



OFFICIAL NOTICE OF DECISION

CITY OF ALBUQUERQUE
PLANNING DEPARTMENT
DEVELOPMENT REVIEW BOARD

August 15, 2012

Project# 1001816

12DRB-70170 VACATION OF PUBLIC SIDEWALK EASEMENT

RIO GRANDE ENGINEERING agent(s) for JANE CARLTON request(s) the referenced/ above action(s) on all or a portion of Lot(s) 12A, Block(s) 54, **NEW MEXICO TOWN COMPANY'S ORIGINAL TOWNSITE** zoned SU-2/HDA, located on the east side of 10TH ST NW between TIJERAS AVE NW and KENT AVE NW containing approximately .2797 acre. (J-13) [*Deferred from 7/18/12, 7/18/12, 8/1/12, 8/8/12*]

At the August 15, 2012 Development Review Board meeting, the vacation of the Public Sidewalk Easements along Kent Avenue NW and 10th Street NW were approved as shown on Exhibit B in the Planning file per section 14-14-7-2(A)(1) and (B) (1)(3) of the Subdivision Ordinance. The vacation of the Public Sidewalk Easement along Tijeras Avenue NW was denied.

Findings

1. The DRB finds that the application request was submitted by the owner of the majority of the footage of land abutting the proposed vacations in accordance with Section 14-14-7-2(A)(1) of the Subdivision Ordinance,
2. The public welfare is in no way served by retaining the easement along Kent Avenue NW or 10th Street NW because the City of Albuquerque does not anticipate any need to utilize the existing easement for sidewalk purposes, based on the submission by the applicant and existing conditions. However, the easement along Tijeras Avenue NW is used for an existing sidewalk, and the sidewalk is uniform for this block and the block to the west. Transportation Objective 1.2 of the Downtown Neighborhood Sector Development Plan is to maintain the width and location of existing parkways and sidewalks, therefore the public welfare would be served by retaining this easement.
3. A sign was posted on the subject property advertising the public hearing, property owners of record abutting the proposed vacation were notified of the hearing by first class mail, and recognized Neighborhood Associations in the area were notified by certified mail prior to the filing of the application for vacations in accordance with Section 14-14-7-2(F)(2) of the Subdivision Ordinance. There is no convincing evidence that any substantial property right is being abridged against the will of the owner of the right, as no objection regarding access or the abridgement of a substantial property right was raised.

CONDITIONS:

1. Final disposition shall be through the City Real Estate Office.
2. The vacated property shall be shown on a replat approved by the Development Review Board and the approved replat shall be filed for record with the Bernalillo County Clerk's Office within one year.

If you wish to appeal this decision, you must do so by August 30, 2012 in the manner described below.

Appeal is to the Land Use Hearing Officer. Any person aggrieved with any determination of the Development Review Board may file an appeal on the Planning Department form, to the Planning Department, within 15 days of the Development Review Board's decision.

The date the determination in question is issued is not included in the 15-day period for filing an appeal.

If the fifteenth day falls on a Saturday, Sunday or holiday as listed in the Merit System Ordinance, the next working day is considered as the deadline for filing the appeal. Such appeal shall be heard within 60 days of its filing.

You will receive notice if any other person files an appeal. Successful applicants are reminded that other requirements of the City must be complied with, even after approval of the referenced application(s).

Please note that the vacation of all plats, rights-of-way, and easements are void after one year from the final appeal date referenced above if all conditions are not met (The effective date of Development Review Board approval is the hearing date plus the 15-day appeal period.) (REF: Chapter 14 Article 14 Part 7-2 (E)(3)(6) Revised Ordinance.)



Jack Cloud, DRB Chair

Cc: RIO GRANDE ENGINEERING
Marilyn Maldonado
file



CITY OF ALBUQUERQUE
PLANNING DEPARTMENT
DEVELOPMENT REVIEW BOARD

July 11, 2012

Project# 1001816

12DRB-70170 VACATION OF PUBLIC SIDEWALK EASEMENT

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AMAFCA No comments
COG No comments provided
TRANSIT No comments provided
ZONING ENFORCEMENT No comments provided
NEIGHBORHOOD COORDINATION
APS This will have no adverse impacts to the APS district.
POLICE DEPARTMENT No Crime Prevention or CPTED comments concerning the proposed Vacation of Public Easement request at this time.
FIRE DEPARTMENT No adverse comments
PNM ELECTRIC & NMGAS No comments provided
COMCAST No comments provided
CenturyLink No comments provided
ENVIRONMENTAL HEALTH No comments provided
M.R.G.C.D No adverse comments
OPEN SPACE DIVISION Reviewed: No Adverse Comment
CITY ENGINEER Hydrology has no objection.
TRANSPORTATION DEVELOPMENT

PARKS AND RECREATION

No comments

ABCWUA

PLANNING DEPARTMENT

An exhibit without extraneous spot elevation data is needed to clearly show curb, gutter and sidewalk with property line and easement. It appears the public sidewalk on Tijeras is within the platted easement. Refer to comments from affected agencies/ Transportation Development plus any public hearing comments regarding proposed extension.

IT IS REQUIRED THAT THE APPLICANT AND/OR AGENT BE PRESENT AT THE HEARING





DEVELOPMENT REVIEW BOARD SUPPLEMENTAL SUBMITTAL

PROJECT NO. 1001816

Application No. 12 DRB-70170

TO: ALL MEMBERS

Jack Cloud, DRB Chairman, Planning Department

Curtis Cherne, P.E., Hydrology

Kristal Metro, P.E., Transportation Development

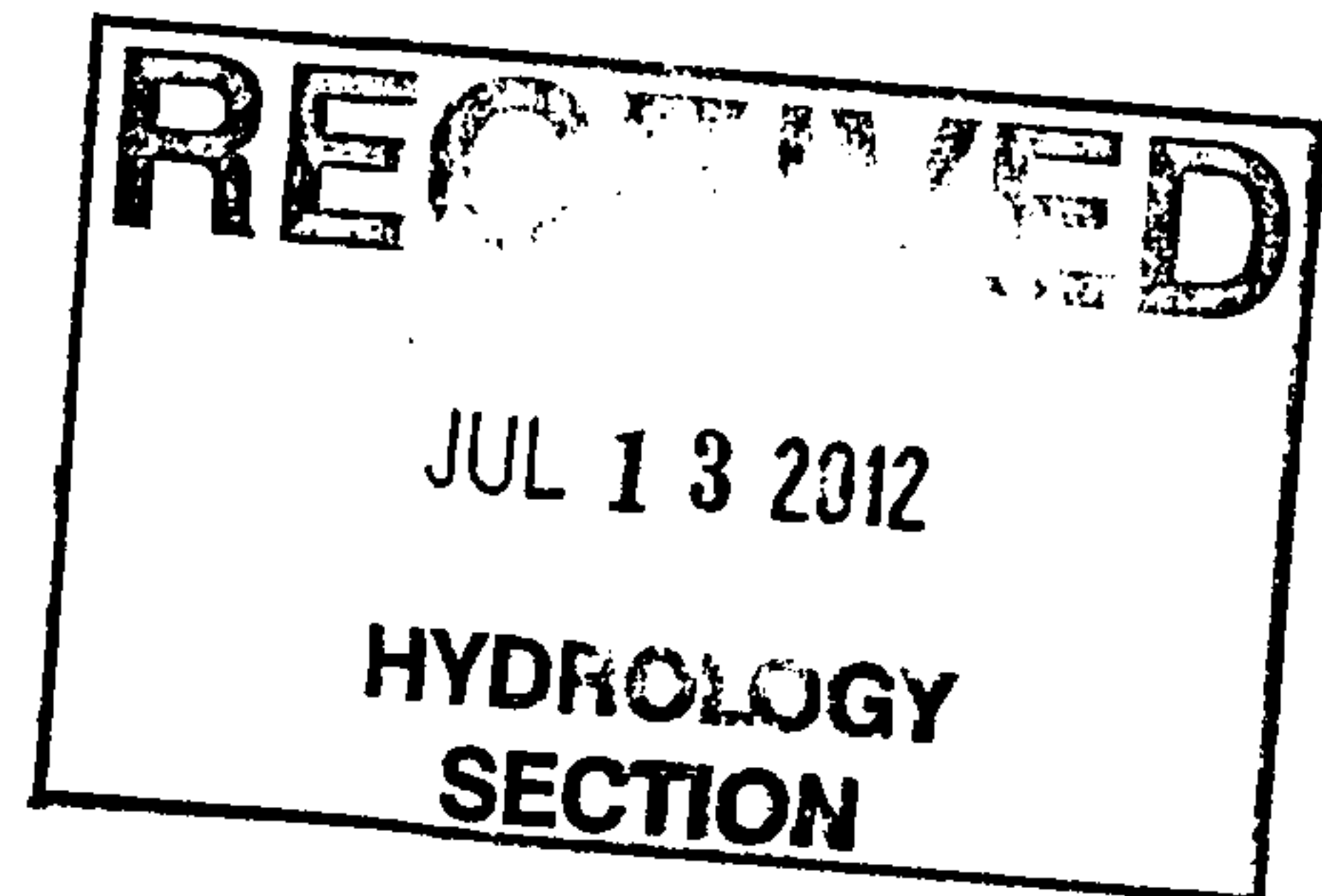
Allan Porter, P.E., Albuquerque/ Bernalillo Co. WUA

Carol Dumont, Parks/Municipal Development

NEXT HEARING DATE: 7/18/12

NOTE: REQUESTS FOR DEFERRAL OF CASES WILL BE DISCUSSED BY THE BOARD AND THE APPLICANT AND/OR AGENT AT THE BEGINNING OF THE AGENDA. BOTH PARTIES MUST AGREE UPON THE DATE OF DEFERRAL. IF THE APPLICANT/AGENT IS NOT PRESENT, THE ADMINISTRATIVE ASSISTANT MUST RECEIVE A LETTER, PRIOR TO THE HEARING DATE, REQUESTING A SPECIFIC DEFERRAL DATE. THE BOARD WILL DISCUSS AND MAKE A DECISION AT THE HEARING. THE APPLICANT/AGENT WILL THEN BE INFORMED OF THE DEFERRAL DATE AND REASON. IF THE APPLICANT IS NOT PRESENT WHEN THEIR REQUEST IS CALLED, THEN THE REQUEST MAY BE INDEFINITELY DEFERRED ON A NO SHOW.

SUBMITTAL DESCRIPTION: Revised Exhibit.



CONTACT NAME: David Soule

TELEPHONE: 321-9099 EMAIL: David@RioGrandeEngineering.com



DEVELOPMENT REVIEW BOARD SUPPLEMENTAL SUBMITTAL

PROJECT NO. 1001816

Application No. 12DRB70170

TO: ALL MEMBERS

Jack Cloud, DRB Chairman, Planning Department

Curtis Cherne, P.E., Hydrology

Kristal Metro, P.E., Transportation Development

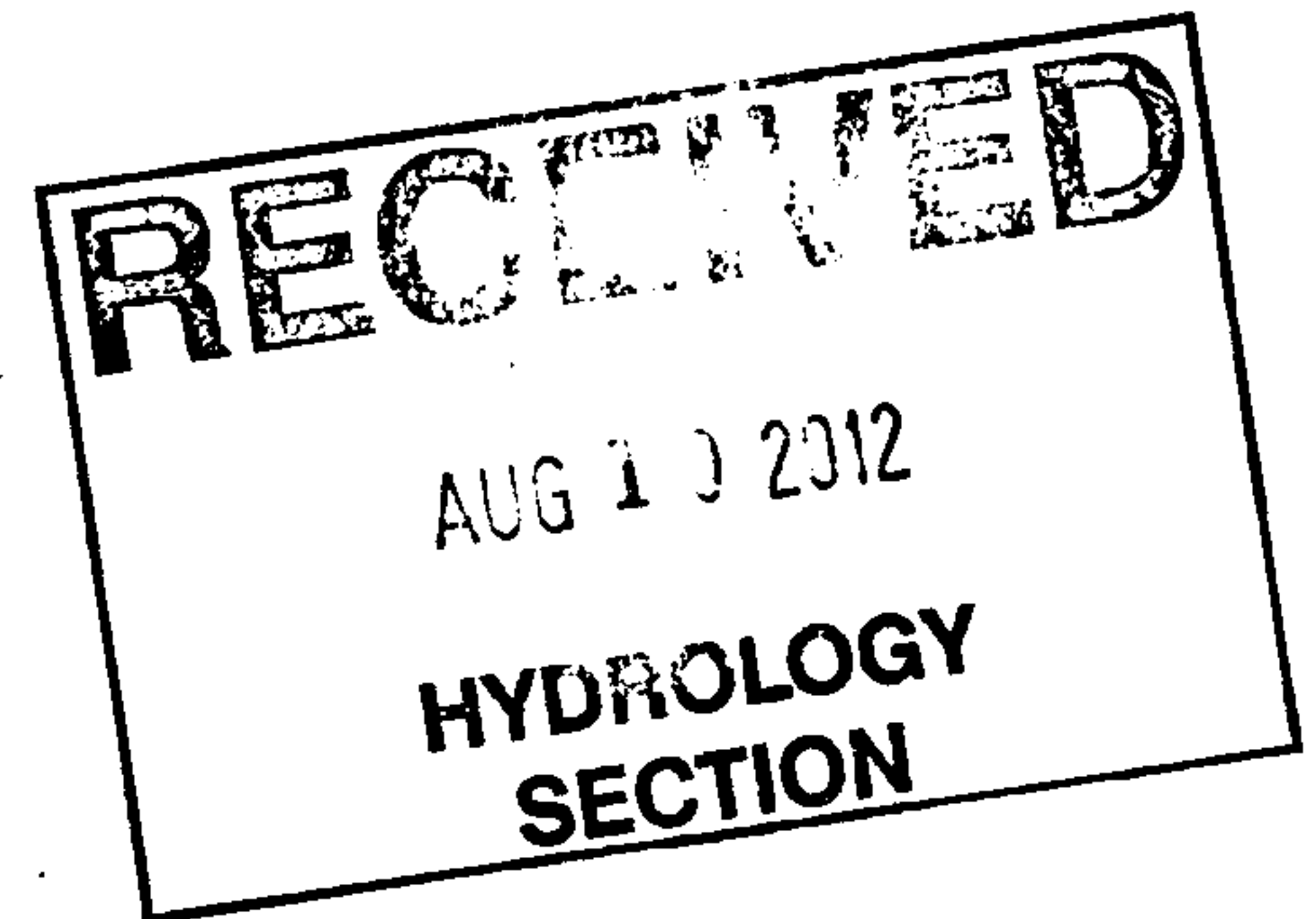
Allan Porter, P.E., Albuquerque/ Bernalillo Co. WUA

Carol Dumont, Parks/Municipal Development

NEXT HEARING DATE: 8/15

NOTE: REQUESTS FOR DEFERRAL OF CASES WILL BE DISCUSSED BY THE BOARD AND THE APPLICANT AND/OR AGENT AT THE BEGINNING OF THE AGENDA. BOTH PARTIES MUST AGREE UPON THE DATE OF DEFERRAL. IF THE APPLICANT/AGENT IS NOT PRESENT, THE ADMINISTRATIVE ASSISTANT MUST RECEIVE A LETTER, PRIOR TO THE HEARING DATE, REQUESTING A SPECIFIC DEFERRAL DATE. THE BOARD WILL DISCUSS AND MAKE A DECISION AT THE HEARING. THE APPLICANT/AGENT WILL THEN BE INFORMED OF THE DEFERRAL DATE AND REASON. IF THE APPLICANT IS NOT PRESENT WHEN THEIR REQUEST IS CALLED, THEN THE REQUEST MAY BE INDEFINITELY DEFERRED ON A NO SHOW.

SUBMITTAL DESCRIPTION: Revised exhibit & Justification letter



CONTACT NAME: David Souto

TELEPHONE: 321-9097 EMAIL: david@roganengineering.com

August 9, 2012

Mr. Jack Cloud
Chair- Development Review Board
City of Albuquerque
600 2nd street NW
Albuquerque, NM 87102

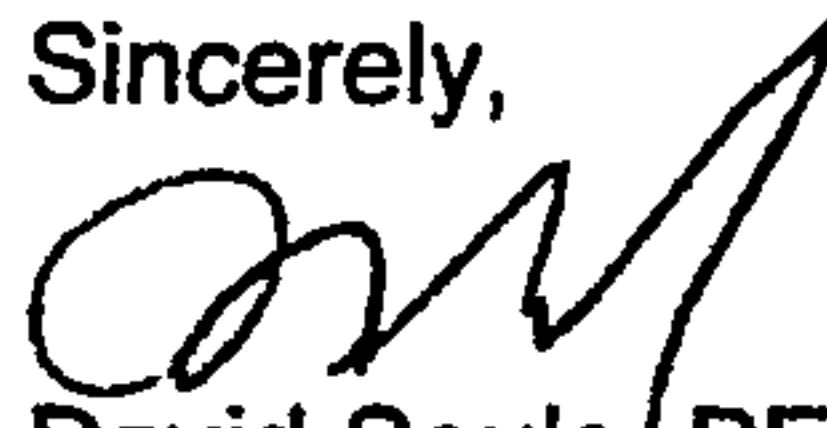
**RE: Vacation of Public Sidewalk Easement
Lot 12A-, Block 54, NM Town Company Original Townsite
PROJECT # 1001816
Albuquerque, New Mexico**

Dear Mr. Cloud:

Rio Grande Engineering requests vacation of public access easements. The previously submitted plat shows the rights of way were vacated during a lot consolidation and public sidewalk easements were granted. The owner subsequently vacated these easements in 2007, yet did not incorporate this into the property by re-platting. The owner intends to redevelop the property therefore request the vacation be redone with a plat to follow. As shown on the enclosed exhibit, the distance from back of curb to property line is 10 for 10th, Kent, and Tijeras. New 6' sidewalks and handicap ramps will be constructed around the site. The new 6' sidewalks meet the city standards, the additional easements were retained previously because they did not conflict with the existing older apartments. The location of the wider than required sidewalks will interfere with the redevelopment. The proposed interface with the existing sidewalks along will be transitioned with a 6' radius per City of Albuquerque standard detail 2432, and as shown on attached exhibits. The proposed vacation does not adversely affect the public good, and promotes redevelopment objectives of the Downtown neighborhoods sector plan. The renewal/ reconstruction of older sidewalks to bring to city standards is an objective listed within the plan. Currently no sidewalk exists in Kent adjacent to this site. As shown the existing right of way is adequate for the required sidewalks, therefore the vacation of the additional sidewalk easements provides for a streetscape consistent with City standards.

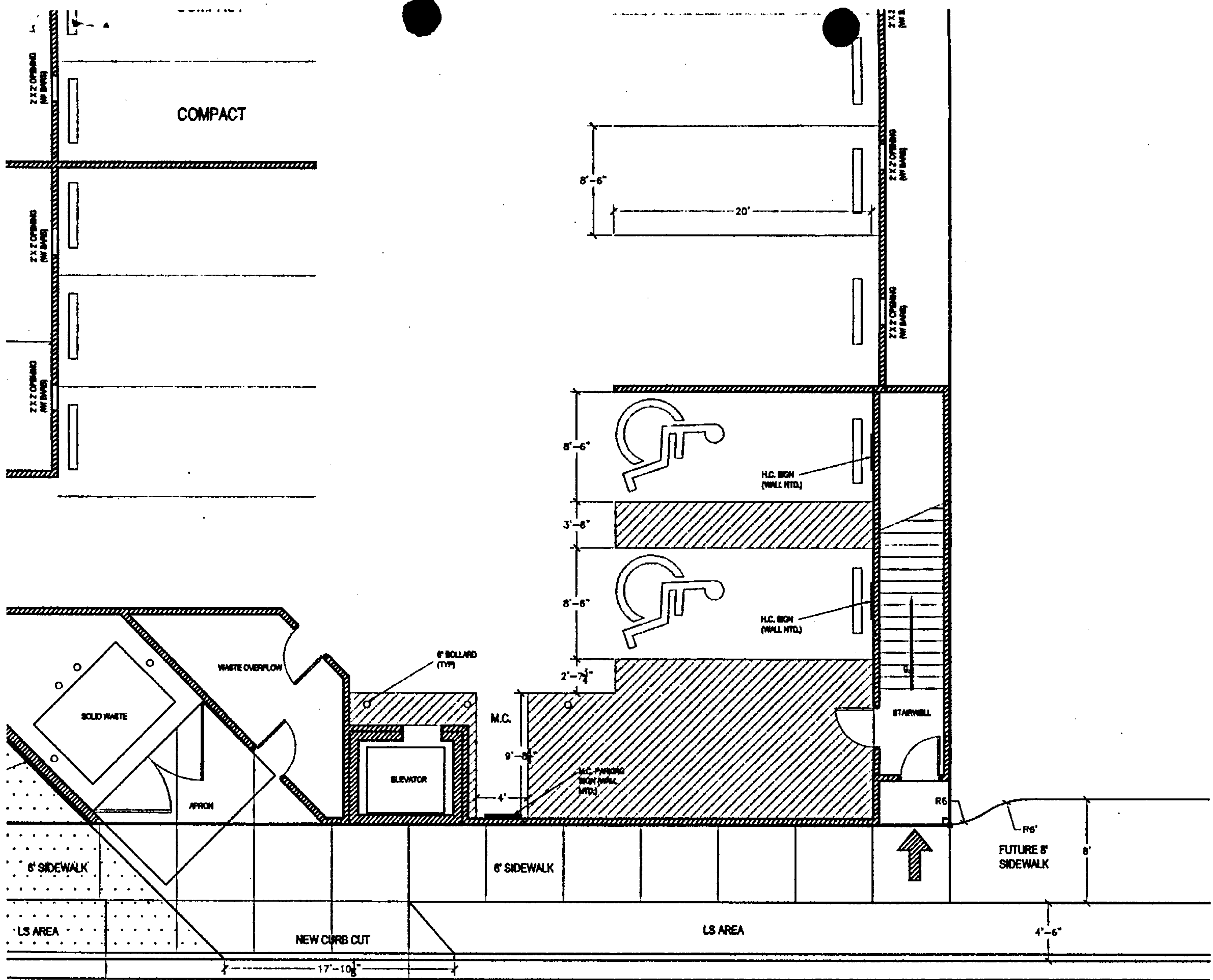
Should you have any questions regarding this matter, please do not hesitate to call me.

Sincerely,



David Soule, PE
RIO GRANDE ENGINEERING
PO Box 93924
ALBUQUERQUE, NM 87199
321-9099

Enclosures



KENT AVE.

SITE PLAN



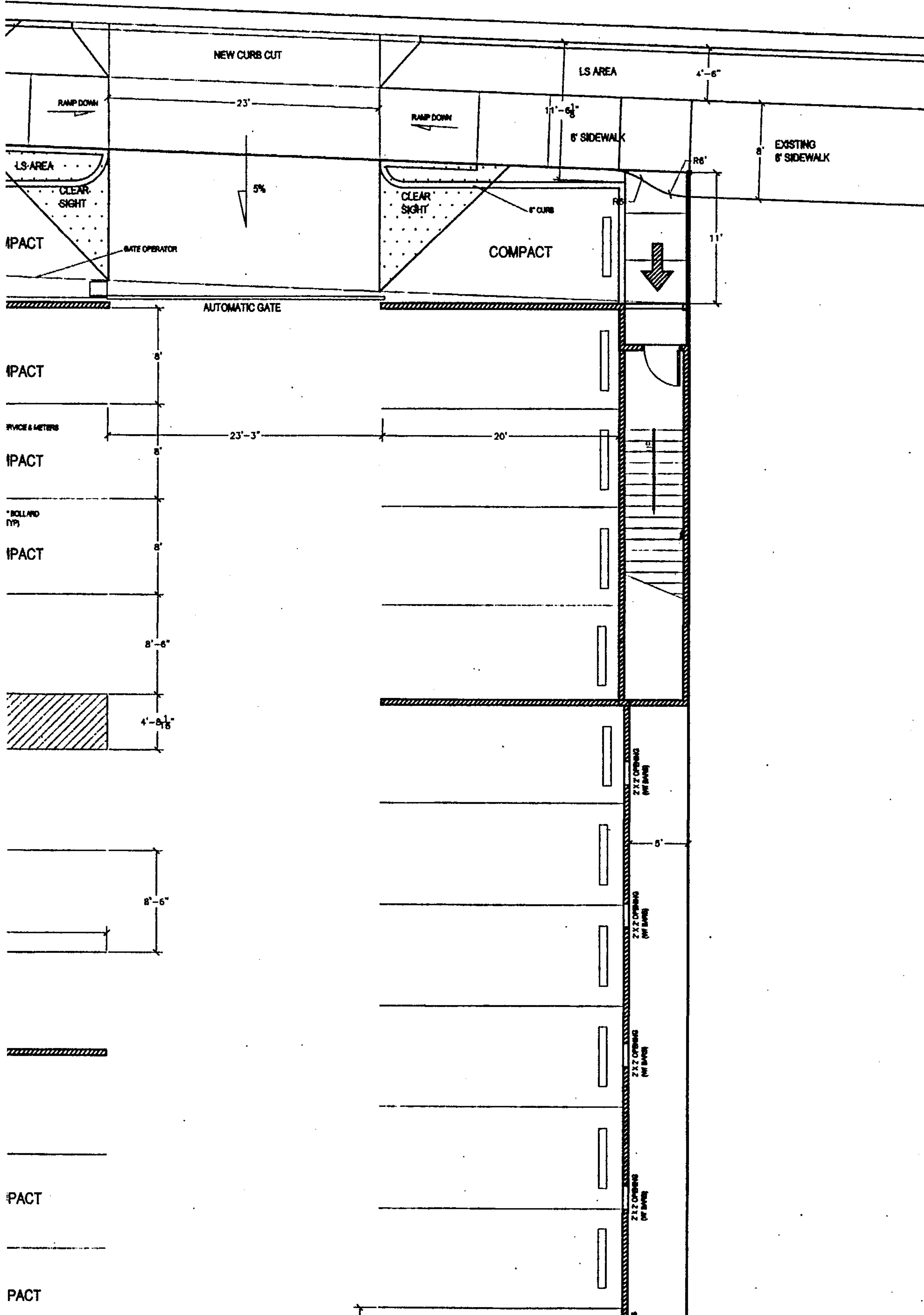
OF LOT 12-A BLOCK 54 NEW MEXICO
 TOWNSITE BEING A REPLAT OF LOTS 10,
 F-OF-WAY BLOCK 54 NEW MEXICO TOWN.

SCALE: 1" = 10'

STRUCTURAL	ELECTRICAL	MECHANICAL
S WALKER, P.E. G STRUCTURAL ENG. H STREET, STE-E A FE, NM 87500 05-424-3232	DAVID A. EXE, PE INDUSTRIAL ENGINEERING INC. 1806 LOMAS BLVD NW ALBUQUERQUE, NM 87104 505-246-4331	DICK LINDELL, PE LINDELL ENGINEERING, INC. 3411 KILMER LAND NORTH PLYMOUTH, MN 55441 763-542-9163

HC SI

TIJERAS AVE.



EXECUTIV

THE PROPOSED NEW STRUCTURE WITH P THIRTY-FIVE ONE AP UNITS, EACH WITH A DISTRIBUTED ON FC SHALL INCLUDE REC STORAGE AREAS, M MECHANICAL/ELECT FLOOR SHALL BE CC NATURALLY VENTIL/ 28 SECURED PARKIN PARKING STALLS ON (NORTH SIDE). STRUCTURAL ELEMI CONSTRUCTION. E) INCLUDE STUCCO W AND WROUGHT IROI EQUIPPED WITH A FI THE PROJECT WILL COMPLETELY CONS PERMIT.

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NOTE: THE NORTH F THE "FRONT" OF THI

CITY OF ALBUQUER/ ZONING SETBACK R

JUNCTION OF A DRI FRONT YARD (ADJAC SIDE YARD (ALONG SIDE YARD (INTERN/ REAR YARD

FLOOR AREA RATIO:

GROSS FLOOR ARE/ GROSS FLOOR ARE/

USABLE OPEN SPAC

USABLE OPEN SPAC

USABLE OPEN SPAC



INTER-OFFICE MEMORANDUM

COMMENTING AGENCIES

DEBBIE BAUMAN, Transportation Development
SHABIH RIZVI, Transit & Parking Department
STEVE MONTIEL, Council of Governments
LYNN MAZUR, AMAFCA
STEVE SINK, APD Crime Prevention
JAY LEE EVANS, Open Space Division
RAY SANCHEZ, Fire Department
DAVID KILPATRICK, Zoning Enforcement Inspector
STEPHANI WINKLEPLECK, Neighborhood Coordination
DANIEL ARAGON, Public Service Company of New Mexico
PATRICK SANCHEZ, New Mexico Gas Company
APRIL WINTERS, Albuquerque Public Schools
MICHELE RAMIREZ, CenturyLink
MIKE MORTUS, Comcast Cable
RAY GOMEZ, Middle Rio Grande Conservancy District (MRGCD)
SUZANNE BUSCH, Environmental Health

Your comments on the following case(s) are requested. Board hearing date:

PROJECT # 1001816

Wednesday, July 11, 2012

Comments must be received by:

Friday, July 6, 2012

If comments are not received by this date, "no comments" will be listed on the staff report. Attached are copies of the requests.

If you have any questions, please contact me at 924-3946 or agomez@cabq.gov



Supplemental Form (SF)

SUBDIVISION	S Z ZONING & PLANNING
<input type="checkbox"/> Major subdivision action	<input type="checkbox"/> Annexation
<input type="checkbox"/> Minor subdivision action	<input type="checkbox"/> Zone Map Amendment (Establish or Change Zoning, includes Zoning within Sector Development Plans)
<input checked="" type="checkbox"/> Vacation	<input type="checkbox"/> Adoption of Rank 2 or 3 Plan or similar
<input type="checkbox"/> Variance (Non-Zoning)	<input type="checkbox"/> Text Amendment to Adopted Rank 1, 2 or 3 Plan(s), Zoning Code, or Subd. Regulations
SITE DEVELOPMENT PLAN	P
<input type="checkbox"/> for Subdivision	<input type="checkbox"/> Street Name Change (Local & Collector)
<input type="checkbox"/> for Building Permit	L A APPEAL / PROTEST of...
<input type="checkbox"/> Administrative Amendment/Approval (AA)	<input type="checkbox"/> Decision by: DRB, EPC, LUCC, Planning Director, ZEO, ZHE, Board of Appeals, other
<input type="checkbox"/> IP Master Development Plan	
<input type="checkbox"/> Cert. of Appropriateness (LUCC)	
STORM DRAINAGE (Form D)	
<input type="checkbox"/> Storm Drainage Cost Allocation Plan	

PRINT OR TYPE IN BLACK INK ONLY. The applicant or agent must submit the completed application in person to the Planning Department Development Services Center, 600 2nd Street NW, Albuquerque, NM 87102. Fees must be paid at the time of application. Refer to supplemental forms for submittal requirements.

APPLICATION INFORMATION:

Professional/Agent (if any): Rio Grande Engineering PHONE: 321-9099
 ADDRESS: P O Box 93924 FAX: 872-0999
 CITY: Alb STATE NM ZIP 87199 E-MAIL: David@riograndeengineering.com

APPLICANT: E. Jane Carton PHONE: _____
 ADDRESS: 800 Valverde SE FAX: _____
 CITY: Alb STATE NM ZIP 87108 E-MAIL: jcarton@col.com

Proprietary interest in site: owner List all owners: _____

DESCRIPTION OF REQUEST: Vacation of Sidewalk easement

Is the applicant seeking incentives pursuant to the Family Housing Development Program? Yes. No.

SITE INFORMATION: ACCURACY OF THE EXISTING LEGAL DESCRIPTION IS CRUCIAL! ATTACH A SEPARATE SHEET IF NECESSARY.

Lot or Tract No. 17 A Block: 54 Unit: _____
 Subdiv/Addn/TBKA: NM Town Company original townsite
 Existing Zoning: SU2-14DA Proposed zoning: 1' MRGCD Map No. _____
 Zone Atlas page(s): 2-13 UPC Code: 101305849601240501

CASE HISTORY:

List any current or prior case number that may be relevant to your application (Proj., App., DRB-, AX_Z_, V_, S_, etc.): 1001816

CASE INFORMATION:

Within city limits? Yes Within 1000FT of a landfill? NO
 No. of existing lots: 1 No. of proposed lots: 1 Total site area (acres): .3
 LOCATION OF PROPERTY BY STREETS: On or Near: 10th street
 Between: Tigras and Kent

Check if project was previously reviewed by: Sketch Plat/Plan or Pre-application Review Team(PRT) Review Date: _____

SIGNATURE [Signature] DATE 6/11/12
 (Print Name) David Solis Applicant: Agent:

FOR OFFICIAL USE ONLY

Revised: 4/2012

- INTERNAL ROUTING
- All checklists are complete
- All fees have been collected
- All case #s are assigned
- AGIS copy has been sent
- Case history #s are listed
- Site is within 1000ft of a landfill
- F.H.D.P. density bonus
- F.H.D.P. fee rebate

Application case numbers

12 DRB 70170

Action

VPE
CMF
ADV

S.F.

Fees

\$ 45.00
 \$ 20.00
 \$ 75.00
 \$ _____
 \$ _____
 Total
 \$ 140.00

Hearing date

July 11, 2012

6-11-12
 Staff signature & Date

Project # 1001816

FORM V: SUBDIVISION VARIANCES & VACATIONS

- BULK LAND VARIANCE (DRB04)** (PUBLIC HEARING CASE)
 ___ Application for Minor Plat on FORM S-3, including those submittal requirements. **24 copies**
 ___ Letter briefly describing and explaining: the request, compliance with the Development Process Manual, and all improvements to be waived.
 ___ Notice on the proposed Plat that there are conditions to subsequent subdivision (refer to DPM)
 ___ Office of Community & Neighborhood Coordination inquiry response, notifying letter, certified mail receipts
 ___ Sign Posting Agreement
 ___ Fee (see schedule)
 ___ List any original and/or related file numbers on the cover application
DRB Public hearings are approximately 30 DAYS after the filing deadline. Your attendance is required.

- VACATION OF PUBLIC EASEMENT (DRB27) /**
 VACATION OF PUBLIC RIGHT-OF-WAY (DRB28)
 The complete document which created the public easement (folded to fit into an 8.5" by 14" pocket) **24 copies.**
 (Not required for City owned public right-of-way.)
 Drawing showing the easement or right-of-way to be vacated, etc. (not to exceed 8.5" by 11") **24 copies**
 Zone Atlas map with the entire property(ies) clearly outlined
 Letter briefly describing, explaining, and justifying the request
 Office of Community & Neighborhood Coordination inquiry response, notifying letter, certified mail receipts
 Sign Posting Agreement
 Fee (see schedule)
 List any original and/or related file numbers on the cover application
 Unless the vacation is shown on a DRB approved plat recorded by the County Clerk within one year, it will expire.
DRB Public hearings are approximately 30 DAYS after the filing deadline. Your attendance is required.

- SIDEWALK VARIANCE (DRB20)**
 SIDEWALK WAIVER (DRB21)
 ___ Scale drawing showing the proposed variance or waiver (not to exceed 8.5" by 14") **6 copies**
 ___ Zone Atlas map with the entire property(ies) clearly outlined
 ___ Letter briefly describing, explaining, and justifying the variance or waiver
 ___ List any original and/or related file numbers on the cover application
DRB meetings are approximately 8 DAYS after the Tuesday noon filing deadline. Your attendance is required.

- SUBDIVISION DESIGN VARIANCE FROM MINIMUM DPM STANDARDS (DRB25)**
 ___ Scale drawing showing the location of the proposed variance or waiver (not to exceed 8.5" by 14") **24 copies**
 ___ Zone Atlas map with the entire property(ies) clearly outlined
 ___ Letter briefly describing, explaining, and justifying the variance
 ___ Office of Community & Neighborhood Coordination inquiry response, notifying letter, certified mail receipts
 ___ Sign Posting Agreement
 ___ Fee (see schedule)
 ___ List any original and/or related file numbers on the cover application
DRB meetings are approximately 30 DAYS after the filing deadline. Your attendance is required.

- TEMPORARY DEFERRAL OF SIDEWALK CONSTRUCTION (DRB19)**
 EXTENSION OF THE SIA FOR TEMPORARY DEFERRAL OF SIDEWALK CONSTRUCTION (DRB07)
 ___ Drawing showing the sidewalks subject to the proposed deferral or extension (not to exceed 8.5" by 14") **6 copies**
 ___ Zone Atlas map with the entire property(ies) clearly outlined
 ___ Letter briefly describing, explaining, and justifying the deferral or extension
 ___ List any original and/or related file numbers on the cover application
DRB meetings are approximately 8 DAYS after the Tuesday noon filing deadline. Your attendance is required.

- VACATION OF PRIVATE EASEMENT (DRB26)**
 VACATION OF RECORDED PLAT (DRB29)
 ___ The complete document which created the private easement/recorded plat (not to exceed 8.5" by 14") **6 copies**
 ___ Scale drawing showing the easement to be vacated (8.5" by 11") **6 copies**
 ___ Zone Atlas map with the entire property(ies) clearly outlined
 ___ Letter/documents briefly describing, explaining, and justifying the vacation **6 copies**
 ___ Letter of authorization from the grantors and the beneficiaries (private easement only)
 ___ Fee (see schedule)
 ___ List any original and/or related file numbers on the cover application
 Unless the vacation is shown on a DRB approved plat recorded by the County Clerk within one year, it will expire.
DRB meetings are approximately 8 DAYS after the Tuesday noon filing deadline. Your attendance is required.

I, the applicant, acknowledge that any information required but not submitted with this application will likely result in deferral of actions.

David Soule
 Applicant name (print)
 [Signature] Applicant signature / date
 6/11/12



Form revised 4/07

- Checklists complete
 Fees collected
 Case #'s assigned
 Related #'s listed
- Application case numbers
 12 - DRB - 70170

[Signature] 6-11-12
 Planner signature / date
 Project # 1001816

SIGN POSTING AGREEMENT

REQUIREMENTS

POSTING SIGNS ANNOUNCING PUBLIC HEARINGS

All persons making application to the City under the requirements and procedures established by the City Zoning Code or Subdivision Ordinance are responsible for the posting and maintaining of one or more signs on the property which the application describes. Vacations of public rights-of-way (if the way has been in use) also require signs. Waterproof signs are provided at the time of application. If the application is mailed, you must still stop at the Development Services Front Counter to pick up the sign.

The applicant is responsible for ensuring that the signs remain posted throughout the 15-day period prior to public hearing. Failure to maintain the signs during this entire period may be cause for deferral or denial of the application. Replacement signs for those lost or damaged are available from the Development Services Front Counter at a charge of \$3.75 each.

1. LOCATION

- A. The sign shall be conspicuously located. It shall be located within twenty feet of the public sidewalk (or edge of public street). Staff may indicate a specific location.
- B. The face of the sign shall be parallel to the street, and the bottom of the sign shall be at least two feet from the ground.
- C. No barrier shall prevent a person from coming within five feet of the sign to read it.

2. NUMBER

- A. One sign shall be posted on each paved street frontage. Signs may be required on unpaved street frontages.
- B. If the land does not abut a public street, then, in addition to a sign placed on the property, a sign shall be placed on and at the edge of the public right-of-way of the nearest paved City street. Such a sign must direct readers toward the subject property by an arrow and an indication of distance.

3. PHYSICAL POSTING

- A. A heavy stake with two crossbars or a full plywood backing works best to keep the sign in place, especially during high winds.
- B. Large headed nails or staples are best for attaching signs to a post or backing; the sign tears out less easily.

4. TIME

Signs must be posted from June 26, 2012 To July 11, 2012

5. REMOVAL

- A. The sign is not to be removed before the initial hearing on the request.
- B. The sign should be removed within five (5) days after the initial hearing.

I have read this sheet and discussed it with the Development Services Front Counter Staff. I understand (A) my obligation to keep the sign(s) posted for (15) days and (B) where the sign(s) are to be located. I am being given a copy of this sheet.

DM
(Applicant or Agent)

6/11/12
(Date)

I issued 3 signs for this application, 6-11-12
(Date)

[Signature]
(Staff Member)

DRB PROJECT NUMBER: 1001816

June 11, 2012

Mr. Jack Cloud
Chair- Development Review Board
City of Albuquerque
600 2nd street NW
Albuquerque, NM 87102

**RE: Vacation of Public Sidewalk Easement
Lot 12A-, Block 54, NM Town Company Original Townsite
PROJECT # 1001816
Albuquerque, New Mexico**

Dear Mr. Cloud:

Rio Grande Engineering requests vacation of public access easements. The enclosed plat shows the rights of way were vacated during a lot consolidation and public sidewalk easements were granted. The owner subsequently vacated these easements in 2007, yet did not incorporate this into the property by re-platting. The owner intends to redevelop the property therefore request the vacation be redone with a plat to follow. As shown on the enclosed exhibit, the distance from back of curb to property line is 10 for 10th, Kent, and Tijeras. New sidewalk was constructed around the site. Prior to platting the property, some modifications to the sidewalk at the intersections of 10th/kent as well as Tijeras will be required so the entire 6' sidewalk will be located within right of way. As shown the existing right of way is adequate for the required sidewalks, therefore the vacation of the sidewalks provides for a streetscape consistent with City standards.

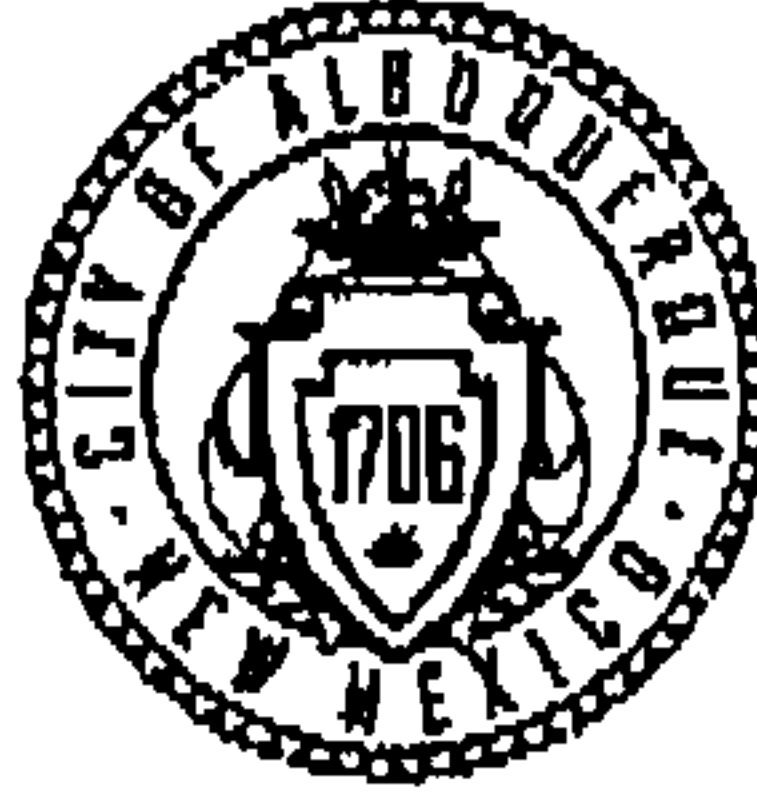
Should you have any questions regarding this matter, please do not hesitate to call me.

Sincerely,



David Soule, PE
RIO GRANDE ENGINEERING
PO Box 93924
ALBUQUERQUE, NM 87199
321-9099

Enclosures
Cc: NA



City of Albuquerque
P.O. Box 1293, Albuquerque, NM 87103

June 11, 2012

David Souk
Rio Grande Engineering
P.O. Box 93924
Phone: 505-321-9099 Fax: 505-872-0999

Dear David:

Thank you for your inquiry of June 11, 2012 requesting the names of ALL Neighborhood and/or Homeowners Associations who would be affected under the provisions of O-92 by your proposed project at (DRB SUBMITTAL) LOT 12A, BLOCK 54, NM TOWN COMPANY'S ORIGINAL TOWN SITE LOCATED ON 10TH ST. NW BETWEEN TIJERAS AND KENT zone map J-13.

Our records indicate that the ALL Neighborhood and/or Homeowners Associations affected by this proposal and the contact names are as follows:

ATTACHMENT "A"

Please note that according to O-92 you are required to notify each of these contact persons by **certified mail, return receipt requested, before** the Planning Department will accept your application filing. **IMPORTANT! Failure of adequate notification may result in your Application Hearing being deferred for 30 days.** If you have any questions about the information provided, please contact me at (505) 924-3906 or via an e-mail message at dcarmona@cabq.gov or by fax at (505) 924-3913.

Sincerely,

Dalaina Carmona

Senior Administrative Assistant
OFFICE OF NEIGHBORHOOD COORDINATION
Planning Department

PLEASE NOTE: The Neighborhood Association information listed in this letter is valid for one (1) month. If you haven't filed your application within one (1) month of the date of this letter - you will need to get an updated letter from our office. It is your responsibility to provide current information - outdated information may result in a deferral of your case.

**LETTERS MUST BE SENT TO BOTH
CONTACTS OF EACH
NEIGHBORHOOD ASSOCIATION.**

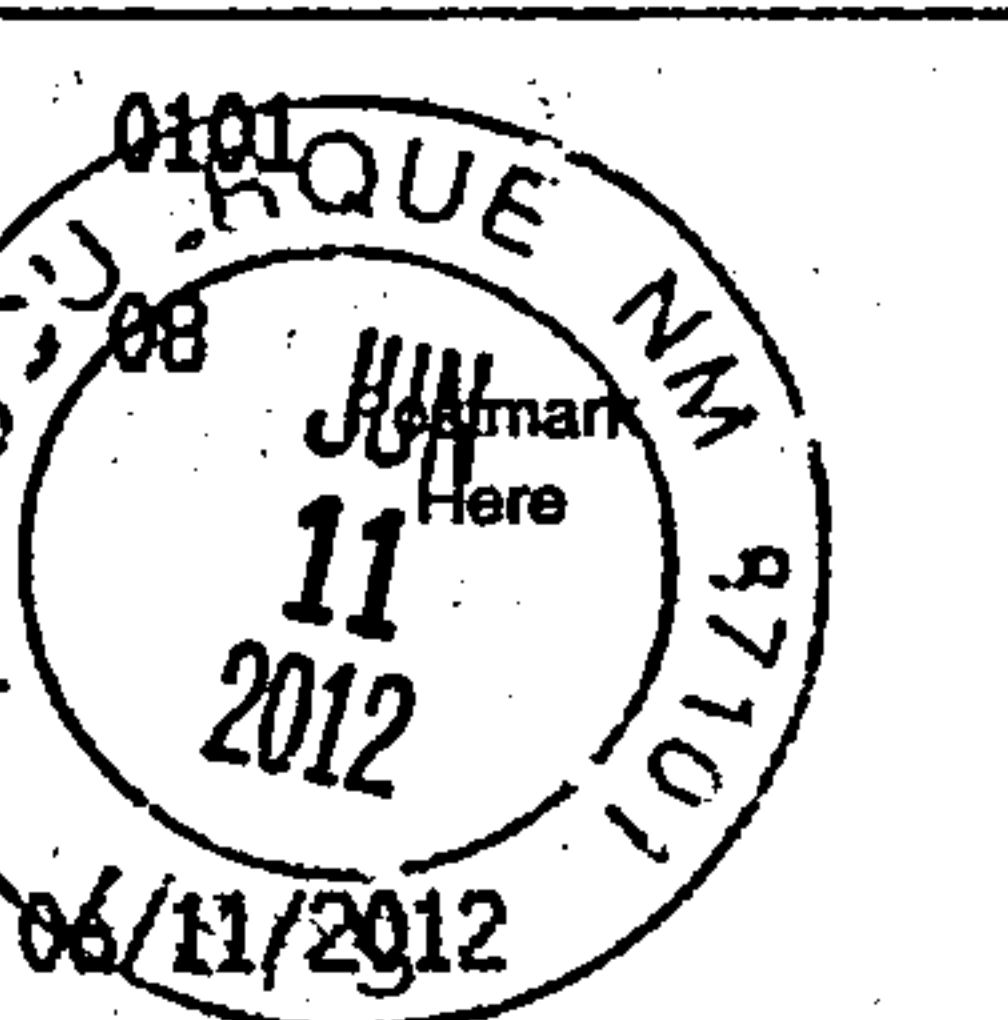
0123 4567 8901 2345 6789

U.S. Postal Service™
CERTIFIED MAIL™ RECEIPT
(Domestic Mail Only; No Insurance Coverage Provided)

For delivery information visit our website at www.usps.com

ALBUQUERQUE NM 87104 **OFFICIAL USE**

Postage	\$ 0.45
Certified Fee	\$2.95
Return Receipt Fee (Endorsement Required)	\$2.35
Restricted Delivery Fee (Endorsement Required)	\$0.00
Total Postage & Fees	\$ 5.75



Sent To Robert Bello
 Street, Apt. No.,
 or PO Box No. 1424 Roma NW
 City, State, ZIP+4 Albuquerque NM 87104

PS Form 3800, August 2006 See Reverse for Instructions

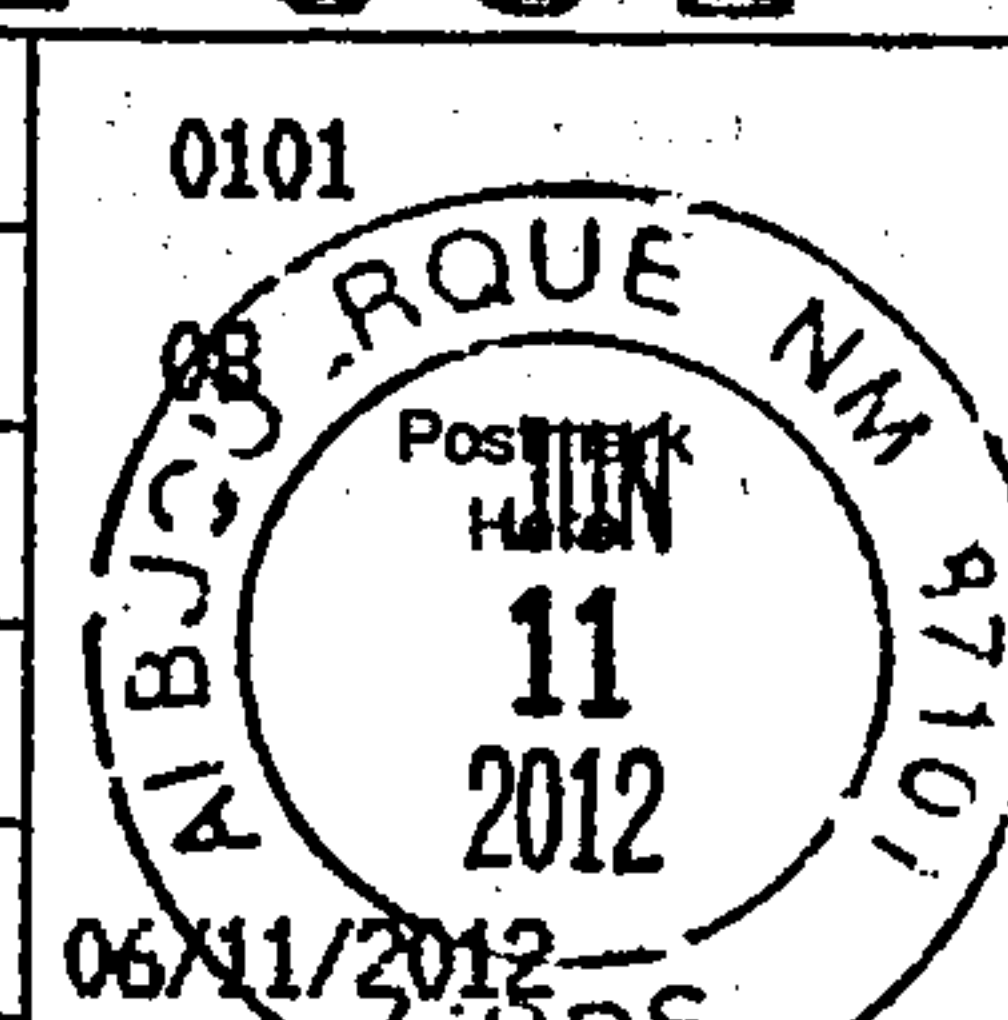
0123 4567 8901 2345 6789

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ALBUQUERQUE NM 87102 **OFFICIAL USE**

Postage	\$ 0.45
Certified Fee	\$2.95
Return Receipt Fee (Endorsement Required)	\$2.35
Restricted Delivery Fee (Endorsement Required)	\$0.00
Total Postage & Fees	\$ 5.75



Sent To Jacqueline Wright
 Street, Apt. No.,
 or PO Box No. 509 11th St NW
 City, State, ZIP+4 Albuquerque NM 87102

PS Form 3800, August 2006 See Reverse for Instructions

!!!Notice to Applicants!!!

SUGGESTED INFORMATION FOR NEIGHBORHOOD NOTIFICATION LETTERS

Applicants for Zone Change, Site Plan, Sector Development Plan approval or an amendment to a Sector Development Plan by the EPC, DRB, etc. are required under Council Bill O-92 to notify all affected recognized neighborhood associations **PRIOR TO FILING THE APPLICATION TO THE PLANNING DEPARTMENT**. Because the purpose of the notification is to ensure communication as a means of identifying and resolving problems early, it is essential that the notification be fully informative.

WE RECOMMEND THAT THE NOTIFICATION LETTER INCLUDE THE FOLLOWING INFORMATION:

1. The street address of the subject property.
2. The legal description of the property, including lot or tract number (if any), block number (if any), and name of the subdivision.
3. A physical description of the location, referenced to streets and existing land uses.
4. A complete description of the actions requested of the EPC:
 - a) If a **ZONE CHANGE OR ANNEXATION**, the name of the existing zone category and primary uses and the name of the proposed category and primary uses (i.e., "from the R-T Townhouse zone, to the C-2 Community Commercial zone").
 - b) If a **SITE DEVELOPMENT OR MASTER DEVELOPMENT PLAN** approval or amendment describe the physical nature of the proposal (i.e., "an amendment to the approved plan to allow a drive-through restaurant to be located just east of the main shopping center entrance off Montgomery Blvd.>").
 - c) If a **SECTOR DEVELOPMENT PLAN OR PLAN AMENDMENT** a general description of the plan area, plan concept, the mix of zoning and land use categories proposed and description of major features such as location of significant shopping centers, employment centers, parks and other public facilities.
 - d) The name, address and telephone number of the applicant and of the agent (if any). In particular the name of an individual contact person will be helpful so that neighborhood associations may contact someone with questions or comments.

Information from the Office of Neighborhood Coordination

The following information should always be in each application packet that you submit for an EPC or DRB application. Listed below is a "Checklist" of the items needed.

~~Copy of the official letter to the applicable neighbors and associations. A copy must be submitted with application packet. -OR-~~

The ONC "Official" Letter (if there are no associations). A copy must be submitted with application packet.

~~Copy of letter to Neighborhood Association if there are associations. A copy must be submitted with application packet.~~

~~Copy of the official letter to Neighborhood Association if there are associations. A copy must be submitted with application packet.~~

Just a reminder - Our ONC "Official" Letter is only valid for a one (1) month period and if you haven't submitted your application by this date, you will need to get an updated letter from our office.

Any questions, please feel free to contact Dalaina at 924-3906 or via an e-mail message at dcarmona@cabq.gov.

Thank you for your cooperation on this matter.

(below this line for ONC use only)

Date of Inquiry: **06/11/12** Time Entered: **11:28 a.m.** ONC Rep. Initials: **DC**

ATTACHMENT "A"

DOWNTOWN N.A. (DNA) "R"

Jacqueline Wright *e-mail:* jacquelinemwright@gmail.com

509 11th St. NW/87102 401-3149 (h)

Robert Bello *e-mail:* ruta2@hotmail.com

1424 Roma NW/87104 280-3774 (c)

Website: <http://abqdna.com/>

Council District: 2

County District: 2

Police Beat: 223,225,232,233/VA

Zone Map #: J-K-13-14

Letter Sent to NA

June 11, 2012

Mr. Jack Cloud
Chair- Development Review Board
City of Albuquerque
600 2nd street NW
Albuquerque, NM 87102

**RE: Vacation of Public Sidewalk Easement
Lot 12A-, Block 54, NM Town Company Original Townsite
PROJECT # 1001816
Albuquerque, New Mexico**

Dear Mr. Cloud:

Rio Grande Engineering requests vacation of public access easements. The enclosed plat shows the rights of way were vacated during a lot consolidation and public sidewalk easements were granted. The owner subsequently vacated these easements in 2007, yet did not incorporate this into the property by re-platting. The owner intends to redevelop the property therefore request the vacation be redone with a plat to follow. As shown on the enclosed exhibit, the distance from back of curb to property line is 10 for 10th, Kent, and Tijeras. New sidewalk was constructed around the site. Prior to platting the property, some modifications to the sidewalk at the intersections of 10th/kent as well as Tijeras will be required so the entire 6' sidewalk will be located within right of way. As shown the existing right of way is adequate for the required sidewalks, therefore the vacation of the sidewalks provides for a streetscape consistent with City standards.

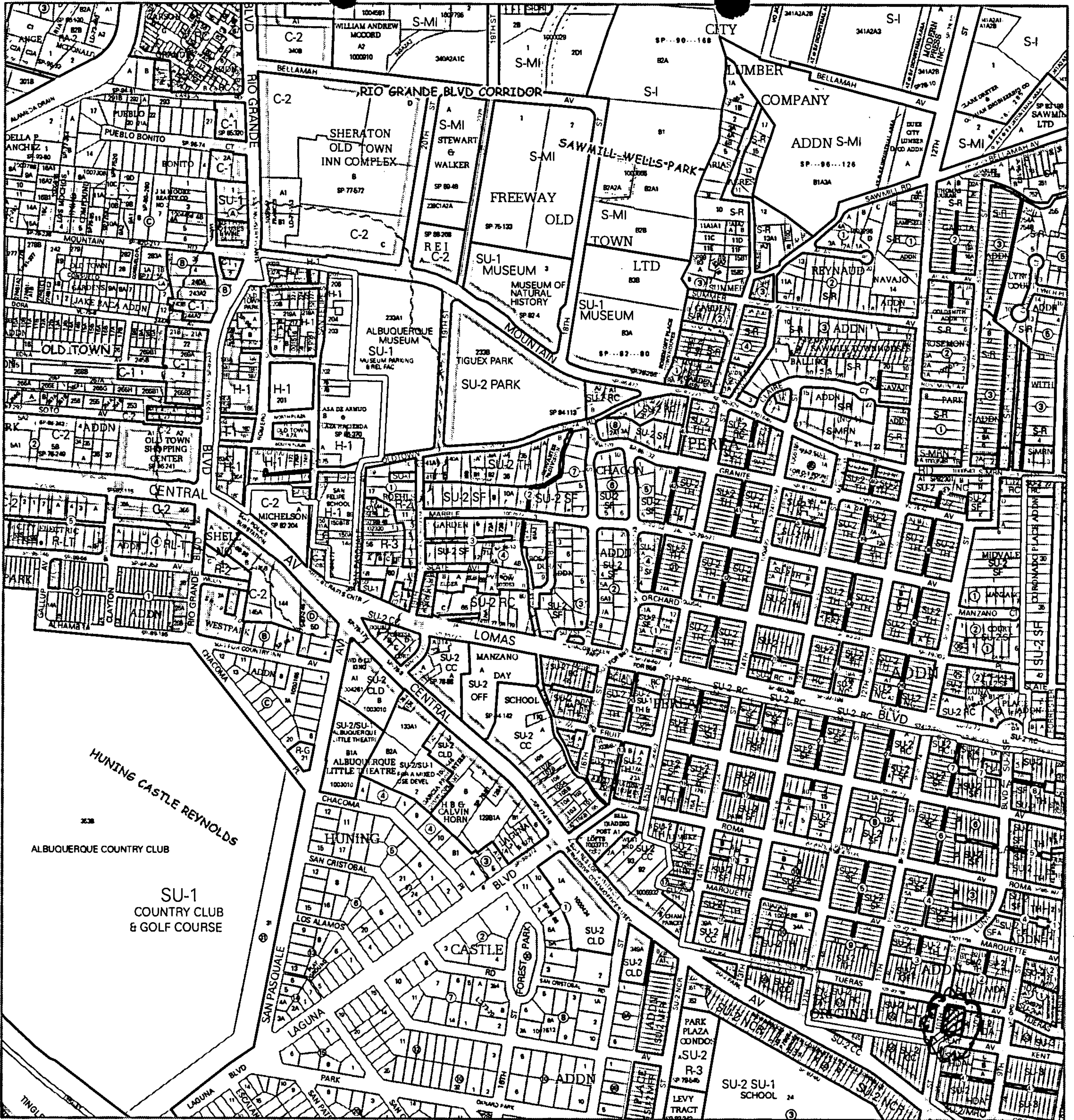
Should you have any questions regarding this matter, please do not hesitate to call me.

Sincerely,




David Soule, PE
RIO GRANDE ENGINEERING
PO Box 93924
ALBUQUERQUE, NM 87199
321-9099

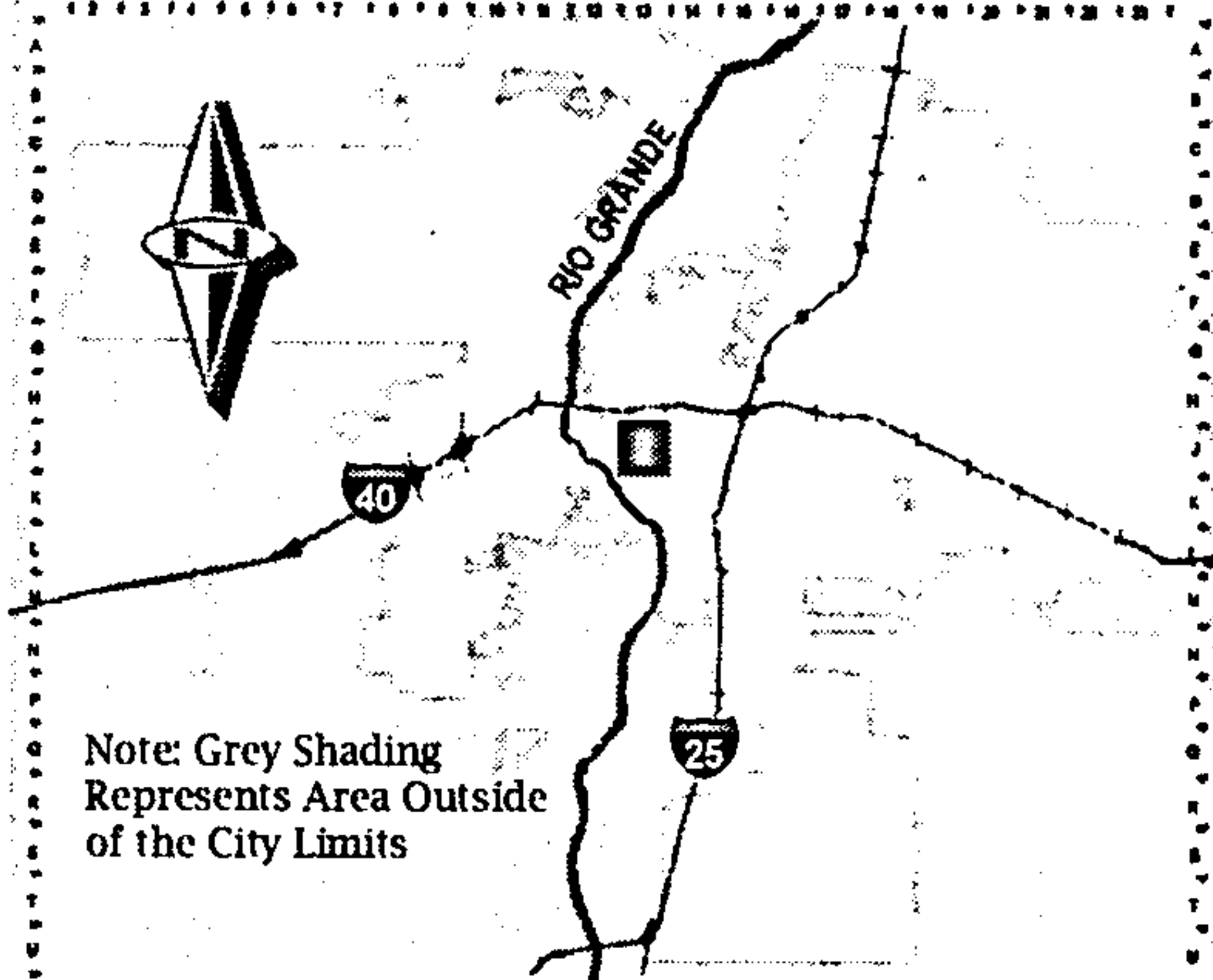
Enclosures
Cc: NA



For more current information and more details visit: <http://www.cabq.gov/gis>



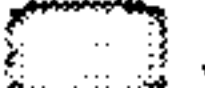



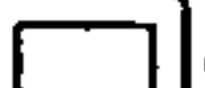




Map amended through: 2/4/2010



Note: Grey Shading Represents Area Outside of the City Limits

Zone Atlas Page:
J-13-Z

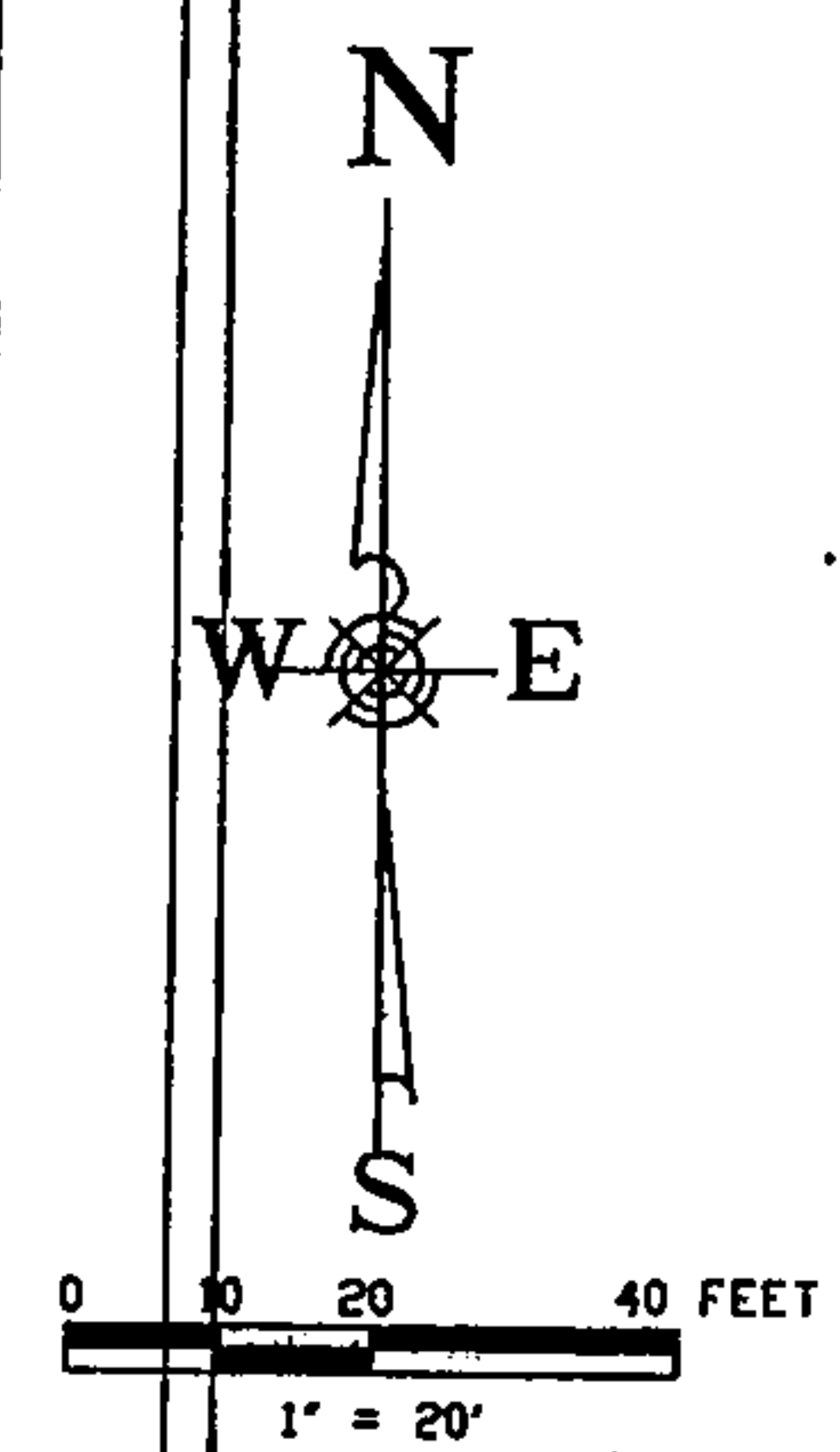
Selected Symbols

	SECTOR PLANS		Escarpment
	Design Overlay Zones		2 Mile Airport Zone
	City Historic Zones		Airport Noise Contours
	H-1 Buffer Zone		Wall Overlay Zone
	Petroglyph Mon.		

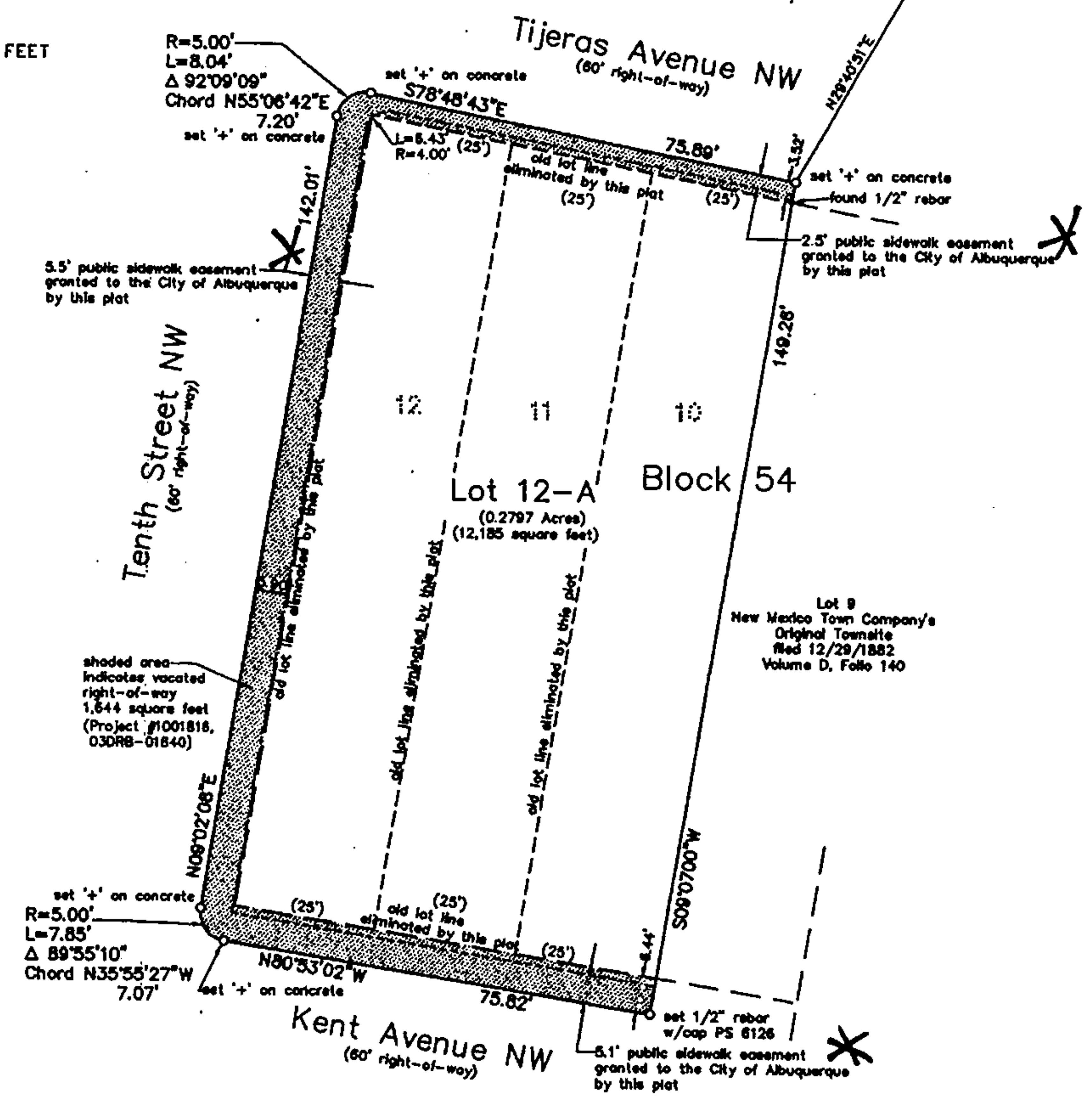
0 750 1,500 Feet

280415688
 Page: 2 of 2
 11/25/2004 02:28P
 BL-2804C Pg-353
 Mary Herrera Bern. Co. P.U.M. 2.12.00

Plat of
 Lot 12-A, Block 54
 New Mexico Town Company's
 Original Townsite
 Being a Replat of
 Lots 10, 11 & 12 and
 Vacated Right-of-Way, Block 54
 New Mexico Town Company's
 Original Townsite
 within
 Town of Albuquerque Grant
 Projected Section 7, T.10N., R.3E., N.M.P.M.
 Albuquerque, Bernalillo County, New Mexico
 October 2004
 Project #1001816



Albuquerque Control
 Survey Monument 17-J14
 New Mexico State Plane
 Grid Coordinates
 Central Zone, NAD 1927
 X=378,903.40
 Y=1,488,804.10
 Ground/Grid Factor 0.9996799
 Δsc = -001358"
 NGVD 1929 Elevation 4954.83



The purpose of this plat is to consolidate Lots 10-12 and vacated right-of-way into one (1) lot and to grant the easements as shown hereon.

** Entire Public Sidewalk Easement to be Vacated.*

SURVEYOR'S AFFIDAVIT

I, Ronald A. Forstbauer, licensed New Mexico Land Surveyor No. 8128, do hereby certify that the plat shown hereon was prepared by me or under my direct supervision from an actual field survey and meets the minimum requirements for monumentation and surveys of the Albuquerque Subdivision Ordinance and the City Detailed Design Standards for surveying and meets the Standards for Land Surveys in New Mexico as adopted by the New Mexico Board of Registration for Professional Engineers and Professional Land Surveyors effective October 1, 2000 and shows easements of record as indicated on Title Policy No. 115-060641 issued by Commonwealth Land Title Insurance Company, on August 02, 1985, as updated by endorsement provided 10/12/2004, and that the information shown hereon is true and correct to the best of my knowledge and belief.

Ronald A. Forstbauer
 Ronald A. Forstbauer
 N.M.P.S. No. 8128
 Date 10/12/04



Forstbauer Surveying, L.L.C.
 4116 Lomas Boulevard NE
 Albuquerque, New Mexico 87110
 (505) 268-2112 Fax 268-2032
 Sheet 2 of 2

200415888
 Page: 2 of 2
 11/05/2004 02:28P
 Hery Herrera Bern. Co. PLM R.12.00 BK-2004C Pg-353

Plat of
 Lot 12-A, Block 54
 New Mexico Town Company's
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 Being a Replat of
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 Albuquerque, Bernalillo County, New Mexico
 October 2004
 Project #1001816

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** Entire Public Sidewalk Easement to be vacated.*

SURVEYOR'S AFFIDAVIT
 I, Ronald A. Forstbauer, licensed New Mexico Land Surveyor No. 6126, do hereby certify that the plat shown hereon was prepared by me or under my direct supervision from an actual field survey and meets the minimum requirements for monumentation and surveys of the Albuquerque Subdivision Ordinance and the City Detailed Design Standards for surveying and meets the Standards for Land Surveys in New Mexico as adopted by the New Mexico Board of Registration for Professional Engineers and Professional Land Surveyors effective October 1, 2000 and shows easements of record as indicated on Title Policy No. 115-060641 issued by Commonwealth Land Title Insurance Company, on August 02, 1985, as updated by endorsement provided 10/12/2004, and that the information hereon is true and correct to the best of my knowledge and belief.

Ronald A. Forstbauer
 Ronald A. Forstbauer
 NMPS No. 6126
 Date



Forstbauer Surveying, L.L.C.
 4116 Lomas Boulevard NE
 Albuquerque, New Mexico 87110
 (505) 268-2112 Fax 268-2032
 Sheet 2 of 2

