

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

GDCLV, LLC  
7401 Los Volcanes Rd NW  
Albuquerque, NM 87121

**Project# PR-2022-007645**  
**Application#**  
**SD-2024-00165 VACATION OF PUBLIC**  
**EASEMENT**  
**SD-2024-00164 PRELIMINARY/FINAL PLAT**

### LEGAL DESCRIPTION:

For all or a portion of:

**LOTS 2-A THRU 2-C, TRACT S-1, UNIT 2,**  
**ATRISCO BUSINESS PARK** zoned **NR-BP**  
located at **7401 LOS VOLCANES RD NW**  
**between BEN E. KEITH WAY NW and**  
**AIRPORT DR NW** containing approximately  
**11.0992 acre(s). (J-10)**

On December 18<sup>th</sup>, 2024, the Development Hearing Officer (DHO) held a public hearing concerning the above-referenced applications and approved the requests, with conditions of approval, based on the following Findings:

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### **SD-2024-00165 VACATION OF PUBLIC EASEMENT**

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1. This is a request to vacate an existing 25 feet Public Waterline and Public Sanitary Sewer Easement recorded on August 17<sup>th</sup>, 2023. The Easement was granted to the Albuquerque Bernalillo County Water Utility Authority (ABCWUA).
2. Per 6-6(M)(3)(a) of the IDO, the public welfare does not require the easement to be retained, since the easement is functionally being relocated to the western side of the property line. The financial guarantee for water and sewer lines to the ABCWUA is still in place, so no substantial property right will be abridged against the will of the property owners or the public by the vacation of the easement.

Per 6-6(M)(3)(b) of the IDO, there is a net benefit to the public welfare as the vacated easement clears up the record of this easement and a newer easement is taking its place. Not relocating the easement by vacating the current easement could potentially hinder development.

3. Per Table 6-1-1 of the IDO, a pre-application meeting took place with City staff as a Sketch Plat on September 18<sup>th</sup>, 2024.

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**SD-2024-000164 PRELIMINARY/FINAL PLAT**

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1. This is a request to replat three existing lots into three new lots: Lot 2-A-1, Tract S-1 at 4.7041-acres in size; Lot 2-B-1, Tract S-1 at 1.6680-acres in size; Lot 2-C-1, Tract S-1 at 4.7271-acres in size in the Atrisco Business Park, Unit 2; and grants and vacates easements as depicted on the Plat.
2. The subject property is zoned NR-BP (Non-Residential – Business Park Zone District). Future development must be consistent with all relevant standards.
3. 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. This request complies with this criterion.
4. Signatures from the surveyor, property owner(s), the City Surveyor, the utility companies, and AMAFCA are provided on the Plat as required.
5. Per Table 6-1-1 of the IDO, public notice requirements have been satisfied by the Applicant prior to this submittal.
6. Per 6-5(A) of the IDO, a Certificate of No Effect was issued by the City Archaeologist for the subject property, as the subject property for this request is over 5-acres in size.
7. Per 6-6(K)(2)(I), after approval by the DHO, the Applicant shall record the Plat with the Bernalillo County Clerk within 3 months after the date of the final signature on the Plat, or the Plat shall be voided.

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## CONDITIONS

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

### ABCWUA

- a. Confirmation, prior to signature, that the easement is adequate with the proposed new waterline layout. If an additional easement is necessary, the additional easement will be added to the Plat to provide a sufficient easement for both of the newly installed public water and public sanitary sewer infrastructure as discussed.

### Planning

- b. An Administrative Amendment must be filed to amend the Landscaping Plan to ensure plant materials are not conflicting with the water line.

**APPEAL:** If you wish to appeal this decision, you must do so within 15 days of the DHO's decision or by **JANUARY 6<sup>th</sup>, 2025**. 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 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](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 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,



[Robert L. Lucero, Jr. \(Dec 26, 2024 20:27 GMT+2\)](#)

Robert L. Lucero, Jr.  
Development Hearing Officer

RLL/mi/jr

CSI-Cartesian Surveys, Inc., P.O. Box 44414, Rio Rancho, NM 87174







# PR-2022-007645 December 18th, 2024 Notice of Decision

Final Audit Report

2024-12-26

Created:	2024-12-23
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## "PR-2022-007645 December 18th, 2024 Notice of Decision" History

-  Document created by Jay Rodenbeck (jrodenbeck@cabq.gov)  
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-  Document e-signed by Robert L. Lucero, Jr. (robert@lucerolawpc.com)  
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