



OFFICIAL NOTICE OF DECISION

CITY OF ALBUQUERQUE
PLANNING DEPARTMENT
DEVELOPMENT REVIEW BOARD

January 16, 2013

Project# 1009046
13DRB-70403 SIDEWALK WAIVER
13DRB-70404 AMENDMENT TO PRELIMINARY PLAT

MARK GOODWIN AND ASSOCIATES, P.A. agent(s) for SAWMILL CROSSING, LLC request(s) the above action(s) for all or a portion of Lot(s) B-1-A-Z, **DUKE CITY LUMBER CO.** zoned SU-2/SU-1 PRD, located on ASPEN BETWEEN RIO GRANDE AND 12TH ST containing approximately 7 acre(s). (H-13)

At the January 16, 2013 Development Review Board meeting, a sidewalk variance for waiver of the sidewalk was approved as shown on Exhibit C in the Planning file.

If you wish to appeal this decision, you must do so by **January 31, 2013** 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).

Richard Dourte, Acting DRB Chair

Cc: Mark Goodwin & Assoc. P.A.
Marilyn Maldonado
file



OFFICIAL NOTICE OF DECISION

CITY OF ALBUQUERQUE
PLANNING DEPARTMENT
DEVELOPMENT REVIEW BOARD

May 15, 2013

Project# 1009046

13DRB-70518 VACATION OF PUBLIC EASEMENT

13DRB-70519 EXTENSION OF MAJOR PRELIMINARY PLAT

MARK GOODWIN AND ASSOCIATES, P.A. agents for SAWMILL CROSSINGS, LLC request the referenced/ above action(s) for Tract B1A2, DUKE CITY LUMBER CO ADDITION, zoned SU-2/SU-1 PRD, located on the south side of ASPEN AVE NW between 12TH ST NW and 19th ST NW containing approximately 6.9292 acres.

At the May 15, 2013 Development Review Board meeting, the vacation was approved as shown on Exhibit B in the Planning file per section 14-14-7-2(A)(1) and (B) (1)(3) of the Subdivision Ordinance. A one-year extension of the preliminary plat was approved.

Findings

(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 easement, because alternative easement(s) will be provided on the required replat,

(B)(3) There is no convincing evidence that any substantial property right is being abridged against the will of the owner of the right. Property owners of record abutting the proposed vacation were notified by first class mail at least six days prior to the Development Review Board hearing approving the vacation and no objection regarding access or the abridgement of a substantial property right was raised.

CONDITIONS:

1. The Railway Crossing must be approved and document prior to Final Plat.
2. The tri-party agreement(s) between the developer, the City of Albuquerque and NMDOT must be approved and document prior to Final Plat.
3. 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

If you wish to appeal this decision, you must do so by May 30, 2013 in the manner described below.

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

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

If the fifteenth day falls on a Saturday, Sunday or holiday as listed in the Merit System Ordinance, the next working day is considered as the deadline for filing the appeal. Such appeal shall be heard within 60 days of its filing.

You will receive notice if any other person files an appeal. Successful applicants are reminded that other requirements of the City must be complied with, even after approval of the referenced application(s).

Please note that the vacation of all plats, rights-of-way, and easements are void after one year from the final appeal date referenced above if all conditions are not met (The effective date of Development Review Board approval is the hearing date plus the 15-day appeal period.) (REF: Chapter 14 Article 14 Part 7-2 (E)(3)(6) Revised Ordinance.)



Jack Cloud, DRB Chair

Cc: MARK GOODWIN AND ASSOCIATES, P.A.
Marilyn Maldonado
file



OFFICIAL NOTICE OF DECISION

CITY OF ALBUQUERQUE
PLANNING DEPARTMENT
DEVELOPMENT REVIEW BOARD

June 6, 2012

Project# 1009046

12DRB-70094 – VACATION OF RAILROAD EASEMENTS
12DRB-70114 MAJOR - VACATION OF PUBLIC EASEMENTS
12DRB-70115 MAJOR - PRELIMINARY PLAT APPROVAL
12DRB-70116 SUBDIVISION DESIGN VARIANCE FROM DPM STANDARDS
12DRB-70117 MINOR - TEMP DEFERRAL SIDEWALK CONSTRUCTION
12DRB-70126 EPC APPROVED SDP FOR SUBDIVISION

MARK GOODWIN AND ASSOCIATES, P.A. agent(s) for SAWMILL CROSSINGS, LLC request(s) the referenced/ above action(s) for Tract B1A2, **DUKE CITY LUMBER CO ADDITION**, zoned SU-2/S-I (proposed SU-2/ SU-1 PRD), located on the south side of ASPEN AVE NW between 12TH ST NW and 19TH ST NW containing approximately 6.9292 acre(s). (H-13)[*Deferred from 5/2/12, 5/23/12*]

At the **June 6, 2012** Development Review Board meeting, 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. The Site Development Plan for Subdivision was approved with final sign-off delegated to Planning Department for revisions. The subdivision design variance(s) from minimum DPM design standards were approved based on the EPC site plan approval. The Preliminary Plat and Temporary Deferral of Sidewalk Construction requests were deferred to 6/13/12 at the agent's request.

Findings

The public welfare is in no way served by retaining the way or easement; Based on the proposed development and the existing adjacent railroad line, the City of Albuquerque does not anticipate any need to utilize the existing easements for utility or railroad purposes.

There is no convincing evidence that any substantial property right is being abridged against the will of the owner of the right. Property owners of record abutting the proposed vacation were notified by first class mail at least six days prior to the Development Review Board hearing approving the vacation and no objection regarding access or the abridgement of a substantial property right was raised.

CONDITIONS:

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.

If you wish to appeal this decision, you must do so by June 21, 2012 in the manner described below.

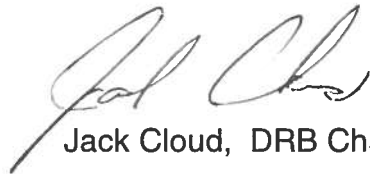
Appeal is to the Land Use Hearing Officer. Any person aggrieved with any determination of the Development Review Board may file an appeal on the Planning Department form, to the Planning Department, within 15 days of the Development Review Board's decision.

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

If the fifteenth day falls on a Saturday, Sunday or holiday as listed in the Merit System Ordinance, the next working day is considered as the deadline for filing the appeal. Such appeal shall be heard within 60 days of its filing.

You will receive notice if any other person files an appeal. Successful applicants are reminded that other requirements of the City must be complied with, even after approval of the referenced application(s).

Please note that the vacation of all plats, rights-of-way, and easements are void after one year from the final appeal date referenced above if all conditions are not met (The effective date of Development Review Board approval is the hearing date plus the 15-day appeal period.) (REF: Chapter 14 Article 14 Part 7-2 (E)(3)(6) Revised Ordinance.)



Jack Cloud, DRB Chair

Cc: Mark Goodwin & Associates P.A.
Sawmill Crossings LLC
Marilyn Maldonado
file



OFFICIAL NOTICE OF DECISION

CITY OF ALBUQUERQUE
PLANNING DEPARTMENT
DEVELOPMENT REVIEW BOARD

June 13, 2012

Project# 1009046

12DRB-70115 MAJOR - PRELIMINARY PLAT APPROVAL

12DRB-70117 MINOR - TEMP DEFERRAL SIDEWALK CONSTRUCTION

MARK GOODWIN AND ASSOCIATES, P.A. agent(s) for SAWMILL CROSSINGS, LLC request(s) the referenced/ above action(s) for Tract B1A2, **DUKE CITY LUMBER CO ADDITION**, zoned SU-2/S-I (proposed SU-2/ SU-1 PRD), located on the south side of ASPEN AVE NW between 12TH ST NW and 19TH ST NW containing approximately 6.9292 acre(s). (H-13)[*Deferred from 5/2/12, 5/23/12, 6/6/12*]

At the **June 13, 2012** Development Review Board meeting, based on the approved Grading Plan, engineer stamp dated 5-23-12 and with the signing of the infrastructure list dated 6/11/12 the Board Conditionally Approved the Preliminary Plat. The temporary deferral of construction of sidewalks on the interior streets was approved as shown on exhibit 'B' dated 6-13-2012 in the Planning file.

Conditions of Final Plat:

- The Tri-Party Agreement between the developer, the City of Albuquerque, and the NMDOT is required prior to Final Plat.
- The railway crossing must be approved prior to Final Plat.
- Note 9: Show the 3 foot easement on Tract B and it will also be required to be shown on Tract C on the Final Plat.
- Note 10: The sidewalk culverts should be maintained by the property owner on the lot where the sidewalk culvert is built. Change the note by ending the sentence after the word "...owner" on the Final Plat
- A recorded SIA is required prior to applying for Final Plat.

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.)

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.

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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.)

A handwritten signature in black ink, appearing to read "Jack Cloud", is written over a horizontal line.

Jack Cloud, DRB Chair

Cc: Mark Goodwin & Associates, P.A.
Sawmill Crossings LLC
Marilyn Maldonado
file