

| NO. | DATE       | DESCRIPTION    |
|-----|------------|----------------|
| 1   | 08/14/2022 | DRB REVISIONS  |
| 2   | 08/14/2022 | Issue/Revision |

Permit/Seal



**GENERAL NOTES**

- DIMENSIONS ARE TO FACE OF CURB, OR WALL, OR EDGE OF PAVEMENT UNLESS NOTED OTHERWISE.
- THIS PLAN SHALL COMPLY WITH LOCAL, STATE AND FEDERAL ADA STANDARDS & GUIDELINES, INCLUDING THE INTERNATIONAL FIRE CODE (IFC 2015 EDITION).
- CURBS AND ACCESSIBLE RAMPS WILL BE DESIGNED AND BUILT ACCORDING TO THE CITY OF ALBUQUERQUE STANDARDS.
- LIGHT FIXTURES AND DESIGN SHALL COMPLY WITH THE CITY OF ALBUQUERQUE.
- STREETS, PARKING SPACES AND ASSOCIATED DRIVES TO BE ASPHALT UNLESS NOTED OTHERWISE.
- LANDSCAPE AND SIGNAGE WILL NOT INTERFERE WITH CLEAR SIGHT REQUIREMENTS. SIGNS, WALLS AND PLANTING BETWEEN 3 FEET AND 8 FEET TALL (AS MEASURED FROM THE GUTTER PAN) WILL NOT BE PERMITTED IN THE CLEAR SIGHT TRIANGLE.
- ALL PUBLIC INFRASTRUCTURE LOCATED WITHIN CITY RIGHT-OF-WAY SHALL BE INCLUDED IN A PUBLIC WORK ORDER.

**LEGEND**

|                         |                                 |
|-------------------------|---------------------------------|
| --- AREA IN SCOPE       | --- PROPERTY LINE               |
| --- AREA NOT IN SCOPE   | --- EASEMENT                    |
| ● EXISTING FIRE HYDRANT | ● EXISTING TRASH ENCLOSURE      |
| □ ACCESSIBLE PARKING    | ● EXISTING BIKE RACKS           |
| MC MOTORCYCLE PARKING   | ● EXISTING 6" PUBLIC SIDEWALK   |
| CP COMPACT PARKING      | ● EXISTING 10" UTILITY EASEMENT |
| ● LIGHT POLE            | ● EXISTING 15" PNM EASEMENT     |
|                         | ● EXISTING 9" PNM EASEMENT      |
|                         | ● EXISTING DRIVEWAY             |

**SHEET KEYNOTES**

- EXISTING TRASH ENCLOSURE
- EXISTING BIKE RACKS
- EXISTING 6" PUBLIC SIDEWALK
- EXISTING 10" UTILITY EASEMENT
- EXISTING 15" PNM EASEMENT
- EXISTING 9" PNM EASEMENT
- EXISTING DRIVEWAY
- 10" PAPER EASEMENT FOR PUBLIC SIDEWALK
- AMBULANCE ENTRANCE / ADA RAMP
- PAINT 12" CROSSWALK, 4" DIAGONAL HATCH PATTERN AT 36" O.C. MAX SPACING
- REINSTALL SALVAGED LIGHT POLE
- NEW CURB & GUTTER TO JOIN EXISTING
- MAIN ENTRANCE TO MEDICAL OFFICE BUILDING
- INSTALL ACCESSIBLE PARKING SIGN
- CONSTRUCT 6" STANDARD CURB & GUTTER
- INSTALL DETECTABLE WARNING PER C.O.A. STANDARD DWG.

**PROJECT DATA**

**ZONING**  
DD - NON-RESIDENTIAL BUSINESS PARK ZONING DISTRICT (NR-BP)  
LANDUSE - CATEGORY 05 / OFFICE, DESCRIPTION 05 / MEDICAL OR DENTAL CLINIC

**PLANNING CONTEXT**  
JOURNAL CENTER CORPORATION BUSINESS PARK

**TRANSPORT**  
BUS ROUTE 140 IS ALONG JEFFERSON ST. NE (NEAREST BUS STOP AT APPROX. 1,000' FROM SITE)

**LEGAL DESCRIPTION**  
TR 1A-2-B-1 PLAT OF TRACT 1A-2-B-1 JOURNAL CENTER

**SITE AREA**  
5.9 ACRES

**ZONE ATLAS**  
S-1-R-2  
MINIMUM ALLOWED FRONT : 20 FT ACTUAL : 11 FT  
MINIMUM ALLOWED SIDE : 10 FT ACTUAL : 236 FT (WEST), 270 FT (EAST)  
MINIMUM ALLOWED REAR : 10 FT ACTUAL : NA

**SETBACKS**  
JCC (MINIMUM ALLOWED FRONT - ARTERIAL : 40 FT)  
JCC (MINIMUM ALLOWED SIDE : 10 FT)  
JCC (MINIMUM ALLOWED REAR : 10 FT)

**BUILDING HEIGHT**  
49' (85' MAX. PER ZONING)  
JCC (MAX. ALLOWED OFFICE/RESEARCH AND DEVELOPMENT: 26 FT PLUS ANY HEIGHT UNDER A 45 DEGREE PLANE DRAIN FROM THE HORIZONTAL AT THE MEAN GRADE ALONG INTERNAL BOUNDARY AND ADJACENT PUBLIC RIGHT-OF-WAY CENTERLINE)

**FIRE SUPPRESSION**  
CONSTRUCTION CLASSIFICATION : 1-B  
OCCUPANCY CLASSIFICATION : 9 (OVERALL) BUSINESS - AMBULATORY HEALTHCARE OCCUPANCY / AMBULATORY CARE FACILITY

**BUILDING AREA (S.F.)**  
GROUND FLOOR : 8,703 SF  
SECOND FLOOR : 8,728 SF

**PARKING INFORMATION**

| CAMPUS COMPONENT        | BUILDING AREA (S.F.) | REQUIRED PARKING STALLS | PARKING RATIO TO BUILDING AREA |
|-------------------------|----------------------|-------------------------|--------------------------------|
| EXISTING CLINIC AND MOB | 79,981 S.F.          | 307                     | 1 SPACE / 267 SF               |
| PROTON ADDITION         | 14,719 S.F.          | 12                      | 1 SPACE / UNIQUE OCCUPANT ***  |
| <b>TOTAL</b>            | <b>94,700 S.F.</b>   | <b>332</b>              |                                |

EXISTING STALLS PROVIDED ON SITE : 349  
STALLS LOST BY PROTON ADDITION : (58)  
**REVISED TOTAL ON-SITE : 294**

NON-ADA STALLS : 211  
ADA STALLS : 21  
VAN ACCESSIBLE ADA STALLS : 2

**TOTAL REQUIRED : 332**

DELTA OF ON-SITE AND REQUIRED : 38 \*\*\*  
NON-ADA STALLS : 38  
PROVIDED MOTORCYCLE PARKING : 7

REQUIRED BIKE PARKING : 3  
(PER IDO TABLE S-5-5 MINIMUM OF 3 BIKECYCLE PARKING SPACES REQUIRED FOR NON-RESIDENTIAL SITE)PROVIDED BIKE PARKING : 5

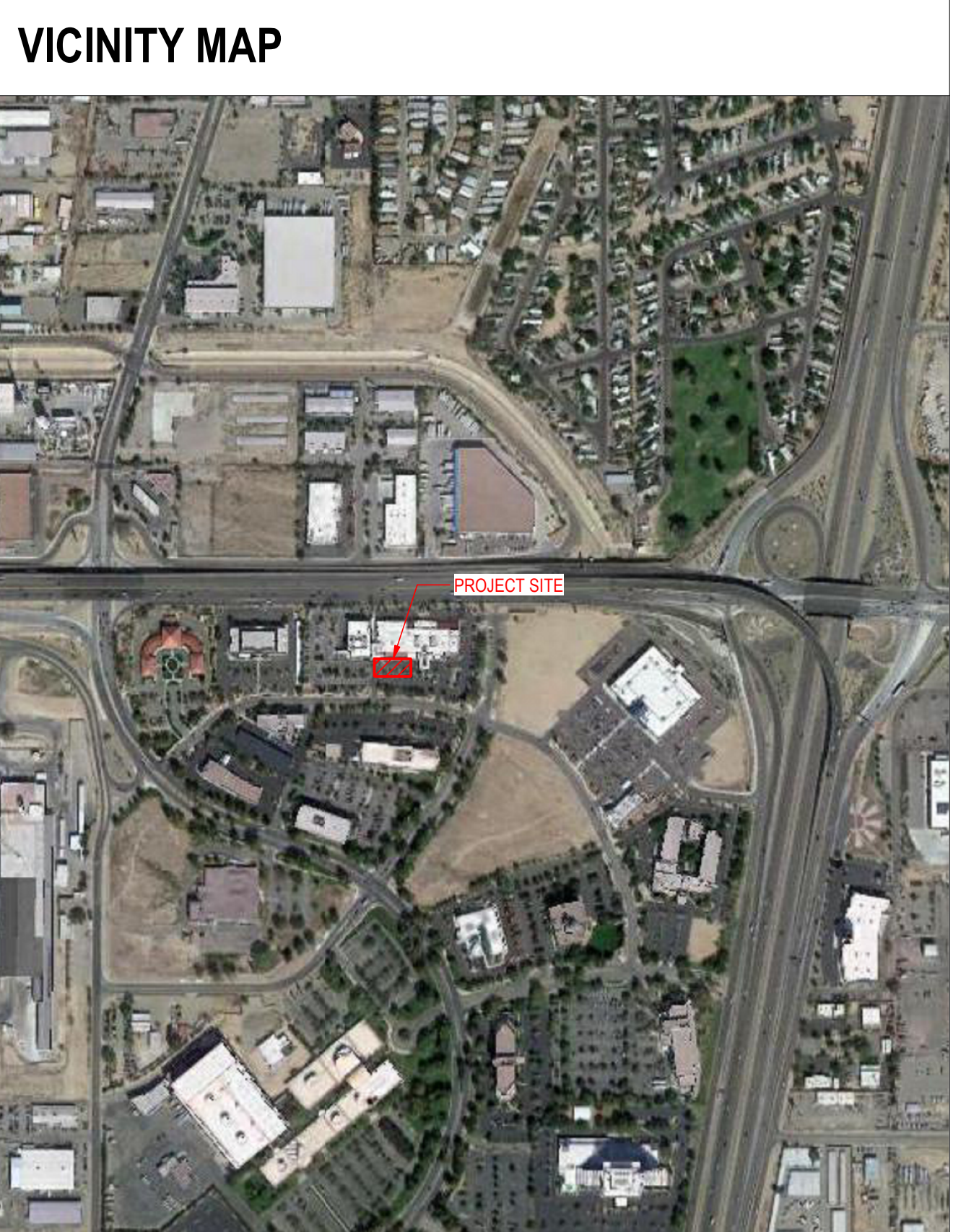
REQUIRED MOTORCYCLE PARKING : 6  
(PER IDO TABLE S-4-4 MINIMUM MOTORCYCLE PARKING REQUIREMENTS: (301-500) PARKING SPACES REQUIRES 6 MOTORCYCLE SPACES)

\*\*\* PER APPROVED 2006 SITE PLAN - PROJECT NO. 100550, APP. NO. 08/FB-81023  
\*\*\* 17,472 S.F. REDUCED BY 2,753 S.F. (REPRESENTS MASS CONCRETE AND NON-OCCUP. PROTON AREA)  
\*\*\* 12 UNIQUE OCCUPANTS COMPRISED OF: 4 PROTON EQUIPMENT TECHNICIANS, 1 PATIENT IN TREATMENT, 1 PATIENT IN PREPARATION FOR TREATMENT, 1 PATIENT LEAVING TREATMENT, 1 RADIATION ONCOLOGIST, 2 CLINICAL STAFF, 2 UNACCOUNTED (CONTRIBUTORY)  
\*\*\* STALLS TO BE PROVIDED OFF-SITE BY OWNER

**LANDSCAPE INFORMATION**

**NET LOT AREA : 189,006 SF (SEE C-701-LANDSCAPE PLAN)**  
NET LANDSCAPE AREA (MIN. 15% REQUIRED) : 28,351 SF  
PROVIDED LANDSCAPE AREA : (23%) 43,628 SF

\* PER IDO SECTION 14-16-5.6, MINIMUM OF 15% OF NET LOT AREA OF EACH DEVELOPMENT SHALL CONTAIN LANDSCAPING.



**PROJECT NUMBER : PR-2022-007588**  
**Application Number : SI-2022-01658**

Is an Infrastructure List required? ( ) Yes ( ) No  
If yes, then a set of approved DRB plans with a work order is required for any construction within Public Right-of-Way or for construction of public improvements.

**DRB SITE DEVELOPMENT PLAN APPROVAL :**

|   |      |
|---|------|
| Traffic Engineering, Transportation Division    | Date |
| ABCWUA  | Date |
| Parks and Recreation Department                 | Date |
| City Engineer / Hydrology                       | Date |
| Code Enforcement                                | Date |
| * Environmental Health Department (conditional) | Date |
| Solid Waste Management                          | Date |
| DRB Chairperson, Planning Department            | Date |

\*Environmental Health, if necessary

Client/Project Logo

Client/Project  
**NEW MEXICO PROTON ADVANCED CANCER THERAPY (NMPACT)**

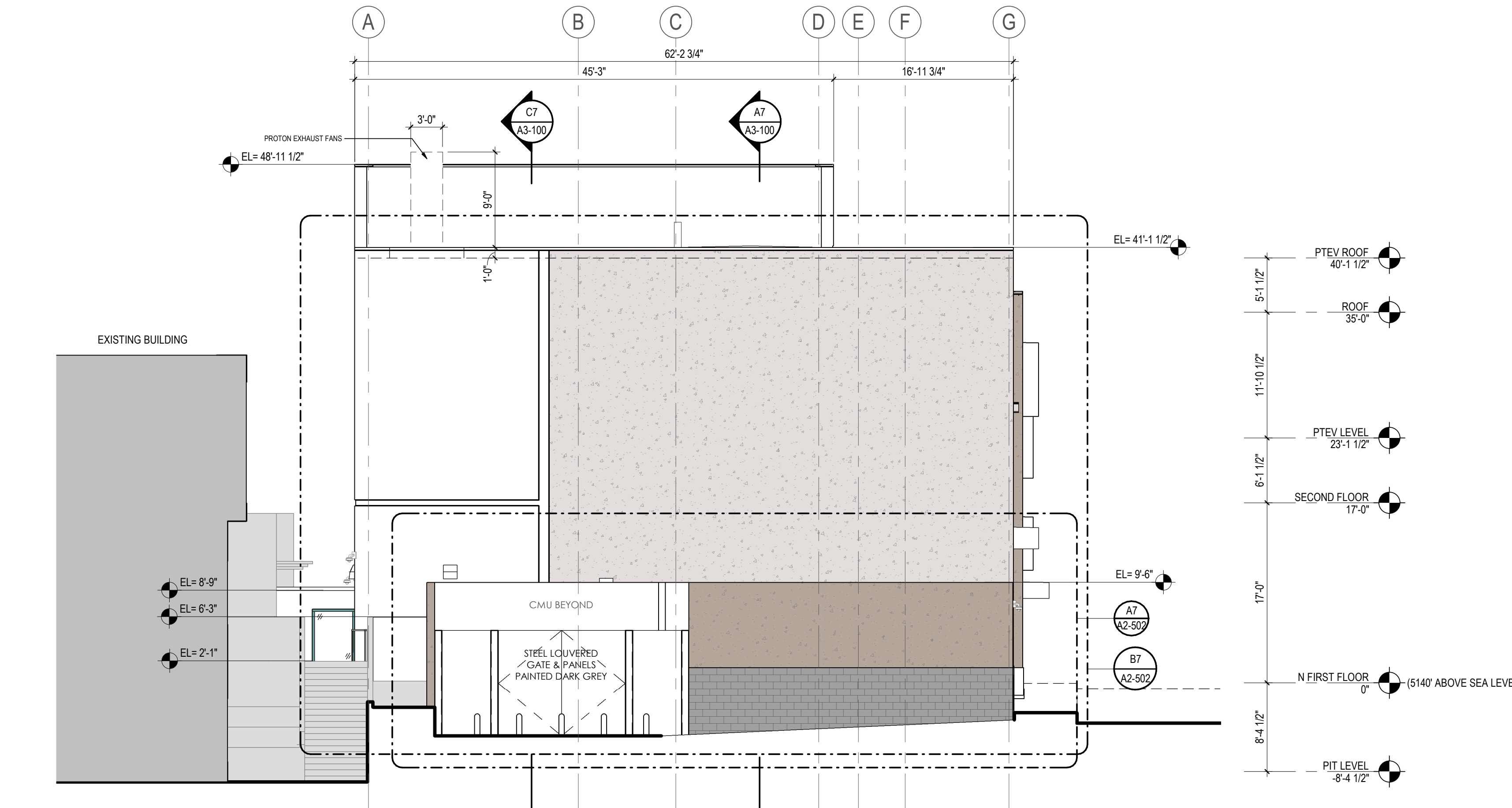
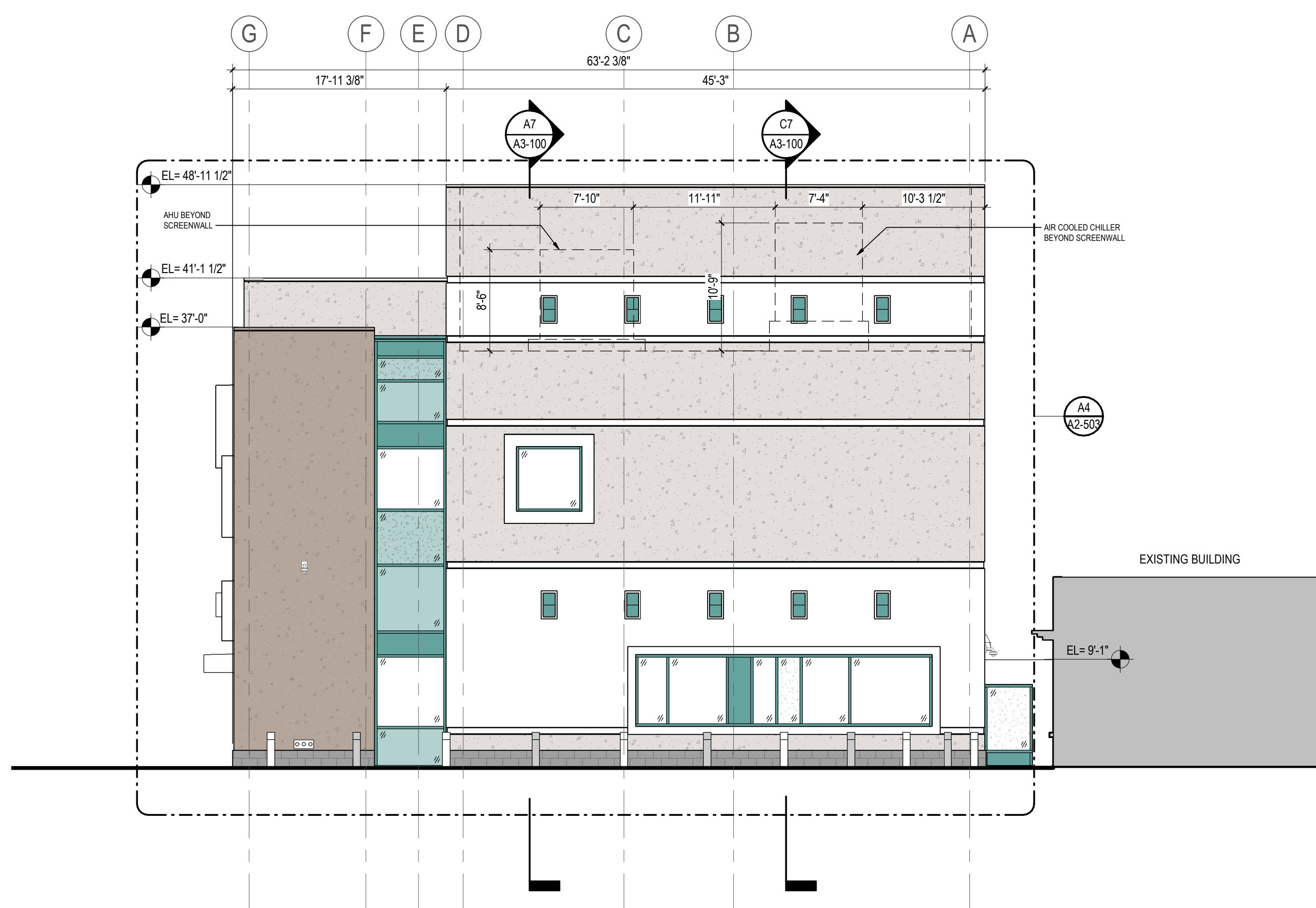
NEW MEXICO CANCER CENTER  
4901 LANG AVE. NE  
ALBUQUERQUE, NM 87109  
Title  
**DRB SITE PLAN**

Project No. 177920075  
Revision 1

Scale As Indicated  
Drawing No. **A1-101**

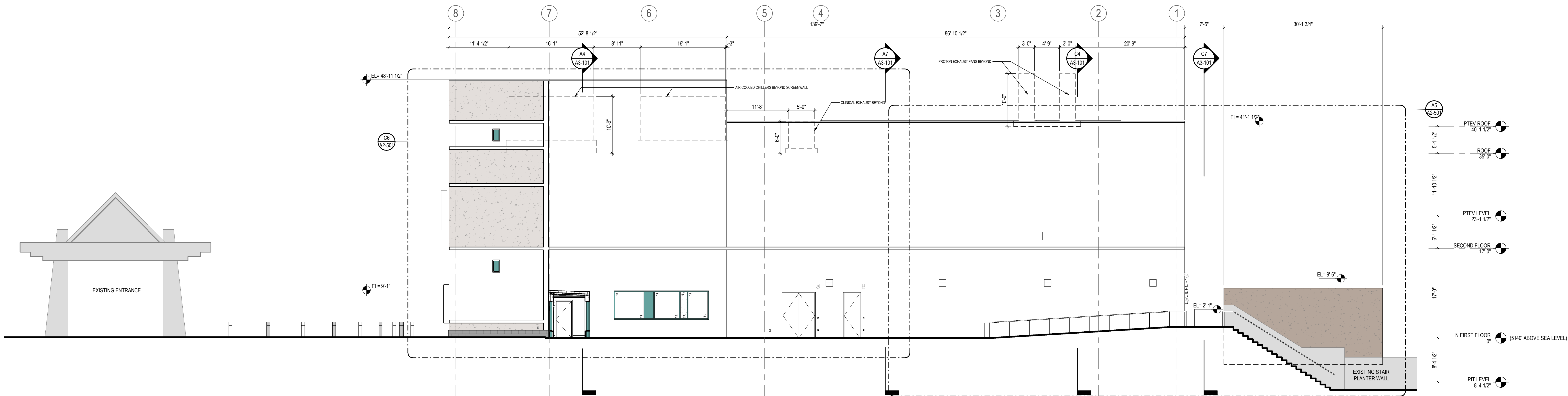
**BUILDING ELEVATION LEGEND**

- EXTERIOR PLASTER**
- PS1 LIGHT PLASTER - SMOOTH PATTERN
  - PS2 LIGHT PLASTER - COARSE PATTERN
  - PS3 DARK PLASTER - SMOOTH PATTERN
- CMU**
- M1 CHARCOAL COLOR CMU
- GLAZING**
- G1 CLEAR GLASS
  - G2 CLEAR GLASS W/ SHADOWBOX
  - G2A TEMPERED, CLEAR GLASS W/ SHADOWBOX
  - G3 FROSTED GLASS
  - G4 TEMPERED, FROSTED GLASS W/ SHADOWBOX
- METAL PANEL**
- MP1 GLAZED IN METAL PANEL / SHADOWBOX - COLOR TO MATCH EXISTING TURQUOISE COLOR
  - MP2 COLOR TO MATCH PS3
- EXTERIOR PAINT**
- PE1 PAINT TO MATCH PS1
  - PE3 PAINT TO MATCH PS3
  - PE4 PAINT TO MATCH MP1 - TYP. MULLION FRAME, ALUMINUM
  - PE5
- \* DOORS AND DOOR FRAMES - HOLLOW METAL PAINTED TO MATCH ADJACENT FINISH COLOR

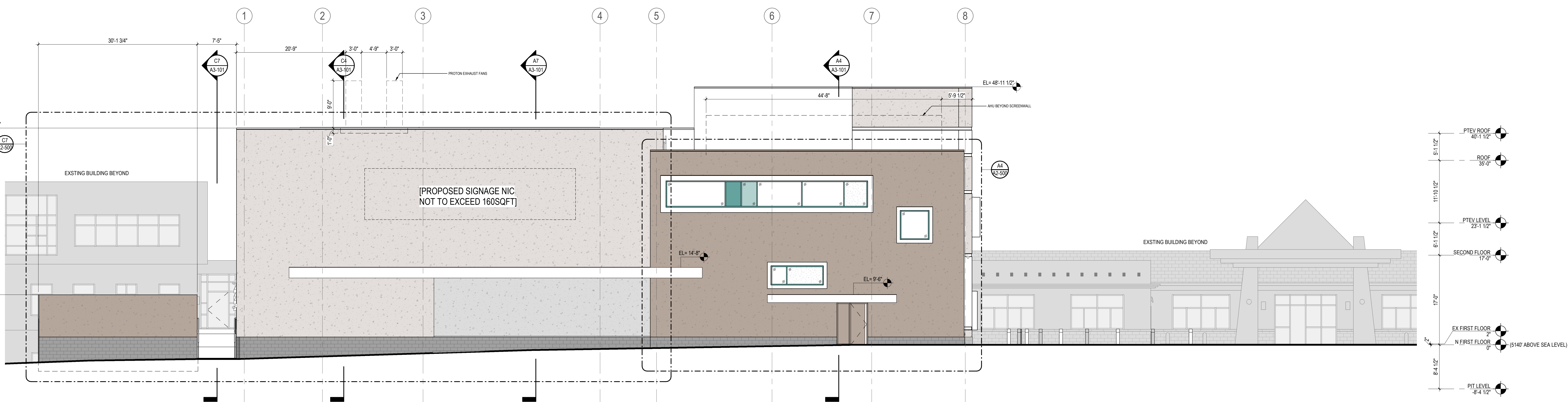


**E7 EAST ELEVATION**  
1/8" = 1'-0"

**E4 WEST ELEVATION**  
1/8" = 1'-0"



**C7 NORTH ELEVATION**  
1/8" = 1'-0"



**A7 SOUTH ELEVATION**  
1/8" = 1'-0"

| NO. | DESCRIPTION                        | DATE       |
|-----|------------------------------------|------------|
| 1   | MAJOR AMENDMENT TO SITE PLAN - DRB | 07/29/2022 |
| 2   | FOR PERMIT                         | 06/13/2022 |
| 3   | DESIGN DEVELOPMENT                 | 03/23/2022 |
| 4   | [JOURNAL CENTER SITE PLAN REVIEW]  | 02/23/2022 |
| 5   | SCHEMATIC DESIGN                   | 01/28/2022 |
| 6   | Issue/Revision                     | MM/DD/YYYY |

Permit/Seal

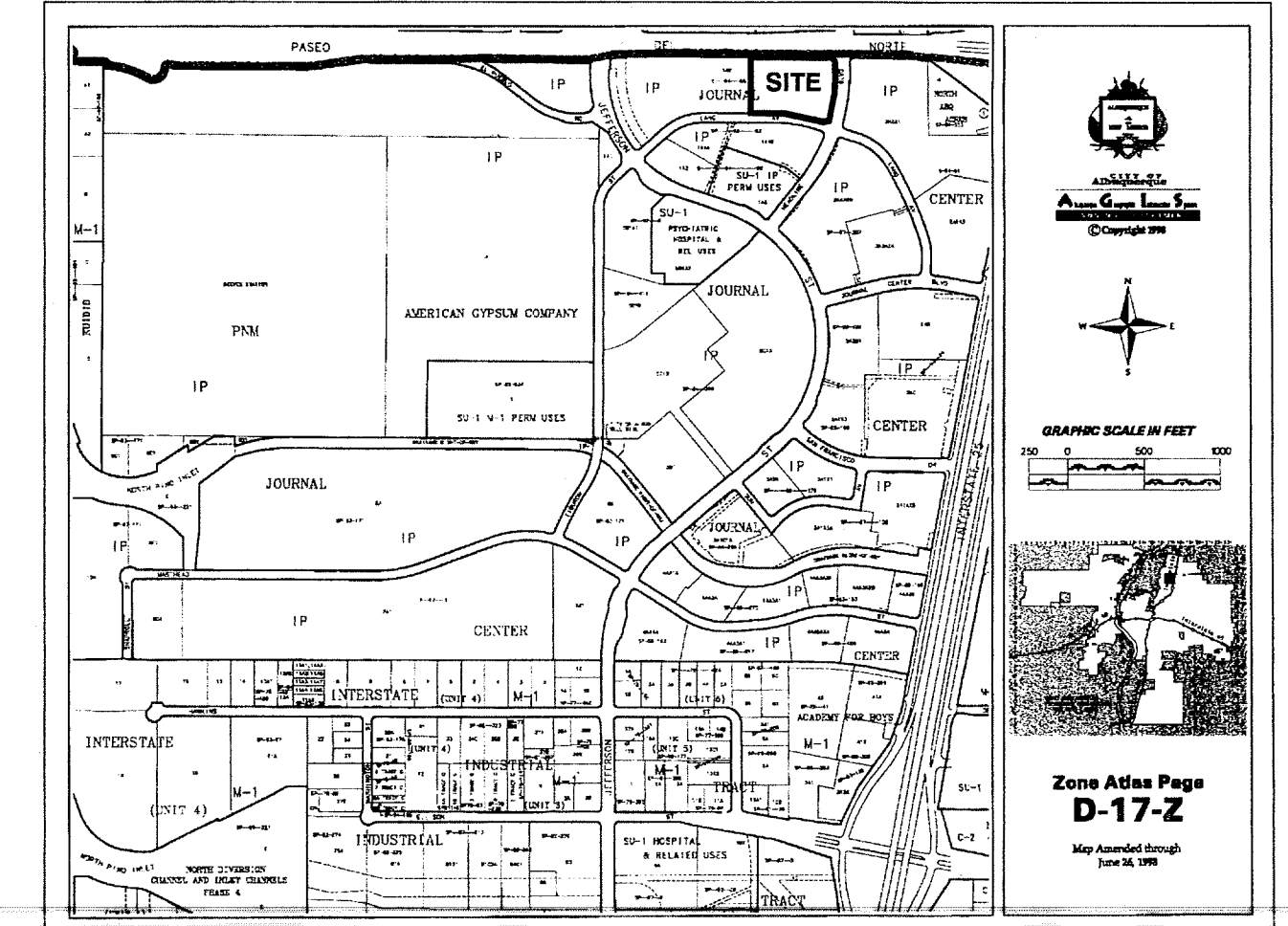
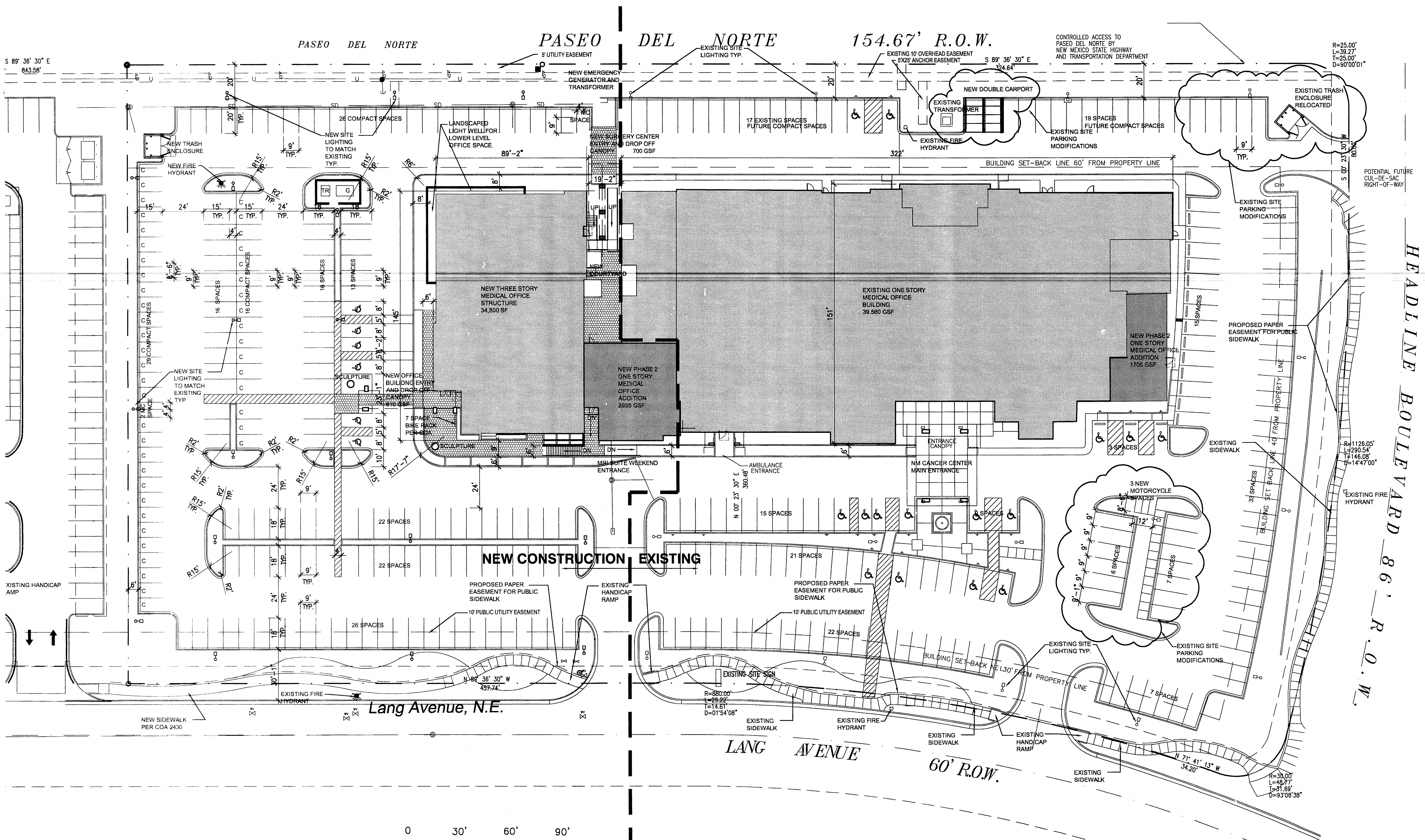


Client/Project Logo

Client/Project  
**NEW MEXICO PROTON  
ADVANCED CANCER  
THERAPY (NMPACT)**

NEW MEXICO CANCER CENTER  
4901 LANG AVE. NE  
ALBUQUERQUE, NM 87109  
Title  
**BUILDING ELEVATIONS**

Project No. 177920075  
Revision  
Scale 1/8" = 1'-0"  
Drawing No. **A2-100**



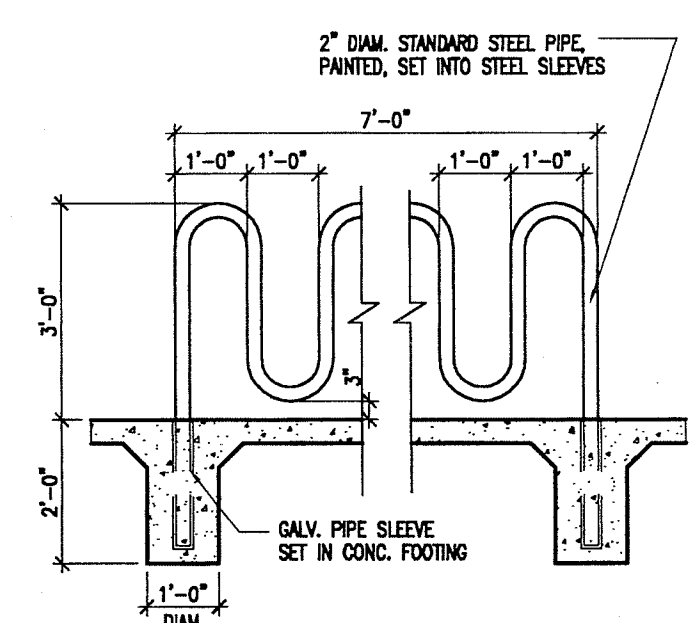
**E5 VICINITY MAP D-17-Z**  
SCALE: N.T.S.

PROJECT NUMBER: **1000560**  
APPLICATION NUMBER: **0628B-01023**

Is an Infrastructure List required? ( ) Yes (X) No  
If yes, then a set of approved DRB plans with a work order is required for any construction within Public Right-of-Way for construction of public improvements.

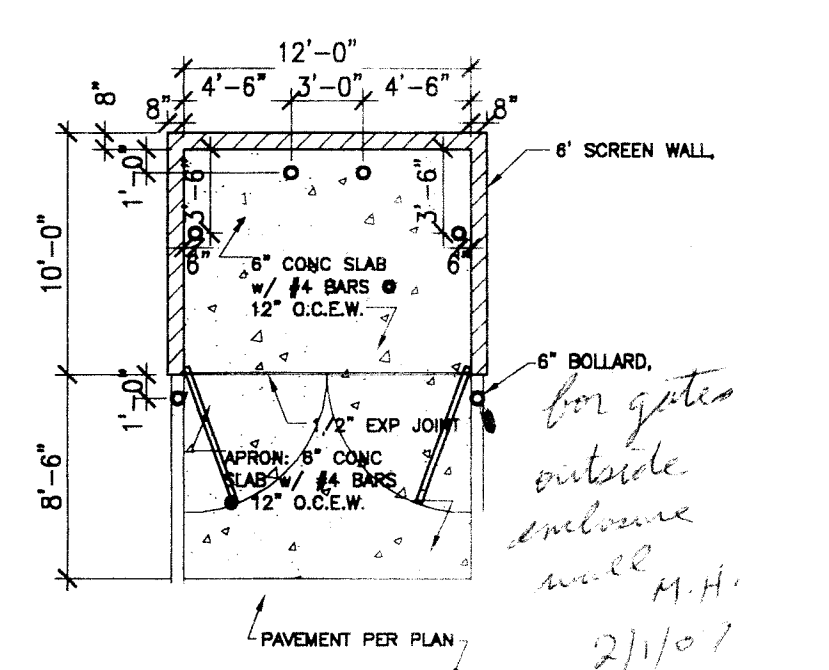
DRB SITE DEVELOPMENT PLAN APPROVAL:

|  |  |
|--|--|
| <i>[Signature]</i><br>Traffic Engineering, Transportation Division   | Date: <b>12-8-06</b><br><b>8/16/06</b> |
| <i>[Signature]</i><br>Water Utility Department                       | Date: <b>8/16/06</b>                   |
| <i>[Signature]</i><br>Parks and Recreation Department                | Date: <b>8/16/06</b>                   |
| <i>[Signature]</i><br>City Engineer                                  | Date: <b>8/16/06</b>                   |
| <i>[Signature]</i><br>*Environmental Health Department (conditional) | Date: <b>12/15/06</b>                  |
| <i>[Signature]</i><br>Solid Waste Management                         | Date: <b>12/15/06</b>                  |
| <i>[Signature]</i><br>DRB Chairperson, Planning Department           | Date: <b>12/15/06</b>                  |

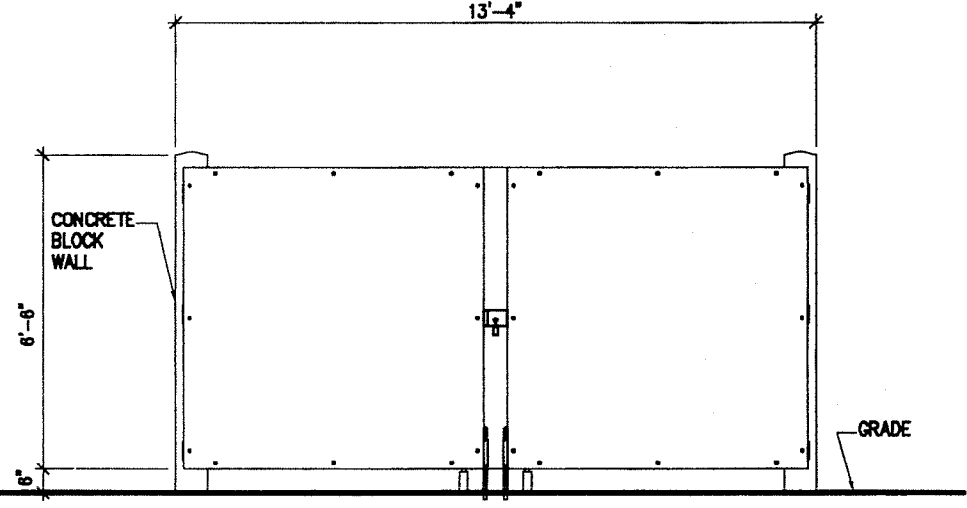


**B5 7 SPACE BIKE RACK**  
SCALE: 3/8" = 1'-0"

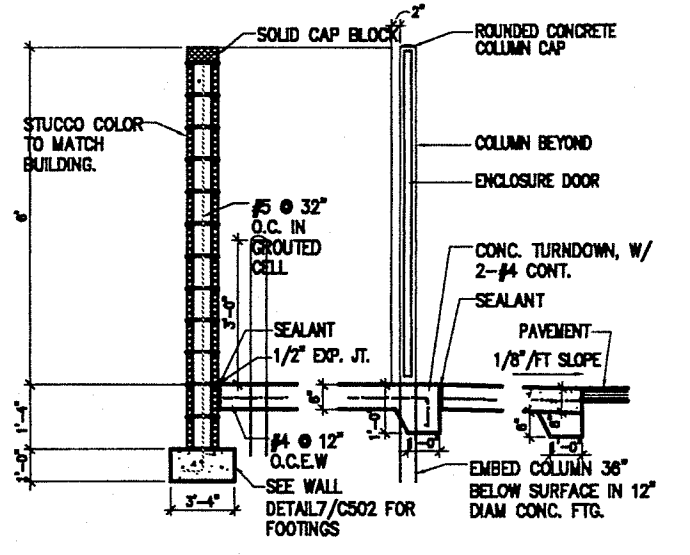
**B1 SITE PLAN FOR BUILDING PERMIT**  
SCALE: 1" = 30'-0"



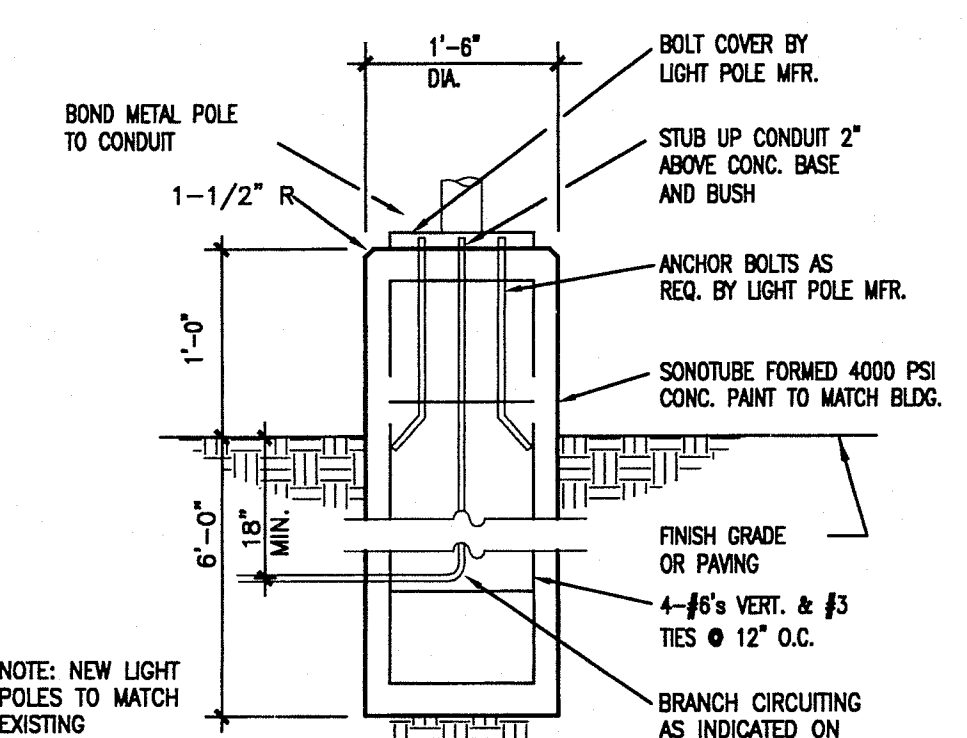
**A1 TRASH ENCLOSURE PLAN**  
SCALE: 1/8" = 1'-0"



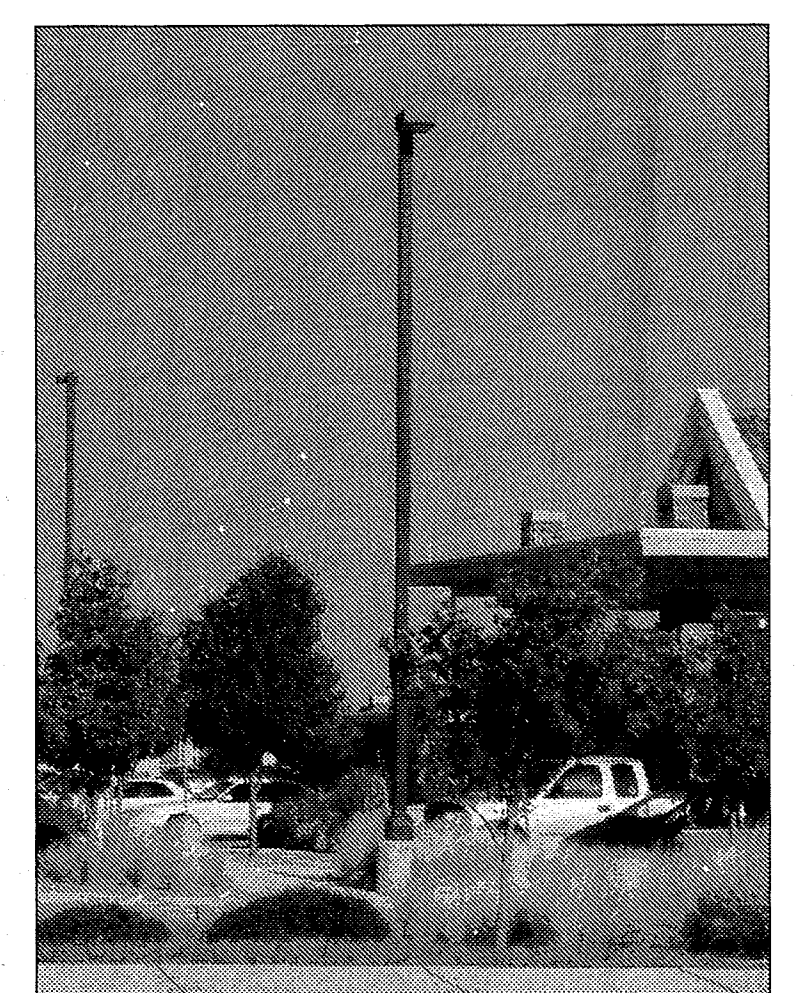
**A2 TRASH ENCL. ELEVATION**  
SCALE: 1/4" = 1'-0"



**A2 TRASH ENCLOSURE SECTION**  
SCALE: 1/4" = 1'-0"



**A3 LIGHT POLE DETAIL**  
SCALE: 1/4" = 1'-0"

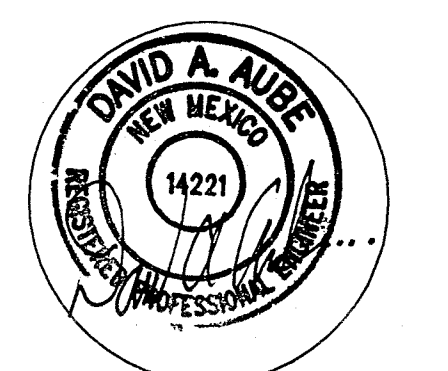


**A4 EXISTING LIGHT POLE**  
SCALE: N.T.S.

**TABULATED PARKING**

|                 | REQUIRED   | EXISTING  |
|-----------------|------------|-----------|
| REGULAR         | 302        | TOTAL 171 |
| HC              | 10         |           |
| VAN HC          | 2          |           |
| MOTORCYCLE      | 6          |           |
| <b>TOTAL</b>    | <b>320</b> |           |
| <b>PROVIDED</b> |            |           |
| REGULAR         | 269        |           |
| COMPACT         | 63         |           |
| HC              | 8          |           |
| VAN HC          | 11         |           |
| MOTORCYCLE      | 6          |           |
| <b>TOTAL</b>    | <b>359</b> |           |

**A5 PARKING CALCS**  
SCALE: N.T.S.



8-16-06

**THE DESIGN GROUP**  
ARCHITECTS - PLANNERS - INTERIOR DESIGN  
202 CENTRAL AVENUE SE, SUITE 200  
ALBUQUERQUE, NEW MEXICO 87102  
PHONE: 505.242.6880 FAX: 505.242.6881

PROJECT NAME:  
**NM Cancer Center Addition/Remodel**  
4901 Lang Avenue NE  
Albuquerque, New Mexico

REVISIONS

| No. | DATE | DESCRIPTION |
|-----|------|-------------|
|     |      |             |

SHEET TITLE:  
**DEVELOPMENT REVIEW BOARD**  
SITE PLAN  
FOR BUILDING PERMIT

DESIGNED: --- SCALE: 1/8" = 1'-0"  
CHECKED: --- JOB NO: 2316  
DATE: 07.14.06 COMP. FILE: File Name

**A100**







# NMCC

NEW MEXICO CANCER CENTER

*New Mexico Oncology Hematology Consultants, Ltd.*

[www.nmcancercenter.org](http://www.nmcancercenter.org)

October 20, 2022

Ms. Jolene Wolfley, Chair  
Development Review Board (DRB)  
Albuquerque, New Mexico

Re: PR-2022-007588; SI-2022-001658 Site Plan Amendment

Dear Ms. Wolfley,

On behalf of the property owners New Mexico Cancer Center, LLC (NMCC) PR-2022-007588, SI-2022-001658 Site Plan Amendment, and at the request of the DRB, please accept the following as the written response to the verbal statements made during the October 19, 2022, Development Review Board meeting.

NMCC submits that the Proton Center construction will result in the need for no more than twelve (12) parking spaces. The twelve (12) parking spaces are broken down as follows:

IBA, the manufacturer of the Proton equipment, is contractually obligated to provide service and maintenance of the equipment. Operationally, IBA will have no less than three (3) full time employees on site, but never more than four (4) full time employees on site, who will be located on the second floor of the Proton building. (Please refer to **Exhibit A**) For the type of Proton equipment that will be located at NMCC, the average full time IBA staff is three (3).

#### Proton Equipment Staff – 4

NMCC was required to have an experienced independent third party Supply and Demand Analysis. As part of that independent analysis, the third party estimated maximum patient capacity using national standards for Proton Therapy. The following factors were considered: maximum treatment hours per the contract; equipment uptime; maximum capacity, and average minutes per fraction.

Based on the above factors, the maximum number of patients that can physically be seen is two (2) per hour.

#### Medical Oncology Hematology

Barbara L. McAneny, MD  
Aryn G. Alidina, MD  
Annette C. Fontaine, MD, MBA  
Jose W. Avitia, MD  
Ronald P. Kubica, MD  
Sofia Palacio, MD  
Katherine Sanchez, MD  
Courtney Marquez, PA-C  
Debra Winkeljohn, CNS  
Tyler Booth, CNP  
Lesley Roller, FNP-C

#### Radiation Oncology

Gregg E. Franklin, MD, PhD  
Susan Guo, MD  
Kara Bucci, MD

#### Hematology and Coagulation

J. Randle Adair, DO, PhD  
Alteefa Chaudhury, MD

#### Rheumatology

James B. Steier, MD  
Sabreen Yaqub, MD  
Jorge Uribe, MD, MPH  
Swathi Dhulipala, DO

#### Pulmonary

Cory Hicks, MD  
Jennifer Vergeer, AG-ACNP, BC

#### Urology

Damara Kaplan, PhD, MD  
Peter A. Headley, MD  
Jamie Edens, PA-C  
Jaren Gravagne, CNP

#### Surgical ENT

Roland Z. Gerencer, MD, FACS, FRCS

#### General Surgery

Lisa Balduf, MD, FACS

#### Sleep Institute

Lee K. Brown, MD

#### Palliative Care

Francesco Standoli, MD

#### Primary Care Survivorship/Genetics

Emily Deaton, MD  
Crystal Chick, DNP  
Donald Pearsall, MD  
Darling Horcasitas, PA-C

#### Clinical Counseling

Cynthia Sontag, LCSW

#### Family Medicine – Gallup Only

Caleb Lauber, MD

#### NMCC Foundation

Tim Tokarski, Director

#### Leadership

Barbara L. McAneny, MD, CEO  
Annette C. Fontaine, MD, MBA, CMO  
Laura M. Marez, CPA, CGMA, CFO

The approved initial proforma financial statements anticipate adding one more clinical staff member, and a Radiation Oncologist dedicated to the Proton Center. The patients and clinical staff will be located on the first floor of the Proton building. (Please refer to **Exhibit B**)

Proton Patients – 3  
New Clinical Staff – 3  
Factor of Safety (Unaccounted Contingency) – 2

Therefore, the estimated twelve (12) new spaces leave plenty of room for unanticipated growth as illustrated below:

|                        | <u>Budgeted</u> | <u>Anticipated</u> |
|------------------------|-----------------|--------------------|
| Proton Equipment Staff | 4               | 3                  |
| Proton Patients        | 3               | 2                  |
| New Clinical Staff     | 3               | 1                  |
| Factor of Safety       | <u>2</u>        | <u>1</u>           |
| <b>TOTAL</b>           | <b>12</b>       | <b>7</b>           |

The anticipated parking spaces are as identified in the Parking Tabulation (see **Exhibit C**).

**Exhibit C** suggests that including the Proton addition, 332 spaces will be required. Based on 93,720 building area (S.F.), that is 3.6 spaces per 1,000 S.F. As a point of reference, NMCC currently provides 349 spaces for 79,001 S.F., or 4.41 spaces per 1,000 S.F. Per the approved 2006 Site Plan, NMCC is required to provide 320 spaces for 79,001 S.F., or 4.05 spaces per 1,000 S.F.

The suggested 332 spaces (3.6 spaces per 1,000 S.F.) is 89% of what is currently required (4.05 spaces per 1,000 S.F.). This reduced requirement coincides with current patient flow efficiency and parking space utilization and availability experience. The center has never had a patient or tenant complain as to parking accessibility.

Assuming the DRB considers 332 spaces to be needed to meet the parking spaces requirement, NMCC would achieve that 332 parking space threshold through the 294 onsite parking spaces remaining post Proton Center construction, and leasing thirty-eight (38) offsite parking spaces.

NMCC has already signed a Parking Lease agreement for fifty (50) spaces with Titan Journal Center Hotel, LLC. The parking spaces are located at the Courtyard by Marriott in the Journal Center. The current lease is for a five (5) year period. NMCC is in discussion with Titan to extend the period. NMCC is also pursuing other parking spaces with other owners whose properties are equidistant to NMCC as is the Courtyard by Marriott.

In order to support parking space availability, we will be negotiating option language which will allow NMCC to have parking spaces options as various initial lease agreements terms expire. NMCC is confident that given the existing levels of parking in the vicinity that it will be able to fulfill the 38 parking spaces requirement.



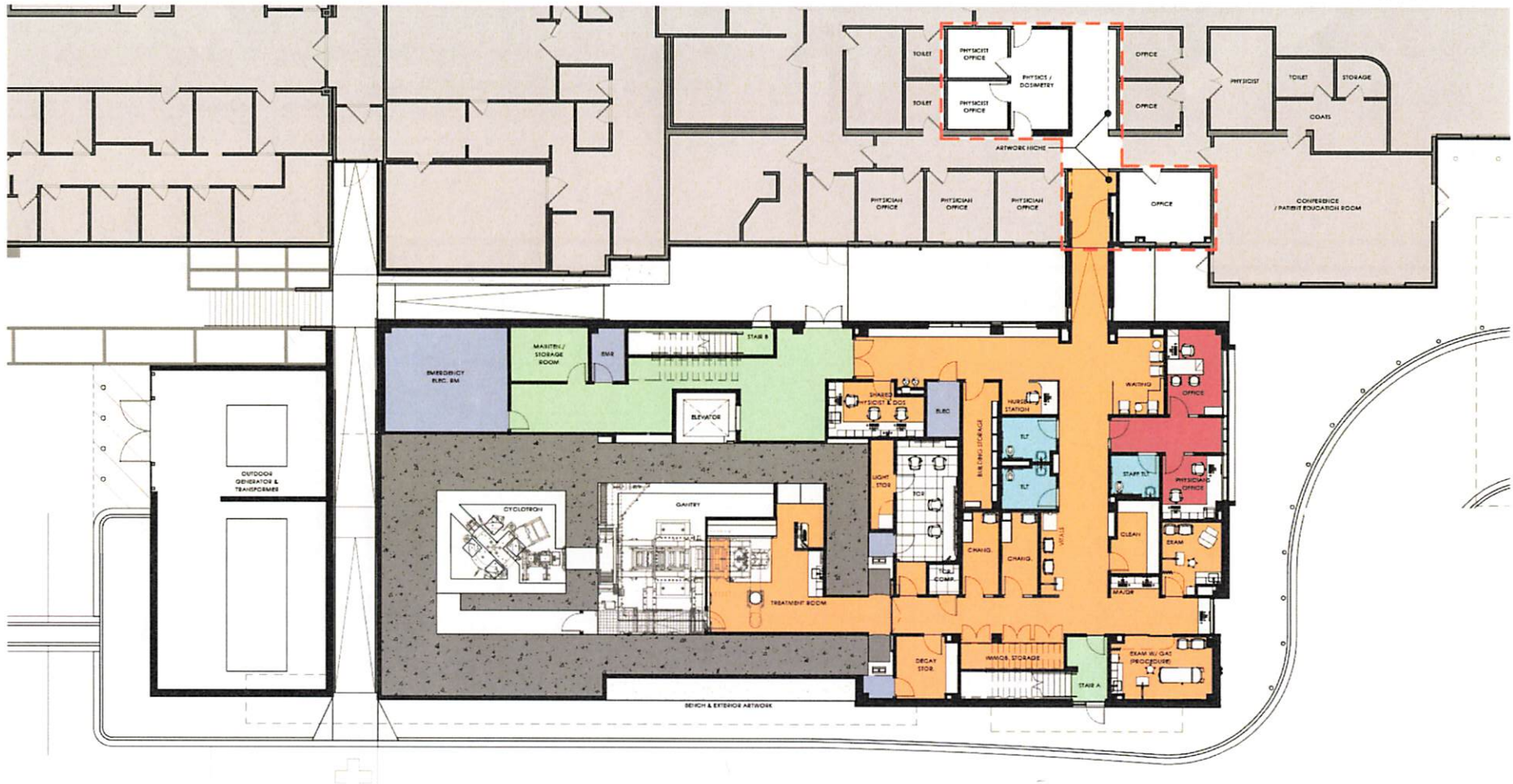
EXHIBIT A

SECOND FLOOR - OCCUPANCY  
IBA STAFF



EXHIBIT B

FIRST FLOOR - OCCUPANCY  
PATIENTS/CLINICAL STAFF



## PARKING TABULATION

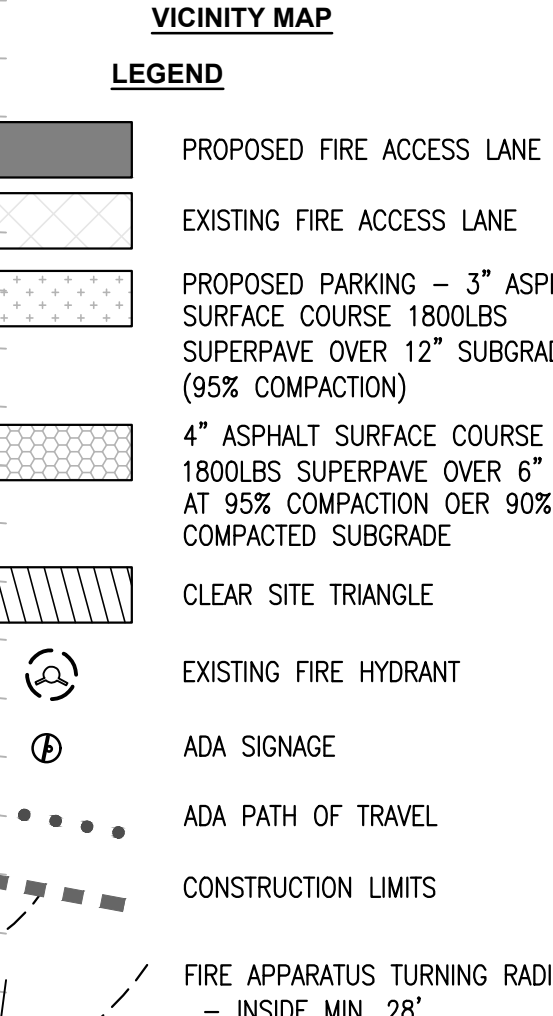
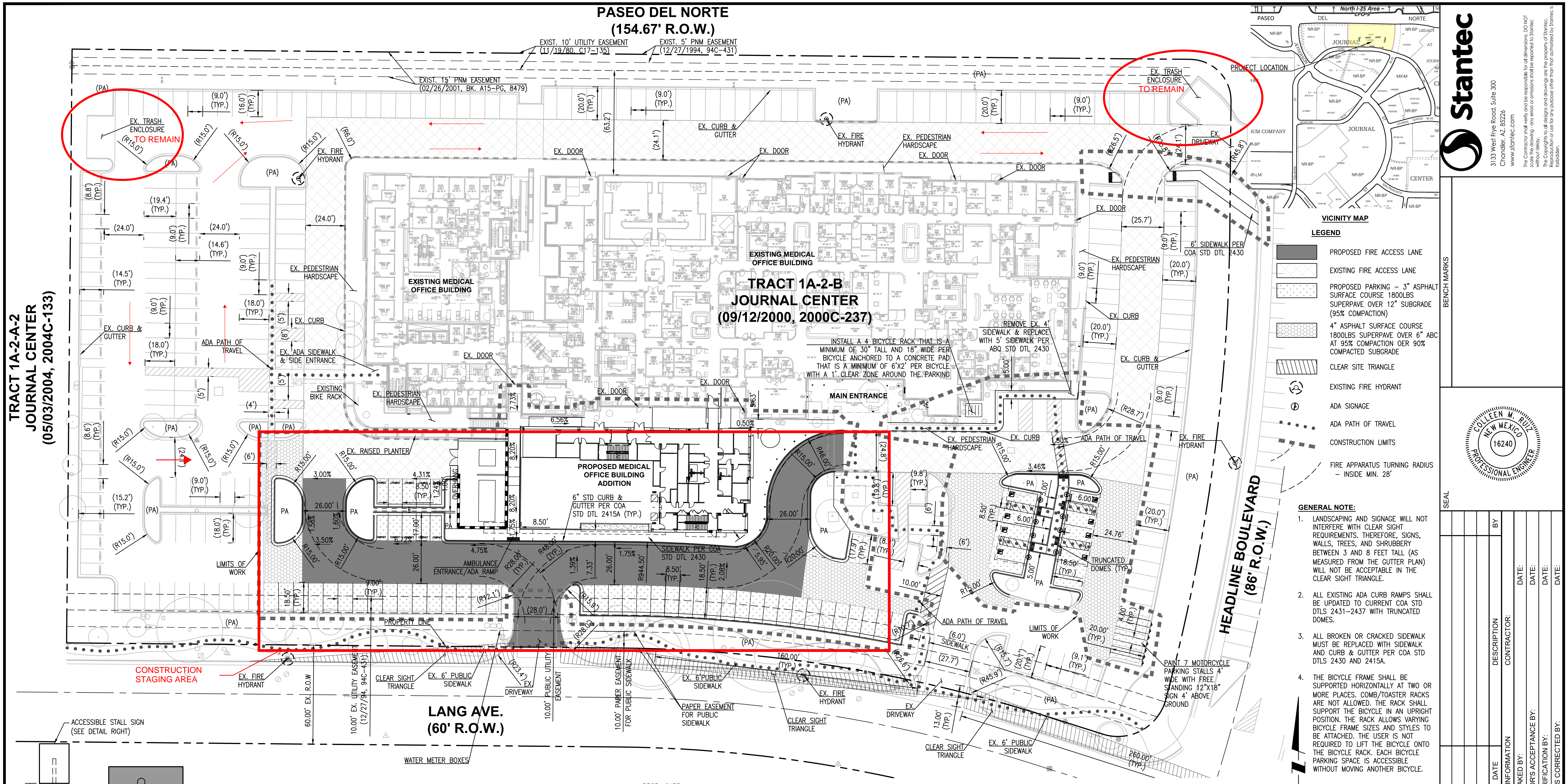
| <b>Campus Component</b>              | <b>Bldg. Area (S.F.)</b> | <b>Required Parking Stalls</b> | <b>Parking Ratio to Bldg. Area</b> |
|--------------------------------------|--------------------------|--------------------------------|------------------------------------|
| Existing Clinic and MOB              | 79,001                   | 320*                           | 1 space /247 SF                    |
| Proton Addition                      | 14,719 **                | 12***                          | 1 space / unique occupant***       |
| <b>Total</b>                         | <b>93,720</b>            | <b>332</b>                     |                                    |
| Existing Stalls Provided On-site     |                          | 349                            | Required Bike - 3                  |
| Stalls lost by Proton Addition       |                          | (55)                           | Provided Bike - 5                  |
| <b>Revised Total On-site</b>         |                          | <b>294</b>                     | Required Motorcycle - 6            |
| Non-ADA Stalls                       |                          | 271                            | Provided Motorcycle - 7            |
| ADA Stalls                           |                          | 21                             |                                    |
| Van Accessible ADA Stalls            |                          | 2                              |                                    |
| <b>Total Required</b>                |                          | <b>332</b>                     |                                    |
| <b>Delta of On-site and Required</b> |                          | <b>38****</b>                  |                                    |
| Non-ADA Stalls                       |                          | 38                             |                                    |

\* Per Approved 2006 Site Plan – Project No. 1000560, App. No. 06DRB-01023

\*\*17,472 S.F. reduced by 2,753 S.F. (area of mass concrete and un-occupied proton equipment)

\*\*\*12 unique occupants comprised of: 4 Proton Equipment Technicians, 1 Patient in Treatment, 1 Patient in preparation for Treatment, 1 Patient leaving Treatment, 1 Radiation Oncologist, 2 Clinical Staff, 2 unaccounted (contingency)

\*\*\*\*Stalls to be provided off-site by Owner

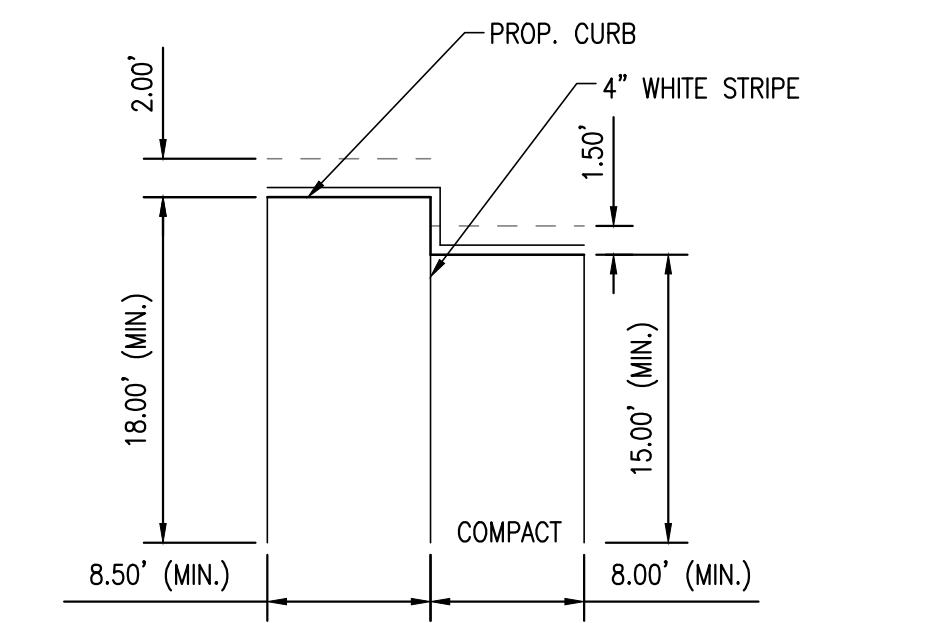
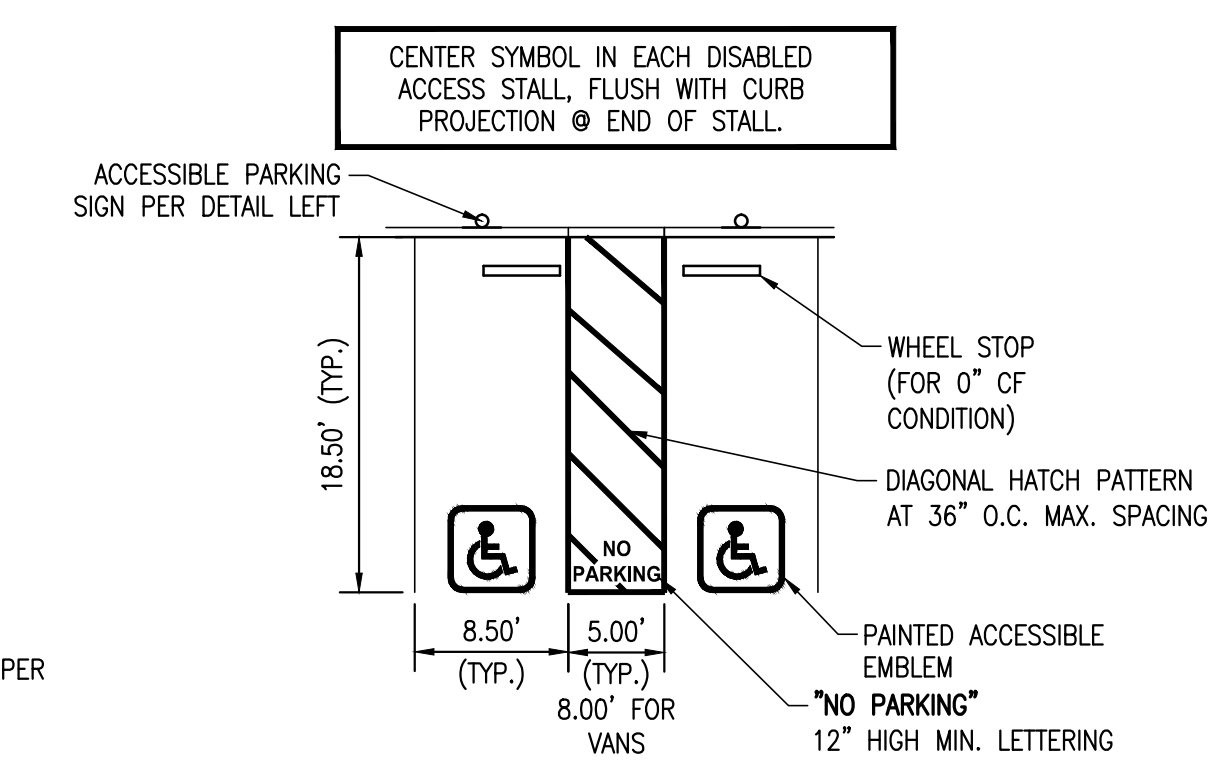
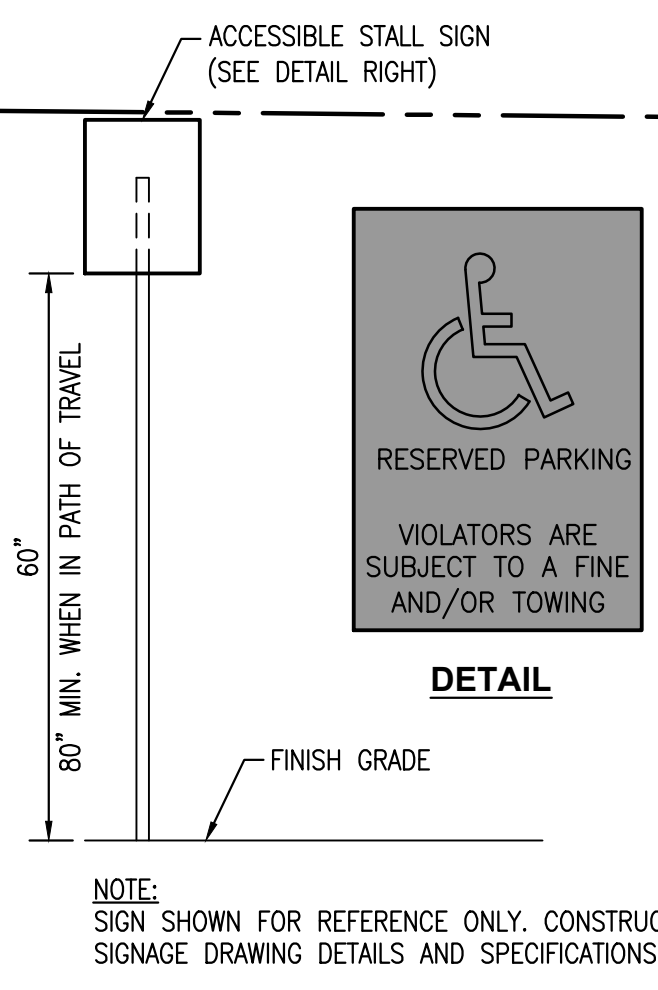


- GENERAL NOTE:**
- LANDSCAPING AND SIGNAGE WILL NOT INTERFERE WITH CLEAR SIGHT REQUIREMENTS. THEREFORE, SIGNS, WALLS, TREES, AND SHRUBBERY BETWEEN 3 AND 8 FEET TALL (AS MEASURED FROM THE GUTTER PLAN) WILL NOT BE ACCEPTABLE IN THE CLEAR SIGHT TRIANGLE.
  - ALL EXISTING ADA CURB RAMPS SHALL BE UPDATED TO CURRENT COA STD DTLs 2431-2437 WITH TRUNCATED DOMES.
  - ALL BROKEN OR CRACKED SIDEWALK MUST BE REPLACED WITH SIDEWALK AND CURB & GUTTER PER COA STD DTLs 2430 AND 2415A.
  - THE BICYCLE FRAME SHALL BE SUPPORTED HORIZONTALLY AT TWO OR MORE PLACES. COMB/TOASTER RACKS ARE NOT ALLOWED. THE RACK SHALL SUPPORT THE BICYCLE IN AN UPRIGHT POSITION. THE RACK ALLOWS VARYING BICYCLE FRAME SIZES AND STYLES TO BE ATTACHED. THE USER IS NOT REQUIRED TO LIFT THE BICYCLE ONTO THE BICYCLE RACK. EACH BICYCLE PARKING SPACE IS ACCESSIBLE WITHOUT MOVING ANOTHER BICYCLE.

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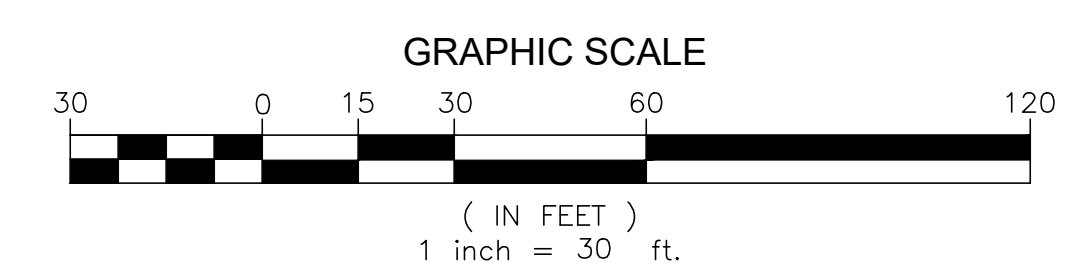
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| DRAWN BY:    | AV        |
| CHECKED BY:  |           |
| DATE:        | 6/17/2022 |



**PARKING TABULATION**

| CAMPUS COMPONENT                             | BLDG AREA (S.F.)   | REQUIRED PARKING STALLS     | PARKING RATIO TO BLDG AREA |
|--|--------------------|-----------------------------|----------------------------|
| EXISTING CLINIC AND MOB                      | 79,001 S.F.        | 320*                        | 247                        |
| PROTON ADDITION                              | 14,719 S.F.**      | 74                          | 200                        |
| <b>TOTAL</b>                                 | <b>93,720 S.F.</b> | <b>394</b>                  |                            |
| EXISTING STALLS PROVIDED ON-SITE             | 349                | REQUIRED BICYCLE PARKING    | 4                          |
| STALLS LOST BY PROTON ADDITION               | (55)               | REQUIRED MOTORCYCLE PARKING | 6                          |
| REVISED TOTAL ON-SITE                        | 294                |                             |                            |
| NON-ADA STALLS                               | 271                |                             |                            |
| ADA STALLS                                   | 23                 |                             |                            |
| <b>TOTAL REQUIRED BY IDO</b>                 | <b>394</b>         |                             |                            |
| DELTA OF ON-SITE AND REQUIRED NON-ADA STALLS | 100***             |                             |                            |
|  | 100                |                             |                            |

\*PER APPROVED 2006 SITE PLAN - PROJECT NO. 1000560, APP NO. 06DRB-01023  
\*\*17,472 S.F. REDUCED BY 2,753 S.F. (REPRESENTS MASS CONCRETE AND NON-OCCUP. PROTON AREA)  
\*\*\*STALLS TO BE PROVIDED OFF-SITE BY OWNER



**ACCESSIBLE SIGN C**  
N.T.S.

**ACCESSIBLE PARKING STALLS B**

**PARKING STALLS A**

**CITY OF ALBUQUERQUE**  
DEPARTMENT OF MUNICIPAL DEVELOPMENT  
ENGINEERING DIVISION

**SOLID WASTE PLAN**

DESIGN REVIEW COMMITTEE CITY ENGINEER APPROVAL ZONE MAP NO. D-17-Z  
CITY PROJECT NO. XXXXXX  
SHEET NO. C-102



PLOT SET - 6/17/2022

# New Mexico Cancer Center **PARKING** study

2022



Bohannon  Huston



**NMCC**  
NEW MEXICO CANCER CENTER  
New Mexico Oncology Hematology Consultants, Ltd.

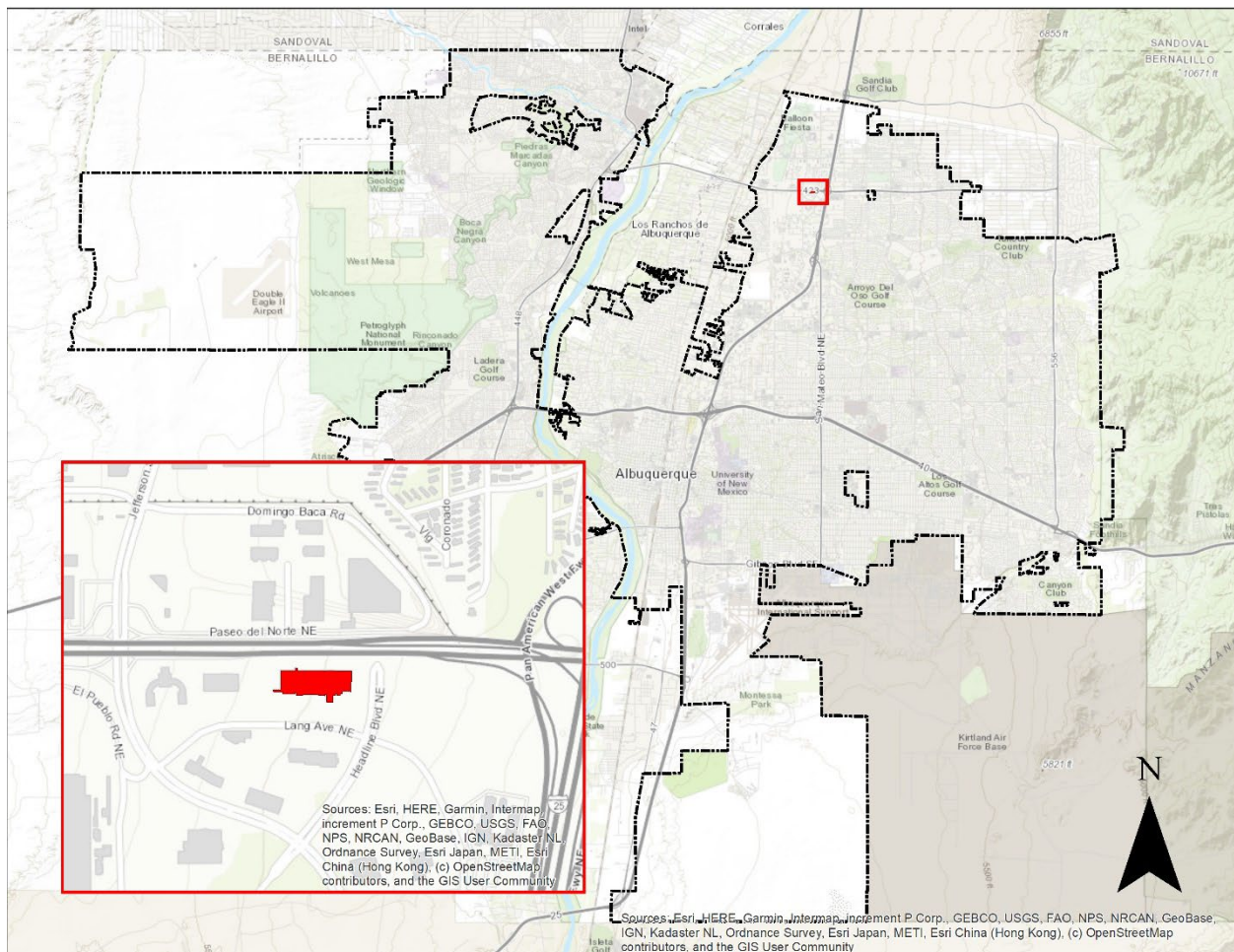
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# Introduction

## Project Background

The New Mexico Cancer Center’s flagship cancer center is located near the Journal Center at 4901 Lang Ave NE in Albuquerque, NM and offers medical and radiation oncology, chemotherapy infusion, radiation therapy, imaging, laboratory, and pharmacy services. The New Mexico Cancer Center (NMCC) is planning on expanding its facility to add a proton center, which will offer proton radiation therapy to cancer patients and will be the first facility of its kind in the state.

Figure 1: New Mexico Cancer Center Context Map



## Purpose and Need

The new proton center will be built on a portion of the existing NMCC parking lot, reducing the total number of parking spaces by 55 stalls. The proton center will also expand the cancer center’s square footage by 17,472 SF, which increases the amount of parking required at the site per the City of Albuquerque’s Integrated Development Ordinance (IDO).

The purpose of this study is to provide the Planning Director for the City of Albuquerque with the information necessary to consider a reduction of parking requirements for this project. This needs study evaluates the factors influencing parking demand and their applicability to the site, as well as the appropriateness of developing the NMCC site with 25% fewer parking spaces than required by the IDO.

Ultimately, this study asserts that a reduction in parking supply is warranted and appropriate considering the following factors:

- Limited anticipated employee and patient parking needs given existing utilization trends and the proton center’s unique function
- Shared parking agreements with the Courtyard by Marriot Hotel
- Site location benefits, including proximity to existing and future transit routes
- Albuquerque’s plans and policies that support reductions to parking minimums
- National best practices in determining appropriate parking minimums

**IDO Section 5-5(C)(5)(e) Parking Study Reduction:** The Planning Director may approve a reduction of parking requirements if the applicant provides a parking needs study, prepared by a consultant with expertise in that area recognized by the City, and using parking generation assumptions acceptable to the City, demonstrates that off-street parking at a rate lower than that otherwise required by this Section 14-16-5-5, will adequately accommodate all anticipated demand for off-street parking and will not result in either traffic congestion or parking congestion in surrounding neighborhoods, and the Planning Director determines that **the parking study provides a more accurate measure of parking needs for the site than application of the standards** in this Section 14-16-5-5 that would otherwise apply.

## Current and Proposed Parking Supply and IDO Requirements

The existing parking lot at the NMCC has 349 stalls. As the facility’s original site plan (approved in 2006) required 320 parking stalls, the existing site has 29 more spaces than are currently required. 55 spaces will be removed to create space for the new proton center, resulting in a future parking supply of 294 spaces. Of the 294 spaces, 271 will be non-ADA stalls, 21 will be ADA-designated stalls, and 2 will be van-accessible ADA stalls.

*Table 1: Existing and Planned Parking Supply*

| Parking Supply                    |     |
|-----------------------------------|-----|
| Current Parking Supply            | 349 |
| Parking Removed for Proton Center | 55  |
| Planned Parking Supply            | 294 |

The proton center will add 17,472 square feet of gross floor area (SF GFA) to the facility. However, only 14,719 SF will be utilized by employees and patients, as the proton center will require thick concrete walls and large equipment. The lower square footage is used in this parking study, as the IDO states that designed capacity of the use may be substituted for GFA.<sup>1</sup>

For medical clinics, the IDO requires 5 parking spaces per 1,000 SF GFA, for an additional 73 required parking spaces. **Table 1** describes the required parking at the site. The new facility will have 99 fewer parking spaces than are required by the IDO, or 25% under requirements.

<sup>1</sup> IDO 5-5(C)(1)(a).



Table 2: Parking Requirements

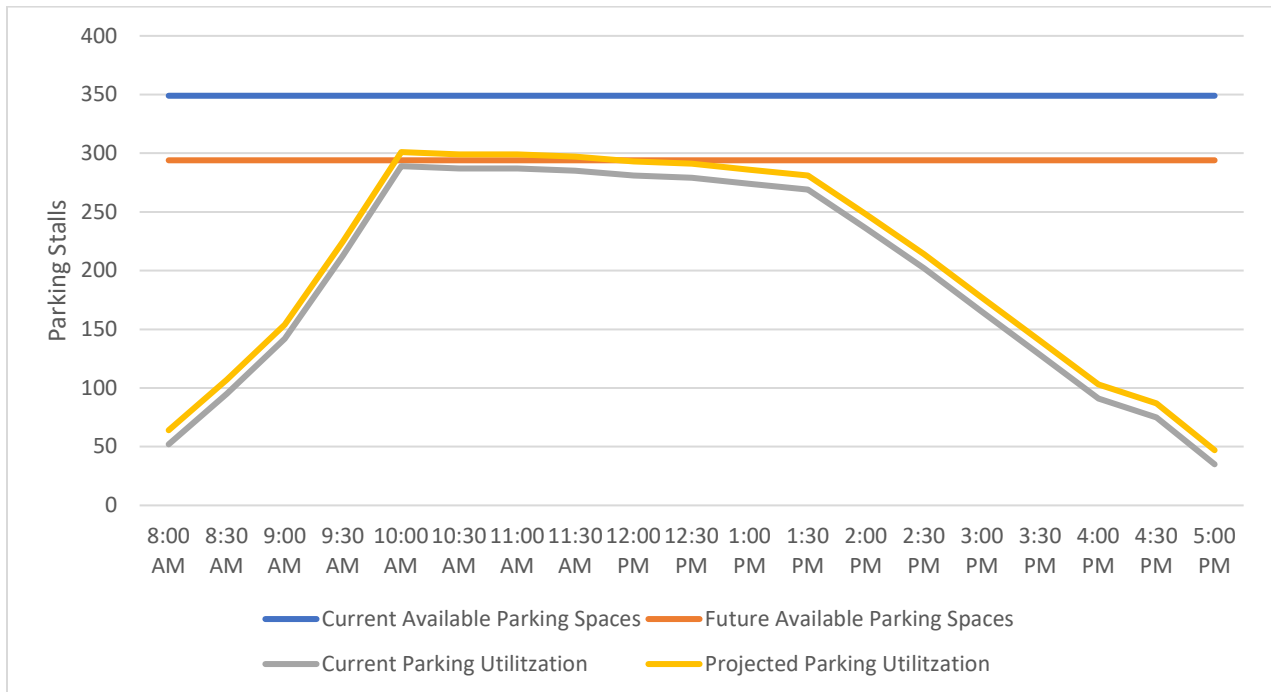
| Parking Requirements                                    |      |
|---|------|
| Existing Required Parking                               | 320  |
| Additional Parking Required for Proton Center Expansion | 73   |
| Future Required Parking                                 | 393  |
| Amount Below Requirements                               | -99  |
| Percent Below Requirements                              | -25% |

## Anticipated Parking Needs

Due to the specialized nature of the facility, the NMCC proton center will not need 73 additional parking spaces to meet parking demand. Although a large expansion in terms of square footage, the proton center will only require an additional **four** employees and will only serve **one** patient at a time. The NMCC estimates that a maximum of 12 additional spaces will be needed to meet demand from new employees and patients.

Current demand for parking at the NMCC is well under the existing 349 parking supply. The NMCC conducted a survey of current parking utilization at the site and found that the existing parking lot is under-utilized. **Figure 2** shows the current and projected parking utilization on an average day compared to the existing parking supply and planned parking supply after the proton center is developed.

Figure 2: Current and Projected Parking Utilization



Projected parking usage is only slightly higher than current parking utilization and is expected to exceed available on-site parking spaces by 7 spaces. However, the shared parking agreement with the Courtyard

by Marriot Hotel will reduce the on-site parking demand by 50 spaces, indicating that the planned parking lot will in practice have excess capacity (see **Shared Parking Agreement** section below).

## Shared Parking Agreement

The NMCC entered a lease agreement with the Courtyard by Marriot Hotel located at 5151 Journal Center Blvd for the use of 50 parking spaces on October 1, 2022. The parking spaces are designated for NMCC employee parking and are about a five-minute walk from the cancer center. The shared parking agreement will be able to compensate for the loss of 55 parking spaces at the cancer center due to the proton center expansion.

As hotels and medical clinics have different hours of peak parking demand, the shared parking agreement will provide ample parking for both uses. Hotels have peak parking demand hours from 11:00 PM – 8:00 AM while medical clinics' peak hours are generally between 9:00 AM and 3:00 PM.<sup>2</sup>

IDO Section **5-5(C)(5)(b) Shared Parking Reduction** allows for shared parking between multiple uses guaranteed by a legally binding agreement between the owner of the parking area and the owner of the use served by the parking area. The shared parking agreement between the NMCC and the Courtyard by Marriot Hotel can be referenced in **Appendix A: Courtyard by Marriot Shared Parking Agreement**. When shared parking is taken into account, the proposed parking supply is only short of IDO requirements by 49 stalls (-12%).

In addition to the parking agreement with the Courtyard by Marriot Hotel, there are also 48 offsite parking spaces directly adjacent to the NMCC along Headline Blvd NE. IDO section **5-5(C)(6)(e) Off-site Parking Credit** allows for off-site parking areas to be counted towards required parking on a one-for-one basis. The parking is privately owned and therefore does not meet the requirements for an off-site parking credit; however, the presence of on-street parking adjacent to the cancer center does mitigate the need for expanding the parking lot.

## Site Location Benefits

The NMCC's proximity to transit and bicycling facilities provides employees an alternative to driving to work and reduces the need for parking at the site. Paratransit services and rideshare opportunities further reduce the parking demand at the site for patients of the cancer center.

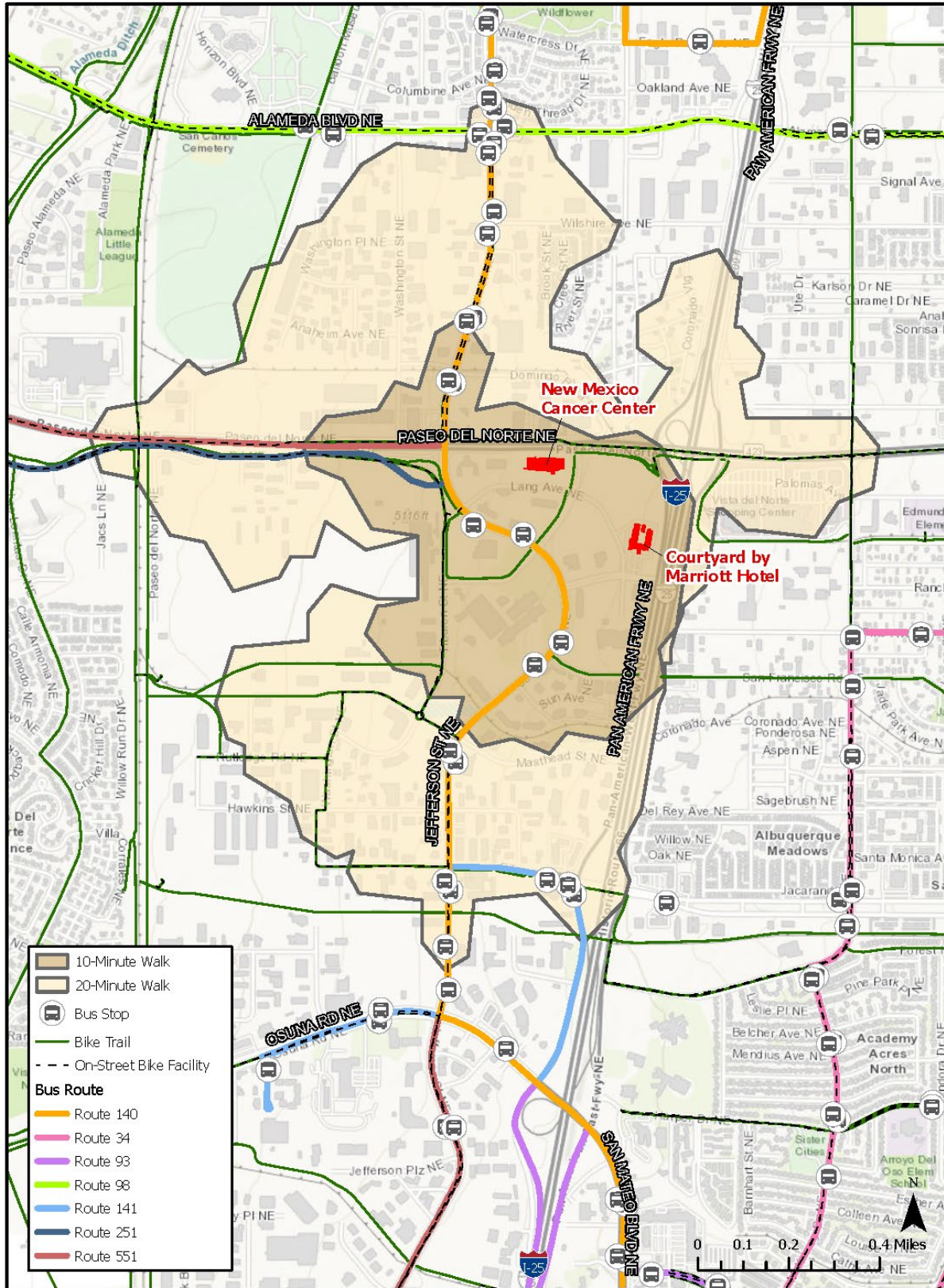
### Bicycle Facilities

The NMCC is located near several high-quality bicycle facilities and will provide bicycle parking, allowing employees the opportunity to bike to work. **Figure 3** maps the locations of ABQ Ride transit routes and bicycle facilities near the NMCC.

---

<sup>2</sup> ITE Parking Generation Manual, 5<sup>th</sup> Ed.

Figure 3: Transit Routes and Bicycle Facilities



The North Diversion Channel Trail is a north/south off-street multi-use trail that runs between Balloon Fiesta Park and the University of New Mexico and can be easily access from the NMCC. The trail is one of the most popular bicycle commuter routes in Albuquerque and offers grade-separated crossings along its entire length, which increases the comfort of the route and increases its appeal to a wider range of users.

There is also a trail paralleling Paseo del Norte that can be directly accessed from the NMCC. The Paseo del Norte Trail provides east/west connections across the Rio Grande and I-25. The trail also connects to the NM Rail Runner Station, allowing train riders to complete their trip via bicycle to the NMCC.

The location of the NMCC at the intersection of two major bicycle trails, one traveling east/west and the other north/south, allows employees who choose to commute via bicycle excellent connectivity and access.

### Paratransit/Rideshare

Alternatives to driving are also available for patients of the cancer center. ABQ Ride provides a free door-to-door paratransit service (Sun Van) for residents who are unable to use fixed route transit. For those who do not qualify for paratransit services, several rideshare, and taxi services operate in Albuquerque.

### Carpool

Although not currently an established program, employees may also decide to carpool together to work, reducing demand for parking at the NMCC. IDO section **5-5(C)(6)(b) Van and Car Pool Parking Credit** states that each parking space designated for exclusive use of a shared carpool vehicle may count as four spaces towards the minimum parking requirements. If the NMCC were to designate carpool parking, parking minimums could be reduced. If carpool spaces are designated in the main parking lot, employees would be further incentivized to carpool as they would be able to park closer to the building than employees parking at the Courtyard by Marriot.

### Transit

Transit services near the NMCC provide employees and patients an alternative to driving to the site and contribute to the reduced demand for parking at the site. Currently, employees and patients of the NMCC can access the site via ABQ Ride routes 140 and 251 (see **Figure 3**). Planned improvements to transit service to the Journal Center may further increase transit accessibility to the site and reduce the demand for on-site parking.

### Current Transit Service Levels

The NMCC is located within ¼ mile of transit stops along Jefferson St. While Jefferson St/San Mateo Blvd has two interlined transit routes (140/141) that collectively offer service every 15 minutes from Ellison Rd to the south, service on Route 140, which passes by the NMCC, operates only every 30 minutes. When the commuter route (551) and Rail Runner connector (251) are included, the cumulative peak frequency of transit service at the site is about one bus every 20 minutes.

The Los Ranchos/Journal Center Rail Runner stop is located about two miles west of the NMCC and provides regional rail service from Belen to the south and Santa Fe to the north. ABQ Ride Route 251 provides a shuttle connection from the Rail Runner station to the Journal Center.

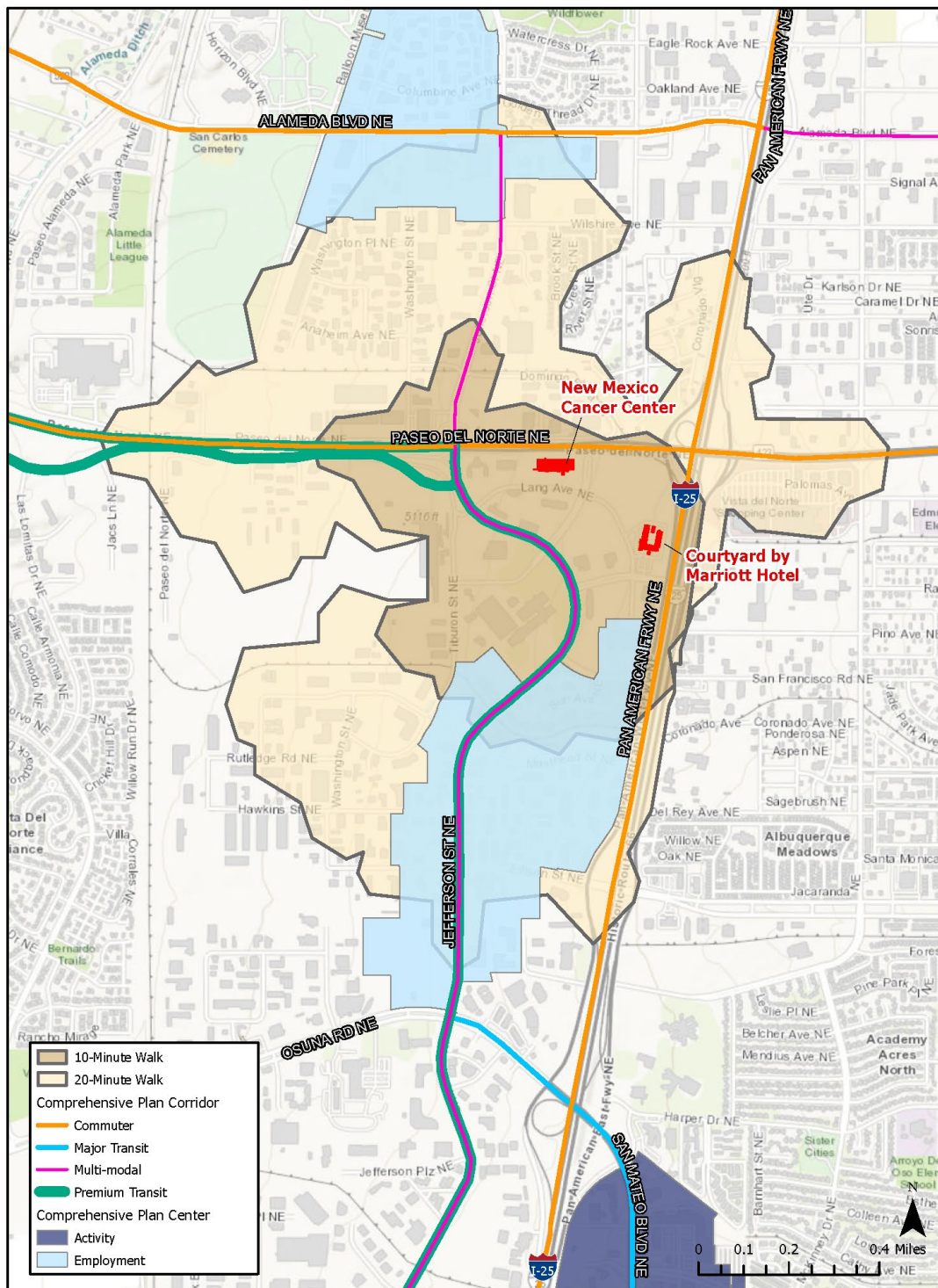
Existing levels of service and the presence of nearby bus stops allows for access to the facility via transit, and transit improvements planned for the area will likely increase transit mode share over time.

## Proposed Transit Service Levels

Future plans for the Jefferson St transit corridor indicate that transit service frequency may improve over time. The corridor is both a Primary Transit Corridor per the 2040 Metropolitan Transportation Plan and a Premium Transit Corridor per the ABC Comprehensive Plan.

**Figure 4** maps the Comprehensive Plan center and corridor designations near the NMCC.

*Figure 4: ABC Comprehensive Plan Centers and Corridors Designations*



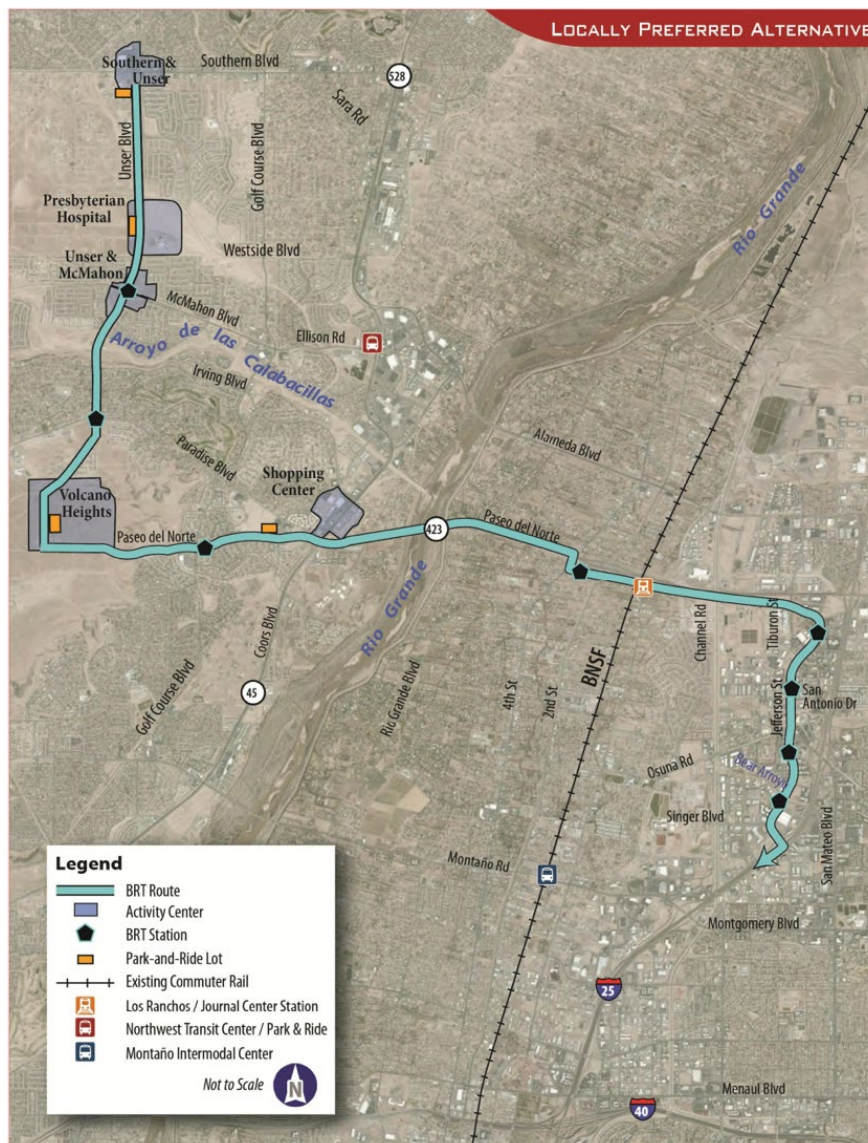
### MRCOG Primary Transit Corridor Designation

The Mid-Region Council of Governments (MRCOG) identifies the northern portion of Jefferson St as a Primary Transit Corridor in the updated 2040 Metropolitan Transportation Plan (MTP) long-range transit system. MRCOG has set the goal of increasing transit mode share to 20% by 2040 along the primary transit routes. The designation also makes the corridor eligible for additional capital funding for transit purposes. The desired service level for a Primary Transit Corridor is a frequency of at least every 15 minutes.

### Comprehensive Plan Premium Transit Corridor Designation

The section of Jefferson St which borders the NMCC site is also designated as a Premium Transit Corridor in the Albuquerque/Bernalillo County Comprehensive Plan. The Premium Transit Corridor designation is based on the Paseo del Norte High-Capacity Transit Study, which evaluates opportunities for implementing bus rapid transit (BRT) between Northwest Albuquerque/Rio Rancho and the Journal Center. The proposed route follows Jefferson St through the Journal Center with a station near Journal Center Blvd, less than ½ -mile from the NMCC. **Figure 5** maps the location of the proposed BRT route.

Figure 5: Paseo del Norte High-Capacity Transit Study Preferred Alternative



A key consideration of the study is the potential ridership that would be generated and the ability to support more frequent service if parcels near proposed station locations develop in a transit-supportive manner. The study also contains a land use analysis of the Journal Center, which states:

*The North I-25/Journal Center employment corridor is in a position to diversify its current mix of land uses. Large parking ratios that result in underutilized parking lots, along with vacant parcels throughout the area present development opportunities that could potentially lead to mixed-use districts in the future. Significant amounts of parking act as land banks, providing the capability to convert to higher intensity, mixed uses.*

Regarding the parking requirements of the area, the study states:

*Reducing the amount of space dedicated to parking will help to free up additional land for more development within transit zones and encourage transit use. On-street parking should also be encouraged to alleviate parking concerns, free up developable land, and contribute to traffic-calming.*

If the Journal Center is to develop in a manner that supports high-frequency transit, existing parking levels will need to be reduced. **Figure 6** illustrates the amount of land area near the NMCC dedicated to parking. The large parking lots near the Journal Center provide an excess of parking that reduces the area's walkability and density, which are critical elements of transit-supportive environments.

Figure 6: Parking lots near NMCC



Requiring the NMCC to expand their parking lot to accommodate the new proton center would be contrary to the goal of developing high-frequency transit in the area and would be unnecessary given the existing levels of parking in the vicinity.

### *ABQ Ride Forward Network Plan*

ABQ Ride is currently undergoing a transit network redesign which will inform future decisions on route locations, schedules, and frequency. As a result of the study, route frequencies along Jefferson St may change in the near-term.

### *IDO Parking Minimum Reductions for Proximity to Transit*

While the current levels of transit frequency near the NMCC are not sufficient to qualify the NMCC for transit-related IDO reductions in parking minimums, future transit plans for the Jefferson St corridor would provide sufficient frequency to meet IDO parking reduction thresholds. Parking reductions at the NMCC would not only be appropriate given plans for transit near the site, but would also support transit-oriented land use along the Jefferson St corridor by minimizing land dedicated to parking.

The IDO allows for a 30% reduction in parking if the site is located within ¼ mile of a transit stop with peak service frequency of 15 minutes or better. Alternatively, sites located within 330 ft of a transit stop with peak frequency of 15-45 minutes qualify for a 10% reduction in parking.<sup>3</sup> The NMCC site does not currently qualify for either reduction, as it is located ¼ mile from a transit stop with peak service frequencies of about 20 minutes.

The IDO also allows medical clinics located in Premium Transit Areas to use a parking ratio of 3, rather than 5, parking spaces per 1,000 SF GFA. The IDO measures Premium Transit Areas using the following definition:

*Lots within 660 feet in any direction of a transit station with transit service of 15 minute or greater frequency on a Premium Transit Corridor as designated by the ABC Comp Plan, as amended. Development standards associated with the Premium Transit designation apply once the station locations have been identified and funding for the transit service and any associated streetscape improvements has been secured.<sup>4</sup>*

While the NMCC falls within the acceptable distance from a Premium Transit Area, it does not qualify for parking reductions because the current transit frequency is greater than 15 minutes and funding has not yet been identified for the proposed BRT expansion. However, if a parking rate of 3 spaces per 1,000 SF GFA were used at the site, the NMCC would be required to provide 279 spaces and their planned parking lot would meet minimum parking requirements.

### **Summary**

Alternatives to driving, both for employees and patients of the NMCC, reduce the need for parking at the site. Currently, the cancer center can be accessed via regional train service, local bus routes, paratransit, rideshare/taxi, and high-quality bicycle trails. Additionally, high-frequency bus rapid transit service is planned for the area. Improved transit services would not only decrease the demand for parking at the NMCC, but appropriately sized parking lots would also contribute to the likelihood and success of transit improvements near the Journal Center.

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<sup>3</sup> IDO 5-5(C)(5)(c).

<sup>4</sup> IDO 7-1.



## Albuquerque Policies in Support of Reduced Parking Minimums

Several Albuquerque-area plans and policies support reduced parking minimums, which can contribute to climate goals, walkability, and transportation mode shift.

### MRCOG Taking the Wheel Report

The MRCOG Taking the Wheel Report suggests reducing or eliminating parking requirements in activity centers and near major transit areas, promoting mixed-use walkable areas. It was found that vehicle ownership rates are decreasing in Albuquerque, but demand for travel by alternative modes is increasing. This suggests that parking does not need to be provided at the same levels that it has in the past.

### ABC Comprehensive Plan

The Albuquerque/Bernalillo Comprehensive Plan uses centers and corridors designations to determine appropriate land uses, transportation modes, and development policies. The NMCC is located near a Premium Transit Corridor on Jefferson St and the Journal Center Employment Center.

The ABC Comprehensive Plan Goal 7.4: Context-Sensitive Parking states that reducing required off-street parking, and shifting to public or shared parking, is an important strategy for enhancing walkability. The plan recommends that, in centers and along corridors with frequent transit service, parking will be located on-street, in smaller parking lots, and in shared lots or parking structures. This will allow people to arrive by car, park once, and visit multiple businesses and services.

Regarding the city's parking standards, Section 7.1.2.4 of the Comprehensive Plan states:

*“High parking requirements increase development costs by forcing developers to either find a larger site for a proposed building (increasing land costs) or dedicate more space to parking (lowering potential revenue). Parking requirements are especially onerous for potential redevelopment projects because land costs are often higher in areas best suited for walkable districts.”*

IDO supports the comprehensive plan by allowing parking minimum reductions for centers and corridor areas. Section **5-5(C)(5)(a) General Reductions for Centers and Corridor Areas** states that a 20% reduction in required parking can apply for Urban Centers, Activity Centers, Employment Centers, and Main Street Corridors. While the NMCC is not located in a center, a parking reduction would be appropriate given its proximity to the Journal Center Employment Center (within a ten-minute walk).

## National Best Practices in Determining Parking Minimums

Parking is consistently oversupplied throughout the United States, largely due to minimum parking requirements that overestimate the amount of parking needed to meet demand. Research indicates that there are nearly four parking spaces for every American.<sup>5</sup> High supplies of parking result in inefficient use of land and parking lots that sit mostly vacant for much of the time.

Transportation scholarship indicates that the market can supply appropriate levels of parking without minimum parking requirements.<sup>6</sup> In response to parking oversupply, some cities are moving to eliminate

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<sup>5</sup> Mikhail Chester, Arpad Horvath and Samer Madanat. (2010). “Parking infrastructure: energy, emissions, and automobile life-cycle environmental accounting.” *Environmental Research Letters*, Volume 5 (3).

<sup>6</sup> Shoup, D. C. (1999). The trouble with minimum parking requirements. *Transportation research part A: policy and practice*, 33(7-8), 549-574.

mandatory minimum parking requirements altogether as part of their efforts to reduce dependency on single-occupancy vehicles, lower vehicle miles traveled, and decrease development costs. For example, the Minneapolis 2040 Comprehensive Plan eliminates the requirement for off-street parking minimums throughout the city. The 2040 Plan acknowledges that “demand for parking will still result in new supply being built.” However, that supply is at the discretion of the developer and subject to the preferences of the consumer.<sup>7</sup> Other cities that have eliminated parking requirements include Buffalo, NY, Hartford, CT, Fayetteville, AR, and San Francisco, CA.

### Parking Minimums at Medical Centers

Compared to peer cities, Albuquerque’s base rate of parking required at medical centers is relatively high. **Table 3** depicts parking spaces required per 1,000 SF GFA in peer cities. Of the cities presented, Albuquerque has the highest parking minimums (5 spaces per 1,000 SF GFA).

*Table 3: Medical Center Parking Minimums in Peer Cities*

| City               | Population (2020) | Medical Facility Parking Minimum per 1000 SF GLA |
|--------------------|-------------------|--|
| Albuquerque, NM    | 560,447           | 5  |
| Burlington, VT     | 44,743            | 3  |
| Oklahoma City, OK  | 687,725           | 2  |
| San Bernadino, CA  | 222,101           | 4  |
| Olympia, WA        | 55,605            | 4  |
| Newark, NJ         | 311,549           | 3  |
| Salt Lake City, UT | 199,723           | 4  |
| Houston, TX        | 2,300,000         | 2.7  |
| Portland, OR       | 652,503           | 2  |

## Discussion

The NMCC does not qualify for IDO parking reductions for Employment Centers or Premium Transit Corridors, as it is located just outside an Employment Center and transit frequencies are slightly higher than required in the IDO. However, several factors mitigate the need for expanding the parking lot at the site, including:

**Anticipated Parking Needs:** The NMCC’s proton center expansion will not significantly increase parking demand at the site, as the specialized facility can only serve one patient at a time. Parking utilization trends show that the NMCC’s parking lot is currently under-utilized, and eliminating 55 parking spaces for the proton center will only result in an estimated shortage of seven parking spaces to meet demand.

<sup>7</sup> City of Minneapolis Department of Community Planning and Economic Development. (2018). *Minneapolis 2040*.

**Shared Parking:** To address this shortage, the NMCC is leasing 50 parking spaces from the Courtyard by Marriot hotel for employee use. As hotels and medical clinics have different peak demand hours, shared parking will be available for both uses when parking demand is highest. Given projected utilization at the center, the NMCC will have excess parking capacity when considering the addition of 50 shared parking spaces.

**Site Location Benefits:** Employees and patients of the NMCC can access the site via bicycle, local buses, regional rail, paratransit, rideshare/taxi, and carpooling, reducing the need for parking at the site. Planned transit services improvements will further reduce demand for parking in the future, and appropriately sized parking lots will in turn make transit improvements more feasible.

**Albuquerque Policies that Support Reduced Parking Minimums:** Albuquerque plans and policies support reducing off-street parking minimums near centers and transit corridors. Parking minimum reductions are appropriate for the NMCC as it is located near an Employment Center and Premium Transit Corridor.

**National Best Practices in Determining Parking Minimums:** Several municipalities have eliminated parking minimums altogether, allowing developers the flexibility to supply parking at levels appropriate for individual uses. For peer cities that have not eliminated minimum parking requirements, many have parking minimums for medical centers lower than Albuquerque's.

# Appendix A: Courtyard by Marriot Shared Parking Agreement

## PARKING LEASE

This PARKING LEASE ("Lease") is given this 1<sup>st</sup> day of October, 2022 ("Effective Date"), by and between TITAN JOURNAL CENTER HOTEL, LLC, a New Mexico limited liability company ("Owner") and NEW MEXICO CANCER CENTER, LLC, a New Mexico limited liability company ("NMCC"). Owner and NMCC are collectively referred to herein as the "Parties".

WHEREAS, Owner is the fee simple owner of that certain real property located at 5151 Journal Center Blvd. NE, Albuquerque, NM 87109 (the "Hotel Property");

WHEREAS, Intermountain Management, LLC, a Louisiana limited liability company (the "Hotel Operator") currently operates and manages the Hotel Property on behalf of the Owner;

WHEREAS, NMCC is the fee simple owner of that certain real property within the near vicinity of the Hotel Property, more particularly described as follows (the "NMCC Property"):

Tract 1A-2-B-1 of Journal Center, Albuquerque, Bernalillo County, New Mexico, as the same is shown and designated on the plat thereof, filed in the office of the County Clerk of Bernalillo County, New Mexico on May 31, 2005, in Plat Book 2005C, Page 179, as Document No. 2005076666;

WHEREAS, NMCC will undertake a construction project of a proton center on its NMCC Property (the "Project") and seeks to obtain access to and use of a certain portion of the Hotel Property as employee parking to serve the Project.

WHEREAS, Owner has agreed to lease to NMCC, a temporary, non-exclusive right to use a certain portion of the Hotel Property for the specific and limited purpose of NMCC employee parking.

NOW, THEREFORE, in consideration of the mutual covenants, promises, terms and conditions set forth herein, together with other good and valuable consideration provided to Owner, the adequacy and receipt of which are hereby acknowledged, Owner and NMCC agree as follows:

1. **Parking.** Owner hereby grants and establishes a non-exclusive lease to NMCC for fifty (50) designated parking spaces on the Hotel Property as initially depicted and labelled on the attached Exhibit "A" and made apart hereof (the "Lease Parking Area"), or upon such other areas on the Hotel Property as may be designated solely by Owner from time to time, for the purpose of accommodating NMCC employee parking. The number of parking spaces granted by this Lease may be amended by the Parties upon mutual written agreement thereof.

2. **Term.** This Lease shall commence upon the Effective Date and automatically terminate on September 30, 2027 (the "Term"), unless otherwise terminated in accordance with Section 4 below. The Term of this Lease may be extended upon written mutual agreement of the Parties.

3. Fee. Upon Lease Commencement, Owner shall be paid One Thousand Two Hundred Fifty and 00/100 Dollars (\$1,250.00) per month, plus applicable taxes, throughout the Term of this Lease. Payment shall be made on the first day of each month, in a manner reasonably established by Owner. The first and last payments shall be prorated if commencement or termination of this Lease do not occur on the first day of the month. If NMCC fails to make its monthly payment after the fifth day of the month, NMCC shall be considered to have defaulted on this Lease, and Owner may, at its sole discretion, unilaterally terminate and revoke this Lease upon thirty (30) days' notice thereof to NMCC.

4. Notice of Termination. Owner may, at its sole and absolute discretion, terminate this Lease for any reason upon thirty (30) days after Owner's delivery of a notice of termination ("Notice of Termination") to NMCC. In the event of a party's default, this Lease shall terminate upon thirty (30) days after the non-defaulting party's delivery of such Notice of Default. This Lease may be terminated by NMCC upon thirty (30) days' notice should NMCC be unable to construct the Project.

5. Use of the Lease Parking Area. NMCC, its agents, invitees, and its users of the Lease Parking Area shall exercise ordinary care during use of the Lease Parking Area, without any unreasonable interference, interruption, or restriction of the current business operations or activities located at the Hotel Property. The following may not be parked or stored within Lease Parking Area or Hotel Property, unless authorized in writing by the Owner, or is otherwise exempted by New Mexico law:

- a. All trailers (including but not limited to camping trailers and boat trailers), boats or other motorcraft and accessories thereto, self-contained motorized recreational vehicles, or other oversized types of vehicles or equipment as prohibited by rule or regulation. The foregoing may be parked as a temporary expedience for loading, delivery of goods or services, or emergency.
- b. Abandoned, unlicensed, or inoperable automobiles or vehicles of any kind. An abandoned or inoperable vehicle may be defined by rule or regulation adopted by the Owner.
- c. No activity such as, but not limited to, maintenance, repair, rebuilding, dismantling, repainting, or servicing of any kind of vehicle may be performed or conducted within Lease Parking Area or Hotel Property.
- d. If any vehicle is parked on any portion of the Lease Parking Area or Hotel Property in violation of this Section, Owner or Hotel Operator may place a notice on the vehicle specifying the nature of the violation and stating that after seventy-two (72) hours the vehicle may be towed or booted. The notice shall include the name and telephone number of a person to contact regarding the alleged violation. A notice also shall be conspicuously placed at the main lobby of the NMCC office stating the name and telephone number of the person or entity which will do the towing and/or booting hereunder. If, after 72 hours, such notice is placed on the vehicle the violation continues

or thereafter occurs again within six months of such notice, the vehicle may be towed or booted in accordance with the notice, without further notice to the vehicle owner or user, and the owner thereof shall be solely responsible for all towing and storage charges.

- e. If a vehicle is towed or booted in accordance with this subparagraph, neither the Owner nor the Hotel Operator, nor any officer or agent of the Owner or Hotel Operator, shall be liable to any person for towing and storage costs or for any claim of damage as a result of the towing or booting activity. Notwithstanding anything to the contrary in this Section, the Owner may elect to impose fines or use other available sanctions, rather than exercise its authority to tow or boot.

6. No Duty of Owner. NMCC acknowledges and accepts the Lease Parking Area in an "as-is" condition, and neither Owner nor Hotel Operator shall have any obligation or duty to make repairs or provide maintenance, improvements, security, monitoring, or lighting for the benefit of NMCC during the Term. Likewise, NMCC acknowledges and agrees neither Owner nor Hotel Operator shall be held liable for damages incurred by NMCC users of the Lease Parking Area caused by third parties, including patrons and invitees of the Hotel Property.

7. Non-Exclusive Use. NMCC acknowledges the non-exclusive nature of this Lease, and further acknowledges Owner may sell, lease, transfer, or convey the Hotel Property to a third-party purchaser, lessor, or other transferee, or may engage a different hotel management company as its operator during the Term of this Lease. Likewise, Owner may assign, transfer, or convey its rights and obligations in and to this Agreement. NMCC shall not restrict the public's or the Hotel Operator's access to and use of the Hotel Property.

8. Hazardous Materials and Property Condition. NMCC shall not store any hazardous materials (as defined under federal, state, or local environmental laws, ordinances or regulations) on the Hotel Property. During the Term, NMCC, its agents, invitees, and users of the Lease Parking Area shall not materially alter, modify, or damage the Lease Parking Area or Hotel Property. In the event such damage or material alteration is caused to the Lease Parking Area or Hotel Property, NMCC shall reimburse Owner or Hotel Operator for actual costs incurred for the repair/restoration work within ten (10) days after NMCC's receipt of the request for reimbursement.

9. Liens. NMCC shall not permit or allow any lien against the Hotel Property. In the event a lien is recorded against the Hotel Property, or any portion thereof, NMCC shall, within fifteen (15) days of such recording, cause the release of such lien at NMCC's sole cost and expense. NMCC's violation of this provision shall be considered a default of this Lease.

10. Insurance. NMCC shall procure and maintain in full force and effect for the duration of this Lease, liability, personal and property damage, auto and bodily injury insurance with a minimum of \$3,000,000.00 for each occurrence, and \$5,000,000.00 comprehensive general liability insurance. NMCC shall carry the statutory limit of workers compensation. NMCC shall provide a current Certificate of Insurance evidencing the same, to Owner upon execution of this Lease. Owner and Hotel Operator shall both be named as an additional insured on policies required by this Lease, as appropriate.

11. Indemnity. NMCC and any contractor hired by it performing the construction shall save and hold harmless, protect and indemnify Owner and Hotel Operator, its successors, assigns, affiliates, officers, directors, employees and agents, from and against any and all liabilities, liens, obligations, damages, penalties, claims of any kinds, causes of action, costs, charges and expenses, including attorney's fees, court costs, and expert witness fees, by reason of any negligence or willful misconduct or breach of this Lease and any occurrence or accident arising from or relating in any manner whatsoever to NMCC's use of the Hotel Property, or other acts or omissions arising out of NMCC's use of the Hotel Property. NMCC shall, at NMCC's sole cost and expense, promptly defend such claim or action.

12. Governing Law. This Lease shall be governed by and construed in accordance with the laws of the State of New Mexico.

13. No Recordation. This Lease shall not be recorded unless otherwise elected by Owner, and this Lease does not and shall not constitute an easement or possessory or other interest in real property; instead, this Lease only constitutes contractual permission to enter and utilize the Hotel Property in accordance with and subject to the terms of this Lease. NMCC's violation of this provision shall constitute a default of the terms of this Lease.

14. Miscellaneous. In case any of the provisions contained in this Lease for any reason is held to be invalid, illegal or unenforceable in any respect, such invalidity, illegality or unenforceability shall not affect any other provision hereof, and this Lease shall be construed as if such invalid, illegal or unenforceable provision had never been contained herein. This Lease may be amended, altered, released or revoked only by written agreement between the Parties hereto or their heirs, assigns or successors-in-interest.

15. Counterparts. This Lease may be executed in one or more counterparts, and all the counterparts shall constitute but one and the same agreement.

[SIGNATURE PAGE IMMEDIATELY FOLLOWING]



IN WITNESS WHEREOF, the parties hereto have executed this Lease on the date set forth above.

**OWNER:**

**TITAN JOURNAL CENTER HOTEL, LLC**  
a New Mexico limited liability company

By: Titan Journal Center Hotel Management,  
LLC, its Manager

By: Titan Property Management, LLC,  
its Manager

By:   
\_\_\_\_\_  
Ben F. Spencer, Manager

**NMCC:**

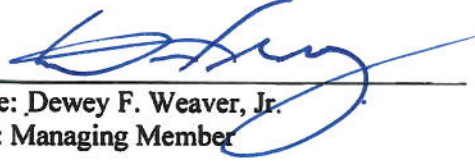
**NEW MEXICO CANCER CENTER, LLC**  
a New Mexico limited liability company

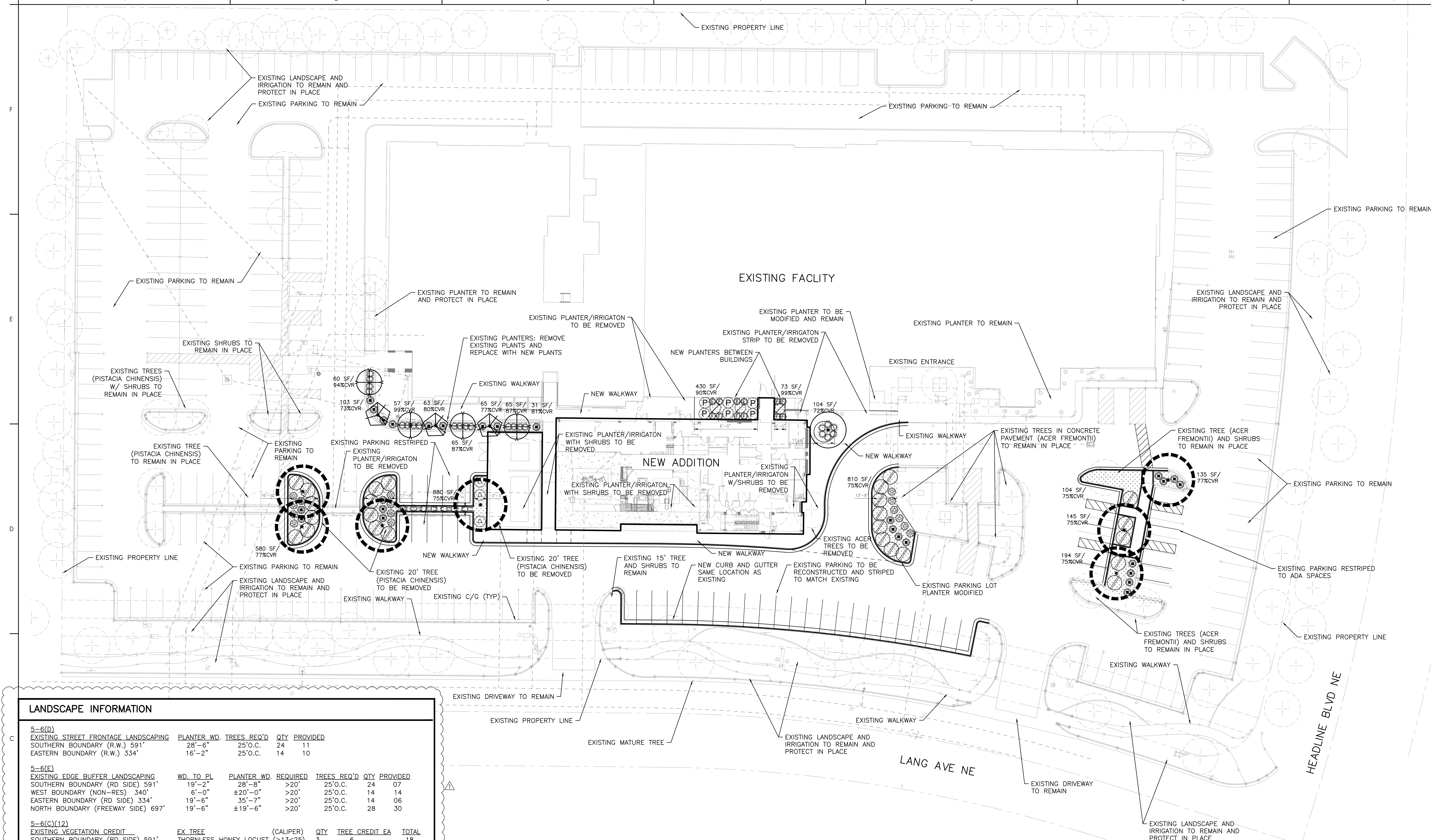
By:   
\_\_\_\_\_  
Barbara McAneny, its CEO

**CONSENT**

Hotel Operator hereby consents to the making of this Lease and agrees to its terms, and further agrees its consideration for this Lease, if any, is established by that certain Management Agreement, dated October 28, 2021.

**INTERMOUNTAIN MANAGEMENT, LLC**  
**a Louisiana limited liability company**

By:   
Name: Dewey F. Weaver, Jr.  
Title: Managing Member



**LANDSCAPE INFORMATION**

|  |                        |                     |               |                     |        |             |
|--|------------------------|---------------------|---------------|---------------------|--------|-------------|
| <b>5-6(D) EXISTING STREET FRONTAGE LANDSCAPING</b> |                        |                     |               |                     |        |             |
| SOUTHERN BOUNDARY (R.W.) 591'                      | PLANTER WD. 28'-6"     | TREES REQ'D 25'O.C. | QTY 24        | PROVIDED 11         |        |             |
| EASTERN BOUNDARY (R.W.) 334'                       | 16'-2"                 | 25'O.C.             | 14            | 10                  |        |             |
| <b>5-6(E) EXISTING EDGE BUFFER LANDSCAPING</b>     |                        |                     |               |                     |        |             |
| SOUTHERN BOUNDARY (RD SIDE) 591'                   | WD TO PL 19'-2"        | PLANTER WD. 28'-8"  | REQUIRED >20' | TREES REQ'D 25'O.C. | QTY 24 | PROVIDED 07 |
| WEST BOUNDARY (NON-RES) 340'                       | 6'-0"                  | ±20'-0"             | >20'          | 25'O.C.             | 14     | 14          |
| EASTERN BOUNDARY (RD SIDE) 334'                    | 19'-6"                 | 35'-7"              | >20'          | 25'O.C.             | 14     | 06          |
| NORTH BOUNDARY (FREEWAY SIDE) 697'                 | 19'-6"                 | ±19'-6"             | >20'          | 25'O.C.             | 28     | 30          |
| <b>5-6(C)(12) EXISTING VEGETATION CREDIT</b>       |                        |                     |               |                     |        |             |
| SOUTHERN BOUNDARY (RD SIDE) 591'                   | EX TREE                | (CALIPER)           | QTY           | TREE CREDIT EA      | TOTAL  |             |
|  | THORNLESS HONEY LOCUST | (>13<25)            | 3             | 6                   | 18     |             |
|  | THORNLESS HONEY LOCUST | (>8<13)             | 3             | 4                   | 16     |             |
|  | CHINESE PISTACHE       | (>8<13)             | 6             | 4                   | 20     |             |
|  | AUSTRIAN PINE          | (>8<13)             | 4             | 4                   | 16     |             |
|  |                        |                     |               |                     | 70     |             |

**PLANT SCHEDULE**

| TREES | SYMBOL | QTY | BOTANICAL NAME / COMMON NAME                             | MIN CONTAINER SIZE                 | MIN. SPEC. SIZE (HT.xWD./CALIPER) | MATURE SIZE (HT.xWD.) |
|-------|--------|-----|--|------------------------------------|-----------------------------------|-----------------------|
|       |        | 3   | CRATAEGUS CRUS-GALLI INERMIS THORNLESS COCKSPUR HAWTHORN | 36" BOX, 45 GAL OR B&B TO MIN CAL. | 5'x3'/2.5" LOW BRANCHING MULTI    | 15'x12'               |
|       |        | 4   | LAGERSTROEMIA INDICA X FAURIEI 'TUSCARORA' CRAPE MYRTLE  | 36" BOX, 45 GAL OR B&B TO MIN CAL. | 5'x3'/2.5" LOW BRANCHING MULTI    | 15'x12'               |
|       |        | 7   | PISTACIA CHINENSIS CHINESE PISTACHE                      | 36" BOX, 45 GAL OR B&B TO MIN CAL. | 8'x3'/2.5" STANDARD               | 25'x25'               |
|       |        | 1   | QUERCUS BUCKLEYI RED ROCK OAK                            | 36" BOX, 45 GAL OR B&B TO MIN CAL. | 8'x3'/2.5" STANDARD               | 20'x20'               |

| SHRUBS/GROUNDCOVERS | SYMBOL | QUANTITY | BOTANICAL NAME / COMMON NAME                                      | CONTAINER SIZE | MINIMUM SIZE (HT.xWD.) | MATURE SIZE (HT.xWD.) NO PRUNING!! MINIMUM SPACING FROM OTHER PLANTS |
|---------------------|--------|----------|---|----------------|------------------------|--|
|                     |        | 14       | BERBERIS THUNBERGII 'ATROPURPUREA' JAPANESE BARBERY               | 5 GAL.         | 12"x10"                | 4'x4'  |
|                     |        | 3        | CAMELIA JAPONICA 'APRIL TRYST' APRIL TRYST CAMELLIA               | 5 GAL.         | 14"x12"                | 7'x4'  |
|                     |        | 25       | COTONEASTER BUXTIFOLIUS GREYLEAF COTONEASTER                      | 5 GAL.         | 8"x12"                 | 2'x9'  |
|                     |        | 12       | DIANELLA TASMANICA 'TR20' TASRED FLAX LILY                        | 5 GAL.         | 6"x8"                  | 2'x2'  |
|                     |        | 29       | HESPERALOE PARVIFLORA 'MSWNERED' PP#28910 'SANDIA GLOW' RED YUCCA | 5 GAL.         | 10"x10"                | 3'x3'  |
|                     |        | 3        | PHOTINIA FRASERI RED TIP PHOTINIA                                 | 5 GAL.         | 14"x12"                | 8'x8'  |
|                     |        | 6        | PODOCARPUS NIVALIS 'PINK TIP' PINK TIP PODOCARPUS                 | 5 GAL.         | 12"x14"                | 3'x6'  |
|                     |        | 29       | ROSEMARINUS OFFICINALIS 'SALEM' SALEM PETITE ROSEMARY             | 5 GAL.         | 8"x8"                  | 2'x3'  |

| LANDSCAPE ROCK SCHEDULE | KEY: | LANDSCAPE INERT GROUNDCOVER (ALL PLANTERS)   |
|-------------------------|------|--|
|                         |      | 1" SCREENED LANDSCAPE ROCK COLOR: SANTE FE GOLD OR SIM. TO MATCH EXISTING COLOR AND TYPE - DEPTH: 2" MIN. BASE BID: 3,990 SF, ADD ALT 1: 510 SF = 4,500 SF |

**LANDSCAPE INFORMATION**

LANDSCAPE REQUIREMENTS PER CITY OF ALBUQUERQUE ZONING CODE CHAPTER 14-16-3-10 AND/OR JOURNAL CENTER CORP (WHICHEVER MORE STRICTER) AS FOLLOWS:

TREE SIZE: REQUIRED: 2.5" CALIPER PROVIDED: 2.5" CALIPER  
SHRUB/GROUNDCOVER SIZE: REQUIRED: 1 GAL PROVIDED: 5 GAL

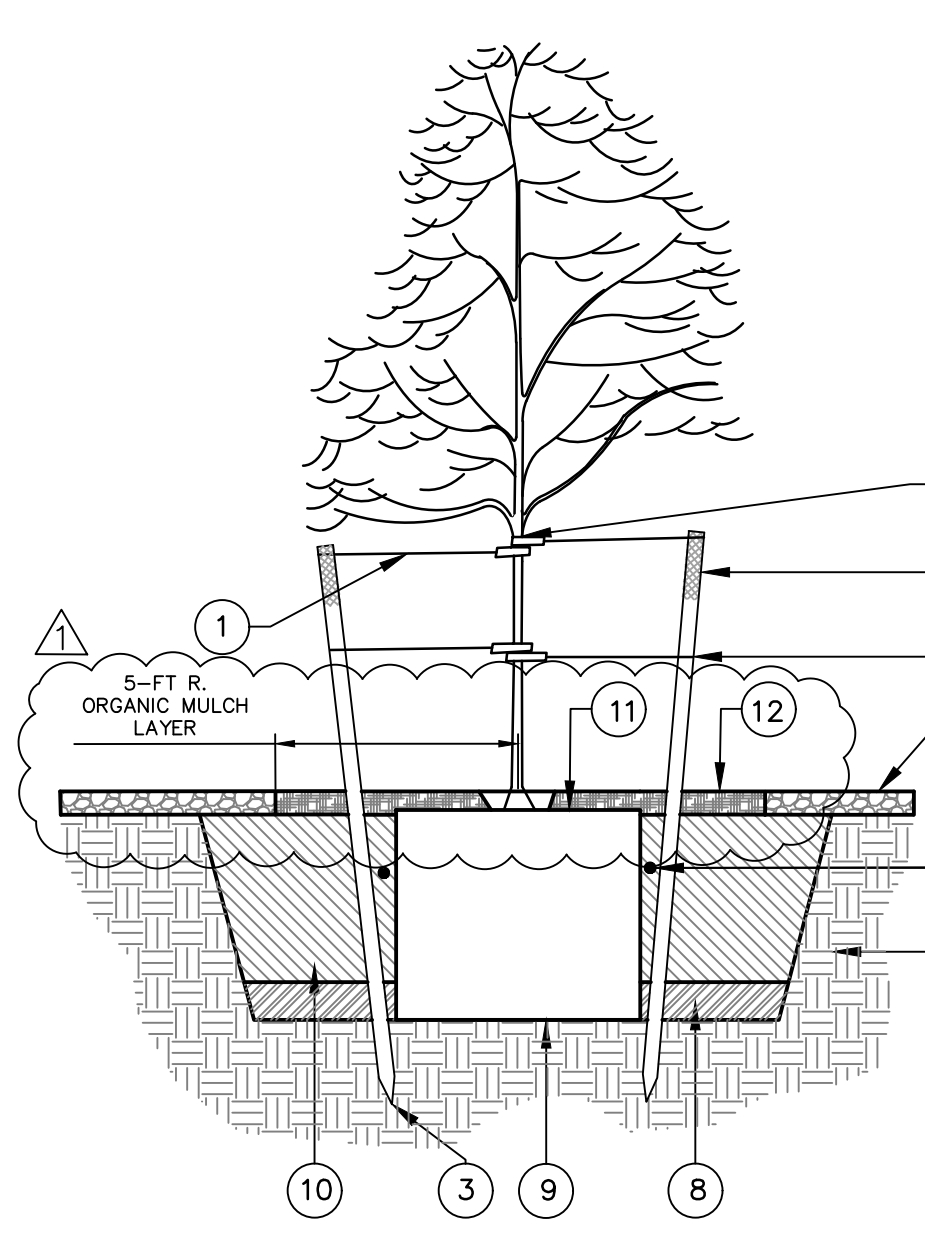
**5-6(F) PARKING LOT LANDSCAPING:**  
TREES: 1 PER 10 SPACES (283 SF) (29) (33)  
TREE FROM PARKING SPACE: 100' MAX 48'NEW/200'EX (EX)  
MINIMUM PLANTER SIZE: 36-SF 75% 135-SF 90%  
5-6(2)(c) MIN TREE CANOPY 75% 90%

**LANDSCAPE PLANTER AREAS:**  
VEGETATIVE PLANT COVER: 25% 40%

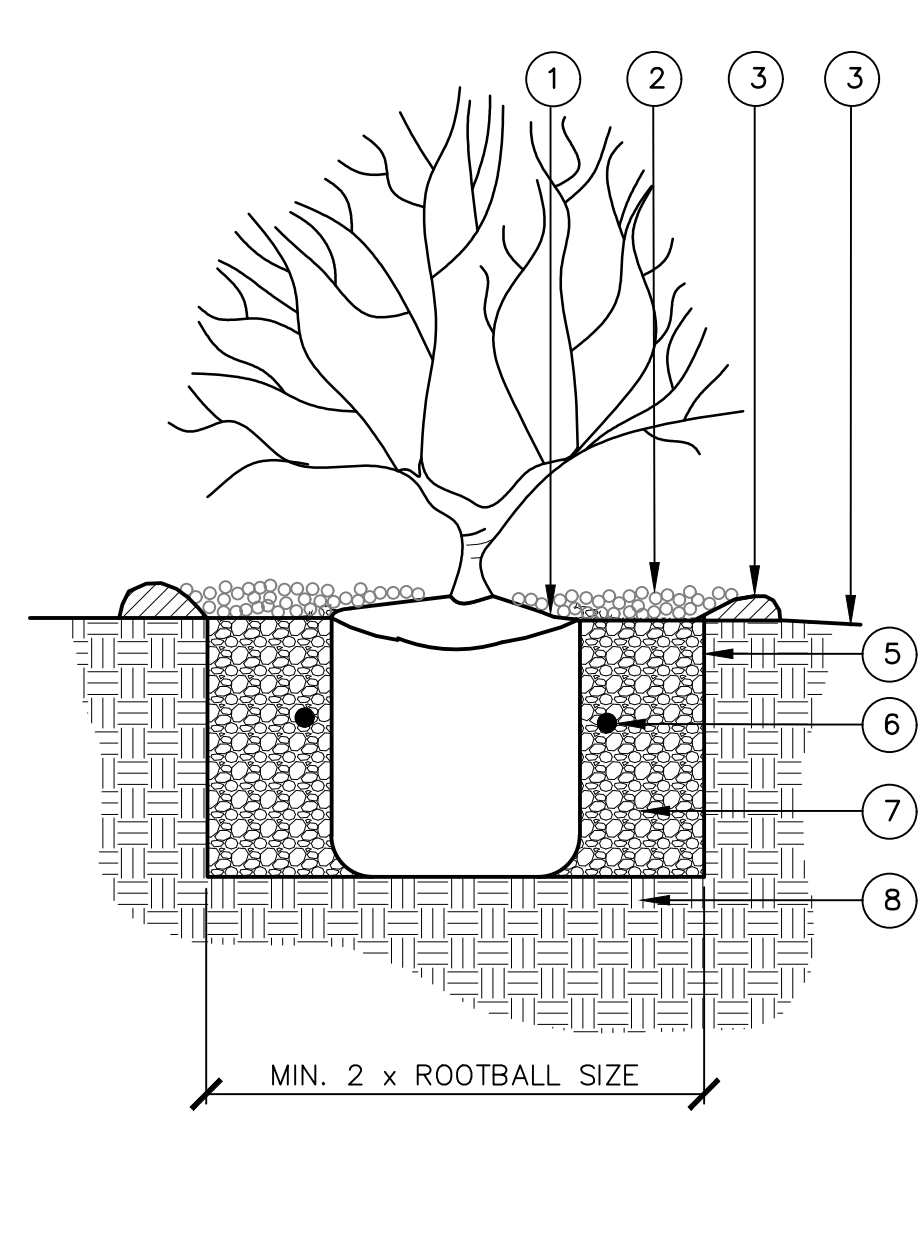
**NOTES:**  
1. ALL LANDSCAPING SHALL BE DRIP IRRIGATED USING THE EXISTING IRRIGATION SYSTEM, NEW VALVES/PIPING, AND EX. CONTROLLER.  
2. ALL NEW LANDSCAPING SHOWN PROPOSED FOR NEW BUILDING ADDITION AND ASSOCIATED PARKING LOT MODIFICATIONS TO THE EXISTING PARKING LOT IS INTENDED TO COMPLY WITH CITY OF ALBUQUERQUE ZONING CODE CHAPTER 5-6 LANDSCAPING REGULATIONS EXCEPT EXISTING IMPROVEMENTS TO REMAIN/PROTECT-WE REQUEST A VARIANCE FOR ALL EXISTING AREAS NOT IN COMPLIANCE.  
3. 5-6(C)(8) CLEAR SIGHT LINES; IMPROVEMENTS LIMITED TO INTERIOR OF SITE. EXISTING PERIMETER LANDSCAPING MAINTAIN SIGHT LINES.  
4. 5-6(D)(2) ADDITIONAL FRONTAGE LANDSCAPING: FOR BUILDINGS >50K SF - WITH ADD-ON: 64,899SF - NO ADDITIONAL LANDSCAPING ALONG BUILDING FRONTAGE PROPOSED. REQUEST VARIANCE.

**ADDITIONAL LANDSCAPE REQUIREMENTS:**  
1. 5-6(C)(2) NET LOT AREA: 189,006SF (SEE SITE PLAN) - NET LANDSCAPE AREA (MINIMUM 15% REQ'D): 28,351SF - PROVIDED: 23% (43,628SF)  
2. 5-6(C)(8) CLEAR SIGHT LINES; IMPROVEMENTS LIMITED TO INTERIOR OF SITE. EXISTING PERIMETER LANDSCAPING MAINTAIN SIGHT LINES.  
3. 5-6(G) SPECIAL SCREENING REQUIREMENTS FOR CERTAIN USES; NEW ELECTRICAL EQUIPMENT ENCLOSURE SCREENED WITH CMU WALL.  
4. 5-6(D)(2) ADDITIONAL FRONTAGE LANDSCAPING: FOR BUILDINGS >50K SF - WITH ADD-ON: 64,899SF - NO ADDITIONAL LANDSCAPING ALONG BUILDING FRONTAGE PROPOSED. REQUEST VARIANCE.

**MAINTENANCE STATEMENT:**  
THE EXISTING FACILITY IS CURRENTLY MAINTAINED BY A LANDSCAPE CONTRACTOR CONTRACTED BY THE OWNER. THE NEW LANDSCAPE AND IRRIGATION IMPROVEMENTS TO ALSO BE MAINTAINED BY SAME CONTRACTOR.



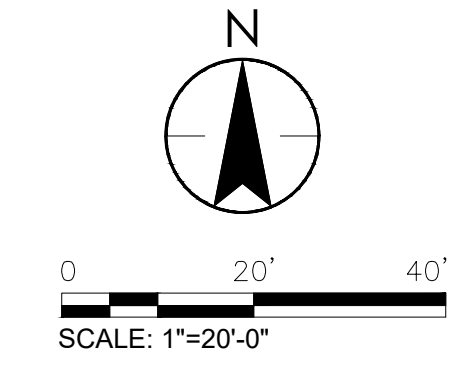
1 TREE PLANTING SCALE: NTS



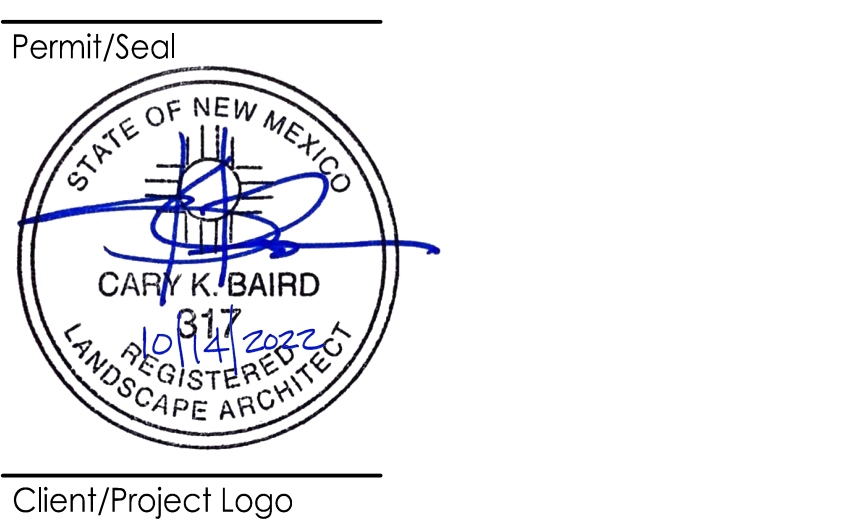
2 SHRUB PLANTING SCALE: NTS

- LEGEND:**
- 2" RUBBER HOSE LOOPED WITH 12 GA. WIRE. MAINTAIN 6-4" LOOP MIN. FOR TREE GROWTH. USE 12 GA. VINYL COATED WIRE, DBL. STRAND FOR TREE TIE. STAPLE WIRE TO TREE STAKE.
  - TRIM TREE STAKES 6" BELOW FIRST SCAFFOLD BRANCH.
  - 3"x3" DOUGLAS FIR STAKE. DRIVE 6" MIN. INTO UNDISTURBED SOIL BELOW ROOT BALL-PLACE AT 10° ANGLE TO VERTICAL-AVOID ROOTBALL.
  - MIDDLE TIES 1/4 WAY BETWEEN TOP TIES AND ADDITIONAL ROWS AS NEEDED TO KEEP TRUNK STRAIGHT.
  - ROCK MULCH
  - FERTILIZER TABLETS, 4 TABLETS PER 15 GAL. TREE, TYP.
  - UNDISTURBED SUBGRADE
  - 6" FOOT TAMPED SOIL AROUND THE ROOT BALL TO ENSURE PLANT STABILITY.
  - ROOT BALL ON FIRMLY COMPACTED SUBGRADE
  - BACKFILL MIXTURE
  - TOP OF ROOTBALL SHALL BE MIN. 2" ABOVE ADJACENT GRADE.
  - 12" 5/8" RADIUS FROM TRUNK (10" DIA) x 3-IN DEPTH ORGANIC MULCH LAYER OVER ROOTBALL-KEEP EDGE AWAY FROM TRUNK
- NOTES:**  
a. HEIGHT OF STAKE VARIES.  
b. TOP TIE PLACED FOR MAXIMUM SUPPORT.

|               |     |     |            |
|---------------|-----|-----|------------|
| DRB Revisions | CXB | CXB | 2022.10.19 |
| DRB Revisions | CXB | CXB | 2022.10.14 |
| Revision      |     |     | YYYYMMDD   |



|  |                       |
|--|-----------------------|
| MAJOR AMENDMENT TO SITE PLAN - DRB         | 04/15/2022            |
| EARLY ELECTRICAL EQUIPMENT RELEASE PACKAGE | 04/13/2022            |
| DESIGN DEVELOPMENT                         | 03/23/2022            |
| JOURNAL CENTER SITE PLAN REVIEW            | 03/23/2022            |
| SCHEMATIC DESIGN                           | 01/28/2022            |
| Revisions                                  | CSK CSK IS 2022.04.15 |
| Issue/Revision                             | CSK CSK IS 2022.04.15 |



Client/Project Logo

Client/Project  
NEW MEXICO PROTON ADVANCED CANCER THERAPY (NMPACT)  
NEW MEXICO CANCER CENTER

4901 LANG AVE. NE  
ALBUQUERQUE, NM 87109

Title  
**LANDSCAPE - LANDSCAPE PLAN**

Project No. 177920075 Scale 1"=20'  
Revision Sheet Drawing No. 0 of 1  
**C-701**