

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

Gamma Development, LLC (CK Scott)  
9798 Coors Blvd. NW Bldg. C Suite 400  
ABQ, NM 87114

### **Project #PR-2018-001903**

Application#  
**SD-2020-00087** FINAL PLAT  
**SD-2020-00123** VACATION OF PRIVATE  
EASEMENT

#### **LEGAL DESCRIPTION:**

All or a portion of **TRACT 3B-3 PLAT OF TRS 3B-1, 3B-2 & 3B-3 A SUBD OF TR 3B LAND OF IHS ACQUISITION NO. 120 INC**, zoned R-T, located at **8820 HORIZON BLVD NE between BALLOON MUSEUM DR and ALAMEDA BLVD**, containing approximately 7.76 acres (B-17)

On July 8, 2020, the Development Review Board (DRB) held a public meeting concerning the above referenced application and approved the requests, with delegation to ABCWUA and Planning for issues discussed at the meeting, based on the following Findings:

#### **SD-2020-00087 – FINAL PLAT**

1. This Final Plat divides the existing 7.76 acres into 34 residential tracts.
2. The property is zoned R-T. Future development must be consistent with the underlying zoning.
3. The applicant provided a recorded Infrastructure Improvements Agreement dated October 15, 2019.
4. The applicant provided the required notice as outlined in the IDO Table 6-1-1.
5. The Final Plat is consistent with the approved Preliminary Plat.

#### Conditions:

1. Final sign off is delegated to ABCWUA for resolution of rip rap issues along proposed easements containing infrastructure.
2. Final sign off is delegated to Planning for utility signatures and the AGIS DXF file.

3. The applicant will obtain final sign off from ABCWUA and Planning by August 8, 2020 or the case may be scheduled for the next DRB hearing and could be denied per the DRB Rules of Procedure.

**SD-2020-00123 – VACATION OF PRIVATE EASEMENT**

1. The applicant proposes to vacate the existing 10-foot-wide MST&T easement that was recorded on June 20, 1993.
2. The applicant proposes to vacate the existing 20-foot-wide private drainage easement that was recorded on April 15, 2010.
3. The applicant justified the vacation request for the existing 10-foot-wide MST&T easement pursuant to 14-16-6-6-(K)(3)(a). The easement is for an overhead line that serves an existing building on the site which will be demolished with this project and the overhead line will be removed from the site, eliminating the requirement for the retainment of the easement.
4. The applicant justified the vacation request for the existing 20-foot-wide private drainage easement pursuant to 14-16-6-6-(K)(3)(a). The easement is for a storm drain line which will be routed in the private streets, eliminating the requirement for the retainment of the easement.
5. The applicant provided the required notice as outlined in the IDO Table 6-1-1.

**APPEAL:** If you wish to appeal the decisions for the vacation or final plat (Preliminary Plats cannot be appealed according to the IDO), you must do so within 15 days of the DRB's decision or by **JULY 23, 2020**. The date of the DRB'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 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). Appeals should be submitted via email to [PLNDRS@CABQ.GOV](mailto:PLNDRS@CABQ.GOV) (if files are less than 9MB in size). Files larger than 9MB can be sent to [PLNDRS@CABQ.GOV](mailto:PLNDRS@CABQ.GOV) using <https://wettransfer.com>. A Non-Refundable filing fee will be calculated and you will receive instructions about paying the fee online. 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,



Jolene Wolfley  
DRB Chair

JW/jr

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