

**DEVELOPMENT REVIEW BOARD**  
**Action Sheet**

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

July 28, 2010 9:00 AM  
MEMBERS:

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

**Kristal Metro, P.E. , Transportation Development**      **Allan Porter, 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# 1008412**  
10DRB-70186 VACATION OF PUBLIC EASEMENT  
10DRB-70187 VACATION OF PUBLIC RIGHT-OF-WAY

BOHANNAN HUSTON INC agent(s) for SAWMILL COMMUNITY LAND TRUST request(s) the referenced/above action(s) for a portion of Mill Pond Road NW and the adjacent 10 ft Easement on Tract(s) 2-E-1, **ARBOLERA DE VIDA Unit(s) 2B**, zoned S-M1, located on MILL POND RD NW between ASPEN AVE NW and I-40. (H-13) **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.**
- 2. Project# 1007131**  
10DRB-70182 VACATION OF PUBLIC RIGHT-OF-WAY

DOUG SMITH SURVEYING, INC. agent(s) for SLATE STREET PARTNERS, LLC. request(s) the referenced/above action(s) for all or a portion of the NORTH-SOUTH ALLEY adjacent to Lot(s) 24-27, Block(s) 9, **HOMESTEAD & GARDENSPOT ADDITION** [zoned SU-2/ C], located on the north side of SLATE ST NW between 2ND ST NW and 3RD ST NW containing approximately .6132 acre(s). (J-14) *[Deferred from 7-21-10]* **DEFERRED TO 8/4/10 AT THE AGENT'S REQUEST.**



## OFFICIAL NOTICE OF DECISION

CITY OF ALBUQUERQUE  
PLANNING DEPARTMENT  
DEVELOPMENT REVIEW BOARD

July 28, 2010

**Project# 1008412**

10DRB-70186 VACATION OF PUBLIC EASEMENT  
10DRB-70187 VACATION OF PUBLIC RIGHT-OF-WAY

BOHANNAN HUSTON INC agent(s) for SAWMILL COMMUNITY LAND TRUST request(s) the referenced/above action(s) for a portion of Mill Pond Road NW and the adjacent 10 ft Easement on Tract(s) 2-E-1, **ARBOLERA DE VIDA Unit(s) 2B**, zoned S-M1, located on MILL POND RD NW between ASPEN AVE NW and I-40. (H-13)

At the July 28, 2010 Development Review Board meeting, the vacationw 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.

(A)(1) The public 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 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 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.

With an approved grading and drainage plan engineer stamp dated 12/5/07 the preliminary plat was approved. the subdivision design variance was approved. The temporary deferral of construction of sidewalks on the interior streets was approved as shown on exhibit 'C' in the Planning file. The sidewalk waiver was approved as shown on exhibit 'C' in the planning file for the cul-de-sac only. An amendment to the infrastructure list was approved.

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

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: Sawmill Community Land Trust – P.O. Box 25181 – Albuquerque, NM 87125

Marilyn Maldonado

Scott Howell

File

# DRB PUBLIC HEARING SIGN IN SHEETS

PROJECT #: 1008412 AGENDA# 1 DATE: 7/28/10

1. Name: Kevin Patton Address: <sup>Courtyard I</sup> 7500 Jefferson St. Zip: 87109
2. Name: Yolanda Moyer Address: RH1 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: \_\_\_\_\_

## DRB/EPC/LUCC APPLICATION CHECKLIST

A review of DRB Case 1008412 indicates the following problems or crimes may occur or that the following concerns may need to be evaluated or addressed on this site or in this area. These comments do not indicate that a thorough CPTED evaluation has been done, or that other criminal activities may not occur.

- Traffic volume/*Explain:*
- Traffic control devices/*Explain:*
- Burglaries/*Explain:*
- Speeding violations/*Explain:*
- Lighting issues/*Explain:*
- Maintenance of landscaping/*Explain:*
- Robbery/*Explain:*
- Assault/*Explain:*
- Shoplifting/*Explain:*
- Accidents in the parking lot/*Explain:*
- A higher probability of crimes during evening/weekend hours/*Explain:*
- Commercial burglary/*Explain:*
- Rape/*Explain:*
- Adequate security/*Explain:*
- Alarm security/*Explain:*
- Alarm response i.e. false alarms, etc/*Explain:*
- Transients/*Explain:*
- Need for neighborhood association/*Explain:*

**Other:** No Crime Prevention or CPTED comments concerning the proposed Vacation of Public Easement &/or Right-of-Way at this time.

# City of Albuquerque



## DEVELOPMENT/ PLAN REVIEW APPLICATION

### Supplemental form

<b>SUBDIVISION</b>	<b>S Z</b>	<b>ZONING &amp; PLANNING</b>
___ Major Subdivision action		___ Annexation
___ Minor Subdivision action		___ County Submittal
<u>X</u> Vacation	<b>V</b>	___ EPC Submittal
___ Variance (Non-Zoning)		___ Zone Map Amendment (Establish or Change Zoning)
<b>SITE DEVELOPMENT PLAN</b>	<b>P</b>	___ Sector Plan (Phase I, II, III)
___ for Subdivision Purposes		___ Amendment to Sector, Area, Facility or Comprehensive Plan
___ for Building Permit		___ Text Amendment (Zoning Code/Sub Regs)
___ Administrative Amendment (AA)		___ Street Name Change (Local & Collector)
___ IP Master Development Plan	<b>D</b>	<b>APPEAL / PROTEST of...</b>
___ Cert. of Appropriateness (LUCC)	<b>L A</b>	___ Decision by: DRB, EPC, LUCC,
<b>STORM DRAINAGE (Form D)</b>		___ Planning Director or Staff, ZHE,
___ Storm Drainage Cost Allocation Plan		___ Zoning Board of Appeal

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): Bohannon Huston, Inc. PHONE (505) 823-1000  
 ADDRESS: 7500 Jefferson NE FAX (505) 898-7988  
 CITY Albuquerque STATE NM ZIP 87109 E-MAIL: \_\_\_\_\_  
 APPLICANT: Sawmill Community Land Trust PHONE 764-0359  
 ADDRESS: PO Box 25181 FAX: 473-2097  
 CITY: Albuquerque STATE NM ZIP 87125 E-MAIL: \_\_\_\_\_  
 Proprietary interest in site: Owner List all owners: \_\_\_\_\_

#### DESCRIPTION OF REQUEST: Vacation of Public Right of Way and Public Easement.

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

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

Lot or Tract No Tract 2-E-1 Block: \_\_\_\_\_ Unit: \_\_\_\_\_  
 Subdiv/Addn/TBKA: Arbolera de Vida Unit 2B  
 Existing Zoning: S-M1 Proposed zoning: \_\_\_\_\_ MRGCD Map No \_\_\_\_\_  
 Zone Atlas page(s): H-13 UPC Code: 101305399809240215

#### CASE HISTORY:

List any current or prior case number that may be relevant to your application (Proj, App, DRB-, AX, Z, V, S, etc) \_\_\_\_\_  
1005354, 07DRB-00499, 617585

#### CASE INFORMATION:

Within city limits? X Yes Within 1000FT of a landfill? No  
 No of existing lots: 1 No. of proposed lots: \_\_\_\_\_ Total area of site (acres): 6.0172  
 LOCATION PROPERTY BY STREETS: On or Near Bellamah Ave., NW  
 Between: Aspen, NW and 19<sup>th</sup> Street, NW  
 Check-off if project was previously reviewed by Sketch Plat/Plan , or Pre-application Review Team  Date of review \_\_\_\_\_

SIGNATURE Yolanda Padilla Moyer DATE 6/29/2008  
 (Print) Yolanda Padilla Moyer P.E. Applicant X Agent

#### FOR OFFICIAL USE ONLY

Form revised 9/01, 3/03, 7/03, 10/03, 04/04

<input type="checkbox"/> INTERNAL ROUTING	Application case numbers	Action	S.F.	Fees
<input checked="" type="checkbox"/> All checklists are complete	<u>10DRB - 70186</u>	<u>VPE</u>		\$ <u>45.00</u>
<input checked="" type="checkbox"/> All fees have been collected	<u>10DRB - 70187</u>	<u>VPL</u>		\$ <u>300.00</u>
<input checked="" type="checkbox"/> All case #s are assigned		<u>ADV</u>		\$ <u>75.00</u>
<input checked="" type="checkbox"/> AGIS copy has been sent		<u>CME</u>		\$ <u>20.00</u>
<input checked="" type="checkbox"/> Case history #s are listed				\$ <u>440.00</u>

Sandy Havelley

HEARING DATE  
JULY 28, 2010

PROJECT #  
1005354  
1008412

**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.

BRIAN PATERN  
 Applicant name (print)  
[Signature] 6/20/10  
 Applicant signature / date

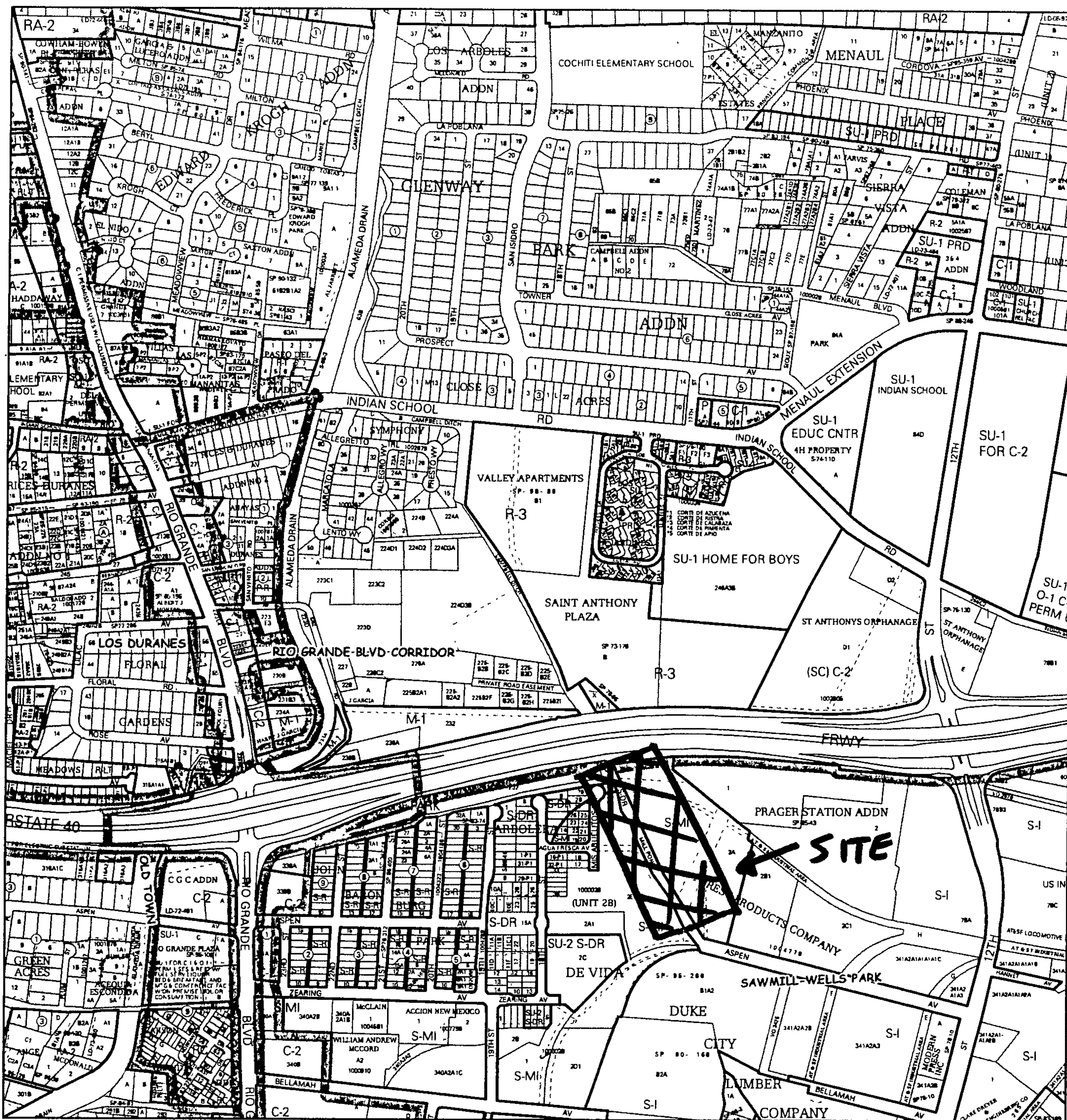


Form revised 4/07


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

Application case numbers  
100RB- - 10186  
100RB- - 10187

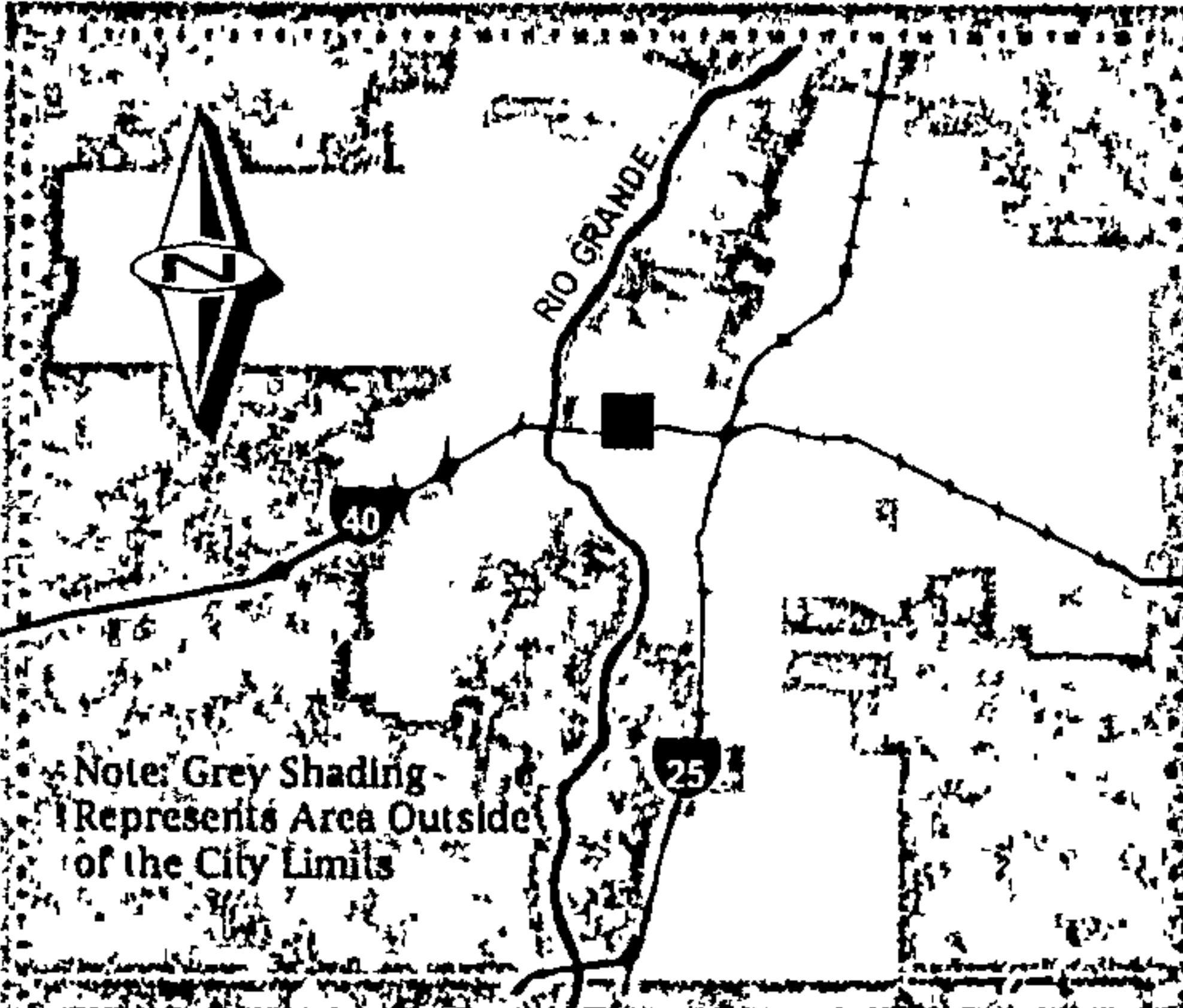
Sandy Handley 07/02/10  
 Planner signature / date  
 Project # 1005354  
1008412



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




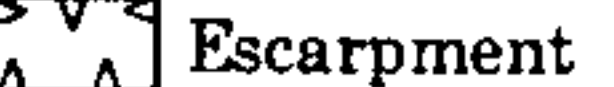
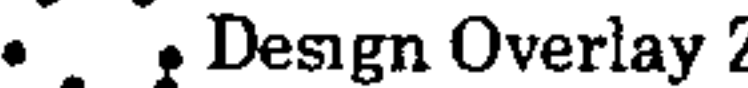
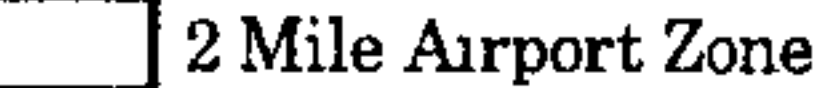

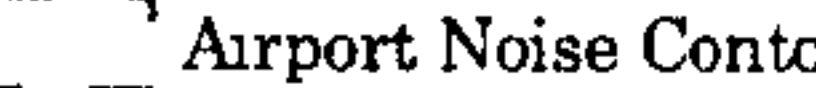


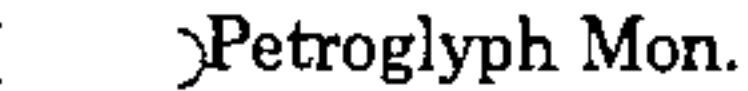
Map amended through: 2/4/2010




Note: Grey Shading Represents Area Outside of the City Limits

Zone Atlas Page:  
**H-13-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



June 29, 2010

Jack Cloud, Chair  
Development Review Board  
City of Albuquerque  
P.O. Box 1293  
Albuquerque, New Mexico 87103

Courtyard I  
7500 Jefferson St. NE  
Albuquerque, NM  
87109-4335

[www.bhinc.com](http://www.bhinc.com)

voice: 505 823.1000  
facsimile: 505 798 7988  
toll free: 800 877 5332

Re: Vacation of Public Right-of-Way and Public Easement  
Mill Pond Road and Lot 2-E-1 Arbolera de Vida Unit 2B

Dear Jack:

Enclosed for review and approval by the Development Review Board (DRB) are copies of the following information:


- Development Review Applications
- Twenty-four (24) copies of the Location of Request for the vacation of easements (Exhibit "A")
- Twenty-four (24) copies of the documents which created the easements with the easement recording information shown
- Twenty-four (24) copies of the documents which show future right-of-way dedication for Mill Pond Road (Exhibit "B")
- Letter from the Office of Neighborhood Coordination and related data,
- Zone Atlas Map showing the location of the property, and
- Fee in the amount of \$440.00

We are requesting to vacate a portion of the existing public right-of-way for Mill Pond Road along with an existing 10' public easement belonging to the City of Albuquerque. The right-of-way/easements and the reasons for their vacations are listed below:

1. The Portion of Mill Pond Road (2043 sf) Public Right of Way Vacation (see Exhibit "A"). That portion of Mill Pond Road Public Right of Way we are requesting to vacate is an abrupt deflection from the right-of-way lines to the north and south. The adjacent property owner is requesting the vacation action in order to construct an acequia that will better serve (given a more north south realignment) the proposed community garden. This same property owner is dedicating additional public right of way (approximately 4,765 sy) to support the construction of Mill Pond Road (see Exhibit "B").
2. 10' Easement to the City of Albuquerque dedicated filed 12/22/1971, Bk D4, pg 177. This easement is adjacent to Mill Pond Road right-of-way (please note that it doesn't follow the abrupt deflection in the right of way we are looking to vacate). There does not appear to be anything within this easement nor does it seem necessary.

Please add this on the agenda for July 28, 2010. Should you have any questions regarding this request, please contact me.

Sincerely,

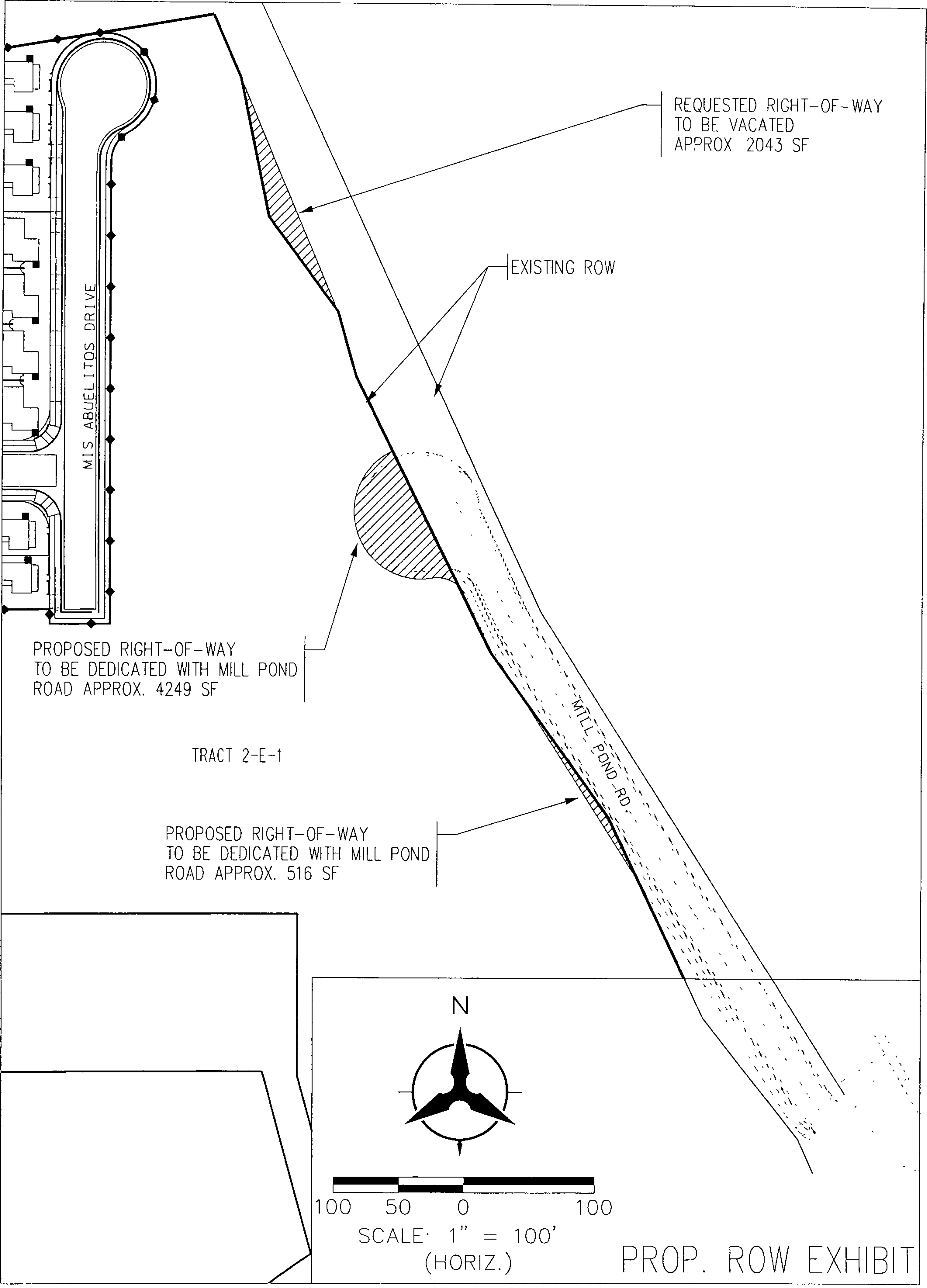
  
Yolanda Padilla Moyer, P.E.  
Project Manager  
Community Development and Planning Group

YPM/cc  
Enclosures

ENGINEERING ▲

SPATIAL DATA ▲

ADVANCED TECHNOLOGIES ▲



REQUESTED RIGHT-OF-WAY  
TO BE VACATED  
APPROX 2043 SF

EXISTING ROW

MIS ABUELITOS DRIVE

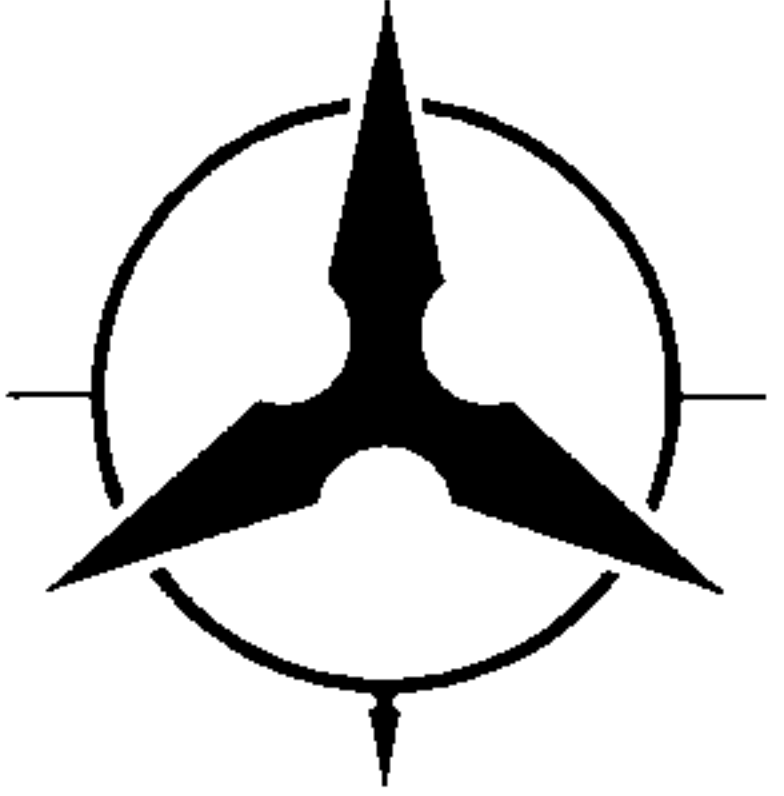
PROPOSED RIGHT-OF-WAY  
TO BE DEDICATED WITH MILL POND  
ROAD APPROX. 4249 SF

TRACT 2-E-1

PROPOSED RIGHT-OF-WAY  
TO BE DEDICATED WITH MILL POND  
ROAD APPROX. 516 SF

MILL POND RD.

N



100 50 0 100

SCALE 1" = 100'  
(HORIZ.)

PROP. ROW EXHIBIT

Exhibit "B"

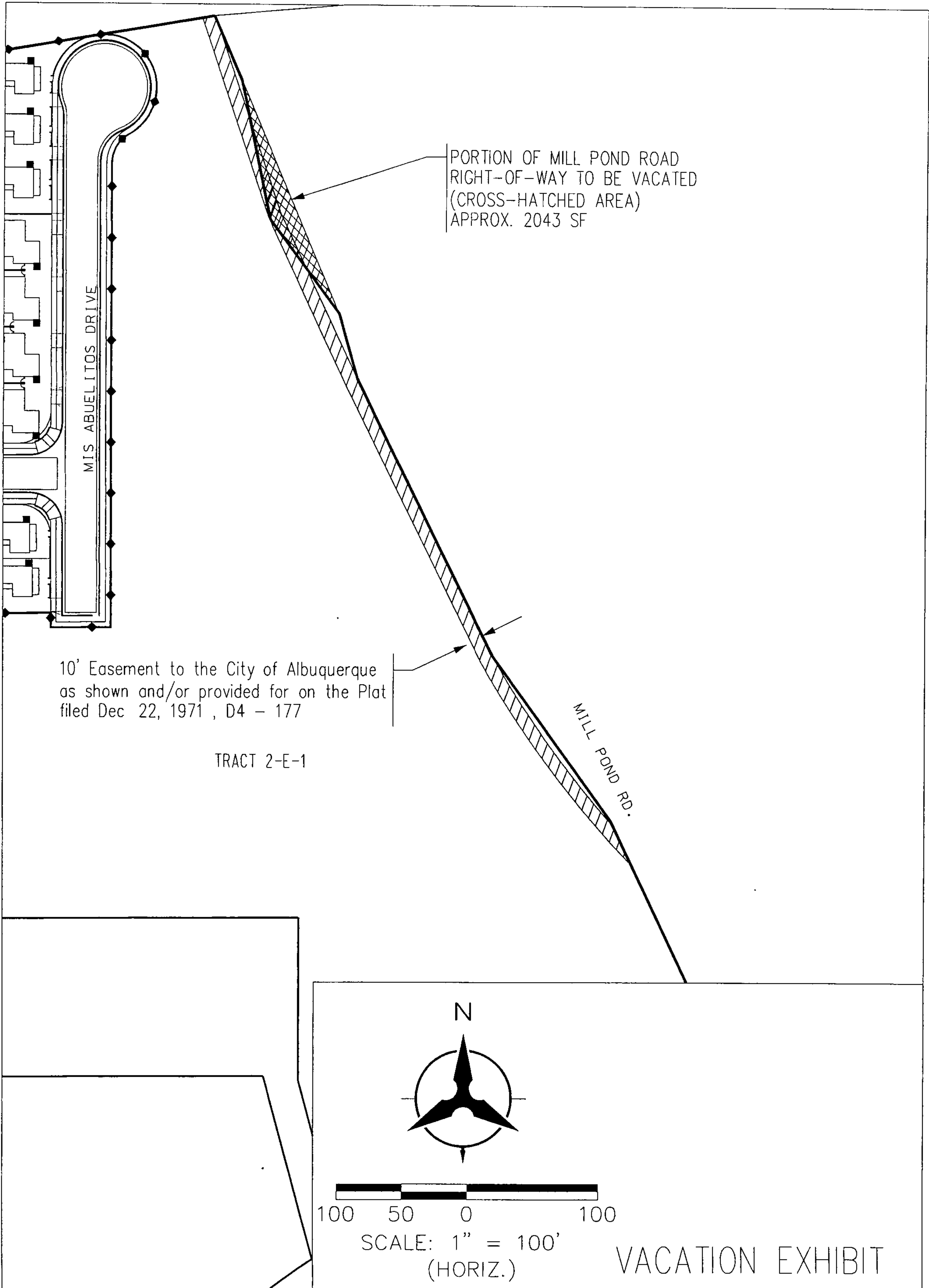


Exhibit "A"





## INTER-OFFICE MEMORANDUM

TO: DEVELOPMENT REVIEW BOARD MEMBERS  
JOHN HARTMAN, Transportation  
SHABIH RIZVI, Transit & Parking Department  
STEVE MONTIEL, Council of Governments  
LYNN MAZUR, AMAFCA  
STEVE SINK, APD Planning Division  
JAMES LEWIS, Open Space Division  
RAY SANCHEZ, Fire Department  
DAVID KILPATRICK, Zoning Enforcement Inspector  
STEPHANI WINKLEPLECK, Neighborhood Coordination  
FERNANDO VIGIL, Public Service Company of New Mexico  
APRIL WINTERS, Albuquerque Public Schools  
MICHELE RAMIREZ, QWEST  
ROBERT MARTINEZ, Comcast Cable  
RAY GOMEZ, Middle Rio Grande Conservancy District (MRGCD)  
SUZANNE BUSCH, Environmental Health

FROM: ANGELA GOMEZ, ADMINISTRATIVE ASSISTANT, DRB BOARD

SUBJECT: DEVELOPMENT REVIEW BOARD HEARING ON VACATIONS  
AND MAJOR SUBDIVISIONS.

Your comments on the following case(s) are requested. Board hearing is on **Wednesday, July 28, 2010. Comments must be received by Wednesday, July 21, 2010 OR BEFORE, IF COMMENTS ARE NOT RECEIVED BY 5 P.M. ON THIS DATE, THEN A "NO COMMENTS" WILL BE LISTED ON THE STAFF REPORT.**

Attached are copies of the requests.

If you have any questions, please contact me at 924-3946 or [agomez@cabq.gov](mailto:agomez@cabq.gov)



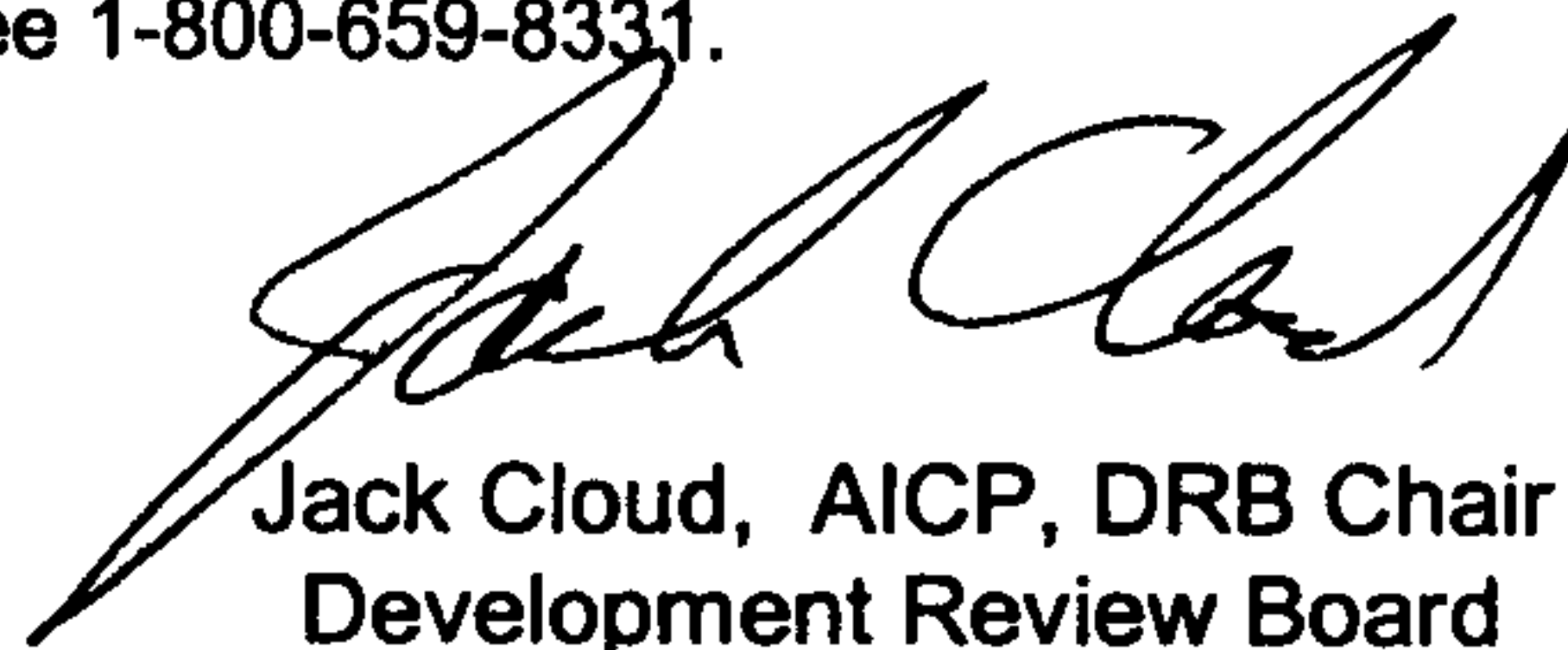
**PUBLIC HEARING--DEVELOPMENT REVIEW BOARD  
CITY OF ALBUQUERQUE**

Notice is hereby given that the Development Review Board, City of Albuquerque, will hold a public hearing in the **Plaza del Sol Hearing Room, Basement, Plaza del Sol Building, 600 2nd St NW**, on **Wednesday, July 28, 2010**, beginning at **9:00 a.m.** for the purpose of considering the following:

**Project# 1008412**  
10DRB-70186 VACATION OF PUBLIC  
EASEMENT  
10DRB-70187 VACATION OF PUBLIC  
RIGHT-OF-WAY

BOHANNAN HUSTON INC agent(s) for SAWMILL  
COMMUNITY LAND TRUST request(s) the  
referenced/above action(s) for a portion of Mill Pond Road  
NW and the adjacent 10 ft Easement on Tract(s) 2-E-1,  
**ARBOLERA DE VIDA Unit(s) 2B**, zoned S-M1, located  
on MILL POND RD NW between ASPEN AVE NW and I-  
40. (H-13)

Details of the application(s) may be examined at the Development Services Center of the Planning Department, Second Floor, Plaza Del Sol Building, 600 2nd St NW, between 10:00 a.m. and 12:00 p.m. or 2:00 p.m. and 4:00 p.m. Monday through Friday except holidays INDIVIDUALS WITH DISABILITIES who need special assistance to participate at this hearing should contact Angela Gomez, Planning Department, at 924-3946 (VOICE) or teletypewriter (TTY) 924-3361 – TTY users may also access the Voice number via the New Mexico Relay Network by calling toll-free 1-800-659-8331.



Jack Cloud, AICP, DRB Chair  
Development Review Board

**TO BE PUBLISHED IN THE ALBUQUERQUE JOURNAL MONDAY, JULY 12, 2010.**



CITY OF ALBUQUERQUE  
 PLANNING DEPARTMENT  
 DEVELOPMENT REVIEW BOARD

July 28, 2010

**Project# 1008412**

10DRB-70186 VACATION OF PUBLIC EASEMENT  
 10DRB-70187 VACATION OF PUBLIC RIGHT-OF-WAY

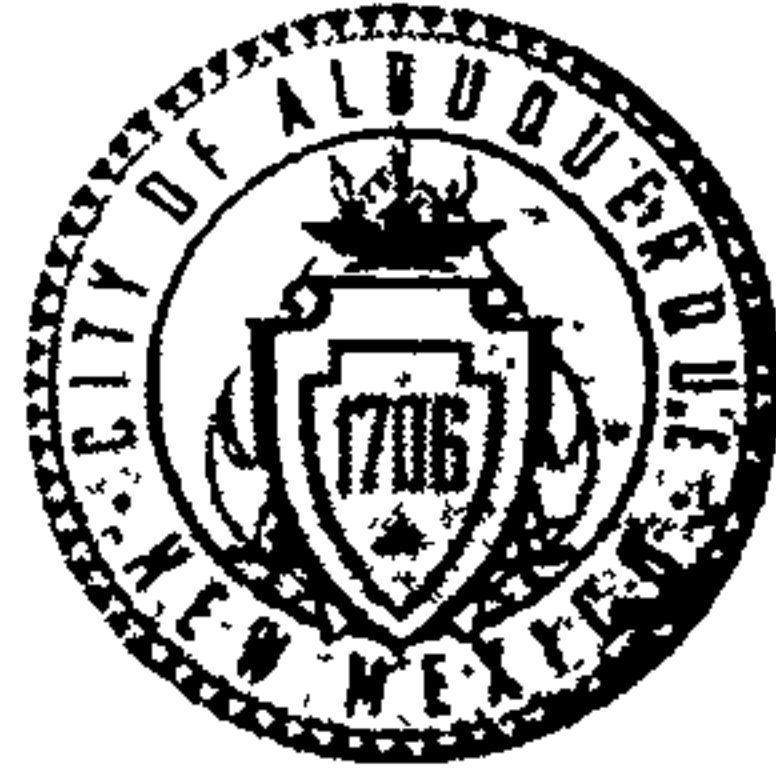
BOHANNAN HUSTON INC agent(s) for SAWMILL COMMUNITY LAND TRUST request(s) the referenced/above action(s) for a portion of Mill Pond Road NW and the adjacent 10 ft Easement on Tract(s) 2-E-1, **ARBOLERA DE VIDA Unit(s) 2B**, zoned S-M1, located on MILL POND RD NW between ASPEN AVE NW and I-40. (H-13)

<b>AMAFCA</b> No comments.				
<b>COG</b> No comments.				
<b>TRANSIT</b> No comments.				
<b>ZONING ENFORCEMENT</b> No comments.				
<b>NEIGHBORHOOD COORDINATION</b> Letters sent to: <b>Sawmill Area NA (R)</b> <b>Near North Valley NA (R)</b>				
<b>APS</b> <b>Arbolera de Vida Unit 2B</b> , Tract 2-E-1, is located on Mill Pond Rd NW between Aspen Ave NW and I-40. The owner of the above property requests a Vacation of Public Easement and a Vacation of Public Right-of-Way for a development that will consist of 29 single-family attached and detached housing. This will impact Reginald Chavez Elementary School, Washington Middle School, and Albuquerque High School. Currently, all three schools have excess capacity.				
		<b>2009-10</b>		
<b>Loc No</b>	<b>School</b>	<b>40th Day</b>	<b>2009-10 Capacity</b>	<b>Space Available</b>
330	Reginald Chavez	378	405	27
465	Washington	505	837	332
590	Albuquerque	1,699	1,941	242
<b>POLICE DEPARTMENT</b> No comments.				
<b>FIRE DEPARTMENT</b> No comments.				
<b>PNM ELECTRIC &amp; GAS</b> No comments.				

<b>COMCAST</b> No comments.
<b>QWEST</b> Concerning the subject case number(s), Qwest has no objections to the vacation of the public easement or public right-of-way. Prior to any final plat approval, we will need a copy for review.
<b>ENVIRONMENTAL HEALTH</b> No comments.
<b>M.R.G.C.D</b> No comments.
<b>OPEN SP No comments.ACE DIVISION</b>
<b>CITY ENGINEER</b> Provide exhibit showing street and pond. Hydrology may require additional R/W.
<b>TRANSPORTATION DEVELOPMENT</b> Additional information must be provided. Provide an exhibit showing the location of sidewalk and defining the distance from face of curb to the property line.
<b>PARKS AND RECREATION</b> No objection to the vacation of public easement, defer to Transportation Development for the vacation of public ROW.
<b>ABCWUA</b> No comments.
<b>PLANNING DEPARTMENT</b> Refer to comments from affected agencies/ Transportation Development plus any public hearing comments regarding proposed vacation.

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





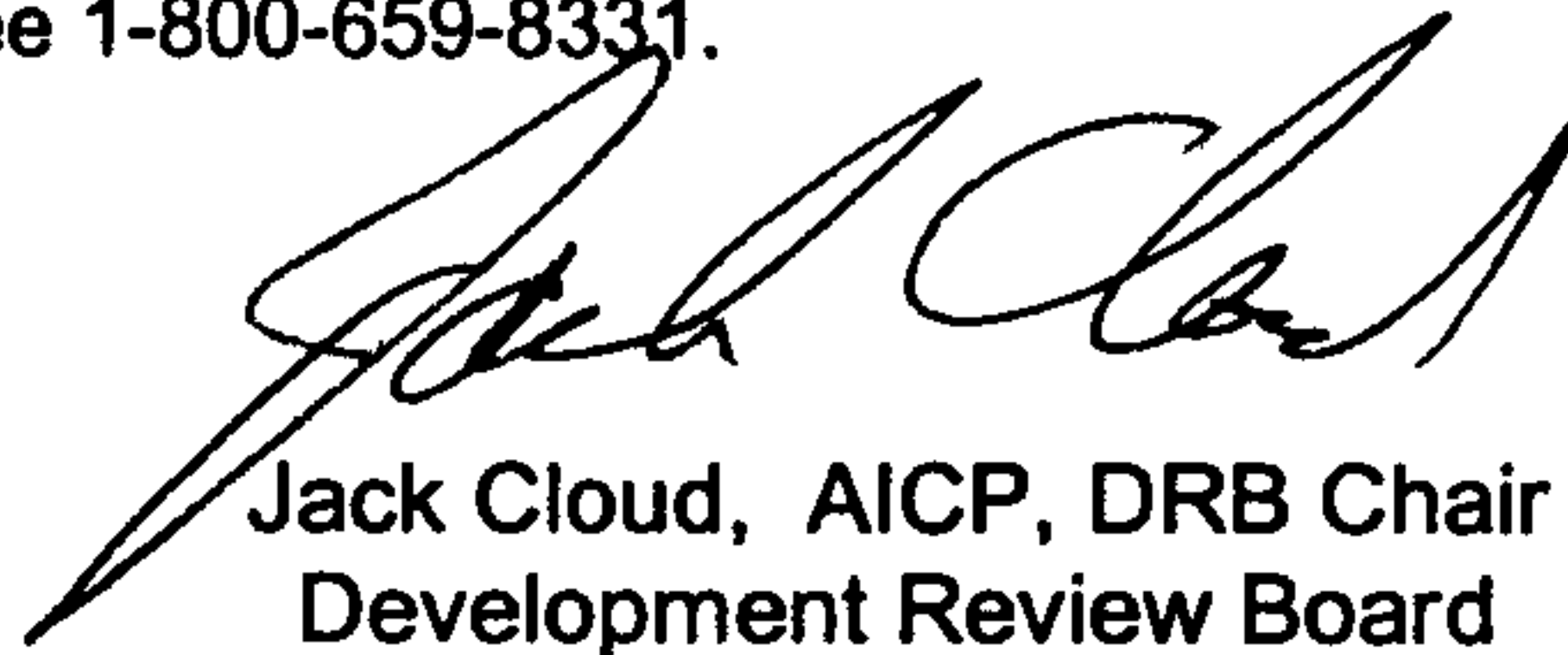
**PUBLIC HEARING--DEVELOPMENT REVIEW BOARD  
CITY OF ALBUQUERQUE**

Notice is hereby given that the Development Review Board, City of Albuquerque, will hold a public hearing in the **Plaza del Sol Hearing Room, Basement, Plaza del Sol Building, 600 2nd St NW**, on **Wednesday, July 28, 2010**, beginning at **9:00 a.m.** for the purpose of considering the following:

**Project# 1008412**  
10DRB-70186 VACATION OF PUBLIC  
EASEMENT  
10DRB-70187 VACATION OF PUBLIC  
RIGHT-OF-WAY

BOHANNAN HUSTON INC agent(s) for SAWMILL  
COMMUNITY LAND TRUST request(s) the  
referenced/above action(s) for a portion of Mill Pond Road  
NW and the adjacent 10 ft Easement on Tract(s) 2-E-1,  
**ARBOLERA DE VIDA Unit(s) 2B**, zoned S-M1, located  
on MILL POND RD NW between ASPEN AVE NW and I-  
40. (H-13)

Details of the application(s) may be examined at the Development Services Center of the Planning Department, Second Floor, Plaza Del Sol Building, 600 2nd St NW, between 10:00 a.m. and 12:00 p.m. or 2:00 p.m. and 4:00 p.m. Monday through Friday except holidays INDIVIDUALS WITH DISABILITIES who need special assistance to participate at this hearing should contact Angela Gomez, Planning Department, at 924-3946 (VOICE) or teletypewriter (TTY) 924-3361 – TTY users may also access the Voice number via the New Mexico Relay Network by calling toll-free 1-800-659-8331.



Jack Cloud, AICP, DRB Chair  
Development Review Board

**TO BE PUBLISHED IN THE ALBUQUERQUE JOURNAL MONDAY, JULY 12, 2010.**

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

**Meeting Date: July 28, 2010**  
**Zone Atlas Page: H-13**  
**Notification Radius: 100 Ft.**

**Project # 1008412**  
**App# 10DRB-70186**  
**App# 10DRB-70187**

**Cross Reference and Location: Bellamah Ave NW between Aspen NW and 19<sup>th</sup> St NW**

**Applicant:** BOHANNAN HUSTON INC  
JEFFERSON NE  
ALBUQUERQUE, NM 87109


**Agent:** SAWMILL COMMUNITY LAND TRUST  
PO BOX 25181  
ALBUQUERQUE, NM 87125

**Special Instructions:**

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

**Date Mailed: July 9, 2010,**

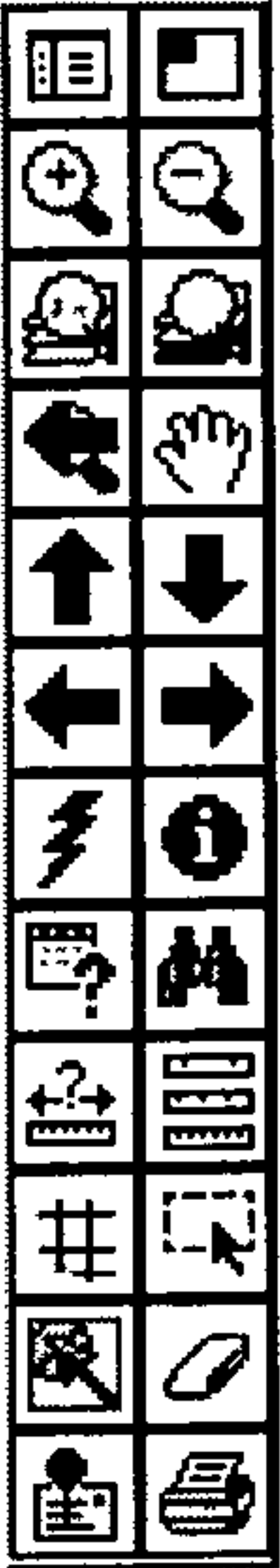
**Signature:** *Sandy Handley*

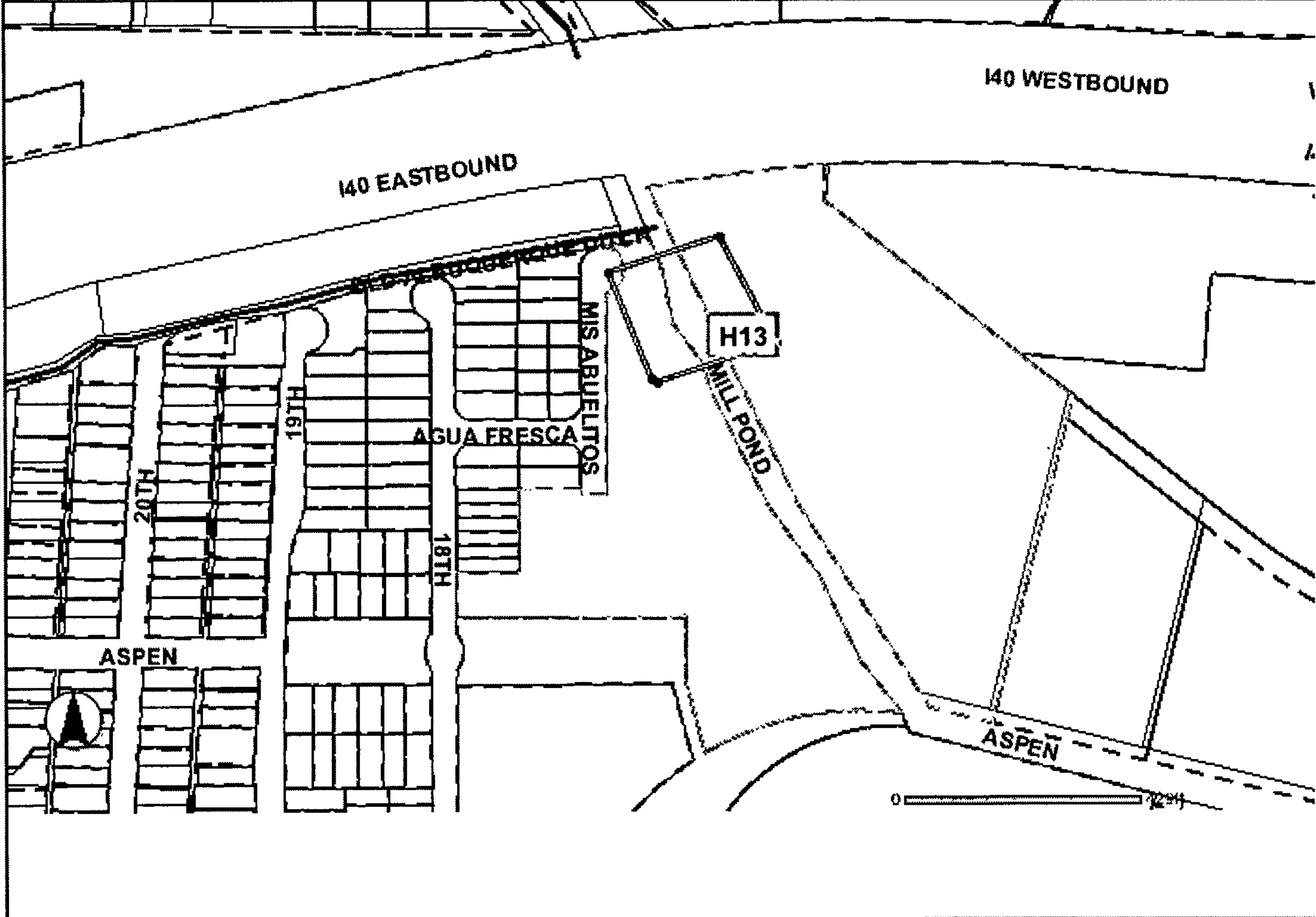


**CITY OF ALBUQUERQUE**  
www.cabq.gov

# ALBUQUERQUE GIS DATA WEBSITE





**LAYERS**

- STREETS
- BASEMAP
- PARCELS
- LOT NUMBERS
- METRO ADDRESS
- ZONING
- OWNERSHIP
- 2FT CONTOUR
- ADDRESS POINTS
- LANDUSE
- EASEMENTS
- INFRASTRUCTURE
- TRANSIT/SUNTRAN
- BOUNDARIES
- MUNICIPAL LIMITS
- ZONE GRID
- NEIGHBORHOODS
- METRO REDEVELC
- DASZ
- DESIGN OVERLAY
- POLICE BEATS
- COUNCIL
- PARKS
- PETROGLYPH MNT
- BOSQUE SECTORS
- OPENSOURCE
- COMP PLAN
- AREA PLANS
- SECTOR PLANS
- SENATE DISTRICT
- REP. DISTRICTS
- PLANNING AREAS
- HISTORIC ZONES
- CORRIDORS
- ZIPCODES

**OWNERSHIP**

Rec	UPC CODE	OWNER	OWNER ADDRESS	OWNER CITY	OWNER STATE	OWI ZIPC
1	101305935410240304	ROGER COX LIMITED PARTNERSHIP 1984-2	1717 LOUISIANA BLVD NE SUITE 111	ALBUQUERQUE	NM	8711
2	101305023200240215	CITY OF ALBUQUERQUE	BO BOY 2248	ALBUQUERQUE	NM	8710

Select Line/Polygon
[SEARCH](#)
[REFRESH](#)
[HELP](#)
[MAIN PAGE](#)
[CONTACT GIS TEAM](#)

OR CURRENT OWNER  
ROGER COX LIMITED PARTNERSHIP 1984-2  
1717 LOUISIANA BLVD NE SUITE 111  
ALBUQUERQUE, NM 87110

~~OR CURRENT OWNER  
CITY OF ALBUQUERQUE  
PO BOX 2248  
ALBUQUERQUE, NM 87103~~

# City of Albuquerque



## DEVELOPMENT/ PLAN REVIEW APPLICATION

Supplemental form

### SUBDIVISION

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

### SITE DEVELOPMENT PLAN

- for Subdivision Purposes
- 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

V

P

D

L A

### 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)

### APPEAL / PROTEST of...

- Decision by: DRB, EPC, LUCC, Planning Director or Staff, ZHE, Zoning Board of Appeal

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): Bohannon Huston, Inc. PHONE (505) 823-1000  
 ADDRESS: 7500 Jefferson NE FAX (505) 898-7988  
 CITY: Albuquerque STATE NM ZIP 87109 E-MAIL: \_\_\_\_\_  
 APPLICANT: Sawmill Community Land Trust PHONE: 764-0359  
 ADDRESS: PO Box 25181 FAX: 473-2097  
 CITY: Albuquerque STATE NM ZIP 87125 E-MAIL: \_\_\_\_\_  
 Proprietary interest in site: Owner List all owners \_\_\_\_\_

### DESCRIPTION OF REQUEST: Vacation of Public Right of Way and Public Easement.

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

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

Lot or Tract No Tract 2-E-1 Block: \_\_\_\_\_ Unit: \_\_\_\_\_  
 Subdiv/Addn/TBKA: Arbolera de Vida Unit 2B  
 Existing Zoning: S-M1 Proposed zoning: \_\_\_\_\_ MRGCD Map No \_\_\_\_\_  
 Zone Atlas page(s) H-13 UPC Code: 101305399809240215

### CASE HISTORY:

List any current or prior case number that may be relevant to your application (Proj, App, DRB-, AX, Z, V, S, etc.): \_\_\_\_\_  
1005354, 07DRB-00499, 617585

### CASE INFORMATION:

Within city limits?  Yes Within 1000FT of a landfill?  No  
 No. of existing lots: 1 No. of proposed lots \_\_\_\_\_ Total area of site (acres): 6.0172

LOCATION PROPERTY BY STREETS On or Near Bellamah Ave, NW

Between: Aspen, NW and 19<sup>th</sup> Street, NW

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

SIGNATURE Yolanda Padilla Moyer DATE 6/29/2008  
 (Print) Yolanda Padilla Moyer P.E. Applicant  Agent

### FOR OFFICIAL USE ONLY

Form revised 9/01, 3/03, 7/03, 10/03, 04/04

### 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

### Application case numbers

10DRB - 70186  
10DRB - 70187

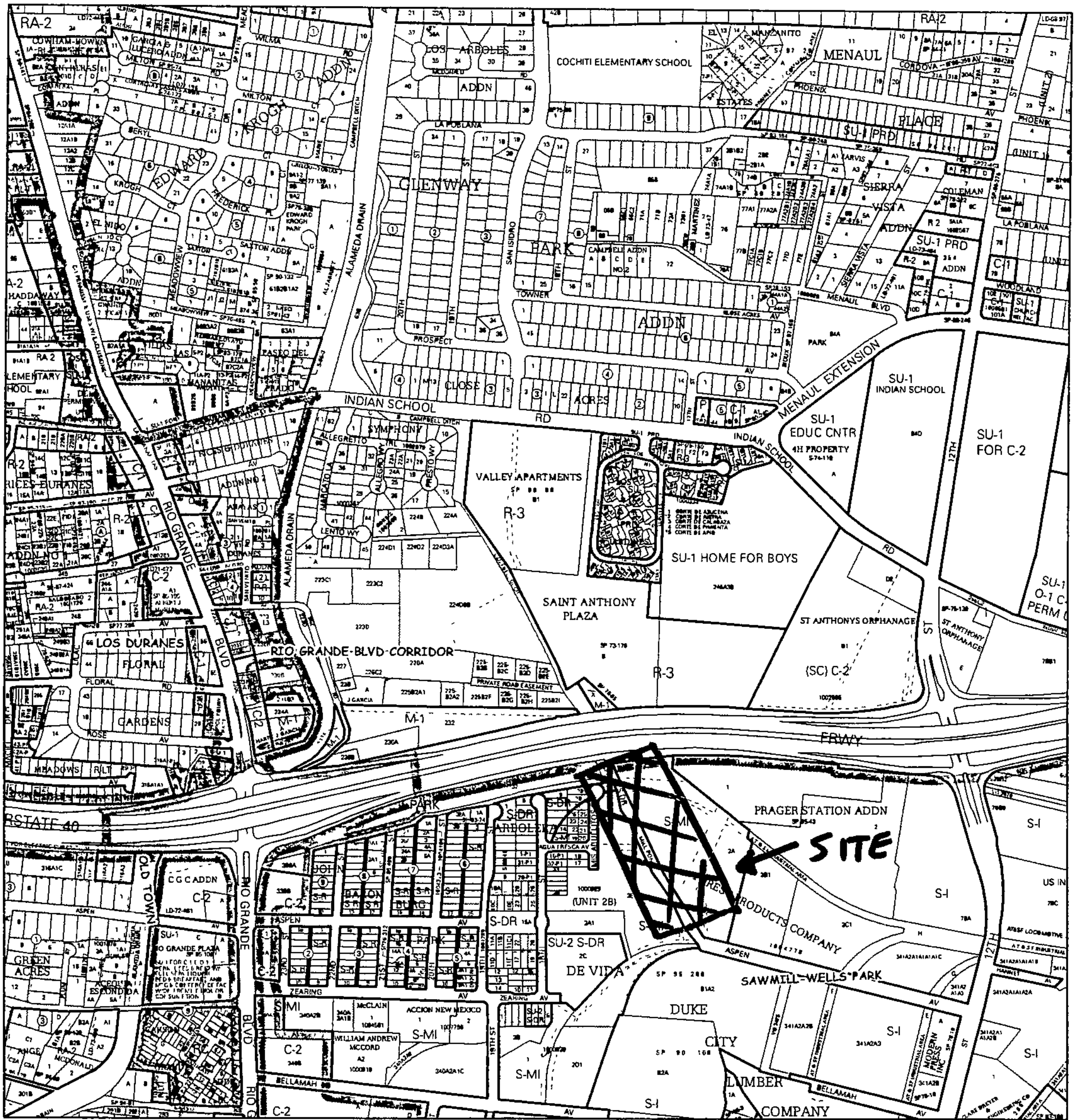
### Action

S.F. Fees  
VPE \$ 45.00  
VRW \$ 300.00  
ADV \$ 75.00  
CME \$ 20.00  
 \$ 440.00

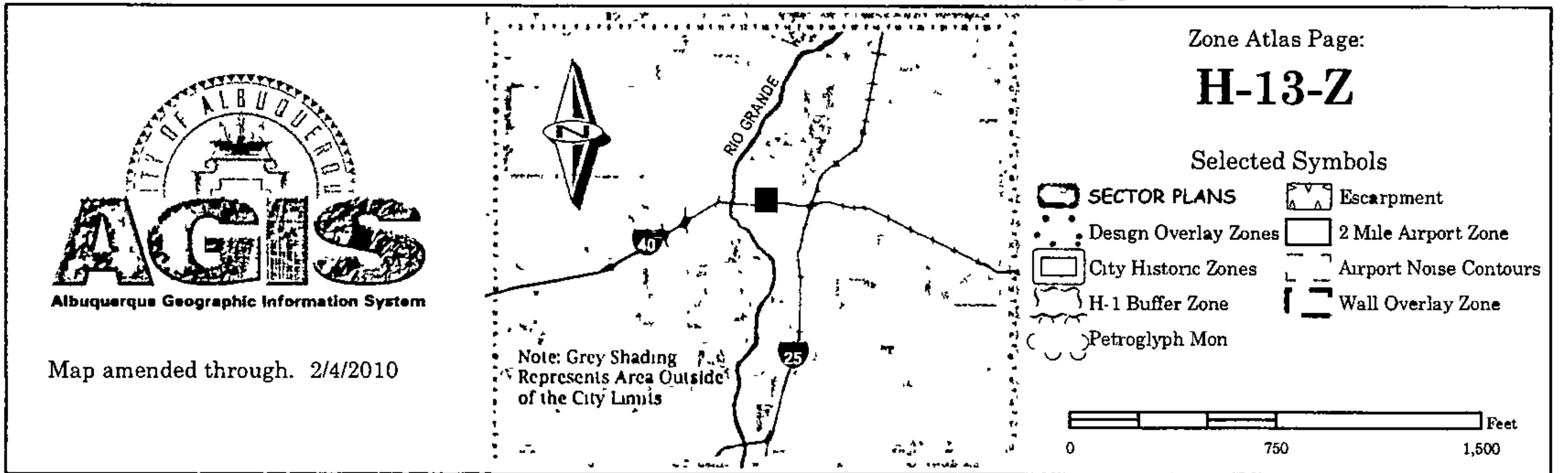
HEARING DATE  
JULY 28, 2010

PROJECT #  
~~1005354~~  
1008412

Sandy Handley  
07/02/10



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



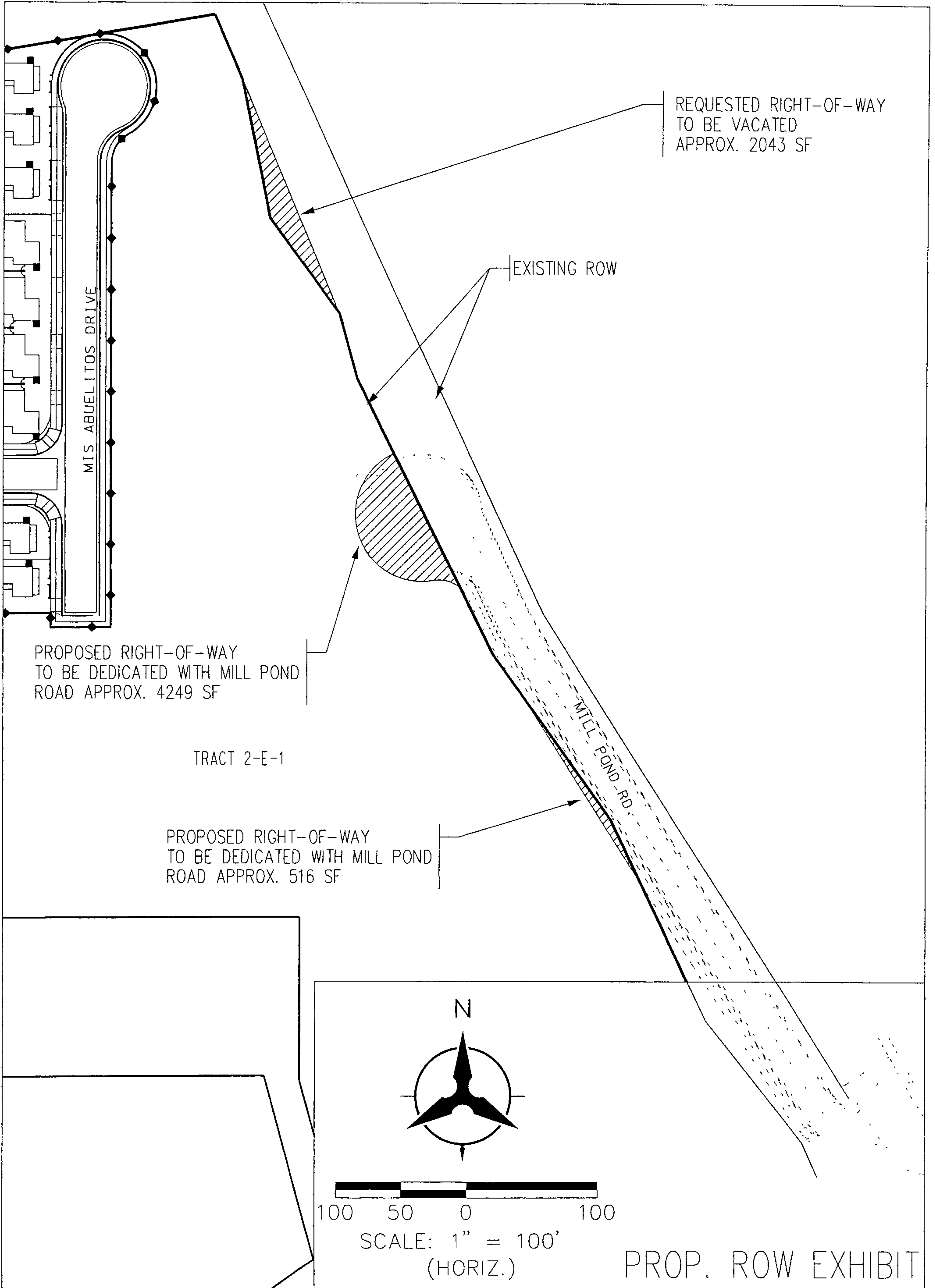
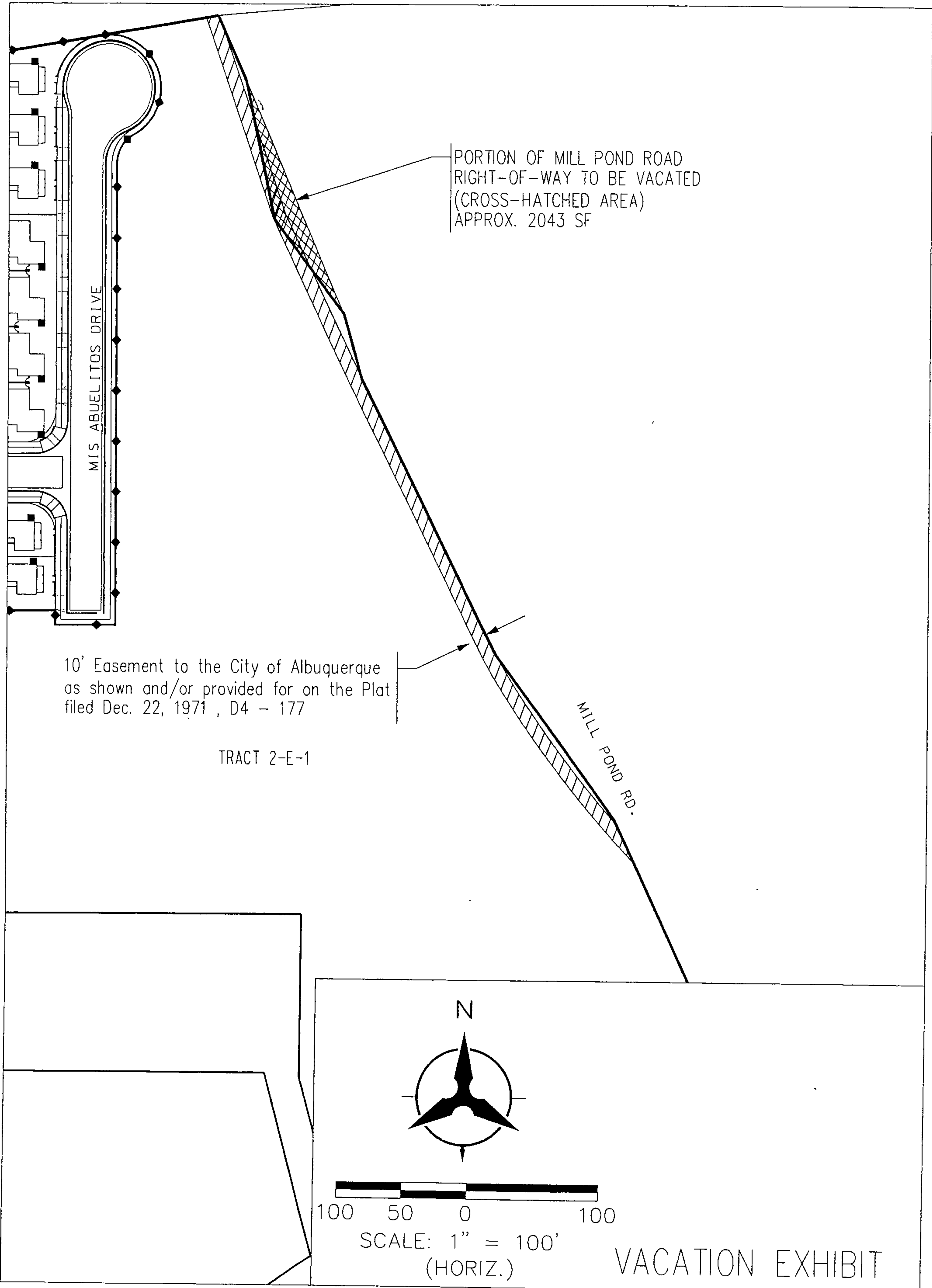


Exhibit "B"



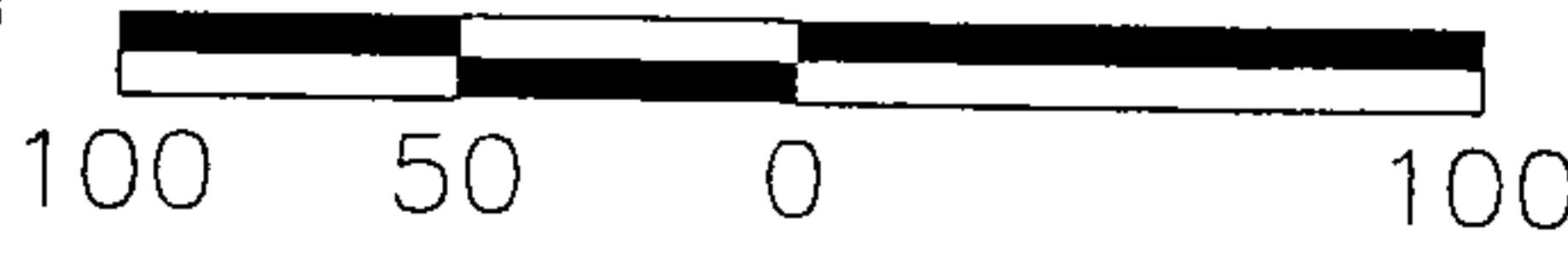
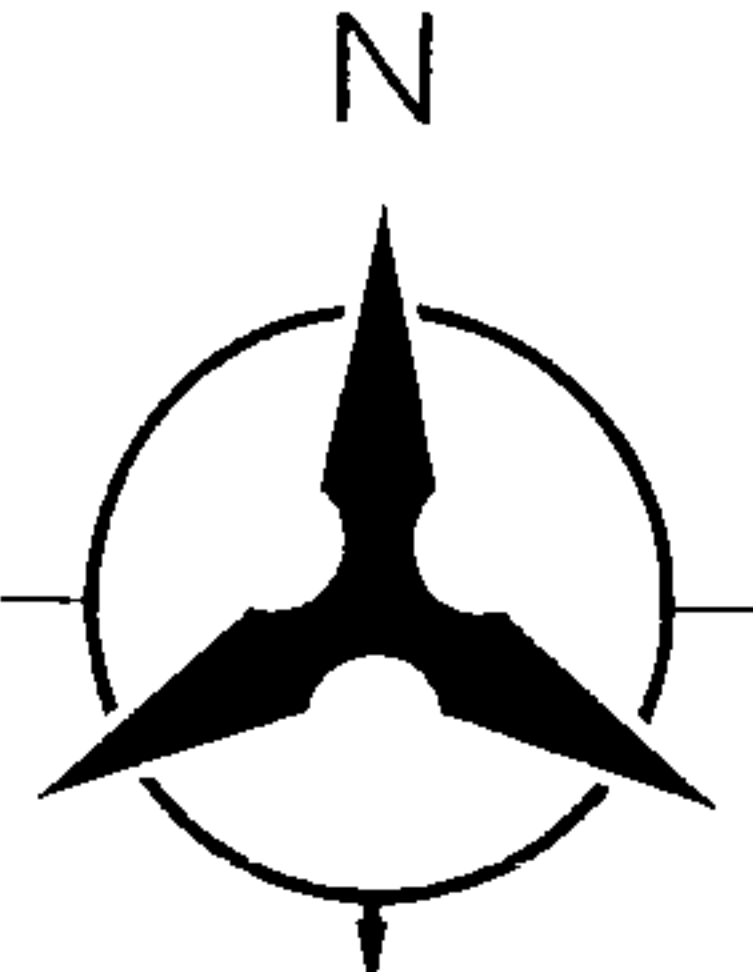
PORTION OF MILL POND ROAD  
RIGHT-OF-WAY TO BE VACATED  
(CROSS-HATCHED AREA)  
APPROX. 2043 SF

10' Easement to the City of Albuquerque  
as shown and/or provided for on the Plat  
filed Dec. 22, 1971, D4 - 177

TRACT 2-E-1

MILL POND RD.

MIS ABUELITOS DRIVE



SCALE: 1" = 100'  
(HORIZ.)

VACATION EXHIBIT

Exhibit "A"



# City of Albuquerque



## DEVELOPMENT/ PLAN REVIEW APPLICATION

### Supplemental form

#### SUBDIVISION

- Major Subdivision action
- Minor Subdivision action
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V

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 ADDRESS: PO Box 25181 FAX: 473-2097  
 CITY: Albuquerque STATE NM ZIP 87125 E-MAIL: \_\_\_\_\_  
 Proprietary interest in site: Owner List all owners: \_\_\_\_\_

DESCRIPTION OF REQUEST: Vacation of Public Right of Way and Public Easement

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

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

Lot or Tract No. Tract 2-E-1 Block: \_\_\_\_\_ Unit: \_\_\_\_\_  
 Subdiv/Addn/TBKA: Arbolera de Vida Unit 2B  
 Existing Zoning: S-M1 Proposed zoning: \_\_\_\_\_ MRGCD Map No \_\_\_\_\_  
 Zone Atlas page(s): H-13 UPC Code: 101305399809240215

#### CASE HISTORY:

List any current or prior case number that may be relevant to your application (Proj., App., DRB-, AX-, Z-, V-, S-, etc.): \_\_\_\_\_  
1005354, 07DRB-00499, 617585

#### CASE INFORMATION:

Within city limits?  Yes Within 1000FT of a landfill?  No  
 No. of existing lots: 1 No. of proposed lots: \_\_\_\_\_ Total area of site (acres): 6.0172

LOCATION PROPERTY BY STREETS: On or Near: Bellamah Ave., NW

Between: Aspen, NW and 19<sup>th</sup> Street, NW

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

SIGNATURE Yolanda Padilla Moyer DATE 6/29/2008  
 (Print) Yolanda Padilla Moyer P.E. Applicant  Agent

#### FOR OFFICIAL USE ONLY

Form revised 9/01, 3/03, 7/03, 10/03, 04/04

#### 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

#### Application case numbers

10DRB - 70186  
10DRB - 70187  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

#### Action

VPE  
VRN  
ADV  
CMF

#### S.F.

\_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

#### Fees

\$ 45.00  
 \$ 300.00  
 \$ 75.00  
 \$ 20.00  
 \$ 440.00

Sandy Handley  
07/02/10

HEARING DATE  
JULY 28, 2010

PROJECT #  
1005354  
1008412

**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.

BRIAN PATTERSON  
 \_\_\_\_\_  
 Applicant name (print)  
 \_\_\_\_\_  
 Applicant signature / date  
 6/28/10



Form revised 4/07

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

Application case numbers  
 100RB- \_\_\_\_\_ - 10186  
 100RB- \_\_\_\_\_ - 10187

Sandy Handley 07/02/10  
 \_\_\_\_\_  
 Planner signature / date  
 Project # 1005354  
 1008412

# 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.

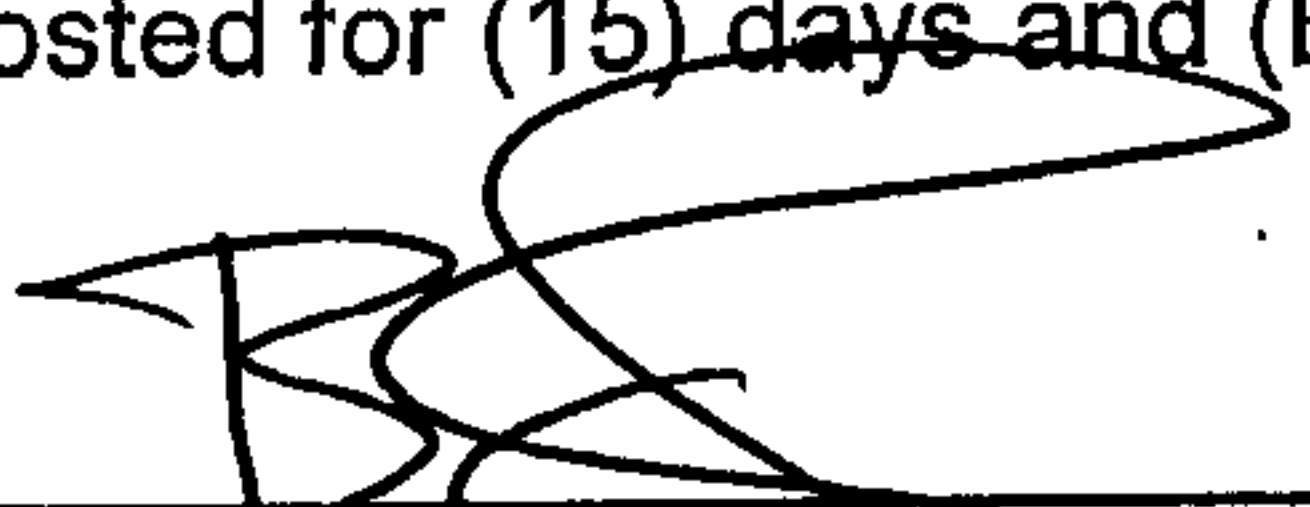
#### 4. TIME

Signs must be posted from JULY 13, 2010 To JULY 28, 2010

#### 5. REMOVAL

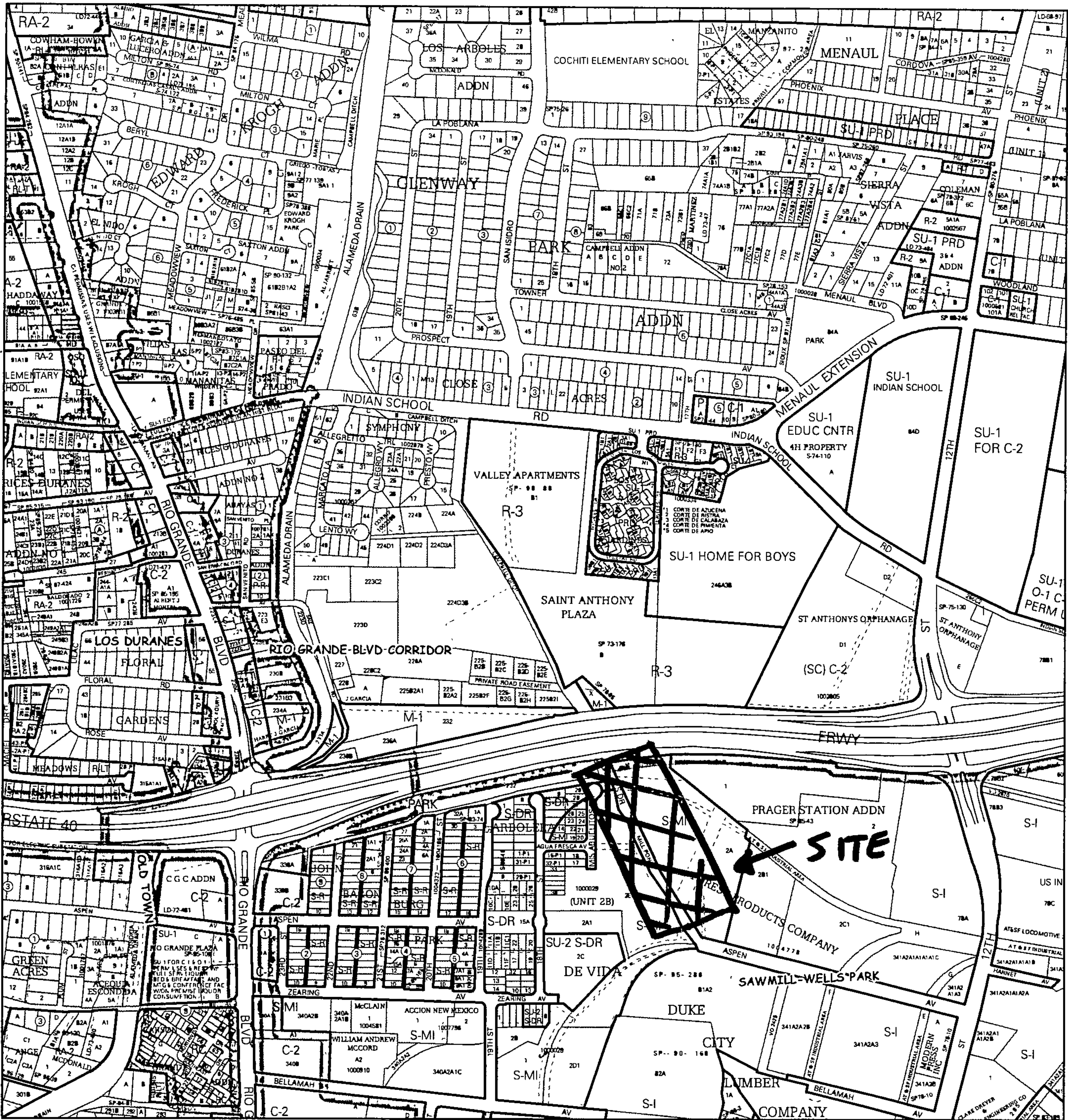
- A. The sign is not to be removed before the initial hearing on the request.
- B. The sign should be removed within five (5) days after the initial hearing.

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.


  
\_\_\_\_\_  
(Applicant or Agent) 7/2/10  
\_\_\_\_\_  
(Date)

I issued 1 signs for this application, 07/02/10 Sandy Handley  
(Date) (Staff Member)

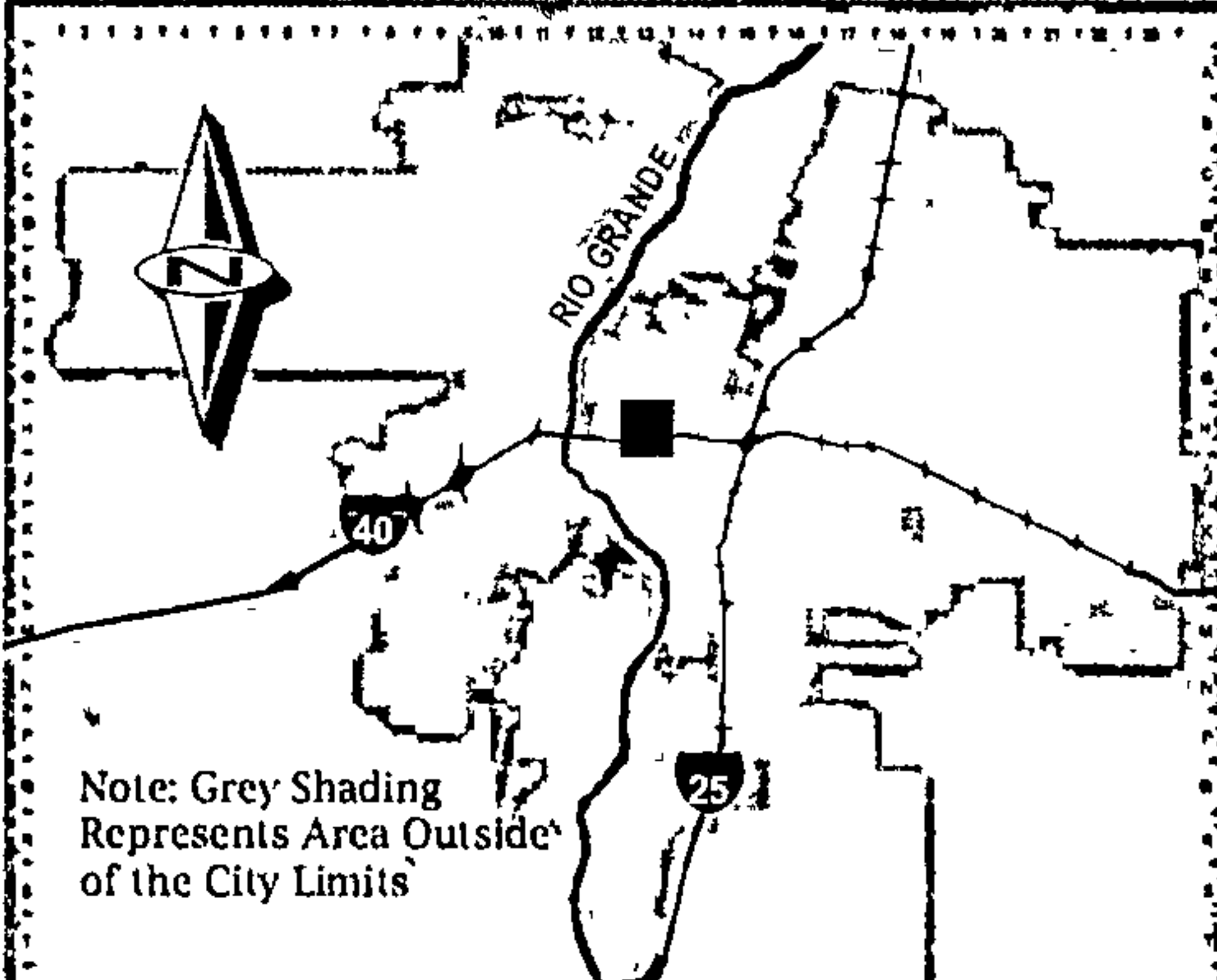
DRB PROJECT NUMBER: 1005354



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



Map amended through: 2/4/2010



Note: Grey Shading Represents Area Outside of the City Limits

Zone Atlas Page:  
**H-13-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

0 750 1,500 Feet

June 29, 2010

Jack Cloud, Chair  
Development Review Board  
City of Albuquerque  
P.O. Box 1293  
Albuquerque, New Mexico 87103

Courtyard I  
7500 Jefferson St. NE  
Albuquerque, NM  
87109-4335

[www.bhinc.com](http://www.bhinc.com)

voice: 505.823.1000  
facsimile: 505.798.7988  
toll free: 800.877.5332

Re: Vacation of Public Right-of-Way and Public Easement  
Mill Pond Road and Lot 2-E-1 Arbolera de Vida Unit 2B

Dear Jack:

Enclosed for review and approval by the Development Review Board (DRB) are copies of the following information:

- Development Review Applications
- Twenty-four (24) copies of the Location of Request for the vacation of easements (Exhibit "A")
- Twenty-four (24) copies of the documents which created the easements with the easement recording information shown
- Twenty-four (24) copies of the documents which show future right-of-way dedication for Mill Pond Road (Exhibit "B")
- Letter from the Office of Neighborhood Coordination and related data,
- Zone Atlas Map showing the location of the property, and
- Fee in the amount of \$440.00

We are requesting to vacate a portion of the existing public right-of-way for Mill Pond Road along with an existing 10' public easement belonging to the City of Albuquerque. The right-of-way/easements and the reasons for their vacations are listed below:

1. The Portion of Mill Pond Road (2043 sf) Public Right of Way Vacation (see Exhibit "A"). That portion of Mill Pond Road Public Right of Way we are requesting to vacate is an abrupt deflection from the right-of-way lines to the north and south. The adjacent property owner is requesting the vacation action in order to construct an acequia that will better serve (given a more north south realignment) the proposed community garden. This same property owner is dedicating additional public right of way (approximately 4,765 sy) to support the construction of Mill Pond Road (see Exhibit "B").
2. 10' Easement to the City of Albuquerque dedicated filed 12/22/1971, Bk D4, pg 177. This easement is adjacent to Mill Pond Road right-of-way (please note that it doesn't follow the abrupt deflection in the right of way we are looking to vacate). There does not appear to be anything within this easement nor does it seem necessary.

Please add this on the agenda for July 28, 2010. Should you have any questions regarding this request, please contact me.

Sincerely,

  
Yolanda Padilla Moyer, P.E.  
Project Manager  
Community Development and Planning Group

YPM/cc  
Enclosures

ENGINEERING ▲

SPATIAL DATA ▲

ADVANCED TECHNOLOGIES ▲



*City of Albuquerque*  
P.O. Box 1293, Albuquerque, NM 87103

June 25, 2010

Yolanda Moyer  
Bohannon Huston Inc.  
7500 Jefferson NE/87109  
Phone: 505-823-1000/Fax: 505-798-7988

**PLEASE NOTE:** The Neighborhood and/or Homeowner 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.

Dear Yolanda Moyer:

Thank you for your inquiry of June 25, 2010 requesting the names of **ALL Neighborhood and/or Homeowner Associations** who would be affected under the provisions of O-92 by your proposed project at **(DRB SUBMITTAL) - TRACT 2-E-1 ARBOLERA DE VIDA, UNIT 2B, LOCATED ON MILL POND ROAD NW, BETWEEN ASPEN ROAD NW AND INTERSTATE 40 FREEWAY** zone map **J-13**.

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

**SAWMILL AREA N.A. (SMA) "R"**  
Lawrence Schultz, 1324 Sawmill Rd. NW/87104 243-9160 (h)  
Judy Gallegos, 1036 18<sup>th</sup> St. NW/87104 843-6868 (h)

**NEAR NORTH VALLEY N.A. (NNV) "R"**  
Joe Sabatini, 3514 6<sup>th</sup> St. NW/87107 344-9212 (h)  
Marie NaVeaux, 1028 McMullin NW/87107 345-2073 (h)

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 me at (505) 924-3902 or via an e-mail message at [swinklepleck@cabq.gov](mailto:swinklepleck@cabq.gov) or by fax at (505) 924-3913.

Sincerely,

*Stephani Winklepleck*

Stephani I. Winklepleck  
Neighborhood Liaison  
OFFICE OF NEIGHBORHOOD COORDINATION  
Planning Department

**LETTERS MUST BE SENT TO BOTH CONTACTS OF EACH NEIGHBORHOOD AND/OR HOMEOWNER ASSOCIATION.**

planningrnaform(12/06/07)

# !!!Notice to Applicants!!!

## SUGGESTED INFORMATION FOR NEIGHBORHOOD NOTIFICATION LETTERS

Applicants for Zone Change, Site Plan, Sector Development Plan approval or an amendment to a Sector Development Plan by the EPC, DRB, etc. are required under Council Bill O-92 to notify all affected neighborhood and/or homeowner associations **PRIOR TO FILING THE APPLICATION TO THE PLANNING DEPARTMENT**. Because the purpose of the notification is to ensure communication as a means of identifying and resolving problems early, it is essential that the notification be fully informative.

### WE RECOMMEND THAT THE NOTIFICATION LETTER INCLUDE THE FOLLOWING INFORMATION:

1. The street address of the subject property.
2. The legal description of the property, including lot or tract number (if any), block number (if any), and name of the subdivision.
3. A physical description of the location, referenced to streets and existing land uses.
4. A complete description of the actions requested of the EPC:
  - a) If a **ZONE CHANGE OR ANNEXATION**, the name of the existing zone category and primary uses and the name of the proposed category and primary uses (i.e., "from the R-T Townhouse zone, to the C-2 Community Commercial zone").
  - b) If a **SITE DEVELOPMENT OR MASTER DEVELOPMENT PLAN** approval or amendment describes the physical nature of the proposal (i.e., "an amendment to the approved plan to allow a drive-through restaurant to be located just east of the main shopping center entrance off Montgomery Blvd.").
  - c) If a **SECTOR DEVELOPMENT PLAN OR PLAN AMENDMENT** a general description of the plan area, plan concept, the mix of zoning and land use categories proposed and description of major features such as location of significant shopping centers, employment centers, parks and other public facilities.
  - d) The name, address and telephone number of the applicant and of the agent (if any). In particular the name of an individual contact person will be helpful so that neighborhood associations may contact someone with questions or comments.

## Information from the Office of Neighborhood Coordination

The following information should always be in each application packet that you submit for an EPC or DRB application. Listed below is a "Checklist" of the items needed.

- ONC's "Official" Letter to the applicant (if there are associations). A copy must be submitted with application packet -OR-**
- The ONC "Official" Letter (if there are no associations). A copy must be submitted with application packet.
- Copies of Letters to Neighborhood and/or Homeowners Associations (if there are associations). A copy must be submitted with application packet.**
- Copies of the certified receipts to Neighborhood and/or Homeowners Associations (if there are associations). A copy must be submitted with application packet.**

**Just a reminder - Our ONC "Official" Letter is only valid for a one (1) month period and if you haven't submitted your application by this date, you will need to get an updated letter from our office.**

Any questions, please feel free to contact Stephani at 924-3902 or via an e-mail message at [swinklepleck@cabq.gov](mailto:swinklepleck@cabq.gov).

Thank you for your cooperation on this matter.

.....

(below this line for ONC use only)

Date of Inquiry: **06/25/10** Time Entered: **11:30 a.m.** ONC Rep. Initials: **siw**

Conward I  
300 Jefferson St NE  
Albuquerque, NM  
87102-4395

www.boh.com

voice: 505 825 1000  
facsimile: 505 795 7986  
toll free: 800 377 5332

CERTIFIED MAIL  
RETURN RECEIPT REQUESTED

June 28, 2010

Mr. Joe Sabatini  
3514 6th St. NW  
Albuquerque NM 87107

Re: Final Plat Approval & Vacation of Public Roadway Easement  
Tracts 2-A, 2-D and 2-E, Arbolera De Vida


Dear Mr. Sabatini:

The City of Albuquerque's Office of Neighborhood Coordination has informed us that you are a representative of the Near North Valley Neighborhood Association.

This letter is to advise you that Bohannan Huston, Inc., agent for Arbolera De Vida, is seeking approval of Vacation of Public Right of Way and Easement for Tract 2-E-1, Arbolera De Vida Subdivision, Unit 2B from the City of Albuquerque's Development Review Board (DRB).

Enclosed for your review and information is the submittal package that was submitted to the DRB. Please feel free to contact me if you have any questions regarding this matter or need information as to the date and time of the public hearing.

Sincerely,

  
Yolanda Moyer, P.E.  
Project Manager  
Community Development and Planning Group

YM/cc  
Enclosure





City of Albuquerque  
1200 Jefferson St. NE  
Albuquerque, NM  
87109-4325

www.bhinc.com

voice: 505 226 1000  
facsimile: 505 798 7989  
toll free: 800 877 5352

CERTIFIED MAIL  
RETURN RECEIPT REQUESTED

June 28, 2010

Ms. Judy Gallegos  
1036 18th St. NW  
Albuquerque NM 87104

Re: Final Plat Approval & Vacation of Public Roadway Easement  
Tracts 2-A, 2-D and 2-E, Arbolera De Vida

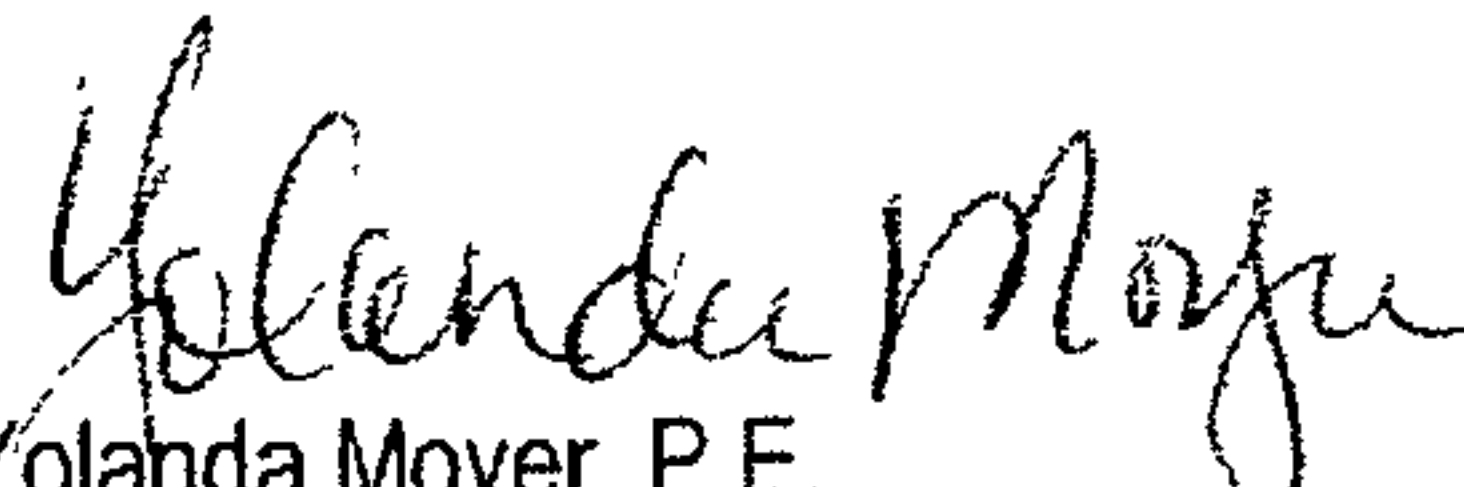
Dear Ms. Gallegos:

The City of Albuquerque's Office of Neighborhood Coordination has informed us that you are a representative of the Sawmill Area Neighborhood Association.

This letter is to advise you that Bohannon Huston, Inc., agent for Arbolera De Vida, is seeking approval of Vacation of Public Right of Way and Easement for Tract 2-E-1, Arbolera De Vida Subdivision, Unit 2B from the City of Albuquerque's Development Review Board (DRB).

Enclosed for your review and information is the submittal package that was submitted to the DRB. Please feel free to contact me if you have any questions regarding this matter or need information as to the date and time of the public hearing.

Sincerely,

  
Yolanda Moyer, P.E.  
Project Manager  
Community Development and Planning Group

YM/cc  
Enclosure

City of Albuquerque  
1500 Jefferson St. NE  
Albuquerque, NM  
87109-4235

www.bhac.com  
voice: 505 223 1000  
facsimile: 505 798 7958  
toll free: 800 677 5392

CERTIFIED MAIL  
RETURN RECEIPT REQUESTED

June 28, 2010

Mr. Lawrence Schultz  
1324 Sawmill Rd. NW  
Albuquerque NM 87104

Re: Final Plat Approval & Vacation of Public Roadway Easement  
Tracts 2-A, 2-D and 2-E, Arbolera De Vida

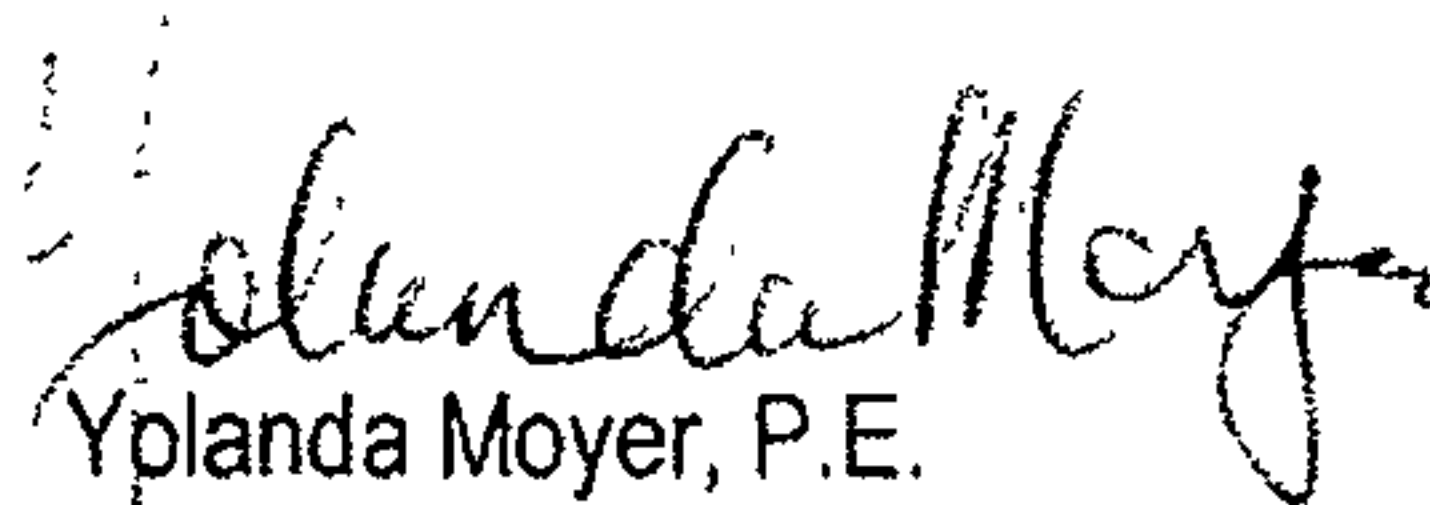
Dear Mr. Schultz:

The City of Albuquerque's Office of Neighborhood Coordination has informed us that you are a representative of the Sawmill Area Neighborhood Association.

This letter is to advise you that Bohannon Huston, Inc., agent for Arbolera De Vida, is seeking approval of Vacation of Public Right of Way and Easement for Tract 2-E-1, Arbolera De Vida Subdivision, Unit 2B from the City of Albuquerque's Development Review Board (DRB).

Enclosed for your review and information is the submittal package that was submitted to the DRB. Please feel free to contact me if you have any questions regarding this matter or need information as to the date and time of the public hearing.

Sincerely,



Yolanda Moyer, P.E.  
Project Manager  
Community Development and Planning Group

YM/cc  
Enclosure

15 JUN 2010 10:00 AM  
15 JUN 2010 10:00 AM  
15 JUN 2010 10:00 AM

SENDER: COMPLETE THIS SECTION	COMPLETE THIS SECTION ON DELIVERY	
<ul style="list-style-type: none"> <li>Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.</li> <li>Print your name and address on the reverse so that we can return the card to you.</li> <li>Attach this card to the back of the mailpiece, or on the front if space permits.</li> </ul>	A. Signature X <span style="float: right;"><input type="checkbox"/> Agent <input type="checkbox"/> Addressee</span>	
1. Article Addressed to:	B. Received by (Printed Name)	C. Date of Delivery
Ms. Marie NaVeaux 1028 McMullin NW Albuquerque NM 87107	D. Is delivery address different from item 1? <input type="checkbox"/> Yes If YES, enter delivery address below: <input type="checkbox"/> No	
2. Article Number (Transfer from service label)	91 7108 2133 3935 6708 6079	
PS Form 3811, February 2004 Domestic Return Receipt 102595-02-M-1540		

SENDER: COMPLETE THIS SECTION	COMPLETE THIS SECTION ON DELIVERY	
<ul style="list-style-type: none"> <li>Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.</li> <li>Print your name and address on the reverse so that we can return the card to you.</li> <li>Attach this card to the back of the mailpiece, or on the front if space permits.</li> </ul>	A. Signature X <span style="float: right;"><input type="checkbox"/> Agent <input type="checkbox"/> Addressee</span>	
1. Article Addressed to:	B. Received by (Printed Name)	C. Date of Delivery
Mr. Joe Sabatini 3514 6th St. NW Albuquerque NM 87107	D. Is delivery address different from item 1? <input type="checkbox"/> Yes If YES, enter delivery address below: <input type="checkbox"/> No	
2. Article Number (Transfer from service label)	91 7108 2133 3935 6708 6062	
PS Form 3811, February 2004 Domestic Return Receipt 102595-02-M-1540		

SENDER: COMPLETE THIS SECTION	COMPLETE THIS SECTION ON DELIVERY	
<ul style="list-style-type: none"> <li>Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.</li> <li>Print your name and address on the reverse so that we can return the card to you.</li> <li>Attach this card to the back of the mailpiece, or on the front if space permits.</li> </ul>	A. Signature X <span style="float: right;"><input type="checkbox"/> Agent <input type="checkbox"/> Addressee</span>	
1. Article Addressed to:	B. Received by (Printed Name)	C. Date of Delivery
Ms. Judy Gallegos 1036 18th St. NW Albuquerque NM 87104	D. Is delivery address different from item 1? <input type="checkbox"/> Yes If YES, enter delivery address below: <input type="checkbox"/> No	
2. Article Number (Transfer from service label)	91 7108 2133 3935 6708 6055	
PS Form 3811, February 2004 Domestic Return Receipt 102595-02-M-1540		

**SENDER: COMPLETE THIS SECTION**

**COMPLETE THIS SECTION ON DELIVERY**

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

Mr. Lawrence Schultz  
1324 Sawmill Rd. NW  
Albuquerque NM 87104

2. Article Number  
(Transfer from service label)

91 7108 2133 3935 6708 6048

A. Signature

X

- Agent
- Addressee

B. Received by (Printed Name)

C. Date of Delivery

D. Is delivery address different from item 1?  Yes  
If YES, enter delivery address below:  No

3. Service Type

- Certified Mail  Express Mail
- Registered  Return Receipt for Merchandise
- Insured Mail  C.O.D.

4. Restricted Delivery? (Extra Fee)

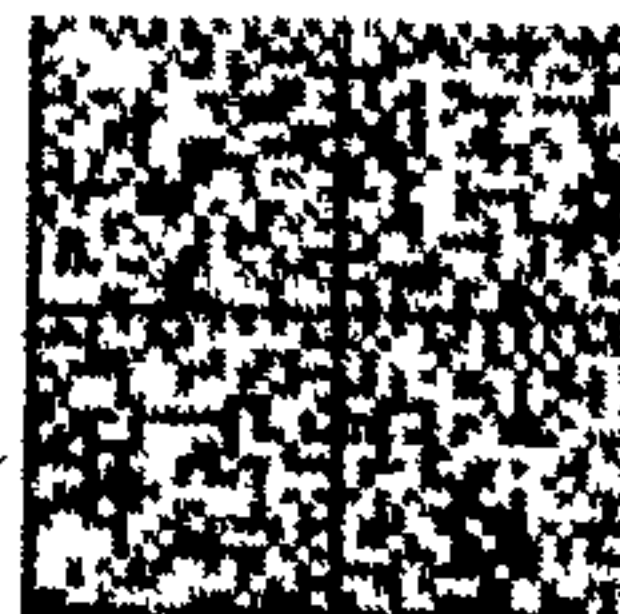
Yes

**Bohannon Huston**

Courtyard I  
7500 Jefferson St NE  
Albuquerque, NM  
87109-4335



91 7108 2133 3935 6708 6048



UNITED STATES POSTAGE  
PITNEY BOWES  
02 1P \$ 005.71<sup>0</sup>  
0003100114 JUN 28 2010  
MAILED FROM ZIP CODE 87109

Mr. Lawrence Schultz  
1324 Sawmill Rd. NW  
Albuquerque NM 87104

**CERTIFIED MAIL**

**Bohannon Huston**

Courtyard I  
7500 Jefferson St NE  
Albuquerque, NM  
87109-4335



91 7108 2133 3935 6708 6079



UNITED STATES POSTAGE  
PITNEY BOWES  
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MAILED FROM ZIP CODE 87109

Ms. Marie NaVeaux  
1028 McMullin NW  
Albuquerque NM 87107


**Bohannon**  **Huston**

Courtyard I  
7500 Jefferson St. NE  
Albuquerque, NM  
87109-4335



91 7108 2133 3935 6708 6055



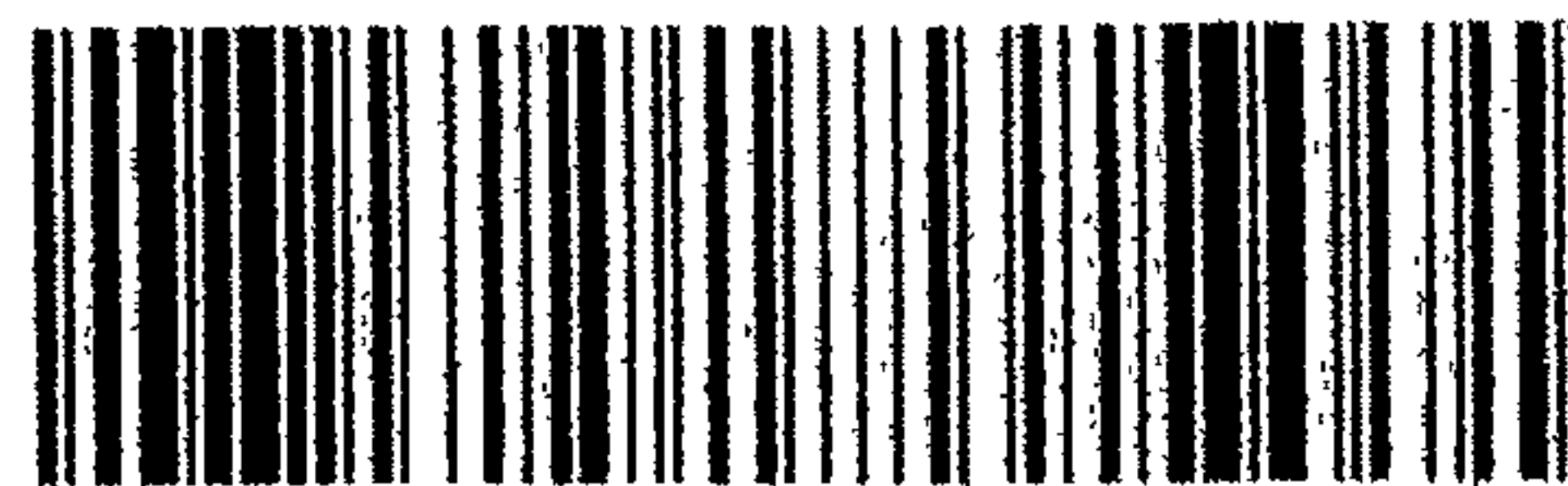
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PITNEY BOWES  
02 1P \$ 005.71<sup>0</sup>  
0003100114 JUN 28 2010  
MAILED FROM ZIP CODE 87109

Ms. Judy Gallegos  
1036 18th St. NW  
Albuquerque NM 87104

**CERTIFIED MAIL**


**Bohannon**  **Huston**

Courtyard I  
7500 Jefferson St. NE  
Albuquerque, NM  
87109-4335



91 7108 2133 3935 6708 6062



UNITED STATES POSTAGE  
  
PITNEY BOWES  
02 1P \$ 005.71<sup>0</sup>  
0003100114 JUN 28 2010  
MAILED FROM ZIP CODE 87109

Mr. Joe Sabatini  
3514 6th St. NW  
Albuquerque NM 87107

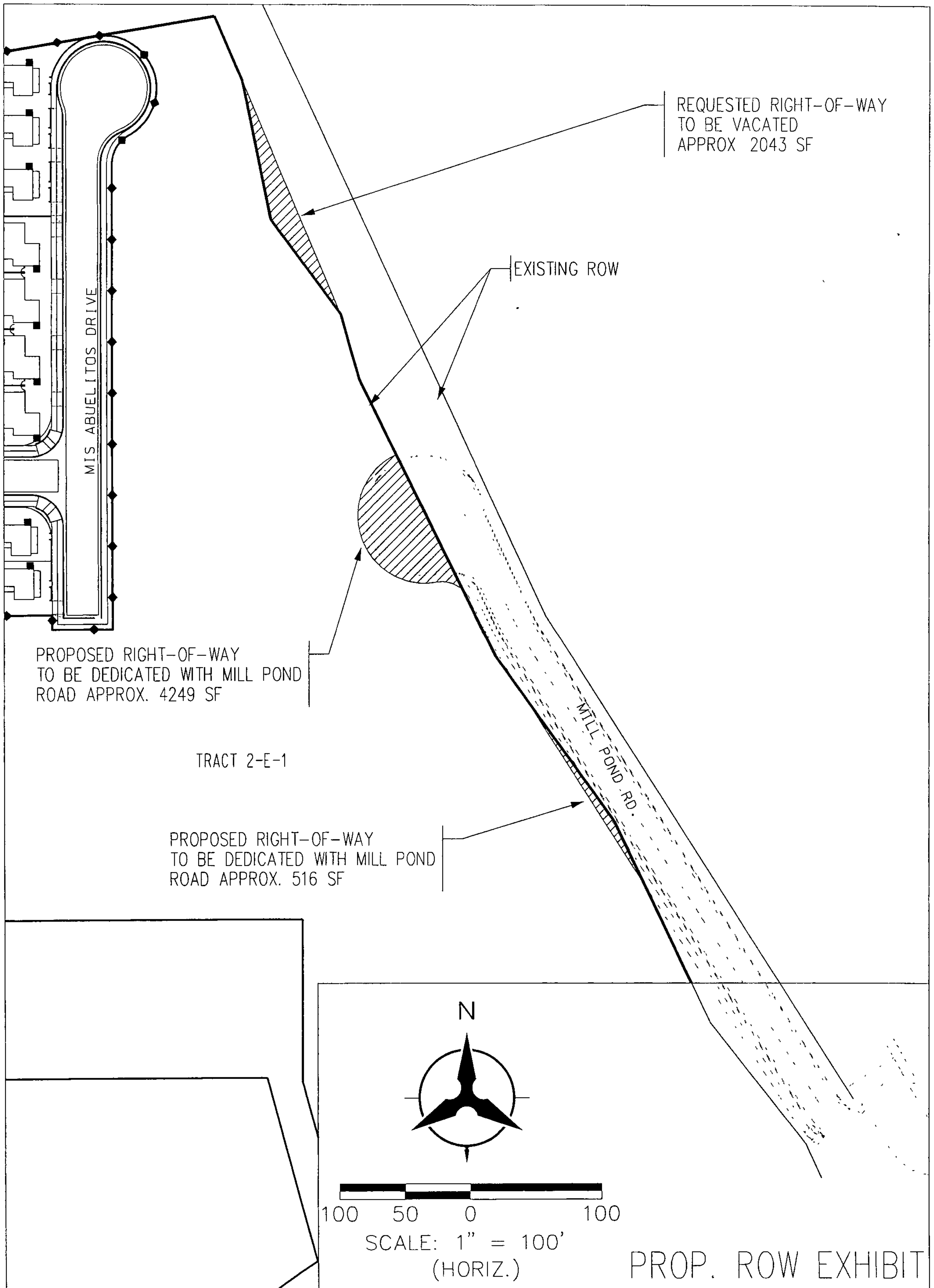
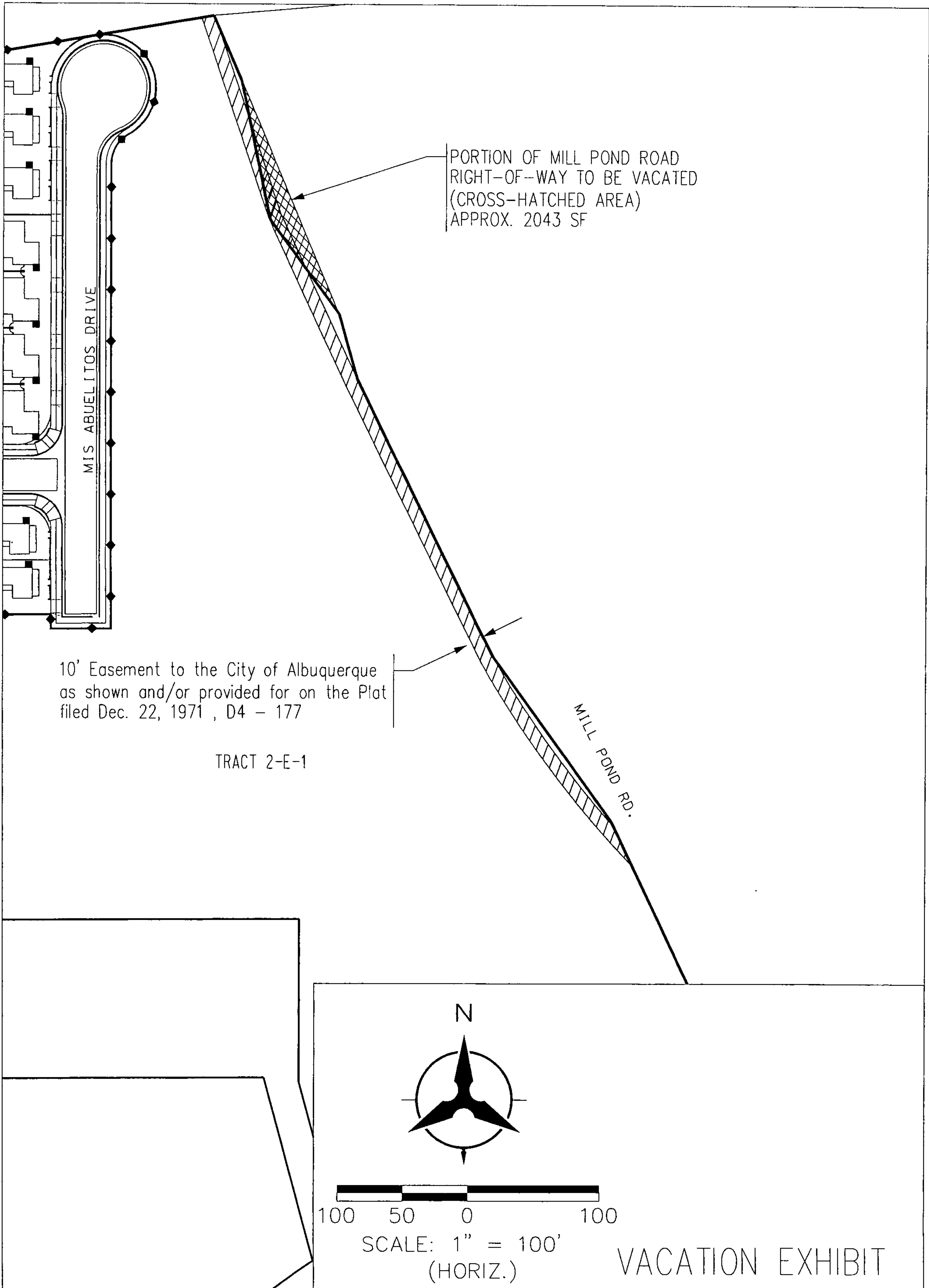


Exhibit "B"





VACATION EXHIBIT

Exhibit "A"



My commission expires on the 15th day of \_\_\_\_\_, 19\_\_.

Notary Public for the State of New Mexico.

STATE OF NEW MEXICO  
 COUNTY OF BERNILLO

Duke City Lumber Company Addition  
 My commission expires on the 15th day of \_\_\_\_\_, 19\_\_.

Notary Public for the State of New Mexico.

ALBUQUERQUE, NEW MEXICO  
 CITY PLANNING COMMISSION

Duke City Lumber Company Addition  
 ALBUQUERQUE, NEW MEXICO