

**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

August 17, 2018

DBG Properties
2164 W. Park Place
Portland, OR 97024

Project# PR-2018-001345

Application#

SD-2018-0045- FINAL PLAT

SD-2018-0043- VACATION OF PUBLIC EASEMENT

LEGAL DESCRIPTION:

All or a portion of BULK LAND PLAT WESTLAND SOUTH TRACTS RR-3-A THROUGH RR-3-E, zoned R-ML (R-2), located on DENNIS CHAVEZ BLVD SW west of 98th STREET SW and north of UNINCORPORATED AREAS, containing approximately 14.864 acre(s). (P-9)

On August 15, 2018, the Development Review Board (DRB) voted to APPROVE a Final Plat (SD-2018-00045) and CONDITIONALLY APPROVE Vacation of Public Easement (SD-2018-00043). The approvals are based on the following Findings:

SD-2018-00065

1. Pursuant to section 14-16-6-6(J)(3)(a), the Plat is consistent with the Comprehensive Plan and complies with the applicable provisions of the IDO, DPM and adopted City regulations, and any conditions specifically applied to development of the property in a prior permit or approval affecting the property.
2. Pursuant to section 6-6-(J)(3)(b,) the Final Plat meets the requirements in the Preliminary Plat approval.

SD-2018-00043

1. Pursuant to section 14-16-(K)(3) The public welfare does not require that the easements be retained because the reduced easement will still accommodate the utilities.
2. The vacation of the easement provides a net benefit to the public welfare because there will be no detriment resulting from the vacation because the reduced easement will still accommodate the required utilities. The applicant provided a letter of authorization from the property owner.

Official Notice of Decision

Project # PR-2018-001345 Application# SD-2018-00043+45

August 17, 2018

Page 2 of 2

3. Neighborhood Associations and property owners with 100 feet were notified in accordance with IDO process.

Conditions:

1. The vacation must be completed through a plat within one year of the vacation action.

APPEAL: If you wish to appeal this decision, you must do so within 15 days of the DRB's decision or by **AUGUST 30, 2018**. 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). A Non-Refundable filing fee will be calculated at the Land Development Coordination Counter and is required at the time the appeal is filed.

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,



Kym Dicome
DRB Chair

KD/mg

cc:

Mark Goodwin & Associates PO Box 90606 ABQ, NM 87199