



## OFFICIAL NOTICE OF DECISION

CITY OF ALBUQUERQUE  
PLANNING DEPARTMENT  
DEVELOPMENT REVIEW BOARD

12/31/03

### **10. Project # 1003111**

03DRB-02079 Minor-SiteDev Plan BldPermit/EPC  
03DRB-01987 Minor-Vacation of Private Easements  
03DRB-01988 Minor-Temp Defer SDWK  
03DRB-01986 Major-Preliminary Plat Approval  
03DRB-01989 Minor-Sidewalk Waiver

ISAACSON AND ARFMAN, P.A. agent(s) for THE STROSNIDER GROUP request(s) the above action(s) for all or a portion of Tract(s) A & B, **WINDMILL MANOR PLACE**, zoned SU-1 for PRD, located on DELLYNE AVE NW, between MARIPOSA DR NW and VALLE VISTA DR NW containing approximately 4 acre(s). [REF: Z-95-79, Z-98-57 (EPC SP)] (E-11)

The preliminary plat, vacation of private easements, sidewalk waiver and deferral were approved. The site plan for building permit was approved with delegation to Planning for EPC planner's initials.

If you wish to appeal this decision, you must do so by December 11, 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).

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: Isaacson & Arfman, PA, 128 Monroe Street NE, 87108  
The Strosnider Company, 6121 Indian School Road NE, Suite 275, 87110  
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

APRIL 14, 2004

**3. Project # 1003111**  
04DRB-00377 Major-Vacation of Public Easements

ISAACSON & ARFMAN, P.A. agent(s) for WINDMILL MANOR PLACE, LLC request(s) the above action(s) for all or a portion of Tract(s) B, **WINDMILL MANOR**, zoned SU-1 PRD, located on DELLYNE AVE NW, between MARIPOSA DR NW and VALLE VISTA DR NW containing approximately 4 acre(s). [REF: Z-95-79, Z-98-57, DRB-96-355, 03DRB-01986, 03DRB-01987, 03DRB-01988, 03DRB-01989] (E-11)

At the April 14, 2004, 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.
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.

If you wish to appeal this decision, you must do so by April 29, 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.



**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).

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: Windmill Manor Place LLC, 6121 Indian School Rd NE, Suite 275, 87110  
Isaacson & Arfman PA, 128 Monroe St NE, 87108  
Marilyn Maldonado, Planning Department, 4th Floor, Plaza del Sol Bldg.  
Scott Howell, Property Management, Legal Dept./4th Flr, City/County Bldg  
File