



OFFICIAL NOTICE OF DECISION

CITY OF ALBUQUERQUE
PLANNING DEPARTMENT
DEVELOPMENT REVIEW BOARD

8-21-2003

4. Project # 1001946

03DRB-01271 Major-Vacation of Pub Right-of-Way

BOHANNAN HUSTON agent(s) for LOWE'S (NEAL HAMILTON) request(s) the above action(s) for all or a portion of Tract(s) A, **LOS ANGELES CENTER**, zoned M-1 light manufacturing zone, located on PASEO DEL NORTE NE, between 1-25 FRONTAGE ROAD AND SAN FRANCISCO DR NE containing approximately 32 acre(s). [REF: 02DRB-00732, 02DRB-01008] (D-18)

At the August 20, 2003, Development Review Board meeting, the Vacation was approved as shown on Exhibit B in the Planning file, subject to these provisions:

1. The public welfare is in no way served by retaining the rights-of-way and/or easements, or:
2. There is a net benefit to the public welfare because the development made possible by the vacation is clearly more beneficial to the public welfare than the minor detriment resulting from the vacation.
3. There is no convincing evidence that any substantial property right is being abridged against the will of the owner of the right.
4. Final disposition shall be through the City Real Estate Office.
5. 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.
6. An exhibit showing new alignment of channel should be provided prior to final plat approval.

If you wish to appeal this decision, you must do so by September 4, 2003, in the manner described below.

Appeal is to the Environmental Planning Commission. Any person aggrieved with any determination of the Development Review Board may file an appeal on the Planning Division form, to the Planning Division, 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.



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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.)


Sheran Matson, AICP, DRB Chair

cc:Lowe's, Attn: Neal Hamilton, P.O. Box 1111, N. Wilkesboro, NC 28656
Bohannon Huston Inc., 7500 Jefferson NE, 87109
Arlene Portillo, Planning Department, 4th Floor, Plaza del Sol Bldg.
Scott Howell, Property Management, Legal Dept./4th Flr, City/County Bldg
File



OFFICIAL NOTICE OF DECISION

CITY OF ALBUQUERQUE
PLANNING DEPARTMENT
DEVELOPMENT REVIEW BOARD

September 8, 2004

4. Project # 1001946

04DRB-01177 Major-Vacation of Pub Right-of-Way
04DRB-01178 Major-Preliminary Plat Approval
04DRB-01176 Minor-Vacation of Private Easements

BOHANNAN HUSTON agent(s) for LOWE'S (NEAL HAMILTON) request(s) the above action(s) for all or a portion of Tract(s) A, **LOS ANGELES CENTER**, zoned M-1 light manufacturing zone, located on PASEO DEL NORTE RD NE, between I-25 FRONTAGE RD. NE and SAN FRANCISCO DR. NE containing approximately 32 acre(s). [REF: 03DRB-01271] [*Deferred from 8/25/04*] (D-18)

At the September 8, 2004, Development Review Board meeting, The vacations were approved as shown on Exhibit B in the Planning file, subject to these findings and conditions:

FINDINGS:

1. The public welfare is in no way served by retaining the rights-of-way and/or easements.
2. There is no convincing evidence that any substantial property right is being abridged against the will of the owner of the right.

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.
3. Affected utility companies shall acknowledge the vacation by their signatures on the replat.

With the signing of the infrastructure list dated 9/8/04 the preliminary plat was approved with the following conditions of final plat:

Provide recorded easement through Cemco from site to I-25 frontage.

A 20-foot defined waterline easement must be shown on the final plat.

A Utility Plan is required prior to final plat.



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A disclosure statement on the landfill shall be included on the final plat.

Environmental Health must sign the final plat.

If you wish to appeal this decision, you must do so by September 23, 2004 in the manner described below.

Appeal is to the Environmental Planning Commission. 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.)

Please note that a Preliminary Plat approval date is the date of the DRB action plus the 15-day appeal period. The Preliminary Plat approval is effective one year from that date. The DRB must take action on the Preliminary Plat Extension prior to the expiration of the approval or the Preliminary Plat approval is null and void. (REF: Chapter 14 Article 14 Part 3-4 (E) Revised Ordinance.)

Sheran Matson, AICP, DRB Chair

Cc:Lowe's, P.O. Box 1111, N. Wilkesboro, NC 28656
Bohannon Huston Inc., 7500 Jefferson NE, 87109
Marilyn Maldonado, Planning Department, 4th Floor, Plaza del Sol Bldg.
Scott Howell, Property Management, Legal Dept./4th Flr, City/County Bldg
File



OFFICIAL NOTICE OF DECISION

CITY OF ALBUQUERQUE
PLANNING DEPARTMENT
DEVELOPMENT REVIEW BOARD

February 15, 2006

1. Project # 1001946
06DRB-00083 Major-Vacation of Public Easements

BOHANNAN HUSTON INC agent(s) for NEWMORE LLC request(s) the above action(s) for all or a portion of Tract(s) A, B, C & D, **HISE LANDS**, zoned M-1 (SC), located on PASEO DEL NORTE NE, between I-25 and SAN PEDRO BLVD NE containing approximately 6 acre(s). [REF: 05DRB01347] (D-18)

At the February 15, 2006, Development Review Board meeting, the vacations were approved as shown on Exhibit B in the Planning file, subject to these findings and conditions:

FINDINGS:

1. The public welfare is in no way served by retaining the rights-of-way and/or easements.
2. There is no convincing evidence that any substantial property right is being abridged against the will of the owner of the right.

CONDITIONS:

1. 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 March 2, 2006, 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.



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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.)

Sheran Matson, AICP, DRB Chair

Cc: Bohannon Huston Inc., 7500 Jefferson NE, 87109

Newmore LLC, 9909 Desert Mountain Rd NE, 87122

Marilyn Maldonado, Planning Department, 4th Floor, Plaza del Sol Bldg.

File



OFFICIAL NOTICE OF DECISION

CITY OF ALBUQUERQUE
PLANNING DEPARTMENT
DEVELOPMENT REVIEW BOARD

November 22, 2006

1. Project # 1001946
06DRB-01557 Major-Two Year SIA

BOHANNAN HUSTON INC agent(s) for LOWE'S HOME CENTERS INC request(s) the above action(s) for all or a portion of Tract(s) A-1 & A-2, **LOS ANGELES CENTER**, zoned M-1 light manufacturing zone, located on SAN PEDRO NE between PASEO DEL NORTE NE and PINO NE containing approximately 33 acre(s). [REF:04DRB-01965] (D-18)

At the November 22, 2006, Development Review Board meeting, a two-year extension of the Subdivision Improvements Agreement was approved.

If you wish to appeal this decision, you must do so by December 7, 2006, 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).


Sheran Matson, AICP, DRB Chair

Cc: Lowe's Home Centers Inc., P.O. Box 1111, N. Wilkesboro, NC 28656
Bohannan Huston Inc., 7500 Jefferson NE, 87109
Marilyn Maldonado, Planning Department, 4th Floor, Plaza del Sol Bldg.
File



OFFICIAL NOTICE OF DECISION

CITY OF ALBUQUERQUE
PLANNING DEPARTMENT
DEVELOPMENT REVIEW BOARD

November 5, 2008

Project# 1001946

08DRB-70440 MAJOR - ONE YEAR EXTENSION OF SUBDIVISION
IMPROVMENTS AGREEMENT

BOHANNAN HUSTON INC agent(s) for LOWES HOME CENTERS, INC / request(s)
the referenced/ above action(s) for all or a portion of Tract(s) A-1 & A-2, **LOS
ANGELES CENTER** zoned M-1, located on the southwest corner of SAN PEDRO DR
NE and PASEO DEL NORTE NE, containing approximately 33 acre(s). (D-18)

At the November 5, 2008 Development Review Board meeting, the one year extension
of the Subdivision Improvements Agreement was approved.

If you wish to appeal this decision, you must do so by DATE MONTH YEAR, 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).

Jack Cloud, AICP, DRB Chair

Cc: Bohannan Huston Inc./CDP Sally Salazar – 7500 Jefferson NE – Albuquerque, NM
87109

Cc: Lowes' Home Centers Inc./Brian Massengill – P.O. Box 111 – N. Wilkesboro, NC
28656



OFFICIAL NOTICE OF DECISION

CITY OF ALBUQUERQUE
PLANNING DEPARTMENT
DEVELOPMENT REVIEW BOARD

June 10, 2009

Project# 1001946

09DRB-70156 MAJOR – SITE DEVELOPMENT PLAN FOR BUILDING PERMIT

MODULUS ARCHITECTS agent(s) for UNITED GROWTH LLC request(s) the referenced/ above action(s) for all or a portion of Lot(s) A-1-B, **LOS ANGELES CENTER** zoned M-1, located on the south side of PASEO DEL NORTE NE between I-25 and SAN PEDRO NE containing approximately .6721 acre(s). (D-18) [*Deferred from 5/27/0, 6/3/09*]

At the June 10, 2009 Development Review Board meeting, the site plan for building permit was approved with final sign off delegated to Planning subject to the following conditions:

- 1) all sheets of the site plan shall be consistent (i.e. show the same plan features, particularly curbing)
- 2) Compact Parking Spaces shall be noted and shown as 8 feet in width
- 3) parking calculations shall demonstrate adequate parking for the Shopping Center
- 4) the north and west elevations of the building shall be approved by the Planning Director, based on their orientation to a principal arterial and the main entrance to the Shopping Center.
- 5) sign area calculations shall demonstrate compliance with the signage guidelines of the Site Development Plan for Subdivision.

If you wish to appeal this decision, you must do so by June 25, 2009 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).

A handwritten signature in cursive script, appearing to read "Jack Cloud".

Jack Cloud, AICP, DRB Chair

Cc: Modulus Architects – 2325 San Pedro NE Ste 2B – Albuquerque, NM 87110

Cc: United Growth, LLC – 201 Spear St - San Francisco, CA 94105

Marilyn Maldonado

File