

PLANNING DEPARTMENT
DEVELOPMENT SERVICES DIVISION
600 2nd Street NW, Ground Floor, 87102
P.O. Box 1293, Albuquerque, NM 87103
Office (505) 924-3946

OFFICIAL NOTIFICATION OF DECISION

DBG Properties, LLC.
Attn: Eric Grodahl
2164 SW Park Place
Portland, OR 97205

Project# PR-2021-005630
Application#
MINOR_PLT-2025-00020 PRELIMINARY/FINAL
PLAT
VAC-2025-00021 VACATION OF PUBLIC
EASEMENT

LEGAL DESCRIPTION:

For all or a portion of:

**TR RR3B1 PLAT FOR WESTLAND SOUTH
TRACTS RR-3-B-1 ANDRR-3-C-1 CONT
11.1940 AC** zoned R-ML, located on **98TH ST
SW between SW CORNER OF DENNIS
CHAVEZ BLVD AND 98TH STREET** containing
approximately **11.94** acre(s). **(P-09)**

On May 7th, 2025, the Development Hearing Officer (DHO) held a public hearing concerning the above-referenced applications and approved the requests, with conditions of approval, based on the following Findings:

MINOR_PLT-2025-00020 PRELIMINARY/FINAL PLAT

1. This is a request to create a new a Preliminary Final Plat while vacating a public emergency access easement, granting a public sidewalk easement, and a PNM easement for TR RR3B1 PLAT FOR WESTLAND SOUTH TRACTS RR-3-B-1 ANDRR-3-C-1, containing 11.1940 acres.
2. The subject property is zoned R-ML (Residential – Multi-Family Low Density Zone District). Future development must be consistent with all relevant standards.

3. Signatures from the surveyor, property owner(s), the City Surveyor, the utility companies, and AMAFCA are provided on the Plat as required.
4. Per Table 6-1-1 of the IDO, public notice requirements have been satisfied by the Applicant prior to this submittal.
5. Per 6-6(K)(3) Review and Decision Criteria, an application for a Subdivision of Land – Minor shall be approved if it complies with all applicable provisions of this IDO, the DPM, other adopted City regulations, and any conditions specifically applied to development of the property in a prior permit or approval affecting the property. This request complies with this criterion.
6. Per 6-6(K)(2)(I), after approval by the DHO, the Applicant shall record the Plat with the Bernalillo County Clerk within 3 months after the date of the final signature on the Plat, or the Plat shall be voided.
7. Site Plan review is being completed under a separate application along with updates to infrastructure per PR-2021-005630 / SI-2024-01671.
8. Previously a waiver request to the required EV spaces was approved by the DHO on January 8th, 2025 per PR-2021-005630 / VA-2025-00002. It is associated with the Site Plan development.

CONDITIONS

Final sign-off of the Plat by the DFT staff is conditioned as follows:

- a. A plat note must be added on the information page of the plat and match the drawing notes for both the vacation and the easements.
- b. The accurate Project and Application numbers must be added to the plat.
- c. Per 6-6(L)(2)(d)(7) of the IDO, the date of the DHO approval shall be recorded on the Plat.

VAC-2025-00021 VACATION OF PUBLIC EASEMENT

1. This is a request to vacate an emergency access Public Easement.

6-6(M)(3)

Review and Decision Criteria

An application for a Vacation of Easement, Private Way, or Public Right-of-way shall be approved if it meets any of the following criteria.

- 6-6(M)(3)(a) The public welfare does not require that the easement, private way, or public right-of-way be retained.

The City Fire Marshall approved an amended Fire One Plan removing the requirement for this easement. This Public Emergency Access Easement was required only by the City Fire Marshall for a previous project.

- 6-6(M)(3)(b) There is a net benefit to the public welfare because the development made possible by the Vacation is clearly more beneficial to the public welfare than the minor detriment resulting from the Vacation, and there is no convincing evidence that any substantial property right is being abridged against the will of the owner of the right.

The net benefit to the public is much needed housing. This project adds 240 dwelling units to the City of Albuquerque inventory. Again, the City's Fire Marshall approved an amended Fire One Plan eliminating the requirement for this easement and as previously stated said easement was created to support a Fire One Plan which has been amended.

2. Per Table 6-1-1 of the IDO, a pre-application meeting took place with City staff as a Sketch Plat on September 18th, 2024.

APPEAL: If you wish to appeal this decision, you must do so within 15 days of the DHO's decision or by **MAY 23rd, 2025**. The date of the DHO's decision is not included in the 15-day period for filing an appeal, and if the 15th day falls on a Saturday, Sunday, or Holiday, the next working day is considered the deadline for filing the appeal.

For more information regarding the appeal process, please refer to Section § 14-16-6-4(U) of the Integrated Development Ordinance (IDO). Appeals should be submitted electronically to [ABQ-PLAN](#) (place mouse cursor over hyperlink, right-click, choose "open hyperlink"). A Non-Refundable filing fee will be calculated by staff in the Development Review Services Division of the City of Albuquerque Planning Department and will be payable online at [ABQ-PLAN](#) (place mouse cursor over hyperlink, right-click, choose "open hyperlink"). The appeal fee must be paid in full no later than 48 hours after the appeal deadline, or the appeal will be rejected as untimely.

You will receive a notification if any person files an appeal. If there is no appeal, you can receive Building Permits at any time after the appeal deadline quoted above, provided all conditions imposed at the time of approval have been met. Applicants submitting for building permits prior to the completion of the appeal period do so at their own risk. Successful applicants are reminded that there may be other City regulations of the IDO that must be complied with, even after approval of the referenced application(s).

Official Notice of Decision

Project # PR-2021-005630 Applications# PLT-2025-00020, VAC-2025-00021

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Sincerely,

Brennon Williams

[Brennon Williams \(May 12, 2025 17:20 MDT\)](#)

Brennon Williams

Development Hearing Officer

BW/rw/jr

Scott Eddings, 6501 America's Parkway NE, Suite 803, Albuquerque, NM 87110


PR-2021-005630 May 7th, 2025 Notice of Decision - DHO


Final Audit Report


2025-05-12


Created:	2025-05-12
By:	Jay Rodenbeck (jrodenbeck@cabq.gov)
Status:	Signed
Transaction ID:	CBJCHBCAABAAfYE0wKv_goj9zXFOUooNYE8ikUCD4jFm


"PR-2021-005630 May 7th, 2025 Notice of Decision - DHO" History


 Document created by Jay Rodenbeck (jrodenbeck@cabq.gov)
2025-05-12 - 10:37:12 PM GMT

 Document emailed to brennonwilliams295@gmail.com for signature
2025-05-12 - 10:37:16 PM GMT

 Email viewed by brennonwilliams295@gmail.com
2025-05-12 - 11:20:26 PM GMT

 Signer brennonwilliams295@gmail.com entered name at signing as Brennon Williams
2025-05-12 - 11:20:55 PM GMT

 Document e-signed by Brennon Williams (brennonwilliams295@gmail.com)
Signature Date: 2025-05-12 - 11:20:57 PM GMT - Time Source: server

 Agreement completed.
2025-05-12 - 11:20:57 PM GMT