

**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

Homewise Inc.
1301 Siler Road, Building D
Santa Fe, NM 87507

Project# PR-2019-002042
Application#
SD-2024-00124 PRELIMINARY/FINAL PLAT
SD-2024-00125 VACATION OF PRIVATE
EASEMENT

LEGAL DESCRIPTION:

For all or a portion of: **Lots 1 thru 75, tracts B and 1 thru 4** zoned **MX-M**, located on **GIBSON BLVD SW** between **98TH ST SW** and **BARBADOS AVE SW** containing approximately **6.8861** acre(s). **(M-09)**

On August 28, 2024, the Development Hearing Officer (DHO) held a public meeting concerning the above referenced applications and approved the requests based on the following Findings:

SD-2024-00124 PRELIMINARY/FINAL PLAT

1. This is a request to consolidate five tracts and 75 lots into 5 tracts and 72 lots; dedicate (ROW) Right-of-Way to the City of Albuquerque; vacate portions of easements; and grant easements as depicted on the Plat.
2. The subject property is zoned MX-M (Medium Intensity Zone District). Future development must be consistent with the underlying zone district.
3. The application includes a Sensitive Lands Analysis for the subject property dated 02/11/2022.
4. The Applicant satisfied the public notice requirements in compliance with the IDO Table 6-1-1 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. The review and decision criteria for a Subdivision of Land-Minor were met by this project per 6-6(K)(3) of the IDO.
6. Per IDO 6-6(K)(2)(I), the applicant shall record the final plat with the Bernalillo County Clerk within 3 months after the date of the final signature on the plat, or the subdivision shall be voided.
7. All signatures from the surveyor, property owner(s), the City Surveyor, Real Property Division, the utility companies, and AMAFCA are provided on the Plat.

CONDITIONS

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

- a. The application number must be added to the Plat.
- b. The AGIS office must approve the DXF file and proof of approval must be provided.
- c. The date of the DHO approval shall be recorded on the Plat.

SD-2024-00075 VACATION OF PRIVATE EASEMENT

1. This is a request to vacate portions of a private drainage easement and portions of a private drainage ponding easement. The vacations were originally approved with the Preliminary Plat on March 30, 2022 by the Development Review Board (DRB) per SD-2022-00048, SD-2022-00049, SD-2022-00050, SD-2022000051, SD-2022-00052, and SD-2022-00053. The Plat was recorded on November 22nd, 2022.
2. This Vacation of Private Easement request meets the following criteria of the IDO:

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

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.

These easements do not seem to have any existing changes to the infrastructure associated with them and therefore no substantial property right will be abridged by this request.

Additionally, this request allows the property to be re-platted in order to create additional right-of-way for off-Street parking within the property. Therefore, Planning has no objection to this request.

APPEAL: If you wish to appeal this decision, you must do so within 15 days of the DHO's decision or by **SEPTEMBER 16TH, 2024**. 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 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 (if files are less than 9MB in size). For files larger than 9 MB in size, please send an email to PLNDRS@cabq.gov and request that staff send you a link via Smart file to upload the files to. 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,

Brennon Williams

[Brennon Williams \(Aug 30, 2024 13:37 MDT\)](#)

Brennon Williams

Development Hearing Officer

BW/mi/jr

CSI – CARTESIAN SURVEYS, INC. PO Box 44414, Rio Rancho, NM 87174







PR-2019-002042_August_28_2024_Notice_of_D ecision

Final Audit Report

2024-08-30

Created:	2024-08-30
By:	Jay Rodenbeck (jrodenbeck@cabq.gov)
Status:	Signed
Transaction ID:	CBJCHBCAABAADGt7mxlqUPiuJxtBZ53KGeEe1dDteRK

"PR-2019-002042_August_28_2024_Notice_of_Decision" History

-  Document created by Jay Rodenbeck (jrodenbeck@cabq.gov)
2024-08-30 - 7:10:19 PM GMT
-  Document emailed to brennonwilliams295@gmail.com for signature
2024-08-30 - 7:10:24 PM GMT
-  Email viewed by brennonwilliams295@gmail.com
2024-08-30 - 7:36:42 PM GMT
-  Signer brennonwilliams295@gmail.com entered name at signing as Brennon Williams
2024-08-30 - 7:37:45 PM GMT
-  Document e-signed by Brennon Williams (brennonwilliams295@gmail.com)
Signature Date: 2024-08-30 - 7:37:47 PM GMT - Time Source: server
-  Agreement completed.
2024-08-30 - 7:37:47 PM GMT