



## OFFICIAL NOTICE OF DECISION

CITY OF ALBUQUERQUE  
PLANNING DEPARTMENT  
DEVELOPMENT REVIEW BOARD

August 25, 2004

### 6. Project # 1002715

04DRB-00964 Major-Bulk Land Variance

04DRB-00965 Major-Vacation of Pub Right-of-Way —

04DRB-00966 Major-Vacation of Public Easements

04DRB-00967 Minor-Prelim&Final Plat Approval —

ISAACSON & ARFMAN PA agent(s) for BOULEVARD LIMITED PARTNERSHIP request(s) the above action(s) for all or a portion of Lot(s) 1 THRU 4, Tract(s) H, **LANDS OF HORIZON CORPORATION**, zoned SU-1 FOR C-1, located on UNSER BLVD NW, between PARADISE BLVD NW and LYONS BLVD NW containing approximately 30 acre(s). [REF: 03EPC-00918, 03EPC-00919] [*Deferred from 7/14/04 & 7/28/04*] (B-11)

At the August 25, 2004, Development Review Board meeting, the Bulk Land Variance was approved subject to the Findings and Conditions of the Subdivision Ordinance as follows:

#### BULK LAND VARIANCE:

1. The variance will not be injurious to the public safety, health or welfare, or to adjacent property, the neighborhood or the community.
2. The variance will not conflict significantly with the goals and provisions of any City, County or AMAFCA adopted plan or policy; the applicable zoning ordinance, or any other City code or ordinance.
3. The variance will not permit, encourage or make possible undesired development in the 100-year floodplain.
4. The variance will not hinder future planning, public right-of-way acquisition, or the financing or building of public infrastructure improvements.

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.



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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.
3. Affected utility companies shall acknowledge the vacation by their signatures on the replat.

The preliminary and final plat were approved with final plat signoff delegated to Transportation Development, for needed easement from Buglo north recorded and to review dedication of Unser and Planning for NMU Inc. signature, to check that tract acreages match site plan and the 15-day appeal period.

04DRB-01061 Minor-SiteDev Plan Subd/EPC

CONSENSUS PLANNING INC agent(s) for BOULEVARD LIMITED PARTNERSHIP request(s) the above action(s) for all or a portion of Lot(s) 1, 2, 3, & 4, **HORIZON CORPORATION REPLAT OF TRACT H**, zoned SU-1, located on PARADISE BLVD NW, between LYON BLVD NW and UNIVERSE BLVD NW containing approximately 30 acre(s). [REF: 03EPC-00918, 03EPC-00919, 04DRB00964, 00965, 00966, 00967] **[Juanita Vigil, EPC Case Planner]** *[Deferred from 7/14/04 & 7/21/04]* (B-11)

The site plan for subdivision was approved with final sign off delegated to Transportation Development, need to remove access to Unser and Planning to check that tract acreages match plat, 15-day appeal period and signature block infrastructure list language.

If you wish to appeal this decision, you must do so by September 9, 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.



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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: Boulevard Limited Partnership, P.O. Box 14708, 87191  
Isaacson & Arfman PA, 128 Monroe St NE, 87108  
Consensus Planning Inc., 924 Park Ave SW, 87102  
Felix Rabadi, 120 Wyoming SE, 87123  
Tierra West, LLC, 8509 Jefferson NE, 87113  
Robert J Schaefer, 5600 Wyoming Blvd NE, 87109  
Deacon Steve Rangel, St. Jude Thaddeus Parrish, 5712 Paradise Blvd NW, 87114  
Marilyn Maldonado, Planning Department, 4th Floor, Plaza del Sol Bldg.  
Scott Howell, Property Management, Legal Dept./4th Flr, City/County Bldg  
File



## OFFICIAL NOTICE OF DECISION

CITY OF ALBUQUERQUE  
PLANNING DEPARTMENT  
DEVELOPMENT REVIEW BOARD

September 28, 2005

#### 4. Project # 1002715

05DRB-01398 Major-Bulk Land Variance  
05DRB-01396 Major-Vacation of Pub Right-of-Way  
05DRB-01397 Major-Vacation of Public Easements  
05DRB-01399 Minor-Prelim&Final Plat Approval

ISAACSON & ARFMAN agent(s) for BOULEVARD LIMITED PARTNERSHIP request(s) the above action(s) for all or a portion of Lot(s) 1, 2, 3 & 4, Tract(s) H, LANDS OF HORIZON CORPORATION, (to be known as **BOULEVARD LTD**) zoned SU-1 FOR C-1, located on UNSER BLVD NE, between PARADISE BLVD NW and LYONS BLVD NW containing approximately 30 acre(s). [REF: 03EPC00918, 03EPC00919, 04DRB00964, 04DRB00965, 04DRB00965, 04DRB00967] (B-11)

At the September 28, 2005, Development Review Board meeting, the Bulk Land Variance was approved subject to the Findings and Conditions of the Subdivision Ordinance as follows:

#### BULK LAND VARIANCE:

1. The variance will not be injurious to the public safety, health or welfare, or to adjacent property, the neighborhood or the community.
2. The variance will not conflict significantly with the goals and provisions of any City, County or AMAFCA adopted plan or policy; the applicable zoning ordinance, or any other City code or ordinance.
3. The variance will not permit, encourage or make possible undesired development in the 100-year floodplain.
4. The variance will not hinder future planning, public right-of-way acquisition, or the financing or building of public infrastructure improvements.

The vacation of the public easement was withdrawn at the agent's request.

The vacation was approved as shown on Exhibit B in the Planning file, subject to these findings and conditions:



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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 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.

The preliminary and final plat was approved with final plat sign off delegated to Transportation Development for easement on east side of Lots 3, 4 and 6 and Planning for 15-day appeal period, correct zoning on plat, AA for site plan for subdivision, NMU Inc signature, PNM signature, recording of the plat and the AGIS dxf file and Property Management's signature.

If you wish to appeal this decision, you must do so by October 13, 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.



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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: Boulevard Limited Partnership, P.O. Box 14708, 87191  
Isaacson & Arfman PA, 128 Monroe St NE, 87108  
Scott Howell, Property Management, Legal Dept./4th Flr, City/County Bldg  
Marilyn Maldonado, Planning Department, 4th Floor, Plaza del Sol Bldg.  
File



## OFFICIAL NOTICE OF DECISION

CITY OF ALBUQUERQUE  
PLANNING DEPARTMENT  
DEVELOPMENT REVIEW BOARD

SEPTEMBER 12, 2007

**5. Project# 1002715**  
07DRB-70184 VACATION OF PUBLIC RIGHT-OF-WAY  
07DRB-70185 BULK LAND VARIANCE  
07DRB-70186 MINOR - PRELIMINARY/ FINAL PLAT APPROVAL

ISAACSON AND ARFMAN PA agent(s) for PARADISE AT UNSER LLC request(s) the above action(s) for all or a portion of Lot(s) 1,2,3 & 4, replat of Tract H, LANDS OF HORIZON CORPORATION ( **to be known as PARADISE AT UNSER**), zoned SU-1 FOR C-1 USES/ SU-1 PRD-FAR 0.5, located on UNSER BLVD NW BETWEEN PARADISE BLVD NW AND LYONS BLVD NW containing approximately 29.8336 acre(s). [*Deferred from 09/05/07*] (B-11)

At the September 12, 2007, 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 26514.42 square foot and 4387.01 square foot portions of Lyons Boulevard vacation requests were filed by the owners of a majority of the front footage of land abutting the proposed vacation.

(B)(1) The public welfare is in no way served by retaining the 26514.42 square foot and 4387.01 square foot portions of Lyons Boulevard.

(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.



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The bulkland variance was approved. The preliminary and final plat was approved with final sign off delegated to the City Engineer for AMAFCA's signature and to Planning for the solar collector language on the plat and to record.

If you wish to appeal this decision, you must do so by September 27, 2007, 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.)



Sheran Matson, AICP, DRB Chair

Cc: Paradise at Unser LLC, 400 Gold Ave SE, Ste 500, 87102  
Isaacson and Arfman PA, 128 Monroe St NE, 87108  
Marilyn Maldonado, Planning Department, 4<sup>th</sup> Floor, Plaza del Sol Bldg.  
Scott Howell, Property Management, Legal Dept./4th Flr, City/County Bldg  
File