



## OFFICIAL NOTICE OF DECISION

CITY OF ALBUQUERQUE  
PLANNING DEPARTMENT  
DEVELOPMENT REVIEW BOARD

January 5, 2005

**10. Project # 1003779**

04DRB-01754 Major-Preliminary Plat Approval  
04DRB-01765 Major-Vacation of Pub Right-of-Way  
04DRB-01756 Minor-Sidewalk Variance  
04DRB-01757 Minor-Temp Defer SDWK

LARRY READ & ASSOCIATES INC agent(s) for ADIL RIZVI request(s) the above action(s) for all or a portion of Lot(s) 17 & 18, Block(s) 2, Tract(s) 2, NORTH ALBUQUERQUE ACRES, UNIT 3, (to be known as **KUMAIL SUBDIVISION**) zoned R-D, located on OAKLAND AVE NE, between WYOMING BLVD NE and LOUISIANA BLVD NE containing approximately 2 acre(s). [*Deferred from 12/8/04, 12/15/04 & 12/29/05*] (C-19)

At the January 5, 2005, Development Review Board meeting, with the signing of the infrastructure list dated 1/5/05 and approval of the grading plan engineer stamp dated 1/3/05 the preliminary plat was approved with the following conditions of final plat approval:

Street radius dedication shown at Lot 7.

An approved perimeter wall design shall occur before final plat.

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.



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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 January 20, 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: Adil Rizvi, 4001 Juan Tabo Blvd NE, 87111  
Larry Read & Associates Inc., 4800 Juan Tabo Blvd NE, Suite C, 87111  
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 10, 2006

### 7. Project # 1003779

06DRB-00547 Major-Preliminary Plat Approval  
06DRB-00548 Major-Vacation of Pub Right-of-Way  
06DRB-00549 Minor-Sidewalk Waiver  
06DRB-00550 Minor-Temp Defer SDWK

LARRY READ & ASSOCIATES agent(s) for ADIL RIZVI request(s) the above action(s) for all or a portion of Lot(s) 17 & 18, Block(s) 2, Tract(s) 2, **KUMAIL SUBDIVISION**, NORTH ALBUQUERQUE ACRES, UNIT 3, zoned R-D residential and related uses zone, developing area, located on OAKLAND AVE NE, between WYOMING BLVD NE and LOUISIANA BLVD NE containing approximately 2 acre(s). [REF: 04DRB-01754, 04DRB-01765, 04DRB-01756, 04DRB-01757] (C-19)

At the May 10, 2006, Development Review Board meeting, with the signing of the infrastructure list dated 5/10/06 and approval of the grading plan engineer stamp dated 1/4/05 the preliminary plat was approved with the following condition of final plat:

A radius dedication on Lot 7P1 is needed.

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 street was approved as shown on Exhibit C in the Planning file.

If you wish to appeal this decision, you must do so by May 25, 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).

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.)

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.)

A handwritten signature in black ink, appearing to read "S. Matson", is written over a large, stylized, cursive flourish.

Sheran Matson, AICP, DRB Chair

Cc: Adil Rizvi, 7515 Treviso Court NE, 87113  
Larry Read & Associates Inc., 2340 Midtown NE, 87107  
Scott Howell, Property Management, Legal Dept./4th Flr, City/County Bldg  
Marilyn Maldonado, Planning Department, 4th Floor, Plaza del Sol Bldg.  
File