

SECOND JUDICIAL DISTRICT COURT
STATE OF NEW MEXICO
COUNTY OF BERNALILLO

Javier Benavidez, James Santiago Maestas,
Roberto Roibal, the SouthWest Organizing
Project, the New Mexico Health Equity Working
Group, and the Pajarito Village Association,

Appellants/Petitioners,

v.

No. CV - D-202-CV-2015-04466

the Bernalillo County Board of County
Commissioners, and Art De La Cruz,
Wayne Johnson, Debbie O'Malley, Maggie
Hart Stebbins, and Lonnie Talbert, Bernalillo
County Commissioners,

and

Consensus Planning and Western
Albuquerque Land Holdings, LLC,

Appellees/Respondents.

NOTICE OF APPEAL AND
ALTERNATIVE
PETITION FOR A WRIT OF CERTIORARI

Introduction

Javier Benavidez, James Santiago Maestas, Roberto Roibal, the SouthWest
Organizing Project, including its individual and group members, the New Mexico Health
Equity Working Group, including its individual and group members, and the Pajarito Village
Association, including its individual and group members (referred to collectively as "the
Appellants/Petitioners") seek review of a decision by the Bernalillo County Board of County
Commissioners. The members of the Board of County Commissioners are Art De La Cruz,

Wayne Johnson, Debbie O'Malley, Maggie Hart Stebbins, and Lonnie Talbert. (They and the Board of County Commissioners are referred to collectively as "the Board of County Commissioners").

The Board of County Commissioners' decision denied the Appellants/Petitioners' appeal to the Board from a determination of the Bernalillo County Planning Commission concerning the Santolina Level A Master Plan ("the Santolina Master Plan"). The Board of County Commissioners voted to deny the Appellants/Petitioners' appeal on May 11, 2015, and a copy of the Board of County Commissioners' written decision, which is dated May 15, 2015, ("the Board of County Commissioners' Decision") is attached as Exhibit A.

The Appellants/Petitioners' appeal to the Board of County Commissioners was appeal number COA2015-0007/SPR-20130004, and the language in the Board of County Commissioners' Decision denying the Appellants/Petitioners' appeal is on the third page¹ of the Decision. It states:

ACTION: DENIED THE APPEAL COA2015-0007/SPR-20130004 AND CONTINUED THE APPEALS FOR COA2015-0005/SPR-20130004, COA2015-0008/SPR-20130004, COA2015-0009/SPR-20130004 AND COA2015-0006/CZ-20130009 TO THE MAY 28, 2015 HEARING AT 1:30 PM.

Board of County Commissioners' Decision, third page (emphasis in original).

The explanation of the Board of County Commissioners' action appears on the same page; it states:

At the May 11, 2015 public hearing, the Board of County Commissioners denied the [Petitioners'] appeal COA2015-0007/SPR-20130004 for a Planned Communities Level A Master Plan called the Santolina Master Plan and

¹ The pages of the Board of County Commissioners' Decision are not numbered.

continued the appeals COA2015-0005, COA2015-0006, COA2015-0008, and COA2015-0009 of the County Planning Commission's recommendation for approval of the Santolina Master Plan and Zone Change.

Id.

During the Board of County Commissioners' administrative proceeding, the Bernalillo County officials involved asserted that the Board's consideration of the Santolina Master Plan was a legislative matter and not a zoning matter. It therefore is not clear whether the Board of County Commissioners' Decision concerning the Santolina Master Plan was a decision by the Board acting as a zoning authority or a decision by the Board acting in a different capacity. Appeals from the Board of County Commissioners when it acts as a zoning authority are governed by NMSA 1978 sections 3-21-9 and 39-3-1.1 and NMRA 1-074, and appeals from the Board of County Commissioners when it acts in another capacity are governed by Article VI sections 2 and 13 of the New Mexico Constitution and NMRA 1-075. For that reason, the Appellants/Petitioners are filing this Notice of Appeal and alternative Petition for a Writ of Certiorari.

Notice of Appeal

The Appellants/Petitioners hereby appeal to the District Court for the Second Judicial District from the Board of County Commissioners' Decision. The Decision denied the Appellants/Petitioners' appeal from a determination of the Bernalillo County Planning Commission concerning the Santolina Master Plan. The Appellants/Petitioners request that the Court vacate the Board of County Commissioners' Decision.

This appeal is filed pursuant to NMSA 1978 sections 3-21-9 and 39-3-1.1. This

appeal is timely pursuant to NMRA 1-074 because this appeal is filed within 30 days of the Board of County Commissioners' vote on May 11, 2015 (Exhibit A, third page), and within 30 days of the Board's Decision, which was issued on May 15, 2015. Exhibit A, first page.

Petition for a Writ of Certiorari

The Appellants/Petitioners hereby petition the New Mexico District Court for the Second Judicial District for a writ of certiorari to review the Decision of the Board of County Commissioners. The Board of County Commissioners' Decision denied an appeal to the Board filed by the Appellants/Petitioners concerning the Bernalillo County Planning Commission's recommendation that the Santolina Master Plan be approved.

The Board of County Commissioners voted to deny the Appellants/Petitioners' appeal on May 11, 2015, and the Board of County Commissioners' Decision (Exhibit A) is dated May 15, 2015. The Appellants/Petitioners' appeal to the Board of County Commissioners was number COA2015-0007/SPR-20130004, and the Board's of County Commissioners' Decision denial of the Appellants/Petitioners' appeal is on the third page of the Decision.

I. Jurisdiction

The District Court's jurisdiction is based on Article VI, section 2 of the New Mexico Constitution, which provides that an aggrieved party shall have an absolute right to one appeal and Article VI, section 13 of the New Mexico Constitution, which provides that the District Courts shall have appellate jurisdiction in all cases originating in inferior tribunals in the District Courts' districts. The Appellants/Petitioners are aggrieved by the Decision of the Board of County Commissioners, and the Appellants/Petitioners therefore are entitled to

review of that Board of County Commissioners' Decision.

In accordance with NMRA 1-075, this Petition is timely because it is filed within 30 days of the Board of County Commissioners' vote on May 11, 2015 and within 30 days of the Board of County Commissioners Decision, which is dated May 15, 2015.

II. The Board of County Commissioners' proceedings

The proceedings before Bernalillo County were initiated by Western Albuquerque Land Holdings, LLC's filing of the Santolina Master Plan for the proposed Santolina development. The Santolina Master Plan was considered by the Bernalillo County Planning Commission, which made a decision to recommend that the Board of County Commissioners approve the Master Plan.

Acting for the Appellants/Petitioners, the New Mexico Environmental Law Center filed an appeal (numbered COA2015-0007/SPR-20130004) of that decision to the Board of County Commissioners. Exhibit A, second page. The Board conducted a public hearing concerning the Appellants/Petitioners' appeal on May 11, 2015. During that hearing, the Appellants/Petitioners presented their appeal, after which agents for Western Albuquerque Land Holdings, LLC and representatives of the Bernalillo County Planning Department staff presented arguments against the appeal. Immediately following those presentations, one of the members of the Board of County Commissioners made a motion to deny the appeal. The motion was seconded equally quickly, and it passed by a vote of 3-2.

There was no discussion by any members of the Board of County Commissioners about the Appellants/Petitioners' appeal either before or after the motion was made to deny the appeal. Moreover, none of the members of the Board of County Commissioners

articulated any reasons for denying the appeal. Finally, the Board of County Commissioners' Decision also provides no rationale for the denial of the appeal. Exhibit A, third page.

III. The parties to the Board of County Commissioners' proceedings

The Board of County Commissioners' Decision denied the Appellants/Petitioners' appeal to the Board from a determination of the Bernalillo County Planning Commission concerning the Santolina Level A Master Plan ("the Santolina Master Plan"). The appeal to the Board of County Commissioners' proceedings was initiated by several of the Appellants/Petitioners: the SouthWest Organizing Project, including its individual and group members, the New Mexico Health Equity Working Group, including its individual and group members, and the Pajarito Village Association, including its individual and group members. The Appellants/Petitioners were represented by Javier Benavidez, who is a member of the SouthWest Organizing Project and its Executive Director, and by Douglas Meiklejohn, an attorney with the New Mexico Environmental Law Center.

The Appellants/Petitioners' appeal was opposed by Western Albuquerque Land Holdings, LLC, which was represented by Jim Strozier of Consensus Planning and John Salazar of Rodey, Dickason, Akin, Sloan, and Robb, PA. The Appellants/Petitioners' appeal was opposed by the Bernalillo County Planning Department staff as well. The staff was represented by Catherine VerEecke. Other members of that staff also made comments concerning the Appellants/Petitioners' appeal.

IV. The Appellants/Petitioners are entitled to relief.

The Appellants/Petitioners are entitled to have the Board of County Commissioners' Decision vacated for several reasons, including the following. First, the Board of County

Commissioners has provided no reasons for its denial of the Appellants/Petitioners' appeal. Second, the Santolina Master Plan does not comply with several requirements of the Bernalillo County Planned Communities Criteria, which govern master plans for developments such as the proposed Santolina development. Third, the Board of County Commissioners made its Decision even though the County had not completed a development agreement with the developer and even though members of the public, the County Planning Commission, and the Board of County Commissioners have not had any opportunity to review or provide input on the development agreement.

A. The Board of County Commissioners has not stated any reasons for its decision.

The Board of County Commissioners' failure to state reasons for its Decision violates the principle enunciated by New Mexico courts that administrative agencies must explain the reasons for their decisions. For that reason, the Board's Decision should be vacated.²

B. The Santolina Master Plan does not comply with the Bernalillo County Planned Communities Criteria.

The Santolina Master Plan is governed by the Planned Communities Criteria that have been adopted by the Board of County Commissioners. However, the Santolina Master Plan fails to comply with several important requirements of those Criteria.³

1. The Santolina Master Plan does not provide required information concerning availability of water.

The Planned Communities Criteria make clear that a developer of a proposed planned

² The Appellants/ Petitioners had no opportunity to raise this point before the Board of County Commissioners because it arose when the Board made its Decision.

³ The Appellants/Petitioners raised these points before the Board of County Commissioners.

community must demonstrate the availability of water for the proposed development, including identification of depth to groundwater, proximity to production wells, and documentation of physical and legal availability of water. The Santolina Master Plan provides none of this information. For that reason, the Board's Decision denying the Appellants/Petitioners' appeal of the Master Plan should be vacated.

2. The Santolina Master Plan does not provide required information concerning transportation.

The Planned Communities Criteria require the submission of extensive information concerning transportation, including a comprehensive transportation system, phased analysis of travel demand and supply, and studies supporting the plan. Contrary to these requirements, the Santolina Master Plan contains only general information about proposed transportation plans. The Board of County Commissioners' Decision therefore should be vacated.

3. The Santolina Master Plan does not comply with the requirements of the Planned Communities Criteria concerning schools.

The Planned Communities Criteria mandate that a developer provide a "concept plan for provision of schools" Despite that, the Santolina Master Plan provides only very general estimates of the numbers of schools that will be needed in 2035 and at full build out of the proposed development. For that reason, the Appellants/Petitioners' appeal concerning the Master Plan should not have been denied, and the Board of County Commissioners' Decision to the contrary should be vacated.

4. Santolina cannot be developed at no net expense to local government.

The Planned Communities Criteria require that planned communities such as the proposed Santolina development be developed at no net expense to local government:

However, the Santolina Master Plan's assertion that the Santolina development can be developed without such net expense is based on unrealistic assumptions, and the most credible analysis of the proposed Santolina development indicates that it cannot meet this requirement. The Board of County Commissioners' Decision denying the Appellants/Petitioners' appeal ignored this point, and that Decision therefore should be vacated.

- C. The Board of County Commissioners should not have denied the Appellants/Petitioners' appeal because the County and the developer have not agreed to a development agreement and neither the public nor the County Planning Commission has had an opportunity to review and comment on a development agreement.

One of the critical instruments governing a planned community in Bernalillo County is the development agreement between the County and the developer. Moreover, Bernalillo County's own procedures call for a development agreement to be reviewed by the County Planning Commission with an opportunity for public comment. Here, the development agreement was first released to members of the public on May 26, 2015, and it therefore has not been reviewed by the County Planning Commission or by the Board of County Commissioners, and members of the public have had no opportunity to analyze and comment on it. The Board of County Commissioners' Decision denying the Appellants/Petitioners' appeal was therefore at least premature, and it should be vacated.⁴

V. Claim for relief.

For the reasons outlined above, the Appellants/Petitioners request that the Court:

- A. Vacate the Board of County Commissioners' Decision denying the

⁴The South Valley Coalition of Neighborhood Associations raised this point in its appeal to the Board of County Commissioners concerning the Santolina Master Plan.

Appellants/Petitioners' appeal of the Santolina Master Plan; and

B. Grant the Appellants/Petitioners such other relief as is appropriate.

Dated: May 27, 2015.

NEW MEXICO
ENVIRONMENTAL LAW CENTER



Douglas Meiklejohn

Eric Jantz

Jon Block

1405 Luisa Street, Suite 5

Santa Fe, N.M. 87505

Telephone: (505) 989-9022

Facsimile: (505) 989-3769

dmeiklejohn@nmelc.org

Attorneys for the Appellants/Petitioners

Certificate of Service

I certify that on May 27, 2015 copies of this Notice of Appeal and Alternative Petition for a

Writ of Certiorari were sent by electronic mail and first class mail to:

Randy M. Autio
Attorney
Bernalillo County
Bernalillo County Attorney's Office
Fourth floor
520 Lomas Blvd., N.W.
Albuquerque, N.M. 87102-2118
rnautio@bernco.gov

Attorney for Bernalillo County

Hessel E. Yntema, III
Yntema Law Firm P.A.
215 Gold Avenue, S.W.
Suite 201
Albuquerque, New Mexico 87102
hess@yntema-law.com


Attorney for the South Valley Coalition
of Neighborhood Associations

John P. Salazar
RODEY, DICKASON, SLOAN, AKIN, &
ROBB, P.A.
P.O. Box 1888
Albuquerque, N.M. 87103-1888
jsalazar@rodey.com

Attorney for Consensus Planning and Western
Albuquerque Land Holdings, LLC

Santiago James Maestas
5735 Evans Road, S.W.
Albuquerque, N.M. 87105
maestasy@hotmail.com

For the South Valley Regional Association of
Acequias and the Center for Social
Sustainable Systems



Douglas Meiklejohn



County of Bernalillo
State of New Mexico

Planning and Development Services
111 Union Square SE, Suite 100
Albuquerque, New Mexico 87102
Office: (505) 314-0350
www.bernalillo.gov/zoning-building-and-planning/

NOTIFICATION OF DECISION
BOARD OF COUNTY COMMISSIONERS

May 15, 2015

COMMISSIONERS

- Maggie Hart Stebbins, Chair
District 3
- Art De La Cruz, Vice Chair
District 2
- Debbie O'Malley, Member
District 1
- Lonnice C. Talbert, Member
District 4
- Wayne A. Johnson, Member
District 5

Western Albuquerque Land Holdings
P. O. Box 56790
Albuquerque, NM 87187

SUBJECT: FILE NO: SPR-20130004 & CZ-20130009
COA2015-0005/SPR-20130004
COA2015-0007/SPR-20130004
COA2015-0008/ SPR-20130004
COA2015-0009/ SPR-20130004
COA2015-0006/CZ-20130009

COUNTY MANAGER

Tom Zdunek

SPR-20130004

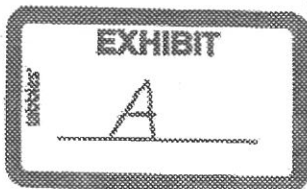
Consensus Planning and John P. Salazar of the Rodey Law Firm, agents for Western Albuquerque Land Holdings, Youth Development, Inc., and Central New Mexico Community College and Martin Eckert, agent for Albuquerque Public Schools is proposing a Planned Communities Level A Master Plan called the Santolina Master Plan. The plan area is generally bounded by Interstate 40 to the north, 118th Street and the escarpment open space to the east, the Pajarito Mesa on the south, and the escarpment area adjacent to the Rio Puerco Valley on the west, encompassing projected sections 1, 2, 3, 4, 5, 8, 9, 10, 11, 12, 13, 14, 15, 16 & 17, T9N, R1E and sections 6, 7, 8, 16, 17, & 18, T9N, R2E and sections 32, 33, 34, 35, & 36, T10N, R1E and sections 30 & 31, T9N, R2E, N.M.P.M., Town of Atrisco Grant, Albuquerque, Bernalillo County, New Mexico and containing and approximately 13,700 acres, generally zoned A-1 Rural Agricultural (Original request submitted by Consensus Planning, agent for Western Albuquerque Land Holdings, Youth Development, Inc., and Central New Mexico Community College, and Martin Eckert, agent for Albuquerque Public Schools)

ELECTED OFFICIALS

- Tanya R. Giddings
Assessor
- Maggie Toulouse Oliver
Clerk
- Willow Misty Parks
Probate Judge
- Manuel Gonzales III
Sheriff
- Manny Ortiz
Treasurer

CZ-20130009

Consensus Planning and John P. Salazar of the Rodey Law Firm, agents for Western Albuquerque Land Holdings, Youth Development, Inc., and Central New Mexico Community College and Martin Eckert, agent for Albuquerque Public Schools requests a zone map amendment from A-1 Rural Agricultural to Planned Community Zone in connection with the proposed Santolina Planned Communities Level A Master Plan. The plan area is generally bounded by Interstate 40 to the north, 118th Street and the escarpment open space to the east, the Pajarito Mesa on the south, and the escarpment area adjacent to the Rio Puerco Valley on the west, encompassing projected sections 1, 2, 3, 4, 5, 8, 9, 10, 11, 12, 13, 14, 15, 16 & 17, T9N, R1E and sections 6, 7, 8, 16, 17, & 18, T9N, R2E and sections 32, 33, 34, 35, & 36, T10N, R1E and sections 30 & 31, T9N, R2E, N.M.P.M., Town of Atrisco Grant, Albuquerque, Bernalillo County, New



Mexico, and containing approximately 13,700 acres, generally zoned A-1 Rural Agricultural (Original request submitted by Consensus Planning, agent for Western Albuquerque Land Holdings, Youth Development, Inc., and Central New Mexico Community College, and Martin Eckert, agent for Albuquerque Public Schools)

Appeals

COA2015-0005/SPR-20130004

John P. Salazar of the Rodey Law Firm, agent for Western Albuquerque Land Holdings LLC, appeals the recommendation of the County Planning Commission of specific findings and conditions for approval of a Planned Communities Level A Master Plan called the Santolina Master Plan. The plan area is generally bounded by Interstate 40 to the north, 118th Street and the escarpment open space to the east, the Pajarito Mesa on the south, and the escarpment area adjacent to the Rio Puerco Valley on the west, encompassing projected sections 1, 2, 3, 4, 5, 8, 9, 10, 11, 12, 13, 14, 15, 16 & 17, T9N, R1E and sections 6, 7, 8, 16, 17, & 18, T9N, R2E and sections 32, 33, 34, 35, & 36, T10N, R1E and sections 30 & 31, T9N, R2E, N.M.P.M., Town of Atrisco Grant, Albuquerque, Bernalillo County, New Mexico and containing approximately 13,700 acres, generally zoned A-1 Rural Agricultural (Original request submitted by Consensus Planning, agent for Western Albuquerque Land Holdings, Youth Development, Inc., and Central New Mexico Community College, and Martin Eckert, agent for Albuquerque Public Schools).

COA2015-0007/SPR-20130004

New Mexico Environmental Law Center, agent for Southwest Organizing Project, New Mexico Health Equity Working Group, and Pajarito Village Neighborhood Association, appeals the decision of the County Planning Commission to recommend approval of a Planned Communities Level A Master Plan called the Santolina Master Plan. The plan area is generally bounded by Interstate 40 to the north, 118th Street and the escarpment open space to the east, the Pajarito Mesa on the south, and the escarpment area adjacent to the Rio Puerco Valley on the west, encompassing projected sections 1, 2, 3, 4, 5, 8, 9, 10, 11, 12, 13, 14, 15, 16 & 17, T9N, R1E and sections 6, 7, 8, 16, 17, & 18, T9N, R2E and sections 32, 33, 34, 35, & 36, T10N, R1E and sections 30 & 31, T9N, R2E, N.M.P.M., Town of Atrisco Grant, Albuquerque, Bernalillo County, New Mexico and containing approximately 13,700 acres, generally zoned A-1 Rural Agricultural (Original request submitted by Consensus Planning, agent for Western Albuquerque Land Holdings, Youth Development, Inc., and Central New Mexico Community College, and Martin Eckert, agent for Albuquerque Public Schools).

COA2015-0008/SPR-20130004

South Valley Coalition of Neighborhood Associations appeals the decision of the County Planning Commission to recommend approval of a Planned Communities Level A Master Plan called the Santolina Master Plan. The plan area is generally bounded by Interstate 40 to the north, 118th Street and the escarpment open space to the east, the Pajarito Mesa on the south, and the escarpment area adjacent to the Rio Puerco Valley on the west, encompassing projected sections 1, 2, 3, 4, 5, 8, 9, 10, 11, 12, 13, 14, 15, 16 & 17, T9N, R1E and sections 6, 7, 8, 16, 17, & 18, T9N, R2E and sections 32, 33, 34, 35, & 36, T10N, R1E and sections 30 & 31, T9N, R2E, N.M.P.M., Town of Atrisco Grant, Albuquerque, Bernalillo County, New Mexico and containing approximately 13,700 acres, generally zoned A-1 Rural Agricultural (Original request submitted by Consensus Planning, agent for

Western Albuquerque Land Holdings, Youth Development, Inc., and Central New Mexico Community College, and Martin Eckert, agent for Albuquerque Public Schools).

COA2015-0009/SPR-20130004

South Valley Regional Association of Acequias and the Center for Sustainable Systems appeals the decision of the County Planning Commission to recommend approval of a Planned Communities Level A Master Plan called the Santolina Master Plan. The plan area is generally bounded by Interstate 40 to the north, 118th Street and the escarpment open space to the east, the Pajarito Mesa on the south, and the escarpment area adjacent to the Rio Puerco Valley on the west, encompassing projected sections 1, 2, 3, 4, 5, 8, 9, 10, 11, 12, 13, 14, 15, 16 & 17, T9N, R1E and sections 6, 7, 8, 16, 17, & 18, T9N, R2E and sections 32, 33, 34, 35, & 36, T10N, R1E and sections 30 & 31, T9N, R2E, N.M.P.M., Town of Atrisco Grant, Albuquerque, Bernalillo County, New Mexico and containing and approximately 13,700 acres, generally zoned A-1 Rural Agricultural (Original request submitted by Consensus Planning, agent for Western Albuquerque Land Holdings, Youth Development, Inc., and Central New Mexico Community College, and Martin Eckert, agent for Albuquerque Public Schools).

COA2015-0006/CZ-20130009

New Mexico Environmental Law Center, agent for Southwest Organizing Project, New Mexico Health Equity Working Group, and Pajarito Village Neighborhood Association, appeals the decision of the County Planning Commission to recommend approval of a zone map amendment from A-1 Rural Agricultural to Planned Community Zone in connection with the proposed Santolina Planned Communities Level A Master Plan. The plan area is generally bounded by Interstate 40 to the north, 118th Street and the escarpment open space to the east, the Pajarito Mesa on the south, and the escarpment area adjacent to the Rio Puerco Valley on the west, encompassing projected sections 1, 2, 3, 4, 5, 8, 9, 10, 11, 12, 13, 14, 15, 16 & 17, T9N, R1E and sections 6, 7, 8, 16, 17, & 18, T9N, R2E and sections 32, 33, 34, 35, & 36, T10N, R1E and sections 30 & 31, T9N, R2E, N.M.P.M., Town of Atrisco Grant, Albuquerque, Bernalillo County, New Mexico and containing and approximately 13,700 acres, generally zoned A-1 Rural Agricultural (Original request submitted by Consensus Planning, agent for Western Albuquerque Land Holdings, Youth Development, Inc., and Central New Mexico Community College, and Martin Eckert, agent for Albuquerque Public Schools).

ACTION: DENIED THE APPEAL COA2015-0007/ SPR-20130004 AND CONTINUED THE APPEALS FOR COA2015-0005/SPR-20130004, COA2015-0008/ SPR-20130004, COA2015-0009/ SPR-20130004 AND COA2015-0006/CZ-20130009 TO THE MAY 28, 2015 HEARING AT 1:30 PM.

To Whom It May Concern:

At the May 11, 2015 public hearing, the Board of County Commissioners denied the appeal CO2015-0007/SPR-2013004 for a Planned Communities Level A Master Plan called the Santolina Master Plan and continued the appeals COA2015-0005, COA2015-0006, COA2015-0008, and COA2015-0009 of the County Planning Commission's recommendation for approval of the Santolina Master Plan and Zone Change. The plan area is generally bounded by Interstate 40 to the north, 118th Street and the

escarpment open space to the east, the Pajarito Mesa on the south, and the escarpment area adjacent to the Rio Puerco Valley on the west, encompassing projected sections 1, 2, 3, 4, 5, 8, 9, 10, 11, 12, 13, 14, 15, 16 & 17, T9N, R1E and sections 6, 7, 8, 16, 17, & 18, T9N, R2E and sections 32, 33, 34, 35, & 36, T10N, R1E and sections 30 & 31, T9N, R2E, N.M.P.M., Town of Atrisco Grant, Albuquerque, Bernalillo County, New Mexico and containing and approximately 13,700 acres, generally zoned A-1 Rural Agricultural.

The appeals are deferred to the May 28, 2015 hearing at 1:30 pm.

If you have any questions, please feel free to contact Catherine VerEecke directly at 314-0387.

Sincerely,

ENRICO GRADI

Enrico Gradi
Community Development Manager

EG/fs

cc: File

Kevin Grovet, Public Work
Christi L. Tanner, Public Works
Raeleen Marie Bierner, Public Works
Youth Development Inc., 516 1st Street NW, Albuquerque, NM 87102
Central New Mexico Community College, 525 Buena Vista SE, Albuquerque, NM 87106
Consensus Planning, 302 8th St NW, Albuquerque, NM 87102
Western Albuquerque Land Holding LLC
6991 E. Camelback Road, Suite B297, Scottsdale, AZ 85251
New Mexico Environment Law Center,
Douglas Meiklejohn, 1405 Luisa St. #5, Santa Fe, NM 87505
Rodey Law Firm, John P. Salazar, P.O. Box 1888, Albuquerque, NM 87103
Southwest Organizing Project, 211 10th St. SW, Albuquerque, NM 87102
South Valley Coalition of Neighborhood Associations, P.O. Box 12841, Albuquerque, NM 87105
South Valley Regional Association of Acequias, 5734 Evans Road SW, Albuquerque, NM 87105
Albuquerque Public Schools, Brad Winter, P.O. Box 25704, Albuquerque, NM 87125
Ray Cook, USDOT/FAA,
Real Estate and Utilities Group, ASW-53, 2601 Meacham Blvd., FT. Worth, TX 76137
Carol and Gilbert Perez, 4621 Spring Valley SW, Albuquerque, NM 87105
Rudy and Angel Garcia, 1200 Don Francisco PL. NW, Albuquerque, NM 87107
Charles W. Travelstem, 6100 Buffalo Grass Ct. NE, Albuquerque, NM 87111
Frank Sanchez, 609 Briar Rd., Bellingham, WA 98225
Ruben Marquez, 2927 Cabral Tr. SW, Albuquerque, NM 87121
Claus Zahn and Conrad Zahn, 9 Dama Rd., Los Lunas, NM 87031
Toan Luong, 1835 Shadow Leader SE, Albuquerque, NM 87123
James Thomas, 2641 San Mateo NE, Albuquerque, NM 87110

Lynette Gallegos, 8623 Bouvandie Ave. NW, Albuquerque, NM 87120
Carlos Profit, 5805 Coors Blvd. SW, Albuquerque, NM 87121
Alicia Kassa, 5609 Kimberlite Dr. NW, Albuquerque, NM 87120
Richard Austin, 8423 Mendocino, Dr. NE, Albuquerque, NM 87122
Rod Mahoney, 1838 Sadora Rd. SW, Albuquerque, NM 87105
Andrew Gingerich, MRCOG, 809 Copper Ave. NW, Albuquerque, NM 87102
Marisol Archuleta, 3615 Big Cottonwood Dr. SW, Albuquerque, NM 87105
Diane Reese, 1620 Bernard Thomas Lane SW, Albuquerque, NM 87105
Michael Reed, 2401 Black Mesa Loop SW, Albuquerque, NM 87105
Nathan Perez, 2250 Hyde Street, San Francisco, CA 94109
Zoe Economou, 214 Riverside Dr. SW, Albuquerque, NM 87105
Marcia Fernandez and Rip Anderson, 2401 Violet SW, Albuquerque, NM 87105
Senoria Garcia, 1923 Arenal Rd. SW, Albuquerque, NM 87105
Phillip Kleh, 803 Vassar Dr. SE, Albuquerque, NM 87106
Adam Rubinstein, 1431 1/2 La Vega SW, Albuquerque, NM 87105
Jay Phelan, 545 Shirk Ln. SW, Albuquerque, NM 87105
Donald L. Hall, 9101 Lagrima de Orone NE, Albuquerque, NM 87111
Lauro Silva, 5005 5th St SW, Albuquerque, NM 87105
Pat McCraw, 3301 Coors Blvd., Suite R, Albuquerque, NM 87120
Jerome Padilla, 3408 Calle Facio NW, Albuquerque, NM 87104
Sara Juarez, 933 Nashville SW, Albuquerque, NM 87105
Roberto Roibal, 2233 Don Felipe Rd. SW, Albuquerque, NM 87105
Juan Reynosa, 211 10th St SW, Albuquerque, NM 87102
James Santiago Maestas, 5734 Evans Rd. SW, Albuquerque, NM 87105
Virginia Neochea, 1212 Montrose SW, Albuquerque, NM 87105
Jorge Garcia, 1212 Montrose Pl. SW, Albuquerque, NM 87105
Joe Berumen, 11930 Central SW, Albuquerque, NM 87121
Renee Horvath, 5515 Palomino Dr. NE, Albuquerque, NM 87120
Pablo and Andrea Lopez, 1843 Five Points Rd. SW, Albuquerque, NM 87105
Peter Eschman, 1916 Conita Real Ave. SW, Albuquerque, NM 87105
Elaine Hebard, 1513 Escalante SW, Albuquerque, NM 87104
Susan Elliott, 2231 Lakeview Rd. SW, Albuquerque, NM 87105
Julie Stephens, 4800 Congress NW, Albuquerque, NM 87114
Town of Atrisco Grant, Jerome Padilla, 2708 Rosendo Garcia SW, Atrisco, New Mexico 87105
Jerry Gallegos, 6013 Sunset Gardens SW, Albuquerque, NM 87121
Dave D. Meinke, 1826 Poplar Lane SW, Bldg #2, Albuquerque, NM 87105
Jose and Flora Sanchez, 5838 Isleta Blvd. SW, Albuquerque, NM 87105
Sylvia Diaz-Donvilla, P.O. Box 7143, Albuquerque, NM 87194
Onesimus Al-Amin, 6135 Full Moon Ave. NW, Albuquerque, NM 87114
Sisto Abeyta, 2140 Margo Rd. SW, Albuquerque, NM 87105
Joseph A. Wasson Jr. and Sandra Salas Wasson, 2948 Joe Sanchez SW, Albuquerque, NM 87105
Bradley Conway, 2105 Gold Ave. SE, Albuquerque, NM 87106
Janice Varela, HC74 Box 12A., Pecos, NM 87505
Pilar Trujillo, P.O. Box 1026, Chimayo, NM 87522
Erin Callahan, 507 Bryn Mawr Dr. SE, Albuquerque, NM 87106
Janelle Astorga, 1912 John St. SE, Albuquerque, NM 87102

Justice Irons, 2512 Los Padilla Rd. SW, Albuquerque, NM 87105
Vanessa Alarid, 544 61st NW, Albuquerque, NM 87105
Nathan Perez, 2250 Hyde St, 5th floor, San Francisco, CA 94117
Matt Butcher, 6991 E. Camelback Rd. B-297, Scottsdale, AZ 85251
Col. Robert F. Cunningham & Kathryn Malone, 1826 Poplar Lane SW, Albuquerque, NM 87105
Andres Lazo, 3220 Grasshopper Dr. SW, Albuquerque, NM 87121
Jacque Garcia, 7424 Euclid Ave. NE, Albuquerque, NM 87110
Travis McKenzie, 415 Thaxton Ave. SE, Albuquerque, NM 87108
Michelle Meaders, 4047 Anderson Ave. SE, Albuquerque, NM 87108
Jack L. and Margie Mortley, 2830 Rio Bravo SW, Albuquerque, NM 87105
John Garcia, 4100 Wolcott NE, #B, Albuquerque, NM 87109
Kyle Harwood, 128 Grant Ave., Third Floor, Santa Fe, NM 87501
Bea Aragon, 6021 Beck Road SW, Albuquerque, NM 87105
Erin Muffoetto, 115 Gold Ave. SW, #201, Albuquerque, NM 87102
James Topmiller, 7500 Jefferson NE, Albuquerque, NM 87109
Brad Lagorio, 2405 Meadow Rd. SW, Albuquerque, NM 87105
Candelaria Patterson, 7608 Elderwood NW, Albuquerque, NM 87120
Andres Romero, 7411 Isleta SW, Albuquerque, NM 87105
Laurel E. Drew, 1905 Gun Club Rd. SW, Albuquerque, NM 87105
Susanne Bronon, 300 Tulave Pl. NE, Albuquerque, NM 87106
Jean Merriman, 1816 Van Court SW, Albuquerque, NM 87105
Louis Head, 802 Headingly Ave. NW, Albuquerque, NM 87107
Emma Sandoval, 1128 18th St NW, Albuquerque, NM 87104
Senator Linda M. Lopez, 9132 Suncrest SW, Albuquerque, NM 87121
Kristine Suzzo, 1312 Bryn Mawr NE, Albuquerque, NM 87106
Monica Trujillo, 561 Coronado Dr., Bernalillo, NM 87004
Maria Gallegos, 6939 Via del Cerro NE, Albuquerque, NM 87113
James Chavez, 2708 Rosendo Garcia SW, Albuquerque, NM 87105
Dustin Chavez-Davis, 611 Leas Ave SW, #708, Albuquerque, NM 87102
Daniel Michel, 423 11th ST. SW, Albuquerque, NM 87102
Bradie Mitchell, 6517 Mesa Solana Pl. NW, Albuquerque, NM 87120
Adrian N. Carver, 433 Carlisle Blvd. NE, Albuquerque, NM 87106
Vicente Garcia, 370 Atrisco Ave. SW, Albuquerque, NM 87105
Loren Gomez, 2700 Rosendo Garcia SW, Albuquerque, NM 87105
Matthew and David Esparza, P.O. Box 3932, Albuquerque, NM 87190
Bill Chappell, 6001 Indian School Rd. NE, #150, Albuquerque, NM 87110
Jeff Garrett, 6991 E. Camelback Rd. D-212, Scottsdale, AZ 85251
Paul Duran, 2409 Metzgar SW, Albuquerque, NM 87105
Isaac Benton, City Council, One Civic Plaza, Albuquerque, NM 87102
Alan Reed, 3105 Don Quixote Ct. NW, Albuquerque, NM 87104
Camilla Feibelman, 524 Dartmouth Pl. SE, Albuquerque, NM 87106
Luther C. Garcia, 7704 Coors Blvd. SW, Albuquerque, NM 87121
Rob Leutheuser, 1550 Yakima SW, Albuquerque, NM 87105
Roxanne Allen, 1004 Manzano Ct. NW, Albuquerque, NM 87102
Alexander Snyder, 1902 Conita Real SW, Albuquerque, NM 87105
David Vogel, 601 Aliso Dr. SE, Albuquerque, NM 87108

Fernando Ortega and Lucinda Johnson, 1210 Bareles Rd. SW, Albuquerque, NM 87102
Greg Tucker and Carol Cooperrider, 1915 Lakeview SW, Albuquerque, NM 87105
Carol Bennison, 1749 Miracerros Pl. NE, Albuquerque, NM 87106
Kelly O'Donnell, 1473 W Ella Dr. Corrales, NM 87048
Tomas Atencio Pacheco, 2128 Lakeview Rd. SW, Albuquerque, NM 87105
Janet Greenwald, 215 Hartline SW, Albuquerque, NM 87105
Marilyn Baner, 2109 Lakeview SW, Albuquerque, NM 87105
Sara Keeney, 1112 La Font Rd. SW, Albuquerque, NM 87105
Jimmy Pettit, 1321 Jeanette SW, Albuquerque, NM 87105
Marla Painter, 506 Valley High SW, Albuquerque, NM 87105
Eleanor Chavez, 1307 Del Mastro SW, Albuquerque, NM 87105
Tatiana Ruiz, 620 Cordero Rd. NE, Albuquerque, NM 87102
Giselle Fierro, 2326 Felicitas SW, Albuquerque, NM 87105
Sean-Paul VonAncken, 1609 Silver SE, Albuquerque, NM 87106
Andrea Serrano, 411 Bellamah Ave. NW, Albuquerque, NM 87102
John Varsa, 609 Encino Pl. NE, Albuquerque, NM 87102
Sally Bergen, 1908 Caayno de Compania NW, Albuquerque, NM 87107
Peter Hebard, 1513 Escalante Ave. SW, Albuquerque, NM 87104
Rita Daniels, 800 Alvarado Dr. SE, Albuquerque, NM 87108
Diana Fraiser, 514 Aliso Dr. SE, Albuquerque, NM 87108
Jeff Pappas, Ph.D., Director & State Historic Preservation Officer Historic Preservation Division
Department of Cultural Affairs, 407 Galisteo Street, Suite 236, Santa Fe, NM 87501
Miguel Chavez, 330 Lagunitas Rd. SW, Albuquerque, NM 87105
Lynne Anderson, NAIOP, 504 Camino Espanol NW, Albuquerque, NM 87107
Catherine Mexal, 1404 Los Tomase NW, Albuquerque, NM 87102
Michael Jensen, 8711 Los Arboles Ave. NE, Albuquerque, NM 87112
Damon Maddox, 515 Central Ave NE, Suite 200, Albuquerque, NM 87102
Keth Meyer, 6801 Jefferson NE, Suite 200, Albuquerque, NM 87109
Julie Greenwood, 6240 Riverside Plaza, Suite 100, Albuquerque, NM 87120
Leith Mahlum, 9674-3 Eagle Ranch Rd. NW, Albuquerque, NM 87114
Ted Garrett, 1130 Lanes End NW, Albuquerque, NM 87114
Victor Werbin, 224 Tulane Dr. SE, Albuquerque, NM 87106
RR Bohannan, 1413 Plaza Sonada NW, Albuquerque, NM 87107
Danny Puppert, 505 Foothill Dr. SW, Albuquerque, NM 87105
Christopher Frechette, 1315 Gold SW, Albuquerque, NM 87102
Carter Bundy, 1202 Pennsylvania St. NE Albuquerque, NM 87110
William Jewell, P.O. Box 25265 Albuquerque, NM 87125
Zare White, 754 Goff Blvd. SW, Albuquerque, NM 87105
Jeff Warren, 2108 Telesfor Dr. SW, Albuquerque, NM 87105
Xavier Garhand, 3104 Lisa Rd. SW, Albuquerque, NM 87121
Yvonne Lopez-Jones, 12704 Singing Arrow SE, Albuquerque, NM 87123
Leslie Fincher, 2300 Cherry Tree Lane SW, Albuquerque, NM 87105
John Garcia, 4100 Wolcott Avenue NE, Suite B, Albuquerque, NM 87109
Elizabeth Buckley, 1720 Poplar Lane SW, Albuquerque, NM 87105
Patrick West, 1913 Broadway SE, Albuquerque, NM 87103
Marisela Trujillo, P.O. Box 1026 Chimayo, NM 87522

Laurie Weahkee, 3415 Carlisle NE, Albuquerque, NM 87110
Johnny and Diana Pino, 1821 Henry Circle SW, Albuquerque, NM 87105
Kristina Kachele, 926 Adams NE, Albuquerque, NM 87110
Mary Sharp-Davis, 1911 Poplar Lane SW, Albuquerque, NM 87105
Camilla Trujillo, P.O. Box 1175, Santa Cruz, NM 87567
Melina Juarez, 403 Columbia Dr. SE, Albuquerque, NM 87106
Bridget Llames, 808 Palomas SE, Albuquerque, NM 87108
Chris Benson, 8024 Corona Ave. NE, Albuquerque, NM 87122
John Black, 10416 Morning Star NE, Albuquerque, NM 87111
Karen Cathey, 420 Indiana St. SE, Albuquerque, NM 87108
Amalia Montoya, 532 Ponderosa Ave NW, Albuquerque, NM 87107
Rosaura Aida, P.O. Box 26056, Albuquerque, NM 87125
Emma Sandoval, 1128 18th St. SW, Albuquerque, NM 87104
Lorraine Archibald, 409 12th St. SW, Albuquerque, NM 87102
Doug Spence, P.O. Box 6151, Albuquerque, NM 87197
Susan Kelly, 713 Camino Espanol NW, Albuquerque, NM 87107
Katherine Cordova, 850 Salida Sandia SW, Albuquerque, NM 87105
Kitty Richards, 935 Alameda Rd. NW, Albuquerque, NM 87114
Susan Schuurman, 2112 Charlevoix NW, Albuquerque, NM 87104
Sonia Dicky, 406 15th ST NW, Albuquerque, NM 87104
Tasha Bergerl, 8514 Zydecko Ave SW, Albuquerque, NM 87121
John and Connie M Gould, 2729 Gun Club Rd. SW, Albuquerque, NM 87105
Penelope Foran, 1309 San Jose Ave. SE, Albuquerque, NM 87106
Judith Murphy, 9222 Luthy Circle NE, Albuquerque, NM 87122
Adrian Pedroza, P.O. Box 12320, Albuquerque, NM 87195
Donald Meaders, 4047 Anderson Ave. SE, Albuquerque, NM 87108
Mi Lopez, 1209 Amado NW, Albuquerque, NM 87104
Nancy Galloway, 7 Juniper Hill Rd., Albuquerque, NM 87122
Lee Padilla, 6404 Palacio SW, Albuquerque, NM 87105
Jerry Donalson, 2275 Don Felipe Rd. SW, Albuquerque, NM 87105
Casey Coty, 1501 Sunset Farm Rd. SW, Albuquerque, NM 87105
Paula Garcia, 805 Early St., Suite 203 B, Santa Fe, NM 87505
Myrriah Gomez, 1313 Kentucky St. SE, Albuquerque, NM 87108
Connie Murphy, 2454 Carson Rd. NW, Albuquerque, NM 87104
Geraldine Murphy, 2927 Osage Ave. SW, Albuquerque, NM 87105
Marietta Patrikia Leis, 601 Aliso Dr. SE, Albuquerque, NM 87108
Theresa Gonzales, P.O. Box 26871, Albuquerque, NM 87108
Fidel Gonzales, 203 Riverside Dr. SW, Albuquerque, NM 87105
George Lujan, 1023 20th ST NW, Albuquerque, NM 87104
Adam Martinez, 1111 Amherst Dr. SE, Apt 44, Albuquerque, NM 87106
Heather Esqueda, 3612 Cherokee Rd. NE, Albuquerque, NM 87110
Robyn Cote, 2639 Pajarito Rd. SW, Albuquerque, NM 87105
Angel Ortiz, P. O. Box 536 Penasco, NM 87553
Lora Lucero, P.O. Box 7638, Albuquerque, NM 87194
Mark Rudd, 506 Valley High SW, Albuquerque, NM 87105
Julian Coriz, P.O. Box 593, Santo Domingo, NM 87052

Harold Trujillo, 2702 Rincon Ct Santa Fe, New Mexico 87505
H.L. Candelaria, P.O. Box 72112, Albuquerque, NM 87195
Dora Trose, P.O. Box 3826, Tohatchi, NM 87325
Sayrah Namaste, 3421 Andrea SE, Albuquerque, NM 87106
David T. Garcia, 278 County Rd., Espanola, NM 87533
Divana Olivas, 1950 Panay Dr., Los Lunas, NM 87031
Cassandra Reid, 5614 Isleta Blvd. SW, Albuquerque, NM 87105
Lisa Trujillo, 1205 6th St NW, Albuquerque, NM 87102
Robert Schiller, 2613 Garner Rd. SW, Albuquerque, NM 87105
Kate Halbach, 1005 Walter St. SE, Albuquerque, NM 87102
Pam Valencia, 48 Road 4558, Blanco, NM 87412
Charles R. Powell, P.O. Box 20451, Albuquerque, NM 87154
Ignacio and Juliet Garcia-Gonzales, P.O. Box 113, Chamisal, NM 87521
Roger McNew, 5102 Pastura Pl. NW, Albuquerque, NM 87107
State Rep Miguel Garcia, 1118 La Font Rd. SW, Albuquerque, NM 87105
Steve Miller and Andrew Clouse, 924 Amherst Dr. SE, Albuquerque, NM 87106
Matt Cross Guillen, 1659 Estrellita Rd. SE, Rio Rancho, NM 87124
Donald and Michelle Meaders, 4047 Anderson Ave. SE, Albuquerque, NM 87108
Ilsa Garduno, 414 Vassar Dr. NE, Albuquerque, NM 87106
Steven Ramone, 9900 Morning Sun Trl. SW, Albuquerque, NM 87121
Don Schrader, 1806 Walter SE, Albuquerque, NM 87102
Jessa Bunker, 722 Isleta Blvd. SW, Albuquerque, NM 87105
Barbara Garrity, 1335 Bryn Mawr Dr. SE, Albuquerque, NM 87106
James M. Aranda, 1824 Neat Lane SW, Albuquerque, NM 87105
Patricia Gallegos, 539 Field Hawk Tr., NW, Albuquerque, NM 87114
Susan More, P.O. Box 794 Pie Town, NM 87827
Larry Evans, P.O. Box 766 Pie Town, NM 87827
Nicole Overton, 540 Sedona Meadows Dr. NE, Rio Rancho, NM 87144
Carla Garcia, 1700 Ilfield Rd. SW, Albuquerque, NM 87105
Louis Head, 802 Headlingly Ave. NW, Albuquerque, NM 87107
Lind Starr, 504 Aliso Dr. NE, Albuquerque, NM 87108
Stephen Verchinski, 2700 Espanola St NE, Albuquerque, NM 87110
Ravi Wadhvani, 900 Grecian Ave. NW, Albuquerque, NM 87107
Michael Pitula, 1504 Coal Ave. SE, Albuquerque, NM 87106
Yarida Estrada, 3127 Erratic St. SW, Albuquerque, NM 87121
Karen Cathey, 420 Indiana St. SE, Albuquerque, NM 87108
Hess Yntema, 215 Gold SW, Suite 201, Albuquerque, NM 87102
Tanya Griego, 340 4th Ave. SW, Rio Rancho, NM 87124
Taylor Cadillic, 3418 Eastern Ave SE, Albuquerque, NM 87106