

**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**

CRP-GREP Overture Andalucia Owner, LLC  
1717 West 6<sup>th</sup> Street, Suite 262  
August, TX 78703

**Project# PR-2020-003658**  
**Application#**  
**SD-2021-00040 VACATION OF RIGHT OF WAY**  
**SD-2021-00043 VACATION OF PUBLIC**  
**EASEMENT**

### **LEGAL DESCRIPTION:**

For all or a portion of: **TRACT 4, NORTH ANDALUCIA AT LA LUZ**, zoned PD, located on **TRACT 4 between ANTEQUERA RD NW and MIRANDELA ST NW** containing approximately 7.7007 acre(s). (E-12)

On March 31, 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-2021-00040 VACATION OF RIGHT OF WAY**

1. This is a request to vacate 0.0168 acres, 731.81 square feet of Right-of-Way for Antequera Road NW.
2. The applicant provided notice as required in table 6-1-1 of the IDO.
3. The applicant justified the Vacation request for the Right-of-Way pursuant to 14-16-6-6-(M)(3) of the IDO. The Vacation of the Right-of-Way for Antequera Road NW is necessary to correct an error as the existing roadway was constructed to match the opposite side of the street such that the platted Right-of-Way does not match the existing roadway. The vacation of the excess right-of-way and the simultaneous dedication of an approximately equal amount of area is appropriate to clean up the overlap and encroachment of public improvements on private property. 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.
4. The vacation as depicted on Vacation Exhibit A in the Planning file must be platted within one year of DRB approval or it will be void (see Table 6-4-3 of the IDO).

**SD-2021-00043 VACATION OF PUBLIC EASEMENT**

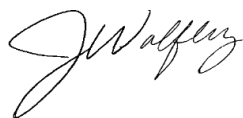
1. The applicant proposes to vacate a 10-foot public utility utility easement that was recorded on October 13, 2005.
2. The applicant justified the vacation request for the easement pursuant to 14-16-6-6-(M)(3) of the IDO. The Vacation is necessary to correct an error as the existing roadway (Antequera Road NW) was constructed to match the opposite side of the street such that the platted Right-of-Way does not match the existing roadway. The vacation and dedication of Right-of-Way for Antequera Road NW makes the corresponding vacation and dedication of an adjacent 10-foot public utility necessary as well.
3. The vacation as depicted on Vacation Exhibit A in the Planning file must be platted within one year of DRB approval or it will be void (see Table 6-4-3 of the IDO).

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

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

JW/jr