

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

Wymont LLC
409 NM Hwy. 528 NE
Rio Rancho, NM 87124

Project# PR-2019-002309

Application#

SD-2022-00183 VACATION OF PRIVATE
EASEMENT (Roadway)

SD-2022-00129 VACATION OF PUBLIC
EASEMENT (Waterline)

SD-2022-00129 VACATION OF PUBLIC
EASEMENT (Sidewalk)

SD-2022-00166 PRELIMINARY/FINAL PLAT

LEGAL DESCRIPTION:

For all or a portion of: **TRACT 1-A and TRACT 2-A, WYMONT SUBDIVISION** zoned **MX-M**, located at **8240/8280 MONTGOMERY BLVD NE between MONTGOMERY BLVD NE and WYOMING BLVD NE** containing approximately **2.1952** acre(s). **(G-19)**

On November 30, 2022, the Development Review Board (DRB) held a public meeting concerning the above referenced applications and approved the requests, with delegation to Planning, based on the following Findings:

SD-2022-00183 VACATION OF PRIVATE EASEMENT (Roadway)

1. The applicant proposes to vacate an existing private roadway easement recorded on February 1, 2022.
2. The applicant justified the vacation request for the easement pursuant to 14-16-6-6-(M)(3) of the IDO. The easement is being retained, however it's being shifted to the east to match up with the new site layout. Therefore, the public welfare is not affected.

SD-2022-00185 VACATION OF PUBLIC EASEMENT (Waterline)

1. The applicant proposes to vacate an existing public water easement recorded on February 1, 2022.
2. The applicant justified the vacation request for the easement pursuant to 14-16-6-6-(M)(3) of the IDO. The easement is being retained, however it's being shifted to the east to match up with the new site layout. Therefore, the public welfare is not affected.

SD-2022-00186 VACATION OF PUBLIC EASEMENT (Sidewalk)

1. The applicant proposes to vacate an existing 6-foot public sidewalk easement recorded on February 1, 2022.
2. The easement is being retained, however it's being shifted to the east to match up with the new site layout. Therefore, the public welfare is not affected.

SD-2022-00166 PRELIMINARY/FINAL PLAT

1. This request is to adjust easements through the vacating and granting of easements per the requests from Transportation and ABCWUA. No property lines are being changed with this request.
2. The property is zoned MX-M. Future development must be consistent with the underlying zone district.
3. The applicant provided the required notice as outlined in the IDO Table 6-1-1.

Conditions:

1. Final sign-off is delegated to Planning for the AGIS DXF file and for the project and application numbers to be added to the Plat.
2. The applicant will obtain final sign off from Planning by February 1, 2023 or the case may be scheduled for the next DRB hearing and could be denied per the DRB Rules of Procedure.

APPEAL: If you wish to appeal this decision, you must do so within 15 days of the DRB's decision or by **DECEMBER 16, 2022**. 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.

Official Notice of Decision


Project # PR-2019-002309 Applications# SD-2022-00183, SD-2022-00185, SD-2022-00186, SD-2022-00166

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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 Smartfile 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,

A handwritten signature in black ink, appearing to read "J. Wolfley". The signature is fluid and cursive, with a large initial "J" and a long, sweeping underline.

Jolene Wolfley
DRB Chair

JW/jr

Tierra West, LLC, 5571 Midway Park Place NE, Albuquerque, NM 87109