



OFFICIAL NOTICE OF DECISION

CITY OF ALBUQUERQUE
PLANNING DEPARTMENT
DEVELOPMENT REVIEW BOARD

August 18, 2004

2. Project # 1003080

04DRB-01146 Major-Preliminary Plat Approval
04DRB-01147 Minor-Sidewalk Waiver
04DRB-01149 Minor-Temp Defer SDWK
04DRB-01148 Minor-Subd Design (DPM) Variance

MARK GOODWIN & ASSOCIATES PA agent(s) for BROWN & ASSOCIATES request(s) the above action(s) for all or a portion of Tract(s) A, **BERNARDO TRAILS, UNIT 4**, zoned R-T residential zone, located on the northeast corner of VISTA DEL NORTE DR NE and LAS LOMITAS DR NE and containing approximately 6 acre(s). [REF: 04DRB-00591, O3EPC-01851] (D-16)

At the August 18, 2004, Development Review Board meeting, with the signing of the infrastructure list dated 8/18/04 and approval of the grading plan engineer stamp dated 6/10/04 the preliminary plat was approved with the following condition of final plat:

* A vacation of the drainage easement at Twisted Branch is required.

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.

The subdivision design variance was withdrawn at the agent's request.

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


Sheran Matson, AICP, DRB Chair

Cc:Brown & Associates, P.O. Box 3671, 87190
Mark Goodwin & Associates PA, P.O. Box 90606, 87199
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

2. Project # 1003080

05DRB-00765 Major-Vacation of Public Easements

MARK GOODWIN & ASSOCIATES, PA agent(s) for VISTA DEL NORTE DEVELOPMENT, LLC request(s) the above action(s) for all or a portion of Tract(s) A, BERNARDO TRAILS (to be known as **BERNARDO POINTE**) zoned RT, located on the northeast corner of VISTA DEL NORTE NE and LAS LOMITAS NE containing approximately 5 acre(s). [REF: 04DRB-00591, 03EPC-01851, 05DRB00701, 04DRB01146, 04DRB01147, 04DRB01148, 04DRB01149] (D-16)

At the June 1, 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.

05DRB-00701 Major-Final Plat Approval

MARK GOODWIN & ASSOCIATES, PA agent(s) for VISTA DEL NORTE DEVELOPMENT, LLC request(s) the above action(s) for all or a portion of Tract(s) A, BERNARDO TRAILS (to be known as **BERNARDO POINTE**, zoned RT, located on the northeast corner of VISTA DEL NORTE NE and LAS LOMITAS NE containing approximately 6 acre(s). [REF:04DRB-00591, 03EPC-01851] (*Deferred from 5/4/05*) (D-16)



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The final plat was approved with final sign off delegated to Planning for the 15-day appeal period and a pedestrian easement across Lot 8-P1 with maintenance and beneficiary note.

If you wish to appeal this decision, you must do so by June 16, 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.)

Sheran Matson, AICP, DRB Chair

Cc: Vista del Norte Development LLC, P.O. Box 3671, 87190
Mark Goodwin & Associates PA, P.O. Box 90606, 87199
Marilyn Maldonado, Planning Department, 4th Floor, Plaza del Sol Bldg.
File