

**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

Maverick, Inc
185 S State St., Suite 800
Salt Lake, UT 84111

Project# PR-2019-002920

Application#

SD-2020-00054 PRELIMINARY/FINAL PLAT

**SD-2020-00055 VACATION OF PRIVATE
EASEMENT**

LEGAL DESCRIPTION:

For all or a portion of: **TR G2B PLAT OF TRACTS G-2-A & G-2-B MONTGOMERY COMPLEX LOT G2B, MONTGOMERY COMPLEX**, zoned MX-M, located at **3601 MONTGOMERY BLVD NE between MONTGOMERY BLVD NE and CARLISLE BLVD NE**, containing approximately 2.2543 acre(s). (F-16)

On April 8, 2020, the Development Review Board (DRB) held a public meeting concerning the above referenced application and approved the request, with delegation to Planning to address a minor issue as discussed at the meeting, based on the following Findings:

SD-2020-00054 – PRELIMINARY/FINAL PLAT

1. This Preliminary/Final Plat adjusts a power and telephone easement. In addition, along both Montgomery Blvd. and Carlisle Blvd. portions of the property are dedicated to the City as right-of-way to eliminate the sidewalk encroachment into the property.
2. The property is zoned MX-M. The lots meet the minimum lot requirements for the zoning category. Future developments must be consistent with the underlying zoning.
3. The applicant provided the required notice as outlined in the IDO Table 6-1-1.

SD-2020-00055 - VACATION OF PRIVATE EASEMENT

1. The applicant proposes to vacate the existing ten-foot-wide power and telephone easement that was created in 1970.
2. The applicant justified the request pursuant to 14-16-6-6-(K)(3)(a), the public welfare does not require the easement to be retained because existing easements accommodate the utilities.
3. The applicant provided the required notice as outlined in the IDO Table 6-1-1.

Conditions:

1. Final sign off is delegated to Planning for the DXF file, the infrastructure improvement agreement, and for utility signatures.
2. The applicant will obtain final sign off from Planning by July 3, 2020 or the case may be scheduled for the next DRB hearing and could be denied per the DRB Rules of Procedure.

APPEAL: If you wish to appeal this decision, you must do so within 15 days of the DRB's decision or by **APRIL 23, 2020**. 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,



Jolene Wolfley
DRB Chair

JM

Tierra West, LLC (Richard Stevenson) 5571 Midway Park PL. NE Albuquerque, NM 87109