

**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

March 1, 2019

Faisel Kassam /Legacy Hospitality
6501 Eagle Rock NE suite B-5
ABQ NM 87113

Project# PR-2019-002016 (1000816)
Application#
SD-2019-00044– PRELIMINARY /FINAL PLAT
SD-2019-00033 – VACATION OF PUBLIC RIGHT OF
WAY

LEGAL DESCRIPTION:

All or a portion of LOT 1-A, BLOCK 4-B PLAT OF LOT 1-A BLOCK 4-B SUNPORT PARK, zoned NR-BP, located at 1520 SUNPORT PL SE, west of between UNIVERSITY BLVD and south WOODWARD RD SE containing approximately 2.2837 acre(s). (M-15)

On February 27, 2019, the Development Review Board (DRB) held a public hearing concerning the above referenced application and approved the requests with delegation to Planning for the plat, based on the following Findings:

SD-2019-00044– PRELIMINARY /FINAL PLAT

1. This preliminary/final plat adjust the existing lots lines to incorporate vacated Right of Way of University Blvd and dedicate required Right of Way to the City.
2. The property is zoned NR-BP and has no minimum lot size, but meets the minimum lot width.
3. The applicant met the notification requirements of the IDO.
4. The required major infrastructure (IL) will be tied to the site development plan for building permit that the EPC approved and requires DRB final sign off.

SD-2019-00033 – VACATION OF PUBLIC RIGHT of WAY

1. This application is to vacate a portion the R/W of University Blvd.

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2. The request meets the criteria in 14-16-6-6(K)(3):
The public welfare does not require that easement be retained because the street has been used as a parking lot since 2006 and the roadway improvements were constructed with the site used for parking.
5. The City of Albuquerque does not anticipate any need to utilize the existing right of way for roadway purposes.
6. The proposed vacation does not affect any access points for the surrounding area.
7. Because the street does not connect to any other streets or properties, the vacation will not abridge any rights of any property owners. The application contains a letter of authorization from the legal owner of record.
8. The vacation contains less than 5,000 square feet or the the width of an entire street, pursuant 14-16-(6)(6)(K)(2) (d) and (e), the DRB can make a final determination on the request.
9. There was no opposition to this request.

Delegation: Planning can not sign the plat until after the appeal period for the vacation (3-14-19), the dxf file has been approved by AGIS and has all utility signatures as well as AMAFCA's.

APPEAL: If you wish to appeal this decision, you must do so within 15 days of the DRB's decision or by **MARCH 14, 2019**. The date of the DRB'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). 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

KD/mg

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Cartesian Surveys PO BOX 44414 Rio Rancho NM 87174