



OFFICIAL NOTICE OF DECISION

CITY OF ALBUQUERQUE
PLANNING DEPARTMENT
DEVELOPMENT REVIEW BOARD

September 18, 2013

Project# 1007140
13DRB-70672 EXT OF MAJOR PRELIMINARY PLAT

MARK GOODWIN AND ASSOCIATES, P.A. agent(s) for JUAN TABO HILLS, LLC request(s) the above action(s) for all or a portion of **JUAN TABO HILLS Unit(s) 3B**, zoned RD, SU-1, located on JUAN TABO BLVD SE BETWEEN MONACHOS RD SE AND TIJERAS ARROYO containing approximately 9.54 acre(s). (M-22)

At the September 18, 2013 Development Review Board meeting, an extension of the preliminary plat was approved to May 8, 2014 to coincide with the expiration of the vacation(s). The conditions of final plat still apply.

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 approval is null and void. (REF: Chapter 14 Article 14 Part 3-4 (E) Revised Ordinance.)



Jack Cloud, DRB Chair

Cc: Mark Goodwin & Assoc. – P.O. Box 90606 – Albuquerque, NM 87199
Cc: Juan Tabo Hills LLC – P.O. Box 1443 – Corrales NM 87048
Marilyn Maldonado
file



OFFICIAL NOTICE OF DECISION

CITY OF ALBUQUERQUE
PLANNING DEPARTMENT
DEVELOPMENT REVIEW BOARD

April 23, 2014

Project# 1007140
14DRB-70102 VACATION OF PRIVATE EASEMENT

MARK GOODWIN AND ASSOCIATES, P.A. agent(s) for JTH, LLC request(s) the above action(s) for all or a portion of Lot(s) 2-A, JUAN TABO HILLS zoned SU-1/RD, located on JUAN TABO HILLS BETWEEN MONACHOS AND TIJERAS ARROYO containing approximately 9.54 acre(s). (M-22)

At the April 23, 2014 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.

Findings

The request was filed by the owners of all the frontage of the easement(s) proposed for vacation.

The public welfare is in no way served by retaining the easement(s); based on the proposed development and replat, the City of Albuquerque does not anticipate any need to utilize the existing easement(s).

There is no convincing evidence that any substantial property right is being abridged against the will of the owner of the right. The applicant is both the benefited and burdened party of the easement(s) proposed for vacation.

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.
2. An amended site development plan for subdivision shall be approved prior to or concurrent with the required replat.

If you wish to appeal this decision, you must do so by May 8, 2014 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.)



Jack Cloud, DRB Chair

Cc: MARK GOODWIN AND ASSOCIATES, P.A
file



OFFICIAL NOTICE OF DECISION

CITY OF ALBUQUERQUE
PLANNING DEPARTMENT
DEVELOPMENT REVIEW BOARD

June 24, 2009

Project# 1007140

08DRB-70297 VACATION OF PUBLIC EASEMENT
08DRB-70300 SIDEWALK WAIVER
08DRB-70301 MINOR - TEMP DEFR SWDK CONST
08DRB-70302 MAJOR - SDP FOR SUBDIVISION
08DRB-70303 - PRELIMINARY PLAT

MARK GOODWIN AND ASSOCIATES PA agent(s) for JUAN TABO HILLS, LLC request(s) the above action(s) for all or a portion of Tract(s) 2-A, A-C, **JUAN TABO HILLS, UNIT 1**, zoned AD, SU-1, located on JUAN TABO BLVD BETWEEN VIA POSADA RD AND JULFSTREAM DR containing approximately 41.0242 acre(s). (M-22) [*Deferred from 7/30/08, 8/20/08 8/27/08, 9/3/08, 9/17/08, 10/1/08, 10/22/08, 11/5/08, 11/26/08, 12/3/08, 12/14/09, 2/11/09, 3/11/09, 4/15/09, 5/6/09, 5/20/09, 5/27/09, 6/3/09, 6/17/09*]

At the June 24, 2009 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. The sketch plat was reviewed and comments were given.

(A)(1) The public right-of-way easement vacation 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 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:

3. Final disposition shall be through the City Real Estate Office.
4. 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.

The sidewalk waiver and the temporary deferral of sidewalk were approved as shown on Exhibit C in the Planning file. The site plan for subdivision was approved. With the signing of the infrastructure list dated 6/24/09 and with a grading and drainage plan engineer stamp dated 6/15/09, the preliminary plat was approved. Per ABCWUA, tract 'D' is to be retained as sanitary sewer easement at final plat, and a recorded copy of the public roadway easement must be provided to Planning.

If you wish to appeal this decision, you must do so by July 9, 2009 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.)



Jack Cloud, AICP, DRB Chair

Cc: Mark Goodwin & Associates PA – P.O. Box 90606 – Albuquerque, NM 87199

Cc: Juan Tabo Hills, LLC – PO. Box 1443 – Corrales, NM 87048

Scott Howell

Marilyn Maldonado

File



OFFICIAL NOTICE OF DECISION

CITY OF ALBUQUERQUE
PLANNING DEPARTMENT
DEVELOPMENT REVIEW BOARD

June 30, 2010

Project# 1007140
10DRB-70173 EXT OF MAJOR PRELIMINARY PLAT

MARK GOODWIN AND ASSOCIATES PA agent(s) for JTH, LLC request(s) the above action(s) for all or a portion of **JUAN TABO HILLS Unit(s) 3B**, zoned RD, located on JUAN TABO BLVD BETWEEN VIA POSADA AND GULFSTREAM DR containing approximately 41.02442 acre(s). (M-22)

At the June 30, 2010 Development Review Board meeting, a one year extension for the Preliminary Plat was approved along with the associated SIDEWALK WAIVER 08DRB-70300 and TEMP DEFT SWDK CONST 08DRB-70301, and subject to the completion or re-approval of VACATION OF PUBLIC EASEMENT 08DRB-70297 as well as any required vacations for associated PROJECTS 1007139 and 1004073; conditions of Final Plat and SDP FOR SUBDIVISION 08DRB-70302 remain applicable.

If you wish to appeal this decision, you must do so by July 15, 2010 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).


Jack Cloud, AICP, DRB Chair

Cc: Mark Goodwin & Associates – P.O. Box 90606 – Albuquerque, NM 87199

Cc: JTH, LLC – P.O. Box 1443 – Corrales, NM 87048

Marilyn Maldonado

File



OFFICIAL NOTICE OF DECISION

CITY OF ALBUQUERQUE
PLANNING DEPARTMENT
DEVELOPMENT REVIEW BOARD

August 29, 2012

Project# 1007140

12DRB-70177 EXT OF MAJOR PRELIMINARY PLAT

MARK GOODWIN AND ASSOCIATES, P.A. agent(s) for JTH, LLC request(s) the above action(s) for all or a portion of Lot(s) 2A, **JUAN TABO HILLS UNIT 3B**, zoned RD-SU1, located on JUAN TABO BLVD BETWEEN MONACHOS RD AND TIJERAS ARROYO containing approximately 9.54 acre(s). (M-22)

At the August 29, 2012 Development Review Board meeting, a 4 week extension to 9/26/12 of the preliminary plat was approved.

The conditions of final plat still apply.

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 approval is null and void. (REF: Chapter 14 Article 14 Part 3-4 (E) Revised Ordinance.)

Jack Cloud, DRB Chair

Cc: Mark Goodwin and Associates P.A.
Marilyn Maldonado
File



OFFICIAL NOTICE OF DECISION

CITY OF ALBUQUERQUE
PLANNING DEPARTMENT
DEVELOPMENT REVIEW BOARD

June 27, 2012

Project# 1007140
12DRB-70177 EXT OF MAJOR PRELIMINARY PLAT

MARK GOODWIN AND ASSOCIATES, P.A. agent(s) for JTH, LLC request(s) the above action(s) for all or a portion of Lot(s) 2A, **JUAN TABO HILLS UNIT 3B** zoned RD-SU1, located on JUAN TABO BLVD BETWEEN MONACHOS RD AND TIJERAS ARROYO containing approximately 9.54 acre(s). (M-22)

At the **June 27, 2012** Development Review Board meeting, the following documents were entered into the record:

- 1) "Tentative Agreement" summarizing meeting of May 8, 2012 and related agreement between Scott Grady, Juan Tabo Hills, L.L.C. and Matt Schmader, Superintendent of the City of Albuquerque's Open Space Division;
- 2) Email from Mark Goodwin, Goodwin & Associates to Carol Dumont, Sr. Planner, Parks and Recreation Department dated May 16, 2012 cancelling meeting in the field and outlining specific tasks that Scott Grady has asked Goodwin & Associates to do;
- 3) Memo from Curtis Cheme to Diane Hoelzer dated May 29, 2012, prepared at Ms. Hoelzer's request, outlining the specific comments that need to be addressed for the Juan Tabo Hills Unit 3A Grading and Drainage Plan to be approved by the City.

Based on the record, an extension of the Preliminary Plat for proposed Unit 3B was conditionally approved to August 31, 2012 to allow proposed Units 3B and 3A to track together, with the following conditions:

1. There must be resolution and agreement between the Juan Tabo Hills parties and the City Open Space Division of the Parks & Recreation Department, as outlined in the attached documents listed above, no later than August 15, 2012.
2. Certain changes in the approved Preliminary Plats have been agreed to by the parties during the review of the submitted "Amended Preliminary Plats" and those changes should be noted. For example, including but not limited to, the proposed trail alignment from the Tijeras Arroyo to provide connection to the Four Hills Village as required by EPC, the ownership of the various "open space" tracts A-E shown on the approved Preliminary Plat, and any and all agreements that the parties are able to resolve with respect to the Tract 1-C Open Space outstanding issues referred to on the documents listed above.
3. It will be necessary to have current and effective vacation approvals as needed and previously approved for the proposed plat.
4. An amended grading and drainage plan for Unit 3-B, Unit 3A and Tracts 1-C-1 and 1-C-2 must be submitted and approved by the Development Review Board.
5. The comment letter from City Hydrology dated May 29, 2012, Juan Tabo Hills Unit 3A Grading and Drainage Plan should be satisfactorily addressed

6. Provide a written reason for not recording a Subdivision Improvement Agreement 3 years after the original Preliminary Plat approval.

7. Keyed Note 25 notes there is a 51 foot wide Public Access Easement granted to the City of Albuquerque for Tract A which may interfere with the scour wall shown on the Grading and Drainage Plan that needs to be addressed.

Previous conditions of final plat still apply.

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 approval is null and void. (REF: Chapter 14 Article 14 Part 3-4 (E) Revised Ordinance.)

If you wish to appeal this decision, you must do so by July 12, 2012, 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).



Jack Cloud, DRB Chair

Cc:
Marilyn Maldonado
File