



OFFICIAL NOTICE OF DECISION

CITY OF ALBUQUERQUE
PLANNING DEPARTMENT
DEVELOPMENT REVIEW BOARD

8-21-2003

6. Project # 1001984

03DRB-01244 Major-Vacation of Public Easements
03DRB-01245 Major-Vacation of Public Easements
03DRB-01246 Major-Vacation of Public Easements
03DRB-01247 Major-Vacation of Public Easements
03DRB-01248 Major-Vacation of Public Easements
03DRB-01249 Major-Vacation of Public Easements
03DRB-01243 Minor-Sketch Plat or Plan

JEFF MORTENSEN & ASSOCIATES INC., agent(s) for RICH FORD, request(s) the above action(s) for all or a portion of Tract(s) A & B, **HYDER-MAISEL SUBDIVISION AND LANDS OF ROBERT L JOHNSTON AND NMSHTD AIRSPACE PARCEL B-13-5**, zoned C-2 & P, located on LOMAS BLVD NE, between WYOMING BLVD NE and I-40 NE containing approximately 18 acre(s). [REF: 02DRB-01963, 02DRB-01964, 02EPC-00826, 02EPC-00827, 02EPC-00828] (J-20)

At the August 20, 2003, Development Review Board meeting, the Vacations were 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. The final plat must dedicate all required easements for waterline relocation and cannot be recorded until all waterline relocations have been completed and accepted by the City.
7. An Infrastructure List will be required as a condition of Preliminary Plat approval.

The above request was reviewed and comments were given.



OFFICIAL NOTICE OF DECISION
PAGE 2

03DRB-01344 Minor-SiteDev Plan Subd/EPC
03DRB-01345 Minor-SiteDev Plan BldPermit/EPC

BPLW ARCHITECTS & ENGINEERS, INC. agent(s) for RICH FORD request(s) the above action(s) for all or a portion of Tract(s) A & B, **HYDER-MAISEL SUBDIVISION** and Tract(s) A, **LANDS OF ROBERT L. JOHNSTON**, zoned C-2 community commercial zone, P (SC), located on LOMAS BLVD NE, EAST OF WYOMING BLVD NE and SOUTH OF I-40 FREEWAY NE containing approximately 18 acre(s). [REF: 02EPC-00826 & 27 SDP, S/D& B/P, 02EPC-00828 ZMA] [**JUANITA VIGIL, EPC CASE PLANNER**] (J-20)

At the August 20, 2003, Development Review Board meeting, the site plan for subdivision was approved with final sign off delegated to Utilities Development for a correct utility plan, to verify pipe sizes and domestic meter location.

The site plan for building permit was approved with final sign off delegated to Utilities Development for a correct utility plan, to verify pipe sizes and domestic meter location.

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. 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:Rich Ford c/o Dennis Snyder, Gen. Mgr., 8601 Lomas Blvd NE, 87112
Jeff Mortensen & Associates Inc., 6010-B Midway Park Blvd NE, 87109
La Mesa Community Improvement Assn., P.O. Box 8262, 87198-8262 Attn: John Bulten
BPLW Architects & Engineers Inc., 6200 Uptown Blvd NE, Suite 400, 87110
Arlene Portillo, Planning Department, 4th Floor, Plaza del Sol Bldg.
Scott Howell, Property Management, Legal Dept./4th Flr, City/County Bldg
File