



## OFFICIAL NOTICE OF DECISION

CITY OF ALBUQUERQUE  
PLANNING DEPARTMENT  
DEVELOPMENT REVIEW BOARD

October 12, 2005

**7. Project #1002535**  
05DRB-01269 Major-Vacation of Public Easements  
05DRB-01270 Minor-Prelim&Final Plat Approval

SURVEYS SOUTHWEST LTD agent(s) for CHRONIS DEVELOPMENT LIMITED request(s) the above action(s) for Lot(s) 32, 33, 34, 35 and 38, West 35-feet OF Lot(s) 37; together with Lot(s) 36-A, HUBBELL HEIGHTS ADDITION & TRACT 64, UNIT 6, TOWN OF ATRISCO GRANT, (to be known as **HUBBELL HEIGHTS ADDITION**) zoned C-2 & O-1 & R-1, located on 65<sup>TH</sup> ST SW, between CENTRAL SW and CHURCHILL SW containing approximately 6 acre(s). [REF:1003709, Z-1211] [*Deferred from 8/31/05 & 9/21/05*] (K-10)

At the October 12, 2005, Development Review Board meeting, with the signing of the infrastructure list dated 10/12/05 the preliminary plat was approved with the following condition of final plat:

Dedication on the exterior streets shall match the site plan and cross access shall be per the Environmental Planning Commission conditions.

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

The vacation action was withdrawn at the agent's request on September 29, 2005.

If you wish to appeal this decision, you must do so by October 27, 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.



OFFICIAL NOTICE OF DECISION  
PAGE 2

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).

  
Sheran Matson, AICP, DRB Chair

Cc: Chronis Development Ltd., 1102 Washington NE, 87110  
Surveys Southwest Ltd., 333 Lomas Blvd NE, 87102  
Marilyn Maldonado, Planning Department, 4th Floor, Plaza del Sol Bldg.  
File



## OFFICIAL NOTICE OF DECISION

CITY OF ALBUQUERQUE  
PLANNING DEPARTMENT  
DEVELOPMENT REVIEW BOARD

February 20, 2008

**Project# 1002535**

08DRB-70003 VACATION OF PUBLIC EASEMENT

08DRB-70004 MINOR - PRELIMINARY/ FINAL PLAT APPROVAL

SURVEYS SOUTHWEST LTD agent(s) for CHRONIS DEVELOPMENT request(s) the above action(s) for all or a portion of Lot(s) 32-35, W35' OF LOT 37, & 38, **TOGETHER W/ LOT 36A, HUBBEL HEIGHTS ADDN & TRACT 64, UNIT 6, TOWN OF ATRISCO GRANT**, zoned SU-1 FOR O-1 & C-1 AND RESTAURANT AND LIQUOR, located on 65TH ST SW BETWEEN CENTRAL AVE SW AND COORS BLVD SW containing approximately 5.555 acre(s). (K-11) (*Deferred from 1/30/08 & 2/6/08*)

At the February 20, 2008, 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. With the signing of the infrastructure list dated 2/20/08, the preliminary plat was approved. Condition of Final Plat will be an amendment to the site development plan, and notations on the plat for access to adjacent properties.

(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 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:**

1. Final disposition shall be through the City Real Estate Office
2. 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 March 6<sup>th</sup> 2008 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.)

A handwritten signature in cursive script, appearing to read "Jack Cloud".

Jack Cloud, AICP, DRB Chair

Cc: Surveys Southwest LTD – 333 Lomas Blvd NE – Albuquerque, NM 87102  
Cc: Chronis Development – 1102 Washington NE – Albuquerque, NM 87110  
Marilyn Maldonado  
Scott Howell



## OFFICIAL NOTICE OF DECISION

CITY OF ALBUQUERQUE  
PLANNING DEPARTMENT  
DEVELOPMENT REVIEW BOARD

February 25, 2009

Project# 1002535  
09DRB-70066 EXT OF MAJOR PRELIMINARY PLAT

GPS LLC agent(s) for CHRONIS DEVELOPMENT request(s) the above action(s) for all or a portion of Lot(s) 32-35, 38, & WEST OF LOT 37, **HUBBELL HEIGHTS ADDITION** zoned O-1 & C-2, located on 65TH ST SW BETWEEN CENTRAL AVE SW AND COORS BLVD SW containing approximately 5.555 acre(s). (K-11)

At the February 25, 2009 Development Review Board meeting, the one-year extension of the preliminary plat was approved with the condition that the plat is filed prior to March 6, 2009.

The conditions of final plat still apply.

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 approval is null and void. (REF: Chapter 14 Article 14 Part 3-4 (E) Revised Ordinance.)



Jack Cloud, AICP, DRB Chair

Cc: APS LLC/ Sarah Gibson – 333 Lomas Blvd NE – Albuquerque, NM 87102  
Cc: Chronis Development, Chris Chronis – 1102 Washington NE – Albuquerque, NM 87110  
Marilyn Maldonado  
File



## OFFICIAL NOTICE OF DECISION

CITY OF ALBUQUERQUE  
PLANNING DEPARTMENT  
DEVELOPMENT REVIEW BOARD

October 21, 2009

**Project# 1002535**  
09DRB-70303 VACATION OF PUBLIC EASEMENT

G. P. S. LLC agent(s) for CHRONIS DEVELOPMENT request(s) the referenced/ above action(s) for a 5 foot Public Utility Easement on a portion of Lot(s) 32-35 and Lot 38, **HUBBELL HEIGHTS ADDITION**, zoned SU-1/ 0-1 & C-1, located on the west side of 65TH ST SW and south of CENTRAL AVE SW containing approximately 5.556 acre(s). (K-10, K-11)

At the October 21, 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.

(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 easements.

(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:

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.

If you wish to appeal this decision, you must do so by November 19, 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: G.P.S. LLC – Sarah Gibson – 333 Lomas Blvd NE – Albuquerque, NM 87102

Cc: Chronis Development – Chris Chronis -1102 Washington NE – Albuquerque, NM 87110

Jerry Gallegos – 417 65<sup>th</sup> Street SW – Albuquerque, NM 87121

Robert M. Hall – 409 Bataan SW – Albuquerque, NM 87121

Paul Otero – 6600 Central – Albuquerque, NM 87121

Marilyn Maldonado

Scott Howell

File