



OFFICIAL NOTICE OF DECISION

CITY OF ALBUQUERQUE
PLANNING DEPARTMENT
DEVELOPMENT REVIEW BOARD

APRIL 21, 2004

5. Project # 1003353

04DRB-00454 Major-Vacation of Public Easements
04DRB-00452 Major-Preliminary Plat Approval
04DRB-00456 Minor-Sidewalk Waiver
04DRB-00453 Minor- Temp Deferral of Sidewalk

ISAACSON & ARFMAN, P.A. agent(s) for CENTEX HOMES request(s) the above action(s) for all or a portion of Tract(s) B, THE TRAILS, (To be known as **HERITAGE @ THE TRAILS, UNIT 2**, zoned R-D, located on PASEO DEL NORTE BLVD NW, between UNIVERSE BLVD NW and RAINBOW BLVD NW containing approximately 10 acre(s). [REF: 1002962, 03DRB-01528 (C-9) **THE**

At the April 21, 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. 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.

With the signing of the infrastructure list dated 4/21/04 and approval of the grading plan engineer stamp dated 3/24/04 the preliminary plat was approved with the following condition of final plat:

An approved perimeter wall submittal is required prior to construction taking place.



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A sidewalk variance for waiver of sidewalks was approved as shown on Exhibit C in the Planning file. The sidewalk waiver exhibit has been revised to show Lot 27 is not included.

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 May 6, 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 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.)

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: Isaacson & Arfman PA, 128 Monroe St NE, 87108
Centex Homes, 5120 Masthead NE, 87109
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

May 31, 2006

2. Project # 1003353
06DRB-00631 Major-Two Year SIA

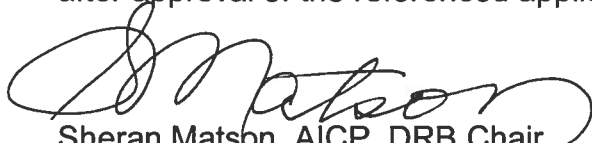
WILSON & COMPANY INC agent(s) for THE TRAILS LLC request(s) the above action(s) for THE TRAILS (to be known as **HERITAGE @ THE TRAILS, UNIT 2**) zoned RD, located on RAINBOW BLVD NW, between PASEO DEL NORTE NW and HEARTHSTONE NW containing approximately 14 acre(s). [REF: 04DRB-01415] (C-9)

At the May 31, 2006, Development Review Board meeting, a two-year extension of the Subdivision Improvements Agreement was approved.

If you wish to appeal this decision, you must do so by June 15, 2006, 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).



Sheran Matson, AICP, DRB Chair

Cc: The Trails LLC, Attn: Rick Beltramo, PE, 7007 Jefferson St NE, Suite A, 87109
Wilson & Company, Attn: Steve Salazar, 2600 The American Rd, Suite #100, Rio Rancho, NM 87124
Marilyn Maldonado, Planning Department, 4th Floor, Plaza del Sol Bldg.
File



OFFICIAL NOTICE OF DECISION

CITY OF ALBUQUERQUE
PLANNING DEPARTMENT
DEVELOPMENT REVIEW BOARD

April 23, 2008

- Project# 1003353**
08DRB-70154 MAJOR - 2YR EXTENSION OF SUBDIVISION IMPROVEMENTS

BOHANNAN HUSTON INC agent(s) for THE TRAILS, LLC request(s) the above action(s) for all or a portion of **HERITAGE AT THE TRAILS UNIT 2**, zoned SU-2/ RD, located on the east side of RAINBOW BLVD NW BETWEEN HEARTHSTONE RD NW and PASEO DEL NORTE NW containing approximately 14 acre(s). (C-9)


At the April 23, 2008 Development Review Board meeting, the 2 year extension of the Subdivision Improvements Agreement was approved.

If you wish to appeal this decision, you must do so by May 8, 2008 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).


Jack Cloud, AICP, DRB Chair

Cc: Bohannan Huston Inc. – 7500 Jefferson NE – Albuquerque, NM 87109
Cc: The Trails LLC – 7007 Jefferson NE – Albuquerque, NM 87109



OFFICIAL NOTICE OF DECISION

CITY OF ALBUQUERQUE
PLANNING DEPARTMENT
DEVELOPMENT REVIEW BOARD

June 16, 2010

Project# 1003353

10DRB-70145 MAJOR - 2 YEAR EXTENSION OF SUBDIVISION IMPROVEMENTS AGREEMENT (2YR SIA)

LONGFORD HOMES request(s) the referenced/ above action(s) for all or a portion of **HERITAGE AT THE TRAILS UNIT 2**, zoned RD, located on the east side of RAINBOW BLVD NW between HEARTHSTONE RD NW and PASEO DEL NORTE NW containing approximately 9.4494 acre(s). (B-9, C-9)

Project# 1003354

10DRB-70144 MAJOR - 2 YEAR EXTENSION OF SUBDIVISION IMPROVEMENTS AGREEMENT (2YR SIA)

LONGFORD HOMES request(s) the referenced/ above action(s) for all or a portion of **HERITAGE AT THE TRAILS Unit(s) 1**, zoned RD, located on the west side of RAINBOW BLVD NW between HEARTHSTONE RD NW and PASEO DEL NORTE NW containing approximately 13.8660 acre(s). (B-9, C-9)

At the June 16, 2010 meeting, the Development Review Board made a determination to recommend approval of a one year extension of the Subdivision Improvements Agreement to City Council subject to the following conditions:

1) construction of a temporary signal at Paseo del Norte NW and Rainbow Blvd NW before school starts this fall, and 2) increase SIA amount to equal current construction costs.

PROTEST: IT IS NOT POSSIBLE TO APPEAL DRB RECOMMENDATIONS TO CITY COUNCIL; RATHER, A FORMAL PROTEST OF THE DRB'S RECOMMENDATION CAN BE FILED WITHIN THE 15 DAY PERIOD FOLLOWING THE DRB'S DECISION, WHICH IS BY July 1, 2010.

Protest is to the City Council. Any person aggrieved with this determination of the Development Review Board may file a protest 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 protest.

You will receive notice if any other person files a protest. Successful applicants are reminded that other requirements of the City must be complied with, even after approval of the referenced application(s).

Jack Cloud, AICP, DRB Chair

Cc: Longford Homes – 3077 East Warm Springs Rd – Las Vegas, NV 89120
Marilyn Maldonado
File