# CITY OF ALBUQUERQUE



November 24, 2020

Jake Palmer, PE Accelerated Development Services 2415 E Camelback Rd, #400 Phoenix, AZ 85016

Re: Dutch Bros

700 Coors Blvd NW

30-Day Temporary Certificate of Occupancy Transportation Development Final Inspection Engineer's/Architect's Stamp dated 5-1-20 (J11D039)

Certification dated 11-20-20

Dear Mr. Palmer.

Based upon the information provided in your submittal received 11-20-20, Transportation Development has no objection to a <u>30-day Temporary Certificate of Occupancy</u> based. This letter serves as a "green tag" from Transportation Development for a <u>30-day Temporary Certificate of Occupancy</u> to be issued by the Building and Safety Division.

PO Box 1293

Prior to the issuance of a permanent Certificate of Occupancy, the following items must be addressed:

Albuquerque

- Please add Motorcycle signage.
- Please stripe and add No Parking to key way located next to MC parking.

NM 87103

- Please complete construction of shared access.
- Remove construction debris, equipment, trash container and porta potty.

www.cabq.gov

Once these corrections are complete, email pictures showing the changes to <u>PLNDRS@cabq.gov</u>, and <u>epgomez@cabq.gov</u> for release of final CO.

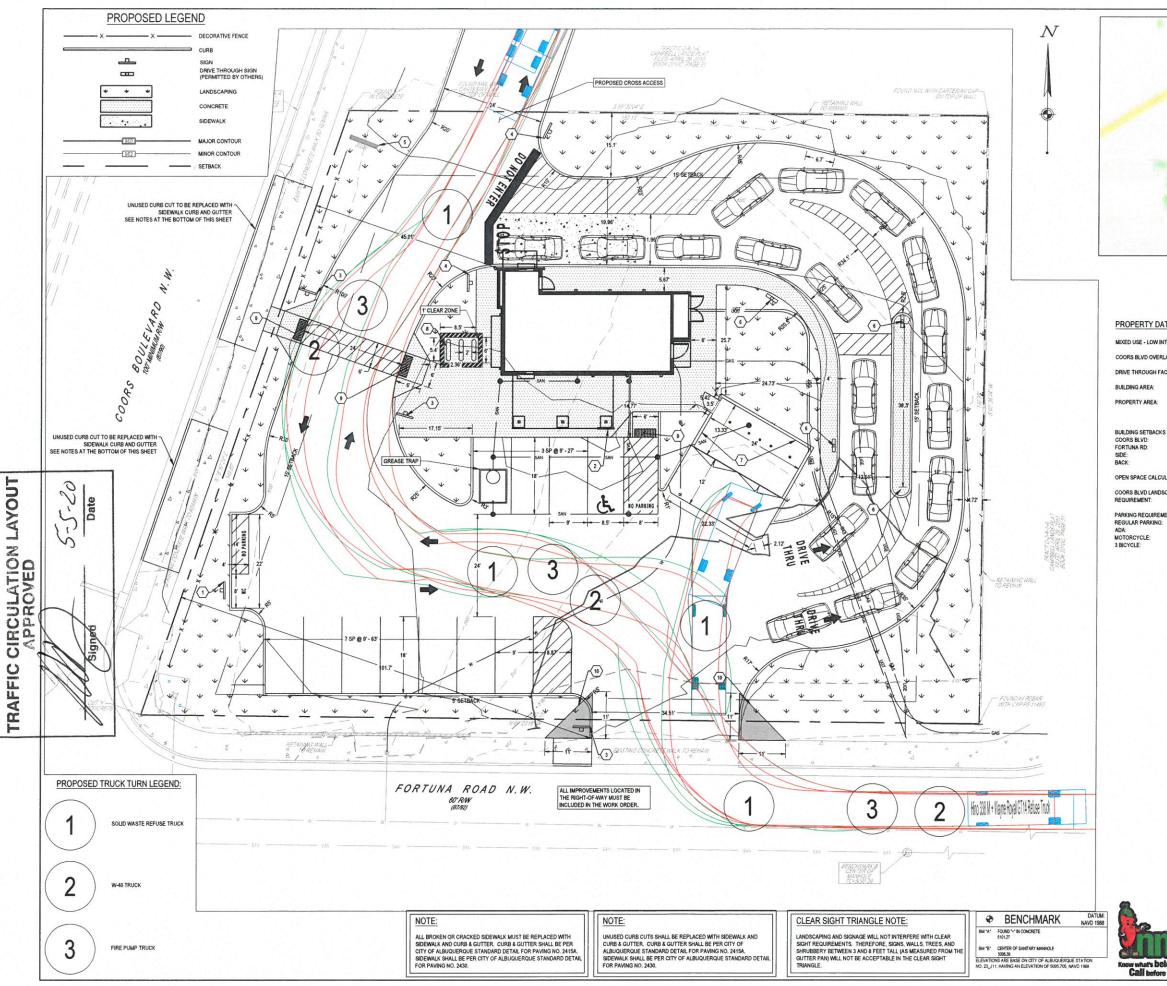
If you have any questions, please contact me at (505) 924-3981.

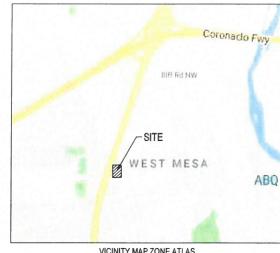
Sincerely,

Ernie Gomez,

Plan Checker, Planning Dept. Development Review Services

EG via: email C: CO Clerk, File







#### PROPERTY DATA:

MIXED USE - LOW INTENSITY DISTRICT (MX-L)

COORS BLVD OVERLAY (CPO-2)

DRIVE THROUGH FACILITY

0.5668 ACRES REQUIRED

OPEN SPACE CALCULATIONS 25.7% (0.15 ACRES) COORS BLVD LANDSCAPING REQUIREMENT: 63.6% (1426.4 SF)

PARKING REQUIREMENTS REGULAR PARKING: ADA: MOTORCYCLE: 3 BICYCLE:

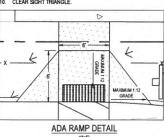
### CODED NOTES:

CONTRACTOR TO INSTALL "MOTORCYCLE PARKING ONLY" SIGN. REFER TO CONSTRUCTION DETAILS, SHEET C8.0.

PROPOSED

- ADA ACCESSIBLE PARKING SPACE WITH SIGNAGE, REFER TO CONSTRUCTION DETAILS, SHEET C8.0
- CONTRACTOR TO INSTALL "STOP" SIGN. REFER TO CONSTRUCTION DETAILS, SHEET C8.0.
- 4. CONTRACTOR TO INSTALL "DO NOT ENTER" SIGN, REFER TO CONSTRUCTION DETAILS, SHEET C8.0
- EXISTING SIGN (TENANT SIGNAGE PERMITTED BY OTHERS)
- 6. DRIVE THROUGH SIGN (PERMITTED BY OTHERS)
- 7. DUMPSTER ENCLOSURE (PERMITTED BY OTHERS) 8. INVERTED U BICYCLE RACK. REFER TO CONSTRUCTION
- DETAILS, SHEET C8.0.
- DETECTIBLE WARNING MAT WITH TRUNCATED DOMES. REFER TO CONSTRUCTION DETAILS, SHEET C8.0.

10. CLEAR SIGHT TRIANGLE.





FORTY-EIGHT (48) HOURS BEFORE DIGGING IS TO COMMENCE. THE CONTRACTORS SHALL NOTIFY THE PROTECTION SERVICE AT 811 OR 1-800-321-2537 AND ALL OTHER AGENCIES WHICH MIGHT HAVE UNDERGROUND UTILITIES INVOLVING THIS PROJECT AND ARE NONMEMBERS OF NEW MEXICO UTILITIES INVOLVING THIS PROJECT AND ARE NONMEMBERS OF NEW MEXICO UTILITIES INVOLVING THIS PROJECT AND ARE NONMEMBERS OF NEW MEXICO UTILITIES PROTECTION SERVICE



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REVISED PER COMMENTS FROM ADS AND CITY REVIEWERS	REVISED PER COMMENTS FROM ADS AND CITY REVIEWERS	REVISED PER COMMENTS FROM ADS AND DOT REVIEWERS	TRASH ENCLOSURE REVISION	REVISED PER COMMENTS FROM ADS AND DOT REVIEWERS		
2	3	+	2	9		



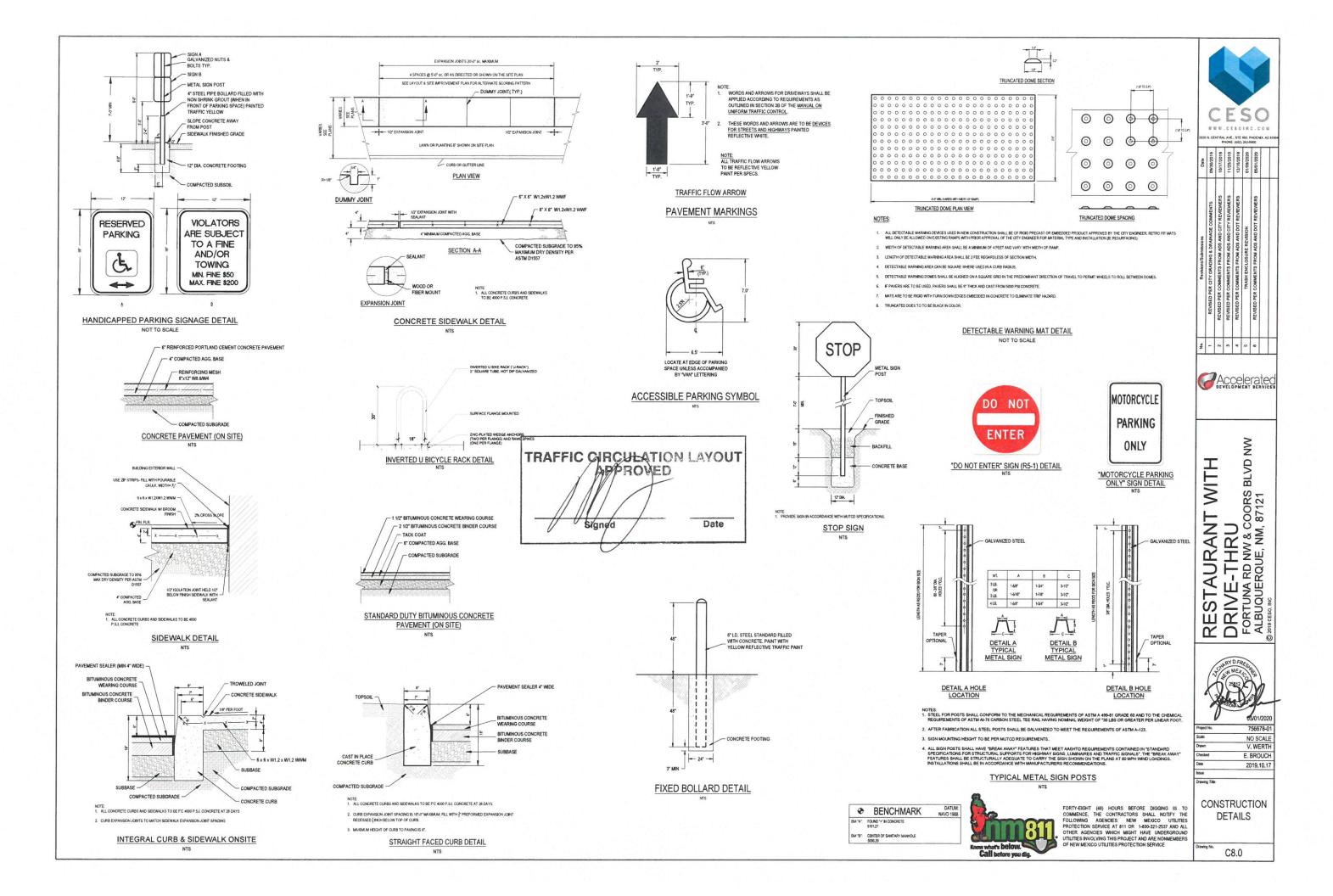
WITH BLVD RESTAURANT WITO DRIVE-THRU FORTUNA RD NW & COORS BI ALBUQUERQUE, NM, 87121

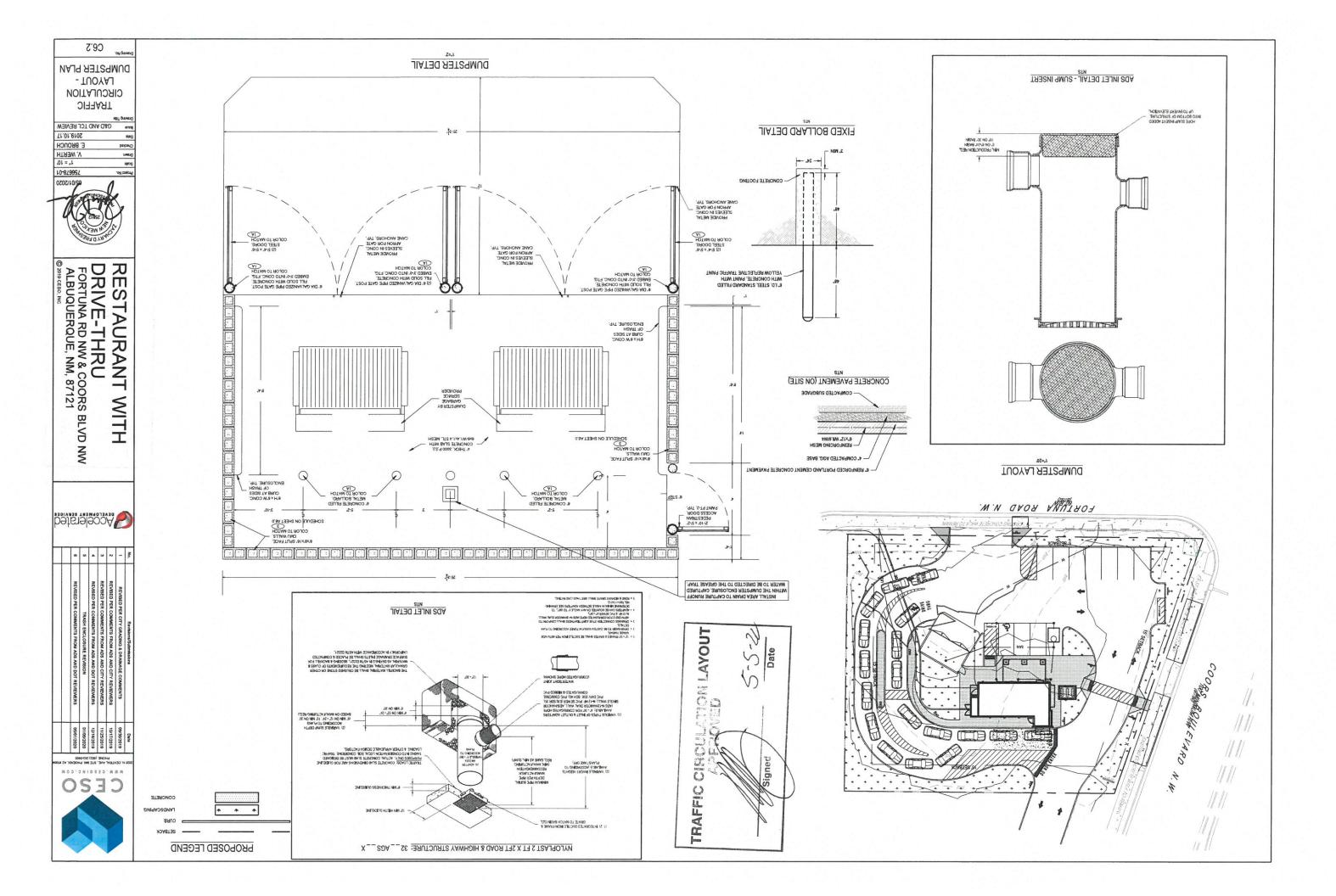
95/01/2020 1" = 10"

V. WERTH E. BROUCH 2019.10.17 G&D AND TCL REVIEW

**TRAFFIC** CIRCULATION LAYOUT -**PROPOSED** 

C6.1







#### TRAFFIC CERTIFICATION

I, \_Zachary D Freshner, NMPE \_25812\_, OF THE FIRM \_CESO\_, HEREBY CERTIFY THAT THIS PROJECT IS IN SUBSTANTIAL COMPLIANCE WITH AND IN ACCORDANCE WITH THE DESIGN INTENT OF THE APPROVED PLAN DATED \_5/4/2020\_. THE RECORD INFORMATION EDITED ONTO THE ORIGINAL DESIGN DOCUMENT HAS BEEN OBTAINED BY \_Andrew Medina\_, NMPS \_12649\_ OF THE FIRM \_SANDIA LAND SURVEYING LLC\_. I FURTHER CERTIFY THAT I HAVE PERSONALLY VIEWED THE PROJECT SITE VIRTUALLY ON \_11/20/2020\_ AND HAVE DETERMINED BY VISUAL INSPECTION THAT THE SURVEY DATA PROVIDED IS REPRESENTATIVE OF ACTUAL SITE CONDITIONS AND IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF. THIS CERTIFICATION IS SUBMITTED IN SUPPORT OF A REQUEST FOR \_Temporary Certificate of Occupancy.

#### **EXCEPTIONS:**

The proposed driveway connect to the northern property has yet to be constructed. This connect is still planned but the construction has been delayed.

THE RECORD INFORMATION PRESENTED HEREON IS NOT NECESSARILY COMPLETE AND INTENDED ONLY TO VERIFY SUBSTANTIAL COMPLIANCE OF THE TRAFFIC ASPECTS OF THIS PROJECT. THOSE RELYING ON THE RECORD DOCUMENT ARE ADVISED TO OBTAIN INDEPENDENT VERIFICATION OF ITS ACCURACY BEFORE USING IT FOR ANY OTHER PURPOSE.

Signature of Engineer or Architect

\_11/20/2020\_

Date

ENGINEER'S STAMP

ORESSIONAL ENGI



When recorded, return to:

Accelerated Development Services Attn: Trey Eakin 2415 E. Camelback Rd., Suite 400 Phoenix, Arizona 86016

#### DRIVEWAY EASEMENT

THIS DRIVEWAY EASEMENT (the "Easement") is being executed as of 2020, by and between 730 COORS, LLC, a New Mexico limited liability company ("North Parcel Owner"), and CAV ALBUQUERQUE COORS, LLC, a Delaware limited liability company ("South Parcel Owner").

#### Recitals

- A. North Parcel Owner is the owner of that certain real property legally described on Exhibit "A" attached hereto ("North Parcel").
- B. South Parcel Owner is or will be the owner of that certain real property legally described on <u>Exhibit "B"</u> attached hereto ("South Parcel").
- C. The parties acknowledge that a cross lot access easement currently exists over the North Parcel for the benefit of the South Parcel, as set forth in the plat recorded on December 15, 2017, as Document #2017119626, records of Bernalillo County, New Mexico. This Easement will supplement the rights of South Parcel Owner as set forth in such plat.

#### Agreement

NOW, THEREFORE, for good and valuable consideration, the receipt and adequacy of which are hereby acknowledged, the parties agree as follows:

#### Construction of Driveway.

(a) The parties intend for a driveway and related improvements (the "Driveway") to be constructed on the North Parcel within the envelope specified on Exhibit C: Access Exhibit Overlay 111419.pdf to allow two-way vehicular traffic between the northern boundary of the South Parcel and the existing curb cut on the North Parcel which provides access to Coors Boulevard North Parcel Owner will obtain the necessary permits for such construction of the Driveway, will interface the Driveway to the South Parcel property line within the defined envelope, and will complete such work on or before the South Parcel Owner acquires its C.O. (Certificate of Occupancy) (the "Completion Date").

1

- (b) On or before the Completion Date, North Parcel Owner will provide South Parcel Owner with a certificate of completion signed by the by the applicable City of Albuquerque Permit and Inspection authorities. If North Parcel Owner fails to perform such obligations by the Completion Date, South Parcel Owner may perform the Work, in which event North Parcel Owner will reimburse South Parcel Owner for the all hard and soft costs incurred by South Parcel Owner in connection with the Work, which costs include, without limitation, architectural and engineering fees, consultants' fees and costs, permits, and construction costs. Such amounts will be paid by North Parcel Owner to South Parcel Owner within ten (10) days after South Parcel Owner's completion of the Work.
- (c) North Parcel Owner hereby grants and conveys to South Parcel Owner, for the use and benefit of South Parcel Owner and its agents and contractors, an easement over and across the North Parcel for the performance of the Work in the event that South Parcel Owner is required to perform the Work.
- 2. Grant of Easement. Subject to the terms and conditions hereinafter set forth, North Parcel Owner hereby grants and conveys to South Parcel Owner, for the use and benefit of South Parcel Owner and its agents, employees and invitees and the tenants and occupants of South Parcel (collectively, "Permittees"), a non-exclusive perpetual easement and right-of-way for ingress and egress for vehicular and pedestrian traffic over and across the Driveway.
- 3. <u>Maintenance of Driveway</u>. North Parcel Owner will, at its sole cost, keep and maintain the Driveway in good condition and repair at all times.
- 4. <u>Modification of Driveway</u>. If the North Parcel is redeveloped, North Parcel Owner has the right to reasonably modify the location of the Driveway at its sole cost, provided that (i) North Parcel Owner will ensure that the modified Driveway continues to allow for the use of the Driveway by the Permittees for ingress and egress to and from Coors Boulevard, and (ii) the modified Driveway will continue to provide reasonably direct access to Coors Boulevard.
- 5. No Barriers. North Parcel Owner will not construct or maintain, or permit to be constructed or maintained, any barrier, curb, fence or other temporary or permanent structure or improvement on North Parcel that would eliminate or materially adversely affect the use of the Driveway by the Permittees as permitted above.
- 6. <u>No Public Dedication</u>. The provisions of this Easement will not constitute nor be construed as a dedication for public use, and the rights and easements granted herein are private and solely for the benefit of the Permittees.
- 7. Exhibits. The exhibits A, B, and C attached to this Easement are incorporated herein by this reference.

- 8. <u>Captions</u>. Captions and paragraph headings used in this Easement are for convenience of reference only, will not be deemed to define, limit or alter any provision of this Easement, and will not be deemed relevant in construing this Easement.
- 9. <u>Binding Effect</u>. This Easement and the agreements contained herein inure to the benefit of and be binding upon the parties hereto and their respective heirs, legal representatives, successors (including successors-in-title) and assigns, will be appurtenant to North Parcel and South Parcel, and run with the land. This Easement may only be amended by an instrument executed by the parties hereto or their successors in title and recorded in the official records of Bernalillo County, New Mexico.

IN WITNESS WHEREOF, the parties have executed this Easement as of the date set forth above.

(signatures appear on following pages)

#### North Parcel Owner;

	company
	By:  Jeffrey Poston Its: Manager
Public, personally appeared JEFFREY PC evidence to be the person whose name is to me that he executed the same in his	before me, Notary STON, who proved to me on the basis of satisfactory subscribed to the within instrument and acknowledged authorized capacity, and that by his signature on the on behalf of which the person acted, executed the
I certify under PENALTY OF PERJURY foregoing paragraph is true and correct.	under the laws of the State of New Mexico that the
WITNESS my hand and official seal.	(Seal) OFFICIAL SEAL

### South Parcel Owner:

CAV ALBUQUERQUE COORS, LLC, a Delaware limited liability company

By:

California Gold Development Corporation, a California corporation

Its: Manager

By: \_\_\_\_\_\_\_

Scot L. Patterson Its: President

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

STATE OF CALIFORNIA )	
COUNTY OF Justumne ) SS	
On April 29 2020, before me, C. Terrell  Public, personally appeared Scott L. Patterson, who proved to me on the basis of sevidence to be the person whose name is subscribed to the within instrument and ack to me that he executed the same in his authorized capacity, and that by his signal instrument the person, or the entity upon behalf of which the person acted, exinstrument.	nowledged
I certify under PENALTY OF PERJURY under the laws of the State of Californ foregoing paragraph is true and correct.	ia that the
WITNESS my hand and official seal.	ERRELL
Signature (Seal)	one County on # 2252248 pires Aug 3, 2022

## EXHIBIT "A"

## LEGAL DESCRIPTION OF NORTH PARCEL

Tract C-2-A-1-A-2 of the Plat for Tracts C-2-A-1-A-1 & C-2-A-1-A-2, Lands of Campbell, filed in the office of the County Clerk of Bernalillo County, New Mexico on December 15, 2017, as Document #2017119626.

### EXHIBIT "B"

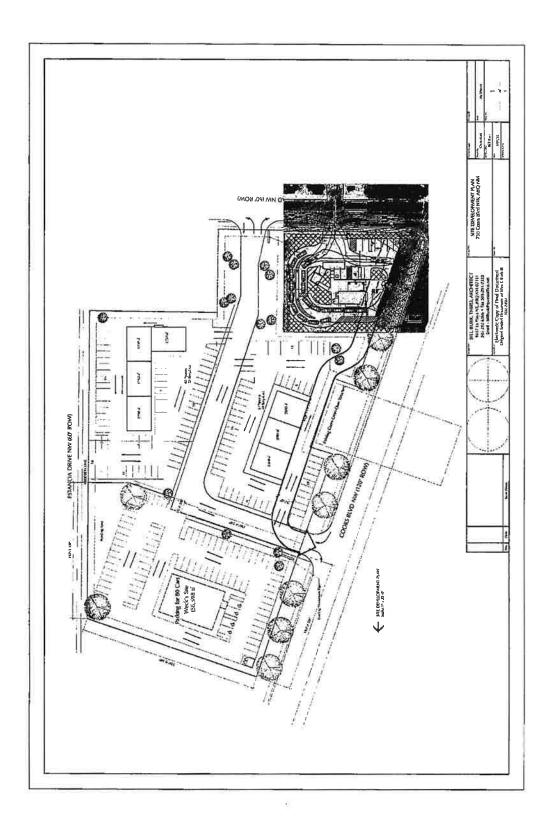
## LEGAL DESCRIPTION OF SOUTH PARCEL

Tract lettered "B" of the Replat of a Portion of Tracts 161, 162 and 163 of AIRPORT UNIT OF TRACTS ALLOTTED FROM THE TOWN OF ATRISCO GRANT, Albuquerque, New Mexico, as the same is shown and designated on said Replat, filed in the office of the County Clerk of Bernalillo County, New Mexico on January 5, 1973 in Volume B7, folio 90.

## EXHIBIT "C"

## Access Exhibit Overlay 111419.pdf

(included by attachment)





# City of Albuquerque

# Planning Department

# Development & Building Services Division

## DRAINAGE AND TRANSPORTATION INFORMATION SHEET (REV 6/2018)

Project Title: Dutch Bros	Building Permit #: BP-2020-23155 Hydrology File #:	
DRB#:	EPC#: Work Order#:	
City Address: 700 Coors Blvd NW, Albuqu	<del>75 AC M/L</del> Juergue, NM 87121	
City Address	aorquo, 1111 01 12 1	
Applicant: Jake Palmer	Contact:	
Address: 2415 E Camelback Rd, #400, Phoeni		
	Fax#: E-mail: jake@acceleratedo	levco.com
	Contact:	
Address:	cc: matt.regenold@cesoing	c.com
Address.	cc: matt.regenold@cesoing dave.lambert@accelerated	tdevco.com
Phone#:	Fax#: E-mail:	
TYPE OF DEVELOPMENT: PLAT (#	# of lots) RESIDENCE DRB SITE X ADMIN S	ITE
IS THIS A RESUBMITTAL? Yes _	X No	
<b>DEPARTMENT</b> X TRANSPORTATION	HYDROLOGY/DRAINAGE	
Check all that Apply:	TYPE OF APPROVAL/ACCEPTANCE SOUGHT	1.
TWDE OF CUDATES	BUILDING PERMIT APPROVAL	
TYPE OF SUBMITTAL:	X CERTIFICATE OF OCCUPANCY (TCO)	
X ENGINEER/ARCHITECT CERTIFICATION		
PAD CERTIFICATION CONCEPTUAL G & D PLAN	PRELIMINARY PLAT APPROVAL	
Supplies the State of Record State of Control of State State of St	SITE PLAN FOR SUB'D APPROVAL	
GRADING PLAN	SITE PLAN FOR BLDG. PERMIT APPROVA	L
DRAINAGE REPORT DRAINAGE MASTER PLAN	FINAL PLAT APPROVAL	
DRAINAGE MASTER PLAN FLOODPLAIN DEVELOPMENT PERMIT AI	DDI IC	
	SIA/ RELEASE OF FINANCIAL GUARANTE	E
ELEVATION CERTIFICATE	FOUNDATION PERMIT APPROVAL	
CLOMR/LOMR	GRADING PERMIT APPROVAL	
TRAFFIC CIRCULATION LAYOUT (TCL)	SO-19 APPROVAL	
TRAFFIC IMPACT STUDY (TIS)	PAVING PERMIT APPROVAL	
STREET LIGHT LAYOUT	GRADING/ PAD CERTIFICATION	
OTHER (SPECIFY)	WORK ORDER APPROVAL	
PRE-DESIGN MEETING?	CLOMR/LOMR	
	FLOODPLAIN DEVELOPMENT PERMIT	
	OTHER (SPECIFY)	
DATE CURMITTED. 11/20/2020	- 1-1-0	
DATE SUBMITTED:	By: Tall	_
		,
COA STAFF:	ELECTRONIC SUBMITTAL RECEIVED:	
	FEE PAID:	