



## OFFICIAL NOTICE OF DECISION

CITY OF ALBUQUERQUE  
PLANNING DEPARTMENT  
DEVELOPMENT REVIEW BOARD

10-2-2003

### 7. **Project # 1002935**

03DRB-01447 Major-Bulk Land Variance  
03DRB-01449 Major-Vacation of Pub Right-of-Way  
03DRB-01450 Major-Preliminary Plat Approval  
03DRB-01451 Minor-SiteDev Plan Subd  
03DRB-01452 Minor-Temp Defer SDWK  
03DRB-01453 Minor-Sidewalk Waiver

BOHANNAN HUSTON INC., agent(s) for WESTLAND DEVELOPMENT CO., INC, request(s) the above action(s) for all or a portion of Tract(s) A, PARKWAY SUBDIVISION AND PARCEL 1 OF WESTLAND NORTH, (to be known as **SUNDORO UNITS 1, 2, 3 & 4**) zoned SU-2/R-LT AND R-D, containing approximately 55 acre(s). [REF: 03DRB-00736 (SK) *[Deferred from 9/24/03].* (J-9/8 & H-9)

At the October 1, 2003, 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 was approved as shown on Exhibit B in the Planning file, subject to these provisions:



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1. The public welfare is in no way served by retaining the rights-of-way and/or easements, or:
2. There is a net benefit to the public welfare because the development made possible by the vacation is clearly more beneficial to the public welfare than the minor detriment resulting from the vacation.
3. There is no convincing evidence that any substantial property right is being abridged against the will of the owner of the right.
4. Final disposition shall be through the City Real Estate Office.
5. 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.

With the signing of the infrastructure list dated 10/1/03 and approval of the grading plan engineer stamp dated 9/17/03 the preliminary plat was approved. The site plan for subdivision was approved and signed off by the Board. The temporary deferral of construction of sidewalks on the interior streets 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.

If you wish to appeal this decision, you must do so by October 16, 2003, 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.


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).



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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.)

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: Westland Development Co., Inc., 401 Coors NW, 87121  
Bohannon Huston Inc., 7500 Jefferson NE, 87109  
Arlene Portillo, 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

12/17/03

**7. Project # 1002935**  
03DRB-01964 Major-Vacation of Public Easements

BOHANNAN HUSTON INC agent(s) for WESTLAND DEVELOPMENT CO., INC request(s) the above action(s) for all or a portion of Parcel 1, **SUNDORO SUBDIVISION**, zoned SU-2 R-LT, located on LADERA BLVD NW, between 98<sup>th</sup> ST NW and UNSER BLVD NW containing approximately 55 acre(s). [REF: 03DRB-00736, 03DRB-01447, 03DRB-01449, 03DRB-01550, 03DRB-01551, 01552, 01553] (J-8/J-9)

At the December 17, 2003, Development Review Board meeting, the Vacation was approved as shown on Exhibit B in the Planning file, subject to these provisions:

1. The public welfare is in no way served by retaining the rights-of-way and/or easements, or:
2. There is a net benefit to the public welfare because the development made possible by the vacation is clearly more beneficial to the public welfare than the minor detriment resulting from the vacation.
3. There is no convincing evidence that any substantial property right is being abridged against the will of the owner of the right.
4. Final disposition shall be through the City Real Estate Office.
7. 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 January 2, 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.



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PAGE 2

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: Westland Development Company, Inc., 401 Coors Blvd NW, 87121  
Bohannon Huston, Inc., 7500 Jefferson NE, 87109  
Arlene Portillo, Planning Department, 4th Floor, Plaza del Sol Bldg.  
Scott Howell, Property Management, Legal Dept./4th Flr, City/County Bldg  
File



CITY OF ALBUQUERQUE  
PLANNING DEPARTMENT  
DEVELOPMENT REVIEW BOARD

December 17, 2003

**Project # 1002935**  
03DRB-01964 Major-Vacation of Public Easements

BOHANNAN HUSTON INC agent(s) for WESTLAND DEVELOPMENT CO., INC request(s) the above action(s) for all or a portion of Parcel 1, **SUNDORO SUBDIVISION**, zoned SU-2 R-LT, located on LADERA BLVD NW, between 98<sup>th</sup> ST NW and UNSER BLVD NW containing approximately 55 acre(s). [REF: 03DRB-00736, 03DRB-01447, 03DRB-01449, 03DRB-01550, 03DRB-01551, 01552, 01553] (J-8/J-9)

AMAFCA	No objection to requested action. AMAFCA will sign Final Plat.
COG	No adverse comment.
Transit	No comments received.
Zoning Enforcement	Reviewed, no comment.
Neighborhood Coord.	Letters sent to Parkway (R) Neighborhood Assn.
APS	No comments received.
Police Department	No adverse comments.
Fire Department	No adverse comments.
PNM Gas	PNM Gas Services approves the following cases:
PNM Electric	PNM approves the vacations.
Comcast	No comments received.
QWEST	No comments received.
Environmental Health	Site is not within 1000 feet of a landfill. No comment.
M.R.G.C.D.	No comments received.
Open Space Division	No Adverse Comment

City Engineer     The Hydrology section has no objection to the vacation request.

Transportation

Are these the only existing easements crossing public right-of-way?

Parks & Recreation

No objection.

Utilities Development

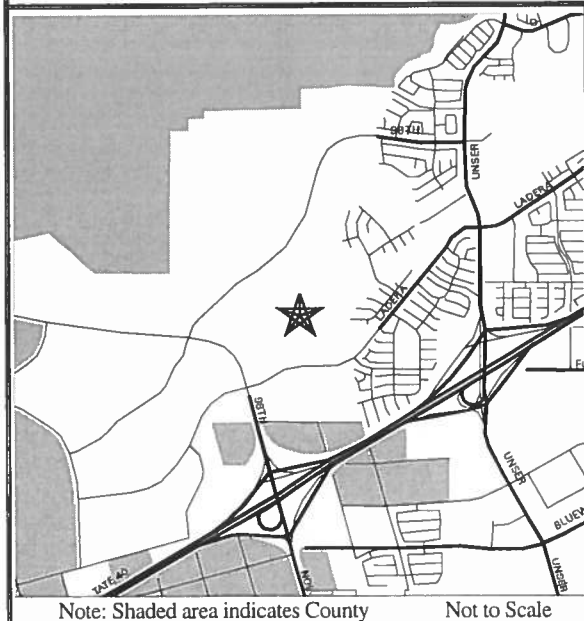
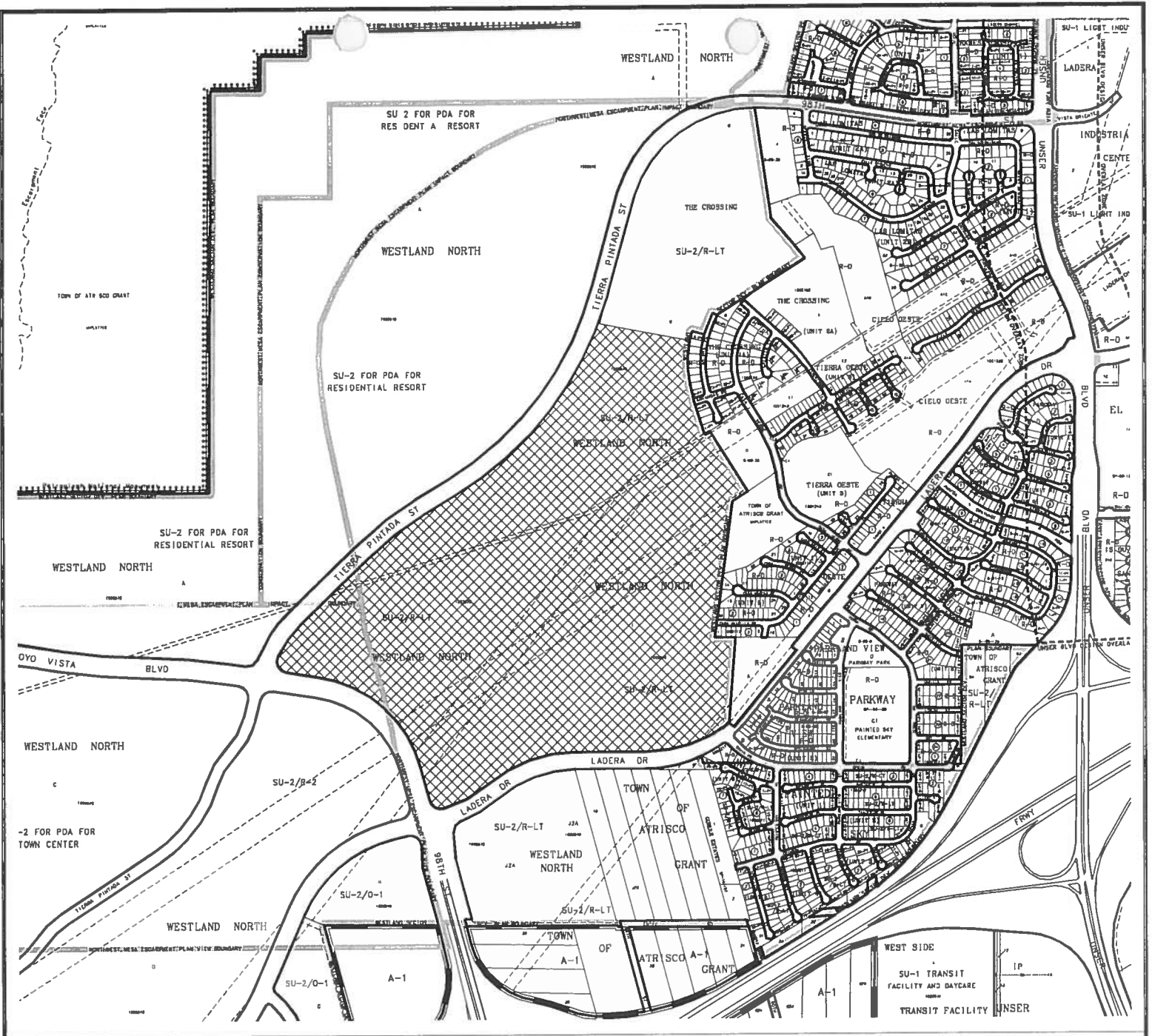
No objection to Vacation request.

Planning Department

The vacation exhibits are okay except for the sheet identified as Sheet 11 of 23. There are no vacations marked on this sheet. Applicant has one year from the date of DRB approval of the vacation to file the plat showing the vacation.

**IT IS REQUIRED THAT THE APPLICANT AND/OR AGENT BE PRESENT AT THE HEARING**

cc: Westland Development Company, Inc., 401 Coors Blvd NW, 87121  
Bohannon Huston, Inc., 7500 Jefferson St. NE, 87109



## ZONING MAP



Scale 1" = 1241'

PROJECT NO.  
1002935

HEARING DATE  
12-17-03

MAP NO.  
J-8

ADDITIONAL CASE NUMBER(S)  
03DRB-01964

Note: Shaded area indicates County Not to Scale