

**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

Bernalillo County Metropolitan Court
P.O. Box 133
Albuquerque, NM 87103

Project# PR-2020-003485
Application#
SD-2023-00066 VACATION OF RIGHT OF WAY
SD-2023-00064 VACATION OF PUBLIC
EASEMENT

LEGAL DESCRIPTION:

For all or a portion of: **TRACT A-1 & LOT 8-A, BLOCK N, BC METRO COURT/MANDELL BUS. & RESIDENCE ADDITION** zoned **MX-M, MX-H, MX-FB-UD** located at **401 LOMAS BLVD NW between 4TH ST and 5th ST** containing approximately **3.9** acre(s). (J-14)

On April 26, 2023, the Development Hearing Officer (DHO) held a public hearing concerning the above-referenced applications, approving the Vacation of Public Easement request and recommended approval of the Vacation of Right-of-Way request, based on the following Findings:

SD-2023-00066 VACATION OF RIGHT OF WAY

1. This is a request to vacate the entirety of Slate Avenue NW between 5th Street NW and 4th Street NW, comprising 9,507 square feet of vacated right-of-way.
2. The applicant provided notice as required in Table 6-1-1 of the IDO.
3. The applicant justified the vacation request for the Right-of-Way pursuant to 14-16-6-6-(M)(3) of the IDO. The public welfare does not require that the public right-of-way for the alleyway be retained as the right-of-way for Slate Avenue NW is a dead-end that currently serves as access to Courthouse staff to a secured parking structure.
4. Pursuant to section 14-16-6-6(M)(1)(b) of the IDO, the DHO will be the recommending body to the City Council on the request because the Vacation is more than 5,000 square feet and the entire width of a street.

5. A platting application for DHO review and approval must be submitted within one year of City Council approval of the Vacation (see Table 6-4-3 of the IDO), and the platting application will not be accepted and placed on a DHO agenda until/unless the City Council approves the right-of-way Vacation.

SD-2023-00064 VACATION OF PUBLIC EASEMENT

1. The Applicant proposes to vacate an existing public easement, which is a 16-foot alley within the boundaries of the Bernalillo County Metropolitan Courthouse property.
2. The applicant justified the vacation request for the easement pursuant to 14-16-6-6-(M)(3) of the IDO. The public welfare does not require that the easement be retained, as the proposed Vacation will absorb the vacated area into the rest of the Bernalillo County Metropolitan Courthouse property through lot consolidation, and will permit the Court to restrict access to Courthouse staff to a secured parking structure.

Sincerely,



[Ronald Bohannon \(May 1, 2023 11:30 MDT\)](#)

Ronald R. Bohannon
Development Hearing Officer

RRB/lis

ARCH+PLAN Land Use Consultants LLC, P.O. Box 25911, Albuquerque, NM 87125







PR-2020-003485_April-26_2023 - Notice of Decision

Final Audit Report

2023-05-01

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