

**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

Alfredo Barrenenechea, Los Pollos
Hermanos 5211 Gibson, LLC
131 Madison St. NE
Albuquerque, NM 87108

Project# PR-2022-006448
Application#
SD-2022-00129 VACATION OF PUBLIC
EASEMENT
SD-2022-00130 PRELIMINARY/FINAL PLAT

LEGAL DESCRIPTION:

For all or a portion of: **TRACT C-1-B, ALBUQUERQUE WEST SUBDIVISION** zoned **MX-M**, located at **57TH ST NW** between **QUAIL RD NW** and **OURAY RD NW** containing approximately **0.6464** acre(s). **(H-11)**

On September 21, 2022, the Development Review Board (DRB) held a public meeting concerning the above referenced applications and approved the requests, with delegation to Planning, based on the following Findings:

SD-2022-00129 VACATION OF PUBLIC EASEMENT

1. The applicant proposes to vacate a portion of an existing 20-foot wide public access and sanitary sewer easement.
2. The applicant justified the vacation request for the easement pursuant to 14-16-6-6-(M)(3) of the IDO. The portion of the easement being vacated with this request is not needed as a portion of the easement will remain that requires access to a sewer manhole on the site, and the sewer manhole will continue to have access from the neighboring property to the south as well.

SD-2022-00130 PRELIMINARY/FINAL PLAT

1. This request is to vacate a portion of an existing 20-foot wide public access and sanitary sewer easement.
2. The property is zoned MX-M. Future development must be consistent with the underlying zone district.
3. The applicant provided the required notice as outlined in the IDO Table 6-1-1.

Conditions:


1. Final sign-off is delegated to Planning for the application number to be added to the Plat and for the AGIS DXF file.
2. The applicant will obtain final sign off from Planning by October 19, 2022 or the case may be scheduled for the next DRB hearing and could be denied per the DRB Rules of Procedure.

APPEAL: If you wish to appeal this decision, you must do so within 15 days of the DRB's decision or by **OCTOBER 6, 2022**. 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.

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). For files larger than 9 MB in size, please send an email to 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

Juanita Garcia – JAG Planning & Zoning, LLC, P.O. Box 7857, Albuquerque, NM 87194