



OFFICIAL NOTICE OF DECISION

CITY OF ALBUQUERQUE
PLANNING DEPARTMENT
DEVELOPMENT REVIEW BOARD

February 9, 2005

2. Project # 1003585

05DRB-00087 Major-Vacation of Pub Right-of-Way
05DRB-00088 Minor-Temp Defer SDWK

RIO GRANDE ENGINEERING agent(s) for THE MONTANA GROUP request(s) the above action(s) for all or a portion of Lot(s) 1 THRU 4, Block(s) 4, GRANADA HEIGHTS ADDITION, (to be known as **SILVER STREET TOWNHOMES**) zoned O-R, located on SILVER AVE SE, between MORNINGSIDE ST SE and ALISO ST SE containing approximately 2 acre(s). [REF: 04DRB01168, 04DRB01958] (K-17)

At the February 9, 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. 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.

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

3. Project # 1003585

04DRB-01958 Major-Preliminary Plat Approval

RIO GRANDE ENGINEERING agent(s) for PHILLIP RABY request(s) the above action(s) for all or a portion of Lot(s) 1, 2, 3 and 4, Block(s) 4, GRANADA HEIGHTS ADDITION, (to be known as **SILVER STREET TOWNHOMES**, zoned O-R, located on SILVER AVE SE, between ALISO AVE SE and MORNINGSIDE AVE SE containing approximately 2 acre(s). [REF: 04DRB01168] [Deferred from 1/12/05] (K-17)



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With the signing of the infrastructure list dated 2/9/05 and approval of the grading plan engineer stamp dated 12/17/04 the preliminary plat was approved.

If you wish to appeal this decision, you must do so by February 24, 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.)

Sheran Matson, AICP, DRB Chair

Cc: The Montana Group, 1495 Pacific Hwy., #205, San Diego, CA 82101
Rio Grande Engineering, 1606 Central SE, Suite 201, 87107
Phillip Raby, 2209 Via Seville Rd NW, 87104
Bill Kraemer, Garcia Kramer & Associates, 200 Lomas NW, #1111, 87102
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

August 24, 2005

7. **Project # 1003585**

05DRB-01191 Major-Vacation of Pub Right-of-Way
05DRB-01190 Minor-Prelim&Final Plat Approval

SURVEYS SOUTHWEST, LTD. agent(s) for 3900 SILVER AVENUE LLC, request(s) the above action(s) for all or a portion of Lot(s) 1-20, **SILVER STREET TOWNHOMES**, zoned O-R, located on SILVER AVE SE, between ALISO AVE SE and MORNINGSIDE AVE SE containing approximately 2 acre(s). [REF: 05DRB00737] [*Deferred from 8/17/05*] (K-17)

At the August 24, 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. 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.

With the approval of the grading plan engineer stamp dated 5/4/05 the preliminary and final plat was approved with final plat sign off delegated to Planning for 15-day appeal period, Real Property's signature and to record.

If you wish to appeal this decision, you must do so by September 8, 2005, in the manner described below.



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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:3900 Silver Ave LLC, 4200 Silver Ave NE, 87108
Surveys Southwest Ltd., 333 Lomas Blvd NE, 87102
Chris Thayer, Environmental Dynamics Inc., 320 Central SW, 87102
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

January 18, 2006

- 2. Project # 1003585**
05DRB-01925 Major-Vacation of Public Easements
05DRB-01926 Minor-Prelim&Final Plat Approval

SURVEYS SOUTHWEST LTD agent(s) for 3900 SILVER AVE LLC,
PHILLIP RABY MANAGER request(s) the above action(s) for Lot(s) 1-A-1,
10-A-1, 11-A-1 and 20-A-1, **SILVER STREET TOWNHOMES**, zoned O-R,
located on SILVER AVE SE between ALISO AVE SE and MORNINGSIDE
AVE SE containing approximately 1 acre(s). [REF:05DRB-00737, 05DRB-
01191,05DRB-01190] (K-17)

At the January 18, 2006, Development Review Board meeting, the vacation was approved as shown on Exhibit B(2) 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.

The preliminary and final plat was approved with final plat sign off delegated to Planning for 15-day appeal period.

If you wish to appeal this decision, you must do so by February 2, 2006, in the manner described below.



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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: Phillip Raby, Manager, 3900 Silver Ave LLC, 4200 Silver Ave NE, 87108
Surveys Southwest Ltd., 333 Lomas Blvd NE, 87102
Douglas Lopez, 160 Washington SE, 87108
Marilyn Maldonado, Planning Department, 4th Floor, Plaza del Sol Bldg.
File