



OFFICIAL NOTICE OF DECISION

CITY OF ALBUQUERQUE
PLANNING DEPARTMENT
DEVELOPMENT REVIEW BOARD

June 7, 2017

Project# 1010675

17DRB-70063 EASEMENT VACATIONS
17DRB-70064 PRELIM/ FINAL PLAT
17DRB-70069 SITE DEVELOPMENT PLAN FOR SUBDIVISION
17DRB-70070 SITE DEVELOPMENT PLAN FOR BUILDING PERMIT

SURV-TEK INC and MODULUS ARCHITECTS INC agents for PALOMAS EQUITIES LLC request the referenced/ above actions for Lots 5-A and 28-32, Block 11, **NORTH ALBUQUERQUE ACRES Tract A, Unit A**, zoned C-1/ or SU-2/RC, located on the southeast corner of PASEO DEL NORTE NE and SAN PEDRO DR NE containing approximately 6.7 acres. (D-18) [*Deferred from 3/29/17, 4/19/17, 5/3/17, 5/10/17, 5/24/17, 5/31/17*]

At the June 7, 2017 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 preliminary/ final plat was approved with final sign off delegated to Planning for drainage easement and payment of pro-rata. The site development plan for subdivision was approved with final sign-off delegated to Planning for 15 day appeal period. With the signing of the infrastructure list dated 6/7/17 and with an approved grading and drainage plan stamp dated 5/25/17, the site development plan for building permit was approved.

Findings

(A)(1) The public right of way vacation request was filed by the owners of a majority of the footage of land abutting the proposed vacation.

(B)(1) Based on the proposed platting, the public welfare is in no way served by retaining the 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 and signs were posted on the site 15 days prior to the hearing.

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 22, 2017 in the manner described below.

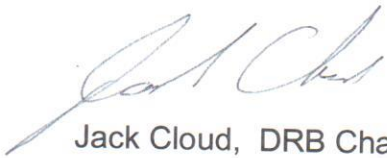
Appeal is to the Land Use Hearing Officer. Any person aggrieved with any determination of the Development Review Board may file an appeal on the Planning Department form, to the Planning Department, within 15 days of the Development Review Board's decision.

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