



## OFFICIAL NOTICE OF DECISION

CITY OF ALBUQUERQUE  
PLANNING DEPARTMENT  
DEVELOPMENT REVIEW BOARD

December 17, 2008

**Project# 1007490**

08DRB-70466 MINOR - PRELIMINARY/ FINAL PLAT APPROVAL

CONSENSUS PLANNING agent(s) for C&S EQUITIES LLC request(s) the above action(s) for all or a portion of Tract(s) 3B, **LANDS OF IHS ACQUISITION NO. 120, INC.**, zoned SU-2 FOR HOSPITAL AND MEDICAL, located on HORIZON BLVD NW BETWEEN NORTH DIVISION CHANNEL AND BALLOON FIESTA PARK NW containing approximately 18.7 acre(s). (B-17 & C-17)

In reviewing the proposed Preliminary and Final Plat, the Development Review Board has found the following:

1. The subdivision plat of Balloon Fiesta Park, filed in the Bernalillo County Clerk's Office in Book 2001C, Page 161, provided public right of way from Balloon Museum Drive to this predecessor subdivision.
2. The intersection of Balloon Museum Drive and Alameda is a 'four-way' intersection of public streets, and as such it provides more functionality and practicality than the 'three-way' intersection of the private street Horizon with Alameda.

The New Mexico Department of Transportation has indicated its agreement with the City of Albuquerque regarding the proposal to activate the traffic signal at Balloon Museum Drive and Alameda full-time, and then concurrently removing the signal at Horizon and Alameda. Regarding certain lease agreements related to the referenced signal, the City of Albuquerque does not intend to extend the lease beyond June 30, 2009. Similar to the Plat Note providing Notice to purchasers of the proposed lots regarding on-site parking, an additional Plat Note will be required in lieu of including traffic signal improvements/ relocation.

With the signing of the Applicant's submitted Infrastructure List dated 12/17/08, the Preliminary Plat was approved with the following conditions of final plat:

1. The maintenance and beneficiaries of the Private Drainage and Access Easement shall be noted on the Final Plat.

2. The following note shall be included on the Final Plat, dated and signed by the property owner:

"Owner acknowledges that the City of Albuquerque will remove the traffic signal and make median and access modifications at Horizon Boulevard and Alameda Boulevard on or after July 1, 2009. Future development of Tracts 3B1, 3B2, and 3B3 may not rely on the signalized intersection of Horizon and Alameda. Owner further agrees to waive any and all claims for damages to the property shown on this plat due to the removal of the traffic signal and the median and access modifications."

If you wish to appeal this decision, you must do so by January 2, 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: C&S Equities LLC – 6001 Indian School, NE Ste 400 – Albuquerque, NM 87110  
Cc: Consensus Planning Inc. – 302 8<sup>th</sup> St. NW – Albuquerque, NM 87102  
Marilyn Maldonado  
File



## OFFICIAL NOTICE OF DECISION

CITY OF ALBUQUERQUE  
PLANNING DEPARTMENT  
DEVELOPMENT REVIEW BOARD

April 8, 2009

**Project# 1007490**

08DRB-70466 MINOR - PRELIMINARY/ FINAL PLAT APPROVAL

CONSENSUS PLANNING agent(s) for C&S EQUITIES LLC request(s) the above action(s) for all or a portion of Tract(s) 3B, **LANDS OF IHS ACQUISITION NO. 120, INC.**, zoned SU-2 FOR HOSPITAL AND MEDICAL, located on HORIZON BLVD NW BETWEEN NORTH DIVISION CHANNEL AND BALLOON FIESTA PARK NW containing approximately 18.7 acre(s). (B-17 & C-17)

Upon remand of Appeal AC-09-01 from the City Council, the Development Review Board hereby approves the subject Preliminary Plat subject to the following conditions:

1. The infrastructure list dated 12/17/08 shall be revised to reflect this approval date of 4/8/09.
2. The maintenance and beneficiaries of the Private Drainage and Access Easement shall be noted on the Final Plat.
3. The following note, deemed consistent with the decision of the City Council and approved by the City Attorney, shall be included on the Final Plat, dated and signed by the property owner:

Future owners of the property subdivided by this plat are hereby advised that it is the intent of the City of Albuquerque to remove the traffic signals at Horizon Boulevard and Alameda Boulevard NE. This action, if undertaken by the City, would result in closure of the median cut in Alameda Boulevard and would eliminate left turn access for Horizon Boulevard to or from Alameda Boulevard. C&S Equities, LLC has not concurred with the removal of the signalization and elimination of left turn access.

If you wish to appeal this decision, you must do so by April 24, 2009 in the manner described below.

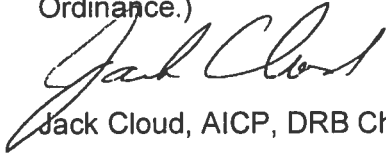
Appeal is to the Land Use Hearing Officer. Any person aggrieved with any determination of the Development Review Board may file an appeal on the Planning Department form, to the Planning Department, within 15 days of the Development Review Board's decision.

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: C&S Equities LLC – 6001 Indian School, NE Ste 400 – Albuquerque, NM 87110

Cc: Consensus Planning Inc. – 302 8<sup>th</sup> St. NW – Albuquerque, NM 87102

Marilyn Maldonado

File



## OFFICIAL NOTICE OF DECISION

CITY OF ALBUQUERQUE  
PLANNING DEPARTMENT  
DEVELOPMENT REVIEW BOARD

April 7, 2010

**Project# 1007490**  
10DRB-70100 EXT OF MAJOR PRELIMINARY PLAT

MARK W HALEY agent(s) for C & S EQUITIES LLC request(s) the above action(s) for all or a portion of **LANDS OF IHS ACQUISITION NO.120, INC.** zoned SU-2 FOR HOSPITAL & MEDICAL, located on HORIZON BLVD NE BETWEEN BALLOON FIESTA PARK NE AND NORTH DIVERSION CHANNEL containing approximately 18.7 acre(s). (B/C-17)

At the April 7, 2010 Development Review Board meeting, the one-year extension 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.)

If you wish to appeal this decision, you must do so by April 22, 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. 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 W. Haley , C & S Equities- 6001 Indian School Ste 400 – Albuquerque, NM  
87110  
Marilyn Maldonado  
File