



OFFICIAL NOTICE OF DECISION

CITY OF ALBUQUERQUE
PLANNING DEPARTMENT
DEVELOPMENT REVIEW BOARD

June 23, 2004

7. Project # 1003236

04DRB-00802 Major-Vacation of Public Easements
04DRB-00801 Major-Preliminary Plat Approval
04DRB-00799 Minor-SiteDev Plan Subd/EPC
04DRB-00800 Minor-SiteDev Plan BldPermit/EPC
04DRB-00804 Minor-Temp Defer SDWK

RIO GRANDE ENGINEERING agent(s) for JENNIFER SOULE request(s) the above action(s) for all or a portion of Lot(s) 1, MARIN SUBDIVISION, (to be known as **VILLA DE LA CHAMISA**, zoned SU-1 special use zone, for PRD, located on PARADISE BLVD NW, between VIVALDI TRAIL NW and BIG SAGE NW containing approximately 9 acre(s). [REF: 04EPC-00150] (*Deferred from 6/16/04*) (B-10)

At the June 23, 2004, 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.
2. Affected utility companies shall acknowledge the vacation by their signatures on the replat.

With the signing of the infrastructure list dated 6/23/04 and approval of the grading plan engineer stamp dated 5/7/04 the preliminary plat was approved with the following condition of final plat:

The vacation action shall be shown along Paradise Blvd NW. The lots shall be labeled P-1.



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The site plan for subdivision and the site plan for building permit were 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.

If you wish to appeal this decision, you must do so by July 8, 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).

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: Jennifer Soule, 9101 Wilshire NE, 87122
Rio Grande Engineering, 3500 Comanche NE, Suite E-5, 87107
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

April 20, 2005

7. **Project # 1003236**
05DRB-00452 Major-Vacation of Public Easements
05DRB-00454 Major-Preliminary Plat Approval
05DRB-00453 Minor-Temp Defer SDWK

RIO GRANDE ENGINEERING agent(s) for CLEARBROOK INVESTMENTS INC request(s) the above action(s) for all or a portion of Tract(s) A, VILLA DE LA CHAMISA, UNIT 1, (to be known as **VILLA DE LA CHAMISA, UNIT 2**, zoned SU-1 FOR PRD, located on CALLE CHAMISA NW, between VIVALDI TRAIL NW and BIG SAGE NW containing approximately 6 acre(s). [REF: 04DRB00801, 04DRB00802, 04DRB00799, 04DRB00800, 04DRB00804, 04DRB01739] [*Deferred from 4/13/05*] (B-10)

At the April 20, 2005, Development Review Board meeting, the vacation was approved as shown on Exhibit C 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.

With the signing of the infrastructure list dated 4/20/05 and approval of the grading plan engineer stamp dated 5/7/04 the preliminary and final plat was approved with the following condition of final plat approval:

The lot numbers need to match the approved site plan.



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The temporary deferral of construction of sidewalks on the interior streets was approved as shown on Exhibit B in the Planning file.

If you wish to appeal this decision, you must do so by May 5, 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 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.)

A handwritten signature in black ink, appearing to read "Sheran Matson".

For Sheran Matson, AICP, DRB Chair

Cc: Clearbrook Investments Inc., 8901 Adams NE, 87114
Rio Grande Engineering, 1606 Central SE, Suite 201, 87106
Marilyn Maldonado, Planning Department, 4th Floor, Plaza del Sol Bldg.
File