



## OFFICIAL NOTICE OF DECISION

CITY OF ALBUQUERQUE  
PLANNING DEPARTMENT  
DEVELOPMENT REVIEW BOARD

February 26, 2014

### **Project# 1009710**

13DRB-70546 -PRELIMINARY/ FINAL PLAT

13DRB-70557 -VACATION/ PRIVATE ESMT

14DRB-70047 - SIDEWALK VARIANCE

14DRB-70048 - TEMP DEFR SWDK CONST

ARCH + PLAN LAND USE CONSL. agent(s) for CHRISTOPHER SANCHEZ request(s) the above action(s) for all or a portion of Lot(s) P-1, Q-1 & R-1, **THE PALISADES** zoned R-1, located on 5215, 5209 & 5219 LA BAJADA NW containing approximately .4944 acre(s). (J-11) [*deferred from 5/22/13, 2/19/14*]

At the February 26, 2014 Development Review Board meeting, with the signing of the infrastructure list dated 2/26/14, the preliminary plat was approved. The final plat was deferred for the Subdivision Improvements Agreement (SIA). 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 The sidewalk variance was withdrawn. The temporary deferral of construction of sidewalks on the interior streets was approved as shown on the exhibit in the planning file.

### Findings

The vacation request was filed by the owner of all the frontage for the easement(s).

Based on the proposed replat and revised easements, the public welfare is in no way served by retaining the existing easements.

Based on the proposed replat and revised easements, here is no convincing evidence that any substantial property right is being abridged against the will of the owner of the right.

### CONDITIONS:

1. 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 March 13, 2014 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.)

A handwritten signature in black ink, appearing to read "Jack Cloud", written in a cursive style.

Jack Cloud, DRB Chair

Cc: ARCH + PLAN LAND USE CONSL.  
File