



OFFICIAL NOTICE OF DECISION

CITY OF ALBUQUERQUE
PLANNING DEPARTMENT
DEVELOPMENT REVIEW BOARD

August 2, 2006

4. Project # 1003612

06DRB-00737 Major-Preliminary Plat Approval
06DRB-00738 Major-Vacation of Pub Right-of-Way
06DRB-00739 Minor-Temp Defer SDWK

THOMPSON ENGINEERING CONSULTANTS INC agent(s) for DRAGONFLY DEVELOPMENT INC request(s) the above action(s) for all or a portion of Lot(s) 37, TOWN OF ATRISCO GRANT (to be known as **SUNDORO SOUTH, UNIT 9**) zoned SU-2 R-LT, located on ENDEE RD NW, between 98TH ST NW and 94TH ST NW containing approximately 6 acre(s). [REF: 04DRB-01868] [*Deferred from 6/21/06 & 6/28/06 & 7/12/06 & 7/26/06*] (J-9)

At the August 2, 2006, Development Review Board meeting, with the signing of the infrastructure list dated 8/2/06 and approval of the grading plan engineer stamp dated 11/14/05 the preliminary plat was approved with the following conditions of final plat approval:

1. A dismissal of the lawsuit with prejudice or other final disposition of the matter.
2. Final disposition of the lawsuit must be consistent with the boundaries as shown on the preliminary plat. If not, the applicant must amend the preliminary plat to make the boundaries consistent with the resolution of the lawsuit as determined by the courts or other parties.
3. The Warranty of Title Statement on the final plat must include an indemnity from the owner to the City as to the title of the property, the language of which is acceptable to the City Attorney's Office.
4. Dedicate 94th Street south of Silica Avenue in conjunction with the property to the east to provide access to the south.
5. A Subdivision Design Variance is needed for right-of-way widths.



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6. If the final plat is approved after 10/31/06, the subdivider must comply with City Council Resolution R-06-74 regarding Pre-Development Facility Agreement with Albuquerque Public Schools (APS).

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.

If you wish to appeal this decision, you must do so by August 17, 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.



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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.)

A handwritten signature in cursive script that reads "S. Matson".

Sheran Matson, AICP, DRB Chair

Cc: Dragonfly Development Inc., 12809 Donette Ct NE, 87112
Thompson Engineering Consultants Inc., P.O. Box 65760, 87193
Bill Kraemer, Garcia Kraemer & Associates, 200 Lomas NW, #1111, 87102
Wayne Chew, P.O. Box X, 87103
Philip Pickard, 7600 Pan American Freeway NE, 87109
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

July 25, 2007

11. Project# 1003612
07DRB-70136 EXT OF MAJOR PRELIMINARY PLAT

THOMPSON ENGINEERING CONSULTANTS INC agent(s) for DRAGONFLY DEVELOPMENT INC request(s) the above action(s) for all or a portion of Tract(s) 31-33, TOWN OF ATRISCO GRANT, **SUNDORO SOUTH, UNIT 9**, zoned SU-2 R-LT, located on ENDEE RD NW BETWEEN 98th ST NW AND 94th ST NW containing approximately 6.4 acre(s). (J-9)

At the July 25, 2007, Development Review Board meeting, the one-year extension of the preliminary plat was approved.

The conditions of final plat still apply.

Sheran Matson, AICP, DRB Chair

Cc: Thompson Engineering Consultants, Inc., P.O. Box 65760, 87193
Dragonfly Development, Inc., 12809 Donett Court NE, 87112
Marilyn Maldonado, Planning Department, 4th Floor, Plaza del Sol Bldg.
File



OFFICIAL NOTICE OF DECISION

CITY OF ALBUQUERQUE
PLANNING DEPARTMENT
DEVELOPMENT REVIEW BOARD

July 8, 2009

Project# 1003612

09DRB-70218 EXT OF MAJOR PRELIMINARY PLAT

GARCIA/KRAEMER & ASSOC. agent(s) for DRAGONFLY DEVELOPMENT request(s) the above action(s) for all or a portion of Tract(s) 31-33, **TOWN OF ATRISCO GRANT**, zoned SU-2 / RLT, located on ERDEE RD NW BETWEEN 98TH ST NW AND 94TH ST NW containing approximately 6.4 acre(s). (J-9)

At the July 8, 2009 Development Review Board meeting, the one-year extension of the preliminary plat was approved subject to re-application and re-approval for vacation of 94th Street. The conditions of final plat still apply.

If you wish to appeal this decision, you must do so by July 23, 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).

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 approval is null and void. (REF: Chapter 14 Article 14 Part 3-4 (E) Revised Ordinance.)



Jack Cloud, AICP, DRB Chair

Cc: Garcia/Kraemer & Associates – 200 Lomas Suite 1111 – Albuquerque, NM 87102
Cc: Dragonfly Development Inc. – 12809 Donett Court NE – Albuquerque, NM 87112
Marilyn Maldonado
File



OFFICIAL NOTICE OF DECISION

CITY OF ALBUQUERQUE
PLANNING DEPARTMENT
DEVELOPMENT REVIEW BOARD

June 30, 2010

Project# 1003612
10DRB-70172 EXT OF MAJOR PRELIMINARY PLAT

GARCIA/KRAEMER & ASSOC. agent(s) for DRAGONFLY DEVELOPMENT INC request(s) the above action(s) for all or a portion of Tract(s) 31-33, **TOWN ATRISCO GRANT**, zoned SU-2 RLT, located on ENDEE RD NW BETWEEN 98TH ST NW AND 94TH ST NW containing approximately 6.4 acre(s). (J-9)

At the June 30, 2010 Development Review Board meeting, a one-year extension of the preliminary plat was approved, subject to the completion or re-approval of VACATION OF PUBLIC RIGHT-OF-WAY 10DRB-70093; conditions of final plat remain applicable.

If you wish to appeal this decision, you must do so by July 15, 2010 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 approval is null and void. (REF: Chapter 14 Article 14 Part 3-4 (E) Revised Ordinance.)


Jack Cloud, AICP, DRB Chair

Cc: Garcia/Kraemer & Associates – 600 1st Street NW Ste 211 – Albuquerque, 87102
Cc: Dragonfly Development Inc. – 12809 Donnett Court NE – Albuquerque, NM 87112
Marilyn Maldonado
File