

Shared Parking AgreementOwner/ Applicant

Name: Jay Rembe

Business Name: REMBE SILVER LOFTS LLC

Street Address: 1716 CENTRAL NW, ALBUQUERQUE, NM 87104

Legal Description: BEING A REPLAT OF PROTIONS OF TRACTS 107-B, 107-C TOGETHER WITH TRACT 106-A REMBE ADDIOTION FOUND IN M.R.G.C.D. MAP 38 WITHIN PROJECTED SECTION 18, T 10N, R 3 E, M.N.P.M. TOWN OF ALBUQUERQUE GRANT CITY OF ALBUQUERQUE, BERNALILLO COUNTY, NEW MEXICO.

Owner of Off-Street Parking Area

Name:(Same as Applicant) Jay Rembe

Business Name: (Same as Applicant) Silver Lofts, LLC

Street Address: 1700-1718 Central Ave. SW Albuquerque, NM 87104
LT 5 PLAT OF LTS 1-5 COUNTRY CLUB PLAZA (BEING A REPL OF REMAINING PORT OF TR B AMENDED HUNING CASTLE ADDN TRSA & B LANDS OF H. B. HORN & CALVIN HORN MRGCD TRS 129-A, LT 3 PLAT OF LTS 1-5 COUNTRY CLUB PLAZA (BEING A REPL OF REMAINING PORT OF TR B AMENDED HUNING CASTLE ADDN TRSA & B LANDS OF H. B. HORN & CALVIN HORN MRGCD TRS 129-A, LT 2 PLAT OF LTS 1-5 COUNTRY CLUB PLAZA (BEING A REPL OF REMAINING PORT OF TR B AMENDED HUNING CASTLE ADDN TRSA & B LANDS OF H.B. HORN & CALVIN HORN MRGCD TRS 129-A, LT 1 PLAT OF LTS 1-5 COUNTRY CLUB PLAZA (BEING A REPL OF REMAINING PORT OF TR B AMENDED HUNING CASTLE ADDN TRSA & B LANDS OF H.B. HORN & CALVIN HORN MRGCD TRS 129-A, LT 4 PLAT OF LTS 1-5 COUNTRY CLUB PLAZA (BEING A REPL OF REMAINING PORT OF TR B AMENDED HUNING CASTLE ADDN TRSA & B LANDS OF H.B. HORN & CALVIN HORN MRGCD TRS 129-A

UPC: 101305823211430905, 101305825912030903, 101305824812230906, 101305824613130908, 101305823712730907

In Conjunction with the development of The George Apartment Building, located at 1701 Central Ave. NW Albuquerque, NM 87104, (the "Property") for which the legal description is:

BEING A REPLAT OF PROTIONS OF TRACTS 107-B, 107-C TOGETHER WITH TRACT 106-A REMBE ADDIOTION FOUND IN M.R.G.C.D. MAP 38 WITHIN PROJECTED SECTION 18, T 10N, R 3 E, M.N.P.M. TOWN OF ALBUQUERQUE GRANT CITY OF ALBUQUERQUE, BERNALILLO COUNTY, NEW MEXICO.

the City of Albuquerque has allowed, and the owner, Silver Lofts, LLC has voluntarily elected, for a reduction to off-street parking requirements based upon IDO section 5-5(C)(6)(e) Off-site Parking Credit:

- 1. The provision of required parking at an off-site parking area may be counted toward required off-street parking spaces on a 1-for-1 basis and is allowed for 100 percent of the required parking spaces, except that those required to satisfy the Americans with Disabilities Act shall be provided on the site of the building or use.*
- 2. Off-site parking must meet the location standards in Subsection 14-16-5-5(F)(1)(a) and shall be guaranteed by a legally binding Agreement between the owner of the parking area and the owner of the building or use that is located on a different lot and served by the parking area.*

The location of the shared parking described herein and illustrated in exhibit 'A' meets the conditions set forth in IDO section 14-16-5-5(F)(1)(a)10:

Required parking spaces for uses in the Civic and Institutional, Commercial, and Industrial use categories may be located in a designated parking area on a lot within 330 feet in any direction of the premises served by such parking if they meet the standards in Subsection 14-16-5-5(C)(5)(b) (Shared Parking Reduction) or Subsection 14-16-5-5(C)(6)(e) (Off-site Parking).

The provided site plan, as shown on Exhibit 'A' includes a parking layout and reduced parking calculations. Based on the site plan and considering the tenant uses, the IDO requires a minimum of four (4) off-street parking spaces, and one (1) motorcycle parking space: Three (3) standard spaces and one (1) ADA Van Accessible Handicap space. Under the terms of this Agreement, zero (0) off-street standard parking will be provided on the property. All three (3) required standard off-street parking spaces, and one (1) motorcycle space will be provided on the property with the off-site parking area located at 1700-1718 Central Ave. SW. Albuquerque, NM 87104. One (1) ADA Van Accessible Parking Space will be provided on-site as approved by DMD and is not included in this agreement. See Exhibit 'B' for approval.

The owner and its successor and assigns agree that it will not change the tenant uses at the property in a manner that increases the number of required off-street parking spaces unless additional parking spaces are provided. In the event that there are changes to the tenant uses which would increase the number of required off-street parking spaces on the Property, the parking calculations shall be updated by the owner to reflect such change and presented to the city.

Furthermore, the owner agrees that the Property shall operate an open/shared parking arrangement, whereby the owner shall not segregate property access/parking rights or significantly impair access to parking on the Property by the users of any portion of the property.

The foregoing shall not, however, impair the right of the Owner or its successors to declare exclusive parking area for such items as spaces for disabled drivers, loading, designated timed area such as "15 minute" temporary parking areas, or any other areas set forth on any site plan of the Property approved by the City or take commercially reasonable actions to prevent parking in area which are not designated parking spaces on the site plan.

No sale or transfer of all or any portion of the Property shall be deemed to void or violate this. The terms of the Agreement shall bind the Owner, successors, and assigns. This Agreement can be amended with mutual consent of the Owner and the City of Albuquerque.

THIS AGREEMENT SHALL BE RECORDED WITH THE BERNALILLO COUNTY CLERK'S OFFICE PRIOR TO THE ISSUANCE OF A BUILDING PERMIT FOR THE PROPERTY.

Shared Parking Agreement

IN WITNESS WHEREOF, the parties have executed this Agreement on the date noted below by the Planning Director.

Jay Rembe
Owner (Applicant) 1701 Central Ave. NW

5/29/2024
Date

Jay Rembe
Owner (off-site Parking Area) 1700-1718 Central Ave. SW

5/29/2024
Date

Note that the owner of 1701 Central NW and the owner of 1700-1718 Central SW. are one and the same.

ACKNOWLEDGMENTS

State of New Mexico)
County of Bernalillo) ss.

The foregoing was acknowledged before me on May 29th, 2024, by
Jay Rembe, Owner(s).

Aubree Russell
Notary Public

My commission expires: 03/29/2025

STATE OF NEW MEXICO
NOTARY PUBLIC
AUBREE RUSSELL
COMMISSION # 1133010
COMMISSION EXPIRES 03/29/2025

Approved as to Form-City Attorney

Date

City of Albuquerque, Planning Director

Date

Shared Parking Agreement

Owner/ Applicant

Name: Jay Rembe

Business Name: REMBE SILVER LOFTS LLC

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Owner (Applicant) 1701 Central Ave. NW

5/29/2024
Date

Jay Rembe
Owner (off-site Parking Area) 1700-1718 Central Ave. SW

5/29/2024
Date

Note that the owner of 1701 Central NW and the owner of 1700-1718 Central SW. are one and the same.

ACKNOWLEDGMENTS

State of New Mexico)

) ss.

County of Bernalillo)

The foregoing was acknowledged before me on May 29th, 2024, by

Jay Rembe

Owner(s).

Aubree Russell

Notary Public

My commission expires: 03/29/2025

STATE OF NEW MEXICO
NOTARY PUBLIC
AUBREE RUSSELL
COMMISSION # 1133010
COMMISSION EXPIRES 03/29/2025

DocuSigned by:

Matthew Montoya

45160E71B5204CC...

Approved as to Form-City Attorney

DocuSigned by:

Alan Arista

947D8BB6FF4C443...

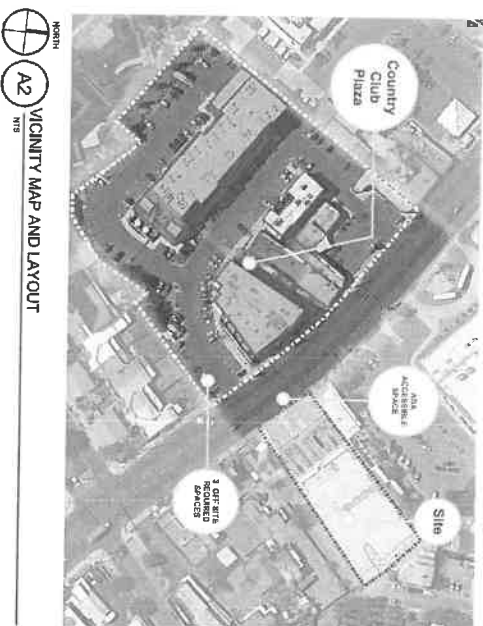
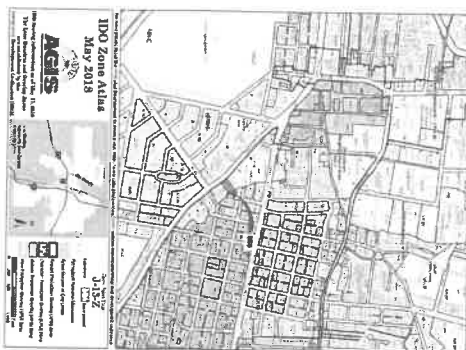
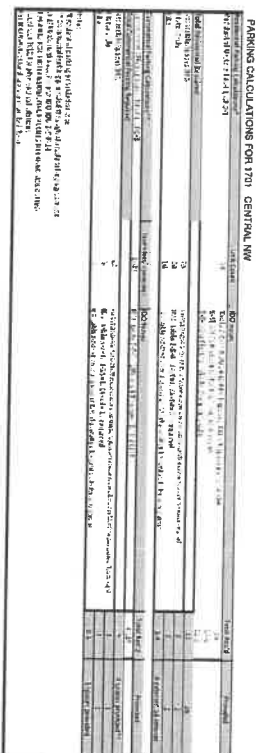
City of Albuquerque, Planning Director

6/7/2024 | 11:02 AM MDT

Date

6/7/2024 | 12:31 PM MDT

Date



Kenny Myers

From: Montoya, Patrick <patrick@cabq.gov>
Sent: Friday, April 26, 2024 10:22 AM
To: Kenny Myers
Cc: Jay Rembe
Subject: RE: 1701 Central: ADA parking space

Kenny,

Based on our discussion yesterday and my understanding of your request I am approving that you use one of the on street parking spaces for your 1 ADA van accessible parking space. Should you or Mr. Armijo have any questions please feel free to call me at 505-206-4031

PATRICK MONTOYA
Chief Operations Officer
505.768.3000
patrick@cabq.gov



From: Kenny Myers <design@rembedesign.com>
Sent: Friday, April 26, 2024 10:06 AM
To: Montoya, Patrick <patrick@cabq.gov>
Cc: Jay Rembe <rembe@rembedesign.com>
Subject: 1701 Central: ADA parking space

[EXTERNAL] Forward to phishing@cabq.gov and delete if an email causes any concern.

Patrick,

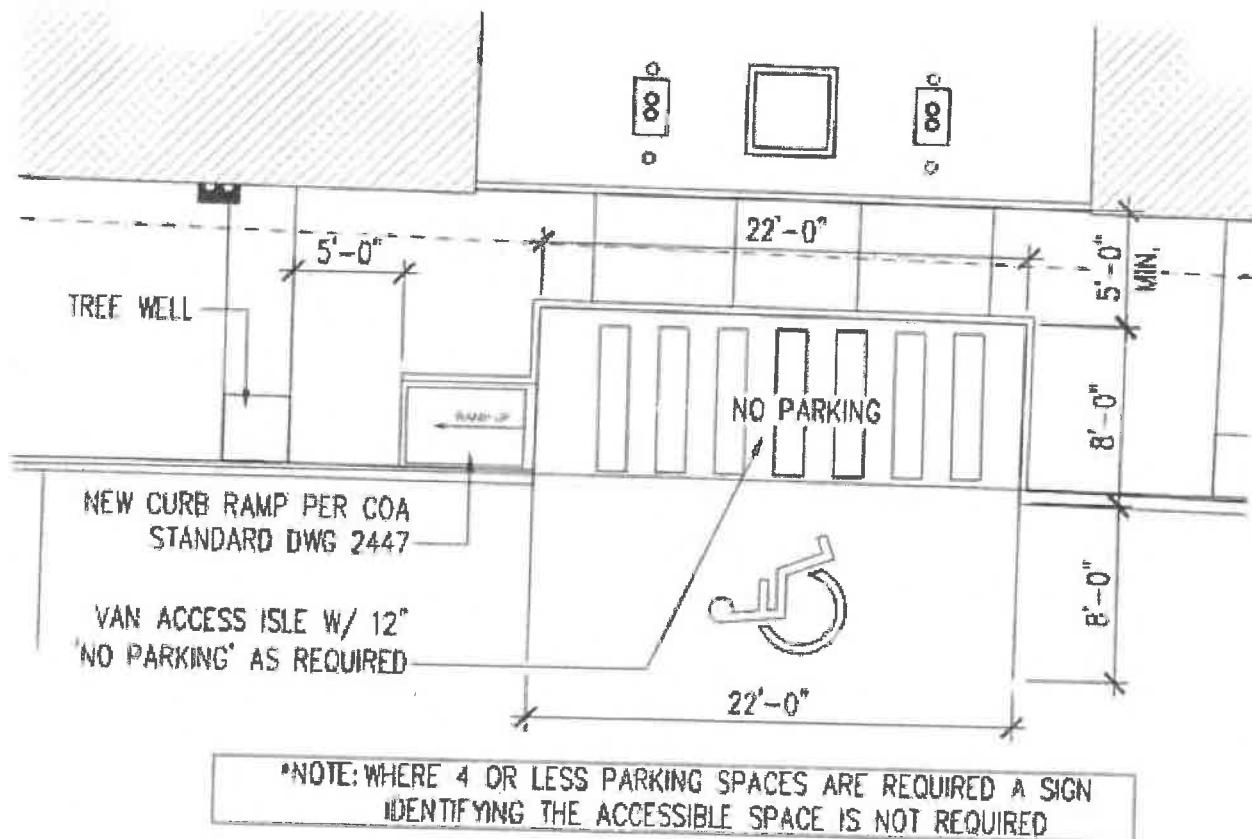
Thank you for calling Jay back yesterday and agreeing to have a look at this. I have articulated our intent and our request below:

The new development will include one 4 story, 34-unit market rate apartment building. As required by the IDO and as a condition of our RTA tax abatement approval, the project will provide approximately 1,700 square feet of commercial space located at ground level and servicing Central Ave. The project is located within CPO-3 which allows for residential access off 16th street, but not commercial access. As such, the project will provide 28

parking spaces (only 17 are required based on proximity to ART and EV charger credits) located to the rear (north end) of the lot which will be gated and accessed only by residential tenants from 16th street per the IDO. Commercial parking will be accommodated on the south side of Central Ave. at the existing Country Club Plaza Development, which is also owned by Jay Rembe. A shared parking agreement will be signed and recorded for this purpose. The IDO and zoning code require 1 ADA van accessible parking space for the commercial space. Due to the site constraints, we are proposing the utilization of one on-street parking space for this use with the required van access isle to be located to the north and accessed from the sidewalk via a curb ramp. Both the space, and associated access isle will meet all DPM standards. I have included a screen shot of the proposed plan below and have attached our proposed TCL for your review. We have spoken with and been given a verbal approval by Ernest Armijo from the transportation division, but request confirmation that this strategy is meets with your approval.

Please feel free to reach out with any additional questions, or comments, and again; thank you for your time.

All the best.



ON-STREET HC SPACE

1/2"=1'-0"