



***Environmental  
Planning  
Commission***

***Agenda Number: 6  
Project Number: 2019-002263  
Case Number: VA-2019-00107  
Hearing Date: September 12, 2019***

***Staff Report***

<b><i>Agent</i></b>	Hunt & Davis PC
<b><i>Applicant</i></b>	Paul Allen Homes
<b><i>Request</i></b>	<b>Appeal of a denial requesting reimbursement of excess open space impact fee credits (citywide service area).</b>
<b><i>Legal Description</i></b>	n/a
<b><i>Location</i></b>	See request above.
<b><i>Size</i></b>	n/a
<b><i>Existing Zoning</i></b>	n/a
<b><i>Proposed Zoning</i></b>	n/a

***Staff Recommendation***

***Accept the Appellants request to withdraw -  
Project Number 2019-002263  
Case Number VA-2019-00107***

***Staff Planner  
Tony Loyd,  
Impact Fees Administrator***

***Summary of Analysis***

The City and Appellant have settled their dispute and are requesting that the Environmental Planning Commission accept the withdrawal of the appeal (see attached email from Mr. Blake Whitcomb, Hunt & Davis, P.C.).

## Loyd, Tony J.

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**From:** Blake Whitcomb <blake@huntedavislaw.com>  
**Sent:** Thursday, September 5, 2019 1:14 PM  
**To:** Loyd, Tony J.; Planning Development Review Services  
**Cc:** Scott Grady; rwr2d2@aol.com; Morrow, Kevin A.; Brito, Russell D.  
**Subject:** RE: 190506 Letter to T. Loyd re Impact Fee Request bw.pdf

Correct.

Blake Whitcomb  
Hunt & Davis, P.C.  
(505)881-3191

**From:** Loyd, Tony J. <TLoyd@cabq.gov>  
**Sent:** Thursday, September 5, 2019 11:48 AM  
**To:** Blake Whitcomb <blake@huntedavislaw.com>; Planning Development Review Services <PLNDRS@cabq.gov>  
**Cc:** Scott Grady <rvsg7@rayleehomes.com>; rwr2d2@aol.com; Morrow, Kevin A. <kmorrow@cabq.gov>; Brito, Russell D. <RBrito@cabq.gov>  
**Subject:** RE: 190506 Letter to T. Loyd re Impact Fee Request bw.pdf

Mr. Whitcomb,

To confirm, the requests are for Project #2019-002263/Case #VA-2019-00107 and Project #2019-002264/Case #VA-2019-00108.



**TONY LOYD**  
Impact Fees Administrator  
o 505.924.3934  
e [tloyd@cabq.gov](mailto:tloyd@cabq.gov)  
[cabq.gov/planning](http://cabq.gov/planning)

**From:** Blake Whitcomb [<mailto:blake@huntedavislaw.com>]  
**Sent:** Wednesday, September 4, 2019 2:57 PM  
**To:** Loyd, Tony J. <[TLoyd@cabq.gov](mailto:TLoyd@cabq.gov)>; Planning Development Review Services <[PLNDRS@cabq.gov](mailto:PLNDRS@cabq.gov)>  
**Cc:** Scott Grady <[rvsg7@rayleehomes.com](mailto:rvsg7@rayleehomes.com)>; [rwr2d2@aol.com](mailto:rwr2d2@aol.com); Morrow, Kevin A. <[kmorrow@cabq.gov](mailto:kmorrow@cabq.gov)>; Brito, Russell D. <[RBrito@cabq.gov](mailto:RBrito@cabq.gov)>  
**Subject:** RE: 190506 Letter to T. Loyd re Impact Fee Request bw.pdf

Mr. Loyd,

Please be advised that the City and my clients have settled their dispute regarding the below referenced impact fee appeal. Accordingly, my clients are withdrawing their appeal. Please let me know if there are any other steps that need to be taken to finalize this withdrawal.

Blake Whitcomb  
Hunt & Davis, P.C.  
2632 Mesilla Street NE  
Albuquerque, NM 87110  
(505)881-3191  
[blake@huntedavislaw.com](mailto:blake@huntedavislaw.com)

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**From:** Blake Whitcomb  
**Sent:** Monday, May 6, 2019 11:03 PM  
**To:** [tloyd@cabq.gov](mailto:tloyd@cabq.gov); Planning Development Review Services <[PLNDRS@cabq.gov](mailto:PLNDRS@cabq.gov)>  
**Cc:** Scott Grady <[rvsg7@rayleehomes.com](mailto:rvsg7@rayleehomes.com)>; [rwr2d2@aol.com](mailto:rwr2d2@aol.com)  
**Subject:** 190506 Letter to T. Loyd re Impact Fee Request bw.pdf

Hello Mr. Loyd,

Please see attached hereto my clients' 48-hour submittal for Thursday's EPC hearing.

Blake Whitcomb  
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