

**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

City of Albuquerque Aviation Department
2200 Sunport Boulevard
Albuquerque, NM

Project# PR-2020-004447

Application#

SD-2021-00062 VACATION OF RIGHT OF WAY

SD-2021-00063 VACATION OF PUBLIC
EASEMENT – 7' utility

SD-2021-00064 VACATION OF PUBLIC
EASEMENT – 10' utility

SD-2021-00065 VACATION OF PUBLIC
EASEMENT - access

SD-2021-00066 VACATION OF PUBLIC
EASEMENT – 10' utility

SD-2021-00067 VACATION OF PUBLIC
EASEMENT – 10' PNM/MST&TC west

SD-2021-00068 VACATION OF PUBLIC
EASEMENT– 10' PNM/MST&TC east

SD-2021-00069 VACATION OF PUBLIC
EASEMENT- 20' utility

LEGAL DESCRIPTION:

For all or a portion of: **TRACT A-1 SUNPORT
MUNICIPAL ADDITION AND AIRPORT PARK**
zoned NR-SU, located at **2700 GIRARD BLVD
SE between GIBSON BLVD and SUPPORT
BLVD** containing approximately 116 acre(s).
(M-16)

On April 28, 2021, the Development Review Board (DRB) held a public meeting concerning the above referenced applications and approved the requests based on the following Findings:

SD-2021-00062 VACATION OF RIGHT OF WAY

1. This is a request to vacate the 58,174 square feet of right-of-way of the entirety of Columbia Drive SE south of Alamo Avenue SE.
2. The applicant provided notice as required in table 6-1-1 of the IDO.
3. The applicant justified the vacation request for the easement pursuant to 14-16-6-6-(M)(3) of the IDO. The Right-of-Way (to be vacated) has never been improved or used for physical access. This R/W is no longer needed as a result of the Orion Center site layout which provides for a private driveway which connects the site to Alamo Avenue SE and Columbia Drive SE.
4. Pursuant to section 14-16-6-6(M)(1)(b), the DRB will be the recommending body on the request because the vacation is more than 5,000 square feet or the entire width of a street, including any or all of the right-of-way.
5. The vacation must be must be platted within one year of final City Council approval or it will be void (see Table 6-4-3 of the IDO).

SD-2021-00063 VACATION OF PUBLIC EASEMENT – 7’ utility

1. The applicant proposes to vacate a 7-foot public utility easement that was recorded on May 25, 1983.
2. The applicant justified the vacation request for the easement pursuant to 14-16-6-6-(M)(3) of the IDO, as there are no existing or planned utility lines in this location.
3. The vacation as depicted on the Vacation Exhibit in the Planning file must be platted within one year of DRB approval or it will be void (see Table 6-4-3 of the IDO).

SD-2021-00064 VACATION OF PUBLIC EASEMENT – 10’ utility

1. The applicant proposes to vacate a 10-foot public utility easement that was recorded on October 7, 1996.
2. The applicant justified the vacation request for the easement pursuant to 14-16-6-6-(M)(3) of the IDO, as there are no existing or planned utility lines in this location.
3. The vacation as depicted on the Vacation Exhibit in the Planning file must be platted within one year of DRB approval or it will be void (see Table 6-4-3 of the IDO).

SD-2021-00065 VACATION OF PUBLIC EASEMENT – access

1. The applicant proposes to vacate a 50-foot x 10-foot access easement that was recorded on October 7, 1996.
2. The applicant justified the vacation request for the easement pursuant to 14-16-6-6-(M)(3) of the IDO, as this easement has never been improved and has never been used for access to Tract A-1-A of Airport Park. The tract has legal access via a permanent private access easement connecting the tract to Alamo Road.
3. The vacation as depicted on the Vacation Exhibit in the Planning file must be platted within one year of DRB approval or it will be void (see Table 6-4-3 of the IDO).

SD-2021-00066 VACATION OF PUBLIC EASEMENT – 10’ utility

1. The applicant proposes to vacate a 10-foot public utility easement that was recorded on September 9, 1970.
2. The applicant justified the vacation request for the easement pursuant to 14-16-6-6-(M)(3) of the IDO, as there are no existing or planned utility lines in this location.
3. The vacation as depicted on the Vacation Exhibit in the Planning file must be platted within one year of DRB approval or it will be void (see Table 6-4-3 of the IDO).

SD-2021-00067 VACATION OF PUBLIC EASEMENT – 10’ PNM/MST&TC west

1. The applicant proposes to vacate a 10-foot public utility easement that was recorded on May 25, 1983.
2. The applicant justified the vacation request for the easement pursuant to 14-16-6-6-(M)(3) of the IDO, as there are no existing or planned utility lines in this location.
3. The vacation as depicted on the Vacation Exhibit in the Planning file must be platted within one year of DRB approval or it will be void (see Table 6-4-3 of the IDO).

SD-2021-00068 VACATION OF PUBLIC EASEMENT – 10’ PNM/MST&TC east

1. The applicant proposes to vacate a 10-foot public underground easement that was recorded on July 21, 1987.
2. The applicant justified the vacation request for the easement pursuant to 14-16-6-6-(M)(3) of the IDO provided that the applicant complies with the following finding (finding #3).
3. The applicant must perform additional coordination with PNM to satisfy all of PNM’s concerns regarding the re-location of underground distribution feeders and/or the easement, and PNM can withhold their required signature on the Plat if these measures are not adequately taken by the applicant.
4. The vacation as depicted on the Vacation Exhibit in the Planning file must be platted within one year of DRB approval or it will be void (see Table 6-4-3 of the IDO).

SD-2021-00069 VACATION OF PUBLIC EASEMENT – 20’ utility

1. The applicant proposes to vacate a 20-foot public utility easement that was recorded on February 5, 1965.
2. The applicant justified the vacation request for the easement pursuant to 14-16-6-6-(M)(3) of the IDO, as there are existing telecommunication lines (occupying or abutting the easement) which are being re-located within the Orion Center Project.
3. The vacation as depicted on the Vacation Exhibit in the Planning file must be platted within one year of DRB approval or it will be void (see Table 6-4-3 of the IDO).

APPEAL: If you wish to appeal this decision, you must do so within 15 days of the DRB’s decision or by **MAY 13, 2021**. 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-2020-004447 Applications# SD-2021-00062, SD-2021-00063, SD-2021-00064, SD-2021-00065, SD-2021-00066, SD-2021-00067, SD-2021-00068, SD-2021-00069

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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). Files larger than 9MB can be sent to 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).

Sincerely,

A handwritten signature in black ink, appearing to read "J. Wolfley". The signature is fluid and cursive, with the first letter of the first name being a large, stylized capital "J".

Jolene Wolfley
DRB Chair

JW/jr

Bohannon Huston, Inc., 7500 Jefferson Street NE, Courtyard II, ABQ, NM 87109