

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

Tim Solinski  
7420 Reading Avenue SE  
Albuquerque, NM 87105

**Project# PR-2020-004748**  
**Application#**  
**SD-2021-00028 VACATION OF RIGHT OF WAY**

### LEGAL DESCRIPTION:

For all or a portion of: **BLK 1A GARCIA ESTATE & REMAINING PORTION SE CORNER, 58 4 ARMIJO BROS ADDN LOTS 58 TO 61 & LOTS P & Q, LTS 7 THR 12 BLK C MANDELL BUSINESS ADDN EXC ELY PORT INCLUDED W/PAR ADJ CONT 0.1731 AC M/L OR 7,540 SQ FT M/L, \*62 4 ARMIJO BROS ADDN LTS 62, 63 & 64 & LTS R, S & T & ALLEY ADJ LT and LTS 1-5 ALL LT 6 EXC A SELY PORTION BLK C OF THE MANDELL BUSINESS AND RESIDENCE ADDN AND AN UNPLATTED STRIP OF LD W OF AND ADJ THERE TO CONT 0.4627 AC M/L OR 20,155 SQ FT M/L zoned MX-FB-UD , located at **ONE CIVIC PLAZA/400 MARQUETTE between MARQUETTE and TIJERAS** containing approximately 2.2273 acre(s). (J-14)**

On March 31, 2021, the Development Review Board (DRB) held a public meeting concerning the above referenced application and recommended approval of the request to the City Council based on the following Findings:

1. This is a request to vacate the Right-of-Way of an alleyway 161.3 feet in length, 16 feet in width, and 483.9 square feet in size along 5<sup>th</sup> Street NW south of Marquette Avenue NW.
2. The applicant provided notice as required in table 6-1-1 of the IDO.

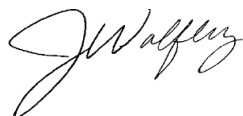
3. The applicant justified the vacation request for the easement pursuant to 14-16-6-6-(M)(3) of the IDO. The Right-of-Way (to be vacated) will permit the dedication of additional Right-of-Way for public sidewalk access and to include the curb return at the northwest corner of Tract A-2-A. Therefore, there is no benefit to the public welfare through keeping the the Right-of-Way (to be vacated).
4. Pursuant to section 14-16-6-6(M)(1)(b), the DRB will be the recommending body on the request because the vacation is more than 500 square feet and the entire width of a platted alley. City Council will make the final decision on the request.
5. The vacation must be must be platted within one year of final City Council 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