



OFFICIAL NOTICE OF DECISION

CITY OF ALBUQUERQUE
PLANNING DEPARTMENT
DEVELOPMENT REVIEW BOARD

November 3, 2004

7. Project # 1003717
04DRB-01565 Major-Vacation of Pub Right-of-Way

ERIC C JOHNSON request(s) the above action(s) for all or a portion of Lot(s) 6, Block(s) 38, **EASTERN ADDITION**, zoned SU-2 NCR, located on AVENIDA CESAR CHAVEZ SE, between BROADWAY SE and ARNO SE containing approximately 1 acre(s). (L-14)


At the November 3, 2004, Development Review Board meeting, the vacation was denied based on the comments of Mr. Wilfred Gallegos, Transportation Development Board member referring to Section 14-14-7-2:

"The vacation of public rights-of-way ...by request to vacate, shall be approved only when it is determined that the public welfare is in no way served by retaining the way or easement and there is no convincing evidence that any substantial property right is being abridged against the will of the owner of the right."

If you wish to appeal this decision, you must do so by November 18, 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 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: Eric Johnson, 3117 Los Anayas Rd NW, 87104
Marilyn Maldonado, Planning Department, 4th Floor, Plaza del Sol Bldg.
Scott Howell, Property Management, Legal Dept./4th Flr, City/County Bldg
File



NOTICE OF HEARING

November 22, 2004

Eric C Johnson
3117 Los Anayas Rd NW
Albuquerque, NM 87104

RE: APPEAL 04EPC-01771/PROJECT #1003717 (CASE WAS HEARD UNDER APPLICATION NUMBER #04DRB-01565 Major-Vacation of Right-of-Way

Dear Mr. Johnson:

The above referenced appeal, which was filed November 16, 2004, has been **scheduled** to be heard before the Environmental Planning Commission (EPC) on **Thursday, December 16, 2004 at 8:30 A.M.**

The meeting will be held in the **Plaza del Sol Hearing Room, Basement, Plaza del Sol Building, 600 2nd Street, NW, 87102.**

Approximately one week prior to the hearing, you will receive a copy of the agenda and a staff report. **THIS WILL SHOW YOU WHERE YOUR CASE WILL BE ON THE AGENDA.**

If you have any questions, please contact Claire Senova, Administrative Assistant at 924-3946.

Sincerely,

Sheran Matson, AICP, Chair, Development Review Board

Cc:Stephani Winklepleck, Neighborhood Coordination
File



OFFICIAL NOTICE OF DECISION

CITY OF ALBUQUERQUE
PLANNING DEPARTMENT
DEVELOPMENT REVIEW BOARD

March 28, 2007

2. **Project # 1003717**
07DRB-00236 Major-Vacation of Public Right-of-Way

GREG RILEY agent(s) for ERIC C. JOHNSON request(s) the above action(s) for all or any portion of Lot(s) 6, Block(s) 38, **EASTERN ADDITION**, zoned SU-2/NCR located on CESAR CHAVEZ SE between BROADWAY SE and ARNO SE containing approximately 1 acre(s). [REF: 04DRB-01565] [*Was Indef deferred 3/28/07*] (L-14) **INDEFINITELY DEFERRED ON A NO SHOW.**

At the March 28, 2007, Development Review Board meeting, the above request was indefinitely deferred on a no show. For instructions on how to reapply, contact the front counter staff at Plaza del Sol.



Sheran Matson, AICP, DRB Chair

Cc: Eric C. Johnson, 5044 Martin PI NW, 87114
Greg Riley, 10323 Avenida Vista Cerros NW, 87114
File



AMENDED
OFFICIAL NOTICE OF DECISION

CITY OF ALBUQUERQUE
PLANNING DEPARTMENT
DEVELOPMENT REVIEW BOARD

May 16, 2007

1. Project # 1003717
07DRB-00236 Major-Vacation of Public Easements

GREG RILEY agent(s) for ERIC C. JOHNSON request(s) the above action(s) for all or any portion of Lot(s) 6, Block(s) 38, **EASTERN ADDITION**, zoned SU-2/NCR located on CESAR CHAVEZ SE between BROADWAY SE and ARNO SE containing approximately 1 acre(s). [REF: 04DRB-01565] *[Was Indefinitely Deferred on 3/28/07]* (L-14)

At the May 16, 2007, 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.

The following is a condition of final plat approval:

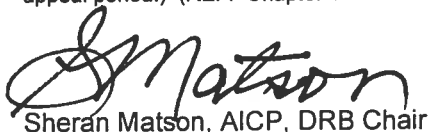
The applicant/agent needs to provide a K-turn at the south end of the vacation.

If you wish to appeal this decision, you must do so by **May 31, 2007**, 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 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: Eric C. Johnson, 5044 Martin PI NW, 87114
Greg Riley, 10323 Avenida Vista Cerros NW, 87114
Diana Dorn-Jones, 1108 Edith SE, 87102
Marilyn Maldonado, Planning Department, 4th Floor, Plaza del Sol Bldg.
File



OFFICIAL NOTICE OF DECISION

CITY OF ALBUQUERQUE
PLANNING DEPARTMENT
DEVELOPMENT REVIEW BOARD

May 16, 2007

1. Project # 1003717
07DRB-00236 Major-Vacation of Public Easements

GREG RILEY agent(s) for ERIC C. JOHNSON request(s) the above action(s) for all or any portion of Lot(s) 6, Block(s) 38, **EASTERN ADDITION**, zoned SU-2/NCR located on CESAR CHAVEZ SE between BROADWAY SE and ARNO SE containing approximately 1 acre(s). [REF: 04DRB-01565] *[Was Indefinitely Deferred on 3/28/07]* (L-14)

At the May 9, 2007, 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.

The following is a condition of final plat approval:

The applicant/agent needs to provide a K-turn at the south end of the vacation.

If you wish to appeal this decision, you must do so by May 24, 2007, 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 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: Eric C. Johnson, 5044 Martin PI NW, 87114
Greg Riley, 10323 Avenida Vista Cerros NW, 87114
Diana Dorn-Jones, 1108 Edith SE, 87102
Marilyn Maldonado, Planning Department, 4th Floor, Plaza del Sol Bldg.
File