

**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**

Diamond Tail Realty, LLC  
20 Fall Pippin Lane Suite 203  
Asheville, NC 28803

**Project# PR-2020-004024**

**Application#**

**SD-2021-00155** FINAL PLAT

**SD-2021-00156** VACATION OF PUBLIC  
EASEMENT

**SD-2021-00157** VACATION OF PUBLIC  
EASEMENT

**SD-2021-00158** VACATION OF PUBLIC  
EASEMENT

**SD-2021-00159** VACATION OF PUBLIC  
EASEMENT

### **LEGAL DESCRIPTION:**

For all or a portion of: **TRACTS H-5 THRU H-9,  
VENTANA SQUARE AT VENTANA RANCH  
zoned MX-M**, located on **UNIVERSE BLVD,  
NW between PASEO DEL NORTE NW and  
PARADISE BLVD NW** containing  
approximately 8.7797 acre(s). (B-10)

On August 4, 2021, the Development Review Board (DRB) held a public meeting concerning the above referenced applications and approved the requests, with delegation to Transportation and Planning, based on the following Findings:

### **SD-2021-00155 FINAL PLAT**

1. This Final Plat subdivides five existing tracts (Tracts H-5, H-6, H-7, H-8, H-9) a total of 8.7797 acres in size into six tracts: Tract H-5A at 1.1209 acres in size, and Tract H-6A at 1.0111 acres in size, Tract H-7A at 1.3834 acres in size, Tract H-8A at 0.9434 acres in size, and Tract H-9A at 2.1953 acres in size.

This Final Plat grants private access easements, a public waterline and public sewer easement, a public multi-use trail easement, an additional 5-foot public waterline easement, and a 10-foot public utility easement.

2. The property is zoned MX-M, future development must be consistent with the underlying zoning.
3. An Infrastructure List was approved by the DRB on June 9, 2021 per SD-2021-00029. An Infrastructure Improvements Agreement (IIA) was approved on July 21, 2021 and recorded on July 26, 2021.
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 (SD-2021-00029).

**Conditions:**

1. Final sign-off is delegated to Transportation for the labeling of private width access easements.
2. Final sign-off is delegated to Planning for the application number (SD-2021-00155) to be added to the Plat and for the AMAFCA signature.
3. The applicant will obtain final sign off from Transportation and Planning by October 4, 2021 or the case may be scheduled for the next DRB hearing and could be denied per the DRB Rules of Procedure.

**SD-2021-00156 VACATION OF PUBLIC EASEMENT**

1. The applicant proposes to vacate a portion of an existing 20-foot public sanitary sewer easement (Easement #4) recorded on March 4, 2003 as depicted on the Plat.
2. The applicant justified the vacation request for the easement pursuant to 14-16-6-6-(M)(3). The easement was originally intended for a sewer line to be placed within the easement, but there are no sewer lines within the portion of the easement requested for vacation. This vacation will allow for new development to utilize this area and regain usable space for improvements.

**SD-2021-00157 VACATION OF PUBLIC EASEMENT**

1. The applicant proposes to vacate a portion of an existing 10-foot public waterline easement (Easement #9) recorded on March 4, 2003 as depicted on the Plat.
2. The applicant justified the vacation request for the easement pursuant to 14-16-6-6-(M)(3). The easement was created prior to the planned development of the property for a water line which was never constructed. This vacation allows for the new development to design future sites within the areas and tie into the existing water and sewer lines already established within an easement. It will also allow new landscaping, trees, sidewalks, and architectural features.

**SD-2021-00158 VACATION OF PUBLIC EASEMENT**

1. The applicant proposes to vacate an existing 10-foot public sanitary sewer easement (Easement #10) recorded on March 4, 2003 as depicted on the Plat.
2. The applicant justified the vacation request for the easement pursuant to 14-16-6-6-(M)(3). The easement was created prior to the planned development of the property for a sanitary sewer line which was never constructed. This vacation allows for the new development to design future sites within the areas and tie into the existing water and sewer lines already established within an easement. It will also allow new landscaping, trees, sidewalks, and architectural features.

**SD-2021-00159 VACATION OF PUBLIC EASEMENT**

1. The applicant proposes to vacate a portion of an existing 20-foot public waterline easement (Easement #15) recorded on March 4, 2003 as depicted on the Plat.
2. The applicant justified the vacation request for the easement pursuant to 14-16-6-6-(M)(3). The easement was created prior to the planned development of the property. The request to vacate the portion of the easement as depicted on the Plat is to grant a wider easement and add a sewer line within the revised portion. Both the existing waterline and the future sewer line will be within the revised easement. Since no current infrastructure will be disturbed, the public will not be affected.

**APPEAL:** If you wish to appeal this decision, you must do so within 15 days of the DRB's decision or by **AUGUST 19, 2021**. 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).

Official Notice of Decision

Project # PR-2020-004024 Applications# SD-2021-00155, SD-2021-00156, SD-2021-00157, SD-2021-00158,  
SD-2021-00159

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Sincerely,

A handwritten signature in black ink, appearing to read "J. Wolfley". The signature is fluid and cursive, with the first letter of each name being capitalized and prominent.

Jolene Wolfley  
DRB Chair

JW/jr

CSI-Cartesian Surveys Inc., P.O. Box 44414, Rio Rancho, NM 87174