



Please check the appropriate box and refer to supplemental forms for submittal requirements. All fees must be paid at the time of application.

Administrative Decisions	<input type="checkbox"/> Historic Certificate of Appropriateness – Major (Form L)	<input type="checkbox"/> Wireless Telecommunications Facility Waiver (Form W2)
<input type="checkbox"/> Archaeological Certificate (Form P3)	<input type="checkbox"/> Historic Design Standards and Guidelines (Form L)	Policy Decisions
<input type="checkbox"/> Historic Certificate of Appropriateness – Minor (Form L)	<input type="checkbox"/> Master Development Plan (Form P1)	<input type="checkbox"/> Adoption or Amendment of Comprehensive Plan or Facility Plan (Form Z)
<input type="checkbox"/> Alternative Signage Plan (Form P3)	<input type="checkbox"/> Site Plan – EPC including any Variances – EPC (Form P1)	<input type="checkbox"/> Adoption or Amendment of Historic Designation (Form L)
<input type="checkbox"/> WTF Approval (Form W1)	<input type="checkbox"/> Site Plan – DRB (Form P2)	<input type="checkbox"/> Amendment of IDO Text (Form Z)
<input type="checkbox"/> Minor Amendment to Site Plan (Form P3)	<input type="checkbox"/> Subdivision of Land – Minor (Form S2)	<input type="checkbox"/> Annexation of Land (Form Z)
Decisions Requiring a Public Meeting or Hearing	<input type="checkbox"/> Subdivision of Land – Major (Form S1)	<input type="checkbox"/> Amendment to Zoning Map – EPC (Form Z)
<input type="checkbox"/> Conditional Use Approval (Form ZHE)	<input checked="" type="checkbox"/> Vacation of Easement or Right-of-way (Form V)	<input type="checkbox"/> Amendment to Zoning Map – Council (Form Z)
<input type="checkbox"/> Demolition Outside of HPO (Form L)	<input type="checkbox"/> Variance – DRB (Form V)	Appeals
<input type="checkbox"/> Expansion of Nonconforming Use or Structure (Form ZHE)	<input type="checkbox"/> Variance – ZHE (Form ZHE)	<input type="checkbox"/> Decision by EPC, LC, DRB, ZHE, or City Staff (Form A)

APPLICATION INFORMATION

Applicant: BESTWAY INVESTMENTS LLC	Phone:
Address: 5700 MONTANA	Email:
City: EL PASO State: TX	Zip: 79925
Professional/Agent (if any): ARCH + PLAN LAND USE CONSULTANTS	Phone: 505.980.8365
Address: P.O. BOX 25911	Email: arch.plan@comcast.net
City: ALBUQUERQUE State: NM	Zip: 87125
Proprietary Interest in Site: OWNERS	List <u>all</u> owners:

BRIEF DESCRIPTION OF REQUEST

VACATION OF PUBLIC UTILITY EASEMENT

SITE INFORMATION (Accuracy of the existing legal description is crucial! Attach a separate sheet if necessary.) 1.019.057.132.504.226.57

Lot or Tract No.: A-1, A thru K & K-1	Block: 14	Lot: 1.019.057.123.504.226.54
Subdivision/Addition: DEL NORTE ADDN	MRGCD Map No.:	UPC Code: 1.019.057.114.503.226.55
Zone Atlas Page(s): K-19	Existing Zoning: MX-M	Proposed Zoning: n/a
# of Existing Lots:	# of Proposed Lots:	Total Area of Site (acres): 0.1239±

LOCATION OF PROPERTY BY STREETS

Site Address/Street: **7400 LOMAS NE** Between: **MESILLA ST** and: **ESPANOLA ST**

CASE HISTORY (List any current or prior project and case number(s) that may be relevant to your request.)

1011337

Signature: *Derrick Archuleta* Date: **9.11.18**
 Printed Name: **DETRICK ARCHULETA** Applicant or Agent

FOR OFFICIAL USE ONLY

Case Numbers	Action	Fees
-		
-		
-		

Meeting/Hearing Date: _____ Fee Total: _____
 Staff Signature: _____ Date: _____ Project # _____

FORM V: Vacations of Easements or Right-of-way and Variances – DRB

Please refer to the DRB case schedules for meeting / hearing dates and deadlines. Your attendance is required.

A single PDF file of the complete application including all plans and documents being submitted must be emailed to PLNDRS@cabg.gov prior to making a submittal. Zipped files or those over 9 MB cannot be delivered via email, in which case the PDF must be provided on a CD.

VARIANCE – DRB Requires Public Hearing

- Proof of Neighborhood Meeting per IDO Section 14-16-6-4(B)
- Scale drawing showing the location of the proposed variance or waiver, as applicable (7 copies, not to exceed 8.5" by 14")
- Letter describing, explaining, and justifying the request per the criteria in IDO Section 14-16-6-6(L)(3), compliance with the DPM, and all improvements to be waived, as applicable
- If the request is based on a bulk land transfer, an application for Subdivision of Land – Minor shall be filed concurrently with the variance request and notice shall be provided on that plat regarding the applicant's agreement that building permits shall not be issued before further action by the DRB.
- Zone Atlas map with the entire site clearly outlined and labeled
- Required notices with content per IDO Section 14-16-6-4(K)(6)
 - Office of Neighborhood Coordination notice inquiry response and proof of emailed notice to affected Neighborhood Association representatives

VACATION OF PRIVATE EASEMENT Requires Public Hearing

VACATION OF PUBLIC EASEMENT OR RIGHT-OF-WAY – DRB Requires Public Hearing

VACATION OF PUBLIC EASEMENT OR RIGHT-OF-WAY – COUNCIL Requires Public Hearing

- Proof of Neighborhood Meeting per IDO Section 14-16-6-4(C)
- Copy of the complete document which created the easement(s) (7 copies, folded)
 - Not required for City owned public right-of-way.*
- Drawing showing the easement or right-of-way to be vacated (7 copies, not to exceed 8.5" by 11")
- If easements, list number to be vacated _____
- Justification letter describing, explaining, and justifying the request per the criteria in IDO Section 14-16-6-6(K)(3)
- Letter of authorization from the property owner if application is submitted by an agent
- Zone Atlas map with the entire site clearly outlined and labeled
- Required notices with content per IDO Section 14-16-6-4(K)(6)
 - Office of Neighborhood Coordination notice inquiry response, notifying letter, and proof of first class mailing
 - Proof of emailed notice to affected Neighborhood Association representatives
 - Buffer map and list of property owners within 100 feet (excluding public rights-of-way), notifying letter, and proof of first class mailing
- Sign Posting Agreement (not required for easements if IDO Section 14-16-6-6(K)(2)(a) is satisfied)


The vacation must be shown on a DRB approved plat recorded by the County Clerk within one year, or it will expire.

TEMPORARY DEFERRAL OF SIDEWALK CONSTRUCTION

EXTENSION OF THE IIA FOR TEMPORARY DEFERRAL OF SIDEWALK CONSTRUCTION

- Drawing showing the sidewalks subject to the proposed deferral or extension (7 copies, not to exceed 8.5" by 14")
- Zone Atlas map with the entire site clearly outlined and labeled
- Letter describing, explaining, and justifying the deferral or extension

I, the applicant or agent, acknowledge that if any required information is not submitted with this application, the application will not be scheduled for a public meeting or hearing, if required, or otherwise processed until it is complete.

Signature: 	Date: 9.11.18
Printed Name: DERRICK ARCHULETA	<input type="checkbox"/> Applicant or <input checked="" type="checkbox"/> Agent


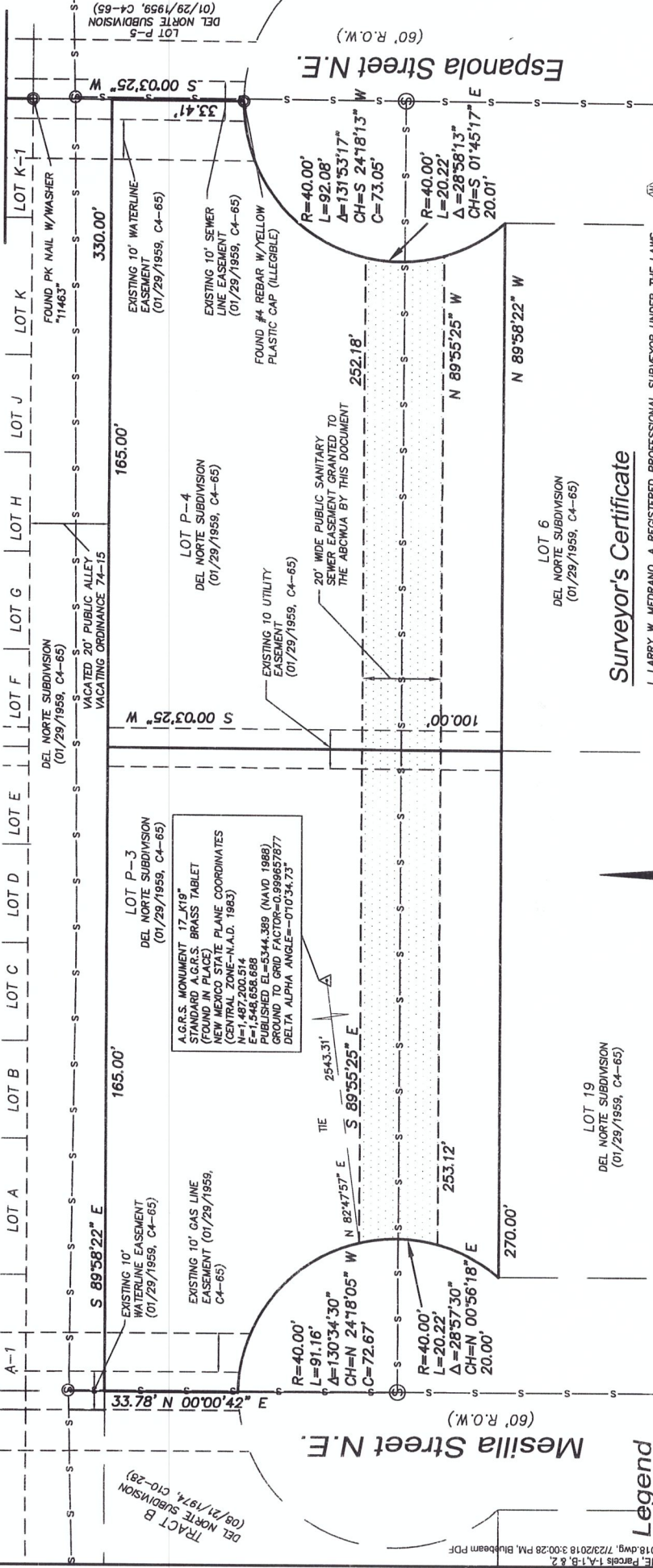
FOR OFFICIAL USE ONLY	
Project Number:	Case Numbers
	-
	-
	-
Staff Signature:	
Date:	

Exhibit "A"



Legend

N 90°00'00" E	MEASURED BEARING AND DISTANCES
○	FOUND AND USED MONUMENT
△	FOUND ALUMINUM AGRS MONUMENT
⊗	WATER METER
⊙	SANITARY SEWER MANHOLE
—	SANITARY SEWER LINE

Surveyor's Certificate

I, LARRY W. MEDRANO, A REGISTERED PROFESSIONAL SURVEYOR UNDER THE LAWS OF THE STATE OF NEW MEXICO, HEREBY CERTIFY THAT THIS EXHIBIT (UN-CCLASSIFIED SURVEYING SURVEY) WAS PREPARED FROM FIELD NOTES OF AN ACTUAL SURVEY MEETING THE MINIMUM REQUIREMENTS FOR THIS CLASSIFICATION OF SURVEY AS PER THE MINIMUM REQUIREMENTS FOR THIS CLASSIFICATION OF SURVEYING IN NEW MEXICO AS ADOPTED BY THE N.M. BOARD OF LAND SURVEYING IN NEW MEXICO FOR SURVEYORS, AND IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF.

LARRY W. MEDRANO
N.M.P.S. No. 11983
DATE



PRECISION SURVEYS, INC.
5005 San Mateo Boulevard, NE
Albuquerque, NM 87113
505.856.0200 PHONE
505.856.0000 FAX

DEL NORTI SUBDIVISION/CADD FILE#17908P_EX_2018.dwg, 7/23/2018 3:00:28 PM, Bluebeam PDF
G:\2017\179080 TP - 7300 & 7400 Lomas Blvd NE, Parcels 1-A-1-B & 2

DIGITAL SIGNATURE IS INVALID IF NOT IN BLUE INK WITH BLUE STAMP OR EMBOSSED STAMP
WET SIGNATURE IS INVALID IF NOT IN BLUE INK WITH BLUE STAMP OR EMBOSSED STAMP

**ARCH+PLAN
LAND USE CONSULTANTS
ALBUQUERQUE NM**

September 11, 2018

Kym Dicome, Chair
City of Albuquerque
Development Review Board
600 2nd St NW
Albuquerque NM

RE: VACATION OF PUBLIC UTILITY EASEMENT

Ms. Dicome and members of the Board:

I would like to request Vacation of a Public Utility Easement review for a future minor subdivision for the above mentioned property.

The property owner would like to vacate a public utility easement within a previously vacated alley south of and adjacent to Lots A through K, and Lot K-1, Block 14, Del Norte Subdivision.

Subject to criteria for vacation of easement in IDO Section 14-16-6-6(K)(3), we believe is met in the following manner:

- (a) The public welfare does not require that the public right-of-way or easement be retained. ***As a result of the vacation of the public alley, the public utility easement was inadvertently omitted from vacation. The easement no longer serves as the purpose intended when originally dedicated or needed.***
- (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 subject property within the requested vacation serves only the applicant. No other property owners are directly affected by the vacation.***

The property is currently developed with a car dealership.

The site is located within the Near Heights Planning Area and governed by the Area of Change of the Albuquerque/Bernalillo County Comprehensive Plan.

Thank you for your time and consideration of the proposed application.

Sincerely,


Derrick Archuleta, MCRP
Principal

**Bestway Investments LLC
5700 Montana
El Paso TX 79925**

August 17, 2018

Kym Dicome, Chairperson
Development Review Board
Planning Development Services Division
600 2nd Street, NW
Albuquerque, NM 87102

RE: LETTER OF AUTHORIZATION TO REQUEST TO VACATE A PUBLIC UTILITY EASEMENT WITHIN A PREVIOUSLY VACATED ALLEY SOUTH OF AND ADJACENT TO LOTS A THROUGH K, INCLUSIVE, AND LOT K-1, BLOCK 14 DEL NORTE SUBDIVISION

Dear Ms. Dicome,

I am authorizing Precision Surveys, Inc. to act as my agent regarding the property located at 7400 Lomas Blvd. NE, Albuquerque, NM 87108, and the vacated alley south of and adjacent to Lots A through K, inclusive, and Lot K-1, Block 14 Del Norte Subdivision

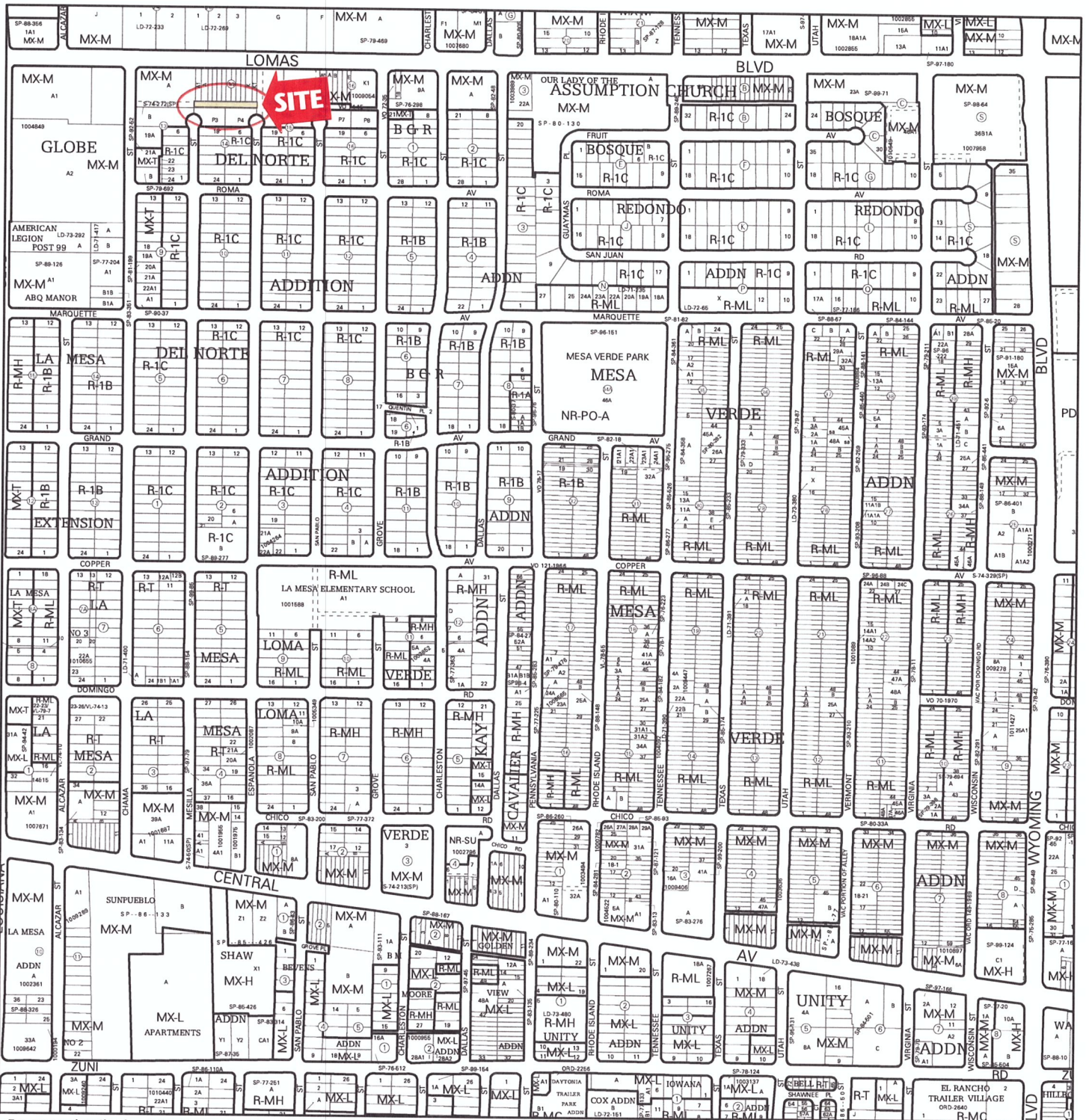
Should you have questions, please do not hesitate to contact me by phone at 915-834-6201 or by email: jim.dick@vivaautogroup.com.

Regards,



James Dick, Owner
Bestway Investments LLC
5700 Montana
El Paso TX 79925
jim.dick@vivaautogroup.com

cc: Precision Surveys, Inc.
Craig Hagelgantz, PE



For more details about the Integrated Development Ordinance visit: <http://www.cabq.gov/planning/codes-policies-regulations/integrated-development-ordinance>

IDO Zone Atlas
May 2018

IDO Zoning information as of May 17, 2018
The Zone Districts and Overlay Zones are established by the Integrated Development Ordinance (IDO).

Zone Atlas Page: K-19-Z

- Easement
- Escarpment
- Petroglyph National Monument
- Areas Outside of City Limits
- Airport Protection Overlay (APO) Zone
- Character Protection Overlay (CPO) Zone
- Historic Protection Overlay (HPO) Zone
- View Protection Overlay (VPO) Zone

Gray Shading Represents Area Outside of the City Limits

Scale: 0, 250, 500, 1,000 Feet

Quevedo, Vicente M. <vquevedo@cabq.gov>

9/10/2018 1:04 PM

Public Notice Inquiry_7400 Lomas Blvd NE_DRB

To arch.plan@comcast.net <arch.plan@comcast.net>

Derrick,

Good afternoon. See list of affected associations below and attached related to your DRB submittal. Please also review the attached instruction sheet. Thank you.

Association Name	First Name	Last Name	Email	Address Line 1	City	State	Zip	Mobile Phone
La Mesa Community Improvement Association	Dayna	Mares	dayna.mares76@gmail.com	639 Dallas Street NE	Albuquerque	NM	87108	5054140085
La Mesa Community Improvement Association	Idalia	Lechuga-Tena	idalialt@gmail.com	537 San Pablo Street NE	Albuquerque	NM	87108	5055503868

Respectfully,

Vicente M. Quevedo, MCRP
 Neighborhood Liaison
 Office of Neighborhood Coordination
 City of Albuquerque – City Council
 (505) 768-3332

Website: www.cabq.gov/neighborhoods

Confidentiality Notice: This e-mail, including all attachments is for the sole use of the intended recipient(s) and may contain confidential and privileged information. Any unauthorized review, use, disclosure or distribution is prohibited unless specifically provided under the New Mexico Inspection of Public Records Act. If you are not the intended recipient, please contact the sender and destroy all copies of this message.

From: webmaster=cabq.gov@mailgun.org [mailto:webmaster=cabq.gov@mailgun.org] **On Behalf Of** ISD WebMaster

Sent: Thursday, September 06, 2018 10:07 PM

To: Office of Neighborhood Coordination <onc@cabq.gov>

Subject: Public Notice Inquiry Sheet Submission

Public Notice Inquiry For:

Development Review Board

If you selected "Other" in the question above, please describe what you are seeking a Public Notice Inquiry for below:

VACATION OF PUBLIC UTILITY EASEMENT

Contact Name

DERRICK ARCHULETA

Telephone Number

505-980-8365

Email Address

arch.plan@comcast.net

Company Name

ARCH+PLAN LAND USE CONSULTANTS

Company Address

P.O. BOX 25911

City

ALBUQUERQUE

State

NM

ZIP

87125

Legal description of the subject site for this project:

VACATED ALLEY SOUTH OF AND ADJACENT TO LOTS A THROUGH K, INCLUSIVE AND LOT K-1, BLOCK 14, DEL NORTE ADDITION

Physical address of subject site:

7400 LOMAS BLVD NE

Subject site cross streets:

SE CORNER OF LOMAS BLVD AND CHAMA ST NE

Other subject site identifiers:

This site is located on the following zone atlas page:

K-19

=====

This message has been analyzed by Deep Discovery Email Inspector.

- 7400 LOMAS BLVD NE.PDF (3 MB)
- Public Notice Inquiry_7400 Lomas Blvd NE_DRB.xlsx (20 KB)
- Public Notice Inquiry Instruction Sheet_7_31_18.pdf (41 KB)
- image001.png (8 KB)
- image002.png (3 KB)
- image003.png (7 KB)

EDGAR MARY LOUISE & BUCK
ELIZABETH ANN & GARY PATRICK TR
BUCK RVT
PO BOX 90686
ALBUQUERQUE NM 87199-0686

BESTWAY INVESTMENTS LLC
5800 MONTANA AVE
EL PASO TX 79925-3308

RANDALL DORA
710 ESPANOLA ST NE
ALBUQUERQUE NM 87108

BESTWAY INVESTMENTS LLC
5800 MONTANA
EL PASO TX 79925

WILLIAMSON MICHAEL ANTHONY &
MABEL
611 MESILLA ST NE
ALBUQUERQUE NM 87108-2046

AUTO LEASEHOLDS LLC
PO BOX 26207
ALBUQUERQUE NM 87125-6207

BESTWAY INVESTMENTS LLC
5800 MONTANA AVE
EL PASO TX 79925-3308

LE HIEU THI & MONG HOANG THI
714 ESPANOLA ST NE
ALBUQUERQUE NM 87108-2157

PEDERSON PHILLIP G ETUX
709 ESPANOLA ST NE
ALBUQUERQUE NM 87108-2157

LOHMAN TODD D & LOHMAN-VIGIL
TERRY CO-TRUSTEES LOHMAN RVT
3800 RIO GRANDE BLVD NW
ALBUQUERQUE NM 87107

BESTWAY INVESTMENTS LLC
5800 MONTANA
EL PASO TX 79925

BESTWAY INVESTMENTS LLC
5800 MONTANA AVE
EL PASO TX 79925-3308

BESTWAY INVESTMENTS LLC
5800 MONTANA
EL PASO TX 79925

BESTWAY INVESTMENTS LLC
5800 MONTANA AVE
EL PASO TX 79925-3308

BLAKES LOTABURGER LLC
3205 RICHMOND DR NE
ALBUQUERQUE NM 87107-1922

BESTWAY INVESTMENTS LLC
5800 MONTANA
EL PASO TX 79925

REYES EZEQUIEL L & IGNACIA
717 SAN PABLO ST NE
ALBUQUERQUE NM 87108

CARREON-ROMERO DELIA
713 ESPANOLA ST NE
ALBUQUERQUE NM 87108

EDGAR MARY LOUISE & BUCK
ELIZABETH ANN & GARY PATRICK TR
BUCK RVT
PO BOX 90686
ALBUQUERQUE NM 87199-0686

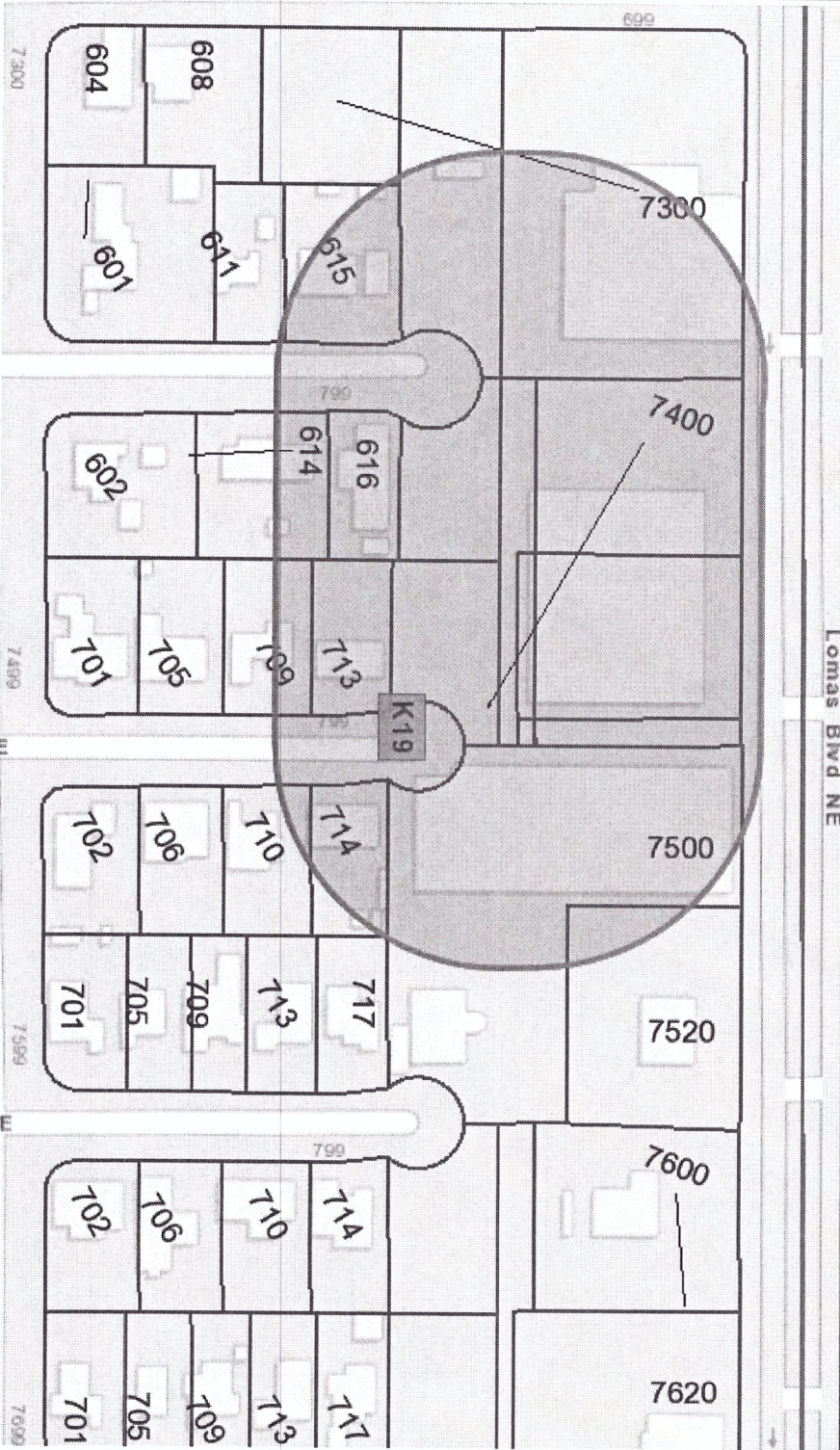
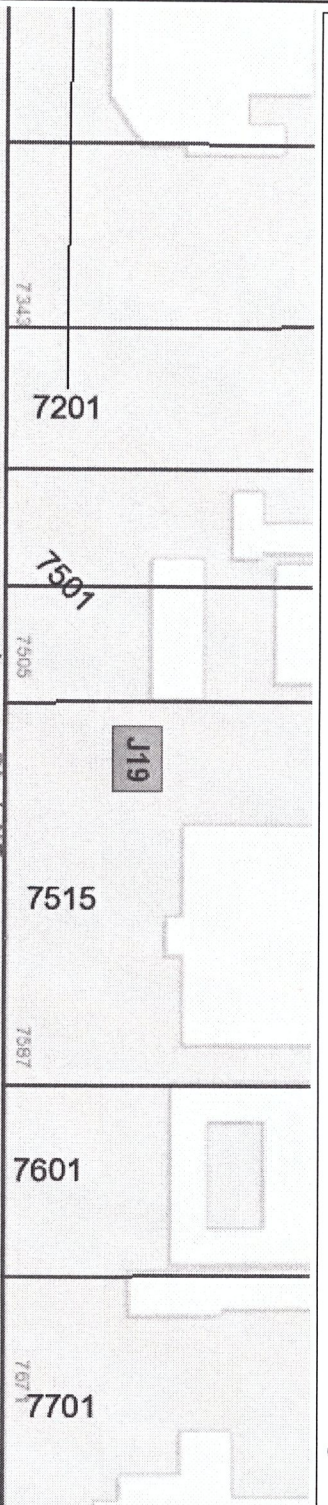
CALIX NORMA
614 MESILLA ST NE
ALBUQUERQUE NM 87108

DELCID HIRAM
616 MESILLA ST NE
ALBUQUERQUE NM 87108

QUEZADA FRANK J
615 MESILLA ST NE
ALBUQUERQUE NM 87108-2046



Lomas and Chama



WGS_1984_Web_Mercator_Auxiliary_Sphere
8/29/2018 © City of Albuquerque

1:1,803

The City of Albuquerque ("City") provides the data on this website as a service to the public. The City makes no warranty, representation, or quantity as to the content, accuracy, timeliness, or completeness of any of the data provided at this website. Please visit <http://www.cabq.gov/labq-data/labq-data-disclaimer-1> for more information.

THIS MAP IS NOT TO BE USED FOR NAVIGATION

- Legend**
- Zone Grid
 - Bernalillo County Parcels
 - Municipal Limits**
 - Corrales
 - Edgewood
 - Los Ranchos
 - Rio Rancho
 - Tijeras
 - UNINCORPORATED
 - World Street Map

Notes

Buffer: 195ft.
ROW: Lomas Blvd. 95ft.

ARCH+PLAN
LAND USE CONSULTANTS
ALBUQUERQUE NM
ARCH.PLAN@COMCAST.NET (505) 980-8365

September 11, 2018

RE: VACATION OF PUBLIC UTILITY EASEMENT

To Whom It May Concern:

On behalf of the property owners, Bestway Investments LLC, a request for Vacation of a Public Utility Easement has been submitted to the City of Albuquerque's Development Review Board for consideration.

The property owner would like to vacate a public utility easement within a previously vacated alley south of and adjacent to Lots A through K, and Lot K-1, Block 14, Del Norte Subdivision.

Subject to criteria for vacation of easement in IDO Section 14-16-6-6(K)(3), we believe is met in the following manner:

- (a) The public welfare does not require that the public right-of-way or easement be retained. ***As a result of the vacation of the public alley, the public utility easement was inadvertently omitted from vacation. The easement no longer serves as the purpose intended when originally dedicated or needed.***
- (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 subject property within the requested vacation serves only the applicant. No other property owners are directly affected by the vacation.***

The property is currently developed with a car dealership.

The site is located within the Near Heights Planning Area and governed by the Area of Change of the Albuquerque/Bernalillo County Comprehensive Plan.

Thank you for your time and consideration of the proposed application. If you would like to discuss further please contact me.

Sincerely,


Derrick Archuleta, MCRP
Principal

Derrick Archuleta <arch.plan@comcast.net>

9/11/2018 7:45 AM

RE: VACATION OF PUBLIC UTILITY EASEMENT

To dayna.mares76@gmail.com • idalialt@gmail.com Copy arch.plan@comcast.net

Good morning representatives of the La Mesa Community Improvement Association:

This is to inform yourselves and members of your association that an application has been submitted to the City of Albuquerque's Development Review Board (DRB) for consideration of vacation of a public utility easement.

Your association received initial communication on August 3, 2018 introducing the application and offering an opportunity to meet and discuss the project.

The vacation of public easement will go before the DRB as part of completing this process.

Attached for your review is a copy of a letter that you will receive by mail and exhibits showing the location of the vacation.

If you would like to discuss further, don't hesitate to contact me.

Thank you for your time and attention.

Sincerely,
Derrick Archuleta

Derrick Archuleta, MCRP
ARCH+PLAN Land Use Consultants
P.O. Box 25911
Albuquerque NM 87125
p: 505.980.8365