



## OFFICIAL NOTICE OF DECISION

CITY OF ALBUQUERQUE  
PLANNING DEPARTMENT  
DEVELOPMENT REVIEW BOARD

August 8, 2007

**2. Project # 1005031**  
**06DRB-01077 MAJOR-VACATION OF PUBLIC EASEMENTS**

SURV-TEK agent(s) for THE TRAILS LLC request(s) the above action(s) for all or a portion of Tract(s) 9-A, THE TRAILS, UNIT 2 (to be known as **SIERRA 2 @ THE TRAILS, UNIT 2**) zoned SU-2-SRSL, located on WOODMONT AVE NW, between RAINBOW BLVD NW and UNIVERSE BLVD NW containing approximately 20 acre(s). [REF: 06DRB-01017, 06DRB-01018] [Deferred from 8/23/06, 9/13/06, 9/27/06, 10/4/06, 10/25/06, 11/29/06, 12/20/06, 1/24/07, 4/18/07, 6/20/07, 7/18/07 & 08/01/07] (C-9)

At the August 8, 2007, Development Review Board meeting, the vacation was approved as shown on Exhibit B in the Planning file per Section 14-14-7-2(A)(1) and (B) (1)(3) of the Subdivision Ordinance:

(A)(1) The 23.1-foot and 6.3-foot public drainage easement vacation requests were filed by the owners of a majority of the front footage of land abutting the proposed vacation.

(B)(1) The public welfare is in no way served by retaining the 23.1-foot and 6.3-foot public drainage easements.

(3) 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 of this vacation approval.

06DRB-01017 MAJOR-PRELIMINARY PLAT APPROVAL  
06DRB-01018 MINOR-TEMP DEFER SDWK

SURV TEK & WILSON & COMPANY agent(s) for THE TRAILS LLC request(s) 06DRB-01282  
MINOR-SUBD DESIGN (DPM) VARIANCE

The above action(s) for all or a portion of Tract(s) 9-A, THE TRAILS UNIT 2 (to be known as **SIERRA 2 @ THE TRAILS, UNIT 2**) zoned SU-2-SRSL, located on WOODMONT AVE NW between RAINBOW BLVD NW and UNIVERSE BLVD



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NW containing approximately 20 acre(s). (Listed as Project 1004644 in error) [Deferred from 8/9/06, 8/23/06, 9/13/06, 9/27/06, 10/4/06, 10/25/06, 11/29/06, 12/20/06, 1/24/07, 4/18/07, 6/20/07 & 08/01/07] (C-9)

With the signing of the infrastructure list dated 08/08/07 and the approved Grading Plan Engineer Stamp dated 07/12/06, the preliminary plat was approved with the following conditions of final plat: add the solar collector language to the plat. The temporary deferral of construction of sidewalks was approved as shown of Exhibit C in the Planning file.

#### 06DRB-01282 MINOR-SUBD DESIGN (DPM) VARIANCE

WILSON AND COMPANY agent(s) for THE TRAILS LLC request(s) the above action(s) **THE TRAILS, UNIT 2**) zoned SU-2-SRSL, located on WOODMONT AVE NW, between RAINBOW BLVD NW and UNIVERSE BLVD NW containing approximately 20 acre(s). [REF: 06DRB-01017, 06DRB-01018, DRB-01077] *Deferred from 9/13/06, 9/27/06, 10/4/06, 10/25/06, 11/29/06, 12/20/06, 1/24/07, 4/18/07, 6/20/07, 7/18/07 & 08/01/07* ] (C-9)

A subdivision design variance from minimum DPM Design Standards was approved as shown on Exhibit D in the Planning file.

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



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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: The Trails LLC, 7007 Jefferson St NE Ste A, 87109  
Surv-Tek Inc., 9384 Valley View Dr NW, 87114  
Wilson & Company, 2600 The American Rd Ste 100, Rio Rancho, 87124  
Marilyn Maldonado, Planning Department, 4<sup>th</sup> Floor, Plaza del Sol Bldg.  
File