



# DEVELOPMENT FACILITATION TEAM (DFT) APPLICATIONS

Effective 12/15/2022

MISCELLANEOUS APPLICATIONS  □ Extension of Infrastructure List or IIA (Form S3)  X Site Plan Administrative DFT (Forms P & P2)  □ Final EPC Sign-off for Master Development/Site Plans - EPC (Form P2)  □ Sketch Plat Review and Comment (Form S3)  □ Amendment to Infrastructure List (Form S3)  □ Temporary Deferral of S/W (Form S3)  □ Extension of IIA: Temp. Def. of S/W (Form S3)  □ Administrative Decision (Form A)	-			
□ Final EPC Sign-off for Master Development/Site Plans - EPC (Form P2) □ Sketch Plat Review and Comment (Form S3) □ Amendment to Infrastructure List (Form S3) □ Sketch Plan Review and Comment (Form S3) □ Temporary Deferral of S/W (Form S3)	-			
□ Amendment to Infrastructure List (Form S3) □ Sketch Plan Review and Comment (Form S3) □ Temporary Deferral of S/W (Form S3)  APPEAL	-			
□ Temporary Deferral of S/W (Form S3)	-			
	-			
□ Extension of IIA: Temp. Def. of S/W (Form S3) □ Administrative Decision (Form A)	-			
	-			
BRIEF DESCRIPTION OF REQUEST	-			
This is a site plan approval for hotel use. The proposed hotel will be 64,715 S.F. There is no major public infrastructure needed for this development. The site is currently vacant and currently subdivided. This request will also amended the overall Site Plan to show the new hotel layout.				
APPLICATION INFORMATION				
Applicant/OwnerJEFFERSON 25 LAND QOZB LLC C/O ARGUS INVESTMENT REALTY LLC Phone:				
Address: 500 4TH ST NW SUITE 275 Email:				
City: ALBUQUERQUE State: NM zip: 87102				
Professional/Agent (if any): Modulus Architects & Land Use Planning, Inc. (agent) Phone: (505) 338-1499				
Address: 8220 SAN PEDRO DR. NE, SUITE 520 Email: rokoye@modulusarchit	ects.com			
City: Albuquerque State: NM Zip: 87113				
Proprietary Interest in Site: Agent List all owners:	List all owners:			
SITE INFORMATION (Accuracy of the existing legal description is crucial! Attach a separate sheet if necessary.)				
Lot or Tract No.: 1A1 Block: Unit:	0.404.07			
Subdivision/Addition: FRATERNAL ORDER OF POLICE MRGCD Map No.: UPC Code: 1017062333149	940107			
Zone Atlas Page(s): E-17-Z Existing Zoning: NR-BP Proposed Zoning	1.0			
# of Existing Lots: 1 # of Proposed Lots: 1 Total Area of Site (Acres): 1.46				
LOCATION OF PROPERTY BY STREETS  Cits Address (Otto at 5010 MEETER CON CEN NE Debugger L CC Con Con NE Con				
Site Address/Street: 5910 JEFFERSON ST NE Between: Jefferson St NE and:				
CASE HISTORY (List any current or prior project and case number(s) that may be relevant to your request.)				
PR-2021-005746, SI-2022-00947				
I certify that the information I have included here and sent in the required notice was complete, true, and accurate to the extent of my knowledge.				
Signature: Round Skaye.  Date: 11/27/2023				
Printed Name: Regina Okoye □ Applicant or 🛚 Agent				

FORM P2 Page 1 of 3

### FORM P2: SITE PLAN ADMINISTRATIVE - Development Facilitation Team (DFT) as of 12/25/2022

### X SITE PLAN ADMINISTRATIVE – DFT

A Single PDF file of the complete application including all documents being submitted must be emailed to <a href="PLNDRS@cabq.gov">PLNDRS@cabq.gov</a>. Zipped files or those over 9 MB cannot be delivered via email, in which case the PDF must be provided to City Staff using other online resources such as Dropbox or FTP. <a href="The PDF shall">The PDF shall</a> be organized in the number order below. Divide the PDF with a title sheet for each of the three documentation sections in **bold** below.

#### SITE PLAN DOCUMENTATION

- $\underline{X}$  1) DFT Application form completed, signed, and dated
- X 2) Form P2 with all the submittal items checked/marked
- X 3) Form P with signatures from Hydrology, Transportation, and ABCWUA
- $\underline{ extbf{X}}$  4) Zone Atlas map with the entire site clearly outlined and labeled
- $\underline{X}$  5) Site Plan and related drawings (include a Site Plan key of the sheets submitted)
- $\underline{X}$  6) Copy of the original approved Site Plan or Master Development Plan (for amendments to or Extensions of the Site Plan)
- $\underline{N/A}$  7) Infrastructure List, if required for building of public infrastructure
- 8) Sensitive Lands Site Analysis for new site design in accordance with IDO Section 5-2(C) (The Sensitive Lands Site Analysis form can be obtained online at):
  <a href="https://documents.cabq.gov/planning/development-review-board/Sensitive lands">https://documents.cabq.gov/planning/development-review-board/Sensitive lands</a> analysis form.pdf
- N/A 9) Responses to climatic and geographic responsive design considerations (Recommended to promote sustainability, but not required. The Climatic and Geographic Responsiveness form can be obtained online at): <a href="https://documents.cabq.gov/planning/IDO/SubmittalFormIDO5-2(D)ClimaticGeographic\_Responsiveness.pdf">https://documents.cabq.gov/planning/IDO/SubmittalFormIDO5-2(D)ClimaticGeographic\_Responsiveness.pdf</a>

#### SUPPORTIVE DOCUMENTATION

- X 10) Completed Site Plan Checklist
- $X_{\mathrm{II}}$  Letter of authorization from the property owner if application is submitted by an agent
- $\underline{X}$  12) Justification letter describing and justifying the request per the criteria in IDO Section 16-6-5(G)(3)
- 13) Explanation and justification of requested deviations, if any, in accordance with IDO Section 14-16-6-4(P). Note: If requesting more than allowed by deviation, a Variance ZHE or Waiver DHO will be required, as applicable
- 14) Sites 5 acres or greater: Archaeological Certificate in accordance with IDO Section 14-16-6-5(A) (not required for Extension)

FORM P2 Page 2 of 3

 $\underline{N/A}$  15) Landfill disclosure statement per IDO Section 14-16-6-4(S)(5)(d)(2)(d) if site is within a designated landfill buffer zone

N/A 16) Architectural Review Committee approval letter if the site is located within a Master Development Plan area or a Framework Plan area

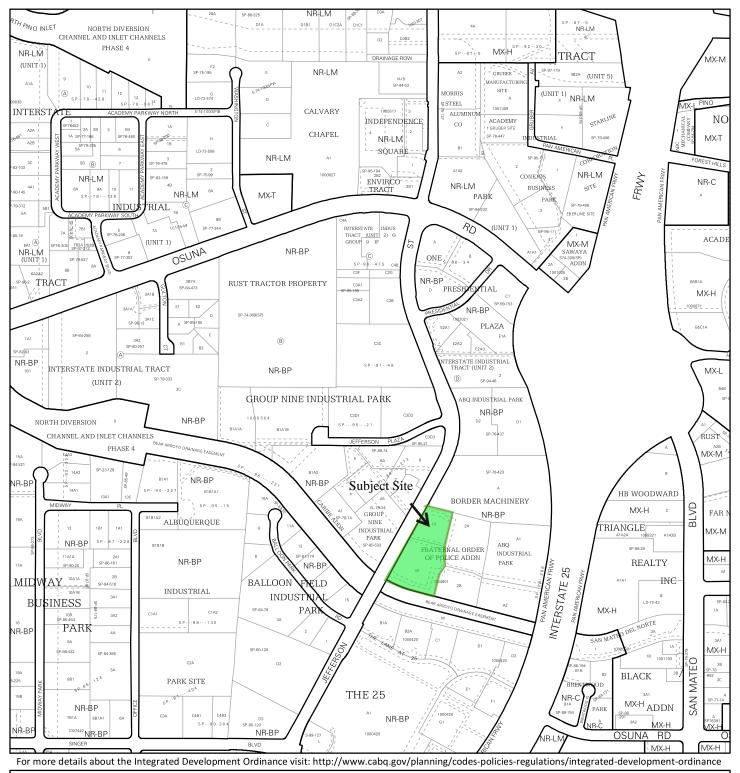
#### **PUBLIC NOTICE DOCUMENTATION**

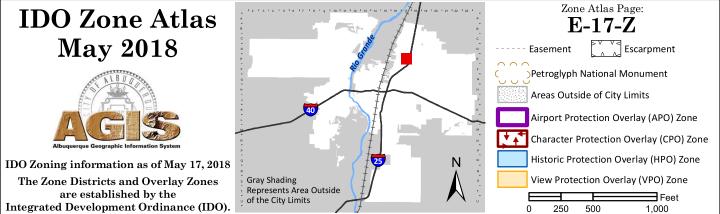
- X 17) Sign Posting Agreement
- N/A 18) Proof of a <u>Pre-Submittal</u> Neighborhood Meeting per IDO 6-4(C)(1)(b) for new building or multiple new buildings that include a total of more than 100 multi-family residential dwelling units or more than 50,000 square feet of non-residential development
  - N/AOffice of Neighborhood Coordination neighborhood meeting inquiry response
  - $N\!/\!A$  Proof of email with read receipt OR Certified Letter offering meeting to applicable associations
  - $\underline{N\!/\!A}\!Completed\ neighborhood\ meeting\ request\ form(s)$
  - $N\!/\!\underline{A}$  If a meeting was requested or held, copy of sign-in sheet and meeting notes
- $\frac{X}{19}$  19) Required Content of Notice <u>at Submittal</u> per IDO Section 14-16-6-4(K)(1) (not required for an extension)
  - N/A Office of Neighborhood Coordination notice inquiry response
  - N/A Completed notification form(s), proof of additional information provided in accordance with IDO Section 6-4(K)(1)(b)
  - $N/\underline{A}$  Proof of emailed notice to affected Neighborhood Association representatives

### FORM P: PRE-APPROVALS/SIGNATURES

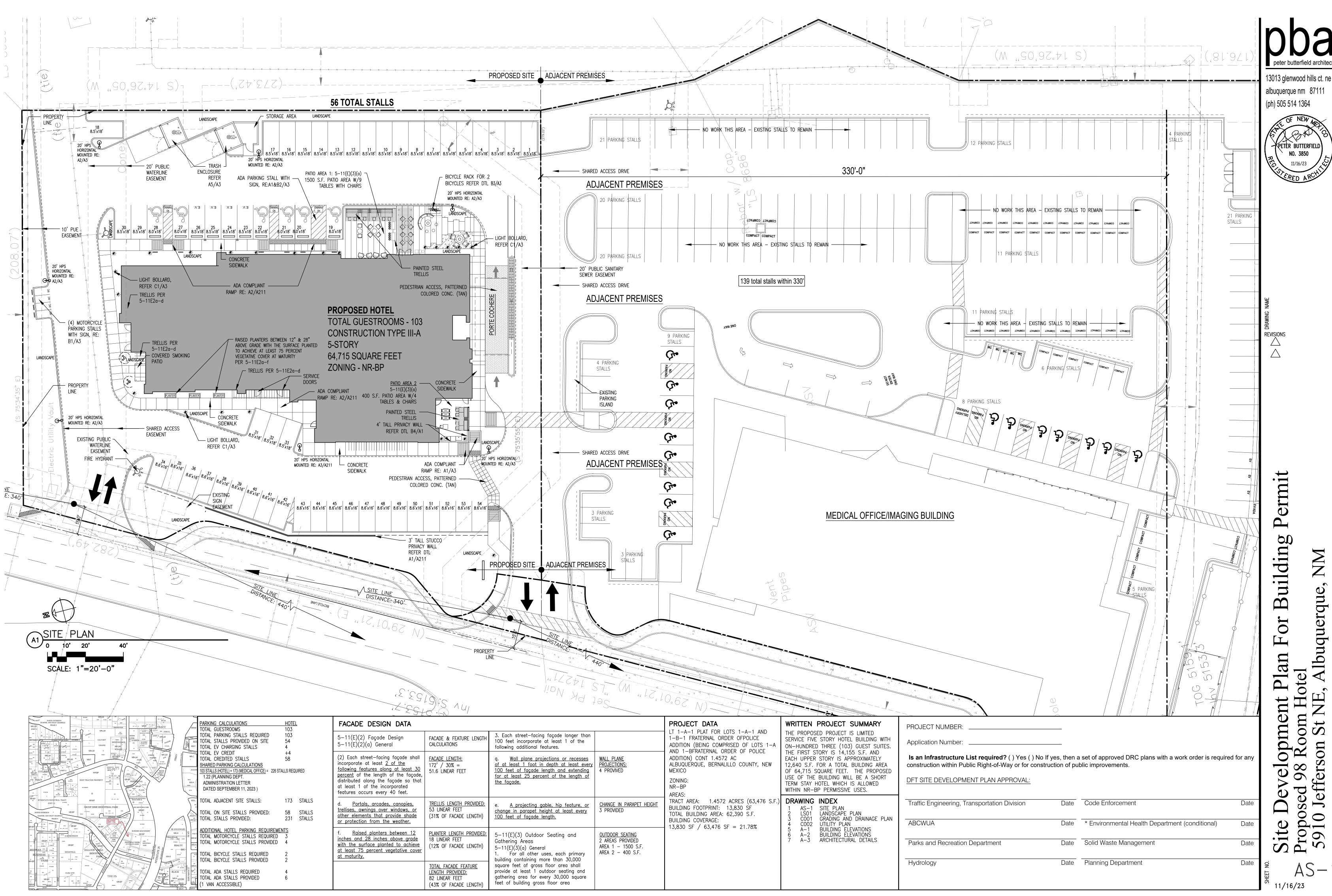
	gal Description & Location: 5910 JEFFERSON ST NE ALBUQUERQUE 87109
	' 1-A-1 PLAT FOR LOTS 1-A-1 AND 1-B-1 FRATERNAL ORDER OFPOLICE ADDITION (BEING COMPRISED O TS 1-A AND 1-BFRATERNAL ORDER OF POLICE ADDITION) CONT 1.4572 AC
	b Description: Hotel
JO	b Description:
	<u>Hydrology:</u>
	<ul> <li>Grading and Drainage Plan</li> <li>AMAFCA</li> <li>Bernalillo County</li> <li>NMDOT</li> <li>MRGCD</li> <li>Approved</li> <li>Approved</li> <li>X</li> <li>NA</li> <li>X</li> <li>NA</li> <li>NA</li> <li>X</li> <li>NA</li> <li>Approved</li> <li>X</li> <li>NA</li> <li>NA</li> <li>Approved</li> <li>X</li> <li>NA</li> <li>NA</li> <li>Approved</li> <li>X</li> <li>NA</li> <li>Approved</li> <li>X</li> <li>NA</li> <li>NA</li> <li>11/16/23</li> </ul>
	Hydrology Department Date
	Trydrology Department Date
	<u>Transportation:</u>
	<ul> <li>Traffic Circulations Layout (TCL)</li> <li>Traffic Impact Study (TIS)</li> <li>Neighborhood Impact Analysis (NIA)</li> <li>Bernalillo County</li> <li>MRCOG</li> <li>NMDOT</li> <li>MRGCD</li> </ul> <ul> <li>Traffic Circulations Layout (TCL)</li> <li>Approved</li> <li>Approv</li></ul>
	Einest Arnijo 11/16/2023
	Transportation Department Date
	Albuquerque Bernalillo County Water Utility Authority (ABCWUA):
	<ul> <li>Water/Sewer Availability Statement/Serviceability Letter</li> <li>ABCWUA Development Agreement</li> <li>ABCWUA Service Connection Agreement</li> <li>X Approved</li> <li>X NA</li> <li>Approved</li> <li>X NA</li> </ul>
	Sarah Luckis 7/26/2023 ABCWUA Date
o X	Infrastructure Improvements Agreement (IIA*) Approved $\frac{X}{X}$ NA Solid Waste Department Signature on the plan Approved NA Fire Marshall Signature on the plan X Approved NA

<sup>\*</sup> Prior to Final Site Plan approval submittals (include a copy of the recorded IIA)

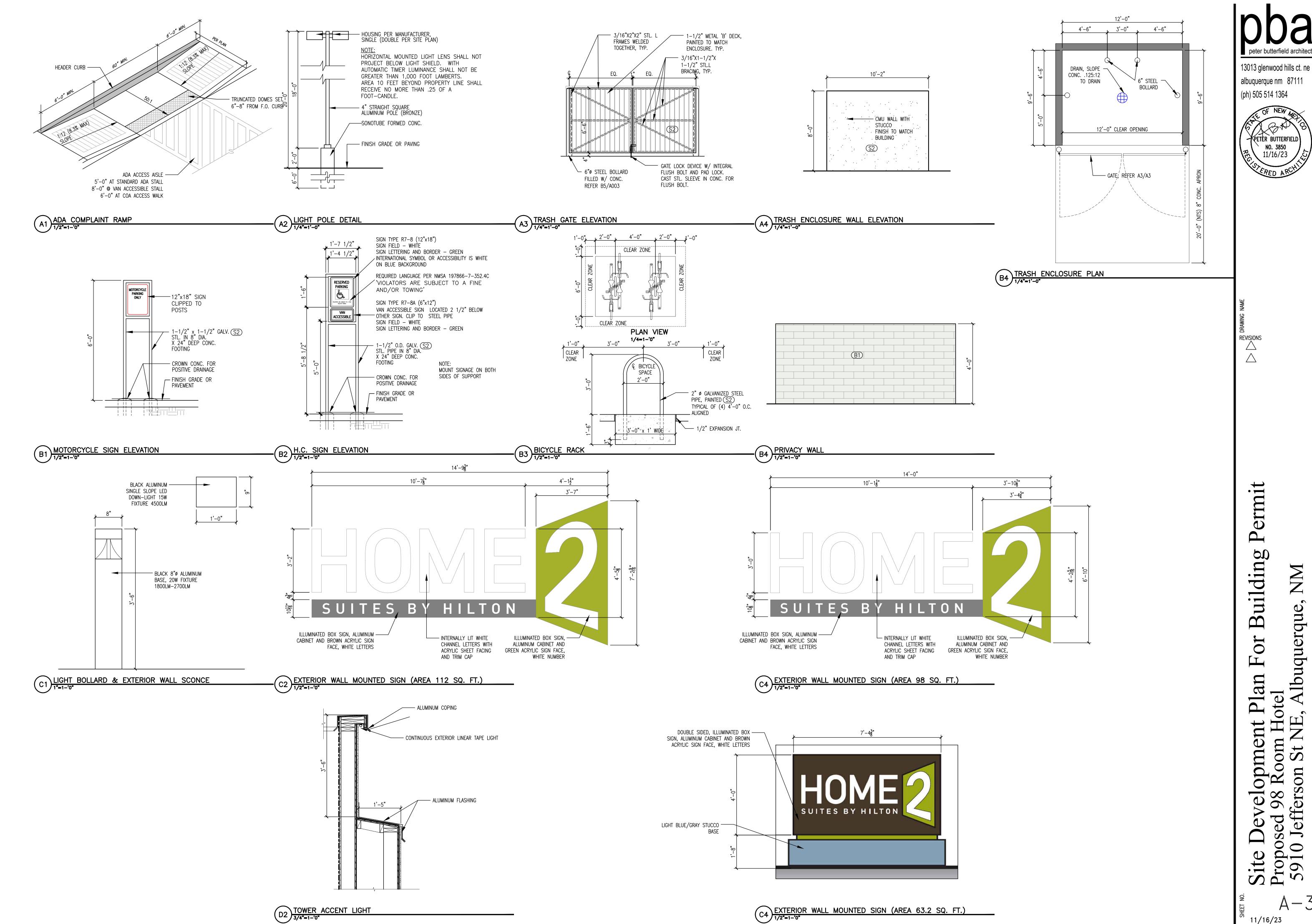




# PROPOSED PLANS



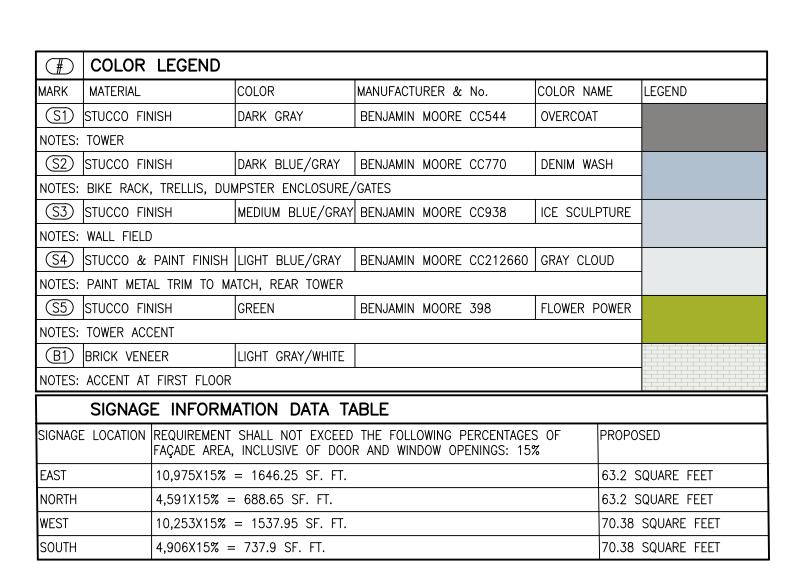
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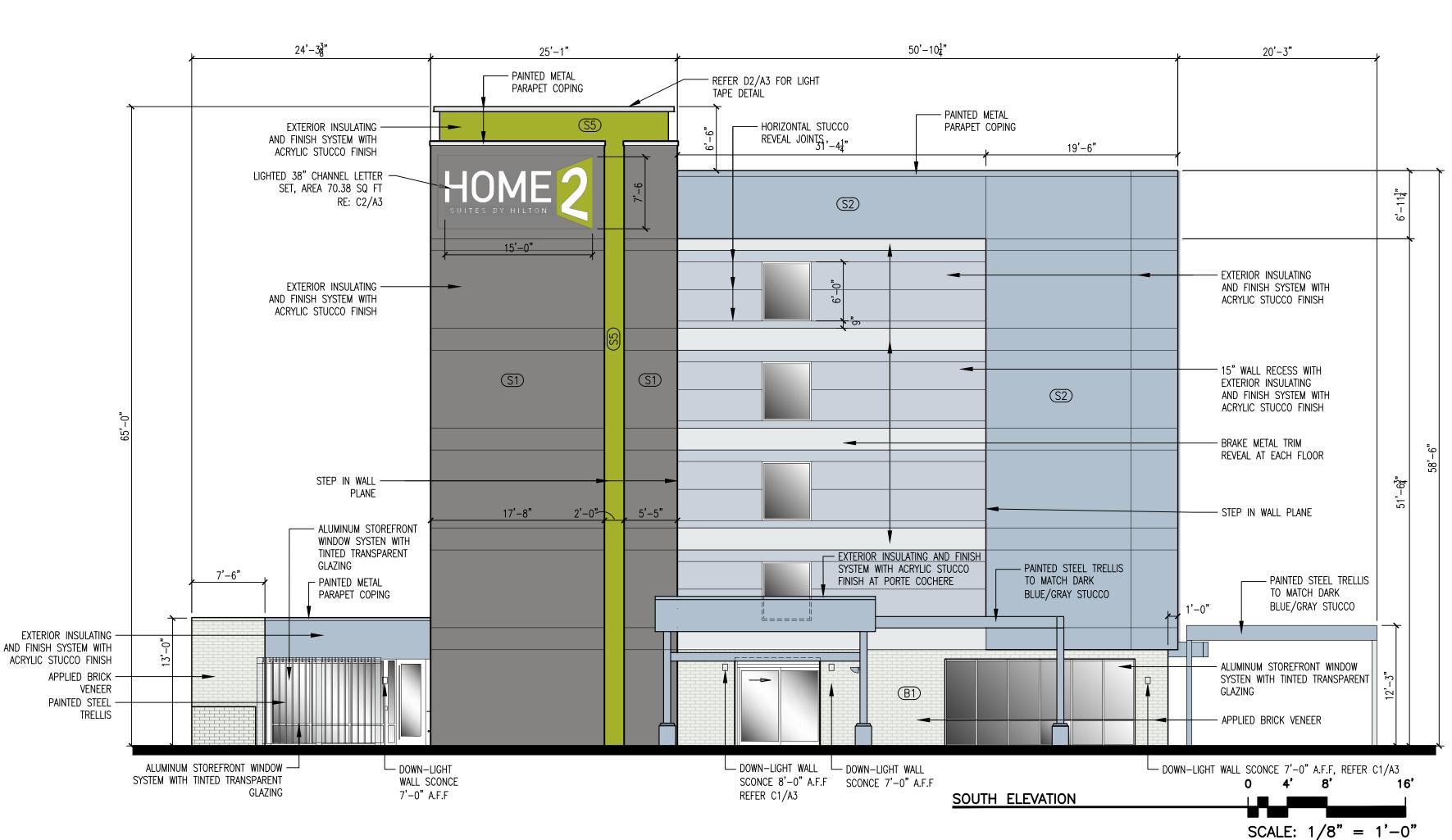
A-311/16/23

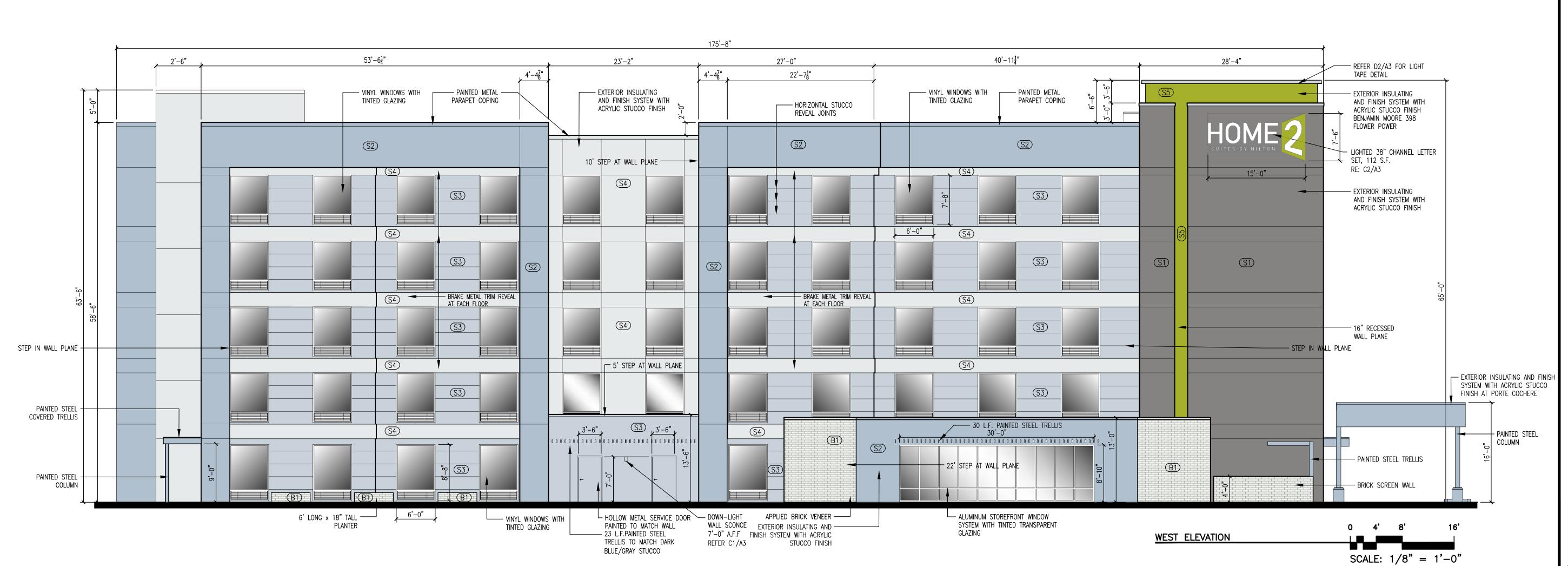
Albuquerque,

NO. 3850



SIGN DATA TABLE				
LOCATION	REQUIREMENT	ALLOWABLE SIGNAGE AREA	PROPOSED SIGNAGE AREA	
WEST	SHALL NOT EXCEED THE 15% OF FAÇADE AREA, INCLUSIVE OF DOOR AND WINDOW OPENINGS:	10,253x15% = 1,537 SF	112 S.F.	
SOUTH	SHALL NOT EXCEED THE 15% OF FAÇADE AREA, INCLUSIVE OF DOOR AND WINDOW OPENINGS:	4,906x15% = 735 SF	112 S.F.	
EAST	SHALL NOT EXCEED THE 15% OF FAÇADE AREA, INCLUSIVE OF DOOR AND WINDOW OPENINGS:	10,795x15% = 1,619 SF	98 S.F.	
NORTH	SHALL NOT EXCEED THE 15% OF FAÇADE AREA, INCLUSIVE OF DOOR AND WINDOW OPENINGS:	4,591x15% = 688 SF	98 S.F.	





13013 glenwood hills ct. ne

KPETÉR BUTTERFIELD

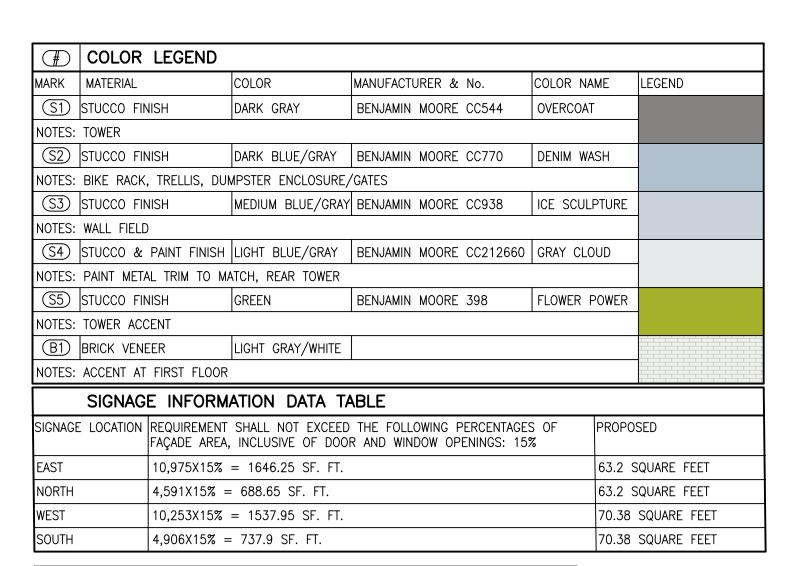
NO. 3850

albuquerque nm 87111

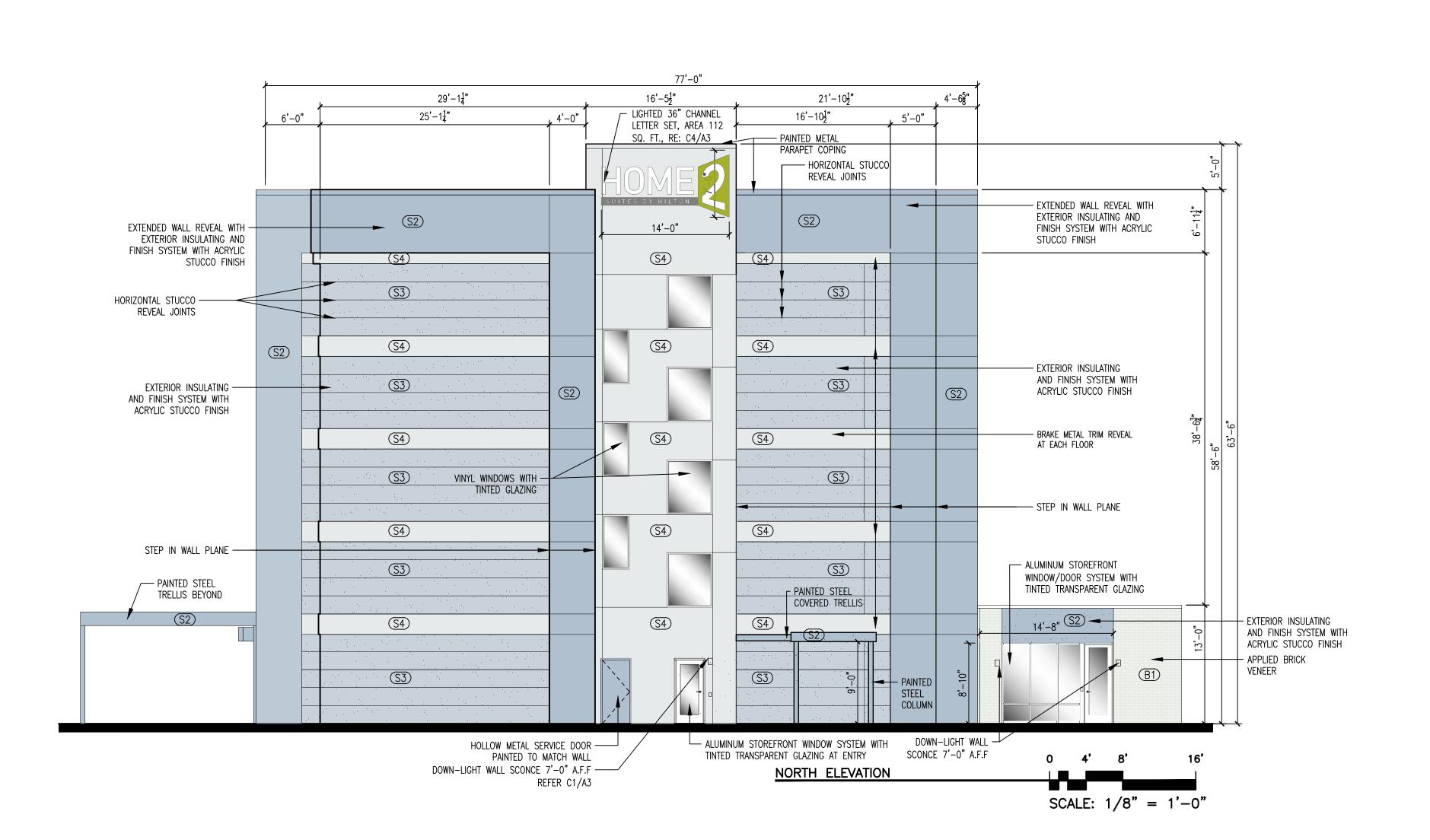
(ph) 505 514 1364

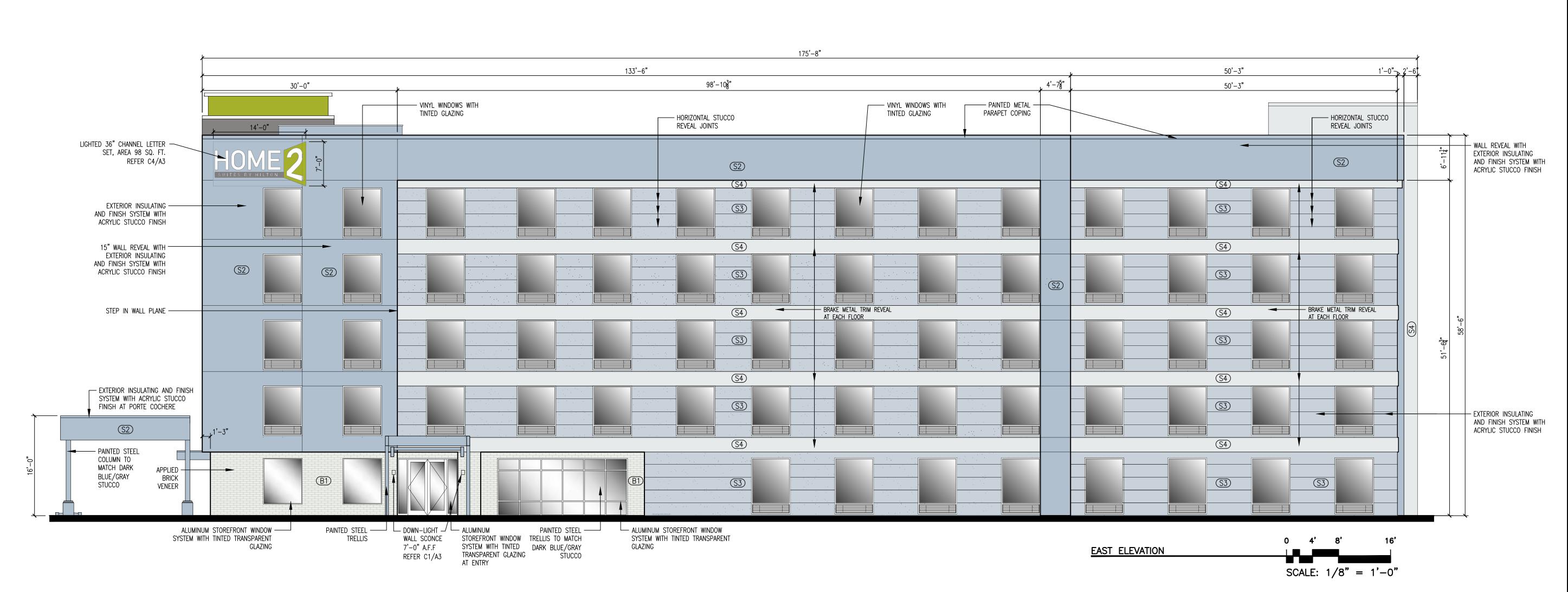
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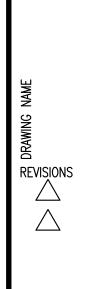
Site Prop 591(



SIGN DATA TABLE				
LOCATION	REQUIREMENT	ALLOWABLE SIGNAGE AREA	PROPOSED SIGNAGE AREA	
WEST	SHALL NOT EXCEED THE 15% OF FAÇADE AREA, INCLUSIVE OF DOOR AND WINDOW OPENINGS:	10,253x15% = 1,537 SF	112 S.F.	
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13013 glenwood hills ct. ne

KPETÉR BUTTERFIELD NO. 3850

albuquerque nm 87111

(ph) 505 514 1364

0 P di uil oom Hotel n St NE, Albuquerque, Of Pl

A-Z



# SITE DATA

GROSS LOT AREA BUILDING AREA NET LOT AREA (NET.)

63,476 SF 14,329 SF 49,147 SF

REQUIRED 7,373 S

REQUIRED 7,373 SF (15% OF NET.) PROPOSED 9,790 SF (20% OF NET.)

VEGETATION COVERAGE (VEG.)

REQUIRED 5,529 SF (75% OF LAN.)
PROPOSED 5,533 (75% OF LAN.)

GROUND-LEVEL PLANTS COVERAGE

REQUIRED 1,382 SF (25% OF VEG.) PROPOSED 2,498 SF (45% OF VEG.)

STREET TREES (1 PER 25 LF)

REQUIRED 10 PROPOSED 10

PARKING LOT TREES (1 PER 10 PARKING SPACES)

REQUIRED PROPOSED

TOTAL

REQUIRED 16 TREES PROPOSED 20 TREES

NOTE: ALL CALCULATIONS MEET ALL REQUIRED IDO LANDSCAPE STANDARDS

## **GENERAL NOTES**

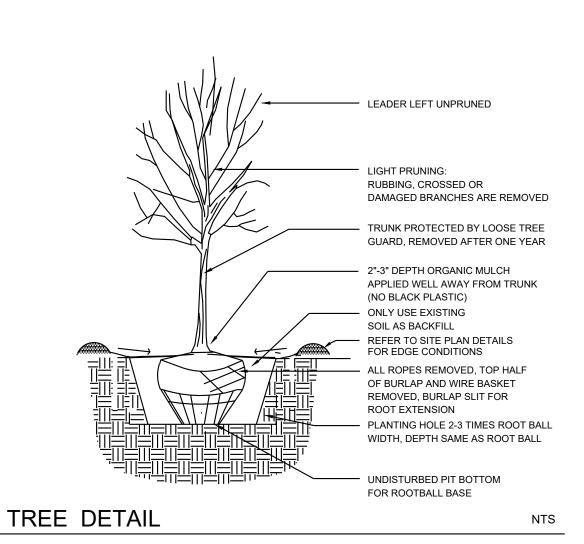
- IN CASE OF DISCREPANCIES IN PLANT QUANTITIES SHOWN ON THE PLANT SCHEDULE AND THOSE SHOWN ON THE PLAN, THE QUANTITIES SHOWN ON THE PLAN SHALL PREVAIL. CONTRACTOR SHALL VERIFY ALL QUANTITIES PRIOR TO BID AND INSTALLATION.
- 2. POSITIVE DRAINAGE AWAY FROM ALL STRUCTURES IS TO REMAIN AFTER ALL LANDSCAPE WORK IS COMPLETED.
- 3. ALL MAINTENANCE FOR LANDSCAPE AND IRRIGATION SYSTEMS SHALL BE PROVIDED BY OWNER. MAINTENANCE OF STREET TREES AND SHRUBS SHALL FIND THEM IN HEALTHY, LIVING, AND ATTRACTIVE CONDITION.
- 4. ALL ON-SITE PLANT MATERIAL, NOW AND EXISTING, SHALL BE IRRIGATED BY COMPLETE, AUTOMATIC DRIP IRRIGATION WITH SUBTERRANEAN LATERALS. EMITTERS SHALL BE PLACED AT EVEN SPACING AT DRIP LINE OF TREES AND SHRUBS AT THE MULCH'S SURFACE AT A RATE OF SIX (6) 2.0 GPH EMITTERS PER TREE AND TWO (2) 2.0 GPH EMITTERS PER SHRUB.
- 5. WATER MANAGEMENT IS THE SOLE RESPONSIBILITY OF THE PROPERTY OWNER. APPROPRIATE MEASURES HAVE BEEN TAKEN TO DESIGN AND INSTALL A WATER-CONSERVATIVE, ENVIRONMENTALLY SOUND LANDSCAPE.
- 6. 6.PLANTINGS IN CLEAR SIGHT TRIANGLE NOT TO OBSTRUCT LINE OF VISION FROM 3' HEIGHT TO 8' HEIGHT'.

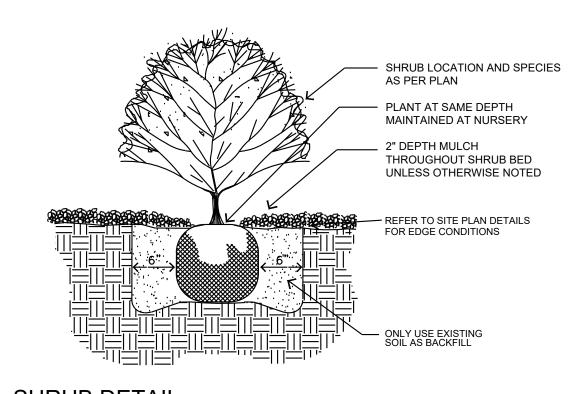
# MATERIALS

<u>SYMBOL</u>	<u>DESCRIPTION</u>	QTY	<u>DETAIL</u>
	LARGE BOULDER	11	
<u>SYMBOL</u>	DESCRIPTION	QTY	<u>DETAIL</u>
	MOUNTAINAIR BROWN CRUSHER FINES STABILIZED AT 3'' DEPTH OVER FILTER FABRIC	837 SF	
	MOUNTAINAIR BROWN 7/8" AT 3" DEPTH OVER FILTER FABRIC	8,672 SF	
	DECO SHRED BARK MULCH 3" DEPTH OVER FILTER FABRIC	29 SF	
	2-4" BLUE SAIS AT 4" DEPTH OVER FILTER FABRIC	758 SF	

### PLANTINGS

FLANINGS						
<u>DECIDUOUS TREES</u>	QTY	BOTANICAL / COMMON NAME	<u>SIZE</u>	WATER	POINTS	H X W
	15	CRATAEGUS CRUS-GALLI 'INERMIS' / THORNLESS HAWTHORN	2" B&B	MEDIUM	35	12' X 15'
	5	PRUNUS VIRGINIANA / CHOKECHERRY	2" B&B	MEDIUM +	30	20' X 20'
DECIDUOUS SHRUBS	QTY	BOTANICAL / COMMON NAME	SIZE	WATER	POINTS	$H \times W$
	31	CARYOPTERIS X CLANDONENSIS 'DARK KNIGHT' / BLUE MIST SPIREA	1 GAL	LOW+	15	3' X 3'
DESERT ACCENTS	QTY	BOTANICAL / COMMON NAME	<u>SIZE</u>	<u>WATER</u>	<u>POINTS</u>	$H \times W$
	14	AGAVE PARRYI / PARRY'S AGAVE	5 GAL	RW	20	5' X 2'
	15	YUCCA BACCATA / BANANA YUCCA	5 GAL	RW	30	4' X 5'
EVERGREEN SHRUBS	QTY	BOTANICAL / COMMON NAME	<u>SIZE</u>	<u>WATER</u>	<u>POINTS</u>	$H \times W$
	18	ERICAMERIA LARICIFOLIA / TURPENTINE BUSH	5 GAL	LOW	25	3' X 4'
	39	JUNIPERUS SABINA / 'BUFFALO JUNIPER'	5 GAL			1' X 6'
<u>GRASSES</u>	QTY	BOTANICAL / COMMON NAME	SIZE	<u>WATER</u>	<u>POINTS</u>	$H \times W$
Angle Control of the	41	BOUTELOUA GRACILIS 'BLONDE AMBITION' / BLONDE AMBITION BLUE GRAMA	1 GAL	LOW+	15	3' X 3'
<u>GROUNDCOVERS</u>	QTY	BOTANICAL / COMMON NAME	SIZE	<u>water</u>	POINTS	$H \times W$
	109	TEUCRIUM AROANIUM / CREEPING GERMANDER	1 GAL	LOW+		1' X 2'





SHRUE

SHRUB DETAIL NTS

YELLOWSTONE

LANDSCAPE

www.yellowstonelandscape.com

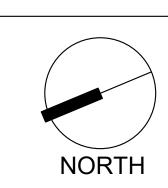
POBox 10597
Albuquerque, NM 87184
505.898.9615
design@yellowstonelandscape.com



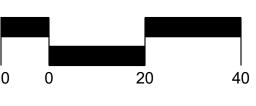
Drawn by: <u>BH</u> Reviewed by: <u>CM</u>

901 Jefferson andscape Design

S



Scale: 1" = 20'

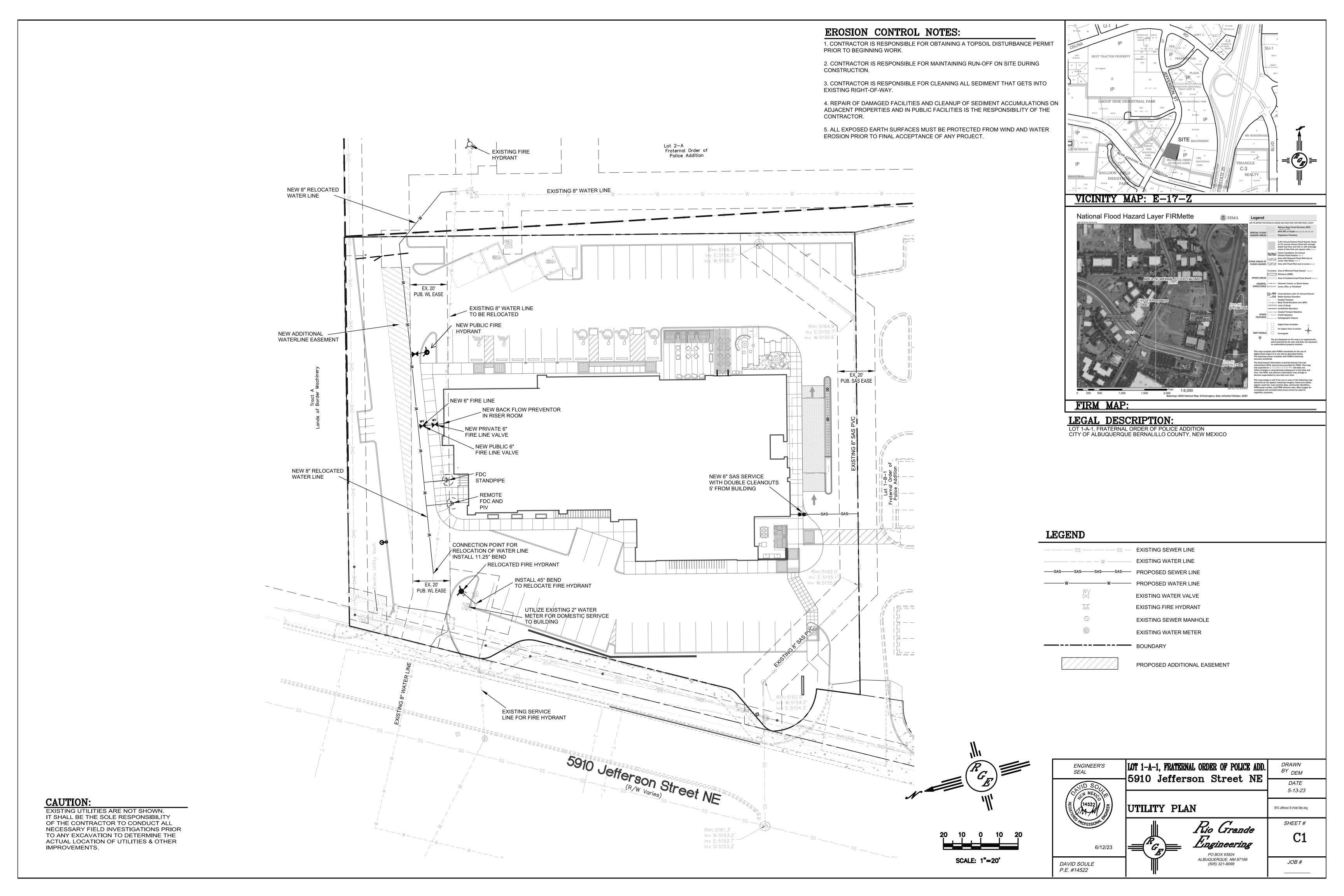


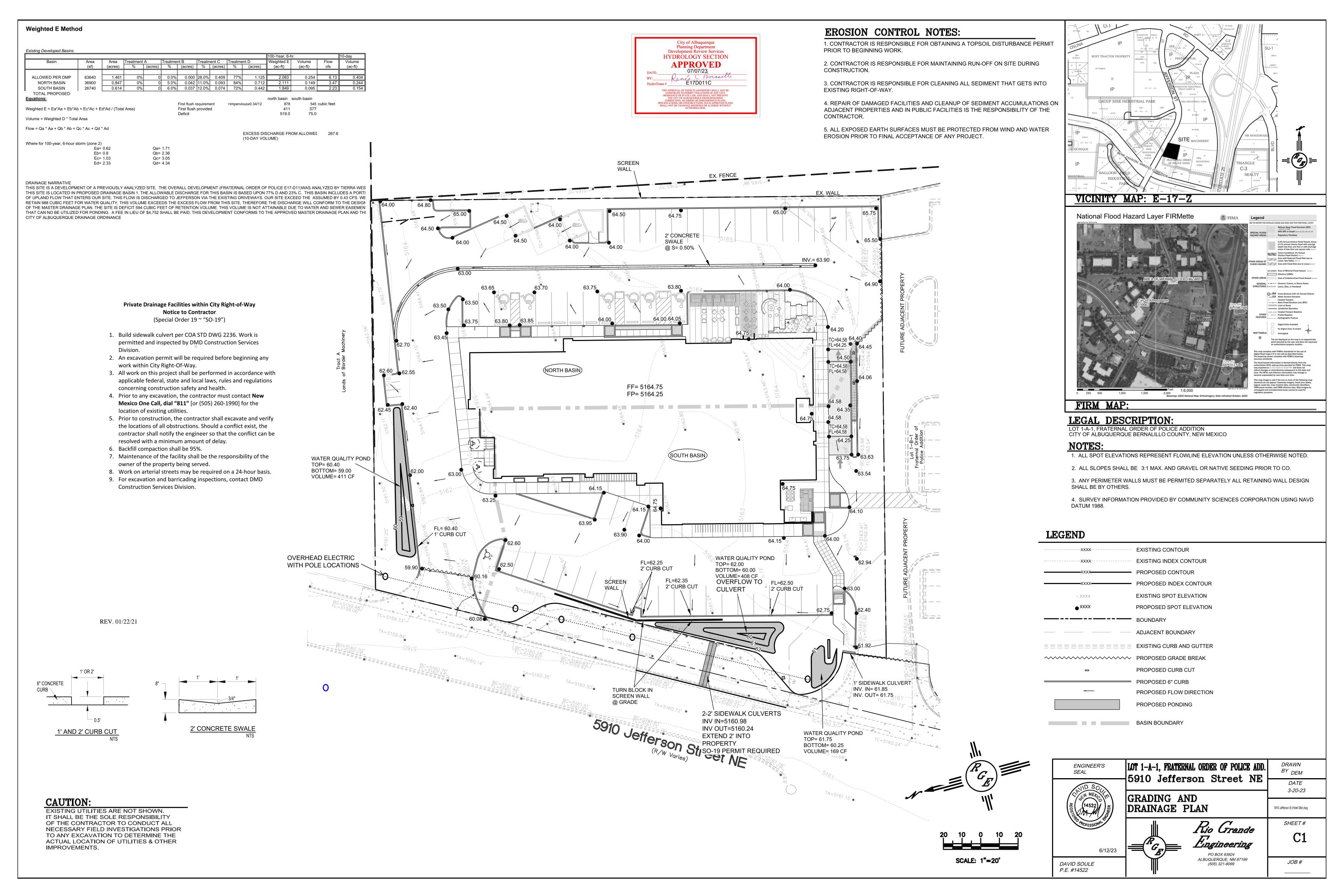
Sheet Title:

Landscape Plan

Sheet Number:

LS-01





# SUPPORTING DOCUMENTS

# CITY OF ALBUQUERQUE

Planning Department Alan Varela, Director



Mayor Timothy M. Keller

November 16, 2023

Peter Butterfield, RA Peter Butterfield Architect 13013 Glenwood Hills Ct. NE Albuquerque, NM 87111

Re: Jefferson Hotel 5910 Jefferson St. NE Traffic Circulation Layout

Architect's Stamp 07-28-23 (E17-D011C)

Dear Mr. Butterfield,

The TCL submittal received 11-13-2023 is approved for Building Permit by Transportation. A copy of the stamped and signed plan will be needed for each of the building permit plans. Please keep the original to be used for certification of the site for final C.O. for Transportation.

PO Box 1293

Albuquerque

When the site construction is completed and an inspection for Certificate of Occupancy (C.O.) is requested, use the original City stamped approved TCL for certification. Redline any minor changes and adjustments that were made in the field. A NM registered architect or engineer must stamp, sign, and date the certification TCL along with indicating that the development was built in "substantial compliance" with the TCL. Submit this certification, the TCL, and a completed <u>Drainage and Transportation Information Sheet</u> to the <u>PLNDRS@cabq.gov</u> for log in and evaluation by Transportation.

NM 87103

Once verification of certification is completed and approved, notification will be made to Building Safety to issue Final C.O. To confirm that a final C.O. has been issued, call Building Safety at 924-3690.

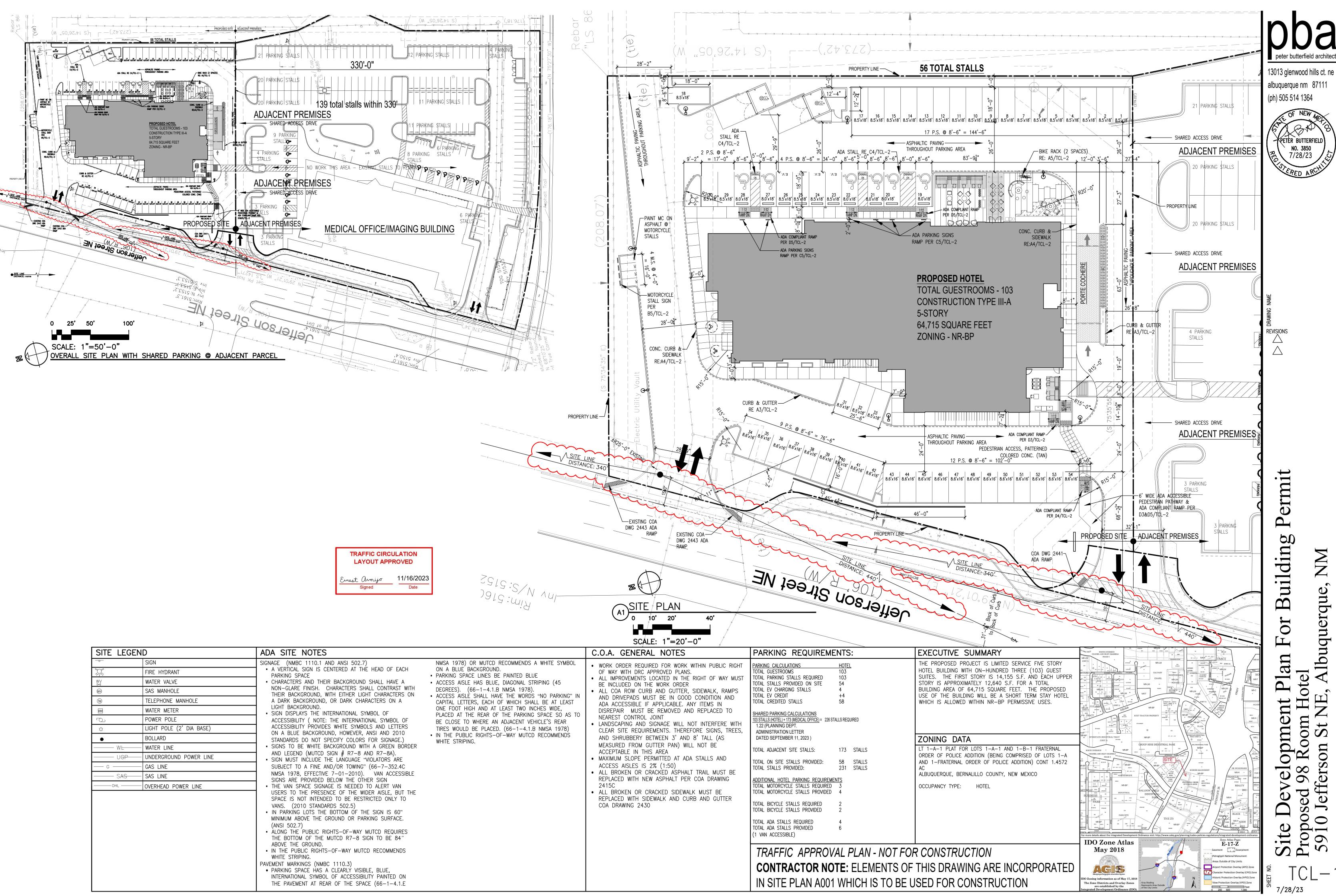
www.cabq.gov

Sincerely,

Ernest Armijo, P.E.

Principal Engineer, Planning Dept. Development Review Services

C: CO Clerk, File

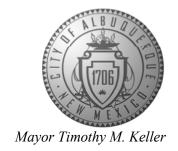


SPS

D3 RAMP @ SIDEWALK

# CITY OF ALBUQUERQUE

Planning Department Alan Varela, Director



July 7, 2023

David Soule, P.E. Rio Grande Engineering P.O. Box 93924 Albuquerque, NM 87199

RE: 5910 Jefferson St. NE

Grading and Drainage Plan Engineer's Stamp Date: 06/12/23

**Hydrology File: E17D011C** 

Dear Mr. Soule:

Based upon the information provided in your submittal received 06/16/2023, the Grading & Drainage Plan is approved for Building Permit, Grading Permit, and SO-19 Permit. Please attach a copy of this approved plan in the construction sets for Building Permit processing along with a copy of this letter.

PO Box 1293

### PRIOR TO CERTIFICATE OF OCCUPANCY:

Albuquerque

1. Engineer's Certification, per the DPM Part 6-14 (F): *Engineer's Certification Checklist For Non-Subdivision* is required.

NM 87103

2. Please provide the executed paper Drainage Covenant (latest revision) printed on one-side only with Exhibit A and a check for \$25.00 made out to "Bernalillo County" for the storm water quality ponds per Article 6-15(C) of the DPM to Hydrology for review at Plaza de Sol.

www.cabq.gov

As a reminder, if the project total area of disturbance (including the staging area and any work within the adjacent Right-of-Way) is 1 acre or more, then an Erosion and Sediment Control (ESC) Plan and Owner's certified Notice of Intent (NOI) is required to be submitted to the Stormwater Quality Engineer (Dough Hughes, PE, <a href="mailto:jhughes@cabq.gov">jhughes@cabq.gov</a>, 924-3420) 14 days prior to any earth disturbance.

If you have any questions, please contact me at 924-3995 or rbrissette@cabq.gov.

Sincerely,

Renée C. Brissette, P.E. CFM Senior Engineer, Hydrology

Renée C. Brissette

Planning Department

May 4, 2023

<u>Chair</u> Eric C. Olivas County of Bernalillo Commissioner, District 5

Vice Chair
Tammy Fiebelkorn
City of Albuquerque
Councilor, District 7

Barbara Baca County of Bernalillo Commissioner, District 1

Adriann Barboa County of Bernalillo Commissioner, District 3

Pat Davis City of Albuquerque Councilor, District 6

Trudy E. Jones City of Albuquerque Councilor, District 8

Timothy M. Keller City of Albuquerque Mayor

Ex-Officio Member
Gilbert Benavides
Village of Los Ranchos
Board Trustee

Executive Director Mark S. Sanchez

Website www.abcwua.org

David Soule Rio Grande Engineering PO Box 93924 Albuquerque, NM 87199

RE: Water and Sanitary Sewer Availability Statement #230427

**Project Name: H2 Suites** 

**Project Address: 5910 Jefferson Street** 

Legal Description: Lot 1A1, Fraternal Order of Police

UPC: 101706233314940107 Zone Atlas Map: E-17

Dear Mr. Soule:

**Project Description:** The subject site is located east of Jefferson Street and north of Bear Arroyo, within the City of Albuquerque. The proposed development consists of approximately 1.45 acres and the property is currently zoned NR-BP for non-residential business park use. The property lies within the Pressure Zone 2E in the Montgomery Trunk. The request for availability indicates plans for commercial development to construct a new 62,390 square foot five-story hotel with 98 guestrooms.

**Existing Conditions:** Water infrastructure in the area consists of the following:

- Eight-inch cast-iron distribution line (project #09-176-71) along west side of Jefferson Street
- Eight-inch PVC distribution line (project #26-6324.81-09) along north easement internal and east of the project site.

Sanitary sewer infrastructure in the area consists of the following:

- Eight-inch vitrified clay sanitary sewer collector (project #07-176-71) along Jefferson Street.
- Eight-inch PVC sanitary sewer collector (project #26-6324.66-23) along easement internal to the project site

**Water Service:** New metered water service to the property can be provided contingent upon a developer funded project to relocate the existing eight-inch distribution line internal to the project site. From the site plan provided, the existing eight-inch PVC distribution line along the north portion of the site is proposed to be relocated underneath future curbing and landscaping. This proposed alignment is not acceptable. The distribution line shall be relocated in a new dedicated easement within the paved driveway that allows ease of access and maintenance to comply with the requirements of Article 9-4 Item 4. of the Development Process Manual.

Upon the construction of the relocated infrastructure, the development may receive service via routine connection to the existing eight-inch distribution line along Jefferson Street or the relocated eight-inch distribution line internal to the site. The engineer is responsible for determining pressure losses and sizing of the meter and service line(s) downstream of the public water line to serve the proposed development.

Service is also contingent upon compliance with the Fire Marshal's instantaneous fire flow requirements. Water service will not be sold without adequate fire protection. Fire hydrants shall be on mains when water lines are extended, in conjunction with coordination with the Fire Marshal and according to spacing criteria that varies according to proposed land use adjacent to the water line. Water service will only be sold in conjunction with sanitary sewer service. Each legally platted property shall have individual, independent water services. No property shall share a water service with any other property. Existing service lines and fire lines that will not be utilized are to be removed by shutting the valve near the distribution main. For fire lines, the line shall be capped near the public valve and valve access shall be grouted and collar removed.

**Non-Potable Water Service:** Currently, there is no non-potable infrastructure available to serve the subject property.

**Sanitary Sewer Service:** New sanitary sewer service can be provided via routine connection to the sanitary sewer collectors described in the preceding Existing Conditions section. No property shall share a private sewer service with any other property. The engineer is responsible for sizing the service line(s) upstream of the public sanitary sewer line to serve the proposed development. Review and correct existing on-site sanitary sewer easements to match existing field conditions.

**Fire Protection:** From the Fire Marshal's requirements, the instantaneous fire flow requirements for the project are 1,750 gallons-per-minute. One fire hydrant is required. There are two existing hydrants available and zero new hydrants are proposed with this project. As modeled using InfoWater™ computer software, the fire flow can be met by applying the required fire flow to the system as shown in the information provided by the requestor. Analysis was performed by simulating the required fire flow at the two existing hydrants adjacent to the proposed development.

Any changes to the proposed connection points shall be coordinated through Utility Development. All new required hydrants as well as their exact locations must be determined through the City of Albuquerque Fire Marshal's Office and verified through the Utility Development Office prior to sale of service. The engineer is responsible for determining pressure losses and sizing of the fire line(s) downstream of the public water line to serve the proposed fire hydrants and/or fire suppression system.

Cross Connection Prevention: Per the Cross Connection Prevention and Control Ordinance, all new non-residential premises must have a reduced pressure principal backflow prevention assembly approved by the Water Authority installed at each domestic service connection at a location accessible to the Water Authority. No tees, branches or possible connection fittings or openings are allowed between the reduced principal backflow prevention assembly and the service connection unless protected by a backflow prevention assembly. These requirements also apply to all remodeled non-residential premises when the work area of the building undergoing repairs, alterations or rehabilitation, as defined in the International Existing Building Code, exceeds 50 percent of the aggregate area of the building regardless of the costs of repairs, alteration or rehabilitation.

All non-residential irrigation water systems connected to the public water system shall have a pressure vacuum breaker, spill-resistant pressure vacuum breaker or a reduced pressure principal backflow prevention assembly installed after the service connection. Such devices shall be approved by the Water Authority. No tees, branches or possible

connection fittings or openings are allowed between the containment backflow prevention assembly and the service connection. All non-residential customers connected via piping to an alternative water source or an auxiliary water supply and the public water system shall install a containment reduced pressure principal backflow prevention assembly approved by the Water Authority after the potable service connection.

All new services to private fire protection systems shall be equipped with a containment reduced pressure principal backflow prevention assembly approved by the Water Authority and Fire Marshal having jurisdiction installed after the service connection. No tees, branches or possible connection fittings or openings are allowed between the containment backflow prevention assembly and the service connection. A double check valve assembly approved by the Water Authority and Fire Marshal having jurisdiction may be installed instead of a reduced pressure backflow prevention assembly provided the private fire protection system meets or exceed ANSI/NSF Standard 60 61 throughout the entire private fire protection system, the fire sprinkler drain discharges into atmosphere, and there are no reservoirs, fire department connections nor connections from auxiliary water supplies.

The Water Authority recommends that all backflow (containment) devices be located above ground just outside the easement or road right-of-way, the containment backflow device can be installed within the building if there are no tees, branches or possible connection fittings or openings between the reduced principal backflow prevention assembly and the service connection unless protected by another reduced pressure backflow prevention assembly device. Contact Cross Connection at (505) 289-3465 for more information.

**Pretreatment:** The development is for commercial use and has the potential to discharge Fats, Oils, Grease and/or Solids (FOGS) to the sanitary sewer and/or falls under one of the applicable users in the SUO:

FOGS Applicability SUO Section 3-3-2 A.:

Users "...such as food service establishments, commercial food processors, automotive shops, auto wash racks, car washes, vehicle fueling stations, septic tank pumpers, grease rendering facilities, breweries/distilleries, bottling plants, commercial and industrial laundries, slaughterhouses & meat packing establishments (fish, fowl, meat, curing, hide curing), oil tank firms and transporters..."

Such Users must comply with all FOGS discharge requirements defined in SUO Section 3-3-2 and FOGS Policy including but not limited to:

- Installation of an adequately sized Grease Interceptor (GI) approved by the appropriate code enforcement authority (City of Albuquerque, and/or Bernalillo County)
  - a. Interceptors and/or Separators are required for dumpsters pads and outdoor washdown areas that have the potential to discharge grease, sand, solids, flammable liquids to the sanitary sewer. Pad shall be installed at an elevation higher than surrounding grade. It is not required for dumpster pads to have a sewer connection.

- b. Placement of Interceptors in drive-thru or traffic lanes is not allowed.
- 2. All FOGS source within the facility are plumbed to the GI as required by the appropriate plumbing code.
- 3. Long term Best Management Practices (BMP), and GI maintenance such as pumping and manifest requirements.
- 4. Unobstructed access to inspections of the facility and records.

A copy of the Sewer Use and Wastewater Control Ordinance and FOGS Policy can be found on the Pretreatment page of the Water Authority Website: https://www.abcwua.org/sewer-system-industrial-pretreatment-overview/

Contact the Industrial Pretreatment Engineer, Travis Peacock, at (505) 289-3439 or <a href="mailto:pretreatment@abcwua.org">pretreatment@abcwua.org</a> for coordination or clarification of any of the above requirements.

Easements and Property: Exclusive public water and sanitary sewer easements are required for all public lines that are to be constructed outside of any dedicated Rights-of-Way. A minimum width easement of 20 feet is required for a single utility and 25 feet for water and sewer both within the same easement. Easements for standard sized water meters need to be five feet by five feet and include the length of the water service if located on private property. For larger meters that require a meter vault, a 35 feet by 35 feet easement is required. Actual easement widths may vary depending on the depth of the lines to be installed. Acceptable easements must be documented prior to approval of service. A Warranty Deed shall be required when a property will be transferred to the Water Authority for the installation of Water Authority owned facilities such as pump stations, reservoirs, wells, lift stations, or any other facility.

Required public water and/or sanitary sewer easements shall be for the construction, installation, maintenance, repair, modification, replacement and operation of public water and sanitary service lines, equipment and facilities reasonably necessary to provide service together with free access on and over the easement and the right to remove trees, shrubs, undergrowth and any other obstacles, modifications, or structures which interfere with use of the easement.

**Pro Rata:** Pro Rata is not owed and the property can utilize the services available upon completion of the requirements of this statement to connect to water and sanitary sewer.

**Design and Construction:** Design and construction of all required improvements will be at the developer/property owner's expense. Improvements must be coordinated through the Water Authority Work Order process. Designs must be performed by a licensed, New Mexico registered, professional engineer. Construction must be performed by a licensed and bonded public utility contractor.

**Utility Expansion Charge (UEC):** In addition to installation and construction costs, any new metered water services will be subject to both water and sanitary sewer Utility Expansion Charges (UEC) payable at the time of service application. All charges and rates collected will be based on the ordinances and policies in effect at the time service is actually requested and authorized. Per the Rate Ordinance, each customer classification on the same premise requires a separate meter. Contact Customer Service at (505) 842-9287 (option 3) for more information regarding UECs.

**Water Use:** All new commercial developments shall be subject to the requirements for water usage and water conservation requirements as defined by the Water Authority, particularly the Water Waste Reduction Ordinance. Where available, outdoor water usage shall utilize reclaimed water.

Closure: This availability statement provides a commitment from the Water Authority to provide services to the development, as long as identified conditions are met. It will remain in effect for a period of one year from the date of issue and applies only to the development identified herein. Its validity is, in part, contingent upon the continuing accuracy of the information supplied by the developer. Changes in the proposed development may require reevaluation of availability and should be brought to the attention of the Utility Development Section of the Water Authority as soon as possible.

Please feel free to contact Mr. Kristopher Cadena in our Utility Development Section at (505) 289-3301 or email at <a href="mailto:kcadena@abcwua.org">kcadena@abcwua.org</a> if you have questions regarding the information presented herein or need additional information.

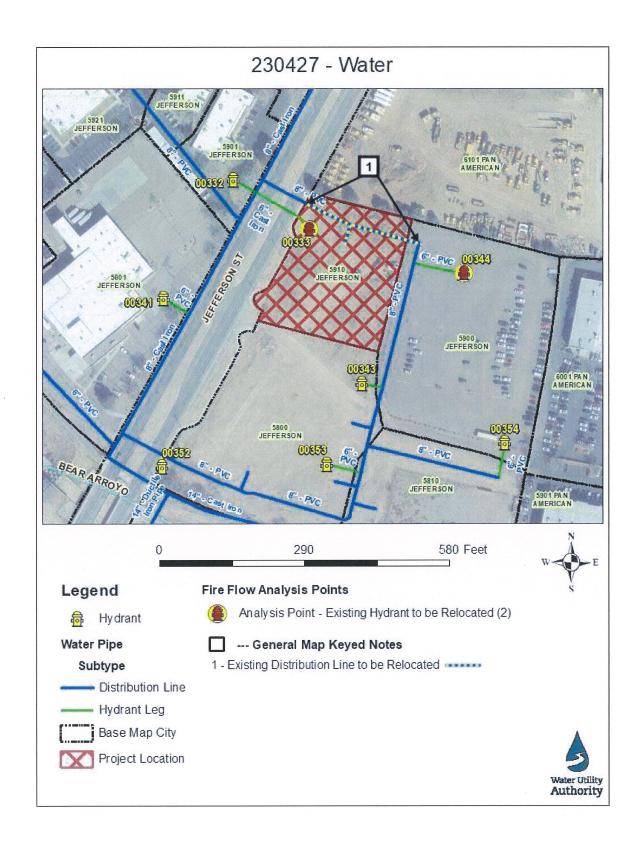
Sincerely,

Mark S. Sanchez Executive Director

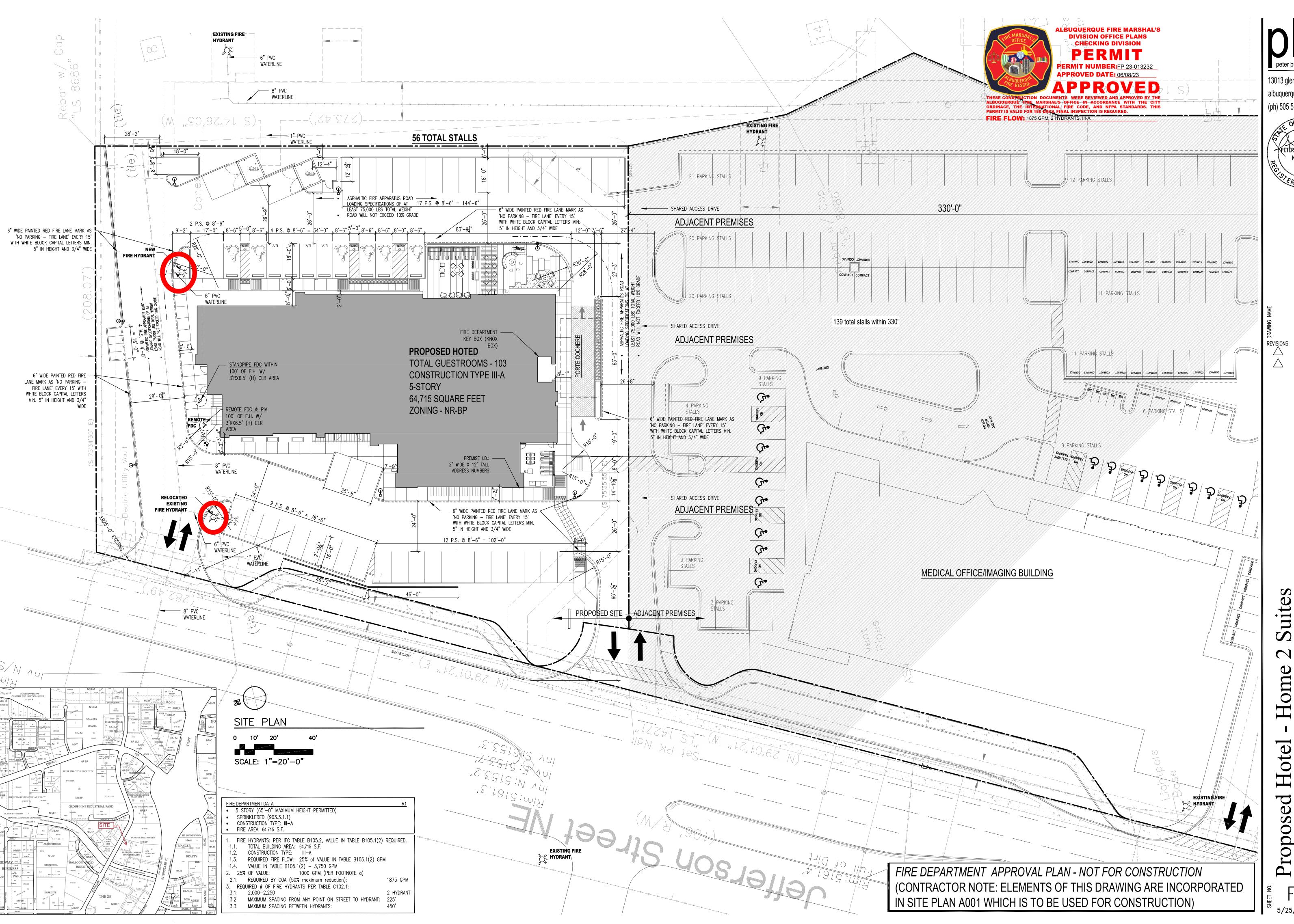
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Enclosures: Infrastructure Maps

f/ Availability Statement #230427

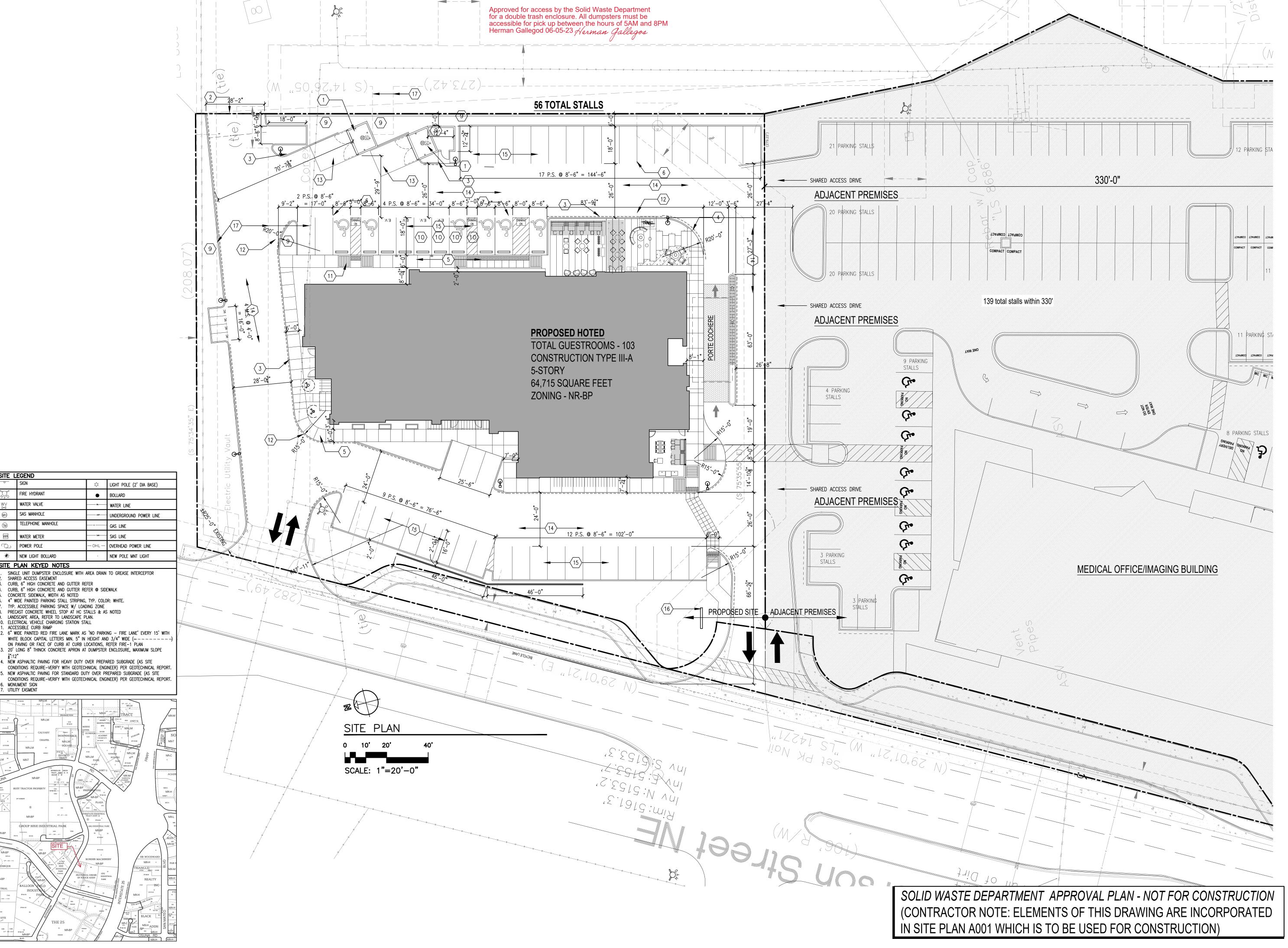






13013 glenwood hills ct. ne albuquerque nm 87111 (ph) 505 514 1364

Property 59



SITE LEGEND

FIRE HYDRANT

WATER VALVE

WATER METER

POWER POLE

₩ NEW LIGHT BOLLARD

SITE PLAN KEYED NOTES

SHARED ACCESS EASEMENT

7. UTILITY EASMENT

CONCRETE SIDEWALK, WIDTH AS NOTED

TELEPHONE MANHOLE

BOLLARD

— ™— WATER LINE

SINGLE UNIT DUMPSTER ENCLOSURE WITH AREA DRAIN TO GREASE INTERCEPTOR

 $\frac{1}{8}$ ":12"

14. NEW ASPHALTIC PAVING FOR HEAVY DUTY OVER PREPARED SUBGRADE (AS SITE

CURB, 6" HIGH CONCRETE AND GUTTER REFER SIDEWALK

4" WIDE PAINTED PARKING STALL STRIPING, TYP. COLOR: WHITE.

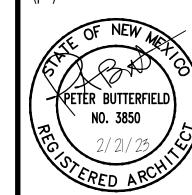
7. TYP. ACCESSIBLE PARKING SPACE W/ LOADING ZONE
8. PRECAST CONCRETE WHEEL STOP AT HC STALLS & AS NOTED
9. LANDSCAPE AREA, REFER TO LANDSCAPE PLAN.
10. ELECTRICAL VEHICLE CHARGING STATION STALL
11. ACCESSIBLE CURB RAMP

OVERHEAD POWER LINE

NEW POLE MNT LIGHT

13013 glenwood hills ct. ne

albuquerque nm 87111 (ph) 505 514 1364



7

### **EASEMENT AGREEMENT**

THIS EASEMENT AGREEMENT (this "Agreement") is made and executed as of the 27 day of 4, 2023, by and between JEFFERSON 25 LAND QOZB, LLC a Mexico limited liability company ("Lot 1-A-1 Owner"), whose address is c/o ARGUS Investment Realty, Inc., 500 4th Street NW, Suite 275 Albuquerque, NM 87102 Attn: Mr. Scott W. Throckmorton, President, and JEFFERSON 25 XRAY QOZB, LLC a Mexico limited liability company ("Lot 1-B-1 Owner"), whose address is c/o ARGUS Investment Realty, Inc., 500 4th Street NW, Suite 275, Albuquerque, NM 87102 Attn: Mr. Scott W. Throckmorton, President.

- Lot 1-A-1 Owner, the Owner of Lot 1-A-1 as described in <a href="Exhibit A">Exhibit A</a> attached hereto and incorporated by reference ("Lot 1-A-1"), and Lot 1-B-1 Owner, the Owner of Lot 1-B-1, as described in <a href="Exhibit A">Exhibit A</a> attached hereto and incorporated by reference ("Lot 1-B-1"), desire to enter into this Agreement to impose certain easements and other covenants described hereinafter upon Lots by this Agreement.
- NOW, THEREFORE, and Lot 1-A-1 Owner and Lot 1-B-1 Owner (together, "Owners") do hereby agree, declare and establish the following:
- 1. <u>Definitions</u>. The following definitions (and additional definitions established below) shall be applicable to this Agreement:
  - A. "Building" means any permanently enclosed structure on a Lot.
- B. "Development" means both of the Lots together, comprising approximately 4.4369 acres.
- C. "**Driveways**" means all access points, driveways and vehicular traffic lanes shown on the site plan of the Lots on <u>Exhibit B</u> attached hereto, as same as may be changed from time-to-time in the discretion of the Owner of the Lot.
- D. "Governmental Requirements" shall mean all applicable laws, rules, regulations, and ordinances, and all orders of any governmental agency with jurisdiction over the Development.
- E. "Lot" means each of Lot 1-A-1 and Lot 1-B-1, and may be referred to together as the "Lots."
- F. "Owner" means Lot 1-A-1 Owner and Lot 1-B-1 Owner, and their respective successors in title, who may be referred to together as "Owners." If two or more parties own fee simple title to a single Lot, they shall constitute a single "Owner," it being intended that references herein to "Owners" shall mean the Owners of all Lots.
- G. "Parking Spaces" means all areas designated for the parking of motor vehicles on a Lot shown on the site plans of the Lots on Exhibit B attached hereto, as same as may be changed from time-to-time in the discretion of the Owner of the Lot.

### 2. <u>Maintenance, Repair and Restoration.</u>

- A. <u>Maintenance and Repair of Lots</u>. Each Owner shall be responsible for the cost and expense of construction, maintenance and repair relating to all Buildings and other improvements located on such Owner's Lot, including without limitation all Driveways and Parking Spaces situated on such Owner's Lot and all exterior lighting on such Lot. Prior to the commencement of construction of improvements and facilities on an Owner's Lot, the Owner shall keep the Lot neat and free of refuse and debris, and in compliance with all Governmental Requirements. During the construction of improvements and facilities on an Owner's Lot, the Owner shall cause the construction site to be maintained in a good and orderly condition, consistent with first class workmanlike habits of construction, and in compliance with all Governmental Requirements. Upon completion of construction of improvements and facilities on any Lot, the Owner of such Lot shall maintain and keep, or cause to be maintained and kept, including without limitation snow removal and sweeping and removal of debris, all improvements, facilities, service areas, driveways, parking spaces and other paved areas, lighting, landscaped areas and signage, in a first-class, safe, neat and clean condition and state of repair, in compliance with all Governmental Requirements.
- Restoration of Lots. In the event any Building or other improvements B. or facilities on a Lot are damaged or destroyed by fire or any other casualty, including without limitation all Driveways and Parking Spaces situated on such Lot, the Owner of such Lot shall, at its sole cost and expense, either repair or restore, or cause to be repaired or restored, such Building, improvements and facilities to their prior condition with reasonable commercial diligence; or shall demolish all damaged Buildings, improvements and facilities improvements and restore the affected Lot (or portion thereof) to clean, level, grade, and shall maintain appropriate ground cover plantings so as to maintain a neat and attractive appearance, in compliance with all Governmental Requirements. In the event any Building, improvements or facilities on a Lot, including without limitation all Driveways and Parking Spaces situated on such Lot, are taken by condemnation or conveyance in lieu thereof, the Owner of such Lot shall, with reasonable commercial diligence and at its sole cost and expense, either restore the remaining Building, improvements or facilities to a functional condition, compatible and integrated with and complementary to the remaining Building, improvements or facilities; or shall demolish all damaged Building, improvements or facilities, remove all debris, and restore the affected Lot (or portion thereof) to clean, level grade, and shall maintain appropriate ground cover plantings so as to maintain a neat and attractive appearance, in compliance with all Governmental Requirements.
- C. <u>Minimal Interference</u>. Construction, maintenance, repair and/or restoration activities on an Owner's Lot shall not materially interfere with the access or use provided herein by the other Owner or a tenant of such Owner or their respective employees, customers, subtenants, licensees, concessionaires or invitees.

### 3. <u>Insurance and Indemnification</u>.

A. <u>General Coverage and Limits</u>. Each Owner shall at all times maintain, or cause to be maintained, a policy or policies of liability insurance against claims for bodily injury, death or property damage occurring on, in or about such Owner's Lot with a Combined Single Limit (covering bodily injury liability and property damage) with

commercially reasonable limits of not less than Two Million Dollars (\$2,000,000.00). Such insurance may be in the form of blanket liability coverage applicable to the Owner's Lot, and such coverage limit may be satisfied with underlying and umbrella policies totaling not less than the amount set forth above. An Owner shall, upon written request, provide the other Owner with evidence of such coverage and a description of any plan of insurance being used.

- B. <u>Additional Policy Provisions</u>. All policies of insurance required under this Agreement shall provide that the Owner of the other Lot shall be included as an additional insured, and shall contain a provision that the insurance company will give the Owner of the other Lot thirty (30) days advance written notice prior to cancellation or lapse, or the effective date of any reduction in the amounts or scope of coverage.
- C. <u>Indemnification</u>. Each Owner hereby agrees to indemnify, defend and save the other Owner harmless from any and all liability, damage, expense, causes of action, suits, claims or judgments arising from injury to person or property and occurring on the indemnifying Owner's Lot, except to the extent caused by the negligence or intentional misconduct of such other Owner or a tenant of such Owner or their respective employees, customers, subtenants, licensees, concessionaires or invitees. To the extent, if at all, any indemnity, hold harmless or insurance provision of this Agreement is invalidated pursuant to the terms of §56-7-1 N.M.S.A. 1978, as amended, the remaining indemnity, hold harmless and insurance provisions of this Agreement shall remain in full force and effect.
- The Owners hereby establish a perpetual, nonexclusive Easements. easement on the Lots (i) for ingress and egress of vehicular and pedestrian traffic over and across all Driveways, and (ii) for the parking of motor vehicles in the Parking Spaces, for use by the Owners, tenants of Owners, and their respective employees, customers, subtenants, licensees, concessionaires and invitees. Notwithstanding the foregoing, (i) all parking requirements mandated by Governmental Requirements for each Lot shall be satisfied on such Lot, and (ii) employees of any business on a Lot shall park on the Lot where they are employed. The Driveways shall be kept open at all times for the free use as intended in this Agreement; provided, however, that the Owner of a Lot may close or otherwise restrict the use of same for brief periods as may be reasonably required for repair or maintenance. Such closure or restriction for repair or maintenance shall require in each instance at least ten (10) days' written notice to the Owner of the other Lot (except for emergencies) and shall not exceed more than fifteen (15) days in any calendar year. In addition, no part of a Driveway connecting to a public thoroughfare access point shall be totally closed so as to prevent access from the public thoroughfare to the Driveways. The easements granted in this section are not intended to, and shall not be construed as creating, any easement or access rights to any government or governmental authority, for public road right-of-way purposes; nor shall any of the rights and easements hereby created benefit or be an appurtenance to any property other than the Development.
- 5. <u>Utility Charges</u>. Charges for electrical service to light fixtures in the parking areas shall be separately billed by Lot and paid by the Owner (or tenant) of such Lot prior to delinquency.

### 6. <u>Enforcement</u>.

- A. If an Owner fails to comply with any obligation set forth herein (a "Defaulting Owner"), then any other Owner (an "Affected Owner") may, at the Affected Owner's option and after thirty (30) days prior written notice to the Defaulting Owner, in addition to any other remedies the Affected Owner may have in law or equity, may proceed to perform such defaulted obligation on behalf of such Defaulting Owner (and shall have a license to do so) by the payment of money or other action for the account of the Defaulting Owner. The foregoing right to cure shall not be exercised if within the thirty (30) day notice period (i) the Defaulting Owner cures the default, or (ii) if curable but cannot reasonably be cured within thirty (30) days, the Defaulting Owner begins to cure such default within such time period and thereafter diligently and continuously pursues such action to completion. The thirty (30) day notice period shall not be required if an emergency exists, or if such default causes interference with the construction, operation or use of the Affected Owner's Lot which requires immediate attention; and in such event, the Affected Owner shall give such notice (if any) to the Defaulting Owner as is reasonable under the circumstances.
- B. Within ten (10) days of written demand therefor (including providing copies of invoices reflecting costs) the Defaulting Owner shall reimburse the Affected Owner for any sum reasonably expended by the Affected Owner due to the default or in correcting the same, together with interest thereon at the rate of Ten Percent (10%) per annum, and if such reimbursement is not paid within said ten (10) days and collection is required, the Affected Owner shall be entitled to file suit to recover the amount so expended, as well as interest as provided above and reasonable costs of collection, including without limitation, reasonable attorneys' fees, expenses and costs of court.
- Any claim of an Affected Owner for reimbursement, together with C. interest accrued thereon and collection costs, shall constitute a personal obligation and liability of the Defaulting Owner and shall be secured by an equitable charge and lien on the Lot of the Defaulting Owner and all improvements located thereon. Such lien shall attach and be effective from the date of recording of the Lien Notice hereinafter described. Upon such recording, such lien shall be superior and prior to all other liens encumbering the Lot involved, except that such lien shall not be prior and superior to any mortgages or deeds of trust of record prior to the recording of such Lien Notice, or any renewal, extension or modification (including increases) of previously recorded mortgages or deeds of trust; and any purchaser at any foreclosure sale, as well as any grantee by deed in lieu of foreclosure under any such mortgage or deed of trust shall take title subject only to liens accruing pursuant to this section after the date of such foreclosure sale or conveyance in lieu of foreclosure. To evidence a lien accruing pursuant to this section, the Affected Owner curing the default of a Defaulting Owner or the Affected Owner performing such maintenance, as the case may be, shall prepare a written notice (a "Lien Notice") setting forth (i) the amount owing and a brief statement of the nature thereof; (ii) the Lot to which the payment(s) relate; (iii) the name of the owner or reputed owner owning the Lot involved; and (iv) reference to this Amended Agreement as the source and authority for such lien. The Lien Notice shall be signed and acknowledged by the Affected Owner desiring to file the same and shall be recorded in the real estate records in Bernalillo County, New Mexico. A copy of such Lien Notice shall be mailed to the Defaulting Owner within thirty (30) days after such recording. Any such lien may be enforced by judicial foreclosure upon the Lot to which the lien attached

in like manner as a mortgage on real property is judicially foreclosed under the laws of the State of New Mexico. In any foreclosure, the Lot being foreclosed shall be required to pay the reasonable costs, expenses and attorneys' fees in connection with the preparation and filing of the Lien Notice, as provided herein, and all reasonable costs, expenses and attorneys' fees in connection with the foreclosure.

- D. In the event an Owner shall institute any action or proceeding against another Owner relating to the provisions of this Agreement or any default hereunder or to collect any amounts owing hereunder, or in the event an arbitration proceeding is commenced hereunder by agreement of the parties to any dispute, then and in such event the unsuccessful litigant in such action or proceeding shall reimburse the successful litigant therein for such reasonable costs and expenses incurred in connection with any such action or proceeding and any appeals therefrom, including attorneys' fees and court costs.
- E. Any remedies provided for in this section are cumulative and shall be deemed additional to any and all other remedies to which any party may be entitled in law or in equity and shall include the right to restrain by injunction any violation or threatened violation by any party of any of the terms, covenants, or conditions of this Agreement and by decree to compel performance of any such terms, covenants, or conditions, it being agreed that the remedy at law for any breach of any such term, covenant, or condition is not adequate.
- other Owner, a lessee with respect to an entire Lot to act as such Owner's designated agent for all purposes under this Agreement, and to exercise all rights and perform all obligations of such Owner under this Agreement. Upon delivery of such written designation to the other Owner, the designated agent shall be recognized by the other Owner as the party responsible for, and with authority regarding, all matters under this Agreement respecting the Lot owned by such Owner, except as otherwise expressly set forth below. Such designation shall remain in full force and effect until delivery to the other Owner of a written revocation of the designation by the Owner (or the Owner's successors or assigns). Notwithstanding the foregoing, (i) the Owner shall remain primarily responsible and liable for the obligations of such Owner under this Agreement, and (ii) the designated agent of an Owner shall have no power or authority to agree or consent to the amendment, modification or termination of this Agreement.

### 8. Miscellaneous.

A. <u>Compliance with Laws</u>. All easements provided under this Agreement shall be subject to Governmental Requirements. Each Owner shall comply with all Governmental Requirements with respect such Owner's Lot, and each Owner (an "Indemnifying Owner") shall indemnify, defend and hold harmless the other Owners, and such other Owners' successors, assigns, heirs, grantees, devisees, tenants, licensees, invitees and agents, from any and all loss, cost, damage, claim or liability to the extent arising out of the noncompliance by the Indemnifying Owner with Governmental Requirements, except to the extent such indemnity is prohibited by Section 56-7-1 NMSA 1978 Comp.

- B. <u>Binding Effect</u>; <u>Running with the Land</u>. All the covenants, terms, agreements, conditions, and restrictions set forth in this Agreement are intended to be and shall be construed as covenants running with the land, binding upon, inuring to the benefit of and enforceable by the parties hereto, their respective successors in interest, grantees and assignees, upon the terms, provisions and conditions herein set forth. This Agreement shall bind and inure to the benefit of the parties hereto, their respective heirs, representatives, lessees, successors and assigns. The singular number includes the plural and the masculine gender includes the feminine and neuter.
- C. <u>Modification</u>. This Agreement may be modified only by written instrument executed by the Owners of fee simple title to the Lots.
- D. Force Majeure. In the event that an Owner shall be delayed or hindered in, or prevented from, the performance of any act required hereunder by reason of inability to procure materials, delay caused by the party seeking enforcement hereof, failure of power or unavailability of utilities, riots, insurrection, war, acts of terrorism, acts of God, governmental laws or regulations (including closure of business mandated by governmental order in connection with the COVID-19 pandemic or other public health emergency) or other reason of a like nature not the fault of such Owner or not within the Owner's control, then performance of such act shall be excused for the period of delay, and the period for the performance of any such act shall be extended for a period equivalent to the period of such delay (collectively, "Force Majeure"), but in no event shall the foregoing be construed to excuse or delay the performance of a monetary obligation by an Owner.
- E. <u>Notices</u>. Any notice to be given by any Owner hereunder must be given in writing and delivered in person, or by reputable nationwide overnight courier (e.g., Federal Express), or forwarded by certified or registered mail, postage prepaid, return receipt requested, at the address indicated above, unless the party giving such notice has been notified, in writing, of a change of address or of the address of a successor Owner. Any such notice is effective on the date on which such notice is delivered, if notice is given by personal delivery, on the next succeeding business day after deposit with an overnight courier for next day delivery, or if notice is sent through the United States mail, on the date of actual delivery as shown by the addressee's receipt or upon the expiration of three (3) days following the date of mailing, whichever first occurs.
- F. <u>Estoppel Certificate</u>. Within not more than twenty (20) days following receipt of a written request (which shall not be more frequent than three (3) times during any calendar year) from the other Owner, each Owner agrees that it will issue, without cost, to the requesting party (or such party's existing or prospective mortgagee, an estoppel certificate stating to the best of the issuer's knowledge that as of such date (a) whether it knows of any default under this Agreement by the requesting Owner and if there are known defaults, specifying the nature thereof, (b) whether this Agreement has been modified or amended in any way by it and if so, then stating the nature thereof, (c) whether any sums are currently due and payable under this Agreement from or to the requesting party, and (d) whether this Agreement is in full force and effect. Such statement shall act as a waiver of any claim by the party issuing it to the extent such claim is based upon facts contrary to those asserted in the statement and to the extent the claim is asserted against a bona fide

encumbrancer or purchaser for value without knowledge of facts to the contrary of those contained in the statement and who has acted in reasonable reliance upon the statement.

[Signature Pages Follow]

### LOT 1-A-1 OWNER SIGNATURE PAGE

LOT 1-A-1 OWNER	
JEFFERSON 25 LAND QOZB, LLC, a Mexico limited liability company	
By: Scott W. Throckmorton, Manager	
By: Deepesh Kholwadwala, Manager	
STATE OF NEW MEXICO	
) ss. COUNTY OF BERNALILLO )	2 30
This instrument was acknowledged before me own. Throckmorton, Manager of JEFFERSON 25 LAND C	on the 22 day of August, 2022, by Scott QOZB, LLC, a Mexico limited liability company.
	Notate Dublic
Notary's Printed Name:	Notary Public
My Commission Expires: 10/22/24	State of New Mexico
STATE OF NEW MEXICO )	RICHARD GONZALES Notary Public - State of New Mexico Commission # 1116156 My Comm. Expires Oct 22, 2024
) ss. COUNTY OF BERNALILLO )	My commit Expires oct 22, 2024
This instrument was acknowledged before me Deepesh Kholwadwala, Manager of JEFFERSON 25 LA	e on the <u>22</u> day of <u>August</u> , 2022, by ND QOZB, LLC, a Mexico limited liability company.
	Noton Dublic
Notary's Printed Name:	Nótary Public State of New Mexico
My Commission Expires: 10/22/24	
	RICHARD GONZALES Notary Public - State of New Mexico Commission # 1116156 My Comm. Expires Oct 22, 2024

### LOT 1-B-1 OWNER SIGNATURE PAGE

## LOT 1-B-1 OWNER JEFFERSON 25 XRAY QOZB, LLC. a Mexico limited liability company By: Scott/W. Throckmorton, Manager By: Jeff Jestonowski, Manager STATE OF NEW MEXICO COUNTY OF BERNALILLO This instrument was acknowledged before me on the 22 day of August 1, 2022, b. W. Throckmorton, Manager of JEFFERSON 25 LAND QOZB, LLC, a Mexico limited liability company. Notary's Printed Name: Richard Gan State of New Mexico My Commission Expires: RICHARD GONZALES Notary Public - State of New Mexico STATE OF NEW MEXICO Commission # 1116156 My Comm. Expires Oct 22, 2024 COUNTY OF BERNALILLO 2023 This instrument was acknowledged before me on the 22 day of August, Jesionowski, Manager of JEFFERSON 25 LAND QOZB, LLC, a Mexico limited liability company. 2022, by Jeff

Notary's Printed Name:

State of New Mexico

My Commission Expires: 10/22/2 4

RICHARD GONZALES Notary Public - State of New Mexico Commission # 1116156 My Comm. Expires Oct 22, 2024

## Exhibit A

### LOT 1-A-1 LEGAL DESCRIPTION

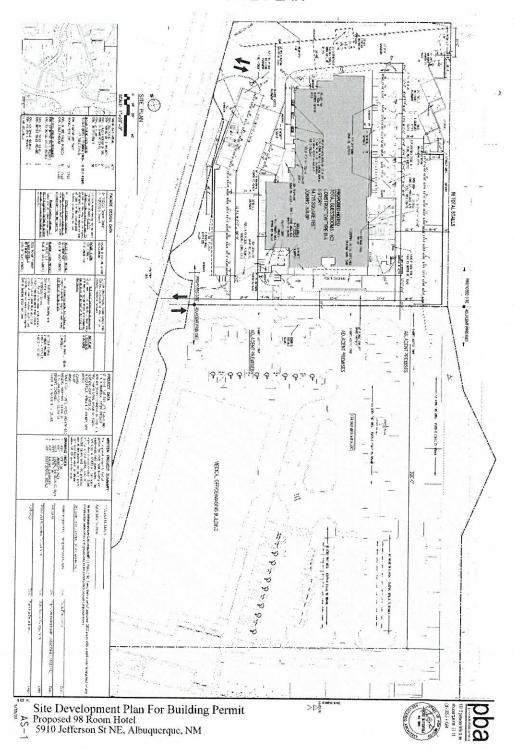
Lot numbered One-A-One (1-A-1) of FRATERNAL ORDER OF POLICE ADDITION, as the same is shown and designated on the Plat entitled, "Plat for Lots 1-A-1 and 1-B-1, FRATERNAL ORDER OF POLICE ADDITION, being comprised of Lots 1-A and 1-B, Fraternal Order of Police Addition, City of Albuquerque, Bernalillo County, New Mexico," filed in the office of the County Clerk of Bernalillo County, New Mexico, on November 24, 2021, in Plat Book 2021C, Page 0134 as Document #2021138745.

## LOT 1-B-1 LEGAL DESCRIPTION

Lot numbered One-B-One (1-B-1) of FRATERNAL ORDER OF POLICE ADDITION, as the same is shown and designated on the Plat entitled, "Plat for Lots 1-A-1 and 1-B-1, FRATERNAL ORDER OF POLICE ADDITION, being comprised of Lots 1-A and 1-B, Fraternal Order of Police Addition, City of Albuquerque, Bernalillo County, New Mexico," filed in the office of the County Clerk of Bernalillo County, New Mexico, on November 24, 2021, in Plat Book 2021C, Page 0134 as Document #2021138745.

Exhibit B

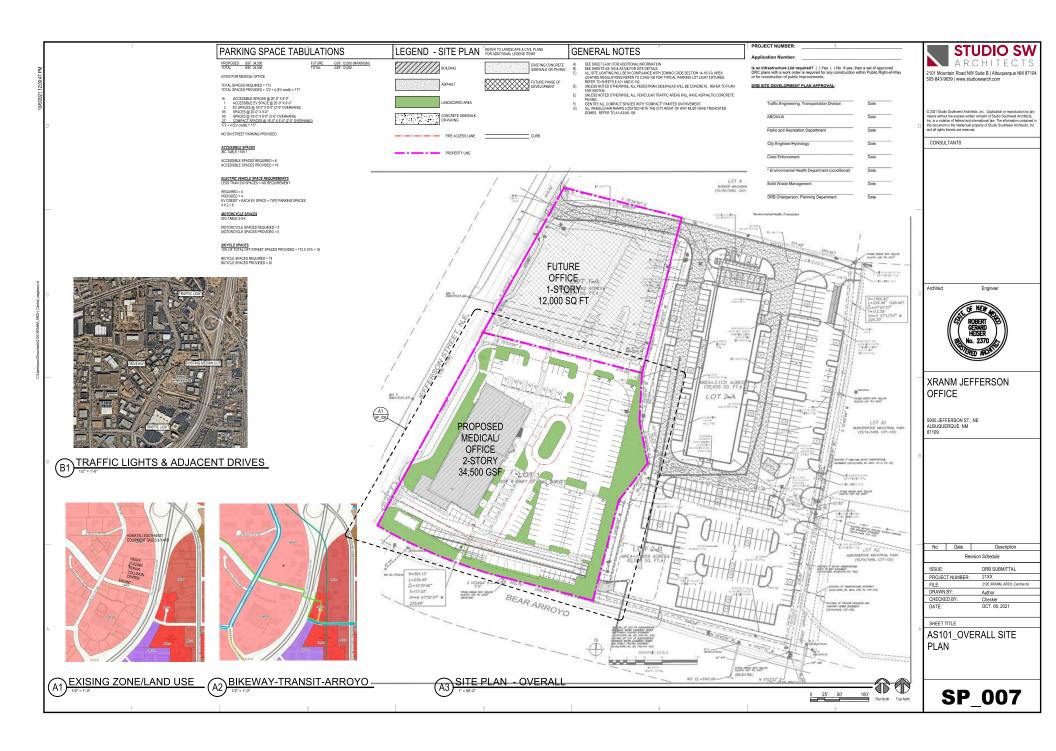
## SITE PLAN

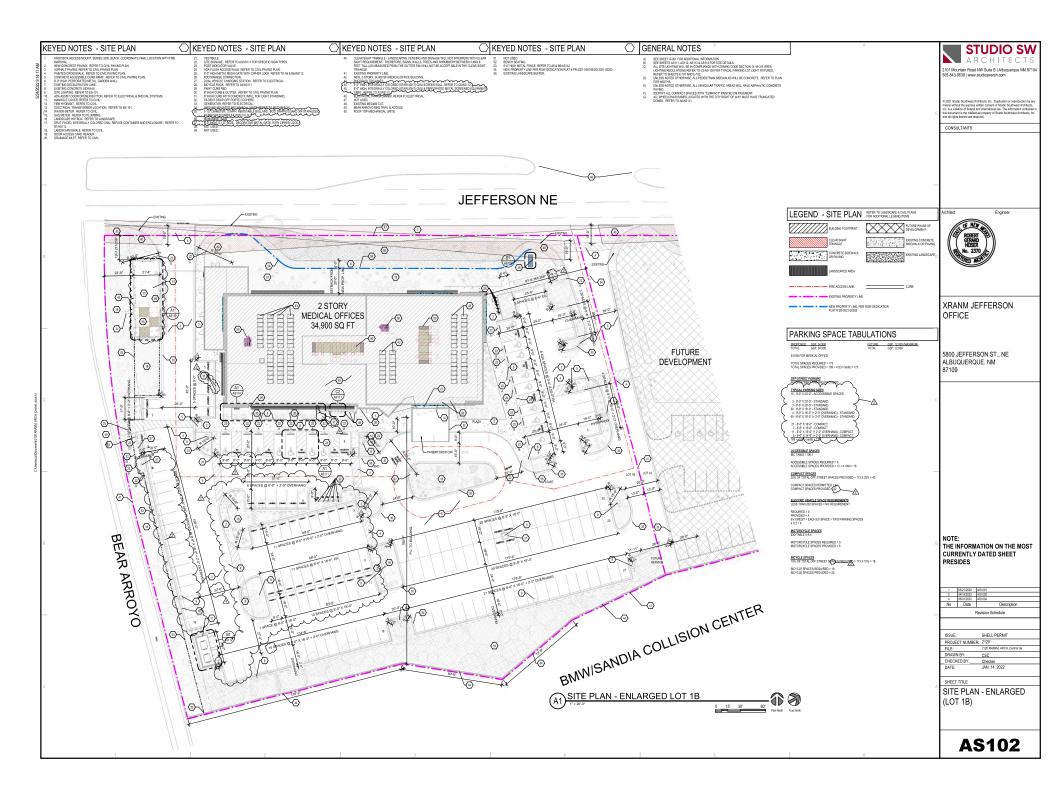


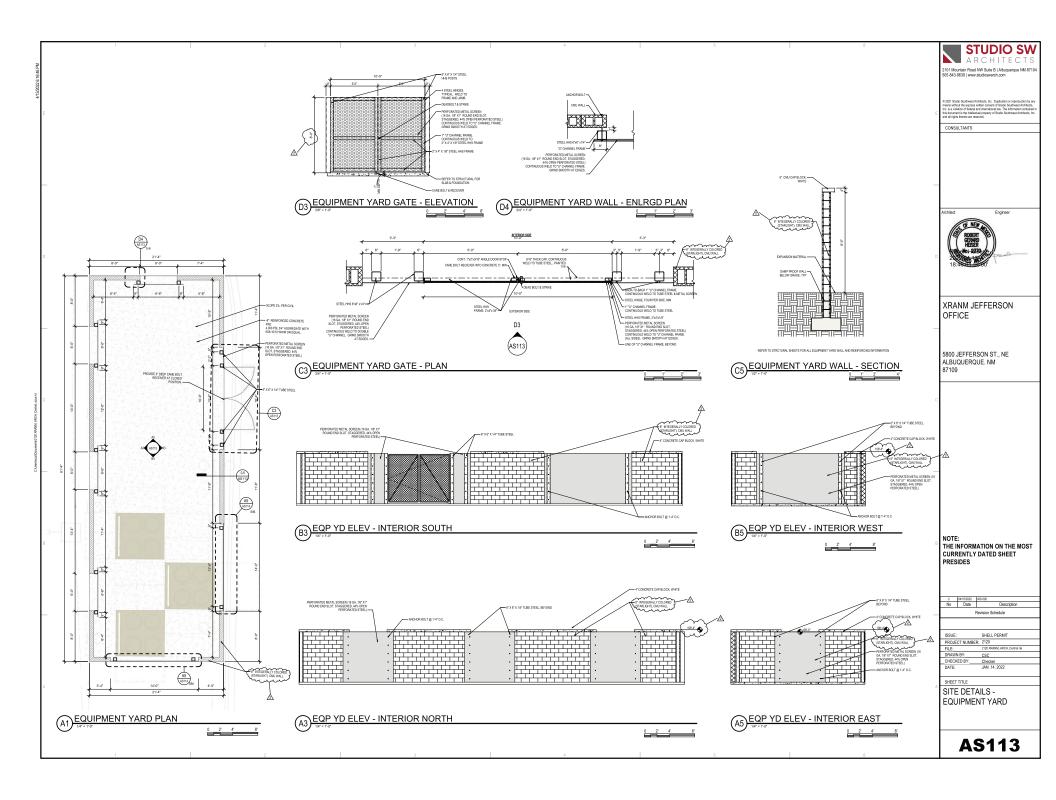
# **EXISTING OVERALL PLAN**

## **ADMINISTRATIVE AMENDMENT**

FILE #: SI-2022-00947 PROJECT #: P	R-2021-005746
Relocation of two parking islands and a reduction in wall heigh	t from 12'-4" to 8'-4"
for screening of mechanical equipment.	
Digitally signed by James M. Aranda DN: cn=James M. Aranda, o=City of Albuquerque, ou=Planning Department, email=jmaranda@cabq.gov, c=US Date: 2022.06.27 09:41:27 -06'00'	6/27/2022
APPROVED BY	DATE







PLANNING DEPARTMENT
DEVELOPMENT SERVICES DIVISION
600 2nd Street NW, Ground Floor, 87102
P.O. Box 1293, Albuquerque, NM 87103
Office (505) 924-3946

## OFFICIAL NOTIFICATION OF DECISION

Jefferson 25 QOZB, LLC 303 Roma NW #2 ABQ, NM 87102 **Project# PR-2021-005746 Application# SI-2021-001661** SITE PLAN

## **LEGAL DESCRIPTION:**

For all or a portion of:

LOT 1-B PLAT OF LOTS 1-A, 1-B, 2-A, & 2-B,

FOP ADDITION zoned NR-BP, located on 5800

JEFFERSON ST NE between THE LANE AT 25

NE and THE BEAR ARROYO DRAINAGE

EASEMENT containing approximately 4.6

acre(s). (E-17)

On November 17, 2021, the Development Review Board (DRB) held a public meeting concerning the above referenced application and approved the request, with delegation to ABCWUA and Planning, based on the following Findings:

- 1. This is a request to develop a medical office to house X-Ray Associates of NM and an additional office building.
  - 1. Pursuant to 6-6(I)(3) Review and Decision Criteria An application for a Site Plan DRB shall be approved if it meets all of the following criteria:
    - a. <u>6-6(I)(3)(a)</u> The Site Plan complies with all applicable provisions of this IDO, the DPM, other adopted City regulations, and any conditions specifically applied to development of the property in a prior permit or approval affecting the property.

The dimensions, parking, landscaping/screening, and façade design meet/exceed the IDO requirements. The proposed development is set back in accordance with the requirements of the NR-BP zone district.

The 45-foot maximum height of the proposed building is less than the 65-foot maximum permitted building height. The Site Plan includes 30,730 square feet of landscaping where 15,295 feet is required.

b. <u>6-6(I)(3)(b)</u> The City's existing infrastructure and public improvements, including but not limited to its street, trail, drainage, and sidewalk systems, have adequate capacity to serve the proposed development, and any burdens on those systems have been mitigated to the extent practicable.

The site has access to a full range of urban services including utilities, roads and emergency services. A Traffic Study was required for this request. The driveways were designed to meet the TIS recommendations.

c. 6-6(1)(3)(c) If the subject property is within an approved Master Development Plan, the Site Plan shall meet any relevant standards in the Master Development Plan in addition to any standards applicable in the zone district the subject property is in.

The site is not within a Master Plan area.

2. The applicant provided notice as required by 6-1-1 of the IDO.

## **Conditions:**

- 1. This Site Plan is valid 7 years from DRB approval (11/17/2021). An extension may be requested prior to the expiration date.
- 2. Final sign off is delegated to ABCWUA for updates to the utility plan and the landscaping plan indicating that no trees are or obstructions shall be located within the easement as discussed.
- 3. Final sign off is delegated to Planning to check for adjustment of clear site triangles and bike rack detail and to check on updates to the site plan regarding parking space requirements, minor signage, ramps and clarification of the landscape island curb radii, for the redesign of plant material along the sewer easement and alternative landscaping plan if needed, stabilization for the storm water quality pond, and the recorded infrastructure improvents agreement.
- 4. The applicant will obtain final sign off from Transportation and Planning by January 27, 2021 or the case may be scheduled for the next DRB hearing and could be denied her the DRB Rules of Procedure.

<u>APPEAL:</u> If you wish to appeal this decision, you must do so within 15 days of the DRB's decision or by **DECEMBER 2, 2021.** The date of the DRB's decision is not included in the 15-day period for filing an appeal, and if the 15<sup>th</sup> day falls on a Saturday, Sunday or Holiday, the next working day is considered as the deadline for filing the appeal.

Official Notice of Decision Project # PR-2021-005747 Application# SI-2021-001661 Page 3 of 3

For more information regarding the appeal process, please refer to Section 14-16-6-4(U) of the Integrated Development Ordinance (IDO). Appeals should be submitted via email to <a href="PLNDRS@CABQ.GOV">PLNDRS@CABQ.GOV</a> (if files are less than 9MB in size). For files larger than 9 MB in size, please send an email to <a href="PLNDRS@cabq.gov">PLNDRS@cabq.gov</a> and request that staff send you a link via Smartfile to upload the files to. A Non-Refundable filing fee will be calculated and you will receive instructions about paying the fee online.

You will receive notification if any person files an appeal. If there is no appeal, you can receive Building Permits at any time after the appeal deadline quoted above, provided all conditions imposed at the time of approval have been met. Applicants submitting for building permit prior to the completion of the appeal period do so at their own risk. Successful applicants are reminded that there may be other City regulations of the IDO that must be complied with, even after approval of the referenced application(s).

Sincerely,

Jolene Wolfley DRB Chair

JW/mg Studio Southwest 2101 Mountain RD ABQ. NM 87104

PLANNING DEPARTMENT
DEVELOPMENT SERVICES DIVISION
600 2nd Street NW, Ground Floor, 87102
P.O. Box 1293, Albuquerque, NM 87103
Office (505) 924-3946

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## **Conditions:**

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Official Notice of Decision Project # PR-2021-005747 Application# SI-2021-001661 Page 3 of 3

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Sincerely,

Jolene Wolfley DRB Chair

JW/mg Studio Southwest 2101 Mountain RD ABQ. NM 87104

## CRITERIA

FLOODPLAINS AND FLOOD HAZARD AREAS- NONE PRESENT

STEEP SLOPES- NONE PRESENT

UNSTABLE SOILS- NONE PRESENT

WETLANDS- NONE PRESENT

ARROYOS- NONE PRESENT

IRRIGATION FACILITIES- NONE PRESENT

**ESCARPMENT-** NONE PRESENT

ROCK OUTCROPPPINGS- NONE PRESENT

LARGE STAND OF MATURE TREES- NONE PRESENT

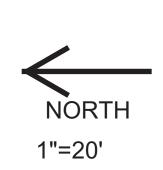
ARCHEOLOGICAL SITES- NOT APPLICABLE

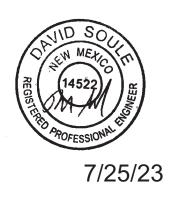












SENSITIVE LANDS ANALYSIS PLAN

This checklist will be used to verify the completeness of site plans submitted for review by the Planning Department. Because development proposals vary in type and scale, there may be submittal requirements

that are not specified here. Also there may addition	nal requirements	<u>if a site is located in CPO, HPO, and/or</u>
VPO or if located in DT-UC-MS or PT areas. See the	e IDO or AGIS for	boundaries. Nonetheless, applicants are
responsible for providing a complete submittal. Certification	ication as specified	below is required.
I CERTIFY THAT THE SUBMITTED SITE PLAN IS COMPLET	TE AND ACCURATE	, AND THAT ALL APPLICABLE INFORMATION AS
SPECIFIED IN THIS CHECKLIST IS PROVIDED. FURTHER	R, I UNDERSTAND	THAT THIS APPLICATION IS BEING ACCEPTED
PROVISIONALLY AND THAT INACCURATE AND/OR INC	COMPLETE INFOR	MATION MAY RESULT IN THE SUBSEQUENT
REJECTION OF THE APPLICATION OR IN		
A DELAY OF ONE MONTH OR MORE IN THE DATE THE	<b>O</b>	
APPLICATION IS SCHEDULED FOR PUBLIC HEARING.	Regina Okoye	11/27/2023
	Applicant or	Agent Signature / Date

Site plan packets shall be composed of the following plan sheets (unless otherwise approved in writing prior to submittal by the Planning Department):

- **1. Site Plan (**including utilities and easements)
- 2. Landscaping Plan
- 3. Grading and Drainage Plan
- 4. Utility Plan
- 5. Building and Structure Elevations
- 6. Previously approved Development Plan (if applicable)

Project #: \_\_\_\_\_ Application #: \_\_\_\_

The electronic format must be organized in the above manner.

The following checklist describes the minimum information necessary for each plan element. The Applicant must include all checklist items on their site plan drawings and confirm inclusion by checking off the items below. Non-applicable items must be labeled "N/A." Each non-applicable designation must be explained by notation on the Checklist.

NOTE: There may be addition information required if site is located with a CPO, VPO or HPO and/or any other special areas as defined by the IDO.

NOTE: If there requests for deviations (Section 14-16-6-4(O), they must be clearly labelled on the site plan (Sheet 1) as well as addressed in the application letter made with the submittal.

## SHEET #1 - SITE PLAN

#### A. General Information

X 1. Date of drawing and/or last revision X 2. Scale: 1.0 acre or less 1" = 10' 1.0 - 5.0 acres 1" = 20' Over 5 acres 1" = 50' Over 20 acres 1" = 100'

- Bar scale
- North arrow
- X 5. X 6. Legend
- Scaled vicinity map
- Property lines (clearly identify)
- <u>X</u> 8. Existing and proposed easements (identify each)
- N/A 9. Phases of development, if applicable

## **B.** Proposed Development

#### 1. Structural

- X A. Location of existing and proposed structures (distinguish between existing & proposed) and include any accessory structures
- X<sub>B.</sub> Square footage of each structure
- <u>X</u> c. Proposed use of each structure
- Signs (freestanding) and other improvements
- $\frac{\overline{X}}{X}$  D. Walls, fences, and screening: indicate height, length, color and materials
- X<sub>F.</sub> Dimensions of all principal site elements or typical dimensions
- $\overline{X}$  G. Loading facilities
- tbd<sub>H</sub>. Site lighting (indicate height & fixture type)
- N/A Indicate structures within 20 feet of site
- N/A Elevation drawing of refuse container and enclosure, if applicable.
- X K. Existing zoning/land use of all abutting properties

## 2. Parking, Loading and Internal Circulation

- X A. Parking layout with spaces numbered per aisle and totaled.
  - X <sub>1.</sub> Location and typical dimensions, including motorcycle spaces, bicycle spaces, ADA accessible spaces, and compact spaces
  - X 2. Calculations: spaces required and proposed (include any reduction calculations) for motorcycle, bicycle, compact and ADA spaces
  - $N/A_3$ . On street parking spaces
- <u>X</u> B. Bicycle parking & facilities
  - Χ 1. Bicycle racks – location and detail
  - $N/A_2$ . Other bicycle facilities, if applicable
- X<sub>C</sub>. Vehicular Circulation (Refer to DPM and IDO)
  - <u>X</u> 1. Ingress and egress locations, including width and curve radii dimensions
  - <u>X</u> 2. Drive aisle locations, including width and curve radii dimensions
  - <u>X</u> 3. End aisle locations, including width and curve radii dimensions
  - <u>X</u> 4. Location & orientation of refuse enclosure, with dimensions
  - Loading, service area, and refuse service locations and dimensions
- $X_{D.}$ Pedestrian Circulation
  - <u>X</u> 1. Location and dimensions of all sidewalks and pedestrian paths (including ADA connection from ROW to building and from ADA parking to building)

- <u>X</u> 2. Location and dimension of drive aisle crossings, including paving treatment <u>n/a</u> 3. Location and description of amenities, including patios, benches, tables, etc.
- Off-Street Loading  $X_{1.}$ Location and dimensions of all off-street loading areas
- n/a F. Vehicle Stacking and Drive-Through or Drive-Up Facilities
  - Location and dimensions of vehicle stacking spaces and gueuing lanes <u>n/a</u> 1.
  - Landscaped buffer area if drive-through lanes are adjacent to public R/W N/A 2.
  - Striping and Sign details for one-way drive through facilities N/A 3.

## 3. Streets and Circulation

- X A. Locate and identify adjacent public and private streets and alleys.
  - <u>X</u> 1. Existing and proposed pavement widths, right-of-way widths and curve radii
  - $n/a_{2}$ Identify existing and proposed turn lanes, deceleration lanes and similar features related to the functioning of the proposal, with dimensions
  - X 3. X 4. Location of traffic signs and signals related to the functioning of the proposal
  - Identify existing and proposed medians and median cuts
  - X\_ 5. Sidewalk widths and locations, existing and proposed
  - Location of street lights
  - Show and dimension clear sight triangle at each site access point
  - Show location of all existing driveways fronting and near the subject site.
- $\frac{X}{B}$  B. Identify Alternate transportation facilities within site or adjacent to site
  - X 1. X 2. Bikeways and bike-related facilities
  - Pedestrian trails and linkages
  - N/a 3. Transit facilities, including routes, bus bays and shelters existing or required

## 4. Phasing

N/A A. Proposed phasing of improvements and provision for interim facilities. Indicate phasing plan, including location and square footage of structures and associated improvements including circulation, parking and landscaping.

## SHEET #2 - LANDSCAPING PLAN

- 1. Scale must be same as scale on sheet #1 Site plan
- 2. Bar Scale
- 3. North Arrow
- 4. Property Lines
- 5 Existing and proposed easements
- 6. Identify nature of ground cover materials
  - Impervious areas (pavement, sidewalks, slope pavings, curb and gutters, etc.)
  - Pervious areas (planting beds, gravel areas, grass, ground cover vegetation, etc.)
  - Ponding areas either for drainage or landscaping/recreational use

X 7. Identify type, location and size of plantings (common and/or botanical names). Existing, indicating whether it is to preserved or removed. X\_ B. Proposed, to be established for general landscaping. X C. Proposed, to be established for screening/buffering. X 8. Describe irrigation system – Phase I & II . . . x 9. Planting Beds, indicating square footage of each bed N/A 10. Turf Area - only 20% of landscaped area can be high water turf; provide square footage and percentage. 11. Responsibility for Maintenance (statement) X 12. Landscaped area requirement; square footage and percent (specify clearly on plan)  $\overline{X}$  13. Landscaped buffer areas provided; dimensions, label clearly that it is a landscape buffer, square footage and percent (specify clearly on plan) X 14. Planting or tree well detail  $_{\mathbf{X}}$  15. Street Trees (only trees from the Official Albuquerque Plant Palette and Sizing list or 8 inch caliper or larger will be counted) X 16. Parking lot edges and interior – calculations, dimensions and locations including tree requirements  $\underline{X}$  17. Show Edge Buffer Landscaping (14-16-5-6(D)) – location, dimensions and plant material

## SHEET #3 -GRADING AND DRAINAGE PLAN

A separate grading and drainage plan (and drainage report) must be submitted to the DRS Hydrology Section prior to the DRB submittal for a site plan (See DRWS Form).

## A. General Information

 $\begin{array}{c|c} X & \text{1. Scale - must be same as Sheet $\#1$ - Site Plan} \\ \hline X & \text{2. Bar Scale} \\ \hline X & \text{3. North Arrow} \\ \hline X & \text{4. Property Lines} \\ \hline X & \text{5. Existing and proposed easements} \\ \hline X & \text{6. Building footprints} \\ \hline n/a & \text{7. Location of Retaining walls} \end{array}$ 

## **B.** Grading Information

Indicate finished floor elevation and provide spot elevations for all corners of the site (existing and proposed) and points of maximum cut or fill exceeding 1 foot.
 Identify ponding areas, erosion and sediment control facilities.
 Cross Sections

 Provide cross section for all perimeter property lines where the grade change is greater than 4 feet at the point of the greatest grade change. Provide one additional cross section in each direction within no more than 100 feet of the reference point.

1. On the plan sheet, provide a narrative description of existing site topography, proposed

grading improvements and topography within 100 feet of the site.

## **SHEET #4- UTILITY PLAN**

X A. Fire hydrant locations, existing and proposed. (or submit signed off Fire One Plan)

X B. Distribution lines

X C. Right-of-Way and easements, existing and proposed, on the property and adjacent to the boundaries, with identification of types and dimensions.

X D. Existing water, sewer, storm drainage facilities (public and/or private).

X E. Proposed water, sewer, storm drainage facilities (public and/or private)

## SHEET #5 - BUILDING AND STRUCTURE ELEVATIONS

#### A. General Information

X A. Scale

 $\frac{X}{B}$ B. Bar Scale

C. Detailed Building Elevations for each facade

X 1. Identify facade orientation

X 2. Dimensions of facade elements, including overall height and width

 $\frac{\mathbf{X}}{2}$  3. Location, material and colors of windows, doors and framing

 $rac{\mathrm{X}}{\mathrm{A}}$  .  $\,$  Materials and colors of all building elements and structures

 $\frac{X}{5}$ . Location and dimensions of mechanical equipment (roof and/or ground mounted)

## B. Building Mounted Signage

 $X_1$ . Site location(s)

 $\overline{X}$  2. Sign elevations to scale

 $\frac{\overline{X}}{3}$ . Dimensions, including height and width

 $\overline{\underline{X}}$  4. Sign face area - dimensions and square footage clearly indicated

t<u>bd</u> 5. Lighting

 $\frac{1}{X}$  6. Materials and colors for sign face and structural elements.

 $\underline{\mathrm{X}}$  7. List the sign restrictions per the IDO

City of Albuquerque Environmental Planning Commission Plaza Del Sol, 600 Second Street NW Albuquerque, NM 87102

#### RE: AGENT AUTHORIZATION NOTICE - 5910 JEFFERSON ST NE ALBUQUERQUE 87109

To Whom It May Concern,

JEFFERSON 25 LAND QOZB LLC C/O ARGUS INVESTMENT REALTY LLC, hereby authorizes Modulus Architects and Land Use Planning Inc., to perform as the Agent of Record with the City of Albuquerque. This Agent Authorization is for the property located at the 5910 JEFFERSON ST NE ALBUQUERQUE 87109 and legally described as:

LT 1-A-1 PLAT FOR LOTS 1-A-1 AND 1-B-1 FRATERNAL ORDER OFPOLICE ADDITION (BEING COMPRISED OF LOTS 1-A AND 1-BFRATERNAL ORDER OF POLICE ADDITION) CONT 1.4572 AC

This authorization is valid until further written notice from JEFFERSON 25 LAND QOZB LLC C/O ARGUS INVESTMENT REALTY LLC or Modulus Architects and Land Use Planning Inc. (Agent). Please direct all correspondence and communication to our Agent for the purpose of this request for the Development Facilitation Team and all corresponding applications.

Sincerely,

JEFFERSON 25 LAND QOZE LLC C/O ARGUS INVESTMENT REALTY LLC

Scot Throckmoiton, Manager

#### SIGN POSTING AGREEMENT

#### **REQUIREMENTS**

#### POSTING SIGNS ANNOUNCING PUBLIC HEARINGS

All persons making application to the City under the requirements and procedures established by the Integrated Development Ordinance are responsible for the posting and maintaining of one or more signs on the property which is subject to the application, as shown in Table 6-1-1. 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 for a \$10 fee per sign. If the application is mailed, you must still stop at the Development Services Front Counter to pick up the sign(s).

The applicant is responsible for ensuring that the signs remain posted throughout the 15-day period prior to any public meeting or 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.

#### 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 mus	st be po	sted from	To		
5.	REM	OVAL			
	A. B.	<u> </u>	noved before the initial hearing oved within five (5) days after	•	
				nt Counter Staff. I understand ( e located. I am being given a co	
		Regina Skaya		11/27/2023	
		. ,	(Applicant or Agent)	(Date)	
I issued _	siç	ns for this application,	,,,	(Staff Member)	
		PROJEC	T NUMBER:		

## **Regina Okoye**

From: Carmona, Dalaina L. <dlcarmona@cabq.gov>

Tuesday, July 25, 2023 11:32 AM Sent:

To: Regina Okoye

Subject: 5910 JEFFERSON ST NE & 5800 JEFFERSON ST NE Neighborhood Meeting Inquiry Sheet Submission

**Attachments:** IDOZoneAtlasPage\_E-17-Z.pdf

#### **PLEASE NOTE:**

The City Council recently voted to update the Neighborhood Association Recognition Ordinance (NARO) and the Office of Neighborhood Coordination (ONC) is working to ensure all neighborhood associations and neighborhood coalitions are in compliance with the updated ordinance. There will likely be many updates and changes to association and coalition contact information over the next several months. With that in mind, please check with the ONC every two (2) weeks to ensure that the contact information you have for associations and coalitions is up to date.

## Dear Applicant:

As of Tuesday, July 25, 2023, there are **NO** neighborhood associations/coalitions to notify.

Please make certain to read the information further down in this e-mail as it will help answer other questions you may have.

The ONC does not have any jurisdiction over any other aspect of your application beyond this neighborhood contact information. We can't answer questions about sign postings, pre-construction meetings, permit status, site plans, buffers, or project plans, so we encourage you to contact the Planning Department at: 505-924-3857 Option #1, e-mail: devhelp@cabq.gov, or visit: https://www.cabq.gov/planning/online-planning-permitting-applications with those types of questions.

#### Please note the following:

• You will need to attach a copy of this e-mail from the ONC to your application and submit it to the Planning Department for approval.

#### Thank you.



## Dalaina L. Carmona

Senior Administrative Assistant Office of Neighborhood Coordination **Council Services Department** 1 Civic Plaza NW, Suite 9087, 9th Floor Albuquerque, NM 87102 505-768-3334

dlcarmona@cabq.gov or ONC@cabq.gov Website: www.cabq.gov/neighborhoods









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From: webmaster@cabq.gov < webmaster@cabq.gov >

**Sent:** Tuesday, July 25, 2023 9:57 AM

To: Office of Neighborhood Coordination < ROKOYE@MODULUSARCHITECTS.COM>

**Cc:** Office of Neighborhood Coordination <onc@cabq.gov> **Subject:** Neighborhood Meeting Inquiry Sheet Submission



## [EXTERNAL] Forward to <a href="mailto:phishing@cabq.gov">phishing@cabq.gov</a> and delete if an email causes any concern.

Neighborhood Meeting Inquiry For:

Other (please specify in field below)

If you selected "Other" in the question above, please describe what you are seeking a Neighborhood Meeting Inquiry for below:

**Development Facilitation Team** 

Contact Name

Regina Okoye

Telephone Number

5052677686

**Email Address** 

#### ROKOYE@MODULUSARCHITECTS.COM

Company Name

**Modulus Architects** 

**Company Address** 

100 Sun Ave NE

City

ZIP

Albuquerque

State NM

87107

Legal description of the subject site for this project:

UPC: 101706233314940107

Owner: JEFFERSON 25 LAND QOZB LLC C/O ARGUS INVESTMENT REALTY LLC Owner Address: 500 4TH ST NW SUITE 275 ALBUQUERQUE NM 87102-2102

Situs Address: 5910 JEFFERSON ST NE ALBUQUERQUE 87109

Legal Description: LT 1-A-1 PLAT FOR LOTS 1-A-1 AND 1-B-1 FRATERNAL ORDER OFPOLICE ADDITION (BEING COMPRISED OF LOTS 1-A AND 1-BFRATERNAL ORDER OF POLICE ADDITION) CONT 1.4572 AC

UPC: 101706232211840105

Owner: JEFFERSON 25 XRAY QOZB LLC C/O ARUS INVESTMENT REALTY INC Owner Address: 500 4TH ST NW SUITE 275 ALBUQUERQUE NM 87102-2102

Situs Address: 5800 JEFFERSON ST NE ALBUQUERQUE 87109

Legal Description: LT 1-B-1 PLAT FOR LOTS 1-A-1 AND 1-B-1 FRATERNAL ORDER OFPOLICE ADDITION (BEING COMPRISED OF LOTS 1-A AND 1-BFRATERNAL ORDER OF POLICE ADDITION) CONT 2.9797 AC

Acres: 2.9797 Tax Year: 2023

Physical address of subject site:

Subject site cross streets:

5910 JEFFERSON ST NE ALBUQUERQUE 87109 & 5800 JEFFERSON ST NE ALBUQUERQUE 87109

Other subject site identifiers:

This site is located on the following zone atlas page:

E-17-Z

Captcha

## **Regina Okoye**

**From:** gina okoye <ginaokoye1234@yahoo.com> **Sent:** Monday, November 27, 2023 3:45 PM

**To:** Regina Okoye

**Subject:** Fw: 5910 JEFFERSON ST NE & 5800 JEFFERSON ST NE Neighborhood Meeting Inquiry Sheet Submission **Attachments:** image001.png; image002.png; image003.png; image004.png; image005.png; IDOZoneAtlasPage\_E-17-Z.pdf

From: "Carmona, Dalaina L." <dlcarmona@cabq.gov>

**Date:** July 25, 2023 at 11:33:02 AM MDT

Subject: 5910 JEFFERSON ST NE & 5800 JEFFERSON ST NE Neighborhood Meeting Inquiry Sheet Submission

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Thank you.

## Dalaina L. Carmona

Senior Administrative Assistant

Office of Neighborhood Coordination

Council Services Department

1 Civic Plaza NW, Suite 9087, 9th Floor

Albuquerque, NM 87102

505-768-3334

dlcarmona@cabq.gov or ONC@cabq.gov

Website: www.cabq.gov/neighborhoods

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From: webmaster@cabq.gov <webmaster@cabq.gov>

**Sent:** Tuesday, July 25, 2023 9:57 AM

To: Office of Neighborhood Coordination <ROKOYE@MODULUSARCHITECTS.COM>

**Cc:** Office of Neighborhood Coordination <onc@cabq.gov> **Subject:** Neighborhood Meeting Inquiry Sheet Submission

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Neighborhood Meeting Inquiry For:

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If you selected "Other" in the question above, please describe what you are seeking a Neighborhood Meeting Inquiry for below:

**Development Facilitation Team** 

Contact Name

Regina Okoye

Telephone Number
5052677686
Email Address
ROKOYE@MODULUSARCHITECTS.COM
Company Name
Modulus Architects
Company Address
100 Sun Ave NE
City
Albuquerque
State
NM
ZIP
87107
Legal description of the subject site for this project:
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5910 JEFFERSON ST NE ALBUQUERQUE 87109 & 5800 JEFFERSON ST NE ALBUQUERQUE 87109
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This site is located on the following zone atlas page:

E-17-Z

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