



Please check the appropriate box and refer to supplemental forms for submittal requirements. All fees must be paid at the time of application.		
Administrative Decisions	<input type="checkbox"/> Historic Certificate of Appropriateness – Major (Form L)	<input type="checkbox"/> Wireless Telecommunications Facility Waiver (Form W2)
<input type="checkbox"/> Archaeological Certificate (Form P3)	<input type="checkbox"/> Historic Design Standards and Guidelines (Form L)	Policy Decisions
<input type="checkbox"/> Historic Certificate of Appropriateness – Minor (Form L)	<input type="checkbox"/> Master Development Plan (Form P1)	<input type="checkbox"/> Adoption or Amendment of Comprehensive Plan or Facility Plan (Form Z)
<input type="checkbox"/> Alternative Signage Plan (Form P3)	<input type="checkbox"/> Site Plan – EPC including any Variances – EPC (Form P1)	<input type="checkbox"/> Adoption or Amendment of Historic Designation (Form L)
<input type="checkbox"/> WTF Approval (Form W1)	<input type="checkbox"/> Site Plan – DRB (Form P2)	<input type="checkbox"/> Amendment of IDO Text (Form Z)
<input type="checkbox"/> Minor Amendment to Site Plan (Form P3)	<input type="checkbox"/> Subdivision of Land – Minor (Form S2)	<input type="checkbox"/> Annexation of Land (Form Z)
Decisions Requiring a Public Meeting or Hearing	<input type="checkbox"/> Subdivision of Land – Major (Form S1)	<input type="checkbox"/> Amendment to Zoning Map – EPC (Form Z)
<input type="checkbox"/> Conditional Use Approval (Form ZHE)	<input type="checkbox"/> Vacation of Easement or Right-of-way (Form V)	<input type="checkbox"/> Amendment to Zoning Map – Council (Form Z)
<input type="checkbox"/> Demolition Outside of HPO (Form L)	<input checked="" type="checkbox"/> Variance – DRB (Form V) Sidewalk Ext.	Appeals
<input type="checkbox"/> Expansion of Nonconforming Use or Structure (Form ZHE)	<input type="checkbox"/> Variance – ZHE (Form ZHE)	<input type="checkbox"/> Decision by EPC, LC, DRB, ZHE, or City Staff (Form A)
APPLICATION INFORMATION		
Applicant: Landco II, LLC (Richard Sanchez and John Sanchez)		Phone: 505-319-6224
Address: P.O. Box 12949		Email: jd-enterprises@comcast.net
City: Albuquerque	State: NM	Zip: 87195
Professional/Agent (if any): J. Matt Myers (Myers, McCready & Myers, P.C.)		Phone: 505-247-9080
Address: 1401 Central Avenue, NW, Suite B		Email: jmyers@moplaw.com
City: Albuquerque	State: NM	Zip: 87104
Proprietary Interest in Site: Owners	List all owners:	
BRIEF DESCRIPTION OF REQUEST		
Extension Sidewalk Deferral		
SITE INFORMATION (Accuracy of the existing legal description is crucial! Attach a separate sheet if necessary.)		
Lot or Tract No.: See attached Exhibit "A"	Block:	Unit:
Subdivision/Addition: Puesta del Sol/Sunset Farm	MRGCD Map No.:	UPC Code: See Exhibit "B"
Zone Atlas Page(s): K-12	Existing Zoning: R-1	Proposed Zoning: N/A
# of Existing Lots:	# of Proposed Lots:	Total Area of Site (acres):
LOCATION OF PROPERTY BY STREETS		
Site Address/Street: See attached	Between: Sunset Road, SW	and: Atrisco Riverside Drain
CASE HISTORY (List any current or prior project and case number(s) that may be relevant to your request.)		
Project No. 1008091; 16DRB 70437; 14DRB-70340		
Signature:	Date: 2/12/19	2019
Printed Name: J. Matt Myers	<input type="checkbox"/> Applicant or <input checked="" type="checkbox"/> Agent	
FOR OFFICIAL USE ONLY		
Case Numbers	Action	Fees
-		
-		
-		
Meeting/Hearing Date:	Fee Total:	
Staff Signature:	Date:	Project #

FORM V: Vacations of Easements or Right-of-way and Variances – DRB

Please refer to the DRB case schedules for meeting / hearing dates and deadlines. Your attendance is required.

A single PDF file of the complete application including all plans and documents being submitted must be emailed to PLNDRS@cabq.gov prior to making a submittal. Zipped files or those over 9 MB cannot be delivered via email, in which case the PDF must be provided on a CD.

VARIANCE – DRB Requires Public Hearing

- Proof of Neighborhood Meeting per IDO Section 14-16-6-4(B)
- Scale drawing showing the location of the proposed variance or waiver, as applicable (7 copies, not to exceed 8.5" by 14")
- Letter describing, explaining, and justifying the request per the criteria in IDO Section 14-16-6-6(L)(3), compliance with the DPM, and all improvements to be waived, as applicable
- If the request is based on a bulk land transfer, an application for Subdivision of Land – Minor shall be filed concurrently with the variance request and notice shall be provided on that plat regarding the applicant's agreement that building permits shall not be issued before further action by the DRB.
- Zone Atlas map with the entire site clearly outlined and labeled
- Required notices with content per IDO Section 14-16-6-4(K)(6)
 - Office of Neighborhood Coordination notice inquiry response and proof of emailed notice to affected Neighborhood Association representatives

VACATION OF PRIVATE EASEMENT Requires Public Hearing

VACATION OF PUBLIC EASEMENT OR RIGHT-OF-WAY – DRB Requires Public Hearing

VACATION OF PUBLIC EASEMENT OR RIGHT-OF-WAY – COUNCIL Requires Public Hearing

- Proof of Neighborhood Meeting per IDO Section 14-16-6-4(C)
- Copy of the complete document which created the easement(s) (7 copies, folded)
Not required for City owned public right-of-way.
- Drawing showing the easement or right-of-way to be vacated (7 copies, not to exceed 8.5" by 11")
- If easements, list number to be vacated _____
- Justification letter describing, explaining, and justifying the request per the criteria in IDO Section 14-16-6-6(K)(3)
- Letter of authorization from the property owner if application is submitted by an agent
- Zone Atlas map with the entire site clearly outlined and labeled
- Required notices with content per IDO Section 14-16-6-4(K)(6)
 - Office of Neighborhood Coordination notice inquiry response, notifying letter, and proof of first class mailing
 - Proof of emailed notice to affected Neighborhood Association representatives
 - Buffer map and list of property owners within 100 feet (excluding public rights-of-way), notifying letter, and proof of first class mailing
- Sign Posting Agreement (not required for easements if IDO Section 14-16-6-6(K)(2)(a) is satisfied)

The vacation must be shown on a DRB approved plat recorded by the County Clerk within one year, or it will expire.

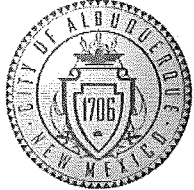
TEMPORARY DEFERRAL OF SIDEWALK CONSTRUCTION

EXTENSION OF THE IIA FOR TEMPORARY DEFERRAL OF SIDEWALK CONSTRUCTION

- Drawing showing the sidewalks subject to the proposed deferral or extension (7 copies, not to exceed 8.5" by 14")
- Zone Atlas map with the entire site clearly outlined and labeled
- Letter describing, explaining, and justifying the deferral or extension

I, the applicant or agent, acknowledge that if any required information is not submitted with this application, the application will not be scheduled for a public meeting or hearing, if required, or otherwise processed until it is complete.

Signature: <i>J. Matt Myers by ParcelLullback</i>	Date: <i>2/12/19</i>
Printed Name: <i>J. Matt Myers</i>	<input type="checkbox"/> Applicant or <input checked="" type="checkbox"/> Agent

FOR OFFICIAL USE ONLY	
Project Number:	Case Numbers
	-
	-
	-
Staff Signature:	
Date:	

January 7, 2019

Hand Delivered

City of Albuquerque
Planning Department
600 Second Street, NW
Suite 400
Albuquerque, New Mexico 87103

Re: Sunset Farms Subdivision
Sidewalk Deferral Agreement
City Project No. 601281

Ladies and Gentlemen:

The undersigned are the owners of the property described on attached Exhibit "A" (the "Lots"). Myers, McCready & Myers, P.C. (J. Matt Myers) is hereby authorized to act as our agent in the application to the Development Review Board to request a two (2) year extension for construction of sidewalks on the Lots . Myers, McCready & Myers, P.C., is further authorized to remain as our agent through any appeals process.




John D. Sanchez



Richard R. Sanchez

LANDCO II, LLC., a New Mexico limited liability company

By: 

John D. Sanchez, Member

By: 

Richard R. Sanchez, Member

EXHIBIT "A" TO APPLICATION FOR SIDEWLAKS EXTENSION

LOTS OWNED BY LANDCO

SUNSET FARMS SUBDIVISION

Puesta del Sol Lots: Total 9 Lots

Lots 1-P1, 2-P1, 3-P1, 7-P1, 16-P1, 17-P1, 23-P1, 27-P1 and 31-P1, Puesta del Sol, Plat recorded February 1, 2010, as Doc. No. 2010008536

Sunset Farm Subdivision Unit 2: Total 6 Lots

Lots 1-P1 and 11-P1, Sunset Farm Subdivision Unit 2, Amended Plat recorded January 17, 2006, as Doc. No. 2006007262

Lots 9A-P1, 10A1-P1 and 18-P1, Sunset Farm Subdivision Unit 2, Plat recorded August 12, 2015, as Doc. No. 2015070247

Lot 19A-91, Sunset Farm Subdivision Unit 2, Plat recorded May 30, 2017, as Doc. No. 2017051734

EXHIBIT B TO APPLICATION FOR SIDEWALKS EXTENSION

UPC NUMBERS

UPC Numbers for Puesta del Sol Lots, plat recorded February 1, 2010 as Document No. 20100008562:

<u>Lot</u>	<u>UPC Number</u>	<u>Address</u>
Lot 1-P1	UPC 101205747218641706	359 Manuel Sanchez Pl. SW
Lot 2-P1	UPC 101205747119141707	355 Manuel Sanchez Pl. SW
Lot 3-P1	UPC 101205747019541701	351 Manuel Sanchez Pl. SW
Lot 7-P1	UPC 101205746124341644	329 Manuel Sanchez Pl. SW
Lot 16-P1	UPC 101205746728941653	300 Manuel Sanchez Pl. SW
Lot 17-P1	UPC 101205747128541654	304 Manuel Sanchez Pl. SW
Lot 23-P1	UPC 102105746623941660	1319 Manuel Sanchez Pl. SW
Lot 27-P1	UPC 101205749924641664	1301 Manuel Sanchez Pl. SW
Lot 31-P1	UPC 101205748726441668	305 Manuel Sanchez Pl. SW

Unit Numbers for Sunset Farms Subdivision Unit Two Lots, plat recorded September 12, 2015, as Document No. 2015070247:

<u>Lot</u>	<u>UPC Number</u>	<u>Address</u>
Lot 9A1-P1	UPC 101205744431210608	231 Anna Maria SW
Lot 10A1-P1	UPC 101205744730810609	235 Anna Maria SW
Lot 18-P1	UPC 101205744930510618	243 Anna Maria, SW

Sunset Farm Unit Two Lot, plat recorded January 17, 2006, as Document No. 2006007262:

<u>Lot</u>	<u>UPC Number</u>	<u>Address</u>
Lot 1-P1	UPC – 101205743635210617	200 Anna Maria SW
Lot 11-P1	UPC – 101205746029710610	244 Anna Maria SW

Sunset Farm Subdivision Unit Two, Plat recorded May 30, 2017, as Doc. No. 2017051734

<u>Lot</u>	<u>UPC Number</u>	<u>Address</u>
Lot 19A-P1	UPC 101205745429810619	247 Anna Maria SW

Unimproved Lots Owned by Third Parties to Which Landco, II LLC is obligated to construction sidewalks:

<u>Lot</u>	<u>UPC Number</u>	<u>Owner/Address</u>
Lot 5-P1	101205746820741703	Joe and Maria Margram 335 Manuel Sanchez SW
Lot 45A-P1	101205751124641619	Jeannie Wheeler 332 Luis Sanchez, SW
Lot 50-P1	10125752521341609	Ruben Barela and Shirley Gonzales 348 Luis Sanchez, SW
Lot 16-P1	101205744533110616	Tomasita Murphy and Roger Oshiro 216 Anna Maria, SW
Lot 17-P1	101205744732510615	Tomasita Murphy and Roger Oshiro 212 Anna Maria, SW

REASONS FOR REQUEST

Applicant, Landco II, LLC ("Landco"), is the owner of the fifteen (15) unimproved lots described on Exhibit "A". John D. Sanchez and Richard R. Sanchez are the only members of Landco II, LLC.

The subdivisions that are the subject of this request for the two (2) year extension of the Sidewalk Deferral Agreement are: i) Sunset Farm Units One; ii) Sunset Farms Unit Two; and ii) Puesta del Sol Subdivision (altogether, the "Subdivisions"). In October 2001, Landco developed Sunset Farm Subdivision Units One and Two (the "Original Plats"). The Subdivisions have been replatted several times since the Original Plats. The first Sidewalk Deferral Agreement was entered into on October 2, 2001, and recorded on October 3, 2001, as Document No. 2001117049 (the "Original Sidewalk Deferral Agreement"). The Original Sidewalk Deferral Agreement has been timely extended every few years, sometimes with a one-year extension and sometimes with a two-year extension, with the last Extension Agreement being recorded on June 26, 2018, as Document No. 2018055826.

Landco's desire is to negotiate sales of its unimproved lots within the Subdivisions and therefore the applicants requests an extension of the sidewalk deferral agreement for an additional two (2) years.

Further, the following unimproved lots were sold by Landco to third parties (the "Third Party Lots"):

- Lot 5-P1, Puesta del Sol Subdivision
- Lot 45A-P1, Puesta del Sol Subdivision
- Lot 50-P1, Puesta del Sol Subdivision
- Lot 16-P1, Sunset Farm Unit 2
- Lot 17-P1, Sunset Farm Unit 2

Landco understands it is obligated to construct the sidewalks on the Third Party Lots after the lot owners have constructed homes upon the Third Party Lots or at the insistence of the City of Albuquerque.

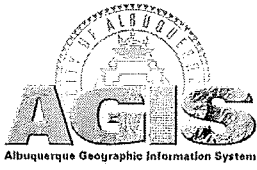
All of the lots that are the subject of this extension request are vacant lots.



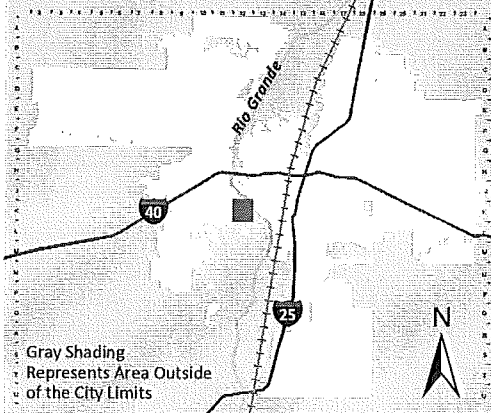
For more details about the Integrated Development Ordinance visit: <http://www.cabq.gov/planning/codes-policies-regulations/integrated-development-ordinance>

IDO Zone Atlas

May 2018



IDO Zoning information as of May 17, 2018
The Zone Districts and Overlay Zones are established by the Integrated Development Ordinance (IDO).



Gray Shading
Represents Area Outside
of the City Limits

Zone Atlas Page:
K-12-Z

- Easement
- Escarpment
- Petroglyph National Monument
- Areas Outside of City Limits
- Airport Protection Overlay (APO) Zone
- Character Protection Overlay (CPO) Zone
- Historic Protection Overlay (HPO) Zone
- View Protection Overlay (VPO) Zone

Feet
0 250 500 1,000



OFFICIAL NOTICE OF DECISION

CITY OF ALBUQUERQUE
PLANNING DEPARTMENT
DEVELOPMENT REVIEW BOARD

December 21, 2016

Project# 1008091
16DRB-70437 EXT OF SIA FOR TEMP DEFR SDWK CONST

MYERS, MCREADY AND MYERS PC agent(s) for RICHARD AND JOHN SANCHEZ AND LGI HOMES request(s) the above action(s) for all or a portion of SUNSET FARM UNITY 1 AND 2 AND PUESTA DEL SOL, zoned R-1, located on SUNSET RD SW BETWEEN GONZALES RD SW AND CENTRAL SW (K-12)

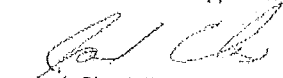
At the December 21, 2016 Development Review Board meeting, a two year extension to the agreement for the deferral of sidewalks was approved. Please provide an exhibit to the Design Review Committee indicating the lot number/addresses where sidewalks are still deferred and an updated Engineer's estimate.

If you wish to appeal this decision, you must do so by January 5, 2017, in the manner described below.

Appeal is to the Land Use Hearing Officer. Any person aggrieved with any determination of the Development Review Board may file an appeal 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 an appeal.

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 appeal. Such appeal shall be heard within 60 days of its filing.

You will receive notice if any other person files an appeal. 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