

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



## OFFICIAL NOTICE OF DECISION December 3, 2025

MDS Investments, LLC  
Steve Chavez  
7500 Jefferson St. NE  
Albuquerque, NM 87109

**Project# PR-2021-005684**  
**Application#**  
**VAC-2025-00045 VACATION OF PUBLIC**  
**EASEMENT**

### LEGAL DESCRIPTION:

For all or a portion of:

**Lot/Tract 25, MESA DEL SOL INNOVATION**  
**PARK zoned PC, located at 2501 BOBBY**  
**FOSTER RD SE between UNIVERSITY BLVD**  
**SE, EASTMAN CROSSING, and BOBBY**  
**FOSTER RD SE containing approximately**  
**6.4638 acre(s). (R-16, R-15)**

On December 3, 2025, the Development Hearing Officer (DHO) held a public hearing concerning the above-referenced application and approved the request, based on the following Findings:

1. This is a request to vacate a public drainage easement for Lot/Tract 25, Mesa Del Sol Innovation Park. The existing easement was placed originally over a temporary desilting pond for Tract 25 prior to entering into the Public Storm Drain System.
2. The site is in the PC zone district and within the Mesa Del Sol Level B Master Plan. Future development is subject to the standards and provisions of the MDS plan, the IDO, and the DPM.
3. **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)(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.

***Per IDO 6-6M(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. The originally required easement is no longer necessary due to the subdivision of the Tract, the building of the surrounding University Blvd and the future blanket drainage easement over the new tracts.***

***The new platting effort will grant a blanket private drainage easement over the top of each tract for the benefits of each tract and the desilting pond will remain until the development occurs. The need for a public drainage easement is not necessary as there is no public water entering this pond today. The vacation is necessary as to not encumber the site with unnecessary easements in anticipation of future development.***

4. The DHO determined that the review and decision criteria for the vacation were met and demonstrated within the justification letter. The requirements of the IDO were being met and the vacation would not being contrary to the public safety, health, or welfare.
5. Per Table 6-1-1 of the IDO, a pre-application meeting took place with City staff as a Sketch Plat. Comments were provided to the applicant team.

**APPEAL:** If you wish to appeal this decision, you must do so within 15 days of the DHO's decision or by **DECEMBER 18, 2025**. The date of the DHO's decision is not included in the 15-day period for filing an appeal, and if the 15<sup>th</sup> 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

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Sincerely,

*Brennon Williams*

[Brennon Williams \(Dec 11, 2025 13:10:39 MST\)](#)

Brennon Williams

Development Hearing Officer

BW/rw/jr

Bohannon Huston, Inc., 7500 Jefferson St. NE, Albuquerque, NM 87109

BWW/rw/jr

Bohannon Huston, Michael Balaskovits, 7500 Jefferson St NE, Albuquerque, NM 87109







# PR-2021-005684 - December 3, 2025 Notice of Decision - DHO

Final Audit Report

2025-12-11

|                 |  |
|-----------------|--|
| Created:        | 2025-12-10                                   |
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## "PR-2021-005684 - December 3, 2025 Notice of Decision - DHO" History

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