

**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**

Rhino Holdings Blvd. LLC  
2200, Paseo Verde Parkway, Suite 260  
Henderson, NV, 87174

**Project# PR-2022-007589**  
**Application#**  
**SD-2023-00023 PRELIMINARY PLAT**  
**SD-2023-00025 VACATION OF PUBLIC**  
**EASEMENT**  
**SD-2023-00027 VACATION OF PRIVATE**  
**EASEMENT**

### **LEGAL DESCRIPTION:**

For all or a portion of: **PARCELS B, C-1, C-2, D, E, TRACTS 3-6-EL-2 & 3-7-EL-1; LOTS 13 & 14, TIJERAS PLACE ADDITION** zoned **MX-M & MX-L (port. PARCEL B)** located at **300 SAN MATEO BLVD NE** between **COPPER AVE NE** and **DOMINGO RD NE** containing approximately **3.3701** acre(s). **(K-18)**

On February 8, 2023, the Development Hearing Officer (DHO) held a public hearing concerning the above referenced applications and approved the requests, based on the following Findings:

### **SD-2023-00023 PRELIMINARY PLAT**

1. This Preliminary Plat request is to consolidate nine (9) existing parcels in the Tijeras Place Addition into two lots/parcels (Parcels B-1 and C-1-A) a total of 3.3701 acres in size, and vacate and grant easements as depicted on the Plat.
2. The property is zoned MX-L & MX-M (Parcel B-1 is zoned MX-L and Parcel C-1-A is zoned MX-M). The dimensional standards for these zone districts are listed in Table 2-4-3 and 2-4-5 of the IDO respectively, and the allowable uses are listed in Table 4-2-1 of the IDO. 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) must be submitted prior to the acceptance of the Final Plat and placement on a DHO agenda.
4. The applicant provided the required notice as outlined in the IDO Table 6-1-1.
5. The applicant must contact the Parks and Recreation Department regarding whether existing trees will be retained on the site.
6. The final Grading & Drainage Plan will be required prior to Building Permit approval.
7. The existing accessory building on the site which encroaches on the lot boundary between Parcels B-1 and C-1-A must be removed prior to the final sign-off of the Final Plat. Evidence of the demolition of the building must be submitted.
8. Verification of the transfer of ownership of Parcel C-2 from GGD Oakdale LLC to Rhino Holdings Tower 10 LLC or Rhino Holdings Tower 17 LLC prior to the acceptance of the Final Plat and placement on a DHO agenda.

**SD-2023-00025 VACATION OF PUBLIC EASEMENT (Portions of a Public Utility Easement)**

1. The applicant proposes to vacate a portion of a public utility easement which was retained with the vacation of right-of-way from Zia Road and Ortiz Drive on the site. The applicant proposes to vacate the Zia road alignment portions of this easement, and will leave the Ortiz Drive portions of the easement in place.
2. The utility companies have quit-claimed their rights to this easement as noted below per Quitclaim Deed (10/07/1985, BK. 252-A, PG. 280, DOC. NO. 85- 84066) by MST&T; per waiver and release of easement (9/19/1985, BK. MISC. 272-A, PG. 864, DOC. NO. 85-78568) by PNM; and disclaimed by NM Gas per document (09/26/1985, BK. 274A, PG. 941, DOC. NO. 8580460).
3. The applicant justified the vacation request for the easement pursuant to 14-16-6-6-(M)(3) of the IDO. The vacated easement clears up the record of the easement and allows for the redevelopment of the principal building on the site.

**SD-2023-00027 VACATION OF PRIVATE EASEMENT (Access Easement)**

1. The applicant proposes to vacate an existing private access easement which was granted to benefit First National Bank for access to the San Mateo and Madeira rights-of-way and recorded on September 15, 1975.
2. The applicant justified the vacation request for the easement pursuant to 14-16-6-6-(M)(3) of the IDO. The public welfare does not require the easement to be retained since the easement was privately held and there will be sufficient conductivity and turn-in access from the public rights-of-way to access any part of this property.

Additionally, the vacated easement clears up the record and permits the property owner to better define and manage the drive aisles of their property to meet their planned use for residential development.

**APPEAL:** If you wish to appeal this decision, you must do so within 15 days of the DHO's decision or by **FEBRUARY 27, 2023**. The date of the DHO'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(V) 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,

*Ronald R. Bohannon*

[Ronald R. Bohannon \(Feb 10, 2023 14:23 MST\)](#)

Ronald R. Bohannon

Development Hearing Officer

RRB/lis

CSI-Cartesian Surveys Inc., PO Box 44414, Rio Rancho, NM, 87174







# PR-2022-007589\_February\_8\_2023 - Notice of Decision

Final Audit Report

2023-02-10

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