



**DEVELOPMENT REVIEW BOARD SUPPLEMENTAL  
SUBMITTAL**

**PROJECT NO.** DRB 1011511  
**Application No.** \_\_\_\_\_

**TO:**

- Kym Dicome, DRB Chair, Planning Department**
- James Hughes, P.E., Hydrology**
- Racquel Michel, P.E., Transportation Development**
- Kris Cadena, P.E., Albuquerque/ Bernalillo Co. WUA**
- Ben McIntosh, Code Enforcement**
- Jason Coffey, Parks/Municipal Development**

**NOTE: PDF Required**

**\*(Please attach this sheet with each collated set per board member)**

**NEXT HEARING DATE:** July 11, 2018

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

**SUBMITTAL DESCRIPTION:** This supplemental submittal includes:

1. a revised site plan which shows modified lot lines to increase the non-complying lot size to 2500 square feet, requested measurements for the sidewalk in front and increased parking space sizes.

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2. grading and drainage approval letter from Dough Hughes.

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3. Revised PLAT with proper lot sizes and requested easement language.

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**CONTACT NAME:** nicholas nuccio

**TELEPHONE:** 505 803 4939      **EMAIL:** nick@scatterfarm.com

# CITY OF ALBUQUERQUE

Hydrology Section Planning Department  
David S. Campbell, Director



Timothy M. Keller, Mayor

June 27, 2018

Nicholas Nuccio  
829 Ponderosa NW  
Albuquerque, New Mexico 87107

RE: **1220 Iron St SW**  
**Grading and Drainage Plan**  
**Engineers Stamp Date 4/3/2018 (K13D076)**

Dear Mr. Nuccio,

Based upon the information provided in your submittal received 5/29/2018, this plan is approved for Grading Permit and Building Permit. Please attach a copy of this approved plan and letter into the construction sets in the building permitting process prior to sign-off by Hydrology.

PO Box 1293

A Private Drainage Easement will be required on the plat with the City's standard maintenance note for the pond.

Albuquerque

Prior to **Certificate of Occupancy release**, Engineer Certification per the DPM checklist of this plan will be required.

NM 87103

If you have any questions, please contact me at 924-3986 or e-mail at [jhughes@cabq.gov](mailto:jhughes@cabq.gov).

www.cabq.gov

Sincerely,

James D. Hughes, P.E.  
Principal Engineer, Hydrology  
Planning Department

C: Data Base K13D076



PLAT OF  
 LOTS 10-A AND 10-B  
 RAYNOLDS ADDITION

WITHIN  
 TOWN OF ALBUQUERQUE GRANT  
 PROJECTED SECTION 19, T.10N., R.3E., N.M.P.M.  
 CITY OF ALBUQUERQUE  
 BERNALILLO COUNTY, NEW MEXICO  
 MARCH 2018

DRAINAGE EASEMENT NOTES

AREAS DESIGNATED ON THE ACCOMPANYING PLAT AS "DRAINAGE EASEMENTS" ["DETENTION AREAS"] ARE HEREBY DEDICATED BY THE OWNER AS A PERPETUAL EASEMENT FOR THE COMMON USE AND BENEFIT OF THE VARIOUS LOTS WITHIN THE SUBDIVISION FOR THE PURPOSE OF PERMITTING THE CONVEYANCE OF STORM WATER RUNOFF IN ACCORDANCE WITH STANDARDS PRESCRIBED BY THE CITY OF ALBUQUERQUE. NO FENCE, WALL, PLANTING, BUILDING OR OTHER OBSTRUCTION MAY BE PLACED OR MAINTAINED IN EASEMENT AREA WITHOUT APPROVAL OF THE CITY ENGINEER OF THE CITY OF ALBUQUERQUE. THERE ALSO SHALL BE NO ALTERATION OF THE GRADES OR CONTOURS IN SAID EASEMENT AREA WITHOUT THE APPROVAL OF THE CITY ENGINEER. IT SHALL BE THE DUTY OF THE LOT OWNERS OF THIS SUBDIVISION TO MAINTAIN SAID DRAINAGE EASEMENT [DETENTION AREA] AT THEIR COST IN ACCORDANCE WITH STANDARDS PRESCRIBED BY THE CITY OF ALBUQUERQUE. THE CITY SHALL HAVE THE RIGHT TO ENTER PERIODICALLY TO INSPECT THE DRAINAGE EASEMENT [DETENTION AREA]. IN THE EVENT SAID LOT OWNERS FAIL TO ADEQUATELY AND PROPERLY MAINTAIN DRAINAGE EASEMENT [DETENTION AREA], AT ANY TIME FOLLOWING FIFTEEN (15) DAYS WRITTEN NOTICE TO SAID LOT OWNERS, THE CITY MAY ENTER UPON SAID AREA, PERFORM MAINTENANCE, AND THE COST OF PERFORMING SAID MAINTENANCE SHALL BE PAID BY APPLICABLE LOT OWNERS PROPORTIONATELY ON THE BASIS OF LOT OWNERSHIP. IN THE EVENT LOT OWNERS FAIL TO PAY THE COST OF MAINTENANCE WITHIN THIRTY (30) DAYS AFTER DEMAND FOR PAYMENT MADE BY THE CITY, THE CITY MAY FILE A LIEN AGAINST ALL LOTS IN THE SUBDIVISION FOR WHICH PROPORTIONATE PAYMENT HAS NOT BEEN MADE. THE OBLIGATIONS IMPOSED HEREIN SHALL BE BINDING UPON OWNER, HIS HEIRS, AND ASSIGNS AND SHALL RUN WITH ALL LOTS WITHIN THIS SUBDIVISION.

THE GRANTOR AGREES TO DEFEND, INDEMNIFY, AND HOLD HARMLESS THE CITY, ITS OFFICIALS, AGENTS AND EMPLOYEES FROM AND AGAINST ANY AND ALL CLAIMS, ACTIONS, SUITS, OR PROCEEDINGS OF ANY KIND BROUGHT AGAINST SAID PARTIES FOR OR ON ACCOUNT OF ANY MATTER ARISING FROM THE DRAINAGE EASEMENT [DETENTION AREA] PROVIDED FOR HEREIN OR THE GRANTOR'S FAILURE TO CONSTRUCT, MAINTAIN, OR MODIFY SAID DRAINAGE EASEMENT [DETENTION AREA].

PUBLIC WALKWAY AND SHARED PARKING EASEMENT NOTES

WHEREAS, "GRANTOR": IS THE OWNER OF THE FOLLOWING CONTIGUOUS TRACTS LOCATED IN THE CITY OF ALBUQUERQUE, BERNALILLO COUNTY:

LOT 10-A  
 LOT 10-B

WHEREAS THERE EXISTS ON SAID LOT 10-A AND LOT 10-B THAT CERTAIN PEDESTRIAN WALKWAY AND ON LOT 10-B SHARED PARKING MORE PARTICULARLY DESCRIBED AND SHOWN ON THE SURVEY AS EXHIBITS 2 AND 3 RESPECTIVELY, AND GRANTOR DESIRES TO IMPRESS UPON THE SAID PROPERTIES CERTAIN COVENANTS, RIGHTS-OF-WAY AND RESTRICTIONS REGARDING THE USE, ACCESS AND MAINTENANCE WHICH SHALL INURE TO THE BENEFIT OF AND BE BINDING UPON THE SUCCESSORS AND ASSIGNS OF THE GRANTOR.

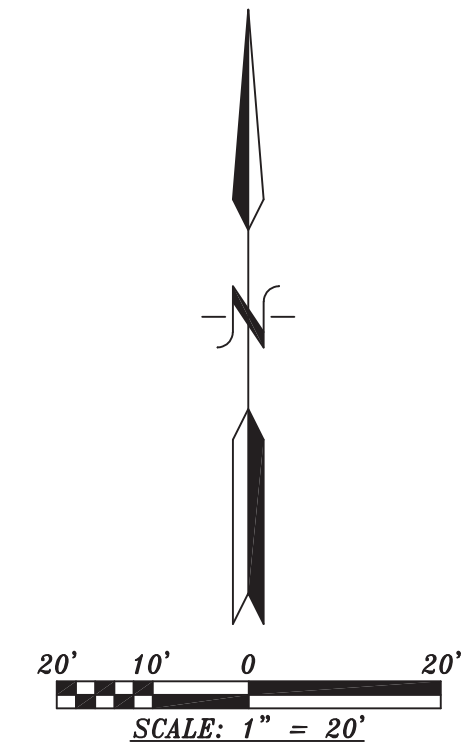
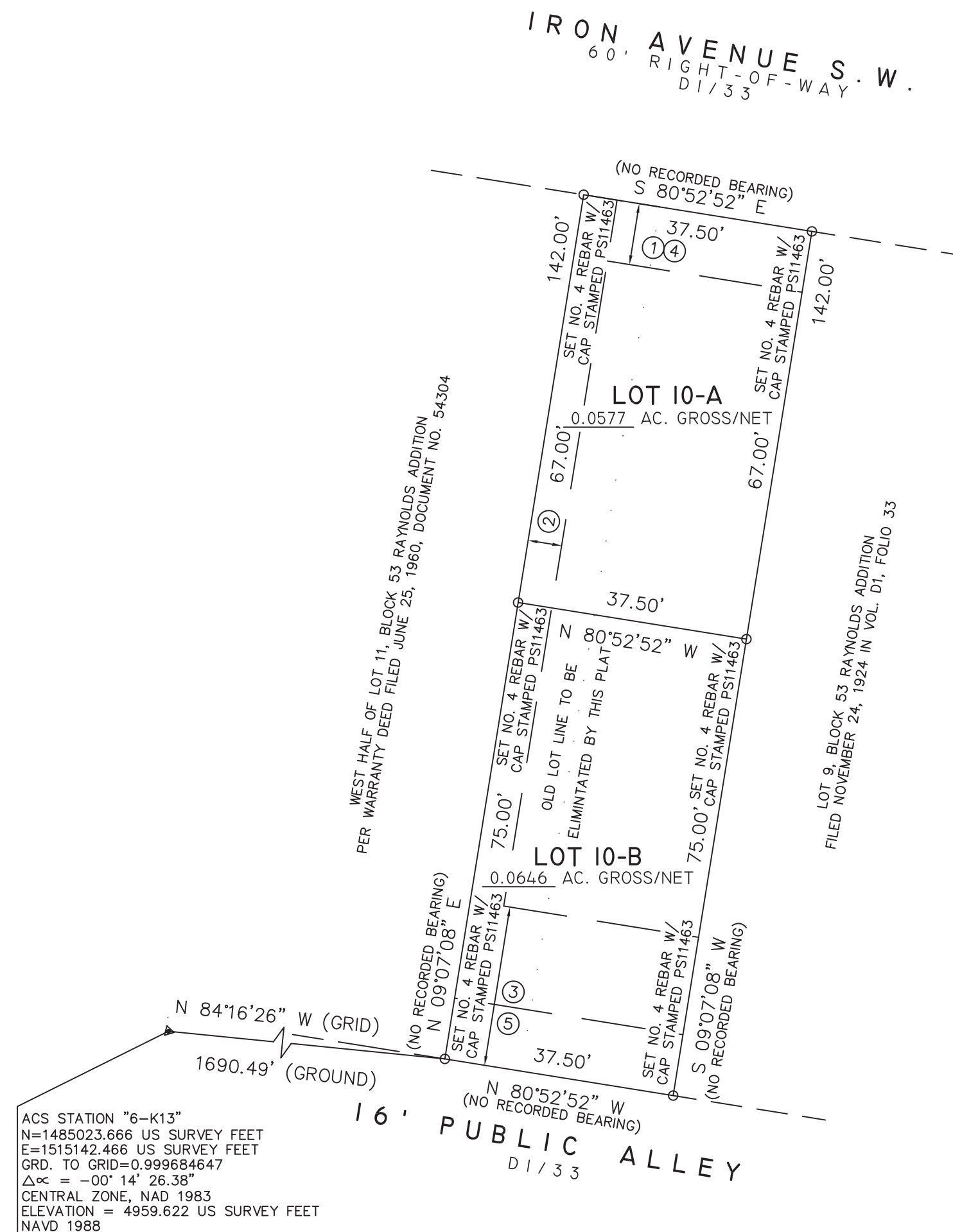
THEREFORE, THE GRANTOR DOES HEREBY IMPRESS UPON THE ABOVE DESCRIBED PROPERTIES THE FOLLOWING COVENANTS, RIGHTS-OF-WAY AND RESTRICTIONS WHICH SHALL HEREAFTER BE COVENANTS WHICH WILL RUN WITH THE LAND AND SHALL INURE TO THE BENEFIT OF AND BE BINDING UPON THE GRANTEEES, SUCCESSORS, AND ASSIGNS OF EACH OF SAID SEPERATE TRACTS:

1. THE PEDESTRIAN WALKWAY AND SHARED PARKING SHOWN ON EXHIBITS 2 AND 3 SHALL BE A PERPETUAL EASEMENT IN FAVOR OF THE SUCCESSORS IN TITLE OF GRANTOR FOR PARKING OF VEHICULAR TRAFFIC AND FOR INGRESS AND EGRESS TO AND FROM THE SAID PROPERTIES. ACCORDINGLY, LOT 10-A SHALL BE BURDENED BY SAID EASEMENT IN FAVOR OF THE GRANTOR'S SUCCESSORS IN TITLE TO LOT 10-B AND LIKEWISE LOT 10-B SHALL BE BURDENED BY SAID EASEMENT IN FAVOR OF THE GRANTOR'S SUCCESSORS IN TITLE TO LOT 10-A.

2. THE SUCCESSORS IN TITLE TO EACH TRACT SHALL NOT OBSTRUCT OR RESTRICT THE USE OF ANY PORTION OF THE SAID PEDESTRIAN WALKWAY AND SHARED PARKING AND NO BUILDINGS OR IMPROVEMENTS MAY BE ERRECTED UPON SAID EASEMENT WITHOUT THE CONSENT OF THE SUCCESSORS IN TITLE TO LOT 10-A AND LOT 10-B.

3. THE EASEMENT SHALL BE MAINTAINED IN A SERVICEABLE, NEAT AND ACCEPTABLE MANNER AND IN A MANNER SO THAT THE OVERALL APPEARANCE OF SAID PEDESTRIAN WALKWAY AND SHARED PARKING SHALL BE UNIFORM. EACH OF GRANTOR'S SUCCESSORS IN TITLE TO LOT 10-A AND LOT 10-B SHALL BE CHARGED WITH THE REPAIR AND MAINENANCE THEREOF AND SHALL COOPERATE WITH EACH OTHER IN THE PERFORMANCE OF ROUTINE AND NECESSARY REPAIRS, SURFACING AND SEALING OF THE SAID PEDESTRIAN WALKWAY AND SHARED PARKING. THE SUCCESSOR IN TITLE TO EITHER TRACT MAY PERFORM SUCH REPAIRS AND MAINTENANCE AS MAY BE NECESSARY WITHOUT THE CONSENT OF THE OTHER UPON GIVING WRITTEN NOTICE OF INTENT TO PERFORM SUCH REPAIRS AND THE ESTIMATED COST THEREOF. NOTICE MAY BE DELIVERED BY U.S. MAIL, CERTIFIED, RETURN RECEIPT REQUESTED OR OTHER PERSONAL SERVICE NOT LESS THAN THIRTY (30) DAYS PRIOR TO BEGINNING SUCH REPAIRS OR MAINTENANCE. THE PARTY THAT PERFORMS SAID REPAIRS/MAINTENANCE SHALL BE ENTITLED TO A LIEN UPON THE PROPERTY OF THE DISSENTING PARTY EQUAL TO ONE-HALF OF THE ACTUAL COST OF SAID REPAIRS/MAINTENANCE PLUS FIFTEEN PERCENT (15%). SAID LIENHOLDER SHALL HAVE THE SAME REMEDIES AS HOLDERS OF MATERIALMEN IN ACCORDANCE WITH THE MATERIALMEN LIEN LAWS OF THE STATE OF NEW MEXICO.

4. IN THE EVENT IT BECOMES NECESSARY TO ENFORCE THE TERMS OF THIS EASEMENT THROUGH COURT PROCEEDINGS THE PREVAILING PARTY SHALL BE ENTITLED TO REASONABLE ATTORNEYS FEES.



EASEMENT LEGEND INDICATED BY (#)

- ① 10' LANDSCAPING EASEMENT. FOR THE BENEFIT OF LOTS 10-A & 10-B, TO BE MAINTAINED BY LOTS 10-A & 10-B GRANTED BY THIS PLAT.
- ② 6' PEDESTRIAN WALKWAY, PRIVATE WATER & SANITARY SEWER EASEMENT. FOR THE BENEFIT OF LOTS 10-A & 10-B, TO BE MAINTAINED BY LOTS 10-A & 10-B GRANTED BY THIS PLAT. SEE PEDESTRIAN WALKWAY AND SHARED PARKING EASEMENT NOTES ON THIS PAGE.
- ③ 22' PARKING & PRIVATE UTILITY EASEMENT. FOR THE BENEFIT OF LOTS 10-A & 10-B, TO BE MAINTAINED BY LOTS 10-A & 10-B GRANTED BY THIS PLAT. SEE PEDESTRIAN WALKWAY AND SHARED PARKING EASEMENT NOTES ON THIS PAGE.
- ④ 10' PRIVATE DRAINAGE EASEMENT FOR THE BENEFIT OF LOTS 10-A & 10-B, TO BE MAINTAINED BY LOTS 10-A & 10-B GRANTED BY THIS PLAT. SEE DRAINAGE EASEMENT NOTES ON THIS PAGE.
- ⑤ 22' PRIVATE DRAINAGE EASEMENT FOR THE BENEFIT OF LOTS 10-A & 10-B, TO BE MAINTAINED BY LOTS 10-A & 10-B GRANTED BY THIS PLAT. SEE DRAINAGE EASEMENT NOTES ON THIS PAGE.