



OFFICIAL NOTICE OF DECISION

CITY OF ALBUQUERQUE
PLANNING DEPARTMENT
DEVELOPMENT REVIEW BOARD

July 11, 2007

2. Project# # 1006539
07DRB-70047 BULK LAND VARIANCE

BOHANNAN HUSTON INC agent(s) for MESA DEL SOL, LLC request(s) the above action(s) for all or a portion of Tract(s) 4-A-1 & 4-B, **MESA DEL SOL (to be known as INNOVATION PARK)** zoned SU-2 PLANNED COMMUNITY, located on I-25 and UNIVERSITY BLVD SE containing approximately 2,270.5622 acre(s). (Q-16, R-15-17, S-14, S-16-17, T-16)

At the July 11, 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.

07DRB-70043 VACATION OF PUBLIC EASEMENT
07DRB-70045 VACATION OF PUBLIC RIGHT-OF-WAY
07DRB-70046 VACATION OF PRIVATE EASEMENT

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.



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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.

If you wish to appeal this decision, you must do so by July 26, 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.)

07DRB-70048 MINOR - PRELIMINARY/ FINAL PLAT APPROVAL

The final plat was approved with final sign off was delegated to planning for a 15 day appeal period, for AGIS DXF file and to record.

Sheran Matson, AICP, DRB Chair

Cc: Mesa Del Sol, LLC, 801 University Blvd SE, Ste 200, 87106
Bohannon Huston Inc, 7500 Jefferson 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

June 25, 2008

Project# 1006539

08DRB-70246 BULK LAND VARIANCE

BOHANNAN HUSTON INC agent(s) for MESA DEL SOL LLC request(s) the above action(s) for all or a portion of Tract(s) 1,12,15,4-A-2, 4-A-3 & 4-A-4/2-A, 2-B,3,4,7,8,9,10,16,18,19,20,21,OS-1,OS-2,OS-3 & OS-6, **MESA DEL SOL/MESA DEL SOL INNOVATION PARK TBK:MESA DEL SOL INNOVATION PARK II** zoned PC, located on TURING DR SE BETWEEN STYKER DR SE AND CRICK AVE SE containing approximately 1567.6357 acre(s). (Q-15, 16, 17, 18 & R-16, 17 & 18)

At the June 25, 2008 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.

08DRB-70249 MINOR - PRELIMINARY/ FINAL PLAT APPROVAL

The preliminary/final plat was approved with final sign off delegated to Planning to comply with comments. Planning must record this plat.

08DRB-70247 VACATION OF PUBLIC RIGHT-OF-WAY 08DRB-70248 VACATION OF PUBLIC RIGHT-OF-WAY

The vacations were 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.

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(A)(1) The public right-of-way vacation requests were filed by the owners of a majority of the footage of land abutting the proposed vacation.

(B)(1) The public welfare is in no way served by retaining the public right-of-way vacation easement.

(B)(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. Final disposition shall be through the City Real Estate Office.
2. The vacated property shall be shown on the 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 July 10, 2008 in the manner described below.

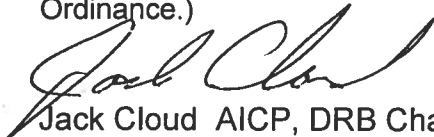
Appeal is to the Land Use Hearing Officer. Any person aggrieved with any determination of the Development Review Board may file an appeal on the Planning Department form, to the Planning Department, within 15 days of the Development Review Board's decision.

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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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.)


Jack Cloud AICP, DRB Chair

Cc: Bohannon Huston Inc. – 7500 Jefferson NE – Albuquerque, NM 87109
Cc: Mesa Del Sol, LLC – 801 University Blvd, SE STE 200 – Albuquerque, NM 87106