



OFFICIAL NOTICE OF DECISION

CITY OF ALBUQUERQUE
PLANNING DEPARTMENT
DEVELOPMENT REVIEW BOARD

January 9, 2013

Project# 1009296

12DRB-70382 VACATION OF PUBLIC EASEMENT

12DRB-70383 MINOR - PRELIMINARY/ FINAL PLAT APPROVAL

H. WILLIAM FANNING requests the referenced/ above actions for all or a portion of Lots 9 - 11, Block 8, **LA RESOLANA, Unit 1** zoned R-1, located on the northeast corner of AVENIDA LA RESOLANA NE and AVENIDA DEL SOL NE containing approximately .4328 acre(s). (J-17)

At the **January 9, 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. The preliminary/final plat was approved with final sign off delegated to Planning to record.

Findings

The Subdivision Ordinance, Section 14-14-7-2, specifies that a vacation may be approved only when the following items are determined:

The public welfare is in no way served by retaining the way or easement;

The City of Albuquerque does not anticipate any need to utilize the existing easement for roadway 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:

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.

If you wish to appeal this decision, you must do so by **January 24, 2013** in the manner described below.

DRB CASE ACTION LOG - BLUE SHEET

- Preliminary/Final Plat [FP]
- Site Plan - Subdivision [SPS]
- Site Plan - Building Permit [SBP]

This sheet must accompany your plat or site plan to obtain delegated signatures. Return sheet with site plan/plat once comments have been addressed.

Project #: 1009296

Application #: 12DRB-70382

Project Name: La Resolana Unit 1

Agent: H. William Fanning

Phone #:

Your request was approved on 1-9-13 by the DRB with delegation of signature(s) to the following departments - outstanding comments to be addressed

TRANSPORTATION: _____

ABCWUA: _____

CITY ENGINEER / AMAFCA: _____

PARKS / CIP: _____

PLANNING (Last to sign): File the

PLATS:

Planning must record this plat. Please submit the following items:

- The original plat and a mylar copy for the County Clerk.
- Tax certificate from the County Treasurer.
- Recording fee (checks payable to the County Clerk). RECORDED DATE: _____
- Tax printout from the County Assessor.
- County Treasurer's signature must be obtained prior to the recording of the plat with County Clerk.

Property Management's signature must be obtained prior to Planning Department's signature.

AGIS DXF File approval required.

Copy of recorded plat for Planning.

ALL SITE PLANS:

3 copies of the approved site plan. Include all pages.



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AMAFCA No comment.
COG No comments provided.
TRANSIT No comment.
ZONING ENFORCEMENT No comment provided.
NEIGHBORHOOD COORDINATION
APS This will have no adverse impacts to the APS district.
POLICE DEPARTMENT No Crime Prevention or CPTED comments concerning the proposed Vacation of Public Easement and/or the Minor Subdivision Preliminary Plat Approval requests at this time.
FIRE DEPARTMENT No comments provided.
PNM PNM has concerns with this vacation action. In order to provide new service for lots 12 and 13 block 8 La Resolano Add. We may need to keep easement on lot 9.
NMGCO No comments provided.
COMCAST No comments provided.
CENTURYLINK No comments provided.
ENVIRONMENTAL HEALTH No comments provided.
M.R.G.C.D No Adverse Comments.
OPEN SPACE DIVISION No comments provided.

CITY ENGINEER

Hydrology has no objection

TRANSPORTATION DEVELOPMENT

PARKS AND RECREATION

Parks & Recreation has no comments.

ABCWUA

PLANNING DEPARTMENT

Refer to comments from City Engineer/ Hydrology plus any public hearing comments regarding proposed vacation. If the vacation is approved, the Planning Department must record the required final plat to complete the vacation.

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