



OFFICIAL NOTICE OF DECISION

CITY OF ALBUQUERQUE
PLANNING DEPARTMENT
DEVELOPMENT REVIEW BOARD

September 16, 2009

Project# 1002131

09DRB-70281 VACATION OF PUBLIC RIGHT-OF-WAY

DAC ENTERPRISES INC agent(s) for H. HIL DAVIDSON request(s) the referenced/ above action(s) for a portion of public right-of-way for UNIVERSITY BOULEVARD NE adjacent to Tract A-2-A-1, **MUELLER SUBDIVISION** zoned C-3, located on the west side of UNIVERSITY BLVD NE between INDIAN SCHOOL RD NE and INTERSTATE ROUTE 40, containing approximately 1.0 acre. (H-15)

At the September 16, 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)(2) and (3) of the Subdivision Ordinance.

FINDINGS:

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

(B)(1) The public welfare is in no way served by retaining the public right of way as shown on Exhibit B, because the City of Albuquerque does not anticipate any need to utilize the existing right of way for roadway purposes.

(B)(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; It is the opinion of Transportation Development that the removal of the existing right of way will provide a net benefit to the public welfare.

(B)(3) There is no convincing evidence that any substantial property right is being abridged against the will of the owner of the right, because property owners of record abutting the proposed vacation were notified by first class mail at least six days prior to the Development Review Board hearing approving the vacation and 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 the 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 October 1, 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: DAC Enterprises, Inc. – P.O. Box 16658 – Albuquerque, NM 87191

Cc: H. Hil Davidson – 124 10th Street NW – Albuquerque, NM 87102

Marilyn Maldonado

Scott Howell

file



DRB CASE ACTION LOG

REVISED 10/08/07

(PRELIMINARY/FINAL)

This sheet must accompany your plat or site plan to obtain delegated signatures. Return sheet with site plan/plat once comments are addressed.

DRB Application No.: 09DRB-70351 Project # 1002131
 Project Name: MUELLER
 Agent: WAYTOM SHREVEING Phone No.: _____

Your request was approved on 11-18-09 by the DRB with delegation of signature(s) to the following departments.

OUTSTANDING SIGNATURES COMMENTS TO BE ADDRESSED

TRANSPORTATION: _____

UTILITIES: 10' Public Waterline E'ment

CITY ENGINEER / AMAFCA: _____

PARKS / CIP: _____

PLANNING (Last to sign): to record

- Planning must record this plat. Please submit the following items:**
- The original plat and a mylar copy for the County Clerk.
 - Tax certificate from the County Treasurer.
 - Recording fee (checks payable to the County Clerk). **RECORDED DATE:** _____
 - Tax printout from the County Assessor.
 - 3 copies of the approved site plan. Include all pages.
 - County Treasurer's signature must be obtained prior to the recording of the plat with the County Clerk.
 - Property Management's signature must be obtained prior to Planning Department's signature.
 - AGIS DXF File approval required.
 - Copy of recorded plat for Planning.

OK

Created On:



DRB CASE ACTION LOG

REVISED 10/08/07

(PRELIMINARY/FINAL)

This sheet must accompany your plat or site plan to obtain delegated signatures. Return sheet with site plan/plat once comments are addressed.

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 - County Treasurer's signature must be obtained prior to the recording of the plat with the County Clerk.
 - Property Management's signature must be obtained prior to Planning Department's signature.
 - AGIS DXF File approval required.
 - Copy of recorded plat for Planning.

OK

Created On:

2131

DXF Electronic Approval Form

DRB Project Case #: 1002131

Subdivision Name: MUELLER TRACT A2A1A

Surveyor: THOMAS D JOHNSTON

Contact Person: THOMAS D JOHNSTON

Contact Information: 255-2052

DXF Received: 11/17/2009

Hard Copy Received: 11/10/2009

Coordinate System: NMSP Grid (NAD 27)


Approved

11-17-2009
Date

* The DXF file cannot be accepted (at this time) for the following reason(s):

AGIS Use Only

Copied fc **2131** to agiscov on **11/17/2009** Contact person notified on **11/17/2009**

MINOR PLATS, FINAL (MAJOR) PLATS, AMENDED PLATS AND PLANS

3. **Project# 1008065**
09DRB-70352 VACATION OF PRIVATE EASEMENT
09DRB-70353 MINOR - PRELIMINARY/
FINAL PLAT APPROVAL

THE SURVEY OFFICE LLC agent(s) for JJ & J PROPERTIES LLC request(s) the above action(s) for all or a portion of Tract(s) TR A-1-A-1-A, B-1-B-1-A-2 & B-1-B-1-A-1, **WEST 66 ADDITION** zoned SU-2 /IP, located on 221 AIRPORT DR NW BETWEEN CENTRAL AVE NW AND BLUEWATER NW containing approximately 13.5751 acre(s). (K-10) **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 PRELIMINARY/FINAL PLAT WAS APPROVED WITH FINAL SIGN OFF DELEGATED TO TRANSPORTATION FOR DIMENSIONAL EXHIBIT AND TO CITY ENGINEER FOR ALTERNATE EASEMENTS PER APPROVED SITE PLAN.**
4. ~~Project# 1002131~~
09DRB-70351 MINOR - PRELIMINARY/
FINAL PLAT APPROVAL

WAYJOHN SURVEYING INC agent(s) for TONKA ENTERPRISES LLC request(s) the above action(s) for all or a portion of Tract(s) A-2-A-1, **MUELLER**, zoned C-3, located on UNIVERSITY BLVD NE BETWEEN INDIAN SCHOOL RD NE AND I-40 containing approximately 1.0745 acre(s). (H-15) **THE PRELIMINARY/FINAL PLAT WAS APPROVED WITH FINAL SIGN OFF DELEGATED TO ABCWUA FOR 10FT. PUBLIC WATERLINE EASEMENT AND TO PLANNING TO RECORD.**
5. **Project# 1008064**
09DRB-70350 MINOR - PRELIMINARY/
FINAL PLAT APPROVAL

WAYJOHN SURVEYING INC agent(s) for COE & PETERSON LLC request(s) the above action(s) for all or a portion of Tract(s) 1, **LANDS OF RAYMOND C WATSON** zoned C-2/ C-3, located on 4TH ST NW BETWEEN HAINES AVE NW AND MCKNIGHT AVE NW containing approximately .9455 acre(s). (H-14) **DEFERRED TO 12/2/09 AT THE AGENT'S REQUEST.**
6. **Project# 1007690**
09DRB-70341 MINOR - PRELIMINARY/
FINAL PLAT APPROVAL

RHOMBUS CONSULTING agent(s) for RON ROMERO request(s) the above action(s) for all or a portion of Lot(s) 20-24, Block(s) Q, **ATLANTIC AND PACIFIC ADDITION**, zoned SU-2 FOR SU-1 BAKERY, located on ATLANTIC AVE SW BETWEEN 4TH ST SW AND 5TH ST SW containing approximately .2752 acre(s). (K-14) **DEFERRED TO 12/2/09 AT THE AGENT'S REQUEST.**



**DEVELOPMENT REVIEW BOARD
AGENDA**

Plaza del Sol Hearing Room, Basement, Plaza del Sol Building

September 16, 2009 9:00 AM

MEMBERS:

Jack Cloud, AICP, DRB Chairman, Planning Department

Angela Gomez, Administrative Assistant

Kristal Metro, P.E. , Transportation Development

Brad Bingham, P.E., Hydrology/ Alternate City Engineer

Roger Green, P.E., Albuquerque/ Bernalillo Co.WUA

Christina Sandoval, Parks/Municipal Development

CASES WHICH REQUIRE PUBLIC NOTIFICATION

MAJOR SUBDIVISIONS, VACATIONS, SIA EXTENSIONS AND SITE DEVELOPMENT PLANS

1. **Project# ~~1002131~~**
09DRB-70281 VACATION OF PUBLIC
RIGHT-OF-WAY
DAC ENTERPRISES INC agent(s) for H HIL DAVIDSON request(s) the above action(s) for all or a portion of Tract(s) A-2-A-1, **MELLER SUBDIVISION** zoned C-3, located on UNIVERSITY BLVD NE BETWEEN INDIAN SCHOOL RD NE AND I -40 containing approximately 1.05 acre(s). (H-15) **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.**
2. **Project# 1002743**
09DRB-70239 MAJOR - 2YEAR
EXTENSION OF SUBDIVISION
IMPROVEMENTS AGREEMENT
(2YR SIA)
DAC ENTERPRISES, INC agent(s) for HARVEST LAND, LLC request(s) the referenced/ above action(s) for all or a portion of Tract(s) I-1 thru I-5 & J-1 thru J-6, **LA LUZ DEL OESTE Unit(s) 4**, zoned SU-1/ PRD, located on the west side of COORS BLVD NW bewteen SEVILLA AVE NW and DELLYNE AVE NW containing approximately 3.5892 acre(s). (F-11) [*Deferred from 8/5/09, 9/2/09*] **THE SUBDIVISION IMPROVEMENTS AGREEMENT WAS EXTENDED TO NOVEMBER 18, 2009. NO FURTHER EXTENSIONS WILL BE APPROVED.**
3. **Project# 1007948**
09DRB-70275 MAJOR – SITE
DEVELOPMENT PLAN FOR
BUILDING PERMIT
SCOTT ANDERSON agent(s) for HB CONSTRUCTION request(s) the referenced/ above action(s) for all or a portion of Lot(s) 30, Block 4, Tract A, Unt B, **NORTH ALBUQUERQUE ACRES** zoned IP, located on the north side of BEVERLY HILLSAVE NE between SAN MATEO BLVD NE and the PAN AMERICAN FREEWAY containing approximately 0.8864 acre(s). (B-18)[*Deferred from 9/9/09*]**DEFERRED TO 9/23/09 AT THE AGENT'S REQUEST.**



CITY OF ALBUQUERQUE
PLANNING DEPARTMENT
DEVELOPMENT REVIEW BOARD

September 16, 2009

Project# 1002131
09DRB-70281 VACATION OF PUBLIC RIGHT-OF-WAY

DAC ENTERPRISES INC agent(s) for H HIL DAVIDSON request(s) the above action(s) for all or a portion of Tract(s) A-2-A-1, **MELLER SUBDIVISION** zoned C-3, located on UNIVERSITY BLVD NE BETWEEN INDIAN SCHOOL RD NE AND I -40 containing approximately 1.05 acre(s). (H-15)

AMAFCA No comment.
COG MRCOG staff have no comment on the development application. The functional classification of University Bd is that of urban minor arterial.
TRANSIT No comments
ZONING ENFORCEMENT No comment.
NEIGHBORHOOD COORDINATION No comment.
APS No comment.
POLICE DEPARTMENT No comment
FIRE DEPARTMENT No comment.
PNM ELECTRIC & GAS No comment
COMCAST No comment.
QWEST No comment.
ENVIRONMENTAL HEALTH No comment.
M.R.G.C.D No Adverse Comments.
OPEN SPACE DIVISION Open Space has no adverse comments
CITY ENGINEER The Hydrology section has no objection to the vacation request.
TRANSPORTATION DEVELOPMENT No objection to vacation request.
PARKS AND RECREATION Defer to Transportation.

ABCWUA

No objection to Vacation request with the condition that Final Plat provide a water meter easement for the existing meter at the north property line along University Blvd.

PLANNING DEPARTMENT

Refer to comments from affected agencies plus any public hearing comments regarding proposed vacation. A lesser vacation than requested, to incorporate only the encroachments, may be appropriate to maintain maximum right of way for this Minor Arterial.

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

**CITY OF ALBUQUERQUE
PLANNING DEPARTMENT
PROPERTY OWNERSHIP LIST**

Meeting Date: September 16, 2009
Zone Atlas Page: H-15
Notification Radius: 100 Ft.

Project# 1002131
App# 09DRB-70281

Cross Reference and Location: UNIVERSITY BLVD NE BETWEEN INDIAN
SCHOOL RD NE AND I-40 NE

Applicant: H. HIL DAVIDSON
124 10TH ST NW
ALBUQUERQUE, NM 87102

Agent: DAC ENTERPRISES INC
PO BOC 16658
ALBUQUERQUE, NM 87191

Special Instructions:

**Notice must be mailed from the
City's 15 day's prior to the meeting.**

Date Mailed: AUGUST 28, 2009
Signature: ERIN TREMLIN

R e c	UPC CODE	OWNER	OWNER ADDRESS	OWNE R CITY	O W N E R S T A T E	OW N E R Z I P C O D E	PRO P E R T Y C L A S S	TA X D I S T R I C T	LEGAL	ACR ES
1	1015059 3350364 0506	ALBUQ METROPOLITAN BOARD OF REALTORS I NC	1635 UNIVERS ITY BLVD NE	ALBU QUER QUE	NM	871 02	C	A1A	LT 1-A-1 PLAT OF LOT 1-A- 1 LANDS OF ALBUQUERQUE BOARD OF REALTORS CONT 2.9063 AC	2 90 2995 16
2	1015059 3900514 0104	CHECK- INN EXPRESS INC	10801 HABAN ERO WAY SE	ALBU QUER QUE	NM	871 23	V	A1A	LT IIA-1 PLAT OF PARCELS I- A, IIA-1 & IIB- 1 UNIVERSITYTOWERS CON T 2.4132 AC	2 29 5604 8
3	1015059 4200324 0106	UNIVERSITY TOWERS P ARTNERSHIP % DDRS T AX DEPT	12426 W EXPL ORER DR SUI TE 100	BOISE	ID	837 13	C	A1A	LT I-A PLAT OF PARCELS I- A, IIA-1 & IIB- 1 UNIVERSITYTOWERS CON T 4 6222 AC	4.84 8207 77
4	1015059 3860854 0503	M-F PARTNERSHIP	PO BOX 35280	ALBU QUER QUE	NM	871 76	V	A1A	TRACT A-1- A OF REPLAT TR A- 1 MUELLER SUB'N CONT 1.82 5 AC.	1.88 3838 17
5	1015058 3925201 0410	REGENTS OF UNM C/O UNM REAL ESTATE OFF ICE	1712 LAS LOM AS NE	ALBU QUER QUE	NM	871 31	C	A1A	POR OF SPRINGER TRACT 3 T10N R3E SEC 9 CONT 7.008 AC	8.09 6785 45
6	1015059 3510564 0501	TONKA ENTERPRISES L LC	124 10TH ST N W	ALBU QUER QUE	NM	871 02	C	A1A	TR A-2-A-1 PLAT OF TR A-2- A- 1 MUELLER SUBDIVISION A REPLATOF TRS A-1-B- 1 AND A-2- A MUELLER SUBDIVISION CO NT 1 0022 AC	0.99 1805 08

OR CURRENT RESIDENT
101505933503640506
ALBUQ METROPOLITAN BOARD OF
REALTORS INC
1635 UNIVERSITY BLVD NE
ALBUQUERQUE, NM 87102

OR CURRENT RESIDENT
101505839252010410
REGENTS OF UNM C/O UNM REAL
ESTATE OFFICE
1712 LAS LOMAS NE
ALBUQUERQUE, NM 87131

Project# 1002131
DAC ENTERPRISES INC
PO BOX 16658
ALBUQUERQUE, NM 87191

Project# 1002131
CHAL-MARIE LUCERO
Santa Barbara-Martineztown Assoc.
420 HANNETT NE
ALBUQUERQUE, NM 87102

OR CURRENT RESIDENT
101505939005140104
CHECK-INN EXPRESS INC
10801 HABANERO WAY SE
ALBUQUERQUE, NM 87123

OR CURRENT RESIDENT
101505935105640501
TONKA ENTERPRISES LLC
124 10TH ST NW
ALBUQUERQUE, NM 87102

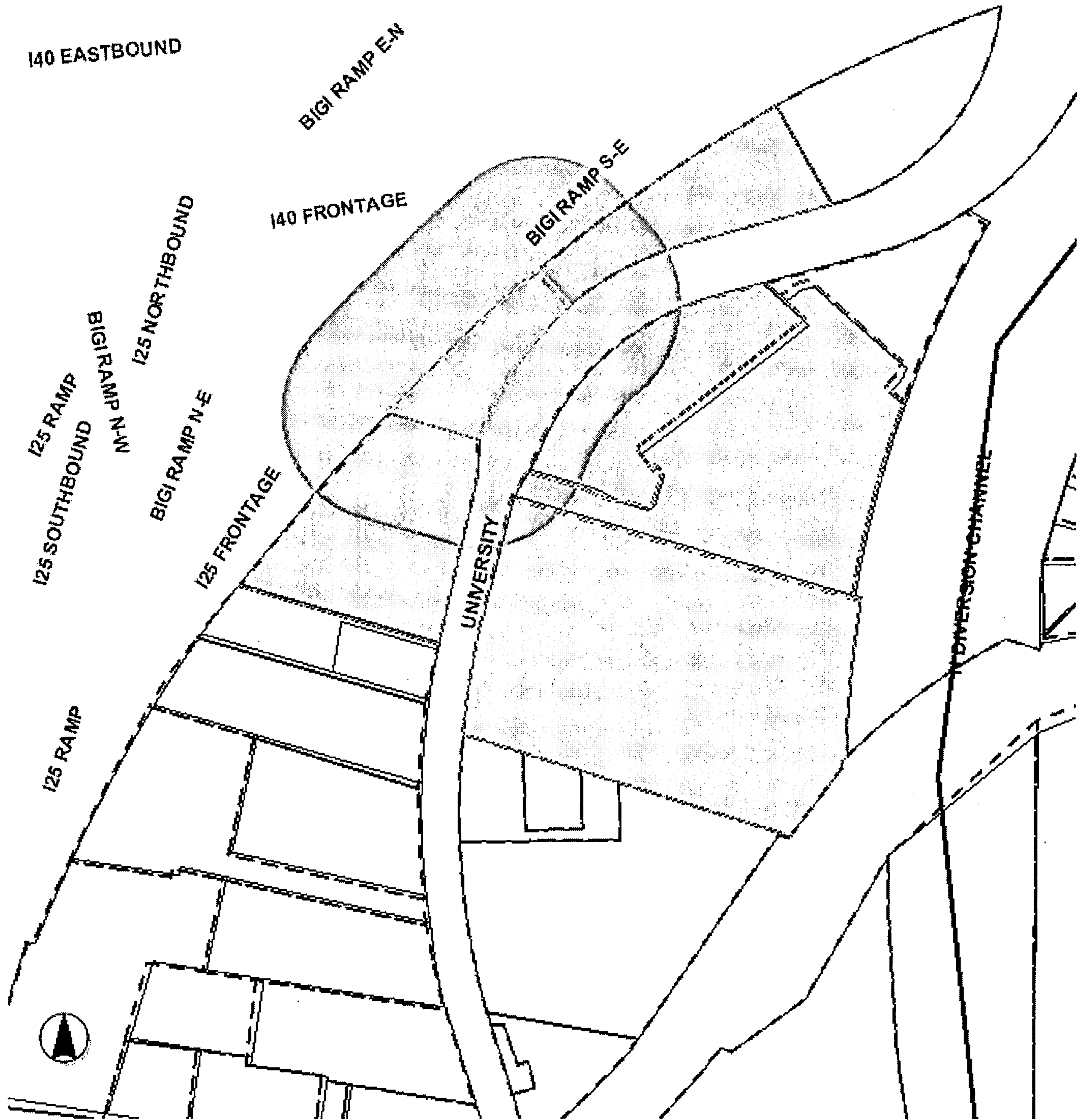
Project# 1002131
H HIL DAVIDSON
124 10TH ST NW
ALBUQUERQUE, NM 87102

OR CURRENT RESIDENT
101505938608540503
M-F PARTNERSHIP
PO BOX 35280
ALBUQUERQUE, NM 87176

OR CURRENT RESIDENT
101505942003240106
UNIVERSITY TOWERS PARTNERSHIP
DDRS TAX DEPT
12426 W EXPLORER DR SUITE 100
BOISE, ID 83713

Project# 1002131
PHILIP HERN
Santa Barbara-Martineztown Assoc.
509 SAN IGNACIO NE
ALBUQUERQUE, NM 87102

◆◆◆◆◆



Done 7/3/02 05

PROJECT NO.	1002131	APPLICATION NO.	02DRB 01188
PROJECT NAME	Muelles Subdivision		
EPC APPLICATION NO.			
APPLICANT / AGENT	Wayjohn Surveying	PHONE NO.	255-2052
ZONE ATLAS PAGE	H15		
ONE STOP COMMENT FORM LOG			

8-5-02
Completed

TRANSPORTATION DEV (505) 924-3990			
PLANS DISAPPROVED	NSF	DATE	7/30/02
PLANS APPROVED	KND	DATE	8-02-02
COMMENTS:			
- Is there a permit for signs encroaching into city ROW?			
- By eliminating lot lines, does it eliminate parking easement?			

UTILITY DEV (505) 924-3989			
PLANS DISAPPROVED		DATE	
PLANS APPROVED	RPS	DATE	7/30/02
COMMENTS:			

HYDROLOGY DEV (505) 924-3986			
PLANS DISAPPROVED		DATE	
PLANS APPROVED	BUB	DATE	7/30/02
COMMENTS:			

PARKS AND REC (505) 768-5328			
PLANS DISAPPROVED		DATE	
PLANS APPROVED	CS	DATE	7/30/02
COMMENTS:			

PLANNING (505) 924-3858			
PLANS DISAPPROVED		DATE	
PLANS APPROVED	JS	DATE	8/5/02
COMMENTS:			
<p>① Minor plats (if not completing a vacation) may be recorded by the applicant/agent. A copy of the recorded plat must be provided to Planning in order to close the case file. ② Please provide a digital dxf file showing easement, parcel & right-of-way lines in New Mexico State Plane Feet NAD 1927, for AGDS.</p>			

(Return form with plat / site plan)

7/30/02 Called agent for comment
 8/5/02 Made copy of plat for AGDS + Called agent for plat



Supplemental form

SUBDIVISION

- Major Subdivision action
- Minor Subdivision action
- Vacation
- Variance (Non-Zoning)

SITE DEVELOPMENT PLAN

- for Subdivision
- for Building Permit
- Administrative Amendment (AA)
- IP Master Development Plan
- Cert. of Appropriateness (LUCC)

STORM DRAINAGE (Form D)

- Storm Drainage Cost Allocation Plan

S Z ZONING & PLANNING

- Annexation
- County Submittal
- EPC Submittal
- Zone Map Amendment (Establish or Change Zoning)
- Sector Plan (Phase I, II, III)
- Amendment to Sector, Area, Facility or Comprehensive Plan
- Text Amendment (Zoning Code/Sub Regs)
- Street Name Change (Local & Collector)
- L A APPEAL / PROTEST of...**
- Decision by: DRB, EPC, LUCC, Planning Director or Staff, ZHE, Zoning Board of Appeals

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): WAYJOHN SURVEYING INC. PHONE: 255.2052
 ADDRESS: 330 LOUISIANA BLVD NE FAX: 255.2887
 CITY: ALBUQUERQUE STATE NM ZIP 87108 E-MAIL: WAYJON SURVE@AOL.COM

APPLICANT: TANKA ENTERPRISES LLC PHONE: 247.4455
 ADDRESS: 124 10th STREET NW FAX: _____
 CITY: ALBUQUERQUE STATE NM ZIP 87102 E-MAIL: _____

Proprietary interest in site: OWNER List all owners: _____

DESCRIPTION OF REQUEST: MINOR PRELIMINARY / FINAL PLAT TO INCORPORATE VACATED PORTION OF UNIVERSITY BLVD NE

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. A.2.A.1 Block: _____ Unit: _____
 Subdiv/Addn/TBKA: MUELLER SUBDIVISION
 Existing Zoning: C-3 Proposed zoning: SAME MRGCD Map No _____
 Zone Atlas page(s): H-15 UPC Code: 1015 059 351 056 40501

CASE HISTORY:

List any current or prior case number that may be relevant to your application (Proj., App., DRB-, AX, Z, V, S, etc.): 1002131

CASE INFORMATION:

Within city limits? Yes Within 1000FT of a landfill? NO
 No. of existing lots: 1 No. of proposed lots: 1 Total area of site (acres): 1.0745
 LOCATION OF PROPERTY BY STREETS: On or Near: UNIVERSITY BOULEVARD NE
 Between: INDIAN SCHOOL RD NE and INTERSTATE 40

Check-off if project was previously reviewed by Sketch Plat/Plan , or Pre-application Review Team . Date of review: _____

SIGNATURE [Signature] DATE 11.10.09
 (Print) THOMAS D. JOHNSTON Applicant: Agent:

FOR OFFICIAL USE ONLY

Form revised 4/07

- 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	Action	S.F.	Fees
<u>09DRB 70351</u>	<u>P&E</u>	<u>5(3)</u>	<u>\$ 215.00</u>
_____	<u>CME</u>	_____	<u>\$ 20.00</u>
_____	_____	_____	\$ _____
_____	_____	_____	\$ _____
_____	_____	_____	\$ _____
Hearing date <u>11/18/09</u>			Total <u>\$ 235.00</u>

Sandy Acudley 11/10/09

Project #

1002131

FORM S(3): SUBDIVISION - D.R.B. MEETING (UNADVERTISED) OR INTERNAL ROUTING

A **Bulk Land Variance** requires application on FORM-V in addition to application for subdivision on FORM-S.

SKETCH PLAT REVIEW AND COMMENT (DRB22) **Your attendance is required.**

- Scale drawing of the proposed subdivision plat (folded to fit into an 8.5" by 14" pocket) **6 copies**
- Site sketch with measurements showing structures, parking, Bldg. setbacks, adjacent rights-of-way and street improvements, if there is any existing land use (folded to fit into an 8.5" by 14" pocket) **6 copies**
- Zone Atlas map with the entire property(ies) clearly outlined
- Letter briefly describing, explaining, and justifying the request
- List any original and/or related file numbers on the cover application

EXTENSION OF MAJOR PRELIMINARY PLAT (DRB08) **Your attendance is required.**

- Preliminary Plat reduced to 8.5" x 11"
- Zone Atlas map with the entire property(ies) clearly outlined
- Letter briefly describing, explaining, and justifying the request
- Copy of DRB approved infrastructure list
- Copy of the LATEST Official DRB Notice of approval for Preliminary Plat Extension request
- List any original and/or related file numbers on the cover application

Extension of preliminary plat approval expires after one year.

MAJOR SUBDIVISION FINAL PLAT APPROVAL (DRB12) **Your attendance is required.**

- Proposed Final Plat (folded to fit into an 8.5" by 14" pocket) **6 copies**
- Signed & recorded Final Pre-Development Facilities Fee Agreement for **Residential** development only
- Design elevations & cross sections of perimeter walls **3 copies**
- Zone Atlas map with the entire property(ies) clearly outlined
- Bring original Mylar of plat to meeting, ensure property owner's and City Surveyor's signatures are on the plat
- Copy of recorded SIA
- Landfill disclosure and EHD signature line on the Mylar if property is within a landfill buffer
- List any original and/or related file numbers on the cover application
- DXF file and hard copy of final plat data for AGIS is required.

MINOR SUBDIVISION PRELIMINARY/FINAL PLAT APPROVAL (DRB16) **Your attendance is required.**

- N/A* 5 Acres or more: Certificate of No Effect or Approval
- Proposed Preliminary / Final Plat (folded to fit into an 8.5" by 14" pocket) **6 copies** for unadvertised meetings
- N/A* Signed & recorded Final Pre-Development Facilities Fee Agreement for **Residential** development only
- N/A* Design elevations and cross sections of perimeter walls (11" by 17" maximum) **3 copies**
- Site sketch with measurements showing structures, parking, Bldg. setbacks, adjacent rights-of-way and street improvements, if there is any existing land use (folded to fit into an 8.5" by 14" pocket) **6 copies**
- Zone Atlas map with the entire property(ies) clearly outlined
- Letter briefly describing, explaining, and justifying the request
- Bring original Mylar of plat to meeting, ensure property owner's and City Surveyor's signatures are on the plat
- N/A* Landfill disclosure and EHD signature line on the Mylar if property is within a landfill buffer
- Fee (see schedule)
- List any original and/or related file numbers on the cover application
- N/A* Infrastructure list if required (**verify with DRB Engineer**)
- DXF file and hard copy of final plat data for AGIS is required.


AMENDMENT TO PRELIMINARY PLAT (with minor changes) (DRB03) **Your attendance is required.**

PLEASE NOTE: There are no clear distinctions between significant and minor changes with regard to subdivision amendments. Significant changes are those deemed by the DRB to require public notice and public hearing.

- Proposed Amended Preliminary Plat, Infrastructure List, and/or Grading Plan (folded to fit into an 8.5" by 14" pocket) **6 copies**
- Original Preliminary Plat, Infrastructure List, and/or Grading Plan (folded to fit into an 8.5" by 14" pocket) **6 copies**
- Zone Atlas map with the entire property(ies) clearly outlined
- Letter briefly describing, explaining, and justifying the request
- Bring original Mylar of plat to meeting, ensure property owner's and City Surveyor's signatures are on the plat
- List any original and/or related file numbers on the cover application

Amended preliminary plat approval expires after one year

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

THOMAS D. JOHNSTON (AGENT)
Applicant name (print)

Applicant signature / date

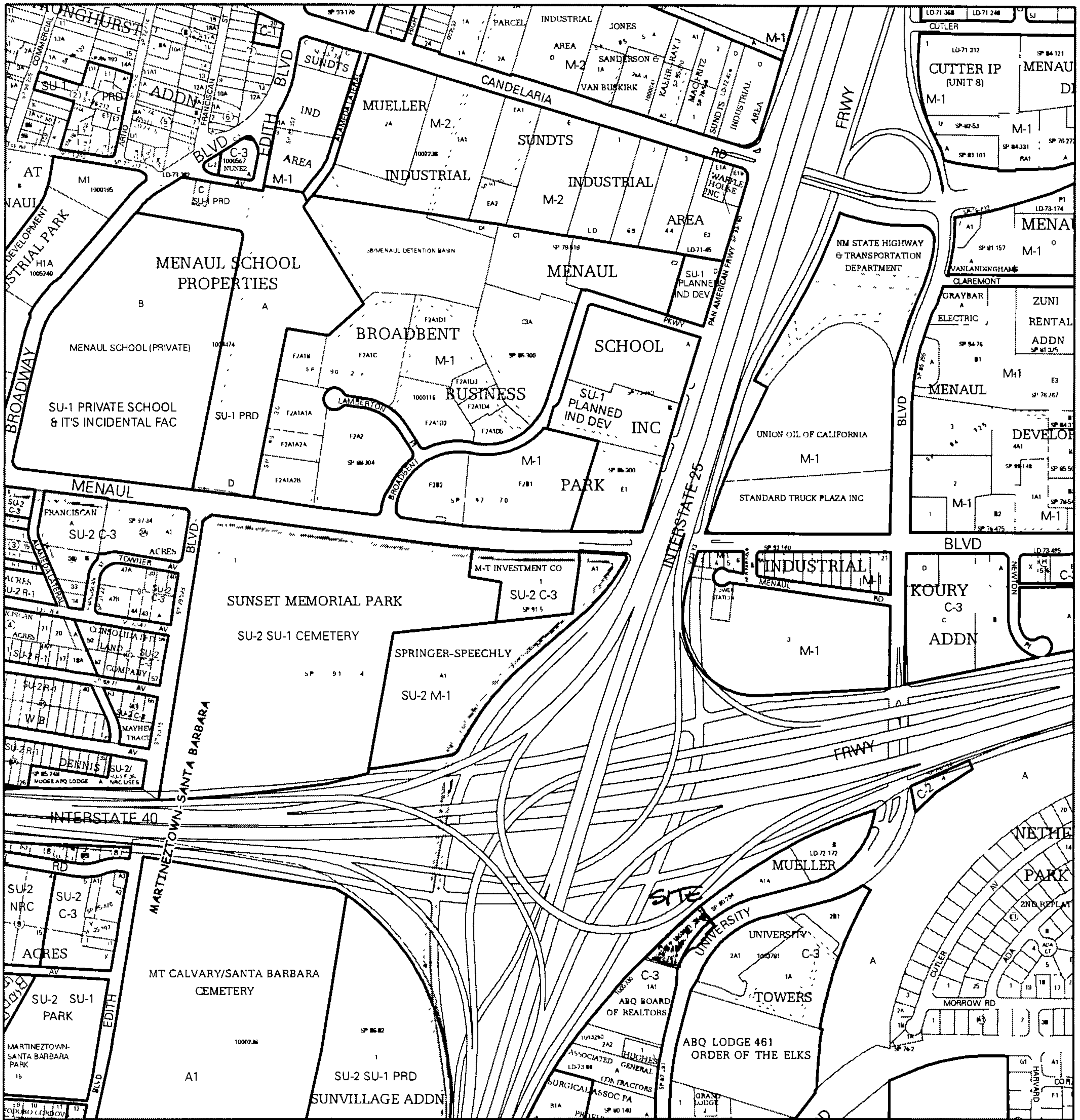


Form revised **October 2007**

- Checklists complete
- Fees collected
- Case #s assigned
- Related #s listed

Application case numbers
09DRB - 70351
_____-_____
_____-_____

Sandy Handley 11/10/09
Planner signature / date
Project # 1002131



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

AGIS
Albuquerque Geographic Information System

Map amended through 6/13/2008

Note: Grey Shading Represents Area Outside of the City Limits

Zone Atlas Page
H-15-Z

Selected Symbols

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

0 750 1,500 Feet



330 Louisiana Blvd., N.E. ♦ Albuquerque, NM 87108 ♦ Phone: (505) 255-2052 ♦ Fax: (505) 255-2887

November 10, 2009

Planning Department
City of Albuquerque
PO Box 1293
Albuquerque, NM 87103

RE: Minor Preliminary/Final Plat of Tract A-2-A-1-A, Mueller Subdivision, Project No. 1002131

To Whom It May Concern:

I am submitting a request for minor preliminary and final plat to incorporate the vacated portion of University Boulevard, NE into the existing Tract A-2-A-1, Mueller Subdivision. The vacated parcel was created by vacation action 09DRB-70281. The parcel currently contains an existing structure.

Thank you for your time in considering this matter. If you have any questions, please give me a call at the above number.

Regards,

Thomas D. Johnston, PS, PE
President, Wayjohn Surveying Inc.

PLANNING DEPARTMENT
DEVELOPMENT AND BUILDING SERVICES
TRANSPORTATION SECTION

DEVELOPMENT REVIEW BOARD – SPEED MEMO

DRB CASE NO: 1002131

AGENDA ITEM NO: 1

SUBJECT:

VACATION OF PUBLIC RIGHT-OF-WAY

ENGINEERING COMMENTS:

No objection to vacation request.

RESOLUTION:

APPROVED ___; DENIED ___; DEFERRED ___; COMMENTS PROVIDED ___; WITHDRAWN ___

DELEGATED: (SEC-PLN) (SP-SUB) (SP-BP) (FP) TO: (UD) (CE) (TRANS) (PRKS) (PLNG)

DELEGATED: (SEC-PLN) (SP-SUB) (SP-BP) (FP) TO: (UD) (CE) (TRANS) (PRKS) (PLNG)

SIGNED: Kristal D. Metro
Transportation Development

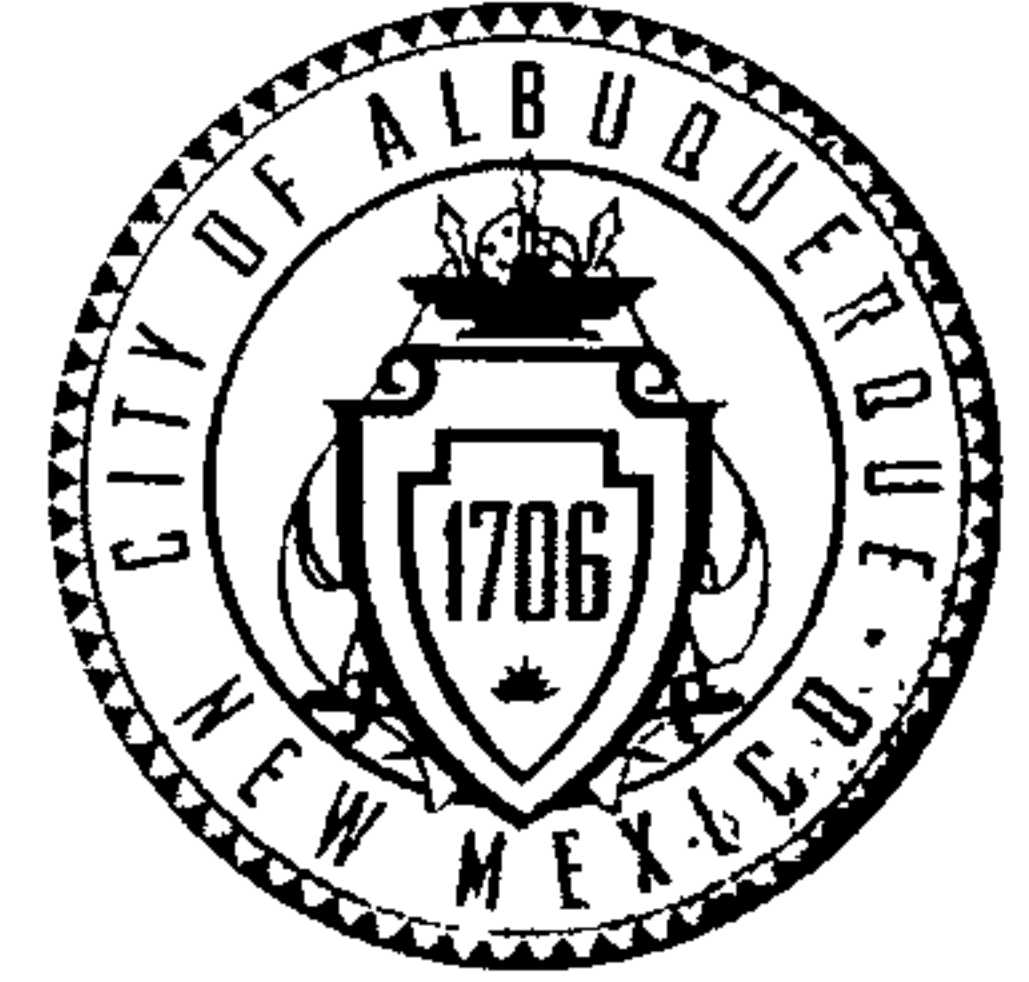
DATE: SEPTEMBER 16, 2009
505-924-3991

DRB PUBLIC HEARING SIGN IN SHEETS

PROJECT #: 1002131 AGENDA# 1 DATE: 9/16/09

1. Name: _____ Address: _____ Zip: _____
2. Name: _____ Address: _____ Zip: _____
3. Name: _____ Address: _____ Zip: _____
4. Name: _____ Address: _____ Zip: _____
5. Name: _____ Address: _____ Zip: _____
6. Name: _____ Address: _____ Zip: _____
7. Name: _____ Address: _____ Zip: _____
8. Name: _____ Address: _____ Zip: _____
9. Name: _____ Address: _____ Zip: _____
10. Name: _____ Address: _____ Zip: _____
11. Name: _____ Address: _____ Zip: _____
12. Name: _____ Address: _____ Zip: _____
13. Name: _____ Address: _____ Zip: _____
14. Name: _____ Address: _____ Zip: _____
15. Name: _____ Address: _____ Zip: _____
16. Name: _____ Address: _____ Zip: _____
17. Name: _____ Address: _____ Zip: _____

CITY OF ALBUQUERQUE



CITY OF ALBUQUERQUE PLANNING DEPARTMENT HYDROLOGY DEVELOPMENT SECTION

DEVELOPMENT REVIEW BOARD--SPEED MEMO

DRB CASE NO/PROJECT NO: 1002131

AGENDA ITEM NO: 1

SUBJECT:

Vacation

ACTION REQUESTED:

REV/CMT:() APP:(x) SIGN-OFF:() EXTN:() AMEND:()

PO Box 1293

ENGINEERING COMMENTS:

The Hydrology Section has no objection to the vacation request.

Albuquerque

NM 87103

RESOLUTION:

APPROVED ^{Juc}; DENIED ____; DEFERRED ____; COMMENTS PROVIDED ____; WITHDRAWN

www.cabq.gov

SIGNED-OFF: (SEC-PLN) (SP-SUB) (SP-BP) (FP) BY: (UD) (CE) (TRANS) (PKS) (PLNG)

DELEGATED: (SEC-PLN) (SP-SUB) (SP-BP) (FP) TO: (UD) (CE) (TRANS) (PKS) (PLNG)

FOR:

SIGNED: Bradley L. Bingham
City Engineer/AMAFCA Designee
924-3986

DATE: September 16, 2009

**TONKA ENTERPRISES, LLC
124 TENTH STREET NW
ALBUQUERQUE, NM 87102
(505)247-4455**

August 31, 2009

Development Review Board
City of Albuquerque
Plaza del Sol
600 2nd Street NW
Albuquerque, NM

Re: Authorization to Represent Vacation 09-DRB-70281
1645 University Blvd. NE, Albuquerque, NM

To Whom It May Concern:

This letter certifies that H. Hil Davidson dba Tonka Enterprises, LLC is the owner of the above referenced property and hereby authorizes DAC Enterprises, Inc. to act as agent in all matters to come before the City of Albuquerque regarding the portion vacation action of the University Blvd. public right-of-way.

If you have any questions, please contact me at 505-247-4455.

Sincerely,



H. Hil Davidson
Managing Member

City of Albuquerque



DEVELOPMENT/ PLAN REVIEW APPLICATION

SUBDIVISION

- Major Subdivision action
- Minor Subdivision action
- Vacation
- Variance (Non-Zoning)

SITE DEVELOPMENT PLAN

- for Subdivision
- for Building Permit
- Administrative Amendment (AA)
- IP Master Development Plan
- Cert. of Appropriateness (LUCC)

STORM DRAINAGE (Form D)

- Storm Drainage Cost Allocation Plan

Supplemental form

S Z ZONING & PLANNING

- Annexation
- County Submittal
- EPC Submittal
- Zone Map Amendment (Establish or Change Zoning)
- Sector Plan (Phase I, II, III)
- Amendment to Sector, Area, Facility or Comprehensive Plan
- Text Amendment (Zoning Code/Sub Regs)
- Street Name Change (Local & Collector)
- Decision by: DRB, EPC, LUCC, Planning Director or Staff, ZHE, Zoning Board of Appeals

L A APPEAL / PROTEST of...

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): DAC ENTERPRISES, INC PHONE: 294-5243
 ADDRESS: P.O. BOX 16658 FAX: 247-4530
 CITY: ALBUQUERQUE, STATE NM ZIP 87191 E-MAIL: _____

APPLICANT: H. HIL DAVIDSON PHONE: 247-4455
 ADDRESS: 124 10th Street NW FAX: 247-2396
 CITY: ALBUQUERQUE STATE NM ZIP 87102 E-MAIL: _____

Proprietary interest in site: OWNER List all owners: _____

DESCRIPTION OF REQUEST: PARTIAL VACATION OF PUBLIC RIGHT-OF-WAY
ALONG WEST SIDE OF UNIVERSITY BLVD NE

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. TRACTS A-2-A-1 Block: _____ Unit: _____
 Subdiv/Addn/TBKA: MELLOR SUBDIVISION
 Existing Zoning: C-3 Proposed zoning: C-3 MRGCD Map No _____
 Zone Atlas page(s): H-15 UPC Code: 101505935506340501

CASE HISTORY:

List any current or prior case number that may be relevant to your application (Proj., App, DRB-, AX_Z_, V_, S_, etc): 02DRB-01188

CASE INFORMATION:

Within city limits? Yes Within 1000FT of a landfill? NO
 No. of existing lots: — No. of proposed lots: — Total area of site (acres): 1.05AC
 LOCATION OF PROPERTY BY STREETS: On or Near: UNIVERSITY BLVD NE
 Between INDIAN SCHOOL Rd NE and INTERSTATE 40 NE

Check-off if project was previously reviewed by Sketch Plat/Plan , or Pre-application Review Team . Date of review: _____

SIGNATURE Doug Crandall DATE 8/18/09
 (Print) DOUG CRANDALL, DAC ENTERPRISES, INC Applicant Agent:

FOR OFFICIAL USE ONLY

Form revised 4/07

- 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
09PRB 70281

Action	S.F.	Fees
<u>VRW</u>	<u>Y</u>	\$ <u>300.00</u>
<u>ADV</u>		\$ <u>75.00</u>
<u>CME</u>		\$ <u>20.00</u>
		\$ _____
		\$ _____

Hearing date 09/16/09

Total
 \$ 395.00

Sandy Handley 08/20/09
 Planner signature / date

Project # 1002131

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.

Doug Crandall, DAC Enterprises Inc
Applicant name (print)
Doug Crandall 8/19/09
Applicant signature / date

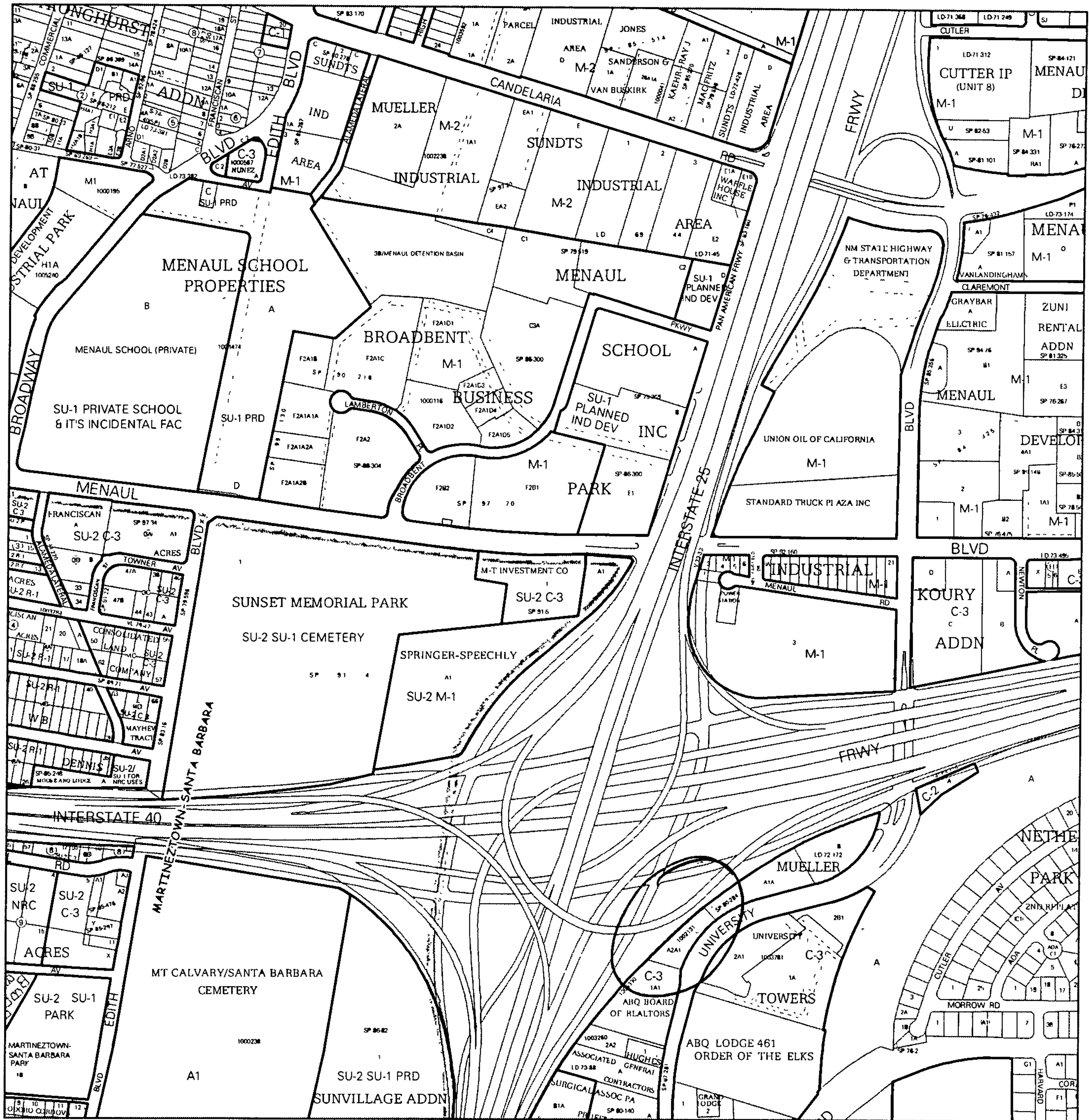


Form revised 4/07

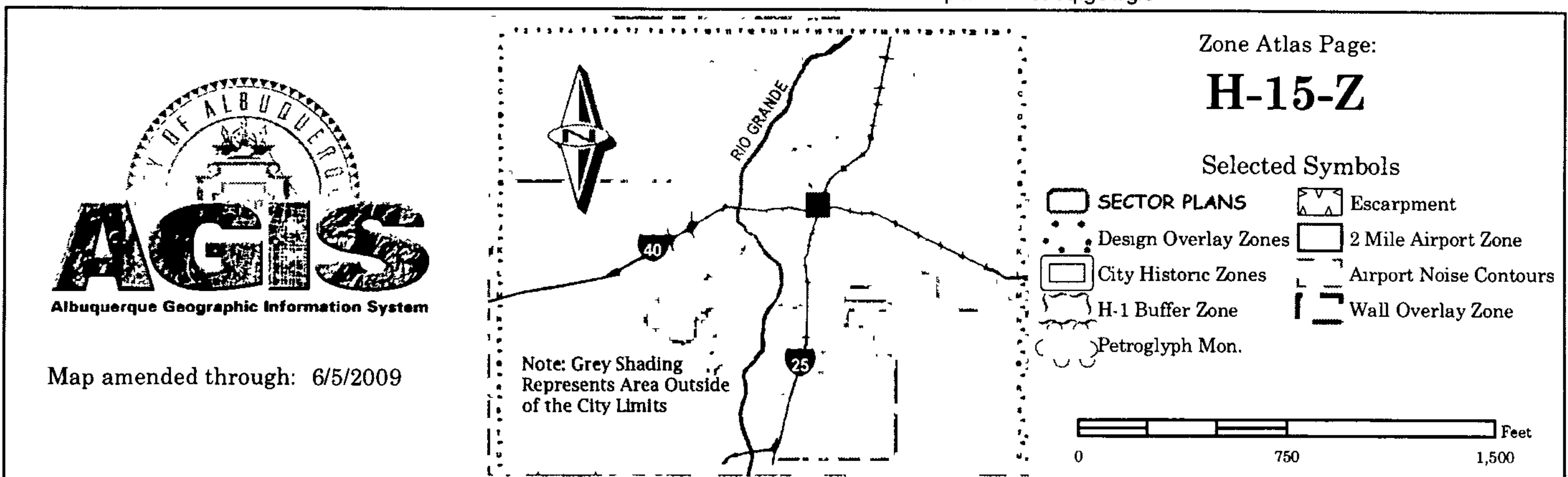
- Checklists complete
- Fees collected
- Case #s assigned
- Related #s listed

Application case numbers
09DRB - 70281

Sandy Handley 08/20/09
Planner signature / date
Project # 1002131



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



August 19, 2009

Jack Cloud, Chair
Development Review Board
Planning Department
City of Albuquerque

Re: Request to Vacate Right-of-Way - Tract A-2-A-1 Mueller Subdivision

Dear Chairman Cloud:

This is a request to vacate and purchase up to 16.5 feet of right of way along the west side of University Boulevard NE for the above referenced property. Specifically, there is currently 117' feet of right of way at University on the southern end of the property, which widens to 121.5' on the northern property line. This request would take approximately two feet of the southern right of way, angling more or less north where the 16.5' foot acquisition is proposed.

Currently portions of five parking spaces and the on premise sign approved for the site are located on City right of way. The applicant pays the City for this encroachment. This encroachment has existed since the applicant purchase the property in 2004.

Approval of this request will still provide a 12' easement between the proposed property line and the edge of the curb. Total right of way for University, if this request is approved, will range from 105' on the northern boundary of the property to 117' on the southern boundary.

Applicant understands that any existing or required utility easements will continue to be maintained after the vacation, and applicant is willing to abide by any reasonable conditions of approval.

Thank you for your consideration of this request.

Regards,

Robert E. Romero



DAC Enterprises, Inc.

Agent for H. Davidson Associates, Applicant

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 SEPT. 1, 2009 To SEPT. 16, 2009

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.

Robert Adams for 8/20/09
(Applicant or Agent) (Date)

I issued 1 signs for this application, 08/20/09 Sandy Handley
(Date) (Staff Member)

DRB PROJECT NUMBER: 1002131

!!!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 neighborhood and/or homeowner 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 describes 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.

- ONC's "Official" Letter to the applicant (if there are 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.**
- Copies of Letters to Neighborhood and/or Homeowners Associations (if there are associations). A copy must be submitted with application packet.**
- Copies of the certified receipts to Neighborhood and/or Homeowners Associations (if there are associations). A copy must be submitted with application packet.**

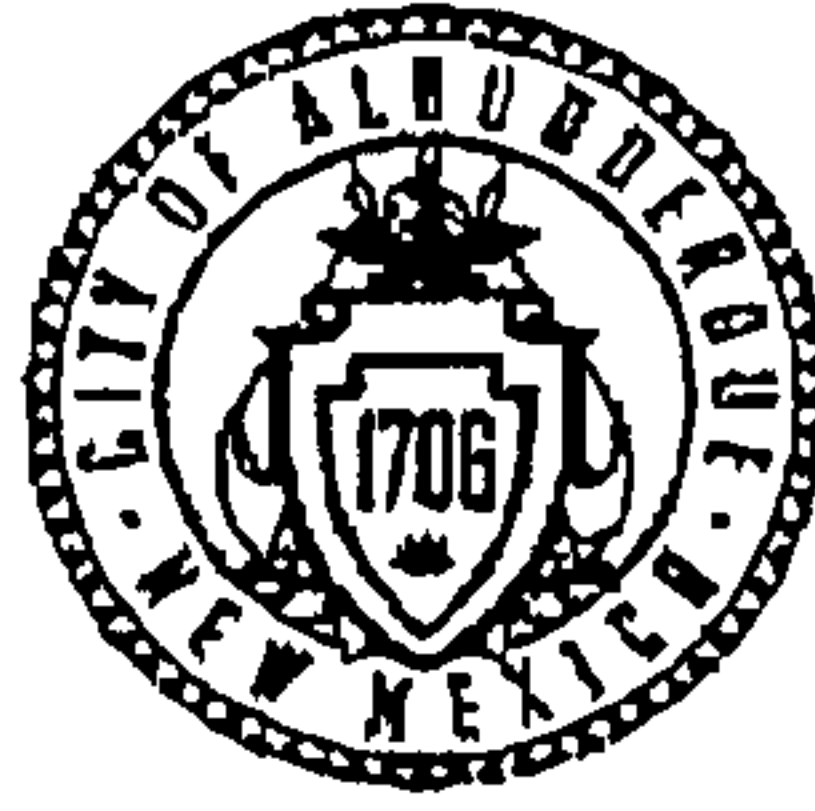
Just a reminder - Our ONC "Official" Letter is only valid for a one (1) month period and if you haven't submitted your application by this date, you will need to get an updated letter from our office.

Any questions, please feel free to contact Stephani at 924-3902 or via an e-mail message at swinklepleck@cabq.gov.

Thank you for your cooperation on this matter.

(below this line for ONC use only)

Date of Inquiry: **08/14/09** Time Entered: **8:30 a.m.** ONC Rep. Initials: **siw**



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

August 14, 2009

Robert E. Romero
DAC Enterprises, Inc.
P.O. Box 16658/87191
Phone: 505-242-3232/Fax: 505-247-4530

PLEASE NOTE: The Neighborhood and/or Homeowner 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.

Dear Robert:

Thank you for your inquiry of August 14, 2009 requesting the names of **ALL Neighborhood and/or Homeowner Associations and Coalitions** who would be affected under the provisions of O-92 by your proposed project at **(DRB SUBMITTAL) - TRACTS A-1-B AND A-2-A MELLER SUBDIVISION LOCATED ON 1645 UNIVERSITY BOULEVARD NE BETWEEN I-40 FREEWAY AND INDIAN SCHOOL ROAD NE** zone map **H-15**.

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

SANTA BARBARA-MARTINEZTOWN ASSOC. (SBM) "R"

Phillip Hern

509 San Ignacio NE/87102 242-9282 (h)

Chal-Marie Lucero

420 Hannett NE/87102 239-6071 (h)

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) 924-3902 or via an e-mail message at swinklepleck@cabq.gov or by fax at (505) 924-3913.

Sincerely,

Stephani Winklepleck

Neighborhood Liaison
OFFICE OF NEIGHBORHOOD COORDINATION
Planning Department

**LETTERS MUST BE SENT TO BOTH
CONTACTS OF EACH
NEIGHBORHOOD AND/OR
HOMEOWNER ASSOCIATION.**

DAC Enterprises, Inc.
Zoning & Land Use Services

August 18, 2009

CERTIFIED MAIL
 SANTA BARBARA/MARTINEZTOWN ASSOCIATION
 Phillip Hern
 509 San Ignacio NE
 Albuquerque, NM 87102

Re: Request to Vacate Portion of Public Right-of-Way
 1645 University Blvd NE

Dear Mr. Hern:

DAC Enterprises, Inc. has been authorized to request a vacation of a portion of the public right of way along the east side of Tracts A-1-B and A-2-A, Meller in order to incorporate parking which currently encroaches into the right of way.

A copy of a site plan showing the existing and proposed relocation of the right of way line is enclosed for your review. Also enclosed is a copy of Zone Map H-15 in order to give you the location of the tracts in question. We will file the request with the Development Review Board (DRB), City of Albuquerque, by the August 21, 2009 deadline for their review and approval at their September 16, 2009 public hearing.

We will be more than happy to meet with you and/or your neighborhood association in order to present our request. In the mean time, please free to call on me if you should have any questions.

Sincerely,

Doug Crandall
 Doug Crandall, Principal

Cc: Chal-Marie Lucero 420 Hannett NE 87102

9545 8109 1000 0192 9002

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 87102 **AL USE**

Postage	\$ 0.44	0101 AUG 15 Postmark Here 08/19/2009
Certified Fee	\$2.80	
Return Receipt Fee (Endorsement Required)	\$2.30	
Restricted Delivery Fee (Endorsement Required)	\$0.00	
Total Postage & Fees	\$ 5.54	

Sent To: **Phillip HERN**
 Street, Apt. No., or PO Box No.: **509 SAN IGNACIO NE**
 City, State, ZIP+4: **ALBUQ, NM 87102**

PS Form 3800, August 2006 See Reverse for Instructions

9545 8109 1000 0192 9002

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 87102 **AL USE**

Postage	\$ 0.44	0101 AUG 15 Postmark Here 08/19/2009
Certified Fee	\$2.80	
Return Receipt Fee (Endorsement Required)	\$2.30	
Restricted Delivery Fee (Endorsement Required)	\$0.00	
Total Postage & Fees	\$ 5.54	

Sent To: **CHAL-MARIE LUCERO**
 Street, Apt. No., or PO Box No.: **420 HANNETT NE**
 City, State, ZIP+4: **ALBUQ, NM 87102**

A City of Albuquerque



DEVELOPMENT REVIEW APPLICATION

Supplemental form
SUBDIVISION **S**
 Major Subdivision action
 Minor Subdivision action
 Vacation **V**
 Variance (Non-Zoning)

Supplemental form
ZONING **Z**
 Annexation & Zone Establishment
 Sector Plan
 Zone Change
 Text Amendment

SITE DEVELOPMENT PLAN **P**
 ...for Subdivision Purposes
 ...for Building Permit
 IP Master Development Plan
 Cert. of Appropriateness (LUCC) **L**

APPEAL / PROTEST of... **A**
 Decision by: DRB, EPC, LUCC, Planning Director or Staff, ZHE, Zoning Board of Appeals

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.

APPLICANT INFORMATION:

NAME: H. NIL DAVIDSON PHONE: 345-1021
 ADDRESS: 124 10th STREET NW FAX: _____
 CITY: ALBUQUERQUE STATE NM ZIP 87102 E-MAIL: _____
 Proprietary interest in site: OWNER
 AGENT (if any): WAYSONN SURVEYING INC. PHONE: 255-2052
 ADDRESS: 330 LOUISIANA BLVD NE FAX: 255-2887
 CITY: ALBUQUERQUE STATE NM ZIP 87108 E-MAIL: WAYSONSURV@AOL.COM

DESCRIPTION OF REQUEST: TO COMBINE TWO LOTS INTO ONE LOT
PRELIMINARY/FINAL PLAT

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

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

Lot or Tract No. A-1-B1 AND A-2-A Block: _____ Unit: _____
 Subdiv. / Addn. MUELLER SUBDIVISION
 Current Zoning: C-3 Proposed zoning: SAME
 Zone Atlas page(s): H-15 No. of existing lots: 2 No. of proposed lots: 1
 Total area of site (acres): 1.0022 Density if applicable: dwellings per gross acre: N/A dwellings per net acre: N/A
 Within city limits? Yes. No , but site is within 5 miles of the city limits (DRB jurisdiction.) Within 1000FT of a landfill? NO
 UPC No. 1015 059 355 063 40501, 101505934704940502 MRGCD Map No. _____
 LOCATION OF PROPERTY BY STREETS: On or Near: UNIVERSITY BLVD NE
 Between: INDIAN SCHOOL RD NE and INTERSTATE 40

CASE HISTORY:

List any current or prior case number that may be relevant to your application (Proj., App., DRB-, AX-, Z-, V-, S-, etc.): SP-80.284
SP-81.32

Check-off if project was previously reviewed by Sketch Plat/Plan , or Pre-application Review Team . Date of review: _____
 DATE 7/26/02

SIGNATURE [Signature] DATE _____
 (Print) THOMAS D. JOHNSON Applicant Agent

Form revised September 2001

FOR OFFICIAL USE ONLY

- 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	Action	S.F.	Fees
<u>02DRB - 01188</u>	<u>P+7</u>	<u>5(3)</u>	<u>\$ 215.00</u>
_____	_____	_____	\$ _____
_____	_____	_____	\$ _____
_____	_____	_____	\$ _____
_____	_____	_____	\$ _____
Hearing date <u>Int. Court.</u>			Total <u>\$ 215.00</u>

[Signature] 7/30/02
 Planner signature / date

Project # 1002131

FORM S(3): SUBDIVISION - D.R.B. MEETING (UNADVERTISED) OR INTERNAL ROUTING

SKETCH PLAT REVIEW AND COMMENT

- ___ Scale drawing of the proposed subdivision plat (folded to fit into an 8.5" by 14" pocket) 6 copies for unadvertised meetings. Sketches are not reviewed through internal routing.
 - ___ Site sketch with measurements showing structures, parking, Bldg. setbacks, adjacent rights-of-way and street improvements, etcetera, if there is any existing land use (folded to fit into an 8.5" by 14" pocket) 6 copies.
 - ___ Zone Atlas map with the entire property(ies) precisely and clearly outlined and crosshatched (to be photocopied)
 - ___ Letter briefly describing, explaining, and justifying the request
 - ___ Any original and/or related file numbers are listed on the cover application
- DRB meetings are approximately 8 DAYS after the Tuesday noon filing deadline. **Your attendance is required.**

MAJOR SUBDIVISION EXTENSION OF PRELIMINARY PLAT

- ___ Preliminary Plat reduced to 8.5" x 11"
- ___ Zone Atlas map with the entire property(ies) precisely and clearly outlined and crosshatched (to be photocopied)
- ___ Letter briefly describing, explaining, and justifying the request
- ___ Copy of previous D.R.B. approved infrastructure list
- ___ Copy of the Official D.R.B. Notice of approval
- ___ Any original and/or related file numbers are listed on the cover application

Extensions are not reviewed through internal routing.
 Extension of preliminary plat approval expires after one year.
 DRB meetings are approximately 8 DAYS after the Tuesday noon filing deadline. **Your attendance is required.**

MAJOR SUBDIVISION FINAL PLAT APPROVAL

- ___ Proposed Final Plat (folded to fit into an 8.5" by 14" pocket) 6 copies for unadvertised meetings, 4 copies for internal routing.
 - ___ Zone Atlas map with the entire property(ies) precisely and clearly outlined and crosshatched (to be photocopied)
 - ___ Original Mylar drawing of the proposed plat for internal routing only. Otherwise, bring Mylar to meeting.
 - ___ Property owner's and City Surveyor's signatures on the Mylar drawing
 - ___ SIA financial guaranty verification
 - ___ Landfill disclosure and EHD signature line on the Mylar drawing if property is within a landfill buffer
 - ___ Any original and/or related file numbers are listed on the cover application
- DRB meetings are approximately 8 DAYS after the Tuesday noon filing deadline. **Your attendance is required.**

MINOR SUBDIVISION PRELIMINARY / FINAL PLAT APPROVAL

- Proposed Preliminary / Final Plat (folded to fit into an 8.5" by 14" pocket) 6 copies for unadvertised meetings, 4 copies for internal routing.
 - Site sketch with measurements showing structures, parking, Bldg. setbacks, adjacent rights-of-way and street improvements, etcetera, if there is any existing land use (folded to fit into an 8.5" by 14" pocket) 6 copies.
 - Zone Atlas map with the entire property(ies) precisely and clearly outlined and crosshatched (to be photocopied)
 - Letter briefly describing, explaining, and justifying the request
 - Original Mylar drawing of the proposed plat for internal routing only. Otherwise, bring Mylar to meeting.
 - Property owner's and City Surveyor's signatures on the Mylar drawing
 - Landfill disclosure and EHD signature line on the Mylar drawing if property is within a landfill buffer
 - Fee (see schedule)
 - Any original and/or related file numbers are listed on the cover application
- DRB meetings are approximately 8 DAYS after the Tuesday noon filing deadline. **Your attendance is required.**

AMENDMENT TO PRELIMINARY PLAT (with minor changes)

AMENDMENT TO INFRASTRUCTURE LIST (with minor changes)

AMENDMENT TO GRADING PLAN (with minor changes)

PLEASE NOTE: There are no clear distinctions between significant and minor changes with regard to subdivision amendments. Significant changes are those deemed by the DRB to require public notice and public hearing.

- ___ Proposed Amended Preliminary Plat, Infrastructure List, and/or Grading Plan (folded to fit into an 8.5" by 14" pocket) 6 copies for unadvertised meetings, 4 copies for internal routing.
 - ___ Original Preliminary Plat, Infrastructure List, and/or Grading Plan (folded to fit into an 8.5" by 14" pocket) 6 copies for unadvertised meetings, 4 copies for internal routing.
 - ___ Zone Atlas map with the entire property(ies) precisely and clearly outlined and crosshatched (to be photocopied)
 - ___ Letter briefly describing, explaining, and justifying the request
 - ___ Original Mylar drawing of the proposed amended plat for internal routing only. Otherwise, bring Mylar to meeting.
 - ___ Property owner's and City Surveyor's signatures on the Mylar drawing, if the plat is being amended
 - ___ Any original and/or related file numbers are listed on the cover application
- Amended preliminary plat approval expires after one year.
 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.

THOMAS D. JOHNSON (AGENT)
 Applicant name (print)
[Signature] 7/26/02
 Applicant signature / date

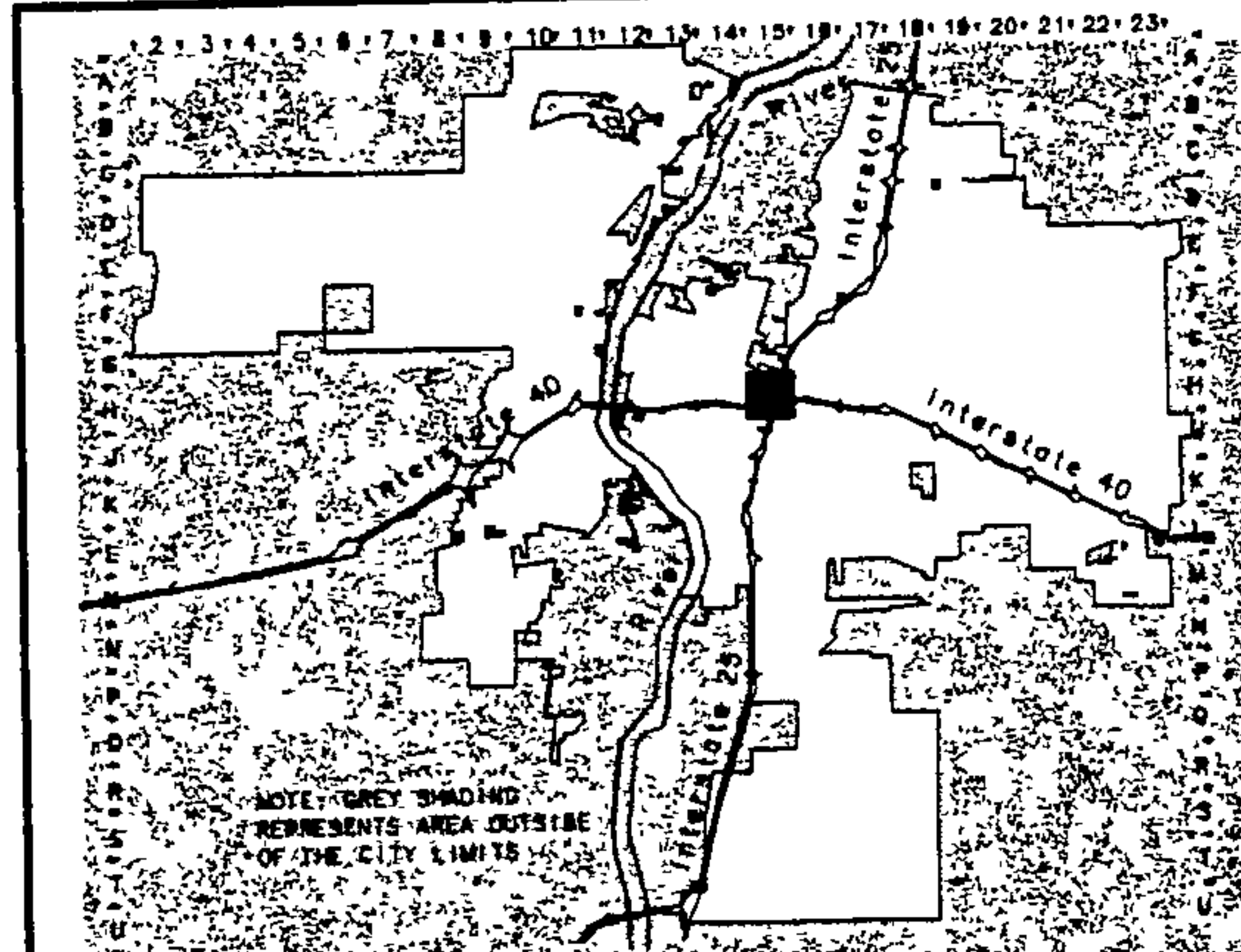
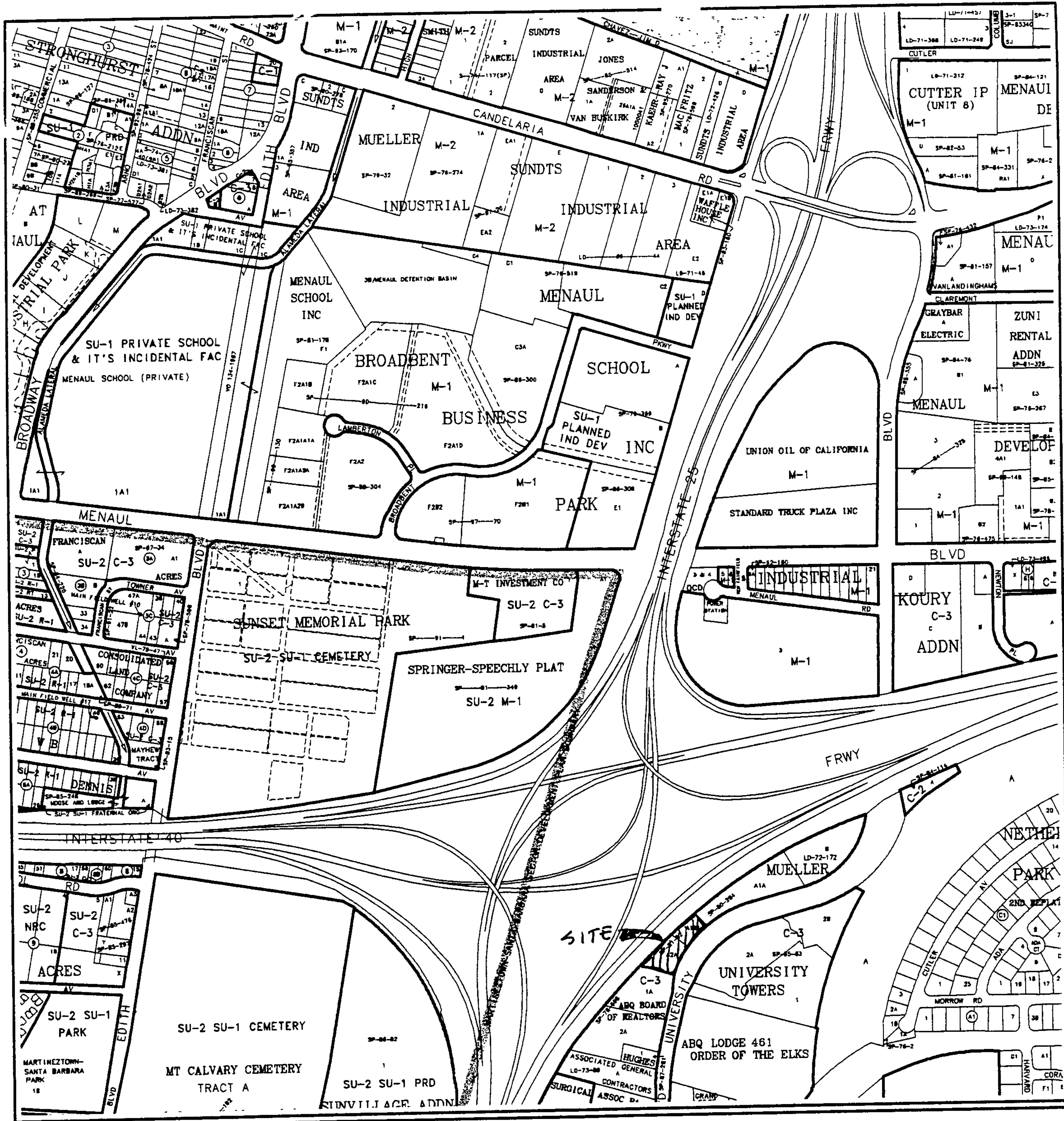


Form revised September 2001

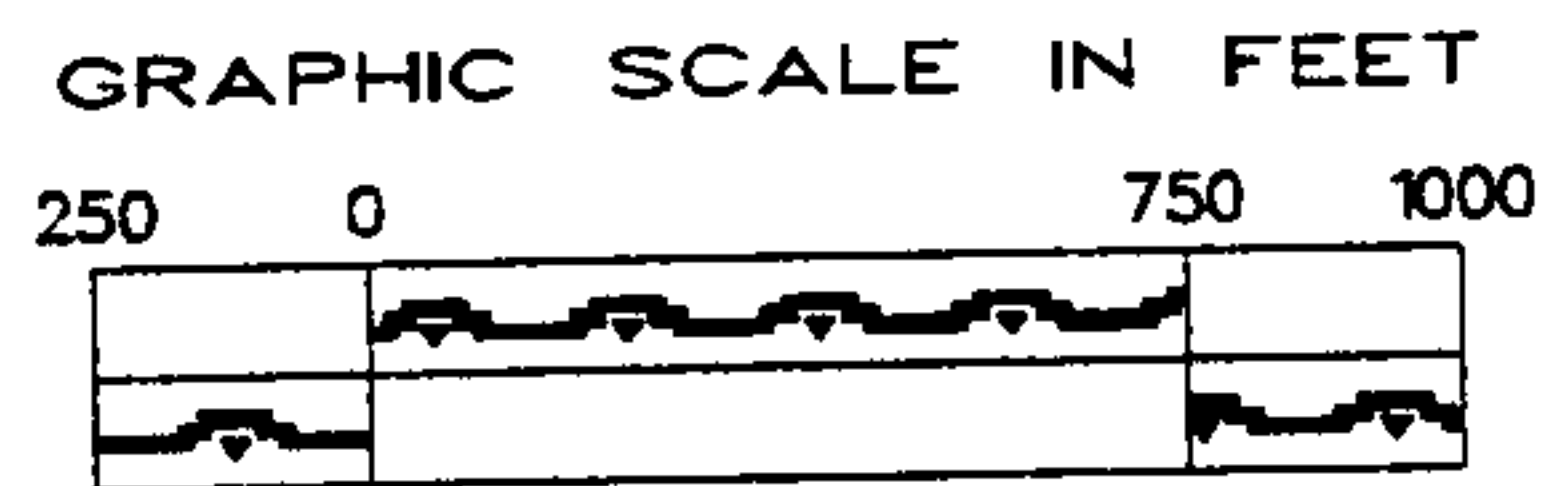
- Checklists complete
- Fees collected
- Case #s assigned
- Related #s listed

Application case numbers
02DRB- 01188

[Signature] 7/30/02
 Planner signature / date
Project # 1002131



CITY OF
Albuquerque
A G I S
Albuquerque Geographic Information System
PLANNING DEPARTMENT
© Copyright 2000



Zone Atlas Page
H-15-Z
Map Amended through July 28, 2000

Wayjohn Surveying, Inc. ♦ 330 Louisiana Blvd., N.E. ♦ Albuquerque, NM 87108
Phone: (505) 255-2052 Fax: (505) 255-2887

July 26, 2002

City of Albuquerque
Plaza Del Sol Building
600 2nd Street, NW
Albuquerque, NM 87102

RE: Replat of Tract A-1-B-1 and A-2-A, Mueller Subdivision

To Whom It May Concern:

My client, H. Hil Davidson, desires to replat Tracts A-1-B-1 and A-2-A of the Mueller Subdivision into one parcel. The parcel currently has a commercial building on it. My client desires to combine the two lots into one lot in order to facilitate a new use for the commercial building.

If you have any questions regarding this matter, please give me a call.

Sincerely,

A handwritten signature in black ink, appearing to read 'T. Johnston', with a large, stylized flourish extending to the left.

Thomas D. Johnston, PS

ONE STOP SHOP ••• FRONT COUNTER
City of Albuquerque • Planning Department

DEVELOPMENT & BUILDING SERVICES (D&B Svcs)
LAND DEVELOPMENT COORDINATION DIVISION (LDC)
Plaza Del Sol -2nd Floor West - 600 2nd St NW
Land Development / Planning - Main Fax (505) 924-3685
Development Services / Public Works - Main Fax (505) 924-3864

PAID RECEIPT

APPLICANT NAME H. H/L Davidson
AGENT Wayjohn Surveying
ADDRESS 330 Louisiana Blvd. NE
PROJECT NO. 1002131
APPLICATION NO. 02AA 01188

\$ 215.00 441006 / 4983000 (DRB Cases)
\$ _____ 441006 / 4971000 (EPC & AA / LUCC / Appeals)
\$ _____ 441018 / 4971000 (Notification)

\$ 215.00 Total amount due


10087

WAYJOHN SURVEYING, INC.
11108 HUME AVE. NE 505-255-2052
ALBUQUERQUE, NM 87112

DATE 7-30-02 95-32-1070

PAY TO THE ORDER OF City of Albuquerque \$ 215.00

two hundred fifteen dollars & ¹⁰⁰/₁₀₀

Bank of America. 

ACH R/T 107000327

City Of Albuquerque
Treasury Division

07/30/2002 3:42AM
70018980 # 007 TRANS# 0005
Account 441006 Fund 0110
Activity 4983000

FOR _____

⑈010087⑈ ⑆107000327⑆ 00012338537⑈

Security Features
Details on back

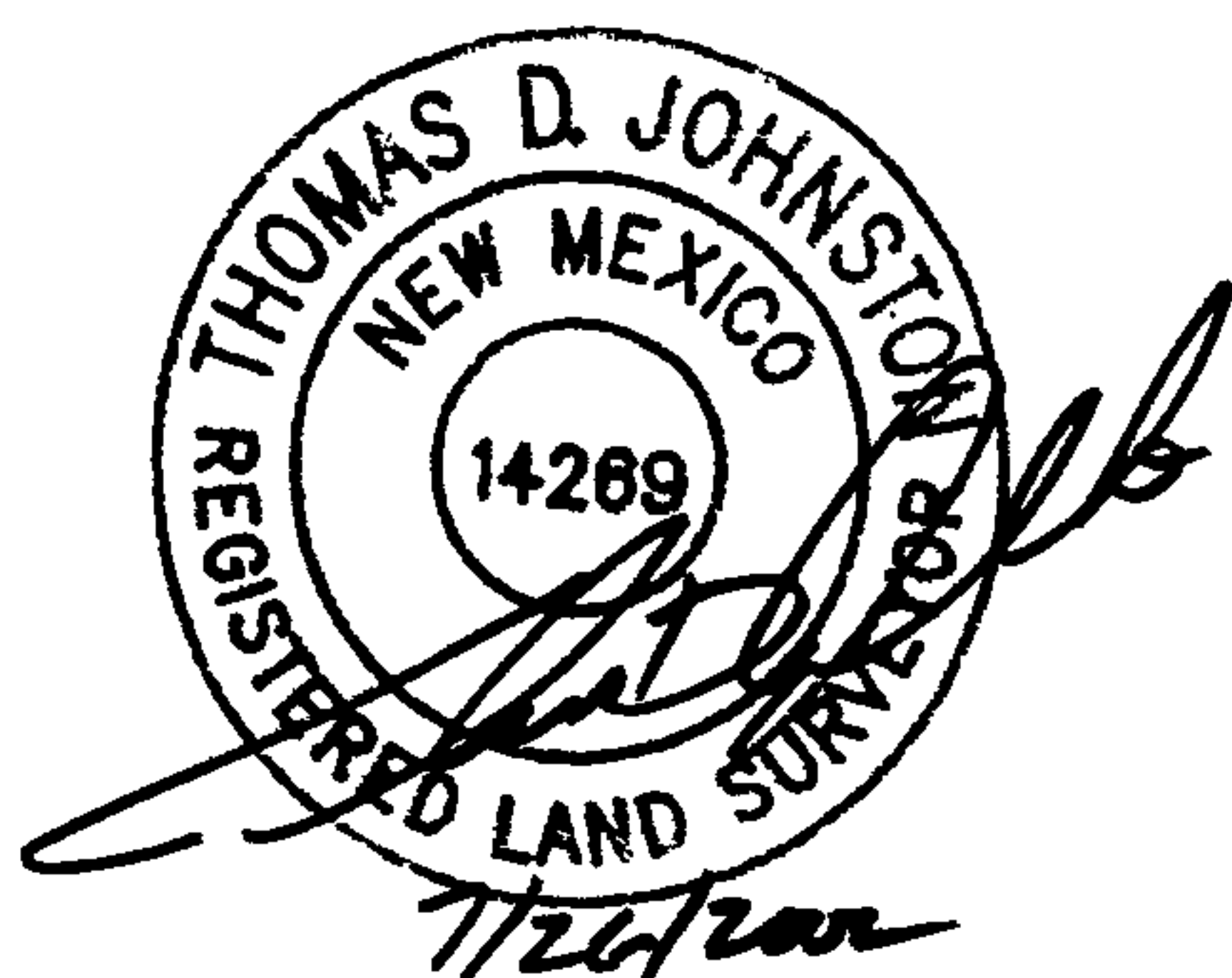
counterreceipt.doc

TRANS AMT	\$215.00
J24 MISC	7/1/02 \$215.00
CR	\$215.00
CHANGE	\$0.00

FORMATION

NO.	RADIUS	LENGTH	CENTRAL ANGLE	CHORD
	633.00'	317.50' (317.41')	28° 44' 18"	S 34° 31' 42" W, 314.18'
	2769.00'	179.80' (179.44')	03° 43' 13"	N 48° 15' 49" E, 179.77'
	5634.00'	225.56' (225.52')	02° 17' 38"	N 45° 40' 41" E, 225.54'

Mary Herrera
 Bern. Co. PLAT R 12.00
 2002098940
 5706687
 Page: 2 of 2
 08/06/2002 02:17P
 Bk-2002C Pg-266



**WAYJOHN
 SURVEYING, INC.**
 330 LOUISIANA BLVD., N.E.
 ALBUQUERQUE, N.M. 87108
 PHONE: 255-2052 FAX: 255-2887

INDEXING INFORMATION FOR COUNTY CLERK OWNER: H. HIL DAVIDSON	DRAWN: E W K	SCALE: 1" = 30'	FILE NO. SP-7-01-2002
	CHECKED: T D J		
LOCATION: SEC. 9, T.10 N, R.3 E., N.M.P.M. ALBUQUERQUE, NM SUBDIVISION: TRACT A-2-A-1 MUELLER SUBDIVISION	DRAWING NO. SP70102.DWG	24 JULY 2002	SHEET 2 OF 2

Janet S 8/5/02 Date
 Planning Director, City of Albuquerque

NA 8-02-02 Date
 Property Management, City of Albuquerque

Rubel Douthett 8-02-02 Date
 Traffic Engineer, City of Albuquerque

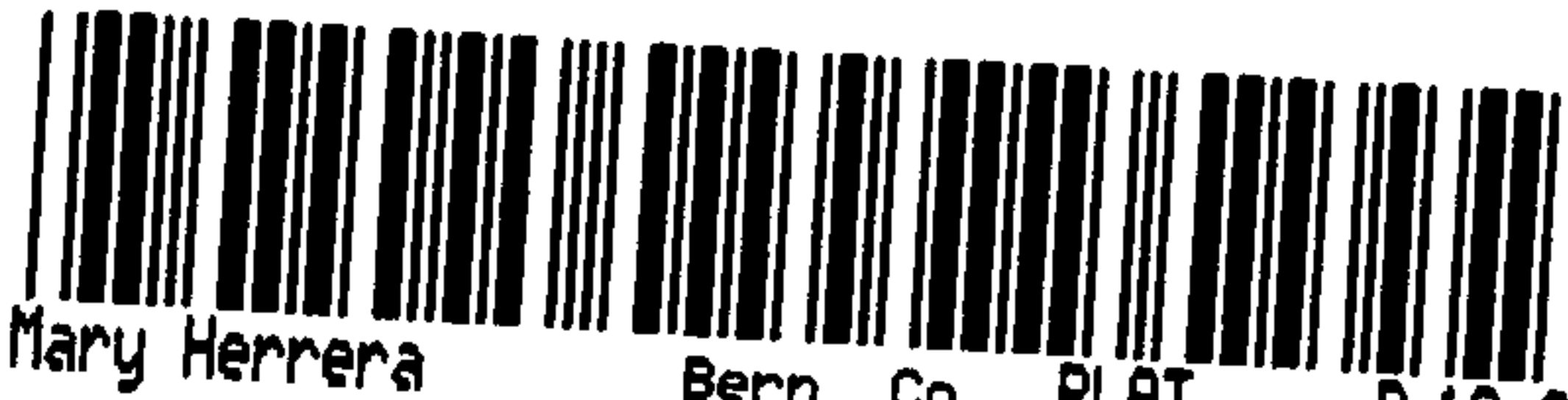
Roger A Green 7-30-02 Date
 Water Utilities Department, City of Albuquerque

M B Hunt 7-29-02 Date
 City Surveyor, City of Albuquerque

Christina Sandoral 7/30/02 Date
 Parks and Recreation, City of Albuquerque

Rubel Douthett 8-02-02 Date
 A.M.A.F.C.A.

Brady L. Bingham 7/30/02 Date
 City Engineer, City of Albuquerque



2002098940
5786987
Page: 1 of 2
08/06/2002 02:17P
Bk-2002C Pg-266

SURVEYOR'S CERTIFICATE

I, Thomas D. Johnston, licensed as a Professional Surveyor under the laws of the State of New Mexico, do hereby certify that this plat was prepared by me or under my supervision, that I am responsible for this plat, that it shows all easements of the recorded plat and made known to me by the title company, utility companies or by the owner of record, meets the minimum standards for monumentation and surveys of the Albuquerque Subdivision Ordinance, and meets the Minimum Standards for Land Surveys as adopted by the New Mexico State Board of Registration for Professional Engineers and Surveyors, effective October 1, 2000 and is true and correct to the best of my knowledge and belief.

Thomas D. Johnston

7/26/02

Date

Thomas D. Johnston, N.M.P.S. No. 14269



**WAYJOHN
SURVEYING, INC.**
330 LOUISIANA BLVD., N.E.
ALBUQUERQUE N.M. 87108