

HEARING DATE: 3-30-11

**CITY OF ALBUQUERQUE
PLANNING DEPARTMENT
March 30, 2011
DRB Comments**

ITEM # 9

PROJECT # 1000947

APPLICATION # 10-70084

RE: Block 1, Garden Park Tract

All of the abutting property owners would have to agree to close the alley; there would have to be agreement on acquiring/ purchasing the alley right of way from the City Real Property Division, and hiring a surveyor to replat the alley into adjoining properties with a single plat.

The first step is to prepare an application for vacation (see attached application and checklist). Please note that this is a DRB public hearing, and will require the applicants to post a large yellow sign at each end of the alley.

If there is no objection at the DRB public hearing then a positive recommendation can be made to the City Council, who has the final approval authority.

If the City Council approves the vacation, there will be one year to hire a licensed land surveyor and acquire the property from the City.



Jack Cloud, DRB Chairman
924-3880/ jcloud@cabq.gov

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

STORM DRAINAGE (Form D)

Storm Drainage Cost Allocation Plan

ZONING & PLANNING

S Z

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)

D 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 2nd 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): Gilbert & Anita Garcia PHONE: 515-4462
 ADDRESS: 50-A Garden Park Circle NW FAX: _____
 CITY: Albuquerque STATE NM ZIP 87107 E-MAIL: _____
 APPLICANT: See Attached PHONE: _____
 ADDRESS: _____ FAX: _____
 CITY: _____ STATE _____ ZIP _____ E-MAIL: _____
 Proprietary interest in site: _____ List all owners: See Attached

DESCRIPTION OF REQUEST: Vacation of Alley / Easement.

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. X See Attached Block: X See Attached Unit: X See Attached
 Subdiv/Addn/TBKA: _____
 Existing Zoning: RA-2 Proposed zoning: None MRGCD Map No 34
 Zone Atlas page(s): G-13-Z UPC Code: X See Attached

CASE HISTORY:
 List any current or prior case number that may be relevant to your application (Proj., App., DRB-, AX, Z, V, S, etc.): _____

CASE INFORMATION:

Within city limits? Yes Within 1000FT of a landfill? NO
 No. of existing lots: _____ No. of proposed lots: _____ Total area of site (acres): _____
 LOCATION OF PROPERTY BY STREETS: On or Near: 12th St. N.W. / Matthew Blvd. N.W.
 Between: 12th St. N.W. / Garden Park Circle N.W. and Matthew Blvd. N.W. / Garden Park R.d.
 Check-off if project was previously reviewed by Sketch Plat/Plan , or Pre-application Review Team . Date of review: _____

SIGNATURE Gilbert R. Garcia DATE 09/04/2011
 (Print) Gilbert R. Garcia Applicant: Agent:

FOR OFFICIAL USE ONLY Form revised 4/07

	Application case numbers	Action	S.F.	Fees
<input checked="" type="checkbox"/> INTERNAL ROUTING	<u>11DRB - 70065</u>	<u>SKETCH</u>		\$ <u>0</u>
<input checked="" type="checkbox"/> All checklists are complete				\$ _____
<input checked="" type="checkbox"/> All fees have been collected				\$ _____
<input checked="" type="checkbox"/> All case #s are assigned				\$ _____
<input checked="" type="checkbox"/> AGIS copy has been sent				\$ _____
<input checked="" type="checkbox"/> Case history #s are listed				\$ _____
<input type="checkbox"/> Site is within 1000ft of a landfill				\$ _____
<input type="checkbox"/> F.H.D.P. density bonus				\$ _____
<input type="checkbox"/> F.H.D.P. fee rebate				\$ _____
	Hearing date <u>March 30, 2011</u>			Total \$ <u>0</u>
	<u>3-21-11</u>	Project # <u>1008739</u>		

Planner signature / date [Signature]

FORM S(3): SUBDIVISION - D.R.B. MEETING (UNADVERTISED) OR INTERNAL ROUTING

A Bulk Land Variance requires application on FORM-V in addition to application for subdivision on FORM-S.

SKETCH PLAT REVIEW AND COMMENT (DRB22) Your attendance is required.

- Scale drawing of the proposed subdivision plat (folded to fit into an 8.5" by 14" pocket) 6 copies
- Site sketch with measurements showing structures, parking, Bldg. setbacks, adjacent rights-of-way and street improvements, if there is any existing land use (folded to fit into an 8.5" by 14" pocket) 6 copies
- Zone Atlas map with the entire property(ies) clearly outlined
- Letter briefly describing, explaining, and justifying the request
- List any original and/or related file numbers on the cover application

EXTENSION OF MAJOR PRELIMINARY PLAT (DRB08) Your attendance is required.

- Preliminary Plat reduced to 8.5" x 11"
 - Zone Atlas map with the entire property(ies) clearly outlined
 - Letter briefly describing, explaining, and justifying the request
 - Copy of DRB approved infrastructure list
 - Copy of the LATEST Official DRB Notice of approval for Preliminary Plat Extension request
 - List any original and/or related file numbers on the cover application
- Extension of preliminary plat approval expires after one year.**

MAJOR SUBDIVISION FINAL PLAT APPROVAL (DRB12) Your attendance is required.

- Proposed Final Plat (folded to fit into an 8.5" by 14" pocket) 6 copies
- Signed & recorded Final Pre-Development Facilities Fee Agreement for Residential development only
- Design elevations & cross sections of perimeter walls 3 copies
- Zone Atlas map with the entire property(ies) clearly outlined
- Bring original Mylar of plat to meeting, ensure property owner's and City Surveyor's signatures are on the plat
- Copy of recorded SIA
- Landfill disclosure and EHD signature line on the Mylar if property is within a landfill buffer
- List any original and/or related file numbers on the cover application
- DXF file and hard copy of final plat data for AGIS is required.

MINOR SUBDIVISION PRELIMINARY/FINAL PLAT APPROVAL (DRB16) Your attendance is required.

- 5 Acres or more: Certificate of No Effect or Approval
- Proposed Preliminary / Final Plat (folded to fit into an 8.5" by 14" pocket) 6 copies for unadvertised meetings ensure property owner's and City Surveyor's signatures are on the plat prior to submittal
- Signed & recorded Final Pre-Development Facilities Fee Agreement for Residential development only
- Design elevations and cross sections of perimeter walls (11" by 17" maximum) 3 copies
- Site sketch with measurements showing structures, parking, Bldg. setbacks, adjacent rights-of-way and street improvements, if there is any existing land use (folded to fit into an 8.5" by 14" pocket) 6 copies
- Zone Atlas map with the entire property(ies) clearly outlined
- Letter briefly describing, explaining, and justifying the request
- Bring original Mylar of plat to meeting, ensure property owner's and City Surveyor's signatures are on the plat
- Landfill disclosure and EHD signature line on the Mylar if property is within a landfill buffer
- Fee (see schedule)
- List any original and/or related file numbers on the cover application
- Infrastructure list if required (**verify with DRB Engineer**)
- DXF file and hard copy of final plat data for AGIS is required.

AMENDMENT TO PRELIMINARY PLAT (with minor changes) (DRB03) Your attendance is required.

- PLEASE NOTE: There are no clear distinctions between significant and minor changes with regard to subdivision amendments. Significant changes are those deemed by the DRB to require public notice and public hearing.
- Proposed Amended Preliminary Plat, Infrastructure List, and/or Grading Plan (folded to fit into an 8.5" by 14" pocket) 6 copies
 - Original Preliminary Plat, Infrastructure List, and/or Grading Plan (folded to fit into an 8.5" by 14" pocket) 6 copies
 - Zone Atlas map with the entire property(ies) clearly outlined
 - Letter briefly describing, explaining, and justifying the request
 - Bring original Mylar of plat to meeting, ensure property owner's and City Surveyor's signatures are on the plat
 - List any original and/or related file numbers on the cover application
- Amended preliminary plat approval expires after one year**

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

Gilbert R. Garcia
Applicant name (print)
Gilbert R. Garcia 3-4-2011
Applicant signature / date



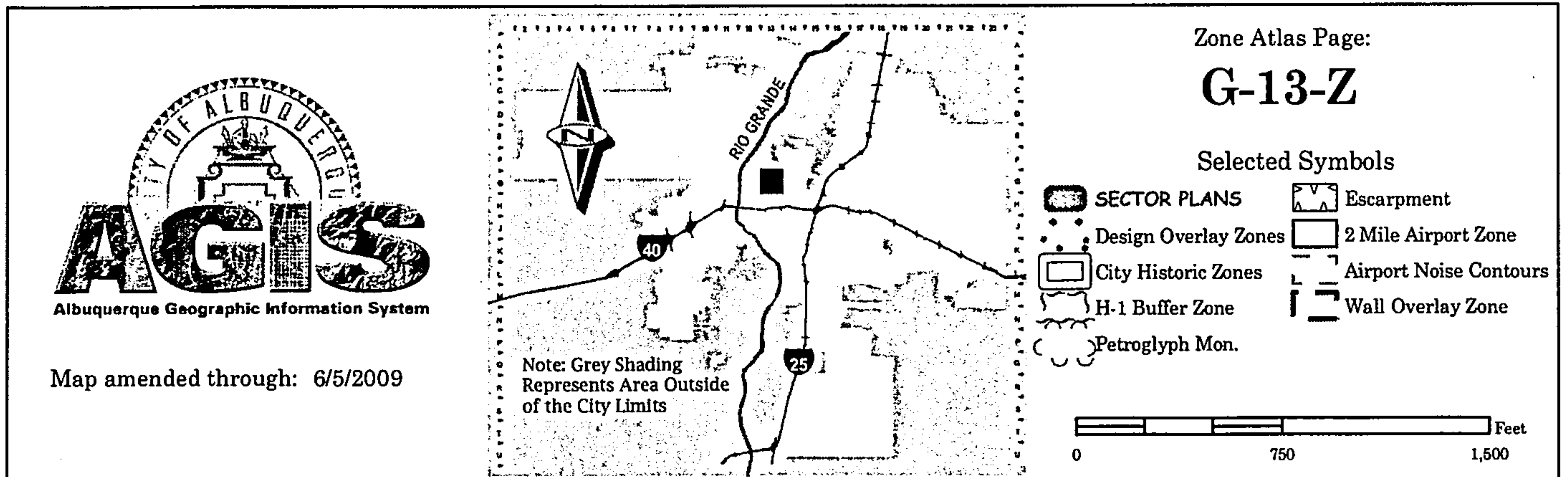
Form revised October 2007

- Checklists complete
 - Fees collected
 - Case #s assigned
 - Related #s listed
- Application case numbers
11ARB - 70065

[Signature] 3-21-11
Planner signature / date
Project # 1008739



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



6



» [New Address Search](#)

Copyright ©1994- City of Albuquerque. All rights reserved.
Official website for the City of Albuquerque www.cabq.gov

TO: City of Albuquerque

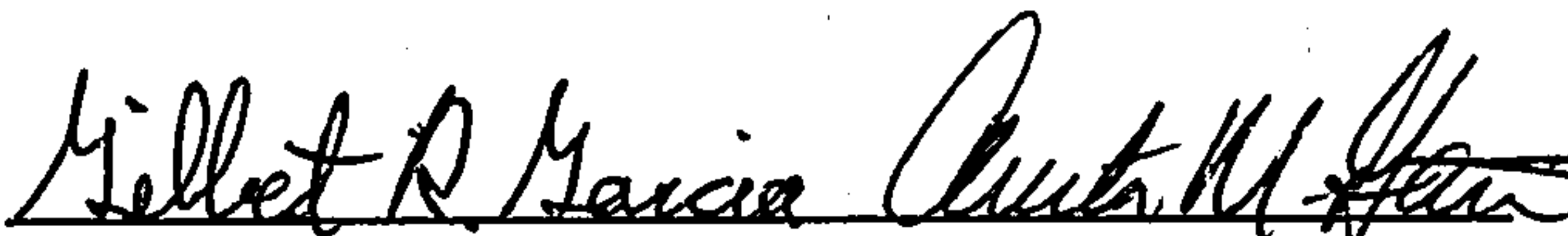
FROM: Property Owners on Garden Park Circle NW & Matthew Avenue NW

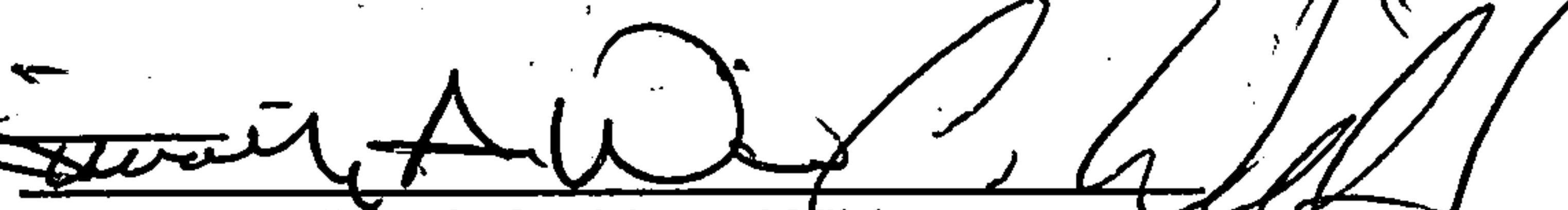
SUBJECT: Request for City of Albuquerque to Vacate Alley

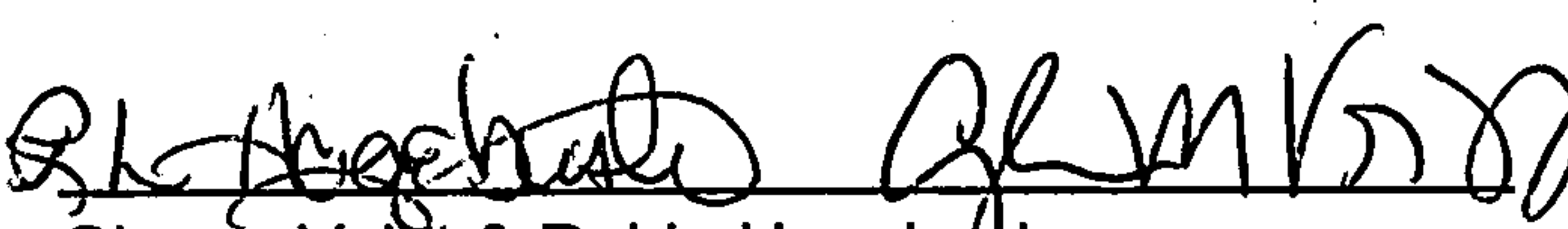
The listed property owners hereby request the City of Albuquerque to vacate the designated alley which abuts the property line of all of the listed property owners, issuing 1/2 of said alley to each property owner (see plat) at the designated property lines. This request is made for the following reasons:

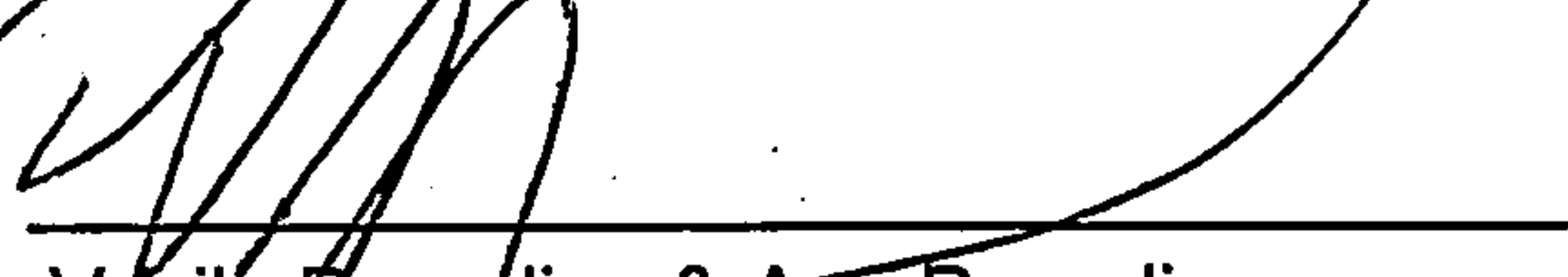
1. There are no curb cuts and/or driveways for vehicle access at either the 12th Street NW location or the Garden Park Circle NW location.
2. The alley is not used for vehicle access by any utility companies.
3. The alley is used by individuals who are engaged in criminal activity. Property owners have found alcohol containers, syringes, and trash in the alley, as well as intoxicated individuals and individuals using drugs.
4. Walls, fences, and storage sheds have been sprayed with graffiti on numerous occasions.
5. Burglaries have occurred when the criminal element gains access through the rear yards abutting the alley.
6. Property owners are currently responsible for maintaining weeds and trash in the alley.
7. The alley was originally used for irrigation purposes more than 25 years ago, but is no longer used for irrigation purposes.


All property owners whose property abuts the alley have agreed to enclose the portion of the alley vacated to each property owner at their own cost and to have their property re-platted and the new plat filed and/or recorded with the City of Albuquerque at their own cost.

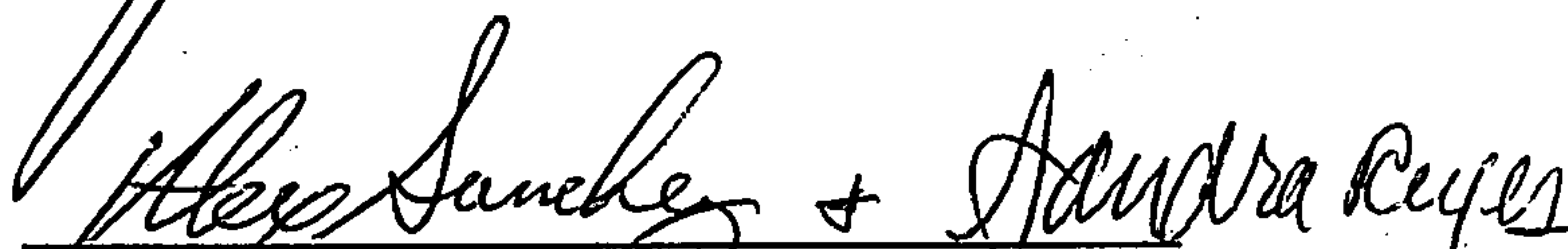

 Gilbert R. Garcia & Anita M. Garcia
 50-A Garden Park Circle NW


 Timothy Wilde & Cathleen Wilde
 48 Garden Park Circle NW


 Glenna Voigt & Robin Hagebush
 50 Garden Park Circle NW


 Vasile Popadiuc & Ana Popadiuc
 53 Garden Park Circle NW


 Jose E. Barrera
 52 Garden Park Circle NW


 Alex Sanchez & Sandra Reyes
 1213 Matthew Avenue NW

Robert Perea, Jr. & Melinda Perea

Robert Perea, Jr. & Melinda Perea
1209 Matthew Avenue NW

Robert Perea Sr.
ROBERT PEREA SR.
3411 12th NW

TO: City of Albuquerque

FROM: Residents of Garden Park Circle Neighborhood

SUBJECT: Vacation of Alley

The following residents of the Garden Park Circle Neighborhood hereby request the City of Albuquerque vacate the alley connecting 12th Street and Garden Park Circle so that homeowners living along the alley can close off the alley and keep criminal activity at bay. Said alley serves no purpose for utility or vehicle traffic as there are no curb cuts at either entrance to the alley. The alley attracts vagrant foot traffic and homeowners have found intoxicated transients as well as empty alcohol containers, hypodermic needles, and trash in the alley left there by individuals who do not live in the neighborhood. The alley also has been the source of graffiti activity and allows easy access for residential burglaries.

PRINTED NAME	ADDRESS	SIGNATURE/DATE
Geri Velasquez	44 Garden Park NW	[Signature] 3-16-11
Teresa E. Storch	26 Garden Park NW	[Signature] 3-16-11
Edward A. Sena	38 Garden Park NW	[Signature] 3-16-11
Nancy Bell-Garver	30 Gdn Park Cir NW	[Signature]
Samantha Brito	38 Garden Park NW	[Signature] 3-16-11
Neal Cowley	34 Garden Park NW	[Signature] 3-16-11
Naomi Todd	10 Garden Park Cir NW	[Signature] 3-16-11
Mary Lou Kraemer	1 Garden Park Cir NW	[Signature] 3/16/11
William Kraemer	1 Garden Park NW	[Signature] 3/16/11
ROBERT MASTERS	43 GARDEN PARK NW	[Signature] 3/16/11
TRAY BACA	47 GARDEN PARK NW	[Signature]
Denise Ames	14 Garden Park Cir.	[Signature] 3/16/11

PRINTED NAME	ADDRESS	SIGNATURE/DATE
--------------	---------	----------------

LORIE GARR	31 GARDEN PARK CIR	Lorie Garr 3/16/11
------------	--------------------	--------------------

Georgina Olvera	# 32 " "	
-----------------	----------	--

Bonnie MICHAEL	# 29 " "	
----------------	----------	--

Charles Rowland	31 Garden Park Circle Charles Rowland	3-16-11
-----------------	---------------------------------------	---------

STEVE JIMENEZ	41 GARDEN PARK NW 3/16/11	
---------------	---------------------------	--

Joseph V Ambrose	# 25	
------------------	------	--

Ray Baer	# 47 APC	
----------	----------	--

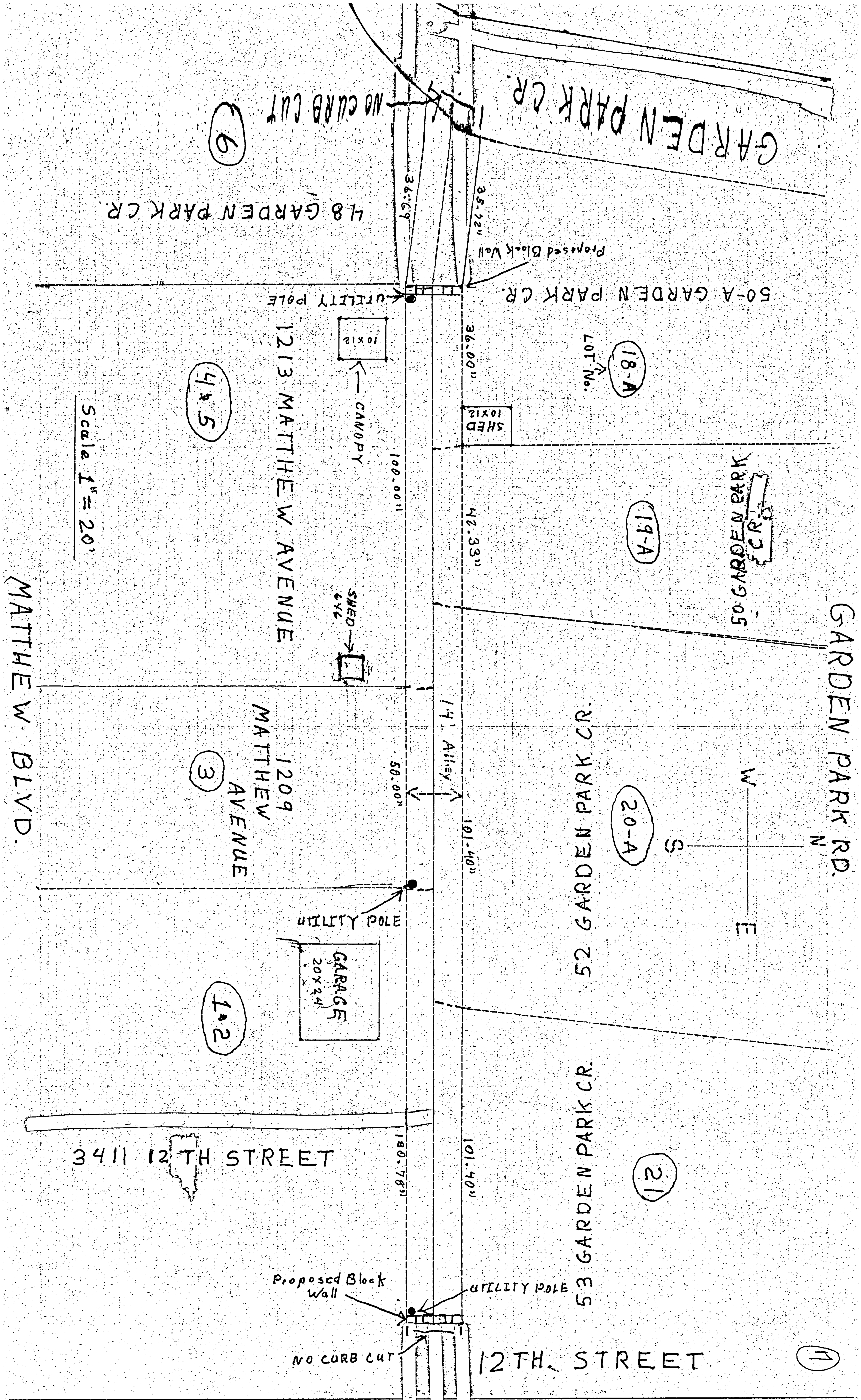
Lorraine Baer	# 47 APC	
---------------	----------	--

Glenda Davis	# 42	3/16/11
--------------	------	---------

Anthony Delgado	# 35	3/16/11
-----------------	------	---------

Francisco Delgado		3/16/11
-------------------	--	---------

Ken Fink	+ Caitlin Chestnut #7	3/20/11 J.F.F.
----------	-----------------------	----------------



24-4 EVIDENCE BOOK CK

24-5 EVIDENCE BOOK CK

24-6 EVIDENCE BOOK CK

24-7 EVIDENCE BOOK CK

24-8 EVIDENCE BOOK CK

24-9 EVIDENCE BOOK CK

24-10 EVIDENCE BOOK CK

24-11 EVIDENCE BOOK CK

24-12 EVIDENCE BOOK CK

(12)

(13)

(18)

(19)

(20)

(21)

(22)

24-13 EVIDENCE BOOK CK

24-14 EVIDENCE BOOK CK

24-15 EVIDENCE BOOK CK

24-16 EVIDENCE BOOK CK

24-17 EVIDENCE BOOK CK

24-18 EVIDENCE BOOK CK

24-19 EVIDENCE BOOK CK

24-20 EVIDENCE BOOK CK

24-21 EVIDENCE BOOK CK

24-22 EVIDENCE BOOK CK

24-23 EVIDENCE BOOK CK

24-24 EVIDENCE BOOK CK

24-25 EVIDENCE BOOK CK

24-26 EVIDENCE BOOK CK

24-27 EVIDENCE BOOK CK

24-28 EVIDENCE BOOK CK

24-29 EVIDENCE BOOK CK

24-30 EVIDENCE BOOK CK

24-31 EVIDENCE BOOK CK

24-32 EVIDENCE BOOK CK

24-33 EVIDENCE BOOK CK

24-34 EVIDENCE BOOK CK

24-35 EVIDENCE BOOK CK

24-36 EVIDENCE BOOK CK

24-37 EVIDENCE BOOK CK

24-38 EVIDENCE BOOK CK

24-39 EVIDENCE BOOK CK

24-40 EVIDENCE BOOK CK

24-41 EVIDENCE BOOK CK

24-42 EVIDENCE BOOK CK

24-43 EVIDENCE BOOK CK

24-44 EVIDENCE BOOK CK

24-45 EVIDENCE BOOK CK

24-46 EVIDENCE BOOK CK

24-47 EVIDENCE BOOK CK

24-48 EVIDENCE BOOK CK

24-49 EVIDENCE BOOK CK

24-50 EVIDENCE BOOK CK

24-51 EVIDENCE BOOK CK

24-52 EVIDENCE BOOK CK

24-53 EVIDENCE BOOK CK

24-54 EVIDENCE BOOK CK

24-55 EVIDENCE BOOK CK

24-56 EVIDENCE BOOK CK

24-57 EVIDENCE BOOK CK

24-58 EVIDENCE BOOK CK

24-59 EVIDENCE BOOK CK

24-60 EVIDENCE BOOK CK

24-61 EVIDENCE BOOK CK

24-62 EVIDENCE BOOK CK

24-63 EVIDENCE BOOK CK

24-64 EVIDENCE BOOK CK

24-65 EVIDENCE BOOK CK

24-66 EVIDENCE BOOK CK

24-67 EVIDENCE BOOK CK

24-68 EVIDENCE BOOK CK

24-69 EVIDENCE BOOK CK

24-70 EVIDENCE BOOK CK

24-71 EVIDENCE BOOK CK

24-72 EVIDENCE BOOK CK

24-73 EVIDENCE BOOK CK

24-74 EVIDENCE BOOK CK

24-75 EVIDENCE BOOK CK

24-76 EVIDENCE BOOK CK

24-77 EVIDENCE BOOK CK

24-78 EVIDENCE BOOK CK

24-79 EVIDENCE BOOK CK

24-80 EVIDENCE BOOK CK

24-81 EVIDENCE BOOK CK

24-82 EVIDENCE BOOK CK

24-83 EVIDENCE BOOK CK

24-84 EVIDENCE BOOK CK

24-85 EVIDENCE BOOK CK

24-86 EVIDENCE BOOK CK

24-87 EVIDENCE BOOK CK

24-88 EVIDENCE BOOK CK

24-89 EVIDENCE BOOK CK

24-90 EVIDENCE BOOK CK

24-91 EVIDENCE BOOK CK

24-92 EVIDENCE BOOK CK

24-93 EVIDENCE BOOK CK

24-94 EVIDENCE BOOK CK

24-95 EVIDENCE BOOK CK

24-96 EVIDENCE BOOK CK

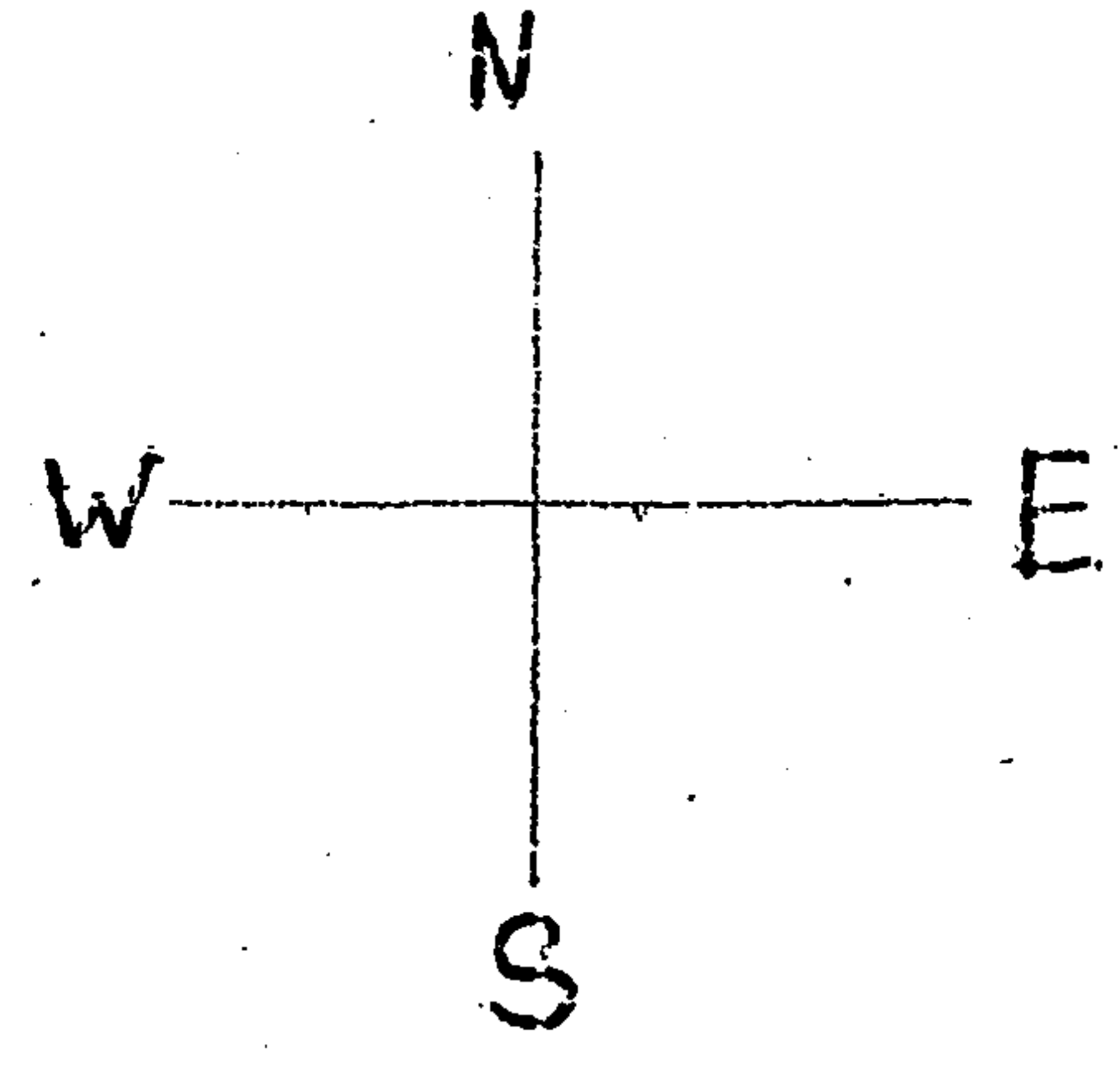
24-97 EVIDENCE BOOK CK

24-98 EVIDENCE BOOK CK

24-99 EVIDENCE BOOK CK

24-100 EVIDENCE BOOK CK

GARDEN PARK RD.



①

12TH STREET

②

53 GARDEN PARK CR.

52 GARDEN PARK CR.

50 GARDEN PARK CR.

50-A GARDEN PARK CR.

GARDEN PARK CR.

① 18-A
↑
LOT No.

① 19-A

① 20-A

Proposed Block Wall

UTILITY POLE

35.72"

36.00"

SHED
10x12

42.33"

101.40"

101.40"

14' Alley

36.69

100.00"

50.00"

180.78"

NO CURB CUT

48 GARDEN PARK CR.

UTILITY POLE

10x12
←
CANOPY

SHED
6x6
→

UTILITY POLE

GARAGE
20x24

Proposed Block Wall

NO CURB CUT

1213 MATTHEW AVENUE

1209 MATTHEW AVENUE

3411 12TH STREET

⑥

④ 4 & 5

③

① 1 & 2

Scale 1" = 20'

MATTHEW BLVD.

WHAT DOES NUMBERS START WITH?

See as built

CITY ENGINEERS ADDRESS VERIFICATION OFFICE

THE ABOVE AND FOREGOING SUBDIVISION OF THAT PIECE OF LAND SITUATED IN PRECINCT 1 COUNTY OF BERNALILLO, STATE OF NEW MEXICO, AVOID 109 ON OFFICIAL MAP # 34 OF THE MIDDLE CONSERVANCY DISTRICT OF NEW MEXICO PARTICULARLY DESCRIBED BY ACTUAL AS FOLLOWS

BEGINNING AT A POINT WHICH BEAR FROM THE SECTION CORNER COMMON TO SEC AND 9 OF TOWNSHIP 10 N. RANGE 3 E, N M SOUTHEAST CORNER OF THE PROPERTY HEREB AND RUNNING

THENCE N 14° 30' E ALONG NORTH 12TH STR. 859.0 THENCE S 76° 45' W ALONG BARELAS DITCH 500.0 THENCE S 74° 5' W ALONG BARELAS DITCH 100.0 THENCE N 51° 44' W ALONG BARELAS DITCH 67.0 THENCE S 18° 1' 30" W ALONG FENCE TO CORNER 51.5 THENCE N 31° 47' 40" W ALONG FENCE TO CORNER 119.0 THENCE S 7° 50' 40" E ALONG CONTRA ACEQUIA 265.0 THENCE S 6° 17' 40" E ALONG CONTRA ACEQUIA 270.0 THENCE S 2° 36' 20" E ALONG CONTRA ACEQUIA 88.0 THENCE S 35° 2' 30" E ALONG MATTHEW BLVD. 1174.4 AND PLACE OF BEGINNING.

SURVEYED, REPLICATED, AND SUBDIVIDED AS A THIS PLAT, IS WITH THE FREE CONSENT AND RECORDANCE WITH THE DESIRE OF THE U OWNER AND PROPRIETOR.

Marcia A. Chad OWNE

STATE OF NEW MEXICO SS. COUNTY OF BERNALILLO

ON THIS 12 DAY OF July ME PERSONALLY APPEARED MARCIA A CHAD TO ME KNOWN TO BE THE PERSON DESI AND WHO EXECUTED THE FOREGOING INS AND ACKNOWLEDGED THAT SHE EXECUTE AS HER FREE ACT AND DEED

WITNESS MY HAND AND AND YEAR LAST ABOVE WRITTEN.

My Commission Expires 8-31-41

IT IS HEREBY CERTIFIED THAT THIS M AND CORRECT REPRESENTATION OF THE SUBDI AS GARDEN PARK TRACT SHOWN HEREON MINED BY SURVEYS AND INSPECTIONS M FIELD UNDER MY DIRECTION

Notary Public

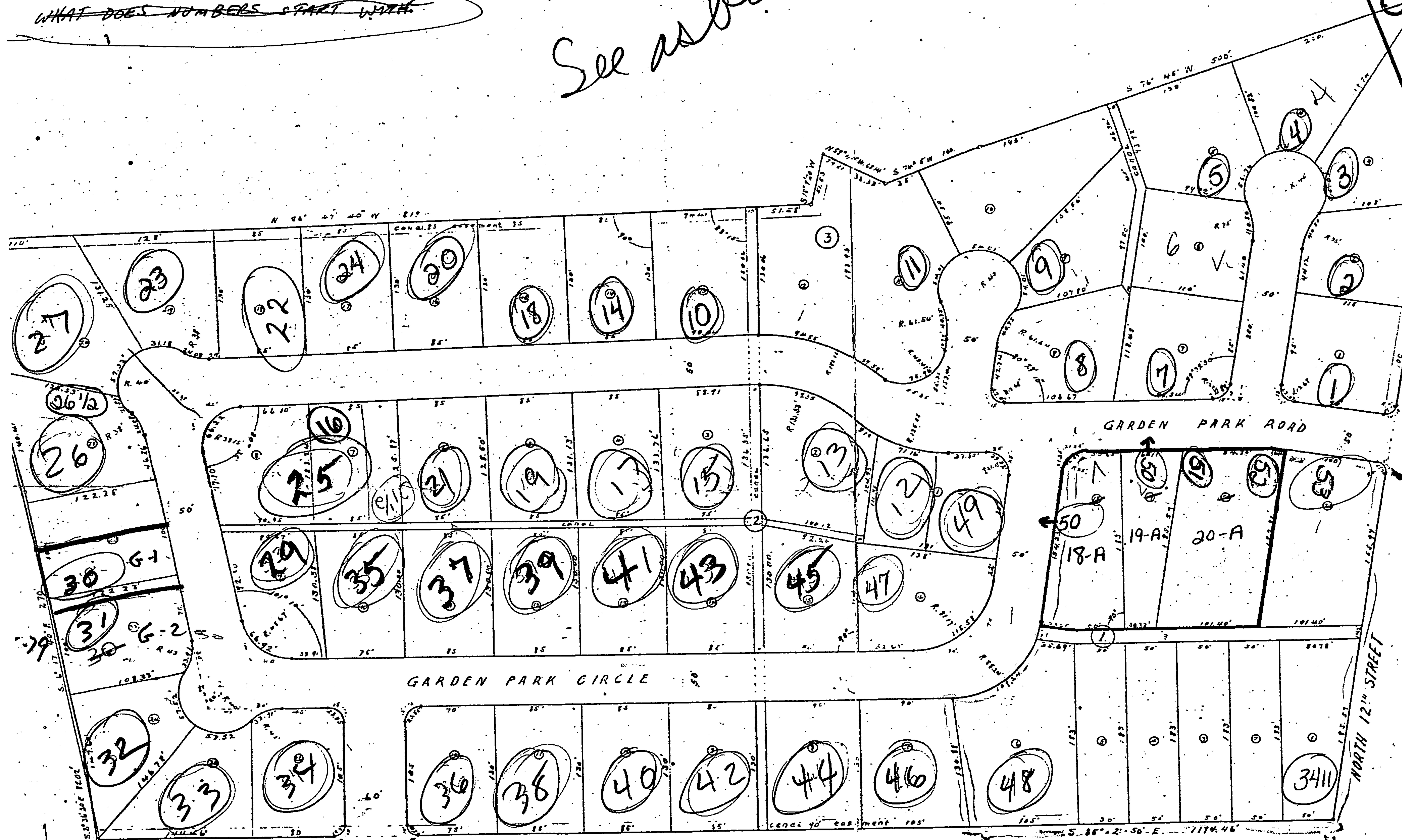
I, C. B. BEJER, COUNTY SURVEYOR, COUNTY, STATE OF NEW MEXICO, DO HEREBY THAT I HAVE EXAMINED THE ABOVE AND PLAT UPON WHICH THIS CERTIFICATE AP THAT THE SAME HAS BEEN APPROVED GIVEN UNDER MY HAND AND SEAL THIS 23rd DAY OF July 1940

County Surveyor

I, VELMA DOWDY, COUNTY CLERK OF BERNALIL STATE OF NEW MEXICO, DO HEREBY CER THE ABOVE AND FOREGOING PLAT UPON CERTIFICATE APPEARS WAS APPROVED BOARD OF COUNTY COMMISSIONERS, LILLO, COUNTY AT ITS REGULAR MEET 23rd DAY OF July 1940

County Clerk

NOTICE IS HEREBY GIVEN THAT ALL ABOVE DESCRIBED LOTS IN GRADE SUBJECT TO CERTAIN RESTRICTIONS WHICH ARE FULLY SET FORTH EXECUTED BY THE OWNER THEREOF AND FILED OF RECORD IN PL IN OFFICE OF COUNTY CLERK OF BERNALILLO COUNTY, NEW MEXICO



GARDEN PARK TRACT ALBUQUERQUE NEW MEXICO SCALE IN FEET

State of New Mexico County of Bernalillo This instrument was filed for record on OCT 3 1940 Attest: I, Velma Dowdy, County Clerk of Bernalillo County, New Mexico, do hereby certify that this instrument is a true and correct copy of the original as the same appears in the records of said County. Velma Dowdy, County Clerk