



OFFICIAL NOTICE OF DECISION

CITY OF ALBUQUERQUE
PLANNING DEPARTMENT
DEVELOPMENT REVIEW BOARD

March 7, 2007

3. Project # 1005346
07DRB-00134 Major-Vacation of Public Easements

SURV-TEK INC agent(s) for ALBUQUERQUE 50 LLC request(s) the above action(s) for all or a portion of Tract(s) D-2, **AEROSPACE TECHNOLOGY PARK**, zoned SU-1 AIRPORT, located WEST OF PASEO DEL VULCAN NW, between I-40 and CITY OF RIO RANCHO containing approximately 50 acre(s). (F-6)

At the March 7, 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.

If you wish to appeal this decision, you must do so by March 22, 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: Albuquerque 50 LLC, 407 Rio Grande NW, Suite 3, 87104
Surv-Tek Inc., 9384 Valley View Dr NW, 87114
Marilyn Maldonado, Planning Department, 4th Floor, Plaza del Sol Bldg.
File



OFFICIAL NOTICE OF DECISION

CITY OF ALBUQUERQUE
PLANNING DEPARTMENT
DEVELOPMENT REVIEW BOARD

March 7, 2007

- 5. Project # 1005346**
07DRB-00084 Major-Bulk Land Variance
07DRB-00085 Major-Vacation of Public Easements
07DRB-00086 Minor-Prelim & Final Plat Approval

CONSENSUS PLANNING INC agent(s) for ALBUQUERQUE 50 LLC request(s) the above action(s) for all or a portion of Tract(s) D-2, **AEROSPACE TECHNOLOGY PARK** and Tract(s) D & S, **DOUBLE EAGLE AIRPORT AND ADJACENT LANDS**, zoned SU-1 FOR AIRPORT & RELATED FACILITIES, located on PASEO DEL VOLCAN NW, between 1-40 and the CITY OF RIO RANCHO containing approximately 50 acre(s). [REF: 04DRB01505, 04DRB01506] [*Deferred from 2/21/07 & 2/28/07*] (F-6)

At the March 7, 2007, Development Review Board meeting, the Bulk Land Variance was approved subject to the Findings and Conditions of the Subdivision Ordinance as follows:

BULK LAND VARIANCE:

1. The variance will not be injurious to the public safety, health or welfare, or to adjacent property, the neighborhood or the community.
2. The variance will not conflict significantly with the goals and provisions of any City, County or AMAFCA adopted plan or policy; the applicable zoning ordinance, or any other City code or ordinance.
3. The variance will not permit, encourage or make possible undesired development in the 100-year floodplain.
4. The variance will not hinder future planning, public right-of-way acquisition, or the financing or building of public infrastructure improvements.

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.



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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 plat was approved with final sign-off delegated to Planning a for 5-day appeal period, vacation of the remainder of the 106-foot public access and utility easement and replat, to record the plat and for the separate Notice of Subdivision Plat Conditions.

If you wish to appeal this decision, you must do so by March 22, 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.

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Sheran Matson, AICP, DRB Chair

Cc: Albuquerque 50 LLC, 407 Rio Grande NW, Suite 3, 87104
Consensus Planning, Douglas Shaw, 302 8th St NW, 87102
Marilyn Maldonado, Planning Department, 4th Floor, Plaza del Sol Bldg.
File