

**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**

MCHT LLC, Martin Haynes  
P.O. Box 9043  
ABQ, NM 87119

**Project# PR-2019-002610**

**Application#**

**SD-2021-00004** PRELIMINARY/FINAL PLAT

**SD-2021-00005** VACATION OF PUBLIC  
EASEMENT

**SD-2021-00006** VACATION OF RIGHT OF WAY  
(DITCH RIGHT OF WAY)

**SD-2021-00007** VACATION OF RIGHT OF WAY  
(MEADOW ROAD)

### **LEGAL DESCRIPTION:**

For all or a portion of: **LOT 26-B PLAT OF  
LOTS 26-A & 26-B ALVARADO GARDENS  
UNIT 1, ALVARADO GARDENS**, zoned R-A,  
located between **CAMPBELL RD NW** and  
**MATTHEW AVE NW**, containing  
approximately 0.8388 acre(s). (G-13)

On January 27, 2021, the Development Review Board (DRB) held a public meeting concerning the above referenced applications and approved the requests, with delegation to Planning, based on the following Findings:

### **SD-2021-00004 PRELIMINARY/FINAL PLAT**

1. This Preliminary/Final Plat vacates the remaining portion of the Right-of-Way for Meadow Road NW, 160 square feet, along the northeast corner of the property, vacates a ditch Right-of-Way, 1,365 square feet along the northern edge of the property, and vacates a public utility easement along the east portion of the property of Lot 1-A, comprising 0.8388 acres in size.
2. The property is zoned R-A. Future development must be consistent with the underlying zone district.
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 utility/AMAFCA signatures, MRGCD signature line and signature on the Plat, Real Property's signature, and the AGIS DXF file.
2. The applicant will obtain final sign off from Planning by March 27, 2021 or the case may be scheduled for the next DRB hearing and could be denied per the DRB Rules of Procedure.

**SD-2021-00005 VACATION OF PUBLIC EASEMENT**

1. The applicant proposes to vacate a public utility easement.
2. The applicant justified the vacation request for the easement pursuant to 14-16-6-6-(M)(3) of the IDO. The existing public utility easement is located only within the applicant's property boundary and will not affect any surrounding properties.

**SD-2021-00006 VACATION OF RIGHT OF WAY (DITCH RIGHT OF WAY)**

1. This is a request to vacate 1,365 square feet of Right-of-Way of a ditch along the northern edge of the property.
2. The applicant provided notice as required in table 6-1-1 of the IDO.
3. The applicant justified the vacation request for the easement pursuant to 14-16-6-6-(M)(3) of the IDO. The existing ditch Right-of-Way is located only within the applicant's property and will not affect any surrounding properties. MRGCD confirmed that the ditch easement was not for an MRGCD ditch.

**SD-2021-00007 VACATION OF RIGHT OF WAY (MEADOW ROAD)**

1. This is a request to vacate 160 square feet of Right-of-Way for Meadow Road NW along the northeastern corner of the property.
2. The applicant provided notice as required in table 6-1-1 of the IDO.
3. The applicant justified the vacation request for the easement pursuant to 14-16-6-6-(M)(3) of the IDO. The majority of Meadow Road was vacated by a previous action, and the existing Right-of-Way is located only within the applicant's property and will not affect any surrounding properties. Because the request is less than the full width of a road and less than 5,000 square feet the DRB is the final approving body.

**APPEAL:** If you wish to appeal this decision, you must do so within 15 days of the DRB's decision or by **FEBRUARY 11, 2021**. 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). Appeals should be submitted via email to [PLNDRS@CABQ.GOV](mailto:PLNDRS@CABQ.GOV) (if files are less than 9MB in size). Files larger than 9MB can be sent to [PLNDRS@CABQ.GOV](mailto: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.

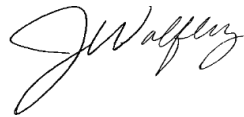
Official Notice of Decision

Project # PR-2019-002610 Applications# SD-2021-00004, SD-2021-00005, SD-2021-00006, SD-2021-00007

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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,

A handwritten signature in black ink, appearing to read "J. Wolfley". The signature is fluid and cursive, with the first letter of the first name being a large, stylized capital "J".

Jolene Wolfley  
DRB Chair

JW/jr

JAG Planning and Zoning, P.O. Box 7857, ABQ, NM 87194