



# City of Albuquerque PLANNING DEPARTMENT

Richard J. Berry, Mayor

## Interoffice Memorandum

April 30, 2015

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To: **Rey Garduño, President, City Council**

From: **Richard J. Berry, Mayor**

Subject: **Modesto Vacation Project# 1004472 / 15DRB-70126 VACATION OF PUBLIC RIGHT-OF-WAY**

ISAACSON AND ARFMAN PA agents for DOUBLE EAGLE REAL ESTATE & INVESTMENTS ET AL request the referenced/ above action for MODESTO AVENUE NE adjacent to Lots 23-29, Block 25, plus Lots 8-10 and 29-A, Block 26, **NORTH ALBUQUERQUE ACRES Tact A Unit B**, located on MODESTO AVE NE between SAN PEDRO BLVD NE and LOUISIANA BLVD NE. (B-18/ C-18)

Request: This is a request for vacation of a platted street in North Albuquerque Acres that has not been developed. The vacation is for a little over 1,000 feet of Modesto Avenue that currently dead ends at the Sandia Memory Garden, where approximately 500 feet of Modesto was vacated and incorporated into the cemetery a long time ago (Vac. Ord. 133). Proposed development by the original applicant, as well as development of all abutting properties does not require this street for public access; utility easements will be provided with the required replat.

This request had been previously approved by City Council on April 7, 2014, but the vacation action expired before the street could be replatted. At an advertised public hearing on April 15, 2015, the Development Review Board again voted to recommend APPROVAL to the City Council of the proposed vacation as shown on the Vacation Exhibits in the Planning file, based on the recommended Findings per sections 14-14-7-2(A)(1), (B)(1), and (B)(3) of the Subdivision Ordinance, and subject to the recommended Conditions of Approval per sections 14-14-7-2(F)(3)(c) and 14-14-7-2(F)(4) of the Subdivision Ordinance.

Per section 14-14-7-2(F)(3)(b) of the Subdivision Ordinance, this matter is being forwarded to the City Council to be placed on the consent agenda to determine if the vacation shall occur.

**Title/ Subject of Legislation: Modesto Vacation    Project# 1004472 / 15DRB-70126**  
**VACATION OF PUBLIC RIGHT-OF-WAY, DRB RECOMMENDATION FOR**  
**APPROVAL**

**Approved:**

**Approved as to Legal Form:**

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**Robert J. Perry                      Date**  
**Chief Administrative Officer**

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**Jessica M. Hernandez              Date**  
**City Attorney**

**Recommended:**

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**Suzanne Lubar              Date**  
**Planning Director**