

Community Design Solutions

September 24, 2025

Development Hearing Officer
City of Albuquerque
600 2nd St NW
Albuquerque, NM 87102

RE: Description and Justification for Right-of-Way Vacation Request (Approximately 4,998 SF Adjacent to Aliso Drive NE)

Dear Development Hearing Officer,

Community Design Solutions, LLC (CDS), on behalf of Rahim Kassam, submits this letter in support of a right-of-way vacation request in accordance with the City's Vacation of Public Easement and Right-of-Way requirements per IDO Section 14-16-6-6(M).

The applicant owns the adjacent property and currently holds an exclusive-use parking permit from the City for the subject area, which limits use of these on-street parking spaces to the adjacent residential townhomes. As a result, this portion of the right-of-way is not functioning as general public infrastructure and does not serve the broader public.

The proposed vacation of approximately 4,998 square feet of public right-of-way located at 3821 Central Avenue NE and along Aliso Drive NE. meets the criteria for approval under IDO Section 14-16-6-6(M)(3)(a) and (b), as follows:

§14-16-6-6(M)(3)(a): *The public welfare does not require that the easement, private way, or public right-of-way be retained.*

Because the area is already restricted to private use by a City-issued permit, the general public derives no direct benefit from this segment of right-of-way beyond through access via the public sidewalk. Formal vacation will align ownership and maintenance responsibilities with the party currently utilizing the space and will minimize future public liability and maintenance obligations.

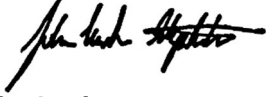
§14-16-6-6(M)(3)(b): *There is a net benefit to the public welfare because the development made possible by the Vacation is clearly more beneficial to the public welfare than the minor detriment resulting from the Vacation, and there is no convincing evidence that any substantial property right is being abridged against the will of the owner of the right.*

The vacation will support a coordinated redevelopment effort that enables a more efficient site design and long-term investment consistent with the MX-M (Mixed-Use Moderate Intensity) zoning designation. Where the existing public sidewalk crosses into the area proposed for vacation, the applicant will dedicate a public sidewalk easement to ensure continued pedestrian access and connectivity. As a result, there will be no loss of public pedestrian function or access.

Preliminary discussions with the City Engineer have indicated conceptual openness to the proposal, and the applicant is committed to working collaboratively with City staff throughout the entitlement process.

If you have any questions or require additional information, please feel free to contact me at your convenience.

Sincerely,
Community Design Solutions, LLC

A handwritten signature in black ink, appearing to read "John Stapleton".

John Stapleton P.E.
CDS | Project Manager
505-545-9607