



OFFICIAL NOTICE OF DECISION

CITY OF ALBUQUERQUE
PLANNING DEPARTMENT
DEVELOPMENT REVIEW BOARD

December 23, 2015

Project# 1010644

15DRB-70384 - SITE DEVELOPMENT PLAN FOR SUBDIVISION

15DRB-70394 - PRELIMINARY PLAT

15DRB-70395 – TEMP DEFERRAL OF SIDEWALK CONSTRUCTION

15DRB-70396 – VACATION OF PUBLIC ROAD EASEMENT

RIO GRANDE ENGINEERING agents for SILVER OAK DEVELOPERS request the referenced/ above actions for Lots 13, 14, 19 & 20, Block 28, Tract A, Unit B, **NORTH ALBUQUERQUE ACRES** zoned SU-2 C-1/ NC, located on the north side of ALAMEDA BLVD NE between SAN PEDRO DR NE and LOUISIANA BLVD NE containing approximately 3.44 acres. (C-18)

At the December 23, 2015 Development Review Board meeting, the site development plan for subdivision was approved with final sign-off delegated to Planning for landscaping note. With the signing of the infrastructure list dated 12/23/15, the preliminary plat was approved. Condition of final plat is to match the site development plan. The temporary deferral of construction of sidewalks on the interior streets was approved as shown on exhibit in the planning file. The vacation was approved as shown on exhibit in the planning file per section 14-14-7-2(a) (1) and (b) (1)(3) of the subdivision ordinance.

Findings

(A)(1) The public vacation request was filed by the owners of all the frontage of land abutting the proposed vacation.

(B)(1) Based on the proposed/ required replat, the public welfare is in no way served by retaining the public easement.

(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. 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 4, 2016 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