

# CITY OF ALBUQUERQUE

Planning Department  
Alan Varela, Director



Mayor Timothy M. Keller

December 23, 2025

Stripes Real Estate, LLC – Saurabh Agrawal – sam@vkcmanagement.com – 218-948-2125

**Site: 260 98<sup>th</sup> St NW (K09E048F)  
Tract B Plat for Tracts A Thru F, RS Bluewater Addition (Being comprised of  
Tract 12, Avalon Subdivision, Unit 5)**

**Re: Drainage Ordinance (14-5-2-11) Violations for Erosion and Sediment Control**

On 12/22/25 and 12/23/25, the City of Albuquerque performed a stormwater inspection for the construction of a Stripes Burrito location at 260 98<sup>th</sup> St NW to verify mitigation of previous violations reported on 11/14/25. Two out of the three previous violations were mitigated: The NOI and ESC Plan were submitted and approved by the SWQ section, and the posting of permit coverage was placed near the construction entrance to the site. Since there was an effort to bring your site into compliance, and the previous Level 2 Violation was mitigated, the City is electing to escalate only the current violation observed during the inspections on 12/22/25 and 12/23/25 to a Level 2 violation without a fine.

Specifically, the violations observed on 12/23/25 were:

1. **SWPPP** The up-to-date SWPPP and/or self-inspection reports were not available on-site at the time of inspection in violation of CGP Parts 4.7.3, 7.1, and 7.3. There were no supervisory personnel on-site during the inspections, and the location of the SWPPP was not posted on a sign near the site in violation of CGP Part 7.3.

## **Required Mitigation:**

1. You must keep a copy of the SWPPP and all inspection reports at the site or at an easily accessible location, so that they can be made immediately available at the time of an on-site inspection per CGP Parts 4.7.3 and 7.3. If an on-site location is unavailable to keep the SWPPP when no personnel are present, a notice of the plan's location must be posted near the main entrance of your construction site per CGP Part 7.3.

## **History of Violations:**

Notice of the following types of violations was sent on the dates noted below:

1. **NOI** – 11/14/25 (Level 2 – mitigated 11/25/25)
2. **Posting** – 11/14/25 (Level 1 – mitigated 12/23/25)
3. **SWPPP** – 11/14/25 (Level 1), 12/23/25 (Level 2)

The City Escalation Process (attached) describes four levels of escalation based on the number of repeats and/or recalcitrant violations of each type. Level one is skipped if land disturbance began without City approval or before installation of BMPs.

**If the violations are not mitigated within seven days, the property owner is subject to a fine of \$500/day per the City's Drainage Control Ordinance, and the non-compliance will be reported to the EPA. Repeat violations are also subject to a fine of \$500/day.**

If you have any questions, contact me at 505-924-3325 or [cenglish@cabq.gov](mailto:cenglish@cabq.gov).

Sincerely,

*Chancellor English*

Chancellor English, CPESC

Erosion and Sediment Control Specialist - Stormwater Quality  
Planning Dept.