

**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

Beta Investment LLC
9798 Coors Blvd, NW, Bldg C, Suite 400
Albuquerque, NM, 87048

Project# PR-2019-007875
Application#
SD-2023-00113 PRELIMINARY/FINAL PLAT
SD-2023-00114 VACATION OF PUBLIC
EASEMENT

LEGAL DESCRIPTION:

For all or a portion of **LOT 1 BLOCK 5 UNIT 26, VOLCANO CLIFFS** zoned **R-ML**, located between **ROSA PARKS RD NW** and **KIMMICK DR NW** containing approximately **3.3961** acre(s). **(C-11)**

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-2023-00113 PRELIMINARY/FINAL PLAT

1. This request is a replat of Lot 1 Block 5, Unit 26, Volcano for the dedication of a 6-foot wide portion of the existing Lot 1 as right-of-way to the City of Albuquerque for Rosa Parks Road NW, and the granting of easements as depicted on the Plat.
2. The property is zoned R-ML (Residential Multi-family Low Density). Future development must be consistent with the underlying zone district.
3. 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. The project and application numbers should be added to the Plat.
- b. DXF file must be approved by AGIS and approval email submitted.

SD-2023-00114 VACATION OF PUBLIC EASEMENT

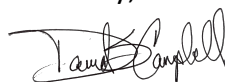
1. The Applicant proposes the vacation of the portion of the existing 7-foot wide public utility easement lying within the newly dedicated 6-feet of right-of-way for Rosa Parks Road NW.
2. The Applicant justified the vacation request for the easement pursuant to 14-16-6-6-(M)(3) of the IDO. An additional 6-feet of new public utility easement is granted with the associated Plat in the newly platted Lot 1-A to re-establish a new 7-foot wide public utility easement adjoining the new right-of-way. Therefore, there will be no impact on surrounding properties as there will continue to be a 7-foot wide public utility easement.

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 15th day falls on a Saturday, Sunday, or Holiday; the next working day is considered 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 (if files are less than 9MB in size). For files larger than 9 MB in size, please send an email to 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 a 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 permits 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,



David S. Campbell
Development Hearing Officer

DSC/lis

Community Sciences Corporation (CSC), P.O. Box 1328, Corrales, NM 87048







PR-2022-007875_June_28_2023_Notice_of_De cision

Final Audit Report

2023-07-04

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