



October 30, 2025

Robert Lucero, Esq.
Development Hearing Officer
City of Albuquerque
600 Second Street NW
Albuquerque, New Mexico 87102

RE: Request for Vacation of City of Albuquerque Easement for Public Utilities

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Dear Mr. Lucero,

The purpose of this letter is to request a Vacation of the COA Easement for Public Utilities by the DHO for a property located at the northwest corner of University Boulevard SE and Gold Avenue SE. The legal description of the site is Lots 7 through 11, Block 64, Terrace Addition.

BACKGROUND

The subject property consists of approximately .8207 acres and is zoned R-MH. The property is developed with a vacant building that was previously used as a church. The property was rezoned to R-MH on January 18, 2024. The southerly ten (10) feet of the property along Gold Avenue was previously dedicated as Right-of-Way and an easement for public utilities. However, this Right-of-Way was vacated by Ordinance 2754 on October 26, 1965. However, the easement for public utilities was retained within the former Right-of-Way (ten feet).

The church was built, and the structure was placed in the vacated Right-of-Way but within the remaining COA easement. The zoning district permits a zero setback along Gold Avenue, consistent with the developed condition. This request allows the property owner to keep the existing structure and enables redevelopment according to the zoning district's standards. There are no utilities within the easement based on an 811 inspection.



Existing Zoning

PRINCIPALS

James K. Strozier, FAICP

ASSOCIATES

Ken Romig, PLA, ASLA
Erin Callahan, AICP



Existing Easement to be vacated



Facing west looking at the existing structure along Gold Avenue



Facing northeast, looking at the existing building and structure along Gold Avenue

REQUEST

The applicant is requesting approval to vacate a City of Albuquerque Easement for Public Utilities along the southern ten (10) feet of Gold Avenue. There are no utilities within the easement. This section borders the subject property and is approximately 2,500 square feet. The vacation will allow the property owner to maintain the existing structure and landscaping along this part of the property, as shown in the photos above. The proposal is to redevelop the existing building for a new use.

6-6(L)(3) REVIEW AND DECISION CRITERIA

The following addresses the criteria for approval of a Vacation of a City of Albuquerque Easement for Public Utilities.

Vacation of Public Right-of-Way 6-6(M)(3):

6-6(M)(3)(a) The public welfare does not require that the easement, private way, or public right-of-way be retained.

Applicant Response: Public welfare does not require retaining the easement in question, as the Right-of-Way was previously vacated, and this request will not impact the functionality of the existing roadway or public infrastructure. The vacation will allow for private improvements to be maintained and expanded through the adaptive reuse of the existing building. There are no utilities within this existing easement (please see attached 811 report).

6-6-(M)(3)(b) There is a net benefit to the public welfare because the development made possible by the Vacation is clearly more beneficial to the public welfare than the minor detriment resulting from the Vacation, and there is no convincing evidence that any substantial property right is being abridged against the will of the owner of the right.

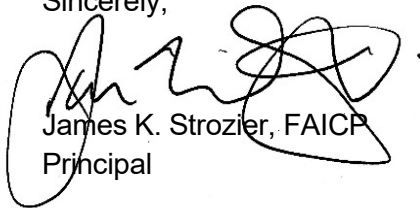
Applicant Response: The proposed vacation of the public easement will provide a net benefit to public welfare by allowing the property owner to redevelop and

maintain the existing structure and landscaping. A utility location inspection shows that there are no utilities within this easement.

CONCLUSION

The proposed vacation of the public easement supports the adaptive reuse of the subject property. The vacation does not affect existing public utilities or the Right-of-Way, since no utilities are located within this easement. The ten feet of public Right-of-Way was vacated over fifty (50) years ago. Given that public welfare does not require retention of this easement, its vacation will further the City Council's previous action in vacating the public Right-of-Way. For these reasons, we respectfully request that the Development Hearing Officer approve this request.

Sincerely,

A handwritten signature in black ink, appearing to read 'J. Strozier', is written over the typed name and title. The signature is fluid and stylized, with a large loop at the end.

James K. Strozier, FAICP
Principal