

From: Rodenbeck, Jay B.
To: Sergio Lozoya; Vos, Michael J.
Cc: Jon Niski; Ron Bohannon; Webb, Robert L.; Boylan, Jacob; Rose, Robyn L.; dggutierrez@abcwua.org
Subject: RE: [#2023123] Completion of Briefing in Santa Barbara Martineztown NA v. COA and Tierra West (Cross Development), No. D-202-CV-2024-09120
Date: Monday, September 8, 2025 10:40:00 AM
Attachments: Re_1#20231231 Infrastructure List for PR-2024-009765.pdf
image001.png
image003.png
image004.png
image006.png
image007.png
image008.png
image009.png
image010.png

Good morning Sergio,

Jacob Boylan distributed the revised IL per ABCWUA comments last Wednesday to David G. Gutierrez for his signature (all other DFT staff and the City Engineer have signed the IL already). Once David signs the IL, Jacob and I will distribute the signed IL to you to finish up on the Financial Guaranty and IIA with DRC. Once you're close to getting a recorded IIA from DRC, please let Jacob and I know, and we will distribute the Site Plan for signatures at that time.

The NOD has been drafted and is currently under staff review, which will be issued ASAP.



Jay Rodenbeck
Planning Manager
Development Review Services
o (505) 924-3994
c (505) 553-0682
e jrodenbeck@cabq.gov
cabq.gov/planning

Our POSSE and AVOLVE systems have been replaced with our new software system, ABQ-PLAN. POSSE and AVOLVE users can create an ABQ-PLAN account with the same email address to access their data. We have a [user guide](#), [video tutorials in English and Spanish](#), and other resources to help you get up to speed. For more information about ABQ-PLAN please visit [cabq.gov/planning/abq-plan](#)

From: Sergio Lozoya <SLozoya@tierrawestllc.com>
Sent: Monday, September 8, 2025 8:15 AM
To: Rodenbeck, Jay B. <jrodenbeck@cabq.gov>; Vos, Michael J. <mvos@cabq.gov>
Cc: Jon Niski <JNiski@tierrawestllc.com>; Ron Bohannon <rbr@tierrawestllc.com>; Webb, Robert L. <rwebb@cabq.gov>; Boylan, Jacob <jboylan@cabq.gov>; Rose, Robyn L. <rrose@cabq.gov>
Subject: RE: [#2023123] Completion of Briefing in Santa Barbara Martineztown NA v. COA and Tierra West (Cross Development), No. D-202-CV-2024-09120

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Hey Jay,

Since we have received the Zoning Certificate, are we able to route the plans for signature?

What else do you need from us?

See project numbers below:

Project # PR-2024-009765
RZ-2024-00001 – Zoning Map Amendment
(AC-24-18 & Case No. D-202-CV-202409120)
FINAL CITY ACTION: October 21, 2024 (AC-24-18)

Sergio Lozoya
The logo for Tierra West, featuring the words "TIERRA WEST" in a stylized, serif font, with a small graphic of a mountain range to the left.
5571 Midway Park Pl., NE
Albuquerque, NM 87109
Office: (505)858-3100
email: slozoya@tierrawestllc.com

From: Sergio Lozoya
Sent: Tuesday, August 19, 2025 1:00 PM
To: 'Rodenbeck, Jay B.' <jrodenbeck@cabq.gov>; Vos, Michael J. <mvos@cabq.gov>
Cc: Jon Niski <jniski@tierrawestllc.com>; Ron Bohannon <rbr@tierrawestllc.com>; Webb, Robert L. <rwebb@cabq.gov>; Boylan, Jacob <jboylan@cabq.gov>; Rose, Robyn L. <rrose@cabq.gov>
Subject: RE: [#2023123] Completion of Briefing in Santa Barbara Martineztown NA v. COA and Tierra West (Cross Development), No. D-202-CV-2024-09120

Hey Jay,

No problem, thank you for the update.

Let me know if there is anything else you all need from us in the meantime.

Best,

Sergio Lozoya



5571 Midway Park Pl., NE
Albuquerque, NM 87109
Office: (505)858-3100
email: slozoya@tierrawestllc.com

From: Rodenbeck, Jay B. <jrodenbeck@cabq.gov>

Sent: Tuesday, August 19, 2025 11:55 AM

To: Sergio Lozoya <SLozoya@tierrawestllc.com>; Vos, Michael J. <mvos@cabq.gov>

Cc: Jon Niski <JNiski@tierrawestllc.com>; Ron Bohannon <rrb@tierrawestllc.com>; Webb, Robert L. <rwebb@cabq.gov>; Boylan, Jacob <jboylan@cabq.gov>; Rose, Robyn L. <rrose@cabq.gov>

Subject: RE: [#2023123] Completion of Briefing in Santa Barbara Martineztown NA v. COA and Tierra West (Cross Development), No. D-202-CV-2024-09120

Hi Sergio,

I would prefer to wait for the Zoning Certificate to be issued before issuing the Notice of Decision (NOD) considering this project is still under appeal, but I will note that Robert Webb has drafted the NOD, and Robyn Rose and I will review the NOD ASAP and get it ready to issue as soon as the Zoning Certificate is issued.



Jay Rodenbeck

Planning Manager
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From: Sergio Lozoya <SLozoya@tierrawestllc.com>

Sent: Monday, August 18, 2025 8:47 AM

To: Vos, Michael J. <mvos@cabq.gov>; Rodenbeck, Jay B. <jrodenbeck@cabq.gov>

Cc: Jon Niski <JNiski@tierrawestllc.com>; Ron Bohannon <rrb@tierrawestllc.com>; Webb, Robert L. <rwebb@cabq.gov>; Boylan, Jacob <jboylan@cabq.gov>

Subject: RE: [#2023123] Completion of Briefing in Santa Barbara Martineztown NA v. COA and Tierra West (Cross Development), No. D-202-CV-2024-09120

Hey Jay,

RE: PR-2024-009765, SI-2024-00469 , EPC-DFT Sign Off 1100 Woodward

Is the e-mail from Mike Vos below enough to do a Notice of Decision for this sign off? He stated that the City of Albuquerque takes the EPC / LUHO / Council decisions as final, and he and his team are drafting up the Zoning Cert.

I have the updated sheets uploaded on ABQ – Plan (under official notice of decision) and have also attached them to this email.

Let me know what else we would need to move forward with this DFT approval.

Thanks,

Plan Number: SI-2024-00468

[Plan Details](#) | [Tab Elements](#) | [Main Menu](#)

Type:	EPC Site Plan Application	Status:	In Review	Project Name:	PR-2024-009765
Applied Date:	04/05/2024	Expiration Date:			
District:	City of Albuquerque	Completion Date:	10/02/2024		
		Approval Expiration Date:	10/01/2031		
Description:	PR-2024-009765 In Review per April 2, 2025 DFT Major Amendment to existing EPC Site Plan for Subdivision - Gateway Center EPC Hearing May 16, 2024				

[Summary](#) [Locations](#) [Fees](#) [Attachments](#) [Contacts](#) [Sub-Records](#) [Meetings](#) [More Info](#)

[Summary](#) [Locations](#) [Fees](#)

[Attachments](#) | [Next Tab](#) | [Plan Details](#)

Attachments

✓ The file upload was submitted successfully



Copy of the Official Notice of Decision

[Copy of the Official Notice of Decision-2025-08-18-8.18.25-](#)
Version: 1

Status: Awaiting Review

Sergio Lozoya



5571 Midway Park Pl., NE
Albuquerque, NM 87109
Office: (505)858-3100
email: slozoya@tierrawestllc.com

From: Sergio Lozoya

Sent: Thursday, August 14, 2025 4:06 PM

To: Vos, Michael J. <mvos@cabq.gov>; Rodenbeck, Jay B. <jrodenbeck@cabq.gov>

Cc: Webb, Robert L. <rwebb@cabq.gov>; Jon Niski <jniski@tierrawestllc.com>; Ron Bohannon <rrb@tierrawestllc.com>; Webb, Robert L. <rwebb@cabq.gov>

Subject: RE: [#2023123] Completion of Briefing in Santa Barbara Martineztown NA v. COA and Tierra West (Cross Development), No. D-202-CV-2024-09120

Hey Mike,

We are aiming to get review and approval at the upcoming August 20th DFT meeting, were you able to discuss the Zoning Cert with City Legal ?

Thanks,

Sergio Lozoya



5571 Midway Park Pl., NE
Albuquerque, NM 87109
Office: (505)858-3100
email: slozoya@tierrawestllc.com

From: Sergio Lozoya

Sent: Wednesday, July 30, 2025 10:26 AM

To: Vos, Michael J. <mvos@cabq.gov>; Rodenbeck, Jay B. <jrodenbeck@cabq.gov>

Cc: Webb, Robert L. <rwebb@cabq.gov>; Jon Niski <jniski@tierrawestllc.com>; Ron Bohannon <rrb@tierrawestllc.com>; Webb, Robert L. <rwebb@cabq.gov>

Subject: RE: [#2023123] Completion of Briefing in Santa Barbara Martineztown NA v. COA and Tierra West (Cross Development), No. D-202-CV-2024-09120

Hey Mike,

Just following up on the items below.

Were you able to discuss with City Legal and are you able to issue a Zoning Certificate?

Just as an FYI we submitted a motion to dismiss the latest appeal at district court level.

Thanks,

Sergio Lozoya



5571 Midway Park Pl., NE
Albuquerque, NM 87109
Office: (505)858-3100
email: slozoya@tierrawestllc.com

From: Sergio Lozoya

Sent: Thursday, July 24, 2025 8:55 AM

To: Vos, Michael J. <mvos@cabq.gov>; Rodenbeck, Jay B. <jrodenbeck@cabq.gov>

Cc: Webb, Robert L. <rwebb@cabq.gov>; Jon Niski <jniski@tierrawestllc.com>; Ron Bohannon <rrb@tierrawestllc.com>; Webb, Robert L. <rwebb@cabq.gov>

Subject: RE: [#2023123] Completion of Briefing in Santa Barbara Martineztown NA v. COA and Tierra West (Cross Development), No. D-202-CV-2024-09120

Hey Mike,

We are re-submitting the drawing set in the next week. I believe that DFT staff could issue NOD for approval with conditions, pending the zoning certificate.

Thanks,

Sergio Lozoya



5571 Midway Park Pl., NE
Albuquerque, NM 87109
Office: (505)858-3100
email: slozoya@tierrawestllc.com

From: Vos, Michael J. <mvos@cabq.gov>

Sent: Thursday, July 24, 2025 8:19 AM

To: Rodenbeck, Jay B. <jrodenbeck@cabq.gov>; Sergio Lozoya <SLozoya@tierrawestllc.com>

Cc: Webb, Robert L. <rwebb@cabq.gov>; Jon Niski <jniski@tierrawestllc.com>; Ron Bohannon <rrb@tierrawestllc.com>; Webb, Robert L. <rwebb@cabq.gov>

Subject: RE: Completion of Briefing in Santa Barbara Martineztown NA v. COA and Tierra West (Cross Development), No. D-202-CV-2024-09120

Hi all,

I believe this case has already been appealed to the court of appeals. That said, I will touch base with our legal staff about the zoning certificate. We may be able to issue it regardless of the court status unless a stay has been requested/issued. I will be back in touch. When do you expect the next resubmittal of the site plan, if any, or is it only waiting on the zoning?

Thanks,



MICHAEL VOS, AICP

he / him / his

principal planner + zeo

o 505.924.3825

e mvos@cabq.gov
cabq.gov/planning

Our POSSE and AVOLVE systems have been replaced with our new software system, ABQ-PLAN. POSSE and AVOLVE users can create an ABQ-PLAN account with the same email address to access their data. We have a [user guide](#), [video tutorials in English and Spanish](#), and other resources to help you get up to speed. For more information about ABQ-PLAN please visit cabq.gov/planning/abq-plan

From: Rodenbeck, Jay B. <jrodenbeck@cabq.gov>
Sent: Wednesday, July 23, 2025 5:47 PM
To: Sergio Lozoya <SLozoya@tierrawestllc.com>
Cc: Vos, Michael J. <mvos@cabq.gov>; Webb, Robert L. <rwebb@cabq.gov>; Jon Niski <JNiski@tierrawestllc.com>; Ron Bohannon <rrb@tierrawestllc.com>; Webb, Robert L. <rwebb@cabq.gov>
Subject: RE: Completion of Briefing in Santa Barbara Martineztown NA v. COA and Tierra West (Cross Development), No. D-202-CV-2024-09120

Hi Sergio,

I didn't get a chance to ask Michael about the Zoning Certificate for this site (PR-2024-009765 / SI-2024-00468 at 1100 Woodward Pl. NE) today, but he's copied in this message, so perhaps he can confirm if he can issue the Zoning Certificate at this time (when he gets the opportunity), if he needs to wait for the 30-day window for the Court of Appeals to expire first, or if we need to discuss it internally first.



Jay Rodenbeck
Planning Manager
Development Review Services
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cabq.gov/planning

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From: Sergio Lozoya <SLozoya@tierrawestllc.com>
Sent: Wednesday, July 23, 2025 10:13 AM
To: Rodenbeck, Jay B. <jrodenbeck@cabq.gov>
Cc: Vos, Michael J. <mvos@cabq.gov>; Webb, Robert L. <rwebb@cabq.gov>; Jon Niski <JNiski@tierrawestllc.com>; Ron Bohannon <rrb@tierrawestllc.com>
Subject: FW: Completion of Briefing in Santa Barbara Martineztown NA v. COA and Tierra West (Cross Development), No. D-202-CV-2024-09120

Hey Jay,

Please see the attached ruling of the court regarding PR-2024-009765.

As discussed in DFT today, you will have a conversation with Mike Vos to determine if we can acquire the Zoning Certificate.

Thanks,



5571 Midway Park Pl., NE
Albuquerque, NM 87109
Office: (505) 858-3100
email: slozoya@tierrawestllc.com

From: Michael Cadigan <cadigan@cadiganlaw.com>
Sent: Wednesday, June 4, 2025 12:48 PM
To: Meagan Vieren <Meagan@crossdevelopment.net>; Austin Tidwell <atidwell@resolutre.com>; Ron Bohannon <rrb@tierrawestllc.com>; Sergio Lozoya <SLozoya@tierrawestllc.com>
Subject: Re: Completion of Briefing in Santa Barbara Martineztown NA v. COA and Tierra West (Cross Development), No. D-202-CV-2024-09120

Attached is the decision of the Judge. In short, we win. Appeal denied. The neighborhood, in theory, could appeal within 30 days to the Court of Appeals but I doubt it.

Michael Cadigan
Cadigan Law Firm PC

317 Commercial Street NE
Suite 317
Albuquerque, New Mexico 87102
505 980 5623

From: Meagan Vieren <Meagan@crossdevelopment.net>

Date: Tuesday, June 3, 2025 at 6:40 AM

To: Austin Tidwell <atidwell@resolutre.com>, Cadigan Law <cadigan@cadiganlaw.com>, Ron Bohannon <rrb@tierrawestllc.com>, Sergio Lozoya <slozoya@tierrawestllc.com>

Subject: Re: Completion of Briefing in Santa Barbara Martineztown NA v. COA and Tierra West (Cross Development), No. D-202-CV-2024-09120

Morning

Hope everyone had a great weekend. Any updates from the briefing?

Meagan Vieren
Development Manager
Cross Development
352-871-8953
meagan@crossdevelopment.net

From: Austin Tidwell <atidwell@resolutre.com>

Sent: Friday, May 30, 2025 10:54:42 AM

To: Meagan Vieren <Meagan@crossdevelopment.net>; Michael Cadigan <cadigan@cadiganlaw.com>; Ron Bohannon <rrb@tierrawestllc.com>; Sergio Lozoya <slozoya@tierrawestllc.com>

Subject: Re: Completion of Briefing in Santa Barbara Martineztown NA v. COA and Tierra West (Cross Development), No. D-202-CV-2024-09120

Fingers crossed on a positive ruling from the judge today based on the briefing. Thanks for keeping us up to date, Mike & Ron!



Austin Tidwell, CCIM

Principal

2155 Louisiana Blvd NE, Suite 7200, Albuquerque, NM 87110

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From: Meagan Vieren <Meagan@crossdevelopment.net>

Date: Wednesday, May 28, 2025 at 11:18 AM

To: Michael Cadigan <cadigan@cadiganlaw.com>, Ron Bohannon <rrb@tierrawestllc.com>, Sergio Lozoya <slozoya@tierrawestllc.com>

Cc: Austin Tidwell <atidwell@resolutre.com>

Subject: RE: Completion of Briefing in Santa Barbara Martineztown NA v. COA and Tierra West (Cross Development), No. D-202-CV-2024-09120

Well that sounds like good news, right?

Meagan Vieren
Development Manager
Cell: 352-871-8953
meagan@crossdevelopment.net

4317 Marsh Ridge Rd.
Carrollton, TX 75010



From: Michael Cadigan <cadigan@cadiganlaw.com>

Sent: Tuesday, May 27, 2025 3:43 PM

To: Meagan Vieren <Meagan@crossdevelopment.net>; Ron Bohannon <rrb@tierrawestllc.com>; Sergio Lozoya <slozoya@tierrawestllc.com>

Cc: Austin Tidwell <atidwell@resolutre.com>

Subject: Re: Completion of Briefing in Santa Barbara Martineztown NA v. COA and Tierra West (Cross Development), No. D-202-CV-2024-09120

I called the Judge's clerk. She said that this matter will be decided without a hearing (on the briefing) around May 30.

Of course, that deadline is subject to change at the Judge's will.

Michael Cadigan

Cadigan Law Firm P.C.
317 Commerical Street NE
Suite 317
Albuquerque, New Mexico 87102
505 980 5623
cadigan@cadiganlaw.com

From: Meagan Vieren <Meagan@crossdevelopment.net>
Date: Tuesday, May 27, 2025 at 1:34 PM
To: Michael Cadigan <cadigan@cadiganlaw.com>, Ron Bohannon <rrb@tierrawestllc.com>, Sergio Lozoya <slozoya@tierrawestllc.com>
Cc: Austin Tidwell <atidwell@resolutre.com>
Subject: RE: Completion of Briefing in Santa Barbara Martineztown NA v. COA and Tierra West (Cross Development), No. D-202-CV-2024-09120

Afternoon Michael and Ron

Hope you enjoyed the long weekend.
Any updates on the hearing date?

Our current extension with seller expires on June 5th, so we will need to be prepared to provide them another update in the next day or so.

Thank you!

Meagan Vieren
Development Manager
Cell: 352-871-8953
meagan@crossdevelopment.net
4317 Marsh Ridge Rd.
Carrollton, TX 75010



From: Meagan Vieren
Sent: Wednesday, May 21, 2025 1:09 PM
To: Michael Cadigan <cadigan@cadiganlaw.com>; Ron Bohannon <rrb@tierrawestllc.com>; Sergio Lozoya <slozoya@tierrawestllc.com>
Cc: Austin Tidwell <atidwell@resolutre.com>
Subject: RE: Completion of Briefing in Santa Barbara Martineztown NA v. COA and Tierra West (Cross Development), No. D-202-CV-2024-09120

Morning Michael

Hope your week is going well.
Any word from the court on a hearing date?

Thank you!

Meagan Vieren
Development Manager
Cell: 352-871-8953
meagan@crossdevelopment.net
4317 Marsh Ridge Rd.
Carrollton, TX 75010



From: Michael Cadigan <cadigan@cadiganlaw.com>
Sent: Thursday, May 8, 2025 2:19 PM
To: Meagan Vieren <Meagan@crossdevelopment.net>; Ron Bohannon <rrb@tierrawestllc.com>; Sergio Lozoya <slozoya@tierrawestllc.com>
Subject: FW: Completion of Briefing in Santa Barbara Martineztown NA v. COA and Tierra West (Cross Development), No. D-202-CV-2024-09120

See attached. Now that the briefing is complete, I am hopeful that the Court will scheduled a hearing soon.

Michael Cadigan
Cadigan Law Firm P.C.
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505 980 5623
cadigan@cadiganlaw.com

From: Hess Yntema <Hess@yntema-law.com>
Date: Thursday, May 8, 2025 at 11:31 AM
To: albddiv4proposedtxt@nmcourts.gov <albddiv4proposedtxt@nmcourts.gov>
Cc: Coon, Andrew S. <acoon@cabq.gov>, Touil, Ayoub <atouil@cabq.gov>, Michael Cadigan <cadigan@cadiganlaw.com>
Subject: Completion of Briefing in Santa Barbara Martineztown NA v. COA and Tierra West (Cross Development), No. D-202-CV-2024-09120

Dear Judge Brickhouse,

This e-mail is to advise that the briefing for this Rule 74 appeal has been completed.

The following have been filed (copies attached):

1. Statement of Appellate Issues filed January 20, 2025.
2. Cross Development's Response to Statement filed February 20, 2025.
3. Appellant's Reply to Cross Development's Response filed March 6, 2025.
4. Cross Development's Request for Expedited Hearing filed March 10, 2025.
5. Appellee's Response to Statement filed April 18, 2025.
6. Appellant's Reply to Appellee's Response filed May 2, 2025.
7. Notice of Completion of Briefing filed May 2, 2025.

Please advise if the attached are not in order.

Hessel E. Yntema III
Yntema Law Firm P.A.
215 Gold SW
Suite 201
Albuquerque, New Mexico 87102
phone 505-843-9565
fax 505-242-2879
e-mail hess@yntema-law.com

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