

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

Griegos Farms, LLC  
1716 Central Ave., SW,  
Albuquerque, NM 87104

**Project# PR-2021-006261**

**Application#**

**SD-2023-00120** VACATION OF PRIVATE  
EASEMENT

**SD-2023-00119** VACATION OF PRIVATE  
EASEMENT

**SD-2023-00122** VACATION OF PRIVATE  
EASEMENT

**SD-2023-00105** FINAL PLAT

### LEGAL DESCRIPTION:

For all or a portion of:

**TRACT 144-A-1, MRGCD MAP NO. 31, TRACT  
144-B-2 OF MRGCD MAP NO. 31, TRACT 2 OF  
THE BULK LAND PLAT OF TRACTS 1 AND 2,  
OUR LADY OF GUADALUPE zoned R-A, located  
at PROPERTIES ADJACENT TO (NORTH AND  
WEST OF 1860 GRIEGOS, NW between  
GRIEGOS DRAIN and SAN ISIDRO containing  
approximately 10.23 acre(s). (F-13)**

On June 28, 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-2023-00120 VACATION OF PRIVATE EASEMENT**

1. The applicant proposes to vacate an existing private utility easement listed as # 1 on Sheet 6 of the Plat.

2. The Applicant justified the vacation request for the easement pursuant to 14-16-6-6-(M)(3) of the IDO, as it will not affect surrounding properties in any way, will serve no purpose once the proposed development moves forward, and provides a net benefit to the public welfare by helping to move forward the current development which will enhance the overall nature of the property.

**SD-2023-00119 VACATION OF PRIVATE EASEMENT**

1. The applicant proposes to vacate an existing private utility easement listed as #2 on Sheet 6 of the Plat.
2. The Applicant justified the vacation request for the easement pursuant to 14-16-6-6-(M)(3) of the IDO, as it currently poses no benefit to the public welfare, is not in use in any capacity, and provides a net benefit to the public welfare by helping to move forward the current development which will enhance the overall nature of the property.

**SD-2023-00122 VACATION OF PRIVATE EASEMENT**

1. The applicant proposes to vacate an existing 10-foot easement of the Public Service Company of New Mexico and the Mountain States Telephone and Telegraph Company, recorded on April 30, 1967, Book Miscellaneous 364, Page 957, and listed as #3 on Sheet 6 of the Plat.
2. The Applicant justified the vacation request for the easement pursuant to 14-16-6-6-(M)(3) of the IDO. The current easement includes 3 PNM poles all of which were used to feed power to an abandoned concession stand and associated lights built to service a series of recreational fields which are out of service. The PNM poles would serve no purpose to the proposed future development, and a pending work order is in place to remove these poles. Based on the existing conditions and lack of use or possible future use, the vacation of this easement will not affect the public welfare.

**SD-2023-00105 FINAL PLAT**

1. This is a request to subdivide two existing tracts (Tract 144-A-1, MRGCD Map No. 31, and Tract 144-B-2 OF MRGCD Map No. 31, Tract 2 of the Bulk Land Plat of Tracts 1 and 2, Our Lady of Guadalupe) into eight new lots.
2. The property is zoned R-A (Residential-Rural and Agricultural Zone). The dimensional standards for these zone districts are listed in Table 2-3-1 of the IDO, 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. This plat includes two private roads. Private roads are classified as Local. Transportation to clarify the Sidewalk and Buffer Zone/Landscaping of these roads.
4. The applicant provided the required notice as outlined in the IDO Table 6-1-1.

**Conditions:**

Final sign-off of the Plat by the DFT staff is conditioned as follows:

- a. Add a ABCWUA Public Water & Sanitary Sewer Easements note as follows: "Albuquerque Bernalillo County Water Utility Authority (ABCWUA) is granted easements(s) in dimensions noted on this Plat for construction, installation, maintenance, repair, modification, replacement and operation of public water and sanitary service lines, equipment and facilities reasonability necessary to provide service together with free access on and over the easement and the right to remove trees, shrubs, undergrowth and any other obstacles, modifications, or structures which interfere with the use of the easement."
- b. Easement # 3 noted as private access and public water and public sanitary sewer and should be potentially broken apart as the public waterline and public sanitary sewer easement shall end at the easement portion of the access easement and **shall not** extend south or north.
- c. Call out easement widths on the keyed notes for public water and public sanitary sewer easements call-outs.
- d. The applicant must clarify that easement #1 is not bisected by tract 1/proposefd lots 1,2, and property lines. If so, please show the proper easement widths as appropriate and ensure a minimum 25-foot width is provided for both water and sewer.
- e. The application must provide concurrence of the beneficiaries of the three easements being vacated (vacations of private easement: SD-2023-00120, SD-2023-00119, and SD-2023-00122). If concurrence isn't provided, the vacated easements must be depicted as retained on the Final Plat.
- f. The project and application numbers must be added to the Plat.
- g. The DXF file must be approved by AGIS, and the approval email from AGIS must be submitted prior to the final sign-off.
- h. The signature block on the Plat needs to be corrected to the DHO signature block.

**APPEAL:** If you wish to appeal this decision, you must do so within 15 days of the DHO's decision or by **JULY 17, 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.

Official Notice of Decision

Project # PR-2021-006261 Applications# SD-2023-00120, SD-2023-00119, SD-2023-00122, SD-2023-00105

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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 Bohannan*

[Ronald R Bohannan \(Jul 5, 2023 06:05 MDT\)](#)

Ronald R. Bohannan

Development Hearing Officer

RRB/lis

Kenneth Myers, Rembe Design and Development, 1716, Central Ave., Albuquerque, NM 87144







# PR-2021-006261\_June\_28\_2023\_Notice\_of\_De cision

Final Audit Report

2023-07-05

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