

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

GDC VS LLC
6900 East Camelback Road, Suite 607
Scottsdale, AZ 85251

Project# PR-2020-004024

Application#

SD-2024-00074 MINOR PRELIMINARY/FINAL
PLAT

SD-2024-00075 VACATION OF PRIVATE
EASEMENT

LEGAL DESCRIPTION:

For all or a portion of: **TRACTS H-5A, H-6B
AND H-9A** zoned **MX-M**, located on
**UNIVERSE BLVD NW between PASEO DEL
NORTE and PARADISE BLVD NW** containing
approximately **5.3125** acre(s). **(B-10)**

On April 24, 2024, the Development Hearing Officer (DHO) held a public meeting concerning the above referenced applications and approved the requests based on the following Findings:

SD-2024-00074 MINOR PRELIMINARY/FINAL PLAT

1. This is a request to create four new lots (Tract H-5A-1 at 1.1209-acres, Tract H-6B-1 at 2.2544-acres in size, Tract H-9A-1 at 1.0596-acres in size, and Tract H-6B-2 at 0.8776-acres in size) from three existing lots a total of 5.3125-acres in size, vacate a portion of a single easement (Easement Note 20 - existing private access easement), and to grant a public utility easement.
2. The property is zoned MX-M (Medium Intensity Zone District). Future development must be consistent with the underlying zone district.

3. The application includes an Archaeological Certificate of 'No Effect' dated 09/23/2020 for Tracts H-5 thru H-11.
4. The Applicant satisfied the public notice requirements in compliance with the IDO Table 6-1-1 prior to this submittal.
5. Per 6-6(K)(3) Review and Decision Criteria, an application for a Subdivision of Land – Minor shall be approved if it complies with all applicable provisions of this IDO, the DPM, other adopted City regulations, and any conditions specifically applied to development of the property in a prior permit or approval affecting the property. The review and decision criteria for a Subdivision of Land-Minor were met by this project per 6-6(K)(3) of the IDO.
6. Per IDO 6-6(K)(2)(I), the applicant shall record the final plat with the Bernalillo County Clerk within 3 months after the date of the final signature on the plat, or the subdivision shall be voided.
7. All signatures from the surveyor, property owner(s), the City Surveyor, Real Property Division, the utility companies, and AMAFCA are provided on the Plat.

CONDITIONS

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

Planning conditions of approval:

- a. The application number must be added to the Plat.
- b. The AGIS office must approve the DXF file and proof of approval must be provided.
- c. The date of the DHO approval shall be recorded on the Plat.

Water Utility Authority Conditions of Approval

- a. Add the following notes to the plat:

“Existing public water and/or sanitary sewer infrastructure may not be constructed or sized to adequately serve potential future development. Improvement or upsizing of existing public infrastructure may be required as a condition of future development approval. “

" ABCWUA Public Water & Sanitary Sewer Easements Albuquerque Bernalillo County Water Utility Authority (ABCWUA) is granted easement(s) in the dimensions noted on this plat for the construction, installation, maintenance, repair, modification, replacement and operation of public water and sanitary service lines, equipment and facilities reasonably 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 use of the easement."

- b. Add dimensions for easement number 24 in the keyed note.

SD-2024-00075 VACATION OF PRIVATE EASEMENT

1. This is a request to vacate a portion of an existing private access easement recorded on August 20th, 2021.
2. The Applicant previously submitted a Sketch Plat for review of the proposed Vacation on 10/18/23 as required per Table 6-1-1 of the IDO.
3. This Vacation of Private Easement meets the following criteria of the IDO:

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

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.

This easement does not have any existing infrastructure associated with it and therefore no substantial property right will be abridged by this request. Additionally, this request allows the property to be re-platted in order to create a new more appropriate drive aisle for the related properties.

APPEAL: If you wish to appeal this decision, you must do so within 15 days of the DHO's decision or by **MAY 10TH, 2024**. 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 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). 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.

Official Notice of Decision

Project # PR-2020-004024 Applications# SD-2024-00074 & SD-2024-00075

Page 4 of 4

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,

Robert Lucero

[Robert Lucero \(May 1, 2024 03:24 PDT\)](#)

Robert Lucero, Esq.

Development Hearing Officer

RL/mi

CSI – CARTESIAN SURVEYS, INC. PO Box 44414, Rio Rancho, NM 87174







PR-2020-004024 April 24th, 2024 Notice of Decision

Final Audit Report

2024-05-01

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