

**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**

October 3, 2018

SP Albuquerque, LLC  
500 Stevens Ave.  
Solana Beach CA 92075

**Project# PR-2018-001560**  
Application# **SD-2018-00081**

### **LEGAL DESCRIPTION:**

All or a portion of TRACT A SUBDIVISION PLAT MAP FOR HOFFMANTOWN BAPTIST CHURCH and TRACT B-2 REPLAT OF TRACT B YORBA LINDA SUBDIVISION, zoned MX-L, located at 8888 HARPER RD NE west of VENTURA ST NE and east of WYOMING BLVD NE, containing approximately 62.46 acre(s). (E-20)

October 3, 2018, the Development Review Board (DRB) voted to APPROVE PR-2018-001560, SD-2018-00081, a Vacation of three Public Easements based on the following Findings and subject to the following Conditions:

### **Findings:**

1. This is a request to vacate three public easements on the subject, two ABCWUA (sanitary sewer and waterline) easements, and a Temporary AMAFCA Drainage easement.
2. The area of the vacation is outlined on the exhibit Labelled Hoffman Senior Center Easement Vacation Exhibit which was submitted by the applicant and a copy is placed in the DRB file for a record.
3. The public welfare does not require that the public easements be retained because the ABCWUA easements will be relocated and the temporary drainage easement is not required because of the improvements to the Pino Arroyo.
4. 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 detriments 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 right. The applicant provided concurrence from AMAFCA for the vacation of the Temporary Drainage Easement. New easements will be dedicated when development occurs on the site.

**Conditions:**

1. A replat of the vacated easements must be approved by the DRB within one year of the vacation action.
2. AMAFCA must sign the plat.

**APPEAL:** If you wish to appeal this decision, you must do so within 15 days of the DRB's decision or by **OCTOBER 25, 2018**. The date of the DRB'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 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). A Non-Refundable filing fee will be calculated at the Land Development Coordination Counter and is required at the time the appeal is filed.

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,



Kym Dicome  
DRB Chair