

**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
May 6, 2026**

Christina Cook Chavez Trustee Cook RVT
1516 S. High St. NE
Albuquerque, NM 87102-1634

Project# PR-2025-020155
Application#
VAC-2026-00001 VACATION OF PUBLIC
RIGHT-OF-WAY
VAC-2026-00002 VACATION OF PUBLIC
RIGHT-OF-WAY

LEGAL DESCRIPTION:

For all or a portion of:

**A TR OF LAND IN SE NW NW T10N R3E
SEC 16 EXC POR TO R/W CONT 21,447 SQ
FT, 4 TR OF LAND IN SEC 16 T10N R3E
zoned MX-T, located at 1522 Edith
containing approximately 0.49 acre(s).
(J-15)**

On May 6, 2026, the Development Hearing Officer (DHO) held a public hearing concerning the above referenced applications, and recommended approval of the Vacation of Public Right-of-Way requests, based on the following Findings:

1. This is a request to vacate a portion of Odelia Road NE, between Edith Blvd. and High Street NE. The total amount to be vacated under this application is shown to be 6,064 Sq. Ft. A secondary request seeks to vacate all of Clara Street NE which includes 3,494 Sq. Ft. This project is seeking to vacate a total area of 9,558 Sq. Ft. between the two vacations. The updated ROW Vacation Exhibits depict a portion of High Street also being vacated along with Odelia Road.
2. A Sketch Plat review was completed on February 25, 2026. Review comments were provided to the applicant's team.

3. The IDO Zone District for this property is Mixed Use – Transition (MX-T) and is located within an Area of Consistency. The subject property is not shown to be located within any Major Transit Corridor, Premium Transit Corridor, or Main Street areas. The property is shown to be located within Character Protection Overlay Zone Martineztown/Santa Barbara (CPO-7).
4. Per 6-6(M)(1)(b) because the total vacated area is more than 5,000 sq. ft and because all of Clara St. is to be vacated, these applications will need to be recommended and forwarded to the City Council for approval.
5. Per Table 6-1-1 of the IDO, public notice requirements have been satisfied by the Applicant prior to this submittal.
6. Per 6-6(M)(3), Review and Decision Criteria, an application for a Vacation of Easement, or Public Right-of-way shall be approved if it meets any of the following criteria.

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

(Vacation of Odelia Road NE and High Street NE) This portion of Odelia Road and High Street is not used by the public for commuting since the street has existing 6' wide sidewalks that are used for pedestrians. The area between the sidewalk and the applicant's property line is what is being proposed for vacation, still allowing the public to utilize the current parts of the right-of-way that is constructed for pedestrian use.

(Vacation of Clara Street NE) In addition, there is no evidence that this portion of Clara Road had been constructed. There are no sidewalks, curb or gutters, nor is there asphalt for driving purposes, all typical of a public right-of-way. The area to the south of this portion of Santa Clara Road is not shown as being a public right-of-way, which may have been designated as right-of-way in the past, but has since been vacated as well.

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 property.

(Vacation of Odelia Road NE and High Street NE) he net benefit to the public welfare continues to revolve around reinforcing safety and clear pedestrian passage within the right-of-way. The vacation of right-of-way will be more beneficial to the public welfare and will not abridge any substantial property rights since the area proposed to be vacated appears to be excess right-of-way.

(Vacation of Clara Street NE) The net benefit to the public welfare revolves around clarifying the public maps that still show this area as being public right-of-way, but no constructed road at the site.

Official Notice of Decision

Project # PR-2025-021055 Application# VAC-2026-00001, VAC-2026-00002

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This will allow for consistency between public records and the subject site. The vacation of right-of-way will be more beneficial to the public welfare and will not abridge any substantial property rights since the area proposed to be vacated appears to be nonexistent.

7. A future Determination request must be approved permitting the existing sidewalk along High Street to remain as-is.
8. The justification letters must be revised to list the revised vacation amounts proposed along Odelia and High Street.
9. A revised Vacation Exhibit must be submitted depicting the amount of vacated right-of-way along High Street.

Sincerely,

Robert L. Lucero, Jr.

[Robert L. Lucero, Jr. \(May 8, 2026 12:55:29 MDT\)](#)

Robert L. Lucero, Jr.

Development Hearing Officer

RLL/jb/jr

JAG Planning & Zoning, PO Box 7857, Albuquerque, NM 87194







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Final Audit Report

2026-05-08

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