

**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

September 12 , 2018

Peter Generis
6509 Coors Blvd NW Suite G
ABQ, NM 87120

Project# PR-2018-001459
Application#
SD-2018-00068 – Vacation of Right of Way

LEGAL DESCRIPTION:

All or a portion of Lots A-F and Lots 1-5 of the Kirtland Addition Unit 3, zoned R-ML, located on Bethel Ave. SE between Mulberry St and Kirtland Park . containing approximately 2 acres. (M-15)

On September 12, 2018, the Development Review Board (DRB) voted to Recommend Approval of Project PR-2018-001459, based on the following Findings and one Condition:

1. The request meets the criteria in 14-16-6-6(K)(3):
The public welfare does not require that easement be retained because Bethel Street is a cul-de-sac that does not have any connections to other streets. The vacation will allow the redevelopment of the site under the existing zoning entitlements. The site was rezoned to allow multifamily development and the existing platting and right of way is not necessarily appropriate for the new entitlements.
Because the street does not connect to any other streets or properties, the vacation will not abridge any rights of any property owners. The application contains a letter of authorization from the legal owner of record.
2. The vacation contains more than 5,000 square feet and is the width of an entire street, pursuant 14-16-(6)(6)(K)(2) (d) and (e), the DRB is a recommending body and the City Council will make a final decision on the request.

Condition: A replat must be approved by the DRB and recorded within one year of City

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Council approval action.

APPEAL: If you wish to appeal this decision, you must do so within 15 days of the DRB's decision or by **SEPTEMBER 27, 2018**. The date of the DRB'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 as 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). A Non-Refundable filing fee will be calculated at the Land Development Coordination Counter and is required at the time the appeal is filed.

You will receive 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 permit 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).

Sincerely,



Kym Dicome
DRB Chair

KD/mg