hearing date:*

PROJECT # 1010060  
**WEDNESDAY, May 21, 2014**

Comments must be received by:  
**Friday, May 16, 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
- V**  Zone Map Amendment (Establish or Change Zoning, includes Zoning within Sector Development Plans)
- P**  Adoption of Rank 2 or 3 Plan or similar
- Text Amendment to Adopted Rank 1, 2 or 3 Plan(s), Zoning Code, or Subd. Regulations

- D**  Street Name Change (Local & Collector)

**L A APPEAL / PROTEST of...**

- Decision by: DRB, EPC, LUCC, Planning Director, ZEO, ZHE, Board of Appeals, other

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

**APPLICATION INFORMATION:**

Professional/Agent (if any): Tierra West, LLC PHONE: 505-858-3100  
 ADDRESS: 5571 Midway Park Place, NE FAX: 505-858-1118  
 CITY: Albuquerque STATE NM ZIP 87109 E-MAIL: rrb@tierrawestllc.com

APPLICANT: Josh Skarsgard PHONE: 505-262-2323  
 ADDRESS: 8220 San Pedro NE Suite 500 FAX: 505-803-3758  
 CITY: Albuquerque STATE NM ZIP 87113 E-MAIL: josh@skarsgardfirm.com

Proprietary interest in site: \_\_\_\_\_ List all owners: \_\_\_\_\_

DESCRIPTION OF REQUEST: Vacation of Public Right-Of-Way

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. TR A of TRS A Thru E Block: \_\_\_\_\_ Unit: \_\_\_\_\_  
 Subdiv/Addn/TBKA: Airport Center Subdivision  
 Existing Zoning: C-3 Proposed zoning: C-3 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.): \_\_\_\_\_  
DRB-94-501, DRB-97-291, V-97-80, V-95-9, Z--729, Z-280

**CASE INFORMATION:**

Within city limits?  Yes Within 1000FT of a landfill? \_\_\_\_\_  
 No. of existing lots: 1 No. of proposed lots: 1 Total site area (acres): 1.5 acres  
 LOCATION OF PROPERTY BY STREETS: On or Near: Airport Center  
 Between: University and Gibson

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

SIGNATURE Joel Hernandez DATE 4/24/14  
 (Print Name) \_\_\_\_\_ Applicant:  Agent:

**FOR OFFICIAL USE ONLY**

Revised: 4/2012

INTERNAL ROUTING	Application case numbers	Action	S.F.	Fees
<input checked="" type="checkbox"/> All checklists are complete	<u>14 DRB - 70118</u>	<u>VPR</u>	_____	<u>\$300.00</u>
<input checked="" type="checkbox"/> All fees have been collected	_____	<u>CMF</u>	_____	<u>\$20.00</u>
<input checked="" type="checkbox"/> All case #s are assigned	_____	<u>ADV</u>	_____	<u>\$75.00</u>
<input checked="" type="checkbox"/> AGIS copy has been sent	_____	_____	_____	\$ _____
<input checked="" type="checkbox"/> Case history #s are listed	_____	_____	_____	\$ _____
<input type="checkbox"/> Site is within 1000ft of a landfill	_____	_____	_____	\$ _____
<input type="checkbox"/> F.H.D.P. density bonus	_____	_____	_____	\$ _____
<input type="checkbox"/> F.H.D.P. fee rebate	_____	_____	_____	\$ _____
			Total	<u>\$395.00</u>

Hearing date May 21, 2014

4-25-14  
 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)**
    - 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.**

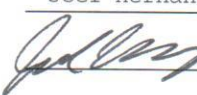
- SIDEWALK VARIANCE (DRB20)**
  - SIDEWALK WAIVER (DRB21)**
    - Scale drawing showing the proposed variance or waiver (not to exceed 8.5" by 14") 6 copies
    - Zone Atlas map with the entire property(ies) clearly outlined
    - Letter briefly describing, explaining, and justifying the variance or 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.**

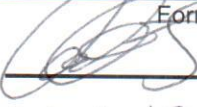
- VACATION OF PRIVATE EASEMENT (DRB26)**
  - VACATION OF RECORDED PLAT (DRB29)**
    - The complete document which created the private easement/recorded plat (not to exceed 8.5" by 14") **6 copies**
    - Scale drawing showing the easement to be vacated (8.5" by 11") **6 copies**
    - Zone Atlas map 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.

Joel Hernandez  
  
 Applicant name (print) \_\_\_\_\_  
 04/24/2014  
 Applicant signature / date \_\_\_\_\_



- Checklists complete
  - Fees collected
  - Case #s assigned
  - Related #s listed
- Application case numbers  
 14 - DRB - 70118

Form revised 4/07  
  
 4-25-14  
 Planner signature / date \_\_\_\_\_  
 Project # 1010060



# SIGN POSTING 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. Waterproofed signs will be provided at the time of application. If the application is mailed, you must still stop at the Planning Division 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 Planning Division at a charge of \$3.00 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 two to seven feet from the ground.
- C. No barrier shall prevent a person from coming within five feet of the sign in order to read it.

### 2. NUMBER

- A. One sign shall be posted on each paved street frontage. Signs maybe 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 full plywood backing works best to keep the sign in place, especially during high winds.
- B. Large headed nails or staples are best for attaching signs to a post or backing; the sign tears out less easily.

### 4. TIME

Signs must be posted from May 6, 2014 To May 21, 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 Planning Division staff. I understand (A) my obligation to keep the sign(s) posted for fifteen (15) days and (B) where the sign(s) are to be located. I am being given a copy of this sheet.

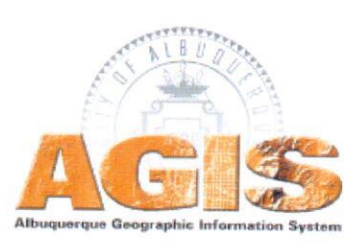
[Signature], 4/25/14  
(Applicant or Agent) (Date)

I issued 1 signs for this application, 4-25-14, [Signature]  
(Date) (Staff Member)

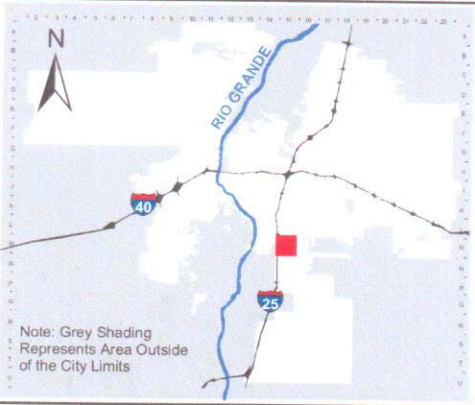




For more current information and details visit: <http://www.cabq.gov/gis>



Map amended through: 6/7/2013

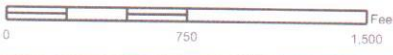


Note: Grey Shading Represents Area Outside of the City Limits

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.	





JW

# TIERRA WEST, LLC

April 24, 2014

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

**RE: REQUEST FOR VACATION OF PUBLIC RIGHT-OF- WAY  
PORTION OF MILES ROAD S.E.  
REFERENCE: PLAT OF TRACTS A THROUGH E, AIRPORT CENTER  
ZONE ATLAS PAGE M-15**

Dear Mr. Cloud:

Tierra West LLC, on behalf of Red Shamrock 10, LLC, requests approval of the vacation of the westerly portion of Miles Road from the westerly terminus of the existing street improvements to the boundary between Tract A and Tract B of the plat referenced above.

The purpose of this request for vacation of public right-of-way is to allow for the redevelopment of Tract A in coordination with the redevelopment the neighboring property to the west (Lot 9, Block A Kirtland Addition, Unit 2). Vacation of this portion of public right of way will allow for necessary flexibility to provide a coordinated private access connection to Lot 9 in a feasible manner to overcome the topographical changes in elevation between the properties. All necessary utility and access easements will be retained or dedicated by plat. 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.

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

Sincerely,



Joel D Hernandez, P.E.

Enclosure/s

cc: JJ Jamadar- Brinker International  
Josh Skarsgard – Shamrock 10, LLC

JN: 2013086  
RRB/JH

5571 Midway Park Place NE Albuquerque, NM 87109  
(505) 858-3100 Fax (505) 858-1118 1-800-245-3102  
tierrawestllc.com



## City of Albuquerque

P.O. Box 1293, Albuquerque, NM 87103

April 22, 2014

Jaimie Garcia  
Tierra West, LLC  
5571 Midway Park Place NE/87109  
Phone: 505-858-3100/Fax: 505-858-1118  
E-Mail: [jgarcia@tierrawestllc.com](mailto:jgarcia@tierrawestllc.com)

Dear Jaime:

Thank you for your inquiry of **April 22, 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) – TRACT A OF TRS A THRU E, LOCATED ON AIRPORT CENTER SE BETWEEN UNIVERSITY BOULEVARD SE AND GIBSON BOULEVARD 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:

**SEE “ATTACHMENT A” FOR THE NAMES OF THE NA/HOA’S THAT NEED TO BE CONTACTED IN REGARDS TO THIS PLANNING SUBMITTAL – please attach this letter and “Attachment A” to your Application Packet ALONG with copies of the letters and certified mail receipts to the NA/HOA’s – siw.**

Please 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](mailto: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 NA/HOA 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/HOA FOR THIS PLANNING SUBMITTAL.**



# **ATTACHMENT A**

Jaimie Garcia  
Tierra West, LLC  
5571 Midway Park Place NE/87109  
Phone: 505-858-3100/Fax: 505-858-1118  
E-Mail: [jgarcia@tierrawestllc.com](mailto:jgarcia@tierrawestllc.com)  
Zone Map: M-15

## **CLAYTON HEIGHTS/LOMAS DEL CIELO N.A. "R"**

### **\*Isabel F. Cabrera**

1720 Buena Vista SE/87106 242-4494 (h)

Lorna Marchak

816 Wilmoore Dr. SE/87106 242-9444 (h)

## **KIRTLAND COMMUNITY ASSOC. "R"**

### **\*Kimberly Brown**

P.O. Box 9731/87119 242-9439 (h)

Elizabeth Aikin

1524 Alamo SE/87106 243-6488 (c)

## **\*President of NA/HOA/Coalition**

7011 2000 0000 8663 9841

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Postage	\$ 1.19
Certified Fee	3.30
Return Receipt Fee (Endorsement Required)	2.70
Restricted Delivery Fee (Endorsement Required)	
Total Postage & Fees	\$ 7.19

**PERFECTLY LEGAL**  
CPU  
APR 25 2014  
ALBUQUERQUE, NM 87109

Sent To: Ms. Elizabeth Aikin  
 Kirtland Community Association  
 1524 Alamo SE  
 Albuquerque, NM 87106

PS Form 3800

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**OFFICIAL USE**

Postage	\$ 1.19
Certified Fee	3.30
Return Receipt Fee (Endorsement Required)	2.70
Restricted Delivery Fee (Endorsement Required)	
Total Postage & Fees	\$ 7.19

**PERFECTLY LEGAL**  
CPU  
APR 25 2014  
ALBUQUERQUE, NM 87109

Sent To: Ms. Lorna M. Chak  
 Clayton Heights/Lomas Del Cielo N.A.  
 816 Wilmoore Dr. SE  
 Albuquerque, NM 87106

PS Form 3800

7011 2000 0000 8663 9858

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For delivery information visit our website at www.usps.com®

**OFFICIAL USE**

Postage	\$ 1.19
Certified Fee	3.30
Return Receipt Fee (Endorsement Required)	2.70
Restricted Delivery Fee (Endorsement Required)	
Total Postage & Fees	\$ 7.19

**PERFECTLY LEGAL**  
CPU  
APR 25 2014  
ALBUQUERQUE, NM 87109

Sent To: Ms. Kimberly Brown  
 Kirtland Community Association  
 P.O. Box 9731  
 Albuquerque, NM 87119

PS Form 3800

7011 2000 0000 8663 9872

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Postage	\$ 1.19
Certified Fee	3.30
Return Receipt Fee (Endorsement Required)	2.70
Restricted Delivery Fee (Endorsement Required)	
Total Postage & Fees	\$ 7.19

**PERFECTLY LEGAL**  
CPU  
APR 25 2014  
ALBUQUERQUE, NM 87109

Sent To: Ms. Isabel F. Cabrera  
 Clayton Heights/Lomas Del Cielo N.A.  
 1720 Buena Vista SE  
 Albuquerque, NM 87106

PS Form 3800



# !!!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](mailto:swinklepleck@cabq.gov).

Thank you for your cooperation on this matter.

\*\*\*\*\*  
(below this line for ONC use only)

Date of Inquiry: 04/22/14 Time Entered: 4:55 p.m. ONC Rep. Initials: siw

gan

# TIERRA WEST, LLC

April 23, 2014

Ms. Elizabeth Aikin  
Kirtland Community Association  
1524 Alamo SE  
Albuquerque, NM 87106

RE: **VACATION OF RIGHT-OF-WAY  
TRACT A OF PLAT OF TRACTS A THROUGH E, AIRPORT CENTER**

Dear Ms. Aikin,

Attached for your use/file is our request to the DRB chair dated April 24, 2014. This request is for approval of Vacation of Right-of Way for the westerly portion of Miles Road from the westerly terminus of the existing street improvements to the boundary between Tract A and Tract B of the plat referenced above.

Should you have any questions or require additional information, please feel free to contact Joel Hernandez, the applicant's project engineer at Tierra West 858-3100, or the City Staff Planner at 924-3860.

Sincerely,



Joel Hernandez, P.E.

Enclosure/s

cc: Kimberly Brown – Kirtland Community Association  
Isabel F. Cabrera – Clayton Heights/Lomas Del Cielo N.A.  
Lorna Marchak – Clayton Heights/Lomas Del Cielo N.A.

JN: 2013086  
RRB/jh/jg

5571 Midway Park Place NE Albuquerque, NM 87109  
(505) 858-3100 Fax (505) 858-1118 1-800-245-3102  
tierrawestllc.com



gaw

# TIERRA WEST, LLC



April 23, 2014

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

**RE: VACATION OF RIGHT-OF-WAY  
TRACT A OF PLAT OF TRACTS A THROUGH E, AIRPORT CENTER**

Dear Ms. Brown,

Attached for your use/file is our request to the DRB chair dated April 24, 2014. This request is for approval of Vacation of Right-of Way for the westerly portion of Miles Road from the westerly terminus of the existing street improvements to the boundary between Tract A and Tract B of the plat referenced above.

Should you have any questions or require additional information, please feel free to contact Joel Hernandez, the applicant's project engineer at Tierra West 858-3100, or the City Staff Planner at 924-3860.

Sincerely,

Joel Hernandez, P.E.

Enclosure/s

cc: Elizabeth Aikin – Kirtland Community Association  
Isabel F. Cabrera – Clayton Heights/Lomas Del Cielo N.A.  
Lorna Marchak – Clayton Heights/Lomas Del Cielo N.A.

JN: 2013086  
RRB/jh/jg

5571 Midway Park Place NE Albuquerque, NM 87109  
(505) 858-3100 Fax (505) 858-1118 1-800-245-3102  
tierrawestllc.com

gan

TIERRA WEST, LLC

April 23, 2014

Ms. Isabel F. Cabrera  
Clayton Heights/Lomas Del Cielo N.A.  
1720 Buena Vista SE  
Albuquerque, NM 87106

RE: **VACATION OF RIGHT-OF-WAY  
TRACT A OF PLAT OF TRACTS A THROUGH E, AIRPORT CENTER**

Dear Ms. Cabrera,

Attached for your use/file is our request to the DRB chair dated April 24, 2014. This request is for approval of Vacation of Right-of Way for the westerly portion of Miles Road from the westerly terminus of the existing street improvements to the boundary between Tract A and Tract B of the plat referenced above.

Should you have any questions or require additional information, please feel free to contact Joel Hernandez, the applicant's project engineer at Tierra West 858-3100, or the City Staff Planner at 924-3860.

Sincerely,



Ronald R. Bohannon, P.E.

Enclosure/s

cc: Kimberly Brown – Kirtland Community Association  
Elizabeth Aikin – Kirtland Community Association  
Lorna Marchak – Clayton Heights/Lomas Del Cielo N.A.

JN: 2013086  
RRB/jh/jg

5571 Midway Park Place NE Albuquerque, NM 87109  
(505) 858-3100 Fax (505) 858-1118 1-800-245-3102  
tierrawestllc.com



gaw

# TIERRA WEST, LLC



April 23, 2014

Ms Lorna Marchak  
Clayton Heights/Lomas Del Cielo N.A.  
816 Wilmoore Dr. SE  
Albuquerque, NM 87106

**RE: VACATION OF RIGHT-OF-WAY  
TRACT A OF PLAT OF TRACTS A THROUGH E, AIRPORT CENTER**

Dear Ms. Marchak,

Attached for your use/file is our request to the DRB chair dated April 24, 2014. This request is for approval of Vacation of Right-of Way for the westerly portion of Miles Road from the westerly terminus of the existing street improvements to the boundary between Tract A and Tract B of the plat referenced above.

Should you have any questions or require additional information, please feel free to contact Joel Hernandez, the applicant's project engineer at Tierra West 858-3100, or the City Staff Planner at 924-3860.

Sincerely,

Joel Hernandez, P.E.

Enclosure/s

cc: Kimberly Brown – Kirtland Community Association  
Elizabeth Aikin – Kirtland Community Association  
Isabel F. Cabrera - Clayton Heights/Lomas Del Cielo N.A.

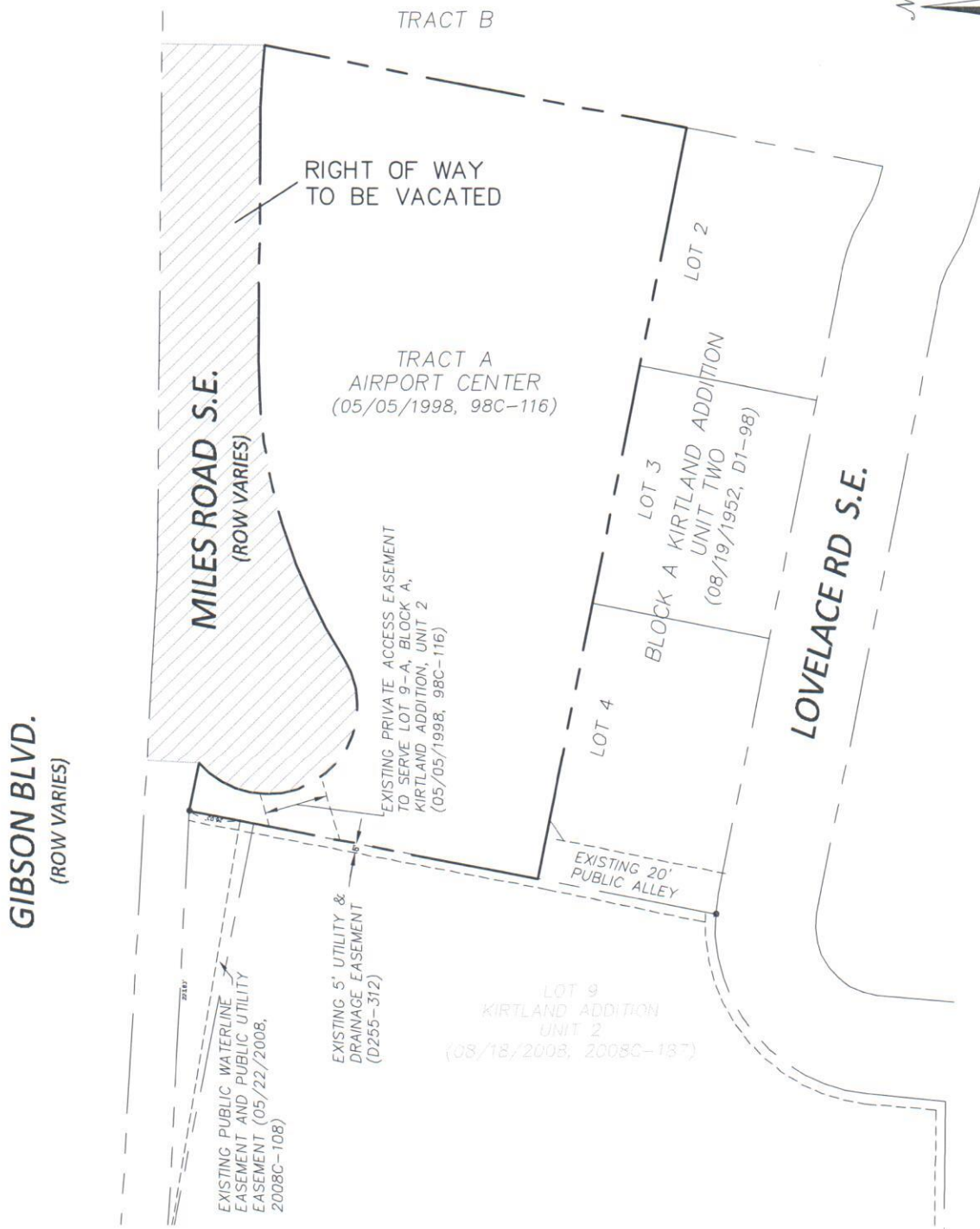
JN: 2013086  
RRB/jh/jg

5571 Midway Park Place NE Albuquerque, NM 87109  
(505) 858-3100 Fax (505) 858-1118 1-800-245-3102  
tierrawestllc.com

# PUBLIC RIGHT OF WAY VACATION EXHIBIT



NTS



Z:\2015\2013086 -Chill's University and Gibson\Draw\Exhibits\2013086-ROW\_Vacation\_Exhibit.dwg Apr 24, 2014 10:38am

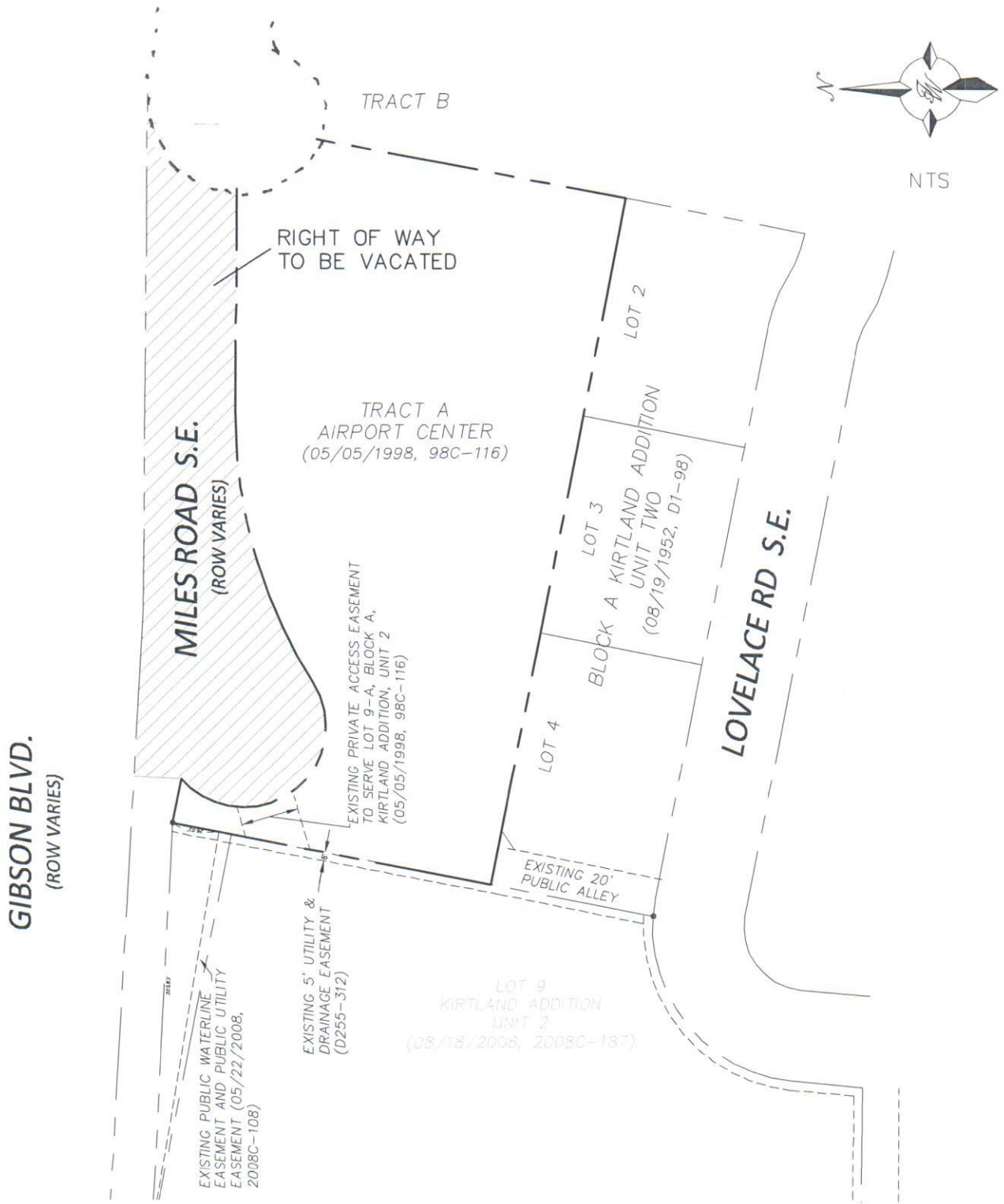
**TIERRA WEST, LLC**

5571 MIDWAY PARK PLACE NE  
ALBUQUERQUE, NV 87109  
(505) 858-3100  
www.tierrawestllc.com

DATE PREPARED 4-24-14



# PUBLIC RIGHT OF WAY VACATION EXHIBIT "C"



**PROJECT#: 1010060**  
**DATE: 5-21-14 (VPR)**

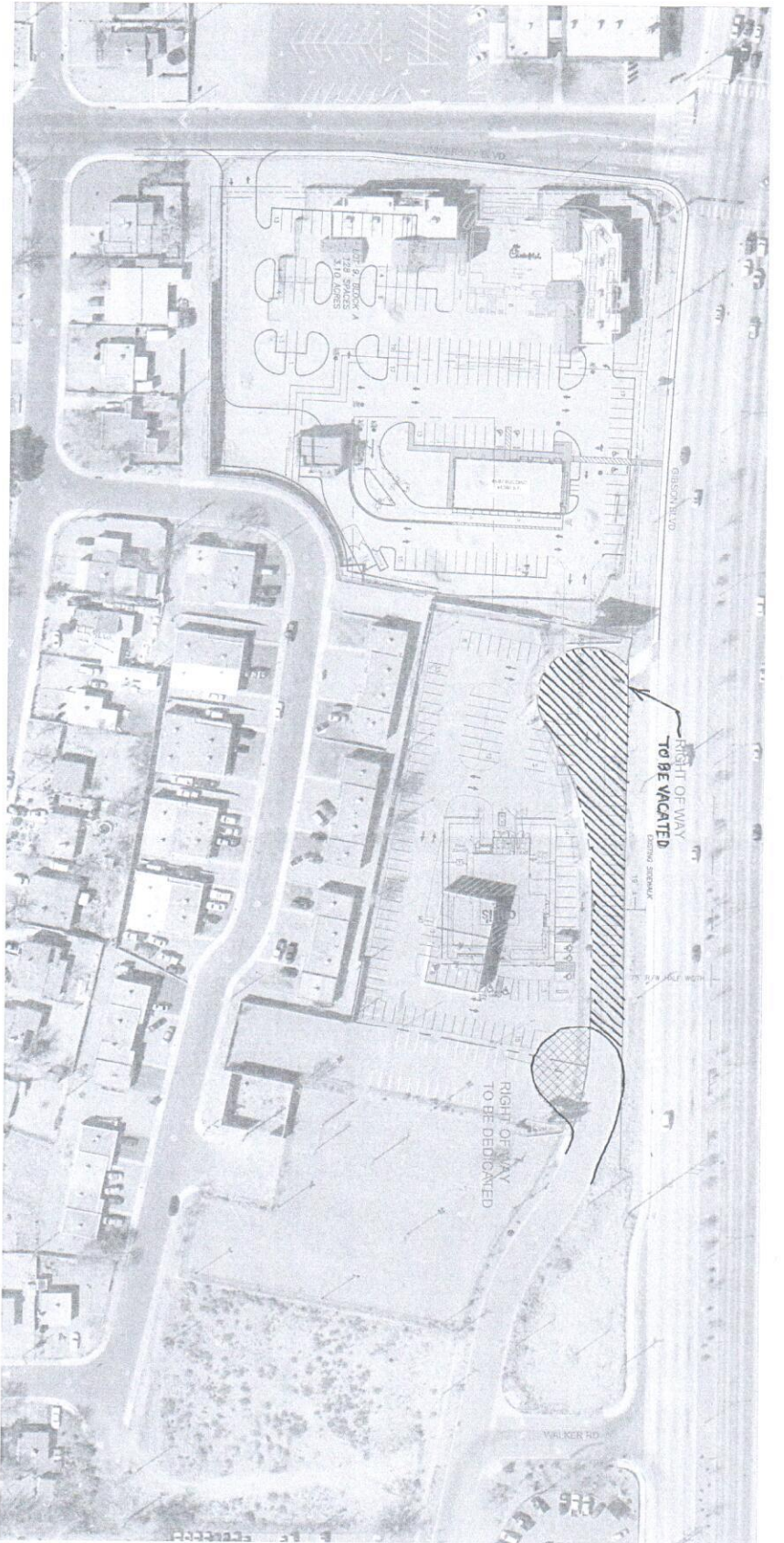
**TIERRA WEST, LLC**  
5571 MIDWAY PARK PLACE NE  
ALBUQUERQUE, NM 87109  
(505) 858-3100  
www.tierrawestllc.com

DATE PREPARED 4-24-14

**CURVE TABLE**

CURVE LENGTH	ARC LENGTH	CHORD BEARING	DELTA
16.02	16.02	143.55	36.45
32.04	32.04	143.55	36.45
48.06	48.06	143.55	36.45
64.08	64.08	143.55	36.45
80.10	80.10	143.55	36.45
96.12	96.12	143.55	36.45
112.14	112.14	143.55	36.45
128.16	128.16	143.55	36.45
144.18	144.18	143.55	36.45
160.20	160.20	143.55	36.45
176.22	176.22	143.55	36.45
192.24	192.24	143.55	36.45
208.26	208.26	143.55	36.45
224.28	224.28	143.55	36.45
240.30	240.30	143.55	36.45
256.32	256.32	143.55	36.45
272.34	272.34	143.55	36.45
288.36	288.36	143.55	36.45
304.38	304.38	143.55	36.45
320.40	320.40	143.55	36.45
336.42	336.42	143.55	36.45
352.44	352.44	143.55	36.45
368.46	368.46	143.55	36.45
384.48	384.48	143.55	36.45
400.50	400.50	143.55	36.45
416.52	416.52	143.55	36.45
432.54	432.54	143.55	36.45
448.56	448.56	143.55	36.45
464.58	464.58	143.55	36.45
480.60	480.60	143.55	36.45
496.62	496.62	143.55	36.45
512.64	512.64	143.55	36.45
528.66	528.66	143.55	36.45
544.68	544.68	143.55	36.45
560.70	560.70	143.55	36.45
576.72	576.72	143.55	36.45
592.74	592.74	143.55	36.45
608.76	608.76	143.55	36.45
624.78	624.78	143.55	36.45
640.80	640.80	143.55	36.45
656.82	656.82	143.55	36.45
672.84	672.84	143.55	36.45
688.86	688.86	143.55	36.45
704.88	704.88	143.55	36.45
720.90	720.90	143.55	36.45
736.92	736.92	143.55	36.45
752.94	752.94	143.55	36.45
768.96	768.96	143.55	36.45
784.98	784.98	143.55	36.45
801.00	801.00	143.55	36.45
817.02	817.02	143.55	36.45
833.04	833.04	143.55	36.45
849.06	849.06	143.55	36.45
865.08	865.08	143.55	36.45
881.10	881.10	143.55	36.45
897.12	897.12	143.55	36.45
913.14	913.14	143.55	36.45
929.16	929.16	143.55	36.45
945.18	945.18	143.55	36.45
961.20	961.20	143.55	36.45
977.22	977.22	143.55	36.45
993.24	993.24	143.55	36.45
1009.26	1009.26	143.55	36.45
1025.28	1025.28	143.55	36.45
1041.30	1041.30	143.55	36.45
1057.32	1057.32	143.55	36.45
1073.34	1073.34	143.55	36.45
1089.36	1089.36	143.55	36.45
1105.38	1105.38	143.55	36.45
1121.40	1121.40	143.55	36.45
1137.42	1137.42	143.55	36.45
1153.44	1153.44	143.55	36.45
1169.46	1169.46	143.55	36.45
1185.48	1185.48	143.55	36.45
1201.50	1201.50	143.55	36.45
1217.52	1217.52	143.55	36.45
1233.54	1233.54	143.55	36.45
1249.56	1249.56	143.55	36.45
1265.58	1265.58	143.55	36.45
1281.60	1281.60	143.55	36.45
1297.62	1297.62	143.55	36.45
1313.64	1313.64	143.55	36.45
1329.66	1329.66	143.55	36.45
1345.68	1345.68	143.55	36.45
1361.70	1361.70	143.55	36.45
1377.72	1377.72	143.55	36.45
1393.74	1393.74	143.55	36.45
1409.76	1409.76	143.55	36.45
1425.78	1425.78	143.55	36.45
1441.80	1441.80	143.55	36.45
1457.82	1457.82	143.55	36.45
1473.84	1473.84	143.55	36.45
1489.86	1489.86	143.55	36.45
1505.88	1505.88	143.55	36.45
1521.90	1521.90	143.55	36.45
1537.92	1537.92	143.55	36.45
1553.94	1553.94	143.55	36.45
1569.96	1569.96	143.55	36.45
1585.98	1585.98	143.55	36.45
1602.00	1602.00	143.55	36.45
1618.02	1618.02	143.55	36.45
1634.04	1634.04	143.55	36.45
1650.06	1650.06	143.55	36.45
1666.08	1666.08	143.55	36.45
1682.10	1682.10	143.55	36.45
1698.12	1698.12	143.55	36.45
1714.14	1714.14	143.55	36.45
1730.16	1730.16	143.55	36.45
1746.18	1746.18	143.55	36.45
1762.20	1762.20	143.55	36.45
1778.22	1778.22	143.55	36.45
1794.24	1794.24	143.55	36.45
1810.26	1810.26	143.55	36.45
1826.28	1826.28	143.55	36.45
1842.30	1842.30	143.55	36.45
1858.32	1858.32	143.55	36.45
1874.34	1874.34	143.55	36.45
1890.36	1890.36	143.55	36.45
1906.38	1906.38	143.55	36.45
1922.40	1922.40	143.55	36.45
1938.42	1938.42	143.55	36.45
1954.44	1954.44	143.55	36.45
1970.46	1970.46	143.55	36.45
1986.48	1986.48	143.55	36.45
2002.50	2002.50	143.55	36.45
2018.52	2018.52	143.55	36.45
2034.54	2034.54	143.55	36.45
2050.56	2050.56	143.55	36.45
2066.58	2066.58	143.55	36.45
2082.60	2082.60	143.55	36.45
2098.62	2098.62	143.55	36.45
2114.64	2114.64	143.55	36.45
2130.66	2130.66	143.55	36.45
2146.68	2146.68	143.55	36.45
2162.70	2162.70	143.55	36.45
2178.72	2178.72	143.55	36.45
2194.74	2194.74	143.55	36.45
2210.76	2210.76	143.55	36.45
2226.78	2226.78	143.55	36.45
2242.80	2242.80	143.55	36.45
2258.82	2258.82	143.55	36.45
2274.84	2274.84	143.55	36.45
2290.86	2290.86	143.55	36.45
2306.88	2306.88	143.55	36.45
2322.90	2322.90	143.55	36.45
2338.92	2338.92	143.55	36.45
2354.94	2354.94	143.55	36.45
2370.96	2370.96	143.55	36.45
2386.98	2386.98	143.55	36.45
2403.00	2403.00	143.55	36.45
2419.02	2419.02	143.55	36.45
2435.04	2435.04	143.55	36.45
2451.06	2451.06	143.55	36.45
2467.08	2467.08	143.55	36.45
2483.10	2483.10	143.55	36.45
2499.12	2499.12	143.55	36.45
2515.14	2515.14	143.55	36.45
2531.16	2531.16	143.55	36.45
2547.18	2547.18	143.55	36.45
2563.20	2563.20	143.55	36.45
2579.22	2579.22	143.55	36.45
2595.24	2595.24	143.55	36.45
2611.26	2611.26	143.55	36.45
2627.28	2627.28	143.55	36.45
2643.30	2643.30	143.55	36.45
2659.32	2659.32	143.55	36.45
2675.34	2675.34	143.55	36.45
2691.36	2691.36	143.55	36.45
2707.38	2707.38	143.55	36.45
2723.40	2723.40	143.55	36.45
2739.42	2739.42	143.55	36.45
2755.44	2755.44	143.55	36.45
2771.46	2771.46	143.55	36.45
2787.48	2787.48	143.55	36.45
2803.50	2803.50	143.55	36.45
2819.52	2819.52	143.55	36.45
2835.54	2835.54	143.55	36.45
2851.56	2851.56	143.55	36.45
2867.58	2867.58	143.55	36.45
2883.60	2883.60	143.55	36.45
2899.62	2899.62	143.55	36.45
2915.64	2915.64	143.55	36.45
2931.66	2931.66	143.55	36.45
2947.68	2947.68	143.55	36.45
2963.70	2963.70	143.55	36.45
2979.72	2979.72	143.55	36.45
2995.74	2995.74	143.55	36.45
3011.76	3011.76	143.55	36.45
3027.78	3027.78	143.55	36.45
3043.80	3043.80	143.55	36.45
3059.82	3059.82	143.55	36.45
3075.84	3075.84	143.55	36.45
3091.86	3091.86	143.55	36.45
3107.88	3107.88	143.55	36.45
3123.90	3123.90	143.55	36.45
3139.92	3139.92	143.55	36.45
3155.94	3155.94	143.55	36.45
3171.96	3171.96	143.55	36.45
3187.98	3187.98	143.55	36.45
3204.00	3204.00	143.55	36.45
3220.02	3220.02	143.55	36.45
3236.04	3236.04	143.55	36.45
3252.06	3252.06	143.55	36.45
3268.08	3268.08	143.55	36.45
3284.10	3284.10	143.55	36.45
3300.12	3300.12	143.55	36.45
3316.14	3316.14	143.55	36.45
3332.16	3332.16	143.55	36.45
3348.18	3348.18	143.55	36.45
3364.20	3364.20	143.55	36.45
3380.22	3380.22	143.55	36.45
3396.24	3396.24	143.55	36.45
3412.26	3412.26	143.55	36.45
3428.28	3428.28	143.55	36.45
3444.30	3444.30	143.55	36.45
3460.32	3460.32	143.55	36.45
3476.34	3476.34	143.55	36.45
3492.36	3492.36	143.55	36.45
3508.38	3508.38	143.55	36.45
3524.40	3524.40	143.55	36.45
3540.42	3540.42	143.55	36.45
3556.44	3556.44	143.55	





VACATION EXHIBIT FOR  
MILES ROAD

PRELIMINARY  
FOR REVIEW PURPOSES ONLY

SCALE: 1"=100'

