



OFFICIAL NOTICE OF DECISION



CITY OF ALBUQUERQUE
PLANNING DEPARTMENT
DEVELOPMENT REVIEW BOARD

January 4, 2006

2. Project # 1002247
05DRB-01815 Major-Vacation of Public Easements

BOHANNAN HUSTON INC agent(s) for HUNT UPTOWN LLC request(s) the above action(s) for all or a portion of Tract(s) A, **ABQ UPTOWN SITE**, zoned SU-3 special center zone, located on LOUISIANA BLVD NE, between ARVADA AVE NE and INDIAN SCHOOL RD NE containing approximately 18 acre(s). [REF: 04DRB-00830, 04DRB-00831, 04DRB-00832, 04EPC-00914] (H-19)

At the January 4, 2006, Development Review Board meeting, the vacation was approved as shown on Exhibit B in the Planning file with following conditions of final plat approval:

-  Replace the easement being narrowed with a new easement that will result in a 20-foot easement.
-  On the portion of Indian School Road being vacated a minimum of 5-feet from the existing Well Collection Line to the proposed vacation is required.

If you wish to appeal this decision, you must do so by January 19, 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).



OFFICIAL NOTICE OF DECISION

PAGE 2

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.)

Clairse Sedova

for Sheran Matson, AICP, DRB Chair

Cc:Hunt Uptown LLC, 500 Marquette NW, Suite 350, 87102
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

June 23, 2004

2. Project # 1002247

04DRB-00830 Major-Vacation of Public Easements
04DRB-00831 Major-Vacation of Public Easements
04DRB-00832 Major-Vacation of Public Easements

BOHANNAN HUSTON, INC agent(s) for HUNT UPTOWN, LLC request(s) the above action(s) for all or a portion of Tract A1, **ST. PIUS X SUBDIVISION**, zoned SU-3 special center zone, located on LOUISIANA BLVD NE, between ARVADA AVE NE and INDIAN SCHOOL RD NE containing approximately 18 acre(s). [REF: 03EPC-00914, 02EPC-01472, Z-81-87, Z-94-133, ZA96-379] (H-19)

At the June 23, 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. 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.
2. Affected utility companies shall acknowledge the vacation by their signatures on the replat.

04DRB-00928 Minor-SiteDev Plan BldPermit/EPC

DENISH KLINE ASSOCIATES, INC. agent(s) for HUNT UPTOWN, LLC request(s) the above action(s) for all or a portion of Tract(s) A1, **ST PIUS X SUBDIVISION**, zoned SU-3 special center zone, located on LOUISIANA BLVD NE, between ARVADA AVE NE and INDIAN SCHOOL RD NE containing approximately 18 acre(s). [REF: 1002124, 1001164] (H-19)



OFFICIAL NOTICE OF DECISION

PAGE 2

At the June 23, 2004, Development Review Board meeting, with the signing of the infrastructure list dated 6/23/04 the site plan for building permit was approved with final sign off delegated to City Engineer for SIA and public sidewalk easements around site and Utilities Development for a revised utility plan and provide Fire Marshal fire flow requirements.

04DRB-00890 Minor-Prelim&Final Plat
Approval

BOHANNAN HUSTON, INC agent(s) for HUNT UPTOWN, LLC request(s) the above action(s) for all or a portion of Tract(s) A, **ALBUQUERQUE UPTOWN SITE, ST. PIUS X SUBDIVISION**, zoned SU-3 special center zone, located on INDIAN SCHOOL RD NE, between LOUISIANA BLVD NE and ESPANOLA ST NE containing approximately 18 acre(s). [REF: 1001164, 04DRB-00830] (*Deferred from 6/16/04*) (H-19)

At the June 23, 2004, Development Review Board meeting, with the signing of the infrastructure list dated 6/23/04 and approval of the grading plan engineer stamp dated 6/11/04 the preliminary plat was approved with the following conditions of final plat:

The final plat must be signed by PNM before the Development Review Board's approval. The final plat must reflect the sidewalk easements.

The final plat was indefinitely deferred for the Subdivision Improvements Agreement (SIA).

If you wish to appeal this decision, you must do so by July 8, 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 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.



OFFICIAL NOTICE OF DECISION

PAGE 3

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: Hunt Uptown LLC, 500 Marquette NW, Suite 350, 87102
Bohannan Huston Inc., 7500 Jefferson NE, 87109
Denish-Kline Associates Inc., 500 Marquette NW, Suite 350, 87102
Marilyn Maldonado, Planning Department, 4th Floor, Plaza del Sol Bldg.
Scott Howell, Property Management, Legal Dept./4th Flr, City/County Bldg
File