



OFFICIAL NOTICE OF DECISION

CITY OF ALBUQUERQUE
PLANNING DEPARTMENT
DEVELOPMENT REVIEW BOARD

June 3, 2015

Project# 1010401

15DRB-70183 - SDP FOR SUBDIVISION_15DRB-70101 - PRELIMINARY PLAT
15DRB-70100 - TEMP DEFERRAL/ SIDEWALK CONSTRUCTION
15DRB-70099 SIDEWALK WAIVER
15DRB-70098 VACATION – EASEMENT

CONSENSUS PLANNING and BOHANNAN HUSTON INC agents for WOODMONT PASEO, LLC request the referenced/ above actions for Tracts 7 & 8, **THE TRAILS UNIT 3A Unit(s) 3A**, zoned VTML/VTRD, located on the south side of WOODMONT AVE NW west of RAINBOW BLVD NW containing approximately 30.21 acres. (C-9)
[Deferred from 4/8/15, 5/6/15, 5/13/15, 5/20/15, 5/27/15]

At the June 3, 2015 Development Review Board meeting, the site development plan for subdivision was approved. 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. With an approved drainage report stamp dated 3/5/15 and a drainage plan engineer stamp dated 5/20/15, and with a board approved development agreement with acknowledgement letter per the water authority, the preliminary plat was approved. The temporary deferral of construction of sidewalks on the interior streets was approved as shown on exhibit in the planning file. The sidewalk waiver was approved as shown on exhibit C in the planning file.

Findings

The request was filed by the owner of the majority of frontage of the proposed vacation.

The public welfare is in no way served by retaining the way or easement; based on the approved plat, the City of Albuquerque does not anticipate any need to utilize the existing easement.

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 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 18, 2015, 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).



Jack Cloud, DRB Chair