

CITY OF ALBUQUERQUE

PLANNING DEPARTMENT
URBAN DESIGN & DEVELOPMENT DIVISION
600 2nd Street NW, 3rd Floor, 87102
P.O. Box 1293, Albuquerque, NM 87103
Office (505) 924-3860 Fax (505) 924-3339



OFFICIAL NOTIFICATION OF DECISION

November 13, 2015

City of Albuquerque
Family & Community Services
Attn: Doug Chaplin
P.O. Box 1293
ABQ, NM 87109

Project# 1003675
15EPC-40048 Zone Map Amendment
(Zone Change)
15EPC-40047 Site Development Plan for
Building Permit

LEGAL DESCRIPTION:

For Tract C-8-B, Town of Atrisco Grant, Airport Unit, Lots 5 & 6 Torres Addition, and a vacated portion of Esperanza Drive NW, zoned R-1 to SU-1 for R-2 and Community Center Uses, located on Avalon Rd. NW, between 57th St. NW and 58th St. NW, containing approximately 3.8 acres. (K-11)

Staff Planner: Catalina Lehner

PO Box 1293

On November 12, 2015, the Environmental Planning Commission (EPC) voted to APPROVE Project #1003675/15EPC-40048, a Zone Map Amendment (Zone Change) and 15EPC-40047 a Site Development Plan for Building Permit, based on the following findings and subject to the following conditions of approval:

FINDINGS- 15EPC-40048, Zone Map Amendment:

1. The subject request is for a zone map amendment (zone change) for an approximately 3.8 acre, vacant site known as Tract C-8-B, Town of Atrisco Grant, Airport Unit, Lots 5 & 6 Torres Addition and a vacated portion of Esperanza Drive NW, located on Avalon Rd. NW, between 57th St. NW and 58th St. NW, just north of Central Ave. NW (the "subject site").
2. The zone map amendment request is for a change from R-1 to SU-1 for R-2 and Community Center Uses in order to develop 54 units of senior and multi-generational housing, with support services available for the residents.
3. The subject request is accompanied by a request for a site development plan for building permit (15EPC-40047). A site development plan is required pursuant to the SU-1 Zone, §14-16-2-22(A)(1).
4. The subject site is within the boundaries of the Established Urban Area of the Comprehensive Plan. The West Side Strategic Plan (WSSP) and the West Mesa Sector Development Plan (WMSDP) apply.

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5. Because the subject site is not greater than 10 acres, the Environmental Planning Commission (EPC) is the approval authority. The subject request is not required to be transmitted to the City Council. This is a quasi-judicial matter.
6. The Albuquerque/Bernalillo County Comprehensive Plan, the WSSP, the WMSDP and the City of Albuquerque Zoning Code are incorporated herein by reference and made part of the record for all purposes.
7. The request furthers the Established Urban Goal of the Comprehensive Plan and the following land use policies:
 - A. Established Urban Goal. The proposal would result in the development of senior and multi-generational housing in close proximity to a designated transit corridor, thus providing variety and maximum choice in housing and transportation options. The modern design and open space areas would help create a visually pleasing environment.
 - B. Policy II.B.5a-full range of urban land uses. The proposed multi-family housing and on-site social services would contribute to a full range of urban land uses in the area, which is characterized mainly by single-family residential uses (single-family homes) and a few commercial uses.
 - C. Policy II.B.5d-neighborhood values/environmental conditions/other concerns. The location and intensity of the proposed new development would be appropriate near an enhanced transit corridor (Central Ave.) and would respect social, cultural and recreational resources because of its proximity to parks, a library and a senior center, in addition to on-site open space and social services. The design is modern and incorporates architectural elements used commonly in Albuquerque. The buildings cannot exceed 26 feet within 85 feet of the adjacent single-family homes, and therefore would respect existing conditions nearby.
 - D. Policy II.B.5e- new growth/urban facilities/neighborhood integrity. The subject site is vacant. Development would be contiguous to existing urban facilities (ex. roads, infrastructure), the use of which would be unlikely to disrupt neighborhood integrity.
 - E. Policy II.B.5l-quality design/new development. The design is modern and uses materials such as stucco, brick veneer and metal and would be comparable to other, recent multi-family developments in Albuquerque. The immediate area includes mostly older buildings and some public facilities (ex. the adjacent fire station), so the proposed buildings would be generally appropriate for the area.
8. The request furthers the Housing Goal and Housing Policy II.D.5a- affordable housing. The proposed development would provide affordable rental housing for seniors (both senior housing and multi-generational housing) and therefore would increase the supply of affordable housing (Goal). Social services for residents would also be available, which may help people remain housed and therefore avoid displacement of low-income residents and addressing potential homelessness (Policy II.D5a).
9. The request partially furthers the following Comprehensive Plan policies:

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- A. Policy II.B.5f- clustering of homes. The proposal includes buildings for multi-family housing. All buildings, single and two-story, have pathways along the back. There are other pathways internal to the development, and these all connect the homes to the recreation and community areas. The layout is uniform throughout the site, however, and doesn't leave a large portion of open space as it would if the homes were truly clustered.
- B. Policy II.B.5h- higher density housing location. The subject site is not located in a designated Activity Center; rather it is in the middle of a neighborhood characterized by single-family homes. However, Central Ave., an Enhanced Transit Corridor, is within short walking distance, access to the street network is good and there is a variety of commercial and retail uses along Central Ave.
10. The request furthers the Transportation and Transit Policy II.D.4g-pedestrian opportunities/development. The proposed development would be well-served by a network of internal pathways and trails so residents can move safely throughout the development. The internal pathways connect to 57th St., 58th St. and Avalon Rd. and are within a short walking distance to Central Ave. A designated bicycle lane runs along Central Ave.
11. The request furthers the following, applicable WSSP policies:
- A. WSSP Policy 4.10- land use/non-vehicular travel. The proposed development of multi-family housing along a designated transit corridor would have a network of internal trails to facilitate mobility inside the site and access outside of the site. The design generally supports pedestrian and bicycle travel. Public transportation (both the Rapid Ride and a local bus line) are within close walking distance to the subject site.
- B. WSSP Policy 6.25- new development/ bicycle/pedestrian trails. The proposed new development includes a system of internal pathways that connect the buildings and common areas and link them to three different exit points (two vehicular and ped/bike and one ped/bike only). All pathways connect to the designated bike lane along Central Ave.
12. WSSP Policy 2.5 requires that the Planning Department consider school capacity, since the proposal is for a site development plan for a residential development. Currently, Lavaland Elementary and West Mesa High School have excess capacity; however, Jimmy Carter Middle School is exceeding capacity. Some of the housing would be multi-generational and could impact the school system; however, only the junior high has a capacity issue and only some units would have junior-high age residents. In sum, the proposal would have some effect on the school system, but it is not likely to be a large one. WSSP Policy 2.5-school capacity/residential development has been considered.
13. The subject site is located between two Community Activity Centers (CACs)—the Atrisco CAC and the West Rt. 66 CAC. Higher-density housing is intended to be located in the designated Activity Centers, and single-family housing outside of the Activity Centers. Though the subject site is close to Central Ave., it would generally not contribute to strengthening concentrations of moderate and high-density land use (ex. housing) in the designated locations and therefore generally conflicts with the Activity Center Goal, Activity Center Policy II.B.7i and WSSP Policy 1.1.

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14. The request furthers the following objectives of the WMSDP:

- A. Objective 1: The proposal would result in development of a lot that has remained vacant for many years and which is surrounded by existing development. The subject site would not be available for trash dumping and other negative activities.
- B. Objective 3: The proposed 54 housing units would be for low and moderate income families and, therefore, would expand housing options available to this population. The development would be new and required to meet current City standards.
- C. Objective 4: The addition of 54 new housing units would help enhance this West Mesa area as primarily residential, especially north of Central Ave. Commercial and other non-residential uses line Central Ave.

15. The applicant has adequately justified the zone map amendment (zone change) request pursuant to Resolution 270-1980:

- A. Section 1A: The applicant has demonstrated in the response to Section 1C that the zone change request furthers a preponderance of Goals, policies and objectives in applicable plans. Therefore, the request is consistent with the health, safety, morals and general welfare of the City.
- B. Section 1B: The applicant has provided a sound justification by demonstrating that the request clearly facilitates realization of Goals and policies in applicable Plans, and that the proposed uses would not adversely affect stability of land use and zoning in the area.
- C. Section 1C: The applicant has adequately demonstrated, by a policy-based response, that the request clearly facilitates realization of applicable Goals and policies in the Comprehensive Plan, the WSSP and the WMSDP.
- D. Section 1D: A different use category is more advantageous to the community as articulated in the Comprehensive Plan, the WSSP and the WMSDP. The policy-based discussion demonstrates that the proposed zoning category would be more advantageous to the community than the current zoning.
- E. Section 1E: The proposed SU-1 zoning is limited in scope to the proposed residential uses and support services and, pursuant to the SU-1 zone, is tied to the associated site development plan. Anything not shown on the site development plan would not be allowed. No permissive uses associated with the proposed zoning would be harmful to the neighborhood or community.
- F. Section 1F: The proposed zone change would not require major or unprogrammed capital expenditures by the City. Funding for the proposed project is already available.
- G. Section 1G: Economic considerations pertaining to the applicant are a factor in the zone change request, but the applicant is not using them as the determining factor.
- H. Section 1H: The request would result in multi-family development (apartments). However, the subject site is not located on a collector or major street, so this factor cannot (and is not) be used as justification for the zone change.
- I. Section 1I: The proposed SU-1 zoning is a justifiable spot zone in this case because it has been demonstrated that the request would clearly facilitate applicable Goals and policies in the

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Comprehensive Plan and the WSSP, and objectives in the WMSDP.

J. Section 1J: The subject site is not a "strip of land along a street". Therefore, the request would not result in a strip zone.

16. The applicant has adequately justified the zone map amendment (zone change) pursuant to R270-1980. The policy-based response to Section 1C demonstrates how the request clearly facilitates realization of applicable Goals, policies and objectives in the Comprehensive Plan, the WSSP and the WMSDP (Section 1C). The remaining sections (1A, 1B, 1E-1J) are sufficiently addressed.

17. The affected neighborhood organizations are the West Mesa Neighborhood Association (NA), South Valley Coalition of NAs, the South West Alliance of Neighbors (SWAN) and the Westside Coalition of NAs, which were notified. Property owners within 100 feet of the subject site were also notified. As of this writing, Staff received a phone inquiry from an adjacent property owner who wanted to understand the proposal. Staff has not received any written comments and is not aware of any opposition.

CONDITION-15EPC-40048, Zone Map Amendment:

1. Final approval of the accompanying site development plan for subdivision (15EPC-40018) by the Development Review Board (DRB) is required and shall occur within the time period specified in Zoning Code §14-16-4-1(C)(16)(b), Amendment Procedure.

FINDINGS -15EPC-40047, Site Development Plan for Building Permit:

1. The subject is for a site development plan for building permit for an approximately 3.8 acre, vacant site known as Tract C-8-B, Town of Atrisco Grant, Airport Unit, Lots 5 & 6 Torres Addition and a vacated portion of Esperanza Drive NW, located on Avalon Rd. NW, between 57th St. NW and 58th St. NW, just north of Central Ave. NW (the "subject site").
2. The subject request accompanies a request for a zone map amendment (zone change) (15EPC-40048). The zone map amendment has been adequately justified pursuant to R270-1980.
3. The subject site is within the boundaries of the Established Urban Area of the Comprehensive Plan. The West Side Strategic Plan (WSSP) and the West Mesa Sector Development Plan (WMSDP) apply.
4. The Albuquerque/Bernalillo County Comprehensive Plan, the WSSP, the WMSDP and the City of Albuquerque Zoning Code are incorporated herein by reference and made part of the record for all purposes.
5. The request furthers the Established Urban Goal of the Comprehensive Plan and the following land use policies:
 - A. Established Urban Goal. The proposal would result in the development of senior and multi-generational housing in close proximity to a designated transit corridor, thus providing variety

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and maximum choice in housing and transportation options. The modern design and open space areas would help create a visually pleasing environment.

- B. Policy II.B.5a-full range of urban land uses. The proposed multi-family housing and on-site social services would contribute to a full range of urban land uses in the area, which is characterized mainly by single-family residential uses (single-family homes) and a few commercial uses.
 - C. Policy II.B.5d-neighborhood values/environmental conditions/other concerns. The location and intensity of the proposed new development would be appropriate near an enhanced transit corridor (Central Ave.) and would respect social, cultural and recreational resources because of its proximity to parks, a library and a senior center, in addition to on-site open space and social services. The design is modern and incorporates architectural elements used commonly in Albuquerque. The buildings cannot exceed 26 feet within 85 feet of the adjacent single-family homes, and therefore would respect existing conditions nearby.
 - D. Policy II.B.5e- new growth/urban facilities/neighborhood integrity. The subject site is vacant. Development would be contiguous to existing urban facilities (ex. roads, infrastructure), the use of which would be unlikely to disrupt neighborhood integrity.
 - E. Policy II.B.5l-quality design/new development. The design is modern and uses materials such as stucco, brick veneer and metal and would be comparable to other, recent multi-family developments in Albuquerque. The immediate area includes mostly older buildings and some public facilities (ex. the adjacent fire station), so the proposed buildings would be generally appropriate for the area.
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7. The request partially furthers the following Comprehensive Plan policies:
- A. Policy II.B.5f- clustering of homes. The proposal includes buildings for multi-family housing. All buildings, single and two-story, have pathways along the back. There are other pathways internal to the development, and these all connect the homes to the recreation and community areas. The layout is uniform throughout the site, however, and doesn't leave a large portion of open space as it would if the homes were truly clustered.
 - B. Policy II.B.5h- higher density housing location. The subject site is not located in a designated Activity Center; rather it is in the middle of a neighborhood characterized by single-family homes. However, Central Ave., an Enhanced Transit Corridor, is within short walking distance and access to the street network is good and there is a variety of commercial and retail uses along Central Ave.
8. The request furthers the Transportation and Transit Policy II.D.4g-pedestrian opportunity development. The proposed development would be well-served by a network of internal pathways.

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and trails so residents can move safely throughout the development. The internal pathways connect to 57th St., 58th St. and Avalon Rd. and are within a short walking distance to Central Ave. A designated bicycle lane runs along Central Ave.

9. The request furthers the following, applicable WSSP policies:

A. WSSP Policy 4.10- land use/non-vehicular travel. The proposed development of multi-family housing along a designated transit corridor would have a network of internal trails to facilitate mobility inside the site and access outside of the site. The design generally supports pedestrian and bicycle travel. Public transportation (both the Rapid Ride and a local bus line) are within close walking distance to the subject site.

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A. Objective 1: The proposal would result in development of a lot that has remained vacant for many years and which is surrounded by existing development. The subject site would not be available for trash dumping and other negative activities.

B. Objective 3: The proposed 54 housing units would be for low and moderate income families and, therefore, would expand housing options available to this population. The development would be new and required to meet current City standards.

C. Objective 4: The addition of 54 new housing units would help enhance this West Mesa area as primarily residential, especially north of Central Ave. Commercial and other non-residential uses line Central Ave.

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13. Conditions of approval are needed to clarify the site development plan.
14. The affected neighborhood organizations are the West Mesa Neighborhood Association (NA), South Valley Coalition of NAs, the South West Alliance of Neighbors (SWAN) and the Westside Coalition of NAs, which were notified. Property owners within 100 feet of the subject site were also notified. As of this writing, Staff received a phone inquiry from an adjacent property owner who wanted to understand the proposal. Staff has not received any written comments and is not aware of any opposition.

CONDITIONS –15EPC-40047, Site Development Plan for Building Permit:

1. The EPC delegates final sign-off authority of this site development plan to the Development Review Board (DRB). The DRB is responsible for ensuring that all EPC Conditions have been satisfied and that other applicable City requirements have been met. A letter shall accompany the submittal, specifying all modifications that have been made to the site plan since the EPC hearing, including how the site plan has been modified to meet each of the EPC conditions. Unauthorized changes to this site plan, including before or after DRB final sign-off, may result in forfeiture of approvals.
2. Prior to final approval, the applicant shall meet with the Staff planner to ensure that conditions of approval are met. Evidence of this meeting shall be provided at the time of application.
3. Circulation:
 - A. The gravel pathway on the subject site's eastern side shall be re-instated.
 - B. The total number of units shall be indicated on the parking table.
4. Walls/Fences:
 - A. Show where the "masonry and picket fence", on the detail sheet, is proposed on the site plan.
 - B. Specify whether or not the perimeter wall along the length of the subject site will remain.
 - C. Indicate the height, materials, finish and colors of the perimeter wall in a standard wall detail.
5. Landscaping:
 - A. Plant quantities and water usage shall be indicated.
 - B. The legend shall be clarified and/or re-scaled so that each symbol is distinct.
 - C. Curb cuts shall be shown on the landscaping plan and be consistent with those shown on the grading and drainage plan.
 - D. A note shall be added to indicate that landscaping beds will be depressed below grade.
 - E. Indicate whether or not the community garden will be provided.
 - F. Compliance with 14-16-3-10(G)(4), tree requirements for multi-family developments, shall be achieved and the math shown.

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6. Open Space:
 - A. Open space shall be provided pursuant to Zoning Code 14-16-2-11, the R-2 Zone.
 - B. Add a column to the Open Space table to indicate how much open space is provided.
7. Lighting:
 - A. Pursuant to Zoning Code 15-16-3-9, Area Lighting Regulations, light poles shall not exceed 16 feet high within 100 feet of a residential zone.
 - B. The note regarding light poles 25 feet tall maximum shall be replaced with a note indicating that no light poles are over 100 feet of the abutting residential zone.
 - C. A light pole detail, indicating height, material(s), finish and color, shall be provided for the pedestrian light poles and the parking lot light poles.
8. Architecture and Design:
 - A. A basic angle plane diagram shall be provided for Building F.
 - B. Specify if the seat walls will be provided.
9. Condition from Solid Waste Management Department: The applicant shall work with the Refuse Division to verify refuse access to compactor and enclosure site.
10. Conditions from the Water Utility Authority:
 - A. A request for an availability statement shall be made prior to commitment of service.
 - B. The waterline shall be deemed private and shall not connect to the public waterlines more than once. If the existing facilities cannot support the fire flow requirements, other alternatives shall be investigated.
 - C. Indicate the location of the water meter(s).
 - D. The backflow prevention devices shall be installed at the service connection (i.e. just downstream of the water meter.
11. Conditions from the City Engineer (Transportation Development):
 - A. Please modify the Site Plan to include a 24 ft. drive isle is required for two-way traffic.
 - B. Provide dimension of width at site entrances.
12. Conditions from PNM:
 - A. Existing overhead electric distribution lines are located along the eastern and western boundaries of the site and along the northern boundary at Avalon Road NW. It is the applicant's obligation to abide by any conditions or terms of those easements.
 - B. Coordination with PNM will be necessary for this project regarding proposed tree species, the height at maturity and tree placement in order to ensure sufficient safety clearances and to

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avoid interference with the existing distribution facilities along Avalon Road NW and along the eastern and western boundaries of the site. Trees indicated on the Landscape Plan (SDP-2.1, Sheet 3 of 11) are not a compatible height with the existing overhead electric distribution lines on the northern, eastern and western boundaries of the property. A shorter tree selection at mature height is recommended at this location. New trees planted near PNM facilities should be no taller than 25 feet in height at maturity to avoid conflicts with existing electric infrastructure.

- C. It is necessary for the developer to contact PNM's New Service Delivery Department to coordinate electric service for the project and to discuss the relocation indicated on the Site Development Plan (SDP-1.1, Sheet 1 of 11). Contact:
PNM Service Center—4201 Edith Boulevard NE, Albuquerque, NM 87107
Phone: (505) 241-3425
- D. Ground-mounted equipment screening will be designed to allow for access to utility facilities. All screening and vegetation surrounding ground-mounted transformers and utility pads are to allow 10 feet of clearance in front of the equipment door and 5-6 feet of clearance on the remaining three sides for safe operation, maintenance and repair purposes. Refer to the PNM Electric Service Guide at www.pnm.com for specifications.

APPEAL: If you wish to appeal this decision, you must do so within 15 days of the EPC's decision on **NOVEMBER 30, 2015**. The date of the EPC's decision is not included in the 15-day period for filing an appeal, and if the 15th day falls on a Saturday, Sunday or Holiday, the next working day is considered as the deadline for filing the appeal.

For more information regarding the appeal process, please refer to Section 14-16-4-4 of the Zoning Code. A Non-Refundable filing fee will be calculated at the Land Development Coordination Counter and is required at the time the appeal is filed. It is not possible to appeal EPC Recommendations to City Council; rather, a formal protest of the EPC's Recommendation can be filed within the 15 day period following the EPC's decision.

You will receive notification if any person files an appeal. If there is no appeal, you can receive Building Permits at any time after the appeal deadline quoted above, provided all conditions imposed at the time of approval have been met. Successful applicants are reminded that other regulations of the City Zoning Code must be complied with, even after approval of the referenced application(s).

ZONE MAP AMENDMENTS: Pursuant to Zoning Code Section 14-16-4-1(C)(16), a change to the zone map does not become official until the Certification of Zoning (CZ) is sent to the applicant and any other person who requests it. Such certification shall be signed by the Planning Director after appeal possibilities have been concluded and after all requirements prerequisite to this certification are met. If such requirements are not met within six months after the date of final City approval, the approval is void. The Planning Director may extend this time limit up to an additional six months.

SITE DEVELOPMENT PLANS: Pursuant to Zoning Code Section 14-16-3-11(C)(1), if less than one-half of the approved square footage of a site development plan has been built or less than one-half of the site has been developed, the plan for the undeveloped areas shall terminate automatically seven years after

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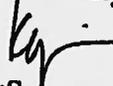
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adoption or major amendment of the plan: within six months prior to the seven-year deadline, the property owners shall request in writing through the Planning Director that the Planning Commission extend the plan's life an additional five years. Additional design details will be required as a project proceeds through the Development Review Board and through the plan check of Building Permit submittals for construction. Planning staff may consider minor, reasonable changes that are consistent with an approved Site Development Plan so long as they can be shown to be in conformance with the original, approved intent.

DEFERRAL FEES: Pursuant to Zoning Code Section 14-16-4-1(B), deferral at the request of the applicant is subject to a \$110.00 fee per case.

Sincerely,


for Suzanne Lubar
Planning Director

SL/CL

cc: COA, Family & Community, Attn: Doug Chaplin, P.O. Box 1293, ABQ, NM 87103
Dekker/Perich/Sabatini, Attn: Tim Trujillo, 7601 Jefferson NE, Suite 100, Abq., NM 87109
Louis Tafoya, West Mesa NA, 6411 Avalon Rd. NW, Abq., NM 87105
Steven Budenski, 5732 La Anita Ave. NW, Abq., NM 87105
Rod Mahoney, South Valley Coalition of NAs, 1838 Sadora Rd. SW, Abq., NM 87105
Marcia Fernandez, South Valley Coalition of NAs, 2401 Violet SW, Abq., NM 87105
Johnny Pena, SWAN, 6525 Sunset Gardens SW, Abq., NM 87121
Jerry Gallegos, SWAN, 417 65th St. SW, Abq., NM 87121
Jerry Worrall, Westside Coalition of NAs, 1039 Pinatubo Pl. NW, Abq., NM 87120
Harry Hendricksen, Westside Coalition of NAs, 10592 Rio Del Sole Ct., Abq., NM 87114