



September 14, 2021

Please find the documentation, found in the email provided to plndrs@cabq.gov and or the link for file upload, as our submission for Minor Amendment review for the Trader Joe's façade, located at 2200 Uptown Loop Road NE.

We have provided the following items:

- Development Application.
- FormP3
- The Site Plan originally approved.
- Site Plan Showing suggested modifications.
- Albuquerque A-4 Edited 2021_01_18.PDF – Detailing the requested modifications to the existing deteriorated stone faced.
- Agent Authorization Letter from Landlord
- IDO Zone Atlas Page H-19-Z

We believe we meet the requirements of 6-4(Z)(1)(a) of the IDO because the requested modifications do not require major public infrastructure and require no changes to access or circulation patterns on site. The modifications are only aesthetic and meet the intent of the original submission with less than 10% overall changes to the façade.

Please review the provided documents and let us know if you require any additional information.

Sincerely,

Michael A. Grubb, AIA, LEED AP BD+C

AGENT AUTHORIZATION LETTER

Property Legal Description: TR B-1-A-1-A PLAT of TR B-1-A-1-A ST PIUS X SUBDCONT

Property Address: 2200 Uptown Loop Road NE, Albuquerque, NM 87110

Acres: 1.149

Property Owner: ABQ Uptown Peripheral, LLC

225 West Washington Street

Indianapolis, IN 46240

(317) 636-1600

The undersigned, the authorized signatory of the Property Owner of the above referenced property, subject to the terms hereof, does hereby authorize

Michael Grubb, of MDC Construction, LLC
(Contractor) (Name of Consulting Firm)

to act on Property Owner's behalf and take all actions necessary for processing, issuance and acceptance of any permits and or approvals (the "Building Permits") required for the maintenance and/or modifications to the exterior façade of the Trader Joe's building situated on the above referenced Property (the "Project").

MDC Construction, LLC and Contractor (collectively, the "Agent") hereby agree and certify that:

- (1) the description of use and information contained on the Building Permits is correct;
- (2) the Project will be constructed in strict accordance with the Building Permits and applicable local law;
- (3) any changes to the Building Permits will be promptly filed with the applicable governmental authority;
- (4) to take full responsibility for removing and replacing any construction found, by plan examination or by inspection, to be in violation of the building codes or local law; and
- (5) to not proceed with the Project until such Building Permits are issued by the appropriate governmental authority.

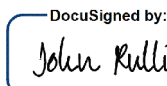
(collectively, items (1) through (5) being hereinafter referred to as the "Indemnified Certifications").

Agent hereby agrees to indemnify, hold harmless, and defend Property Owner from and against any and all claims arising as a result of or with respect to any violation of the Indemnified Certifications (each, a "Claim").

Property Owner will provide Agent with prompt written notice after Property Owner receives written notice of any Claim(s), and will reasonably cooperate, at no cost or expense to Property Owner, in Agent's defense of the Claim(s). Agent shall have sole and exclusive control over any litigation, including without limitation: selection of counsel, decisions on procedural matters, litigation strategy and decisions on settlement; provided, however, that (a) Agent shall retain and utilize reputable and competent legal counsel to defend such Claim(s); and (b) in the event any Claim(s) affects, or likely will affect, Property Owner's title to the Property, or Property Owner's ability to fully comply with contractual obligations relating to the Property or by which it is, or likely will be, bound, including, without limitation, any mortgage loan relating to the Property, then Agent and Property Owner shall reasonably cooperate in all matters related to such litigation, without cost or expense to Property Owner.


Notwithstanding any other provision of this Agent Authorization Letter ("Letter") to the contrary, Property Owner shall have the right to terminate this Letter at any time for its convenience by providing written notice to Agent. Within ten (10) days following receipt of such notice, Agent shall assign back to Property Owner any counterclaims or other defenses assigned to Agent, and provide (and cause legal counsel retained by it to provide) to Property Owner all files, documents and other information related to the Claim and defense of the same and in such manner so as to avoid prejudicing Property Owner's case, including any counterclaims and defenses, and upon completion of the foregoing, this Indemnity Agreement shall automatically terminate.

This Letter shall not be recorded and Agent and Property Owner shall keep the material terms of this Letter confidential; provided, however, that nothing herein shall be deemed to limit or impair in any way either party's ability to disclose this Letter (i) pursuant to any court or governmental order, applicable securities regulations, financial reporting requirements, or other requirements of law; or (ii) in any filings made pursuant to any laws; or (iii) to file this Letter as an exhibit to any filings required by any laws; or (iv) to any person actually involved with Agent or Property Owner, such as attorneys (and their staff), accountants, employees, investors, lenders, title companies, appraisers, third party consultants, or other similar persons or entities; or (v) to purchasers of Property Owner or the Property.

DocuSigned by:

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 (Signature - Property Owner)

John Rulli, Chief Administrative Officer

Date: ☐eptem ☐er 1 ☐☐☐☐


 (Signature – Agent)

Michael Grubb, President of Construction

Date:



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	Decisions Requiring a Public Meeting or Hearing	Policy Decisions
<input type="checkbox"/> Archaeological Certificate (Form P3)	<input type="checkbox"/> Site Plan – EPC including any Variances – EPC (Form P1)	<input type="checkbox"/> Adoption or Amendment of Comprehensive Plan or Facility Plan (Form Z)
<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 Historic Designation (Form L)
<input type="checkbox"/> Alternative Signage Plan (Form P3)	<input type="checkbox"/> Historic Certificate of Appropriateness – Major (Form L)	<input type="checkbox"/> Amendment of IDO Text (Form Z)
<input type="checkbox"/> Alternative Landscape Plan (Form P3)	<input type="checkbox"/> Demolition Outside of HPO (Form L)	<input type="checkbox"/> Annexation of Land (Form Z)
<input checked="" type="checkbox"/> Minor Amendment to Site Plan (Form P3)	<input type="checkbox"/> Historic Design Standards and Guidelines (Form L)	<input type="checkbox"/> Amendment to Zoning Map – EPC (Form Z)
<input type="checkbox"/> WTF Approval (Form W1)	<input type="checkbox"/> Wireless Telecommunications Facility Waiver (Form W2)	<input type="checkbox"/> Amendment to Zoning Map – Council (Form Z)
		Appeals
		<input type="checkbox"/> Decision by EPC, LC, ZHE, or City Staff (Form A)

APPLICATION INFORMATION

Applicant: ABQ Opton Peripheral, LLC		Phone:
Address: 225 West Washington Street		Email:
City: Indianapolis	State: IN	Zip: 46240
Professional/Agent (if any): The MDC Group		Phone: (317) 776-1463
Address: 15335 Endeavor Drive, Suite 100		Email: mgrubb@themdcgroup.net
City: Noblesville	State: IN	Zip: 46060
Proprietary Interest in Site: General Contractors		List all owners: Steven Schnadenberg

BRIEF DESCRIPTION OF REQUEST

Requesting approval to replace the existing stone facade, in places as shown on the attached sketch, due to the stone falling off the existing wall.

SITE INFORMATION (Accuracy of the existing legal description is crucial! Attach a separate sheet if necessary.)

Lot or Tract No.: TR B-1-A-1-A PLAT of TR B-1-A-1-A	Block:	Unit:
Subdivision/Addition: St. Pius X Subdivision	MRGCD Map No.:	UPC Code: 101905910201831701
Zone Atlas Page(s): H-19-Z	Existing Zoning: C	Proposed Zoning: N/A
# of Existing Lots: 1	# of Proposed Lots: 1	Total Area of Site (acres): 1.1490

LOCATION OF PROPERTY BY STREETS

Site Address/Street: 2200 Opton Loop Road NE	Between: Louisiana Blvd NE	and: Indian School Road NE
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CASE HISTORY (List any current or prior project and case number(s) that may be relevant to your request.)

Signature:	Date: 09/12/2021
Printed Name: Michael Grubb	<input type="checkbox"/> Applicant or <input checked="" type="checkbox"/> Agent

FOR OFFICIAL USE ONLY

Case Numbers	Action	Fees	Case Numbers	Action	Fees
SI-2021-01602	AA				
Meeting/Hearing Date:			Fee Total:		
Staff Signature:		Date:	Project # PR-2021-005575		

FORM P3 ☐ ADMINISTRATIVE DECISIONS AND MINOR AMENDMENTS

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.

☐ ARCHEOLOGICAL CERTIFICATE

- ☐ Archaeological Compliance Documentation Form with property information section completed
- ☐ Only the information above is required unless the City Archaeologist determines that the application does not qualify for a Certificate of No Effect, in which case a treatment plan prepared by a qualified archaeologist that adequately mitigates any archeological impacts of the proposed development must be submitted and reviewed for a Certificate of Approval per the criteria in IDO Section 14-16-6-5(A)(3)(b)
- ☐ 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

☐ MINOR AMENDMENT TO SITE PLAN – ADMIN, EPC, or DRB

- ☐ Justification letter describing, explaining, and justifying the request per the criteria in IDO Section 14-16-6-4(Y)(2)
- ☐ Three (3) copies of all applicable sheets of the approved Site Plan being amended, folded
- ☐ Copy of the Official Notice of Decision associated with the prior approval
- ☐ Three (3) copies of the proposed Site Plan, with changes circled and noted
Refer to the Site Plan Checklist for information needed on the proposed Site Plan.
- ☐ 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

Minor Amendments must be within the thresholds established in IDO TABLE 6-4-4. Any amendment beyond these thresholds is considered a Major Amendment and must be processed through the original decision-making body for the request.

☐ MINOR AMENDMENT TO SITE DEVELOPMENT PLAN APPROVED PRIOR TO THE EFFECTIVE DATE OF THE IDO

- ☐ Justification letter describing, explaining, and justifying the request per the criteria in IDO Section 14-16-6-4(Z)(1)(a)
- ☐ Three (3) copies of all applicable sheets of the approved Site Development Plan being amended, folded
- ☐ Copy of the Official Notice of Decision associated with the prior approval
- ☐ Three (3) copies of the proposed Site Development Plan, with changes circled and noted
Refer to the Site Plan Checklist for information needed on the proposed Site Plan.
- ☐ 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

Minor Amendments must be within the thresholds established in IDO TABLE 6-4-4. Any amendment beyond these thresholds is considered a Major Amendment and must be processed through the original decision-making body for the request.

☐ ACCELERATED EXPIRATION SITE PLAN

- ☐ Justification letter describing, explaining, and justifying the request per the criteria in IDO Section 14-16-6-4(X)(2)(c)
- ☐ Site Plan to be Expired
- ☐ 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


☐ ALTERNATIVE SIGNAGE PLAN

- ☐ Proposed Alternative Signage Plan compliant with IDO Section 14-16-5-12(F)(5)
- ☐ Justification letter describing, explaining, and justifying the request per the criteria in IDO Section 14-16-6-5(C)(3)(b)
- ☐ Required notices with content per IDO Section 14-16-6-4(K)
 - ☐ Office of Neighborhood Coordination notice inquiry response and proof of emailed notice to affected Neighborhood Association representatives
 - ☐ Sign Posting Agreement
- ☐ 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


☐ ALTERNATIVE LANDSCAPE PLAN

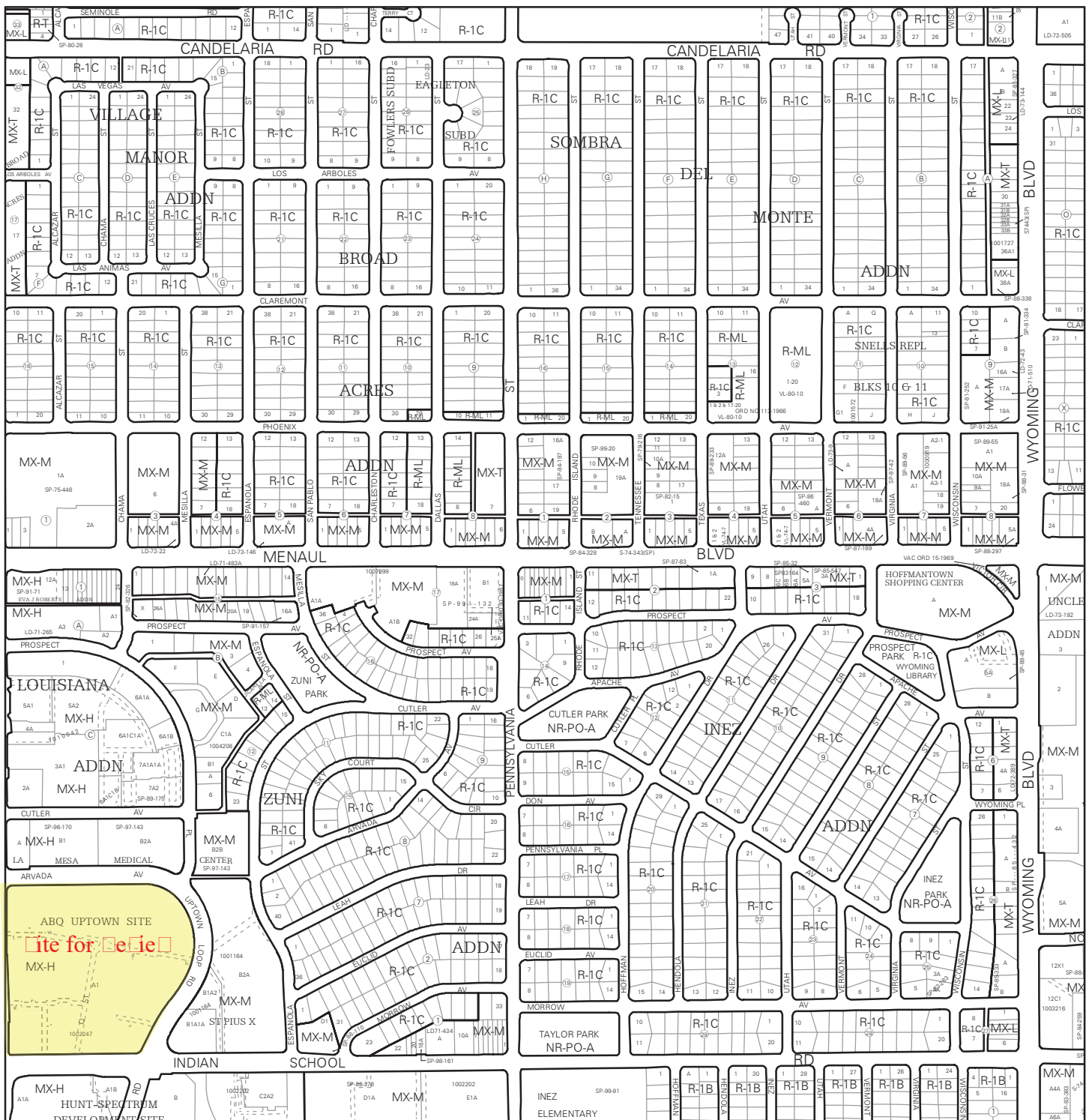
- ☐ Justification letter describing, explaining, and justifying the request per the criteria in IDO Section 14-16-5-6(C)(16)
- ☐ Landscape Plan
- ☐ Letter of authorization from the property owner if application is submitted by an agent
- ☐ Zone Atlas map with the entire site clearly outlined and labeled

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: 	Date: <input type="text"/>
Printed Name: <input type="checkbox"/> Michael <input type="checkbox"/> J. <input type="checkbox"/> Ru <input type="checkbox"/>	<input type="checkbox"/> Applicant or <input type="checkbox"/> Agent

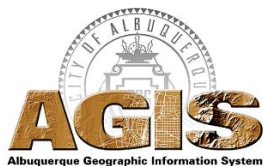
FOR OFFICIAL ☐ SE ONLY ☐

Project Number:	Case Numbers	
PR-2021-005575	SI-2021-01602	
	-	
	-	
Staff Signature:		
Date:		

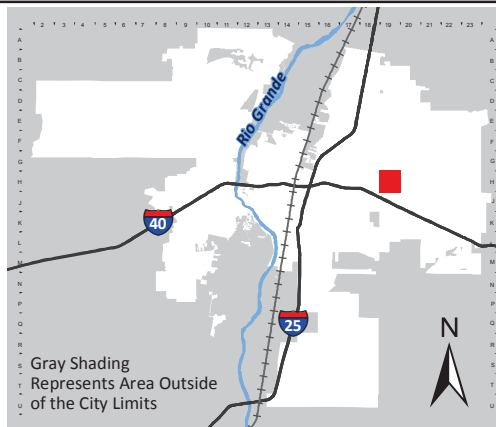


For more details about the Integrated Development Ordinance visit: <http://www.cabq.gov/planning/codes-policies-regulations/integrated-development-ordinance>

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).



Zone Atlas Page:
H-19-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
- 0 250 500 1,000 Feet



CITY OF ALBUQUERQUE INVOICE

THE MDC GROUP MICHAEL GRUBB

15335 ENDEAVOR DR, SUITE 100

Reference NO: SI-2021-01602

Customer NO: CU-145653794

Date	Description	Amount
9/28/21	2% Technology Fee	\$1.00
9/28/21	Application Fee	\$50.00

Due Date: **9/28/21**

Total due for this invoice:

\$51.00

Options to pay your Invoice:

1. Online with a credit card: <http://posse.cabq.gov/posse/pub/lms/Default.aspx>
2. In person: Plaza Del Sol, 600 2nd St. NW, Albuquerque, NM 87102

PLEASE RETURN THE BOTTOM PORTION OF THIS INVOICE NOTICE WITH PAYMENT



City of Albuquerque
PO Box 1293
Albuquerque, NM 87103

Date: 9/28/21
Amount Due: **\$51.00**
Reference NO: SI-2021-01602
Payment Code: 130
Customer NO: CU-145653794

THE MDC GROUP MICHAEL GRUBB
15335 ENDEAVOR DR, SUITE 100
NOBLESVILLE, IN 46060



130 0000SI20210160200099355114565440700000000000005100CU145653794