

**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

May 24, 2019

Vista Oriente Development
4700 Montgomery Blvd
Albuquerque, NM 87109

**Project# PR-2019-002285
(1008124 + 1009526)**

Application#

SD-2019 -00098 PRELIMINARY/FINAL PLAT

SD-2019 -00091 VACATION OF PUE

SD-2019 -00092 VACATION OF PUE (OVERHEAD)

SD-2019 -00093 VACATION OF PUE (GAS)

SD-2019 -00094 VACATION OF PUE (TELE)

LEGAL DESCRIPTION:

For all or a portion of LOT 2 PLAT of LOTS 1 & 2 AMERICAN SQUARE, zoned MX-M, located at 3535 MENAUL BLVD NE, containing approximately 10.5095 acres. (H-16)

On May 22, 2019 the Development Review Board (DRB) held a public meeting concerning the above referenced application and approved the request, with delegation to Planning and Code Enforcement to address minor items as stated in the comments and discussed at the hearing based on the following Findings:

SD-2019 -00098 PRELIMINARY/FINAL PLAT

1. This preliminary/final plat divides the existing 10.5095 acre Lot 2 into lot 2-B, 9.8252 acres, and Lot 2-A, .6843 acres, and grants the required public utility easements.
2. Property is zoned MX-M and has no minimum lot size.

Conditions:

1. Final sign off is delegated to Planning to check for the appeal deadline and to Code Enforcement to check for parking calculations.

SD-2019 -00091 VACATION OF PUBLIC UTILITY EASEMENT

1. The applicant proposes to vacate one Public Utility Easement, as shown on Exhibit for Lot 2 American Square.

2. The public welfare does not require that the public right-of-way or easement be retained because the existing utilities are not located within the easement dedicated in 1968. Updated easements are granted with the accompanying plat, SD-2019 -00098.

SD-2019 -00092 VACATION OF PUBLIC UTILITY EASEMENT (OVERHEAD UTILITY)

1. The applicant proposes to vacate one Public Utility Easement for Overhead Utility, as shown on the the Exhibit for Lot 2 American Square.
2. The public welfare does not require that the public right-of-way or easement be retained because the existing utilities are not located within the easement dedicated in 1988. Updated easements are granted with the accompanying plat, SD-2019 -00098.

SD-2019 -00093 VACATION OF PUBLIC UTILITY EASEMENT (GAS)

1. The applicant proposes to vacate one Public Utility Easement for a Gas line, as shown on the Exhibit for Lot 2 American Square.
2. The public welfare does not require that the public right-of-way or easement be retained because the existing utilities are not located within the easement dedicated in 1988. Updated easements are granted with the accompanying plat, SD-2019 -00098.

SD-2019 -00094 VACATION OF PUBLIC UTILITY EASEMENT (TELEPHONE and TELEGRAPH)

1. The applicant proposes to vacate one Public Utility Easement for Telephone and Telegraph, as shown on the Exhibit for Lot 2 American Square.
2. The public welfare does not require that the public right-of-way or easement be retained because the existing utilities are not located within the easement dedicated in 1937. Updated easements are granted with the accompanying plat, SD-2019 -00098.

APPEAL: If you wish to appeal this decision, you must do so within 15 days of the DRB's decision or by **JUNE 6, 2019**. 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 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

Official Notice of Decision

Project # PR-2018-002285 SD-2019-00098 SD-2019 -00091, SD-2019 -00092 , SD-2019 -00093 ,SD-2019 -00094

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of the IDO that must be complied with, even after approval of the referenced application(s).

Sincerely,



Kym Dicome

DRB Chair

KD/mg

Cartesian Surveys PO BOX 44414 Rio Rancho NM 87174