

PLANNING DEPARTMENT
DEVELOPMENT SERVICES DIVISION
600 2nd Street NW, Ground Floor, 87102
P.O. Box 1293, Albuquerque, NM 87103
Office (505) 924-3946



OFFICIAL NOTICE OF DECISION December 17, 2025

Vista Oriente Ltd. Co.
John Sedberry
500 4th st NW Suite 275
Albuquerque, NM, 87102

Project# PR-2024-009947
Applications#
MJRFNL-2025-00003 FINAL PLAT
VAC-2025-00061 VACATION OF PUBLIC UTILITY
EASEMENT (10' POWER AND COMMUNICATIONS
EASEMENT)
VAC-2025-00062 VACATION OF PUBLIC UTILITY
EASEMENT (10' PUE EASEMENT)
VAC-2025-00063 VACATION OF PUBLIC UTILITY
EASEMENT (10' TELEPHONE AND COMCAST EASEMENT)
VAC-2025-00064 VACATION OF PUBLIC UTILITY
EASEMENT (UTILITY EASEMENT VARIED SIZE: 10' AND 12')
VAC-2025-00065 VACATION OF PUBLIC UTILITY
EASEMENT (20' PUBLIC UTILITY EASEMENT)
VAC-2025-00066 VACATION OF PUBLIC UTILITY
EASEMENT (COMMUNICATION AND PNM EASEMENT)

LEGAL DESCRIPTION:

For all or a portion of:

Lots/Tracts 2-B, AMERICAN SQUARE zoned
MX-M, located at **3535 MENAUL BLVD NE**
between CARLISLE and MENAUL containing
approximately **9.8 acre(s)**. **(H-16)**

On December 17, 2025, the Development Hearing Officer (DHO) held a public hearing concerning the above referenced applications and approved the requests, based on the following Findings:

MJRFNL-2025-00003 FINAL PLAT

1. This is a request to subdivide an existing lot (Lot 2-B, American Square) into six lots, dedicate right-of-way to the City of Albuquerque, and grants easements as depicted on the Plat.

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2. The Preliminary Plat was approved by the Development Hearing Officer (DHO) on June 25, 2025 per PR-2024-009947, MAJOR_PLT-2025-00007.
3. The subject property is zoned MX-M (Mixed Use – Medium Intensity), is located at 3535 Menaul Blvd and is located in an Area of Change.
4. The Final Plat is consistent with the approved Preliminary Plat (MAJOR_PLT-2025-00007), and doesn't include Lot 2-A, American Square in the subject property as the Preliminary Plat did, but otherwise includes all changes, conditions, and requirements contained in the Preliminary Plat approval.
5. An Infrastructure List was approved with the Preliminary Plat, which included major public infrastructure for roadway improvements, public waterline improvements, and public sanitary sewer improvements.
6. Signatures from the surveyor, property owner(s), the City Surveyor, the utility companies, and AMAFCA are provided on the Plat as required.
7. Per 6-6(L)(2)(d)(8), the applicant shall then record the final plat with the Bernalillo County Clerk as soon as possible, but in no case more than 30 consecutive days from the date of the last signature on the final plat, or the subdivision shall be voided.

Conditions

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

Water Authority

- a. Verification of the location of the existing waterlines within existing waterline easements must take place prior to final signature. If the need for additional easements are discovered, they must be added to the Final Plat prior to signature.

Planning

- b. Date of DHO approval shall be added to the Plat.
- c. Update the application number on the Plat to reflect MJRFNL_PLN-2025-00003.
- d. AGIS approved DXF file and proof of approval must be submitted prior to final sign off.

VAC-2025-00061, VAC-2025-00062, VAC-2025-00063, VAC-2025-00064, VAC-2025-00065, VAC-2025-00066 VACATION OF PUBLIC UTILITY EASEMENTS

1. These are requests to vacate public utility easements on the subject property for the Final Plat for MJRFNL-2025-00003.

2. **6-6(M)(3) Review and Decision Criteria**

An application for a Vacation of Easement, Private Way, or Public Right-of-way shall be approved if it meets any of the following criteria.

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.

The applicant provided justification for all of the above mentioned Vacation of Easements under 6-6(M)(3)(b) stating that **“The existing easement will no longer serve the intended purpose due to the reconfiguration of the lots with the Major Platting Action.”**

3. Per Table 6-1-1 of the IDO, a pre-application meeting took place with City staff.

APPEAL: If you wish to appeal this decision, you must do so within 15 days of the DHO’s decision or by **JANUARY 5, 2026**. 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 electronically to [ABQ-PLAN](#) (*place mouse cursor over hyperlink, right-click, choose “open hyperlink”*). A Non-Refundable filing fee will be calculated by staff in the Development Review Services Division of the City of Albuquerque Planning Department and will be payable online at [ABQ-PLAN](#) (*place mouse cursor over hyperlink, right-click, choose “open hyperlink”*). The appeal fee must be paid in full no later than 48 hours after the appeal deadline, or the appeal will be rejected as untimely.

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).

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Sincerely,

Robert L. Lucero, Jr.

[Robert L. Lucero, Jr. \(Dec 22, 2025 21:17:17 MST\)](#)

Robert L. Lucero Jr.

Development Hearing Officer

RLL/jb/jr







PR-2024-009947_December_17_2025_Notice_of_Decision_DHO

Final Audit Report

2025-12-23

Created:	2025-12-22
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