



## OFFICIAL NOTICE OF DECISION

CITY OF ALBUQUERQUE  
PLANNING DEPARTMENT  
DEVELOPMENT REVIEW BOARD

May 11, 2005

### 2. Project # 1002457

05DRB-00651 Major-Vacation of Public Easements  
05DRB-00650 Major-Preliminary Plat Approval  
05DRB-00654 Minor-Temp Defer SDWK  
05DRB-00652 Minor-Subd Design (DPM) Variance  
05DRB-00653 Minor-Sidewalk Waiver

MARK GOODWIN & ASSOCIATES agent(s) for MAINSTREET PROPERTIES LLC request(s) the above action(s) for all or a portion of Block(s) 2, Tract(s) X-1-A & X-1-B, GLENWOOD HILLS, UNIT 1, (to be known as **GLENWOOD LOFTS SUBDIVISION**) zoned SU-1 PRD, located on MONTGOMERY NE, between TRAMWAY BLVD NE and SUNSET CANYON DR NE containing approximately 2 acre(s). [REF: 05DRB00529] (G-23)

At the May 11, 2005, Development Review Board meeting, the vacation was 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.



**OFFICIAL NOTICE OF DECISION  
PAGE 2**

With the signing of the infrastructure list dated 5/11/05 and approval of the grading plan engineer stamp dated 5/6/05 the preliminary plat was approved with the following condition of final plat approval:

An approved Public Works design is required prior to final plat.

The temporary deferral of construction of sidewalks on the interior streets was approved as shown on Exhibit C in the Planning file.

The subdivision design variance was approved as shown on Exhibit D in the Planning file.

A sidewalk variance for waiver of sidewalks was approved as shown on Exhibit D in the Planning file.

If you wish to appeal this decision, you must do so by May 26, 2005, 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.)

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.)



**OFFICIAL NOTICE OF DECISION  
PAGE 3**

05DRB-00649 Minor-SiteDev Plan Subd/EPC

CONSENSUS PLANNING agent(s) for KENNY HINKES, RE/MAX ELITE request(s) the above action(s) for all or a portion of Block(s) 2, Tract(s) X1A & X2A, **GLENWOOD HILLS, UNIT 1**, zoned C-1, located on TRAMWAY BLVD NW, between MONTGOMERY BLVD NW and COMANCHE RD NW containing approximately 3 acre(s). [REF: 03EPC00157, 03EPC00156, 03EPC00180, 05EPC00177, 05EPC00178] **[David Stallworth, EPC Case Planner]** *[Deferred from 4/27/05]* (G-23)

The site plan for subdivision was approved and signed off by the Board.

For Sheran Matson, AICP, DRB Chair

Cc: Mainstreet Properties LLC, 8300 Carmel NW, Suite 201, 87122  
Mark Goodwin & Associates PA, P.O. Box 90606, 87199  
Bing & Jack Le Roy, 13625 Cedarbrook NE, 87111  
Marilyn Maldonado, Planning Department, 4th Floor, Plaza del Sol Bldg.  
File