

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

Montgomery Plaza Partners LLC
100 Sun Avenue NE, Suite 100
Albuquerque, NM 87109

Project# PR-2020-004640

Application#

SD-2021-00113 PRELIMINARY/FINAL PLAT

**SD-2021-00114 VACATION OF PUBLIC
EASEMENT**

**SD-2021-00115 VACATION OF PUBLIC
EASEMENT**

LEGAL DESCRIPTION:

For all or a portion of:

**A, B, 1-C, ALLWOODS & MONTGOMERY
PLAZA** zoned MX-M, located at **4595 & 4601
SAN MATEO BLVD NE between
MONTGOMERY BLVD NE and SAN MATEO
BLVD NE**, containing approximately 8.8
acre(s). (F-17)

On August 11, 2021, the Development Review Board (DRB) held a public meeting concerning the above referenced applications and approved the requests based on the following Findings:

SD-2021-00113 PRELIMINARY/FINAL PLAT

1. This Preliminary/Final Plat adjusts the lot lines between Tract A, 2.348 acres in size, and Tract B, 7.5525 acres in size. The replatted lots per this Preliminary/Final Plat are Tract B-1 at 2.5621 acres in size and Tract B-2 at 7.3242 acres in size. This Preliminary/Final Plat grants a cross-lot drainage easement, a 30-foot access easement, a private sewer easement, and a 5-foot additional waterline easement.
2. The property is zoned MX-M, future development must be consistent with the underlying zone.
3. An Administrative Waiver from the sidewalk width requirement was approved for the existing sidewalks along Lumber Avenue NE and Hardware Avenue NE.

4. The applicant provided the required notice as outlined in the IDO Table 6-1-1.

SD-2021-00114 VACATION OF PUBLIC EASEMENT

1. The applicant proposes to vacate a 14-foot PNM easement recorded on August 21, 1974, shown as Easement #27 on the Plat.
2. The applicant justified the vacation request for the easement pursuant to 14-16-6-6-(M)(3) of the IDO. The easement is not currently being used for the purpose it was created and is encroaching into an existing structure on the property. This vacation permits the encroachment into the existing structure to be corrected.

SD-2021-00115 VACATION OF PUBLIC EASEMENT

1. The applicant proposes to vacate an access easement for Well Site No. 4 recorded on July 16, 1986, shown as Easement #32 on the Plat.
2. The applicant justified the vacation request for the easement pursuant to 14-16-6-6-(M)(3) of the IDO. The easement was created as an access easement for the City to access their well site located south of the subdivision. The easement was not clearly defined regarding where the location was for it, as it was a blanket access easement over Tracts A and B of Montgomery Plaza and Tract 1-C of Allwoods Subdivision. This vacation allows for the easement to be better defined in a designated area instead of across all tracts, and will be located near the closest entrance to the well site. The new easement is shown on the Plat as Easement #37.

APPEAL: If you wish to appeal this decision, you must do so within 15 days of the DRB's decision or by **AUGUST 26, 2021**. 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). Appeals should be submitted via email to PLNDRS@CABQ.GOV (if files are less than 9MB in size). Files larger than 9MB can be sent to PLNDRS@CABQ.GOV using <https://wettransfer.com>. A Non-Refundable filing fee will be calculated and you will receive instructions about paying the fee online.

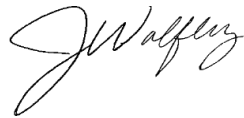
You will receive notification if any person files an appeal. If there is no appeal, you can receive Building Permits at any time after the appeal deadline quoted above, provided all conditions imposed at the time of approval have been met. Applicants submitting for building permit prior to the completion 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).

Official Notice of Decision

Project # PR-2020-004640 Applications# SD-2021-00113, SD-2021-00114, SD-2021-00115

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Sincerely,

A handwritten signature in black ink, appearing to read "J. Wolfley". The signature is fluid and cursive, with the first letter of each word being capitalized and prominent.

Jolene Wolfley
DRB Chair

JW/jr

Modulus Architects, Inc. C/O Angela Williamson, CEO, 100 Sun Avenue NE, Suite 100, ABQ, NM 87109