

**CITY OF ALBUQUERQUE
PLANNING DEPARTMENT
September 30, 2015
DRB Comments**

ITEM # 11

PROJECT # 1010616

APPLICATION # 15DRB-70342

**~~RE: Lots 255 & 256, Block 22, Perfecto Armijo & Brothers
Subdivision~~**

Refer to comments from affected agencies; infrastructure/ median modifications may be required.

Subject to a positive recommendation from DRB, vacation would require final approval by City Council.

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

Cloud, Jack W.

From: David Klein <cdklein@earthlink.net>
Sent: Friday, November 06, 2015 2:29 PM
To: Cloud, Jack W.
Subject: Request number 1010616 ISDRB 70389

Sir

As I understand the subject request, the petitioner has requested the abandonment of a short stretch of Charleston NE between Lomas and Marble. I also understand that the benefit is to the petitioner with no benefit to the adjoining neighborhood residents. Marble is an interesting street between Alcazar and Pennsylvania. It essentially acts as an arterial street for the residents on the north side of Marble. The resident traversing to the south has only three access streets to Lomas (Alcazar, Charleston, and Dallas) excluding Pennsylvania. However, the businesses to the south of Marble all have access to Marble via their rear openings in the fences which they use to demo and test drive vehicles around the Jerry Cline park neighborhood. Many of the JC Park neighborhood residents utilize the short stretch of Charleston to ingress and egress the neighborhood. The abandonment would deny the residents such benefit. I urge your support in denying the requested change.

Sincerely

Dave and Carol Klein
1200 Espanola NE
256-9669

Cloud, Jack W.

Subject: FW: Request 1010616 ISDRB 70389

----- Forwarded message -----

From: Sarah Haynes <mcgllothster@gmail.com>

Date: Fri, Nov 6, 2015 at 4:06 PM

Subject: Request 1010616 ISDRB 70389

To: jcloud@cabq.goe

Cc: dgibson@cabq.gov

Hello Mr. Cloud,

My name is Sarah Haynes and I live at 1105 Mesilla St NE. Albuquerque, NM, 87110. There is a request to block Charleston from Lomas to Marble. This is only one of three access points to Marble and into the residential neighborhood. This presents public safety concerns for the following reasons:

This street is the only one on Marble with a 4-way stop sign. From Charleston to Pennsylvania, there are no speed bumps and this would promote speeding among public and car dealership test drives in an area with many children and pedestrians. The Mark Twain school bus stop nearby, drops off nearly 20 children at this site.

Access to Alcazar, Dallas and Charleston is difficult due to lack of signs on Lomas that say, "Do not Block intersection" or drivers often ignore the sign. Public safety access would be limited even more with this.

Melloy Nissan and other car dealerships already have plenty of access to neighborhood streets through back area driveways on their property. There is much more permanent traffic from the residential area and this would impede on their safety and property damage.

Finally, I would like to see an impact assessment of proposed closure prior to closing the street. This part of Lomas hardly serves the community that lives here with lack of goods and services besides car sales. I believe that other businesses could benefit from the resident patronage.

I urge you to deny the request.

Sarah Haynes, MS

Outreach and Development Coordinator

New Mexico Community Data Collaborative

nmcddc.maps.argis.com

[505-459-9527](tel:505-459-9527)

mcgllothster@gmail.com

The thing about data is that it can change our beliefs about what is possible and not possible...because in our society we have a lot of conflict between the defenders of the impossible, those who say 'We can't do it,' and the artists of the possible.-Peter Donovan in *Cows Save the Planet* by Judith D. Schwartz

Cloud, Jack W.

From: C. R. "Dick" Andes <crandes@comcast.net>
Sent: Sunday, November 08, 2015 12:39 PM
To: Cloud, Jack W.
Subject: Closing of Charleston NE Ref: 1010616/ISORB-70389

Dear Mr. Cloud....We have lived in this neighborhood since January, 1958. We are now living:

Charles R. & Joyce L. Andes, 7624 Mountain Rd NE.

We do object to the closing of Charleston as it is the access we use to go west on Lomas or south on Louisiana. We used to live on Alcazar and that exit is very dangerous! We have had an accident there many years ago and it is much more dangerous now! Many people in our neighborhood use this access to Lomas and we request you not approve its closing. Melloy uses this street to unload large vehicle haulers...Closing it would cause them to use Marble and make an already busy street difficult!

Thank you, C. R. Andes

Cloud, Jack W.

From: Danielle Boardman <bluestealth93@gmail.com>
Sent: Sunday, November 08, 2015 7:36 PM
To: Cloud, Jack W.
Subject: Closure of Charleston St NE

Mr. Cloud:

Re: file # 1010616/ISDRB-70389

Please do NOT close Charleston St NE between Lomas and Marble.

This neighborhood was designed with limited access points from the arterial streets. I frequently use Charleston to travel between Marble and Lomas, despite the fact that Melloy usually has it congested with parking on both sides during their business hours. If you want to take some action on this block, allow parking on only one side.

There are three access points from Lomas between Louisiana and Pennsylvania - Alcazar, Charleston and Dallas. Dallas is inaccessible from eastbound Lomas. Alcazar is frequently blocked by westbound traffic at the light at Louisiana. Charleston is the preferred route of many residents of our neighborhood, especially those in the NE area of the neighborhood.

Closing Charleston would also restrict emergency access to this half of the neighborhood. It is the most direct access for police who are frequently called to the apartments at Charleston and Marble. The fire station that serves this area is on Chico, between Charleston and Dallas. Dallas does not cross Lomas, since there is no cut in the median to cross directly or turn left from eastbound Lomas. Pennsylvania doesn't go across Lomas. Tennessee has a roundabout to slow traffic. So emergency fire/rescue to my street would be limited to crossing Lomas at Louisiana or Wyoming and accessing Marble via Alcazar (and dealing with four speed humps) or Pennsylvania.

Some of the tenants in the Warren apartments, the Uptown Marble apartments and The Pines are less than desirable neighbors. These apartments are clustered around Marble/Charleston. We have had four murders in these apartments in the last few years and The Pines tenants include parolees and probationers. We call them the "halfway house for felons" and do not need any additional minutes added to the already long response times for police calls. Also, closing Charleston would channel these tenants' travel through our neighborhood even more.

Sincerely,
Danielle Boardman
1001 Grove St NE
ABQ NM 87110

Cloud, Jack W.

Subject: FW: [EXTERNAL] RE: Shut Down of Charleston between Marble and Lomas 1010616 ISDRB 70389

From: Maxwell, Cindi A [<mailto:camaxwe@sandia.gov>]
Sent: Monday, November 09, 2015 7:51 AM
To: Cloud, Jack W.
Subject: RE: [EXTERNAL] RE: Shut Down of Charleston between Marble and Lomas 1010616 ISDRB 70389

Good Morning Mr. Cloud,

I live at 7725 La Condesa Ave NE. I apologize that I did not include it in my first email. I'd like to add that emergency vehicles coming from the station that serve our neighborhood is at Chico. Charleston at Lomas is the only direct route for them. We have an aging neighborhood and unfortunately we need paramedics, ambulance, and fire trucks not to mention police fairly often.

Thank you for your consideration.

Cindi A. Maxwell / International Travel Specialist / Org. 04246 / Phone: 505-844-2025; Fax: 505-284-5030

Location: MO 308 P 163; Schedule: Mon – Fri 7:30 – 3:00

"Individual commitment to a group effort - that is what makes a team work, a company work, a society work, a civilization work" Vince Lombardi

From: Cloud, Jack W. [<mailto:jcloud@cabq.gov>]
Sent: Friday, November 06, 2015 4:29 PM
To: Maxwell, Cindi A
Subject: [EXTERNAL] RE: Shut Down of Charleston between Marble and Lomas 1010616 ISDRB 70389

Thank you for comments, however in order to enter them into the record we must have your property address to confirm that you are within the sphere of impact on the referenced project.

Jack Cloud, Chair
Development Review Board
505.924.3880

From: Maxwell, Cindi A [<mailto:camaxwe@sandia.gov>]
Sent: Friday, November 06, 2015 3:42 PM
To: Cloud, Jack W.
Subject: Shut Down of Charleston between Marble and Lomas 1010616 ISDRB 70389

Dear Mr. Cloud,

When I saw the zoning sign request yesterday all I could see was smoke coming out of my ears. I have lived in this neighborhood for over 50 years now and I use Charleston daily or more. This is my main access to Lomas on my way

to/from work and to/from errands, Church, etc, as it is for many of our residents. From Marble there is limited through fare to Lomas and taking one of those away would impact the flow of traffic on Pennsylvania, Marble, Alcazar, and Dallas.

Letting Melloy take over our neighborhood by shutting down one of our access roads to Lomas is a greedy, selfish thing for this dealership to request. They already abuse our residential streets by taking test drives and demos through the neighborhood. The employees park up and down Marble on both sides making the through fare quite crowded. I often worry about the children getting off the school bus in the afternoon because of all their cars. If Charleston was closed off that would make it even more dangerous for our children our elderly and those of us that just plain like to walk our dogs in OUR NEIGHBORHOOD.

This may benefit the dealership but has no benefit for our neighborhood and would add more access for criminal activity which we don't want.

They have property on the other side of Lomas, the old Dairy Queen area. They might could utilize that space better and not impede on our neighborhood.

I can't make it to the meeting as I work, but would like my voice heard. I strongly urge you to deny their request to close off Charleston.

Thank you,

Cindi A. Maxwell / International Travel Specialist / Org. 04246 / Phone: 505-844-2025; Fax: 505-284-5030

Location: MO 308 P 163; Schedule: Mon – Fri 7:30 – 3:00

"Individual commitment to a group effort - that is what makes a team work, a company work, a society work, a civilization work" Vince Lombardi

Cloud, Jack W.

Subject: FW: Vacation of Public Right-of-Way

From: pmayhew@comcast.net [<mailto:pmayhew@comcast.net>]
Sent: Monday, November 09, 2015 10:53 AM
To: Cloud, Jack W.
Subject: Re: Vacation of Public Right-of-Way

My address is 1401 Espanola St. NE Albuquerque NM 87110.

From: "Jack W. Cloud" <jcloud@cabq.gov>
To: "pmayhew@comcast.net" <pmayhew@comcast.net>
Sent: Monday, November 9, 2015 8:10:17 AM
Subject: RE: Vacation of Public Right-of-Way

Thank you for comments, however in order to enter them into the record we must have your property address to confirm that you are within the sphere of impact on the referenced project.

Jack Cloud, Chair
Development Review Board
505.924.3880

From: pmayhew@comcast.net [<mailto:pmayhew@comcast.net>]
Sent: Saturday, November 07, 2015 9:41 AM
To: Cloud, Jack W.
Subject: Vacation of Public Right-of-Way

To whom it may concern,

It has come to my attention that the Nissan dealership on Lomas is requesting to shut down the residential street Charleston. I have lived in the Jerry Cline neighborhood for almost twenty years, and have been using that road as a way out of the neighborhood ever since. The only other way to get out onto Lomas is to try and cross six lanes of traffic on Louisiana, or drive all the way down to Constitution and sit at the light (which takes quite a bit of extra time). For this reason I am informing you that I am against the zoning request. Than you for your time.

Sincerely,

Philip Mayhew
pmayhew@comcast.net

Cloud, Jack W.

From: Jeffrey Paul <jbartonp@comcast.net>
Sent: Monday, November 09, 2015 11:16 AM
To: Cloud, Jack W.
Cc: Gomez, Angela J.
Subject: DRB Project #1010616 - Melloy Nissan #1010616/ISDRB-70389

To the DRB:

It has come to my attention that Melloy Nissan auto dealership has submitted a request to vacate the public right of way which is Charleston St. NE from Marble NE to Lomas NE. The request is DRB Project #1010616, as referenced in the DRB Agenda for September 30, 2015.

I strongly encourage a rejection of this zoning change request for the reasons outlined below:

1. Charleston NE from Lomas to Marble is a vital access/egress route from the surrounding neighborhood. It is the only direct access across Lomas into the neighborhood for emergency vehicles other than Pennsylvania and Alcazar. The fire station serving our neighborhood is between Dallas and Charleston at Chico. The most direct route from the station is across Lomas on Charleston. Dallas does not allow crossing due to the median,
2. There is already a considerable amount of traffic generated by the multitude of car dealerships on Lomas between Louisiana and Wyoming, including Melloy Nissan. Marble and our own streets are used frequently by the dealerships for customer test driving of vehicles. Reducing the access/egress by closing Charleston, would force additional traffic onto Marble and surrounding streets.
3. The traffic during the State Fair as well as other traffic for the Downs, African American Cultural Center, Tingley Coliseum, and other events makes the use of the Charleston access/egress even more critical at those times.
4. Approval of this request will place a severe burden on the surrounding neighborhood in terms of resident access/egress as well as public safety. At this time Melloy seems to want this action for their convenience. They currently operate two businesses, one on each side of Charleston. Their sales people constantly jaywalk across Charleston, in front of traffic, hindering traffic and creating safety concerns. Their refusal to cross at the corner intersections only serves to create this dangerous situation. My neighbors and I should not be denied the appropriate, safe and well planned access/egress that Charleston provides in order to make life a little easier for Melloy Nissan.

Jeffrey Paul

Jeffrey Paul
1000 Grove St. NE
Albuquerque, NM 87110
jbartonp@comcast.net
505-259-3190

Cloud, Jack W.

From: jwlpublic <jwlpublic@msn.com>
Sent: Monday, November 09, 2015 9:05 PM
To: Cloud, Jack W.
Cc: 'Jonathan Lee '
Subject: 1010616 Charleston Closing at Mellow Nissan

Dear Mr. Cloud,

I am writing in regards to the proposed closing of Charleston Street between Lomas and Marble next to Melloy Nissan (1010616 ISDRB 70389). I have lived at 7709 El Conde Ave in the Jerry Cline neighborhood for more than 22 years.

About 20 years ago the city put several speed humps in our neighborhood to encourage non-residents to stay on the major roads and to reduce speeds. Because there are four jarring speed humps on Marble, I have used Charleston exclusively to access Lomas and southbound Louisiana. Even though I have to backtrack one block to do that, it gets me onto the major roads more quickly than any other route and avoids crossing those speed humps on a daily basis.

If Charleston is closed, my options for exiting south from Grove will be the following:

- 1) Take Marble west and turn south on Alcazar to Lomas. If not for the four speed humps this would be acceptable for heading west on Lomas whenever traffic is light. However, west-bound traffic on Lomas is often backed up at the Louisiana/Lomas red light into the Alcazar/Lomas intersection. That makes it virtually impossible to cross three lanes of traffic into the left-turn lane to go south on Louisiana. It is far safer to access the left-turn lane at Louisiana by entering Lomas at Charleston and crossing three lanes of traffic over the course of almost half a mile.
- 2) Take Marble west (over four speed humps), jog north on Alcazar and west on Marble to Louisiana. That requires a difficult left turn across northbound Louisiana traffic and into southbound Louisiana traffic. To head west on Lomas I would need to cross three lanes of southbound traffic to get into the right lane within one block. Again, it is far safer to make a simple right-hand turn from Charleston onto Lomas.
- 3) Take Marble two blocks east to Dallas and turn south to Lomas. The problem with this is that Dallas is basically a paved alley. It is about 10 to 12 feet narrower than Charleston. With cars parked on both sides of Dallas during business hours, there is hardly room for two cars to pass. I have never used Dallas except when construction or emergency vehicles cut off other routes.
- 4) Take Marble east three blocks out of the way to Pennsylvania, turn south, and then head back west on Lomas. Needless to say, this would be inconvenient, especially when southbound traffic on Pennsylvania is heavy. (During rush hour, traffic is heavy on Pennsylvania because people want to cross I-40 without the red lights that are on Louisiana and Wyoming.) However, taking southbound Pennsylvania is the preferred method for heading east on Lomas because of the added safety of the red light with no oncoming traffic.

In summary, Charleston is the most convenient and safest means of access to westbound Lomas and southbound Louisiana from our neighborhood. It is also the safest southern entrance to our neighborhood from westbound Lomas because northbound Pennsylvania has no left turn lane onto Marble.

I ask you to keep Charleston open for the citizens of this city and specifically our neighborhood. Closing it benefits no one but Melloy.

Sincerely,

Jonathan W. Lee
7709 El Conde Ave NE

Albuquerque NM 87110
505-256-0239

Cloud, Jack W.

Subject: FW: DRB Project #1010616 - Melloy Nissan #1010616/ISDRB-70389

Importance: High

From: Jeffrey Paul [<mailto:jbartonp@comcast.net>]

Sent: Tuesday, November 10, 2015 4:06 PM

To: Cloud, Jack W.

Cc: Gomez, Angela J.

Subject: FW: DRB Project #1010616 - Melloy Nissan #1010616/ISDRB-70389

Importance: High

As a follow-up to my earlier email comments, I would like these comments to also be made in the record:

- One of the reasons for the street closure stated in Melloy's application is that the public traffic interferes with their driveways and service vehicles. I must strongly disagree with this logic for closing the road. Every business in Albuquerque has driveways that open to a street. Melloy has a complete street side entrance for service vehicles on Marble at the backside of their dealership.
- Melloy claims that closing the street would eliminate the vehicular conflicts that occur on a daily basis. The conflict on Charleston is the large number of Melloy staff illegally jaywalking across Charleston.
- Melloy asserts that the granting of the Vacation of the Right of Way "will not significantly interfere with the enjoyment of the other lands in the vicinity". This is an absolutely false assumption on their part. Significant endangerment resulting from slower emergency response times, additional traffic hazards entering, exiting and crossing Lomas, and the additional stress at peak times such as State Fair, concerts, etc. will have a significant and harmful impact on the neighborhood residents.
- Melloy states that this vacation is consistent with the general interest of the public. There is no evidence to this at all. In fact, my comments as well as the others you receive from neighbors attest to the fact that this action would absolutely be against the public interest. Interestingly, the reasons stated in the application actually mention "financial gain or loss is not the sole determining factor" in requesting the vacation of the right of way.

I urge the DRB to deny this request, which is clearly being submitted to benefit Melloy Nissan and their financial bottom line rather than any community interest that benefits myself or my neighbors.

Jeffrey Paul
1000 Grove St. NE
Albuquerque, NM 87110
505-259-3190
jbartonp@comcast.net

Cloud, Jack W.

From: Danielle Boardman <bluestealth93@gmail.com>
Sent: Wednesday, November 11, 2015 3:31 PM
To: Cloud, Jack W.
Subject: closure of Charleston St NE - addendum

Mr. Cloud:

Re: file # 1010616/ISDRB-70389

This afternoon I walked to the Melloy dealership and spoke to two of the salesmen on the lot. I asked them how many of the 20 or so cars parked on both sides of this block of Charleston belonged to Melloy employees. The response was "Every single one of them." So Melloy employees create the congestion problem and Melloy wants the neighborhood to give up access to their homes.

I would also like to mention that the worst congestion on Charleston is created when Melloy has their car delivery semis double parked there to unload cars, reducing passage to one lane.

If one side of Charleston was designated "No Parking - Deliveries Only" (curb painted green?), most of the congestion/ access to Melloy driveways issues would disappear. There are still several blocks on the south side of Marble, behind the dealerships, where Melloy employees could park.

Sincerely,
Danielle Boardman
1001 Grove St NE
ABQ NM 87110

Cloud, Jack W.

From: Amy Bell <amylbell@outlook.com>
Sent: Thursday, November 12, 2015 12:57 PM
To: Cloud, Jack W.
Subject: Re: File #1010616/ISDRB-70389

Not a problem. Her name is Danielle Boardman and her home address is 1001 Grove Street NE 87110.

If you have any further questions I am happy to help.

Amy Bell

> On Nov 12, 2015, at 12:54 PM, Cloud, Jack W. <[jcloud@cabq.gov](mailto:cloud@cabq.gov)> wrote:

>

> Thank you for your comments, however in order to enter them into the record we must have your mother's name and property address to confirm that she is within the sphere of impact on the referenced project.

>

> Jack Cloud, Chair
> Development Review Board
> 505.924.3880

>

>

> -----Original Message-----

> From: Amy Bell [<mailto:amylbell@outlook.com>]
> Sent: Thursday, November 12, 2015 10:44 AM
> To: Cloud, Jack W.
> Subject: File #1010616/ISDRB-70389

>

> To Whom It May Concern,

>

> My mother lives in the Jerry Cline neighborhood where the closure of Charleston St. NE is being proposed by the Melloy dealership. There are numerous reasons that I contest this closure.

>

> It would not only hinder access for people like my family, who visit my mother on Grove St NE at least weekly, but also for emergency vehicles. The fire station that covers her neighborhood is located directly off Charleston street on the other side of Lomas Blvd. Because Pennsylvania does not go through from Central to Lomas, Charleston Street is the quickest route for emergency vehicles to take. It would also create more traffic through the rest of the neighborhood, because Charleston street is the road that gives access straight into the apartments on Marble Avenue. Those residents would have to access their gated parking from another direction, coming thorough the neighborhood, which not only is a bother because of the extra traffic, but a safety hazard for the residents. My mother, along with lots of other residents in that neighborhood, walk their dogs daily, or take their children for bike rides. The extra traffic creates extra unnecessary danger.

>

> In conclusion, please do not allow the closure of Charleston Street. It is not in the best interest of the neighborhood, or other Albuquerque residents who frequent the neighborhood.

>

> If you have any questions please feel free to contact me.

>

> Amy Bell
> 505-804-9610

Cloud, Jack W.

From: WARREN, JOHN <jwarren@cnm.edu>
Sent: Friday, November 13, 2015 3:18 PM
To: Cloud, Jack W.
Cc: WARREN, JOHN
Subject: Charelston St and Melloy Car Dealership
Attachments: Malloy Nissan.docx

John Warren

7712 La Condesa NE

505 256-1334

Ref# 1010616 / 15DRB70389

Attn: Jack Cloud and Review Committee

I would like to express my concerns and view on Melloy's petition for "Vacation of Public right of Way" on Charleston St. This has been a major access point to and from our neighborhood for over 50 years. This action will severely limit access to our neighborhood.

Charleston St was put in place to help facilitate traffic flow to and from our neighborhood. It is accessible from Loams Blvd, going either East or West. Charleston St is also used by emergency services such as the Fire Dept, Ambulances, Paramedics, and Police for easy and quick access to our neighborhood. Privatizing this street will only be detrimental to the neighborhood.

The citizens of this community have been very tolerant of Melloy and the increased traffic they have brought. This action by Melloy shows a complete disregard for the citizens and safety of this neighborhood.

With the amount of real-estate that Melloy owns now you, would consider they would have provided a delivery area and parking, and not use a public street. Other Car Dealers in the area have done this. Melloy's business has access from Lomas going either East or West, and also from Marble St on the backside where they do have a service entrance.

Cloud, Jack W.

From: Sharon Chastain <sharon.a.chastain@gmail.com>
Sent: Sunday, November 15, 2015 10:13 PM
To: Cloud, Jack W.
Subject: Re: Request 1010616 ISDRB 70389

Mr. Cloud,

We are writing to express our concerns regarding request: 1010616 ISDRB 70389 which will be addressed at a hearing on Nov.18. We object to Melloy Nissan's request to vacate the section of Charleston St.NE between Marble Ave. and Lomas Blvd. We reside at 7620 Mountain Rd NE in the Jerry Cline Neighborhood and we utilize this street to exit and enter our area almost on a daily basis and sometimes multiple times per day. To close this street would substantially inconvenience our use and enjoyment of our residence.

Most importantly, closure of this street would significantly reduce access for emergency vehicles to the Jerry Cline Neighborhood. Melloy Nissan has multiple access points to Lomas Blvd. and to Marble Ave. It is our observation that Melloy Nissan has numerous ways to solve their objections entirely within their own resources without inconveniencing our entire neighborhood or potentially jeopardizing our safety.

We had planned to be at the hearing but now find we must attend a funeral on that day. We ask that you please deny this request by Melloy Nissan to vacate a valuable public resource for the sole benefit of a commercial enterprise.

Thank you for your consideration.

Respectfully,

Max and Sharon Chastain
7620 Mountain Rd NE
Albuquerque, NM 87110

sharon.a.chastain@gmail.com

Cloud, Jack W.

From: Ardis Hanish <aehanish@hotmail.com>
Sent: Monday, November 16, 2015 11:02 AM
To: Cloud, Jack W.; Gibson, Diane G.
Subject: Charleston St. closing to public access

Mr. Cloud:
Subject: Vacating Charleston St.

This is a very bad idea. I live on La Condesa and Charleston is my main exit to Lomas when I am heading west and returning. My family and friends also use this street when coming from the east or west. Everyone in our neighborhood also uses this street to get to Lomas when going west.

Malloy Dealership abuses their use by parking on both sides of the street and their delivery trucks park and unload in the middles of the street. They should have to provide parking like other businesses do and unload their delivery trucks on site like other dealerships.

Their employees show no respect for neighborhood traffic using Charleston.

Malloy should be reigned in on their abuses and show respect for the neighborhood.

Respectfully, Ed Hanish, 7717 La Condesa Ave. NE

Cloud, Jack W.

From: jim lynes <jlynes11@gmail.com>
Sent: Monday, November 16, 2015 11:05 AM
To: Cloud, Jack W.
Subject: Charleston st.

This refers to file#1010616/ISDRB-70389. It is wrong for Malloy Nissan to be able to take over Charleston street and prevent the residents of this Neighborhood from using it. I have lived in this neighborhood for over 50 years, and we have been using that street to access Lomas long before that car lot ever existed. It is the quickest way for emergency vehicles and other traffic to get from Lomas to the residences north of Marble, without fighting all the speed bumps between Grove and Alcazar. Malloy states public safety as the reason for closure. The only safety issues have been created by the dealership itself. They park cars on both sides of the street, unload trucks in the middle of the street, and let their salesmen stand in the middle of the street as if they owned it! They even block traffic by allowing food trucks to operate on the street. Malloy Nissan should not be allowed to steal a public street for their own selfish purposes! Jim Lynes 7713 La Condesa, NE 87110

DRB CASE ACTION LOG - BLUE SHEET

- Preliminary/Final Plat (P&F)
- Site Plan for Subdivision (SPS)
- Site Plan for Building Permit (SBP)

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

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

Project# 1002743

15DRB-70448 MINOR - PRELIMINARY/ FINAL PLAT APPROVAL

AGENT: CARTESIAN SURVEYS INC.

Your request was approved on _____ by the DRB with delegation of signature(s) to the following departments - outstanding comments to be addressed as follows:

Transportation:

ABCWUA:

City Engineer:

Parks and Recreation :

Planning:

PLATS:

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

-The original plat and a mylar copy for the County Clerk.

-Tax certificate from the County Treasurer.

-Recording fee (checks payable to the County Clerk). **RECORDED DATE:**

-Tax printout from the County Assessor.

-County Treasurer's signature must be obtained prior to the recording of the plat with County Clerk.

Property Management's signature must be obtained prior to Planning Department's signature.

AGIS DXF File approval required.

Copy of recorded plat for Planning.

ALL SITE PLANS:

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

DRB CASE ACTION LOG - BLUE SHEET

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- Site Plan for Subdivision (SPS)
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Project# 1002743

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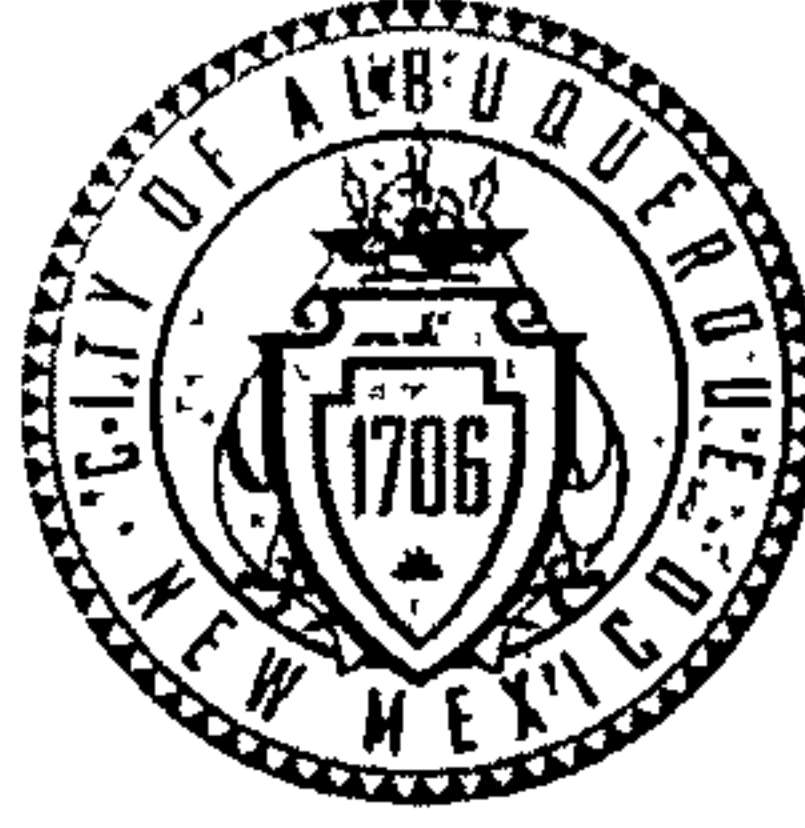
Property Management's signature must be obtained prior to Planning Department's signature.

AGIS DXF File approval required.

Copy of recorded plat for Planning.

ALL SITE PLANS:

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



INTER-OFFICE MEMORANDUM

COMMENTING AGENCIES

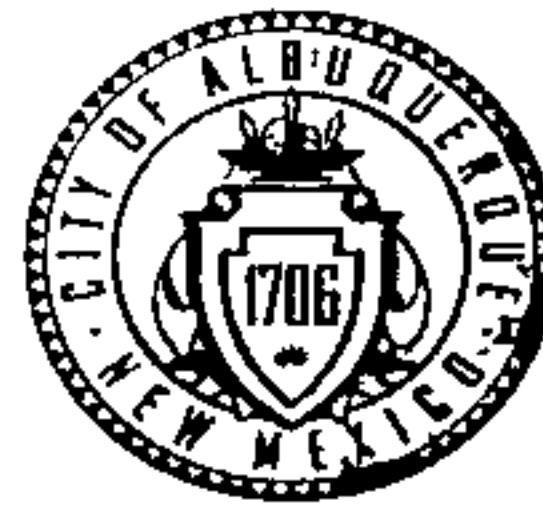
TRANSPORTATION DEVELOPMENT*John MacKenzie*
TRANSIT & PARKING DEPARTMENT*Shabih Rizvi*
COUNCIL OF GOVERNMENTS.....*Kendra Watkins/Andrew Gingerich*
AMAFCA.....*Lynn Mazur*
APD CRIME PREVENTION.....*Steve Sink*
OPEN SPACE DIVISION.....*Kent Reed Swanson/Sarah Brown*
FIRE DEPARTMENT.....*Antonio Chinchilla*
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 # 1010616

Board hearing date:

WEDNESDAY, November 18, 2015



Supplemental Form (SF)

SUBDIVISION

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

SITE DEVELOPMENT PLAN

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

STORM DRAINAGE (Form D)

- Storm Drainage Cost Allocation Plan

S Z ZONING & PLANNING

- Annexation
- 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): Isaacson & Arfman, P.A. PHONE: (505) 268-8828
 ADDRESS: 128 Monroe Street NE FAX: _____
 CITY: Albuquerque STATE NM ZIP 87108 E-MAIL: freda@iacivil.com
 APPLICANT: Melloy Brothers Enterprises, Inc. PHONE: (505) 888-9600
 ADDRESS: 7707 Lomas Blvd. NE FAX: _____
 CITY: Albuquerque STATE NM ZIP 87110 E-MAIL: pmelloy@gmail.com
 Proprietary interest in site: Owner List all owners: _____

DESCRIPTION OF REQUEST: Approval of 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. Lots 1-3 & Lot F-1, Mesa Del Norte Heights and Block: H Unit: _____
 Subdiv/Addn/TBKA: Tract A, Mesa Del Norte Addition
 Existing Zoning: C-2 & Parking Proposed zoning: Same MRGCD Map No NA
 Zone Atlas page(s): J-19 UPC Code: Tract A: 101905820002630226
Lots 1-3: 101905824103630310
Tract F1: 101905823001630304

CASE HISTORY:

List any current or prior case number that may be relevant to your application (Proj., App., DRB-, AX_Z_, V_, S_, etc.): 1007680; 1010034; 15DRB-70342

CASE INFORMATION:

Within city limits? Yes Within 1000FT of a landfill? No
 No. of existing lots: 5 No. of proposed lots: 5 Total site area (acres): _____
 LOCATION OF PROPERTY BY STREETS: On or Near: Charleston Street NE
 Between: Lomas Blvd. NE and Marble Ave. NE
 Check if project was previously reviewed by: Sketch Plat/Plan or Pre-application Review Team(PRT) . Review Date: 09/30/15

SIGNATURE Fred C. Arfman DATE 10.22.15
 (Print Name) Fred C. Arfman Applicant: Agent:

FOR OFFICIAL USE ONLY

Revised: 11/2014

<input type="checkbox"/> INTERNAL ROUTING	Application case numbers	Action	S.F.	Fees
<input type="checkbox"/> All checklists are complete	<u>15DRB - 70389</u>	<u>VPRW</u>	_____	\$ <u>300.00</u>
<input type="checkbox"/> All fees have been collected	_____	<u>CME</u>	_____	\$ <u>20.00</u>
<input type="checkbox"/> All case #s are assigned	_____	<u>ADV</u>	_____	\$ <u>75.00</u>
<input type="checkbox"/> AGIS copy has been sent	_____	_____	_____	\$ _____
<input type="checkbox"/> Case history #s are listed	_____	_____	_____	\$ _____
<input type="checkbox"/> Site is within 1000ft of a landfill	_____	_____	_____	\$ _____
<input type="checkbox"/> F.H.D.P. density bonus	_____	_____	_____	\$ _____
<input type="checkbox"/> F.H.D.P. fee rebate	_____	_____	_____	\$ _____
	Hearing date <u>Nov. 18, 20 15</u>			Total
	<u>10-23-15</u>			\$ <u>395.00</u>

[Signature]
 Staff signature & Date

Project # 1010616 w/d

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) 1
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.

Fred C. Arfman

 Applicant name (print)
Fred C. Arfman 10-22-15
 Applicant signature / date



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

Application case numbers
 15 - DRB - 70389

Form revised 4/07

 Planner signature / date
 Project # 1010616

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 Nov. 3, 2015 to Nov. 18, 2015

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.

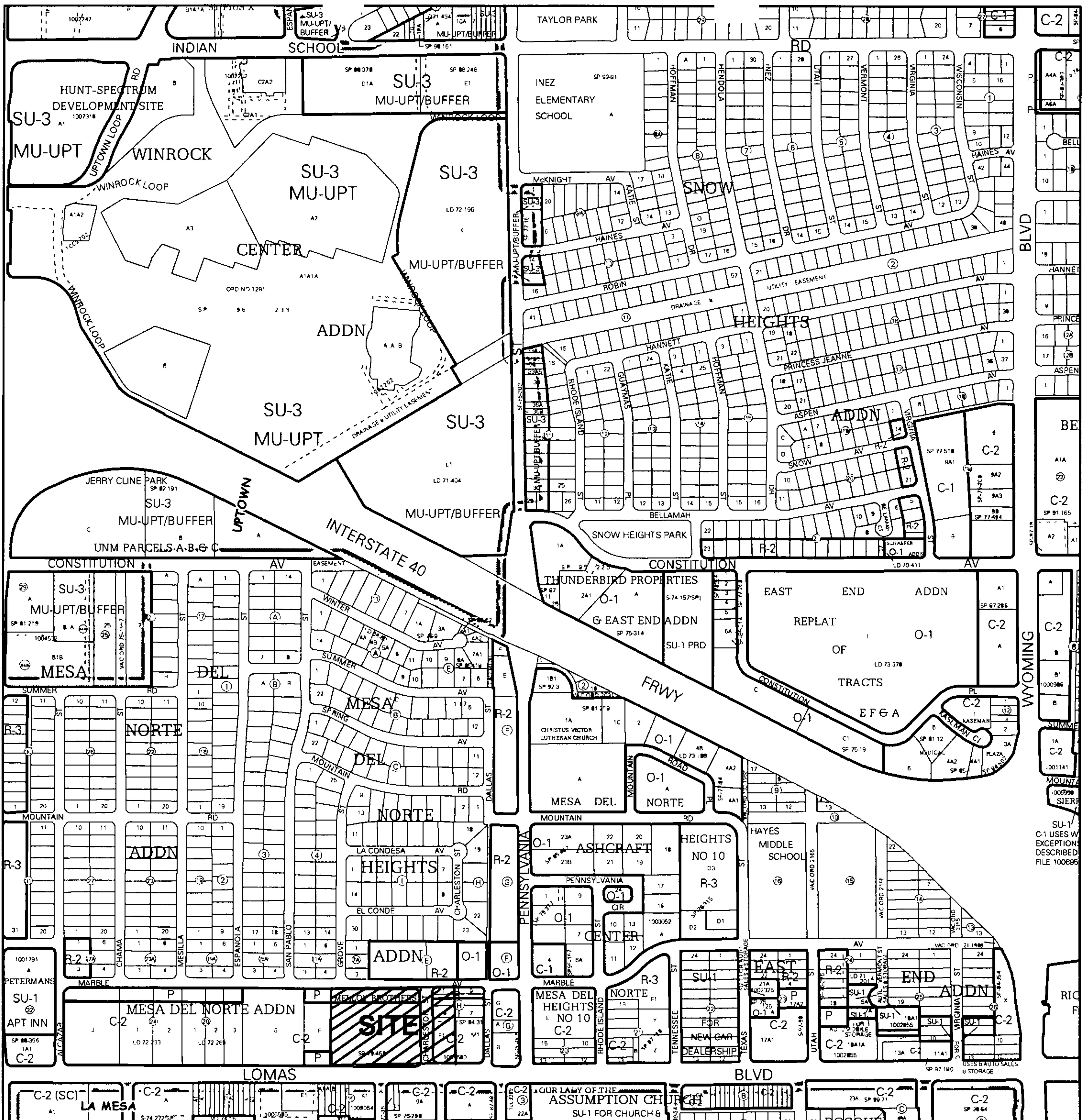
Ruth Logano
(Applicant or Agent)

10/23/15
(Date)

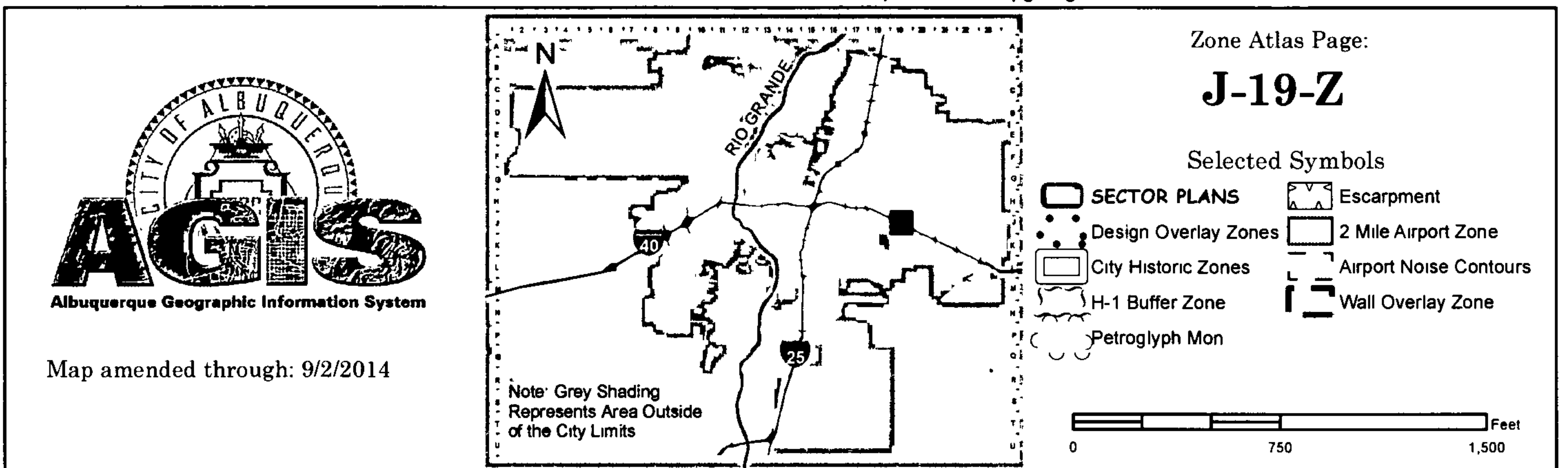
I issued 2 signs for this application, 10-23-15
(Date)

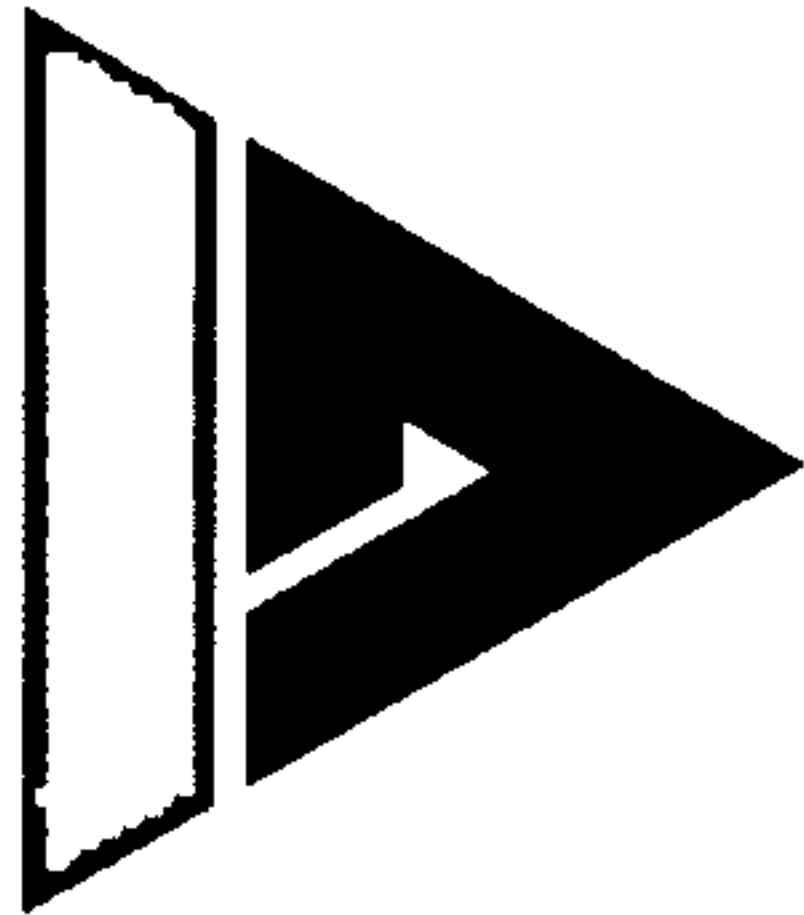
[Signature]
(Staff Member)

PROJECT NUMBER: 1010616



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





Isaacson & Arfman, P.A. Consulting Engineering Associates

*Thomas O. Isaacson, PE (Ret.) & LS (Ret.) * Fred C. Arfman, PE * Asa Nilsson-Weber, PE*

October 22, 2015

Mr. Jack Cloud, DRB Chair
City of Albuquerque
600 2nd St NE
Albuquerque, NM 87102

**RE: Vacation of Charleston St. Between Marble Ave. & Louisiana Blvd. NE
(J-19)**

Dear Mr. Cloud;

Isaacson & Arfman, P.A., as agent for Melloy Brothers Enterprise Inc. (MBE, Inc.) hereby request entry into the DRB process for consideration of vacating the 400' length of Charleston St. between Lomas Blvd. and Marble Ave. NE and is further designated and shown in the attached application. MBE, Inc. is the owner of all adjacent properties adjacent to the subject right-of-way and all of the properties are utilize by the car sales and services of the car dealership.

Reasons:

- A. The existing street is a public thoroughfare and as such the public traffic conflicts with the driveways and service vehicles servicing the dealership.
- B. The vacation and subsequent roadway closure of Charleston St. would eliminate the vehicular conflicts that occur on a daily basis and would result in a safer condition for both the traveling public and the dealership operators.
- C. The granting of the Vacation will not significantly interfere with the enjoyment of the other lands in the vicinity.
- D. The granting of the Vacation would be consistent with the spirit of the Albuquerque's development process, substantial justice and the general interest of the public. Financial gain or loss is not the sole determining factor in requesting the Vacation. The Owner is a for profit corporation; but they wish to conduct business in the City of Albuquerque within the framework of their proven development methods.

Request:

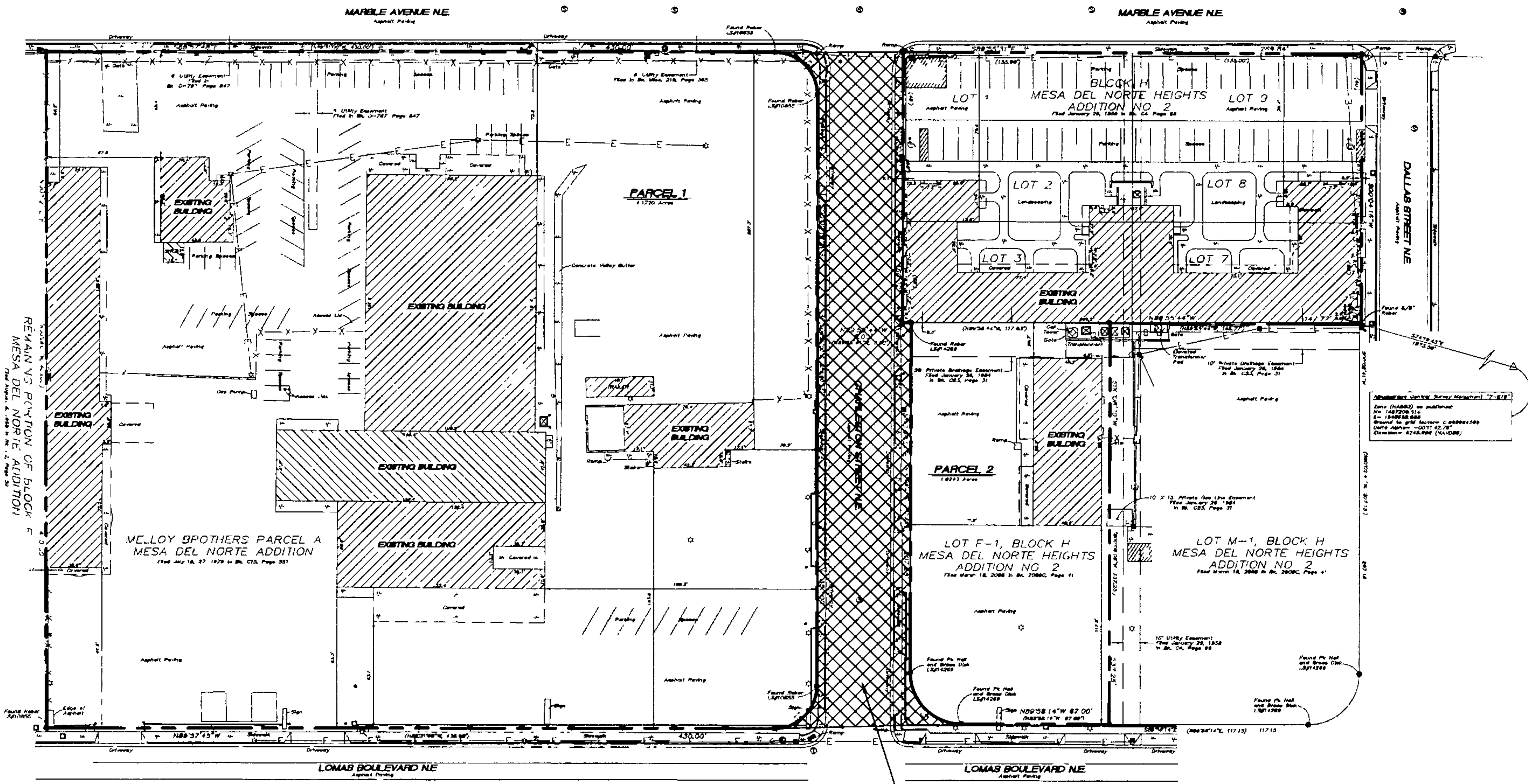
Therefore, Melloy Brothers Enterprise Inc. respectfully request that the requested vacation be allowed, whereas MBE, Inc. would be responsible for the recording of a plat that would consolidate

the vacate right-of-way into the adjacent lots and/or tracts. MBE, Inc. would also compensate the City of Albuquerque for the value of the vacant land in accordance to the value established by the City of Albuquerque, Legal Department, Real Property Division.

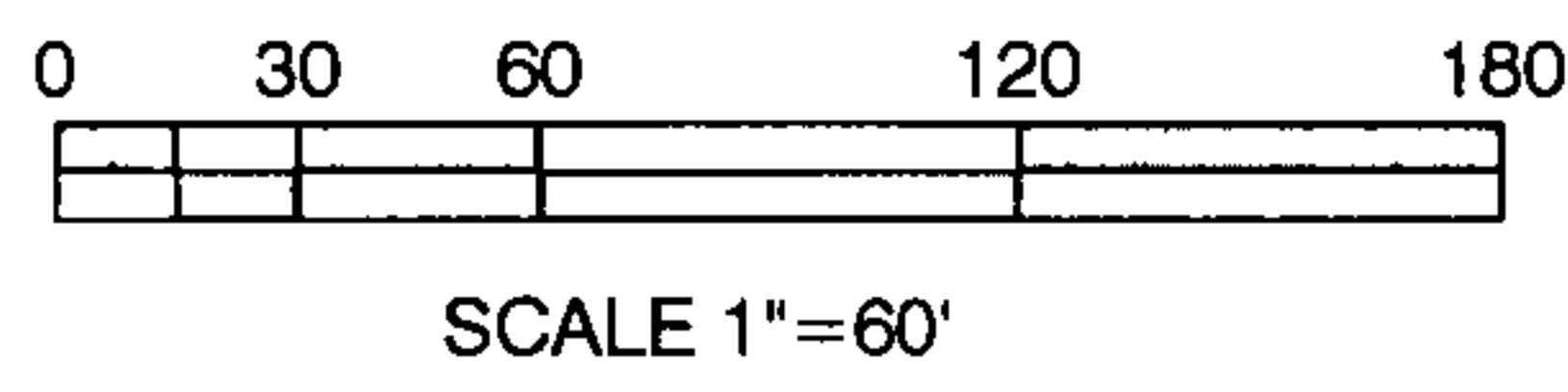
Sincerely,
ISAACSON & ARFMAN P.A.


Fred C. Arfman, PE
FA/ fca

M:\PROJECTS\100-2199\2125\DWG\2125 C-701-VACATION.dwg, 10/22/2015 2:50:41 PM, thor



Survey (NAD83) on platform
 N= 1487206.215
 E= 1548268.888
 Ortho Height = 5077.577
 Datum = 6248.998 (NAVD83)



ISAACSON & ARFMAN, P.A.
 Consulting Engineering Associates
 Albuquerque New Mexico
 2125 C-701-VACATION.dwg Oct 22, 2015

CHARLESTON ST. VACATION EXHIBIT JOB NO. 2125
 PROJECT MELLOY BROTHERS ENTERPRISE, LLC DATE 10-22-15 BY FCA

Melloy Brothers Enterprises, Inc.
7707 Lomas Blvd NE – Albuquerque, NM 87110
505-265-8721 melloyautogroup.com

October 22, 2015

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

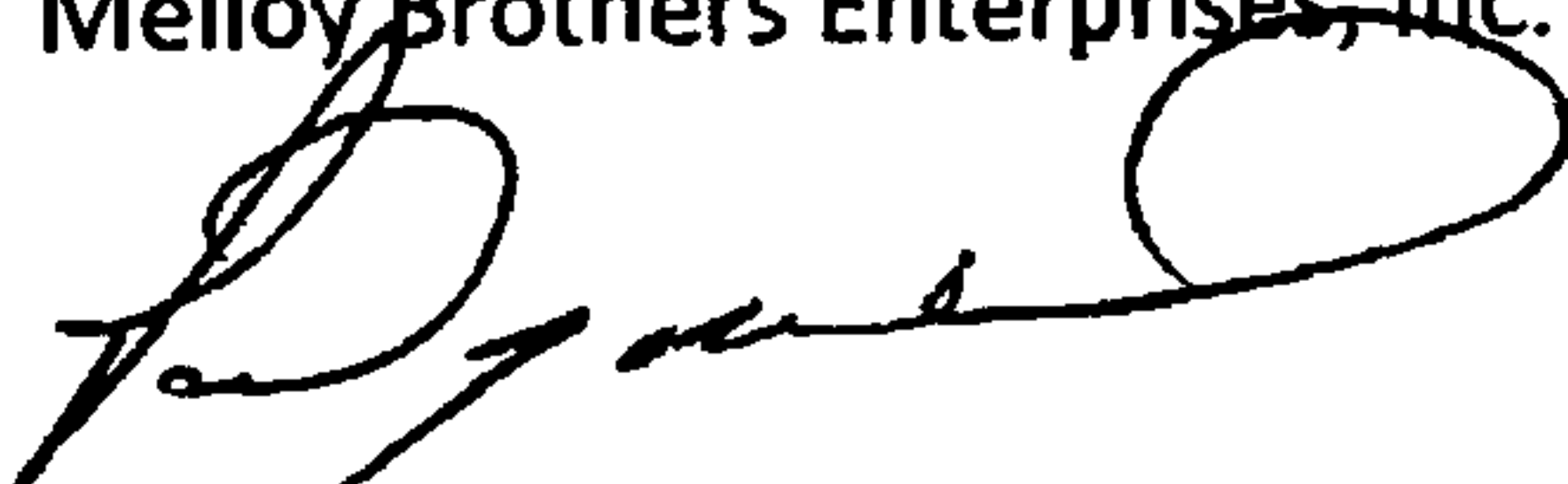
Re: Vacation of Charleston St. NE

Subject: Letter of Authorization

Dear Mr. Cloud,

Melloy Brothers Enterprises, Inc. or its affiliated companies, own all of the adjacent properties to that portion of Charlston St. between Lomas Blvd. And Marble Ave NE and herby authorize the firm of Isaacon & Arfman, PA to act as our agent in the matters of the process of this vacation action and the subsequent conditional platting through the City of Albuquerque's Development Review Board.

Sincerely,
Melloy Brothers Enterprises, Inc.



Pat Melloy, Partner



City of Albuquerque

P.O. Box 1293, Albuquerque, NM 87103

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

October 19, 2015

Ruth Lozano
Isaacson and Arfman, P.A.
128 Monroe St. NE/87108
Phone: (505) 268-8828/Fax: (505) 268-2632
E-Mail: ruthl@iacivil.com

Dear Ruth:

Thank you for your inquiry of **October 19, 2015** 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) – LOTS 1-3 AND LOT F-1, MESA DEL NORTE HEIGHTS, BLOCK H AND TRACT A, MESA DEL NORTE ADDITION, LOCATED ON CHARLESTON STREET NE BETWEEN LOMAS BOULEVARD NE AND MARBLE AVENUE NE** zone map **J-19**.

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 or by fax at (505) 924-3913.

Sincerely,
Stephani Winklepleck
Stephani Winklepleck
Neighborhood Liaison
OFFICE OF NEIGHBORHOOD COORDINATION
Planning Department

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

ATTACHMENT A

(DRB SUBMITTAL) – LOTS 1-3 AND LOT F-1, MESA DEL NORTE HEIGHTS, BLOCK H AND TRACT A, MESA DEL NORTE ADDITION, LOCATED ON CHARLESTON STREET NE BETWEEN LOMAS BOULEVARD NE AND MARBLE AVENUE NE zone map J-19 for Ruth T. Lozano, Isaacson and Arfman, P.A.

JERRY CLINE PARK N.A. "R"

Mollie Papen

1016 Espanola St. NE/87110 268-5728 (h)

Cindy Griesmeyer

909 San Pablo St. NE/87110 459-6920 (c)

LA MESA COMMUNITY IMPROVEMENT ASSOC. "R"

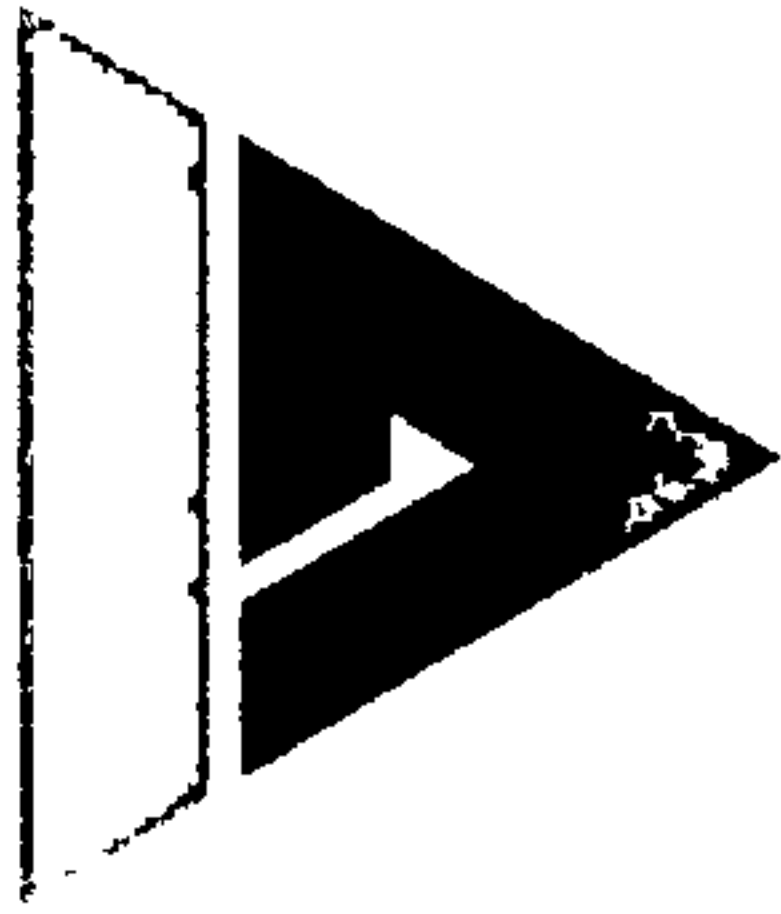
***Nancy Bearce**

600 San Pablo NE/87108 254-7841 (h)

Charles Bennett

600 San Pablo NE/87108 254-7841 (h)

***President of NA/HOA**



Isaacson & Arfman, P.A. Consulting Engineering Associates

Thomas O. Isaacson, PE(Ret.) & LS(Ret.) • Fred C. Arfman, PE • Asa Nilsson-Weber, PE

October 22, 2015

CERTIFIED MAIL - 7012 0470 0001 9609 1546

Mollie Papen
Jerry Cline Park Neighborhood Association
1016 Espanola Street NE
Albuquerque, NM 87110

**RE: Charleston Street Vacation
DRB Project No. 1010616
(Existing Legal: Lots 1-3 & Lot F-1, Mesa Del Norte Heights
Tract A, Mesa Del Norte Addition)**

Dear: Ms. Papen:

As the consulting engineers for the above referenced site (see attached zone map), we are writing this letter to inform the Jerry Cline Park Neighborhood Association that an application is being submitted to the City of Albuquerque Development Review Board (DRB) for a request of approval of Vacation of Public Right-of-Way. This action pertains to that portion of Charleston Street between Lomas Blvd. and Marble Ave. Both sides of the street are owned by Melloy Nissan and no other private properties are being denied access.

Please call me at 268-8828 if you have questions on this action.

Sincerely,
ISAACSON & ARFMAN, P.A.

Fred C. Arfman, PE
Attachment

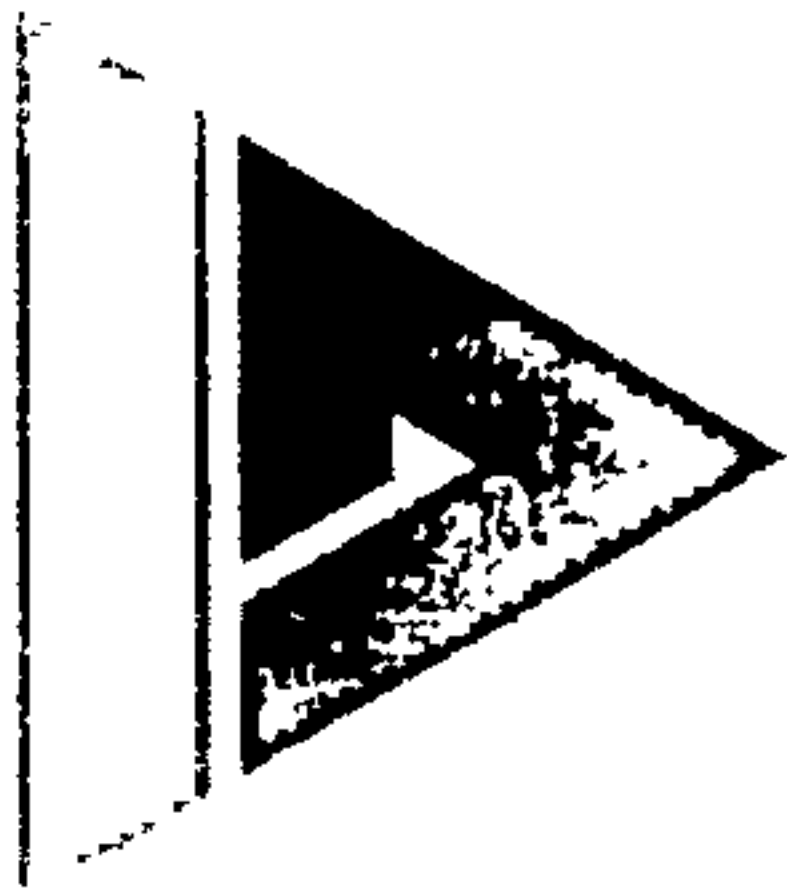
7012 0470 0001 9609 1546

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OFFICIAL USE	
Postage	\$3.45
Certified Fee	\$2.88
Return Receipt Fee (Endorsement Required)	\$0.00
Restricted Delivery Fee (Endorsement Required)	\$0.00
Total Postage & Fees	\$6.74

0108 08
HIGHLAND STATION, NM
Postmark Here
OCT 22 2015
ALBUQUERQUE, NM 87110

Sent To	Mollie Papen
Street, Apt. or PO Box	Jerry Cline Park Neighborhood Assoc
City, State	1016 Espanola Street NE Albuquerque, NM 87110

PS Form 3800, August 2009 See Reverse for Instructions



Isaacson & Arfman, P.A. Consulting Engineering Associates

Thomas O. Isaacson, PE (Ret.) & LS (Ret.) • Fred C. Arfman, PE • Asa Nilsson-Weber, PE

October 22, 2015

CERTIFIED MAIL - 7012 0470 0001 9609 1553

Cindy Griesmeyer
Jerry Cline Park Neighborhood Association
909 San Pablo Street NE
Albuquerque, NM 87110

**RE: Charleston Street Vacation
DRB Project No. 1010616
(Existing Legal: Lots 1-3 & Lot F-1, Mesa Del Norte Heights
Tract A, Mesa Del Norte Addition)**

Dear: Ms. Griesmeyer:

As the consulting engineers for the above referenced site (see attached zone map), we are writing this letter to inform the Jerry Cline Park Neighborhood Association that an application is being submitted to the City of Albuquerque Development Review Board (DRB) for a request of approval of Vacation of Public Right-of-Way. This action pertains to that portion of Charleston Street between Lomas Blvd. and Marble Ave. Both sides of the street are owned by Melloy Nissan and no other private properties are being denied access.

Please call me at 268-8828 if you have questions on this action.

Sincerely,
ISAACSON & ARFMAN, P.A.

Fred C. Arfman, PE
Attachment

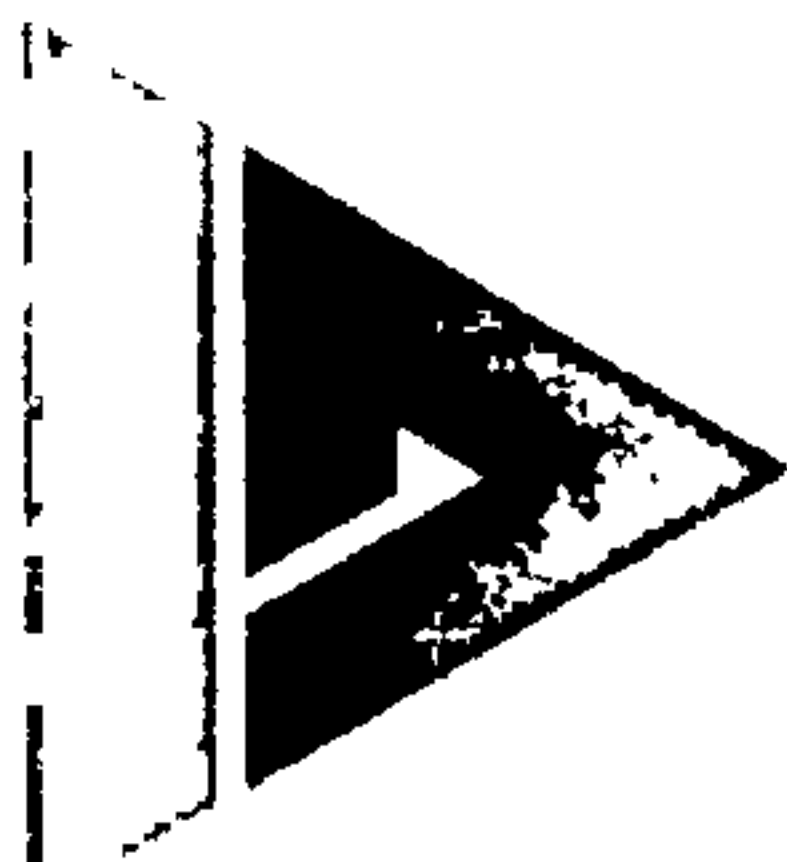
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For delivery information visit our website at www.usps.com	
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OFFICIAL USE	
Postage	\$3.45
Certified Fee	\$2.80
Return Receipt Fee (Endorsement Required)	\$0.00
Restricted Delivery Fee (Endorsement Required)	\$0.00
Total Postage & Fees	\$6.74

HIGHWAY STATION USPS
Postmark Here
OCT 22 2015
ALBUQUERQUE NM 87110

Sent To	Cindy Griesmeyer
Street, Apt or PO Box	Jerry Cline Park Neighborhood Assoc
City, State	909 San Pablo Street NE Albuquerque, NM 87110

PS Form 3800, August 2006 See Reverse for Instructions



Isaacson & Arfman, P.A. Consulting Engineering Associates

Thomas O. Isaacson, PE(Ret.) & JS(Ret.) • Fred C. Arfman, PE • Asa Nilsson-Weber, PE

October 22, 2015

CERTIFIED MAIL - 7012 0470 0001 9609 1560

Nancy Bearce
La Mesa Community Improvement Association
600 San Pablo Street NE
Albuquerque, NM 87108

**RE: Charleston Street Vacation
DRB Project No. 1010616
(Existing Legal: Lots 1-3 & Lot F-1, Mesa Del Norte Heights
Tract A, Mesa Del Norte Addition)**

Dear: Ms. Bearce:

As the consulting engineers for the above referenced site (see attached zone map), we are writing this letter to inform the La Mesa Community Improvement Association that an application is being submitted to the City of Albuquerque Development Review Board (DRB) for a request of approval of Vacation of Public Right-of-Way. This action pertains to that portion of Charleston Street between Lomas Blvd. and Marble Ave. Both sides of the street are owned by Melloy Nissan and no other private properties are being denied access.

Please call me at 268-8828 if you have questions on this action.

Sincerely,
ISAACSON & ARFMAN, P.A.

Fred C. Arfman, PE
Attachment

7012 0470 0001 9609 1560

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ALBUQUERQUE, NM 87108

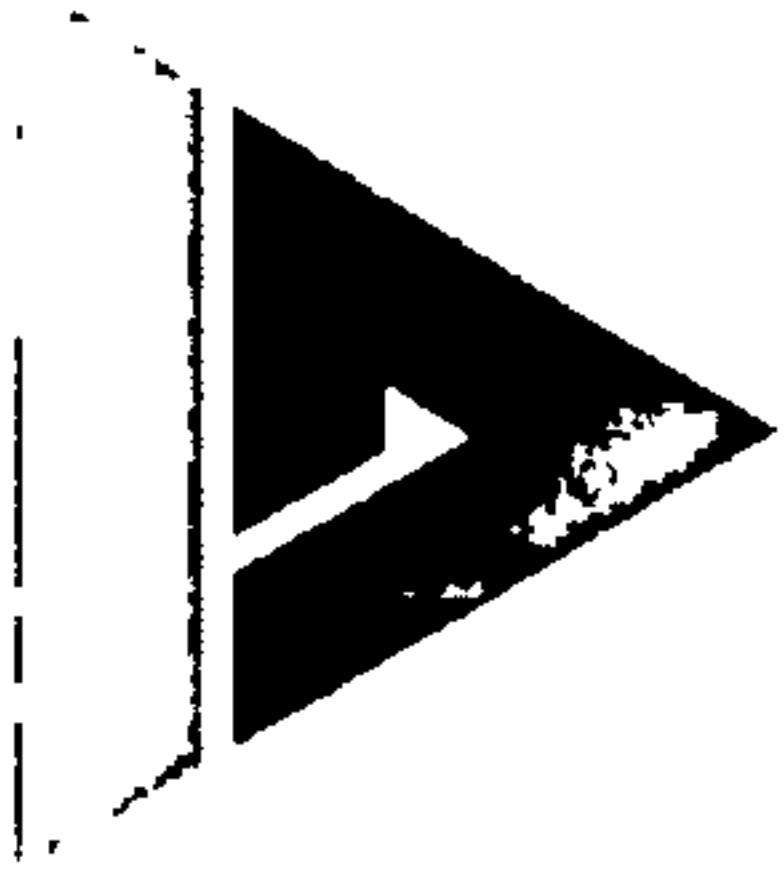
OFFICIAL USE

Postage	\$3.45
Certified Fee	\$2.80
Return Receipt Fee (Endorsement Required)	\$0.00
Restricted Delivery Fee (Endorsement Required)	\$0.00
Total Postage & Fees	\$6.74

0108
08
Postmark Here
OCT 22 2015
10/22/2015

Sent to: Nancy Bearce
Street or PO: La Mesa Community Improvement Association
City: 600 San Pablo Street NE
PS Fee: Albuquerque, NM 87108

Instructions



Isaacson & Arfman, P.A. Consulting Engineering Associates

Thomas O. Isaacson, PE(Ret.) & LS(Ret.) • Fred C. Arfman, PE • Isa Nilsson Weber, PE

October 22, 2015

CERTIFIED MAIL - 7012 0470 0001 9609 1577

Charles Bennett
La Mesa Community Improvement Association
600 San Pablo Street NE
Albuquerque, NM 87108

**RE: Charleston Street Vacation
DRB Project No. 1010616
(Existing Legal: Lots 1-3 & Lot F-1, Mesa Del Norte Heights
Tract A, Mesa Del Norte Addition)**

Dear: Mr. Bennett:

As the consulting engineers for the above referenced site (see attached zone map), we are writing this letter to inform the La Mesa Community Improvement Association that an application is being submitted to the City of Albuquerque Development Review Board (DRB) for a request of approval of Vacation of Public Right-of-Way. This action pertains to that portion of Charleston Street between Lomas Blvd. and Marble Ave. Both sides of the street are owned by Melloy Nissan and no other private properties are being denied access.

Please call me at 268-8828 if you have questions on this action.

Sincerely,
ISAACSON & ARFMAN, P.A.

Fred C. Arfman
Fréd C. Arfman, PE
Attachment

7012 0470 0001 9609 1577

U.S. Postal Service™
CERTIFIED MAIL™ RECEIPT
(Domestic Mail Only; No Insurance Coverage Provided)

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

ALBUQUERQUE, NM 87108

OFFICIAL USE

Postage	\$2.85
Certified Fee	\$2.80
Return Receipt Fee (Endorsement Required)	\$0.00
Restricted Delivery Fee (Endorsement Required)	\$0.00
Total Postage & Fees	\$5.65

Postmark Here: **OCT 22 2015**
BUENAVISTA STATION USPS 0108 08
ALBUQUERQUE, NM 87108-9908
10/22/2015

Send to:
Charles Bennett
La Mesa Community Improvement Association
600 San Pablo Street NE
Albuquerque, NM 87108

PS Form 3800, June 2010

NOVEMBER 18. 2015

VRU



Supplemental Form (SF)

SUBDIVISION

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

SITE DEVELOPMENT PLAN

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

STORM DRAINAGE (Form D)

- Storm Drainage Cost Allocation Plan

S Z ZONING & PLANNING

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

D L A APPEAL / PROTEST of...

- Street Name Change (Local & Collector)
- 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): ISAACSON & ARMAN, P.A. PHONE: (505) 268-8868
 ADDRESS: 128 MONROE ST. NE FAX: _____
 CITY: ALBUQUERQUE STATE NM ZIP 87108 E-MAIL: FREQA@IACIVIL.COM
 APPLICANT: MELLOY NISSAN PHONE: (505) 888-9600
 ADDRESS: 7707 LOMAS BLVD. FAX: _____
 CITY: ALBUQ. STATE NM ZIP 87110 E-MAIL: PMELLOY@GMAIL.COM
 Proprietary interest in site: OWNER List all owners: _____

DESCRIPTION OF REQUEST: VACATION OF THE PUBLIC RIGHT-OF-WAY OF CHARLESTON ST. BETWEEN LOMAS BLVD. & MARBLE AVE NE

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 1-3, TR. F, MESA DEL NORTE HGHTS Block: H Unit: _____
 Subdiv/Addn/TBKA: TRACT A, MOLLOY BROTHERS
 Existing Zoning: C-2 & PARKING Proposed zoning: C-2 & PARKING MRGCD Map No _____
 Zone Atlas page(s): J-19 UPC Code: TR. A: 101905820002630224
LOT 1-3: 101905824103630310
TR. F: 101905823001630304

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. of existing lots: 5 No. of proposed lots: 5 Total site area (acres): _____
 LOCATION OF PROPERTY BY STREETS: On or Near: VACATION OF CHARLESTON ST.
 Between: LOMAS BLVD and MARBLE AVE
 Check if project was previously reviewed by: Sketch Plat/Plan or Pre-application Review Team(PRT) Review Date: _____

SIGNATURE Fred C. Arman DATE 09.22.15
 (Print Name) FRED C. ARMAN Applicant: Agent:

FOR OFFICIAL USE ONLY

Revised: 11/2014

<input type="checkbox"/> INTERNAL ROUTING	Application case numbers	Action	S.F.	Fees
<input checked="" type="checkbox"/> All checklists are complete	<u>15DRB -70342</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	_____	_____	_____	Total
<input type="checkbox"/> F.H.D.P. fee rebate	_____	_____	_____	\$ <u>0</u>

Hearing date September 30, 2015

[Signature]

9-22-15
Staff signature & Date

Project # 1010616

FORM P(3): SITE PLAN REVIEW - D.R.B. MEETING (UNADVERTISED)

- SKETCH PLAT REVIEW AND COMMENT (DRB22)** **Maximum Size: 24" x 36"**
 - Scaled site sketch and related drawings showing proposed land use including structures, parking, Bldg. setbacks, adjacent rights-of-way and street improvements, etc. (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
 - N/A** List any original and/or related file numbers on the cover application

Meetings are approximately 8 DAYS after the Tuesday noon filing deadline. **Your attendance is required.**

- SITE DEVELOPMENT PLAN FOR SUBDIVISION (DRB18)** **Maximum Size: 24" x 36"**
 - 5 Acres or more & zoned SU-1, IP, SU-2, PC, or Shopping Center: Certificate of No Effect or Approval
 - Scaled site plan and related drawings (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
 - Letter of authorization from the property owner if application is submitted by an agent
 - Copy of the document delegating approval authority to the DRB
 - Completed Site Plan for Subdivision Checklist
 - Infrastructure List, if relevant to the site plan
 - Fee (see schedule)
 - List any original and/or related file numbers on the cover application

Meetings are approximately 8 DAYS after the Tuesday noon filing deadline. **Bring the original to the meeting. Your attendance is required.**

- SITE DEVELOPMENT PLAN FOR BUILDING PERMIT (DRB17)** **Maximum Size: 24" x 36"**
 - 5 Acres or more & zoned SU-1, IP, SU-2, PC, or Shopping Center: Certificate of No Effect or Approval
 - Site plan and related drawings (folded to fit into an 8.5" by 14" pocket) **6 copies**
 - Site Plan for Subdivision, if applicable, previously approved or simultaneously submitted. **6 copies.**
 - Solid Waste Management Department signature on Site Plan
 - Zone Atlas map with the entire property(ies) clearly outlined
 - Letter briefly describing, explaining, and justifying the request
 - Letter of authorization from the property owner if application is submitted by an agent
 - Copy of the document delegating approval authority to the DRB
 - Infrastructure List, if relevant to the site plan
 - Completed Site Plan for Building Permit Checklist
 - Copy of Site Plan with Fire Marshal's stamp
 - Fee (see schedule)
 - List any original and/or related file numbers on the cover application

Meetings are approximately 8 DAYS after the Tuesday noon filing deadline. **Bring the original to the meeting. Your attendance is required.**

- AMENDED SITE DEVELOPMENT PLAN FOR BUILDING PERMIT (DRB01)** **Maximum Size: 24" x 36"**
- AMENDED SITE DEVELOPMENT PLAN FOR SUBDIVISION (DRB02)** **Maximum Size: 24" x 36"**
 - Proposed amended Site Plan (folded to fit into an 8.5" by 14" pocket) **6 copies**
 - DRB signed Site Plan being amended (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
 - Letter of authorization from the property owner if application is submitted by an agent
 - Infrastructure List, if relevant to the site plan
 - Completed Site Plan for Building Permit Checklist (not required for amendment of SDP for Subdivision)
 - Fee (see schedule)
 - List any original and/or related file numbers on the cover application

Meetings are approximately 8 DAYS after the Tuesday noon filing deadline. **Bring the original to the meeting. Your attendance is required.**

- FINAL SIGN-OFF FOR EPC APPROVED SDP FOR BUILDING PERMIT (DRB05)**
- FINAL SIGN-OFF FOR EPC APPROVED SDP FOR SUBDIVISION (DRB06)**
 - Site plan and related drawings (folded to fit into an 8.5" by 14" pocket) **6 copies**
 - Approved Grading and Drainage Plan (folded to fit into an 8.5" by 14" pocket) **6 copies**
 - Solid Waste Management Department signature on Site Plan for Building Permit
 - Zone Atlas map with the entire property(ies) clearly outlined
 - Letter carefully explaining how each EPC condition has been met and a copy of the EPC Notification of Decision
 - Infrastructure List, if relevant to the site plan
 - Copy of Site Plan with Fire Marshal's stamp (not required for SDP for Subdivision)
 - List any original and/or related file numbers on the cover application

Meetings are approximately 8 DAYS after the Tuesday noon filing deadline. **Bring the original to the meeting. 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.

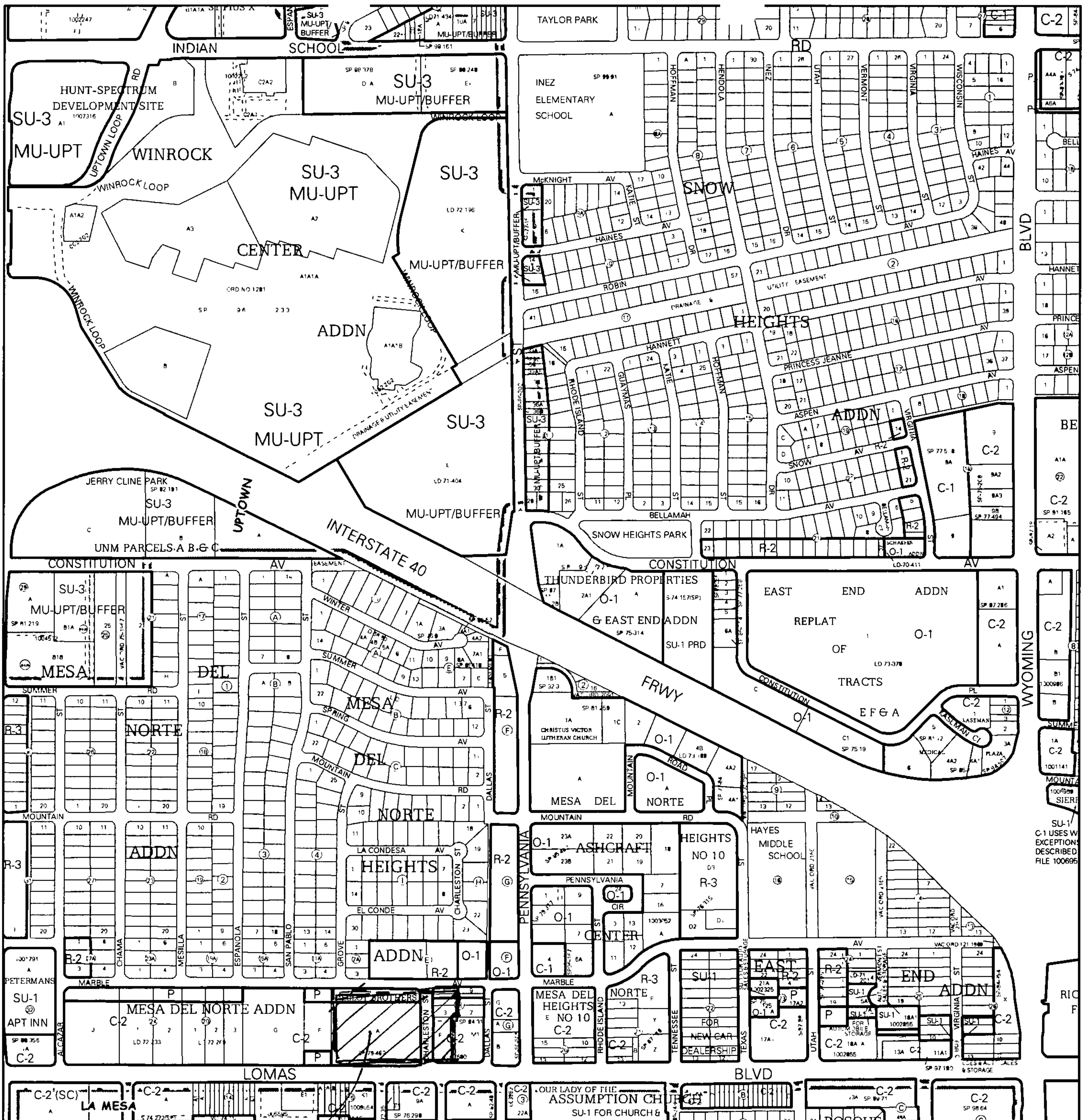
FRED C. ARFMAN
Applicant name (print)
Fred C. Arfman 09-22-15
Applicant signature / date



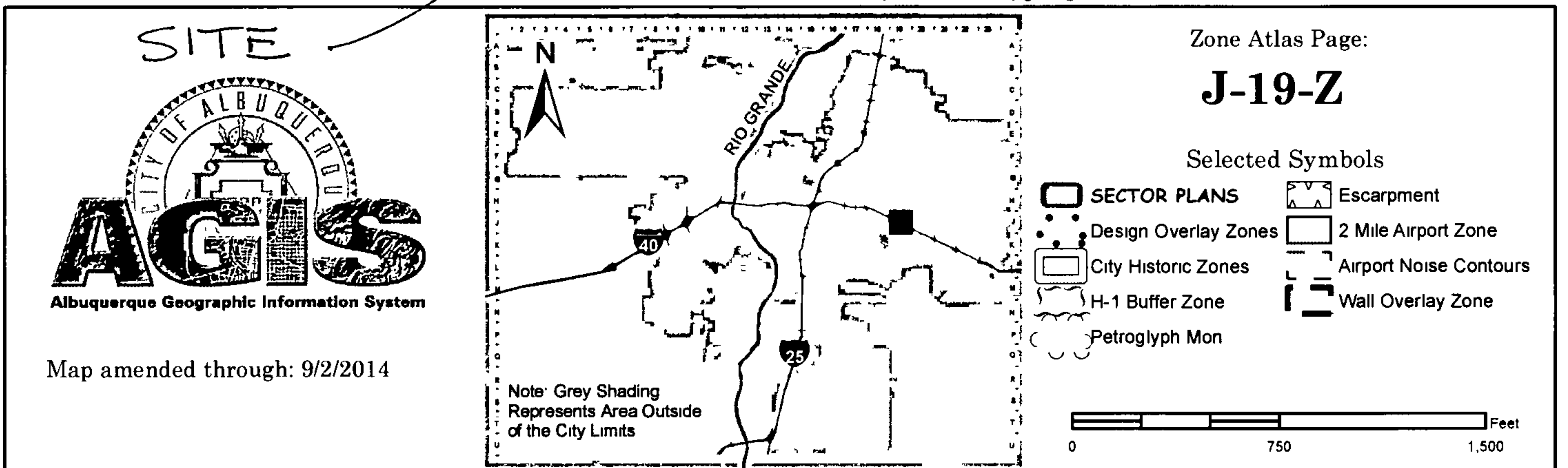
Form revised October 2007

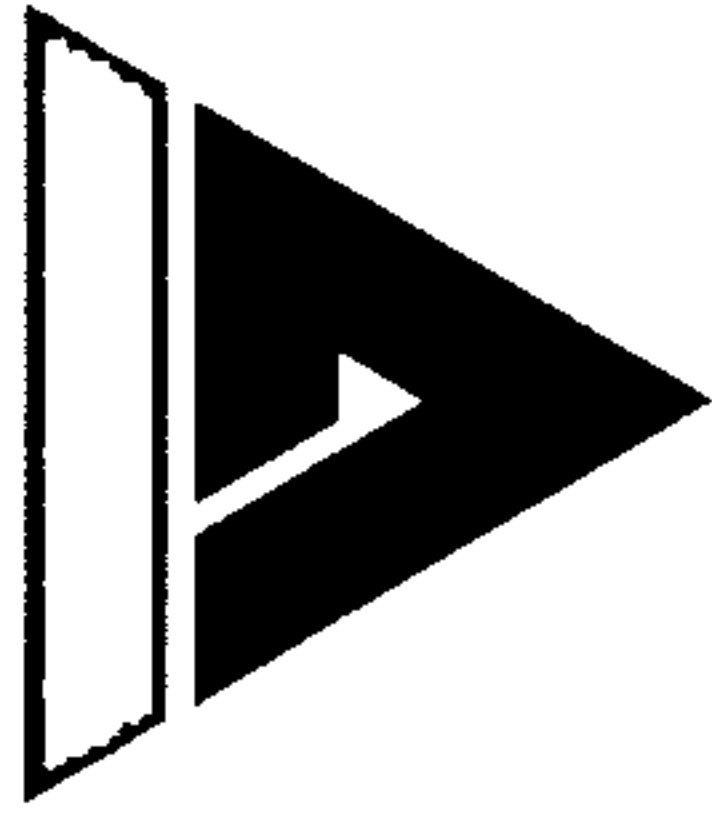
[Signature] 9-22-15
Planner signature / date
Project # 1010616

- Checklists complete
 - Fees collected
 - Case #s assigned
 - Related #s listed
- Application case numbers
DRB - 70342



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





September 22, 2015

Mr. Jack Could, Chairman
Development Review Board
Planning Department
City of Albuquerque
P.O. Box 1203
Albuquerque, NM 87103

Re: Charleston St. Vacation

Subj: Letter of Explanation & Justification

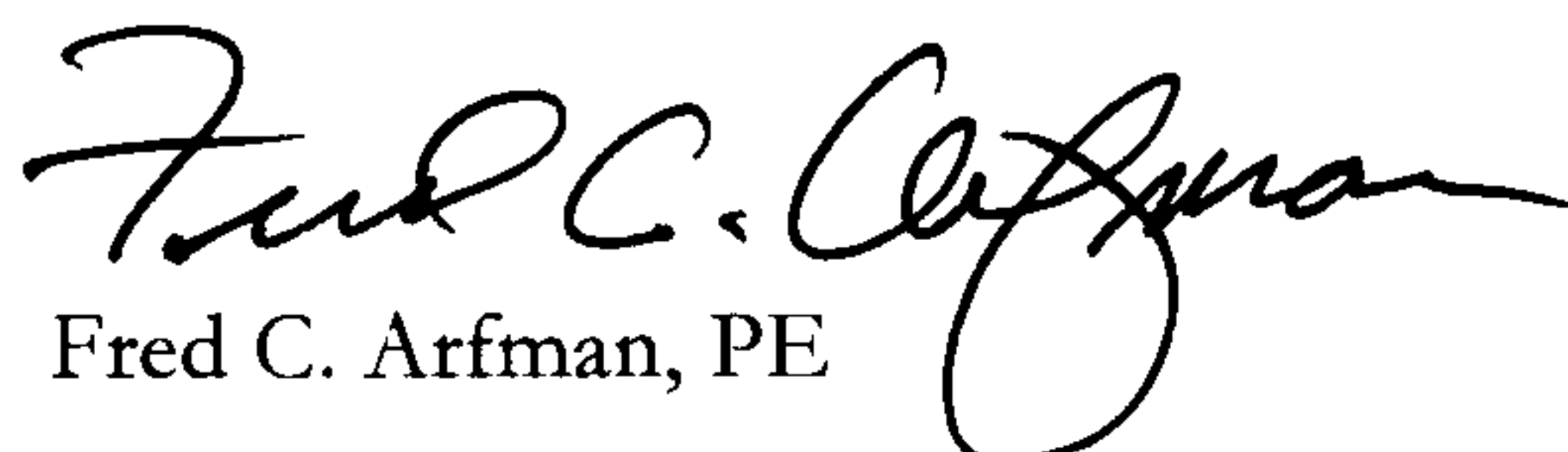
Dear Mr. Cloud,

Isaacson & Arfman, PA is the agent for Melloy Brothers Enterprise Inc. and as the Owner of the adjacent properties to the subject right-of-way request City acceptance of the enclosed Sketch Plat submittal into the DRB process for a hearing to receive staff comments. The requested vacation action encompasses that portion of public right-of-way of Charleston St. between Lomas Blvd. and Marble and comprises approximately 24,000 square feet. It is the requestor's intent to have the existing public and private utilities remain in place and have their respective easements retained on the subsequent platting action that will consolidate the vacated right-of-way into the adjoining tracts and lots.

The subject right-of-way does not directly serve only the adjacent properties owned by Melloy Bros. Ent. and the road closure will eliminate the existing vehicular conflict points that occur between the activities of the car dealership and the travelling public. Additional justification of vacation will be provided at the formal vacation request.

We look forward to receiving the DRB staff comments on this request.

Sincerely,
Isaacson & Arfman, PA


Fred C. Arfman, PE

attachments

PROJECT #

10101016

September 30. 2015

SK