



OFFICIAL NOTICE OF DECISION

CITY OF ALBUQUERQUE
PLANNING DEPARTMENT
DEVELOPMENT REVIEW BOARD

September 6, 2006

3. Project # 1002567

- 06DRB-01158 Major-Preliminary Plat Approval
- 06DRB-01163 Minor-Vacation of Private Easements
- 06DRB-01159 Minor-Subd Design (DPM) Variance
- 06DRB-01161 Minor-Sidewalk Variance
- 06DRB-01162 Minor-Temp Defer SDWK

ADVANCED ENGINEERING & CONSULTING LLC agent(s) for STEVE KIRK request(s) the above action(s) for all or a portion of Lot(s) 5-A-1, COLEMAN ADDITION (to be known as **HACIENDA DE LOIS SUBDIVISION**) zoned R-2 residential zone, located on 12TH ST NW, between MENAUL EXTENSION NW and LA POBLANA NW containing approximately 1 acre(s). [REF: 06DRB-00726] (H-13)

At the September 6, 2006, Development Review Board meeting, with the signing of the infrastructure list dated 9/6/06 and approval of the grading plan engineer stamp dated 8/31/06 the preliminary plat was approved with the following conditions of final plat approval:

If the final plat is approved after October 31, 2006, the subdivider must comply with City Council Resolution R-06-74 regarding Pre-Development Facility Fee agreements with the Albuquerque Public Schools (APS).

M.R.G.C.D. signature on the plat is required unless proof of final easement is given.

No signature needed per B.B.

An improved wall design is needed,

13-feet from face of curb to property line should be dedicated as right-of-way.

The vacation of the private easements 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.



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A subdivision design variance from minimum design standards was approved as shown on Exhibit C in the Planning file.

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

If you wish to appeal this decision, you must do so by September 21, 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).

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.)

Sheran Matson, AICP, DRB Chair

Cc: Steve Kirk, P.O. Box 10356, 87184
Advanced Engineering & Consulting LLC, 4416 Anaheim Ave NE, 87113
George Hutton, 1820 Indian School Rd NW, Apt. 103, 87104
Claude Morrelli, 7 Garden Park Cr NW, 87107
Marilyn Maldonado, Planning Department, 4th Floor, Plaza del Sol Bldg.
File



OFFICIAL NOTICE OF DECISION

CITY OF ALBUQUERQUE
PLANNING DEPARTMENT
DEVELOPMENT REVIEW BOARD

May 14, 2008

Project# 1002567
08DRB-70184 VACATION OF PUBLIC EASEMENT
08DRB-70185 VACATION OF PRIVATE EASEMENT

ADVANCED ENGINEERING AND CONSULTING, LLC agent(s) for STEVE KIRK request(s) the above/ referenced action(s) for a 34 foot Private Access and Drainage Easement, a 10 foot Public Utility Easement, and a 25 foot Public Water and Sewer Easement, all or a portion on Lot(s) 1-11, **HACIENDA DE LOIS**, zoned R-2, located on the west side of 12TH ST NW BETWEEN MENAUL BLVD NW AND LA POBLANA RD NW containing approximately 0.8544 acre(s). (H-13)

At the May 14, 2008 Development Review Board meeting, the vacations were 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 utility easement vacation requests were 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 utility 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. 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.

08DRB-70215 PRELIMINARY/FINAL PLAT

The Preliminary/Final Plat was approved with final sign-off delegated to planning for 15 day appeal period and to record.

If you wish to appeal this decision, you must do so by May 29, 2008 in the manner described below.

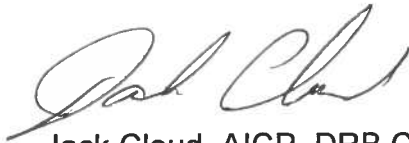
Appeal is to the Land Use Hearing Officer. Any person aggrieved with any determination of the Development Review Board may file an appeal on the Planning Department form, to the Planning Department, within 15 days of the Development Review Board's decision.

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.)



Jack Cloud, AICP, DRB Chair

Cc: Steve Kirk – P.O, Box 10356 – Albuquerque, NM 87184

Cc: Advanced Engineering and Consulting, LLC – 4416 Anaheim Ave, NE –
Albuquerque, NM 87113

Cc: Scott Howell
Marilyn Maldonado
File