



Supplemental Form (SF)

**SUBDIVISION**

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

**SITE DEVELOPMENT PLAN**

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

**STORM DRAINAGE (Form D)**

- Storm Drainage Cost Allocation Plan

**S Z ZONING & PLANNING**

- Annexation
- Zone Map Amendment (Establish or Change Zoning, includes Zoning within Sector Development Plans)
- Adoption of Rank 2 or 3 Plan or similar
- Text Amendment to Adopted Rank 1, 2 or 3 Plan(s), Zoning Code, or Subd. Regulations

- Street Name Change (Local & Collector)

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

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

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

**APPLICATION INFORMATION:**

Professional/Agent (if any): Precision Surveys, Inc. PHONE: 505.856.5700  
 ADDRESS: PO Box 90636 FAX: 505.856.7900  
 CITY: Albuquerque STATE NM ZIP 87199 E-MAIL: larry@presurv.com

APPLICANT: Elliot Berger, Bonami Enterprises, LLC / Loyd Goatcher, Goatcher Family, LLC PHONE: 505.962.6155  
 ADDRESS: 4920 Camino De Monte, NE FAX: 505.255.0937  
 CITY: Albuquerque STATE NM ZIP 87111 E-MAIL: Elliot.Berger@uscolton.com  
 Proprietary interest in site: owner List all owners: \_\_\_\_\_

**DESCRIPTION OF REQUEST:** Consolidate/Replat existing lots 7 through 13, and Tract A, Block 1, together with the portion of vacated Prospect Ave. NE adjacent to lots 12 and 13, and vacated north/south alley lying between these lots into one new tract and one new lot

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

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

Lot or Tract No. Lots 7 through 13 and Tract A Block: 1 Unit: N/A  
 Subdiv/Addn/TBKA: Timoteo Chavez Addition  
 Existing Zoning: C-3 Proposed zoning: same MRGCD Map No. N/A  
 Zone Atlas page(s): H-17 UPC Code: 101705937321841314/101705937320241301/101705938819941319/101705938820441302/101705938820841303/101705938822141307

**CASE HISTORY:**

List any current or prior case number that may be relevant to your application (Proj., App., DRB-, AX\_Z\_, V\_, S\_, etc.): \_\_\_\_\_  
101077, 14DRB-70137

**CASE INFORMATION:**

Within city limits?  Yes Within 1000FT of a landfill?  No  
 No. of existing lots: 8 No. of proposed lots: 2 Total site area (acres): 2.0661 +/-  
 LOCATION OF PROPERTY BY STREETS: On or Near: Prospect Avenue, NE  
 Between: Madison Street, NE and Monroe Street, NE

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

SIGNATURE [Signature] DATE September 19, 2014  
 (Print Name) Cynthia L. Abeyta Applicant:  Agent:

**FOR OFFICIAL USE ONLY**

Revised: 4/2012

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

Project # \_\_\_\_\_

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.

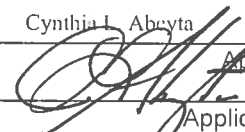
**MINOR SUBDIVISION PRELIMINARY/FINAL PLAT APPROVAL (DRB16)** Your attendance is required.

- N/A 5 Acres or more: Certificate of No Effect or Approval
- X 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
- N/A Signed & recorded Final Pre-Development Facilities Fee Agreement for Residential development only
- N/A Design elevations and cross sections of perimeter walls (11" by 17" maximum) 3 copies
- X 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
- X Zone Atlas map with the entire property(ies) clearly outlined
- X Letter briefly describing, explaining, and justifying the request
- X Bring original Mylar of plat to meeting, ensure property owner's and City Surveyor's signatures are on the plat
- N/A Landfill disclosure and EHD signature line on the Mylar if property is within a landfill buffer
- X Fee (see schedule)
- X List any original and/or related file numbers on the cover application
- N/A Infrastructure list if required (verify with DRB Engineer)
- X 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.

Cynthia L. Abeyta  
  
 Applicant name (print)  
 09/19/14  
 Applicant signature / date



Form revised October 2007

- Checklists complete Application case numbers
- Fees collected \_\_\_\_\_
- Case #s assigned \_\_\_\_\_
- Related #s listed \_\_\_\_\_

Project # \_\_\_\_\_ Planner signature / date

September 16, 2014

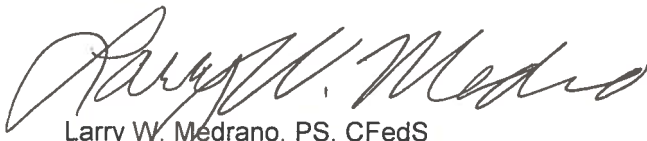
Mr. Jack Cloud, Chair  
Development Review Board  
Planning Development Services Division  
600 2<sup>nd</sup> Street, NW  
Albuquerque, NM 87102

**RE: REQUEST FOR APPROVAL OF MINOR SUBDIVISION TO REPLAT/CONSOLIDATE  
EXISTING 7 LOTS AND 1 TRACT INTO 2 NEW LOTS  
LOTS 7 THROUGH 13 AND TRACT A, BLOCK 1, TIMOTEO CHAVEZ ADDITION  
ZONE ATLAS MAP: H-17-Z**

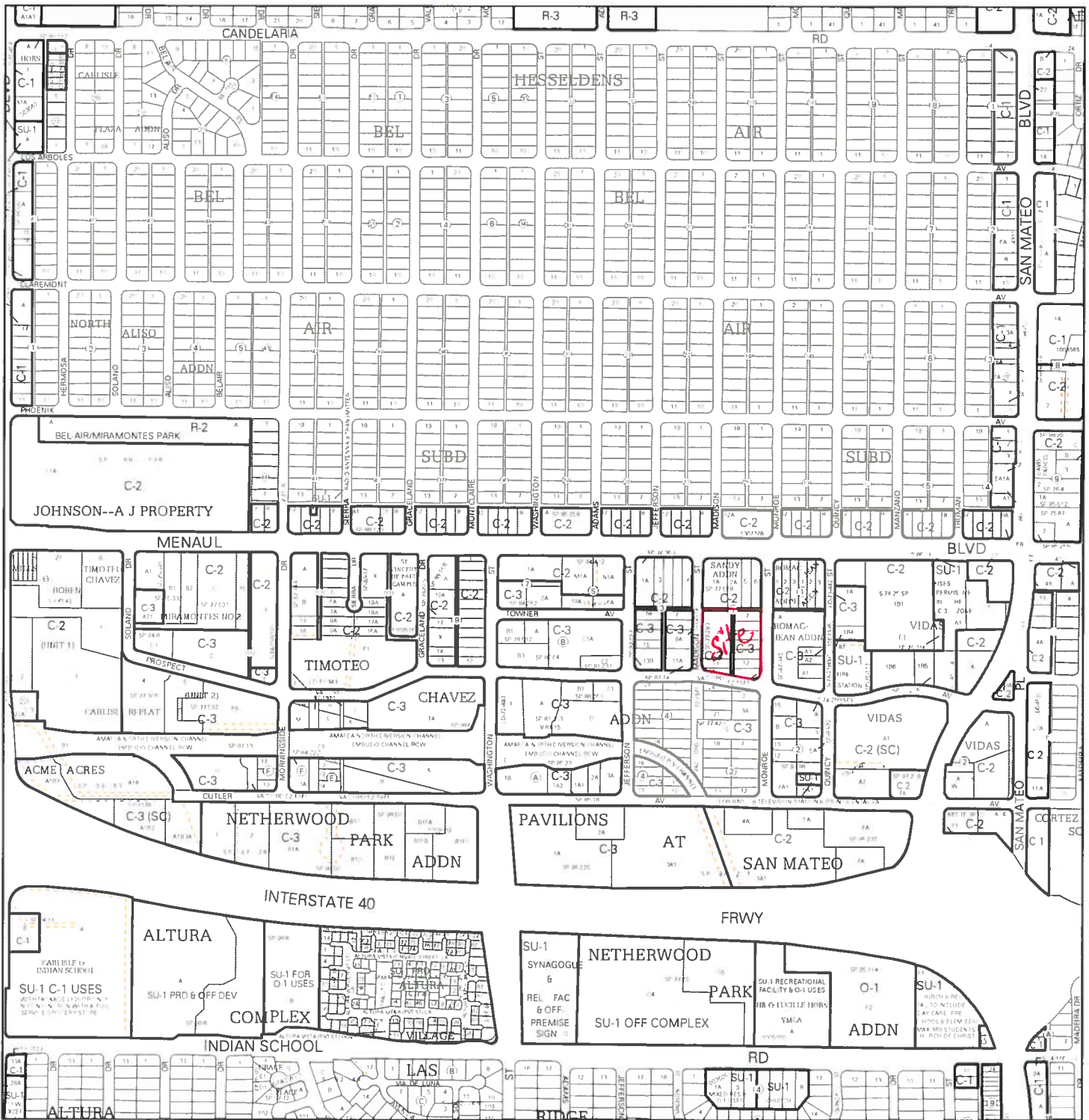
Dear Mr. Cloud,

On behalf of our clients, Elliot Berger, Bonami Enterprises, LLC and Loyd Goatcher, Goatcher Family, LLC, we request approval of Minor Subdivision for the referenced project. The lots are located on Prospect Avenue, NE, between Madison Street, NE and Monroe Street, NE as shown on the attached zone atlas page.


Sincerely,




Larry W. Medrano, PS, CFedS  
President  
Precision Surveys, Inc.



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



Map amended through: 9/2/2014




Note: Gray Shading Represents Area Outside of the City Limits

Zone Atlas Page:  
**H-17-Z**

Selected Symbols

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



0 750 1,500 Feet



7828

## OFFICIAL NOTICE OF DECISION

CITY OF ALBUQUERQUE  
PLANNING DEPARTMENT  
DEVELOPMENT REVIEW BOARD

June 4, 2014

**Project# 101077**  
**14DRB-70137 VACATION OF PUBLIC RIGHT-OF-WAY**

MYERS, OLIVER & PRICE, PC agents for BONAMI ENTERPRISES, LLC and GOATCHER FAMILY LLC request the referenced/ above action(s) for the NORTH-SOUTH ALLEY in Block 1, TIMOTEO CHAVEZ ADDITION zoned C-3, located on PROSPECT AVE NE BETWEEN MADISON ST NE AND MONROE ST NE containing approximately 4.8 acre(s). (H-17)

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 (from Prospect Ave to the east-west alley in the North One-Half Block No.s 1 & 3, Timoteo Chavez Addition), 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, 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 alley for roadway purposes based on the surrounding 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.

The Bonami Property and the Goatcher Property constitute 100% of the front footage of the Right-of-Way.

The vacation of the Right-of-Way is justified because:

1. The public welfare is no way served by retaining the Right-of-Way;
2. There will be a net benefit to the public welfare because the development made possible by the vacation of the Right-of-Way is clearly more beneficial to the public welfare than the minor detriment, if any, resulting from the vacation;
3. There is no convincing evidence that any substantial property right will be abridged against the will of the owner of the right if the vacation is granted.

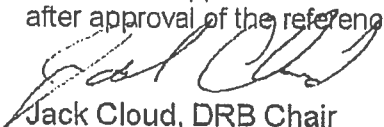
Therefore, the Owners respectfully request that the vacation of the Right-of-Way be granted.

3. Adequate easements shall be retained/ provided for 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  
MYERS, OLIVER & PRICE, PC  
Cc:

## Cynthia Abeyta

---

**From:** Donna Medina <donna@presurv.com>  
**Sent:** Friday, September 19, 2014 10:12 AM  
**To:** 'tgaulden@cabq.gov'; 'jsammons@cabq.gov'; 'cbradley@cabq.gov'; 'Gricius, Michelle A.'  
**Cc:** Cynthia Abeyta; Larry Medrano; jgarcia@tierrawestllc.com  
**Subject:** DXF submittal for COA project no. 101077  
**Attachments:** 101077.zip; 146119-PLAT COA Combined Set.pdf

Attached is a dxf file for project no. 101077 Lot 12-A and Tract A-1, Block 1, Timoteo Chavez Addition and Pdf's of the plat .The coordinate system used was NAD 1983, Central Zone. File provided is based on grid coordinates for the referenced system. Let me know if you have any questions.

**Donna Medina**  
Technician



Physical  
5571 Midway Park Place, NE  
Albuquerque, NM 87109

Mailing  
PO Box 90636  
Albuquerque, NM 87199

505-856-5700 phone  
505-856-7900 fax  
866-442-8011 toll free