



OFFICIAL NOTICE OF DECISION

CITY OF ALBUQUERQUE
PLANNING DEPARTMENT
DEVELOPMENT REVIEW BOARD

March 18, 2009

Project# 1002074

09DRB-70067 VACATION OF PRIVATE UTILITY EASEMENT
09DRB-70068 MAJOR – ELECTRIC TRANSMISSION FACILITY PLAN/ SITE
PLAN FOR STRUCTURE CHANGE

PUBLIC SERVICE COMPANY OF NEW MEXICO request(s) the referenced/ above action(s) for a portion of the 150 foot PNM Easement on Tract(s) C-1 & C-2, **SAUVIGNON PHASE 2**, and Tract N-3, **TANOAN PROPERTIES**, zoned R-D, located on the south side of SAN ANTONIO DR NE between BROWNING NE AND TRAMWAY BLVD NE. (E-22)

At the March 18, 2009 Development Review Board meeting, the vacation was 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 electric transmission facility plan/ site plan for structure change was approved with final sign off delegated to Planning pending expiration of 15 day appeal period.

(A)(1) The vacation request was filed by the owners of a majority of the footage of land abutting the proposed vacation.

(B)(1) Based on the approved site plan, the public welfare is in no way served by retaining the portion of the easement.

(B)(3) There is no convincing evidence that any substantial property right is being abridged against the will of the owner of the right.

CONDITIONS:

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 April 2, 2009 in the manner described below.

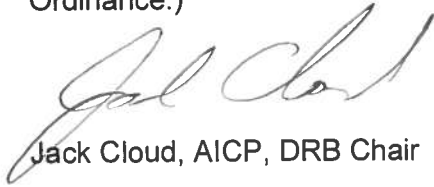
Appeal is to the Land Use Hearing Officer. Any person aggrieved with any determination of the Development Review Board may file an appeal on the Planning Department form, to the Planning Department, within 15 days of the Development Review Board's decision.

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).

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, AICP, DRB Chair

Cc: Laurie Moye – PNM Alvarado Square – Albuquerque, NM 87158

Cc: Andre Claudet – 11709 San Antonio – Albuquerque, NM 87122

Marilyn Maldonado

Scott Howell

File



OFFICIAL NOTICE OF DECISION

CITY OF ALBUQUERQUE
PLANNING DEPARTMENT
DEVELOPMENT REVIEW BOARD

January 11, 2012

Project# 1002074

11DRB-70332 MINOR - PRELIMINARY/ FINAL PLAT APPROVAL
11DRB-70355 SIDEWALK WAIVER
11DRB-70356 SUBDN DESIGN VARIANCE FROM MIN DPM STDS

BOHANNAN HUSTON INC agent(s) for GALBRETH LAND AND DEVELOPMENT COMPANY LLC request(s) the above action(s) for all or a portion of Tract(s) C-2-A-2, SAVIGNON zoned R-D, located on SAN ANTONIO BETWEEN LOWELL AND TENNYSON containing approximately .8561 acre(s). (E-22) [Deferred from 1/4/12]

At the January 11, 2012 Development Review Board meeting, a sidewalk variance for waiver of the sidewalk was approved as shown on Exhibit C in the Planning file. A subdivision design variance from minimum DPM design standards was approved as shown on exhibit in the planning file. With the signing of the Infrastructure List, the Preliminary Plat was approved with the following condition.

CONDITION:

1. The approval of the Grading Plan and Preliminary Plat is provisional and subject to a suitable solution for sideyard walls that can be endorsed by Zoning Enforcement.

If you wish to appeal this decision, you must do so by January 26, 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).


Jack Cloud, DRB Chair

Cc: Bohannan Huston Inc. – 7500 Jefferson NE – Albuquerque, NM 87109
Cc: Galbreth Land and Development Company LLC – Albuquerque, NM 87109
Marilyn Maldonado
File