

**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**

505 Solutions LLC  
6012 Royal Oak St. NE  
Albuquerque, NM 87111

**Project# PR-2020-004595**  
**Application#**  
**SD-2021-00111** PRELIMINARY PLAT  
**VA-2021-00216** SIDEWALK WAIVER  
**SD-2021-00122** VACATION OF PUBLIC  
EASEMENT 7-FOOT  
**SD-2021-00123** VACATION OF PUBLIC  
EASEMENT 15-FOOT  
**SD-2021-00124** VACATION OF PUBLIC  
EASEMENT 20-FOOT WATERLINE

### **LEGAL DESCRIPTION:**

For all or a portion of: **PARCELS A & B AND  
PARCELS 1 & 3** zoned **R-1D**, located on  
**WALKERWAY ST** between **SPAIN RD NE** and  
**ACADEMY** containing approximately 4.650  
acre(s). (E-22)

On December 15, 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-2021-00182 PRELIMINARY PLAT**

1. This Preliminary Plat subdivides 6 existing lots into 11 new lots and 2 tracts a total of 4.649 acres in size, and grants easements as depicted on the Plat.
2. The property is zoned R-1D. Future development must be consistent with the underlying zone district.
3. An Infrastructure List was approved with this Plat. A recorded Infrastructure Improvements Agreement (IIA) is needed prior to the final DRB sign-off of the Final Plat.
4. The Sidewalk Waiver must be added to the Final Plat.

5. The proposed subdivision is the eastern portion of the Royal Oaks Estates which was developed with residential uses to the west and a commercial use to the east. During the IDO zoning conversions, this eastern portion was zoned PD. The applicant received a zoning change from PD to R-1D through application to the Environmental Planning Commission.
6. The Royal Oaks subdivision was developed with private streets where the lot lines were created to the center of the street and a vehicular easement was established to create the street. The existing access to all portions of the Royal Oak subdivision is through a private gate.
7. The subject parcels are north of and separated from the subdivision gate by a private segment of Royal Oak that is owned by private lot owners. The applicant does not have a controlling legal interest in the community gate or in the privately-owned 30-foot segment of Royal Oak Street immediately south of the community gate. Therefore, the applicant is not required to address any deficiencies regarding the gate.
8. The proposed subdivision has access through the private gate on Royal Oak Drive. The applicant does not have appurtenant legal interests in the community gate or in the privately-owned 30-foot segment of Royal Oak Street immediately south of the community gate. Therefore, the new subdivision was approved with the access 'as-is.'
9. The applicant provided the required notice as outlined in the IDO Table 6-1-1.

**VA-2021-00216 SIDEWALK WAIVER**

1. The applicant proposes a waiver from the requirement to construct a sidewalk as depicted on the Composite Paving Plan in the application submittal.
2. The request is justified per 14-16-6-6(P)(3) of the IDO. The area is of low-intensity land use, and the absence of a sidewalk will not be detrimental to the public welfare and will not create a gap in an existing sidewalk system extended to one or more sides along the streets within the subject property.
3. The applicant provided the required notice as outlined in the IDO Table 6-1-1.

**SD-2021-00122 VACATION OF PUBLIC EASEMENT 7-FOOT**

1. The applicant proposes to vacate a 7-foot wide access easement along the east side of existing Lot 1-A.
2. The request is justified per 14-16-6-6(M)(3) of the IDO. The access easement does not provide access to any adjacent properties and is no longer necessary.

**SD-2021-00123 VACATION OF PUBLIC EASEMENT 15-FOOT**

1. The applicant proposes to vacate a 15-foot wide access easement along the east side of existing Lot 3-A.
2. The request is justified per 14-16-6-6(M)(3) of the IDO. The access easement does not provide access to any adjacent properties and is no longer necessary.

**SD-2021-00124 VACATION OF PUBLIC EASEMENT 20-FOOT WATERLINE**

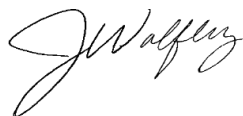
1. The applicant proposes to vacate a 20-foot wide public waterline easement along the west side of Lot 1-A.
2. The request is justified per 14-16-6-6(M)(3) of the IDO. The property owner intends on placing private utility easements throughout the site, and the waterline easement is no longer necessary.

**APPEAL:** If you wish to appeal this decision, you must do so within 15 days of the DRB's decision or by **DECEMBER 30, 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). For files larger than 9 MB in size, please send an email to [PLNDRS@cabq.gov](mailto: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,



Jolene Wolfley  
DRB Chair

JW/jr

JAG Planning & Zoning, P.O. 7857, Albuquerque, NM 87194