



## OFFICIAL NOTICE OF DECISION

CITY OF ALBUQUERQUE  
PLANNING DEPARTMENT  
DEVELOPMENT REVIEW BOARD

March 12, 2008

**Project# 1007051**

08DRB-70014 VACATION OF PUBLIC RIGHT-OF-WAY

JOSEPH B. GARCIA agent(s) for JOE M. CRUZ request(s) the above action(s) for all or a portion of **THE AMOLE DEL NORTE DIVERSION**, adjacent to Tract 398-B, Town of Atrisco Grant Unit 3, zoned A-1 (County), located on the north side of SAGE RD SW BETWEEN 75<sup>th</sup> ST AND RAEL ST SW containing approximately 0.83 acre(s). (L-10) [February 13, 2008].

At the March 12, 2008, 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 condition of final plat will be for all as-builts of record be submitted concurrently with the platting action.

(A)(1) The vacation of public right-of-way request was 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 easements.

(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 a replat 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 27, 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.

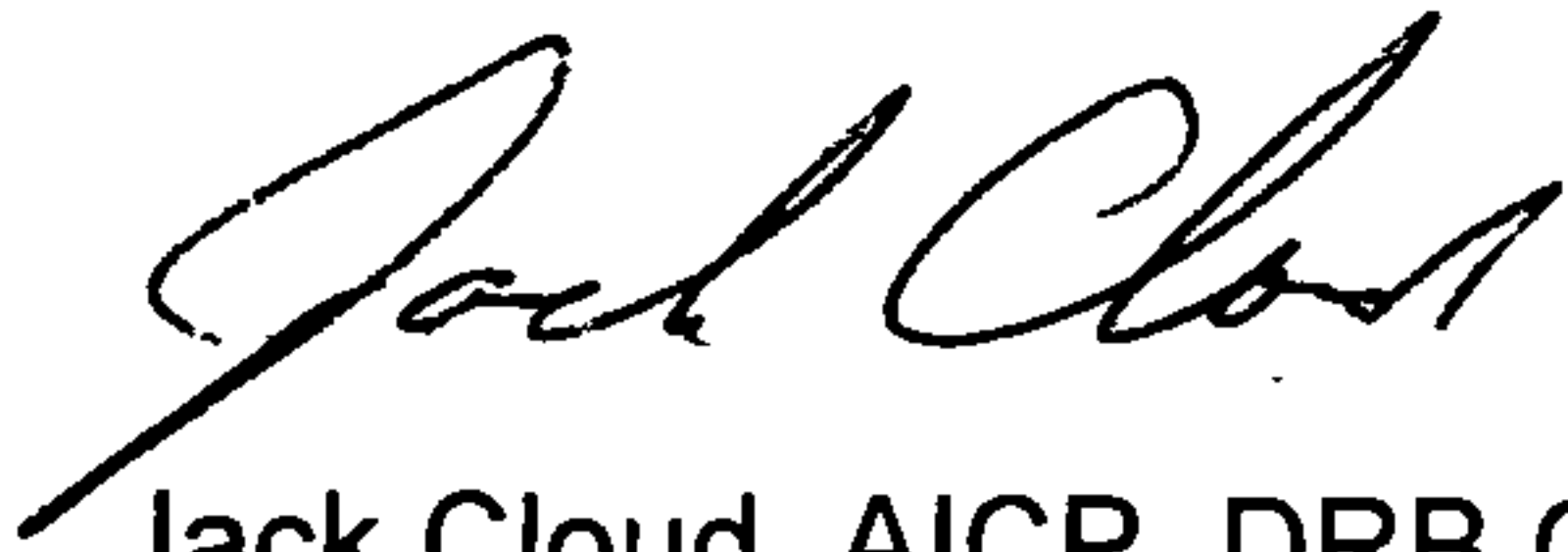
The date the determination in question is issued is not included in the 15-day period for filing an appeal.

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.

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.)



Jack Cloud, AICP, DRB Chair

Cc: Joseph B. Garcia – 3109 Love SW – Albuquerque, NM 8510

Cc: Joe M. Cruz – 3616 San Ygnacio SW – Albuquerque, NM 8510

44444444

**CITY OF ALBUQUERQUE  
PLANNING DEPARTMENT  
PROPERTY OWNERSHIP LIST**

**Meeting Date:** February 13, 2008  
**Zone Atlas Page:** L-10  
**Notification Radius:** 100 Ft.

**Project# 1007051  
App#08DRB-70014**

**Cross Reference and Location: ON SAGE RD SW BETWEEN 75<sup>TH</sup> AND RAEL ST SW**

**Applicant:** JOE M CRUZ  
3616 SAN YGNACIO SW  
ALBUQUERQUE, NM 87105

**Agent:** JOSEPH B GARCIA  
3109 LOVE SW  
ALBUQUERQUE, NM 87105

**Special Instructions:**

**Notice must be mailed from the  
City's 15 day's prior to the meeting.**

**Date Mailed:** JANUARY 25, 2008  
**Signature:** ERIN TREMLIN

# City of Albuquerque



## DEVELOPMENT/ PLAN REVIEW APPLICATION

Supplemental form

### SUBDIVISION

- Major Subdivision action
- Minor Subdivision action
- \* Vacallon
- Variance (Non Zoning)

### SITE DEVELOPMENT PLAN

- for Subdivision
- for Building Permit
- Administrative Amendment (AA)
- IP Master Development Plan
- Cert. of Appropriateness (LUCC)

### STORM DRAINAGE (Form D)

- Storm Drainage Cost Allocation Plan

### S Z ZONING & PLANNING

- Annexation
- County Submittal
- EPC Submittal
- Zone Map Amendment (Establish or Change Zoning)
- Sector Plan (Phase I, II, III)
- Amendment to Sector, Area, Facility or Comprehensive Plan
- Text Amendment (Zoning Code/Sub Reqs)
- Street Name Change (Local & Collector)
- L A APPEAL / PROTEST of...
  - Decision by: DRB, EPC, LUCC, Planning Director or Staff, ZHE, Zoning Board of Appeals

PRINT OR TYPE IN BLACK INK ONLY. The applicant or agent must submit the completed application in person to the Planning Department Development Services Center, 600 2<sup>nd</sup> Street NW, Albuquerque, NM 87102. Fees must be paid at the time of application. Refer to supplemental forms for submittal requirements.

#### APPLICATION INFORMATION:

Professional/Agent (if any) **Joseph B. Garcia** PHONE: **(505) 877-0380**  
 ADDRESS **3109 Love SW (Office)** FAX: **(505) 877-6655**  
 CITY **Albuquerque** STATE **NM** ZIP **87105** E-MAIL **Joeg@Starpaving.com**

APPLICANT **Joe M. Cruz** PHONE **877-6677**  
 ADDRESS **3616 SanYgnacio SW(Home)** FAX **877-6655**  
 CITY **Albuquerque** STATE **NM** ZIP **87105** E-MAIL **JoeC@Starpaving.com**  
 Proprietary Interest in site \_\_\_\_\_ List all owners \_\_\_\_\_

DESCRIPTION OF REQUEST: **The purpose of this plot is to vacate a portion of the Amole Del Norte Diversion Facility (adjoining parcel)**

Is the applicant seeking incentives pursuant to the Family Housing Development Program? Yes \_\_\_\_\_ No \_\_\_\_\_

SITE INFORMATION: ACCURACY OF THE EXISTING LEGAL DESCRIPTION IS CRUCIAL! ATTACH A SEPARATE SHEET IF NECESSARY.

Lot or Tract No **Portion of the Amole Del Norte Diversion Fac.** Block \_\_\_\_\_ Unit \_\_\_\_\_  
 Subdiv/Addn/IBKA \_\_\_\_\_  
 Existing Zoning **A-1** Proposed zoning **No change** MRGCD Map No \_\_\_\_\_  
 Zone Atlas page(s) **L-10** UPC Code **101005644811240509**

#### CASE HISTORY:

List any current or prior case number that may be relevant to your application (Proj, App, DRB, AX, Z, V, S, etc) **none**

#### CASE INFORMATION

Within city limits?  Yes Within 1000ft of a landfill? **no**  
 No. of existing lots **1** No. of proposed lots **1** Total area of site (acres) **0.83 M/L**

LOCATION OF PROPERTY BY STREETS On or Near **Locate on Sage Rd. S.W.**  
 Between **75th** and **Rael Street S.W.**

Check off if project was previously reviewed by Sketch Plat/Plan 1, or Pre application Review Team (1). Date of review \_\_\_\_\_

SIGNATURE *Joseph B. Garcia* DATE **1/11/08**  
 (Print) **Joseph B. Garcia** Applicant / Agent

#### FOR OFFICIAL USE ONLY

- INTERNAL ROUTING
- All checklists are complete
- All fees have been collected
- All case #s are assigned
- AGIS copy has been sent
- Case history #s are listed
- Site is within 1000ft of a landfill
- FHDP density bonus
- FHDP fee rebate

Application case numbers  
**08-DRB-70014**

Action	S.F.	Fees
VRW	✓	\$ 300.00
ADV		\$ 75.00
CMF		\$ 20.00
		\$
		\$
		\$
		\$
		\$
		Total
		\$ 395.00

Hearing date **02/13/08**

*Sandy Handley* **01/14/08**

Project # **1007051**



- BULK LAND VARIANCE (DRB04)** (PUBLIC HEARING CASE)
    - \_\_\_ Application for Minor Plat on FORM S-3, including those submittal requirements. **24 copies**
    - \_\_\_ Letter briefly describing and explaining: the request, compliance with the Development Process Manual, and all improvements to be waived.
    - \_\_\_ Notice on the proposed Plat that there are conditions to subsequent subdivision (refer to DPM)
    - \_\_\_ Office of Community & Neighborhood Coordination inquiry response, notifying letter, certified mail receipts
    - \_\_\_ Sign Posting Agreement
    - \_\_\_ Fee (see schedule)
    - \_\_\_ List any original and/or related file numbers on the cover application
- DRB Public hearings are approximately 30 DAYS after the filing deadline. Your attendance is required.**

- VACATION OF PUBLIC EASEMENT (DRB27)**
  - VACATION OF PUBLIC RIGHT-OF-WAY (DRB28)**
    - ✓ The complete document which created the public easement (folded to fit into an 8.5" by 14" pocket) **24 copies.**  
(Not required for City owned public right-of-way.)
    - ✓ Drawing showing the easement or right-of-way to be vacated, etc. (not to exceed 8.5" by 11") **24 copies**
    - ✓ Zone Atlas map with the entire property(ies) clearly outlined
    - ✓ Letter briefly describing, explaining, and justifying the request
    - ✓ Office of Community & Neighborhood Coordination inquiry response, notifying letter, certified mail receipts
    - ✓ Sign Posting Agreement
    - ✓ Fee (see schedule)
    - ✓ List any original and/or related file numbers on the cover application
- Unless the vacation is shown on a DRB approved plat recorded by the County Clerk within one year, it will expire.  
**DRB Public hearings are approximately 30 DAYS after the filing deadline. Your attendance is required.**

- SIDEWALK VARIANCE (DRB20)**
  - SIDEWALK WAIVER (DRB21)**
    - \_\_\_ Scale drawing showing the proposed variance or waiver (not to exceed 8.5" by 14") **6 copies**
    - \_\_\_ Zone Atlas map with the entire property(ies) clearly outlined
    - \_\_\_ Letter briefly describing, explaining, and justifying the variance or waiver
    - \_\_\_ List any original and/or related file numbers on the cover application
- DRB meetings are approximately 8 DAYS after the Tuesday noon filing deadline. Your attendance is required.**

- SUBDIVISION DESIGN VARIANCE FROM MINIMUM DPM STANDARDS (DRB25)**
    - \_\_\_ Scale drawing showing the location of the proposed variance or waiver (not to exceed 8.5" by 14") **24 copies**
    - \_\_\_ Zone Atlas map with the entire property(ies) clearly outlined
    - \_\_\_ Letter briefly describing, explaining, and justifying the variance
    - \_\_\_ Office of Community & Neighborhood Coordination inquiry response, notifying letter, certified mail receipts
    - \_\_\_ Sign Posting Agreement
    - \_\_\_ Fee (see schedule)
    - \_\_\_ List any original and/or related file numbers on the cover application
- DRB meetings are approximately 30 DAYS after the filing deadline. Your attendance is required.**

- TEMPORARY DEFERRAL OF SIDEWALK CONSTRUCTION (DRB19)**
  - EXTENSION OF THE SIA FOR TEMPORARY DEFERRAL OF SIDEWALK CONSTRUCTION (DRB07)**
    - \_\_\_ Drawing showing the sidewalks subject to the proposed deferral or extension (not to exceed 8.5" by 14") **6 copies**
    - \_\_\_ Zone Atlas map with the entire property(ies) clearly outlined
    - \_\_\_ Letter briefly describing, explaining, and justifying the deferral or extension
    - \_\_\_ List any original and/or related file numbers on the cover application
- DRB meetings are approximately 8 DAYS after the Tuesday noon filing deadline. Your attendance is required.**

- VACATION OF PRIVATE EASEMENT (DRB26)**
  - VACATION OF RECORDED PLAT (DRB29)**
    - \_\_\_ The complete document which created the private easement/recorded plat (not to exceed 8.5" by 14") **6 copies**
    - \_\_\_ Scale drawing showing the easement to be vacated (8.5" by 11") **6 copies**
    - \_\_\_ Zone Atlas map with the entire property(ies) clearly outlined
    - \_\_\_ Letter/documents briefly describing, explaining, and justifying the vacation **6 copies**
    - \_\_\_ Letter of authorization from the grantors and the beneficiaries (private easement only)
    - \_\_\_ Fee (see schedule)
    - \_\_\_ List any original and/or related file numbers on the cover application
- Unless the vacation is shown on a DRB approved plat recorded by the County Clerk within one year, it will expire.  
**DRB meetings are approximately 8 DAYS after the Tuesday noon filing deadline. Your attendance is required.**

I, the applicant, acknowledge that any information required but not submitted with this application will likely result in deferral of actions.

Joseph B Garcia  
Applicant name (print)  
Joseph B Garcia 1-14-07  
Applicant signature / date



Form revised 4/07

- Checklists complete
- Fees collected
- Case #s assigned
- Related #s listed

Application case numbers  
CE DRB - 70014  
\_\_\_\_\_  
\_\_\_\_\_

Sandy Handley 01/14/09  
Planner signature / date  
Project # 1007051

R e c	UPC CODE	OWNER	OWNER ADDRES S	OWN ER CITY	OWN ER ST ATE	OWN ER ZIP CODE	PR OP ER TY CL AS S	TA X DI ST RI CT	LEGAL
1	101005 642409 140519	HENNELLY MICHAEL M	PO BOX 25383	ALBU QUE RQU E	N M	871 25	R	X1 A	TR 398A2 REDIVISION PLATS OF TRACTS 397A & 398A TOWN OF ATRISCO GRANT UNIT #3 C ONT 0.8340 M/L
2	101005 644717 840624	ALBUQUERQUE EXCA VATORS INC	7201 IS LETA S W	ALBU QUE RQU E	N M	871 05	V	A1 A	TR B PLAT OF TRACTS A & B LANDS OF HECT OR ROJO BEING A REPLAT OF TRACT 357 UNI T 3 ATRISCO GRANT CONT 2.5000 AC
3	101005 643807 740512	CRUZ JOE M & ANNET TE	3616 S AN YGN ACIO S W	ALBU QUE RQU E	N M	871 21	R	X1 A	NLY PORTION OF TRACT 398- B CORRECTED REPLAT LANDS OF HENRY G CHAVEZ (AKA P OR TR 398 ATRISCO GRANT UN IT # 3) CONT 1.70 AC M/L
4	101005 642909 240508	VILLEGAS MARK R & A RACELY	PO BOX 72764	ALBU QUE RQU E	N M	871 95	V	X1 A	TR 398A REDIVISION PLAT OF TRACTS 397A & 398A TOWN OF ATRISCO GRANT UNIT # 3 CO NT 0.8342 AC M/L
5	101005 648307 840522	MARQUEZ ANASTACIO JR ETUX ETAL	916 ALT A VISTA CT SW	ALBU QUE RQU E	N M	871 05 330 2	V	A1 A	SW'LY PORT OF TR 400 ATRISCO GRANT UNIT #3 CONT 2.1000 AC +/-
6	101005 644811 240509	CRUZ JOE & ANNETTE	3616 S AN YGN ACIO S W	ALBU QUE RQU E	N M	871 21	V	X1 A	NORTHERLY PORTION OF TR 399 ATRISCO G RANT UNIT #3 CONT 3.587 AC M/L
7	101005 647616 940630	CITY OF ALBUQUERQU E	PO BOX 1293	ALBU QUE RQU E	N M	871 03 129 3	V	A1 A	S'LY PORT OF TR 358 TOWN OF ATRISCO GR ANT UNIT 3 (AKA PARCEL A-2- 31 AMOLE DEL NORTE DIVERSION CHANNEL R W) CONT 1.0050 AC
8	101005 642220 140609	MOYA JOSE F ETUX ET AL	11620 MARQU ETTE N E	ALBU QUE RQU E	N M	871 23	V	A1 A	TR 356 UNIT 3 ATRISCO GRANT CONT 5.0000 AC +/-
9	101005 642012 540521	TORRES RICHARD L & ERNESTINE S	5949 C ARLOS REY SW	ALBU QUE RQU E	N M	871 05	R	X1 A	TR 398A1 REDIVISION PLAT OF TRACTS 397A & 398A TOWN OF ATRISCO GRANT UNIT #3 C ONT 0.8334 AC M/L
10	101005 640219 540608	MARQUEZ ANASTACIO JR & RITA M & MOYA J OSE F & ESTHER A	916 1/2 ALTA VI STA SW	ALBU QUE RQU E	N M	871 05	V	A1 A	TR 355 WEST OF WESTLAND UNIT 3 CONT 5.0 000 AC
11	101005 646313 340520	CITY OF ALBUQUERQU E	PO BOX 1293	ALBU QUE RQU E	N M	871 03 129 3	V	X1 A	NWLY POR OF TR 400 ATRISCO GRANT UNIT # 3 CONT 1.6174 AC M/L
12	101005 647210 040524	CITY OF ALBUQUERQU E	PO BOX 1293	ALBU QUE RQU E	N M	871 03 129 3	V	A1 A	PORS OF TRS 396, 399, 400 & 401 ATRISCO GR ANT UNIT #3 & PORS OF TRS 397-B & 39- B CORRECTED REPL LANDS OF HENRY G CH AVEZ (POR OF AMOLE DEL NORTE DIVERSION CHANNEL) CONT 6.2000 AC

OR CURRENT RESIDENT  
101005644717840624  
ALBUQUERQUE EXCAVATORS INC  
7201 ISLETA SW  
ALBUQUERQUE, NM 87105

Project# 1007051  
101005644811240509  
CRUZ JOE & ANNETTE  
3616 SAN YGNACIO SW  
ALBUQUERQUE, NM 87121

OR CURRENT RESIDENT  
101005642409140519  
HENNELLY MICHAEL M  
PO BOX 25383  
ALBUQUERQUE, NM 87125

OR CURRENT RESIDENT  
101005640219540608  
MARQUEZ ANASTACIO JR & RITA M  
& MOYA JOSE F & ESTHER A  
916 1/2 ALTA VISTA SW  
ALBUQUERQUE, NM 87105

OR CURRENT RESIDENT  
101005648307840522  
MARQUEZ ANASTACIO JR  
916 ALTA VISTA CT SW  
ALBUQUERQUE, NM 87105 3302

OR CURRENT RESIDENT  
101005642220140609  
MOYA JOSE F ETUX ETAL  
11620 MARQUETTE NE  
ALBUQUERQUE, NM 87123

OR CURRENT RESIDENT  
101005642012540521  
TORRES RICHARD L & ERNESTINE S  
5949 CARLOS REY SW  
ALBUQUERQUE, NM 87105

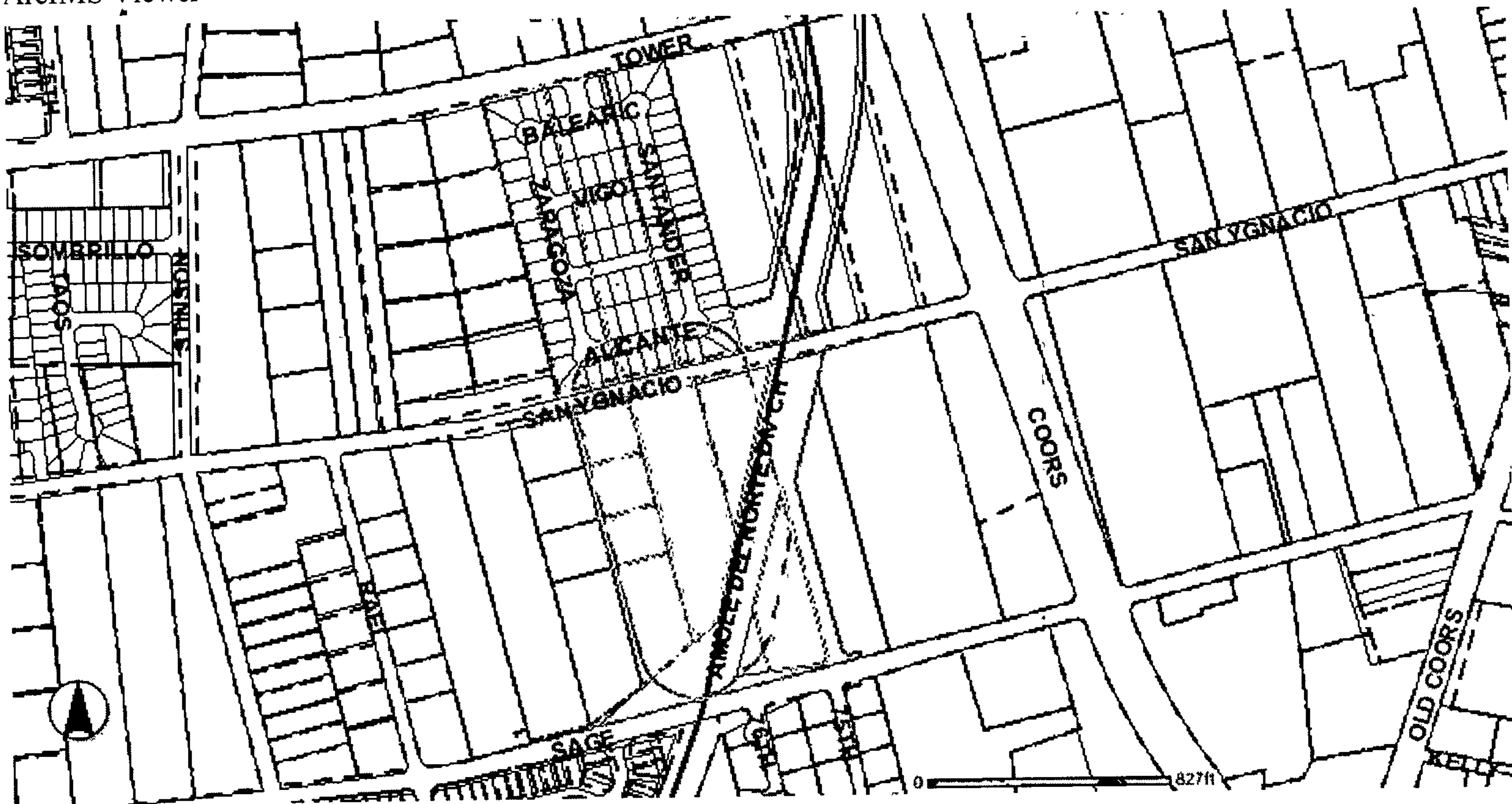
OR CURRENT RESIDENT  
101005642909240508  
VILLEGAS MARK R & ARACELY  
PO BOX 72764  
ALBUQUERQUE, NM 87195

Project# 1007051  
JOSEPH B GARCIA  
3109 LOVE SW  
ALBUQUERQUE, NM 87105

Project# 1007051  
NORMAN MASON  
Stinson Tower NA  
7427 VIA TRANQUILO SW  
ALBUQUERQUE, NM 87121

Project# 1007051  
VICTOR WYANT  
Stinson Tower NA  
612 COTTONTAIL SW  
ALBUQUERQUE, NM 87121









City of Albuquerque

PLEASE NOTE: The Neighborhood Association information listed in this letter is valid for one (1) month. If you haven't filed your application within one (1) month of the date of this letter - you will need to get an updated letter from our office. It is your responsibility to provide current information - outdated information may result in a deferral of your case

Date: January 08, 2008

TO CONTACT NAME: Joseph B. Marcin
COMPANY/AGENCY: Joe M. Cray
ADDRESS/ZIP: 3109 Love Rd.
PHONE/FAX #: 877-0380 / 991-4755 (c) / FAX 877-6655

Thank you for your inquiry of January 08, 2008 requesting the names of ALL Affected Neighborhood and/or Homeowner Associations who would be affected under the provisions of O-92 by your proposed project at Portion of The Amole Del Norte Diversion Facility for Vacation Located on Sage Rd SW between Coors-Real Rd SW and Sage Rd SW zone map page(s) L-10

Our records indicate that the Affected Neighborhood and/or Homeowner Associations affected by this proposal and the contact names are as follows:

Stinson Tower N.A.
Neighborhood or Homeowner Association
Contacts Norman Mason
7427 Via Tranquilo SW 87121
836-9671 (h)
Victor Wyant
612 Cottontail SW 87121
239-8856(h)

Neighborhood or Homeowner Association
Contacts

See reverse side for additional Neighborhood and/or Homeowner Associations Information:

YES { } NO [X]

Please note that according to O-92 you are required to notify each of these contact persons by CERTIFIED MAIL, RETURN RECEIPT REQUESTED, BEFORE the Planning Department will accept your application filing. IMPORTANT! FAILURE OF ADEQUATE NOTIFICATION MAY RESULT IN YOUR APPLICATION HEARING BEING DEFERRED FOR 30 DAYS. If you have any questions about the information provided, please contact our office at (505) 924-3914 or by fax at 924-3913.

Sincerely,

Stephan DeLeon
OFFICE OF NEIGHBORHOOD COORDINATION

ATTENTION: Both contacts for each Neighborhood and/or Homeowner Associations need to be notified.

January 9, 2008

Mr. Norman Mason  
7427 Via Tranquilo SW  
Albuquerque, NM 87121

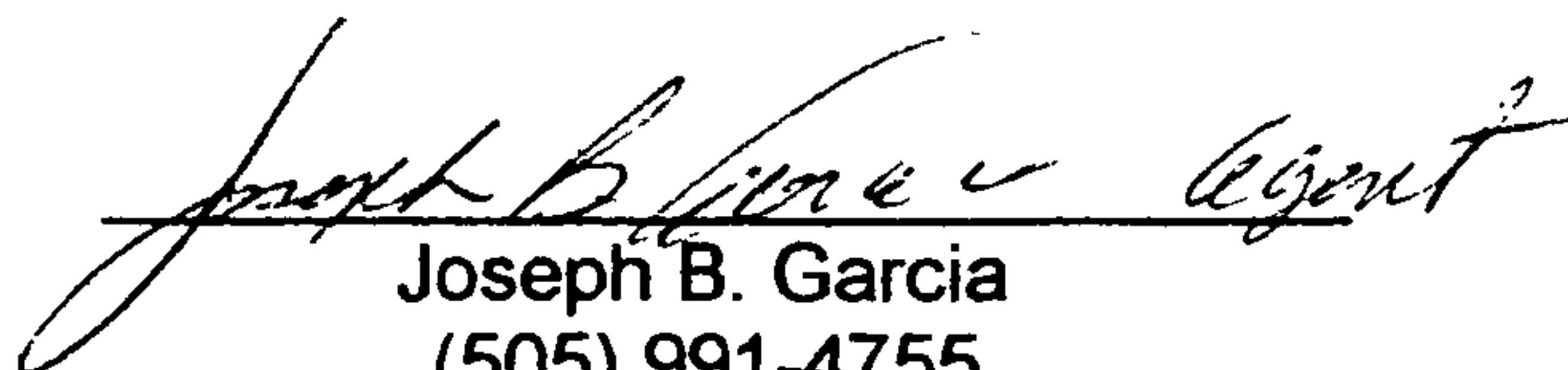
Dear Sir:

Reference is made to track 398-B corrected Replat lands of Henry Chavez (aka P or TR 398 Atrisco Grant Unit #3) Cont 1.70 AC M/L. Property address 3616 San Ygnacio Rd. NW as the same is shown and designated on H Plat thereof filed in the Office of County Clerk of Bernalillo County, New Mexico.

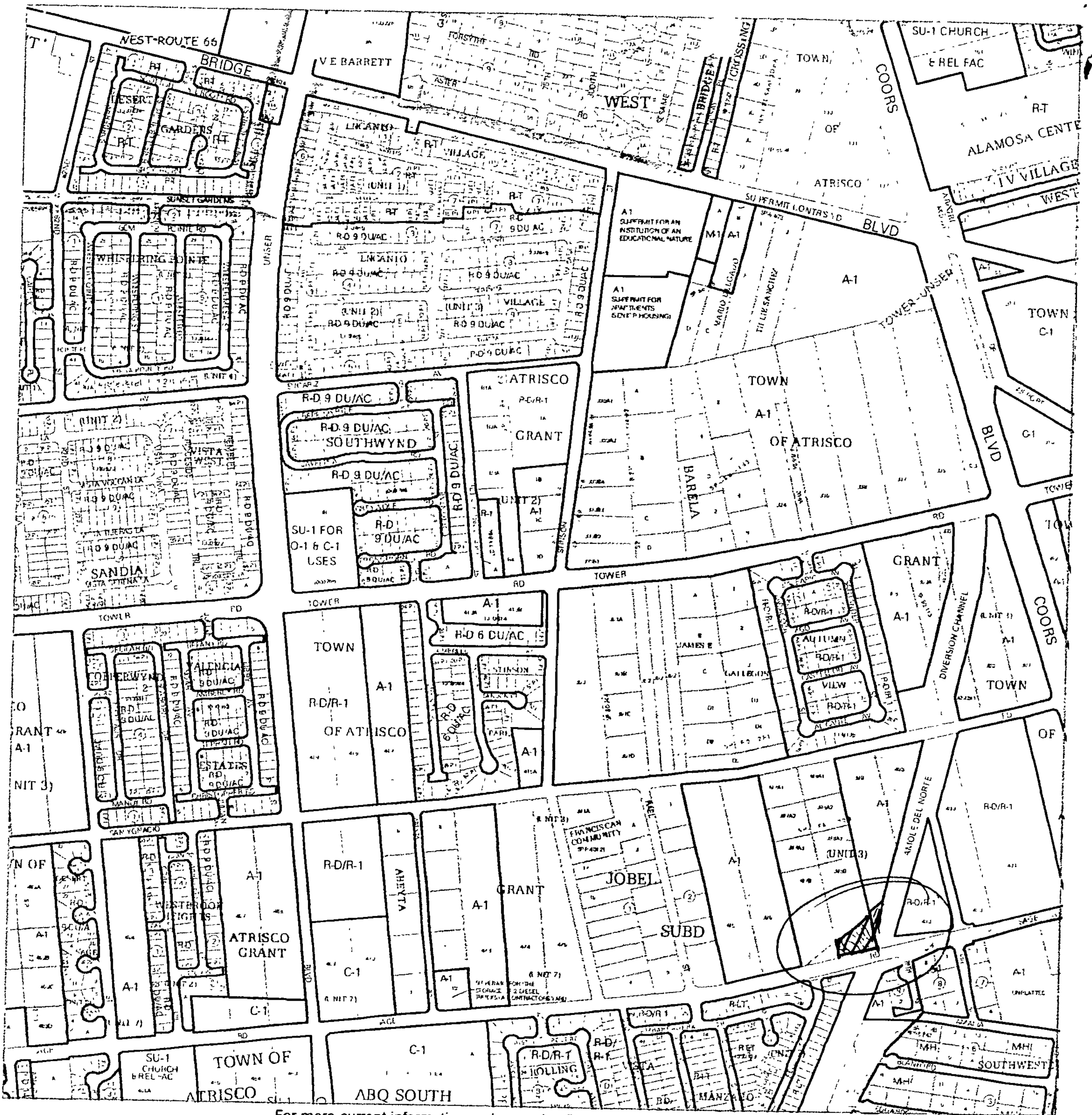
We are applying for vacation action of that part of the Amole Del Norte Diversion Facility which lies adjacent to south side of referenced property and north adjacent to Sage Rd. SW.

Previous inquiries by Mr. Joe M. Cruz bring forth the suggestion that vacation action approval is likely.

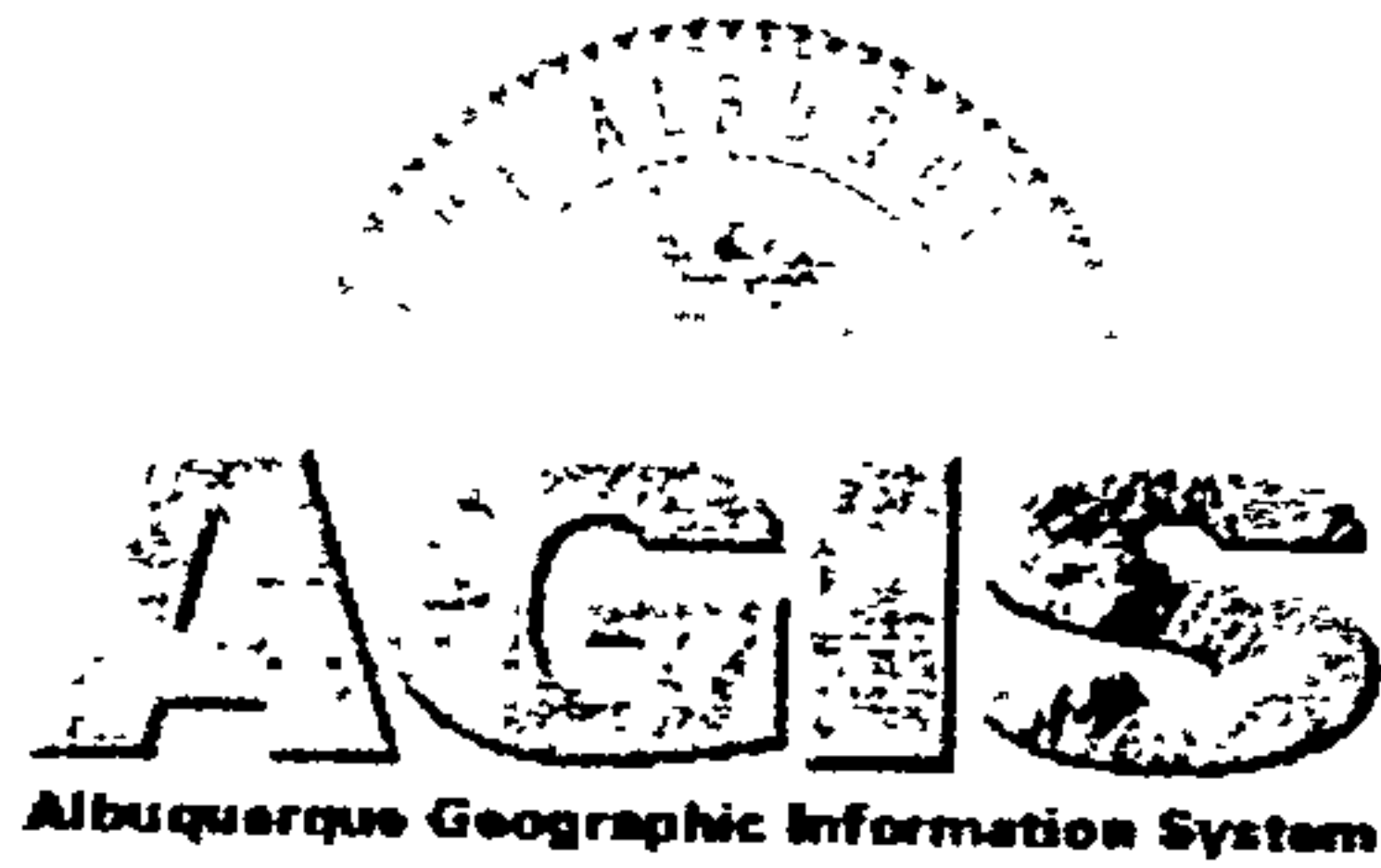
An examination of proposed vacation action shows no evidence of any use of this parcel by any parties or any need of some by Diversion Facility. We are not requesting any zoning change.

  
Joseph B. Garcia  
(505) 991-4755

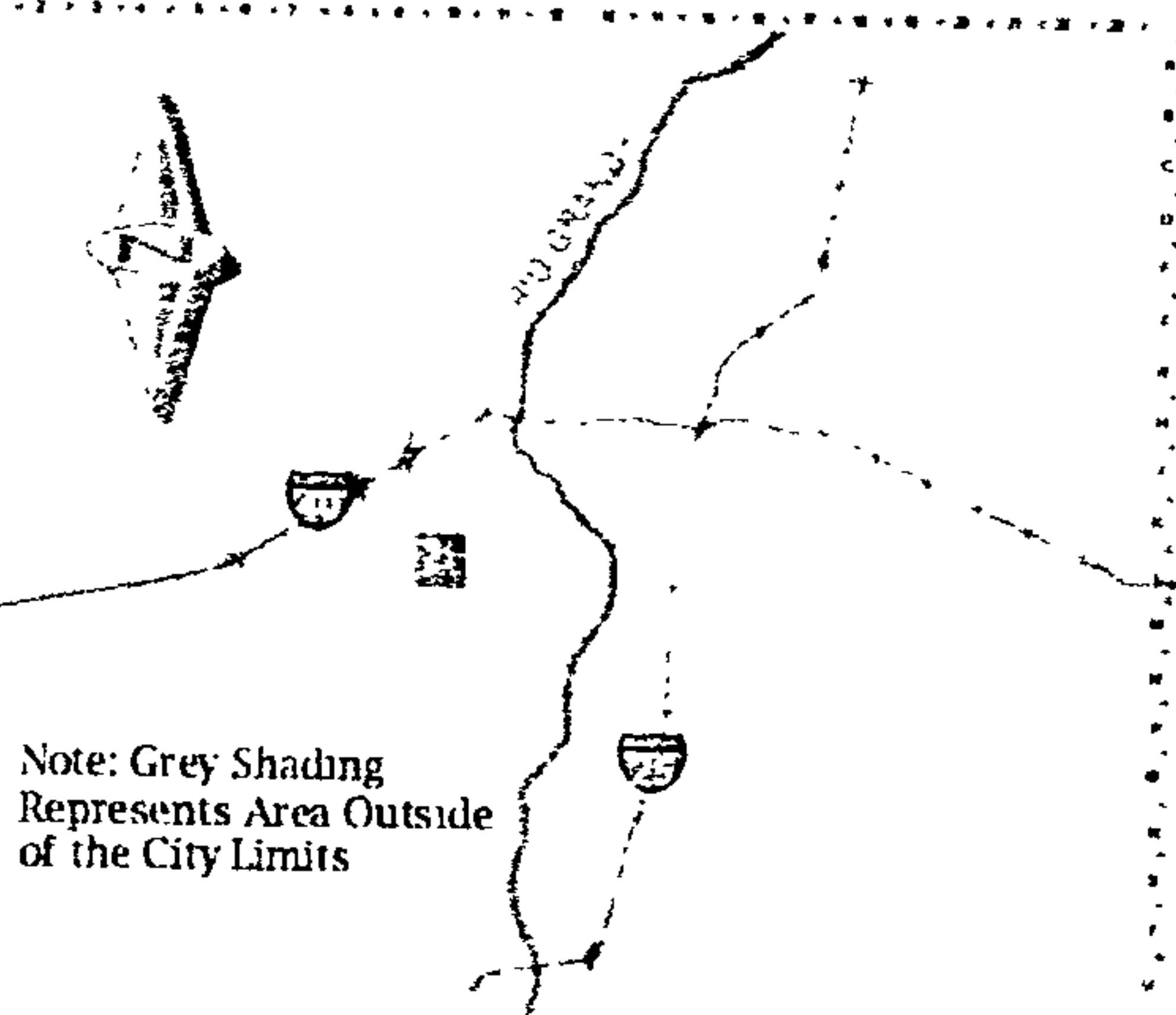




For more current information and more details visit: <http://www.cabq.gov/gis>



Map amended through: 2/18/2007



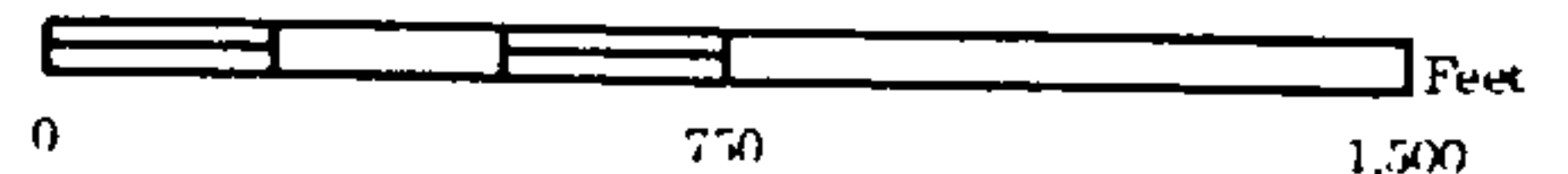
Note: Grey Shading Represents Area Outside of the City Limits

Zone Atlas Page:

# L-10-Z

Selected Symbols

- SECTOR PLANS
- Design Overlay Zones
- City Historic Zones
- H-1 Buffer Zone
- Petroglyph Mon.
- Escarpment
- 2 Mile Airport Zone
- Airport Noise Contours
- Wall Overlay Zone



# SIGN POSTING AGREEMENT

## REQUIREMENTS

### POSTING SIGNS ANNOUNCING PUBLIC HEARINGS

All persons making application to the City under the requirements and procedures established by the City Zoning Code or Subdivision Ordinance are responsible for the posting and maintaining of one or more signs on the property which the application describes. Vacations of public rights-of-way (if the way has been in use) also require signs. Waterproof signs are provided at the time of application. If the application is mailed, you must still stop at the Development Services Front Counter to pick up the sign.

The applicant is responsible for ensuring that the signs remain posted throughout the 15-day period prior to public hearing. Failure to maintain the signs during this entire period may be cause for deferral or denial of the application. Replacement signs for those lost or damaged are available from the Development Services Front Counter at a charge of \$3.75 each.

1. LOCATION

- A. The sign shall be conspicuously located. It shall be located within twenty feet of the public sidewalk (or edge of public street). Staff may indicate a specific location.
- B. The face of the sign shall be parallel to the street, and the bottom of the sign shall be at least two feet from the ground.
- C. No barrier shall prevent a person from coming within five feet of the sign to read it.

2. NUMBER

- A. One sign shall be posted on each paved street frontage. Signs may be required on unpaved street frontages.
- B. If the land does not abut a public street, then, in addition to a sign placed on the property, a sign shall be placed on and at the edge of the public right-of-way of the nearest paved City street. Such a sign must direct readers toward the subject property by an arrow and an indication of distance.

3. PHYSICAL POSTING

- A. A heavy stake with two crossbars or a full plywood backing works best to keep the sign in place, especially during high winds.
- B. Large headed nails or staples are best for attaching signs to a post or backing; the sign tears out less easily.

4. TIME

Signs must be posted from JAN 29, 2008 To FEB. 13, 2008

5. REMOVAL

- A. The sign is not to be removed before the initial hearing on the request.
- B. The sign should be removed within five (5) days after the initial hearing.

I have read this sheet and discussed it with the Development Services Front Counter Staff. I understand (A) my obligation to keep the sign(s) posted for (15) days and (B) where the sign(s) are to be located. I am being given a copy of this sheet.

[Signature]  
(Applicant or Agent)

1-14-08  
(Date)

I issued 1 signs for this application, 01/14/08 [Signature]  
(Date) (Staff Member)

DRB PROJECT NUMBER: 1007051



# CITY OF ALBUQUERQUE



## CITY OF ALBUQUERQUE PLANNING DEPARTMENT HYDROLOGY DEVELOPMENT SECTION

### DEVELOPMENT REVIEW BOARD--SPEED MEMO

**DRB CASE NO/PROJECT NO: 1007051**

**AGENDA ITEM NO: 2**

**SUBJECT:**

Vacation

**ACTION REQUESTED:**

REV/CMT:() APP:(x) SIGN-OFF:() EXTN:() AMEND:()

P.O. Box 1293

**ENGINEERING COMMENTS:**

Albuquerque

The Hydrology Section has no objection to the vacation request but will need **all** as-builts of record to determine how much R/W to retain. Infrastructure will be required for subsequent platting action.

New Mexico 87103

**RESOLUTION:** *w/ conditions*

www.cabq.gov

APPROVED ; DENIED ; DEFERRED ; COMMENTS PROVIDED ; WITHDRAWN

SIGNED-OFF: (SEC-PLN) (SP-SUB) (SP-BP) (FP) BY: (UD) (CE) (TRANS) (PKS) (PLNG)

DELEGATED: (SEC-PLN) (SP-SUB) (SP-BP) (FP) TO: (UD) (CE) (TRANS) (PKS) (PLNG)

FOR:

**SIGNED:** Bradley L. Bingham  
City Engineer/AMAFCA Designee  
924-3986

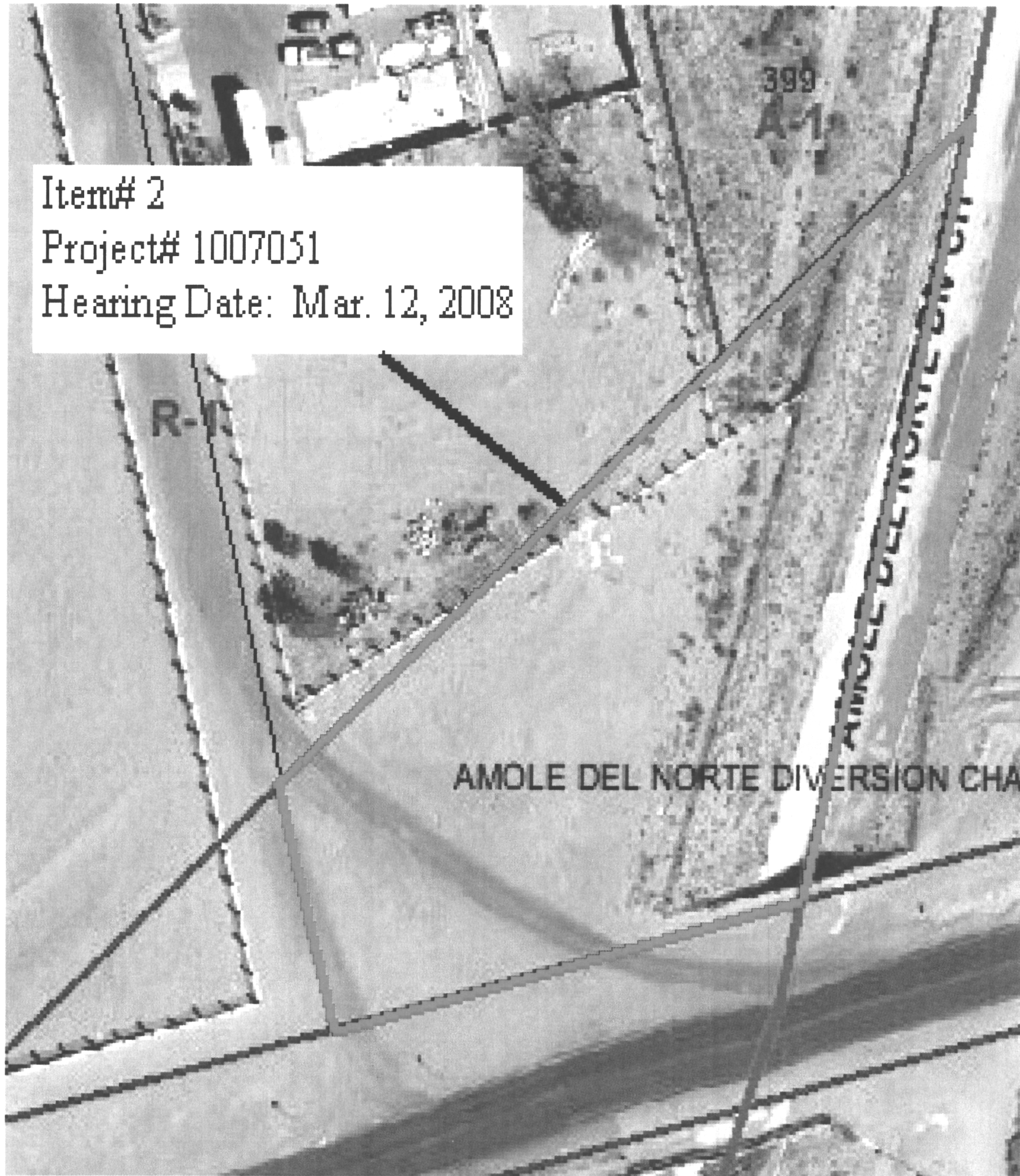
**DATE:** March 12, 2008

# DRB PUBLIC HEARING SIGN IN SHEETS

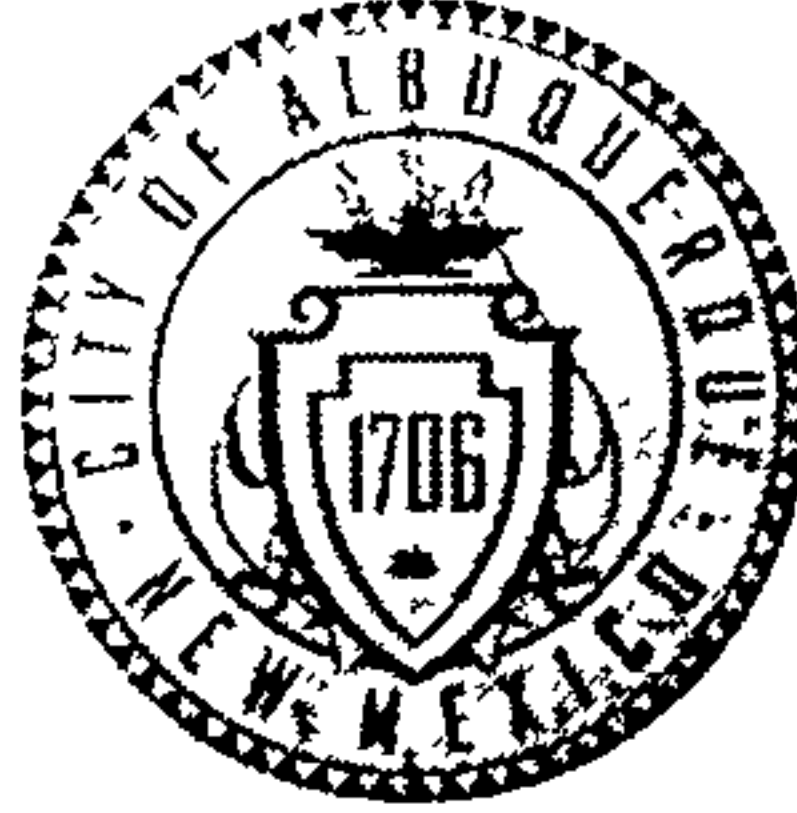
PROJECT #: 1007051 AGENDA# 2 DATE: 3/12/08

1. Name: \_\_\_\_\_ Address: \_\_\_\_\_ Zip: \_\_\_\_\_
2. Name: \_\_\_\_\_ Address: \_\_\_\_\_ Zip: \_\_\_\_\_
3. Name: \_\_\_\_\_ Address: \_\_\_\_\_ Zip: \_\_\_\_\_
4. Name: \_\_\_\_\_ Address: \_\_\_\_\_ Zip: \_\_\_\_\_
5. Name: \_\_\_\_\_ Address: \_\_\_\_\_ Zip: \_\_\_\_\_
6. Name: \_\_\_\_\_ Address: \_\_\_\_\_ Zip: \_\_\_\_\_
7. Name: \_\_\_\_\_ Address: \_\_\_\_\_ Zip: \_\_\_\_\_
8. Name: \_\_\_\_\_ Address: \_\_\_\_\_ Zip: \_\_\_\_\_
9. Name: \_\_\_\_\_ Address: \_\_\_\_\_ Zip: \_\_\_\_\_
10. Name: \_\_\_\_\_ Address: \_\_\_\_\_ Zip: \_\_\_\_\_
11. Name: \_\_\_\_\_ Address: \_\_\_\_\_ Zip: \_\_\_\_\_
12. Name: \_\_\_\_\_ Address: \_\_\_\_\_ Zip: \_\_\_\_\_
13. Name: \_\_\_\_\_ Address: \_\_\_\_\_ Zip: \_\_\_\_\_
14. Name: \_\_\_\_\_ Address: \_\_\_\_\_ Zip: \_\_\_\_\_
15. Name: \_\_\_\_\_ Address: \_\_\_\_\_ Zip: \_\_\_\_\_
16. Name: \_\_\_\_\_ Address: \_\_\_\_\_ Zip: \_\_\_\_\_
17. Name: \_\_\_\_\_ Address: \_\_\_\_\_ Zip: \_\_\_\_\_









**DEVELOPMENT REVIEW BOARD  
ACTION SHEET**

**Plaza del Sol Hearing Room, Basement, Plaza del Sol Building**

February 13, 2008 9:00 AM  
MEMBERS:

**Jack Cloud, AICP, DRB Chairman, Planning Department**  
**Angela Gomez, Administrative Assistant**

**Kristal Metro, P.E., Transportation Development**      **Roger Green, P.E., Albuquerque/ Bernalillo Co.WUA**  
**Brad Bingham, P.E., Hydrology/ Alternate City Engineer**      **Christina Sandoval, Parks/Municipal Development**

**CASES WHICH REQUIRE PUBLIC NOTIFICATION**  
**MAJOR SUBDIVISIONS, VACATIONS, SIA EXTENSIONS AND SITE DEVELOPMENT PLANS**

1. **Project# 1001789**  
08DRB-70031 1YR YEAR EXTENSION OF  
SUBDIVISION IMPROVEMENTS  
JASON DASKALOS request(s) the above action(s) for all  
or a portion of Lot(s) 28-A-1, Block 6 **MONTE VISTA**  
**ADDN**, zoned CCR, located on CENTRAL AVE NE  
BETWEEN WELLESLEY NE AND TULANE NE  
containing approximately 0.8483 acre(s). (K-16)  
**THE ONE YEAR EXTENSION OF THE SUBDIVISION**  
**IMPROVEMENT AGREEMENT (SIA) WAS APPROVED.**
2. **Project# 1004972**  
08DRB-70020 VACATION OF PUBLIC  
RIGHT-OF-WAY  
ROBERT WESTFALL request(s) the above action(s) for  
all or a portion of Spruce Street NE, adjacent to Lot 1,  
Block 27, **COUNTRY CLUB ADDITION**, zoned R-1,  
located on the north side of SIGMA CHI RD NE  
BETWEEN ENCINO PL NE AND UNIVERSITY BLVD  
NE (J-15) **THE VACATION WAS DENIED.**
3. **Project#-1007051**  
~~08DRB-70014 VACATION OF PUBLIC~~  
~~RIGHT-OF-WAY~~  
JOSEPH B. GARCIA agent(s) for JOE M. CRUZ  
request(s) the above action(s) for all or a portion of **THE**  
**AMOLE DEL NORTE DIVERSION**, adjacent to Tract  
398-B, Town of Atrisco Grant Unit 3, zoned A-1 (County),  
located on the north side of SAGE RD SW BETWEEN 75<sup>th</sup>  
ST AND RAEL ST SW containing approximately 0.83  
acre(s). (L-10) **DEFERRED TO 3/15/08 AT THE**  
**AGENT'S REQUEST.**



4. **Project# 1000376**  
08DRB-70033 - 1YR YEAR EXTENSION  
OF SUBDIVISION IMPROVEMENTS

TIERRA WEST LLC agent(s) for CAPITAL ALLIANCE INVESTMENTS request(s) the above action(s) for all or a portion of Lot(s) 1-117 Unit 1 & 1-35 Unit 2, **PARADISE SKIES UNITS 1 & 2**, zoned R-LT, located on BANDELIER DRIVE NW BETWEEN MCMAHON BLVD NW AND UNSER BLVD NW containing approximately 23.2 acre(s). (A-11) **THE ONE YEAR EXTENSION OF THE SUBDIVISION IMPROVEMENT AGREEMENT (SIA) WAS APPROVED.**

5. **Project# 1001249**  
08DRB-70032 VACATION OF PUBLIC  
EASEMENT

TIERRA WEST LLC agent(s) for GOODMAN REALTY GROUP request(s) the above action(s) on a portion of Tract(s) A, **SNOW VISTA INVESTORS**, zoned C-1 (SC), located on 98TH ST SW BETWEEN SAGE RD SW AND BENAVIDES RD SW containing approximately 10.7651 acre(s). (M-9) **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. CONDITION OF FINAL PLAT : EXISTING SANITARY SEWER LINE MUST BE RELOCATED AND APPROVED TO A NEW ALIGNMENT PER ABCWUA.**

6. **Project# 1007063**  
08DRB-70030 VACATION OF PUBLIC  
EASEMENT

PRECISION SURVEYS INC agent(s) for LARDNER FAMILY REVOCABLE LIVING TRUST request(s) the above action(s) on a portion of Tract(s) A, **LLD SUBDIVISION**, zoned M-1, located on PAN AMERICAN FREEWAY NE BETWEEN COMMERCE DR NE AND OFFICE BLVD NE containing approximately 3.463 acre(s). (F-16, F-17) **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. THE VACATION MUST BE SHOWN ON THE PLAT.**

7. **Project# 1006953**  
07DRB-70406 VACATION OF PUBLIC  
EASEMENT

LOGAN HALL request(s) the above action(s) for all or a portion of Lot(s) 1-A, Block(s) 4, **TERRACE ADDITION**, zoned SU-2/NCR, located on LEAD AVE SE BETWEEN LOCUST AVE SE AND ELM ST SE containing approximately 0.4539 acre(s). (K-15) *(Deferred from 12/19/07, 12/23/07 & 2/6/08)* **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 TURN AROUND IS NOT REQUIRED BASED ON EXISTING CONDITIONS.**

8. **Project# 1006001**  
08DRB-70052 MINOR - PRELIMINARY/  
FINAL PLAT APPROVAL  
08DRB-70005 VACATION OF PUBLIC  
EASEMENT  
08DRB-70007 VACATION OF PRIVATE  
EASEMENT

BOHANNAN HUSTON INC agent(s) for MESA DEL SOL LLC request(s) the above action(s) for all or a portion of Tract(s) 22, **MESA DEL SOL INNOVATION PARK**, zoned PC, located on UNIVERSITY BLVD SE BETWEEN EASTMAN AVE SE AND STRYKER SE containing approximately 15.82 acre(s). (R-16) *(Deferred from 1/30/08 & 2/6/08)* **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 WITH CONDITIONS. WITH THE SIGNING OF THE INFRASTRUCTURE LIST DATED 2/13/08 THE PRELIMINARY PLAT WAS APPROVED SUBJECT TO VERIFICATION WITH THE CITY ATTORNEY REGARDING APPROPRIATE MAINTENANCE OF TRACT 22C. THE FINAL PLAT WAS INDEFINITELY DEFERRED.**

**SITE DEVELOPMENT PLANS (EPC FINAL SIGN-OFF) AMENDED PLANS AND  
MASTER DEVELOPMENT PLANS (CITY COUNCIL FINAL SIGN-OFF)**

9. **Project# 1004075**  
07DRB-70453 LEVEL B PLAN PHSE 2  
DRB FINAL SIGNOFF

DENISH & KLINE ASSOCIATES agent(s) for FOREST CITY COVINGTON NM LLC request(s) the above action(s) for all or a portion of **MESA DEL SOL LEVEL B MASTER PLAN**, zoned PC/PLANNED COMMUNITY, located on EAST OF BROADWAY SE SOUTH OF LOS PICARDOS SE, containing approximately 3,082 acre(s). *(Deferred from 1/9/08, 1/16/08 & 1/30/08, 2/6/08)* **LEVEL B PLAN RECEIVED FINAL SIGNOFF SUBJECT TO CONCURRENCE FROM CITY ENGINEER AND CITY ATTORNEY REGARDING THE PROCESS FLOWCHART.**

10. **Project# 1002404**  
08DRB-70023 EPC APPROVED SDP FOR  
BUILD PERMIT  
08DRB-70024 EPC APPROVED SDP FOR  
SUBDIVISION

GEORGE RAINHART ARCHITECT & ASSOCIATES  
agent(s) for PETERSON PROPERTIES request(s) the  
above action(s) for all or a portion of Lot(s) 1-B & 1-D,  
**LADERA INDUSTRIAL CENTER**, located on UNSER  
BLVD NW BETWEEN VISTA ORIENTE NW AND  
LADERA CHANNEL containing approximately 7.08  
acre(s). (H-9) (*Deferred from 1/23/08 & 1/30/08*)  
**INDEFINITELY DEFERRED AT THE AGENT' S  
REQUEST.**

- Project# 1002404**  
08DRB-70029 MINOR - PRELIMINARY/  
FINAL PLAT APPROVAL

SURV-TEK INC agent(s) for PETERSON INV-  
98TH/UNSER LLC request(s) the above action(s) for all or  
a portion of Lot(s) 1-B & 1-D, **LADERA INDUSTRIAL  
CENTER**, zoned SU-1 LIGHT INDUSTRIAL, located on  
UNSER BLVD NW AND VISTA ORIENTE ST NW  
containing approximately 7.0919 acre(s). (H-9) (*Deferred  
from 1/30/08*) **INDEFINITELY DEFERRED AT THE  
AGENT' S REQUEST.**

**MINOR PLATS, FINAL (MAJOR) PLATS, AMENDED PLATS AND PLANS**

11. **Project# 1005513**  
08DRB-70035 MINOR - PRELIMINARY/  
FINAL PLAT APPROVAL

JACKS HIGH COUNTRY INC agent(s) for FRANK L  
AND EVELYN S BARELA request(s) the above action(s)  
for all or a portion of Tract(s) 2, **LANDS OF ALBERT  
L. MATTHEW**, zoned R-1, located on 12TH ST NW  
BETWEEN DON FRANCISCO NW AND DON  
FRANCISCO PL NW containing approximately 0.3755  
acre(s). (G-14) (*Deferred from 1/30/08*)

**WITH AN APPROVED GRADING AND DRAINAGE PLAN  
DATED 9/4/07, AND WITH THE SIGNING OF THE  
INFRASTRUCTURE LIST DATED 2/13/08, THE  
PRELIMINARY PLAT WAS APPROVED. FINAL PLAT  
WAS INDEFINITELY DEFERRED PENDING  
COMPLETION OR FINANCIAL GUARNATEE OF  
INFRASTRUCTURE. FINAL SIGN OFF WAS  
DELEGATED TO PLANNING FOR THE SITE  
DEVELOPMENT PLAN TO BE TIED TO THE  
INFRASTRUCTURE AND THE PLAT.**



12. **Project# 1003717**  
08DRB-70064 MINOR - PRELIMINARY/  
FINAL PLAT APPROVAL

SURVEYS SOUTHWEST LTD agent(s) for ERIC JOHNSON request(s) the above action(s) for all or a portion of Lot(s) 6, Block(s) 38, **EASTERN ADDITION TOGETHER WITH A PORTION OF VACATED PUBLIC ALLEY**, zoned SU-2 FOR NCR, located on AVENIDA CESAR CHAVEZ SE BETWEEN BROADWAY BLVD SE AND ARNO ST SE containing approximately 0.1102 acre(s). (L-14) **THE PRELIMINARY/FINAL PLAT WAS APPROVED WITH FINAL SIGN OFF DELEGATED TO TRANSPORTATION FOR TURN AROUND EASEMENT AND ADDITIONAL COMMENTS, AND TO PLANNING TO RECORD.**

**NO ACTION IS TAKEN ON THESE CASES:**  
**APPLICANT - AGENT IS REQUIRED TO BE AT THE MEETING**

13. **Project# 1003991**  
08DRB-70065 SKETCH PLAT REVIEW  
AND COMMENT

SURVEYS SOUTHWEST LTD agent(s) for MOUNTAIN WEST DEVELOPMENT request(s) the above action(s) for all or a portion of Lot(s) 1-P1 - 26-P1, **SAGE RANCH**, zoned RLT, located on SNOW VISTA BLVD SW BETWEEN SAGE SW AND BENAVIDES RD SW containing approximately 3.7442 acre(s). (M-9) **THE ABOVE ITEM WAS REVIEWED AND COMMENTS WERE GIVEN.**

14. **Project# 1003916**  
08DRB-70055 SKETCH PLAT REVIEW  
AND COMMENT

ISAACSON AND ARFMAN PA agent(s) for DEL RAY INVESTMENTS LLC request(s) the above action(s) for all or a portion of Tract(s) A, **MONTERRA DEL RAY Unit(s) A**, zoned SU-1/PDA, located on DERICKSON AVE NE BETWEEN LOUISIANA BLVD NE AND SAN PEDRO DR NE containing approximately 58.2994 acre(s). (D-18) **THE ABOVE ITEM WAS REVIEWED AND COMMENTS WERE GIVEN.**

15. **Project# 1007091**  
08DRB-70062 SKETCH PLAT REVIEW  
AND COMMENT

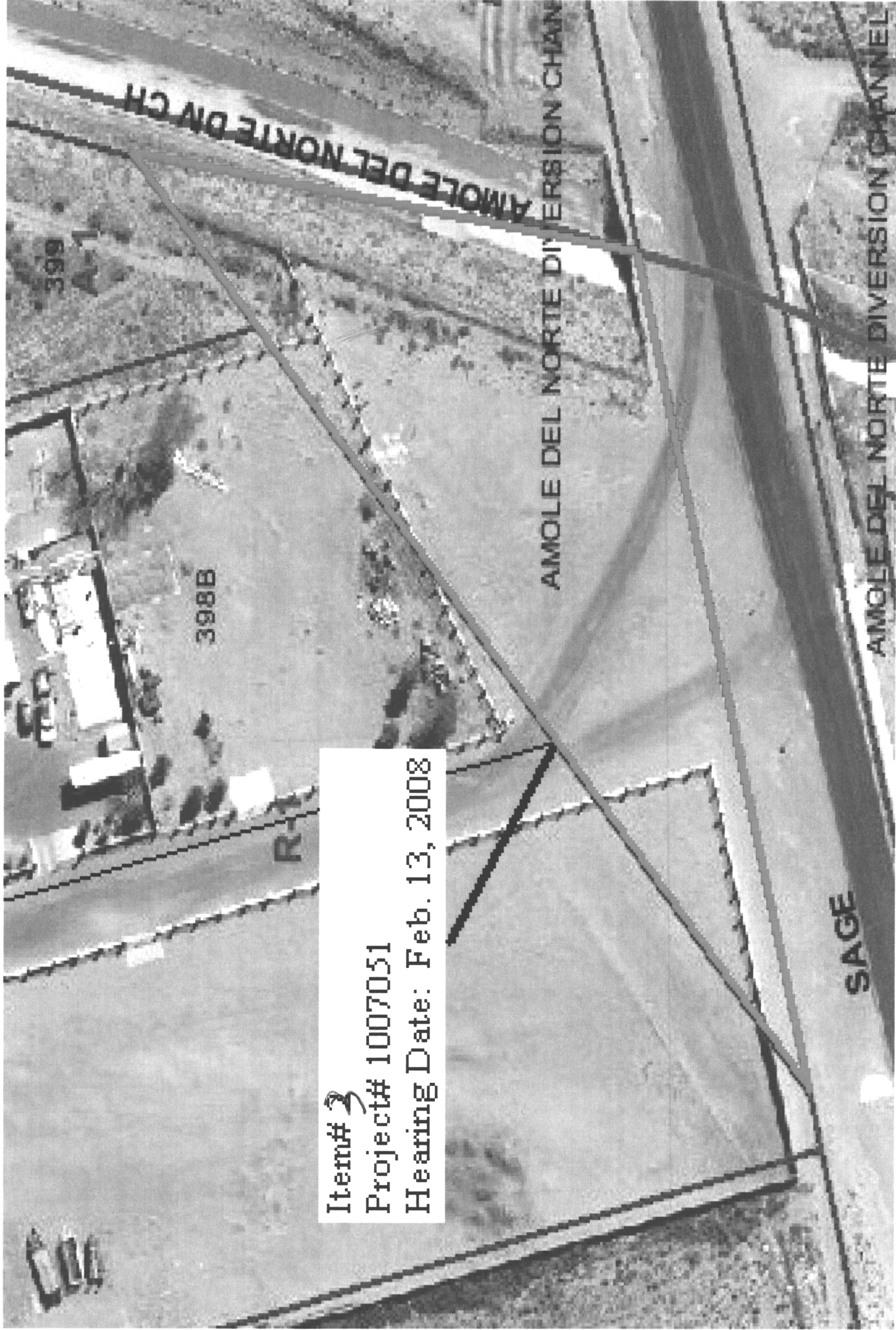
JULIE RAEL OR ROBERT GUTTIERREZ request(s) the above action(s) for all or a portion of Tract B, **AURELIA GUTIERREZ**, zoned R-1, located on GUADALUPE TRAIL NW BETWEEN SANDIA RD NW AND GRECIAN NW containing approximately 0.15 acre(s). (F-14) **THE ABOVE ITEM WAS REVIEWED AND COMMENTS WERE GIVEN.**

16. Approval of the Development Review Board Minutes for January 23, 2008.

Other Matters: None

ADJOURNED: 11:00





Item# 3  
Project# 1007051  
Hearing Date: Feb. 13, 2008





CITY OF ALBUQUERQUE  
 PLANNING DEPARTMENT  
 DEVELOPMENT REVIEW BOARD

February 13, 2008

**Project# 1007051**  
 08DRB-70014 VACATION OF PUBLIC RIGHT-OF-WAY

JOSEPH B. GARCIA agent(s) for JOE M. CRUZ request(s) the above action(s) for all or a portion of **THE AMOLE DEL NORTE DIVERSION**, adjacent to Tract 398-B, Town of Atrisco Grant Unit 3, zoned A-1 (County), located on the north side of SAGE RD SW BETWEEN 75<sup>th</sup> ST AND RAE L ST SW containing approximately 0.83 acre(s). (L-10)

<b>AMAFCA</b>																								
No comment																								
<b>COG</b>																								
MRCOG staff have no comment on this proposal. For informational purposes, Sage Rd has a functional classification of urban collector.																								
<b>TRANSIT</b>																								
No comments received.																								
<b>ZONING ENFORCEMENT</b>																								
No comments received.																								
<b>NEIGHBORHOOD COORDINATION</b>																								
Letters sent to: Stinson Tower NA (R)																								
<b>APS</b>																								
<p><b>The Amole Del Norte Diversion</b>, adjacent to Tract 398-B, Town of Atrisco Grant Unit 3, is located on the north side of Sage Rd SW between 75<sup>th</sup> St SW and Rael St SW. The owner of the above property requests a Vacation of Public Right-of-Way, for a property zoned A-1. This development currently consists of 3 single family homes, and may impact Edward Gonzales Elementary School, Truman Middle School, and West Mesa High School. Edward Gonzales Elementary School and West Mesa High School are exceeding capacity, Truman Middle School will be nearing capacity.</p> <table border="1"> <thead> <tr> <th>Loc No</th> <th>School</th> <th>2007-08 40th Day</th> <th>2007-08 Capacity</th> <th>Space Available</th> </tr> </thead> <tbody> <tr> <td>262</td> <td>Edward Gonzales</td> <td>1,253</td> <td>800</td> <td>-453</td> </tr> <tr> <td>475</td> <td>Truman</td> <td>1,087</td> <td>1,152</td> <td>65</td> </tr> <tr> <td>570</td> <td>West Mesa</td> <td>2,749</td> <td>2,632</td> <td>-117</td> </tr> </tbody> </table> <p>Atrisco Heritage Academy High School will open with a 9<sup>th</sup> grade academy in 2008, while the remainder of the school will open in 2009. Atrisco Heritage Academy High School will relieve overcrowding at West Mesa High School.</p> <p>A new southwest elementary school will open in 2009 as a K-2 elementary school. This will relieve overcrowding at Edward Gonzales Elementary School.</p> <p>To address overcrowding at schools, APS will explore various alternatives. A combination or all of</p>					Loc No	School	2007-08 40th Day	2007-08 Capacity	Space Available	262	Edward Gonzales	1,253	800	-453	475	Truman	1,087	1,152	65	570	West Mesa	2,749	2,632	-117
Loc No	School	2007-08 40th Day	2007-08 Capacity	Space Available																				
262	Edward Gonzales	1,253	800	-453																				
475	Truman	1,087	1,152	65																				
570	West Mesa	2,749	2,632	-117																				

the following options may be utilized to relieve overcrowded schools.

- Provide new capacity (long term solution)
  - Construct new schools or additions
  - Add portables
  - Use of non-classroom spaces for temporary classrooms
  - Lease facilities
  - Use other public facilities
- Improve facility efficiency (short term solution)
  - Schedule Changes
    - Double sessions
    - Multi-track year-round
  - Other
    - Float teachers (flex schedule)
- Shift students to Schools with Capacity (short term solution)
  - Boundary Adjustments / Busing
  - Grade reconfiguration
- Combination of above strategies

**All planned additions to existing educational facilities are contingent upon taxpayer approval**

**POLICE DEPARTMENT**

No action required at present.

**FIRE DEPARTMENT**

No comments received.

**PNM ELECTRIC & GAS**

No comments received.

**COMCAST**

No comments received.

**QWEST**

No comments received.

**ENVIRONMENTAL HEALTH**

No comments received.

**M.R.G.C.D**

No Adverse Comments.

**OPEN SPACE DIVISION**

Open Space has no adverse comments

**CITY ENGINEER**

City Hydrology does not have enough information to approve vacation. Provide as-built drawings of the channel and stormdrain in Sage in order to justify this request.

**TRANSPORTATION DEVELOPMENT**

Additional information must be required to determine the necessary right of way for Sage Road. As-builts must be provided for this area.

**PARKS AND RECREATION**

Defer to Hydrology.

**ABCWUA**

No objection to Vacation request.

**PLANNING DEPARTMENT**

Refer to comments from City Hydrology and AMAFCA regarding proposed vacation.

**IMPACT FEE ADMINISTRATOR**

No comment on the proposed vacation of the public right-of-way.

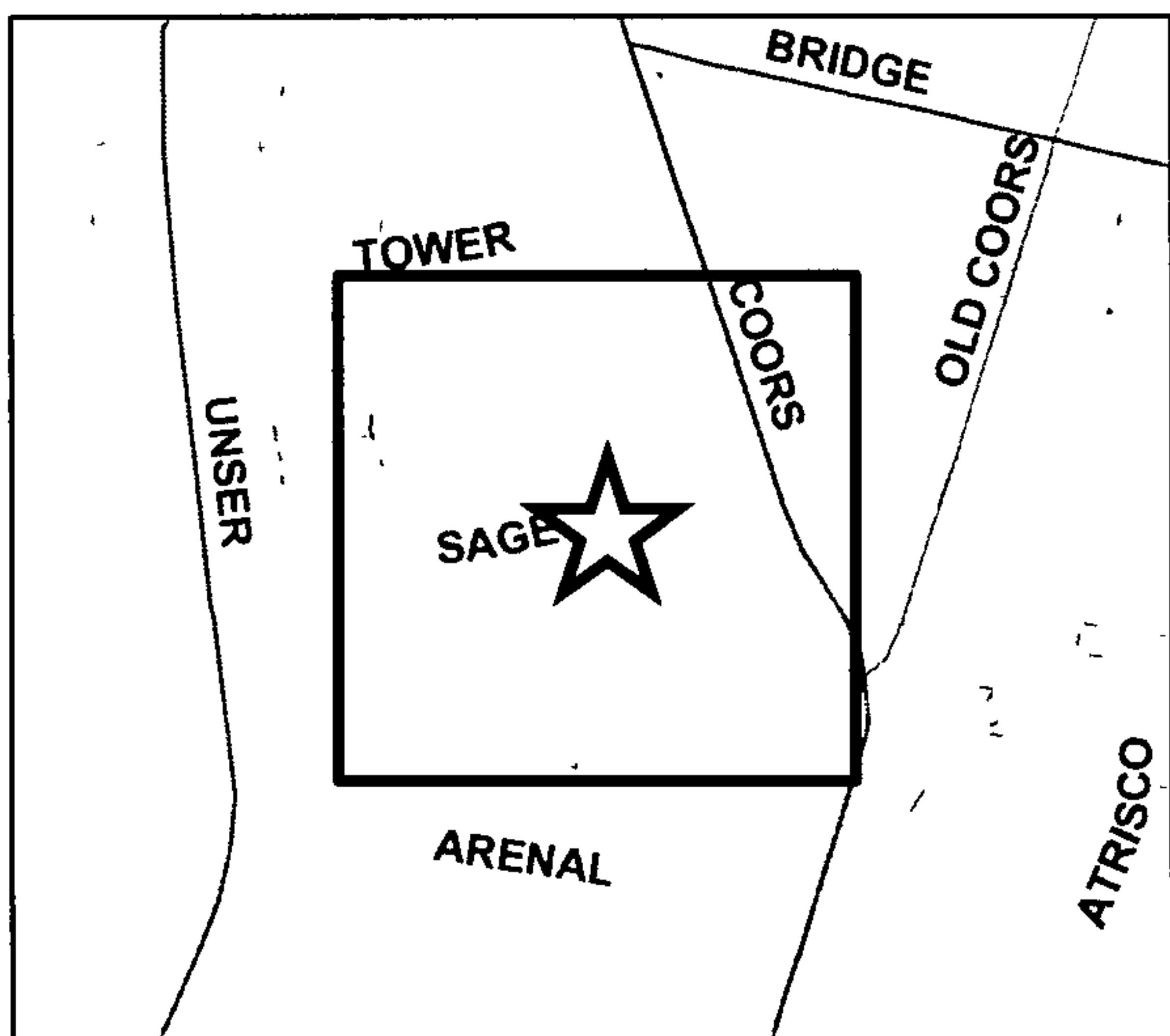
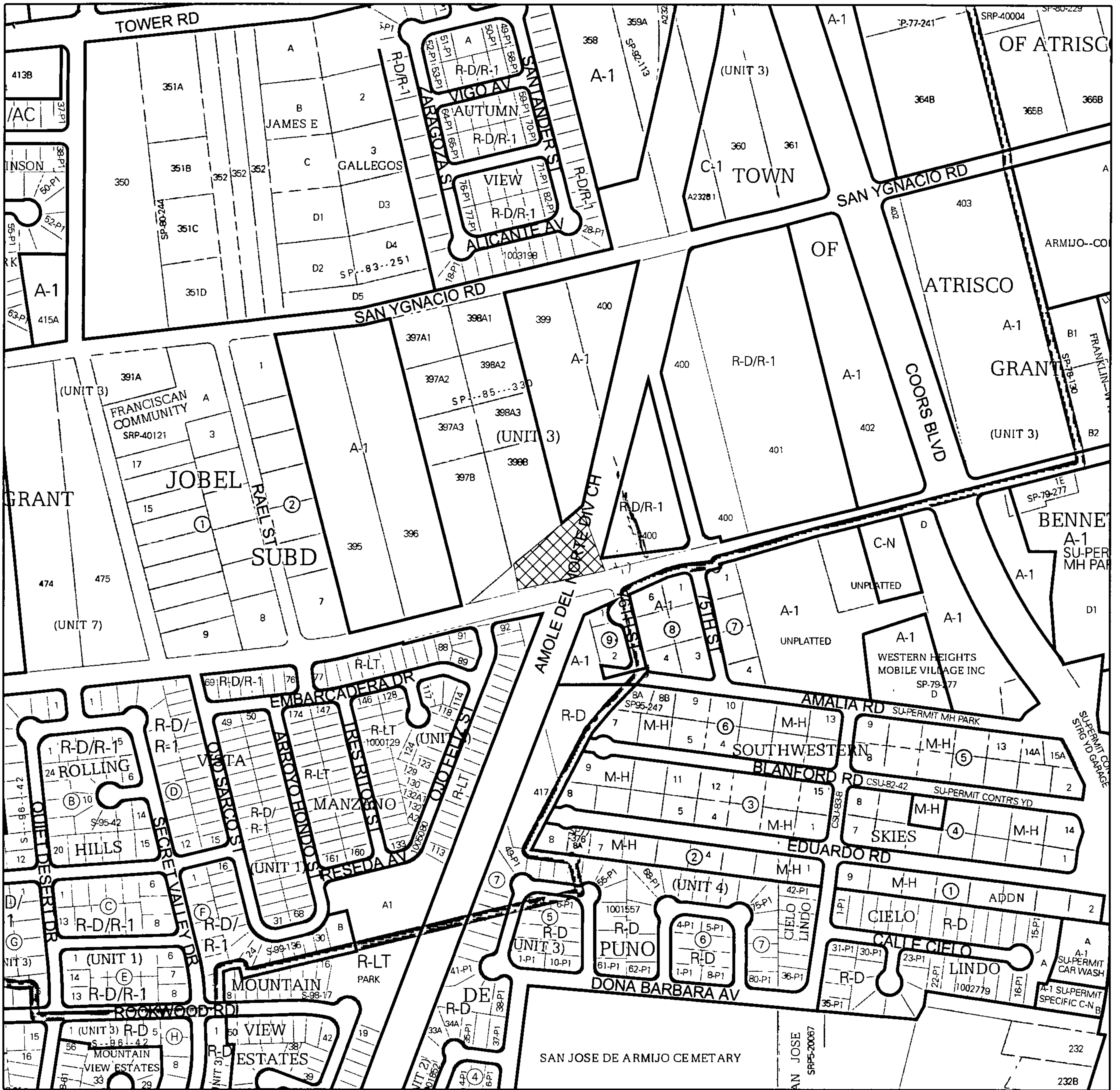
**IT IS REQUIRED THAT THE APPLICANT AND/OR AGENT BE PRESENT AT THE HEARING**

Cc: Joseph B. Garcia – 3109 Love SW – Albuquerque, NM 87105

Cc: Joe M. Cruz – 3616 San Ygnacio SW – Albuquerque, NM 87105

*look to west - checks w / County*





# ZONING MAP

Note: Grey shading indicates County.



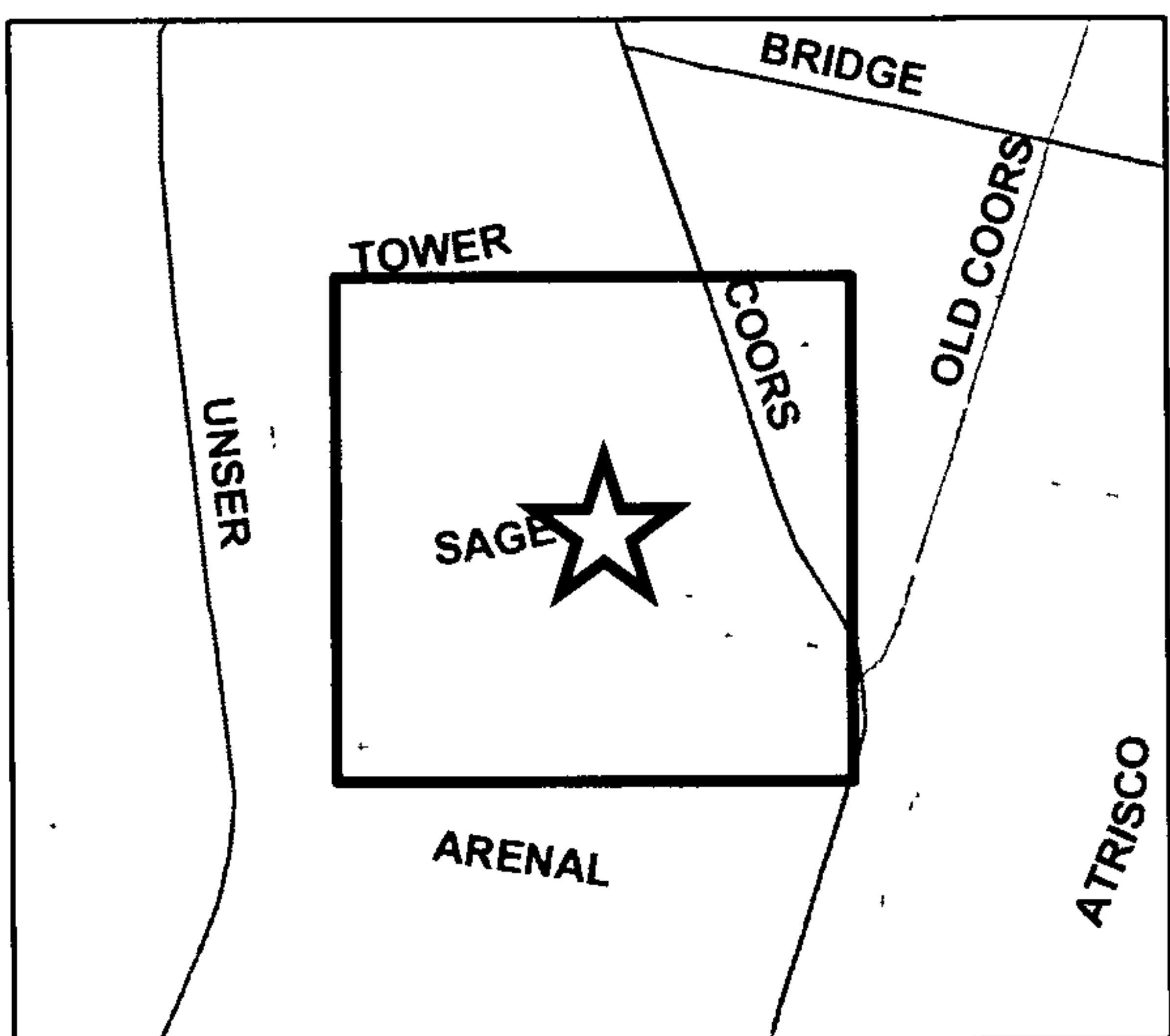
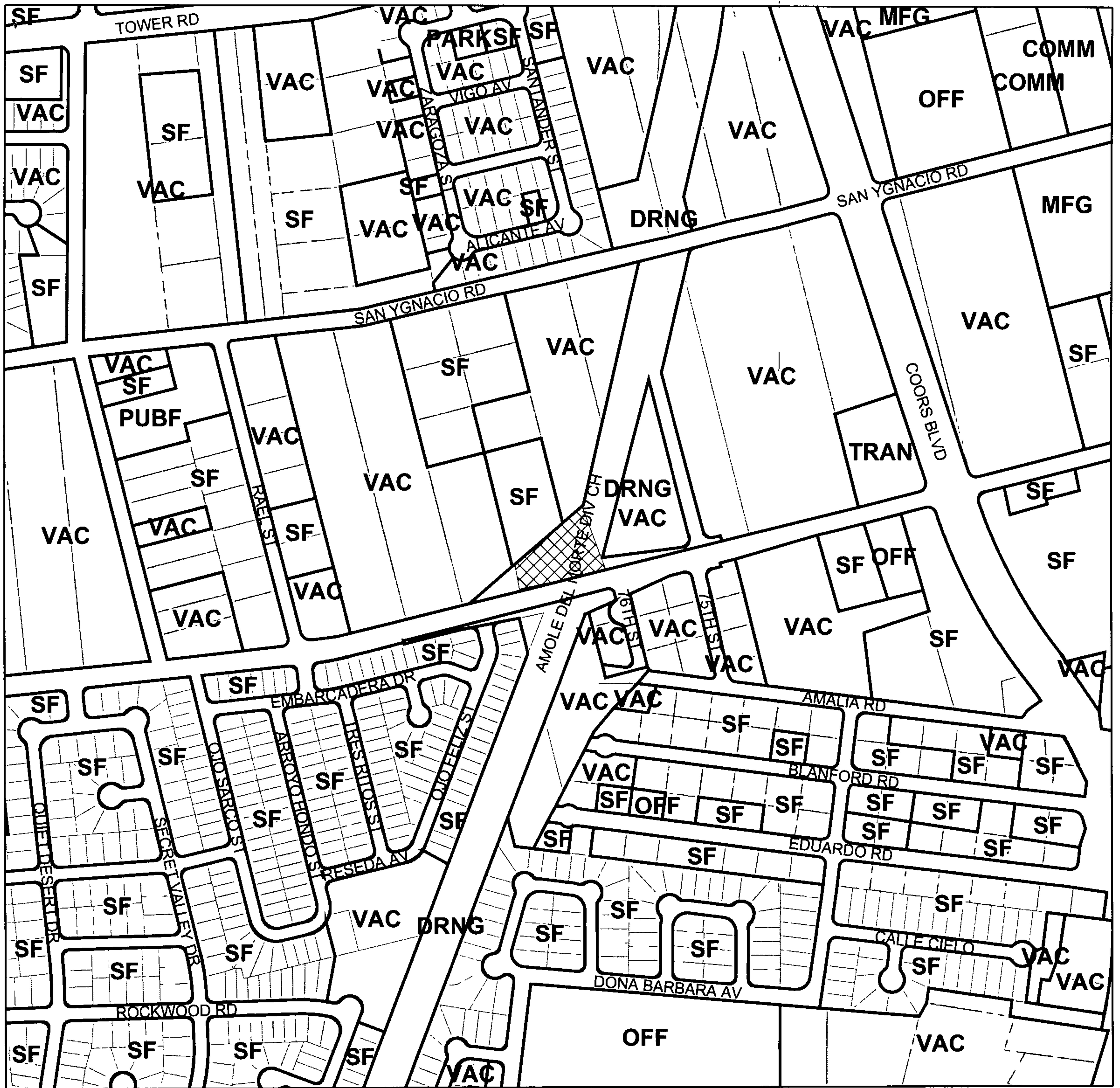
1 inch equals 500 feet

Project Number:  
1007051

Hearing Date:  
2-13-08

Zone Map Page:  
L-10

Additional Case Numbers:  
08DRB-70014



# LAND USE MAP

Note: Grey shading indicates County.

## KEY to Land Use Abbreviations

- AGRI Agricultural
- COMM Commercial - Retail
- DRNG Drainage
- MFG Manufacturing or Mining
- MULT Multi-Family or Group Home
- OFF Office
- PARK Park, Recreation, or Open Space
- PRKG Parking
- PUBF Public Facility
- SF Single Family
- TRAN Transportation Facility
- VAC Vacant Land or Abandoned Buildings
- WH Warehousing & Storage



1 inch equals 500 feet

Project Number:

1007051

Hearing Date:

2-13-08

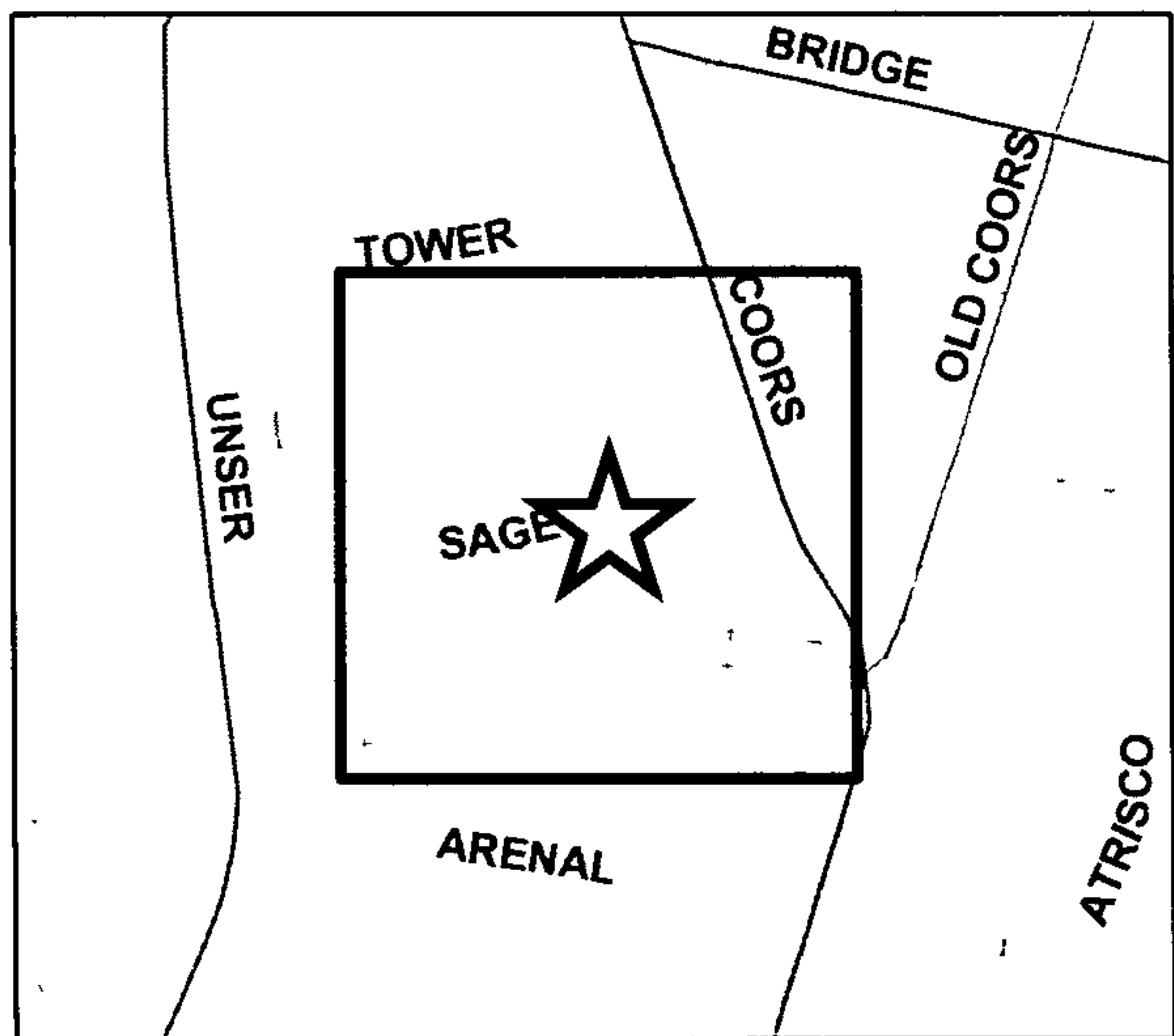
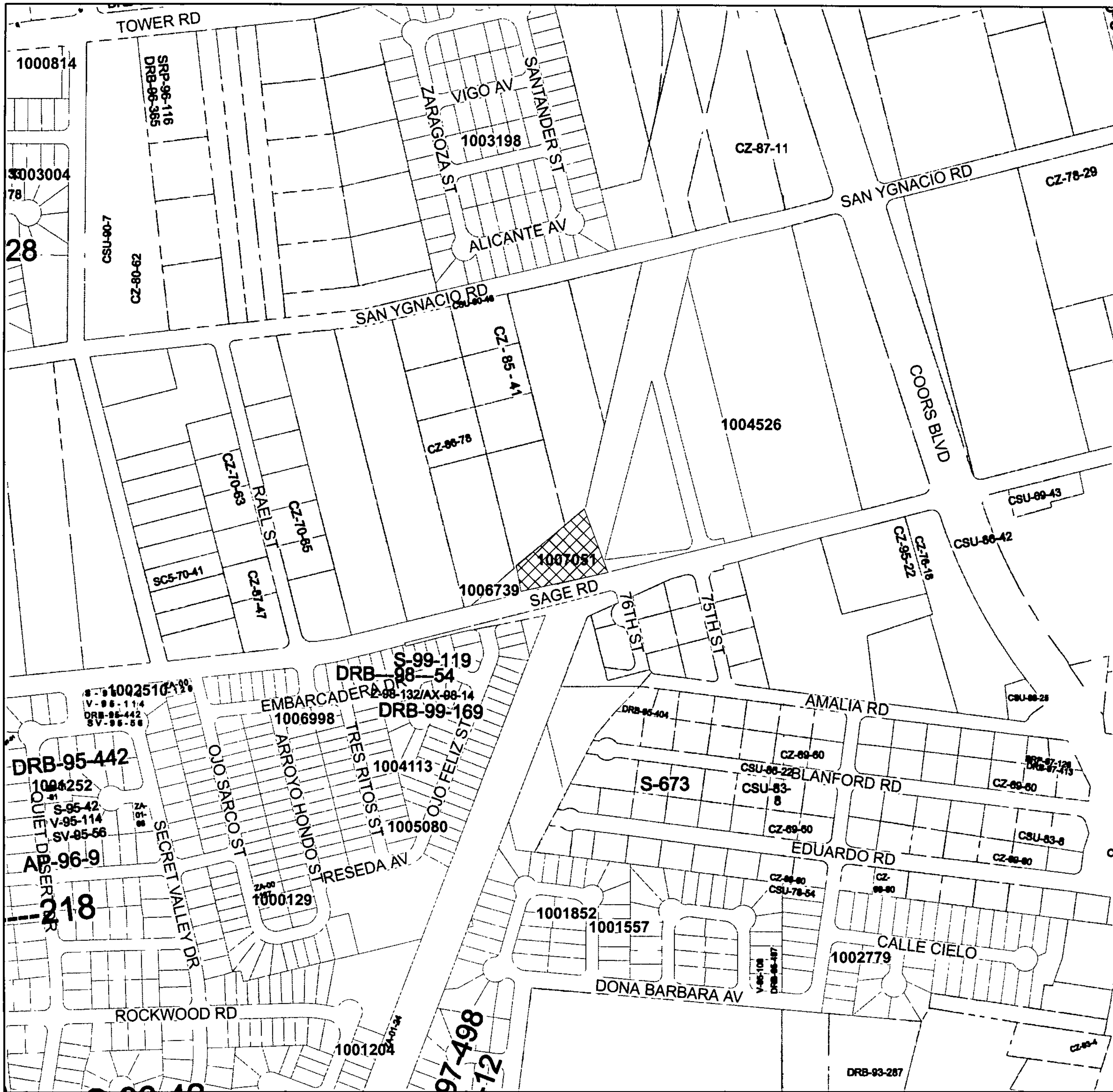
Zone Map Page:

L-10

Additional Case Numbers:

08DRB-70014





# HISTORY MAP

Note: Grey shading indicates County.



1 inch equals 500 feet

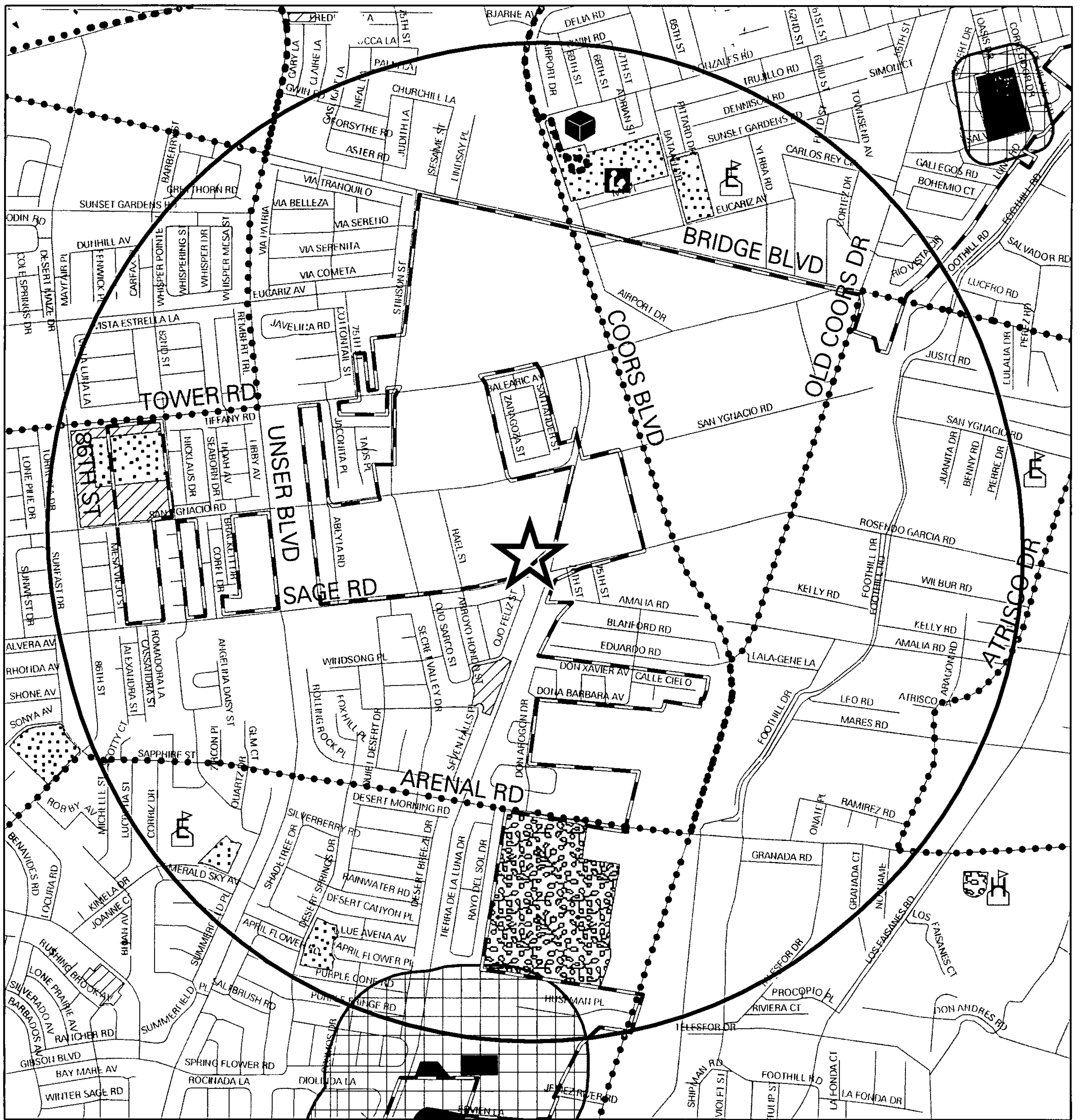
Project Number:  
1007051

Hearing Date:  
2-13-08

Zone Map Page:  
L-10

Additional Case Numbers:  
08DRB-70014



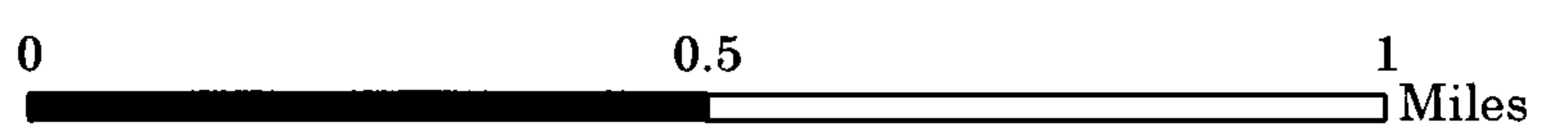


## Public Facilities Map with One-Mile Site Buffer

- |                      |                             |                             |                         |
|----------------------|-----------------------------|-----------------------------|-------------------------|
| COMMUNITY CENTER     | FIRE                        | APS Schools                 | Developed County Park   |
| MULTI-SERVICE CENTER | POLICE                      | ABQ Ride Routes             | Undeveloped County Park |
| SENIOR CENTER        | SHERIFF                     | AGIS Jurisdiction           | Developed City Park     |
| LIBRARY              | SOLID WASTE                 | Landfill Buffer (1000 feet) | Undeveloped City Park   |
| MUSEUM               | Landfills designated by EHD |                             |                         |



Project Number: 1007051



**City of Albuquerque Planning Department**  
**One Stop Shop – Development and Building Services**

01/14/2008 Issued By: PLNSDH

**Permit Number: 2008 070 014** ; **Category Code 910**

**Application Number:** 08DRB-70014, Vacation Of Public Right-Of-Way

**Address:**

**Location Description:** SAGE RD SW BETWEEN 75THST AND RAEI ST SW

**Project Number:** 1007051

**Applicant**  
*Joe M Cruz*

**Agent / Contact**  
*Joseph B Garcia*

3818 San Ygnacio Sw  
Albuquerque NM 87105  
877-6877

3108 Love Sw  
Albuquerque NM 87105  
877-0380877-8

**Application Fees**

441018/4971000	Public Notification	\$75.00
441032/3424000	Conflict Mgmt Fee	\$20.00
441008/4983000	DRB Actions	\$300.00
<b>TOTAL:</b>		<b>\$395.00</b>

City Of Albuquerque  
Treasury Division

1/14/2008 2:33PM LOC: ANNX  
MSH 007 TRASH 0037  
RECEIPT# 00092725-00092725  
PERMIT# 2008070014 TRSMS:  
Trans Amt \$395.00  
APN Fee \$75.00  
Conflict Manag. Fee \$20.00  
DRB Actions \$300.00  
CA \$400.00  
CRANGE \$5.00

Thank You

# CITY OF ALBUQUERQUE



## CITY OF ALBUQUERQUE PLANNING DEPARTMENT HYDROLOGY DEVELOPMENT SECTION

### DEVELOPMENT REVIEW BOARD--SPEED MEMO

**DRB CASE NO/PROJECT NO: 1007051**

**AGENDA ITEM NO: 3**

**SUBJECT:**

Vacation

**ACTION REQUESTED:**

REV/CMT:() APP:(x) SIGN-OFF:() EXTN:() AMEND:()

P.O. Box 1293

**ENGINEERING COMMENTS:**

See staff report dated 2-13-08.

Albuquerque

New Mexico 87103

**RESOLUTION:**

3-12-08

APPROVED \_\_\_\_; DENIED \_\_\_\_; DEFERRED X; COMMENTS PROVIDED \_\_\_\_; WITHDRAWN

www.cabq.gov

SIGNED-OFF: (SEC-PLN) (SP-SUB) (SP-BP) (FP) BY: (UD) (CE) (TRANS) (PKS) (PLNG)

DELEGATED: (SEC-PLN) (SP-SUB) (SP-BP) (FP) TO: (UD) (CE) (TRANS) (PKS) (PLNG)

FOR:

**SIGNED:** Bradley L. Bingham  
City Engineer/AMAFCA Designee  
924-3986

**DATE:** February 13, 2008



**City of Albuquerque Planning Department**  
**One Stop Shop – Development and Building Services**

02/27/2008 Issued By: PLNSDH



**Permit Number: 2008 070 014**

**Category Code 910**

**Application Number: 08DRB-70014, Vacation Of Public Right-Of-Way**

**Address:**

**Location Description: SAGE RD SW BETWEEN 75THST AND RAEI ST SW**

**Project Number: 1007051**

**Applicant**

Joe M Cruz

3616 San Ygnacio Sw  
Albuquerque NM 87105  
877-6677

**Agent / Contact**

Joseph B Garcia

3109 Love Sw  
Albuquerque NM 87105  
877-0380877-6

**Application Fees**

441018/4971000	Public Notification	
441032/3424000	Conflict Mgmt Fee	
441006/4983000	DRB Actions	\$110.00
<b>TOTAL:</b>		<b>\$110.00</b>

City Of Albuquerque  
Treasury Division

3/3/2008 1:45PM LOC: ANNX  
WS# 008 TRANS# 0032  
RECEIPT# 00088183-00088183  
PERMIT# 2008070014 TRSDMG  
Trans Amt \$110.00  
DRB Actions \$110.00  
CA \$110.00  
CHANGE \$0.00

Thank You





### SUBDIVISION

- Major Subdivision action
- Minor Subdivision action
- Vacaton
- Variance (Non-Zoning)

### SITE DEVELOPMENT PLAN

- for Subdivision
- for Building Permit
- Administrative Amendment (AA)
- IP Master Development Plan
- Cert. of Appropriateness (LUCC)

### STORM DRAINAGE (Form D)

- Storm Drainage Cost Allocation Plan

Supplemental form

### S Z ZONING & PLANNING

- Annexation
- County Submittal
- EPC Submittal
- Zone Map Amendment (Establish or Change Zoning)
- Sector Plan (Phase I, II, III)
- Amendment to Sector, Area, Facility or Comprehensive Plan
- Text Amendment (Zoning Code/Sub Regs)
- Street Name Change (Local & Collector)
- L A APPEAL / PROTEST of...**
- Decision by: DRB, EPC, LUCC, Planning Director or Staff, ZHE, Zoning Board of Appeals

PRINT OR TYPE IN BLACK INK ONLY. The applicant or agent must submit the completed application in person to the Planning Department Development Services Center, 600 2<sup>nd</sup> Street NW, Albuquerque, NM 87102. Fees must be paid at the time of application. Refer to supplemental forms for submittal requirements.

### APPLICATION INFORMATION:

Professional/Agent (if any): Joseph B. Garcia PHONE: (505) 877-0380  
 ADDRESS: 3109 Love SW (Office) FAX: (505) 877-6655  
 CITY: Albuquerque STATE NM ZIP 87105 E-MAIL: Joeg@Starpaving.com

APPLICANT: Joe M. Cruz PHONE: 877-6677  
 ADDRESS: 3616 SanYgnacio SW(Home) FAX: 877-6655  
 CITY: Albuquerque STATE NM ZIP 87105 E-MAIL: JoeC@Starpaving.com  
 Proprietary interest in site: \_\_\_\_\_ List all owners: \_\_\_\_\_

DESCRIPTION OF REQUEST: The purpose of this plot is to vacate a portion of the Amole Del Norte Diversion Facility (adjoining parcel)

Is the applicant seeking incentives pursuant to the Family Housing Development Program?  Yes.  No

### SITE INFORMATION: ACCURACY OF THE EXISTING LEGAL DESCRIPTION IS CRUCIAL! ATTACH A SEPARATE SHEET IF NECESSARY.

Lot or Tract No. Portion of the Amole Del Norte Diversion Fac. Block: \_\_\_\_\_ Unit: \_\_\_\_\_  
 Subdiv/Addn/TBKA: \_\_\_\_\_  
 Existing Zoning: A 1 Proposed zoning: No change MRGCD Map No \_\_\_\_\_  
 Zone Atlas page(s): L-10 UPC Code: 101005644811240509

### CASE HISTORY:

List any current or prior case number that may be relevant to your application (Proj., App., DRB-, AX, Z, V, S, etc):  
none

### CASE INFORMATION:

Within city limits?  Yes Within 1000FT of a landfill? no  
 No. of existing lots: 1 No. of proposed lots: 1 Total area of site (acres): 0.83 M/L  
 LOCATION OF PROPERTY BY STREETS: On or Near: Locate on Sage Rd. S.W.  
 Between: 75th and Rael Street S.W.

Check-off if project was previously reviewed by Sketch Plat/Plan , or Pre-application Review Team . Date of review: \_\_\_\_\_

SIGNATURE Joseph B. Garcia DATE 1/11/08  
 (Print) Joseph B. Garcia Applicant:  Agent:

### FOR OFFICIAL USE ONLY

- INTERNAL ROUTING
- All checklists are complete
- All fees have been collected
- All case #s are assigned
- AGIS copy has been sent
- Case history #s are listed
- Site is within 1000ft of a landfill
- F.H.D.P. density bonus
- F.H.D.P. fee rebate

Application case numbers	Action	S.F.	Fees
<u>08DRB-70014</u>	<u>VRW</u>	<u>✓</u>	<u>\$ 300.00</u>
_____	<u>ADV</u>	_____	<u>\$ 75.00</u>
_____	<u>CMF</u>	_____	<u>\$ 20.00</u>
_____	_____	_____	<u>\$ _____</u>
_____	_____	_____	<u>\$ _____</u>
Hearing date <u>02/13/08</u>			Total <u>\$ 395.00</u>

Sandy Handley 01/14/08  
 Planner signature / date

Project # 1007051



FORM V: SUBDIVISION VARIANCES & VACATIONS

- BULK LAND VARIANCE (DRB04)** (PUBLIC HEARING CASE)
    - \_\_\_ Application for Minor Plat on FORM S-3, including those submittal requirements. **24 copies**
    - \_\_\_ Letter briefly describing and explaining: the request, compliance with the Development Process Manual, and all improvements to be waived.
    - \_\_\_ Notice on the proposed Plat that there are conditions to subsequent subdivision (refer to DPM)
    - \_\_\_ Office of Community & Neighborhood Coordination inquiry response, notifying letter, certified mail receipts
    - \_\_\_ Sign Posting Agreement
    - \_\_\_ Fee (see schedule)
    - \_\_\_ List any original and/or related file numbers on the cover application
- DRB Public hearings are approximately 30 DAYS after the filing deadline. Your attendance is required.**

- VACATION OF PUBLIC EASEMENT (DRB27)**
  - VACATION OF PUBLIC RIGHT-OF-WAY (DRB28)**
    - ✓ The complete document which created the public easement (folded to fit into an 8.5" by 14" pocket) **24 copies.**  
(Not required for City owned public right-of-way.)
    - ✓ Drawing showing the easement or right-of-way to be vacated, etc. (not to exceed 8.5" by 11") **24 copies**
    - ✓ Zone Atlas map with the entire property(ies) clearly outlined
    - ✓ Letter briefly describing, explaining, and justifying the request
    - ✓ Office of Community & Neighborhood Coordination inquiry response, notifying letter, certified mail receipts
    - ✓ Sign Posting Agreement
    - ✓ Fee (see schedule)
    - ✓ List any original and/or related file numbers on the cover application
- Unless the vacation is shown on a DRB approved plat recorded by the County Clerk within one year, it will expire.  
**DRB Public hearings are approximately 30 DAYS after the filing deadline. Your attendance is required.**

- SIDEWALK VARIANCE (DRB20)**
  - SIDEWALK WAIVER (DRB21)**
    - \_\_\_ Scale drawing showing the proposed variance or waiver (not to exceed 8.5" by 14") **6 copies**
    - \_\_\_ Zone Atlas map with the entire property(ies) clearly outlined
    - \_\_\_ Letter briefly describing, explaining, and justifying the variance or waiver
    - \_\_\_ List any original and/or related file numbers on the cover application
- DRB meetings are approximately 8 DAYS after the Tuesday noon filing deadline. Your attendance is required.**

- SUBDIVISION DESIGN VARIANCE FROM MINIMUM DPM STANDARDS (DRB25)**
    - \_\_\_ Scale drawing showing the location of the proposed variance or waiver (not to exceed 8.5" by 14") **24 copies**
    - \_\_\_ Zone Atlas map with the entire property(ies) clearly outlined
    - \_\_\_ Letter briefly describing, explaining, and justifying the variance
    - \_\_\_ Office of Community & Neighborhood Coordination inquiry response, notifying letter, certified mail receipts
    - \_\_\_ Sign Posting Agreement
    - \_\_\_ Fee (see schedule)
    - \_\_\_ List any original and/or related file numbers on the cover application
- DRB meetings are approximately 30 DAYS after the filing deadline. Your attendance is required.**

- TEMPORARY DEFERRAL OF SIDEWALK CONSTRUCTION (DRB19)**
  - EXTENSION OF THE SIA FOR TEMPORARY DEFERRAL OF SIDEWALK CONSTRUCTION (DRB07)**
    - \_\_\_ Drawing showing the sidewalks subject to the proposed deferral or extension (not to exceed 8.5" by 14") **6 copies**
    - \_\_\_ Zone Atlas map with the entire property(ies) clearly outlined
    - \_\_\_ Letter briefly describing, explaining, and justifying the deferral or extension
    - \_\_\_ List any original and/or related file numbers on the cover application
- DRB meetings are approximately 8 DAYS after the Tuesday noon filing deadline. Your attendance is required.**

- VACATION OF PRIVATE EASEMENT (DRB26)**
  - VACATION OF RECORDED PLAT (DRB29)**
    - \_\_\_ The complete document which created the private easement/recorded plat (not to exceed 8.5" by 14") **6 copies**
    - \_\_\_ Scale drawing showing the easement to be vacated (8.5" by 11") **6 copies**
    - \_\_\_ Zone Atlas map with the entire property(ies) clearly outlined
    - \_\_\_ Letter/documents briefly describing, explaining, and justifying the vacation **6 copies**
    - \_\_\_ Letter of authorization from the grantors and the beneficiaries (private easement only)
    - \_\_\_ Fee (see schedule)
    - \_\_\_ List any original and/or related file numbers on the cover application
- Unless the vacation is shown on a DRB approved plat recorded by the County Clerk within one year, it will expire.  
**DRB meetings are approximately 8 DAYS after the Tuesday noon filing deadline. Your attendance is required.**

I, the applicant, acknowledge that any information required but not submitted with this application will likely result in deferral of actions.

Joseph B Garcia  
Applicant name (print)  
Joseph B Garcia 1-14-07  
Applicant signature / date



Form revised 4/07

- Checklists complete
- Fees collected
- Case #s assigned
- Related #s listed

Application case numbers  
08DRB - 70014

Sandy Handley 01/14/08  
Planner signature / date  
Project # 1007051

# SIGN POSTING AGREEMENT

## REQUIREMENTS

### POSTING SIGNS ANNOUNCING PUBLIC HEARINGS

All persons making application to the City under the requirements and procedures established by the City Zoning Code or Subdivision Ordinance are responsible for the posting and maintaining of one or more signs on the property which the application describes. Vacations of public rights-of-way (if the way has been in use) also require signs. Waterproof signs are provided at the time of application. If the application is mailed, you must still stop at the Development Services Front Counter to pick up the sign.

The applicant is responsible for ensuring that the signs remain posted throughout the 15-day period prior to public hearing. Failure to maintain the signs during this entire period may be cause for deferral or denial of the application. Replacement signs for those lost or damaged are available from the Development Services Front Counter at a charge of \$3.75 each.

1. LOCATION

- A. The sign shall be conspicuously located. It shall be located within twenty feet of the public sidewalk (or edge of public street). Staff may indicate a specific location.
- B. The face of the sign shall be parallel to the street, and the bottom of the sign shall be at least two feet from the ground.
- C. No barrier shall prevent a person from coming within five feet of the sign to read it.

2. NUMBER

- A. One sign shall be posted on each paved street frontage. Signs may be required on unpaved street frontages.
- B. If the land does not abut a public street, then, in addition to a sign placed on the property, a sign shall be placed on and at the edge of the public right-of-way of the nearest paved City street. Such a sign must direct readers toward the subject property by an arrow and an indication of distance.

3. PHYSICAL POSTING

- A. A heavy stake with two crossbars or a full plywood backing works best to keep the sign in place, especially during high winds.
- B. Large headed nails or staples are best for attaching signs to a post or backing; the sign tears out less easily.

4. TIME

Signs must be posted from JAN 29, 2008 To FEB. 13, 2008

5. REMOVAL

- A. The sign is not to be removed before the initial hearing on the request.
- B. The sign should be removed within five (5) days after the initial hearing.

I have read this sheet and discussed it with the Development Services Front Counter Staff. I understand (A) my obligation to keep the sign(s) posted for (15) days and (B) where the sign(s) are to be located. I am being given a copy of this sheet.

Joseph B. Givens  
(Applicant or Agent)

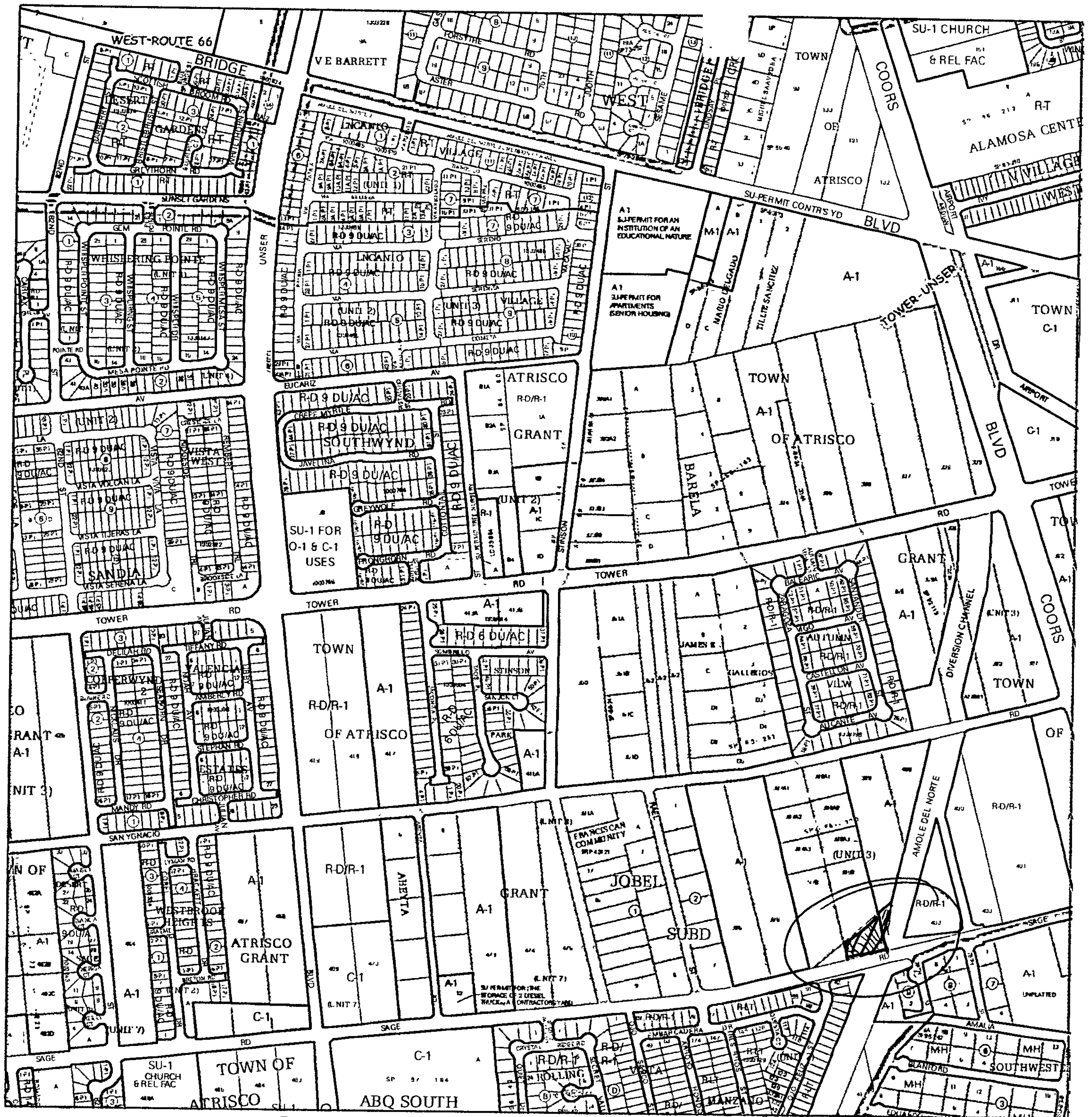
1-14-08  
(Date)

I issued 1 signs for this application, 01/14/08  
(Date)

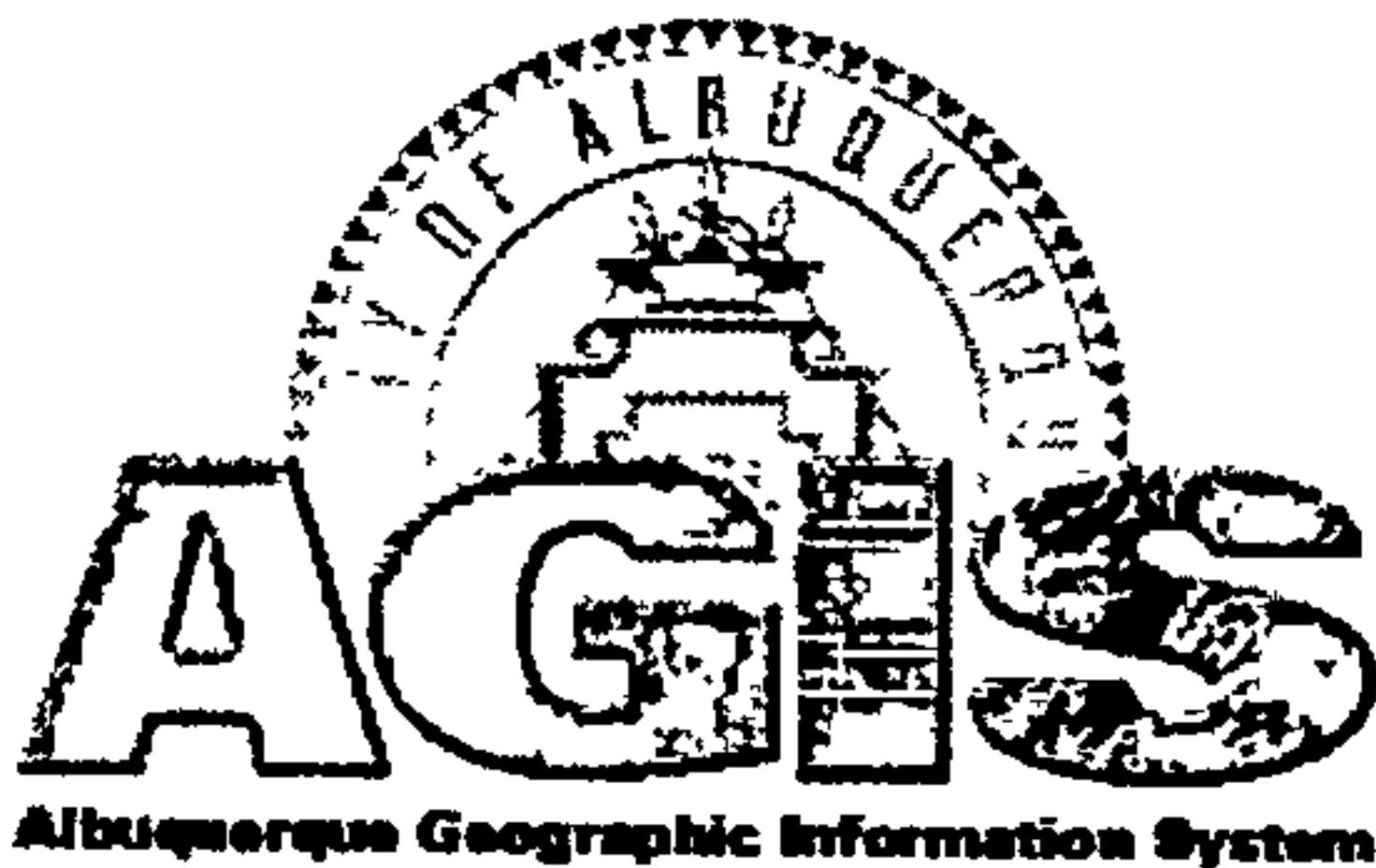
Sandy Handley  
(Staff Member)

DRB PROJECT NUMBER: 1007051

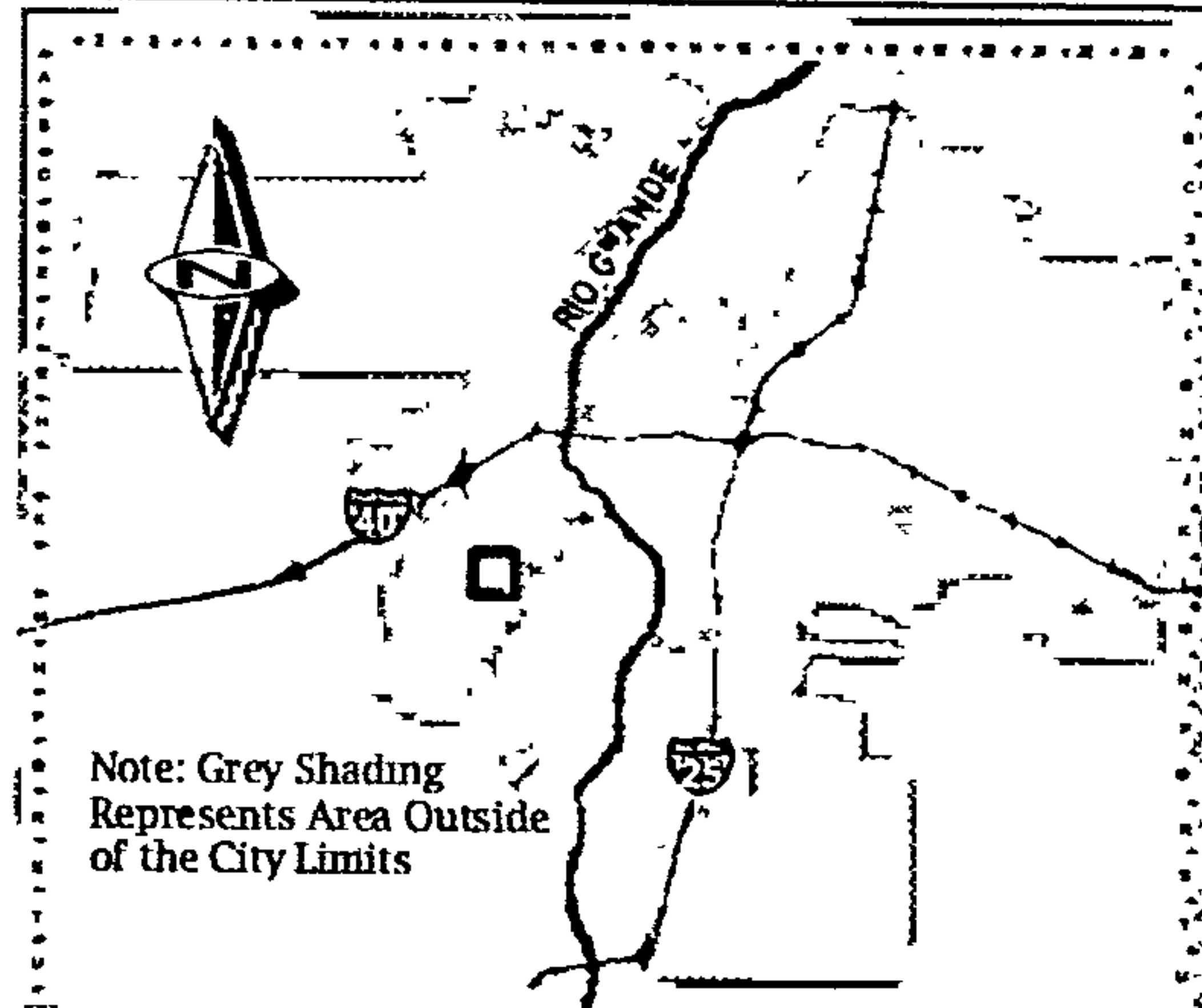




For more current information and more details visit: <http://www.cabq.gov/gis>







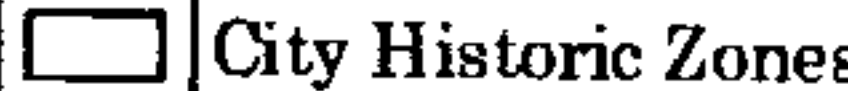




Map amended through: 2/18/2007



Note: Grey Shading Represents Area Outside of the City Limits

Zone Atlas Page:  
**L-10-Z**

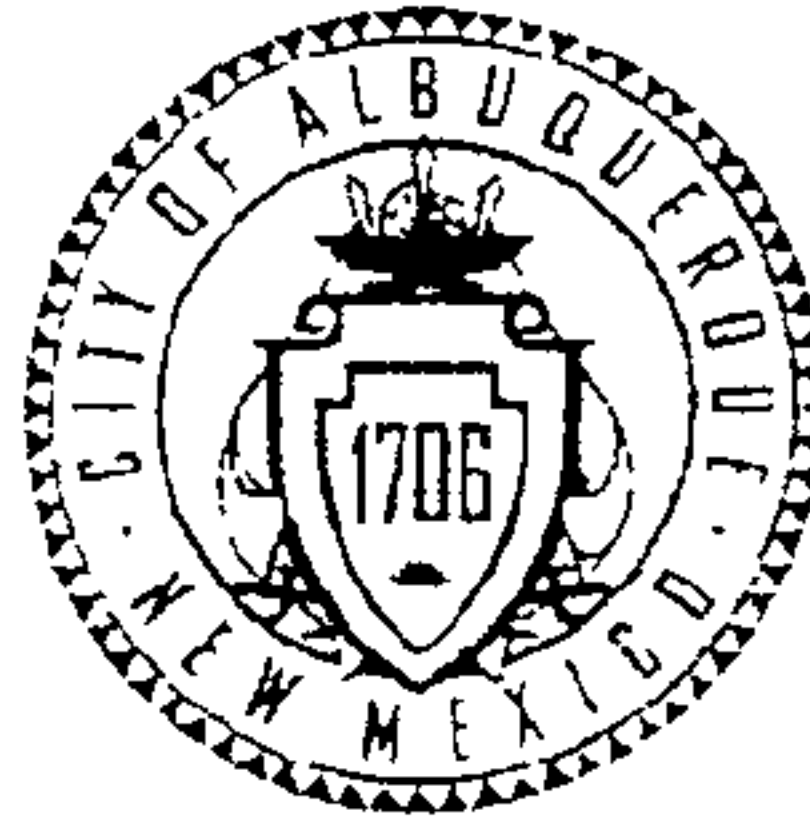
Selected Symbols

	SECTOR PLANS		Escarpment
	Design Overlay Zones		2 Mile Airport Zone
	City Historic Zones		Airport Noise Contours
	H-1 Buffer Zone		Wall Overlay Zone
	Petroglyph Mon.		

0 750 1,500 Feet

Stinson  
Tower





# City of Albuquerque

**PLEASE NOTE:** The Neighborhood Association information listed in this letter is valid for one (1) month. If you haven't filed your application within one (1) month of the date of this letter – you will need to get an updated letter from our office. It is your responsibility to provide current information – outdated information may result in a deferral of your case

Date: January 08, 2008

TO CONTACT NAME: Joseph B. Marcin  
COMPANY/AGENCY: Joe M. Cruz  
ADDRESS/ZIP: 3109 Love Rd.  
PHONE/FAX #: 877-0380 / 991-4755 (C) / FAX 877-6655

Thank you for your inquiry of January 08, 2008 (date) requesting the names of **ALL Affected**

**Neighborhood and/or Homeowner Associations** who would be affected under the provisions of O-92 by your proposed project at Portion of The Amole Del Norte Diversion Facility for Vacation Located on Sage Rd SW between Coors-Real Rd SW and Sage Rd SW zone map page(s) L-10.

Our records indicate that the **Affected Neighborhood and/or Homeowner Associations** affected by this proposal and the contact names are as follows:

Stinson Tower N.A.  
Neighborhood or Homeowner Association  
Contacts: Norman Mason  
7427 Via Tranquilo SW 87121  
836-9671 (h)  
Victor Wyant  
612 Cottontail SW 87121  
239-8856(h)

Neighborhood or Homeowner Association  
Contacts \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**See reverse side for additional Neighborhood and/or Homeowner Associations**

**Information:**

YES { } NO

Please note that according to O-92 you are required to notify each of these contact persons by **CERTIFIED MAIL, RETURN RECEIPT REQUESTED, BEFORE** the Planning Department will accept your application filing. **IMPORTANT! FAILURE OF ADEQUATE NOTIFICATION MAY RESULT IN YOUR APPLICATION HEARING BEING DEFERRED FOR 30 DAYS.** If you have any questions about the information provided, please contact our office at (505) 924-3914 or by fax at 924-3913.

Sincerely,

Stephan D. [Signature]  
OFFICE OF NEIGHBORHOOD COORDINATION

ATTENTION: Both contacts for each Neighborhood and/or Homeowner Associations need to be notified.

January 9, 2008

Mr. Norman Mason  
7427 Via Tranquilo SW  
Albuquerque, NM 87121


Dear Sir:

Reference is made to track 398-B corrected Replat lands of Henry Chavez (aka P or TR 398 Atrisco Grant Unit #3) Cont 1.70 AC M/L. Property address 3616 San Ygnacio Rd. NW as the same is shown and designated on H Plat thereof filed in the Office of County Clerk of Bernalillo County, New Mexico.

We are applying for vacation action of that part of the Amole Del Norte Diversion Facility which lies adjacent to south side of referenced property and north adjacent to Sage Rd. SW.

Previous inquiries by Mr. Joe M. Cruz bring forth the suggestion that vacation action approval is likely.

An examination of proposed vacation action shows no evidence of any use of this parcel by any parties or any need of some by Diversion Facility. We are not requesting any zoning change.

  
Joseph B. Garcia  
(505) 991-4755



January 9, 2008

Mr. Victor Wyant  
612 Cottontail SW  
Albuquerque, NM 87121

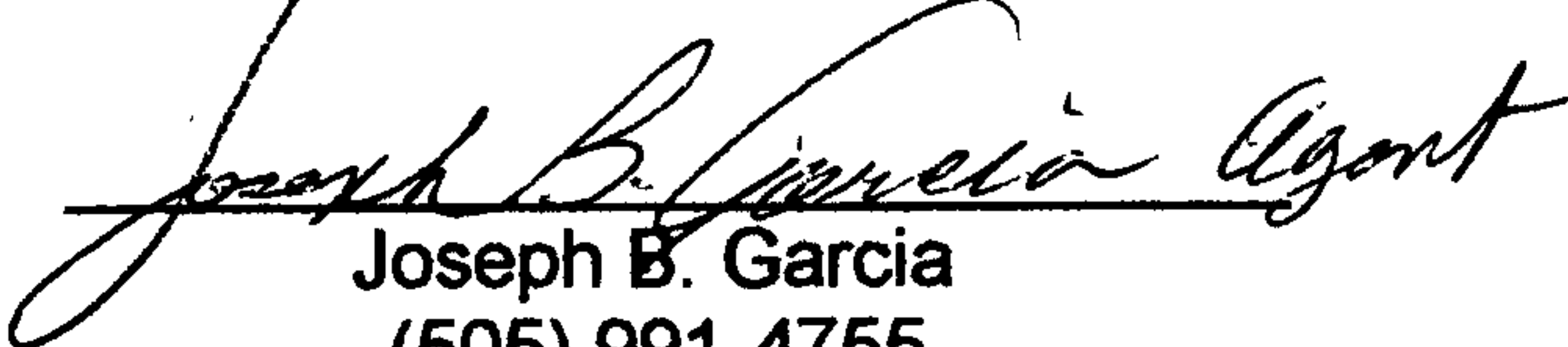
Dear Sir:

Reference is made to track 398-B corrected Replat lands of Henry Chavez (aka P or TR 398 Atrisco Grant Unit #3) Cont 1.70 AC M/L. Property address 3616 San Ygnacio Rd. NW as the same is shown and designated on H Plat thereof filed in the Office of County Clerk of Bernalillo County, New Mexico.

We are applying for vacation action of that part of the Amole Del Norte Diversion Facility which lies adjacent to south side of referenced property and north adjacent to Sage Rd. SW.

Previous inquiries by Mr. Joe M. Cruz bring forth the suggestion that vacation action approval is likely.

An examination of proposed vacation action shows no evidence of any use of this parcel by any parties or any need of some by Diversion Facility. We are not requesting any zoning change.

  
Joseph B. Garcia  
(505) 991-4755



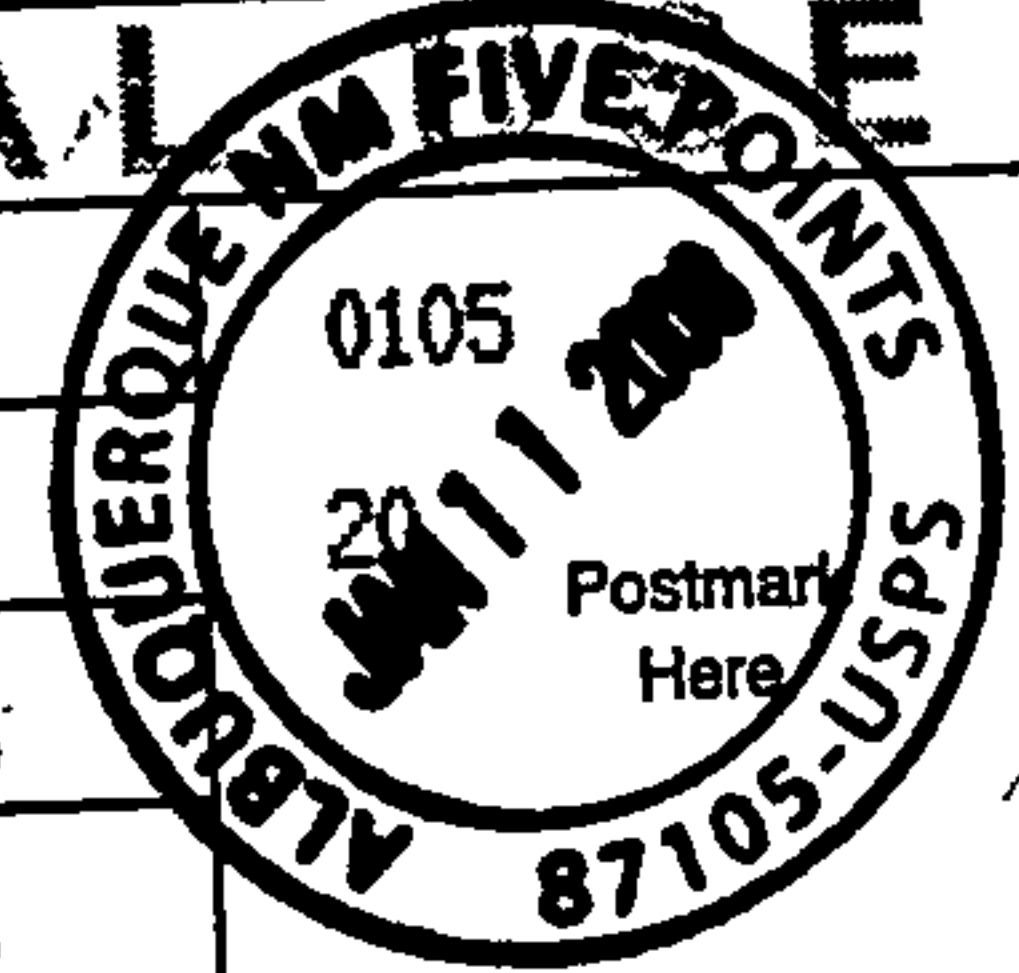
7005 3110 0000 2971 4217

U.S. Postal Service™  
**CERTIFIED MAIL™ RECEIPT**  
(Domestic Mail Only; No Insurance Coverage Provided)

For delivery information visit our website at [www.usps.com](http://www.usps.com)

ALBUQUERQUE NM 87121 **OFFICIAL USE**

Postage	\$	\$0.41
Certified Fee		\$2.65
Return Receipt Fee (Endorsement Required)		\$2.15
Restricted Delivery Fee (Endorsement Required)		\$0.00
<b>Total Postage &amp; Fees</b>	<b>\$</b>	<b>\$5.21</b>



01/11/2008

Sent To Norman Mason  
 Street, Apt. No.;  
 or PO Box No. 7427 Tronquedo SW.  
 City, State, ZIP+4 Albu N.M. 87121

PS Form 3800, June 2002 See Reverse for Instructions

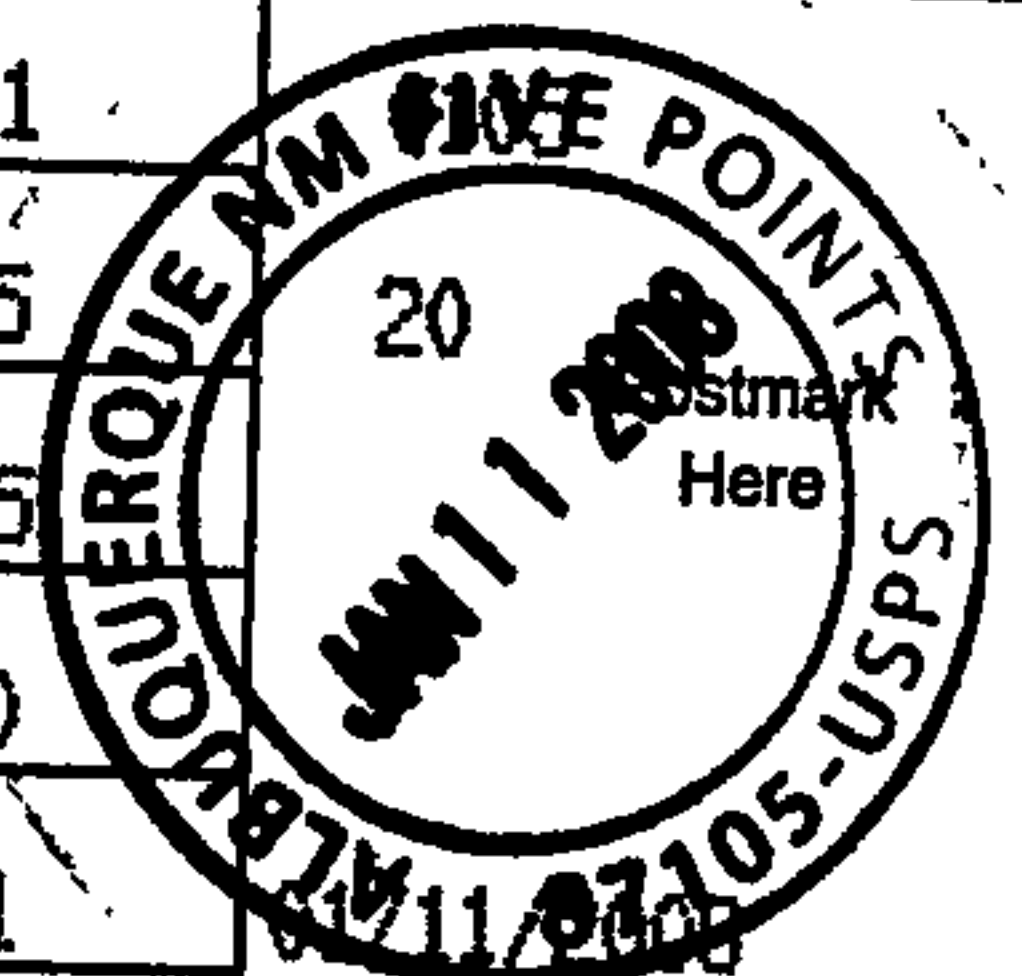
7005 3110 0000 2971 4200

U.S. Postal Service™  
**CERTIFIED MAIL™ RECEIPT**  
(Domestic Mail Only; No Insurance Coverage Provided)

For delivery information visit our website at [www.usps.com](http://www.usps.com)

ALBUQUERQUE NM 87121 **OFFICIAL USE**

Postage	\$	\$0.41
Certified Fee		\$2.65
Return Receipt Fee (Endorsement Required)		\$2.15
Restricted Delivery Fee (Endorsement Required)		\$0.00
<b>Total Postage &amp; Fees</b>	<b>\$</b>	<b>\$5.21</b>



Sent To Victoria Wyatt  
 Street, Apt. No.;  
 or PO Box No. 612 Cottonwood SW  
 City, State, ZIP+4 Albu NM 87121

PS Form 3800, June 2002 See Reverse for Instructions