

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

TRB Holdings LLC  
701 Bosque Street  
Tularosa, NM 88352

**Project# PR-2020-004717**  
**Application#**  
**SD-2020-00226 VACATION OF RIGHT OF WAY**

### LEGAL DESCRIPTION:

For all or a portion of: **PARCELS B1, B-2, & B-3**, zoned MX-M, located at **12701, 12712, & 12714 SAN JACINTO AVE NE ON COPPER between TRAMWAY and CHELWOOD**, containing approximately 0.29acre(s). (K-22)

On February 10, 2021, the Development Review Board (DRB) held a public meeting concerning the above referenced application and approved the request based on the following Findings:

1. This is a request to vacate 0.08 acres, 3,485 square feet of Right-of-Way for San Jacinto Avenue NE.
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) was put in place because there was originally supposed to be a road that angled off from Copper Avenue NE to Tramway Boulevard NE, but that roadway was never constructed. Therefore, there is no public benefit to the vacated Right-of-Way. Because the request is less than the full width of a road and less than 5,000 square feet the DRB is the final approving body.
4. An exclusive public water and sewer easement shall be granted to the Water Authority to the same extent as the area of vacation.
5. A note shall be added to the Plat stating that no structural improvements shall be allowed within the vacated area and to allow continuous Water Authority access.
6. The vacation must be platted within one year of DRB approval or it will be void (see Table 6-4-3 of the IDO).

Official Notice of Decision

Project # PR-2020-004717 Application# SD-2020-00226

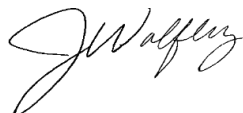
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**APPEAL:** If you wish to appeal this decision, you must do so within 15 days of the DRB's decision or by **FEBRUARY 25, 2021**. The date of the DRB's decision is not included in the 15-day period for filing an appeal, and if the 15<sup>th</sup> day 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).

Sincerely,

A handwritten signature in black ink, appearing to read "J. Wolfley", written in a cursive style.

Jolene Wolfley  
DRB Chair

JW/jr

Tim Borrer, P.O. Box 52126, ABQ, NM 87181