

CITY OF ALBUQUERQUE

Planning Department
David Campbell, Director



Mayor Timothy M. Keller

October 16, 2018

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

RE: **Sicily Plaza**
6001 Coors Blvd NW
Request for Certificate of Occupancy - Temporary
Hydrology Final Inspection – Not Approved
Engineer's Stamp Date 12/7/17 (E12D003F)
Certification Dated: 10/10/18

Dear Mr. Soule:

PO Box 1293

Based on the submittal received on 10/5/18, this certification cannot be approved in support of Certificate of Occupancy until the following are corrected and a complete resubmittal is made:

Albuquerque

Prior to requesting C.O:

NM 87103

www.cabq.gov

1. Temporary C.O's cannot be issued on shell permits; all corrections must be made so a Permanent C.O can be requested.
2. The Drainage Covenant will need to be recorded; provide a copy of the Bernalillo County Recorded Drainage Covenant.
3. Include as-built elevations for the bottom of the existing and new ponds with the Drainage Certification; the new bottom of the large pond needs to be surveyed.
4. The 628cf first flush pond needs to be constructed per plan including excavation to the proper depth and volume. The as-built condition of the pond needs to match the contours provided on the grading plan and be supported with new survey data.

If you have any questions, you can contact me at 924-3695 or dpeterson@cabq.gov.

Sincerely,

Dana Peterson, P.E.
Senior Engineer, Planning Dept.
Development and Review Services



City of Albuquerque

Planning Department
Development & Building Services Division

DRAINAGE AND TRANSPORTATION INFORMATION SHEET (REV 6/2018)

Project Title: sicily plaza **Building Permit #:** _____ **Hydrology File #:** E12D003F
DRB#: _____ **EPC#:** _____ **Work Order#:** _____
Legal Description: lot 5A1B1A LANDS OF JOEL TAYOR
City Address: 6001 COORS

Applicant: JPS, LLC **Contact:** _____
Address: _____
Phone#: _____ **Fax#:** _____ **E-mail:** _____

Other Contact: RIO GRANDE ENGINEERING **Contact:** DAVID SOULE
Address: PO BOX 93924 ALB NM 87199
Phone#: 505.321.9099 **Fax#:** 505.872.0999 **E-mail:** david@riograndeengineering.com

TYPE OF DEVELOPMENT: ☐ PLAT ☐ RESIDENCE ☐ DRB SITE ☒ ADMIN SITE

Check all that Apply:

DEPARTMENT:
☒ HYDROLOGY/ DRAINAGE
☐ TRAFFIC/ TRANSPORTATION

TYPE OF SUBMITTAL:
☒ ENGINEER/ARCHITECT CERTIFICATION
☐ PAD CERTIFICATION
☐ CONCEPTUAL G & D PLAN
☐ GRADING PLAN
☐ DRAINAGE REPORT
☐ DRAINAGE MASTER PLAN
☐ FLOODPLAIN DEVELOPMENT PERMIT APPLIC
☐ ELEVATION CERTIFICATE
☐ CLOMR/LOMR
☐ TRAFFIC CIRCULATION LAYOUT (TCL)
☐ TRAFFIC IMPACT STUDY (TIS)
☐ STREET LIGHT LAYOUT
☐ OTHER (SPECIFY) _____
☐ PRE-DESIGN MEETING?

IS THIS A RESUBMITTAL?: ☒ Yes ☐ No

TYPE OF APPROVAL/ACCEPTANCE SOUGHT:
☐ BUILDING PERMIT APPROVAL
☒ CERTIFICATE OF OCCUPANCY (30-day temp)

☐ PRELIMINARY PLAT APPROVAL
☐ SITE PLAN FOR SUB'D APPROVAL
☐ SITE PLAN FOR BLDG. PERMIT APPROVAL
☐ FINAL PLAT APPROVAL

☐ SIA/ RELEASE OF FINANCIAL GUARANTEE
☐ FOUNDATION PERMIT APPROVAL
☐ GRADING PERMIT APPROVAL
☐ SO-19 APPROVAL
☐ PAVING PERMIT APPROVAL
☐ GRADING/ PAD CERTIFICATION
☐ WORK ORDER APPROVAL
☐ CLOMR/LOMR
☐ FLOODPLAIN DEVELOPMENT PERMIT
☐ OTHER (SPECIFY) _____

DATE SUBMITTED: _____ **By:** _____

COA STAFF:

ELECTRONIC SUBMITTAL RECEIVED: _____

FEE PAID: _____

CITY OF ALBUQUERQUE

Planning Department
David Campbell, Director



Mayor Timothy M. Keller

October 10, 2018

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

RE: **Sicily Plaza**
6001 Coors Blvd NW
Request for Certificate of Occupancy - Permanent
Hydrology Final Inspection – Not Approved
Engineer's Stamp Date 12/13/17 (C16D006LL)
Certification Dated: 10/5/18

Dear Mr. Soule:

PO Box 1293

Based on the submittal received on 10/5/18, this certification cannot be approved in support of Certificate of Occupancy until the following are corrected and a complete resubmittal is made:

Albuquerque

Prior to requesting C.O:

NM 87103

1. The Drainage Covenant will need to be recorded; provide a copy of the Bernalillo County Recorded Drainage Covenant. **submitted for review**
2. Include as-built elevations for the bottom of the existing and new ponds with the Drainage Certification; the new bottom of the large pond needs to be surveyed **added in call out per survey**
3. A digital (.pdf) submittal, emailed to PLNDRS@cabq.gov is required. **emailed**
4. The underlying grading plan is illegible; provide the certification on a legible version of the plan. **transferred to cleaner plan**
5. The 629cf first flush pond needs to be constructed per plan including excavation to the proper depth and volume. The as-built condition of the pond needs to match the contours provided on the grading plan and be supported with new survey data.

www.cabq.gov

**depth was corrected, top and bottom are higher
than call out but depth and volume provided**

CITY OF ALBUQUERQUE

Planning Department
David Campbell, Director



Mayor Timothy M. Keller

If you have any questions, you can contact me at 924-3695 or dpeterson@cabq.gov.

Sincerely,

A handwritten signature in dark ink, appearing to read 'D. Peterson', is written over a light gray horizontal line.

Dana Peterson, P.E.
Senior Engineer, Planning Dept.
Development and Review Services

PO Box 1293

Albuquerque

NM 87103

www.cabq.gov

EXISTING UTILITIES ARE NOT SHOWN.
IT SHALL BE THE SOLE RESPONSIBILITY
OF THE CONTRACTOR TO CONDUCT ALL
NECESSARY FIELD INVESTIGATIONS PRIOR
TO ANY EXCAVATION TO DETERMINE THE
ACTUAL LOCATION OF UTILITIES & OTHER
IMPROVEMENTS.

1. CONTRACTOR IS RESPONSIBLE FOR OBTAINING A TOPSOIL DISTURBANCE PERMIT PRIOR TO BEGINNING WORK.
2. CONTRACTOR IS RESPONSIBLE FOR MAINTAINING RUN-OFF ON SITE DURING CONSTRUCTION.
3. CONTRACTOR IS RESPONSIBLE FOR CLEANING ALL SEDIMENT THAT GETS INTO EXISTING RIGHT-OF-WAY.
4. REPAIR OF DAMAGED FACILITIES AND CLEANUP OF SEDIMENT ACCUMULATIONS ON ADJACENT PROPERTIES AND IN PUBLIC FACILITIES IS THE RESPONSIBILITY OF THE CONTRACTOR.
5. ALL EXPOSED EARTH SURFACES MUST BE PROTECTED FROM WIND AND WATER EROSION PRIOR TO FINAL ACCEPTANCE OF ANY PROJECT.


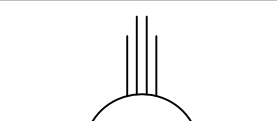
10/10/18

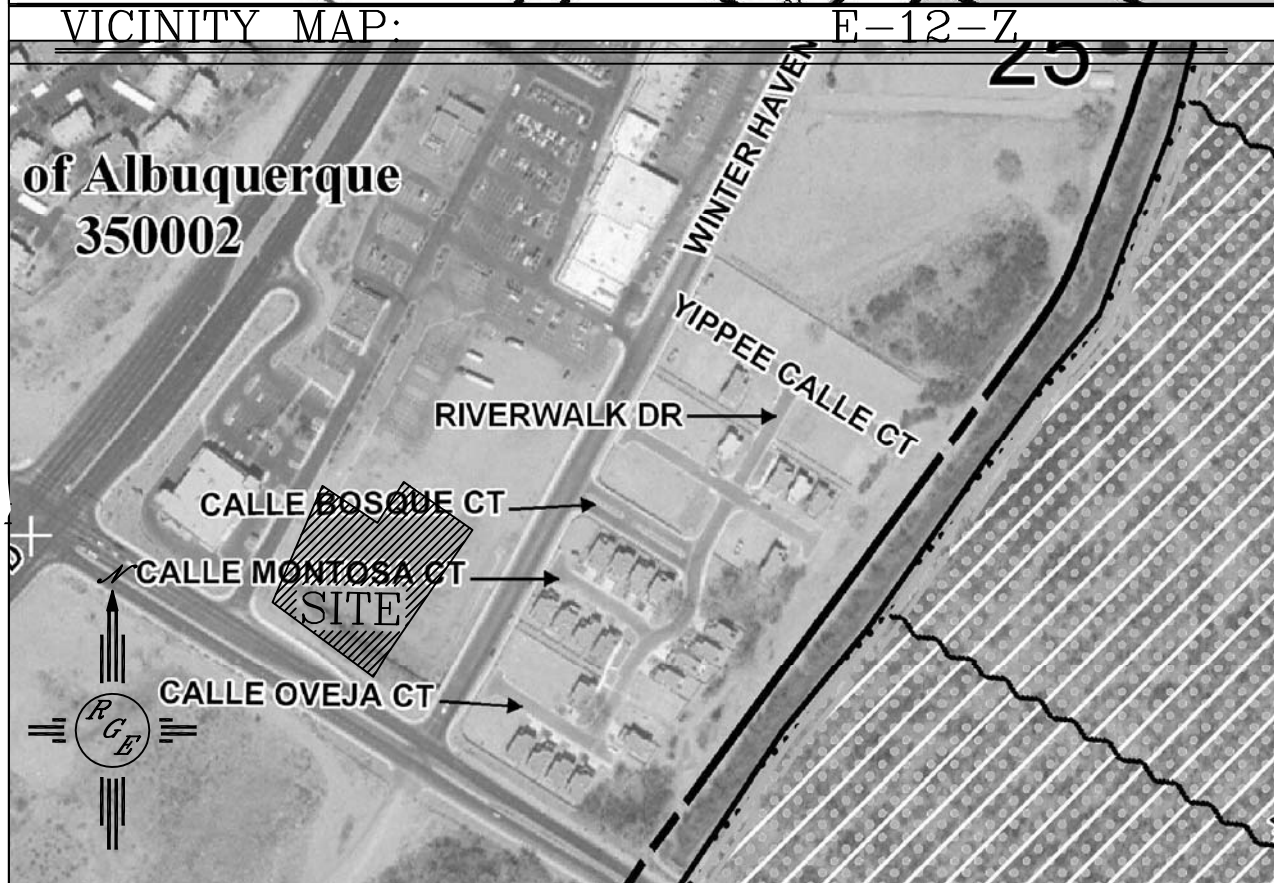
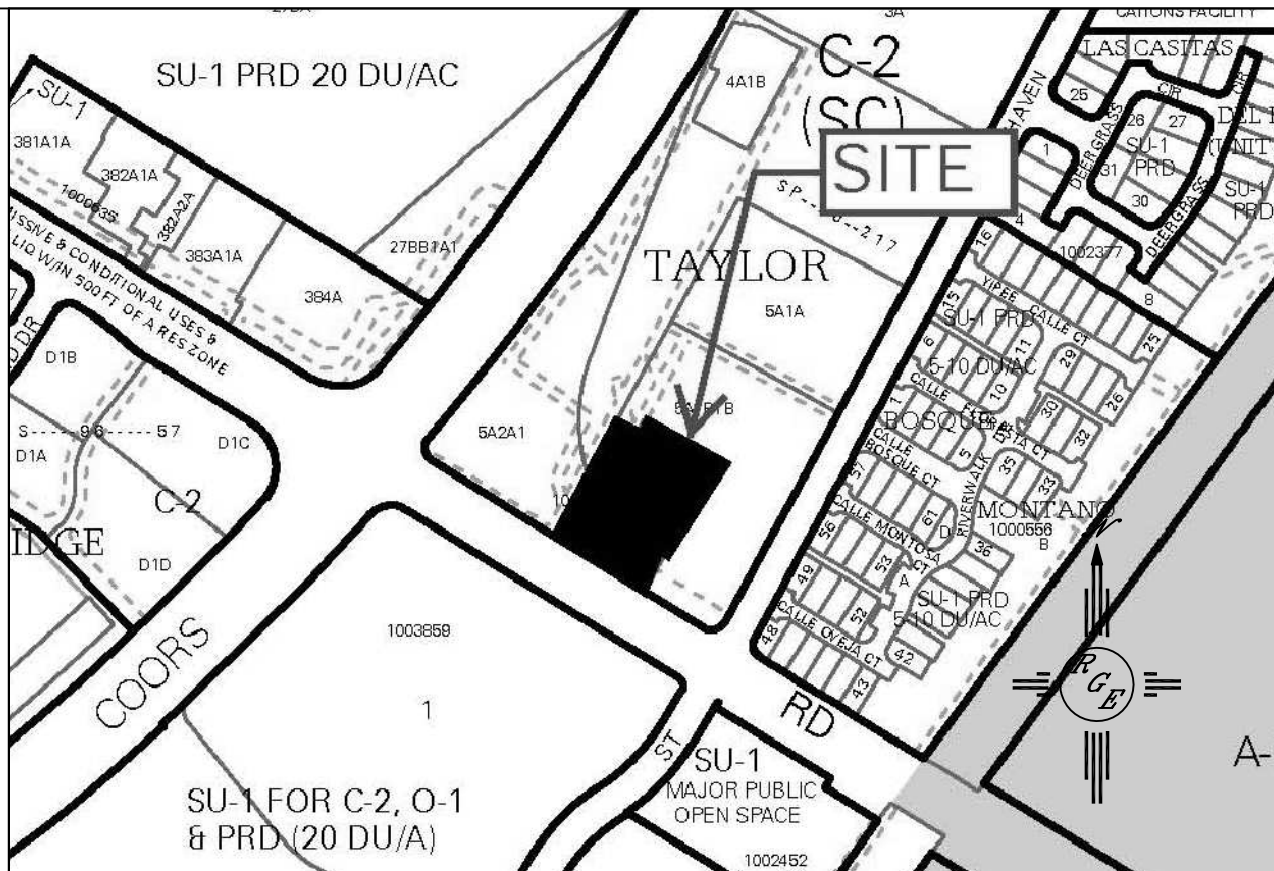
EXCEPTIONS: LARGE ADJACENT POND HAS NOT BEEN
EXCAVATED DUE TO HOLDING WATER

1. ALL SPOT ELEVATIONS REPRESENT FLOWLINE ELEVATION UNLESS OTHERWISE NOTED.
2. ALL CURB AND GUTTER TO 6" HEADER UNLESS OTHERWISE NOTED.
3. ALL RETAINING WALL DESIGN SHALL BE BY OTHERS.
4. ALL NEW PAVING SHALL BE 6" PCC OVER 8" SUBGRADE PREPARATION IN CONFORMANCE TO ACI 330R-08. UNLESS OTHERWISE NOTED.
5. ANY CURBS OR PAVEMENT NEGATIVELY IMPACTED BY CONSTRUCTION ACTIVITY SHALL BE REPLACED TO MATCH EXISTING CONDITIONS.
6. ALL SITE WORK SHALL CONFORM TO CITY OF ALBUQUERQUE STANDARDS FOR PUBLIC WORKS CONSTRUCTION EDITION 9
7. TECH DESIGN SURVEY PROVIDED BY SURV-TEK USING NAVD 1988 DATUM.

The diagram illustrates a road cross-section with the following features and elevations:

- EXISTING CONTOUR**: Represented by a dashed line at an elevation of 5414.
- EXISTING INDEX CONTOUR**: Represented by a dashed line at an elevation of 5415.
- PROPOSED CONTOUR**: Represented by a solid line at an elevation of 5414.
- PROPOSED INDEX CONTOUR**: Represented by a solid line at an elevation of 5415.
- SLOPE TIE**: Indicated by a triangle pointing to the proposed contour line.
- EXISTING SPOT ELEVATION**: Marked with an 'x' at an elevation of 4048.25.
- PROPOSED SPOT ELEVATION**: Marked with an 'x' at an elevation of 4048.25.
- BOUNDARY**: Represented by a dashed line.
- CENTERLINE**: Represented by a solid line.
- RIGHT-OF-WAY**: Represented by a solid line.
- PROPOSED CURB**: Represented by a solid line.
- EXISTING CURB AND GUTTER**: Represented by a dashed line.
- PROPOSED SIDEWALK**: Represented by a hatched area.
- EXISTING SIDEWALK**: Represented by a dashed line.

ENGINEER'S SEAL	COMMERCIAL SHELL BUILDING AT SICILY PLAZA 6001 COORS BLVD NW	DRAWN BY WCWJ
	GRADING AND DRAINAGE PLAN	DATE 11-28-17
		21823-LAYOUT-11-15-17
12/7/17 11/28/17	 <i>Rio Grande Engineering</i> 1606 CENTRAL AVENUE SE SUITE 201 ALBUQUERQUE, NM 87106 (505) 872-0899	SHEET # —
DAVID SOULE P.E. #14522		JOB # 21823



AL DESCRIPTION:

Tracts 5-A1-B-1-A, Lands of Joel P. Taylor

PRIVATE FACILITY
DRAINAGE COVENANT

This Drainage Covenant ("Covenant"), between Sicily Plaza, LLC ("Owner"), whose address is 6301 4th St. NW, Ste 1, ABO. NM 87107 and whose telephone number is (866) 345-0755 and the City of Albuquerque, New Mexico, a municipal corporation whose address is P.O. Box 1293, Albuquerque, New Mexico 87103, is made in Albuquerque, Bernalillo County, New Mexico and is entered into as of the date Owner signs this Covenant.

1. **Recital.** The Owner is the current owner of the following described real property located at Tract 5A1-B-1-A LANDS OF JOEL P TAYLOR recorded on JANUARY 8, 2009, IN PLAT BOOK 2009C, PAGE10, as Document No. 2009002286 in the records of the Bernalillo County Clerk, State of New Mexico (the "Property").

Pursuant to City ordinances, regulations and other applicable laws, the Owner is required to construct and maintain certain drainage facilities on the Property, and the parties wish to enter into this Covenant to establish the obligations and responsibilities of the parties.

2. **Description and Construction of Drainage Facility.** The Owner shall construct the following "Drainage Facility" within the Property at the at the Owner's sole expense in accordance with the standards, plans and specifications approved by the City:
WATER QUALITY POND AS SHOWN ON APPROVED DRAINAGE PLAN IN FILE
E12D003F

The Drainage Facility is more particularly described in **Exhibit A** attached hereto and made a part hereof.

3. **Maintenance of Drainage Facility.** The Owner shall maintain the Drainage Facility at Owner's sole cost in accordance with the approved Drainage Report and plans.

4. **Benefit to Property.** The Owner acknowledges and understands that the Drainage Facility required herein to be constructed on the Owner's property is for the private benefit and protection of the Owner's property and that failure to maintain such facility could result in damage or loss to the Property.

5. **Inspection of Drainage Facility.** The City shall have no duty or obligation whatsoever to perform any inspection, maintenance or repair of the Drainage Facility, it being the duty of the Owner, its heirs, successors and assigns to construct and maintain the facility in accordance with approved plans and specifications.

6. **Liability of City.** The Owner understands and agrees that the City shall not be liable to the Owner, its heirs, successors or assigns, or to any third parties for any damages resulting from the Owner's failure to construct, maintain or repair the Drainage Facility.

7. Indemnification. The Owner owns and controls the Drainage Facility and shall not permit the Drainage Facility to constitute a hazard to the health or safety of the general public. The Owner agrees to indemnify, defend and hold harmless the City, its officials, agents and employees, from any claims, actions, suits or other proceedings arising from or out of the negligent acts or omissions of the Owner, its agents, representatives, contractors or subcontractors or arising from the failure of the Owner, its agents, representatives, contractors or subcontractors to perform any act or duty required of the Developer or Owner herein; provided, however, to the extent, if at all, Section 56-7-1 NMSA 1978 is applicable to this Covenant, this Covenant to indemnify will not extend to liability, claims, damages, losses or expenses, including attorneys' fees, arising out of (1) the preparation or approval of maps, drawings, opinions, reports, surveys, change orders, designs or specifications by the respective indemnitee, or the agents or employees of the respective indemnitee; or (2) the giving of or the failure to give direction or instructions by the respective indemnitee, where such giving or failure to give directions or instructions is the primary cause of bodily injury to persons or damage to property.

8. Assessment. Nothing in this Covenant shall be construed to relieve the Owner, its heirs, assigns and successors from an assessment against the Owner's property for improvements to the property under a duly authorized and approved Special Assessment District. The parties specifically agree that the value of the Drainage Facility will not reduce the amount assessed by the City.

9. Binding on Owner's Property. The covenants and obligations of the Owner set forth herein shall be binding on the Owner, its heirs, assigns and successors and on the Owner's property and constitute covenants running with the Owner's property until released by the City. This Covenant can only be released by the City's Chief Administrative Officer with concurrence of the City Engineer.

10. Entire Covenant. This Covenant contains the entire agreement of the parties and supersedes any and all other agreements or understandings, oral or written, whether previous to the execution hereof or contemporaneous herewith.

11. Changes to Covenant. Changes to this Covenant are not binding unless made in writing, signed by both parties.

12. Effective Date of Covenant. This Covenant shall be effective as of the date of signature of the Owner.

OWNER:

By [signature]:

Name [print]: Christopher M. Pacheco

Engineer

Title: _____

Dated: _____

CITY OF ALBUQUERQUE:

By: _____

Shahab Biazar, P.E., City

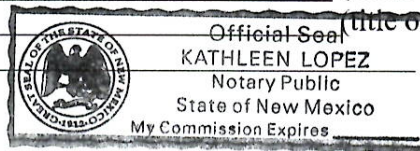
Dated: _____

OWNER'S ACKNOWLEDGMENT

STATE OF NEW MEXICO)
)ss
COUNTY OF BERNALILLO)

This instrument was acknowledged before me on this _____ day of _____,
20____, by _____ (name of person signing permit),
_____ (title of person signing permit) of
_____ (Owner).

(SEAL)



Notary Public

My Commission Expires: Sept 22, 2021

CITY'S ACKNOWLEDGMENT

STATE OF NEW MEXICO)
)ss
COUNTY OF BERNALILLO)

This instrument was acknowledged before me on this _____ day of _____,
_____20____, by Shahab Biazar, P.E., City Engineer, of the City of Albuquerque,
a municipal corporation, on behalf of said corporation.

(SEAL)

Notary Public

My Commission Expires: _____

(EXHIBIT A ATTACHED)

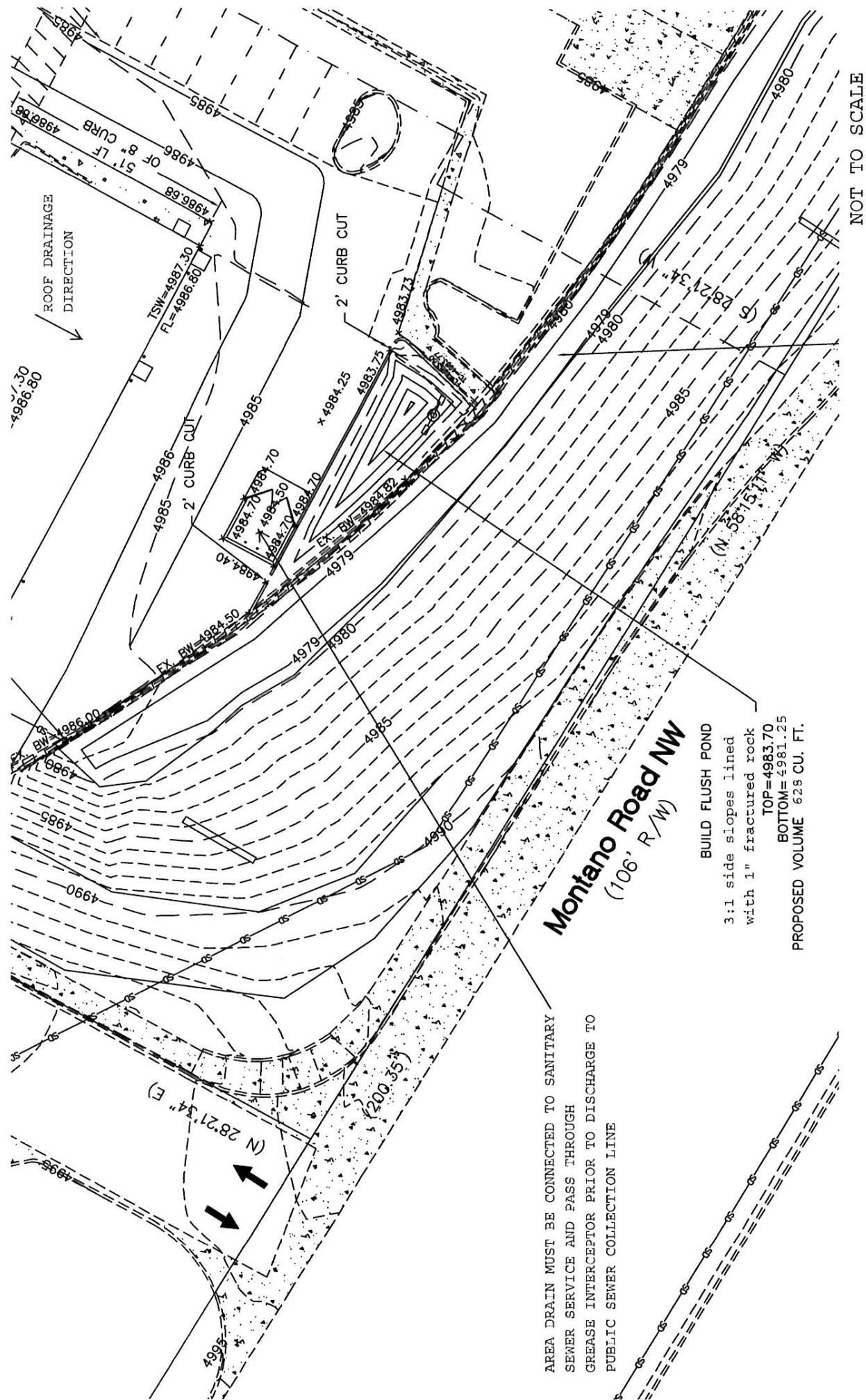


EXHIBIT A