



## OFFICIAL NOTICE OF DECISION

CITY OF ALBUQUERQUE  
PLANNING DEPARTMENT  
DEVELOPMENT REVIEW BOARD

February 16, 2005

### 5. Project # 1003285

05DRB-00105 Major-Preliminary Plat Approval  
05DRB-00106 Major-Vacation of Pub Right-of-Way  
05DRB-00112 Minor-Sidewalk Waiver  
05DRB-00107 Major-Vacation of Public Easements  
05DRB-00113 Minor-Temp Defer SDWK

MARK GOODWIN & ASSOCIATES agent(s) for WESTLAND DEVELOPMENT CO INC request(s) the above action(s) for all or a portion of Tract(s) B-24 through B-28, TOWN OF ATRISCO GRANT UNIT 5 (to be known as **SUNDORO SOUTH, UNIT 6**) zoned SU-2 RLT, located on ENDEE RD NW, between 90<sup>TH</sup> STREET NW and 94<sup>TH</sup> STREET NW containing approximately 23 acre(s). [REF: 04DRB01689, 04DRB01690, 04DRB01691, 04DRB01692, 04DRB01693] [Listed under Project #1003606 in error] (J-9)

At the February 16, 2005, Development Review Board meeting, with the signing of the infrastructure list dated 2/16/05 and approval of the grading plan engineer stamp dated 10/29/04 the preliminary plat was approved with the following condition of final plat:

Silica Avenue shall be dedicated as a 44-foot right-of-way to the western boundary.

The vacations were 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.



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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.

If you wish to appeal this decision, you must do so by March 3, 2005, 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 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.)

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.)

for Sheran Matson, AICP, DRB Chair

Cc: Westland Development Co., Inc., 401 Coors NW, 87121  
Mark Goodwin & Associates, P.O. Box 90606, 87199  
Scott Howell, Property Management, Legal Dept./4th Flr, City/County Bldg  
Marilyn Maldonado, Planning Department, 4th Floor, Plaza del Sol Bldg.  
File



## OFFICIAL NOTICE OF DECISION

CITY OF ALBUQUERQUE  
PLANNING DEPARTMENT  
DEVELOPMENT REVIEW BOARD

June 3, 2009

**Project# 1003285**

09DRB-70189 EXT OF SIA FOR TEMP DEFR SDWK CONST

WESTLAND DEV CO LP request(s) the above action(s) for all or a portion of **SUNDORO SOUTH UNIT 6 Unit(s) 6**, located on SILICA AVE NW BETWEEN 94TH ST NW AND TUMULUS NW containing approximately 10.7 acre(s). (J-9)

At the June 3, 2009 Development Review Board meeting, a two year extension to the four-year agreement for the deferral of sidewalks was approved.

If you wish to appeal this decision, you must do so by June 18, 2009, 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: Westland DevCo LP – 201 3<sup>rd</sup> Ste NW, Ste 500 – Albuquerque, NM 87102  
Marilyn Maldonado  
File